

**POLSON CITY COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
MONDAY, DECEMBER 4, 2006, 7:00 P.M.**

ATTENDANCE: City Council: Bruce Agrella, Mike Lies, Tom Corse, Fred Funke, present. Mark MacDonald absent. Mayor Jules Clavadetscher present. City Attorney James Raymond present. Others Present: Joyce Weaver, Nathan Pierce, Rick LaPiana, Lee Manicke, Rory Horning, Ethan Smith, Elsa Duford, Tony Porrazzo, Sue Taylor Robert Lajoie, Pat Nowlen, Cindy Willis, Bonnie Manicke, Doug Chase.

CONSENT AGENDA:

- A. CITY COUNCIL MEETING MINUTES - NOVEMBER 20, 2006**
- B. RESIGNATION – SARAH PHANKOT LIBRARY ASSISTANT EFFECTIVE 12/23/06
INITIATE HIRING PROCESS**
- C. RESIGNATION - CHANCE ANDERSEN ANIMAL CONTROL OFFICER EFFECTIVE
12/22/06 - INITIATE HIRING PROCESS**
- D. CERTIFICATION WAGE INCREASE \$.50/HR – CITY TREASURER BONNIE
MANICKE CERTIFIED PUBLIC FINANCE ADMINISTRATOR – RETRO 7/1/ 2006**
- E. CERTIFICATION WAGE INCREASE \$1.00/HR-WATER&SEWER SUPERINTENDENT
TONY PORRAZZO – CERTIFIED CLASS 3C OPERATOR (WASTEWATER)**
- F. PERMANENT STATUS WAGE INCREASE \$1.00/HR - GOLF MAINTENANCE
SUPERINTENDENT PAT NOWLEN**
- G. LOCAL GOVERNMENT REVIEW COMMISSION – APPOINT EX-OFFICIO
MEMBER - TOM CORSE TO REPLACE RANDY INGRAM**
- H. RON MELVIN, BUILDING INSPECTOR TRAINING - IBC & IRC SIGNIFICANT
CHANGES SEMINAR – MISSOULA -1/25-26/07 - \$181.30**
- I. TERRY GEMBALA, PETE BISHOP, JOHN FAIRCHILD, VOLUNTEER FIREMEN –
FIRE OFFICER TRAINING – COEUR D’ALENE - 2/23-25/06 - \$1,120.30**
- J. NOVEMBER 2006 CLAIMS**

Mayor Clavadetscher clarified that agenda item 1.C. was corrected from a promotion to police officer to a resignation and item 1.F was corrected from \$.58/hr to \$1/hr. **Motion made by Councilman Funke, seconded by Councilman Agrella, to approve the Consent Agenda items 1.A through 1. J., except items 1.D. and 1.E, to be removed for discussion at the scheduled executive session following this meeting.** Rory Horning and Elsa Duford asked that item 1.G. be removed from the Consent Agenda for discussion. Mayor Clavadetscher agreed that they may comment on that agenda item. Rory Horning and stated his objections to appointing Councilman Corse because previously he expressed adversarial opinions against Elsa Duford regarding her elected position on the Government Review Commission, which they felt was unfair. Also that Councilman Corse has been named in a recent Human Rights complaint and he felt it would not be good to represent the City on the Government Review Commission because he doesn't think he is fair minded. Elsa Duford said the ex-officio member was Randy Ingram and he didn't attend the meetings for nine months and the position should have been filled earlier and it should be filled by advertising for the position, like any other board vacancy. She further stated that the ex-officio member does not have to be a member of the City Council. **Motion carried unanimously.**

**HIDEAWAY SUBDIVISION CONDITION #35 - SPECIAL IMPROVEMENT DISTRICT TO
PAVE THE UNPAVED PORTION OF CLAFFEY DRIVE – CITY TO INITIATE SID PROCESS
– DAWN RAYMOND:** James Raymond excused himself from his role as City Attorney and addressed Council on behalf of his wife Dawn Raymond who is the developer of the Hideaway Subdivision on Claffey Drive. He explained that condition #35 of the Hideaway Subdivision's preliminary plat

approval states that the developer shall initiate a request to the Council to create an SID, which would include the four lots of this subdivision. The SID is for road improvement from the end of the pavement on Claffey Drive to the end of the cul-de-sac, subject to the standards established by the Council for those improvements, and required to be completed prior to final plat filing. James Raymond asked Council to consider initiating the SID process to pave the unpaved portion of Claffey Drive. The process requires identifying the boundaries of the improvement, notifying the owners with an estimate of cost and determining if 50% of the affected owners are in agreement to create an SID. This process will help determine the elevation for the street improvements that he plans to make in front of the lots in the Hideaway subdivision. If Council does not agree to create an SID then he will proceed on his own with those improvements required for his subdivision. **Motion made by Councilman Lies, seconded by Councilman Agrella, to initiate the process to create a Special Improvement District to pave the unpaved portion of Claffey Drive.** Rory Horning asked if a petition was presented to Council. Councilman Lies showed him the document they received. **Motion carried unanimously.**

WESTANA ROAD IMPROVEMENT PROJECT – SMITH PAVING REQUEST SHUT DOWN FOR WINTER - DEREK SMITH: It was clarified that the water hook ups have been completed for the Westana project but the paving cannot be done in the winter. **Motion made by Councilman Lies, seconded by Councilman Funke, to accept Smith Paving’s request to shut down the Westana Road Improvement Project for winter.** Rory Horning asked if the cost of the project will be higher if completion is delayed until spring. The taxpayers will pay for the project if the City will does not get reimbursed for the costs. Councilman Lies replied that the contractor bid the project for a certain amount and there will be no increase for this delay. **Motion carried unanimously.**

APPOINTMENT OF CITY OFFICIAL TO REPRESENT CITY OF POLSON ON THE LOCAL MAIN STREET GOVERNING BOARD OF DIRECTORS AS PER RESOLUTION #934 - SECTION 3 - SUE TAYLOR: **Motion made by Councilman Agrella, seconded by Councilman Lies, to appoint Councilman Fred Funke as the City official to represent the City of Polson on the Local Main Street Governing Board of Directors as per Resolution #934, Section 3. Motion carried unanimously.** Sue Taylor noted that the next meeting is scheduled for Thursday, December 14th, at 11:30 a.m. at the Polson City Library.

BUDGET CLARIFICATION FOR COMMUNITY DEVELOPMENT TRANSFER FROM GENERAL FUND - \$2,500 FOR FAÇADE GRANT, \$2,500 FOR PCDA/MAIN STREET OPERATIONAL FUNDS (RESOLUTION #934 SECTION 1) \$2,500 FOR PRA OPERATIONAL FUNDS AS HISTORICALLY PROVIDED - SUE TAYLOR: Sue Taylor asked Council to specifically clarify the disbursement of the \$7,500 budgeted funds in the General fund line item 1000 470310300 which is currently identified as \$2,500 Carryover from fiscal year 05-06 and \$5,000 PCDA Main Street Façade Project. Instead they had requested \$2,500 for the Façade Grant, \$2,500 for PCDA/Main Street Operational Funds (Resolution #934 Section 1) and \$2,500 for PRA Operational Funds, as historically provided. **Motion made by Councilman Funke, seconded by Councilman Corse, to approve the clarification of the General Fund budget line 1000 470310300, to be disbursed specifically as \$2,500 for Façade Grant, \$2,500 for PCDA/Main Street Operational Funds (Resolution #934 Section 1) \$2,500 for PRA operational funds as historically provided.** They assured Council that they will bring the projects to them for approval before they spend those funds that have been allocated. She noted that they had considered using the façade grant funds for directional signage. Councilman Lies agreed that the directional signage would be a better project and they need to be sure that no private property is improved with taxpayer money. Nathan Pierce asked if the City Council feels that the Façade Program should not be continued. Councilman Corse replied that they should bring the projects to Council for approval. Sue Taylor noted that the design committee is

currently reviewing the plans and they will bring them to Council for approval before proceeding. Lee Manicke thanked the Council and Sue Taylor for listening and responding to concerns he previously expressed regarding the use of taxpayer dollars for private businesses. He understood that the PCDA was an entity of the City of Polson City government and asked when they were separated. In recent years the City made significant contributions to the Main Street Tree Planting Project of about \$6,000 to \$7,000 and asked if it is really necessary for the City to give another \$2,500. Rory Horning commented that the City has a cloudy position with PCDA, however the PRA uses their funds to provide low interest loans similar to the CDBG program where the pool of money continues to grow from the payback of the loans. **Council voted unanimously in favor to clarify the budget as proposed by Sue Taylor, Executive Director of PCDA.**

LETTERS OF INTEREST FOR STREETScape TASK FORCE PRA SUBCOMMITTEE - NATHAN PIERCE: Nathan Pierce noted that Council approved forming a Streetscape Sub-Task Force Committee which they advertised and received five applications. Becky Dupuis, Lee Manicke, Terrence Ashley, Colleen Pinkney, Lou Marchello, Ryan Avison, and Karen McMullen. They plan to utilize all the applicants as members of the task force committee, and wanted to bring this information to Council's attention.

POLSON REDEVELOPMENT AGENCY - 2006 ANNUAL REPORT ON FILE AT CITY HALL - NATHAN PIERCE: Nathan Pierce stated that MCA 7-15-43-37 requires that the PRA file an annual report with the City and have it available to the public. He thanked Lee Manicke for bringing it to their attention. The PRA Annual Report is now on file at City Hall, and has been advertised in the local newspaper. Lee Manicke thanked them for responding to his request and said he reviewed their annual report. He noted that the report date was 9/30/05 to 9/30/06 and should be on the same fiscal year schedule as the City of Polson, which is July 1 to June 30. They should prepare annual reports for prior years starting from the year 2000, showing income and expense, which would show what assets came in and at what time. Until these issues are addressed the PRA is not in compliance with MCA.

CITY ENGINEER CONTRACT – THOMAS DEAN & HOSKINS RATE SCHEDULE - TONY PORRAZZO: Water and Sewer Superintendent Tony Porrazzo referred to the final standard rate schedule provided by Thomas Dean and Hoskins, Inc. for Council's review. He noted that TD&H representatives are willing to meet with the Council to discuss the City's option. Councilmen Lies and Agrella agreed to interview Thomas Dean & Hoskins, Inc. representatives on Monday at 2:00 p.m. Mayor Clavadetscher suggested that anyone else interested in attending would be welcome. Tony Porrazzo and Joyce Weaver both said they would attend. Tony Porrazzo agreed to arrange the meeting.

MAYOR'S MONTHLY SALARY – CURRENT \$2397 - PRIOR \$700: Mayor Clavadetscher stated that he would like to take away the friction that has developed in the community regarding the increase in the mayor's salary. He plans to be a full time mayor and spend forty hours a week on the job but being retired and with other sources of income, he doesn't need the additional salary that Randy Ingram was paid. He would accept a reduction in salary to what the Council would feel appropriate for the mayor's position effective July 1, under the charter manager form of government. Councilman Corse said it would be more appropriate to return to the Mayor's salary of \$700 until July 1 because the Mayor's position requires administrative duties until July 1 and Council can decide what pay would be appropriate for the new mayor position starting July 1. **Motion made by Councilman Corse, seconded by Councilman Agrella, to approve a reduction in the Mayor's salary to \$700 effective December 1, 2006 to June 30, 2006. Motion carried unanimously.** Mayor Clavadetscher said he would be available 24-7 and work a forty-hour week.

OTHER PUBLIC COMMENTS: Rory Horning extended his congratulations to the Polson Business Community for doing a good job and his gratitude to the Polson Police and Fire Department, for participating and helping to make this year's Parade of Lights a success. He asked what was going to be discussed in the executive session and claimed that the taxpayers have a right to know. Mayor Clavadetscher replied that they will be discussing legal strategy with potential liability. Rory Horning said he would be reviewing the City's claims because the public has the right to know what is being paid for with their tax dollars.

Elsa Duford gave Council a copy of the ad that the Missoula Government Review Commission put in the newspaper with a comparison to what the Polson Government Review published. She pointed out that Missoula published the basic chart and gave more information than Polson did. She wanted Council to know that possibly not all the required information was published by the Polson Government Review Commission.

EXECUTIVE SESSION: Mayor Clavadetscher pointed out that if Council wants to discuss the employees' performance relating to items 1.D. Certification wage increase \$.50/hour for City Treasurer Bonnine Manicke, Certified Public Finance Administrator, retro to July 1, 2006 and item 1.E. Certification wage increase \$1/hr. Water & Sewer Superintendent Tony Porrazzo – Certified Class 3C Wastewater Operator, which was removed from the Consent Agenda; then the individual employees would have to be asked to exercise their options to be present and whether they wanted the discussions held publicly or privately. Council discussed the City's current practice and policy regarding pay increases given historically for certification in different departments. City Attorney James Raymond clarified that the new personnel manual, which was drafted by MMIA, does not address this issue. He suggested that a draft policy be prepared and approved by Council and that Council needs to be sure to follow the City's personnel policy manual. Council agreed that item 1.D. and 1.E. be deferred to the December 18, 2006 City Council Meeting and the employees affected be given the opportunity to exercise their right to discuss the issue in private and if they wanted to be present if held privately.

City Attorney James Raymond discussed with Council the City's options regarding B&I Holdings' request regarding the lease of five acres of sewer property on Kerr Dam Road. They discussed the letter from Fred Innerbichler dated November 30th. It was clarified that the current lease is with B&I Holdings for a term of twenty-five years with an option to renew for another twenty-five years. The Council directed the City Attorney to respond to the letter from B&I Holdings.

Meeting adjourned at 8:40 p.m.

Jules Clavadetscher, Mayor

ATTEST: _____
Aggi G. Loeser, City Clerk