

**CITY COMMISSION MEETING MINUTES  
CITY HALL – CITY COMMISSION CHAMBERS  
MONDAY, DECEMBER 7, 2009, 6:30 P.M.**

**ATTENDANCE:** City Commissioners Bruce Agrella, Jim Sohm, Jules Clavadetscher, Mike Lies, Elsa Duford, Fred Funk, and Mayor Marchello presiding. City Manager Todd Crossett absent. City Attorney James Raymond present.

**CALL TO ORDER:** Mayor Marchello called the meeting to order, and the Pledge of Allegiance was recited.

**APPROVAL OF PROPOSED AGENDA:** Commissioner Clavadetscher moved to approve the agenda as proposed, seconded by Commissioner Sohm. The motion carried unanimously.

**PUBLIC HEARING - INTENT TO ANNEX WHOLLY SURROUNDED PROPERTIES IN SKYLINE ADDITONS 1 AND 3:** Mayor Marchello called for any proponents to the annexation. There were none. Mayor Marchello called for any opponents to the annexation. Peter Walther commented that he was not necessarily opposed to the annexation, but he questioned the total fees he would be asked to pay. He added that there had been a payment agreement between the original developer, Mr. Claffey, and the City. He suggested that be examined. There were no other opponents. Bob Fulton commented that the sewer extension had been brought to Skyline Drive with the understanding that future connections' fees would be the repayment of the SID, in addition to the City's current sewer connection fees. Building Inspector Ron Melvin noted that the City Manager could take a look at the annexed properties on a case-by-case basis. The Impact Fee Review Board had decided to waive parks and fire impact fees for the wholly surrounded annexations. **There were no further comments. Mayor Marchello adjourned the public hearing at 6:39 p.m.**

**Mayor Marchello called the meeting to order at 7:00 p.m.**

**GUIDELINES FOR PRODUCTIVE DISCOURSE:** Mayor Marchello noted that City Manager Crossett had planned to present this item, however due to unforeseeable circumstance he was unable to attend the meeting. He expressed that all members of the public and the Commission were encouraged to speak on any items. However, if a person were to become abusive towards a commissioner or a member of the public, they would be asked to return to their seat.

**CONSENT AGENDA:**

- A. CITY COMMISSION MEETING MINUTES NOV. 16, 2009**
- B. CITY COMMISSION MEETING MINUTES NOV. 18, 2009**
- C. CITY COMMISSION MEETING MINUTES NOV. 19, 2009**
- D. NOVEMBER 15-30 CLAIMS**

**Commissioner Lies moved to approve the consent agenda items A-D, with clerical corrections to item A. Commissioner Funke seconded the motion. Commissioner Duford wished to express her personal apology to Rory Horning, regarding the November 19<sup>th</sup> minutes.**

She felt that the agenda title was misleading by calling the meeting a workshop. **The motion carried unanimously.**

**TRADE LOT 21 HAMILTON TRACTS 23,571 SQ. FT. ASSESSED VALUE \$88,482 FOR WILLIAM INGRAM'S HALF SHARE OF COS 4014 TRACT 2-A 26,571 SQ. FT. ASSESSED VALUE \$71,070 (APPROXIMATELY \$35,535=HALF SHARE):** City Attorney Raymond informed the Commission that City Manager Crossett had made the offer, and they were currently awaiting a response. Commissioner Duford inquired about a map of the properties.

**ALL BEVERAGE ALCOHOL LICENSE – OPTIONS:** Mayor Marchello advised that City Manager Crossett had been working on this, and he would give the information at the following meeting.

**AMENDMENT TO PAPA DON'S GOLF RESTAURANT LEASE:** Stephanie Clements, co-owner of Papa Don's, informed the Commission that they were not interested in resigning the lease. She read from a letter, apprising the Commission of their decision, the restaurant's 5 years in business, and their support of the community. She noted there were many new challenges at the golf course location, and the past restaurateurs had been expected to provide a service at their cost. The golf course had an atmosphere of entitlement. She expressed that the City itself had been supportive, and City Manager Crossett could see the challenges they faced. Commissioner Sohm read from a statement his recommendations for the City. He cited incidents in which the pro shop's staff had been found inside the locked restaurant, threatening comments had been made to the Clements and their employees. The repairs to the deck had not been completed, and the electrical had taken months to properly split. He felt that the City needed to make sure there was a benefit for the vendors, they have not been able to make a profit with the low cost basis they were expected to have. He recommended that the City take over the operation of the restaurant for one year, hiring staff at the average wage, and publish a profit/loss report.

**LOCATION FOR HEADWORKS AND SEWER TREATMENT OPTIONS IN RELATION TO KERR DAM ROAD**

- 1) NEW BUILDING WEST SIDE ESTIMATED COST \$2-3 MILLION (INCLUDES LIFT STATION) + AUTHORIZE + \$500,000 EXPENSE FOR GEO TECH STUDY;**
- 2) NEW BUILDING EAST SIDE SOCCER FIELD ESTIMATED COST \$2.75 TO 3.75 MILLION AND AUTHORIZE + \$500,000 EXPENSE FOR GEO TECH STUDY;**
- 3) TAMSCO BUILDING EAST SIDE ESTIMATED COST \$1.7 MILLION (INCLUDES LIFT STATION)**

Engineer Shari Johnson explained how they had defined the cost using information from a variety of sources through their structural engineering department. She went over the challenges of building in that area, and the inherent cost of just the site prep. The MBR technology they were looking at could be used in the existing Tamsco building. The components of it were pods, which could be bought in various sizes to suit the building they chose. She went over a detailed chart of the various costs for each site, as well as the pros and cons of each. John Campbell advised the Commission that there had been a lawsuit in the 1960's regarding the

location of sewage facilities. City Attorney Raymond noted that he would research the case. **Commissioner Lies moved to table the location for the headworks and sewage treatment options in relation to Kerr Dam Road. Commissioner Sohm seconded the motion. The motion carried unanimously.**

**PROGRESS REPORT ON POLSON DEVELOPMENT CODE UPDATE DAVE DEGRANDPRE, LAND SOLUTIONS, LLC:** Dave Degrandpre went over the progress and timeline of the development code rewrite he had completed and what was still planned. He noted that there was a website to make the progress readily available to the public. He thanked the PDC group for their help with the rewrite. The project was on budget, but was behind schedule. City Planner Joyce Weaver noted that Mr. Degrandpre had done exceptional work.

**RESOLUTION #1005 – ANNEXATION OF WHOLLY SURROUNDED PROPERTIES IN SKYLINE 1 AND 3 ADDITIONS:** Commissioner Clavadetscher moved to approve resolution #1005, seconded by Commissioner Agrella. The motion carried unanimously.

**PRESENTATION OF PROPOSALS FOR DIRECTOR OF GOLF CONTRACT – INFORMATION:** City Attorney Raymond noted that only one RFP had been received. It was from Roger Wallace, the current golf director. **Commissioner Sohm moved to direct the City Manager to negotiate a contract with Roger Wallace, subject to the approval of the City Commission. Commissioner Lies seconded the motion.** Commissioner Sohm mentioned that he had spoken with many patrons and had heard no complaints. The course has remained very professional and well maintained. Murat Kalinyaprak commented that he did not feel the City made a genuine effort to get multiple offers. He questioned the need for the course to have a PGA person, adding that there was an atmosphere of elitism at the course. He pointed out that although the name had changed to remove the word “club” sometime ago, the old name remained throughout the pro shop. He felt the course had not been ran properly for the public. **The motion carried unanimously.**

**CITY COMMISSIONER WARD 1 – ACCEPT JIM SOHM’S LETTER OF INTENT TO RESIGN:** Commissioner Sohm explained that he wished to vacate his seat as soon possible. He had stated in his letter of resignation that he would stay until February 1<sup>st</sup>, but he wished to leave sooner. **Commissioner Funke moved to accept the resignation of Jim Sohm, effective December 31, 2009, seconded by Commissioner Agrella.** George Mahoney commented that the Commission accepting applications before there was a vacancy distressed him. Commissioner Sohm replied that he had planned to leave as soon as there were applicants, and he was appreciative of the City for submitting the advertising. Commissioner Funke added that he appreciated Commissioner Sohm staying on until a replacement could fill his seat. Commissioner Sohm apologized for not serving his full term, adding that he was leaving for personal reasons. Suzanne Ludkey commented that it was strange that the Commission was rushing to find a replacement, adding that if Commissioner Sohm was willing to stay, why don’t they wait for the next elected officials to approve a replacement. **The motion carried with the abstention of Commissioner Sohm, all others in favor.**

**APPOINTMENT OF CITY COMMISSIONER WARD 1 FOR REMAINDER OF JIM SOHM’S 2 YR TERM LETTERS OF INTEREST SOLICITED ADVERTISED TWO**

**WEEKS: Mayor Marchello stepped down; Commission President Lies took the chair.** Commissioner Sohm clarified that he had used February in his letter assuming that it would be difficult to find someone to replace him. He regretted that he had not made his decision to leave in time for someone to be elected to the seat, but the circumstances surrounding his resignation were unforeseeable. He thanked the citizens of Polson, City Attorney Raymond, City Manager Crossett, and the city staff. He added that the Commission and the staff had been great to work with. He confirmed that he would stay through December, and asked that the new appointment be made at the next meeting. **Commissioner Funke moved to table the appointment of a City Commissioner to ward 1 until the December 21, 2009 Commission Meeting. Commissioner Agrella seconded the motion.** Commissioner Sohm added that he would like more information on the candidates and hoped they would attend the next meeting. Murat Kalinyaprak commented that the decision should be left up to the new Commissioners in January. **The motion carried, with 5 in favor, Commissioner Clavadetscher opposed and Mayor Marchello abstained. Mayor Marchello resumed the chair.**

**REAPPOINTMENT OF BRUCE AGRELLA TO BOARD OF DIRECTORS OF LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT: Commissioner Lies moved to reappoint Bruce Agrella to the Board of Directors of the Lake County Solid Waste Management District. Commissioner Funke seconded the motion. The motion carried unanimously.**

**APPROVAL OF INVESTMENTS:** City Treasurer Bonnie Manicke informed the commission that interest rates were very low. She had purchased a certificate of deposit of \$550,000 at Community Bank for a 6-month term, maturing on May 20, 2010 at 1.62% APY. The other bids were 1.55% APY from 1<sup>st</sup> Interstate Bank, 1.28% APY at 1<sup>st</sup> Citizens Bank, .90% APY at Glacier Bank. Valley Bank had given no quote. The second purchased certificate of deposit was for a 9 month term, maturing on August 20, 2010 at 1.65% from 1<sup>st</sup> Interstate Bank. The other bids were 1.30% APY at 1<sup>st</sup> Citizens Bank, .90% APY at Glacier Bank, Valley Bank had provided no quote, and Community Bank had offered an 18 month special term at 2.15% APY. The comparative rates were 6 month treasury at 1.30%, 12 month treasury at .260%, 6 month agency at 2.33%, 9 month agency at .648%, 12 month national average C/D rate was 1.45%, the STIP rate as of 11/20/09 was at .344%, and the STIP October average was at .319%. **Commissioner Clavadetscher moved to approve the public funds investment bids as presented, seconded by Commissioner Sohm. The motion carried unanimously.**

**LAKE COUNTY OFFICE OF EMERGENCY MANAGEMENT LEASE AGREEMENT FOR BUILDING NEXT TO CITY SHOP:** City Attorney Raymond explained that the lease soon would expire on the building. They have leased it for \$1/year, and they have the option to renew the lease for an additional 5 years. He related that City Manager Crossett recommended approving the lease, with the stipulation that it be used for the Office of Emergency Management. **Commissioner Funke moved to approve the Lake County lease agreement for the building next to the City Shop, with the stipulation that it be used for the Office of Emergency Management. Commissioner Agrella seconded the motion.**

**SCHEDULE SECOND PUBLIC HEARING ON WEDNESDAY, DECEMBER 16, 2009  
DRAFT PRELIMINARY ENGINEERING REPORT ON STORMWATER**

**TREATMENT ALTERNATIVES – SHARI JOHNSON OF TD & H:** Commissioner Clavadetscher moved to schedule the public hearing on Wednesday, December 16, 2009 at 6:30 p.m. Commissioner Agrella seconded the motion. Commissioner Duford requested a copy of the existing stormwater maps. Engineer Johnson replied that she would provide copies. The motion carried unanimously.

**CITY MANAGER CONTRACT REVISED:** Commissioner Duford moved to table the City Manager contract revision, until the draft revision is available. Commissioner Agrella seconded the motion. The motion carried unanimously.

**CITY MANAGER COMMENTS:** There were none.

**PUBLIC COMMENT ON MATTERS OF SIGNIFICANT INTEREST TO THE PUBLIC NOT ON THE AGENDA:** George Mahoney asked why the cash flow of the City was considerably down. City Treasurer Manicke replied that there were significantly more outstanding taxes than previous years, as well as some personnel costs that have had to come from the general fund. Mayor Marchello suggested that anyone who wished clarification on an issue schedule a meeting with the department head to get answers.

Murat Kalinyaprak commented that he questioned the trading of the lots; he noted that he had called the City Manager to try and slow down the trade. He suggested that the City was trying to trick people, and that there were no other similar properties assessed to know the value.

Commissioner Lies mentioned that the census forms had come back, and there were horrible errors and omissions throughout 163 pages. He expressed that he would volunteer his time to make the corrections, but asked for gas reimbursement. He noted that each person not included in the census was grant money they would not receive. Commissioner Agrella replied that it must be done and he was in favor of paying for the fuel.

**The meeting adjourned at 9:07 p.m.**

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**Mayor Lou Marchello**

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**Attest: Kala Parker, Assistant City Clerk**