

**CITY OF POLSON COMMISSION
MEETING AGENDA**

COMMISSION CHAMBERS

March 7, 2016

7:00 P.M.

1. CALL TO ORDER

Mayor Knutson

2. PLEDGE OF ALLEGIANCE

Mayor Knutson

3. APPROVAL OF PROPOSED AGENDA

Mayor Knutson

4. PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (address items to the Chair. Commission takes no action on items discussed)

5. CONSENT AGENDA

- a. February 12-29, 2016 claims
- b. City Commission Meeting Minutes February 17, 2016
- c. City Commission Workshop Minutes February 27, 2016
- d. Norman 2-lot Minor Subdivision

6. CITY MANAGER COMMENTS

City Manager Mark Shrives

OLD BUSINESS

7. APPROVE SECOND READING OF ORDINANCE 2016-002 PUBLIC SAFETY CHAPTER 7, ARTICLES 1-5

City Manager Mark Shrives

NEW BUSINESS

8. PRESENTATION OF PLAQUE TO KAREN SARGEANT

Mayor Heather Knutson

9. RECESS

EXECUTIVE SESSION

10. LITIGATION-MCA CODE 2-3-203 4(a)-EXCEPT AS PROVIDED IN SUBSECTION (4) (b), A MEETING MAY BE CLOSED TO DISCUSS A STRATEGY TO BE FOLLOWED WITH RESPECT TO LITIGATION WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE LITIGATING POSITION OF THE PUBLIC AGENCY.

11. RE-CONVENE

12. ADJOURN

The City of Polson encourages public participation in its public meetings and hearings. In doing so the City holds its meetings in handicapped accessible facilities. Any persons desiring accommodations for a handicapping condition should call the City Clerk at 883-8203 for more information.

For doc #s from 123384 to 123519

5a.

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	323030 Dog License	999999 JUNE & JERRY JORGENSON	FACL-REFUND BALANCE	10.00
1000 General All-Purpose Fund	410200 Executive Services	4895 8x8, INC.	EXEC-TELEPHONE SERVI	34.95
1000 General All-Purpose Fund	410360 Municipal Court	000282 QUILL CORPORATION	CORT-SHARED TONER	11.50
1000 General All-Purpose Fund	410360 Municipal Court	000282 QUILL CORPORATION	CORT-SHARED TONER	143.52
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-SHARED TELEPHON	18.71
1000 General All-Purpose Fund	410360 Municipal Court	1925 VALLEY BUSINESS SYTEMS	CORT-SHARED HP 61 TO	24.00
1000 General All-Purpose Fund	410360 Municipal Court	000282 QUILL CORPORATION	CORT-SHARED TONER	21.70
1000 General All-Purpose Fund	410360 Municipal Court	000010 CENTURYLINK	CORT-SHARED FAX	21.34
1000 General All-Purpose Fund	410400 Administrative Services	3025 FIRST BANKCARD	ADMN-MS TRAVEL LODGI	99.44
1000 General All-Purpose Fund	410400 Administrative Services	4895 8x8, INC.	ADMIN-TELEPHONE SERV	86.84
1000 General All-Purpose Fund	410400 Administrative Services	000046 BEACON TIRE CENTER	ADMIN-C.M. SUBARU TI	55.00
1000 General All-Purpose Fund	410500 Financial Services	3025 FIRST BANKCARD	FINC-CD PROF LICENSE	150.00
1000 General All-Purpose Fund	410500 Financial Services	4895 8x8, INC.	FINC-TELEPHONE SERVI	58.86
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3211 POLSON CHAMBER OF	FACL-GOV'T ANNUAL DU	365.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000877 JOHNCO STORAGE	FACL-RECORD STORAGE	75.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000282 QUILL CORPORATION	FACL-PAPER	88.47
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4895 8x8, INC.	FACL-TELEPHONE SERVI	121.79
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-CITY HALL	291.25
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-FIRE HALL	168.53
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-HVAC SYSTEM	1,165.94
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4785 STATE TREASURER	FACL-FY15 ANNL RPT F	1,700.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4800 SUBWAY OF POLSON	FACL-STRTGIC PLN WRK	106.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4924 PITNEY BOWES	FACL-POSTAGE MACHINE	102.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000026 POLSON AUTO PARTS, INC.	FACL-BELL LOCK DE-IC	2.91
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000010 CENTURYLINK	FACL-FAX SERVICE	37.07
1000 General All-Purpose Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-NAMEPLATE & ENG	26.93
1000 General All-Purpose Fund	420140 Crime Control and	000085 SOUTHSHORE VETERINARY	POLC-ANIMAL IMPOUND-	252.00
1000 General All-Purpose Fund	420140 Crime Control and	000085 SOUTHSHORE VETERINARY	POLC-ANIMAL IMPOUND-	126.00
1000 General All-Purpose Fund	420140 Crime Control and	000877 JOHNCO STORAGE	POLC-STORAGE UNIT 03	75.00
1000 General All-Purpose Fund	420140 Crime Control and	000282 QUILL CORPORATION	POLC-SHARED TONER	11.49
1000 General All-Purpose Fund	420140 Crime Control and	000282 QUILL CORPORATION	POLC-SHARED TONER	143.52
1000 General All-Purpose Fund	420140 Crime Control and	3635 ADAMSON INDUSTRIES CORP.	POLC-FULL FEATURE SI	309.95
1000 General All-Purpose Fund	420140 Crime Control and	2255 BLUMENTHAL UNIFORMS &	POLC-AIR FORCE CAP	99.00
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-TELEPHONE SERVI	211.00
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-SHARED TELEPHON	18.71
1000 General All-Purpose Fund	420140 Crime Control and	4159 REXEL INC, d/b/a PLATT	STRT-LIGHTSWITCH FOR	60.67
1000 General All-Purpose Fund	420140 Crime Control and	000011 MISSION VALLEY POWER	POLC-STORAGE SHED	208.47
1000 General All-Purpose Fund	420140 Crime Control and	2074 VERIZON WIRELESS	POLC-CELL PHONE SERV	187.89
1000 General All-Purpose Fund	420140 Crime Control and	001518 INSTY PRINTS	POLC-LRG BLANK CHECK	4.99
1000 General All-Purpose Fund	420140 Crime Control and	1925 VALLEY BUSINESS SYTEMS	POLC-SHARED HP 61 TO	24.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #4 TIRES MT	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #5 TIRES MT	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #7-4 NEW TI	540.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #8-TIRES MT	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #10 TIRES M	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #12 TIRES M	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #14 TIRES M	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #15 TIRES M	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-7-2 TIRES MT/B	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #16 TIRES M	55.00
1000 General All-Purpose Fund	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-OVERPAYMENT	-11.80

For doc #s from 123384 to 123519

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	420140 Crime Control and	000282 QUILL CORPORATION	POLC-SHARED TONER	21.69
1000 General All-Purpose Fund	420140 Crime Control and	000010 CENTURYLINK	POLC-SHARED FAX	21.33
1000 General All-Purpose Fund	420400 Fire Protection and	000011 MISSION VALLEY POWER	FIRE-705 1ST ST E FI	12.00
1000 General All-Purpose Fund	420400 Fire Protection and	4895 8x8, INC.	FIRE-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	420400 Fire Protection and	000724 COSNER COMTECH	FIRE-REPAIR RADIO, E	160.25
1000 General All-Purpose Fund	420400 Fire Protection and	001541 L.N. CURTIS & SONS	FIRE-FIRECRAFT GLOVE	246.49
1000 General All-Purpose Fund	420400 Fire Protection and	001541 L.N. CURTIS & SONS	FIRE-FIRECRAFT GLOVE	90.22
1000 General All-Purpose Fund	420400 Fire Protection and	000010 CENTURYLINK	FIRE-FIREHALL TELEPH	36.96
1000 General All-Purpose Fund	420540 Land Use	3025 FIRST BANKCARD	PLAN-KR TRAVEL LODGI	99.44
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-SHARED TELEPHON	14.71
1000 General All-Purpose Fund	420540 Land Use	4939 KYLE ROBERTS	PLAN-REIMBURSE BOOK	18.22
1000 General All-Purpose Fund	420545 Zoning Update	4327 LAND SOLUTIONS, LLC	PLNG-FINAL INV PDC R	684.00
1000 General All-Purpose Fund	430240 Road and Street	4825 IBS, INC	STRT-BOLT, HITCH PIN	68.22
1000 General All-Purpose Fund	430240 Road and Street	000011 MISSION VALLEY POWER	STRT-CITY SHOP	236.82
1000 General All-Purpose Fund	430240 Road and Street	2464 SHOP SPECIALTIES, LLC	STRT-CLN ASH,CAD CEL	166.70
1000 General All-Purpose Fund	430240 Road and Street	4208 MAHUGH FIRE & SAFETY, LLC	STRT-STRAP BRACKET	7.95
1000 General All-Purpose Fund	430240 Road and Street	4730 PIERCE CHEVROLET CHRYSLER	STRT-GURAD KIT	46.55
1000 General All-Purpose Fund	430240 Road and Street	4730 PIERCE CHEVROLET CHRYSLER	STRT-BRACKET CREDIT	-33.18
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-SACAJAWEA WLK P	63.39
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-J CAMPBELL PARK	12.00
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PRKS-TELEPHONE SERVI	58.86
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-CITY PARKS	243.64
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-KERR DAM/BB FIE	164.15
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-SACAJAWEA PARK	9.57
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-1ST ST E WTR SH	207.26
1000 General All-Purpose Fund	460430 Parks	4062 WEST COAST PAPER	PRKS-ASSORTED PRODUC	981.48
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-LIGHTWEIGHT FIL	10.86
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-PUTTY	18.02
1000 General All-Purpose Fund	460430 Parks	4062 WEST COAST PAPER	PRKS-LITTER NABBER P	128.20
Total for Fund:				11,626.73
2020 Police Municipal Services	420140 Crime Control and	3635 ADAMSON INDUSTRIES CORP.	POLC-EQUIPMENT FOR V	555.80
2020 Police Municipal Services	420140 Crime Control and	000020 PROVIDENCE HEALTH &	POLC-215CR0029211 BL	95.00
2020 Police Municipal Services	420140 Crime Control and	000020 PROVIDENCE HEALTH &	POLC-215CR0033999 BL	95.00
2020 Police Municipal Services	420140 Crime Control and	000020 PROVIDENCE HEALTH &	POLC-205CR0029897 BL	95.00
2020 Police Municipal Services	420140 Crime Control and	000020 PROVIDENCE HEALTH &	POLC-215CR0032994 BL	95.00
2020 Police Municipal Services	420140 Crime Control and	000020 PROVIDENCE HEALTH &	POLC-215CR0033463 BL	95.00
2020 Police Municipal Services	420140 Crime Control and	3267 SECURE-IDLE INC.	POLC-VEHICLE EQUIPME	125.76
2020 Police Municipal Services	420140 Crime Control and	000094 DON AADSEN FORD	POLC-PURCHASE 2012 F	22,000.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-OVERPAYMENT	-0.05
Total for Fund:				23,156.51
2310 Tax Increment District	470210 Administration	4668 GLACIER BANK	PRA-TIF BOND R-6 PAY	5,933.87
2310 Tax Increment District	470210 Administration	4668 GLACIER BANK	PRA-TIF BOND R-6 PAY	2,047.96
2310 Tax Increment District	470210 Administration	4636 EAGLE BANK	PRA-TIF BOND R-2 PAY	5,933.87
2310 Tax Increment District	470210 Administration	4636 EAGLE BANK	PRA-TIF BOND R-2 PAY	2,047.96
2310 Tax Increment District	470210 Administration	000357 FIRST CITIZENS BANK	PRA-TIF BOND R-3 PAY	5,933.87
2310 Tax Increment District	470210 Administration	000357 FIRST CITIZENS BANK	PRA-TIF BOND R-3 PAY	2,047.96
2310 Tax Increment District	470210 Administration	000231 FIRST INTERSTATE BANK	PRA-TIF BOND R-4 PAY	5,933.87

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Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2310 Tax Increment District	470210 Administration	000231 FIRST INTERSTATE BANK	PRA-TIF BOND R-4 PAY	2,047.96
2310 Tax Increment District	470210 Administration	4823 VALLEY BANK OF RONAN	PRA-TIF BOND R-5 PAY	5,933.87
2310 Tax Increment District	470210 Administration	4823 VALLEY BANK OF RONAN	PRA-TIF BOND R-5 PAY	2,047.96
Total for Fund:				39,909.15
2390 Drug Forfeiture Fund	420140 Crime Control and	3560 TASER INTERNATIONAL	POLC-TASERS & ACCESS	11,568.97
Total for Fund:				11,568.97
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-TELEPHONE SERVI	29.43
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-SHARED TELEPHON	14.72
2394 Building Code Enforcement	420500 Protective Inspections	3606 INTERNATIONAL CODE	BLDG-D. SIMONS GOV'T	135.00
2394 Building Code Enforcement	420500 Protective Inspections	2074 VERIZON WIRELESS	BLDG-CELL PHONE SERV	32.49
Total for Fund:				211.64
2395 Tree Fund	480150 Tree Conservation	000011 MISSION VALLEY POWER	PRKS-WST SHORE SPORT	12.00
Total for Fund:				12.00
2401 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-STRT LGHT-03016	1,442.19
Total for Fund:				1,442.19
2402 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-N END MAIN ST L	287.41
2402 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-STRT LGHT-03016	796.22
Total for Fund:				1,083.63
2810 Police Training Fund	420140 Crime Control and	4966 THE SAFARILAND TRAINING	POLC-BM CLASS REGIST	235.00
2810 Police Training Fund	420140 Crime Control and	4967 BECKY MCCLINTOCK	POLC-BM TRAVEL MEALS	46.00
2810 Police Training Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-JH AIRLINE TRAV	165.20
2810 Police Training Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-JH TRAVEL LODGI	44.80
2810 Police Training Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-GS TRAVEL LODGI	488.15
2810 Police Training Fund	420140 Crime Control and	4658 FBI-LEEDA	POLC-CHIEF NASH MBRS	50.00
2810 Police Training Fund	420140 Crime Control and	3997 JOAN HART	POLC-JH TRAVEL MEALS	184.00
2810 Police Training Fund	420140 Crime Control and	4863 QUINTON FOWLER	POLC-QF TRAVEL MEALS	644.00
2810 Police Training Fund	420140 Crime Control and	4968 MATHIEU GFROERER	POLICE-MG TRAVEL MEA	161.00
2810 Police Training Fund	420140 Crime Control and	3142 ALAN BOOTH	POLICE-AB TRAVEL MEA	161.00
2810 Police Training Fund	420140 Crime Control and	3142 ALAN BOOTH	POLICE-AB TRAVEL MEA	69.00
Total for Fund:				2,248.15
2820 Gas Apportionment Tax	430240 Road and Street	4476 MIKE JOHNSON UPHOLSTRY	STRT-REUPHOLSTRY 201	295.00
2820 Gas Apportionment Tax	430240 Road and Street	4476 MIKE JOHNSON UPHOLSTRY	STRT-MATERIAL, SHIP	230.25
2820 Gas Apportionment Tax	430240 Road and Street	4355 TITAN MACHINERY	STRT-BEARING, FLANGE	116.50
2820 Gas Apportionment Tax	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-BULLY ALUM STEP	47.25
2820 Gas Apportionment Tax	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-BULLY ALUM STEP	-47.25
2820 Gas Apportionment Tax	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-OIL FILTER-FURN	7.02
2820 Gas Apportionment Tax	430240 Road and Street	4550 TROY JENSEN ELECTRIC, LLC	STRT-SHOP LIGHTS & O	1,125.47
2820 Gas Apportionment Tax	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-SMOOTH RODS	12.78

For doc #s from 123384 to 123519

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2820 Gas Apportionment Tax	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-GAS CAN	12.99
2820 Gas Apportionment Tax	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-ASSORTED PRODUC	112.95
2820 Gas Apportionment Tax	430240 Road and Street	000046 BEACON TIRE CENTER	STRT-DBL PAYMENT	-11.00
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-BAL OF INVOICE	11.00
Total for Fund:				1,912.96
2932 Parks ARRA Recycle Grant	460430 Parks	4686 BATTERY SOLUTIONS	PRKS-BATTRY RECYCL S	74.95
Total for Fund:				74.95
2943 RCDI/Growth Policy	420545 Zoning Update	4835 SANDS SURVEYING, INC	PLNG-GROWTH POLICY U	630.00
Total for Fund:				630.00
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-KWIKSET ELECTRO	110.93
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-2 KEYLESS DOOR	139.98
5010 Golf Fund	460446 Golf Course -	1883 MONTANA DEPARTMENT OF	GLFM-NATALIA ARLINT	60.00
5010 Golf Fund	460446 Golf Course -	1864 CHS/MOUNTAIN WEST	GLFM-FUEL	270.24
5010 Golf Fund	460446 Golf Course -	2323 R & R PRODUCTS, INC.	GLFM-BEARING	115.47
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-TELEPHONE SERVI	29.43
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-GOLF SHED	249.91
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-25 HP PUMP	297.50
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-60 HP PUMP	728.33
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-155 HP PUMP	1,891.37
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-BAYVIEW PUMP ST	226.95
5010 Golf Fund	460446 Golf Course -	4817 eSTOP BUSINESS LICENSES	GLFM-UNDERGROUND STO	36.00
5010 Golf Fund	460446 Golf Course -	2074 VERIZON WIRELESS	GLFM-CELL PHONE SERV	149.03
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-AIR FILTERS	114.99
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-ASST PRODUCT	74.27
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-FITTING, FILTER	115.88
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-HYD OIL FL	459.00
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-OIL SEAL	5.84
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-ALT. BELT, FILT	59.39
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-OIL SEAL, HYD F	11.84
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-V-BELTS	0.40
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-OIL FILTER CRED	-3.71
5010 Golf Fund	460446 Golf Course -	000046 BEACON TIRE CENTER	GLFM-DBL PAYMENT	-96.00
5010 Golf Fund	460446 Golf Course -	000048 MIDLAND IMPLEMENT CO.	GLFM-TORO SEAL KIT	135.14
5010 Golf Fund	460446 Golf Course -	000010 CENTURYLINK	GLFM-TELEPHONE SERVI	150.12
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	42.13
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	42.13
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	42.13
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	53.35
5010 Golf Fund	460447 Golf Course - Pro Shop	3025 FIRST BANKCARD	GLFP-ADVERTISING FEE	40.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000011 MISSION VALLEY POWER	GLFP-DOWNSTAIRS METE	104.48
5010 Golf Fund	460447 Golf Course - Pro Shop	3866 OFFICE MAX CONTRACT INC.	GLFP-BRTH LT BLK ON	118.70
5010 Golf Fund	460447 Golf Course - Pro Shop	3866 OFFICE MAX CONTRACT INC.	GLFP-STORAGE FILE W/	70.49
5010 Golf Fund	460447 Golf Course - Pro Shop	4664 CHARTER COMMUNICATIONS	GLFP-INTERNET SERVIC	65.00
5010 Golf Fund	460447 Golf Course - Pro Shop	4832 RANGE SERVANT AMERICA INC	GLFP-BALL WAHSER, RS	1,232.97
5010 Golf Fund	460447 Golf Course - Pro Shop	4832 RANGE SERVANT AMERICA INC	GLFP-CREDIT	-157.85
5010 Golf Fund	460447 Golf Course - Pro Shop	001310 MARENGO CARPET CLEANING,	GLFP-PRO SHOP CARPET	366.66

City of Polson
Claim Details by Fund, Account
For the Accounting Period: 2/16

For doc #s from 123384 to 123519

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5010 Golf Fund	460447 Golf Course - Pro Shop	4895 8x8, INC.	GLFP-TELEPHONE SERVI	29.43
5010 Golf Fund	460447 Golf Course - Pro Shop	000011 MISSION VALLEY POWER	GLFP-PRO SHOP/STREET	280.94
5010 Golf Fund	460447 Golf Course - Pro Shop	3902 VALLEY JOURNAL LLP	GLFP-ADVERTISEMENT	267.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000010 CENTURYLINK	GLFP-TELEPHONE SERVI	154.67
5010 Golf Fund	460447 Golf Course - Pro Shop	000644 CITY OF POLSON WATER	GLFP-PRO SHOP WATR/S	42.89
5010 Golf Fund	460448 Golf Course - Carts	1864 CHS/MOUNTAIN WEST	GLFP-FUEL	207.37
5010 Golf Fund	460448 Golf Course - Carts	000011 MISSION VALLEY POWER	GLFP-GOLF CAR STORAG	30.72
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-ASST BEER	208.90
5010 Golf Fund	460460 G. C. Restaurant O & M	001310 MARENGO CARPET CLEANING,	GLFR-RESTAURANT CARP	366.67
5010 Golf Fund	460460 G. C. Restaurant O & M	001310 MARENGO CARPET CLEANING,	GLFR-REST DWNSTAIRS	366.67
5010 Golf Fund	460460 G. C. Restaurant O & M	000011 MISSION VALLEY POWER	GLFR-RESTAURANT 1020	72.91
5010 Golf Fund	460460 G. C. Restaurant O & M	000010 CENTURYLINK	GLFR-TELEPHONE SERVI	123.68
5010 Golf Fund	460460 G. C. Restaurant O & M	000644 CITY OF POLSON WATER	GLFR-REST WATR/SEWR	42.89
Total for Fund:				9,547.23
5210 Water Fund	430500 Water Utilities	000620 ANTHONY G. PORRAZZO	WATR-TP TRAVEL MEALS	62.00
5210 Water Fund	430500 Water Utilities	3482 JOHN CAPPART	WATR-JC TRAVEL MEALS	62.00
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WATR-SHARED TELEPHON	48.14
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WG.I.S.-SHARED TELEP	14.72
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR-BP TRAVEL MEALS	53.00
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR-TRAVEL TRANSPOR	15.30
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR-BAGGAGE FEE	25.00
5210 Water Fund	430530 Source of Supply and	4855 DUPUIS LUMBER, LLC	WATR-WORK BENCH	144.41
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-715 7TH AVE W S	165.79
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-WELLS, BOOSTER	2,584.60
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-RIVERSIDE RESTR	137.75
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-RVRSDE LIFT-SEC	12.81
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-WELLS 6 & 7	595.04
5210 Water Fund	430540 Purification and	1988 HAWKINS, INC.	WATR-ADJ PUMP #1	563.82
5210 Water Fund	430550 Transmission and	3306 POLSON PROPANE	WATER-SHOP	202.82
5210 Water Fund	430550 Transmission and	2074 VERIZON WIRELESS	WATR-CELL PHONE SERV	200.99
5210 Water Fund	430550 Transmission and	3306 POLSON PROPANE	WATR-MISSION VIEW DR	516.25
5210 Water Fund	430550 Transmission and	4723 JOHNSON EXCAVATION INC	WATR-EXCAVATE, HAUL	1,268.53
5210 Water Fund	430550 Transmission and	2665 MERCER WELDING & REPAIR	WATR-3/16 PLATE	327.26
5210 Water Fund	430550 Transmission and	4820 M RICHARD GEBHARDT	WATR-DOWNTWN WATER L	275.00
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-LAMP SIGNALS	185.21
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-GOMMET, PLUG	23.52
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-BULK TRAILER WI	59.60
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-OIL FILTERS, OI	87.96
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-GLOVES, VALVE	93.72
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-OVERPAYMENT	-5.00
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-SHORT PAY	2.00
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-DBL PAYMENT	-55.00
5210 Water Fund	430550 Transmission and	3306 POLSON PROPANE	WATR-HILLCREST ACCT	37.57
5210 Water Fund	430550 Transmission and	000010 CENTURYLINK	WATR-DSPNSER & WELL	217.41
5210 Water Fund	430570 Customer Accounting and	4006 HD SUPPLY WATERWORKS,	WATR-2" METERS	893.25
Total for Fund:				8,815.47
5310 Sewer Fund	430600 Sewer Utilities	000620 ANTHONY G. PORRAZZO	SEWR-TP TRAVEL MEALS	62.00
5310 Sewer Fund	430600 Sewer Utilities	3482 JOHN CAPPART	SEWR-JC TRAVEL MEALS	62.00

For doc #s from 123384 to 123519

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SEWR-SHARED TELEPHON	48.14
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SG I.S.-SHARED TELEP	14.71
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-BP TRAVEL MEALS	53.00
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-TRAVEL TRANSPOR	15.30
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-BAGGAGE FEE	25.00
5310 Sewer Fund	430630 Collection and	4855 DUPUIS LUMBER, LLC	SEWR-WORK BENCH	144.40
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-715 7TH AVE W S	165.78
5310 Sewer Fund	430630 Collection and	3306 POLSON PROPANE	SEWER-SHOP	202.81
5310 Sewer Fund	430630 Collection and	2074 VERIZON WIRELESS	SEWR-CELL PHONE SERV	200.99
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-PUMP/LIFT STATI	3,378.72
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-SHOCKS	196.48
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWER-C-CLAMP	16.00
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-BLK CT	55.68
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-TUBING, BUS BAR	31.76
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-U-JOINT	47.54
5310 Sewer Fund	430630 Collection and	000010 CENTURYLINK	SEWR-LAGOON LAB	106.96
5310 Sewer Fund	430630 Collection and	000010 CENTURYLINK	SEWR-TELEPHONE	189.87
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-WEST SHORE	150.88
5310 Sewer Fund	430640 Treatment and Disposal	4820 M RICHARD GEBHARDT	SEWR-SEWER TREATMENT	110.00
5310 Sewer Fund	430640 Treatment and Disposal	2183 DOWL HKM ENGINEERING	SEWR-TASK ORDER #4-I	30,888.77
5310 Sewer Fund	430670 Customer Accounting and	4006 HD SUPPLY WATERWORKS,	SEWR-2" METERS	893.24
Total for Fund:				37,312.03
Total:				149,551.61

City of Polson
Fund Summary for Claims
For the Accounting Period: 2/16

Fund/Account	Amount
1000 General All-Purpose Fund	
101000	\$11,626.73
2020 Police Municipal Services Levy	
101000	\$23,156.51
2310 Tax Increment District	
102216	\$39,909.15
2390 Drug Forfeiture Fund	
101000	\$11,568.97
2394 Building Code Enforcement	
101000	\$211.64
2395 Tree Fund	
101000	\$12.00
2401 Light Maintenance District #19	
101000	\$1,442.19
2402 Light Maintenance District #20	
101000	\$1,083.63
2810 Police Training Fund	
101000	\$2,248.15
2820 Gas Apportionment Tax Fund	
101000	\$1,912.96
2932 Parks ARRA Recycle Grant	
101000	\$74.95
2943 RCDI/Growth Policy	
101000	\$630.00
5010 Golf Fund	
101000	\$9,547.23
5210 Water Fund	
101000	\$8,815.47
5310 Sewer Fund	
101000	\$37,312.03
Total:	\$149,551.61

CITY OF POLSON COMMISSION MEETING

5b.

Commission Chambers

February 17, 2016

7:00 p.m.

ATTENDANCE: Mayor Heather Knutson, Commissioners Coutts, Donovan, Erickson, Siler, and Southerland, Turner, City Manager Mark Shrives, City Finance Officer Cindy Dooley

OTHERS PRESENT (who voluntarily signed in): Jeremiah Coutts, Elsa Duford, Lita Fonda, Rick LaPiana, Bonnie Manicke, and Lee Manicke

CALL TO ORDER: (00:01) Mayor Knutson called the meeting to order. The Pledge of Allegiance was recited. Roll call was taken.

APPROVAL OF PROPOSED AGENDA (00:42) - Commissioner Turner motion to approve the proposed agenda. Commissioner Erickson second. City Commission discussion: none
Public comment: none **VOTE: Unanimous Motion carried**

PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (01:11)-Commissioner Southerland commented that there will be an Economic Development Council presentation at Mission Bay Clubhouse at 4:30 p.m. regarding the Resort Tax. The public is welcome.

CONSENT AGENDA (02:09)-(a). February 1-11, 2016 claims, (b). City Commission meeting Minutes February 1, 2016. **Commissioner Turner motion to approve the consent agenda. Commissioner Donovan second.** Commission discussion: Commissioner Siler commented on the expense that was paid on Well #2 pump replacement. There will also be a repair on Well #3 on 15th. That invoice will be coming. Public Comment: **Elsa Duford** inquired on whether or not Well #2 is operating. Also Elsa Duford asked if the new well is operational yet. City Manager Shrives answered no that well is not working yet. **VOTE: Unanimous Motion carried**

CITY MANAGER COMMENTS (05:15)-City Manager Shrives commented on the following: The 18 hole golf course is open for carts only. The Olde 9 is still closed. Reminded Commission about the Strategic Planning Workshop on February 27th at the Golf Course Restaurant from 9:00 a.m. – 4:00 p.m., The WORDA Grant is awarded to projects that are ready to start construction, so the City will be put on the list for next year. The Greater Polson Community Foundation sent the City a copy of their recent annual report. The Polson Police Department has hired a new officer. Jim Atkins will be joining the force on February 23rd. Polson Police Corporal George Simpson was able to secure an \$11,569.00 grant for new Tasers in conjunction with the joint DUI taskforce. May 18th the Polson Police Department will host the Law Enforcement Parade. There will be a program at Linderman Elementary School. The speakers will be Attorney General Tim Fox, a speaker from COPS, an organization for fallen officer's widows, Tribal Police Chief Craig Couture will also speak. The Fireman's Ball will be March 12th, 6:00 p.m. at the KwaTaqNuk. Fire Chief Cottle has tickets for sale. The price is \$40.00. The first week in March is the annual Fire Department Stair Climb competition. On February 26th, at MacKenzie River the Fire Department will be waiting tables to raise money thru tips to help fund the Stair Climb. Parks Director Karen Sargeant has turned in her resignation from the City of Polson. Karen will be moving on to Chelan, WA where she will assume the position of Parks and Recreational Director there. Karen's final day of employment will be March 18th. Karen addressed the Commission and thanked them for opportunities she has been given while in her employment with the City of Polson. Mayor Knutson commented that she will be missed and wished her well in her new position. Golf Maintenance Supervisor Pat Nowlen and Golf Maintenance Asst. Natalia Arlent will be interim overseer of the Parks Department while we transition.

APPROVE SECOND READING OF TREE ORDINANCE NO. 2016-001 AMENDMENT TO PARKS & RECREATION ORDINANCES (19:22)-City Manager Shrives presented this agenda item. There was a red-line version given along with the edited version of the ordinance. Mayor Knutson requested the term advisory board be changed to advisory committee in section B7 to differentiate between the Tree Board and the Advisory Board. The term Chairperson will be added to B6. Commissioner Southerland commented to remove the space in 8E also remove “the” in 9. It should read the Board. Commissioner Erickson asked what the process is for birch trees on 4th Avenue. Karen Sargeant explained that an insect named Birch Boar destroyed the trees. **Commissioner Southerland motion to approve the 2nd reading of Ordinance Number 2016-001 of the Tree Ordinance Amendment (Section 15.02.230) to Chapter 15, Articles 1 and 2-Parks Regulations as part of the City of Polson Book of Ordinances. Commissioner Siler second.** Commission discussion: none Public comment: **Lita Fonda** inquired if this addresses trees in the boulevard on the right-of-way? Mayor Knutson answered yes, if there is a City owned or a tree in the City right-of-way the City takes care of those trees. **Elsa Duford** commented during the January 20th meeting that the punishment on here, unless deliberate vandalism, is very harsh. The penalty can be located under G. During the December 20, 2010 meeting Elsa commented that she spoke with the Forest Intern about the right-of-way and ownership of trees before the establishment of the original Tree Ordinance. The trees were to be mapped so that the public would know the locations. Elsa also asked if anyone had checked into the weeds and tall grass she brought up during the January 20th meeting. Mayor Knutson commented she thought the lot is Tribal owned. Mayor Knutson will have the street checked out. **VOTE: Unanimous Motion carried**

POLSON DEVELOPMENT CODE RE-WRITE UPDATE-INFORMATION ONLY (44:38)- City Planner Kyle Roberts presented this agenda item. The City County Planning Board met in December and January. There is now a 2016 draft of the Polson Development Code. There will be two public hearings. The first public hearing was February 16th. It was a 3 hour meeting and the Board worked thru half of the issues. After the second Public Hearing the draft will then be brought to the Commission. There will be a public hearing prior to the March 21st Commission meeting and a first reading of the Ordinance to adopt the Polson Development Code during the regular Commission meeting. At the April 4th Commission meeting there will be the second reading of the Ordinance to adopt the Polson Development Code.

APPROVE RESOLUTION EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY (52:05)- City Manager Shrives presented this agenda item. This resolution is a requirement of the CDBG, Community Development Block Grant that the City has applied for. **Commissioner Erickson motion to approve resolution number adopting an Equal Employment Opportunity Policy. Commissioner Donovan second.** Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried**

APPROVE FIRST READING OF ORDINANCE PUBLIC SAFETY CHAPTER 7, ARTICLES 1-5 (53:35)-City Manager Shrives presented this agenda item. This is the next chapter in the Codification process. The department heads, City Attorney, and the City Manager met and issues were discussed and changes were made. This ordinance gives the City of Polson a process to deal with Public Safety issues as they come up. This is a complaint driven ordinance. Commissioner Erickson and Commissioner Southerland pointed out a typo on the Ordinance to Adopt. Finance Officer Cindy Dooley commented that on the motion there were a few changes that needed to be made. The motion should read Chapter 7, Articles 1-5. Mayor Knutson commented on section 7.01.040-Supply and use of containers; putting every 2 weeks going to be enough? City Manager Shrives replied that we aren't going to be driving around looking for violations but this will give the City the ability to act upon a complaint. Mayor Knutson commented on 7.03.070 B 7-is subjective. Mayor Knutson further commented that the Summary Abatement one person's trash is another person's treasure. Mayor Knutson is concerned about having one person be able to make the call on what is an emergency. City Manager Shrives commented that there is a process. Mayor Knutson commented that it should also read to include the City Manager not just the Building Official. City Manager Shrives commented that he will speak with the City Attorney.

Commissioner Turner 7.05.010-page one what is a “dirk”, also the term billy should also include the word club. On page 2 D should the word schools be added? City Manager Shrives replied no, because this is a City ordinance. The schools have their own regulations. Section 7.05.040 what is a “bolt”? City Manager Shrives replied it is some sort of weapon. Commissioner Southerland commented about concerns regarding the trash, abandoned vehicles, and so-forth, that we can have teeth to deal with this but it will be complaint driven correct? City Manager Shrives replied yes, this is just to give the City a process to be able to deal with these issues. **Commissioner Turner motion to approve the 1st reading of the Ordinance Number 2016-_____ to adopt Chapter 7, Public Safety Article 1. Garbage, Article 2. Weeds, Article 3. Community Decay-Nuisance, Article 4. Abandoned or Junked Vehicles, Article 5. Firearms and bows on Public Property, to the City of Polson Book of Ordinances. Commissioner Southerland.** Commission discussion: none Public Comment: **Lee Manicke**-Ward 2, Article addressing junked vehicles only addresses vehicles on private property. Is there another ordinance or will be some ordinance that address junk vehicles on public property? If not, should that be in this ordinance? City Manager Shrives replied that there is a Municipal Code that deals with junked vehicles on public property. The vehicles are tagged by the Police Department and then the vehicles are towed. That is a separate ordinance. Mr. Manicke further commented that in regards to the garbage, he hoped we could get the Tribe to tag on to this and have some mutual way to enforce some that are a particular health hazard. City Manager Shrives commented that we are getting cooperation from the Tribal Police. The Tribe wants to deal with Community decay. **Elsa Duford**-commented about a neighbor that has a rickety fence between her yard and theirs. This neighbor has three rather large, aggressive dogs that like to charge the fence when Elsa is out in the yard working around the fence. Animal Control was called and they experienced the same charge. The Officer went over to the home and left a note on the door since no one was at home. It was later determined that the homeowners are Tribal and there’s nothing that the City Police can do about it. There should be a way that the Tribal citizens be made responsible too. Mayor Knutson commented that the agencies are working better together. **Lita Fonda**-Ward 1 wondered about an excessive number of cars? Is that covered here? City Manager Shrives commented that that is handled separately. **VOTE: Unanimous Motion carried**

(01:14:54) Mayor Knutson commented that a meeting may be closed to discuss the strategy of pending, threatened or actual litigation; Mayor Knutson asked if the litigation was between two governmental agencies. City manager Shrives replied no. Mayor Knutson asked if the discussion of this legal matter in open meeting have the potential to adversely affect the City if the strategy to defend the matter is disclosed. City Manager Shrives replied yes. Mayor Knutson commented that based upon the representations of the City Manager, I find that the Commission should close its meeting into executive session so that we may discuss the litigation strategy of pending, threatened or actual litigation.” “I believe that we will be discussing this matter for 30 minutes. Thereafter, we will reconvene the meeting only to determine full or action minutes and to adjourn the meeting.

RECESS: (01:15:47) EXECUTIVE SESSION

RECONVENE: (01:15:53)

(01:16:00) Mayor Knutson asked the Commission if there were any items that needed full minutes or will action minutes suffice. The Commission commented that action minutes would suffice.

Adjourn. (01:16:19) Commissioner Donovan motion to adjourn. Commissioner Coutts second. Commission discussion: none Public Comment: none **VOTE: Unanimous Motion carried.**

ADJOURN: 9:52 p.m.

Heather Knutson, Mayor

ATTEST: _____
Cindy Dooley, Finance Officer

CITY OF POLSON

COMMISSION STRATEGIC PLANNING WORKSHOP

5c.

Golf Course Restaurant

February 27, 2016

9:00 a.m.

ATTENDANCE: Mayor Heather Knutson, Commissioners Coutts, Erickson, Siler, and Southerland, City Manager Mark Shrives, City Clerk Cora Pritt

ABSENT: Commissioners Donovan and Turner

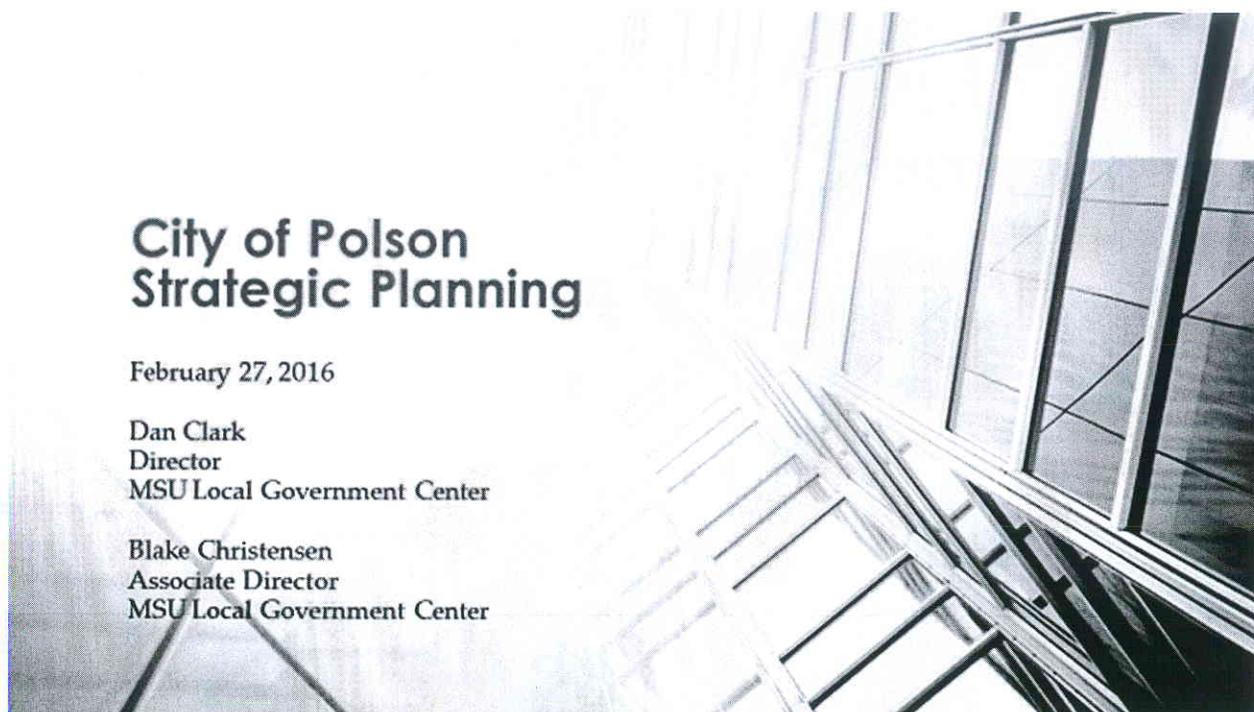
CITY DEPARTMENT HEADS: Clint Cottle, Cindy Dooley, City Attorney Rich Gebhardt, Terry Gembala, Wade Nash, Pat Nowlen, Tony Porrazzo, Kyle Roberts, Ardrene Sarracino, Roger Wallace

CITY DEPARTMENT HEADS ABSENT: Karen Sargeant, David Simons Jr.

The workshop was facilitated by Local Government Center Director Dan Clark and Assistant Director Blake Christensen.

This workshop was to create a Mission Statement, Vision Statement, Core Values, Goal, Strategies, and Actions. The workshop focused on creating the Mission Statement, Vision Statement, Core Values, and goals. The Strategies and Actions will be worked on by the Department Head staff once the report is put together by the Local Government Center and presented to the Commission during the March 21st City Commission meeting.

The following power point presentation was given:



Desired Outcomes:

- Review and discuss board survey results
- Determine and agree upon the City's purpose and mission and core values
- Identify strategic goals for the next 3-5 years
- Assess current organizational objectives/strategies

Ground Rules

- Our success depends on YOUR participation and effort
- Be present – turn off cell phones
- Be respectful of others
- Actively listen to each other – hear what is being said
- Only one person speaks at a time
- Adopt a position of inquiry
- Say what you have to say . . . but use efficient speech
- No side-bar conversations
- Take care of yourself – misery is optional
- Question ideas not motives
- Focus on outcomes not people
- YOU determine how enjoyable this process is

Today's Agenda

Saturday, February 27, 2016
Welcome & Introductions
Overview Ground rules and expectations
Appreciative Inquiry
Strategic Planning Process Review and discuss survey outcomes
Break
Sticky Wall Exercise What is Fading, Standard, Trending and Radical (F*S*T*R)
Develop and revise organization goal themes
Lunch
Idea Gallery Group brainstorming Group goal statement creation
Break
Develop and revise organizational goal statements
Break
Review day's progress and outcomes
Closing Remarks
Adjourn

Perspective



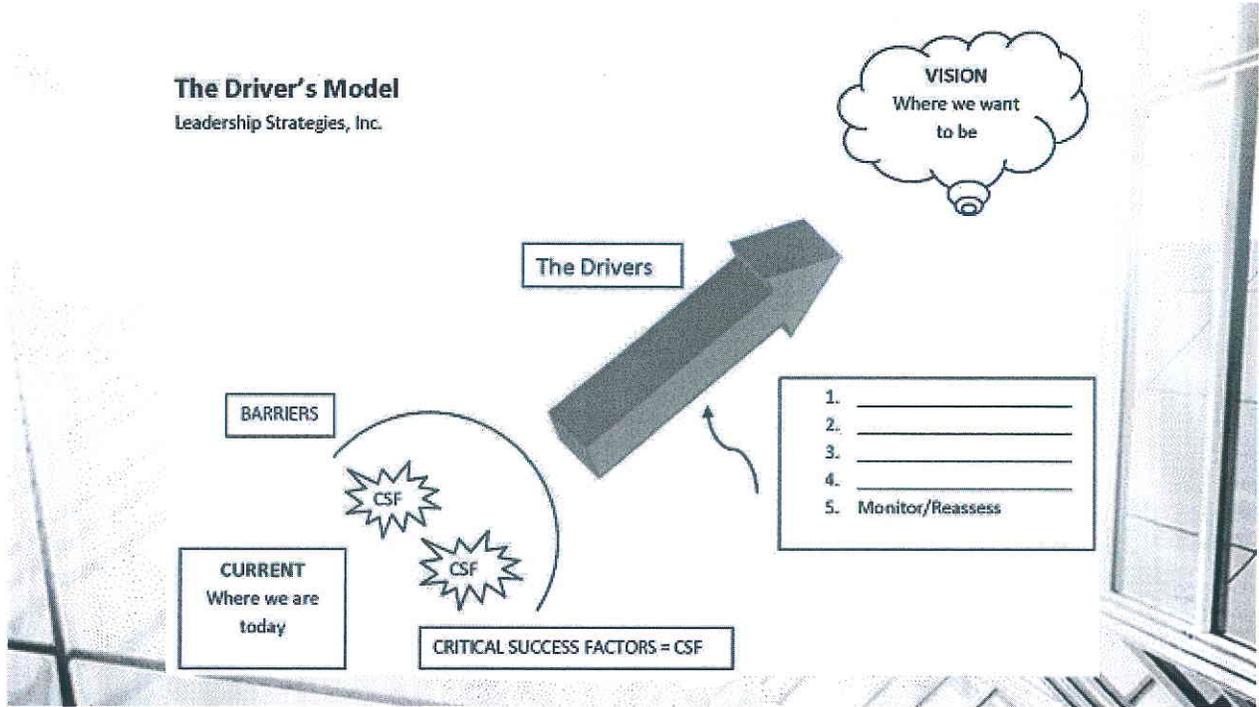




The future doesn't just happen.
It is shaped by decisions.

-Paul Tagliabue, Former NFL Commissioner

The Driver's Model
Leadership Strategies, Inc.



Appreciative Inquiry

- AI is based on the assumption that *organizations change in the way they inquire.*
- Inquire into “problems” or “needs” and you will find more of the same.
- An organization which tries to appreciate what is best in itself will find/discover more and more of what is good.

Survey Results

Purpose: Frame the discussion, identify appropriate process outcomes, and think strategically about the future of Polson.

1. Please list 2-3 accomplishments in Polson during the last five years that you feel most proud of or you feel have had the most impact on your department/the city/the broader community: (1/2)

- Increased government transparency
- Waste water treatment plant
- Dog park and subsequent facility additions
- New procedure for project submittals
- Mainstreet streetscape project
- Manager form of government
- Polson development code rewrite
- Skyline project
- Phone system conversion
- Proactive drug task force
- Recodification of ordinances
- Records retention
- Better planning

Achievements continued:

- Downtown water looping project completion
- Skatepark
- Efficient handling of increased volume and arrests
- More open and communicative council meetings
- Defining clear and efficient department processes and procedures
- Mission bay project
- Better retirement
- GIS mapping and planning/financing/progress toward goal
- Emergency Management Institute FEMA IS-100 & 200
- Cooperative project on Hawk Dr.
- Staff professionalism
- Separating from Rural Fire Department
- Improved communication with citizens
- Well #7—the largest producing well Polson has now
- Safe and Accessible Streets Policy
- Large-scale affordable housing project
- Computer/cat-5 cable upgrade
- Carol Sherick trail head improvements
- Implementation of pay scale
- Reduced number of liability claims and settlement of existing claims

2. What gets you most excited about Polson's future?

- Polson's tremendous potential & being on ground floor
- Commissioners working hard as a group for citizens
- Location and potential for positive, planned growth. Polson could/should be a resort and recreation destination
- Commercial growth
- Residential growth
- Sewer flow away from Flathead Lake
- Expansion of trails/pathways system
- Growth at Ridgewater
- Creating more efficient, effective, better run departments
- Greater proactivity and planning ahead as a city

3. What major accomplishments, whether planned or not, best demonstrate the effectiveness of the particular City office/department you work in?

- Leadership
- Private cart storage building at golf course
- Letters/communication to citizens
- Commissioners working together, valuing public comment
- Support from city manager, building, and planning department staff
- Ability of department to take on a project and see it to completion
- Community partnerships, educating and being proactive
- FEMA training
- Walkway on the lake linking downtown area to Sacajawea park

4. What do you see as Polson's two most important INTERNAL strengths? (1/2)

- City manager (knowledge, leadership, support)
- Dedicated staff
- Department head leadership skills
- Collaboration among department heads
- Knowledgeable and experienced leadership
- Great people
- Dedicated committee volunteers
- Staff willing to work together
- Strong finance department
- Get things done attitude that is also flexible and supportive
- Team work
- Long term employees and their intimate city knowledge
- Willingness to help and willingness to resolve issues

Internal Strengths Continued

- An excellent police department
- Mayor (engaged, thoughtful, uniter, creative)
- Long term continuity
- Departments working well together
- Commitment to culture and history
- Transparency
- Employee flexibility and work ethic
- High desire to reach potential

5. What do you see as Polson's two most critical INTERNAL challenges?

- Infrastructure needs
- Financial systems/status knowledge
- Communication between departments
- Old alliances damaging to city
- Old ordinances and issues that need cleaning up
- "That's how we've always done it" mentality
- Keeping quality leadership
- Funding per federal mandates and lightening the tax burden
- Those who don't understand teamwork/team skills and undermine team efforts
- Budgets
- Personnel management
- Micromangement
- Succession planning

Internal Challenges Continued

- Retaining quality employees with competitive wages
- Lack of detailed legal advice/input for city commission
- Communication
- Hidden agendas
- Completing resource management plans
- Lack of affordable housing
- Healthcare
- Boundaries and differentiation
- Office space
- Documentation/defining of processes and procedures
- Payroll department

6. What do you see as Polson's two most important EXTERNAL strengths?

- Location/tourist destination
- County seat
- Relationships with other political entities
- Excellent police department and relationship with community
- Fire department leadership and direction, PR for community
- Relations with business community
- Customer service
- Progressive attitude and willingness to view change positively
- Citizens who love Polson, are passionate for community. Small town mentality
- Retirees with varied backgrounds
- Water quality
- Ability to use staff from other departments to finish projects

7. What do you see as Polson's two most critical EXTERNAL challenges?

- Funding for infrastructure and equipment needs
- Established network of negative and divisive individuals
- Increasing environmental regulations
- Infrastructure for additional commercial growth
- Being on a reservation/tribal relationships
- Residents who do not accept growth/change
- Lack of uniformity/consistency
- Consideration of resort tax
- Lack of qualified/hirable employees, staffing levels
- Lack of education re: critical issues
- High poverty/drug problems
- Advancing economic viability
- Geographical and reservation constraints
- Low paying jobs and lack of housing
- Need for greater trust in city government and decision making
- Education re: what city departments do

8. What core areas should Polson &/or your department focus its efforts on during the next three to five years?

- Current records retention and records storage system
- Sustainable manpower
- Chip sealing of streets and funding for sidewalks/streets, greater infrastructure
- Public safety building and City Hall
- Development code, growth policy, and ordinances
- Streamlining processes and procedures for all departments
- Economic development/increasing tax base by facilitating more businesses/industries
- Annexation of properties surrounded by city limits
- Efficient and effective department vision and planning
- Promotion of/dedication to water quality
- Official and department succession planning
- Better court setting for defendants
- Employee training and management
- Promotion as tourist destination
- Positive development without excessive regulation
- City and business community working together
- Revitalization of main street
- Team mentality

9. Please list 2-4 ACTIONS (opportunities, projects, or initiatives) you would like to see Polson &/or your department take on over the next three to five years: (1/3)

- Inventory of needs/improvements by department, budget for those, ideas on financial support for those, and ultimately implementation when we can begin work on them
- Affordable housing
- Environmental stewardship program
- Become part of main street program
- Resort tax/SIDs/levy/bond sale
- Budget reserve for equipment replacement
- Pass development code
- Building better suited to needs of all departments
- Wholly surrounded property annexations/annexation plan
- New job growth and payscale
- Wastewater treatment plant

Actions Continued

- Upgrade all playground areas
- Full inventory of real and personal property/eliminate surplus property
- Increase safety of court (close off chambers, don't move defendants past city employees)
- Educate all employees re: how their growth affects city in positive way
- Walkway and bike trail expansion
- Complete internal GIS mapping
- Better city docks and parking
- Well-maintained fire department
- Reasonable and affordable tax structure
- Community partnerships
- Improve major roadways leading into Polson

Actions Continued

- Project management education
- Fix/replace problematic sewer lines to take load off old lift stations
- Good customer service
- Transparency and accessibility
- School resource officer
- Public safety building/capital improvement plan
- Work with community/business
- leaders re: economic development
- Work in proactive manner rather than reactive
- Golf course irrigation systems
- Bathroom facilities renovation
- County-wide drug court

10. What BARRIERS or CHALLENGES will Polson &/or your department face as it works towards accomplishing these opportunities, projects, and initiatives?

- Lack of funding
- Lack of communication
- Micromanagement
- Public opposition to development code
- City infrastructure
- Feeling overwhelmed or deflated at magnitude of projects
- Lack of residential development
- Inadequate staffing levels
- Not accepting need for change
- Policies that seem discriminatory
- Budget cooperation with developers
- Employees needing education/guidance
- Protective of departments and budgets—unwillingness to change

11. Over the next ten years, what are the top 3-5 items your office needs to meet its service expectations?

- Money, either through assistance from the state via more entitlement funding, grants and or a resort tax
- Legal advice/input
- Central irrigation control program
- Effective processes and procedures
- Appropriate staffing levels to meet demands
- Knowledgeable and experienced leadership
- Safe, efficient set up for court
- Better quality equipment
- Software for mining Black Mountain database
- Chip sealing of streets to increase lifespan
- Provide public with information and get feedback
- Equipment and budget for records storage
- A full-time city attorney
- Outside the box thinking
- Professional behavior/team concept training

12. What topics or matters do you hope we can address at the planning session? (1/2)

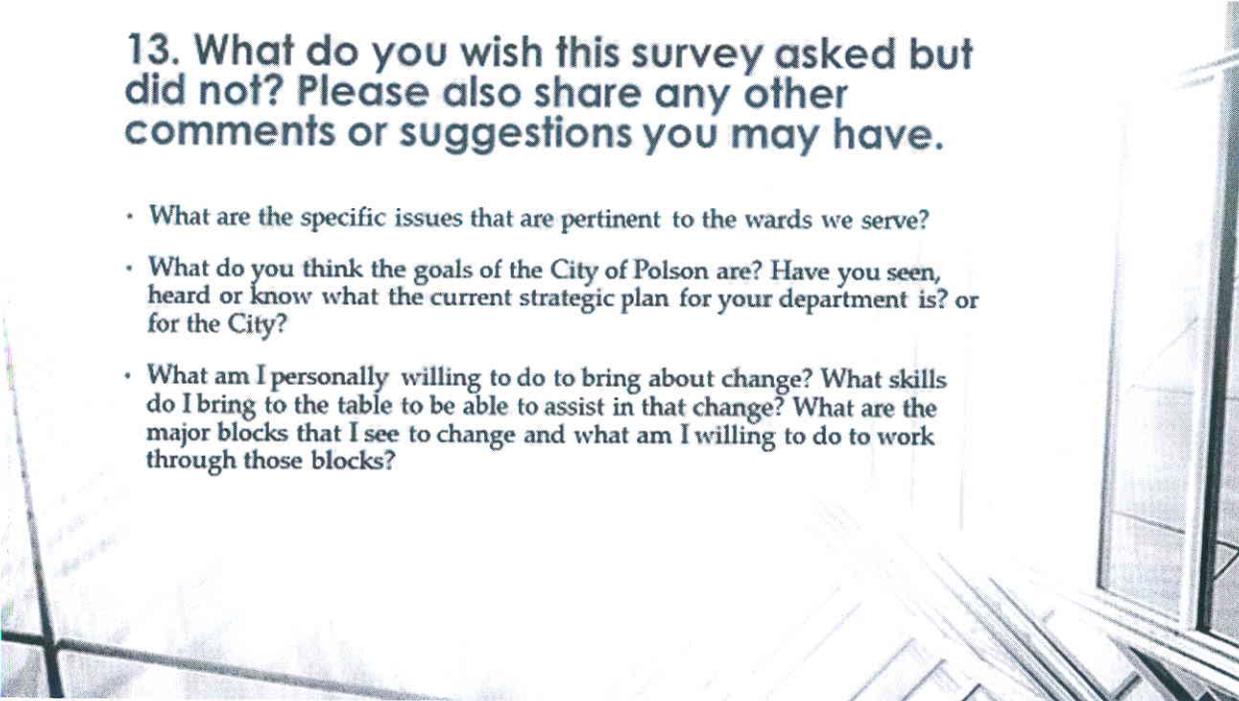
- Future City Hall and/or a public safety building, which will not only address space needs, but will also address safety issues and will present a more professional appearance to the public. The City is growing and we should reflect that look within the City offices
- How to better promote Polson as a tourist destination, as well as a shopping hub for the region
- How we want the City of Polson to be viewed by our citizens. And have everyone on the same page and working towards that in everyday work and interactions
- Direction regarding developing a plan for addressing the annexation of wholly surrounded properties and "clean up the city limits"
- Practical application of the Safe and Accessible Streets Policy
- New economic growth

Topics to Address Continued

- The push for new economic growth while keeping the feel of Polson
- Communication under a city manager form of government
- Funding for street improvements and equipment replacement
- What is a strategic plan? How do they get established? What is a short term goal and a long term goal? Who is in charge of the plan? Who implements the plan? What does a GREAT team look like?
- Wage increases for all city employees and health care
- Team skills/organizational structure/role definition
- Infrastructure
- Affordable housing
- Setting goals for increasing revenue

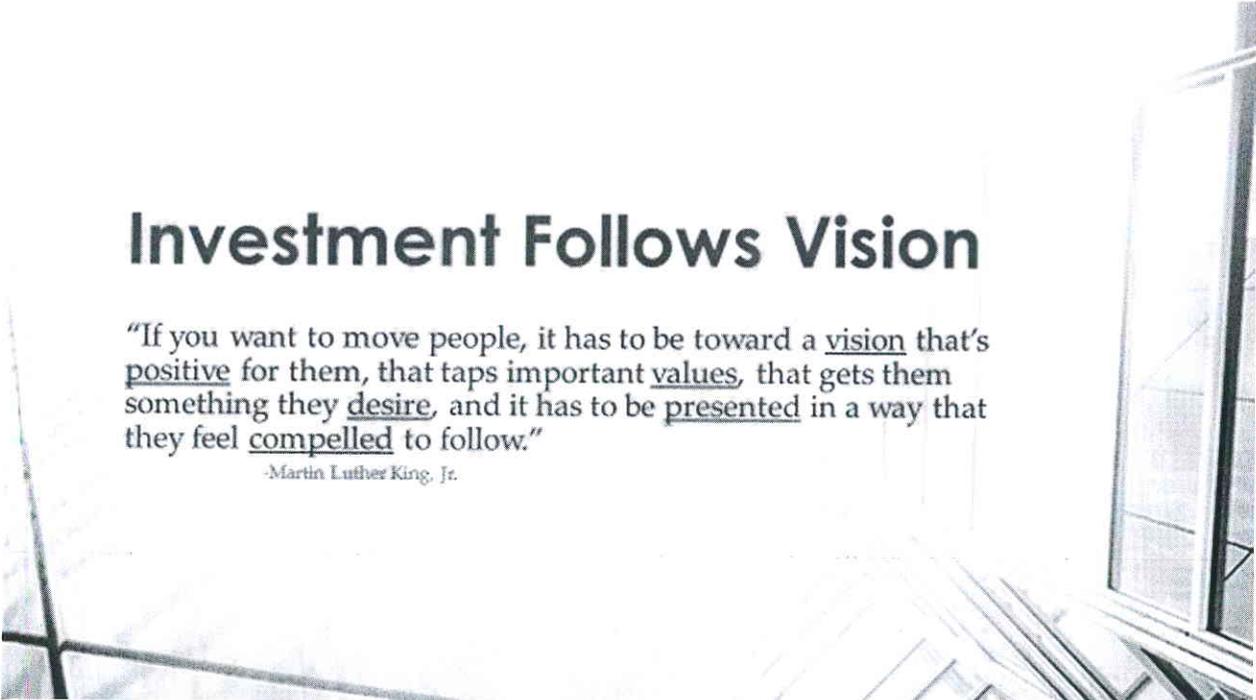
13. What do you wish this survey asked but did not? Please also share any other comments or suggestions you may have.

- What are the specific issues that are pertinent to the wards we serve?
- What do you think the goals of the City of Polson are? Have you seen, heard or know what the current strategic plan for your department is? or for the City?
- What am I personally willing to do to bring about change? What skills do I bring to the table to be able to assist in that change? What are the major blocks that I see to change and what am I willing to do to work through those blocks?



13. What do you wish this survey asked but did not? Please also share any other comments or suggestions you may have.

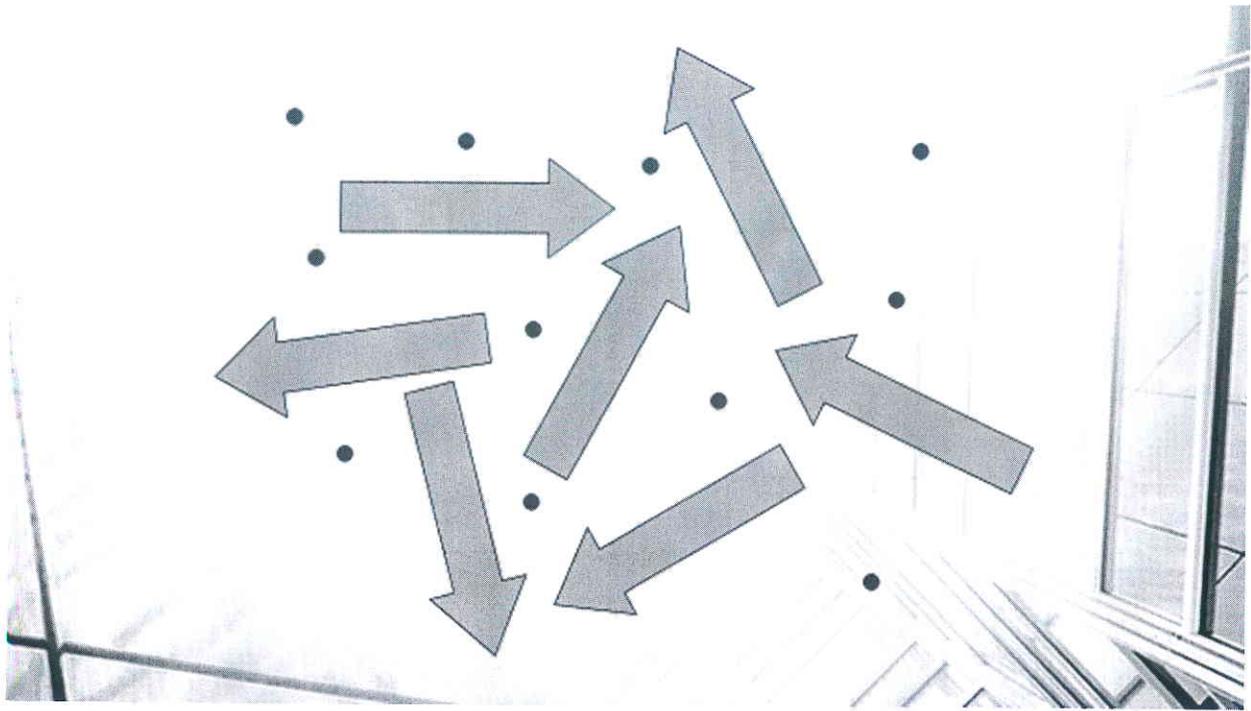
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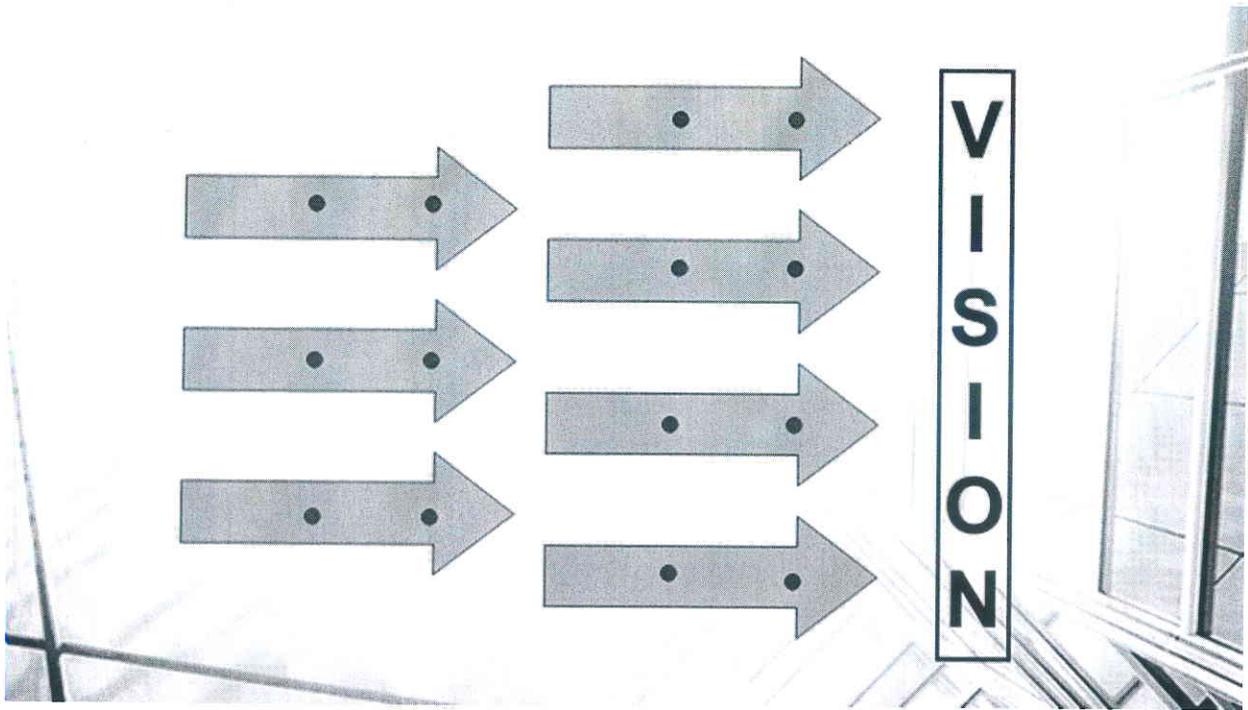


Investment Follows Vision

“If you want to move people, it has to be toward a vision that’s positive for them, that taps important values, that gets them something they desire, and it has to be presented in a way that they feel compelled to follow.”

-Martin Luther King, Jr.





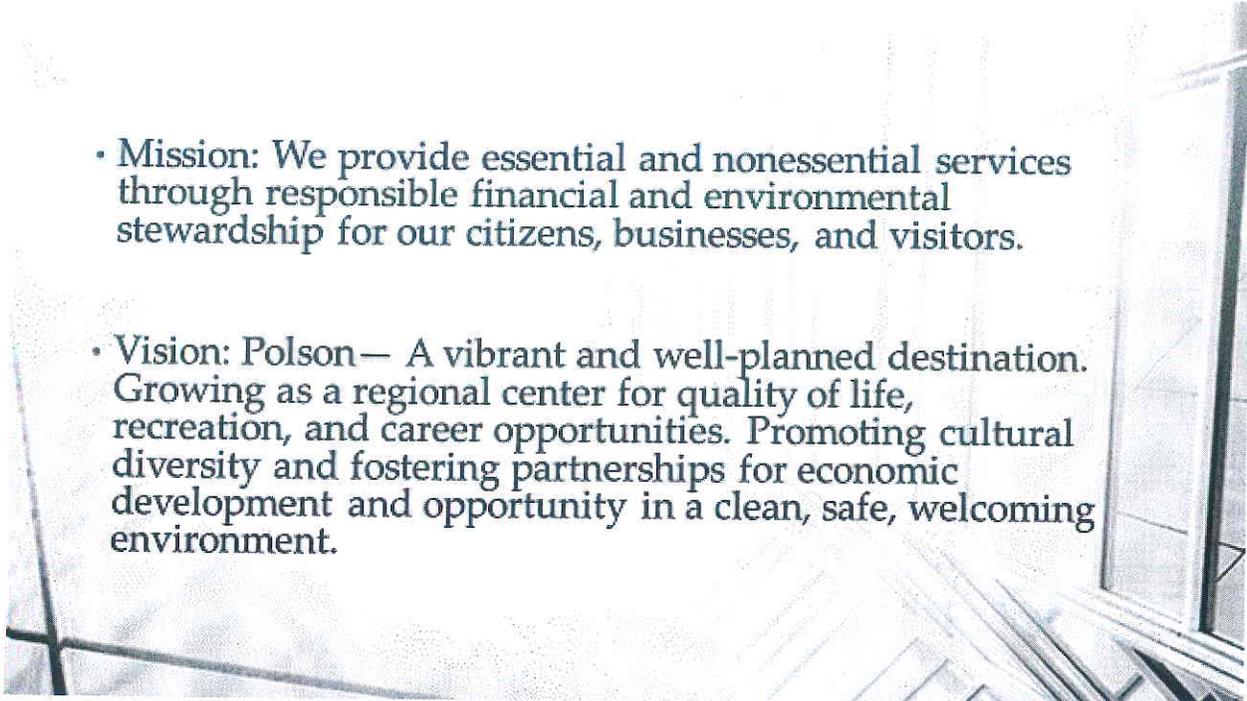
Credibility & Competence

Draft Mission Statement

- We provide essential and nonessential services through responsible financial and environmental stewardship for our neighbors, businesses, and visitors.
- 2: We provide essential professional courteous service to our citizens and visitors through collaborative teamwork and innovative leadership
- 1: To provide essential and nonessential services in a knowledgeable and courteous manner while being fiscally responsible. ~~As a regional center and destination where recreation is abundant,~~

Draft Vision Statements

- 1: Polson— A vibrant and well-planned destination. Promoting cultural diversity and providing for economic development and opportunity in a clean, safe, welcoming environment. Growing as a regional center for quality of life, recreation, and career opportunities.
- 2: The city of Polson's vision is to foster and maintain a clean, safe, welcoming environment where people want to live, work, recreate, and enjoy this unique community.

- 
- **Mission:** We provide essential and nonessential services through responsible financial and environmental stewardship for our citizens, businesses, and visitors.
 - **Vision:** Polson— A vibrant and well-planned destination. Growing as a regional center for quality of life, recreation, and career opportunities. Promoting cultural diversity and fostering partnerships for economic development and opportunity in a clean, safe, welcoming environment.

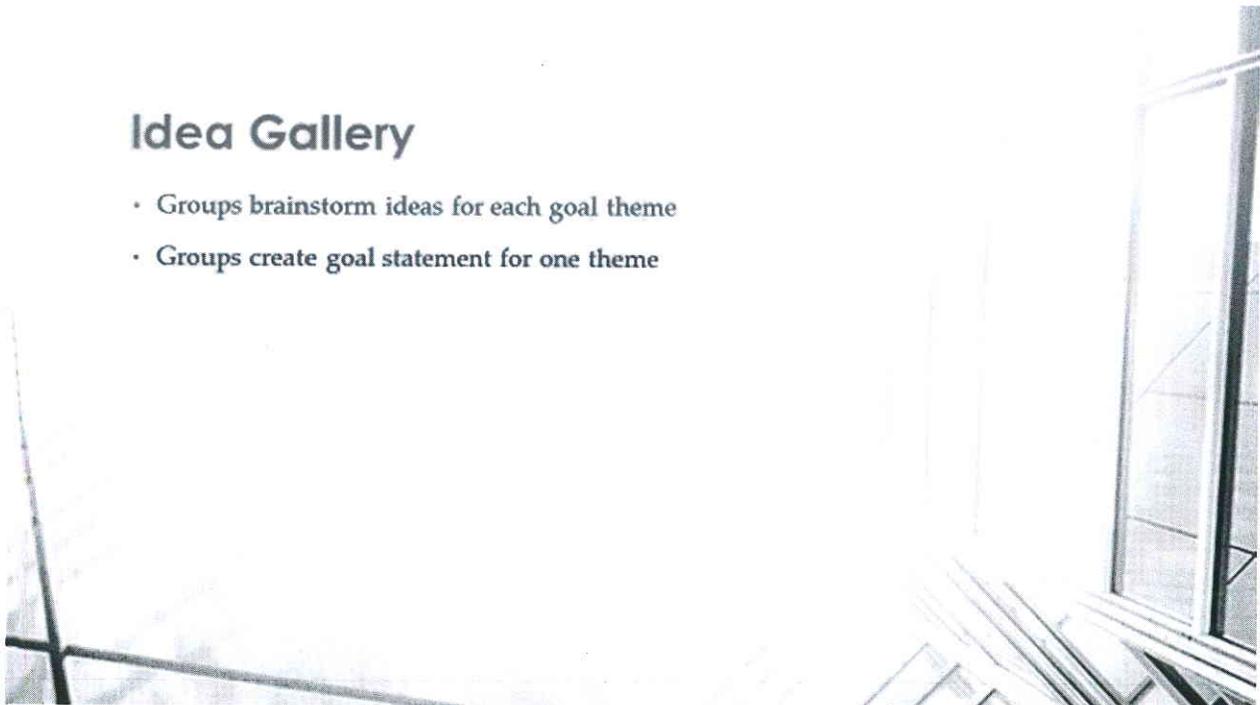
City of Polson Core Values

Develop and revise organizational goal themes:



Idea Gallery

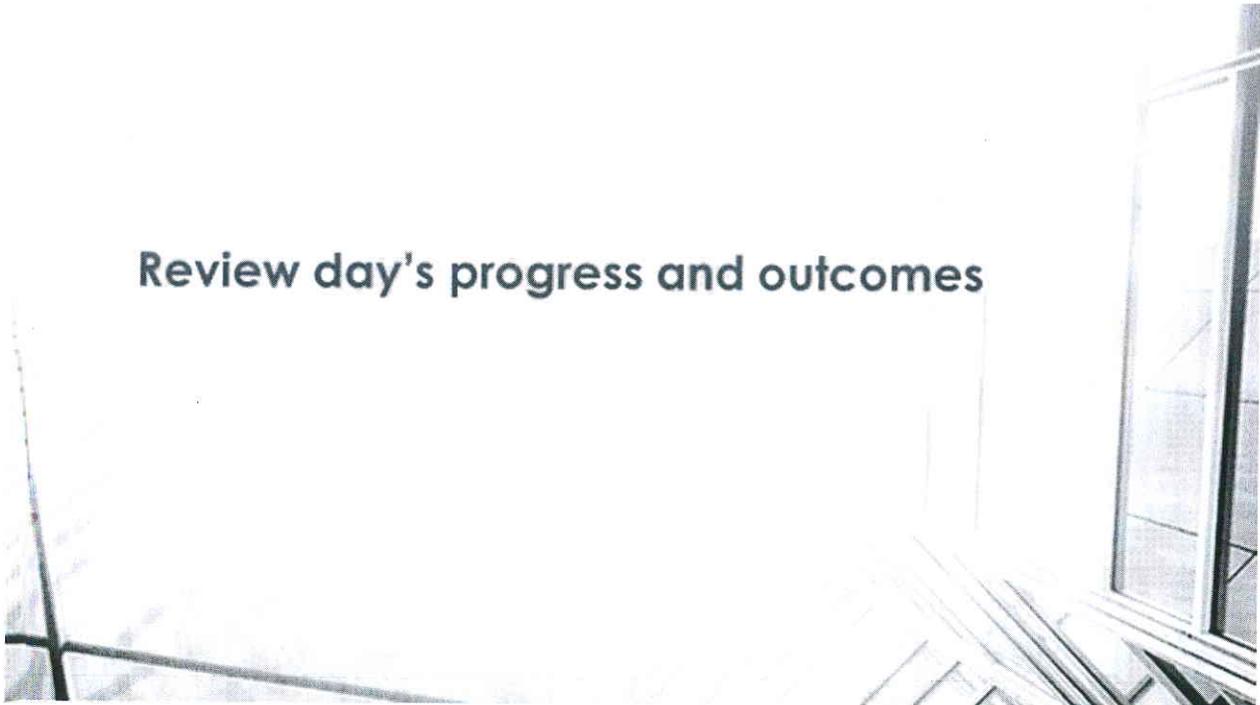
- Groups brainstorm ideas for each goal theme
- Groups create goal statement for one theme



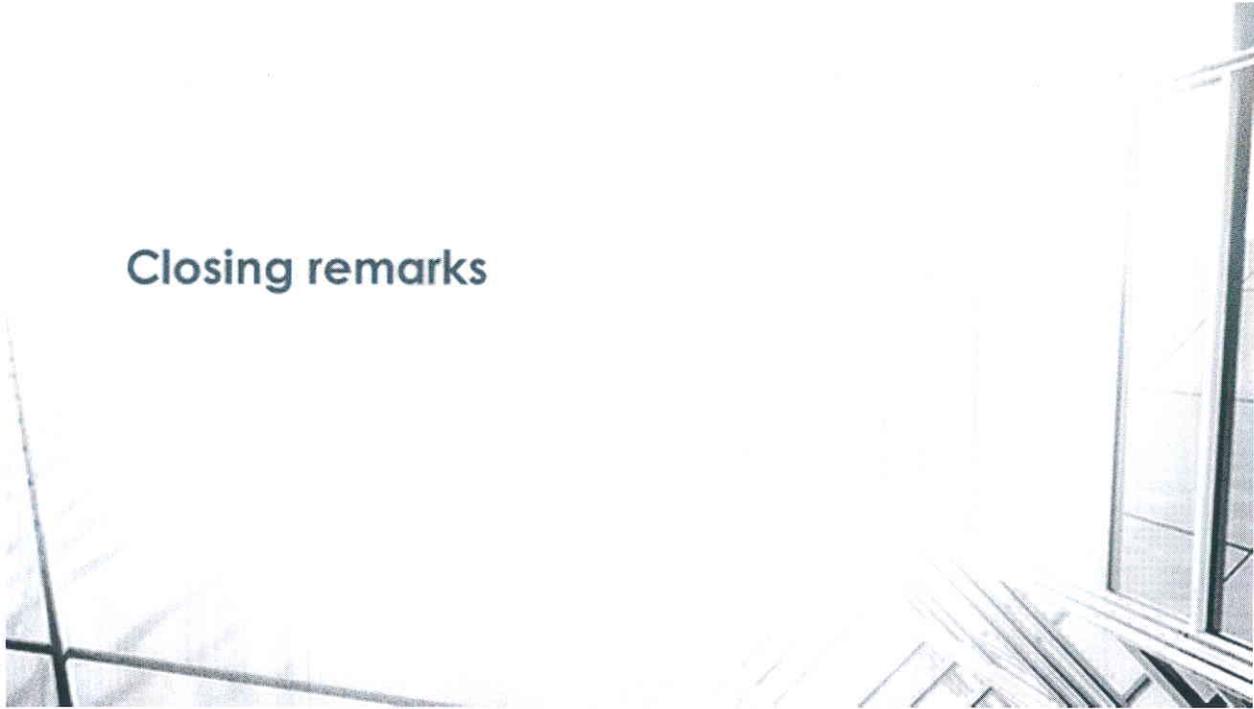
**Develop and revise organizational
goal statements**



Review day's progress and outcomes



Closing remarks



ADJOURN: 3:55 p.m.

Heather Knutson, Mayor

ATTEST:

Cora E. Pritt, City Clerk

5d.

STAFF REPORT
Polson City Commission
Monday, March 7, 2016 at 7:00 PM
Polson City Council Chambers
Final Plat Review:

**Richard and Joyce Norman's proposed 2-lot minor subdivision,
Also known as Tract A of COS 5234, located in a portion of the SE ¼ SE ¼
of Section 3, T22N R20W in the City of Polson.**

GENERAL INFORMATION:

Applicant: Richard and Joyce Norman
1615 Hillcrest Drive
Polson, MT 59860
406-883-0391

Technical Assistance: Jack Duffey, PLS
PO Box 531
Polson, MT 59860
406-883-1727
duffeysurvey@gmail.com

Clinton Fisher, Agent/Attorney
PO Box 879
Polson, MT 59860
406-883-4398
fisher@cyberport.net

Applicant Number: SD #15-02
Application Type: Final Plat Review of Minor 2-Lot Subdivision
Date Received: 1/29//2016

APPLICABLE REGULATIONS:

- Polson Development Code
- Polson Growth Policy
- MRZD: Medium Density Zoning District,
- Montana Department of Environmental Health (DEQ)

Staff Reports delivered: 3/3/2016

WRITTEN COMMENTS: None received

PROPERTY DESCRIPTION:

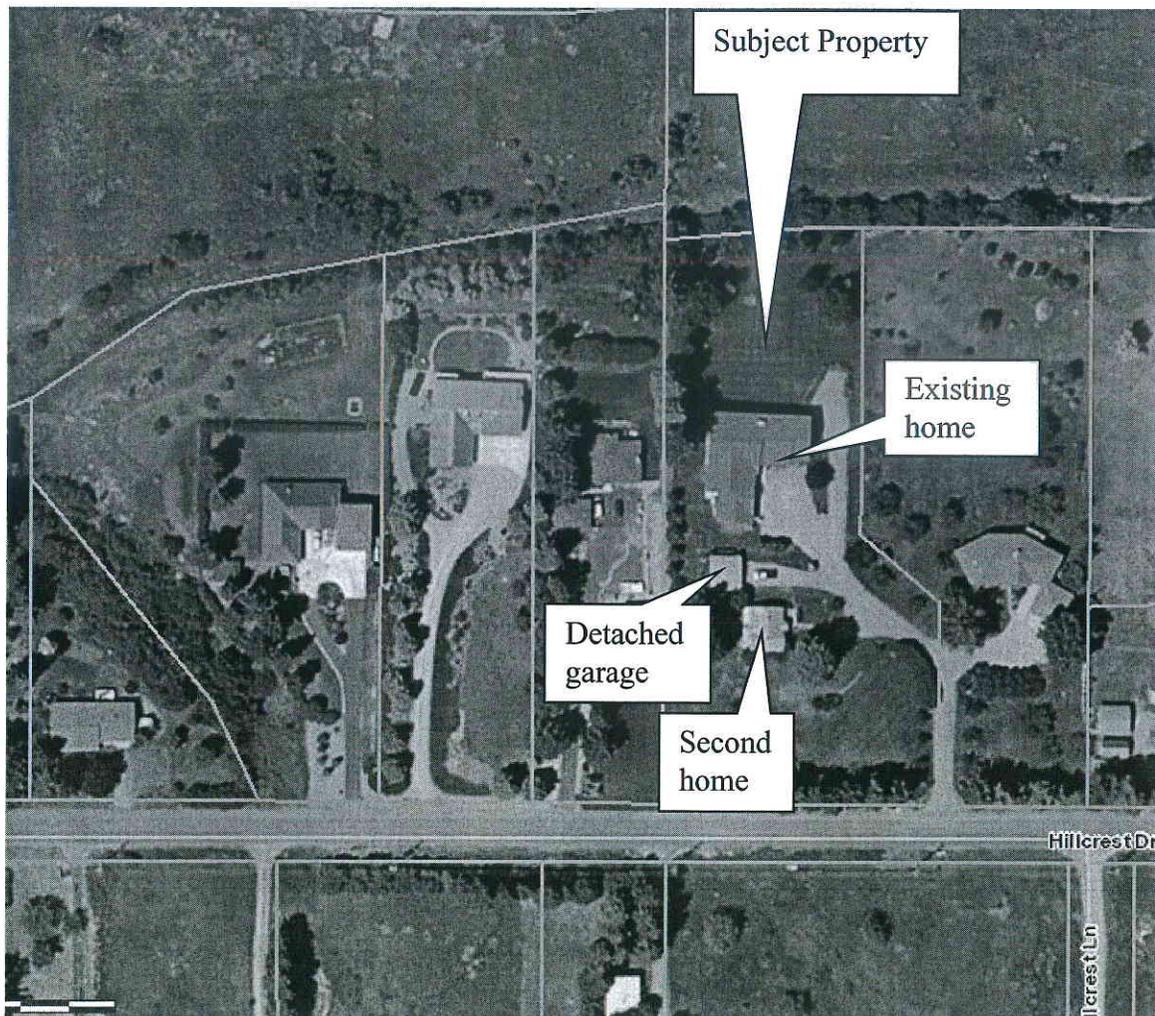
The property is located in the middle-to-east side of the Polson city limits, just off the lake on Hillcrest Drive. Hillcrest Drive runs parallel to Highway 93. The property is described as "Tract A of COS 5234" in Sec. 3, T22N, R20W, P.M.M.,

Lake County. The property is 1.89 acres in size acres with two existing homes and one detached garage. The property is zoned Medium Density Zoning District (MRZD) in the City of Polson.

PROPOSAL:

The applicant requests Final Plat approval on their proposed 2-lot minor subdivision which will split the property so that the two existing homes can each be located on their own lots. Having two homes on one lot is a non-conforming use as zoned lots are allowed one use only. This subdivision proposal will bring the property into zoning compliance. The original home was constructed in the 1920's. The second home was constructed much later, but still pre-zoning, and is currently being rented out. The applicant lives in the original home. The owner is looking to sell the homes and not have to be in a landlord situation any more.

VICINITY MAP:



The property is currently 1.89 acres in size and the subdivision will create Lot A1 with .86 gross acres and Lot A2 with 1.03 gross acres. The minimum lot size for lots within the MRZD is 7,000 square feet and both of these lots meet that minimum. In the MRZD, there is no landscape buffer requirement. Front yard setbacks from a public road are 25' and that is easily met on Lot A2. Lot A1 does not front a public road. The subject property is surrounded by residential development, a compatible use.

MRZD has maximum lot coverage of 55% or less, depending upon the slope of the site. Should the lot contain slopes between 0-8%, then it is granted the full 55% coverage. In instance where the slope is 8-15%, then the lot coverage falls to 20%. It appears that this property has a gentle slope and complies with the lot coverage requirement.

At the time of preliminary plat approval, neither of the lots were connected to City sewer. According to the landowners, both had City water service, although both homes were on the same connection. Both of the lots were required to connect to City sewer and water services with individual extensions by time of final plat submittal (refer to Condition #6).

Access for Lot A1 is via an existing 12' shared easement to Hillcrest Drive. This access is also shared by the adjoining property owner to the east. On-street parking will not be allowed on this private roadway. A recorded Agreement between the owners of Lot A1 and Lot A2 will be required at the time of final plat to provide for continued maintenance and upkeep of the driveway. Both of the homes currently have been assigned addresses, but the addresses will have to be visible from Hillcrest Drive.

Per MCA 76-3-621: Park Land Dedication is not required when creating one additional residential lot.

REVIEW PROCESS:

The City Commission, as the governing body, is required to evaluate this proposal under the terms of the Polson Development Code and the Montana State Subdivision Statutes and any applicable State/Federal and Tribal requirements.

After consideration of the staff report and input from the public, the Commission will review and vote to approve, approve with Conditions or deny the final plat application.

Any decision needs to be supported by Findings of Fact, which are based on established code and policy.

Should the applicant decide to appeal the City Commission's decision, please refer to MCA 76-3-625 for that process.

COMPLIANCE WITH PRELIMINARY PLAT CONDITIONS:

Jack Duffey, PLS submitted a request on behalf of Richard and Joyce Norman for final plat approval of the above-noted subdivision. Listed below are the Conditions of Preliminary Plat Approval and the supporting documentation for how each of these Conditions has been met. The Polson City Commission granted approval of the Preliminary Plat on May 18, 2015.

1. On the final plat, the subdivision shall be named in accordance with typical standard practices as accustomed to the Clerk and Recorder of Lake County, including a proper legal description. Tract A1 and Tract A2 shall be shown as Lot A1 and Lot A2.

Response: See final plat.

This Condition is met.

2. If the irrigation rights are transferred to Lot A2, an easement of appropriate size for providing for the delivery of water shall be shown on the face of the final plat.

Response: See final plat depicting easements.

This Condition is met.

3. The owners of Lot A1 and A2 shall construct an Agreement providing for the maintenance and shared responsibility of the driveway that provides access to both of their lots.

Response: See included Declaration of Reciprocal Easement and Maintenance Agreement.

This Condition is met.

4. An address sign indicating the address of Lot A1 shall be visible from Hillcrest Drive. 4" reflective numbers are recommended.

Response: Address signs currently exist on property.

This Condition is met.

5. The applicant shall contact the appropriate irrigation company to either sever the water rights to Lot A2 or to split the existing right between Lot A1 and Lot A2. Verification of this shall be required at the time of the final plat application.

Response: Flathead Irrigation Project indicates that water rights cannot be split or reassigned until plat is filed and tracts become tracts of record.

This Condition is met.

6. Each home shall have individual water and sewer hook ups which shall be extended underground to each of the existing homes in accordance with a plan approved by the Water and Sewer Superintendent, Tony Porrazzo. The subdivider may be required to bond for any replacement or repair costs involved with water/sewer connections.

Response: Individual water and sewer hookups are existing to each tract. Verify with Water and Sewer Dept.

This Condition is met. This has been verified with Water & Sewer Dept.

7. The Final plat and plans, specifications, and construction of all improvements shall meet applicable design standards and the requirements of the Polson Development Code, the Montana Uniform Standards for Final Subdivision Plats and the Montana Department of Environmental Quality.

Response: The final plat and plans, specifications, and construction of all improvements meet applicable design standards and the requirements of the City of Polson Development Code, the Montana Uniform Standards for Final Subdivision Plats and the Montana Department of Environmental Quality.

The applicant has met all of the criteria as set forth by applicable institutions.

8. This Preliminary Plat approval is valid for two years from the date of approval by the City Commission. The Preliminary approval may be extended by the City Commission for one additional year if the applicant requests an extension of time *prior* to the expiration date. Additional extensions may be granted by mutual consent and agreement by the City Commission and Developer if requested prior to expiration.

Response: Preliminary Plat approval is still valid and no extension required.

This Condition is met. Preliminary approval was granted in May 2015.

9. The developer shall secure a Municipal Facilities Exclusion from the Polson Water and Sewer Superintendent and a letter of compliance from MDEQ.

Response: See attached approval from MDEQ.

This Condition is met.

10. All utility easements shall be shown on the face of the Final Plat.

Response: See final plat for all applicable easements.

This Condition is met. All easements are shown on the Final Plat.

11. Applicants are responsible for any applicable Impact fees as determined by the current impact fee schedule (Resolution #1059).

Response: All impact fees satisfied.

This Condition is met.

12. Any proposed fencing on the properties shall be reviewed, approved and permitted by the Polson Building & Planning Department and fees paid before implementation.

Response: No proposed fencing.

This Condition is understood and does not require anything of the applicant. It is met.

13. All required improvements shall be completed and certified by a licensed engineer or a Subdivision Improvement Agreement shall be submitted with the final plat application.

Response: The subdivision did not require improvements due to existing facilities.

This Condition is met.

14. The applicant will waive all rights to protest an RSID for sidewalk installation, and/or road, sewer or water improvements should this ever come to fruition.

Response: See attached signed document.

This Condition is met.

15. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions.

Response: Final plat complies with submitted preliminary plat review.

This Condition is met.

16. The City of Polson reserves the right to revoke Approvals, terminate or enjoin the use of the property, and order any structures removed if the applicants violate any Conditions of Preliminary Approval.

Response: See attached signed statement.

This Condition is met.

17. The applicant/owner agrees to indemnify and hold the City harmless for and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity in connection with, or on account of the performance of work under this permit.

Response: See attached signed statement.

This Condition is met.

18. Continued review by the City Planning and Zoning department does not alleviate the responsibilities of the owner/agent/applicant to know and adhere to all applicable codes, regulations and standards. Additional information and/or requirements may be required before permits are issued or final Plat approved.

Response: Dually acknowledged.

This Condition is understood by applicant.

19. After the final plat has been approved by the City Commission, the applicant shall provide the Planning Department with a copy of the recorded final plat within 5 working days of its recording. (Including an electronic version).

Response: Applicant to provide Planning Department with copy of filed plat.

This Condition is understood by applicant.

RECOMMENDATION: It is found that the Conditions of Preliminary Plat approval have been met, or are otherwise adequately addressed. Planning Department staff recommends that the Polson City Commission approve the Final Plat of the Richard and Joyce Norman 2-lot minor subdivision.

The Commission is encouraged to visit the site, ask questions and request additional information (if necessary) from the Planning Department before the hearing.

DISCLAIMER: The Planning Department is an advisory agent and mediator between Boards/Commission and the applicant. The Planning Department covers the applicants' adherence to the Polson Development Code, the Polson Growth Policy and other governmental standards. The Planning Department is not responsible and accepts no responsibility for the applicants' proposals, designs, plans/maps, calculations, etc. or lack thereof.

CITY OF POLSON COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 7 (Motion) Second reading of Ordinance Number 2016-002 to adopt Chapter 7, Public Safety Article 1., Garbage, Article 2., Weeds, Article 3., Community Decay-Nuisance, Article 4., Abandoned or Junked Vehicles, Article 5., Firearms and Bows on Public Property, to the City of Polson Book of Ordinances.

Commissions meeting Date: March 7, 2016

Staff Contact: Mark Shrives.

AGENDA ITEM SUMMARY: This Agenda Item requests City Commission adoption of Ordinance Number 2016-002 to adopt Chapter 7, Public Safety Article 1., Garbage, Article 2., Weeds, Article 3., Community Decay-Nuisance, Article 4., Abandoned or Junked Vehicles, Article 5., Firearms and Bows on Public Property, to the City of Polson Book of Ordinances.

BACKGROUND: Several months ago it was proposed to review and recodify the City of Polson Municipal Code. Rather than rewrite the entire code and then adopt all of the code at one time, based on staff recommendation, the City Commission directed that we move forward with the recodification process and adopt the new code in pieces when completed.

ANALYSIS: City staff has also reviewed the additions and changes and have provided their input.

FINANCIAL CONSIDERATIONS: None

STAFF RECOMMENDATION: Staff recommends approval of the 2nd reading of Ordinance 2016-002

SUGGESTED MOTION: *I make a motion to approve the 2nd reading of the Ordinance Number 2016-002 to adopt Chapter 7, Public Safety Article 1., Garbage, Article 2., Weeds, Article 3., Community Decay-Nuisance, Article 4., Abandoned or Junked Vehicles, Article 5., Firearms and Bows on Public Property, to the City of Polson Book of Ordinances.*

ATTACHMENTS:

1. Ordinance with Chapter 7, Articles 1, 2, 3, 4, and 5

ORDINANCE Ord #2016-002

**AN ORDINANCE TO ADOPT
PUBLIC SAFETY REGULATIONS: CHAPTER 7, ARTICLE 1. GARBAGE, ARTICLE 2.
WEEDS, ARTICLE 3. COMMUNITY DECAY – NUISANCE, ARTICLE 4. ABANDONED OR
JUNKED VEHICLES, ARTICLE 5. FIREARMS AND BOWS ON PUBLIC PROPERTY
TO THE CITY OF POLSON BOOK OF ORDINANCES**

WHEREAS, the City Commission of Polson has determined that it is in the best interests of the citizens of Polson to reestablish, rewrite and reauthorize the Ordinances of the City;

WHEREAS, the Commission wishes to continue its commitment to orderly and comprehensive management of Public Safety Regulations within the City limits;

WHEREAS, it appears in the best public interest that the following ordinance be adopted and codified for the City of Polson;

NOW, THEREFORE, BE IT ORDAINED by the City of Polson that the following Section of the Ordinances of the City of Polson be adopted in full as attachments hereto:

Chapter 7:

Article 1 Garbage

Article 2 Weeds

Article 3 Community Decay-Nuisance

Article 4 Abandoned or Junked Vehicles

Article 5 Firearms and Bows on Public Property

The clerk is hereby instructed to codify this Ordinance and to place the same in the Book of Ordinances of the City of Polson.

Date: February 17, 2016

First Reading: 7 ayes nays abstentions

Date: March 7, 2016

Second Reading: ayes nays abstentions

Effective Date:

Mayor Heather Knutson

Attest:

City Clerk Cora E. Pritt

CHAPTER 7. HEALTH AND SAFETY

ARTICLE 1. GARBAGE

ARTICLE 2. WEEDS

ARTICLE 3. COMMUNITY DECAY – NUISANCE

ARTICLE 4. ABANDONED OR JUNKED VEHICLES

ARTICLE 5. FIREARMS AND BOWS ON PUBLIC PROPERTY

ARTICLE 1. GARBAGE

Sec. 7.01.010 Definitions.

Sec. 7.01.020 Jurisdiction.

Sec. 7.01.030 Littering.

Sec. 7.01.040 Supply and use of containers.

Sec. 7.01.050 Removal of litter at construction and other sites.

Sec. 7.01.060 Keeping property clean.

Sec. 7.01.070 Burning garbage prohibited.

Sec. 7.01.080 Transporting garbage upon the streets.

Sec. 7.01.090 Enforcement.

Secs. 7.03.150-7.03.199. Reserved.

7.01.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

A. "Approved container" shall mean a container for the storage of rubbish, litter and garbage which shall be water, insect and rodent proof and which shall be fitted with a close, tight-fitting lid at all times other than when emptying or filling.

B. "Garbage" shall mean putrefying or decaying animal and vegetable wastes resulting from handling, preparation, cooking and consumption of food.

C. "Litter" shall mean any quantity of non-containerized paper, metal, plastic, garbage, glass, or miscellaneous solid waste which may be classed as trash, debris, rubbish, refuse, garbage, or junk.

D. "Notice" The city shall give "notice" under this chapter by one of the following methods:

1. Delivering written notice to the owner or occupant of the property, if the property is non-owner occupied.

2. Mailing a written notice by registered or certified mail to the owner, agent, occupant, or lessee at the address held out by him as the place for receipt of communications or in the absence of such designation to his last known address.

E. "Person" shall mean an individual, group of individuals, partnership, firm, corporation, association, company, county, city, or improvement district.

F. "Private property" shall include but is not limited to the following exterior locations owned by persons: yards, grounds, driveways, entrance ways, passage ways, parking areas, working areas, storage areas, vacant lots and recreation facilities.

G. "Public property" shall include but is not limited to the following exterior locations: streets, street medians, roads, road medians, catch basins, sidewalks, strips between streets and sidewalks, lanes, alleys, public rights-of-way, public parking lots, school grounds, municipal vacant lots, parks, playgrounds, other public-owned recreation facilities and municipal waterways and bodies of water.

H. "Rubbish" shall mean non-putrescible solid waste consisting of both combustible and noncombustible wastes such as paper, cardboard, abandoned vehicles, tin cans, wood, glass, crockery, aluminum, lawn clippings and similar materials.

I. "Unkempt foliage" shall mean weeds, uncut grass, brush, untrimmed hedges and trees.

7.01.020 Jurisdiction.

The provisions of this chapter shall apply to all areas within the city limits.

7.01.030 Littering.

It shall be unlawful for any person to throw, discard, place, or deposit litter in any manner on any public or private property except in containers provided for such. It shall be the duty of every person distributing or causing to be distributed commercial handbills, leaflets, fliers, or any other advertising or informational material to take all measures necessary to keep such materials from littering public or private property.

7.01.040 Supply and use of containers.

Every person owning or in possession of property from which refuse is generated shall maintain at all times one or more approved containers adequate to hold all refuse generated and shall empty said containers at least once every two weeks. It shall be the duty of the owner or person in possession of property to dispose of non-containerized items such as, but not limited to, appliances, mattresses and furniture within 72 hours after their deposit which is visible to the public.

7.01.050 Removal of litter at construction and other sites.

Any person or institution at which litter or rubbish attendant to the packing, unpacking, loading, or unloading of materials is generated outside of a building shall provide approved containers for the disposal and storage of such litter and rubbish. It shall be unlawful for the person in charge of any construction or demolition site to cause, maintain, permit, or allow to be caused, maintained, or permitted the accumulation of any litter or rubbish on the site before, during, or after completion of the construction or demolition project. Building rubbish resulting from new construction or extensive alterations to buildings or yards or the removal of large trees, or any trade waste condemned in large quantities is not garbage under this

chapter and must be disposed of at the expense of the person responsible for its production.

7.01.060 Keeping property clean.

It shall be the duty of the owner, agent, occupant, or lessee of property to keep premises free of litter, rubbish, garbage and unkempt foliage, including but not limited to weeds and uncut grass. This requirement applies not only to loose litter, but also to materials that already are or become trapped at such locations as fence and wall bases, grassy or planted areas, borders, embankments and other lodging points. Persons whose properties face on municipal sidewalks and boulevards are responsible for keeping that portion of the sidewalks and boulevards adjacent to their property free of garbage, litter and rubbish. The same responsibility extends to properties that face alleys. It shall be unlawful to sweep or push litter from sidewalks and boulevards into streets. It shall be the duty of every owner of a vacant property to keep that property free of litter, rubbish, garbage and unkempt foliage, including but not limited to weeds and uncut grass.

7.01.070 Burning garbage prohibited.

The burning of garbage, as defined herein, within the corporate limits of the city in or out of incinerators is hereby forbidden and prohibited and any such burning or disposing shall be deemed a violation of these ordinances. If the building or facility is specifically designed to be a garbage powered energy facility then the burning of garbage can be permitted. Said facility shall have all the proper environmental pollution preventing equipment.

7.01.080 Transporting garbage upon the streets.

It shall be unlawful for any person to convey or cause to be conveyed through the streets, alleys and public places of the city any earth, manure, mortar shavings, rubbish, garbage, or loose material of any description except in tight receptacles, boxes, or truck bodies equipped with secure covers which prevent the escape of any material contained therein.

7.01.090 Enforcement.

The city police department shall have primary enforcement authority and responsibility. If, in the determination of the city, a litter situation exists that constitutes an "emergency" to the city or neighboring property owners, the city may remove the litter and bill the owner or lessee of the property for the cost thereof after making a good faith effort to notify such person, by telephone or in person, of the problems and giving the same a 24-hour period to remedy the situation. The city police chief shall in his sole discretion determine the nature of the emergency. If the situation is a non-emergency the city police chief shall give the responsible party a ten day notice to correct the deficiency and if the litter has not been removed the person may be cited by the police under the public nuisance laws of the State and this city.

The following is a sample of the notice to be given to the owner of lessee of property:

ORDER AND NOTICE

The Police Chief of the City of Polson or designee has determined that an emergency/non-emergency litter or garbage dumping has occurred on the following described property _____ located at _____. You are hereby notified that such condition is in

violation of Polson Ordinance 7.01.010, et seq. and if declared an emergency situation must be cleared within 24 hours. If it is declared to be a non-emergency you will have 10 days to remove the garbage or litter. Contact City Hall at 883-8200 for further information or questions. You are subject to the penalties prescribed by law for a violation of this order and notice which may include a fine or imprisonment.

Secs. 7.01.100-7.03.199. Reserved.

ARTICLE 2. WEEDS

- 7.02.010 Nuisance weeds defined.
- 7.02.020 Weed removal—Property owner duty.
- 7.02.030 Weed removal--Collection of charges.
- 7.02.040 Weed removal--Fee for removal by city.
- 7.02.050 Violation--Penalty.
- Secs. 7.02.160-7.02.199. Reserved.

7.02.010 Cutting weeds and vegetation required; notice

It shall be the duty of persons to maintain their property so that it shall not be considered a fire hazard or a public or private nuisance. Any person who is the owner of or agent for any lot or parcel of land within the city limits, who permits or suffers to exist upon, in front of, or along such premises so owned by said person or for which said person is the agent, any growth of weeds or vegetation, or any tree or shrub of which the limbs or branches extend over any public sidewalk at a height of less than seven feet above such sidewalk, shall be deemed guilty of maintaining a nuisance and a violation of this ordinance.

If such owner or agent neglects or refuses to cut and destroy any such growth of weeds or vegetation, or to cut away such branches, within ten days after being notified in writing by the city clerk to cut the same, that person may be charged and convicted in accordance with 7.02.040.

7.02.020 Weed removal--Collection of charges.

In the event the owner, representative of the owner, contract purchaser, or occupant of any property required by Section 7.02.010 to cut and remove vegetation fails to do so, the city may, at any time, cause such vegetation to be removed. The cost of such removal shall be based upon charges as set forth in Section 7.02.040 and collected as a special tax against the property, in accordance with the provisions of MCA Section 7-22-4101, et seq.

7.02.030 Fees for removal by city.

A minimum fee of \$50 per hour or \$75 dollars per lot shall be charged for extermination work performed by the city or by a contractor at the direction of the city. Fees are intended to pay for labor, fuel, equipment and administrative costs and may exceed the minimum fee in instances where actual costs exceed the minimum fees.

7.02.040 Violation--Penalty.

Any owner, representative of the owner, contract purchaser, or occupant of any property violating the provisions of Section 7.02.010 shall be fined and/or imprisoned in according with the general penalties proscribed by the ordinances of the city of Polson. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violation within 10 days of receipt of notice, to be served either personally or by certified mail, return receipt requested. Each 10 days that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Secs. 7.02.160-7.02.199. Reserved.

ARTICLE 3. COMMUNITY DECAY - NUISANCE

- Sec. 7.03.010. Purpose.
- Sec. 7.03.020. Application.
- Sec. 7.03.030. Responsibility for maintenance.
- Sec. 7.03.040. Definitions.
- Sec. 7.03.050. Public nuisances.
- Sec. 7.03.060. Enforcement.
- Sec. 7.03.070. Summary abatement.
- Sec. 7.03.080. Abatement in other cases; notice.
- Sec. 7.03.090. Abatement by owner.
- Sec. 7.03.100. Appeal procedures; hearing.
- Sec. 7.03.110. Abatement by city.
- Sec. 7.03.120. Notice of assessment—Appeal of charges.
- Sec. 7.03.130. Personal liability of owner.
- Sec. 7.03.140. Overhead charge; civil penalties.
- Secs. 7.03.150-7.03.199. Reserved.

Sec. 7.03.010. Purpose.

A. The intent of this article is to provide a comprehensive mechanism for the identification and abatement of public nuisances within the city.

B. The remedies provided for in this article are supplemental and complementary to all of the provisions of this Code, and state and federal law, and nothing herein shall be read, interpreted or construed in any manner to limit any existing right or power of the city to abate any and all public nuisances.

Sec. 7.03.020. Application.

The provisions of this article shall apply to all property throughout the city wherein any of the conditions hereinafter specified are found to exist; provided, however, that any condition which would constitute a violation of this article but which is duly authorized under any other city, state or federal law, shall not constitute a violation.

Sec. 7.03.030. Responsibility for maintenance.

Every owner, occupant, lessee or holder of any possessory interest of real property within the city is required to maintain such property so as not to violate the provisions of this article. The owner of the property shall remain liable for violations hereof regardless of any contract or agreement with any third party regarding such property or the occupation of the property by any third party.

Sec. 7.03.040. Definitions.

A. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Abatement" means the removal, stoppage, prostration, or destruction of that which causes or constitutes a nuisance, whether by breaking or pulling it down, or otherwise destroying, or effacing it.

2. "Owner" means the owner of record or any person with legal, financial or equitable interest in the property on which the alleged public nuisance exists at the time of the violation.

3. "Property" means any real property, premises, structure or location on which a public nuisance is alleged to exist.

4. "Public nuisance" means any fence, wall, shed, deck, house, garage, building, structure or any part of any of the aforesaid; or any tree, pole, smokestack; or any excavation, hole, pit, basement, cellar, sidewalk subspace, dock; or any lot, land, yard, premises or location which in its entirety, or in any part thereof, by reason of the condition in which the same is found or permitted to be or remain, shall or may endanger the health, safety, life, limb or property, or cause any hurt, harm, inconvenience, discomfort, damage or injury to any one or more individuals in the city, in any one or more of the following particulars:

a. By reason of being a menace, threat and/or hazard to the general health and safety of the community.

b. By reason of being a fire hazard.

c. By reason of being unsafe for occupancy, or use on, in, upon, about or around the aforesaid property.

d. By reason of lack of sufficient or adequate maintenance of the property, and/or being vacant, any of which depreciates the enjoyment and use of the property in the immediate vicinity to such an extent that it is harmful to the community in which such property is situated or such condition exists.

The term "public nuisance" shall mean any nuisance designated in section 7.03.050.

5. "Summary abatement" means abatement of the nuisance by the city, or a contractor employed by the city, by removal, repair, or other acts without notice to the owner, agent, or occupant of the property except for the notice required by this article.

Sec. 7.03.050. Public nuisances.

A. The following are declared to be public nuisances:

1. Any building or structure which meets the definition of an unsafe building or structure as provided in Section 17 of the International Building Code, or any successor provision.

2. Any violation of the city's subdivision and zoning laws and regulations, except where lawfully grandfathered.

3. Any imminent life safety hazard which creates a present and immediate danger to life, property, health or public safety.

B. The following may be declared to be public nuisances:

1. Any condition which constitutes an attractive nuisance whether within a structure or on the premises.

2. Any building or place which has been operated or maintained in a manner that has resulted in repeated disruptive activities including, but not limited to, disturbances of the peace, public drunkenness, drinking in public, harassment of passersby, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, illegal parking, loud noises (particularly in late night or early morning hours), traffic violations, or police detentions and arrests.

3. Any condition which renders air, food or drink unwholesome, unsanitary or detrimental to health.

4. Any condition which poses a fire hazard.

5. Any condition in violation of chapter 13 (Animals).

6. The ownership, maintenance or operation of a dog or animal kennel without proper provisions for the protection of the surrounding properties from odor and sound generated by the kennel.

7. The keeping, storage, depositing or accumulation on the premises for an unreasonable period of time of any personal property or wastes, including, but not limited to, abandoned, wrecked, dismantled or inoperative vehicles, abandoned, wrecked, or dismantled boats or vessels, automotive parts and equipment, appliances, furniture, containers, packing materials, scrap metal, wood, building materials, junk, rubbish, debris, dirt, sand, gravel, concrete or other similar materials which is within the view of persons on adjacent or nearby real property or the public right-of-way and which is detrimental to the public health, safety and general welfare. However, building materials being used or to be used for a project of repair or renovation for which a building permit has been obtained may be stored for such period of time as is necessary to expeditiously complete the project.

8. Any public nuisance as defined in MCA 45-8-111 or otherwise recognized in law as constituting a public nuisance.

Sec. 7.03.060. Enforcement.

The building official in consultation with the city manager shall have primary responsibility for the abatement of a public nuisance under this article.

Sec. 7.03.070. Summary abatement.

A. Whenever a complaint is made to the building official of the existence of a public nuisance, as defined in section 7.03.040 or 7.03.050, the building official shall promptly cause to be inspected the property on which it is alleged that such public nuisance exists.

Should the building official find that a public nuisance exists, and that the public health, safety or welfare may be in immediate danger, then summary abatement procedures shall be implemented and the building official may cause the nuisance to be removed or abated.

B. When summary abatement is authorized, notice to the owner, agent or occupant of the property is not required. Following summary abatement, the building official shall cause to be posted on the property liable for the abatement a notice describing the action taken to abate the nuisance.

Sec. 7.03.080. Abatement in other cases; notice.

A. If, after inspecting the property on which the nuisance is reported, the building official declares the existence of a public nuisance, but the nature thereof is not such as to require the summary abatement of such nuisance, then, regular abatement procedures shall be followed. Photographs and reports of the findings and inspections shall be made and filed with the building official.

B. The building official shall determine the individual, firm or corporation who, from the records in the clerk and recorder's office, appears to be the titled owner of the aforesaid property and immediately cause a written notice to be served on such individual, firm or corporation by personal service or by leaving a copy of the notice at the usual place of residence or business of such owner, or address of such owner shown in the clerk and recorder's records, or by copy mailed to such owner at such place or address by United States certified mail return receipt. If service of such written notice is unable to be perfected by any of the methods described in this subsection, the building official shall cause a copy of the aforesaid notice to be published in a newspaper of general circulation in the city, once a week for two consecutive weeks and shall further cause a copy of the aforesaid notice to be left with the individual, if any, in possession of such property on which it is alleged such public nuisance exists, or if there is no individual in possession thereof, the building official shall cause a copy of the notice to be posted at such structure, location or premises. The building official shall also determine from the clerk and recorder's office who the lienholder of the property, if any, as documented therein, is and cause a written notice to be served on such lienholder by United States mail return receipt.

C. The aforesaid notice to the owner, and lienholder, if any, of the property shall state clearly and concisely the findings of the building official with respect to the existence of a public nuisance. The notice shall further state that unless the owner thereof shall cause the abatement of the public nuisance, pursuant to the orders contained in the building official's notice, the public nuisance shall be abated by the city at the expense of the owner.

D. Any person who is the record owner of the premises, location or structure at the time an order pursuant to this article is issued and served upon said person, shall be responsible for complying with that order, and liable for any costs incurred by the city therewith, notwithstanding the fact that such person conveys such person's interests in the property to another after such order was issued and served.

E. It shall not be a defense to the determination that a public nuisance exists that the property is boarded up or otherwise enclosed.

Sec. 7.03.090. Abatement by owner.

A. Within 30 days after the posting and mailing of a notice to abate a nuisance, the owner, agent of the owner, or individual in possession of the affected property shall remove and abate such nuisance or show that no nuisance in fact exists. Such showing shall be made by filing a written statement that no nuisance exists. The statement shall be filed with the building official.

B. The building official, upon written application by the owner within the 30-day period after the notice has been served, may grant additional time for the owner to effect the abatement of the public nuisance, provided that such extension is limited to a specific time period.

Sec. 7.03.100. Appeal procedures; hearing.

A. The owner or occupant of the property who has been served with a notice pursuant to this article that a public nuisance exists and that it must be abated within 30 days, may, within seven calendar days after receipt of such notice, make a written demand to the building official for a hearing on the question of whether a public nuisance in fact exists. The hearing shall be held at the next scheduled regular meeting of the city commission following receipt by the building official of the written demand, and at least two days' notice of the hearing shall be given to the individual who made the written demand for the hearing.

B. The hearing shall be conducted by the city commission. The commission may amend or modify the notice and/or order, or extend the time for compliance with the building official's order by the owner by such date as the majority of the commission may determine.

C. The owner, agent of the owner, occupant and lienholder, if any, of the subject property shall be given the opportunity to present evidence to the commission in the course of the hearing.

D. In those instances where the nuisance has been abated by the city, the commission shall have discretion to waive the cost of abating a nuisance, in whole or in part, if in the course of the hearing reviewing the decision, the commission finds that any of the following did not conform to the provisions of this article:

1. The notice to remove the nuisance;
2. The work performed in abating the nuisance; or
3. The computation of charges.

Sec. 7.03.110. Abatement by city.

A. Should any public nuisance not be abated at the expiration of time stated in the notice/order or within such additional time as the building official or commission may grant, the building official shall have the authority to enter upon the property and abate the public nuisance found thereon. In abating such nuisance, the building official may go to whatever extent may be necessary to complete the abatement of the public nuisance and should it be practicable to salvage any material derived in the aforesaid abatement, the building official

may sell the salvaged material at private or public sale at the best price obtainable and shall keep an accounting of the proceeds thereof.

B. The proceeds, if any, obtained from the sale of any material salvaged as a result of an abatement of a public nuisance by the building official shall be deposited to the general fund of the city and any deficit between the amount so received and the cost of the abatement may be levied as an assessment against the property in question by the city commission and collected as any other assessment by the city; however, any other alternative collection method may be utilized by the city to recoup the deficit. Should the proceeds of the sale of such salvaged material exceed the cost of abatement, the surplus, if any, shall be paid to the owner of the property from which the public nuisance was abated when a proper claim to the excess is established.

C. In abating a public nuisance, the building official may call upon any of the city departments or divisions for whatever assistance shall be deemed necessary or may by private contract cause the abatement of the public nuisance.

D. The building official shall, after completing the removal and abatement, file a statement of costs with the city clerk.

Sec. 7.03.120. Notice of assessment—Appeal of charges.

A. Upon receipt of the statement of costs from the building official, the city clerk shall mail to the owner of the property upon which the public nuisance has been abated notice of the amounts set forth in the statement plus an additional amount sufficient to defray the costs of the notice and stating that the city proposes to assess against the property the amount set forth in the notice and that objections to the proposed assessment must be made in writing and received by the city clerk within 20 days from the date of mailing such notice. Upon the expiration of the 20-day period, if no objections have been received by the city clerk, the city clerk shall enter that amount in the city liens docket which shall therefore constitute a lien against the property.

B. If objections of either the property owner or their representative are received by the city clerk prior to the expiration of the 20-day period, the city clerk shall refer the matter to the city manager for administrative review.

C. Upon conclusion of administrative review, the city manager shall make a written determination that the amount of the charges shall be canceled, reduced, or remain the same. A copy of this determination shall be furnished to the person making the objections together with a notice of such person's right to appeal to the city commission.

D. If no appeal of a determination by the city manager is filed within the time period allowed, a copy of the determination will be furnished to the city clerk who shall then enter a lien in the amount determined by the city manager in the city liens docket as provided in subsection A of this section.

E. If a timely appeal is received by the city commission, a hearing shall be scheduled and held on the matter. If, after the hearing, the city commission determines that the proposed assessment does not comply with subsection G of this section, the city commission shall so certify to the city clerk, and the proposed assessment shall be canceled. If, after the hearing, it is determined that the proposed assessment or any part of it is proper and

authorized, the city commission shall so certify to the city clerk who shall enter a lien in such amount as determined appropriate by the city commission, in the lien docket as provided in subsection A of this section.

F. The determination of the city commission is a final administrative decision.

G. The city manager, in administrative review, or the city commission, on appeal, may reduce or cancel a proposed assessment if it is determined that:

1. Any of the following did not conform to the provisions of this article:
 - a. The notice to remove the nuisance; or
 - b. The work performed in abating the nuisance; or
 - c. The computation of charges; or
2. The owner of the property was eligible for a waiver of costs under section 7.03.140.

H. The city manager, in administrative review, or the city commission, on appeal, may reduce a proposed assessment by eliminating the civil penalty portion of the invoice if it is determined that:

1. The current owner was not in possession of the property at the time the notice required in section 7.03.080 was posted; or
2. The owner did not receive the notice to remove the nuisance, did not have knowledge of the nuisance and could not, with the exercise of reasonable diligence, have had such knowledge.

I. If, after a lien has been entered in the docket of city liens, there is a written request of an owner who alleges that the owner did not receive notice of the proposed assessment, the city clerk shall refer the matter for review pursuant to subsection B of this section.

J. The lien may be canceled or reduced by the city manager, in administrative review, or the city commission, on appeal, if it is determined that the owner did not receive notice of the proposed assessment, did not previously have knowledge of the lien or of the nuisance abatement work constituting the basis of the lien, could not, in the exercise of reasonable care or diligence, have had such knowledge, and in addition, that the circumstances are such that a reduction or cancellation of the charges would have been appropriate had the matter been reviewed pursuant to this section prior to assessment. Upon receipt of a certification from the city commission, pursuant to subsection E of this section, the city clerk shall cancel or reduce the lien if required by the determination of the building official and/or city commission.

Sec. 7.03.130. Personal liability of owner.

The person who is the owner of the property at the time at which the notice required under section 7.03.080 is posted shall be personally liable for the amount of the assessment including all interest, civil penalties, and other charges.

Sec. 7.03.140. Overhead charge; civil penalties.

A. Whenever a nuisance is abated by the city, the building official shall keep an accurate account of all expenses incurred, including an overhead charge of 25 percent for administration and a civil penalty of \$200.00 for each nuisance abated.

B. When the city has abated a nuisance maintained by any owner of real property, for each subsequent nuisance that is abated by the city within two consecutive calendar years concerning real property owned by the same person, an additional civil penalty of 50 percent, minimum of \$50.00, of the cost of abatement shall be added to the costs, charges and civil penalties provided for in subsection A of this section. The civil penalty shall be imposed without regard to whether the nuisances abated by the city involve the same real property or are of the same character.

Secs. 7.03.150-7.03.199. Reserved.

ARTICLE 4. ABANDONED OR JUNKED VEHICLES

Sec. 7.04.010. Leaving abandoned, wrecked or junked vehicles on private property prohibited when; removal.

Sec. 7.04.020. Removal notice—To owner of vehicle or land.

Sec. 7.04.030. Same—Public posting required when; form.

Sec. 7.04.040. Removal of vehicle by city or contractor authorized when; costs.

Sec. 7.04.050. Contract for removal; authority of city manager.

Secs. 7.04.160-7.04.199. Reserved.

Sec. 7.04.010. Leaving abandoned, wrecked or junked vehicles on private property prohibited when; removal.

A. It is unlawful to park, store or leave, or permit parking or storing of any licensed or unlicensed motor vehicle or any kind, or part thereof, for a period of time in excess of 72 hours, which is in wrecked, junked, partially dismantled or inoperative or abandoned condition, whether attended or not, upon any private property within the city limits, unless it is completely enclosed within a building, blocked from view with appropriate privacy fencing, or unless it is in connection with a business enterprise lawfully situated and licensed for same.

B. The accumulation and storage of two or more of such vehicles or part thereof as hereinbefore defined on private property shall constitute a nuisance, detrimental to the health, safety and welfare of inhabitants of the city, and it shall be the duty of the registered owner of such vehicle or part thereof, and it shall also be the duty of the owner of the private property, or lessee or other person in possession of private property upon which such vehicle or part thereof is located, to remove same from the city limits, or to have the same housed in a building where it will not be visible from the street.

Sec. 7.04.020. Removal notice—To owner of vehicle or land.

A. It shall be the duty of the chief of police or designee to give written notice to the registered owner of any motor vehicle or part thereof which is in violation of section 7.04.010, or to give such notice to the owner or lessee of private land upon which the motor vehicle or part thereof is situated, giving notice that the vehicle or part thereof violates section 7.04.010 and demanding that the motor vehicle or part thereof be removed from the city limits within 72 hours from the time of service of notice, or that within 72 hours same may be housed in a building where it will not be visible from the street. The notice may be given by personal service, or by certified mail, with a return receipt requested.

B. Written notice required by this section shall be deemed to have been given (i.e., constructive notice) when the registered owner of the motor vehicle or part thereof, or the owner, lessee or other person in possession of private property concerned herein either:

1. Refuses to accept the prepaid United States mail certified letter from the city and the letter is returned from the post office marked "refused"; or

2. The person to be notified is present in the city but the notification letter is returned marked "unclaimed" by the post office, in which event notice by the city

may be made by affixing the letter in a conspicuous place at the main entrance, fence or to the front door of the residence of such person.

Sec. 7.04.030. Same—Public posting required when; form.

A. After diligent search and inquiry by the chief of police or designee, no written notice as in section 7.04.020 shall be required where the registered owner of such vehicle or part thereof or the owner of the private property or lessee or other person in possession of private property upon which such vehicle or part thereof is located cannot be found or determined, but instead a public notice shall be posted by the city clerk in three public places in the city for five consecutive days.

B. Such public notice shall substantially conform to the following:

"Public Notice: To Whom It May Concern,"

The City of Polson has declared the following described vehicle or parts thereof to be an abandoned or junked vehicle which has been declared a public nuisance and will be removed on _____ from its present location to a junk vehicle wrecking yard or impoundment facility located at _____.

Location of vehicle: _____

Address of vehicle location: _____

Vehicle description: _____

Last known owner of vehicle: _____

Sec. 7.04.040. Removal of vehicle by city or contractor authorized when; costs.

In the event that any of the aforesaid persons, whether an individual, firm or corporation, fails, neglects or refuses to remove the abandoned, wrecked or junked vehicle or part thereof, or house same in the building as provided in section 7.04.010, and abate the nuisance after the required notice, the city, its agent or contractor may remove the vehicle or part thereof at the cost not to exceed \$250.00 and a minimum cost of \$100.00 as determined by the city; which cost shall, if in the best interests of the city as determined by the city manager, be collected from the registered owner of such vehicle or part thereof or the owner of the private property or lessee or other person in possession of private property upon which such vehicle or part thereof is located. Ownership of any vehicle or part thereof removed by the city, its agent or contractor shall, upon such removal, be vested in the city, its agent or contractor, as applicable.

Sec. 7.04.050. Contract for removal; authority of city manager.

The city manager is authorized to enter into a written agreement with a qualified junk vehicle dealer or wrecking yard for the removal of abandoned, wrecked or junked vehicles or part thereof under this article wherein the consideration for the services of the junk vehicle dealer shall be the vehicle or part thereof at no expense to the city. The junk vehicle dealer, before entering into contract with the city or being appointed its agent or contractor in reference to sections 7.04.040 and 7.04.050, shall furnish evidence of public liability insurance, to adequately protect such agent or contractor and the city, deemed reasonable in the opinion of the city manager. In the event a qualified and suitable junk vehicle dealer is not available to contract with or act as the city's agent or contractor as provided herein, the city manager is

authorized to contract with the lowest responsible bidder to provide for the removal from private property of abandoned, wrecked or junked vehicles or part thereof under section 7.04.040.

Secs. 7.04.160-7.04.199. Reserved.

ARTICLE 5. FIREARMS AND BOWS ON PUBLIC PROPERTY

Sec. 7.05.010. Concealed weapons defined; carrying prohibited without permit.

Sec. 7.05.020. Weapons in public buildings and property.

Sec. 7.05.030. Discharge of firearms prohibited; exceptions.

Sec. 7.05.040. Bows and crossbows and other devices.

Secs. 7.05.050-7.05.099. Reserved.

Sec. 7.05.010. - Concealed weapons defined; carrying prohibited without permit.

No person shall carry or bear concealed a dirk, dagger, pistol, revolver, sling-shot, sword, cane, billy club, knuckles made of any metal or hard substance, knife having a blade four inches long or longer, razor (not including a safety razor), or other dangerous or deadly weapon, without written permission from the proper authority with legal power to grant such permit. The term "concealed weapons," within the meaning of this section, shall be any weapon mentioned herein which shall be wholly or partially covered by the clothing or wearing apparel of the person carrying or bearing such weapon.

Sec. 7.05.020. - Weapons in public buildings and property.

A. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Destructive device" means:

- a. A projectile containing an explosive or incendiary material or any other similar chemical substance including, but not limited to, that which is commonly known as tracer or incendiary ammunition, except tracer ammunition manufactured for use in shotguns;
- b. A bomb, grenade, explosive missile or similar device or a launching device therefor;
- c. A weapon of a caliber greater than .60 caliber which fires fixed ammunition or any ammunition therefor, other than a shotgun or shotgun ammunition;
- d. A rocket, rocket-propelled projectile or similar device of a diameter greater than .60 inch or a launching device therefor and a rocket, rocket-propelled projectile or similar device containing an explosive or incendiary material or any other similar chemical substance other than the propellant for the device, except devices designed primarily for emergency or distress signaling purposes;
- e. A breakable container which contains a flammable liquid with a flashpoint of 150 degrees Fahrenheit or less and which has a wick or similar device capable of being ignited, other than a device which is commercially manufactured primarily for the purpose of illumination.

2. "Firearms" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device.
 3. "Park" means a park, playground, recreation complex or any other area in the city, developed or undeveloped, owned or used by the city, and devoted to active or passive recreation.
 4. "Weapon" means dirk; dagger; pistol; revolver; rifle; shotgun; firearms; slingshot; sword cane; billy club; knuckles made of any metal or hard surface; razor, not including a safety razor; or other deadly weapon or destructive device.
- B. *Prohibition of weapons in city-owned buildings and property.* The carrying or possession of a weapon by any person in or on the city-owned buildings and property described in subsection D of this section or in any park is prohibited.
- C. *Exceptions.* The provisions of subsection B of this section do not apply to:
1. Any peace officer of the state;
 2. Any officer of the United States government authorized to carry a concealed weapon;
 3. Any member of the armed services or reserve forces of the United States or National Guard, while in the performance of their official duties;
 4. A person summoned to the aid of any of the persons named in subsections C.1 through 3 of this section;
 5. A probation and parole officer authorized to carry a firearm under MCA 46-23-1002;
 6. An agent of the state department of justice or a criminal investigator in a county attorney's office;
 7. Sponsored events, gun shows or displays authorized by the city;
 8. A person who is participating in a public event or program, including but not limited to a gun show or gun safety program which is authorized by the city to occur on city property; or
 9. A person authorized by the chief of police to carry or possess an unconcealed weapon on city property.
- D. *Areas subject to prohibition.* The city-owned property to which the prohibition in subsection B of this section applies includes, but is not limited to:
1. City Hall
 2. City Parks

3. City Shop and City Water and Sewer Shop, including all lawns, parking areas and sidewalks leading to the site, as well as all areas inside the perimeter fence;
 4. Water pumps and treatment facilities
 5. Wastewater Treatment Plant
 6. City Fire Station
 7. Golf course and pro shop
- E. *Signing.* Suitable signs shall be posted at each entrance to the facilities listed in subsection D.1 through 7, stating the possession of weapons on the premises is prohibited except for law enforcement personnel.

Sec. 7.05.030. - Discharge of firearms prohibited; exceptions.

No person shall, except in necessary defense of himself/herself or others, or unless duly authorized by law, discharge any firearm.

Sec. 7.05.040. - Bows and crossbows and other devices.

No person shall throw, shoot, fire, or otherwise discharge any arrow, bolt or other projectile through the use of a bow, crossbow or other device within the city limits. No person shall throw, shoot, fire or otherwise discharge any arrow, bolt, or other projectile through the use of a bow, crossbow or other device in parks or other public property.

Exception:

A person may discharge such projectiles in a lawful fashion if done at an archery shooting target area on an organized and established public or private archery shooting range or gallery. The discharge of such projectiles shall be performed in a manner so as not to endanger person, property, animal or fowl, and also performed in such a manner so as to prevent any arrow, bolt or other projectile from traversing any grounds or air space outside the established boundaries or limits of the organized and established public or private archery shooting range or gallery.

Defense to Prosecution:

It is a legal defense to this section if the discharge of the projectile is made in defense of persons or property.

Secs. 7.05.050-7.05.099. Reserved.