

# CITY OF POLSON COMMISSION MEETING AGENDA

**VIRTUALLY (VIA ZOOM)\***

**May 4, 2020**

**7:00 P.M.**

## Link to meeting:

<https://umontana.zoom.us/j/94875865613?pwd=NUtKckNmc1JaejUxYzAyb2ZaTEhCdz09>

-- **OR** – dial in by phone: 253-215-8782, meeting ID: 948-7586-5613

You will need to enter a password to join the meeting. Please contact Kyle Roberts, City Planner at 883-8213 or [cityplanner@cityofpolson.com](mailto:cityplanner@cityofpolson.com) to obtain meeting password

### 1. CALL TO ORDER

Mayor Briney

### 2. PLEDGE OF ALLEGIANCE

Mayor Briney

### 3. APPROVAL OF PROPOSED AGENDA

Mayor Briney

### 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. April 17-30, 2020 Claims

b. City Commission Electronic Public Hearing Minutes April 20, 2020

c. City Commission Written Summary Public Hearing Minutes April 20, 2020

d. City Commission Electronic Meeting Minutes April 20, 2020

e. City Commission Written Summary Meeting Minutes April 20, 2020

### 6. CITY MANAGER COMMENTS

Interim City Manager Wade Nash

### NEW BUSINESS

pg. 11

### 7. ONE TOO MANY, LLC IMPACT FEE REVIEW/MODIFICATION REQUEST

City Planner Kyle Roberts

\*vote required\*

pg. 16

### 8. FIRST READING OF ORDINANCE 2020-TBD PARKS AND RECREATIONAL DEPARTMENT TOBACCO-FREE PARKS & RECREATION POLICY

Parks & Recreation Director Pat Nowlen

\*vote required\*

pg. 19

### 9. A RESOLUTION RELATING TO REIMBURSEMENT OF APPROPRIATE COSTS IN THE FINANCING OF THE COST OF IMPROVEMENTS TO THE CITY'S WASTEWATER SYSTEM

Finance Officer Cindy Dooley

\*vote required\*

### 10. 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. **\*The Polson City Commission is holding a virtual meeting as part of the City of Polson's COVID-19 transmission mitigation efforts.**

For doc #s from 136248 to 136325

5a.

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	410100 Legislative Services	4895 8x8, INC.	EXEC-MAR2020 PHONE U	34.90
1000 General All-Purpose Fund	410360 Municipal Court	000010 CENTURYLINK	CORT-SHARED FAX SERV	14.34
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-MAR2020 PHONE U	109.67
1000 General All-Purpose Fund	410400 Administrative Services	4895 8x8, INC.	ADMN-MAR2020 PHONE U	33.87
1000 General All-Purpose Fund	410400 Administrative Services	4895 8x8, INC.	ADMN-MAR2020 PHONE U	21.08
1000 General All-Purpose Fund	410500 Financial Services	4895 8x8, INC.	FINC-MAR2020 PHONE U	67.74
1000 General All-Purpose Fund	410500 Financial Services	4895 8x8, INC.	FINC-MAR2020 PHONE U	21.08
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-CITY HALL	208.11
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-FIRE HALL	156.67
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000011 MISSION VALLEY POWER	FACL-HVAC SYSTEM	1,099.67
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4928 BLACK DIAMOND BUILDERS	FACL-SEPARATION GLAS	1,675.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	5242 ENCOMPASS SUPPLY LLC	FACL-FOAMMING DIPENS	52.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000010 CENTURYLINK	FACL-FAX SERVICE	33.42
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4895 8x8, INC.	FACL-MAR2020 PHONE U	116.11
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2943 CLICK HERE DESIGNS	FACL-EMAIL, ON LINE	186.75
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000185 SUPER 1 FOODS	FACL-CLEANING SUPPLI	8.79
1000 General All-Purpose Fund	420140 Crime Control and	000011 MISSION VALLEY POWER	POLC-STORAGE SHED	230.45
1000 General All-Purpose Fund	420140 Crime Control and	000011 MISSION VALLEY POWER	POLC-1ST ST E STORAG	15.00
1000 General All-Purpose Fund	420140 Crime Control and	5239 LAKE COUNTY IT DEPARTMENT	POLC-LIC MAR 16-JUNE	168.87
1000 General All-Purpose Fund	420140 Crime Control and	000010 CENTURYLINK	POLC-SHARED FAX SERV	14.33
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-MAR2020 PHONE U	263.35
1000 General All-Purpose Fund	420400 Fire Protection and	000020 PROVIDENCE HEALTH &	FIRE-M SISLER FF EXA	140.00
1000 General All-Purpose Fund	420400 Fire Protection and	4895 8x8, INC.	FIRE-MAR2020 PHONE U	33.87
1000 General All-Purpose Fund	420400 Fire Protection and	5140 POLSON LUBE CENTER, LLC	FIRE-'13 CHEVY OIL C	74.99
1000 General All-Purpose Fund	420520 Code Enforcement	4895 8x8, INC.	CODE-MAR2020 PHONE U	29.72
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLAN-MAR2020 PHONE U	16.93
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLAN-MAR2020 PHONE U	33.87
1000 General All-Purpose Fund	430240 Road and Street	000011 MISSION VALLEY POWER	STRT-CITY SHOP	356.20
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-LIGT BAR	205.95
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-PLUG	10.93
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-OIL FILTER, 5W2	20.85
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-HOSE, JIC, HSE	89.65
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-WIPER BLADE	15.98
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-OIL FILTER, RED	67.80
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-HEAVY DUTY HOSE	62.07
1000 General All-Purpose Fund	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-MAGNETS	28.96
1000 General All-Purpose Fund	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-REG PINTLE FOR,	79.99
1000 General All-Purpose Fund	430240 Road and Street	4895 8x8, INC.	STRT-MAR2020 PHONE U	33.87
1000 General All-Purpose Fund	430240 Road and Street	4348 EMERALD SERVICES, INC.	STRT-HAZARDOUS MATER	2,354.00
1000 General All-Purpose Fund	430240 Road and Street	000185 SUPER 1 FOODS	STRT-DRINKING WATER	5.98
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-CITY PARKS	354.37
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-KERR DAM/BB FIE	0.00
1000 General All-Purpose Fund	460430 Parks	4849 JOHN DEERE FINANCIAL	PRKS-6"X8" BLUNT	35.98
1000 General All-Purpose Fund	460430 Parks	4849 JOHN DEERE FINANCIAL	PRKS-2IN BALL CHAIN	14.99
1000 General All-Purpose Fund	460430 Parks	4849 JOHN DEERE FINANCIAL	PRKS-ROUND UP CONCEN	109.98
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PARK-MAR2020 PHONE U	33.87
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PARK-MAR2020 PHONE U	16.94
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-LUMBER	5.34
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-TURPENTINE, GUM	7.99
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-COUPPLING, SOLVE	22.48
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-KWIKSEAL, POLY	34.74
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-KWIKSEAL+WHT SO	26.36

For doc #s from 136248 to 136325

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-LOCTITE PREM PL	5.79
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-WASHER HEAD, TO	36.40
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-WALLPLATES, AQU	17.56
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-IRON CRNR	17.98
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-SHORT LAG SHIEL	6.32
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-MILW PERCUSSION	11.79
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-ASST PRODUCT	46.61
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-COPPER, HOSE BI	17.57
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-ASST MISC PRODU	13.36
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-ASST PRODUCT	58.32
Total for Fund:				9,087.55
2020 Police Municipal Services	420140 Crime Control and	4768 TYLER TECHNOLOGIES	POLC-MAINT SERVER HO	2,143.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-ATKINS VEH TIRE	16.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-TIRES MT/BAL	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-'13 EXPLORER AL	64.95
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-NEW TIRES MT/BA	607.96
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH 17 TIRES MT	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH 15 TIRES MT	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH 13 TIRES MT	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-'15 EXPLOR ROTA	32.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-POLC-TIRES MT&B	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-POLC-TIRES MT&B	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #9 TIRES MT	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #8 TIRES MT	68.00
Total for Fund:				3,407.91
2390 Drug Forfeiture Fund	420140 Crime Control and	000010 CENTURYLINK	POLC-TELEPHONE SERVI	82.81
Total for Fund:				82.81
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-MAR2020 PHONE U	16.94
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-MAR2020 PHONE U	33.87
Total for Fund:				50.81
2401 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-STRT LGHT-03016	1,497.60
Total for Fund:				1,497.60
2402 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-STRT LGHT-03016	482.40
Total for Fund:				482.40
5010 Golf Fund	103010 Cash Drawer	000150 PETTY CASH FUND	GLFR-START UP CASH	750.00
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-GOLF SHED	195.10
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-25 HP PUMP	1.65
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-60 HP PUMP	19.41
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-155 HP PUMP	33.10
5010 Golf Fund	460446 Golf Course -	000011 MISSION VALLEY POWER	GLFM-BAYVIEW PUMP ST	499.22

For doc #s from 136248 to 136325

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5010 Golf Fund	460446 Golf Course -	4955 PACIFIC GOLF & TURF LLC	GLFM-ASST JD PARTS	590.60
5010 Golf Fund	460446 Golf Course -	4955 PACIFIC GOLF & TURF LLC	GLFM-SERVICE CHARGE	8.86
5010 Golf Fund	460446 Golf Course -	5241 MOGHU USA LLC	GLFM-TURF FERTILIZER	5,000.00
5010 Golf Fund	460446 Golf Course -	1864 CHS/MOUNTAIN WEST	GLFM-FUEL	1,055.69
5010 Golf Fund	460446 Golf Course -	5232 THE CHEMNET CONSORTIUM	GLFM-PRE-EMPLYMNT DR	280.00
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-ALTERNATOR BEAR	11.60
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-ALTERNATOR BRNG	-11.60
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-BATTERY	100.45
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-FUEL FILTER	19.84
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-AIR FLTR, ROLLE	87.12
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-ATC-10 FUSE	2.53
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-CABLE TIE	7.51
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-BATTERY	126.88
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-MAR2020 PHONE U	33.87
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-MAR2020 PHONE U	16.93
5010 Golf Fund	460446 Golf Course -	2094 WILBUR ELLIS COMPANY	GLFM-FERTILIZER	515.00
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	50.47
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	50.47
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	50.47
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-MAINT SHOP/OLDE	72.19
5010 Golf Fund	460446 Golf Course -	000034 WESTERN BUILDING CENTER	GLFM-RENTAL CHARGE	143.00
5010 Golf Fund	460446 Golf Course -	000034 WESTERN BUILDING CENTER	GLFM-LEARNING CENTER	99.03
5010 Golf Fund	460446 Golf Course -	000034 WESTERN BUILDING CENTER	GLFM-LEARNING CENTER	100.38
5010 Golf Fund	460446 Golf Course -	000034 WESTERN BUILDING CENTER	GLFM-ADDITION	21.94
5010 Golf Fund	460447 Golf Course - Pro Shop	000011 MISSION VALLEY POWER	GLFP-PRO SHOP/STRT L	237.02
5010 Golf Fund	460447 Golf Course - Pro Shop	5049 FLATHEAD SIGNS & GRAPHICS	GLFP-PLSN BAY GOLF D	200.00
5010 Golf Fund	460447 Golf Course - Pro Shop	1864 CHS/MOUNTAIN WEST	GLFP-FUEL	142.75
5010 Golf Fund	460447 Golf Course - Pro Shop	5232 THE CHEMNET CONSORTIUM	GLFP-PRE-EMPLYMNT DR	200.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000644 CITY OF POLSON WATER	GLFP-SHOP UTILITIES	42.08
5010 Golf Fund	460447 Golf Course - Pro Shop	000010 CENTURYLINK	GLFP-TELEPHONE SERVI	243.61
5010 Golf Fund	460447 Golf Course - Pro Shop	001107 VALLEY GLASS INC	GLFP-COVID-19 SHIELD	332.23
5010 Golf Fund	460447 Golf Course - Pro Shop	3246 BURCO INTERNATIONAL, INC.	GLFP-SCORECARDS	899.00
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-ASST BEVERAGES	73.38
5010 Golf Fund	460450 Golf Course Restaurant	4905 GEORGE'S DISTRIBUTING INC	GLFR-ASST WINES	255.80
5010 Golf Fund	460450 Golf Course Restaurant	4905 GEORGE'S DISTRIBUTING INC	GLFR-BALANCE OF OUTS	-96.71
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-ASST BEERS	182.33
5010 Golf Fund	460450 Golf Course Restaurant	999999 NICOLE CAMEL	GLRF-SERVERY TRAININ	45.00
5010 Golf Fund	460450 Golf Course Restaurant	4905 GEORGE'S DISTRIBUTING INC	GLFR-ASST WINES	94.73
5010 Golf Fund	460450 Golf Course Restaurant	4480 SYSCO MONTANA, INC.	GLFR-ASST FOOD PRODU	2,366.76
5010 Golf Fund	460450 Golf Course Restaurant	4480 SYSCO MONTANA, INC.	GLFR-GLOVES, SKEWERS	107.40
5010 Golf Fund	460450 Golf Course Restaurant	000185 SUPER 1 FOODS	GLFR-FOOD SUPPLY	18.08
5010 Golf Fund	460450 Golf Course Restaurant	000185 SUPER 1 FOODS	GLFR-BEER	37.95
5010 Golf Fund	460450 Golf Course Restaurant	000185 SUPER 1 FOODS	GLFR-FOOD SUPPLY	6.96
5010 Golf Fund	460450 Golf Course Restaurant	000185 SUPER 1 FOODS	GLFR-BRUSH SET	3.89
5010 Golf Fund	460450 Golf Course Restaurant	4905 GEORGE'S DISTRIBUTING INC	GLFR-ASST WINES	131.51
5010 Golf Fund	460450 Golf Course Restaurant	2693 GLACIER WHOLESALERS, INC.	GLFR-ASST SNACKS	208.44
5010 Golf Fund	460450 Golf Course Restaurant	3427 ZIP BEVERAGE	GLFR-CREDIT PRODUCT	-120.25
5010 Golf Fund	460450 Golf Course Restaurant	3427 ZIP BEVERAGE	GLFR-BEER PURCHASE 2	44.80
5010 Golf Fund	460450 Golf Course Restaurant	3427 ZIP BEVERAGE	GLFR-CREDIT	-10.00
5010 Golf Fund	460450 Golf Course Restaurant	3427 ZIP BEVERAGE	GLFR-ASST BEER PURCH	459.42
5010 Golf Fund	460460 G. C. Restaurant O & M	000011 MISSION VALLEY POWER	GLFR-T10204 METER	153.89
5010 Golf Fund	460460 G. C. Restaurant O & M	4664 CHARTER COMMUNICATIONS	GLFR-BUSINESS INTERN	159.98

04/30/20  
12:47:13

CITY OF POLSON  
Claim Details by Fund, Account  
For the Accounting Period: 4/20

Page: 4 of 5  
Report ID: AP100Z

For doc #s from 136248 to 136325

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5010 Golf Fund	460460 G. C. Restaurant O & M	3929 CARSON BROTHERS, INC.	GLFR-SERVICE CALL	250.00
5010 Golf Fund	460460 G. C. Restaurant O & M	5232 THE CHEMNET CONSORTIUM	GLFR-PRE-EMPLYMNT DR	200.00
5010 Golf Fund	460460 G. C. Restaurant O & M	4895 8x8, INC.	GLFR-MAR2020 PHONE U	33.15
5010 Golf Fund	460460 G. C. Restaurant O & M	000644 CITY OF POLSON WATER	GLFR-RESTAURANT UTIL	42.07
5010 Golf Fund	460460 G. C. Restaurant O & M	001107 VALLEY GLASS INC	GLFR-COVID-19 SHIELD	332.22
Total for Fund:				17,209.20
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WATR-MAR2020 PHONE U	54.95
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-WELLS, BOOSTER	2,831.11
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-WELLS 6 & 7	400.56
5210 Water Fund	430550 Transmission and	000010 CENTURYLINK	WATR-TELEPHONE SERVI	222.95
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-TIRES MT&BAL	68.00
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-TIRES MT & BAL	34.00
5210 Water Fund	430570 Customer Accounting and	5064 CORE & MAIN LP	WATR-OCTAVE SPOOLS	610.72
Total for Fund:				4,222.29
5310 Sewer Fund	430600 Sewer Utilities	000010 CENTURYLINK	SEWR-TELEPHONE SERVI	194.13
5310 Sewer Fund	430600 Sewer Utilities	000010 CENTURYLINK	SEWR-TELEPHONE SERVI	111.42
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SEWR-MAR2020 PHONE U	54.95
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-PUMP/LIFT STATI	942.34
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-'02 RAM FUEL CA	10.77
5310 Sewer Fund	430630 Collection and	000046 BEACON TIRE CENTER	SEWR-TIRES MT & BAL	34.00
5310 Sewer Fund	430645 Wastewater Resource	000011 MISSION VALLEY POWER	SEWR-WWRF	5,278.68
5310 Sewer Fund	430645 Wastewater Resource	2183 DOWL	SEWR-TASK ORDER #4 I	4,035.00
5310 Sewer Fund	430670 Customer Accounting and	5064 CORE & MAIN LP	SEWR-OCTAVE SPOOLS	610.72
Total for Fund:				11,272.01
Total:				47,312.58



**CITY OF POLSON  
COMMISSION PUBLIC HEARING MINUTES**

Commission Chambers

April 20, 2020

**5c**

6:30 p.m.

**ATTENDANCE:** Mayor Briney, Commissioners, Howlett, Martin, Marchello, Moll, Pardini, Interim City Manager Wade Nash and City Clerk Cora Pritt

**ABSENT:** Commissioner Isbell

**OTHERS PRESENT** (who voluntarily signed in via Zoom): Larry Ashcraft, Hu Beaver, Cindy Dooley, Jeremy Seifert, and Lisa Wall-Wright

**CALL TO ORDER: (00:12)** Mayor Briney called the meeting to order. The Pledge of Allegiance was recited. Roll call was taken.

Prior to the Proposal of the Agenda Mayor Briney corrected the numbering on the Agenda. The number 5 was omitted in error. Therefore the agenda will go from Agenda Item #4 directly to Agenda Item #6.

**APPROVAL OF PROPOSED AGENDA (01:27) –Commissioner Moll motion to approve the proposed agenda. Commissioner Martin second.** Commission discussion: none Public comment none. **VOTE: Unanimous Motion carried**

**PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (02:13) – none**

**OPEN PUBLIC HEARING 6:34 p.m. (02:40) -** Mayor Briney opened the Public Hearing

**SPECIAL USE PERMIT (SUP #20-01), FUN & FANCY FREE LEARNING CENTER (02:45)**-City Planner Kyle Roberts presented this agenda item. Applicant/Owner Lisa Wall-Wilbert filled out the pre-application on March 09, 2020. The Special Use Application was completed on March 13, 2020. The City County Planning Board heard the request on April 14, 2020. The project is a 15,000 square foot facility. The address is 303 11<sup>th</sup> Avenue West. There will be 150 children at the facility that will be open from 6:30 a.m. – 6:00 p.m. 12 months a year. The vacant lot is 3.5 acres. The proposed project meets the criteria for the lot size as well as the zone. There will be 32 parking spaces provided for staff and visitors. The freight loading area will be located on the west side of the building. There will be 5 foot wide sidewalks installed. The largest impact will be traffic but there will not be a traffic analysis required. A run-off management plan will be approved prior to a building permit being issued. Also a 6 foot opaque fence will be installed. Staff does recommend approval of this project. Commissioner Marchello asked if the building will be required to be sprinkled. City Planner Roberts answered that the Building Official could answer that question. Commissioner Moll inquired as to the time frame. Hu Beaver answered that the start of the project will begin as soon as possible once the building permit is issued. Mr. Beaver also answered that sprinkle system is not required due to the firewalls that will be installed. Commissioner Martin asked about the run-off management plan. Mr. Beaver answered it will be engineered. Mayor Briney asked if Lori Lucas had her written concerns answered. City Planner Roberts answered that Lori did attend the virtual City County Planning Board and her concerns were addressed. The city engineer has reviewed the storm water management plan and has approved. The biggest concern will be the noise of the children on the playground. Commissioner Howlett commented that she approved of the project. It will be a plus for the children and the City. Commissioner Howlett asked how long after the project is completed will the children begin attending? Lisa Wall-Wilbert commented immediately. Commissioner Howlett asked how long construction will take. Lisa Wall-Wilbert replied 6 months.

**(13:00) Mayor Briney Closed the Public Hearing at 6:55 p.m. (23:41)**

Prior to adjourning Mayor Briney asked the Commission if Action Minutes are agreeable. The Commission stated yes Action Minutes are agreeable.

**Adjourn (23:53) - Commissioner Martin motion to adjourn. Commissioner Howlett second.  
VOTE: Unanimous Motion carried.**

**ADJOURN: 6:56 p.m.**

\_\_\_\_\_

**Mayor Paul Briney**

**ATTEST:** \_\_\_\_\_

**Cora E. Pritt, City Clerk**

**CITY OF POLSON  
COMMISSION MEETING MINUTES**

Commission Chambers

April 20, 2020

**5e**

7:00 p.m.

**ATTENDANCE:** Mayor Briney, Commissioners, Howlett, Martin, Marchello, Moll, Pardini, Interim City Manager Wade Nash and City Clerk Cora Pritt

**ABSENT:** Commissioner Isbell

**OTHERS PRESENT** (who voluntarily signed in via Zoom): Larry Ashcraft, Hu Beaver, Cindy Dooley, Marie Hirsch, Jeremy Seifert, Steven Speckert, Lisa Wall-Wright, Tracy Wall

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

Prior to the Approval of the Proposed Agenda Mayor Briney thanked the CSKT Command Center, Health Care providers, many essential workers who are keeping the businesses and services operating, the business community: those who made the difficult decision to close their doors and those who chose to remain open under challenging conditions, and educators teaching from home, and every single person in Lake County who are continuing to follow the governments guidelines for keeping themselves, their families and everyone else safe.

**APPROVAL OF PROPOSED AGENDA (01:58)** –**Commissioner Howlett motion to approve the proposed agenda. Commissioner Martin second.** Commission discussion: none Public comment none. **VOTE: Unanimous Motion carried**

**PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (02:55)** – none

**CONSENT AGENDA (03:14)** - a. March 14-31, 2020 Claims, b. April 1-16, 2020 Claims, c City Commission Electronic Meeting Minutes March 16, 2020, d. City Commission Written Summary Meeting Minutes March 16, 2020, e City Commission Electronic Emergency Meeting Minutes March 24, 2020, f. City Commission Written Summary Emergency Meeting Minutes March 24, 2020  
**Commissioner Martin motion to approve the Consent Agenda. Commissioner Marchello second.** Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried**

**CITY MANAGER COMMENTS (04:19)** Interim City Manager Wade Nash made the following comments: First both the 9 hole and the 18 hole golf courses are open. Commissioner Isbell couldn't be here this evening due to his work as a highway patrolman. He did say he supported both agenda items. The Streets Department will begin dur-a-patching the streets next week. The budget process for the City has begun. City Planner Kyle Roberts wishes to speak with you at this time. City Planner Kyle Roberts commented that the City of Polson has been a Tree City U.S.A. member for 28 years. The City was recently re-certified for the 29<sup>th</sup> year. Commissioner Moll asked if the City has a tree replacement program. City Planner Roberts answered the City does not have such a program. City Finance Officer Dooley explained there is a line item in the General Fund that has \$2,500.00 set aside for tree maintenance. Commissioner Moll then asked about an update on the City Manager search. City Planner Roberts explained that due to the Covid-19 virus the meetings have not occurred. There were 2 applicants that withdrew their names from consideration.

**SPECIAL USE PERMIT (SUP #20-01), FUN & FANCY FREE LEARNING CENTER (11:00)**-City Planner Kyle Roberts presented this agenda item. The Commissioner heard the information at the Public Hearing prior to the Commission meeting beginning. There is no new information to add. The City County Planning Board voted unanimously to approve the project with the 9 Conditions of Approval and Approval of the Finding of Facts. **Commissioner Moll motion to approve Special Use Permit #20-01, subject to the Nine Conditions of Approval, and Adopt the Findings of Fact as discussed in the April 20<sup>th</sup> Staff Report. Commissioner Howlett second.** Commission discussion: Commissioner Martin commented that this project is great. It is a part of the City that needs a good project. Mayor Briney agreed and wished the applicant good luck. Public comment: none **VOTE: Unanimous Motion carried**

**POLSON REDEVELOPMENT AGENCY GRANT AGREEMENT: 302 MAIN STREET (13:33) -** Polson Redevelopment Chairperson Karen Dunwell presented this agenda item. Steven Speckert is the application and the project is located at 302 Main Street. The monies would go toward upgrading 5 downtown businesses. There will be façade, structural, and technical upgrades made. The total amount requested is \$17,500.00. Mr. Speckert informed the Commission that the deck is falling apart and unsafe. Commissioner Pardini asked about the mold that is in the whole block. Mr. Speckert answered that the interior remodel for this project will be \$100,000.00 and he is only asking for the exterior. Mr. Speckert will be testing for mold once the interior project begins. He will supply the City with the test results. The testing will be conducted after the interior is completed. Mr. Speckert will first deplete the area of oxygen which kills any mold spores. Then he will do a bacteria clean up. Marie Hirsch, Lake County Community Development, commented that City Planner Roberts had been asked for an interpretation of requirements. City Planner Roberts answered that the application does not require any mold abatement prior to applying for grant. The Building Official would know about the mold abatement requirements. Mayor Briney asked what the PRA vote was. Karen Dunwell answered that it was a unanimous vote to approve the grant application. Commissioners Marchello and Pardini agreed that this is a great project. **Commissioner Marchello motion to approve the Grant Agreement between the City of Polson, Polson Redevelopment Agency Tax Increment Financing District, and Pensco Pention Plan Custodian for Steven Speckert. Second Commissioner Moll.** Commission discussion: none Public Comment: none **VOTE: Unanimous Motion carried**

Prior to adjourning Mayor Briney asked the Commission if Action Minutes are agreeable. The Commission stated yes Action Minutes are agreeable.

**Adjourn (36:46) - Commissioner Howlett motion to adjourn. Commissioner Martin second. VOTE: Unanimous Motion carried.**

**ADJOURN: 7:37 p.m.**

\_\_\_\_\_  
**Mayor Paul Briney**

**ATTEST:** \_\_\_\_\_  
**Cora E. Pritt, City Clerk**

# CITY OF POLSON

## CITY COMMISSION AGENDA ITEM SUMMARY

---

Agenda Item No.: 7 (Motion) One Too Many, LLC Impact Fee Review/Modification Request  
Meeting Date: May 4, 2020  
Staff Contact: Kyle Roberts, City Planner  
Phone and Email: 406-883-8213 | [cityplanner@cityofpolson.com](mailto:cityplanner@cityofpolson.com)

---

**AGENDA ITEM SUMMARY:** This Agenda Item requests the City Commission make a motion to approve, conditionally approve, or deny the One Too Many, LLC impact fee review/modification request.

**BACKGROUND:** On March 9<sup>th</sup>, the City received an Impact Fee Review/Modification Request application from applicant, Cort Potter of One Too Many, LLC. The request is for the City to waive all assessed sewer and water impact fees for Lots 3-12 of Lewis Addition (a block of properties between 10<sup>th</sup> and 11<sup>th</sup> Avenue West and between 2<sup>nd</sup> and 3<sup>rd</sup> Street West). The total assessed impact fees is \$48,410 (\$15,310 for sewer and \$33,100 for water).

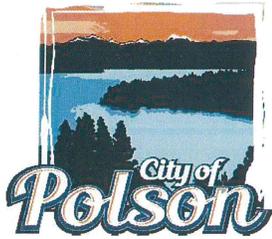
Per Section 2.06.883 of the Polson Municipal Code, an ad hoc impact fee review board was assembled to review the petition request. On March 25<sup>th</sup> and April 22<sup>nd</sup>, the board met to discuss and arrive at a recommendation to forward to the City Commission.

**ANALYSIS:** After discussion with the applicant and deliberation among the board, the board concluded that the applicant's request does not comply with the Polson Municipal Code. Attached is a recommendation letter from the board that summarizes the board's recommendation decision.

**IMPACT FEE REVIEW BOARD RECOMMENDATION:** The board recommends that the City Commission deny the One Too Many, LLC impact fee petition request.

**SUGGESTED MOTION:** *I MAKE A MOTION TO DENY THE ONE TOO MANY, LLC IMPACT FEE PETITION REQUEST.*

**ATTACHMENTS:** i) One Too Many, LLC Impact Fee Review/Modification Request Form  
ii) Impact Fee Review Board Recommendation Letter



# CITY OF POLSON

106 First Street East  
Polson, Montana 59860  
T: 406-883-8200 | F: 406-883-8238  
W: www.cityofpolson.com

Date Rec'd: 3.9.20  
Fee: \$100 - Waived

## IMPACT FEE REVIEW/MODIFICATION REQUEST

Name: Court Potter  
One Too Many LLC Phone #: 406-261-2837  
Address: Lewis Addition Lots 3-12 Email: court.potter@gmail.com

You are requesting:

- Impact fee re-determination     Refund of impact fees     Credits or reimbursements against impact fees

Which fees are you requesting relief or modification from:

Water Impact Fee  
Sewer Impact Fee

What are your reasons for requesting relief or modification:

There was an agreement with previous city manager that that water and sewer impact fees would be waived in exchange of One Too Many LLC helping to install the water, sewer and giving the alley right at my back to the City of Polson

Court Potter  
Signature of Requestor

3-9-2020  
Date of Request\*

\*Please note that the City Commission will make a determination within 60 days of the filing of a complete application. The complete impact fee review/modification request process can be found in [Section 2.06.883](#) of the Polson Municipal Code.

THIS SECTION TO BE COMPLETED BY STAFF	
Parks Assessed Fee: _____	Department Head Recommended Fee: _____
Water Assessed Fee: <u>33,100.00</u>	Department Head Recommended Fee: _____
Sewer Assessed Fee: <u>15,310.00</u>	Department Head Recommended Fee: _____
Fire Assessed Fee: _____	Department Head Recommended Fee: _____
Admin Assessed Fee: _____	Department Head Recommended Fee: _____
What would be the estimated total cost to the City: _____	

CITY OF POLSON

Project: Block 16 Lots 3-12 10Lots  
 Occupancy: Residential

B.P. #

**BUILDPERMIT-BUI:**  
2394-323010-101000

**PLANREVIEW-BUILD: 1st & 2nd review**  
2394-323011-101000

**PLANREVIEW-BUILD: 3RD & 4TH review**  
2394-323011-101000

**ADDRESSING-ZONING**  
1000-323014-101000

**ZONINGCON-GENE:** pd \$100.00  
1000-323014-101000

**BUILDINSPECT OTHER:** substitutions requested  
2394-323010-101000

**WATERPERM-WATER:** \$3,000.00 x10  
5210-343025-102240

**SEWERPERM-SEWER:** \$3,160.00 x10  
5310-343033-102240

**3/4" WATER METER**  
5210-10100-343024  
First meter provided by City

**METER IRRIGATION**  
5210-10100-343024

**METER PIT ASSEMBLY**  
5210-10100-343024

**TOTAL DUE WATER & SEWER: \$6,160.00**

**TOTAL DUE BUILDING & PLANNING: \$0.00**

**IMPACT FEES**

Classification: 2001-341072-102250 FEE: x10 \$9,710.00

**IMPFE-FIRE** CREDIT FOR CAPITAL IMPROVEMENT FEES PAID: \_\_\_\_\_

CREDIT FOR IMPACT FEES PAID: \_\_\_\_\_

DISCOUNT CURRENTLY IN EFFECT \$0.00

**TOTAL DUE: \$9,710.00**

Comments: \_\_\_\_\_

Classification: 2002-341072-102250 FEE: x10 \$10,200.00

**IMPFE-PARKIM** CREDIT FOR CAPITAL IMPROVEMENT FEES PAID \_\_\_\_\_

CREDIT FOR IMPACT FEES PAID \_\_\_\_\_

DISCOUNT CURRENTLY IN EF 40% -\$4,080.00

**TOTAL DUE: \$6,120.00**

Comments: \_\_\_\_\_

Classification: 5301-341072-102250 FEE: x10 \$15,310.00

**IMPFE-SWRIM** CREDIT FOR CAPITAL IMPROVEMENT FEES PAID \_\_\_\_\_

CREDIT FOR IMPACT FEES PAID \_\_\_\_\_

DISCOUNT CURRENTLY IN EF 0% \_\_\_\_\_

**TOTAL DUE: \$15,310.00**

Comments: \_\_\_\_\_

Classification: 5201-341072-102250 FEE: x10 \$33,100.00

**IMPFE-WTRIM** CREDIT FOR CAPITAL IMPROVEMENT FEES PAID \_\_\_\_\_

CREDIT FOR IMPACT FEES PAID \_\_\_\_\_

DISCOUNT CURRENTLY IN EF 0% \_\_\_\_\_

**TOTAL DUE: \$33,100.00**

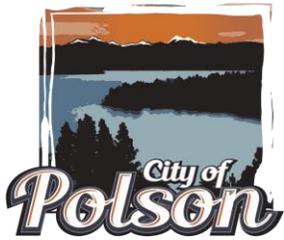
Comments: \_\_\_\_\_

Classification: 1000-321072-101000 5% of Total Impact Fees 3,212.00

**ADMINIMP-GENE**  
(Administration Fee)

**TOTAL IMPACT FEES DUE: \$ 67,452.00**

**GRAND TOTAL DUE: \$ 73,612.00**



## CITY OF POLSON

106 First Street East  
Polson, Montana 59860  
T: 406-883-8200 | F: 406-883-8238  
W: [www.cityofpolson.com](http://www.cityofpolson.com)

April 29, 2020

RE: Impact Fee Review Board Recommendation: One Too Many, LLC Impact Fee Review/Modification Request

Mayor and City Commissioners,

On March 9<sup>th</sup>, the City received an Impact Fee Review/Modification Request application from applicant, Cort Potter of One Too Many, LLC. The applicant is looking to develop Lots 3-12 of Lewis Addition (a block of properties between 10<sup>th</sup> and 11<sup>th</sup> Avenue West and between 2<sup>nd</sup> and 3<sup>rd</sup> Street West). The applicant's request is for the City to waive all assessed sewer and water impact fees required for the development of these lots. The total assessment of sewer and water impact fees is \$48,410 (\$15,310 for sewer and \$33,100 for water). The applicant has stated that there was an agreement with the previous City Manager that sewer and water impact fees would be waived in exchange that One Too Many, LLC would help replace an existing sewer line and extend an existing water line that would serve the properties.

Per [Section 2.06.883\(A\)\(3\)\(b\)](#) of the Polson Municipal Code (PMC), a final determination by the City Commission must be made within 60 days of receipt of the petition request. Additionally, the sole authority to decide on impact fee petitions shall reside with the City Commission, which shall receive and consider advice from an ad hoc review board that is formed by the City Manager.

In mid-March, the Interim City Manager assembled an impact fee review board that consisted of himself, two City Commissioners, the City Planner, Water & Sewer Superintendent, and Building & Planning Technician. The board met on March 25<sup>th</sup> followed by a second meeting on April 22<sup>nd</sup> in which the applicant and City Engineer attended as well to discuss the request further. The following facts came out of the board's review and discussion:

- Regarding a past agreement with the previous City Manager, per [Sec. 2.06.883\(A\)\(2\)](#) of the PMC, sole authority to decide impact fee refunds and credits resides with the City Commission.
- The existing sewer line is the City's, and as such, is the responsibility of the City to maintain or replace, not the developer's.
- Any extension of the existing water line to serve the properties is the responsibility of the developer, not the City's ([Sec. 6.04.200](#), Polson Development Code).
- The expenditure or credit of impact fees toward any upgrade, repair, or replacement of either utility would not comply with City ordinance as work done on either utility would not entail a *system improvement* ([Secs. 2.06.810\(E\)](#) and [2.06.840](#) PMC).

Therefore, based upon the aforementioned facts, the board recommends that the City Commission not waive the assessed sewer and water impact fees for One Too Many, LLC.

Sincerely,

Robert Martin, City Commissioner  
Brodie Moll, City Commissioner  
Wade Nash, Interim City Manager  
Kyle Roberts, City Planner  
Ashley Walker, Water & Sewer Superintendent  
Beth Smith, Building & Planning Technician

# CITY OF POLSON

## PARKS AND RECREATION DEPARTMENT

### TOBACCO-FREE PARKS & RECREATION POLICY

**WHEREAS, The City Of Polson believes that commercial tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at City Of Polson-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and**

**WHEREAS, The City Of Polson has a unique opportunity to create and sustain an environment that supports a tobacco-free norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on City Of Polson-owned recreational facilities; and**

**WHEREAS, The City Of Polson believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and**

**WHEREAS, people who use smokeless tobacco ingest a similar amount of nicotine as regular smokers and are exposed to at least 30 chemicals that are known to cause cancer; and**

**WHEREAS, cigarettes, once consumed in public spaces, are often discarded on the ground, requiring additional maintenance expenses, diminishing the beauty of The City Of Polson's recreational facilities, and posing a risk to toddlers and pets due to ingestion; and**

**WHEREAS, exposure to e-cigarette aerosol has not been proven to be safe; and e-cigarette aerosol contains harmful and potentially harmful chemicals such as Nicotine, Diacetyl, Benzene, and Tin.**

**WHEREAS, secondhand smoke levels in outdoor public places can reach levels as high as those found in indoor facilities where smoking is permitted; and**

**WHEREAS, the Surgeon General has determined that there is no safe level of exposure to secondhand smoke; and**

**WHEREAS, The Director of Parks and Recreation, City of Polson Commission, and the Polson Parks Board determine that the prohibition of commercial tobacco use at the City Of Polson's recreational facilities serves to protect the health, safety and welfare of the citizens of The City Of Polson.**

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

#### **Definitions**

(1) "Tobacco Product" means

a) any product containing, made, or derived from tobacco or that contains nicotine that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested, or by any other means, including but not limited to a cigarette, a cigar, hookah, pipe tobacco, chewing tobacco, snuff, and snus.

b) any product, regardless of whether or not it contains nicotine, that can be used to deliver nicotine or another substance or solution in any form, including but not limited to aerosolized, vaporized, or heated, to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape

pen, e-hookah.

c) notwithstanding any provision to the contrary, "Tobacco Product" includes any component, part, or accessory intended or reasonably expected to be used with a Tobacco Product, whether or not sold separately. The term "Tobacco Product" does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

## **Tobacco-Free Parks & Recreation Policy and Procedures**

1. No person shall use any Tobacco Product on **City Of Polson**-owned or operated recreational facilities, including the restrooms, sports fields, spectator and concession areas. These facilities include Boettcher Park, Riverside Park, Sacajawea Park, O'Malley Park, Pamiavitch Park, Jana Cambell Park, and Polson Sports Complex, and within these facilities to include skate parks, baseball facilities, soccer facilities and Pickleball courts.
2. The Tobacco-free Parks & Recreation Policy does not apply to a site that is being used in connection with the practice of cultural activities by American Indians that is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a, whether or not the public is allowed access to those places.
3. It is not a violation of this policy to use a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
4. Appropriate signs shall be posted in the above specified areas in a conspicuous manner.
5. Enforcement of the policy is a shared responsibility of the enforcement team and recreational area users. The enforcement team, including Parks and Recreation staff, special event organizers, sports organization officials and coaches, and other City of Polson staff, will make periodic observations of recreational facilities to monitor for compliance.
6. Any individual found violating this policy will be reminded and asked to comply before being subject to ejection from the recreational area. City Of Polson staff found violating this policy may be subject to disciplinary action. This Tobacco-Free Parks & Recreation Policy is in addition to any federal, state, or local laws that restrict or otherwise regulate the use of Tobacco.
7. This policy is effective as of \_\_\_\_\_
8. Violations and Penalties.
  - A. Violations of the ordinance are subject to the jurisdiction of the City of Polson Municipal Court.
  - B. A person who violates this Tobacco Free Ordinance shall be guilty of a misdemeanor and shall be subject to the following penalties, after receiving a warning for the first violation and a written reprimand for a second violation:
    1. \$100 for a third violation, within 3 years of the first violation;
    2. \$200 for a fourth violation within 3 years of the first violation; and

3. \$300 for a fifth or subsequent violation within 3 years of the first violation.

C. Incarceration is not a penalty. Each day of violation is a separate violation.

D. Enforcement of penalties shall not bar enforcement of this ordinance by injunction or other appropriate remedy.

E. Corporate entities and their agents may be held liable for conduct prohibited herein.

9. Other Applicable Laws. This ordinance shall not be interpreted or construed to allow smoking where it is otherwise restricted by other applicable laws.

Effective date: this ordinance shall be effective 30 days after adoption and passage.

Severability: If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Date \_\_\_\_\_

First Reading: \_\_\_\_\_ ayes \_\_\_\_\_ nays \_\_\_\_\_ absent

Date \_\_\_\_\_

Second Reading: \_\_\_\_\_ ayes \_\_\_\_\_ nays \_\_\_\_\_ abstentions

First reading and preliminary adoption on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by a vote of \_\_\_\_\_ ayes, (list names); \_\_\_\_\_ nays; \_\_\_\_\_ abstentions; and \_\_\_\_\_ absent, (name)

Attest:

Approved:

\_\_\_\_\_

\_\_\_\_\_

City Clerk

Mayor

# CITY OF POLSON

## CITY COMMISSION AGENDA ITEM SUMMARY

---

Agenda Item Number: 9

Meeting Date: May 4, 2020

Staff Contact: Cindy Dooley, Finance Officer

---

**AGENDA ITEM SUMMARY:** Resolution 2020-#\_\_\_\_\_ providing for reimbursement of costs in the financing of the cost of improvements to the City's Wastewater System.

**BACKGROUND:** The City is moving forward with the project to replace approximately 6,200 lineal feet of sewer main throughout the City in areas that have been a source of problems with sewer backups or is just very outdated. The project may proceed in phases due to the TSEP grant funding that was not received. The City is seeking tax-exempt bonds to finance a portion of the construction.

**ANALYSIS:** This resolution provides a mechanism for the City to be reimbursed for costs that may be incurred prior to the bond financing being in place.

**FINANCIAL CONSIDERATIONS:** None at this time.

**STAFF RECOMMENDATION:** Approve Resolution 2020-#\_\_\_\_\_

**SUGGESTED MOTION:** *I move to approve Resolution #2020-TBD relating to reimbursement of appropriate costs in the financing of the cost of improvements to the City's wastewater system.*

**ATTACHMENTS:** Resolution 2020-#\_\_\_\_\_

CITY OF POLSON  
RESOLUTION No. 2020-#\_\_\_\_\_

A RESOLUTION RELATING TO REIMBURSEMENT OF APPROPRIATE  
COSTS IN THE FINANCING OF THE COST OF IMPROVEMENTS TO  
THE CITY'S WASTEWATER SYSTEM

**WHEREAS**, the Internal Revenue Service has issued Section 1.150-2 of the Treasury Regulation (the "Regulations") dealing with the issuance of owner or issuer tax-exempt bonds, all or a portion of the proceeds of which are to be used to reimburse the owner or issuer for project expenditures made by the owner or issuer prior to the date of issuance of such bonds; and,

**WHEREAS**, the Regulations generally require that the owner or issuer make a declaration (no later than 60 days after payment of the original expenditures) of its official intent to reimburse itself for such expenditures out of the proceeds of a subsequently issued borrowing, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within eighteen months of the original expenditure or the date the project is placed in service, and that the expenditure be a capital expenditure or cost of issuance; and,

**WHEREAS**, the City Commission (the "Commission") of the City of Polson (the "City") as an owner desires to comply with requirements of the Regulations with respect to its capital cost to design, construct and finance the City's replacement of approximately 6,200 lineal feet of collection main lines (the "Project").

**NOW, THEREFORE BE IT RESOLVED**, by the Commission that other than (i) expenditures to be paid or reimbursed from sources other than the anticipated tax-exempt financing or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures (other than engineering related) for the Project have heretofore been made by the owner or issuer and no Project expenditures will be made by the owner or issuer unless as contemplated by this Resolution; and,

**BE IT FURTHER RESOLVED**, the Commission anticipates the issuance of approximately \$800,000 of tax-exempt bonds (the "Bonds") to finance a portion of the Project through the issuance of such bonds by the City, pursuant to Title 7, Chapter 7, Part 44 and Title 75, Chapter 5, Part 11 Montana Code Annotated. The Commission expects to reimburse some expenditures made for the Project from the proceeds of the Bonds. All reimbursed expenditures shall be expenditures authorized to be reimbursed by Section 1.150-2; and,

**BE IT FINALLY RESOLVED**, that:

The Finance Officer shall be responsible for making “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of the Bond proceeds to reimburse the source of the original expenditure. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

DATED this 4th day of May, 2020.

CITY OF POLSON

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk