

CITY OF POLSON

AN ORDINANCE OF THE CITY OF POLSON, MONTANA, AMENDING THE CITY CODE TO CHANGE THE NUMBER OF ECONOMIC DEVELOPMENT COUNCIL MEMBERS FROM SEVEN TO TEN, AND ESTABLISHING THREE PERMANENT SEATS ON THE ECONOMIC DEVELOPMENT COUNCIL FOR THE POLSON CHAMBER OF COMMERCE, POLSON BUSINESS COMMUNITY, AND CONFEDERATED SALISH & KOOTENAI TRIBES.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1.

That Chapter 2, Polson Municipal Code, shall be amended as follows and any sections within not amended herein shall remain in effect:

Sec. 2.05.410. - Creation; powers, duties and authority; membership.

A. *Creation; powers, duties and authority.* The city commission creates the economic development council (EDC) and authorizes the EDC to exercise any of the following powers and duties:

1. Advise the city commission on economic development issues.
2. Review the implementation of the City of Polson Economic Development Plan and provide related recommendations.
3. Adopt bylaws, subject to the approval of the city commission, for the operation of the board.
4. The council may have such other duties and responsibilities as the city commission, from time to time, may direct.
5. The actions of the council shall be advisory only and shall not constitute policy of the city and shall not be binding upon the city commission or upon the city. The city may adopt all or any part of any recommendation of the council, with or without any changes made by the city commission as city policy.

B. *Members; appointments and terms.*

1. All appointments to the EDC shall be made by the city commission. The majority of councilmembers shall be business leaders and economic development leaders.
2. Membership.
 - a. There shall be ~~seven~~ **ten** members of the economic development council ~~and there shall always be at least five but not more than seven members of the EDC~~, amendable from time to time by duly approved resolution of the city commission. The terms of the initial seven members shall be as follows.
 - b. One member to serve for one year, two members to serve for two years, two members to serve for three years and two to serve for terms of four years from the date of their appointment. After initial terms,

councilmembers shall serve three year staggered terms. Each member may be reappointed without any limitation on the number of reappointments. Vacancies shall be filled in the same manner as original appointments for the balance of the term remaining.

c. There shall be three permanent members on the Economic Development Council; one member each from the Polson Chamber of Commerce, Polson Business Community, and the Confederated Salish & Kootenai Tribes. These members shall be recommended by their respective organizations, appointed by the city commission, and serve on the Economic Development Council, without a specified term, until such time as their replacement.

3. The city commission shall affirm one city commissioner to act as liaison between the council and commission.
 4. A councilmember shall receive no compensation for the councilmember's service. Councilmembers shall be entitled to previously authorized expenses, including travel expenses, incurred during the discharge of duties.
 5. Persons of legal age may be appointed to the council. A majority of the council shall be residents of the city. Non-resident members of the council shall have some interest in the city by virtue of working in the city or owning property in the city.
 6. A councilmember may be removed by a majority vote of the city commission for any reason.
- C. *Office of agency; staff support.* The council shall maintain its records in the office of the city staff person designated to assist the council. The staff person so designated shall attend most meetings of the council and will be responsible to assist the council in the scheduling of meetings, preparation and distribution of agendas and meeting minutes and perform other supportive functions that may be considered reasonable in the execution of the duties of the council. The staff person may also serve as the liaison between the council, the city manager and the city commission.
- D. *Meetings; election of officers.*
1. The economic development council shall hold meetings as it deems necessary to execute its powers and duties as provided in this section.
 2. The economic development council shall adopt bylaws enabling it to elect officers, set officer terms, and establish regular meeting times.
- E. *Duration.* The economic development council shall remain in effect as long as necessary to achieve the goal of the council.
- F. *Ethics provisions.* All council activities and members are subject to all other provisions of this Code, including the code of ethics.
- G. *State law applicable.* All meetings of the council shall be subject to the open meeting laws and may not be held with less than 48 hours' notice. All written and electronic information shall be considered a public record and subject to disclosure pursuant to state law.

Section 2.

Repeal. All provisions of the ordinances of the City of Polson in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other provisions of the ordinances of the City of Polson not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3.

Savings Provision. This ordinance does not affect the rights and duties that matured penalties incurred or proceedings that were begun before the effective date of this ordinance.

Section 4.

Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision

thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Polson Municipal Code as a whole.

Section 5.

Codification Instruction. The provisions of Section 1 shall be codified as appropriate in the Polson Municipal Code.

Section 6.

Effective Date. This ordinance shall be in full force and effect thirty (30) days after final adoption.

GIVEN FINAL ADOPTION by the City Commission of the City of Polson, Montana, on second reading at a regular session held on the 8th day of September, 2021.

Paul Briney, Mayor

ATTEST: _____

Cora E. Pritt, City Clerk

APPROVED AS TO FORM:

Skyler Bagley, City Attorney