

**CITY OF COLUMBIA FALLS**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**HELD APRIL 15, 2024**

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

**ROLL CALL:** Councilor Lovering, Councilor Robinson, Councilor Shepard, Councilor Price (ZOOM) and Mayor Barnhart. Councilor King arrived at 7:21 p.m.

Also present: City Manager Nicosia, City Clerk Staland, City Attorney Breck and Police Chief Peters.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:** Councilor Robinson motioned to approve the agenda, seconded by Councilor Lovering and the motion carried.

**CONSENT AGENDA:** Councilor Lovering made motion to approve the consent agenda, seconded by Councilor Robinson with council voting as follows. Ayes: Lovering, Price, Robinson, Shepard and Barnhart.

Approval of Claims - \$101,269.21 - April 15, 2024

Approval of Quarterly Payroll Claims - \$24,036.06 - March 31, 2024

Approval of Special Payroll - \$7,422.06 - Special Payroll

Approval of Regular Payroll Claims - \$103,552.62 - April 12, 2024

Approval of April 1, 2024 Regular City Council Meeting Minutes

Approval of Records Destruction Request

Approval of Temporary Construction Easement - Nagle Family Trust and Authorize City Manager to Execute

**VISITORS/PUBLIC COMMENT (Items not on agenda)**

Skylar Eberhart, 29 2<sup>nd</sup> Street W. said she was surprised with the city right of way and sidewalk project. Knife River sent a letter on March 23<sup>rd</sup> stating they would be constructing new sidewalks. Ms. Eberhart said they were out of town and upon return they discovered their lilac bushes would need to be removed as they were in the city right of way. Ms. Eberhart said she contacted the city and did not hear back until the following Tuesday. Matt Cox confirmed the bushes were in the right of way and would need to be removed. Ms. Eberhart said the house is a duplex and the tenant has threatened to move out due to the bushes being removed. Ms. Eberhart believes the city should help them out by putting up a privacy fence. They have a fence priced out for the front part of the property estimated \$3260.79.

**UNFINISHED BUSINESS:**

Planning Commission Appointment - Dulcie Berube

City Manager Nicosia said Ms. Berube submitted a letter of interest to serve on the City Planning Commission. Councilor Shepard motioned to appoint Dulcie Berube to the Planning Commission, seconded by Councilor Lovering and the motion carried unanimously.

**REPORTS / BUSINESS FROM MAYOR & COUNCIL**

Mayor Barnhart said after the last meeting he noticed that the ballfield was not a platted park. Mayor Barnhart asked if there would be an issue with a platted park changing to residential. City Manager Nicosia said platted parks are a condition of the subdivision approval and are subject to the plat conditions. Nicosia

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said the city can sell park land by a vote of the citizens and with a platted park would require a plat amendment, which is not recommended. Mayor Barnhart believes Horine Park would fit an affordable housing project with some reconfiguring of the area. Nicosia said the City must consider the well head protection zone as well as the fact that Horine is a platted park within the Hilltop Neighborhood Plan. Mayor Barnhart asked where the council wanted to put houses, in an existing residential area or on open land.

### **CITY MANAGER REPORT**

#### City Manager's Report

The sidewalk project got off to a rocky start as the planned open house inviting all the property owners adjacent to the project did not occur between awarding the bid and the start of construction. The city is now hosting an open house on the project to explain construction easements, public safety and what the project entails as well as hearing from the owners adjacent to the project area. Nicosia noted that it was not the city's intent to not hold an open house and explain the project before construction started.

Councilor Robinson asked if the city has went through lot by lot and platted out an imagery showing the right of way in the city. Robinson also stated it is the realtor's responsibility to know and explain the property boundaries as well as the property owners. City Manager Nicosia noted that the GIS cadastral system indicates property boundaries and while the city has survey control points in place and assists owners with locating property pins, the city does not provide property surveys. City Attorney Breck said it is the responsibility of every property owner to know their property boundary. Councilor Shepard said he had a similar situation happen to him and reiterated the realtor should have let them know where their property boundaries were. Mayor Barnhart said the Eberhart's indicated that they tried so hard to contact the city to get further information. Barnhart said he feels the city owes these folks some sort of assistance. Nicosia said city staff will correspond with the Eberharts. City Attorney Breck advised council that there are different ways to address private property issues. Councilor Lovering said she would be devastated if it had happened to her but noted the lilacs will grow back.

The EDA meeting held to discuss the 12<sup>th</sup> Ave. W. completion was productive. The City will complete the contract change documents and release Sandry Construction from the remainder of the project, the paving at the RR crossing and the RR ROW sidewalk completion and estimated \$67,000 on the current project documents.

The Parks Department had to order poles for the Volleyball pit at Columbus Park so the installation of the net has been delayed. Additionally, the contractor vehicle caught on fire which had the River's Edge Park bathroom sensors in it; the new sensors are enroute and will be replaced upon arrival.

The Planning Commission is meeting on May 9, 2024, to hold a Public Hearing on a Public Participation Plan; at the conclusion of the meeting, they will make a recommendation to council. The council will then hold a Public Hearing to adopt the plan by resolution.

The bid opening for the WWTP Project will be Tuesday, April 16<sup>th</sup>, at 2:00 pm.

The County's switch to the new tax system resulted in tax and assessment collections being reported in the wrong fund/type. Therefore, staff has held off submitting a financial report to Council as the revenue funds and sources must be corrected.

**MISCELLANEOUS**

Fire Department - March Activity  
Police Department - March Activity  
Correspondence

**ADJOURN**

Councilor Lovering motioned to adjourn, seconded Councilor Shepard and the meeting was adjourned at 7:50 pm.

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Mayor

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City Clerk