

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD DECEMBER 07, 2020**

FINANCE COMMITTEE – 6:30 P.M.
(Barnhart, Shepard, Fisher)

REGULAR MEETING – 7:00 P.M.

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

ROLL CALL - Present: Barnhart, Fisher, Lovering, Piper, Robinson, Shepard. Absent: Karper. Also present: City Manager Nicosia, City Clerk Staaland, and Police Chief Peters

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion made by Councilor Shepard, seconded by Councilor Robinson and the motion carried.

CONSENT AGENDA:

Motion made by Councilor Fisher, seconded by Councilor Shepard with Council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Approval of Claims - December 7, 2020 - \$347,196.08

Approval of Payroll Claims - November 27, 2020 - \$129,289.12

Approval of Special Payroll Claim (Term Pay) - December 3, 2020 - \$8,595.45

Approval of November 16, 2020 Regular City Council Meeting Minutes

Approval of Change Order # 1 - Knife River - River's Edge Trail and Bathroom Project and Authorize City Manager to execute.

Approval of Change Order # 2 - Knife River - Well #3 Project and Authorize City Manager to execute.

Approval of Randy Jones Construction Developer's Improvement Agreement - 3 Diane Road

Authorization for Records Disposal - City Clerk and City Court

VISITORS/PUBLIC COMMENT (Items not on agenda)

Mayor Barnhart read the following - NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Public Hearing - Conditional Use Permit:

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, November 10th, 2020 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on December 7, 2020 starting at 7:00 p.m. in the same location.

Request to establish a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

Applicant, Judy Morse is requesting a Conditional Use Permit to operate a drive-thru coffee and micro bakery stand at 2100 9th Street West (The front northwest corner of the Super 1 parking lots). The property is zoned CB-2 Commercial however all drive-thru's require a conditional use permit in this zone. The coffee/bakery will

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have circulation through the existing Super 1 parking lot and highway approaches. The property is described as Lot 3 of the O'Neil Subdivision Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County. Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed conditional use, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

City Manager Nicosia delivered Staff Report CCU-20-03, reviewing each of the findings of fact. Nicosia said all drive-thru's require a Conditional Use Permit pursuant to the zoning code, primarily so the ingress/egress traffic patterns can be reviewed. The drive-thru coffee and micro bakery business is located in the Super 1 Foods parking lot near the northwest corner of Lot 3, O'Neil Subdivision. The drive-thru building will be approximately 360 square feet in size and will connect to City of Columbia Falls sewer and water infrastructure. The City has not received any public comments. Staff recommends approval of CCU-20-03 with the 5 conditions.

Mayor Barnhart asked if they are required to fence in the garbage area. Nicosia said they have a small business and will have a garbage bin similar to a residence container, but not fenced in. Nicosia said if they have a larger container, it will be required to be screened.

With no public comments Mayor Barnhart opened and closed the Public Hearing at 7:04 p.m.

Motion made by Councilor Piper to approve Staff Report CCU-20-03 as Findings of Fact and seconded by Councilor Robinson with council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Councilor Shepard motioned to approve the Conditional Use Permit for the drive-thru coffee stand and micro bakery located at Super One, seconded by Councilor Lovering with council voting as follows. Ayes: Mayor Barnhart, Councilor Robinson, Councilor Shepard, Councilor Fisher, Councilor Lovering and Councilor Piper.

Public Hearing - Urban Renewal District/Tax Increment Finance District and Targeted Economic District Budgets 20-21 FY

Mayor Barnhart read the notice of hearing: **NOTICE IS HEREBY GIVEN**, that the City Council of the City of Columbia Falls, Montana, will hold a public hearing on December 7, 2020 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, to adopt an amended 2021 FY budget for the Tax Increment District Fund and Targeted Economic District Fund.

The City received the estimated tax funding for the Tax Increment District Fund at the end of October, 2020. Based on the estimated real estate tax funding of \$441,054, the City Council will amend the appropriations for the 2021 FY. The funds will be spent as provided for in the Tax Increment District Statement of Need and priorities established through the public hearing process.

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The City received the estimated tax funding for the Targeted Economic District Fund at the end of October, 2020. Based on the estimated real estate tax funding of \$1,375, the City Council will consider appropriating the available funds for the 2021 FY based on the Statement of Need and priorities established through the public hearing process.

Taxpayers are encouraged to attend the hearing and give written or oral comments on the budget-related item. Written comments may be mailed to the City Clerk, 130 6th Street West, Room A, Columbia Falls, Montana, 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

City Manager Nicosia reviewed the Urban Renewal District Plan adopted 2015 which led to the creation of the Tax Increment Financing (TIF) District and the map of the district. Nicosia noted the goals of the plan including removing blight, improving deficient or missing infrastructure and promoting economic development. Nicosia also reviewed the historical financial data, noting completed projects including the 6th Ave. and Nucleus Ave. pedestrian projects, alley and sidewalk improvements and wayfinding signage. In the current budget, the council has appropriated funds for the reconstruction of 12th Ave. W. and beautification of open space on South Nucleus Ave. Nicosia noted that the Columbia Falls Industrial Park has not raised enough funds to complete a budget and at this time she recommends reserving the funds. Nicosia also noted that the Columbia Rising TEDD has decreased in value since certification so there is no incremental funding available.

Mayor Barnhart opened the Public Hearing at 7:20 p.m.

Roger Newman, 927 Vans Ave., said his comments are apparently outside of the TIF district but he wanted to voice his request. Mr. Newman would like to see the city extend the sidewalk from Nucleus Ave. to 8th Ave. NE. Mr. Newman said there is a trail in the grass but he would like to ask the city to think about it, as people use the path often.

City Manager Nicosia said the City had applied for a Build Grant which included building that sidewalk but were not awarded the funding. Nicosia noted that the sidewalk has been a priority of the City Council for over 10 years but the City lacks the funding to install it.

Dave Petersen, 201 4th Ave E., said he would like to see the city promotional video updated. The video on the website is now 8 years old. He spoke with Adam Pitman who created the current video and the City would have to start from scratch. Petersen said Pitman told him that the video on YouTube has had over 59,500 hits, so we know people are looking. If the City could come up with approximately \$8,000 in the budget to renew it, he believes it would be beneficial to the community. Mr. Petersen also said we are going to need parking downtown.

Mayor Barnhart closed the public hearing 7:30 p.m.

Mayor Barnhart asked for Council comments. Councilman Fisher said he would like to hold some monies back for bigger projects that may come up in the future so the City could take advantage of an opportunity.

Councilman Lovering said she concurs with Mr. Petersen in getting the city video updated. Lovering said she would also like to see Columbia Falls broadband expanded.

Councilman Shepard said he would like to see better lighting up Nucleus Ave. Shepard said he agrees with an updated city video as well.

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Councilman Robinson concurs with Fisher on reserving a portion of the TIF monies for larger projects. Councilman Piper said he too would like to see a new city video. Piper would also like to see us assist with getting the 12th Ave. W. rebuilt noting that Glacier Medical has invested a lot of money in the community and it would be nice to get road fixed for their business.

Mayor Barnhart said he would like to see a street light installed at 3rd Ave. E. and C Street even though it is not in the TIF district. Mayor Barnhart would also like to see a street light at Highway 2 and 3rd Ave. E.

Mayor Barnhart said a lot of the sidewalks in town are crumbling and would like to see the city rehabilitate them. He noted that we keep talking about the difficulty of getting the Hwy 2 sidewalks plowed, Mayor Barnhart would like to see the City contract with a company to get the sidewalks plowed during the winter months or purchase a piece of equipment to keep those sidewalks plowed.

Mayor Barnhart noted that the City looked at a new city video with the firm recommended by the NLCT but didn't like how they did it.

Nicosia said regarding the lights on Nucleus and Hwy 2, they belong to MDOT but the City pays the bill. One suggestion was to look at the lighting to have the bulbs replaced with energy efficient bulbs with a rebate from FEC.

Nicosia said the City has also discussed resurfacing 6th Ave W. from the highway to 13th ST W (High School), the first block is in the TIF district and the City could leverage the special gas tax funds with TIF. Nicosia said the sidewalk at 3rd Street E. across from the old Crouches building needs to be rebuilt and TIF could be used.

Mayor Barnhart likes the idea of using a rebate for paving and septic removal to encourage improved infrastructure. Mayor Barnhart said the City has to look at getting some of these projects done without grant funds.

Councilor Shepard asked Nicosia to bring back dollar amounts to Council.

NEW BUSINESS:

Approve Flathead County Community Health Center Grant Request Letter of Support

Nicosia reviewed the request and recommended City support. Councilor Fisher motioned to approve the Flathead County Community Health Center Grant Request Letter of Support, second by Councilor Shepard and the motion passed.

ORDINANCES / RESOLUTIONS:

Resolution # 1837 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving the Petition of Mark and Sandra Craven for Annexation of 915 3rd Avenue East, More Formally Described as Assessor's Tract 2KA in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana City Manager said the owner have requested to be annexed into the city. This resolution is a formality to be this will get them on city services.

City Manager Nicosia said 915 3rd Ave. E. was connected to City sewer in July and was already on City water. At that time the Cravens had signed a waiver of protest to annexation or creation of a SID. Nicosia had them complete a Petition to Annexation and this resolution is a final step in the annexation process.

Councilor Shepard motioned to approve Resolution # 1837, second by Councilor Lovering with council voting as follows. Ayes: Councilor Shepard, Councilor Fisher, Councilor Lovering, Councilor Piper, Councilor Robinson and Mayor Barnhart. Absent: Karper.

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Resolution # 1838 - A Resolution of the City Council of the City of Columbia Falls, Montana Approving an Application for a Conditional Use Permit by Judy A. Morse to Add a Small Drive Thru Coffee Stand and Micro Bakery at 2120 9th Street West. The Property is described as Lot 3 of the O'Neil Subdivision, Columbia Falls, Montana According to the Map or Plat Thereof on File and of Record in the Office of the Clerk and Recorder of Flathead County, Montana

Councilor Shepard motioned to approve Resolution # 1838, second by Councilor Piper with council voting as follows. Ayes: Councilor Shepard, Councilor Fisher, Councilor Lovering, Councilor Piper, Councilor Robinson and Mayor Barnhart. Absent: Karper.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Lovering would like to have an update on the quiet zone at the railroad crossing.

Councilor Shepard said he is happy the 911 levy passed.

Mayor Barnhart noted that the City needs to add signage on 1st Ave. E. between 6th and 7th Street alerting travelers that the street is closed.

CITY MANAGER REPORT

The County elected not to have the four entities sign a Memorandum of Agreement but rather the Commissioners will adopt a Resolution, at their meeting on Tuesday, December 8th, 2020. Originally, the County had wanted a mutual agreement but they now believe the voter have given them the clear directive to operate the center without all four parties signing a MOU. Nicosia said she expressed concern over the language the Board of Commissioners would solely appoint the City's police department representative, She recommended alternate language. One member from each City Police Department as recommended by the appropriate City Council. The County Administrator responded with: they believe the Commissioners will give serious consideration to any and all Operations Board member recommendations from the three cities and/or other individuals and entities. Their plan is to approve the resolution on Tuesday, December 8th at 9:45 a.m.

The County will wait on entertaining the City of Columbia Falls' joining the Health Board via interlocal agreement until the operations have stabilized. Additionally, Nicosia noted that if the City joined now, it didn't sound like the City would be able to appoint a member until 2022.

We received an email that the CARES Act Funds are running out. Nicosia said we are hoping that the programs and purchases that the city has put into place will be funded. The City has received \$272,000 so far this year.

City Manager Nicosia thanked the Police Department, specifically the officers that provided full coverage for the City while half of the department was out due to COVID.

Nicosia informed Council that the City changed the contract for janitorial services and we are now using 406 Cleaning Company for our facilities.

Nicosia reminded Council that there is a special quiet zone meeting with KLJ here at City Hall and we will go onsite for discussion on Wednesday so we may start the formal engineering process.

The Transportation Plan committee will present on Thursday at 1:00, for those that want to join in. The Urban Transportation committee meeting will follow right after.

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Nicosia noted that the snow plowing in Glenn's Addition is difficult now that the lots are filling in, creating a narrow roadway with vehicles parked on both sides as well as difficulty in getting emergency vehicles through the street. Nicosia noted that the Public Works Director, Police Chief and Fire Chief are reviewing for public safety access and the Public Works department is reviewing snow plowing.

MISCELLANEOUS

Police Activity Report - October 2020

Correspondence Sent/Received

ADJOURN

Councilor Lovering motioned to adjourn, second by Councilor Piper and the meeting adjourned at 8:18 p.m.

Mayor

City Clerk