

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD SEPTEMBER 20, 2021**

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

ROLL CALL: Councilor Karper, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard and Mayor Barnhart. Absent: Councilor Fisher.

Also Present: City Manager Nicosia, City Clerk Staaland, City Attorney Breck, Police Chief Peters and Fire Chief Weeks.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

Councilor Shepard motioned to approve the agenda, seconded by Councilor Karper and the motion carried.

CONSENT AGENDA:

Councilor Robinson made motion to approve the Consent Agenda noting all claims appeared to be in order, seconded by Councilor Shepard and the motion carried.

Approval of Claims - September 20, 2021 - \$160,905.23

Approval of Regular Payroll Claims - September 17, 2021 - \$124,143.23

Approval of September 7, 2021 Regular City Council Meeting Minutes

EMPLOYEE RECOGNITION:

Grady Jenkins - 25 years of service – Mayor Barnhart presented Grady Jenkins with 25 years of service pin and thanked him for his continued service to the city.

Susan Nicosia - 15 years of service – Mayor Barnhart presented Susan Nicosia with her 15 years of service pin and thanked her for her dedication to the City of Columbia Falls.

APPOINTMENTS:

Appointment - Brad Peterson, Volunteer Assistant Fire Chief

Fire Chief Weeks said Jesse Best has stepped down as Assistant Fire Chief after years of service. Weeks said he is recommending Brad Peterson be appointed to the Volunteer Assistant Fire Chief position. Mr. Peterson has been an integral part of the leadership team within the Fire Department for years and is someone he can rely on to fill this role, Weeks said. Peterson is one of the top responders every year and does a fantastic job training members. City Manager concurs with Fire Chief on appointing Mr. Peterson as Volunteer Assistant Fire Chief.

Councilor Piper motioned to appoint Brad Peterson to the Volunteer Assistant Fire Chief position, seconded by Councilor Robinson and the motion carried unanimously. City Clerk Staaland administered the oath of office to Mr. Peterson.

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NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS: Mayor Barnhart read the following Notice of Public Hearing:

The Columbia Falls City-County Planning Board held public hearings for the following items at their regular meeting on Tuesday, September 14, 2021 and recommended approval of the Conditional Use Permits. The Columbia Falls City Council will hold hearings on September 20, 2021 starting at 7:00 p.m.

Conditional Use Permit Request for a Temporary Office/Caretaker Unit: Cedar Creek Industrial Park, LLC, is requesting a Conditional Use Permit to place a pre-fabricated Office/Caretakers unit within the existing industrial park. The property is located in the industrial park at 555 4th Avenue EN in Columbia Falls. The property is zoned CI-2 (Heavy Industrial) in the Columbia Falls Zoning Jurisdiction and the zoning regulations require a conditional use permit for the caretaker's facilities. The property is described as Parcel 3A of COS 21302 (Assessor's Tract 1C), in Section 9, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Manager Nicosia delivered Staff Report CCU-21-03 as Findings of Fact, along with the 6 conditions of approval. The Planning Board approved the application at the September 14, 2021 meeting. City Manager Nicosia and staff recommend approval.

With no public comments Mayor Barnhart opened and closed the Public Hearing at 7:16 p.m. Councilor Shepard motioned to approve Staff Report CCU-21-03 as Findings of Fact, seconded by Councilor Karper with Council voting as follows. Ayes: Lovering, Piper, Robinson, Shepard and Karper. Recused: Barnhart.

Conditional Use Permit Request for a Six-Plex Apartment Building: Adam Gardner is requesting a conditional use permit to construct a six-plex apartment building at 10 Diane Road in Columbia Falls. The property is zoned CRA-1 (Residential Apartment) and the zoning requires a CUP to review parking, street improvements, parkland dedication and the like. A CUP was approved on this site in 2019 but expired before the apartments were developed. The property is described as Lot 178 of Hilltop Homes, Section 18, T30N, R20W, P.M.M., Flathead County

City Manager Nicosia delivered Staff Report CCU-21-04 as Findings of Fact with the attached 12 conditions of approval. The Planning Board approved the application at the September 14, 2021 meeting. City Manager Nicosia and staff recommend approval.

With no public comments Mayor Barnhart opened and closed the Public Hearing at 7:30 p.m. Councilor Shepard motioned to approve Staff Report CCU-21-04 as Findings of Fact with the attached 12 conditions, seconded by Councilor Lovering with Council voting as follows. Ayes: Piper, Robinson, Shepard, Karper, Lovering and Barnhart.

ORDINANCES / RESOLUTIONS:

Resolution # 1861 - A Resolution of the City Council of the City of Columbia Falls, Montana, Adopting the Budget for the City for the Fiscal Year Commencing on July 1, 2021 and Ending June 30, 2022, Approving Appropriations for Each Fund of the City of Columbia Falls

Nicosia reported two modifications in the budget, one in Fund 4000 General Improvements as a new drain was needed at the Fire Hall and the concrete will be extended over the current paved area for long-term durability. The increase will bring the total Fund 4000 appropriations to \$149,200. Nicosia also reported that

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she added \$154,000 to Fund 4040 Street Construction to account for the required matching funds for the recently awarded TA Grant. Nicosia said the total 2021-22 FY budget is now \$17,936,130.

Councilor Lovering made motion to approve Resolution # 1861, seconded by Councilor Shepard with Council voting as follows. Ayes: Robinson, Shepard, Karper, Lovering, Piper and Barnhart.

Resolution # 1862 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving an Application for a Conditional Use Permit for a Caretaker's Unit and Office to be Located at 555 4th Avenue EN, More Particularly Described as Parcel 3A of COS 21302 (Assessor's Tract 1C), in Section 9, Township 30 North, Range 20 West, P.M.M., Flathead County

Councilor Piper motioned to approve Resolution # 1862, seconded by Councilor Lovering with Council voting as follows. Ayes: Shepard, Karper, Lovering, Piper and Robinson. Recused: Barnhart.

Resolution # 1863 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving an Application for a Conditional Use Permit by Adam Gardner to Allow for One Six-Plex Condominium to be Placed on Lot 178, Hilltop Homes Subdivision, Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Councilor Karper motioned to approve Resolution # 1863, seconded by Councilor Robinson with Council voting as follows. Ayes: Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard said while attending an out of town football game it was nice to hear good comments from folks that recognize our nice progressive little town.

Councilor Lovering suggested putting a bear aware sign on the connector trail. Lovering asked if the phone booth was going to be replaced at the intersection of 6th and 1st. Nicosia replied no it will not as it was in the right of way and a bulb out is being installed. Nicosia also noted that Centurylink had removed the phone from the booth a while ago.

Lovering wanted to know at what point the City starts asking businesses to have bear proof garbage containers. Nicosia said the City has been in contact with Game Warden Ben Chappelow with requirements for such containers.

Lovering said at the next Parks Committee meeting she would like to put River's Edge Park on the agenda to discuss dogs in the park.

Mayor Barnhart said it is hard to find addresses on houses and businesses, and he would like the City to work towards getting them to comply with regulation.

Mayor Barnhart said he visited with the City Manager about the new well emergency backup generator and he had brought up the adequacy of the backup power for the sewer lift stations. Nicosia said the City has two lift stations that have gas powered generators but the remaining 7 lift stations would have to use the one backup generator on the trailer. Nicosia noted that after the Mayor asked his question, she reached out to HDR Engineering and the Wastewater PER is being updated to address emergency backup. The generator can run one of the wells but would not be able to start it. Staff is in the process reevaluating city backup generators.

CITY MANAGER REPORT

City Manager Nicosia said with TA Grant funds the concrete sidewalks will be going along Railroad Street from 8th Ave. EN to 4th Ave W. The State will run this project; the city will not select the contractor, the City will

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receive an invoice for work done. This is approximately a million dollar project. Mayor Barnhart asked about a time frame on the project. Nicosia said MDOT plans to start right away with pre-design.

Nicosia reported that the City will propose text amendments to add definitions related to recreational marijuana. The city will look at an overlay zone to keep marijuana shops in the strict commercial areas and not in residences zoned commercial. There is concern in the community with shops going into residential areas. Nicosia noted that Statute limits location and cannot be within 500 feet from a school or church. Text amendments will go to the Planning Board in October. There will be a council amendment on changing hours of parks use to for Hoerner Park and the Police Department will be looking at cleaning up the parking code. Nicosia said we have received a lot of questions on a noise ordinance in the city. In the downtown area live music seems to be a concern.

The state extended the COVID grant deadline to October 7th so the Resolution of approval will be on the next agenda.

Staff is currently looking into the most recent cost of providing credit card use at the front counter.

Staff has arranged to paint the Fire Hall as approved in the budget. The concrete pad is being poured within the next week and a new drain will be installed at that time.

MISCELLANEOUS

Police Chief Peters said the City will be interviewing for the lieutenant position next Friday. Chief reported the department had a record in traffic stops last month. Mr. Darling made a direct donation to the Police Department and the City was able to purchase two radar guns.

ADJOURN

Councilor Lovering motioned to adjourn at 8:10 seconded by Councilor Robinson.

Mayor

City Clerk