

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD NOVEMBER 02, 2020**

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER – 7:00 P.M.

ROLL CALL

Mayor Barnhart, Councilor Fisher, Councilor Karper, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Also Present: City Manager Nicosia, City Clerk Staaland, City Attorney Breck and City Planner Mulcahy.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

CONSENT AGENDA:

Councilor Robinson motioned to approve the consent agenda noting all claims appear to be in order, second by Councilor Piper, with council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Karper, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Approval of Claims - November 2, 2020 - \$135,390.50

Approval of Special Claims Run - Oct 20, 2020 - \$6,096.17

Approval of Payroll Claims - \$845.41 - Clothing Allowance

Approval of Payroll Claims - October 30, 2020 - \$121,715.99

Approval of October 19, 2020 Regular Council Meeting Minutes

Ordinance 802 - Legal Description Revision

Approval of Change Order #1 - LHC, Inc. Well No. 3 Project and authorize City Manager to sign

Approval of Memorandum of Understanding, AFG Grant, and authorize City Manager to sign.

APPOINTMENTS:

Approval of Appointment - Three year term Board of Adjustment - Mark L. Johnson

City Manager Nicosia said the City has been advertising for a three year term on the Board of Adjustment for several months. Recently, Mark Johnson submitted a letter of interest and staff recommends approval.

Councilor Shepard made motion to appoint Mark L. Johnson to the Board of Adjustment for a three year term ending December 31, 2023, seconded by Councilor Fisher with council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Karper, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Public Hearing:

Mayor Barnhart read the hearing notice and requested the staff report presentation:

Request to establish a Mixed Use Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The Nitopi Family Trust is requesting a Mixed Use Planned Unit Development overlay for the property located at 812 4th Ave West which is at the corner of 8th Street West and 4th Ave West. The PUD will create nine residential units and three commercial spaces in two buildings on the half acre parcel. The three story building will meet the setback and height standards of the CB-2 (General Business) zoning district as well as providing 22 off-street parking spaces. The property is described as Assessors' Tract 8AA (Parcel B of COS 12484) in the SW1/4 of Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Planner Mulcahy delivered Staff Report CPUD-20-04 as Findings of Fact. Mulcahy noted that the applicant is requesting two zoning deviations with the PUD: parking and mixed use. Mulcahy reported that the application is proposing 22 parking spaces instead of 25. Mulcahy's review indicated that this was reasonable based on the additional on-street parking. The CB-2 zoning is primarily reserved for commercial use with limited residential. This proposal would allow for three commercial offices and nine residential units. The staff report indicates that the proposed use meets the existing neighborhood use. Mulcahy reviewed the 12 conditions of the CPUD. Mulcahy said this PUD was approved by the Planning/Zoning Board on October 13, 2020 and staff recommends approval. Mayor Barnhart asked if there were any questions for Planner Mulcahy from the Council. There were none.

Mayor Barnhart asked the applicant to present to the Council.

Bruce Lutz with WGM group said he is working with the applicant Tom Nitopi on the project. Mr. Lutz said they are a little short on on-site parking spaces but will have off street parking especially with the installation of curb/gutter along 8th St. Mr. Lutz said the applicant concurs with the staff report and the 12 conditions. Councilor Lovering asked which street the commercial spaces face. Mr. Lutz said they will be facing 4th Ave West.

City Clerk Staaland said there were no written comments received.

With no public comments Mayor Barnhart opened and closed the Public Hearing at 7:08 p.m.

Councilor Lovering motioned to approve Staff Report CPUD-20-04 as Findings of Fact, seconded by Councilor Robinson with council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Karper, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard

Motion made by Councilor Robinson to approve the PUD with 12 conditions, seconded by Councilor Shepard, with council voting as follows. Ayes: Mayor Barnhart, Councilor Fisher, Councilor Karper, Councilor Robinson, Councilor Lovering, Councilor Piper and Councilor Shepard.

Mayor Barnhart read the notices of upcoming hearings:

Notice of Public Hearings - November 10, 2020 Planning Board/December 7, 2020 City Council

The Columbia Falls City-County Planning Board will hold 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. Both hearings will be conducted in accordance with the

most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

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 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.

Notice of Public Hearing - December 7, 2020 - 20-21 FY Tax Increment and TEDD Budget 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.

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.

UNFINISHED BUSINESS:

Long Range Planning - Extension of Services Plan Continued

City Manager Nicosia continued the review of the updated Extension of Services Plan, Section IV Recommended Policies for Extending Services. Nicosia noted that the language will be updated for clarity and uniformity in text. Nicosia highlighted areas within the plan that need updating. Council will finalize the changes when the updated plan is formally adopted. Nicosia noted that the Public Works Director is currently working on the City's Public Works Standards that will also come to Council for adoption.

ORDINANCES / RESOLUTIONS:

Resolution # 1835 - A Resolution of the City Council of the City of Columbia Falls, Montana, Amending Fund 5210 Water Fund Budget Line-item Appropriations for the Fiscal Year Ending June 30, 2021

City Manager said there was an error on the Fund 5210 Water budget line-items and this Resolution moves the spending authority to the correct line-items. Nicosia noted that this resolution does not increase the spending authority, and the line-items required Council approval as they included capital outlay.

Councilor Shepard motioned to approve Resolution #1835, second by Councilor Lovering, with council voting as follows. Ayes: Mayor Barnhart, Councilor Karper, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard and Councilor Fisher.

First Reading - Ordinance # 805 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map to Allow the Development of a Planned Unit Development Overlay for the Property Located at 812 4th Avenue West, Further Described as Assessor's Tract 8AA (Parcel B of COS 12484), SW1/4, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County

Councilor Fisher motioned to approve the first reading of Ordinance #805, seconded by Councilor Shepard and the motion passed.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard expressed concern over the 911 levy election due to the lack of public engagement and information.

Mayor Barnhart inquired on the Well Project restorative paving schedule on Talbot Road. Nicosia said paving is scheduled for this week, weather permitting.

CITY MANAGER REPORT

Nicosia reported that the NVH Professional Center had reached out regarding creating a Columbia Falls COVID Task Force with the City, medical and school officials. Council decided to wait to see what the Health Board does with COVID management before creating an individual task force.

Nicosia noted that the Solid Waste District inserted coupons for 2021 and 2022 in the tax bills for the Residential Waste "free" trips.

Nicosia also reported that Planner Eric Mulcahy reviewed a PUD revision from Eric Eckert on 7th Street E. that reduced the overall project to three units, moved over 10' to the west allowing for a 15' side setback instead of 5' and now included 3 small storage units. Nicosia noted that the reduction in size did not require Planning or Council approval but she wanted Council to be aware of the changes and that the Planner had completed a formal review.

The City's consultant would like to meet with the Transportation Advisory Committee and is looking at December 10th as a potential meeting date. The Survey has gotten good results with 1,384 site visits as of today, including 375 unique visitors, 40 respondents and 104 total comments/responses so far.

Nicosia noted that there was a Legislative Committee Meeting on the 26th. The Committee reviewed the MLCT Legislative Resolutions and recommends City officials support/oppose legislation as recommended by the League.

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MISCELLANEOUS

Correspondence

ADJOURN

Councilor Lovering motioned to adjourn, second by Councilor Robinson and the meeting adjourned at 8:03 p.m.

Mayor

City Clerk