

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD MARCH 21, 2022**

REGULAR MEETING – 7:00 P.M.

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

ROLL CALL: Councilor Piper, Councilor Karper, Councilor Robinson, Councilor Shepard (via Zoom Meeting), Councilor Lovering and Mayor Barnhart. Absent: Councilor Fisher.

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

PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA:

Councilor Karper motioned to approve the Consent Agenda, noting all claims appeared to be in order, seconded by Councilor Piper with Council voting as follows. Ayes: Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

Approval of Claims - March 21, 2022 - \$61,194.78

Approval of Payroll Claims - March 18, 2022 - \$118,997.37

Approval of March 7, 2022 Regular City Council Meeting Minutes

Approval of Task Order #7 - Morrison-Maierle to provide on-call engineering services and authorize City Manager to execute

Approval of Sidewalk Easement between Cottage Apartments, LLC and City of Columbia Falls and authorize City Manager to execute

APPOINTMENTS:

Appointment - Probationary Volunteer Firefighter Andrea Schwagerl

Fire Chief Weeks said Ms. Schwagerl has passed a background check and a physical examination and has shown great interest since submitting her application along with attending several trainings as an observer. Fire Chief Weeks and City Manager Nicosia recommend approval as Probationary Volunteer Firefighter.

Councilor Piper motioned to approve Andrea Schwagerl as Probationary Volunteer Firefighter, seconded by Councilor Robinson and the motion carried unanimously.

City Clerk Staaland administered Oath of Office to Ms. Schwagerl.

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

Public Hearing: Second Public Hearing for Community Development Grant Application - Public Facilities:

The City of Columbia Falls will hold a public hearing on Monday, March 21st at 7:00 pm, in the City Council Chambers, City Hall, 130 6th Street West, Columbia Falls, Montana for the purpose of obtaining public comment on a proposed application for a public facilities project, Boys and Girls Club, located in the City of Columbia Falls under the Montana Community Development Block Grant Program administered by the Montana Department of Commerce. At the public hearing, the proposed project will be explained, including

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the purpose and proposed area of the project, activities, budget, and possible sources of funding. All interested persons will be given the opportunity to ask questions and to express their opinions regarding this proposed project.

City Manager Nicosia said based on testimony from the first hearing the obvious community need was the Boys and Girls Club Community Facility. Nicosia said after direction by the Council on March 7th, she began working with the Boys and Girls staff on the application and the City will follow all the requirements and regulations in pursuit of the application. The recommendation is to apply for funds that will pay for the infrastructure water and sewer for the new facility.

Mayor Barnhart opened the Public Hearing at 7:06 p.m.

Tony Edmundson, the Librarian here in Columbia Falls Library said he has tried to meet the needs of the community but does not have the staff to do so; the library has had to cut back on kids programs due to short staffing. Edmundson said when he heard the City was partnering with the Boys and Girls Club he was ecstatic. He sees the right leadership with the right purpose at the right time. Mr. Edmundson said this is necessary and will give all the support he can to help make it happen.

Andrea Getts resides at 326 2nd St. E. said we put a lot of money into the earlier programs for children but what do we do as they get older. There are not a lot of activities for the older children but the Boys and Girls Club are already addressing that. Ms. Getts said they have the community in mind for the new building and is not just for children. Getts believes the City should sponsor the application as the funds will be well spent.

Jeri Moon who resides at 423 Bluebell Rd. Kalispell said she is the President of the Boys and Girls Club. She is excited the City of Columbia Falls is going to pair up with the Boys and Girls Club in the application process to get more funds for a facility right where it needs to be. This program offers children of all ages something to do after school and through the summer. Bringing the elderly and children together to learn, to grow and to comfort and take care of each other sounds terrific to her. Ms. Moon said she applauds Council and hopes the application will go smoothly and we end up with a new facility in Columbia Falls.

Melissa Dunning who resides on Columbia Ave. in Whitefish said there is an immediate opportunity for the City to act by sponsoring the CDBG application on behalf of the Boys and Girls Club. The Grant opportunity will help ensure the future of this organization and its ability to continue meeting the growing needs of students and families of Columbia Falls. After school care is a necessity for all working families. If approved, Council will be investing in the future of the community and lower income citizens.

Mandy Anderson with the Boys and Girls Club read a letter of support for the CDBG application for the Boys and Girls Club. Ms. Anderson said they are providing after school care to over 60 elementary students and 20 Junior High and High School students. 60 % of their members come from families that are at low to moderate income level. She feels the current building is no longer suitable to provide the service of need. They have a waiting list for the elementary program and it is expected to grow as the population of Columbia Falls increases. With the new building they would be able to triple the amount of use that they currently serve daily.

Mayor Barnhart closed the Public Hearing at 7:21 p.m. and noted that Council will take formal action under Resolutions.

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Mayor Barnhart read the Notice of Public Hearings - Planning Board April 12th and City Council May 2nd:

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, April 12, 2022 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 Monday May 2, 2022 starting at 7:00 p.m. in the same location.

Request to Amend a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

Ruis Holdings 540 Nucleus Ave LLC is requesting an Amendment to their Planned Unit Development overlay for the property located at 540 Nucleus Avenue which was the former Bank of Columbia Falls site. The owner is amending the design of the south building to allow a height of 40-feet to the top of parapet and also allow a casino in the proposed restaurant on the main floor. Otherwise, the building meets all use and dimensional requirements. The property is described as Lots 11-15 and also all that portion of the east half of the vacated alleyway lying adjacent to the west boundary line of said Lots 11-15 inclusive of Block 37 and Lot 10A of the Amended Plat of Lots 1-3 & Lots 6-10 of Block 37 according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Request for an Amendment to Conditional Use Permit to Construct 36 Apartment Units in the Columbia Falls Zoning Jurisdiction:

The applicant, Toby Gilchrist, is requesting an amendment to an approved Conditional Use Permit that allows the construction of 36 apartment units in two buildings, eighteen units in each building. The proposed amendment would allow the north building to allow owners of the units to offer short term rentals of the units. The south building would remain exclusively long-term rental (30-days or more). None of the other elements of the project change with the request of this amendment and this amendment only deals with the length of stay for the north building. The property is located approximately ¼ mile north of Highway 2 at 302 Meadow Lake Blvd. The property is described as Assessors' Tracts 2BDEA and 2BDAEA of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. 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: . For more information on the amended Planned Unit Development or Conditional Use Permit, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 6:00 p.m. the day of the meeting.

Notice of Public Hearing - Request for a Preliminary Plat for a 10-Unit RV Park:

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, March 15, 2022 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 Monday April 4, 2022 starting at 7:00 p.m. in the same location.

Request for a Preliminary Plat for a 10 Unit RV Park:

The applicant, Clark W Griz LLC is requesting Preliminary Plat approval to construct a 10-Unit RV Park for property at 201 Highway 2 East, Columbia Falls. The property is zoned CB-2 (General Business) which allow RV Parks as a permitted use. The proposed RV Park is adjacent to the Columbia Falls RV Park. The property is

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described as Lot 3 of the D & G Subdivision in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

ORDINANCES / RESOLUTIONS:

Second and Final Reading - Ordinance # 815 - Planned Unit Development:

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 (PUD) Overlay for the Property Located at 1123 9th Street West, Columbia Falls, Further Described as Lots 1, 2 & 3 Excluding the South 10 Feet in Block 5, Robindale Subdivision in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

City Manager said as noted this is the second and final reading of the PUD for DarCar Properties that allow dorm style living quarters in the basement of the existing retail building. The upper floor will be kitchen space with plans of future retail space. There are 5 conditions included in the PUD.

Councilor Piper motioned to approve the Final Reading of Ordinance # 815, seconded by Councilor Lovering with Council voting as follows. Ayes: Lovering, Piper, Robinson, Shepard, Karper and Barnhart.

Resolution # 1871 - HB 473 2022 FY Fund Request and Budget Amendment Approval:

A Resolution of the City Council of the City of Columbia Falls, Montana Requesting Distribution of Local Government Road Construction and Maintenance Match Program Funds and Amending the Appropriate 2022 FY Budgets

City Manager Nicosia said Resolution # 1871 is required by State Statute to trigger the Special Gas Tax Funds in the amount of \$128,639.78 and matching funds of \$6,431.99. We are asking to use these funds to rebuild or overlay priority streets as determined during the Public Hearing on March 7th, 2022, up to the available funding of the BARSA funds and require matching in addition to the capital funds appropriated by Council for street construction. Nicosia recommends approval of Resolution # 1871.

Councilor Karper made motion to approve Resolution # 1871, seconded by Councilor Robinson with Council voting as follows. Ayes: Piper, Robinson, Shepard, Karper, Lovering and Barnhart.

Resolution # 1872 - Authorizing Submission of a CDBG Community and Public Facilities Grant Application:

A Resolution of the City Council of the City of Columbia Falls, Montana Authorizing Submission of a CDBG Community and Public Facilities Grant Application

City Manager Nicosia presented the Resolution noting that the City certifies that it has legal jurisdiction and authority to finance operate and maintain the proposed water and sewer public infrastructure required for the development of the proposed facility. Nicosia noted that the City is also certifying compliance with all state and federal requirements. As the City has previously managed multiple CDBG grants, including those with subrecipient agreements, Nicosia is confident that the City will successfully manage this grant in partnership with the Boys and Girls Club.

Councilor Piper motioned to approve Resolution # 1872, seconded by Councilor Lovering with Council voting as follows. Ayes: Robinson, Shepard, Karper, Lovering, Piper and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilman Karper said he fully supports the Boys and Girls Club project.

Councilor Piper said at the Noise Ordinance committee meeting there was a good attendance from community members followed by good discussion.

Mayor said the Board of Health is in the process of hiring and he had the pleasure of serving on the personnel committee.

Mayor Barnhart reported that he received a phone call from Ron Catlett with Senator Daines office and they wanted to make sure the City knows they were aware of our issues with what the EPA is proposing for the CFAC cleanup. They will support the City however they can.

Mayor Barnhart inquired about the timeline to get the snow pile removed on 1st Ave. E and 6th St. E. in order to open the gate.

CITY MANAGER REPORT

City Manager's Project/Information Update

DOR's requirements of the local government for their implementation of the recreational marijuana rules means the Police Department is now making appointments for fingerprinting. Additionally, they put out a requirement for both Fire and Building Department inspections without any clear requirements.

The 12th Ave. West project engineering is proceeding. The proposed gravity sewer main will be removed from the project as it does not connect to the medical development. Morrison-Maierle is working toward having preliminary design completed this spring, with the city calling for bids in the summer and construction commencing in the fall. Robinson asked if they were going to fill the potholes before reconstruction occurs. Nicosia responded in the affirmative.

Nicosia is in the process of updating job descriptions for pool positions on the next agenda, including a new job description for the required deck monitor position. We will be looking at wages to be competitive and are looking at 2022 user fees as well.

The City is waiting to receive the formal contract form DNRC on the Wastewater projects. The City's water project application has not yet been reviewed by the committee. The infrastructure committee meets again on March 30th, the agenda is not posted but the application should be on that agenda.

Fire Chief Weeks said he has a blood drive scheduled for April 27th at the Fire Hall.

Police Chief Peters said he supports the new Boys and Girls facility, it may curb some of the issues we have with some teenagers.

MISCELLANEOUS

Finance - February 2022 Reports

Police - February Activity

Correspondence

ADJOURN

Councilor Lovering motioned to adjourn at 7:50 p.m. seconded by Councilor Karper.

Mayor

City Clerk