

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD SEPTEMBER 07, 2021**

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

ROLL CALL:

Mayor Don Barnhart, Councilor Darin Fisher, Councilor Doug Karper, Councilor Jenny Lovering, Councilor Mike Shepard and Councilor John Piper-via Zoom meeting

ABSENT: Councilor Paula Robinson

Also Present: City Manager Nicosia, City Clerk Staaland, City Attorney Breck and Sergeant Murphy.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA:

Councilor Shepard made motion to approve the Agenda, seconded by Councilor Lovering 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 Shepard with Council voting as follows. AYES: Karper, Lovering, Piper, Shepard, Fisher and Barnhart.

Approval of Claims - September 7, 2021 - \$55,642.06

Approval of Regular Payroll Claims - August 20, 2021 - \$127,973.33

Approval of Special Payroll - Clothing Allowance/Stipends, August 27, 2021 - \$18,323.41

Approval of Payroll Claims - Regular September 3, 2021 - \$80,625.70

Approval of August 16, 2021 Regular City Council Meeting Minutes

Approval of MT Department of Transportation Special Traffic Enforcement (STEP) Grant Agreement, October 1, 2021 - September 30, 2022 - \$16,000 and Authorize City Manager to Execute

Approval of Pinnacle Paving 6th Ave West Project - Change Order # 1 - \$2,013.75 and authorize City Manager to execute

Approval of WGM Professional Services Agreement - Traffic Calming Procedure and Preferred Techniques - \$3,750 and Authorize City Manager to Execute

VISITORS/PUBLIC COMMENT (Items not on agenda)

Mike Burr resides at 560 Talbot Road. Mr. Burr thanked Council for the work they have done during Covid-19 along with taking care of Kreck Riverside Park. Burr said Loren Kreck stood up for the environment and river access. We need to work hard at keeping access open. Burr suggested putting more work into improving the river access with rock steps down to the river. Mr. Burr said he has been victimized by the adjacent owner while visiting the park. Mr. Burr believes the City could ask for help from the American River Association as they deal with river access issues. River access is key to the community and we need to protect it said Burr. Mr. Burr believes within the Transportation Plan we need to focus not only on vehicles but trails for pedestrians as well. Burr said we have quite a few of river access spots in town, and it would be beneficial to have proper signage for those areas.

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Mr. Burr said he would like to see a response to his emails when he emails the City Manager. He would also like to see Mayor and Council email information on the City website. Nicosia noted that she had responded to Mr. Burr's emails and was not aware that he had not received the responses. Additionally, Nicosia reported that the City Mayor and Council emails go through the City Clerk so all correspondence is documented as required by state law; she noted that Columbia Falls does not have a separate email server like the larger entities.

APPOINTMENTS:

Appointment of Probationary Volunteer Firefighter - Benjamin Butts

City Manager Nicosia reported Mr. Butts has passed a background check and a physical examination. He has shown great interest since submitting his application and has attended several trainings as an observer. Mr. Butts was on the West Valley Fire Department for 9 years before moving into Columbia Falls. City Manager concurs with Fire Chief Weeks on approval of appointment.

Councilor Lovering motioned to appoint Benjamin Butts as Probationary Volunteer Firefighter, seconded by Councilor Karper and the motion carried.

City Clerk Staaland administered Oath of Office to Ben Butts as Probationary Volunteer Firefighter.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Public Hearing - CDBG CARES Grant Proposals:

Mayor Barnhart read the notice of hearing:

The City of Columbia Falls City Council will hold a public hearing on Tuesday, September 7, 2021 at 7:00 PM during their Regular Council Meeting for the purpose of obtaining public comments regarding a proposed application to the Montana Department of Commerce's Community Development Block Grant Program for a project meeting the newly announced CDBG CARES (CDBG-CV) grant program. On August 11, 2021, the Montana Department of Commerce announced the opening of the grant with applications due September 15th. All towns, cities and counties can apply for the CDBG-CV funding to support public facilities, public service or housing/homelessness projects that prevent, prepare for or respond to the COVID-19 pandemic. At the public hearing, the Council will review possible projects and set priorities for applications. All proposed projects will be explained, including the purpose and proposed area of the project, activities, application process, and estimated budget. Persons wishing to provide public comment regarding proposed application(s), and prioritization of applications, to the Montana Department of Commerce's Community Development Block Grant Program can do so either in person or virtually through ZOOM. All interested persons will be given the opportunity to ask questions and to express their opinions regarding the City applying for CDBG-CV funding.

City Manager Nicosia said the Montana Department of Commerce announced a special program called CDBG-CV grant program with grant applications due by September 15, 2021, they have since extended the deadline to October 15, 2021. All towns, cities and counties can apply for the CDBG-CV funding to support public facilities or housing/homelessness projects that prevent, prepare for or respond to the COVID-19 pandemic. Nicosia reported that these funds are specifically related to dealing with COVID response and related projects and included park facilities in the announcement.

The Parks Committee recently met to discuss the desire to submit an application for park facilities as a priority. The City is looking at redeveloping Columbus Park with the removal of the old tennis courts. Nicosia said City staff will put together an application to leverage donated funds along with city funds. It makes perfect sense to bring this park project forward with the grant program at this time said Nicosia. Nicosia said we see parks as

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a priority for the community and encourages council to set parks development as such. Nicosia said she received comments from Carla Fisher, 303 4th Ave. E. in support of creating a splash pad in Columbus Park. Nicosia said staff has discussed splash pads and are looking into pricing to include in the Columbus Park plan.

Nicosia read written comments received from Kim Morisaki, Executive Director, Northwest Montana Community Land Trust. The Land Trust looked at projects and priorities in our community with the announcement of the CDBG-CV funding. Morisaki reported that the MDOC officials advised her that this funding could not be used for the types of housing projects pursued by the City and the Land Trust but that there are other programs they encourage us to apply for such as the Housing Stabilization program. The City is already working with Montana West Economic Development and Department of Commerce to see if we can utilize some of the City's \$825,000 CDBG-ED to assist with work force housing. It is accepted that housing is part of economic development.

Nicosia said as the Council is determining priority projects to submit for a funding request, she encourages council to consider the Columbus Park redevelopment park project a top priority.

Mayor Barnhart opened the Public Hearing at 7:15 p.m.

Ray Negron resides at 511 4th Ave W. Mr. Negron said city parks are a big part of the community, with that said his understanding is the CDBG-CV funds can be used towards parks. He would like to see a pickleball court installed at Columbus Park where the tennis courts were. They teach pickleball at school but the kids have no place to play. The community needs more activities and pickleball would be beneficial for all ages.

Pierson Forbes, 634 St. Andrews Dr. said he supports pickleball here in Columbia Falls. Mr. Forbes said we know about the physical benefits, outdoor play and mental health benefits from playing pickleball. Forbes said pickleball has changed his life from when he took it up three years ago. Forbes said it is a fantastic sport and it is an important part of his life and he supports new pickleball courts in Columbia Falls.

Sara Hemmer 1805 8th Ave W. said she would also like to repeat the request for pickleball courts in Columbia Falls. It is a great sport for all ages. We see it is popping up in other communities and would love to see one here in Columbia Falls.

Mayor Barnhart closed the Public Hearing at 7:22 p.m.

Nicosia said it will cost approximately \$10,000 to tear out the old tennis courts and \$40,000 to prep the ground and four pickleball courts will be close to \$100,000. At the next council meeting there will a resolution of support for the grant application.

Councilor Fisher motioned to direct the City Manager to write up a grant funding request for the CDBG Cares Grant for the Columbus Park redevelopment project, seconded by Councilor Shepard and the motion carried.

Public Hearing - 21-22 FY Budget Continued:

Mayor Barnhart continued the 21-22 FY Budget Hearing with a report from the City Manager:

City Manager Nicosia recommended that Council set the levy, formally adopting the mill levy resolution this evening at the mills discussed at the previous hearings, 191.747, 30.429 mills less than the 2021 FY. Nicosia

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distributed the detailed revenue and appropriation budgets and budget summaries to Council. Nicosia reviewed each fund, highlighting changes and line-items.

Fund-type	21-22 FY	20-21 FY	Difference				
General	\$ 3,518,157.00	\$ 3,552,726.00	\$ (34,569.00)				
Special Revenue	\$ 3,593,997.00	\$ 1,994,758.00	\$ 1,599,239.00	Change in grants - \$1,503,219 ARPA Funds			
Debt Service	\$ 119,689.00	\$ 125,700.00	\$ (6,011.00)				
Capital Projects	\$ 1,158,709.00	\$ 1,382,340.00	\$ (223,631.00)	Based on projects			
Water	\$ 1,116,673.00	\$ 4,745,346.00	\$ (3,628,673.00)	Last year - Well project			
Sewer	\$ 8,191,571.00	\$ 1,587,977.00	\$ 6,603,594.00	\$5.5 WWTP project/\$1.1 transfer out of 5311			
Fire Relief Pension	\$ 69,134.00	\$ 69,134.00	\$ -				
Total Appropriations	\$ 17,767,930.00	\$ 13,457,981.00	\$ 4,309,949.00				

Revenues:							
Taxes & Special Assessments	\$ 2,092,984.00	\$ 2,097,833.00	\$ (4,849.00)				
Licenses & Permits	\$ 287,425.00	\$ 253,438.00	\$ 33,987.00				
Intergovernmental/grants	\$ 4,859,982.00	\$ 1,723,536.00	\$ 3,136,446.00	Sewer CARES \$2,857,186, Water -20K CARES, FUND 2991 \$752,738 CARES			
Charges for Services	\$ 2,172,560.00	\$ 2,310,604.00	\$ (138,044.00)	Decrease in anticipated PIF \$174K based on activity			
Fines & forfeiture	\$ 183,300.00	\$ 163,300.00	\$ 20,000.00				
Investments earnings/misc	\$ 109,899.00	\$ 152,038.00	\$ (42,139.00)	Drop in investment earnings			
Other Financing Sources	\$ 3,280,353.00	\$ 3,029,001.00	\$ 251,352.00				
Cash Carryover	\$ 4,072,427.00	\$ 3,019,231.00	\$ 1,053,196.00	Sewer Cap Exp \$1.049 M, Spec Gas Tax \$145K			
			\$ -				
Total Revenues	\$ 17,058,930.00	\$ 12,748,981.00	\$ 4,309,949.00				

Nicosia reviewed individual fund budgets, reviewing Council goals and approved projects.

Nicosia noted that this year's budget is \$4.3 million higher due primarily to the ARPA funding and the \$5.5 million dollar wastewater system project. The project will be paid with grants funds with the exception of \$1.143 million from the Capital Expansion Fund.

Mayor Barnhart closed the Public Hearing on the 21-22 FY Preliminary Budget, noting that Council will adopt the final budget on September 20th.

Barnhart read the notice of upcoming hearings:

Notice of Public Hearings - Planning Board September 14th and City Council September 20th:

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, September 14, 2021 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 subsequent hearings on September 20, 2021 starting at 7:00 p.m. in the same location.

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.

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

NEW BUSINESS:

Mayor Barnhart read the 9/11 Day Proclamation, declaring September 11, 2021 as a National Day of Service and Remembrance

Consideration of Interlocal Agreement - City-County Health Department

City Manager Nicosia said Joe Russell and Pete Melnick had recently reached out to revisit the City-County Health Department Interlocal Agreement. Nicosia noted that Columbia Falls will be considered a second class city and as a second class city we are required to join the City-County Health Department Interlocal Agreement and it is not optional at that point. The purpose of this Agreement is to maintain one organization that has county-wide jurisdiction in the matter of health. Nicosia recommends council joins with other cities at this time. Nicosia noted that the agreement allows each City to appoint one representative to the Board and it maintains the county-wide levy, no additional funding is required of the City.

Councilor Shepard motioned to approve the City-County Health Department Interlocal Agreement, seconded by Councilor Karper and the motion carried.

Nicosia said she would notify the County and they will send a final draft for signature after all four entities have approved.

ORDINANCES / RESOLUTIONS:

Resolution # 1859 - A Resolution of the City Council of the City of Columbia Falls, Montana, Setting and Adopting the Mill Levies on all Real and Personal Property Within the City of Columbia Falls; Approving Special Levies for Special Purposes on Property Within the City of Columbia Falls for the 2021-22 Fiscal Year

Councilor Fisher motioned to approve Resolution # 1859, seconded by Councilor Shepard with Council voting as follows. AYES: Lovering, Piper, Shepard, Fisher, Karper and Barnhart.

Resolution # 1860 - A Resolution of the City Council of the City of Columbia Falls, Montana, Calling for a General Election to be Held on November 2, 2021 for the Open Columbia Falls Mayor and City Council Positions

Councilor Lovering made motion to approve Resolution # 1860, seconded by Councilor Karper with Council voting as follows. AYES: Piper, Shepard, Fisher, Karper, Lovering and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard asked if there were any comments after the Transportation meeting last week. Nicosia said she didn't receive any additional comments after the meeting.

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Councilor Lovering said she received an email from Matt Holloway who is looking into a skateboarding park in Columbia Falls. Lovering reported that 6th Ave. W. is nicely paved and it is easier to bicycle.

Mayor Barnhart asked if we closed out the final project on 6th Ave. W. Nicosia said there is a punch list for completion. Mayor said when we approved Cedar Point wasn't there river access from Nucleus. Nicosia said the river can be accessed south of the paved bike path.

Mayor Barnhart asked why City Hall does not take credit cards at the counter. Nicosia replied based on the fees, banking rules and fee structure, along with the set up to our system, it was costly when the City reviewed it two years ago. Councilor Fisher added being a business owner said it is costly to run credit cards and believes the city should charge the 3% to the customer if they choose to accept credit card payments.

Councilor Karper asked if this was a concern with customers. Nicosia added customers can pay with a credit card from the city website and there is an ATM in the foyer.

Mayor Barnhart asked Nicosia if the Solid Waste District raised their fees on stump and brush disposal. Nicosia said yes they did due to the cost to process; the fee increase went through the hearing process at the Flathead County Commissioners level.

Mayor asked if we can we put a zoning map on the city website. Nicosia said we can link the Flathead GIS map to the city website.

CITY MANAGER REPORT

Nicosia reported that the League of Cities and Towns Conference is October 6-8, all virtual, and if you are interested in signing up for the conference please contact City Clerk Staalnd to get registered.

The City has been working with MMIA and the City Attorney's office as MDT now requires parade permits for events.

The Columbia Falls Transportation Plan will hold an open house September 27, 2021 at 10:00 a.m., the Lunch and learn with presentation to Council will be from 12:00 p.m. – 1:00 p.m., followed by another open house from 5:00 p.m. – 7:00 p.m. with public presentation at 6:00 p.m. The plan will complement the Growth Policy as a separate document. Nicosia said the Transportation Plan is 136 pages Councilor Shepard said they did a very thorough job.

Nicosia reported that the Parks Committee met on August 30th and reviewed park use requests and approval criteria along with reviewing park projects and priorities.

MISCELLANEOUS

Fire Department - YTD Run Activity thru August
Correspondence

ADJOURN

Councilor Lovering motioned to adjourn the meeting at 8:57 p.m., seconded by Councilor Shepard and the motion carried.

Mayor

City Clerk