

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD JULY 06, 2021**

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

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

Also Present: City Manager Susan Nicosia, City Clerk Barb Staaland, City Attorney Justin Breck, Planner Eric Mulcahy and Sergeant Sean Murphy

PLEDGE OF ALLEGIANCE

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

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, Fisher and Barnhart.

Approval of Claims - July 6, 2021 - \$ 157,402.71 (includes June 2021 and July 2021 Claims)

Approval of Payroll Claims - June 25, 2021 - \$128,902.89

Approval of Payroll Claims - June 30, 2021 - Special Term Pay

Approval of Payroll Claims - June 30, 2021 - \$17,308.58 - Payroll Quarterlies

Approval of June 21, 2021 Regular City Council Meeting Minutes

Approve Nucleus Ave. Bulb Out Engagement - \$5,200 - Jackola Engineering and Authorize City Manager to execute

Approval of 2021-22 FY City Manager Contract

VISITORS/PUBLIC COMMENT:

Ken Jarboe resides at 9 Martha Road. Mr. Jarboe reported a problem with vehicle speeding in front of his apartment on Martha Road. Mr. Jarboe said he has gotten license plate numbers and turned them over to the Police Department, talked to the neighbors to slow down and the speed cart has been put in place but the problem still remains. Mr. Jarboe said he has researched speed bumps and would like the city to install them along Martha Road.

City Manager Nicosia said Detective Denham has prepared a comprehensive report on how to best address speeders in this area and City administration is in the process of remedying the issue. Mayor Barnhart said this is a Council priority and needs to be addressed as soon as possible.

EMPLOYEE RECOGNITION: Barb Staaland, City Clerk - 15 Years of Service
Mayor Barnhart thanked City Clerk for her years of service and presented her with a 15 year pin.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the notice of hearing and requested the Staff Report presentation:

Request to change zoning from CSAG-5 (Suburban Agricultural) to CR-1 (Suburban Residential) in the Columbia Falls Zoning Jurisdiction:

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The applicant, Jean Flynn, is requesting a zone change at 221 Rogers Road in the Columbia Falls area from the current CSAG-5 (Suburban Agricultural) to a CR-1 (Suburban Residential) designation. The property is approximately five acres with a residence and outbuildings. The property is described as Parcel B of COS 16149 (Assessors' Tracts 9A, 1AA, 1ABAA and 8A) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Planner Mulcahy delivered Staff Report CZC-21-04 as Findings of Fact, noting City staff recommends approval.

Mayor Barnhart opened and closed the Public Hearing at 7.15 p.m. – no one wished to comment. There were not written comments submitted.

Councilor Fisher motioned to adopt Staff Report CZC-21-04 as Findings of Fact, seconded by Councilor Shepard with Council voting as follows. Ayes: Lovering, Piper, Robinson, Shepard, Fisher, Karper and Barnhart.

Mayor Barnhart read the Garnier Heights notices and requested the Planner present both staff reports:

Public Hearing - Request for a Planned Unit Development (PUD) for the Garnier Heights Development:

The applicant, RH Joint Holdings, LLC, is requesting a PUD Overlay for property generally located north of Lemburg Lane between North Hilltop Road and Meadow Lake Boulevard. The property is 28 acres in size and is zoned with a combination of CR-1, CR-2, and CR-3 urban residential zoning districts. The PUD will allow the applicant to cluster lots into single family attached and detached units preserving 11.42 acres in park and open space. The overall density of the project is 3.55 units per acre. In addition to the clustering, the applicant is asking for a front yard setback deviation for the alley loaded townhomes. The property is described as Parcel 1 of COS 14679 excepting therefrom the property within the Plat known as Hilltop Meadows in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

Public Hearing - Request for Preliminary Plat approval of the Garnier Heights Subdivision – A 102- unit development:

The applicant, RH Joint Holdings, LLC, is requesting preliminary plat approval for property generally located north of Lemburg Lane between North Hilltop Road and Meadow Lake Boulevard. The applicant will subdivide the property into 102 units with a combination of single family detached, two unit attached, and four unit attached structures. The subdivision will place 11.42 acres of the 28-acre parcel in park and open space and develop an overall density of the project is 3.55 units per acre. The subdivision has two access points one from Meadow Lake Boulevard on the east and the other on North Hilltop Road to the west. All internal subdivision roads will be developed to City standards with curb, gutter, sidewalks, and boulevard trees. The property is described as Parcel 1 of COS 14679 excepting therefrom the property within the Plat known as Hilltop Meadows in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County

City Planner Mulcahy delivered Staff Report CPUD-21-01 and Staff Report CPP-21-01 as Findings of Fact. Mulcahy noted the property owners have had a traffic impact study (TIS) completed which observed the intersections at North Hilltop and Meadow Lake Blvd. Residents may enter and exit from two directions, Meadow Lake Blvd. or North Hilltop Road. The intersection at Meadow Lake Blvd. may have some turning delays, which may be addressed by MDOT. In CPUD-21-01, staff recommended 8 conditions and the Planning Department added condition number 9 “No overnight parking permitted adjacent to the Parks or Open Spaces”.

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The Planning Board requested a comprehensive playground plan be provided by the city prior to Final Plat. The parks would be privately maintained by the HOA noted Mulcahy.

Mayor Barnhart asked if Council had any questions for staff.

Councilor Shepard asked if any residents have commented since the Planning Board Meeting, Mulcahy said there have been no further comments received. Mayor Barnhart asked if the single family residential homes will exit off North Hilltop Road. Mulcahy replied that is correct as proposed in the plat. Mayor Barnhart asked if the city will inherit North Hilltop and Meadow Lake Blvd. Nicosia said we are a long way off of acquiring county roads and discussed the county procedure for turning over roads to a city. Mayor Barnhart inquired about snow removal responsibility. Mulcahy replied the City Streets Department will be responsible as the development will be annexed into the City.

Mayor Barnhart asked for the applicant presentation:

Bruce Lutz WGM, joined by Mike Brodie said City Planner Mulcahy covered the reports very well. Mr. Lutz said this project fits very well within the Columbia Falls Growth Policy and enhances the value of the Weyerhaeuser property. There are a lot of nice open spaces on the property. Mr. Lutz said the developer concurs with the conditions as written for the PUD and Preliminary Plat.

Mayor Barnhart opened the Public Hearing at 7:39 p.m. City Manager noted there was one written letter received after the council packet was posted, that is provided at each Councilmembers station. With no further Public Comments Mayor Barnhart closed the Public Hearings at 7:39 p.m.

Councilor Karper motioned to adopt Staff Report CPUD-21-01 as Findings of Fact, seconded by Councilor Shepard with Council voting as follows. Ayes: Piper, Robinson, Shepard, Fisher, Karper, Lovering and Barnhart.

Councilor Shepard made motion to adopt Staff Report CPP-21-01 as Findings of Fact, seconded by Councilor Lovering with Council voting as follows. Ayes: Robinson, Shepard, Fisher, Karper, Lovering, Piper and Barnhart.

Mayor Barnhart requested a short recess at 7:43 p.m., the meeting resumed at 7:47 p.m.

Mayor Barnhart read the notices for the upcoming hearings:

Notice of Public Hearings - 2021-22 FY Preliminary Budget - Beginning Monday, July 19, 2021:

NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on July 19, 2021 at 7:00 p.m. in the Council Chambers for the following purposes:

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2021 and ending June 30, 2022. This hearing will be continued until final adoption of the budget after receiving the certified taxable valuation.

Special Assessments

Consideration of the adoption of the Street Lighting District and Street Maintenance District assessments for FY 2021/2022. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2021/2022. Special Assessments are estimated as follows:

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Street Lighting District	\$ 30,049
Street Maintenance District	\$316,000

Individual property payment schedules are available for inspection ten (10) days from this notice, in the office of the City Clerk, 130 6th Street West, Columbia Falls, Montana, during regular hours Monday through Friday, 7:00 AM to 6:00 PM.

Permissive Medical Levy

Consideration of adoption on the proposed tax levy to fund health insurance premium contributions for group benefits beyond the amount of contributions in effect on. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Notice of Public Hearing - Urban Renewal District Expansion - July 19, 2021:

The Columbia Falls City Council will hold a public hearing at its regular meeting on Monday, July 19, 2021, beginning at 7:00 PM in the City Hall Council Chambers, 130 6th Street West, Columbia Falls, MT, to consider the First Reading and Provisional Adoption of the Ordinance establishing the Columbia Falls Urban Renewal District (URD) – 2021 Expansion and adoption of the 2021 Columbia Falls URD Plan. Columbia Falls intends to use tax increment financing in support of making infrastructure improvements as revenues permit and may issue tax increment financing bonds.

And, at the Columbia Falls City Council regular meeting on Monday, August 2, 2021, beginning at 7:00 PM in the City Hall Council Chambers, 130 6th Street West, Columbia Falls, MT, the Council will consider the Second Reading and Final Adoption of the Ordinance establishing the Columbia Falls Urban Renewal District (URD) – 2021 Expansion and adoption of the 2021 Columbia Falls URD Plan.

The Columbia Falls URD – 2021 Expansion encompasses approximately 23.87 acres locally known as the Cedar Palace Property and consists of seven parcels addressed as 500 12th Avenue West in Columbia Falls. These seven parcels are described as Assessor's Tracts 8, 8B, 8F, 8G, 8HA, 8H and 8E, in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Notice of Public Hearings – Zone Change and Conditional Use Permit – Planning Board, July 13th, and City Council, August 2nd:

The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, July 13, 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 a subsequent hearing on Monday, August 2, 2021 starting at 7:00 p.m. in the same location.

Request to change the zoning from CR-5 (Two Family Residential) to CRA-1 (Multi-Family Residential) in the Columbia Falls Zoning Jurisdiction:

The applicant, Toby Gilchrist, is requesting a zone change for 302 Meadow Lake Boulevard from the current CR-5 two-family designation to a CRA-1 multi-family residential designation. The applicant amended the application that was reviewed by the Planning Board in February. The vacant property is approximately 2.5 acres in size and is located approximately ¼ mile north of Highway 2 on Meadow Lake Blvd. The property is described as Assessors' Tract's 2BDEA and 2BDAEA of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

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Request for a Conditional Use Permit to construct 36 units of Apartments in the Columbia Falls Zoning Jurisdiction:

The applicant, Toby Gilchrist, is requesting a Conditional Use Permit to construct 36 units of apartments in two buildings, eighteen units in each building. The applicant amended the application that went before the Planning Board in February. The proposed two-story apartments will access Meadow Lake Blvd at the intersection with Best Way. The vacant property is approximately 2.5 acres in size and is located approximately ¼ mile north of Highway 2 at 302 Meadow Lake Blvd. The property is described as Assessors' Tract's 2BDEA and 2BDAEA of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

ORDINANCES / RESOLUTIONS:

First Reading - Ordinance # 807 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CSAG-5 Suburban Agricultural to CR-1 Suburban Residential for the Property Located at 221 Rogers Road, Further Described as Parcel B of COS 16149 (Assessors; Tracts 9A, 1AA, 1ABAA and 8A) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana

Councilor Lovering motioned to approve the First Reading of Ordinance # 807, seconded by Councilor Robinson and the motion carried with all members voting in favor.

First Reading - Ordinance # 808 - 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 North of Lemburg Lane between North Hilltop Road and Meadow Lake Boulevard, Further Described as Parcel 1 of COS 14679 Excepting Therefrom Property within the Plat Known as Hilltop Meadows in Section 7, Township 30 North, Range 20 West, P.M.M. Flathead County

Councilor Piper motioned to approve the First Reading of Ordinance # 808, seconded by Councilor Shepard and the motion carried with all members voting in favor.

Resolution # 1851 - A Resolution of the City Council of Columbia Falls, Montana Conditionally Approving the Preliminary Plat for the Garnier Heights Subdivision Described as Parcel 1 of COS 14679 Excepting Therefrom the Property within the Plat Known as Hilltop Meadows in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County

Councilor Shepard made motion to approve Resolution # 1851, seconded by Councilor Karper with Council voting as follows. Ayes: Shepard, Fisher, Karper, Lovering, Piper, Robinson and Barnhart.

Resolution # 1852 - A Resolution of the City Council of the City of Columbia Falls, Montana, Setting the Salary and Compensation of Certain City Officials and Employees Pursuant to Title 7, Chapter 4, Part 42, M.C.A., for the 21-22 Fiscal Year

Mayor Barnhart said Shepard had noted the Mayor and Council stipends have not increased since the 1990's. Council discussed changing them but a new rate was not decided. Nicosia said the stipends will remain at the current rates until formal approval to change them. Council asked city staff to review and bring back information on council stipends.

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Councilor Fisher motioned to approve Resolution # 1852, seconded by Councilor Robinson with Council voting as follows. Ayes: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

Resolution # 1853 - A Resolution of the City Council of the City of Columbia Falls Requesting a US DOT 2021 RAISE Grant to Improve Public Safety and Construct Necessary New or Improved Infrastructure for Vehicles, Pedestrians and Bicycles to Connect the Community

City Manager Nicosia reported this Raise Grant would complete the sidewalk along Railroad St., completely rebuild 4th Ave. W to 13th St. and add sidewalk along a portion of 7th Ave. W. to the business district. The total Grant request is \$11.7 million with the City contributing \$200,000. Nicosia discussed the recommendation from the engineering firm to increase the City's contribution in order for the grant request to be competitive. Nicosia said there is a small portion of the project that would be in the TIF district or the City has set aside street construction funds. Mayor Barnhart suggested increasing the city portion with an additional \$300,000, with Council approval.

Councilor Lovering made motion to approve Resolution # 1853 and increase the City contribution to \$500,000, seconded by Councilor Shepard with Council voting as follows. Ayes: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Karper thanked the Columbia Falls City-County Planning Board for all they do; he said they do all the heavy lifting before the project gets to council. Mayor Barnhart agreed with Karper.

Councilor Shepard said he noticed speeding in his neighborhood. Shepard is concerned with the speeding on Martha Road and is happy to hear we are working on addressing the issue.

Councilor Lovering said she would like an update on the letters to the people that own river front property.

Nicosia said the City has requested the list of registered owners from the county but there was a glitch obtaining the list but Public Works Clerk Alex is working on obtaining the correct list.

Councilor Fisher briefed council on the most recent Parks Board Meeting. Fisher noted that a group of local pickleball enthusiasts came to address the Committee on their request of pickleball courts in the City. Fisher said the pickleball group has some funds to help with costs. Fisher said the Parks Committee would like to find a place to put in two courts for the benefit of the community. Fisher said the Committee also discussed pavilions and playground equipment. Nicosia said the Committee also looked at single unisex bathrooms at Columbus and Horine parks, and removing the porta-potty at the Welcome Park.

Mayor Barnhart said as we get closer to Heritage Days the sidewalks have weeds, and in the past the City has sent our parks department to address the weeds on Nucleus Ave.

Mayor reported Swan Mountain Outfitters improvements are near completion; they have cut the weeds and installed landscaping.

Councilor Lovering asked at what point the City sends out weed letters. Nicosia said 8 inches in height and friable, noting that the Police Department has already began the process of sending notices.

CITY MANAGER REPORT

City Manager Nicosia thanked all of the Councilmembers that served on the Salary, Parks, Public Works and Public Safety Committees that met last week over the three evenings. Nicosia summarized the committee meetings for the benefit of the Council members that are not on the respective committee:

Salary Committee – June 29th – reviewed the City's goals and policies (attract good candidates, retain employees and motivate employees) along with the City policy to set officials at 15-20% above subordinates. In

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2019, the City completed contract negotiations and made significant increases to be competitive in the city-wide positions. Committee agreed to continue with policies. For those officials that the 15-20% cannot be applied, they received the COLA and Step provided for in the 21-22 pay schedules.

Parks Committee – June 29th - as noted by Fisher, met with pickleball enthusiasts, reviewed outstanding projects and proposed projects, and set priorities. PWD and I will bring back estimated costs for the items discussed.

Public Safety Committee – June 30th – reviewed fire transition with the goal of being ready to hire in 22-23 FY, reviewed capital plan and set priorities and reviewed dept. goals for 21-22. Reviewed Police Dept. goals and priorities, reviewed plan to add position, using current vacant position, to realign department with Lieutenant position. Job description will be coming forward after completion. Reviewed capital plans and discussed minor remodel in police dept.

Public Works Committee – July 1st – reviewed sewer, water, streets and URD/TIF. Gave tentative approval to add 1 FTE to Sewer to ensure jet rodding can be completed, amounts to ¾ fte due to “floater” position; floater position would be realigned to 1/3 each water, parks and streets. Reviewed capital plans, including ARPA grants.

Nicosia also reported that she and Public Works Director Hanley held the pre-proposal meeting and were pleased with six Engineering firms expressing interest in submitting a proposal for the EPA Grant. Nicosia noted that proposals are due on July 19th at 2 pm. She will ask for a Public Works Committee volunteer to review the proposals.

Nicosia noted that she has submitted the contract to BNSF to proceed with investigating the Quiet Zone. The next step, after BNSF signs, is to schedule a site visit with BNSF, NRWA, MDOT, Railpros (BNSF engineering consultant), City officials, county officials and KLJ Engineering.

Nicosia noted that city officials are still wading through the 2021 legislative session changes to see what text amendments may be necessary to the City’s Title 17 Subdivision Regulations and Title 18 Zoning Regulations. Nicosia noted that the most significant changes could be due to HB 701 Recreational Marijuana provisions.

ADJOURN

Meeting duly adjourned at 8:22 p.m.

Mayor

City Clerk