

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD JUNE 20, 2022**

REGULAR MEETING – 7:00 P.M.

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

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Robinson motioned to approve the agenda, second 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 Piper with Council voting as follows. Ayes: Karper, Piper, Robinson, Shepard and Barnhart.

Approval of Claims - June 20, 2022 - \$200,876.93

Approval of Payroll Claims - June 10, 2022 - \$87,862.93

Approval of June 6, 2022 Regular City Council Meeting Minutes

Approval of Collective Bargaining Agreement - City & FOP - July 1, 2022 - June 30, 2025 and Authorize City Manager to Execute

EMPLOYEE RECOGNITION:

Employee Recognition - Dale Sandson, Wastewater Treatment Operator - 5 years

Mayor Barnhart thanked Dale Sandson for his 5 years of service to the city and presented him with a 5 year service pin.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the Notice of Public Hearings:

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, July 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 August 1, 2022 starting at 7:00 p.m. in the same location.

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction: Mick Ruis is requesting a zoning map amendment on behalf of HC 246 LLC in the Columbia Falls Zoning Jurisdiction. The property is located at 230 Highway 2 East in Columbia Falls and is described as Assessor's Tracts 2E, 2EC, 4EA, 4EAA and 4E Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction: James Barnett on behalf of Flathead Mountain River LLC is requesting a zoning map amendment in the Columbia Falls Zoning

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Jurisdiction. The property is located at 264, 316, 378, 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential).

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction: James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction; the development is called River Highlands Apartments. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. Two deviations are requested with the PUD; the applicant is requesting two zoning deviations, one would allow an increase in height of ten feet allowing a portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit.

Request for a subdivision in the Columbia Falls Zoning Jurisdiction: James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The subdivision will create 21 lots (17 residential and 4 open space lots) the subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be privately maintained but open to the public. The proposed subdivision is part of the zone change and PUD application for River Highlands Apartments

ORDINANCES / RESOLUTIONS:

Second and Final Reading - Ordinance #817:

An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CR-5 Two-Family Residential to CR-3 One Family Residential at 1115 Nucleus Avenue Further Described as Lot 3, Block 10 of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M. Flathead County, Montana.

Councilor Karper motioned to approve the Second and Final reading of Ordinance #817, seconded by Councilor Shepard with Council voting as follows. Ayes: Piper, Robinson, Shepard, Karper and Barnhart.

Second and Final Reading - Ordinance #818 - Adopting Chapter 9.17 Noise:

An Ordinance of the City Council of the City of Columbia Falls, Montana Adding Chapter 9.17 Noise Councilor Shepard asked if we have received any comments on the ordinance. Nicosia said the owner of the Bowling Alley had a question on timing and how it applies. The Police Department will have a special training on implementing the ordinance.

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Councilor Shepard made motion to approve the Second and Final reading of Ordinance #818, seconded by Councilor Robinson with Council voting as follows. Ayes: Robinson, Shepard, Karper, Piper and Barnhart.

Resolution #1876:

A Resolution of the City Council of the City of Columbia Falls, Montana Adopting a Noise Variance Permit Application and Fee

City Manager Nicosia said the Police Department will be reviewing and approving the Noise Variance Permit Applications. The Resolution establishes \$25 processing fee for each permit. The permit form asks that the permit be complete and submitted 20 days before the event.

Councilor Piper motioned to approve Resolution #1876, seconded by Councilor Karper with Council voting as follows. Ayes: Shepard, Karper, Piper, Robinson and Barnhart

Resolution #1877:

A Resolution of the City Council of the City of Columbia Falls, Montana Declaring a State of Emergency and Declaring a Disaster in Response to Anticipated and Current Flooding In and Around Columbia Falls

City Manager Nicosia said the Office of Emergency Services advised cities to adopt a resolution declaring a State of Emergency and Declaring a Disaster in Response to flooding. With the Federal, State, County, and City declarations, the City has all bases covered. Nicosia noted that the Federal Declaration triggers FEMA funds. Nicosia said she included roads, paths, parks, and water and sewer utility systems in the Resolution for Columbia Falls.

Councilor Piper motioned to approve Resolution #1877, seconded by Councilor Robinson with Council voting as follows. Ayes: Karper, Piper, Robinson, Shepard and Barnhart.

Resolution #1878:

A Resolution of the City Council of the City of Columbia Falls, Montana, Designating Heritage Days 2022 as an Official Community Activity of the City of Columbia Falls and Designating Persons Responsible for Planning the Events of Heritage Days 2022.

Councilor Karper made motion to approve Resolution #1878, seconded by Councilor Piper with Council voting as follows. Ayes: Piper, Robinson, Shepard, Karper and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Piper, Councilor Robinson and Shepard are not happy with the road condition of Nucleus Ave.

Councilor Shepard said he has noticed there is a lot of tall grass around town, and asked if we are addressing it. City Manager Nicosia said per City Code the grass and weeds have to be friable but the City has letters ready to mail for those that are out of compliance.

Mayor Barnhart asked if the city is moving toward possibly changing our zoning ordinance to allow for additional affordable housing. Mayor Barnhart said he is curious if there is anything in Planning and Zoning to allow for more density. Nicosia said the City did add the accessory dwelling apartments, but we have to take into consideration parking. Barnhart noted that with the cost of building construction it's difficult to make new housing affordable. Nicosia noted that the subdivision regulations are in compliance with state requirements. Mayor Barnhart stated that it is difficult to build affordable housing without additional help from the City, County or State.

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Mayor Barnhart said the road condition on Nucleus Avenue has not improved and businesses are suffering when they shouldn't have to. Mayor stressed we need to take action in getting it repaired as soon as possible. Nicosia said she will reach out to Justin Juelfs with MDOT.

Mayor Barnhart asked if the City is responsible for the tall grass in right of ways. Nicosia said the adjacent home owner is supposed to cut it, however, in the past we have sent the park and street crews out to cut right of ways that have not been cut by the adjacent owner.

Mayor Barnhart asked if we are still working with getting uptown parking. Nicosia said City staff is finishing up with the engineer for the sidewalks, curbs, gutters, and angled parking.

CITY MANAGER REPORT

Nicosia reported that CDBG sent a letter of rejection on the grant application the City submitted for the Boys and Girls Club. They are requesting a preliminary architect report and assurances that the building will actually be constructed. The program is increasing the size of grants to \$750,000 that would cover \$250,000 for water and sewer expenses and leave \$500,000 towards the building. Nicosia will review with Boys and Girls Club and circle back with MDOC.

Nicosia reminded Council of the July 19th Municipal Summit meeting in Kalispell, one of the agenda items is Local Government review. If you would like to attend please notify the City Clerk and she will get you registered.

Nicosia attended the MMIA Board meetings last week and the programs are in good financial condition. One of the new issues facing MMIA is Cybersecurity insurance. Last year the premium for the group was \$18K and this year it is \$90K and each covered City had to complete an extensive internal review.

The EPA will have an open house at the High School, Tuesday, June 28, 2022 from 6:00 p.m. to 8:00 p.m., Wednesday, June 29, 2022 from 12:00 p.m. to 2:00 p.m., and 6:00 p.m. - 8:00 p.m.

Flood Update: Garnier and Trumble creeks are causing flooding in nearby areas, but recently the flood gauge has dropped here in Columbia Falls. The Fire Department delivered the pre evacuation notices, as determined by OES, to residences that could be affected.

ADJOURN:

Councilor Piper motioned to adjourn at 7:57 p.m. seconded by Councilor Karper.

Mayor

City Clerk