

CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD JULY 19, 2021

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

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

Also present: City Manager Nicosia, City Attorney Breck, City Clerk Staaland and Police Chief Peters.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Councilor Robinson 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 appear to be in order, seconded by Councilor Fisher with Council voting as follows. Ayes: Lovering, Robinson, Shepard, Fisher, Karper and Barnhart.

Approval of Claims - July 19, 2021 - \$155,063.28 (June and July claims)

Approval of Payroll Claims - July 9, 2021 - \$90,935.22

Approval of July 6, 2021 Regular City Council Meeting Minutes

Approval of Task Order # 6 - HDR Engineering, Inc - Biosolids Dewatering and Management Plan and authorize City Manager to execute.

VISITORS/PUBLIC COMMENT (Items not on agenda)

Ken Jarboe resides at 9 Martha Road. Mr. Jarboe said he was at the July 6th Council meeting and spoke about vehicle speeding on Martha Road. Mr. Jarboe said nothing has changed, people are still speeding. He said City Manager Nicosia was in the neighborhood and said the city was considering striping the road. Mr. Jarboe does not think this method will slow people down; he would still like to see speed bumps installed. He said it will be letdown to get stripes on the road instead speed bumps; he was hoping to get an update on the progress.

Mayor Barnhart said City Manager Nicosia has noted in her report to the Council, that will be discussed later on the agenda, reported that Detective Denham provided a detailed report and the City is certainly looking at getting this taken care of as soon as possible. Mr. Jarboe said he believes a speed bump is the only thing that will slow people down and he is willing to spend money out of his own pocket to put it in.

Lydia resides at 10 Martha Road, Apt. 1; said 25 MPH is too fast for our neighborhood. She said Martha Road has turned into a race track all day and night. She understands it takes time but she wants to make sure this is a serious concern. Most of the speeders are younger drivers and she too believes speed bumps are the way to solve the issue.

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

Public Hearing - 2021 -22 FY Preliminary Budget - Beginning Monday July 19th and Continued Until Final Adoption

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON 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 Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, 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 FY2021/2022. 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:

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 June 30, 1999. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. 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.

City Manager Nicosia reported that during this hearing she will specifically address the Permissive Medical Levy and Special Assessments as required by State law. Nicosia said based on this year's statutory calculation of the Permissive Medical Levy, as shown on the slide, there will be a reduction in the levy; based on current valuation, the levy would be 26.25 mills down from 29.592. The City is anticipating an expenditure of \$260,000 compared to the \$295,000 last year. The city maximum tax generated will be \$201,000 compared to \$234,380 last year which will be a small savings. The final calculation depends on the certified valuation as well as resources available, both of which Nicosia is waiting to receive.

Nicosia recommended setting the special assessments, lighting and street maintenance, at last year's levels. The street lighting pays the electric bills for all of the street lights throughout the City including those owned by FEC and MDOT. The reserved balance will help the City install energy efficient bulbs as well as make repairs to the City-owned lights. Street Maintenance – recommending leaving assessment at current level - \$316,000, increased 5% in 2020, first increase in 10 years. Strict statutory provisions – **maintenance**. Subject to carryover of resources – last year about \$100k, anticipating similar amount this year once June tax collections posted and accounts payable are recorded. Nicosia noted that Street Maintenance is supplemented with Gas Tax (also focused on maintenance, minor amount for small cities can be used for capital – 25%) – not eligible for 2nd class cities. Also supplemented with BAARSA – Special Gas Tax – using 2020 and 2021 for 6th Ave West rebuild and \$40k for chip sealing. Fund notes: OT is not significant – budgeted at approximately \$5k each year – total appropriations avg \$446k. Nicosia noted that the Public Works “floater” position will have more hours in Street Maintenance with the addition of the Sewer Operator.

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 19, 2021

Nicosia also presented the debt service portion of the budget for the governmental funds:

General obligation debt includes internal borrowing (fire truck and street construction voted levy) and intercap fire truck loan. Total General Debt outstanding @6/30/2021 - \$167,000 (Street - \$122k and Fire Truck - \$45k). August 2021 is the final intercap loan payment for the street debt. The 2020 Fund budget will remain at last year's level to continue repaying the internal loan to the Cedar Creek Trust. The street debt was \$1.1 m originally.

SID Debt – 34 and 36 – 2005 – 2025, 38 – Riverwood – 5th year of 20 year – no collection or delinquent issues have occurred on any of the SID's. Nicosia reported that the City's general obligation debt capacity without a vote is 10% of the General Fund preceding 2 years or approximately \$340,405, payments of \$17k over 20 years. The Debt Service payments can't exceed 2 % of General Fund revenue, \$62k.

Nicosia noted that as more numbers and tax valuation is received, additional preliminary budget information will be presented.

Mayor Barnhart opened the Public Hearing at 7:27 p.m., noting that the hearing will be continued until adoption. No one spoke to the Council regarding the preliminary budget.

Public Hearing - Urban Renewal District Expansion:

Mayor Barnhart read the hearing notice: 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.

All interested parties are encouraged to attend. Written comments on establishing the Columbia Falls Urban Renewal District (URD) – 2021 Expansion and adoption of the 2021 Columbia Falls URD Plan may be submitted to Susan Nicosia, City Manager, City of Columbia Falls, 130 6th Street West, Columbia Falls, MT 59912 or nicosias@cityofcolumbiafalls.com. For further information call the City at 406-892-4391.

City Manager Nicosia presented the expansion of the URD to Council. The expansion is at the request of Cedar Palace LLC, which acquired 23.87 acres and the "Cedar Palace" from Weyerhaeuser. Nicosia reported that she received one phone call with questions and the resident was pleased with the expansion. The property is adjacent to the current URD boundary and the City would be adding the 23.78 acres for the remaining life of the URD/Tax Increment Financing District. Cedar Palace LLC is hopeful to develop a business park with help on public infrastructure with any available Tax Increment Financing Funds. Nicosia also reported that the Planning

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 19, 2021

Board reviewed the proposal for conformance with Zoning and Growth Policy and recommended approval to Council, as attached to the packet.

With no Public Comment Mayor Barnhart opened and closed the Public Hearing at 7:31 p.m.

Mayor Barnhart read the following Notice of Public Hearing - Zone Change and Conditional Use Permit (Multi-family) - Monday, August 2, 2021:

The Columbia Falls City-County Planning Board held 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.

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:

Second and Final 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

Councilor Fisher motioned to approve the Second and Final reading of Ordinance # 807, seconded by Councilor Shepard with Council voting as follows. Ayes: Robinson, Shepard, Fisher, Karper, Lovering and Barnhart.

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 19, 2021

Second and Final 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 Shepard motion to approve the Final Reading of Ordinance # 808, seconded by Councilor Robinson with Council voting as follows. Ayes: Shepard, Fisher, Karper, Lovering, Robinson and Barnhart.

First Reading - Ordinance # 809 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Establishing the Columbia Falls Urban Renewal Area, 2021 Expansion, Creating the Columbia Falls Urban Renewal District, 2021 Expansion and Adopting the 2021 Columbia Falls Urban Renewal District Plan with a Tax Increment Financing Provision Pursuant to Title 7, Chapter 15, Parts 42 and 43 of the Montana Codes Annotated

Councilor Karper motioned to approve the First Reading of Ordinance # 809, seconded by Councilor Lovering and the motion carried.

Resolution # 1854 - A Resolution of the City Council of the City of Columbia Falls, Montana, Amending Fund 2394 Building Code Enforcement Fund Budget Revenues and Appropriations for the Fiscal Year Ending June 30, 2021

City Manager Nicosia said this Resolution amends the Fund 2394 Building Inspection 20-21 FY budget as provided by Montana Code Annotated due to the additional revenue received \$66,811, increasing the appropriate revenue line items and increasing the expenditure for contracted services as the City pays under contract with Whitefish 65% of the permit fees.

Councilor Lovering motion to approve Resolution # 1854, seconded by Councilor Karper with Council voting as follows. Ayes: Fisher, Karper, Lovering, Robinson, Shepard and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard inquired about the election, Nicosia said at this time, the election will be by acclamation pursuant to State Law.

Councilor Lovering inquired about the letters to the river front property owners. Nicosia said we have not yet received the owner list from Flathead County.

Councilor Fisher said he spent time in the Martha Road area but will wait for the City Manager Report.

Mayor Barnhart inquired about quotes on air conditioning for the Council Chambers, City Manager office and Public Works. Nicosia said city staff is obtaining quotes for the A/C to be included in the 21-22 FY capital plan.

CITY MANAGER REPORT

Nicosia reported that in addition to the directed traffic enforcement by the Police Department, she began reviewing the road pursuant to national traffic engineering standards. City staff measured the pavement on Martha Road and it is one of the widest paved surfaces in the City at 36' with a 2' curb and gutter on each side. The road right of way is platted at 60 feet with room for boulevard and sidewalks back of curb. City staff is reviewing traffic calming with a yellow center line and white parking lines, creating an 11' driving lane. Nicosia reviewed the national traffic engineering standards with Council noting that there are pros and cons on speed bumps. Cities and Counties typically do not put speed bumps in residential areas. There is room for

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 19, 2021

sidewalks and boulevard and Nicosia will reach out to the owners to discuss an SID for sidewalks. Nicosia said after reviewing Detective Denham's comprehensive report along with the NTSS, the City staff would like to try the appropriate traffic calming measures to offset the visual sea of asphalt. Nicosia said the paint is ordered and will be applied as soon as it gets in. Nicosia said the City is working with the traffic engineers to get ideas of what would be best. Mayor Barnhart asked if the City can lower the speed limit. Chief Peters said the City would have to complete a traffic study to determine if a speed reduction is warranted (state law). After Council discussion, Shepard made a motion to make the traffic calming measures a top priority and if not successful may have to employ temporary speed bumps, motion seconded by Fisher. Mayor Barnhart would like to amend the motion to add lowering the speed limit. Council approved the motion as amended by Barnhart.

Nicosia reported that the City is receiving a DNRC RPG grant for \$15,000 to help with the \$25,356 agreement for the Biosolids plan engineering on the consent agenda.

The County and subsequently the City are in Stage I Fire Restrictions and looking to move to Stage II very soon. Nicosia noted that in City code, Chapter 8, the Fire Chief has jurisdiction and can declare restrictions within the City as appropriate.

Project update: The tennis courts are on schedule and will be paved by the next meeting. On 6th Ave W. the curbs were not poured correctly and had to be removed. Sandon Construction is stepping in to finish the job for the general contractor. The project is within the contract date of August 31st.

Nicosia reported on Mayor and Council pay from other cities as requested by Council. Councilman Karper said it looks like the Columbia Falls pay is appropriate.

Nicosia reported that Heritage Days starts on Wednesday and the City will be very busy. Nicosia noted that the following weekend Columbia Falls will be hosting the State Swim Meet and the Chamber will have their 3 on 3 Basketball Tournament.

The Municipal Summit is in Kalispell on September 1, 2021. If you are interested in attending please contact the City Clerk for registration.

Nicosia reported that the ARPA grant applications for water and sewer were submitted before the deadline on the 15th. The legislative committee will be meeting shortly thereafter.

MISCELLANEOUS

Police Department Activity Report - June 2021

Finance Report - Preliminary June 2021

Correspondence

Councilor Lovering made motion to adjourn, seconded by Councilor Karper and the meeting adjourned at 8:40 p.m.

Mayor

City Clerk

July 19, 2021