

**CITY OF COLUMBIA FALLS  
CITY COUNCIL REGULAR MEETING  
JANUARY 02, 2024**

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

**ROLL CALL:** Councilor King, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard (via Zoom) and Mayor Barnhart.

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

**PLEDGE OF ALLEGIANCE**

**OATHS OF OFFICE:**

City Clerk Staaland administered oath of office to the following:

Councilpersons: King, Piper, Price - 4-year terms through December 31, 2027

City Attorney Justin Breck and Deputy City Attorney - 2 year terms through December 31, 2025

**APPROVAL OF AGENDA:**

Councilor Robinson motioned to approve the agenda, seconded by Councilor Piper and the motion carried.

**CONSENT AGENDA:**

Councilor King made motion to approve the consent agenda noting all claims appeared to be in order, seconded by Councilor Lovering and the motion carried unanimously.

Approval of Claims - January 2, 2024 - \$123,175.49

Approval of Payroll Claims - December 22, 2023 - \$160,882.19

Approval of Regular Meeting Minutes - December 18, 2023

**VISITORS/PUBLIC COMMENT (Items not on agenda)**

Shirley Folkwein, 285 Shooting Star Dr., inquired about the upcoming workshop on short term rentals and asked what the purpose was and when the agenda would be available. City Manager Nicosia said the workshop is scheduled for January 22, 2024 and council will be reviewing the City Municipal Code on short term vacation rentals. The purpose is to address public comments received on vacation rentals as well as review current code and case law, said Nicosia.

**NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:**

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

**Public Hearing: Zoning Request within Columbia Falls Jurisdiction:**

**Request change the zoning from CR-3 (One-Family Residential) to CB-2 (General Business) in the Columbia Falls Zoning Jurisdiction:**

The owner/applicant, Boys and Girls Club of Glacier Country, Inc., is requesting a zone change at 165 Veterans Drive in the Columbia Falls area from the current CR-3 (One-Family Residential) to a CB-2 (General Business) designation. The property has a Commercial designation in the Columbia Falls Growth Policy and will be the future home of the Boys and Girls Club in Columbia Falls. The property is described as Lot 2, of Saint Richards Subdivision in Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

**CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING - JANUARY 02, 2024**

City Manager Nicosia presented staff report CZC-23-03, noting that the request went before the Planning and Zoning Board on December 12, 2023, whereby the Board unanimously approved the request. Nicosia reported that the Draft Planning Board minutes were attached to the Council packet and there were several people speaking on the request with most in favor.

City Manager Nicosia said the request is to amend the zoning on the property from CR-3 (One Family Residential) to CB-2 (General Business). The site is currently undeveloped but was subdivided by the Church with the intent of selling to the Boys and Girls Club. The proposed zoning would allow the club as a permitted use while the CR-3 requires a conditional use permit.

Nicosia reviewed the Evaluation Based on Statutory Criteria noting that the property is designated "Commercial" by the Columbia Falls Growth Policy. The property is located adjacent to lands already zoned CB-2, CI-1, CRA-1 and CR-3. The proposed intensities are supported by the urban services and utilities of the City of Columbia Falls.

Staff finds that the subject sufficiently meets the adopted review criteria and supports the property rezoning from CR-3 to CB-2. Staff recommends that the City Council adopt Staff Report CZC-23-03 as Findings of Fact.

Councilor Lovering said her only concern was where the traffic exit will be. Nicosia replied when the city receives the civil plan and building plan we will review it for traffic flow. They have a professional team putting the plans together that meet city and state public work standards.

Mayor Barnhart opened the public hearing at 7:20 p.m.

Keith Valentine, Board of Directors for the Boys and Girls Club said it is important to explain that the plans have changed and may still change. The exit will be off Veterans Drive and the traffic turn around would be to the south of the lot where they have 74 parking spaces. Mr. Valentine said the zone change will allow them to move forward with the capital campaign.

Justin Lee, 1615 Riparian Dr., is also on the Board of Directors for the Boys and Girls Club and has been with the organization for approximately four and a half years. This project has taken a while to get to this point. We really want to provide a place in the community for after school programs for the Boys and Girls Club. Mr. Lee said they have already spent several thousands of dollars on licenses, permits, design and research. He does not believe the club will be a disturbance within the neighborhood as the club shuts down at 6:00 p.m. The facility will also be available to the community said Lee.

With no further comments Mayor Barnhart closed the public hearing at 7:25 p.m. Mayor Barnhart noted that there were no written public comments received regarding this matter.

Councilor Lovering motioned to adopt Staff Report CZC-23-03 as Findings of Fact, second by Councilor Piper with voting as follows. Ayes: King, Lovering, Piper, Price, Robinson, Shepard and Barnhart.

Councilor Robinson motioned to approve the zone change from the current CR-3 (One-Family Residential) to a CB-2 (General Business), seconded by Councilor King with Council voting as follows. Ayes: Lovering, Piper, Price, Robinson, Shepard, King and Barnhart.

## CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING - JANUARY 02, 2024

Mayor Barnhart asked if the City could have a closer look at the on-site lighting that is a concern of a nearby resident. Mayor Barnhart also suggested looking at traffic coming out at 12<sup>th</sup> Ave. to access the streetlight to make the left-hand turn.

Councilor Robinson asked what is the capacity of the new facility. The answer was uncertain, said Mr. Valentine.

Councilor Price said it was her understanding that the facility would be opened for community events.

Valentine said yes that is correct. He said he is hesitant to put anything out there due to costs and will have discussion at a later date said Mr. Valentine.

### **NEW BUSINESS:**

Declare Equipment Surplus and Authorize Intent to Dispose of Surplus Equipment

City Manager Nicosia said city staff is bringing forward the list of equipment to have the City Council, as required by state law, to declare the property as surplus and no longer useable by the City:

2017 Ford Police Interceptor, 1983 International Spreader Truck and the 1995 Ford LTL 9000 w/3000-gallon tank. Nicosia noted that the notice also permits the City to sell or dispose of the surplus assets in the most efficient, cost-effective manner. The City will publish the required notice, allowing for the 15-day comment period, and will then advertise the items for sale.

Councilor Piper motioned to approve the items listed as surplus and authorize the intent to dispose, second by Councilor King and the motion carried.

### **ORDINANCES / RESOLUTIONS:**

#### **First Reading - Ordinance # 828:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP FROM CR-3 ONE FAMILY RESIDENTIAL TO CB-2 GENERAL BUSINESS AT 165 VETERANS DRIVE, FURTHER DESCRIBED AS LOT 2 OF THE ST. RICHARDS SUBDIVISION IN SECTION 18, T30N, R20W, P.M.M., FLATHEAD COUNTY

Councilor Piper motioned to approve the first reading of Ordinance # 828, seconded by Councilor Lovering and the motion carried unanimously.

### **REPORTS / BUSINESS FROM MAYOR & COUNCIL**

Councilor Robinson wished City Manager Nicosia a happy birthday today.

Mayor Barnhart asked if we could get the bear management representative to come in to give a report on how we did this year.

Mayor Barnhart said it was sad to see the Klothes Kloset close their doors as they have been a huge asset to the community. It's nice to see a new daycare in the building and wishes them well in the future.

Councilor Shepard said he spent several days in Bozeman and the word of the day is densification. Shepard believes the lawsuits against the new legislation will be coming out of Bozeman.

Council Committee Assignments: Council discussed the committees and selected which committee they wished to serve on for the coming year.

**CITY MANAGER REPORT**

City Manager Nicosia said Councilor Lovering is on the Advisory Committee at School District 6 and they had expressed concerns with traffic at 6<sup>th</sup> and 5<sup>th</sup>. The east end of the bike path is not a separated bike path said Nicosia and the school district personnel were concerned with how close the vehicles were to the children on the path. The city put delineators around the corner to provide added safety. There was also concern about the movement of the traffic with the buses. The City worked with Morrison-Maierle, and they set up their traffic cameras for a couple days and will put together a report on a short-term solution to improve traffic flow and safety; it will be very expensive to rebuild.

The RAISE Grant is on the Transportation Secretary's desk for the last signature. Nicosia noted that the City will begin the RFQ process as soon as we get the green light from the FHWA.

Nicosia noted that Councilman Shepard sent a notice regarding a request for a temporary injunction against SB 323 and SB 528. SB 323 was the bill that automatically allowed for a duplex on a single-family lot. SB 528 was the permitted accessory dwelling units. The judge had not yet ruled on the request.

Nicosia and Public Works Director Hanley will be bringing the public works capital outlay planning to the Council beginning in February. It will include parks, streets, facilities, water and sewer.

City Manager Nicosia said she has been serving local government in one way or another for 40 years. This is her 25<sup>th</sup> year with the City and the last 13 years has been as the City Manager. Nicosia said she is passionate about the city and is blessed to have been able to serve this community. Nicosia said she is looking at retiring at the end of her contract, which is June 30, 2024. This is an exceptional council, and she will miss working with them. Nicosia is looking forward to spending time with family. There is never a perfect time for retirement, but this will be a good time to retire said Nicosia.

Mayor Barnhart asked at what point we should start looking for a new City Manager. The council said it should be as soon as possible. The council requested to see a job description as well as what the City Manager does on a regular basis.

Mayor Barnhart said there is a Public Safety Committee meeting on January 8, 2024, at the Fire Hall; we could have a meeting as a whole in the Council Chambers at 7:00 p.m. to discuss how to move forward with the City Manager position. Councilor Robinson asked if Nicosia would be willing to contract with the city to work on the City Budget, AFR, grants, etc. during the transition. Nicosia replied affirmatively.

Mayor Barnhart said Nicosia will be greatly missed.

Councilor Shepard sent an email regarding the City Planning Commission with questions for folks to ask during the interview process. The council discussed the questions and will send comments/questions to City Manager Nicosia to add to the information seeking candidates.

**MISCELLANEOUS**

Correspondence

**CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING - JANUARY 02, 2024**

**ADJOURN**

Councilor Lovering made motion to adjourn, seconded by King and the meeting was adjourned at 8:10 p.m.

---

Mayor

Attest:

---

City Clerk