

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD AUGUST 01, 2022**

Councilor Lovering 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 via zoom meeting.
Also present: City Manager Nicosia, City Clerk Staaland, City Attorney Breck, City Planner Mulcahy and Lieutenant Denham.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Karper motioned to approve the agenda seconded by Councilor Shepard and the motion carried.

CONSENT AGENDA: Councilor Fisher made motion to approve the Consent Agenda noting all claims appeared to be in order, seconded by Councilor Shepard with council voting as follows. Ayes: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

Approval of June and July Claims - \$202,862.80

Approval of July 22, 2022 Payroll Claims - \$150,304.66

Approval of July 18, 2022 Regular City Council Meeting Minutes

Approval of ARPA Grant Agreement AC-22-0013 (WWTP) and authorize City Manager to execute all documents

Councilor Lovering read the following NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Public Hearing:

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. The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

City Planner Mulcahy delivered staff report CZC-22-02 as Findings of Fact. Mulcahy reported this request went before the Planning Board on July 12, 2022 with a unanimous vote of approval to forward on to council.

Councilor Lovering opened the Public Hearing at 7:05 p.m.

Andrea Getts resides at 236 2nd Ave E. believes having a motel may detour nightly rentals. Ms. Getts supports the project.

Councilor Lovering closed the Public Hearing at 7:06 p.m.

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Councilor Shepard made motion to approve Staff Report CZC-22-02 as Findings of Fact, seconded by Councilor Robinson with Council voting as follows. Ayes: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart.

Councilor Lovering 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, **August 9, 2022 at 6:30 p.m. at the Cafetorium in the Columbia Falls Junior High School, 1805 Talbot Road**, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on **August 22, 2022 starting at 7:00 p.m. in the same location.**

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Loretta and Ronald Levang are requesting a zoning map amendment that will rezone a portion of their property from the existing CSAG-10 zoning to a CR-1 Zoning. The property is located at 435 Rogers in Columbia Falls and is described as Assessor's Tracts 2B in Section 21, Township 30 North, Range 20 West, P.M.M., Flathead County (The rezoning only effects that portion of the property zoned CSAG-10 and not the portion that is unzoned or that has the Scenic Overlay).

Postponed from July 12, 2022:

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

James Barnett on behalf of River Highlands LLC is requesting a zoning map amendment 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 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 River Highlands 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 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 River Highlands 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

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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.

Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staalnd, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. Submit comments no later than Tuesday, August 2nd to be included in the Planning Board packet. For more information on the proposed Zone Change or Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

NOTE: These hearings will not be available via ZOOM or any other virtual means.

Councilor Lovering read the Budget Hearing Notice: Public Hearings 22-23 Fiscal Year Preliminary Budget - Beginning August 1, 2022 and Continued Until Adopted and asked City Manager Nicosia for the budget presentation:

NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on August 1, 2022 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, 2022 and ending June 30, 2023. 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 FY2022/2023. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2022/2023. 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.

City Manager Nicosia presented the preliminary budget which totals approximately \$20.5 million for the 22-23 FY. Nicosia noted that the budget includes \$9 million in capital projects (46.96% total budget) including the \$5.5 million wastewater treatment plant and sewer upgrades, \$1.2 million EDA project, \$300k water main project, \$1 million in street construction and \$1 million in Urban Development Funds; funded largely from

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federal/state grants and saved capital funds. Nicosia noted that personal services costs are 18.25% or \$3.7 million, operating and maintenance costs are \$2.3 million, 11.32%. Nicosia noted that Transfers of \$3.7 million are 18% of the total and are reflected in both expenditures and revenues. The total budgets are funded by cash carryover, \$6 million (1.5 million from ARPA funds), 14% from taxes and assessments, \$2.8 million, intergovernmental grant revenue is \$4.9 million or 24% of the total revenues.

Nicosia reviewed the Street Lighting and Street Maintenance Fund budgets and revenues. City staff is not recommending increasing the current assessment but will look at small incremental increases during the next year, similar to water and sewer; Nicosia noted that it is more palatable to make small increases to meet needed funding then to set large increases.

Nicosia noted that the Permissive Medical Levy increased approximately \$25,000 due to health insurance premium increases. The actual levy will be determined with the Taxable Valuation Certification. Nicosia noted that the City is paying off the General Obligation Street Debt this fiscal year without a levy, using the reserved funds.

Nicosia reviewed the Resort Tax funds that will support the 22-23 FY budget. Nicosia then reviewed the highlights of each budget. Nicosia noted that the City and Fire Relief Association had an updated actuarial valuation completed and the unfunded liability is \$199k which the City is funding over a 5 year amortization period, amazing for a public pension fund.

Councilor Lovering opened the Public Hearing noting it will remain open at this time. There was no public comment.

NEW BUSINESS:

Approval of Disposition of Surplus Property

City Manager Nicosia said we have replaced the 2005 and 2006 vehicles and are requesting authorization to publish for disposition as surplus property. Nicosia noted they are not suitable for city use and require significant maintenance.

Councilor Karper motioned to authorize publication of the surplus property, seconded by Councilor Piper and the motion carried.

ORDINANCES / RESOLUTIONS:

FIRST READING - Ordinance # 819:

An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CB-1 Neighborhood/Professional Business To CB-2 General Business on Property Located at 230 US Highway 2 East, Columbia Falls Further Described as Assessor's Tract 2E, 2EC, 4EA, 4EAA And 4E In Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Councilor Shepard motioned to approve the first reading of Ordinance #819, seconded by Councilor Karper and the motion carried.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Piper said the memorial service for Firefighter Joe Smith was excellent, Fire Chief Weeks and the fire Department did a superior job on the memorial on Sunday and the pancake breakfast on Saturday.

Councilor Karper reported on the first family fish day at River's Edge Park sponsored by Fish Wildlife Parks, Rotary Club and the City. There was a lot of fish caught by the children and it was a nice crowd.

Councilor Robinson said she too attended the memorial service for Joe Smith and concurred with Piper it was a great service.

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Councilor Shepard inquired about the friable grasses in town. Nicosia said the Police Department sends out the initial letters and she will touch base with them on additional notices.

Shepard said he will miss the upcoming Planning Board meeting as he will be out of town. Shepard said he was subject to name calling from those not in favor of the Highland Development and believes it is out of control as they are stopping short of threats.

Councilor Fisher said he appreciates the small patch jobs done by the city street crew on 12th Ave. W.

Fisher said the pickleball courts are being constructed at Columbus Park; it has been suggested to put up an 8-foot fence to install a board for single practice purposes. Nicosia said the 4ft fence is a standard size and if changed it may significantly delay installation. It may be a future consideration after the fence is installed.

Councilor Lovering thanked the city crew for the quick painting on the curb at 6th St. E. Lovering is concerned with bears in town and asks what we can do to educate residents to be bear aware and to put their garbage away. Nicosia said Justine Vallieres, FW&P Wildlife Conflict Management Specialist, would like to set up a meeting to discuss bear activity within the city limits. Dillon Tabish will send us their brochure to post in our parks, it is advised to pack bear spray in River's Edge Park at this time. Lovering asked if Fish Wildlife and Parks still come out to electrify chicken coops. Nicosia replied they may help out.

Lovering asked if we could have an update on the railroad crossing. Nicosia said we received the cost estimate of \$900,000 for the railroad quiet zone. We will continue to keep discussion moving forward and seeking funding.

Mayor thanked Councilor Lovering for sitting in for him this evening. Mayor Barnhart said we have talked about the audio on the zoom meetings and upgrading our equipment at City Hall. He would like to move forward on that as the audio was less than desired.

CITY MANAGER REPORT

Nicosia reported the City received the report on the CDBG loan funds. We currently have \$968,000 available for loan to city businesses. We have a potential business coming into the new Ruis building that may be interested. Nicosia said we have also discussed using some of the funds towards affordable housing. Council concurred with amending the management plans to allow funds to be used for housing; housing is economic development.

The Governor's Housing Task Force and planning issues are coming up at the legislature, the League of Cities and Towns has reached out to participate in a consulting contract to concentrate on planning and housing issues and asked if Columbia Falls is interested. Shepard said he was in favor of Columbia Falls joining with the MLCT.

Lieutenant Denham said the sow grizzly is very large, there were also two cubs spotted in town. They are traveling between 2:00 and 4:00 a.m. Denham said.

ADJOURN: Councilor Shepard motioned to adjourn seconded by Councilor Fisher.

Mayor

City Clerk