

CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD JULY 03, 2023

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

ROLL CALL: Councilor Fisher, Councilor King, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard-via Zoom meeting and Mayor Barnhart.

Also present: City Manager Nicosia, City Clerk Staal and Police Chief Peters.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Fisher motioned to approve the agenda with the exception of moving the Unfinished Business Skatepark discussion to before Visitor Comment, seconded by Councilor Lovering and the motion carried.

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

Approval of Claims - June 30, 2023 - \$607,073.45

Approval of Claims - July 3, 2023 - \$16,606.19

Approval of Payroll Claims - \$118,025.70

Approval of Payroll Claims - June 30, 2023 - \$62,289.74 (Special and Quarterly)

Approval of Regular City Council Meeting Minutes - June 19, 2023

Approval of EAP Agreement - 2 Year renewal - Sapphire Resource Connection Inc and authorize City Manager to execute.

Approval of Planning Services Agreement, Sands Surveying, Inc. effective July 1, 2023, and authorize City Manager to execute.

EMPLOYEE RECOGNITION:

Sergeant Sean Murphy - 9/16/03- 6/28/2023

Mayor Barnhart recognized and thanked Sean Murphy for his years of service to the Columbia Falls Police Department. Police Chief Peters presented Sergeant Murphy with a certificate and thanked him for his service.

UNFINISHED BUSINESS:

Matt Holloway, 836 10th St. W. said their nonprofit organization has raised over \$400,000 to build a Skatepark in Columbia Falls. Mr. Holloway loves the thought of giving Columbia Falls kids the same chance to enhance their lives and their community by adding a Skatepark. Skateboarding is for everybody; it's about life lessons, hard work, and community. Mr. Holloway requests council support in moving forward with the Skatepark.

Diane Rice, 423 W. 8th, Whitefish, said they have opened their home to skateboarders from all over the world as well as local kids. Ms. Rice said she has seen the difference a Skatepark can make in a community. Skateparks can get kids off TikTok, get them outside, exercising, and gives them friendships that are lifelong.

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 03, 2023

This foundation and association along with kids, volunteers, families, and donors have worked hard to give this community a Skatepark.

Cameron Gardner, 1042 Sawtooth Trail, said he would love to see opportunities that reach beyond school-based opportunities. We are talking about opportunities, mental health and equaling the playing field for what the community already provides such as baseball fields, basketball, tennis and pickleball courts. A Skatepark will benefit the community of Columbia Falls.

Eric Evans 16 16th St W. said he was here approximately 25 years ago working with then Parks Director Kim Cheff to get funding for a Skatepark. Evans said they didn't have the support back then and couldn't raise enough money. They have the support now and he does not see skateboarding going away any time soon.

Gretchen Sheckler, 403 4th Ave. E. said she is the mother of 3 skateboarders with one son skateboarding for 25 years and now skates professionally. There is a skateboarding community that is something for the kids to draw on to take to other aspects of life. I hope you approve a Skatepark in Columbia Falls.

Jackie Demongin, 4250 Columbia Falls Stage Rd, said they have grandchildren that skateboard and wants them to have a safe space to skate.

Leland _____, 917 Columbia Ave., Whitefish, said he hosts the Whitefish skateboard camp in conjunction with the City of Whitefish. This is a good community space for these kids, and you can also use it to host camps to help kids learn in a safe environment. There are kids from Columbia Falls that help out with the Whitefish Camps. This is a good project for the community of Columbia Falls said Leland.

Danyel Rice Scott said they are the designers and hopefully builders of the Skatepark. They build all over the state of Montana and all over the world. They have seen the difference it makes in the smallest and largest of communities. They have community members coming together to make it a family place and a safe organized place said Scott. The Skatepark will revitalize and bring life to the proposed park. We have had a great outreach and the fundraiser was a success. Dreamland will be donating their fees, to get through the architectural drawings and concept. We will be working with the community to clean up the area in the park. This is not just putting in the Skatepark and leaving it, it's getting community involvement and making sure there is a safe space for the next twenty years.

Scott Demongin, 4250 Columbia Falls Stage Rd. said it is time to let kids be kids. When kids are involved in sports, they are more positive to the community, said Mr. Demongin.

City Manager Nicosia said she reached out to other cities and towns across the state as requested by City Council. Success of a Skatepark depends on community and nonprofit involvement in the park beyond construction. Some cities have endowments to help out with ongoing maintenance as needed. All cities talked about lighting and/or visibility being a must and potentially a need for cameras. However, Nicosia noted that community involvement isn't unique to the skatepark, we need community involvement and for people to speak up if they see vandalism going on in any of the City's parks. The Parks budget is limited, and we want amenities for the community. Do we add park amenities or invest the funds in cameras? City insurance excludes skateparks, but an insurance rider is available if the park is designed and built by licensed and insured professionals and there are clear rules posted. Additionally, the key is to not adopt rules the City can't enforce, said Nicosia. Per MMIA, bikes are considered a hazard in a skatepark, and some cities and towns state no bikes, other cities have set specific hours for bikes.

Nicosia clarified that the City is not giving the nonprofit the land, the city is allowing the Skatepark to be built and it then becomes the city's responsibility. The City will always work with the nonprofit and ensure that design and construction meet the insurance requirements. It is a great amenity for the community, said Nicosia.

CITY OF COLUMBIA FALLS CITY COUNCIL REGULAR MEETING MINUTES HELD ON JULY 03, 2023

Councilor King asked about the bikes in the Skatepark. Mr. Holloway said they already have community events planned where the kids get to be in on the design of the park. Holloway wants it to be all inclusive for all kids in the community whether they ride a bike or skateboard. If we get the chance to move forward the nonprofit would like to discuss it further with the city.

Danyel said in the beginning, bikes weren't allowed because it was a Skatepark, skateboard Skatepark design and the community members that help raise the money were skateboarders only. The new phase to Whitefish is opening up to bikes. The Columbia Falls Skatepark will be warranted and built for safety for all riders including bikes.

Councilor Fisher said he is the chair of the Parks Committee and has met with some of the folks here this evening and thinks this is a great project and a benefit for the city. Other organizations have taken on projects such as parks, bike trails, gardens, pickleball and have done a super job in maintaining them. With the turnout and support shown this is a great project for the community.

Councilor Lovering said this is long overdue and wished we had a Skatepark 20 years ago.

Councilor Robinson said she is definitely behind it and loves the community involvement.

Councilor King said the enthusiasm is infectious and she is in support of the project. She is thrilled they have raised the money for the Skatepark.

Councilor Piper sees no reason to not have the Skatepark.

Mayor Barnhart thanked City Manager Nicosia for doing the research on Skateparks. Mayor Barnhart said he is 100 % in support of the Skatepark. Mayor Barnhart asked Mr. Holloway what they need from Council to move forward. Mr. Holloway replied a letter of support would be beneficial for grant purposes and to continue fundraising. Danyel said we have established a good core for conversation. We have preliminarily hired a surveyor to look at the land, but we want to make sure we have Council acceptance/blessing on approval before moving forward. Mayor Barnhart said the best part is keeping the Skatepark going with your volunteers.

Councilor Shepard said he has no objections to the Skatepark but is concerned about not requiring helmets on the young children. Nicosia said MMIA themselves said not to require helmets because it's a bigger risk if we become aware they are not wearing a helmet and there is an incident. Montana recreation law is very clear about using at your own risk; we will recommend wearing helmets but should not adopt a rule that cannot be enforced.

Councilor Lovering moved to direct City Manager Nicosia to write a letter of support for the Columbia Falls Skatepark, seconded by Councilor Fisher and the motion carried unanimously.

VISITORS/PUBLIC COMMENT (Items not on agenda) - None

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:**2023-24 FY Preliminary Budget Hearings Continued Until Adoption of Budget****July 3rd - Budget Hearing Continued: Mill Levy Calculation/Estimate Discussion and Debt Service Budgets for 23-24 FY**

City Manager Nicosia reviewed the Resort Tax remitted to the City from July 1, 2023 through June 30, 2023. The City budgeted \$797,865 for the Resort Tax and \$1,435,825.79 was remitted to the City. The total tax relief is \$839,858 compared to \$136,000 last year: \$637,960 in excess funds and \$209,965 in planned resort tax funds. Having significant tax relief in a reevaluation year gives us an edge compared to other cities Nicosia noted. Councilor Robinson inquired about outstanding Resort Tax monies. Nicosia replied it is on a cash basis, the quarter ending June.

Last year the City levied 181.01 mills for a total of \$1,623,545 in taxes: 15-10-420 and Permissive Medical Levy. Nicosia reviewed the mill levy calculation noting that the City reduces mills when the tax valuation rises as the City's ability to increase taxes is limited to ½ the rate of inflation, 2.46%, \$33,788, and newly taxable property. Nicosia noted that she anticipates increasing the Permissive Medical Levy due to the addition of employees on the City's medical insurance. Final numbers cannot be calculated until receiving the certified taxable valuation from MT DOR.

Nicosia reviewed the Debt Services budgets noting the 3 types of debt:

23-24 FY DEBT:	Prin	Int	Total			
General Obligation Debt:						
Fire Truck	\$ 14,398	\$ 545	\$ 14,943	Note: Pay off 5 yrs early		
SID Debt:						
SID 34 - 5th Ave Water	\$ 5,208	\$ 507	\$ 5,715	Note: 2 yrs remaining		
SID 36 Talbot\4th Ave Wtr	\$ 3,464	\$ 337	\$ 3,801	Note: 2 yrs remaining		
SID 38 - Riverwood	\$ 17,000	\$ 9,901	\$ 26,902	Note: 14 yrs remaining		
Revenue Bonds:						
Water - 2005	\$ 30,000	\$ 1,204	\$ 31,204	Note: 2 yrs remaining		\$61k
Water - 2020	\$ 28,000	\$ 14,675	\$ 42,675	Pd off 2030		\$594k
Sewer - 2009	\$ 40,000	\$ 5,899	\$ 45,899	Pd off 2029/2030		\$288k

Nicosia reviewed the statutory criteria for GO Debt without a vote that is applicable to any type of debt including leases. The Fire Truck will be paid off in the 2024 FY. SID Debt is paid for by the specific properties noting that SID debt goes through a very lengthy legal process. The revenue bonds in the enterprise funds affect the funds' ability to meet reserves and debt capacity.

UNFINISHED BUSINESS:

Call for Bids - 2023 Chip Seal Project

City Manager Nicosia reported the city did not receive one bid for the 2023 Chip Seal/Crack Fill Project. Staff is requesting approval to call for bids again on the Chip Seal portion of the project. The Public Works Director pared down the project and this call for bids allows the contractor to complete in the spring of 2024.

Councilor Piper motioned to approve the Call for bids for the 2023 Chip Seal Project, as revised, seconded by Councilor Shepard and the motion carried.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor King said regarding the letter from Collaborative Housing Solutions of Northwest Montana, Bryan was her friend. These people have a face and family, she is passionate in supporting the nonprofits, and right now they need more support from government officials. Councilor Piper inquired if the programs are already in place and need support. King said there are programs up and running but needing more support and resources. A letter of support to the organizations would help. Nicosia said she would work with Councilor King in drafting up a letter for council approval.

Councilor Robinson said on the corner on 4th Ave W. the grass is getting pretty high, and it should be trimmed back. Piper said the alleys are overgrown as well. Council Lovering added the bottom of 1st Ave. E. and 7th St. E. is also a clear vision triangle hazard.

Councilor Fisher spoke about Glacier Institute hoping to purchase property consisting of 142 acres across the river. This would be an awesome spot for their program. There are a lot of folks across the river that don't want growth and this is a great opportunity for them to support it as it dovetails perfectly with The Upper Flathead Neighborhood Association with wildlife habitat, keeping it green and undeveloped. This is a really good chance to take positive action for what they want in the area, step up and do something to help.

Councilor Shepard said he attended the EPA meeting; when you ask them how effective are forty wells, pumps, recycling etc. and they don't know they say in five years they will reevaluate and if it doesn't work, we are back to square one. Shepard believes the information given was somewhat over the top. Shepard said they have asked for another thirty days for public comments.

Mayor Barnhart said he is concerned that job requirements including a college degree may be limiting the City's pool of candidates instead of using experience to fulfill jobs. He would like to look more at experience based instead of a college degree. City Manager Nicosia said the City's job descriptions note a combination of experience and education are considered in determining if a candidate meets the requirements.

Mayor Barnhart said he talked to a City parks worker about what is going on in the city parks with vandalism. Barnhart asked if it would be best to put camera systems in our city parks? Nicosia said we have to weigh the cost of the cameras with the benefit of having cameras. Right now, the City has placed game cameras in the parks where we are monitoring issues.

CITY MANAGER REPORT

Nicosia reviewed the report from MLCT recapping the recently adopted legislation and the new laws that impact the City. Nicosia noted that the City Attorneys, Planners and administrators are working together on the implementation of SB 382, the planning overhaul.

Park Issues/Court Hours

We have not discussed pickleball, basketball, tennis or volleyball court hours; city parks are open from 6:00 a.m. – 10:00 p.m. We have received noise complaints on the tennis courts. Nicosia believes it is reasonable to use the courts from 8:00 a.m. to 10:00 p.m. coinciding with daylight hours. Courts will be appropriately signed. The water fountain at Clare Park water well building was torn off for a second time; we have installed a game camera at Clare Park.

There were numerous complaints about an air horn by Kreck Park. The Police Department worked with Montana Fish, Wildlife and Parks in attempting to locate an air horn. The stream access law does prohibit harassing fishermen on the river.

Nicosia reported that Pool Staff has finished training and will offer Swim lessons starting on July 10th. In February or March 2024 Council will adopt a resolution asking the voters of Columbia Falls if they want a Local Government study as required by our State Constitution. Last time it narrowly passed that our citizens wanted local government review, and then nobody ran to be on the commission. Council will have to put a resolution together specifying how many members on the committee and how much it will cost. Mayor Barnhart asked how we are doing with acquiring our walkway through Mr. Ruis property. Nicosia replied that the City has not yet pursued the easement since the property was sold.

Miscellaneous Reports:

Police Chief Peters said the police charger is in the garage waiting on the camera system to arrive so the vehicle can be equipped and put into service.

MISCELLANEOUS

Correspondence

Mayor

City Clerk