

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD FEBRUARY 22, 2022**

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

ROLL CALL:

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

Also Present: City Manager Nicosia, City Attorney Breck, Police Chief Peters and Finance Director Bates.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Councilor Fisher motioned to approve agenda, seconded by Councilor Karper and the motion carried.

CONSENT AGENDA:

Councilor Piper motioned to approve the Consent Agenda noting that all claims appeared to be in order, seconded by Councilor Robinson with council roll call vote as follows. Ayes: Piper, Fisher, Karper, Robinson, Shepard and Barnhart.

Approval of Claims - February 22, 2022 - \$138,409.85

Approval of Payroll Claims - February 18, 2022 - \$125,695.30

Approval of February 7, 2022 Regular City Council Meeting Minutes

Approve Northwest MT Drug Task Force Local Drug Task Force Memorandum of Understanding for FY 2022-2023 and authorize Police Chief and City Manager to sign

Approve Request for Records Disposal - City Court

Approval of Agreement for Engineering Services, HDR Engineering, Inc. for Wastewater System Upgrades ARPA Project - \$895,072, authorize City Manager to execute

Approval of HDR Engineering Task Order #8 - WWTP SCADA On-Call, not to exceed \$5,000 and authorize City Manager to sign

EMPLOYEE RECOGNITION:

Employee Recognition - 15 years - Patrol Officer Michael Johnson

Mayor Barnhart presented Officer Johnson with a 15 year longevity pin and the city officials thanked him for his service.

VISITORS/PUBLIC COMMENT (Items not on agenda)

EPA Presentation to Council - CFAC Superfund Site Final Feasibility Study Information/Q&A

Ken Champagne, Remedial Project Manager with the EPA updated the council on the progress of the superfund remedial process at CFAC. The next step in the process is to procure a contractor, which should be in place in the month March.

Councilor Shepard expressed concerns about carbon infiltration into the ground on and off CFAC property. Shepard asked if there was going to be any testing for carbon infiltration going forward. Ken Champagne

responded that there were no indications of carbon infiltration. Champagne did say that does not mean there wouldn't be an opportunity to do that testing going forward and would look further into Shepard's question.

Dave Petersen, 120 4th Ave W, asked council when they would be looking at downtown parking issues. Mayor Barnhart advised that it is on the council's radar and it will be addressed at a future meeting.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Public Hearing - Community Needs Assessment:

Mayor Barnhart read the public hearing notice - Notice is hereby given that at the Tuesday, February 22, 2022 Regular Council meeting, the City Council of the City of Columbia Falls, shall conduct a public hearing for the purpose of obtaining public comment to determine the greatest community development needs (public facilities, economic development, and housing needs). The City will take public comment during the meeting in order to obtain the greatest public input. The intent of the needs assessment process is to provide the City with a list of potential projects or actions in the areas of housing, economic development and public infrastructure that could be pursued over a period of years in order to improve the community, particularly as those needs affect low and moderate income persons. Based on the results of the needs assessment, the City may apply for state or federal funding from the Montana Community Development Block Grant (CDBG) Program and any other funding sources to fund local housing, public facilities, or other community needs and would like comments or suggestions from local citizens regarding the City's needs and types of projects which should be considered.

Mayor Barnhart opened the public hearing at 7:30 p.m.

Kelly Hamilton, 1316 4th Ave W, asked council for support for a city dog park. Hamilton also discussed the Christmas lights on Nucleus and the need to get them working properly. Hamilton expressed support for a community square at 5th St W and Nucleus Ave.

Craig Tucker, 1165 12th St EN, expressed concerns over vacation rentals and how many there are in town. Tucker further discussed the lack of housing in the Columbia Falls area and how workers cannot afford to live here.

Mandy Anderson, Amanda Wilson and Melissa Dunning with the Boys and Girls Club, 535 4th Ave W, each addressed the council and asked for support in sponsoring a grant to develop and build a new community center in Columbia Falls to accommodate more students as they are maxed out at the current facility. Wilson noted that childcare is a necessity and not a luxury. Anderson noted that the Boys and Girls Club provides young people with a safe spot after school and during the summer. A survey of their students revealed that 60% come from LMI families. Their current facility is at capacity with 50-60 students each day.

Kim Morisaki, 1329 Bald Eagle Loop Kalispell, Director of the NW Montana Community Land Trust. Morisaki discussed the housing shortage for rent and purchase. She provided statistics on housing cost and prices to build and the \$100-\$150k gap between building costs and affordability. Morisaki talked about the possible use of \$135,000 held by the City from recaptured funds as well as \$800,000 from CDBG Grant funds sponsored by the City of Columbia Falls held at MWED.

Shirley Folkwein, 285 Shooting Star Drive, thanked the council for the opportunity to discuss infrastructure and asked the council to think outside of traditional infrastructure and think about natural infrastructure and what is the carrying capacity of natural infrastructure. Folkwein encouraged council to go deeper in the assessment of

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infrastructure and consider the natural infrastructure of geographical areas such as land, water, trees, birds and insects.

Mayor Barnhart closed the public hearing at 8:08 pm. Nicosia noted that the City received 18 letters in support of the Boys and Girls Club that were included in the packet and an additional letter of support for the Boys and Girls Club that was handed out this evening and one letter of support for the skate park also handed out this evening.

Notice of Public Hearing - Request for a Planned Unit Development - March 7, 2022:

Mayor Barnhart read the notice of public hearing - The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, February 15, 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 Monday, March 7, 2022 starting at 7:00 p.m. in the same location.

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The applicant, DARCAR, is requesting a Planned Unit Development for property at 1123 9th Street West, Columbia Falls. The proposed PUD would allow the conversion of the basement to dormitory style apartments that could house up to four people. The main floor of the building will remain commercial use. The property is zoned CB-2 (General Business). The site is the State Farm Insurance building located just west of Backslope Brewing. The property is described as Lots 1, 2, & 3 excluding the S10 feet in Block 5 of Robindale in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

Notice of Public Hearing - HB 473 Bridge and Road Safety and Accountability Program Funds - March 7, 2022:

Mayor Barnhart read the notice of public hearing - The Columbia Falls City Council will hold a public hearing for the purpose of allocating HB 473 Bridge and Road Safety and Accountability Program Funds on Monday, March 7, 2022 at 7:00 p.m. The hearing will be held in the Council Chambers, City Hall, 130 6th ST. West, Columbia Falls, MT and available virtually via ZOOM.

The City Council is proposing to request distribution of the 2022 HB 473 funds in the amount of \$128,639.78 to overlay or reconstruct the streets listed as the highest priority need in the City's street condition report.

Citizens are encouraged to attend the hearing or to provide written comments to City Clerk Barb Staaland at 130 6th Street West, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com

Notice of Public Hearings - Planning Board March 15th and City Council April 4th: The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, March 15, 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 Monday April 4, 2022 starting at 7:00 p.m. in the same location.

Request for a Preliminary Plat for a 10 Unit RV Park:

The applicant, Clark W Griz LLC is requesting Preliminary Plat approval to construct a 10 space RV Park for property at 201 Highway 2 East, Columbia Falls. The property is zoned CB-2 (General Business) which allow RV Parks as a permitted use. The proposed RV Park is adjacent to the Columbia Falls RV Park. The property is described as Lot 3 of the D & G Subdivision in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

NEW BUSINESS:

Award Generator Bid to Electrical Systems, Inc. - \$176,941

City Manager Susan Nicosia discussed the original bid, \$240k, and how much higher it was than the expected \$140k. Nicosia explained how through meetings and discussions with the contractor and engineer we were able to get the price of the original bid corrected as the bid specs required a 350Kw generator when a 300Kw generator was specified when the generator was bid with the well project. Nicosia noted that the bid also required the contractor to work directly with MicroComm for the SCADA system and their bid to ESI was \$8,800 when the City can have the work completed for \$1,000. Nicosia made the recommendation to accept the bid at \$176,941 for the 300kw generator.

Councilman Shepard motioned to award the bid to Electrical Systems Inc. in the amount of \$176,941, seconded by Councilman Piper with council roll call vote as follows. Ayes: Robinson, Piper, Fisher, Karper, Shepard and Barnhart.

RAISE Grant 2022 Application Consideration

Nicosia reported that the federal Department of Transportation recently announced the 2022 RAISE grant funding opportunity. The RAISE grant applications are due April 14, 2022 with awards to be announced no later than August 12, 2022. The City's first 3 attempts have not been successful so the Council must decide if the City submits a 2022 grant application. The program received additional this year = \$1.5 billion, a 50% increase in funding over last year. The City must use the services of an engineer firm to submit this grant application. KLJ has offered a scope of services agreement in the amount not to exceed \$20,000. The fee will be based on the requirements of the BCA (Benefit cost analysis). Nicosia noted that if the City can increase the match funding, our grant would be more competitive. Additionally, the TA grant installs the sidewalk that was also part of the 2020 and 2021 grant applications so our grant request might be reduced (or not increased with rising costs of construction). Nicosia reported that last years' RAISE request was \$11.4 million with a \$500k match. Only the City of Missoula received a RAISE grant for approximately \$3m to study Brooks street, not a construction grant. Council discussed the merits of submitting the application with the engineer's proposal not to exceed \$20k. Fisher made motion to authorize Nicosia to engage the services of the engineer and to submit a RAISE grant, second my Shepard. All members voted in favor of the motion.

Approve Request to Flathead County to Annex 2nd Ave EN and 4th Ave EN Right of Way

Nicosia reported that as the City is working on the RR Quiet Zone requests, it has become necessary for the City of Columbia Falls to control the right of ways on both 2nd Ave EN and 4th Ave EN in order to proceed with the pursuit of the Quiet Zone(s). The formal, required diagnostic meeting with all parties is scheduled for March 2nd. This meeting will review the proposed Quiet Zone improvements, including the closure of 4th Ave EN, all on RR right of way.

Nicosia said she is requesting Council to approve a formal request to Flathead County to annex 2nd Ave EN and 4th Ave EN right of ways adjacent to the RR tracks. The formal annexation map will be determined by the City and County as indicated on the attached Quiet Zone proposals.

Councilman Piper made a motion to Approve Request to Flathead County, seconded by Councilman Shepard, the motioned carried with all members voting in favor.

Mayor to Appoint Special Committee to Review Noise Ordinance

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City Manager Nicosia explained the need for a committee to review the city's noise ordinance and whether what is currently on the books is adequate for enforcement purposes as well as to address the community's concerns. Nicosia requested Mayor Barnhart to appoint a council committee to work with city administration, police and the attorney's office.

Mayor Barnhart advised in conjunction with City Attorney Breck and Police Chief Peters, Councilman Piper and Councilman Robinson would make up the committee.

Michael Nania, 311 1st Ave W, expressed his concerns over noise issues coming from certain businesses in the city and appreciates the city looking into this matter.

Authorize Mayor to sign Letter of Support - RTP Grant - Gateway to Glacier Trails

Mayor Barnhart noted that the Council has approved similar requests and asked if anyone had questions. Hearing none, Councilman Karper made motion authorizing the Mayor to sign letter of support, seconded by Councilman Robinson. Motion carried with Councilman Fisher abstained noting he is a Gateway to Glacier Trails Board member.

ORDINANCES / RESOLUTIONS:

Resolution # 1870 - A Resolution of the City Council of the City of Columbia Falls, Montana, Establishing the Number of Firefighters within the Columbia Falls Fire Department.

City Manager Nicosia explained the need to update the resolution based on bringing on paid fireman in the near future. The resolution would allow 30 volunteer fireman, the fire chief and assistant fire chief as well as paid fireman as needed.

Motion made by Councilman Robinson to approve Resolution #1870, seconded by Councilman Piper with council roll call vote as follows. Ayes: Piper, Shepard, Fisher, Karper, Robinson and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilman Shepard discussed the carbon infiltration from CFAC and how the EPA needs to look at testing.

Mayor Barnhart talked about how the testing at CFAC was 3 or 4 years ago and that they may have moved on from testing to the clean-up recommendation phase. Barnhart reported that Senator Tester is visiting Glacier Park International Airport and plans to stop by City Hall on Wednesday, February 23rd. Mayor Barnhart was asked to discuss the benefits of the airport expansion for the City; Mayor Barnhart noted the increased flights, potential better airfare and the creation of jobs. Barnhart also discussed VRBOs and the City's limited powers to prevent them and how the housing shortage is becoming a real issue.

CITY MANAGER REPORT

Nicosia reported that City officials are presenting at the March 8th Chamber luncheon, council members may attend. Nicosia reminded Council of the Fire Department Transition training on Feb. 23rd. Nicosia also reported that the MT DOR marijuana business requirements are impacting our police department (finger prints), fire department and building department inspection requests.

MISCELLANEOUS

Finance - January 2022

ADJOURN: Councilman Fisher motioned to adjourn at 9:25 p.m., seconded by Councilman Karper.

Mayor

City Clerk