



**ROOM A | 130 6TH STREET WEST
COLUMBIA FALLS, MT 59912**

**PHONE (406) 892-4391
FAX (406) 892-4413**

**CITY COUNCIL REGULAR MEETING
AGENDA
MONDAY, JUNE 20, 2022
COUNCIL CHAMBERS CITY HALL**

FINANCE COMMITTEE – 6:30 P.M

(Barnhart, Piper, Robinson)

NOTE: The Regular Council Meeting is held in the Council Chambers as well as by virtual meeting. Please contact City Clerk Barb Staland no later than 6 pm on the night of the meeting to obtain ZOOM meeting access by calling (406) 892-4391 or email staalandb@cityofcolumbiafalls.com

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONSENT AGENDA:

- 1.** Approval of Claims - June 20, 2022 - \$200,876.93
- 2.** Approval of Payroll Claims - June 10, 2022 - \$87,862.93
- 3.** Approval of June 6, 2022 Regular City Council Meeting Minutes
- 4.** Approval of Collective Bargaining Agreement - City & FOP - July 1, 2022 - June 30, 2025 and Authorize City Manager to Execute

VISITORS/PUBLIC COMMENT (Items not on agenda)

EMPLOYEE RECOGNITION:

- 5.** Employee Recognition - Dale Sandson, Wastewater Treatment Operator - 5 years

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

6. 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, July 12, 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 August 1, 2022 starting at 7:00 p.m. in the same location.

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 (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

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

James Barnett on behalf of Flathead Mountain River 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 Flathead Mountain River 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 to 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 Flathead Mountain River 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 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

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. 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 Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 5:30 p.m. the day of the meeting.

ORDINANCES / RESOLUTIONS:

7. Second and Final Reading - Ordinance #817:

An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CR-5 Two-Family Residential to CR-3 One Family Residential at 1115 Nucleus Avenue Further Described as Lot 3, Block 10 of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M. Flathead County, Montana.

8. Second and Final Reading - Ordinance #818 - Adopting Chapter 9.17 Noise:

An Ordinance of the City Council of the City of Columbia Falls, Montana Adding Chapter 9.17 Noise

9. Resolution # 1876:

A Resolution of the City Council of the City of Columbia Falls, Montana Adopting a Noise Variance Permit Application and Fee

10. Resolution # 1877:

A Resolution of the City Council of the City of Columbia Falls, Montana Declaring a State of Emergency and Declaring a Disaster in Response to Anticipated and Current Flooding In and Around Columbia Falls

11. Resolution # 1878:

A Resolution of the City Council of the City of Columbia Falls, Montana, Designating Heritage Days 2022 as an Official Community Activity of the City of Columbia Falls and Designating Persons Responsible for Planning the Events of Heritage Days 2022.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

CITY MANAGER REPORT

CITY ATTORNEY REPORT

MISCELLANEOUS

ADJOURN

Next Scheduled Meetings:

City Council – Regular Meeting, **TUESDAY, July 5, 2022** – 7:00 PM - Moved due to 4th of July Holiday on Monday

Planning Board – July 12, 2022 - 6:30 PM

06/16/22
12:16:19

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 6/22

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$							Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund	Org	Acct	Object	Proj	Account
43236		877 APPLIED INDUSTRIAL TECHNOLOGIES	211.58								
	7024437276	06/08/22 SWR-BELT PRESS SENSOR	211.58			5310		430600	240		101000
		Total for Vendor:	211.58								
43254		3174 BNSF RAILWAY COMPANY	3,543.01								
	90237858	06/04/22 PRELM ENGINEER-BNSF QUIET ZO	3,543.01			1000		410100	399		101000
		Total for Vendor:	3,543.01								
43244		1700 BRECK LAW OFFICE, PC	656.00								
	7-16	06/03/22 LGL- POST REVIEW	656.00			1000		411100	351		101000
		Total for Vendor:	656.00								
43245		2708 BULLITT COMMUNICATIONS	195.00								
	UNIT 482	SPEAKER REPAIR									
	51691	06/06/22 FD-UNIT 482 SPEAKER REPAIR	195.00*			1000		420400	361		101000
		Total for Vendor:	195.00								
43220	E	2852 CHARTER COMMUNICATIONS	227.94								
	53122	06/01/22 PD-INTERNET 06/01/22-6/30/22	129.98			1000		420100	355		101000
	60622	06/06/22 SWR-INTERNET 6/6/21-7/5/22	97.96*			5310		430600	345		101000
		Total for Vendor:	227.94								
43262		1230 CITY OF KALISPELL	14.61								
		STATE OF MONTANA SENT ENTITLEMENT TO CITY OF COLUMBIA FALLS THAT SHOULD HAVE GONE TO CITY OF KALISPELL.									
	22PHB017	05/27/22 STATE ENT (DUE TO OTHER GOV)	14.61			1000		202100			101000
		Total for Vendor:	14.61								
43230		1145 CITY OF WHITEFISH BUILDING	6,671.60								
		Permits issued for MAY 2022									
	053122	05/31/22 BUILDING PERMITS 05/22	5,978.05			2394		420500	398		101000
	053122	05/31/22 ELECTRICAL PERMITS 05/22	240.50			2394		420500	398		101000
	053122	05/31/22 MECHANICAL PERMITS 05/22	420.55			2394		420500	398		101000
	053122	05/31/22 PLUMBING PERMITS 05/22	32.50			2394		420500	398		101000
		Total for Vendor:	6,671.60								

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43239		3173 CIVICPLUS, LLC	3,500.00					
		MAY 2022-APRIL 2023						
	229064	05/31/22 MUNICODE SELF-PUBLISH SOFTWARE	1,700.00			1000 510300	300	101000
	229941	05/31/22 MUNICODE WEB CIVIC OPEN RENWAL	1,800.00			1000 410580	355	101000
		Total for Vendor:	3,500.00					
43261		776 COL.FALLS VOLUNTEER FIRE	19,483.74					
	061522X	06/15/22 May Tax Reciepts - Real	795.42			7120 212520		101000
	061522X	06/15/22 May Tax P&I	2.02			7120 212520		101000
	061522X	06/15/22 June Tax Reciepts - Real	16,557.68			7120 212520		101000
	061522X	06/15/22 June Tax Reciepts - PP	30.27			7120 212520		101000
	061522X	06/15/22 June Tax P&I	8.21			7120 212520		101000
	061522X	06/15/22 Febuary Interest	10.40			7120 212520		101000
	061522X	06/15/22 May Interest	0.52			7120 212520		101000
	061522X	06/15/22 State Entitlement 4th Q	2,079.22			7120 212520		101000
		Total for Vendor:	19,483.74					
43213		1711 COMFORT SYSTEMS USA	127.50					
	92007984	05/25/22 FAC-RESET BOILERS	127.50			1000 411200	366	101000
		Total for Vendor:	127.50					
43222		1646 CONSOLIDATED ELECTRICAL	33.12					
	3510103564	06/02/22 SWR-56 W UNV BALLASTS	33.12			5310 430600	240	101000
		Total for Vendor:	33.12					
43217		3026 DAILY INTER LAKE	317.33					
	28656	05/29/22 SURPLUS PROPERTY NOTICE	105.83			1000 410500	331	101000
	28657	06/01/22 PUBLIC HEARING NOISE ORDIANCE	98.33			1000 410500	331	101000
	28657	05/25/22 PUBLIC HEARING NOISE ORDIANCE	113.17			1000 410500	331	101000
		Total for Vendor:	317.33					
43263		1797 DEPARTMENT OF ADMINISTRATION	54.63					
	SITSD50613	06/16/22 PD-ITSD/EMAIL 5/1-5/31/22	54.63			1000 420100	355	101000
		Total for Vendor:	54.63					

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		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org	Acct	Object	Proj	Account
43237		3171 ELITE FIRE PROTECTION	330.00							
	22-212	06/06/22 POOL- BACKFLOW REPAIR	330.00			1000	460445	360		101000
		Total for Vendor:	330.00							
43215		438 FERGUSON WATERWORKS	417.18							
	0823610	06/08/22 WTR-ACE HARDWARE METER	254.54			5210	430500	230		101000
	0823583	06/08/22 WTR-CF HIGH SCHOOL PARTS	162.64			5210	430500	230		101000
		Total for Vendor:	417.18							
43223	E	2961 FIRST BANKCARD-ELECTRONIC PYMT	4,106.77							
	72820	04/28/22 FAC-NEW FRIDGE IN PW OFFICE	549.00			1000	411200	212		101000
	5883457	04/25/22 PD-FLASH MEMORY STICKS	283.07*			1000	420100	210		101000
	000006193	05/03/22 SWR-UV BALLASTS	299.85			5310	430600	240		101000
	8734628	05/04/22 FIN-BATTERY FOR BACKUP	29.99			1000	410580	212		101000
	GIA24W	05/04/22 FIN-GFOA ANNUAL CONF	1,081.20			1000	410500	380		101000
	32619	05/04/22 WTR-N RILEY CPO CLASS	375.00*			5210	430500	380		101000
	1	05/05/22 WTR-C BECKER BACKFLOW CLASS	875.00*			5210	430500	380		101000
	050622	05/06/22 FIN-GFOA FEE	30.00			1000	410500	380		101000
	200010041	05/06/22 WTR-C BECKER BACKFLOW TEST	175.50*			5210	430500	380		101000
	4347463	05/04/22 FIN-BATTERY BACKUP	71.30			1000	410580	212		101000
	2501853	05/05/22 FD-DOOR HANDLES	58.92*			1000	420400	240		101000
	9161010	05/09/22 FIN-MOUSE & SPEAKERS	44.96			1000	410580	212		101000
	3326139	05/17/22 BLDG-MEMBERSHIP RENEWAL	145.00			2394	420500	355		101000
	4848211	05/17/22 PD-BATTERIES, PENS, SCISSORS	32.99*			1000	420100	210		101000
	61814104	05/17/22 PD-PATROL OFFICER AD	25.03*			1000	420100	390		101000
	3720230	05/16/22 PD-LABEL MAKER TAPE/ BATTERIE	29.96*			1000	420100	210		101000
		Total for Vendor:	4,106.77							
43212		1892 FLATHEAD COUNTY	300.00							
	5751	06/06/22 OWNER LIST-BELL-RAATS	75.00*			1000	411000	390		101000
	5758	06/07/22 OWNER LIST- LANCE FRATI	75.00*			1000	411000	390		101000
	5764	06/15/22 OWNER LIST - RAMAGE	150.00*			1000	411000	390		101000
		Total for Vendor:	300.00							

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43238		663 FLATHEAD COUNTY SOLID WASTE	3,003.45					
		SLUDGE HAULING 5/1/22-5/31/22						
	6721	05/31/22 SWR-SLUDGE HAUL 5/1/22-5/31/22	3,003.45			5310 430600	395	101000
		Total for Vendor:	3,003.45					
43229		24 FLATHEAD COUNTY TREASURER	361.00					
	060122	06/01/22 CRT-TECH SUR 5/22	180.00			1000 212201		101000
	060122	06/01/22 CRT-LEA/CRIM CONV SURCHRG 5/22	181.00			1000 212201		101000
		Total for Vendor:	361.00					
43232		21 FLATHEAD ELECTRIC COOP INC	13,051.79					
		4/25-5/24/22						
	053122	05/31/22 FAC-4/25-5/24/22	428.14			1000 411200	341	101000
	053122	05/31/22 PD-4/25-5/24/22	40.88			1000 420100	341	101000
	053122	05/31/22 FD-4/25-5/24/22	305.27			1000 420400	341	101000
	053122	05/31/22 PARKS-4/25-5/24/22	399.99			1000 460400	341	101000
	053122	05/31/22 POOL-4/25-5/24/22	63.42			1000 460445	341	101000
	053122	05/31/22 LIGHTING-4/25-5/24/22	2,595.83			2400 430200	341	101000
	053122	05/31/22 STRS-4/25-5/24/22	154.81			2500 430200	341	101000
	053122	05/31/22 WTR-4/25-5/24/22	3,074.59			5210 430500	341	101000
	053122	05/31/22 SWR-4/25-5/24/22	5,988.86			5310 430600	341	101000
		Total for Vendor:	13,051.79					
43246		3113 GLOBAL ARCHIVES INC	166.32					
	22032547	05/25/22 WTR-MONTHLY STORAGE AS BUILT	83.16*			5210 430500	363	101000
	22032547	05/25/22 SWR-MONTHLY STORAGE AS BUILT	83.16			5310 430600	363	101000
		Total for Vendor:	166.32					
43226		999999 GREENBERG, JENNIFER	75.00					
		OK TO REFUND POOL PASS PER SUSAN.						
	14692-47	06/06/22 POOL-REFUND FAMILY PASS	75.00			1000 346036		101000
		Total for Vendor:	75.00					

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43253		2806 HANSON'S HARDWARE	268.14					
	601683	06/06/22 SWR-SOCKET, WATER FILTER	44.55			5310 430600	240	101000
	601687	06/06/22 SWR-MISC SCREWS/SAFETY HASP	19.32			5310 430600	240	101000
	601450	05/21/22 PRKS-TARP STRAPS	9.58			1000 460400	240	101000
	601496	05/24/22 PRKS-SMALL ENG FUEL	25.99			1000 460400	231	101000
	601496	05/24/22 PRKS-EXTENSION CORD	19.99			1000 460400	220	101000
	601604	06/01/22 STRS-2 CYCLE OIL & SM ENG FUEL	28.78			2500 430200	231	101000
	601604	06/01/22 STRS-DIVIDERS FOR TACKLE BOX	14.99			2500 430200	220	101000
	601730	06/08/22 POOL-FLEX PASTE	30.99			1000 460445	240	101000
	601517	05/25/22 PRKS-WASP SPRAY	11.98			1000 460400	220	101000
	601715	06/08/22 PRKS-SMALL ENGINE FUEL	25.99			1000 460400	231	101000
	601769	06/11/22 SWR-INDUS HD LINER	17.99			5310 430600	240	101000
	601766	06/11/22 SWR-INDUS HD LINER	17.99			5310 430600	240	101000
		Total for Vendor:	268.14					
43221		1119 HDR ENGINEERING, INC.	9,416.61					
		WWTP AND SWERE IMPROVEMENTS (ARPA) PROJECT INV#3 APRIL 24TH - MAY 21ST 2022						
	1200438905	06/07/22 WWTP & Swr Improvement Pro	9,416.61			5310 430600	930	101000
		Total for Vendor:	9,416.61					
43260		2845 HEARTWOOD TREE SERVICE	4,500.00					
	060222	06/02/22 TREE BOARD - DNRC SAFETY	4,500.00*			1000 410131	390	101000
		Total for Vendor:	4,500.00					
43219		2849 J2 BUSINESS PRODUCTS	432.91					
	1178201-0	06/06/22 WTR-BINDER CLIPS	2.47			5210 430500	210	101000
	1178201-0	06/06/22 SWR-BINDER CLIPS	2.47			5310 430600	210	101000
	1178201-0	06/06/22 FIN-BINDER CLIPS	2.48			1000 410500	210	101000
	1174341-2	06/01/22 PD-CD HOLDER	7.51*			1000 420100	210	101000
	1174387-0	05/19/22 PRKS-TP, TOWELS, LINERS, CLEAN	327.90			1000 460400	224	101000
	1174387-1	05/19/22 PRKS-CAN LINERS	54.11			1000 460400	224	101000
	1180056-0	06/08/22 WTR-CALCULATOR TAPE	4.98			5210 430500	210	101000
	1180056-0	06/08/22 SWR-CALCULATOR TAPE	4.98			5310 430600	210	101000
	1180056-0	06/08/22 FIN-CALCULATOR TAPE	4.97			1000 410500	210	101000
	1181062-0	06/10/22 POOL-3 PART RECPT BOOKS	21.04			1000 460445	220	101000
		Total for Vendor:	432.91					

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43255		999999 J5 INFRASTRUCTURE PARTNER, LLC	350.00					
		REFUND ELECTRICAL PERMIT E22-1016 IT WAS NOT NEEDED FOR THE WORK PERFORMED						
		E22-1016 04/28/22 REFUND ELE PERMIT E22-1016	350.00			2394 323010		101000
		Total for Vendor:	350.00					
43208		3078 KLJ ENGINEERING LLC	8,945.00					
		CF Quiet Zone Study						
		10169220 05/23/22 QUIET ZN PRO SRVS END 05/07/	945.00			1000 410100	399	101000
		10169668 06/10/22 RAISE GRANT FINAL INVOICE	8,000.00			1000 410100	399	101000
		Total for Vendor:	8,945.00					
43243		2316 KOIS BROTHERS EQUIPMENT CO	40,900.00					
		MT51664 06/13/22 SWR-SERVICE TRUCK CRANE	40,900.00*			5310 430600	940	101000
		Total for Vendor:	40,900.00					
43240		1690 LASALLE SAND & GRAVEL CORP	109.84					
		150181 05/02/22 WTR-3/4 CRUSH	56.03			5210 430500	230	101000
		150191 05/02/22 WTR-3/4 CRUSH	53.81			5210 430500	230	101000
		Total for Vendor:	109.84					
43211		1493 MAHUGH FIRE & SAFETY	475.00					
		102084 06/02/22 FIRE-EXTRICATION GLOVES	165.00			1000 420400	226	101000
		101676 06/10/22 POOL-SRVS/CERT FIRE EXT 5 EA	45.00			1000 460445	360	101000
		101677 06/13/22 SWR-ANNUAL EXT SERVICE	265.00*			5310 430600	399	101000
		Total for Vendor:	475.00					
43247		735 MASTER TECH REPAIR	20.00					
		7743-35 06/08/22 PRKS-WEED EATER LINE	20.00			1000 460400	240	101000
		Total for Vendor:	20.00					
43241		43 MONTANA ENVIRONMENTAL LABORATORY	490.00					
		STATEMENT ENDING 5/31/22						
		2204273 05/04/22 WTR-COLIFORM	135.00*			5210 430500	394	101000
		2204682 05/16/22 WTR-NITRATE+NITRITE, TKN	75.00*			5210 430500	394	101000
		2204274 05/09/22 SWR-AMMONIA, TKN, NITRATE+NIT	85.00			5310 430600	394	101000
		2204002 05/04/22 SWR-NITRATE+NITRITE, TKN	60.00			5310 430600	394	101000

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	2204935	05/25/22 SWR-NITRATE+NITRITE, TKN	60.00			5310 430600	394	101000
	2204633	05/17/22 SWR-NITRATE+NITRITE, TKN	60.00			5310 430600	394	101000
	2204275	05/09/22 SWR-DISOLVED ALUMINUM	15.00			5310 430600	394	101000
		Total for Vendor:	490.00					
43218		1247 MURDOCH'S RANCH & HOME KALISPELL	310.97					
	8273/34	06/09/22 PARKS-HAND HELD BLOWER	170.99*			1000 460400	212	101000
	8276/34	06/10/22 PRKS-RAIN OVERALLS	139.98			1000 460400	226	101000
		Total for Vendor:	310.97					
43251		52 NAPA AUTO PARTS	37.98					
	007253	06/01/22 FD-DIESEL EXHAUST FLUID	37.98*			1000 420400	231	101000
		Total for Vendor:	37.98					
43249		2002 NORTHWEST PARTS & EQUIPMENT &	4.50					
	C308687	05/17/22 SWR-FILTER SCREEN ZERTS	4.50			5310 430600	240	101000
		Total for Vendor:	4.50					
43233		1437 NORTHWESTERN ENERGY	1,735.76					
		NATURAL GAS SERVICE 4/24-5/23/22						
	052422	05/24/22 FAC-4/24-5/23/22	681.83			1000 411200	344	101000
	052422	05/24/22 PD-4/24-5/23/22	38.87*			1000 420100	344	101000
	052422	05/24/22 FD-4/24-5/23/22	212.66*			1000 420400	344	101000
	052422	05/24/22 STRS-4/24-5/23/22	150.80			2500 430200	344	101000
	052422	05/24/22 WTR-4/24-5/23/22	113.64			5210 430500	344	101000
	052422	05/24/22 SWR-4/24-5/23/22	537.96*			5310 430600	344	101000
		Total for Vendor:	1,735.76					
43250		2816 O'REILLY AUTO PARTS	67.92					
	392061	06/01/22 STRS-CAR WASH & WIPER FLUID	47.93			2500 430200	220	101000
	391957	05/31/22 STRS-POWER STEERING FLUID	19.99			2500 430200	220	101000
		Total for Vendor:	67.92					
43248		1181 PARSONS TRACTOR & IMPLEMENT	606.77					
	01-82827	05/31/22 PRKS-KUBOTA MOWER REPAIR	606.77*			1000 460400	360	101000
		Total for Vendor:	606.77					

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CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 6/22

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43257		3172 PAVEMENT MARKING	1,100.00					
	052322	05/23/22 PRKS-PAVEMENT LINES AT HORINE	1,100.00*			1000 460400	399	101000
		Total for Vendor:	1,100.00					
43210		3100 PEDROS PROPERTIES	2,800.00					
		CITY'S SHARE FOR MARYANNE PITMAN WATERLINE REPLACEMENT						
		1006 9TH AVE W						
	2022-068	06/09/22 WTR-30% SHARE WATERLINE REPL	925.00			5210 430500	360	101000
	2022-068	06/09/22 WTR-50% SHARE MAIN TO CURBST	1,875.00			5210 430500	360	101000
		Total for Vendor:	2,800.00					
43231		63 PETTY CASH	63.55					
	020822	02/08/22 PD-ALCOHOL COMPLIANCE CHECKS	28.96			1000 420100	220	101000
	012822	01/28/22 WTR-LUNCH TRAINING IN LIBBY	17.00*			5210 430500	380	101000
	77202	05/31/22 SWR-KEYS FOR LIFT STATION 3	8.85			5310 430600	220	101000
	052022	05/20/22 WTR-406 INNOVATIVE CERT LETTER	7.96			5210 430500	310	101000
	052722	05/27/22 P/Z-HORSE LETTER POSTAGE	0.58*			1000 411000	310	101000
	011822	01/18/22 FIN-POSTAGE DUE ON LETTER	0.20			1000 410500	310	101000
		Total for Vendor:	63.55					
43259		1888 PLETCH ELECTRIC INC	476.48					
	5423	06/07/22 PRKS-INSTALL SPRINKLER CONTROL	136.10			4010 460400	930	101000
	5423	06/07/22 FAC-CITY HALL FLOOR OUTLET	128.68*			1000 411200	360	101000
	5423	06/07/22 FAC-FIRE HALL LIGHT REPAIRS	211.70*			1000 411200	360	101000
		Total for Vendor:	476.48					
43242	E	3008 REPUBLIC SERVICES	987.41					
		MAY						
	247519	05/31/22 PRKS-PORTA POTTIES MAY 2022	987.41*			1000 460400	399	101000
		Total for Vendor:	987.41					
43235		199 SCHELLINGER CONSTRUCTION	480.00					
	76163	06/01/22 PRKS-CONCRETE FOR HOERNER PARK	480.00			4010 460400	930	101000
		Total for Vendor:	480.00					

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CITY OF COLUMBIA FALLS
Claim Approval List
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43252		3107 SMITH'S CUSTOMER CHARGES	134.30					
	098555	04/28/22 FIN-MMIA MEETING BRKFAST FOODS	44.34			1000 410500	220	101000
	215600	06/02/22 FD-AA BATTERIES	89.96			1000 420400	220	101000
		Total for Vendor:	134.30					
43214		2890 SPOKANE HOUSE OF HOSE, INC	138.67					
	939481	06/01/22 SWR-WASHDOWN HOSES	138.67			5310 430600	240	101000
		Total for Vendor:	138.67					
43224		1653 SUPER 1 FOODS	15.36					
	02-1450463	06/05/22 SWR-DISTILLED WATER	7.68			5310 430600	222	101000
	03-1599992	05/10/22 SWR-DISTILLED WATER	7.68			5310 430600	222	101000
		Total for Vendor:	15.36					
43209		1644 THE CHEMNET CONSORTIUM	110.00					
	113378	06/09/22 SWR-PALIGA DRUG SCREEN	55.00*			5310 430600	399	101000
	113378	06/09/22 SWR-SANDSON DRUG SCREEN	55.00*			5310 430600	399	101000
		Total for Vendor:	110.00					
43258		2699 THE MAIL ROOM, INC	384.39					
	D109676	06/13/22 PD-MAIL SRVS 5/31-6/10/22	9.15*			1000 420100	310	101000
	D109676	06/13/22 FIN-MAIL SRVS 5/31-6/10/22	15.12			1000 410500	310	101000
	D109676	06/13/22 WTR-MAIL SRVS 5/31-6/10/22	134.01			5210 430500	310	101000
	D109676	06/13/22 SWR-MAIL SRVS 5/31-6/10/22	134.01			5310 430600	310	101000
	D109676	06/13/22 CRT-MAIL SRVS 5/31-6/10/22	44.37			1000 410360	310	101000
	D109676	06/13/22 PLN-MAIL SRVS 5/31-6/10/22	47.73*			1000 411000	310	101000
		Total for Vendor:	384.39					
43216		3087 THE RADAR SHOP INC	350.00					
RECERT 5 RADAR UNITS								
	14266	05/31/22 PD-RADAR UNITS RECERT & CALIBR	350.00			1000 420100	399	101000
		Total for Vendor:	350.00					

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org	Acct	Object	Proj	Account
43225		1623 THE UPS STORE #4515	62.85							
		TRACKING #1ZWA36714279756397								
		TRACKING #9405511899562499925079								
		TRACKING #1ZWA36710384683912								
		3573 06/03/22 PD-EVIDENCE SHIPPING	17.12*			1000	420100	310		101000
		2022-3895 06/11/22 PD-EVIDENCE SHIPPING	16.60*			1000	420100	310		101000
		6253 06/08/22 FD-RETURN SHIPPING	29.13			1000	420400	310		101000
		Total for Vendor:	62.85							
43256		1295 U.S. BANK - SPA LOCKBOX CM9695	60,776.25							
		2009 B SEWER								
		2009 C SEWER								
		2005 WATER								
		2020 WATER								
		2007235 05/31/22 SWR-2009 B SEWER PRINCIPAL	9,000.00			5310	490215	610		101000
		2007235 05/31/22 SWR-2009 B SEWER INTEREST	525.00			5310	490215	620		101000
		2007236 05/31/22 SWR-2009 C SEWER PRINCIPAL	11,000.00			5310	490215	610		101000
		2007236 05/31/22 SWR-2009 C SEWER INTEREST	3,120.00			5310	490215	620		101000
		051622 05/16/22 WTR-2005 WATER PRINCIPAL	14,000.00			5210	490210	610		101000
		051622 05/16/22 WTR-2005 WATER INTEREST	1,181.25			5210	490210	620		101000
		051922 05/19/22 WTR-2020 WATER PRINCIPAL	14,000.00			5210	490220	610		101000
		051922 05/19/22 WTR-2020 WATER INTEREST	7,950.00			5210	490220	620		101000
		Total for Vendor:	60,776.25							
43234		3063 UTILITIES UNDERGROUND LOCATION	142.87							
		MONTH OF SERVICE APRIL								
		91 UDIGS								
		2055068 05/31/22 WTR-MAY 2022 UDIGS	47.62			5210	430500	318		101000
		2055068 05/31/22 SWR-MAY 2022 UDIGS	47.62			5310	430600	318		101000
		2055068 05/31/22 STRS-MAY 2022 UDIGS	47.63			2500	430200	318		101000
		Total for Vendor:	142.87							
43228		1134 VICTIM-WITNESS ADVOCATE PROGRAM	276.50							
		060122 06/01/22 CRTS-MAY 2022	276.50			2917	410360	356		101000
		Total for Vendor:	276.50							

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CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 6/22

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43207		84 WESTERN BUILDING CENTER	1,869.16					
	4691565	06/06/22 POOL-PVC PIPE CLEANER & GLUE	22.78			1000 460445	240	101000
	4691185	06/02/22 PRKS-HOERNER PLAYGROUND BORDE	1,799.78			4010 460400	930	101000
	4691285	06/03/22 WTR-SAMPLING TOOLS	21.99			5210 430500	220	101000
	4691602	06/07/22 POOL-ASSORTED FASTENERS	5.76			1000 460445	240	101000
	4692479	06/14/22 POOL-PVC PIPING FOR POOL	18.85			1000 460445	240	101000
		Total for Vendor:	1,869.16					
43227	E	2733 WEX Fleet Universal	5,190.17					
		STATEMENT ENDING 5/31/22						
	81284350	05/31/22 PD-MAY FUEL	2,180.23*			1000 420100	231	101000
	81284350	05/31/22 FIRE-MAY FUEL	777.65*			1000 420400	231	101000
	81284350	05/31/22 PRKS-MAY FUEL	389.97			1000 460400	231	101000
	81284350	05/31/22 WTR-MAY FUEL	560.03			5210 430500	231	101000
	81284350	05/31/22 SWR-MAY FUEL	438.14*			5310 430600	231	101000
	81284350	05/31/22 STRS-MAY FUEL	777.28			2500 430200	231	101000
	81284350	05/31/22 FAC-MAY FUEL	14.27			1000 411200	231	101000
	81284350	05/31/22 WTR-NATHAN TRAINING IN MISSO	52.60*			5210 430500	380	101000
		Total for Vendor:	5,190.17					
		# of Claims	57	Total:	200,876.93			
		Total Electronic Claims			10,512.29			
		Total Non-Electronic Claims			190364.64			

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CITY OF COLUMBIA FALLS
Fund Summary for Claims
For the Accounting Period: 6/22

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Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH/CASH EQUIVALENTS	\$35,715.35
2394 BUILDING CODE ENFORCEMENT FUND	
101000 CASH/CASH EQUIVALENTS	\$7,166.60
2400 SPECIAL LIGHTING DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$2,595.83
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$1,242.21
2917 CRIME VICTIMS ASSISTANCE FUND	
101000 CASH/CASH EQUIVALENTS	\$276.50
4010 CAPITAL PROJECTS FUND - Parks	
101000 CASH/CASH EQUIVALENTS	\$2,415.88
5210 WATER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$46,213.82
5310 SEWER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$85,767.00
7120 FIRE RELIEF DISABILITY/PENSION FUND	
101000 CASH/CASH EQUIVALENTS	\$19,483.74
Total:	\$200,876.93

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CITY OF COLUMBIA FALLS
Claim Approval Signature Page
For the Accounting Period: 6 / 22

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Report ID: AP100A

Council Meeting Date: 06/20/2022

Claims Submitted to Council: \$ 200,876.93

Claims Denied/Withheld by Council Finance Committee: \$ _____ Claim #'s: _____

Prepared By: Shawn Bates, Finance Director

Shawn Bates

Approved by Susan M. Nicosia, City Manager

Susan Nicosia

City Council to Approve by motion on consent agenda

The following claims are significant:

KLJ Engineering LLC - \$8,945.00 Quiet Zone and Raise Grant engineering services (Fund 1000)
HDR Engineering INC - \$9,416.61 WWTP and Sewer improvements engineering services (ARPA) (Fund 5310)
Kois Brothers Equipment Co - \$40,900.00 Service truck box and crane for 2020 Ram 5500 (Fund 5310)
U.S. Bank Spa Lockbox - \$60,776.25 Sewer 2009 B & C and Water 2005 & 2020 loan payments (Fund 5310 & 5210)

The remaining claims are routine. Please let me know if you have any questions.
Shawn

06/08/22
14:30:15

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 06/10/22 to 06/10/22

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Total for Payroll Checks

	Employee	Employer	Amount
ADDL HOURS (Additional)	0.00		100.00
COMA HOURS (Comp Time Accumulated)	5.25		
HOL HOURS (Holiday Pay)	240.20		6,572.96
HOLW HOURS (Holiday Worked @ 2.5x)	8.00		421.00
J003 HOURS (PD HOL WK)	35.00		1,622.93
OVER HOURS (Overtime)	58.00		2,485.10
OVRTD HOURS (STEP overtime)	8.00		296.04
REG HOURS (Regular Time)	1,946.25		54,238.20
REG2 HOURS (Addition to Salary)	16.00		769.91
SHFN HOURS (Shift B)	228.50		228.50
SHFQ HOURS (OVT B)	29.50		44.25
SHFU HOURS (Hol wk B)	21.00		52.50
SICK HOURS (Sick Time)	101.69		3,430.91
VACA HOURS (Vacation Time Used)	267.06		7,198.94
GROSS PAY	77,461.24	0.00	
NET PAY	51,135.34	0.00	
NET PAY (CHECKS)	246.34		
NET PAY (DIRECT DEPOSIT)	50,889.00		
AFLAC-POSTTAX	111.67	0.00	
AFLAC-PRETAX	81.08	0.00	
CHILD SUPPORT	88.61	0.00	
CHILD SUPPORT P	413.07	0.00	
CITY OF COLUMBI	20.00	0.00	
FIT	6,557.63	0.00	
FLEX ALLEGIANCE	1,017.16	27.50	
FLEX DEP CARE	208.33	2.50	
FOP	280.00	0.00	
HEALTHINS/PRE	3,134.78	16,097.70	
MEDICARE	1,092.15	1,092.15	
MT ST FIRE ASSO	29.68	0.00	
NATIONWIDE/CITY	0.00	2,298.98	
NATIONWIDE/EMP	387.50	0.00	
P.E.R.S.	3,676.28	4,127.67	
PERS/FURS	317.60	426.24	
PERS/POLICE	2,084.21	3,337.03	
SIT	3,417.00	0.00	
SOCIAL SECURITY	2,843.92	2,843.92	
TEAMSTERS DUES	308.00	0.00	
UNEMPL. INSUR.	0.00	426.06	
UNUM LIFE INS.	118.77	0.00	
WA CHILD SUPPOR	138.46	0.00	
WORKERS' COMP	0.00	2,248.10	
CHARLES SCHWAB	1,487.30	0.00	
FIRST INTERSTAT	1,963.34	0.00	
FREEDOM BANK	1,219.76	0.00	
GLACIER BANK KA	4,737.84	0.00	
GLACIER BANK/CF	19,541.40	0.00	
GLACIER BANK/WF	1,733.48	0.00	

6/10/22
Payroll
\$87,842.93
Baw Staaland

06/08/22
14:30:15

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 06/10/22 to 06/10/22

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PARKSIDE CR U	11,173.70	0.00
THREE RIVERS	1,057.97	0.00
USAA FEDERAL	1,173.04	0.00
USBANK.	2,190.36	0.00
VALLEY BANK KAL	100.00	0.00
VERIDIAN CREDIT	400.00	0.00
WELLS FARGO	1,017.30	0.00
WFISH CR UNION	3,093.51	0.00
FIT/SIT BASE	66,762.63	0.00
MEDICARE BASE	75,318.87	0.00
PERS BASE	72,661.19	0.00
SOC SEC BASE	45,869.91	0.00
UN BASE	77,461.24	0.00
WC BASE	75,993.21	0.00

Total	32,927.85
Total Payroll Expense (Gross Pay + Employer Contributions):	110,389.09

Check Summary

Payroll Checks Prev. Out.	\$44,158.82
Payroll Checks Issued	\$3,622.64
Payroll Checks Redeemed	\$0.00
Payroll Checks Outstanding	\$47,781.46
Electronic Checks	\$84,240.29

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	5687.84	5687.84		212260
Medicare	2184.30	2184.30		212260
P.E.R.S.	7803.95	7803.95		212270
Unempl. Insur.	426.06	2408.76	2834.82	212210
Workers' Comp	2248.10	12679.98	14928.08	212220
FIT	6557.63	6557.63		212260
SIT	3417.00	3417.00		212260
AFLAC-PRETAX	81.08	81.08	162.16	212230
NATIONWIDE/EMP	387.50	387.50		212280
Teamsters dues	308.00	308.00	616.00	212310
PERS/Police	5421.24	5421.24		212240
NATIONWIDE/CITY	2298.98	2298.98		212280
AFLAC-POSTTAX	111.67	111.67	223.34	212230
PERS/FURS	743.84	743.84		212275
MT ST FIRE ASSO	29.68	29.68		212315
HEALTHINS/PRE	19232.48	19232.48	38464.96	212400
CITY OF COLUMBI	20.00	20.00		212450
UNUM LIFE INS.	118.77	118.77	237.54	212400
FLEX ALLEGIANCE	1044.66	1044.66		212285
CHILD SUPPORT	88.61	88.61		212330
CHILD SUPPORT P	413.07	413.07		212330
WA CHILD SUPPOR	138.46	138.46		212330
FOP	280.00	280.00		212335
FLEX DEP CARE	210.83	210.83		212285

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CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 06/10/22 to 06/10/22

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Total Ded.	59253.75	34940.74	36727.59	57466.90
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**** Carried Forward column only correct if report run for current period.

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD JUNE 06, 2022**

REGULAR MEETING – 7:00 P.M.

Mayor Barnhart 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.

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

PLEDGE OF ALLEGIANCE

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

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

Approval of Claims - June 6, 2022 - \$126,512.50

Approval of Payroll Claims - May 27, 2022 - \$124,970.68

Approval of May 16, 2022 Regular City Council Meeting Minutes

Approval of MOU - Flathead County EMS - June 1, 2022 - May 31, 2023

VISITORS/PUBLIC COMMENT (Items not on agenda)

Patrick "Cletus" Scribner resides at 1134 12th St. W. said he has been in touch with the engineering company that built Lewistown's pool in order to put together a proposal for a new pool facility here in Columbia Falls. Mr. Scribner said he is not asking council for money as he believes he can get it privately funded.

EMPLOYEE RECOGNITION:

Employee Recognition - Angela Burns, Police Department Office Assistant - 5 years

Mayor Barnhart presented Angela Burns with her 5 years of service pin and thanked her for her dedicated service to the Columbia Falls Police Department.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the notice of hearing and requested the staff report presentation:

Request a Conditional Use Permit to Construct Two Six-Plex Apartments in the Columbia Falls Zoning Jurisdiction:

A request by Big Sky Living, LLC for a Conditional Use Permit (CUP) to build a six-plex condominium/apartment building on each of two lots owned by the applicant. As a result, there will be a total of twelve units proposed. The six-plex's will occupy Lots 166 and 167 of Hilltop Homes Subdivision located on Diane Road in Columbia Falls. The properties are zoned CRA-1 (Multi-Family Residential) which requires a CUP to construct a three-plex or greater within the zoning district. The properties are addressed at 9 and 11 Diane Road and described as Lots 166 and 167 of the Hilltop Homes subdivision in Section 18, Township 30 North, Range 22 West, P.M.M., Flathead County

City Manager Nicosia presented Staff Report CCU-22-02, reviewing each of the Findings of Fact. The City received a permit in 2017 for six plex's and they were never constructed so the permit expired, Nicosia noted, so this application is now being submitted. Nicosia noted that the back of the units will face Diane Rd and they have garages, unlike the original planned units. Nicosia reported that the Planning Board approved the CUP at their May 10, 2022 meeting. Staff recommends approval.

With no public comments or correspondence Mayor Barnhart opened and closed the Public Hearing at 7:12 p.m.

Councilor Fisher motioned to adopt Staff Report CCU-22-02 as Findings of Fact, seconded by Councilor Lovering with council voting as follows. Ayes: Robinson, Shepard, Fisher, Karper, Lovering, Piper and Barnhart.

Mayor Barnhart read the public hearing notice and requested the staff report presentation:

Request to Change the Zoning from CR-5 (Two-Family Residential) to CR-3 (One-Family Residential) in the Columbia Falls Zoning Jurisdiction:

The applicant, Rhonda Hoon, is requesting a zone change at 1115 Nucleus Avenue in the Columbia Falls area from the current CR-5 (Two-Family Residential) to a CR-3 (One-Family Residential) designation. The property currently has a house and a detached garage on the property. The applicant would like to convert the garage to an accessory dwelling. The property is described as Lot 3, Block 10 of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Manager presented Staff Report CZC-22-01, reviewing each of the Findings of Fact. Nicosia said the reason for the request is the applicant wants to convert the existing garage into an accessory dwelling which is not allowed in the CR-5 zone. This zone change from CR-5 to a CR-3 allows the Accessory Dwelling while maintaining the two-family limit. Staff recommends approval.

With no public comments or correspondence Mayor Barnhart opened and closed the Public Hearing at 7:15 p.m.

Councilor Shepard motioned to adopt Staff Report CZC-22-01 as Findings of Fact, seconded by Councilor Robinson with council voting as follows. Ayes: Shepard, Fisher, Karper, Lovering, Piper, Robinson and Barnhart.

Mayor Barnhart read the public hearing notice:

Public Hearing - Noise Ordinance, Chapter 9.17:

On June 6, 2022, during the 7:00 p.m. regular council meeting, the City Council of the City of Columbia Falls, shall conduct a public hearing for the purpose of adopting Chapter 9.17 Noise in the Columbia Falls Municipal Code.

The City Council established a Noise Ordinance Committee that reviewed the current code and recommended adopting an amended code at the Regular Council Meeting held May 16, 2022. The Noise Ordinance is intended to protect, preserve, and promote the health, safety, welfare, peace and quiet of the residents and visitors of Columbia Falls through the reduction, control and prevention of loud and raucous noise or any noise which unreasonably disturbs, injures or endangers their comfort, repose, health, peace or safety, or causes public inconvenience, annoyance, or alarm to reasonable individuals or ordinance sensitivity.

The proposed Chapter 9.17 Noise is available for review at the office of the City Clerk, City of Columbia Falls 130 6th Street West, Columbia Falls, MT. Persons may contact the City Clerk or City Manager at 406-892-4391 or 130 6th Street West, Columbia Falls, MT for more information about the hearing.

Nicosia presented the proposed ordinance language, as reviewed at the previous council meeting. Councilor Shepard asked if the local businesses were adequately vetted. Nicosia said the businesses participated in the Noise Committee meetings with representatives from the Coop, Gunsight and Glacier Lanes Bowling Alley came to the meetings as well as residents that had complaints. Councilor Piper added that the Committee had a good representation of businesses with round table discussions and all seem to agree to what we have in place. City Attorney Breck said all viewpoints were taken into account. Breck said the code is to be utilized as a tool in court with lots of factors to be fair. Mayor Barnhart asked if someone had an issue would they call 911. Chief Peters said that is correct. Lovering wanted to clarify the hours 10pm -7am are prohibited. Nicosia said that is correct. Fisher inquired about construction activity being done by 6:00 p.m. but other activity is 10:00 p.m. Mayor said that is correct construction hours are 6:00 a.m. to 6:00 p.m. Nicosia said construction companies can put in a special request to extend hours if needed as done with Hwy 2 mill and fill project for example.

Councilor Shepard motioned to extend construction working hours from 6:00 a.m. to 7:00 p.m., seconded by Councilor Fisher and the motion passed.

Chris Petersen said he hasn't had a problem in a long time but what if the neighbor lives in the county and is making the noise that bothers a person that lives in the city limits. Chief Peters said it is not enforceable.

With no further comments Mayor Barnhart closed the Public Hearing at 7:31 p.m.

NEW BUSINESS:

Authorize Call for Bids - 12th Ave West EDA Project

Nicosia said the City is hoping to receive approval from EDA to call for bids on this project early next week. DEQ hasn't assigned our water main extension to a reviewer yet and EDA usually requires their approval before calling for bids. City staff is asking for council approval to call for bids upon EDA approval.

Councilor Shepard made motion to approve the call for bids on the 12th Ave West project upon EDA authorization, seconded by Councilor Karper.

Councilor Fisher asked if this project stops at the railroad crossing. Nicosia said under the call for bids it will end before the railroad crossing, the City will still need to update the crossing.
Motion carried.

Movie Night Park Hours Request:

Nicosia presented the letter of request from The Chamber of Commerce to have movie night at Marantette Park on Friday, June 24th, extending the park hours to 11:30 p.m. Nicosia noted that the Council must approve the request as the hours are established in City Code.

Councilor Lovering motioned to approve Movie Night at Marantette Park, seconded by Councilor Shepard and the motion passed. Councilor Fisher abstained from the vote.

Mayoral Proclamation - June 25, 2022 Lemonade Day in Columbia Falls:

Mayor Barnhart proclaimed June 25, 2022 Lemonade Day as submitted from the Boys and Girls Club of Glacier Country.

Approval - CDBG Planning Grant Application - Housing Study:

City Manager Nicosia reported the MT DOC recently announced another round of CDBG Planning Grants; one of the uses is a Housing Study. Based on previous comments and the current turbulence surrounding short-term vacation rentals, Nicosia is requesting Council permission to pursue a CDGB Planning grant application to study housing issues including the impact of short-term vacation rentals. The City can request up to \$50,000 and the required matching funds are 25%. Mayor Barnhart asked how this study affects the City of Columbia Falls. Nicosia said it could be beneficial to our community to look at housing inventory and needs as well as short-term rentals. Robinson asked who is spearheading this project and how many hours will staff have into it. Nicosia said she is working with NW MT Community Land Trust, Realtors Association, and U of M Economic Bureau, but the City would spearhead the project. Piper said he is not interested in the study. Karper inquired if the cost to the City was \$50,000. Nicosia said she was not anticipating spending that amount due to the 25% match. Karper said if we could cap it at a specific amount, it may be of use. Shepard said he is not interested. Lovering asked if a study like this would be useful when applying for other grants. Nicosia said if the outcome of the study was something we needed for a particular type of housing, it may be of use. After council discussion, Council decided to wait until August to gather more information.

ORDINANCES / RESOLUTIONS:

Resolution # 1875:

A Resolution of the City Council of the City of Columbia Falls, Montana, Approving an Application for a Conditional Use Permit by Big Sky Living, LLC to Construct One Six-Plex Condominium to be placed on Each of Lots 166 and 167, Hilltop Homes Subdivision, Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Councilor Shepard made motion to approving Resolution # 1875, seconded by Councilor Piper with council voting as follows. Ayes: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

First Reading - Ordinance # 817:

An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CR-5 Two Family Residential to CR-3 One-Family Residential at 1115 Nucleus Avenue Further Described as Lot 3, Block 10 Of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Councilor Lovering motioned to approve the First Reading of Ordinance # 817, seconded by Councilor Karper and the motion carried unanimously.

First Reading - Ordinance # 818 - Adopting Chapter 9.17 Noise

An Ordinance of the City Council of the City of Columbia Falls, Montana Adding Chapter 9.17 Noise

Councilor Karper motioned to adopt the First Reading of Ordinance # 818, seconded by Councilor Piper and the motion carried.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard said children are using the Memorial Wall at Marantette wall as a chalk board. Can we get a sign put up? Nicosia will work with Public Works on the issue. Shepard also asked if using marijuana in a public park was legal. Chief Peters said no, call the Police Department if you witness it. Shepard discussed mixed use neighborhoods such as the downtown neighborhood and the Best Way development. Shepard has 165 pages on the Aluminum Plant from Rick Hanners. Shepard recognized the anniversary of D Day.

Councilor Lovering said when turning on 13th St. off of 4th Ave, W, the sign is not visible enough, Nicosia said it will to be moved half a block. Chief Peters said the sign location should pick up speed and provide time to slow down. Lovering said after the rain the temporary repair on Nucleus Ave. has deteriorated. Nicosia said it was supposed to be paved on June 1st. Mayor Barnhart said the City needs to contact MDOT. Lovering mentioned having a look at the clear vision corners.

Fisher said the excavation has started at Columbus Park. Fisher said he made purchases at Smith's and Super One on items that should have been taxed and they were not.

Mayor Barnhart said the lettering on City Hall needs to be polished or buffed.

Mayor Barnhart reported that the EPA regional Director is going to be here June 30th can we get the date and time confirmed. Mayor Barnhart said he heard good feedback on the signs near Glacier Gateway School.

Mayor Barnhart attended his grandson's school graduation program and it was nice to see the police presence there. Barnhart also noted that the Police Department dealt with the recent school incident very well.

Councilor Karper said Fish Wildlife and Parks along with the City will be hosting a family fishing day at River's Edge Park on June 18th. The Rotary Club wants to be involved in helping in getting a fishing pier and fishing platform.

CITY MANAGER REPORT**Project Updates:**

Nicosia noted that the City is keeping all of the engineer firms busy: Street Construction, EDA project, sidewalk/bikepath on 6th/School property, Water Model, and downtown sidewalks. Nicosia noted that CR Leisinger from Morrison-Maierle is in the audience. CR Leisinger said the top priority for the street projects is on Martha and Beth replacing the asphalt and drywells to address drainage. Other areas being addressed are 13th St. and 12th Ave., Vans Ave and 1st Ave. E.; all areas have been surveyed.

Nicosia said the contractor needs four good weather days to finish the tennis court surfacing. The pickleball courts will follow.

Nicosia noted that the 1st Ave. W. angled parking has been rolled into the street projects.

The 5th Ave West water main project should be moving forward as soon as the Infrastructure Committee gives it the final approval.

Nicosia also noted that the Police Department is currently down four police officers and we are in the process of getting officers hired for the two openings.

Resort Tax Update thru May 31, 2022:

Nicosia reported on the Resort Tax collections through May 21st: \$515,568. less 5% for businesses that remit which was \$25,778., Tax Relief is 25% 128,892 (about \$39/\$200,000 house), Public Safety is 55%, \$283,562., 14 % Infrastructure \$72,178., Administration Fee 1%, \$5,156. Nicosia noted that on June 30th, the City will know exactly how much money has been received from the Resort Tax for the 22-23 FY budget.

Short-term Vacation Rental Discussion and Review

Nicosia said in 2012 the City adopted the Short-Term Vacation Rental requirements and based on current public comment and sentiment, it may be time to revisit the code. Nicosia reported that during the course of reviewing one application, it was discovered that the 2019 Legislature adopted a bill that states a property owner can't be held to an amended CCR that was more restrictive if the property owner didn't vote in favor of the amendment. Nicosia noted that there is also considerable comment about the "commercial" use because the City requires a business license. The license is intended to monitor the use. Nicosia noted that if/when the code is changed, she recommends requiring a permit and not a business license. If there is a violation or noise complaint the City can revoke a permit, Nicosia said the City has not had to do that as of yet.

Breck said if a neighborhood wants to restrict vacation rentals, they have the power to do that within the HOA. Every HOA has the ability to restrict short-term rentals, pursuant to state law. There was extended council discussion with the outcome being to look further into a permit rather than a Business License but no change to the short-term vacation rental process at this time.

MISCELLANEOUS

Correspondence

Fire Department Activity - April and May, 2022

Financial Report - April 2022

ADJOURN: Councilor Lovering made motion to adjourn, seconded by Councilor Karper and the meeting was adjourned at 8:53 p.m.

Mayor

City Clerk

COLLECTIVE BARGAINING AGREEMENT

Between
CITY OF COLUMBIA FALLS
And
THE COLUMBIA FALLS FRATERNAL
ORDER OF POLICE LODGE # 6

July 1, 2022 - June 30, 2025

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THE CITY OF COLUMBIA FALLS
And
THE COLUMBIA FALLS FRATERNAL ORDER OF POLICE LODGE #6

COLLECTIVE BARGAINING AGREEMENT

This Agreement is made and entered into by and between the Columbia Falls Fraternal Order of Police, hereinafter referred to as the "Union," and the City of Columbia Falls, hereinafter referred to as the "City," as follows:

GENERAL PURPOSE OF THIS AGREEMENT

The general purpose of this Agreement is to promote harmony among employees, efficiency in operations, and provide methods which will further to the fullest extent possible the safety of citizens, economy of operations, quality of protection, elimination of waste and protection of life and property. It is recognized by this Agreement to be the duty of the Union and the City to cooperate fully, individually and collectively, for the advancement of these conditions.

ARTICLE 1 - RECOGNITION

The City recognizes the Union as the Exclusive Representative for all employees of the Police Department, excluding confidential employees, supervisors, short-term, and temporary employees.

ARTICLE 2 - UNION MEMBERSHIP

The Union shall abide by all applicable laws with respect to membership. The amount of monthly fees or dues shall be determined solely by the Union. The Union shall provide the City with an appropriate dues deduction form.

The Union shall indemnify, defend and hold the City harmless against any claim made and against any suit instituted against the City, including attorney's fees and costs of defense thereof, on account of any action taken in accordance with this Article.

The City shall deduct union dues from the pay check of each employee twice a month for one-half (1/2) of the designated monthly amount and forward it to the Union.

ARTICLE 3 - EMPLOYEE GRIEVANCE PROCEDURE

- A. A grievance is any dispute regarding the interpretation of the provisions contained in this Agreement.
- B. The Union will certify in writing to the City all employees designated as Stewards. A Steward shall be granted paid release time to attend any meeting requested by the City or required by this Agreement that is scheduled during the Steward's work hours. A Steward and a grievant

may be granted paid release time to discuss a grievance during work hours at the discretion of the City.

- C. Failure to comply with the established formal procedures provided in this Article shall constitute a waiver to continue the grievance process by the Union. If the City fails to respond to a grievance, it shall be automatically moved to the next step. Time limits may be extended through written agreement of the Union and the City.

Process:

- Step 1: An employee who has a grievance, shall not later than fourteen calendar days of its occurrence, with or without the Steward present, orally discuss the grievance with his/her immediate supervisor. If the grievance remains unresolved see Step 2.
- Step 2: Not later than fourteen calendar days following the oral discussion of the grievance, the employee and the steward shall present the grievance to the Chief of Police. The grievance shall be presented and responded to using the form provided as Addendum B. The Chief of Police shall attempt to resolve the grievance and shall report this adjustment in writing to the Steward not later than fourteen calendar days of the receipt of the grievance. If the grievance remains unresolved:
- Step 3: Not later than fourteen calendar days of the date of the Chief of Police's reply, the Steward shall present the written grievance, along with the Union's reason for non-acceptance to the City Manager or his/her designee. The City Manager or his/her designee shall attempt to resolve the grievance and shall respond to the Steward not later than fourteen calendar days.
- Step 4: If the grievance is not resolved at Step 3, the Union may, not later than fourteen calendar days of the City Manager's or his/her designee's response, notify the City of the intention to take the grievance to final and binding arbitration. The Union shall request the Board of Personnel Appeals to provide a list of seven arbitrators. The parties shall, not later than fourteen calendar days of the receipt of the list, select the arbitrator by the method of alternately striking names with the Union striking the first name. The final name left on the list shall be the arbitrator.

The arbitrator chosen will be contacted immediately and asked to start proceedings at the earliest possible date. Not less than 20 calendar days prior to the hearing, the arbitrator shall resolve all procedural arbitrability issues submitted by that time and may, by mutual agreement, decide substantive arbitrability issues. The arbitrator's decision shall be final and binding on both parties, and he/she shall be requested to issue his/her decision not later than 30 calendar days after the conclusion of the proceedings, including filing of briefs, if any. Expenses for the arbitration shall be borne equally by the City and the Union.

The Arbitrator shall have no authority to add to, subtract from or otherwise modify the terms of this Agreement.

- D. Other persons may replace any position mentioned in the above procedure, so long as the other party is notified in advance.
- E. The act of filing such a grievance shall constitute the employee's authorization to the City to reveal to the participants in the grievance procedure any and all information available to the City relating to said grievance. Such filing shall further constitute a release of the City from any and all claimed liability by reason of such disclosure.
- F. Time limits at any stage of the grievance procedure may be extended by written mutual agreement of the parties at that step.
- G. Election of Remedy: All disputes, controversies or claims arising out of or relating to this Agreement must first proceed through the grievance procedure of this agreement before advancing to arbitration or an alternative review process. To the extent allowed by law, when a grievance is submitted to arbitration, that procedure shall be deemed the exclusive method of resolving the dispute. Police Officers may opt to appeal a discipline or discharge to the Police Commission and seek judicial review under the provisions of 7-32-4164, MCA. The initiation of one of these appeal processes shall be deemed an irrevocable selection of that process to the exclusion of the other.

ARTICLE 4 - HOURS OF WORK

- A. Schedule: The Chief of Police shall schedule the beginning and ending times for all shifts and overtime. Except in cases of an emergency, shifts shall not be changed without at least two (2) days' notice or the employee agrees to such change. Whenever possible, within the constraints of manpower, the Chief of Police shall prioritize nights for scheduling two officers on duty. In an effort to allow the City to develop alternate work schedules, the City may establish a work week within the requirements and allowances of Section 207(k) of the Fair Labor Standards Act and 29 CFR Part 553. The parties will meet and confer at the request of either party on scheduling.
- B. Change in Schedule: Except in case of an emergency, the City will attempt to notify an employee of a change in his or her regular work schedule, by personal delivery of such notice at least 48 hours in advance.

ARTICLE 5 - MANAGEMENT PREROGATIVES

The employer retains all rights and privileges of the City to operate and manage their affairs in such areas as, but not limited to: direct employees; hire, promote, transfer, assign and retain employees; relieve employees from duties because of lack of work or funds or under conditions where continuation of such work would be inefficient and non-productive; maintain efficiency of operations; determine the methods, means, job classification, and personnel by which City operations are to be conducted; take whatever actions may be necessary to carry out the missions of the City in situations of emergencies; establish the methods and processes by which work is performed.

ARTICLE 6 - NO STRIKE

It is unlawful for a police officer to strike or recognize a picket line of a labor organization while in the performance of official duties. The term "strike" means a refusal to report for duty, a willful absence from duty, stoppage of work or departure from the full, faithful, or proper performance of duties of employment.

ARTICLE 7 - SCOPE OF AGREEMENT

The parties acknowledge that during the negotiations which preceded this Agreement, each had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter, and that the understanding and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Agreement. Therefore, for the life of this Agreement, the City and the Union each voluntarily and unqualifiedly waives the right, and each agrees that the other shall not be obligated to negotiate collectively with respect to any subject or matter whether or not specifically referred to or covered in this Agreement, even though such subjects may not have been within the knowledge or contemplation of either or both parties at the time they negotiated this Agreement. If the parties agree to open a subject for negotiations during the term of the Agreement, then that mutually agreed upon subject may be negotiated.

ARTICLE 8 - SENIORITY

- A. The City and the Union recognize the principle of seniority. After the probationary period is satisfied, employees shall be given seniority from their original date of hire. Seniority shall be defined as an employee's length of continuous service within the department. Efficiency of operations shall be the determining factor in regard to promotions and transfers within the department. In the application of seniority for any reason, skill and ability to perform the work will be the governing factor. The Chief of Police shall be the sole judge of skills and ability. If skills and ability are equal, then seniority shall be the determining factor. Seniority for the purposes of layoff and recall shall be by department seniority. Seniority will begin from the employee's most recent date of employment. For purposes of layoff, seniority shall be the sole determining factor; the only exceptions being documented incompetence and/or a serious established disciplinary problem.
- B. Seniority with the City shall terminate for the following reasons:
 - 1. Termination;
 - 2. Discharge;
 - 3. Resignation;
 - 4. Retirement;
 - 5. Layoff for more than two years; or
 - 6. Failure to return to work after layoff and recall by the City within ten working days.

ARTICLE 9 - PROBATIONARY PERIOD

The probationary period shall be one year from the date of last hire with the City, except for Police Officers it shall begin from the date of last hire with the City as a Police Officer or as provided by 7-

32-4110, MCA in the case of a returning Officer.

ARTICLE 10 - SALARY SCHEDULE, BENEFITS, INCENTIVES AND INSURANCE

- A. Wage: The attached addendum to this Agreement will be a salary schedule Addendum "A" which outlines the wage schedule for all employees of the City Police Department for the 2022-23 fiscal year and wage openers for the 2023-24 and 2024-25 fiscal years due to the current economic volatility
- B. Step Increases:
1. A step increase shall be granted each year, effective on the employee's anniversary date upon completion of the employee's annual performance evaluation.
 2. When an employee is promoted, or if an employee's job description is regraded to a higher grade, the newly graded employee will be granted a step wage amount that is six steps higher than the step wage amount paid at the former grade. The employee will then progress up the scale on the employee's promotion date anniversary.
 3. Education and Experience Steps – Office Assistant/Grade 9 and Patrolman/Grade 11:
 - a. After completion of the first year of employment, the employee may request a grant of additional steps based upon experience or education attained prior to the current employment with the City. Such additional steps may be granted only with the written authorization of the City Manager, after a recommendation by the individual employee's department head to the City Manager.
 - (1) Such additional steps may be granted only if the following conditions are met in their entirety:
 - (a) The prior experience and/or education is shown on, or accompanying the job application submitted for the current employment;
 - (b) The prior experience and/or education is documented by the employee and verified in writing by the individual employee's department head;
 - (c) The prior experience and/or education is specifically related to the work described for the individual employee's current job description.
 - (2) The employee may be granted additional steps within one of the following limits:

- (a) Two additional steps may be granted for prior experience that totals at least five years earned with, not more than two employers, within a period of six continuous years, or two additional steps may be granted for a maximum of one associate's degree earned by the employee from an accredited institution.
- (b) Four additional steps may be granted for prior experience that totals at least ten years earned with, not more than three employers, within a period of twelve continuous years, or four additional steps may be granted for a maximum of one bachelor's degree earned by the employee from an accredited institution.

b. Education and Experience Steps – Detective/Grade 12 and Sergeant/Grade 13:

Upon hire, the City may make placement on the salary schedule for additional steps for education and experience based on the provisions granted above.

4. New Education Steps:

Any employee wishing to complete an advanced college degree shall submit to the Department Head a written request for such training describing the content, schedule, cost and reasons for the course of study before enrolling for the education courses. Determination as to the applicability of the education to his/her present or anticipated work assignment will be made on an individual basis.

The Department Head shall review any request for education and will submit his/her recommendation to the City Manager for approval. Reimbursement will be made only for tuition, registration fees and lab fees upon successful completion of the education.

If approved, the employee may elect to forego reimbursement and receive two (2) steps for an Associate's Degree and four (4) steps for a Bachelor's degree.

C. Shift Differential:

Employees which are normally scheduled to work shifts at 5:00 p.m. or later shall receive shift differential for all hours worked.

1. Employees shall receive two dollars (\$2.00) per hour for all hours worked.

2. Overtime: When an employee works an overtime shift, they shall have this differential pay calculated at the rate of one and one-half times.

D. Overtime Compensation:

- 1. Non-sworn employees shall receive overtime for work performed in excess of forty hours per week at one and one-half times (1 ½) the employee's regular rate of pay. All overtime will be authorized in advance by the Chief of Police or his/her designee.

Sworn employees shall receive overtime pay at one and one-half (1½) times their rate of pay for all hours worked in excess of eighty-four (84) hours in a two-week pay period. If an employee's work day exceeds the 12-hour shift, the employee will receive one and one-half times (1 ½) the employee's regular rate of pay for the hours worked in excess of the 12-hours excluding training and qualification hours. It is agreed that the overtime hours paid under this provision will not count toward the 84 hour threshold. All overtime will be authorized in advance by the Chief of Police or his/her designee.

2. Upon agreement between the City and the employee, a nonexempt employee may receive compensatory time in lieu of overtime pay in accordance with the provisions of the Fair Labor Standards Act. Compensatory time will accrue at the rate of one and one-half times the hourly rate for each one hour of overtime worked. The compensatory time will be taken off at a time agreed upon by the employee and the Police Chief or his/her designee. Each employee shall be able to accumulate up to 160 hours of compensatory time as a running total. An employee has the right to maintain up to 160 hours of compensatory time until his/her separation from the City, at which time it will be compensated by pay at the regular hourly rate for each hour of accumulated compensatory time hours. However, the City may from time to time compensate employees for any or all unused compensatory time credits.

E. Call Out: Employees called out to work, except at times when such extends a regular work day, shall be paid for a minimum of three hours or the actual hours worked, whichever is greater, at a rate of 1 ½ times the regular rate of pay.

F. Meals and Lodging: The City will reimburse bargaining unit employees for expenses for travel which is authorized in advance by the Chief of Police. Expenses which may include mileage, meals and lodging will be reimbursed at rates as set by City Council.

G. Uniform Allowances:

1. Bullet Resistant Vests:

- a. Newly Hired Officers: The City shall purchase a bullet resistant vest which shall remain the property of the City unless purchased by the employee for its fair market value. Employer shall purchase a Level II vest or higher as approved by the Police Chief.
- b. Current Employees: The City will purchase a replacement of an Officer's vest, Level II or higher as approved by the Police Chief, every five years or as needed through no fault of the Officer the vest becomes unusable and before the manufacturer's warranty expires.

2. Uniforms:

- a. Newly Hired Employees: Each probationary employee will receive a prorated uniform allowance based on 1/12 of the allowance for each whole month of employment between the start month and September 1st. The City will

recoup through a reduction of any payment due to the employee a prorated amount of such allowance should a probationary employee separate from the City within 12 months of the payment of an allowance.

- b. Nonprobationary Employees: Not later than September 1 of each year, each nonprobationary employee will receive a uniform allowance, from which required withholdings will be made. Officers will receive \$1,200.00 per year.
- c. Should an employee separate from the City prior to 12 months after receiving any such allowance, the City may obtain a prorated repayment through deduction from compensation due the employee. Should the City be required to take action to obtain such repayment, the cost of such action may be added to the prorated amount due. Employees shall promptly return all items issued by the City prior to the issuing of a final pay check.

- H. Training Officers: When specifically assigned by the Chief as a certified instructor, who provides training for Reserves and other employees shall be compensated \$1.50 per hour of time performing such assignment or preparing to perform such assignment.

Field Training Officers shall be compensated \$1.50 per hour, added to the employee's regular pay, while performing such work or completing needed documents.

- I. Retirement: The City offers a VEBA program, per the provisions of City policy which may be modified from time to time by the City Council.
- J. POST Certification: Upon receipt of appropriate evidence that an Officer has attained one of the following certifications from POST, the City will beginning with the Officer's next pay period apply the single stipend below which represents the Officer's level of certification:

Intermediate.....\$0.20 per hour
Advanced.....\$0.40 per hour

- K. Court Appearances: Employees scheduled for court appearances in City Court or any other Court when such duty is not attached to the beginning or ending of a regular work shift, shall be paid a minimum of three hours at a rate of pay 1 ½ times the regular rate of pay.

- L. Insurance:

For the period of this agreement, the City shall determine the insurance carrier and shall contribute up to the following amounts per month for each employee enrolled in the City's Medical Insurance Plan:

Single Coverage	\$704
Employee/spouse	\$1,405
Employee/children	\$1,237
Family Coverage	\$1,944

An employee that provides proof of insurance will receive \$470 less applicable state or

federal withholding, in the City's deferred compensation plan.

Changes:

a. Enrollment: An employee may make changes to his or her enrollment status during the enrollment period or special enrollment periods established by the insurance carrier.

b. During the term of this agreement the City shall determine the insurance carrier and the City's Contribution toward Medical Insurance Coverage. All City employees shall enjoy equal medical insurance coverage and contributions as recommended by a City-wide Insurance Committee to the City Council for final approval. Any change in carrier or benefits will be equal to or better than current coverage.

ARTICLE 11 - EMPLOYMENT CONDITIONS

- A. Fitness for Duty: Each employee is required to maintain both physical and mental ability to perform his or her assignment. The City may order, at its expense, an employee to undergo an examination by a licensed practitioner of its choice and obtain and present to the City a certificate that the employee is able to perform the duties of his or her position when warranted due to critical incident or injury.
- B. Personal Affairs: Each employee is required to manage his/her personal affairs, financial and otherwise, so as not to burden the City. Garnishment and/or assignments shall be handled by the City pursuant to law.
- C. Payroll Deductions: Each employee is required to sign a written authorization for payroll deductions for all monies owed to the City or to be submitted to any other person. Forms will be furnished by the City.
- D. Fidelity Bond: In the event the City desires to bond the employees, every employee is expected to furnish any and all information required by the bonding company when contacted.
- E. Driver's License: When an employee has his/her driver's license suspended, the City may suspend his/her employment for the period which the employee cannot legally operate a vehicle, provided the operation of a vehicle is essential to the performance of the employee's work assignment.
- F. Break in Service: A period of time in excess of five working days when the employee has served continuous employment. A break in service could result from a termination or resignation or could be an absence of more than five working days in a row without an approved leave of absence.

ARTICLE 12 - LEAVE OF ABSENCE

Leave Without Pay: The City may, at its sole discretion, grant leave without pay to any City employee upon his/her request provided that leave does not extend beyond nine months. An employee returning from such leave shall return to his/her original position with no penalty for such leave, except that seniority shall not be accrued for any such leave in excess of thirty consecutive days, unless the employee is off work due to a job related illness or injury. An employee who fails to return to work within five days of the established end of the leave of absence shall forfeit rights of return. Leave of absence may not be used for employment other than the City of Columbia Falls.

ARTICLE 13 - RESIGNATION, DISCIPLINE AND DISCHARGE

- A. Resignation: Except in cases of an emergency, bargaining unit members shall receive at least four weeks advance notice before a layoff for reason of economy. As much advance notice as is possible will be given prior to a layoff due to a lack of work. An employee voluntarily resigning must give fourteen calendar days written notice in advance of such termination.
- B. Discipline and Discharge: The City may discipline or discharge a probationary employee in its sole discretion and there shall be no appeal through on involving any provision of this Agreement. Upon receipt of an allegation of a performance deficiency of a nonprobationary employee which the City believes may result in punitive action, the City will:
 - 1. Provide due process by:
 - a. Notifying the employee in writing of the allegation, then
 - b. having the allegation investigated, then
 - c. presenting the evidence to the employee, then
 - d. providing the employee an opportunity to respond.
 - 2. Provide the elements of "just cause" by:
 - a. Considering the evidence and the employee's response and determining if the allegation is true.
 - b. Determining if the City has the right to take punitive action, which shall be based on the following criteria:
 - (1) An investigation provided substantial evidence that the allegation is true, and
 - (2) it is reasonable to conclude that the employee knew or should have known the law, policy, directive or expectation that he or she allegedly violated, and
 - (3) the punitive action is appropriate to the allegation and not applied arbitrarily, and

(4) Notify the employee of the results of the investigation and the action taken.

- C. Appeal: A nonprobationary employee may appeal his or her discipline or discharge through the grievance procedure provided herein, which shall be the exclusive method of appeal.

ARTICLE 14 - HOLIDAYS

- A. The following holidays shall be granted without loss of pay, calculated at the employee's regular straight time rate of pay for classification of his/her work assignment as designated by his/her supervisor, to wit:

1. New Year's Day: January 1
2. President's Day: 3rd Monday in February
3. Memorial Day: Last Monday in May
4. Independence Day: July 4
5. Labor Day: 1st Monday in September
6. Columbus Day: 2nd Monday in October
7. Veterans Day: November 11
8. Thanksgiving Day: 4th Thursday in November
9. Friday after Thanksgiving in November
10. Christmas Day: December 25
11. Martin L. King's Birthday: 3rd Monday in January
12. State General Election Day

- B. If an employee works on a holiday, the employee shall be paid two and one-half (2 ½) times the employees pay for the hours the employee works. The employee, at his/her discretion may receive compensatory time.

If an employee is on a regular day off for the holiday the employee shall receive eight (8) hours of pay.

- C. 1. The employee will receive holiday benefits and pay for work performed on the day the holiday is observed, unless the employee is scheduled or required to work on the actual holiday. If the employee is scheduled or required to work on the actual holiday, the actual holiday shall be considered the holiday for purposes of calculating holiday benefits and pay for work performed on a holiday. The employee will receive either holiday benefits for working on the day the holiday is observed or for working on the actual holiday, but not both.
2. Part-time employees who do not work a holiday shift shall be entitled to receive prorated pay based on the number of hours worked during the pay period.

ARTICLE 15 - VACATIONS

Vacation leave shall be granted in accordance with state law, Section 2-18-611 – 617, MCA which shall be controlling in the event of a conflict with any provision of this Agreement.

Vacation leave means a leave of absence with pay at the request of the employee and with the concurrence of the City.

- A. Vacation Leave: Each full-time employee of the City is entitled to and shall earn annual vacation leave credits from the first full pay period of employment. For calculating vacation leave credits, 2080 hours (52 weeks x 40 hours) shall equal one year. Proportionate vacation leave credits shall be earned and credited at the end of each pay period. However, employees are not entitled to any vacation leave with pay until they have been continuously employed by the City for a period of six calendar months. Employees regularly employed nine or more months each year but whose continuous employment is interrupted by the seasonal nature of the positions shall earn vacation credits. In order to qualify, such employees must be employed for six qualifying months before they can use the vacation credits. Vacation leave credits shall be earned in accordance with the following schedules, to wit:
 - 1. From one full pay period through ten years of employment at the rate of fifteen working days for each year of service;
 - 2. After ten through fifteen years of employment at the rate of eighteen working days for each year of service;
 - 3. After fifteen years through twenty years of employment at the rate of twenty-one working days for each year of service;
 - 4. After twenty years of employment at the rate of twenty-four working days for each year of service.
- B. Except in case of an emergency, the following time lines shall be honored:
 - 1. Requests for use of annual leave after January 1st shall be submitted at least 15 calendar days in advance.
 - 2. The City will either grant or deny such requests within five calendar days of receipt of the request.
 - 3. Notice of cancellation by the City of previously approved annual leave shall be delivered as soon as possible. An employee may by written notice to the City cancel previously approved annual leave.
- C. Permanent part-time employees are entitled to prorated annual vacation benefits.
- D. Accumulation of Leave: Annual vacation leave may be accumulated to a total not to exceed two times the maximum number of days earned annually as of the last day of any calendar year.
- E. Separation from Service or Transfer to Other Departments: Cash for unused vacation leave. An employee who terminates his/her employment with the City for reasons not reflecting

discredit on him/her-self shall be entitled upon the date of such termination to cash compensation for unused vacation leave assuming the employee worked the qualifying period set forth in the paragraphs above. However, if a City employee transfers between departments of the City, there shall be no cash compensation paid for unused vacation leave. In such transfer, the receiving City department assumes the liability for the accrued vacation credits transferred with the employee.

- F. Absence because of illness is not chargeable against vacation leave credits unless approved by the employee.

ARTICLE 16 - SICK LEAVE

Sick leave shall be granted in accordance with state law, Section 2-18-618, MCA, which shall be controlling in the event of a conflict with any provision of this Agreement.

Sick leave is a leave of absence with pay for a sickness suffered by an employee or his/her immediate family.

- A. Immediate Family: Means wife, husband, partner living in the residence, child, father, mother, brother, sister, grandparent or guardian, or relative of the employee's wife, husband or partner in like degree.
- B. Sick Leave: Each full-time employee is entitled to and shall earn sick leave credits from the first full pay period of employment. For calculating sick leave credits, 2,080 hours (52 weeks x 40 hours) shall equal one year. Proportionate sick leave credits shall be earned at the rate of twelve working days for each year of service without restriction as to the number of working days he/she may accumulate.
- C. A City employee may not accrue sick leave credits during a leave of absence without pay. City employees are not entitled to be paid for sick leave until they have been continuously employed for ninety days. Upon completion of the qualifying period, the employee is entitled to sick leave credits he/she has earned.
- D. Permanent part-time employees are entitled to prorated sick leave benefits.
- E. An employee who terminates his/her employment with the City is entitled to a lump-sum payment equal to one-fourth of the pay attributed to his/her accumulated sick leave and shall be computed on the basis of the employee's salary or wage at the time he/she terminates his/her employment with the City. However, where a City employee transfers between departments within the City, he/she shall not be entitled to a lump-sum payment. In such transfers, the receiving City department shall assume the liability for the accrued sick leave credits transferred with the City employee.
- F. Any employee of the City who receives a lump-sum payment pursuant to this section and who is again employed by the City shall not be credited with any sick leave for which he/she has previously been compensated.
- G. Abuse of sick leave is cause for dismissal and forfeiture of the lump-sum payments provided for in this section.

H. Sick leave shall be applied as follows, to wit:

1. Employees who become ill will be paid for all days lost, to the extent of their accrued sick leave, provided they may be required to furnish a medical clearance to return to work.
2. Employees may take sick leave, aside from personal illness, for the following reasons:
 - a. A serious affliction of one of the employee's immediate family, requiring the employee's presence.
 - b. Death in an employee's immediate family.
 - c. Attendance at a funeral of a fellow City employee or attendance at a funeral of a close personal friend; however, the use of sick leave for funerals as recited in this section, shall not exceed one day unless otherwise authorized.
 - d. Employees will receive up to five days of bereavement leave with pay for a death in the immediate family. Immediate family is defined in Paragraph A of this Article. This leave will not be subtracted from an employee's sick leave, vacation, or compensatory time.
 - e. Employees of the bargaining unit who do not use any days of sick leave during the contract year will be granted three additional bonus days which will not accrue from year to year and must be taken during the contract year which succeeds the year in which they were earned.

- I. An employee of the City may, at his or her discretion, donate not more than 40 hours of his or her available sick leave credits to another City employee in any calendar year who is in need and has exhausted his or her own sick and annual leave due to the employee's personal illness. The sick leave donor must retain at least 40 hours of sick leave in his/her personal bank after donation. The aggregate total of such sick leave that may be donated shall not exceed ninety (90) days annually. Any donor shall notify the City Clerk/Payroll Officer on forms provided by the City of his or her intention to make such a donation. The donor and recipient will notify the City Clerk/Payroll Officer of the requested sick leave transfer five working days before the pay day in order to have such credits applied for that pay period. Any unused sick leave shall be returned to the donor(s) on a prorated basis.

ARTICLE 17 - JURY AND WITNESS DUTY

Jury and Witness Duty: Each City employee who is under proper summons as a juror or witness shall collect all fees and allowances payable as a result of the service and forward the fees to the appropriate accounting office. Fees shall be applied against the amount due the employee from the City. However, if an employee elects his/her juror or witness time off against his/her annual leave, he/she shall not be required to remit his/her fee to the City. In no instance is an employee required to remit to the City any expenses or mileage allowance paid him/her by the court. The City may

request the court to excuse their employees from jury duty if they are needed for the proper operations of a unit of the City.

ARTICLE 18 - MATERNITY LEAVE

- A. Maternity leave shall be provided for those employees expecting to become mothers and shall be considered an unpaid leave of absence unless the employee elects to apply her accumulated sick or vacation time credits. Maternity leave is intended to apply to leave taken due to the disability and recuperation needs of the pregnant female employees. The provisions of the Family And Medical Leave Act shall be applied to all leaves contained in this Agreement. Employees, who are birth fathers or fathers of a child newly placed in his home, may take up to 15 days of available annual leave, or leave without pay in the event he has no annual leave credits, immediately following the birth or placement.
- B. The City may require periodic statements from the employee's physician setting forth her well-being and ability to perform all the normal and regular duties and functions required of the position occupied and stating also that her employment shall not create an industrial risk. With the written approval of her physician, the employee may work as long as her health and efficiency will not be adversely affected.
- C. Six calendar weeks shall be provided for maternity leave and may be extended through a written physician's statement indicating that the employee's physical condition requires additional leave. If extended leave is required, as certified by the physician, the extended leave shall expire upon verification from the physician that the employee is able to perform all normal and regular duties and functions of the position without adverse affects to the health of the employee.
- D. Employees on maternity leave shall be entitled to apply accumulated sick and vacation leave credits to their maternity leave provided the total maternity leave does not extend beyond the provisions of the preceding paragraph.

ARTICLE 19 - SAVINGS CLAUSE

Should an article, clause or provision of the Agreement be declared illegal by final judgment by a court of competent jurisdiction, such invalidation of such article, clause or provision shall not invalidate the remaining portions hereof, and such remaining portions hereof shall remain in full force and effect for the duration of this Agreement.

ARTICLE 20 - TERM OF AGREEMENT

This Agreement shall be in full force and effect from the date of ratification of this Agreement by the parties or July 1, 2022 through June 30, 2025 except for wage openers for the 2023-24 FY and the 2024-25 FY and any mutually agreed upon items. Should either party wish to renegotiate this Agreement, it shall give written notice of such intent to the other party not later than 90 days prior to the date last written.



In Witness Whereof, the parties have executed this Agreement as follows:

DATED THIS ____ day of _____, 2022.

FOR THE CITY:

FOR THE UNION:

Date Ratified: _____

Date Ratified: _____

City Manager, City of Columbia Falls

President, Columbia Falls Fraternal Order of
Police Lodge #6

Attest: City Clerk

ADDENDUM A - SALARY SCHEDULES

A. Wage Schedule: July 1, 2022 – June 30, 2023

Item No.4.

Current year			2% between STEPS, 3% on schedule - Adjusted Patrolman, Detective and Sergeant per wage study												
22-23															
Position/Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	
Office Asst. (9)	19.03	19.41	19.80	20.19	20.60	21.01	21.43	21.86	22.30	22.74	23.20	23.66	24.13	24.62	
Patrolman (11)	24.76	25.25	25.76	26.27	26.80	27.33	27.88	28.44	29.00	29.58	30.18	30.78	31.40	32.02	
Detective (12)	27.21	27.75	28.31	28.87	29.45	30.04	30.64	31.25	31.88	32.51	33.16	33.83	34.50	35.19	
Sergeant (13)	29.25	29.83	30.43	31.04	31.66	32.29	32.94	33.60	34.27	34.95	35.65	36.37	37.09	37.83	
Position/Grade	Step 15	Step 16	Step 17	Step 18	Step 19	Step 20									
Office Asst. (9)	25.11	25.61	26.12	26.65	27.18	27.72									
Patrolman (11)	32.66	33.32	33.98	34.66	35.36	36.06									
Detective (12)	35.90	36.62	37.35	38.10	38.86	39.64									
Sergeant (13)	38.59	39.36	40.15	40.95	41.77	42.61									

ADDENDUM B – GRIEVANCE REPORT FORM

CITY OF COLUMBIA FALLS		GRIEVANCE REPORT FORM POLICE UNIT	Page 1 of 2
Grievant:	Date of Grievance:		
STATEMENT OF GRIEVANCE: A. _____ - Contract Provision Violated: _____ B. _____ - Contract Provision Violated: _____ C. _____ - Contract Provision Violated: _____ use additional sheets if necessary ACTION OR RELIEF REQUESTED: <i>{A, B & C correspond to same above}</i> A. _____ B. _____ C. _____ Grievant's Signature: _____ Steward's Signature: _____ Date given to Chief of Police: _____			
POLICE CHIEF'S RESPONSE: A. _____ B. _____ C. _____ Police Chief's Signature: _____ Date given to Steward: _____			
STEWARD'S RESPONSE: A. _____ B. _____ C. _____ Steward's Signature: _____ Date given to Cit Manager: _____			

Grievant:

CITY OF COLUMBIA FALLS

Page 2 of 2

CITY MANAGER'S RESPONSE:

A. _____

B. _____

C. _____

City Manager's Signature: _____ Date given to Steward: _____

THIS GRIEVANCE IS BEING SUBMITTED TO ARBITRATION

Union's Signature: _____ Date given to City Manager: _____

THIS GRIEVANCE WAS RESOLVED:

☐ POLICE CHIEF'S RESPONSE ☐ CITY MANAGER'S RESPONSE ☐ ARBITRATION

Details: _____

City Manager's Signature: _____ Date: _____

Union's Signature: _____ Date: _____



City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912
Phone: (406) 892-4391

June 9, 2022

Dale Sandson:

RE: Employee Recognition Program

The City of Columbia Falls recognizes its permanent employees are valuable to achieve the goals and objectives of the governing body. Employee longevity is a major source to accomplish many long term goals and keep continuity within the City's structure.

The City of Columbia Falls would like to thank you for your 5 years of service. Please find your \$50.00 employee incentive included in your 06/10/22 payroll check. Pin presentation will be at the regular city council meeting on Monday, June 20, 2022 at 7:00 p.m. The Council would like you to attend the meeting to present your 5 year logo pin, if you cannot make the meeting we will set up other arrangements to get your pin to you.

Thank you,

A handwritten signature in blue ink that reads "Barb Staaland". The signature is written in a cursive style with a large, stylized "B" and "S".

Barb Staaland
City Clerk

NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, July 12, 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 August 1, 2022 starting at 7:00 p.m. in the same location.

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 (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

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

James Barnett on behalf of Flathead Mountain River 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 Flathead Mountain River 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 to 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 Flathead Mountain River 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 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

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. 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 Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 5:30 p.m. the day of the meeting.

DATED this 13th day of June, 2022

Susan Nicosia

Susan Nicosia, City Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD

Publish: Daily Interlake Sunday June 26, 2022

Exhibit A

Parcel A

Tract 2 of COS No. 3040, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

And

Certificate of Survey No. 3778, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

Parcel B

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County Montana and more particularly described as follows:

Commencing at the Northeast corner of Block 2 of Nucleus Addition (in said Section 17); thence East a distance of 60.00 feet' thence

North a distance of 395.95 feet to the true point of beginning of the tract herein described;

Item No.6.

Thence

South 89°59'51" East a distance of 215.63 feet; thence

North 00°45'00" East a distance of 178.25 feet to the Southerly Right of Way of US Highway No. 40; thence along said right of way on a 5° curve to the right with a radius of 1195.92 feet and a delta angle of 11°34'48" and a radial bearing of North 19°56'51" East a distance of 241.71 feet; thence South a distance of 281.74 feet to the point of beginning.

EXCEPTING THEREFROM:

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing as the Northwest corner of Tract 2, as shown on Certificate of Survey No 3040 (recorded June 30, 1977, as Reception No. 8645, Flathead County, Montana Reception Records), said point being the True Point of Beginning of the tract herein described; thence North 130.0 feet and along the East Right of Way of 2nd Avenue East, Columbia Falls;

Thence

South 89°59'51" East 57.00 feet; thence

South 92.64 feet; thence

South 87°20'47" East 159.19; thence

South 00°45' West 30.00 feet; thence

North 89°59'51" West 215.63 feet to the true point of Beginning.

SECOND AND FINAL READING

ORDINANCE NO.817

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP FROM CR-5 TWO-FAMILY RESIDENTIAL TO CR-3 ONE FAMILY RESIDENTIAL AT 1115 NUCLEUS AVENUE FURTHER DESCRIBED AS LOT 3, BLOCK 10 OF NUCLEUS ADDITION IN SECTION 17, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, Rhonda Hoon, owner of the real property, has requested an amendment to the Columbia Falls zoning map to change the zoning from the current CR-5 Two-Family Residential to CR-3 One Family Residential at 1115 Nucleus Avenue further described as Lot 3, Block 10 of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana;

WHEREAS, the Columbia Falls Planning Department, on April 27, 2022, in Staff Report CZC-22-01, recommended approval of the requested zoning amendment; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on May 10, 2022, at which the Board adopted Staff Report CZC-22-01 as Findings of Fact and recommended approval of the requested zoning map amendment; and

WHEREAS, a hearing on the Zoning Map Amendment was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, June 6, 2022, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning map amendment request is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-22-01, dated April 27, 2022 is hereby adopted by the Council as findings of fact with respect to said zoning map amendment request.

Section Two. Change in Zoning Classification: That the requested zoning map amendment on property presently zoned CR-5 Two-Family Residential be changed to CR-3 One Family Residential at 1115 Nucleus Avenue further described as Lot 3, Block 10 Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Section Three. The Council finds that the proposal complies with the Columbia Falls City Growth Policy.

Section Four. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Five. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Six. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 20TH DAY OF JUNE, 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 20TH DAY OF JUNE, 2022.

Mayor

ATTEST:

City Clerk

**CITY OF COLUMBIA FALLS
ORDINANCE 818**

CHAPTER 9.17 NOISE

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA
FALLS, MONTANA ADDING CHAPTER 9.17 NOISE**

WHEREAS, the City Council heard public comment regarding the need for an updated noise ordinance; and

WHEREAS, the City Council assigned a Noise Ordinance Committee to hold public meetings to receive input and to review current and proposed noise ordinance provisions, and

WHEREAS, the Noise Ordinance Committee submitted a Noise Ordinance for consideration at the May 16, 2022 City Council meeting whereby the Council called for a public hearing to consider the proposed Noise Ordinance; and

WHEREAS, the proposed text additions were considered at a public hearing, advertised according to law, on June 6, 2022 at the regular Council meeting; and at said hearing, the City Council considered any and all comments filed or voiced with respect to said Noise Ordinance; and

WHEREAS, the City Council has determined that said addition to the Columbia Falls Municipal Code is in the best interest of the City.

NOW THEREFORE, be it ordained by the Council of the City of Columbia Falls, in the State of Montana, as follows:

SECTION 1: **AMENDMENT** “Title 9 PUBLIC PEACE, MORALS AND WELFARE” of the Columbia Falls Municipal Code is hereby *amended* as follows:

AMENDMENT

Title 9 PUBLIC PEACE, MORALS AND WELFARE

Chapter 9.17 NOISE

9.17.010 Definitions. 9.17.020 Purpose. 9.17.025 Loud or raucous noise prohibited. 9.17.030 Specific noises prohibited. 9.17.035 Exemptions. 9.17.040 Penalties. 9.17.010 Definitions. A. “Noise-sensitive area” includes, but is not limited to, a sleeping facility, or real property normally used as a school, church, hospital, or public library. B. “Plainly audible” means any sound that can be heard by a reasonable individual of ordinary sensitivities using the individual’s unaided hearing faculties, including understandable spoken words, comprehensible musical rhythms, and vocal sounds other than words. C. “Premises open to the public” includes any premises open to the general public for the use of motor vehicles whether the premises are publicly or privately owned and whether or not a fee is charged for the use of the premises. D. “Public place” means any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate area of any store, shop, restaurant, tavern, or other place of business and also public grounds, areas, or parks. E. “Residential area” means an area of the City that is designated as a residential land use district under the City’s Zoning Code. F. “Residential care facility” means a living facility for more than five nonrelated individuals, which provides specialized care, supervision, treatment or training, or a combination of these for residents. This use classification includes but is not limited to assisted living facilities, congregate care facilities, nursing homes, convalescent homes and sanatoriums. G. “Sleeping facility” includes, but is not limited to, a single family residential dwelling, multi-family condominium building, multi-family apartment building, residential mobile home, or residential care facility.

9.17.020 Purpose. This chapter is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the residents and visitors of Columbia Falls through the reduction, control, and prevention of loud and raucous noise, or any noise, which unreasonably disturbs, injures, or endangers their comfort, repose, health, peace, or safety, or causes public inconvenience, annoyance, or alarm to reasonable individuals of ordinary sensitivity.

9.17.025 Loud or raucous noise prohibited. A. No person shall make, continue, or cause to be made or continued: 1. Any unreasonably loud or raucous noise within the jurisdictional limits of the City; or 2. Any noise, which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable individuals of ordinary sensitivity, within the jurisdictional limits of the City; or 3. Within the jurisdictional limits of the City, any noise which is so harsh, prolonged, unnatural, or unusual in time, place, or duration as to occasion unreasonable discomfort to any individuals within the residential area from which said noises are heard, or as to unreasonably interfere with the peace and comfort of such residents or their guests, or operators or customers in places of business. B. Factors for determining whether a sound is an unreasonably loud or raucous noise include, but are not limited to, the following: 1. The proximity of the sound to a sleeping facility; 2. The land use, nature, and zoning of the area from which the sound emanates and that of the area where it is heard; 3. The time of day or night when the sound occurs; 4. The duration of the sound; 5. Whether the sound is recurrent, intermittent, or constant; 6. Whether the sound is created by a sound-amplification device; and, 7. If the sound occurs in a residential area between 10:00 p.m. and 7:00 a.m.

9.17.030 Specific noises prohibited. The following acts are declared to be per se violations of

this chapter. Such acts include, but are not limited to: A. Unreasonable Noises. The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion, or vibration in any residential dwelling, place of business, or upon any street, park, or other place or building. The ordinary and usual sounds, noises, commotion, or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent noise-sensitive areas or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision. B. Sound Amplification Devices. Except as allowed by a City special event permit, the unreasonably loud and raucous use or operation of a sound-amplifying device between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends and holidays in the following areas: 1. Within or adjacent to a noise-sensitive area. 2. Within a public place if the sound is plainly audible across the real property line of the public place from which the sound emanates, and is unreasonably loud or raucous. C. Yelling, Shouting, and Similar Activities. Yelling, shouting, hooting, whistling, or singing in a residential area or in a public place, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable individuals of ordinary sensitivities. This subsection is to be applied only to those situations where the disturbance or claimed disturbance is not a result of the content of the communication made through the yelling, shouting, hooting, whistling, or singing, but due to the volume, duration, location, timing, or other factors not based on content. D. Construction and Similar Activities: The erection, excavation, demolition, alteration, or repair of a building in a residential area or within 500 feet of an occupied structure between the hours of 7:00 p.m. and 6:00 a.m. E. Noise – Sensitive Areas. The creation of any unreasonably loud and raucous noise adjacent to any noise-sensitive area while it is in use, and which unreasonably interferes with the workings of the noise-sensitive area or its residents or inhabitants, or which disturbs the individuals in the noise-sensitive area. F. Blowers and Similar Devices. In a residential area or noise-sensitive area, between the hours of 10:00 p.m. and 6:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine; provided, that the noise from the blower, power fan or internal combustion engine can be heard across the property line from which it emanates. G. Commercial Establishments Adjacent to Residential Property. Unreasonably loud or raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m., which is plainly audible at the nearest property line of a noise-sensitive area. H. Vehicle Horns, Signaling Devices and Similar Devices. The sounding of any horn, signaling device, or other similar device, on any motor vehicle on a street or premises open to the public for more than 10 consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning, or that is necessary to the appropriate use of any emergency response vehicle or apparatus, is exempt from this prohibition. I. Loading or Unloading. The creation of unreasonably loud, raucous and excessive noise in connection with the loading or unloading of any vehicle at a place of business or residence. J. Nonemergency Signaling Devices. Sounding or permitting the sounding of any amplified signal from any bell, chime, siren, whistle, or similar device, intended primarily for nonemergency purposes, from any place for more than 10 consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious

worship or by the City for traffic control purposes are exempt from the operation of this subsection. K. Emergency Signaling Devices. The intentional sounding or permitting the sounding of any emergency signaling device, including fire alarm, siren, whistle, or similar emergency signaling device, except in an emergency or except as provided in subsections (K) (1)(2) 1. The testing of an emergency signaling device occurring between 7:00 a.m. and 7:00 p.m. Any testing of such devices shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in any calendar month. 2. Sounding or permitting the sounding of any alarm system that terminates within 15 minutes of activation unless an emergency exists. If a false alarm occurs more than twice in a calendar month, then the owner or person responsible for the alarm system shall be in violation of this chapter. L. Radios, Televisions, Boomboxes and Similar Devices. The use or operation of a radio, television, boombox, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any individual other than the player or operator of the device, and those who are voluntarily listening to the sound, and: 1. Which unreasonably disturbs the peace, quiet, and comfort of residents and passers-by, or is plainly audible at a distance of 50 feet from the device in a commercial area or public space; or 2. Which unreasonably disturbs the peace, quiet, and comfort of residents in a residential area or noise-sensitive area.

9.17.035 Exemptions. Sounds caused by the following are exempt from the provisions of 9.17.025 and 9.17.030 and are in addition to the exemptions specifically set forth in such sections. A. Motor vehicles on streets or premises open to the public; provided, that the prohibition in Sections 9.17.030(H) – (L) continue to apply. B. Repairs of utility structures, which pose a clear and immediate danger to life, health or significant loss of property. C. Sirens, whistles, or bells lawfully used by emergency vehicles, or alarm systems used to signal an emergency, provided the prohibitions under Sections 9.17.030(J) and (K) continue to apply. D. The emission of sound for the purpose of alerting individuals to the existence of an emergency or the emission of sound in the performance of emergency work. E. Repairs or excavations of bridges, streets or highways by or on the behalf of the City, County, State, or Federal government, between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 7:00 p.m. F. Snow removal and routine road maintenance on public streets and commercial business parking lots as required between the hours of 7:00 p.m. and 7:00 a.m. to ensure public safety and efficient operations. G. Reasonable activities conducted on school playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to school athletic and school entertainment events. H. Outdoor gatherings, public dances, shows, and sporting events, and other similar outdoor events; provided, that a special event permit has been obtained from the City beforehand. 9.17.040 Penalties. A. Violation of this chapter constitutes a misdemeanor in accordance with Columbia Falls Municipal Code Section 1.03.010. B. Each violation of a separate provision of this chapter shall constitute a separate misdemeanor, and each day that a violation of a provision of this chapter is committed or is permitted to continue shall constitute a separate misdemeanor. C. A finding that a person has committed a civil infraction in violation of this chapter shall not act to relieve the person from the provisions of this chapter. D. Any fines assessed pursuant to this chapter are in addition to, and not in lieu of, any other civil or administrative penalty, sanction, or remedy otherwise authorized by law.

SECTION 2: REPEALER CLAUSE All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

SECTION 4: EFFECTIVE DATE This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND ADOPTED BY THE CITY OF COLUMBIA FALLS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Barnhart	_____	_____	_____	_____
Fisher	_____	_____	_____	_____
Karper	_____	_____	_____	_____
Lovering	_____	_____	_____	_____
Piper	_____	_____	_____	_____
Robinson	_____	_____	_____	_____
Shepard	_____	_____	_____	_____

Presiding Officer

Attest

Donald Barnhart, Mayor, City of
Columbia Falls

Barb Staaland, Clerk City of
Columbia Falls

RESOLUTION NO. 1876

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA ADOPTING A NOISE VARIANCE PERMIT APPLICATION AND FEE

WHEREAS, the City Council of the City of Columbia Falls adopted Chapter 9.17 Noise in the Columbia Falls Municipal Code; and

WHEREAS, Chapter 9.17.035 (H) specified a special event permit for outdoor gatherings, public dances, shows and sporting events and other similar outdoor events; and

WHEREAS, Chapter 9.17 Noise will be in full force and effect July 20, 2022 the City Council must hereby establish the referenced special event permit and fees; and

WHEREAS, the City of Columbia Falls deems it to be in the best interest of the City and residents to adopt the Noise Variance Permit Application and Fee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. The City Council hereby adopts the Noise Variance Permit Application attached hereto as Exhibit A and established the non-refundable permit application fee of \$25.00.

Section Two. This Resolution shall become effective immediately upon its final passage and adoption by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 20th DAY OF JUNE, 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 20th DAY OF JUNE, 2022.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

NOISE VARIANCE PERMIT APPLICATION SUBMITTAL INSTRUCTIONS

These instructions include the requirements to submit a noise variance permit application in the City of Columbia Falls pursuant to Section H of Chapter 9.17.035 of the Columbia Falls Municipal Code.

General Information:

A noise variance permit to exceed the limits and restrictions of Chapter 9.17.035 (H) of the Columbia Falls Municipal Code for a specific event must be obtained for the following:

- Outdoor Gatherings;
- Public dances, shows and sporting events; and
- Other similar outdoor events.

Application Submittal Instructions:

Applications for a noise variance permit to exceed the limits and restrictions of Chapter 9.17 of the Columbia Falls Municipal Code shall be submitted to the Police Department no later than twenty (20) business days prior to the date of the event.

Please refer to the submittal instructions below and the submittal checklist on the Noise Variance Permit Application form.

1. Application Form:

One copy of the application form must be submitted. Incomplete applications will not be accepted.

2. Concept Plan:

Submit one (1) copy of a concept plan. At a minimum, plans shall show the following:

- Proposed event set up and orientation;
- Size of property and event capacity; and
- Map depicting the zoning of adjacent properties.

3. Sound Impact Plan:

Submit one (1) sound impact plan. At a minimum, plans shall show the following:

- Contact information and hours of availability for an individual responsible for sound;
- Contact information for an individual designated as responsible for ensuring the sound impact plan is followed;
- Prescribed hours of operating;
- Sound-mitigating design features, including but not limited to size, location, and orientation of speakers;
- Availability and use of mufflers, screens, or other sound attenuating measures;
- Location for display of permit; and
- Any other elements required by the city official.

4. Permit Application Fee:

\$25.00 Non-refundable permit application fee.



CITY OF COLUMBIA FALLS

NOISE VARIANCE PERMIT APPLICATION

See the Noise Variance Permit Application Submittal Instructions for general information and directions related to submitting this application.

PROPERTY INFORMATION:

Street Address: _____

Legal Description:

EVENT INFORMATION:

Description of Event: _____

Description of Sound Levels Caused by Event: _____

Date(s): from _____ to _____ Hours: from _____ to _____

APPLICANT INFORMATION:

Name:

Mailing Address:

City, State, Zip Code:

Telephone Number:

Email Address:

Applicant is (check, if applicable): ☐ Property Owner ☐ Owner’s Agent/Tenant

PROPERTY OWNER INFORMATION:

Name:

Mailing Address:

City, State, Zip Code:

Telephone Number:

Email Address:

SIGNATURES:

Applicant’s Signature: _____ Date: _____

Property Owner’s Signature: _____ Date: _____

City Official:

Noise Variance Permit Reviewed by: _____ Date _____

_____ APPROVED with the following conditions:

_____ DENIED

RESOLUTION NO. 1877

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA DECLARING A STATE OF EMERGENCY AND DECLARING A DISASTER IN RESPONSE TO ANTICIPATED AND CURRENT FLOODING IN AND AROUND COLUMBIA FALLS

WHEREAS, the Governor issued Executive Order No. 4-2022 on June 14, 2022, declaring a disaster to exist in the State of Montana, attached; and

WHEREAS, on June 15, 2022, Flathead County additionally declared a state of emergency, attached; and

WHEREAS, the City Council of the City of Columbia Falls recognizes the existing and potential damage to critical infrastructure to include roads, paths, parks and water and sewer utility systems ; and

WHEREAS, the City of Columbia Falls deems it to be in the best interest of the City and its residents to declare a state of emergency and declaring a disaster in response to anticipated and current flooding in and around Columbia Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. The City Council hereby declares a state of emergency and declaring a disaster due to the anticipated and current flooding in and around Columbia Falls.

Section Two. This Resolution shall become effective immediately upon its final passage and adoption by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 20th DAY OF JUNE, 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 20th DAY OF JUNE, 2022.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 1878

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, DESIGNATING HERITAGE DAYS 2022 AS AN OFFICIAL COMMUNITY ACTIVITY OF THE CITY OF COLUMBIA FALLS AND DESIGNATING PERSONS RESPONSIBLE FOR PLANNING THE EVENTS OF HERITAGE DAYS 2022.

WHEREAS, the Designated Planners of Heritage Days 2022 are desirous of being officially recognized by the City as such and of having Heritage Days 2022 recognized and approved as an official community activity; and

WHEREAS, the persons designated hereby as Planners of Heritage Days 2022 began and continued to plan Heritage Day events starting on or about January 2022, and made planning decisions, collected and expended funds and approved or disapproved of events independent of City involvement; and

WHEREAS, it is in the best interests of the City of Columbia Falls that the City designate such individuals and approve said activity.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One: That the following individuals are designated as Planners of Heritage Days 2022:

Shirley Reynolds	Todd Deruchia
Chandra Reynolds	Vickie Ott
Art Ott	

and that all acts of said persons heretofore performed or to be performed in furtherance of their duties as Planners of Heritage Days 2022 are hereby designated as such, with the exception that the following activities cannot and are not sanctioned or approved by the City: air shows, street dances, circuses, rodeos, fireworks, animal racing, carnivals, vehicle racing or burnout exhibitions, rock concerts, water sports, boxing or other martial arts, bounce houses or similar inflatable apparatuses, skateboard exhibitions, competitions or racing, and the wild horse drive approved by MT Department of Transportation.

Section Two: That the Planners shall approve only sanctioned and planned events on city-owned or controlled property including S 486/Nucleus Avenue.

Section Three: That Heritage Days 2022 and all permitted activities relating thereto are hereby recognized as an official community activity of the City of Columbia Falls, with the exceptions set forth in Section One of this Resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA, THIS 20th DAY OF JUNE 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES:
NOES:
ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 20th DAY OF JUNE, 2022.

MAYOR

ATTEST:

City Clerk