

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 16, 2012**

Regular Meeting - Transact Routine Business

Mayor Barnhart called the meeting to order at 7:00 p.m. with roll call as follows:

PRESENT: Mayor Barnhart

COUNCIL: Bates, Karper, Petersen, Plevel, and Shepard

ABSENT: Fisher

ROLL CALL

Also present were City Manager Nicosia, City Clerk/Treasurer Watkins, City Attorney Breck, and Police Chief Perry.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

Mayor Barnhart requested a motion to approve the agenda. Councilman Shepard moved to approve the agenda. Second by Councilman Plevel and the motion carried unanimously.

**AGENDA
APPROVAL**

CONSENT AGENDA:

Councilman Shepard moved to approve the consent agenda as listed, noting the finance committee reviewed claims and found no exceptions, second by Councilman Bates. Motion carried with Council voting as follows: YES: Bates, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Fisher.

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims \$100,861.17 April 16, 2012
- B. Approval of Payroll Claims \$75,183.46 April 13, 2012
- C. Approval of Regular Meeting Minutes - April 2, 2012
- D. Approval of Change Order #2 - Police Department Remodel - \$872.11 and authorize the City Manager to sign.
- E. Approval of Task Order #2 - HDR Engineering - \$2,310.50 and authorize the City Manager to sign.
- F. Approval of Amended 2010-11 Audit Contract - Federal Single Audit A-133 - \$2,700 Fee and authorize the City Manager to sign.
- G. Approval of Intercap Loan Application - Water/Sewer Truck - \$124,365 and authorize the City Manager to sign.
- H. Approval of 5th Street Closure - Farmers Market

VISITORS/PUBLIC COMMENTS

There were no visitors or public comments made at this time.

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PUBLIC HEARINGS/NOTICES:

A. Notice of Public Hearing - May 7, 2012 - Title 18 Zoning Text Amendment addressing the calculation of allowed square footage of signage in Title 18.438.040 and notice of series of Growth Policy Update Workshop.

**NOTICE OF
PUBLIC
HEARING/PUBLIC
HEARINGS**

At this time Mayor Barnhart announced and provided notice of the public hearing.

ORDINANCE AND RESOLUTIONS

**ORDINANCES
RESOLUTIONS**

A. Ordinance 728 - Fowl and Livestock (18.434) - First Reading. City Manager Nicosia advised Council that paragraph E has been added to existing City Code, pursuant to the Planning Board hearing and the April 2, 2012 Council hearing, which states "The keeping of fowl and livestock is allowed in single family residential areas provided the following minimum requirements are met.

1. The lot or tract size is at least one acre in size. Fowl may be kept in CR zoned lots/tracts of less than one acre provided:
 - a. No more than five fowl may be kept on lots less than one acre in size;
 - b. No roosters or male fowl may be kept on lots of less than one acre;
 - c. Fowl must be kept in a fenced yard or enclosure.

At this time Mayor Barnhart asked if there was any further council input. There was none. Mayor Barnhart asked if anyone from the public had any input. There being no public input, Councilman Shepard moved to approve the first reading of Ordinance 728 as presented. The motion was seconded by Councilman Karper and the motion carried unanimously.

B. Ordinance 729 - Recreational Vehicle Definition (18.636) - First Reading. City Manager Nicosia advised that pursuant to the hearing held on April 2nd, 18.636.040 will read as follows; "Recreational vehicle" means a travel trailer or camping trailer designed to be towed, motorized homes, pickup campers, or coaches designed and constructed for human habitation, which can be operated independently or dependently of utility connection and designed to be used principally as a temporary dwelling for travel, recreation, and vacation. A travel trailer shall adhere to the width restrictions as set forth by the MDOT, excluding all slide outs.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 16, 2012**

Mayor Barnhart asked if there was any further council input. There was none. Mayor Barnhart asked if anyone from the public had any input. There being no public input, Councilman Shepard moved to approve the first reading of Ordinance 729 as presented. The motion was seconded by Councilman Karper and the motion carried unanimously.

C. Ordinance 730 - Land Use Definitions and Permitted Uses - Adding Assembly Halls and Micro Brewery, Brew Pubs and Mini Brewery (18.336, 18.338 & 18.600) - First Reading.

City Manager Nicosia advised that pursuant to the hearing held on April 2nd, Exhibit A now reflects under CB2, NN, Micro-Brewery, Brew Pub and Mini Brewery and under CB4, W, Assembly Halls, and X, Micro-Brewery, Brew Pub and Mini Brewery.

City Manager Nicosia advised that the following to additions to code were added. 18.604.085 Assembly Hall - An open partially enclosed or fully enclosed facility used or intended to be used for entertainment events, expositions, and other public gatherings.

18.626.065 was added to reflect Micro Brewery, Brew Pub and Mini Brewery. "Micro-Brewery", Brew Pub and Mini Brewery. A brewery where the total amount of beer sold or delivered directly to all retailers does not exceed 10,000 barrels a year and is licensed in accordance with state law. Brew Pubs for example may also serve alcohol and food items on site.

Mayor Barnhart asked if there was any further council input. There was none. Mayor Barnhart asked if anyone from the public had any input. There being no public input, Councilman Bates moved to approve the first reading of Ordinance 730 as presented. The motion was seconded by Councilman Petersen and the motion carried unanimously.

UNFINISHED BUSINESS

There was no unfinished business to consider, discuss or act upon.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 16, 2012**

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Shepard advised Council and Mayor of the following regarding the 911 Call Center:

**MAYOR AND
COUNCIL**

1. 2 committees are now down to 1 committee.
2. Standing committee is CJIN compatible.
3. Users group will meet only when needed.
4. County Attorney to review agreement.
5. 20 year capital budget prepared by Mike and Scott, and includes a CIP plan.
6. Reviewed and updated job description for Director.
7. Job description is at County Attorney level, then to County Human Resource Department for review.
8. New director will have one Board to report to instead of 19 entities.
9. OES has nothing to do with 911 Call Center and only pertains to disaster.
10. Did not reorganize the 911 Call Center Board as it was not on the agenda to replace Jim Dupont as co-chairman.
11. Budget was approved at a 2% increase. Everyone did a good job of paring it down as it went from 7% to 2%, does not provide for capital project funding. 5 year CIP plan requires \$2.2 million and the projected shortfall is \$1.4 million.
12. Mount Aeneas tower is critical to the communication system for all entities.
13. Did talk about approaching Legislators about unfunded mandates and the need for communication towers via TSEP funding, as there is currently no funding for the towers.

Councilman Bates asked if anything has been done about residents still parking and driving on bike paths. City Manager Nicosia advised that this will be addressed in the newsletter, and the City will enforce gently at first, then if necessary, have the Police Department issue citations.

Councilman Petersen asked about traffic signs on Nucleus and the "Safe Routes to Schools Program" and if we had made any progress with grant funding. City Manager Nicosia advised that the City has applied for grant funding and that the cost to get all intersections identified would be approximately \$80,000, which included new sidewalk down 5th and adding two of the flashing lights, one at 5th, and one at Columbia Falls Junior High as well as Veterans and 12th.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 16, 2012**

City Manager Nicosia advised that City will not take any action until we know how much funding we will receive. City Manager Nicosia advised that she is working with the Chamber and the Columbia Falls School District on the "Safe Route to Schools - Buddies Program". City Manager Nicosia advised that the City may apply for Roundup for Safety money via Flathead Electric in the amount of \$3500 to \$4000 to provide solar powered flashing lights for key intersections where children cross the street.

Councilman Plevel reminded everyone of the May 1st Tree Board meeting and asked the Mayor to speak at the Arbor Day celebration on Friday May 4th.

Mayor Barnhart advised that he has seen a few city lots with dead grass and weeds and asked that this be addressed via the newsletter. Mayor Barnhart also reported that one of his employees who is also a part-time highway department employee was able to assist with completing the pedestrian signage on Nucleus. Mayor Barnhart asked about other signage in and around the schools. City Manager Nicosia advised that a committee has met consisting of the School Resource Officer, the Police Chief, the Public Works Director and the School District #6 Transportation Supervisor. The City will correct the location of signs where possible and install needed signs; however the cost to purchase all of the recommended signs is prohibitive.

REPORTS/BUSINESS FROM CITY ATTORNEY

There was no report from the City Attorney.

REPORTS/BUSINESS FROM CITY MANAGER:

City Manager Nicosia advised Council that the Police Department remodel is coming right along with substantial completion being May 1st with final completion anticipated on June 1st. City Manager Nicosia advised that she and Public Works Director Lowry recently walked the new bike path and advised that the City is waiting for the hot mix plant to open up and hoping to pave on April 26th. City Manager Nicosia advised that after their walk through, Public Works Director Lowry recommended moving the drains up three to four inches and she concurred. City Manager Nicosia advised that one of the cost cutting measures that the engineer did when balancing the project was curbing and gutters. City Manager Nicosia advised that the engineer took out curb and gutter at 9th Street East, however the City Manager recommended it be back in the project now or we will have to install it later. City Manager Nicosia advised that the change order totaled \$8,000 for 157 lineal feet of curb and gutter which is \$51.44 per lineal foot. City Manager Nicosia advised that the Engineering firm (Peccia and Associates) advised that

PROJECT UPDATE

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MINUTES OF THE REGULAR MEETING
HELD APRIL 16, 2012**

they will not charge the \$720 additional fee for surveying the curbs.

City Manager Nicosia advised that funding for the change order is available via the CTEP grant. She advised that this year's allocation was based upon population and that instead of being eligible for \$19,000, the City is eligible for \$25,000. City Manager Nicosia reminded council that the City pays 13.24% of the total change order with the anticipated total cost to the City at approximately \$1,000. Council concurred with the change order request and verbally authorized Manager to proceed.

City Manager Nicosia advised that there have been quite a few new business inquiries including Subway, and a business looking at the PAMIDA building as well as other potential new businesses. City Manager Nicosia also advised that North Valley Hospital is looking to expand the professional center and suggested she draft a letter of support on behalf of the Mayor to North Valley Hospital.

City Manager Nicosia advised that the City website has been updated and asked Council and Mayor to visit the site and provide feedback.

MISCELLANEOUS:

- A. INFORMATIONAL CORRESPONDENCE is available for review for thirty days in the City Clerk/Treasurer's office.
- B. Staff Reports:
 - a. Finance - Monthly Cash and Budget Report

**MISC
CORRESPON-
DENCE**

ADJOURN:

Upon motion duly made and seconded the meeting adjourned at 7:50 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: May 7, 2012