

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 2, 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: Fisher, Karper, Petersen, Plevel, and Shepard
ABSENT: Bates

ROLL CALL

Also present were City Manager Nicosia, City Clerk/Treasurer Watkins, City Attorney Stephanie Breck and Contract Planner Eric Mulcahy.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

Mayor Barnhart requested the agenda be amended to reflect item #10, New Business, Renewal of Columbia Falls and Flathead County Library Interlocal Agreement, to follow the Consent Agenda. Councilman Plevel moved to approve the agenda noting item #10 to follow Consent Agenda approval. Second by Councilman Fisher and the motion carried unanimously.

**AGENDA
APPROVAL**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims \$55,109.72 April 2, 2012
- B. Approval of Payroll Claims \$52,740.96 – March 30, 2012
- C. Approval of Regular Meeting Minutes – March 19, 2012
- D. Sewer Revenue Bonds Certificate – ARRA A and ARRA B \$718,000 and authorize the City Manager to sign.
- E. Acceptance of Timber Creek Communities (Glenwood Communities) Water Main and Sewer Main Extension Project Infrastructure.

NEW BUSINESS

- A. Renewal of Columbia Falls & Flathead County Library Board Interlocal Agreement.

City Manager Nicosia presented for approval a new 10 year agreement with the Flathead County Library. City Manager Nicosia advised that the County Attorney, City Attorney, City Manager, and the County Library Director have all reviewed the agreement.

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City Manager Nicosia noted that paragraphs 13-18 were added to the agreement and noted that this is now standard language in all of the City's agreements. City Manager Nicosia advised that old language removed included reference to a mill levy that actually did not exist nor was permissible by Statute.

City Manager Nicosia asked if there were any questions from Council. There being no questions from Council, Mayor Barnhart asked if there was any public comment. Carmen Wyman, 486 12th Ave WN, requested a copy of the agreement, which was provided by Councilman Karper.

Clarification was requested on paragraph #12 with regard to specific donations of books to the City versus the County Library should the County Library cease to operate at the City. City Manager Nicosia advised that there have not been any specific donations to the city, but if donations were made, those donations would be handled in accordance with the City's donation policy. City Manager Nicosia advised that both the agreement and City policy for donations address this and emphasized that if a historical item is donated to the city then it will remain City property.

Councilman Plevel asked if there is a Columbia Falls resident on the Board and was advised that Elaina Weaver currently sits on the County Library Board.

There being no further discussion, Councilman Plevel moved to approve the City of Columbia Falls and Flathead County Library Interlocal Agreement as presented. The motion was seconded by Councilman Petersen. The motion carried and the vote was as follows: YES: Fisher, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Bates.

VISITORS/PUBLIC COMMENTS

None

PUBLIC HEARINGS/NOTICES:

A. Public Hearing -Economic Development Grant Application - for the purpose of obtaining public comment on a proposed Economic Development (ED) Grant application on behalf of the SmartLam Project, a cross laminated manufactured wood fiber product.

**NOTICE OF
PUBLIC
HEARING/PUBLIC
HEARINGS**

City Manager Nicosia advised that the 2nd public hearing pertaining to the Economic Development Grant Application would be held this evening.

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City Manager Nicosia advised that the 1st public hearing addressed generic needs and the 2nd public hearing is project specific.

City Manager Nicosia introduced Doug Shanks, representing the SmartLam Project, and Tina Oliphant with Montana West Economic Development and advised that they would be submitting a joint application seeking grant funding from both the City of Columbia Falls and Flathead County.

Mr. Shanks thanked Council for their time this evening and read the following prepared statement to Council:

“SmartLam is a local partnership investing in advanced wood processing equipment that will be the basis of a new manufacturing operation. The new company will be the first in the U.S. to manufacture a new and innovative product called Cross Laminated Timber or "CLT". Leveraging a series of transformative technologies, SmartLam will add significant value to local wood, enabling the company to both export to Canada as well as ship throughout the U.S. CLT manufacturing is a thriving industry throughout Europe, Scandinavia and more recently Russia and has been growing at nearly 20% annually for the last decade. Learning from the Europeans, SmartLam believes Northwest Montana, specifically Columbia Falls, is an ideal location, due to its proximity to raw material, trained labor pool and proximity to Canadian markets which are already exhibiting a voracious CLT appetite. Using technology and innovation (two words not typically associated with the wood products industry) to combine renewable natural resources with value added wood processing in a local manufacturing business is an extraordinary opportunity for all local & regional stakeholders. SmartLam hopes to reinvigorate the local wood products economy and begin to restore Montana's position as a leader in the forest products industry. SmartLam will be proudly located in the WBC truss plant in Columbia Falls”.

Councilman Shepard inquired about employment. Mr. Shanks advised that they anticipate having 5 to 7 employees per shift and will start with two shifts, hoping to eventually have up to 30 employees. Mr. Shanks advised that the group leaves for Frankfurt, Germany on April 14th to review and order equipment with hopes of having equipment in Columbia Falls by mid May with installation taking another three weeks, and online and operational in July.

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Councilman Plevel asked about the location of the manufacturing process. Mr. Shanks advised that there are currently three manufacturing processes in the current building and they plan to relocate one process to accommodate the new process.

At this time Tina Oliphant with Montana West Economic Development addressed Council and extended their support for this project. Ms. Oliphant advised that the CDBG application addresses this type of manufacturing activity. Ms. Oliphant advised that this project will serve low to moderate income families and will infuse new money into the community and the county. She advised that this project is considered a primary sector project whereas money generated from the process flows back to the Columbia falls community in a variety of ways including sales and the use of raw materials produced locally.

At this time Mayor Barnhart asked if there was anyone else present to provide input and testimony, and if the City Manager or City Clerk had received any written comments. There being no further public comment or written input, the public hearing was closed.

B. Public Hearing – Subdivision Regulations Text Amendments Staff Report #CSTA-12-1. The City of Columbia Falls is proposing text amendments to the Columbia Falls Subdivision Regulations to update and revise city code to comply with changes made by the 2011 Legislature and pursuant to a review by the Municipal Code Corporation to review city code for compliance with State Law, Federal Law, and prune out antiquated rules from the City’s Municipal Code.

City Manager Nicosia advised the City Contract Planner Eric Mulcahy is present this evening to answer questions and present the recommendations coming from the Planning Board.

City Manager Nicosia referred Council to the staff report and recommendation section. Mr. Mulcahy advised that staff has reviewed all the code changes as has the City Attorney, and that there are a series of changes in all chapters categorized as minor tweaks, some changes to ordinance and some changes to reflect legislative changes. Mr. Mulcahy advised that the biggest change comes in the preliminary plat period being extended from two to three years with additional extensions if mutually agreed upon.

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Mr. Mulcahy also addressed the following changes and advised that staff and the Planning Board are recommending approval.

- Environmental assessments
- Wildlife impact and the need for review from FWP.

Councilman Shepard pointed out that FWP's involvement is good and that he will bring this up at the Citizens Advisory Committee meeting.

There being no further discussion, Mayor Barnhart opened the public hearing and asked if anyone would like to speak in favor or against the proposed changes. There being no verbal or written testimony, the public hearing was closed.

Councilman Shepard moved to approve Staff Report CSTA-12-1 as presented. Motion seconded by Councilman Plevel. Motion carried and the vote was as follows: YES: Fisher, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Bates.

Councilman Karper moved to approve text amendments pertaining to Staff Report CSTA-12-1 as presented. The motion was seconded by Councilman Shepard. The motion carried and the vote was as follows: YES: Fisher, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Bates.

C. Public Hearing - Zoning Test Amendments Staff Report #CZC-12-01

The City of Columbia Falls is proposing text amendments to the Columbia Falls Zoning Regulations to update and revise city code pursuant to a review by the Municipal Code Corporation to review city code for compliance with State Law, Federal Law, and update and amend legal inconsistencies and antiquated rules. Additionally, the City is proposing text amendments to clarify standards and address omissions.

City Contract Planner Eric Mulcahy again provided a summary for council as follows:

- Land Use definitions - add assembly halls to address old bank building, assembly area for farmers markets, micro brewery, brew pubs.
- Signage - clarify vague language to address frontage - Planning Board to do some case studies to determine which to review.
- Fowl and Livestock - proposes a short and simple modification/restriction - less than an acre can have up to 5 fowl. Must be kept in fenced yard or enclosure - set backs dovetail other livestock restrictions and requirements.

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- Vacation Rentals - extended stays of motor coach - Planning Board will review and discuss at April 10th - one major concern involves
- Meadowlake Resort as they have had vacation rentals since 1985. It has been a permitted use for most of the development - need to address Meadowlake first before moving forward.
- Recreational Vehicles - require width that meets DOT standards - dropped length restriction - also need to address new product line park model RV trailers and sewer systems.

City Manager Nicosia suggested that Council may want to consider adding language to Fowl and Livestock to include regular maintenance/cleaning.

There being no further Council discussion, Mayor Barnhart opened the public hearing and asked if there was verbal and/or written testimony.

Brian and Janina Hobday - 354 Avenue EN, both spoke in favor of the amendment to the Fowl (chickens) section as proposed by the Planning Board. Mr. and Mrs. Hobday advised that they support clean pets and clean property.

Naomi Morrison - 285 Second Ave EN, stated that she supports the "Fowl" amendment as well and advised that it adds to our community and the sustainability of local residents.

City Manager Nicosia advised that no written testimony was received by the City prior to the Council meeting.

At this time, Councilman Fisher moved to approve Staff Report CZC-12-01 as presented. Motion seconded by Councilman Petersen. Motion carried and the vote was as follows: YES: Fisher, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Bates.

Councilman Karper moved to approve text amendments pertaining to Staff Report CZC-12-01 as presented. The motion was seconded by Councilman Shepard. The motion carried and the vote was as follows: YES: Fisher, Karper, Petersen, Plevel, Shepard, Barnhart NOES: None. ABSENT: Bates.

City Manager Nicosia advised Council that all of the above will come back in the form of ordinance for review and approval at the next Council meeting.

D. Notice of Public Hearing - May 7, 2012 - Title 18 Zoning Text Amendment addressing the calculation of allowed square footage of

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signage in Title 18.438.040 and notice of series of Growth Policy Update Workshops.

Mayor Barnhart announced that a public hearing would be held on May 7, 2012 regarding Title 18 Zoning Text Amendment.

UNFINISHED BUSINESS

None

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

**MAYOR AND
COUNCIL**

Councilman Karper advised that the Tree Board meets on Tuesday, April 3rd at 6:30 p.m. and will continue to plan events for the Arbor Day celebration on Friday, May 4th from 12:00 to 2:00 p.m.

Councilman Petersen asked if the Parks Committee should meet. City Manager Nicosia advised that the Parks Committee should meet after the City completes the capital improvement plan for the coming year. City Manager Nicosia advised that she is currently working on the CIP.

Councilman Shepard advised that he is likely to be asked to be Chairman of 911 Board.

Councilman Fisher advised that he will not be able to attend the April 16th Council meeting.

Councilman Plevel advised that the Eagles Nest will let the City borrow their sign for the Arbor Day celebration. Councilman Plevel recommended an announcement regarding Arbor Day be placed on the City's website.

Mayor Barnhart advised that he recently received a request from a home owner for a street light at the corner of 3rd Avenue East and 9th after the homeowner reported having vandalism occur. Mayor Barnhart advised that it appears a pole is in place and asked that the street boundaries be reviewed. Mayor Barnhart also asked if there is something the City can do to provide city sewer service between Nucleus and Red Bridge as this is a problem area. City Manager Nicosia advised that the City can review this again, however there would be a significant cost associated. Councilman Shepard advised that the Wastewater Treatment group is waiting on a final mapping report from Carver Engineering that is likely to address this area. Mayor Barnhart asked that since we have a lift station down there now that we put this project on our radar screen. City Manager Nicosia advised that a review of the City facility's plan is on her task list.

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City Manager Nicosia recommended Council have their pictures taken for the website and for display in City Hall on Monday, April 30th, times to be determined. Councilman Plevel will make arrangements for the photographer.

REPORTS/BUSINESS FROM CITY ATTORNEY

None

REPORTS/BUSINESS FROM CITY MANAGER:

City Manager Nicosia advised Council of the following:

PROJECT UPDATE

- Police Department remodel is on schedule and within budget.
- City website has been updated and will continue to see improvements over the next few weeks.
- Health insurance premiums will increase by 5% next year. The City has not offered a high deductible plan but will consider doing so. 22 of 31 City employees participate in the health insurance program. For those that do not participate in the health plan, the City contributes up to \$416 per month to the deferred compensation plan.
- Bike path construction has started.
- City has been notified of the need for a processing plant impact review for sewer from a brewery. The City will work with HDR Engineering and approve a task order. The task order will request that HDR measure the City's normal strength waste and to then measure the brewery's waste potential and compare the same.
- Flathead County has requested review and input on the 911 Center budget for the coming year. The increase budgeted at this point in the budget cycle is 7% before capital outlay considerations which will impact the City by approximately \$14K to \$15K. The City's estimated tax revenue increase for next year is 1.2%, which will provide an additional \$11,000 of City revenue.
- Chamber Luncheon will be held on Tuesday, April 10th and will include a report from the City Manager. Department Heads will be in attendance and Council is invited as well as the City Attorneys.

MISCELLANEOUS:

A. INFORMATIONAL CORRESPONDENCE is available for review for

MISC

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thirty days in the City Clerk/Treasurer's office.

- B. Staff Reports:
 - a. Fire Department
 - b. Court - Quarterly Activity Report

**CORRESPON-
DENCE**

ADJOURN:

Upon motion duly made and seconded the meeting adjourned at 8:50 p.m.

ADJOURN

Don Barnhart

Mayor

ATTEST:

Todd W. Watkins

City Clerk

APPROVED BY COUNCIL ACTION: April 16, 2012