

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD JULY 20, 2015**

**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: Petersen, Shepard, Plevel, Fisher and Lovering  
ABSENT: Karper

**ROLL CALL**

Also present were City Manager Nicosia, City Clerk Staland, City Attorney Breck and Police Chief Perry.

Pledge of Allegiance

**PLEDGE**

**APPROVAL OF AGENDA:**

Mayor Barnhart requested a motion to approve the agenda. Councilman Fisher moved to approve the agenda, second by Councilman Lovering and the motion carried unanimously.

**AGENDA  
APPROVAL**

**CONSENT AGENDA:**

Councilman Lovering moved to approve the consent agenda noting that all claims appeared to be in order except one requiring court approval, second by Councilman Petersen. Motion carried with Council voting as follows: YES: Lovering, Petersen, Plevel, Shepard, Fisher and Barnhart NOES: None. ABSENT: Karper.

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims - \$242,129.89 - July 20, 2015
- B. Approval of Payroll Claims - \$69,682.87- July 17, 2015
- C. Approval of Regular Meeting Minutes - July 6, 2015
- D. Approval of Right-of-Way and Utility Easement between David A. and Kelly A. Urfer and the City of Columbia Falls and authorize City Manager to sign.
- E. Correction of Legal Description - Resolution # 1699
- F. Approval of Addendum to the Agreement between the City of Columbia Falls and Community Development Services of MT, adding the Industrial Tax Increment District, and authorize City Manager to sign.

**VISITORS/PUBLIC COMMENTS**

Steve Duffy, 130 Eddy Court, said he had Representative Zac Perry ask him to inquire about the picketers at various locations around town. At one point they were at Obrien's Liquor Store with a 10 commandments sign. Mr. Duffy said the citizens were not happy with the display. Chief Perry replied it is under the right to petition as long they were not on private property.

**VISITORS/PUBLIC  
COMMENTS**

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Councilman Plevel said she thought they were on the sidewalk, Chief Perry said that would be considered public property.

**ORDINANCES/RESOLUTIONS:**

A. SECOND AND FINAL READING - Ordinance #751 - An Ordinance Of The City Council Of The City of Columbia Falls, Montana, Changing The Zoning Classification From CI-1 Light Industrial To CI-2 Heavy Industrial Of Certain Property In The Columbia Falls Zoning District Described As Approximately 26 Acres Located Within The Columbia Falls Industrial Park Located At 555 4<sup>th</sup> Ave EN, Columbia Falls, Montana

**ORDINANCE #751  
Columbia Falls  
Industrial Park Re-  
zoning**

City Manager Nicosia said this was the second and final reading of Ordinance #751 changing the zoning classification from CI-1 Light Industrial to CI-2 Heavy Industrial. There have been no changes or modifications after approved at the public hearing on June 15, 2015 and the first reading on July 6<sup>th</sup>. Nicosia recommends approval.

Councilman Shepard motioned to approve Ordinance #751 as written, second by Councilman Fisher with Council voting as follows. YES: Petersen, Plevel, Shepard, Fisher, Lovering and Barnhart. NOES: None. ABSENT: Karper.

B. Resolution #1703 - A Resolution of the City Council of the City of Columbia Falls Authorizing Participation in the State of MT Surplus Property Program

**RESOLUTION  
#1703 - State  
Surplus Property  
Program**

Nicosia said this was to continue participating in the State Surplus Property Program and is required every 4 years. Nicosia recommended approval.

Councilman Fisher motioned to approve Resolution #1703, second by Councilman Plevel with Council voting as follows. YES: Plevel, Shepard, Fisher, Lovering, Petersen and Barnhart. NOES: None. ABSENT: Karper.

**REPORTS/BUSINESS FROM MAYOR & COUNCIL:**

Councilman Fisher said he has received a lot of positive feedback on the new Welcome Park. Fisher reported that the Gateway to Glacier trail fundraising was going very well. Mayor Barnhart asked if there was approval on the CFAC property. Fisher replied not yet.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

Councilman Shepard said he gave Scott and Ronnie from Columbia Construction the bell for the Shay engine and they will install it soon. Shepard reminded Council and public of the American Legion dinner on Wednesday night at Marantette Park during the car show. Shepard said some of the American Legion members are asking if we can run power to the pavilion if we pay for it. Shepard said he has heard positive comments about

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the Industrial Park zoning and believes people are starting to understand it benefits the City economically.

Councilman Petersen said he attended the CFAC outreach meeting and noted it was certainly worthwhile. Mayor Barnhart said the company representatives can't discuss some issues, such as on-going negotiations with the EPA. He also noted that CFAC/Glencore has no control over whether or not the site is designated as a superfund site; it is based on the federal regulations. Mayor Barnhart noted that the meetings are very informative and worthwhile. Councilman Shepard said he went to the CFAC picnic and former employees have different things to say about the site. Shepard recommended reading the Roux engineering report available in the library.

Councilman Lovering said she had heard a suggestion from a resident to relocate the Shay Locomotive in order to see it from Nucleus Ave. Lovering reported the Community Garden is getting quotes to put up a new fence by fall. Lovering said she started lap swimming at City pool and the pool is a constant 82 degrees and the pool staff is appreciative of the stable boiler.

Mayor Barnhart asked for an update on the new sewer connections/septic abandonment progress. Mayor Barnhart said the Welcome Park does look very nice, and asked if there was a water system yet. Nicosia said yes we are putting water to the park and will be planting grass or perhaps hydro seeding. Mayor Barnhart recommended talking with Green Valley Sod. Shepard thought the wrestling team could help with installation. Mayor Barnhart asked about the street/highway ROW by Glacier Bank. Nicosia said that now MT DOT has decided that it is platted as a street and the City can control the areas without having it decided to us. Nicosia has asked City Attorney Breck to put together a MOU so the City does not invest funds in the development of the ROW only to have MT DOT decide otherwise. Mayor Barnhart mentioned moving the welcome sign east of town adjacent to the hayfield to the ROW area. Mayor Barnhart asked about the Depot Park sign at the end of Nucleus, perhaps we could get a highway 486 sign that gives mileage to Camas Creek, Glacier Park and Polebridge. Nicosia noted that the new Depot Park sign is planned in the 2016 FY. Mayor asked if the funding that was allocated on the street projects for 2015 FY was going to be brought forward to the 2016 FY and Nicosia indicated yes.

**REPORTS/BUSINESS FROM CITY ATTORNEY:**

None.

**REPORT FROM  
CITY ATTORNEY**

**CITY MANAGER:**

Nicosia reported that City staff is still working on budget numbers and due to the volume of projects there are a lot of moving pieces in the budget that must be resolved. The City has not yet received the tax valuation; MT DOR has until August 3<sup>rd</sup> to certify the value. Nicosia reported that the assessment

**CITY MANAGER  
REPORT**

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notices were sent out about a month later than planned but that DOR indicated that will not delay the tax value certification. Nicosia encouraged everyone to look at their property assessments and respond to DOR during the 30-day period if there are problems instead of waiting for the November tax statements.

Nicosia handed out the 2014 FY financial and compliance audit report prepared by Doyle & Associates for Council review. Nicosia noted that the city had no findings and received the highest opinion possible without qualification or modification.

Forestation responded with the estimate to modify the Kreck Trail for a distance of approximately 140' as negotiated by the City and Mark Cahill. The cost to move the approximate 140 feet is \$3,500. City Attorney Breck, Public Works Director Jenkins and Nicosia will be meeting with Mr. Cahill this week to negotiate the easement.

Nicosia presented the updated Urban Renewal District Schedule and Council discussed the impact of having several downtown properties sold at this time, just as the TIF district is being established. Nicosia noted that the City's base year will be 2015.

Nicosia said notices were sent out setting July 28<sup>th</sup> open house to discuss adding street lights in the Scenic View subdivision. The estimate to run the power and install the pedestals is just under \$50,000 to 47 homes for 9 lights. DEQ will come and walk the pit to park property with the City staff and Plum Creek representatives as we discuss acceptable closure of the pit. Nicosia noted that the City will be reinstalling the gate by 5<sup>th</sup> Street Homes to secure the property at this time.

**A. INFORMATIONAL CORRESPONDENCE** - List available for Review

**CORRESPONDENCE/  
REPORTS**

**B. Reports:**

- a. Finance (Preliminary) - June 2015
- b. Police - June Activity
- c. 2014 FY Independent Audit Report - Doyle and Associates, P.C.

**ADJOURN:** Upon motion duly made by Councilman Lovering and seconded by Councilman Plevel the meeting adjourned at 8:00 p.m. **ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED BY COUNCIL ACTION: August 3, 2015