

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 6, 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: Karper, Petersen, Shepard, Plevel and Lovering
ABSENT: Fisher

ROLL CALL

Also present were City Manager Nicosia, City Clerk Staaland and Police Chief Perry.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

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

**AGENDA
APPROVAL**

VISITORS/PUBLIC COMMENTS

None.

**PUBLIC
COMMENT**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$ 153,378.66 - June 30, 2015
Approval of Claims - \$ 159,180.64 - July 6, 2015
- B. Approval of Payroll Claims - \$60,016.72 - June 19, 2015
Approval of Payroll Claims - \$15,525.23 - June 25, 2015
(Unemployment/WC Quarterly payment)
Approval of Payroll Claims - \$ 100,919.52 - July 3, 2015
- C. Approval of Regular Meeting Minutes - June 15, 2015
- D. Approval of Change Order #2 - Watson Excavating, Inc. - \$8,700 increase and 25 additional Contract days.

RECOGNITION:

- A. Five-year pin - Kara Darling, Court Clerk
Mayor Barnhart presented Kara Darling her 5 years of City service pin.

**RECOGNITION
Kara Darling- 5 yrs.**

VISITORS/PUBLIC COMMENT (Items not on agenda)

None.

**PUBLIC
COMMENT**

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NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

A. HEARING - Alley Abandonment: Notice is hereby given to all persons that a petition has been filed with the City Council of the City of Columbia Falls, Montana, requesting the abandonment, discontinuance and vacating of certain public way in the City of Columbia Falls, Montana, more particularly described as follows:

**PUBLIC
HEARING-
Alley
Abandonment**

The alley in Block 65 between 9th ST West and the abandoned 10 ST West and the alley in Block 72 between the abandoned 10 ST West and 11th ST West roadway. Abandonment of the alley will enhance public safety and will eliminate any potential property disputes. The abandonment will be subject to the rights of the City or any other public utility to access, operate and maintain any public utilities currently located within the alley.

City Manager Nicosia presented the report recommending abandonment. Mayor Barnhart opened and closed the public hearing at 7:03 p.m. with no public comment.

UNFINISHED BUSINESS:

A. Update - Kreck Trail

Mark Cahill wanted the trail closest to his home moved towards the river. City Manager said in order to move the trail the City would be moving rocks and shrub but no trees. Nicosia is waiting for a cost projection of moving the trail from Forestration.

**UNFINISHED
BUSINESS-Kreck
Trail**

Mayor Barnhart asked what our expenditure was on this project. City Manager Nicosia said the City has paid to survey the ROW. Mayor asked if the City has the liability for wash outs or accidents concerning the trail. Nicosia said yes the City would be liable. Councilman Petersen asked when Dr. Kreck gave us the trail did the City think it was from Cedar Pointe to the Red Bridge. Nicosia stated the City had an easement only on Dr. Kreck's property. Mayor Barnhart said he liked the idea of accessing below the high water mark.

NEW BUSINESS:

None

NEW BUSINESS

RESOLUTIONS/ORDINANCES:

A. Resolution # 1699 - A Resolution Of The City Council Of Columbia Falls, Montana Abandoning, Discontinuing And Vacating The Public Alley Way In Block 65, Lots 3,4,5 And Lots 11-15, And Block 72, Lots 1 -5, W ½ Lots 6 & 7, Lots 8-12, And W ½ Lots 13-15, Columbia Falls, Montana.

**RESOLUTION
#1699-Alley
Abandonment**

City Manager Nicosia said she received letters from residents requesting the

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abandonment of the alley way. City staff recommends Council approval on the alley abandonment.

Councilman Shepard motioned to abandon the Public Alley Way in Block 65 and 72 of Columbia Falls 1st Addition, second by Councilman Lovering with Council voting as follows. YES: Petersen, Plevel, Shepard, Karper, Lovering and Barnhart. NOES: None. ABSENT: Fisher.

B. Resolution # 1700 - A Resolution Of The City Council Of Columbia Falls, Montana, Closing The Local Government Review Fund And Transfer Remaining Funds To The General Fund.

**RESOLUTION
#1700-Closing Local
Gov't Review Fund**

Nicosia said the Local Government Study Commission has completed their review and issued their final report as of June 30, 2015. The Study Commission recommended no change requiring an election in the 2016 Fiscal Year. There is \$2,937.82 remaining in funds, staff is recommending transferring the funds to the General Fund. Councilman Petersen asked how much it cost to operate the study. Nicosia said about \$3,000. Mayor Barnhart said he wanted to thank Harvey Reikofski, Gary Stempin and Dave Brotnov for their time on the Study Commission.

Councilman Plevel motioned to have the City Treasurer transfer the remaining funds to the General Fund and to take all appropriate steps to close Fund 2350, second by Councilman Shepard, with Council voting as follows. YES: Plevel, Shepard, Karper, Lovering and Barnhart. NOES: Petersen. ABSENT: Fisher

C. Resolution # 1701 - A Resolution Of The City Council Of Columbia Falls, Montana, Amending Fund 2394 Building Code Enforcement Fund And Fund 4010 Capital Projects Fund - Park Improvements Budget Appropriations For The Fiscal Year 2014-2015.

**RESOLUTION
#1701 2015 FY
Budget
Amendments**

City Manager Nicosia said we have amended Building Fund 2394 as we have sold even more building permits than anticipated for the FY. Fund 4010 Capital Projects Fund was overdrawn due to the new Pool Boiler.

Councilman Plevel made a motion to approve Resolution #1701 as written, second by Councilman Petersen with Council voting as follows. YES: Shepard, Karper, Lovering, Petersen, Plevel and Barnhart. NOES: None. ABSENT: Fisher.

D. Resolution # 1702 - A Resolution Of The City Council Of The City Of Columbia Falls, Montana, Approving The Petition Of Harry E. Cheff 2001 Revocable Trust And Patricia J. Cheff 2001 Revocable Trust And Canyon Logging Company Of Martin City For Annexation Of Property Described As

**RESOLUTION
#1702 - Cheff
Annexation**

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Lots 9-10 Ex S 10' & Tr A, Lot 15 Ex W 50.8', Lot 14 Ex S10' & Tr A, Lot 15-W50.8' Ex S10', Lots 16-17-18c Ex S10', Lot 18a Ex S10', Sunshine Addition Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, And Lots 11a, 12a And 13a, Sunshine Revisited, Se ¼ Of The Sw ¼, Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana As Shown On File At The Flathead County Plat Room.

City Manager Nicosia said this is the last requested annexation in the TIF district. Staff recommends approval of annexation.

Councilman Shepard motioned to approve Resolution #1702 as written, second by Councilman Lovering with Council voting as follows. YES: Karper, Lovering, Petersen, Plevel, Shepard and Barnhart. NOES: None. ABSENT: Fisher.

E. FIRST 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 4th Ave EN, Columbia Falls, Montana.

**ORDINANCE #751
Zone Change CI-1
to CI-2**

Councilman Karper motioned to approve the First Reading of Ordinance #751, second by Councilman Shepard and the motion carried.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Plevel said the parks committee met last week. People have been asking about the dog park, and Plum Creek has not done much as of yet with Pit to Park. Nicosia said DEQ advised that when they get an application they will review the area. Plevel said the Columbia Falls sign is up at the Welcome Park and it looks fantastic.

**REPORT FROM
MAYOR AND
COUNCIL**

Councilman Shepard said if you have not read the proposed clean up study by Roux on the Aluminum Plant he would advise you to do so. Shepard is concerned about some of the information that was handed out about the Aluminum Plant. Shepard said what bothered him were the seeps along the river, and when he worked there in the early seventies to eighty's there was a seep. Shepard said there was never a rolling mill at the Aluminum Plant, he recalls a Rod Mill. If they are concerned about Cedar Creek they need to look at Nucleus Ave where Cedar Creek appears above ground, plus there should be sampling at that end of town as well. Mayor Barnhart said you may be reading how they are proposing to do things at the Aluminum Plant, we are there to receive information and pass it on to the community.

Shepard said some people think there will be a septic issue on the Pickeral

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property in Mosquito Flats.

Councilman Petersen asked about the Xanterra parking lot and curb along First Avenue West and Hwy 2, Petersen thought there was to be shrubs planted along the roads. Nicosia said yes they were going to get that started and she will talk with Marc Ducharme the General Manager to see where they are with the project.

Mayor Barnhart said there is still no bell on the engine. Mayor suggested getting a hold of Columbia Construction to see if they may assist in getting the bell in place. Mayor Barnhart said he used the report a weed to report the clover at the bank building is up to 5 feet high.

Mayor said he would like to see the Council candidates attending the council meetings and looking at the agendas on the website, to better understand the Councilman position.

Mayor asked Nicosia if there was an issue with an inverted manhole and if it was fixed. Nicosia said yes there was an issue and it is fixed. Mayor said at the end of the Habitat Homes there is a water service sticking up and wanted to know why it was there. Nicosia said she would check into it.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None

CITY MANAGER REPORT:

Economic Development-The Duval Building and the former bank building are both under contract and will soon close. There is at least one interested party in the old Park Mercantile building.

MWED would like to discuss a change in our Subrecipient Grant provisions that limits the use of the CDBG loan funds specifically to Columbia Falls. Nicosia recommends an Economic Development Committee meeting to discuss the issue in depth. The committee is Barnhart, Lovering and Petersen and Plevel as the alternant.

MT DOT staff in Helena in charge of the DOT Real Estate have determined that the property is within "platted city streets" and therefore under the control of the City. They have not been able to provide anything in writing other than color coded plats that show the original platted streets. Nicosia will have the City attorney put together a memorandum of understanding before the City does anything with the property.

We are short staffed at the pool this year. Assistant Pool Manager Michaun Archer will be leaving us in July to move to Wisconsin. She has been a pool employee for the last 15 seasons. We may want to have a look at pool wages and be competitive in order to attract and retain staff.

Nicosia said she sent letters to the adjacent land owners regarding installing a light at the intersection of Highway 2 and 3rd Ave. East and has yet to hear back from any of them. Mayor Barnhart suggested getting one of the residents

**CITY MANAGER
REPORT**

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to talk to neighbors about the new light.

There has been much discussion on the proposed Pickeral/Smith floodplain “after the fact” permit. As long as the applicant meets the provisions of the floodplain regulations, the City is obligated to issue the permit. Many of the comment letters received are related to the wildlife and “undeveloped” nature of the property; not uncommon to subdivision review. Floodplain permits are issued administratively pursuant to Chapter 15.28 and must meet regulations. City Planner Eric Mulcahy is reviewing the documentation for compliance.

For the month ending June 19, the City’s wells pumped 56.5 million gallons. On the June utility bills we billed 41.8 million gallons of water usage. For the same time period last year, we pumped 38.3 million gallons. Therefore, we pumped 47% more water in June 2015 over June 2014. We are not having any difficulty meeting the water demand but both pumps are working hard. We are also receiving comments from residents on the Cedar Creek flow and reservoir. The City is not diverting any water from the creek to stop or slow the flow. It is an extremely dry year. Councilman Shepard said at the North Fork road and Aluminum Drive the creek is real low. Mayor Barnhart said we should check for leak detection in that area as those are some of the oldest lines in the City.

We are looking at the former water/sewer superintendent position but changing it to a more comprehensive “public works foreman” position. This would most likely be a union position.

The council elections closed on July 2nd and the election department reported that we have 6 candidates running for the three positions.

Flathead County is still working on the 911 Assessment. It will likely be another 2-4 months before the assessment master is prepared and the notices will be sent out to taxpayers.

When Nicosia approached BNSF on the poor condition of the 4th AVE EN crossing, she was advised that they are interested in closing the crossing; or if the crossing was kept open, they are interested in having the City pay for a portion of the improvements. Nicosia noted that the property is not within the City limits.

INFORMATIONAL CORRESPONDENCE - List available for Review

ADJOURN: Upon motion duly made by Councilman Plevel and seconded by Councilman Lovering the meeting adjourned at 8:29 p.m. **ADJOURN**

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Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: July 20, 2015