

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MARCH 16, 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, Fisher, and Lovering  
ABSENT: None

**ROLL CALL**

Also present were City Manager Nicosia, City Clerk Staaland, 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 Plevel, and the motion carried unanimously.

**AGENDA  
APPROVAL**

**VISITORS/PUBLIC COMMENTS**

Ann Scott Markle, 305 1<sup>st</sup> Ave West, owner of Imagine Health Center: Reported remaining parking issue at her business; the neighbors do not want customers parking on their side of the street, even though it is in the right of way. Ms. Markle said some neighbors put notes on customer windows. Ms. Markle asked Council if it would be possible to stripe the streets with nose in parking on the West and East of 1<sup>st</sup> Avenue West as well as 3rd Street West, this would allow more parking for customers and employees. Mayor Barnhart asked if clients can park on 3<sup>rd</sup> Street West by the Whitefish Credit Union. Ms. Markle said the Credit Union has asked her not to park there. Councilman Lovering asked how many parking spaces there are now. Ms. Markle replied there are 6 spaces for employees and customers, with additional spaces needed on Saturday up to 12-15 cars. City Manager Nicosia asked if she had any parking on her lot. Ms. Markle replied no. Councilman Petersen asked what would happen if the City put up public parking signs in the right of way. Nicosia said if the City put in signs they may interfere with snowplowing and parking. Councilman Plevel asked what about signs that cite the City Code on street parking? Ms. Markle said there is residential on 3 sides of her business. Nicosia said she it would be addressed by herself and the Police Department. Nicosia added the City is getting ready to send out the Spring newsletter and can address right of way parking on city streets.

**VISITOR/PUBLIC  
COMMENTS**

**CONSENT AGENDA:**

Councilman fisher made motion to approve the consent agenda as listed noting that all claims appeared to be in order, second by Councilman Karper and the motion carried.

- A. Approval of Claims \$ 52,417.54 - March 16, 2015
- B. Approval of Payroll Claims - \$ 83,584.36 – March 13, 2015
- C. Approval of Regular Meeting Minutes – March 2, 2015

**CONSENT  
AGENDA  
APPROVAL**

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**PUBLIC HEARINGS/NOTICES:**

**A. Notice of Hearing (Note Change of Dates):**

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, March 10<sup>th</sup> at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. **The Columbia Falls City-County Planning Board continued the Board deliberations until Thursday, March 16, 2015 at 6:30 p.m. in the same location.** The Columbia Falls City Council will hold a subsequent hearing on **April 6, 2015** starting at 7:00 p.m. in the same location.

**Subdivision Preliminary Plat Condition Amendment:** A request by Thirty Three Properties, LLC to amend Condition #13 of the preliminary plat approval received on July 21, 2014. The Plat was previously named Tamarack Heights and is now known as Mountain Watch. The property is located on Tamarack Lane and ties into the Meadow Lake area via Turnberry Terrace. The condition in question requires incorporation into the Master Meadow Lake Homeowners Association for road maintenance. The Master HOA declined incorporation so the applicant is asking for the condition to be deleted. The property is further described as Tract 6 of Section 6, Township 30 North, Range 20 West, P.M.M., Flathead County.

**PUBLIC  
HEARINGS-  
Preliminary Plat  
amendment 33  
properties**

**ORDINANCES/RESOLUTIONS:**

A. Resolution # 1694 – A Resolution of the City Council of the City of Columbia Falls, Montana, in Support of Establishing A Countywide 911 Special District Within Flathead County Through Resolution of the Flathead County Commissioners in Accordance with Montana State Law at MCA 7-11-1003 Providing to the County the Authorization to Create Special Districts.

**RESOLUTION  
#1694 – Countywide  
911 Special District**

Karl Sorenson, 210 3<sup>rd</sup> Ave West: Stated when he read about Resolution #1694 the first thing that came to his mind was no means no. It seems that the City wants to change things after there was an election held and the public voted no. Mr. Sorenson said it is confusing as far as residential and business assessments go. Mr. Sorenson said he would ask that the Council does not make a decision until they speak with the public. Mr. Sorenson said he believes the City is trying to find ways to go around an election. Mr. Sorenson asked how this will affect the landlords. Mr. Sorenson said he doesn't think the City has the 911 service it used to have before consolidating.

City Manager Nicosia said Mr. Sorenson is correct, in the election the vote failed by 10 votes. The 911 Administrative Board has researched multiple methods on how to fund the 911 Center as the funding in place does not fund operations and capital on a fair and equitable basis. Nicosia said City taxpayers will be paying less and County taxpayers will be paying more. This method of creation is the least costly and allows each of the four entities and the 911 Board to explain what we are doing and why. To precede all three cities will need to pass the Resolution supporting the Special District creation and submit to the Flathead County Commissioners; that will start the public hearing process provided for in state statute. Nicosia noted that it is our responsibility to further explain it to the citizens. The actual assessment file will be prepared as soon as the commissioners have the approved resolutions from all three cities.

Councilman Shepard said there were 3 public invites to tour the 911 Center and not

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many people attended. Shepard said the City cannot afford to do this on our own; if we pass this Resolution then we can move forward with the process. Shepard noted that the upgrades to the dispatching system were necessary to meet federal regulations and that the City of Columbia Falls could not have instituted the upgrades on their own due to the expense.

Councilman Petersen addressed Mr. Sorenson, stating he spoke to a person at the County level concerning residential and commercial units, and they had advised him that apartment units would be considered residential units for the assessment.

Councilman Petersen asked which the better radio reception was, digital or analogue. Nicosia said there are federal restrictions regarding the narrow-band, digital systems, and wide-band, analogue systems. Chief Perry said law enforcement went digital in 2013 and the Fire Department is currently on an analogue system but will have to be digital by 2018 per federal regulations. Nicosia said when the 911 Center was completed there were limited funds remaining for capital but those funds will soon be exhausted which is one of the main reasons for the Special District funding proposal. The county and all 3 cities recognized the need for a permanent funding source but the county wanted to separate the building funding from the operation funding so the 2008 interlocal agreement required a funding committee to evaluate proposals and make a formal recommendation to the 911 board and county commissioners. Nicosia noted that the special purpose district had unanimous support from the funding committee as well as the county commissioners.

Councilman Plevel said she realizes that there are additional costs for the Center. Councilman Karper asked if there will be information available for individual taxpayers. Nicosia said yes the County will send out notices with the assessment information. Mayor Barnhart asked if at that point the taxpayer can protest, and how long the protest period is. Nicosia said she will get that information for Council. Councilman Fisher said he understands landlord concerns on how the units will be assessed.

Councilman Plevel made a motion to adopt Resolution #1694, second by Councilman Karper with Council voting as follows. YES: Petersen, Plevel, Shepard, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: None.

**UNFINISHED BUSINESS**

None.

**UNFINISHED  
BUSINESS**

**NEW BUSINESS**

None

**NEW BUSINESS**

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

Councilman Shepard said the American Legion Post is having a spaghetti dinner at the Fire Hall March 21, 2015 from 5:00 p.m. to 7:00 p.m. to raise money for Boys' and Girls' State.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

Councilman Lovering reported the Dog Park Committee is starting to look into the dog park project. Lovering has had two different people ask when 7<sup>th</sup> Street East down the hill was going to be repaired. Nicosia said 7<sup>th</sup> Street East is on our priority list, with \$218,000 appropriated. Mayor Barnhart asked about the weeds on the North side of the street. Chief Perry suggested having the residents notify the City on decay

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and weeds, and he will address it. Mayor Barnhart said he and City Manager Nicosia attended meetings in Helena that were filled with good information and training. Mayor said he and Nicosia had a meeting with Mr. Cahill on the trail, Mayor believes the best idea would be to move this to the Land Use Committee for an in-depth review. Karper, Plevel, Fisher and alternate Barnhart are on that committee and could meet next Monday, March 23, 2015 at 7:00 p.m. Nicosia said there is an informational packet available and will pass it on to City Attorney Breck as well. Mayor said the Historical Society is looking at renovating the Old Main building at the Veterans' Home. Mayor Barnhart said he and others went on a tour of the building and he was able to point out a few areas of interest related to the fire suppression system. Mayor said the Historical Society asked if the City would support the renovation by sponsoring grants.

**REPORTS/BUSINESS FROM CITY ATTORNEY:**

None.

**REPORT FROM  
CITY ATTORNEY**

**CITY MANAGER REPORT:**

City Manager Nicosia updated Council on the City's legislative items. Nicosia and Jenkins had recently met with Forestration to review the Welcome Park development. The plan developed by Forestration will be phased based on available funding. The current year budget included \$25,000 for development and that includes the cost of moving the welcome sign. Nicosia reported that the MT DEQ has officially stated that the City cannot take any of the leachate from the Solid Waste District based on the terms of our discharge permit. Nicosia clarified the City's role in the development of the commercial market by O'Brien Byrd. Mr. Byrd's property is zoned for commercial use and he is able to obtain two business licenses at the same property without additional cost. Mr. Byrd did request to have a portion of 1<sup>st</sup> Ave. West blocked off to accommodate pedestrian traffic between his business and the Glacier Bank parking lot. That request was reviewed and approved by the City. Nicosia reported participating in the Freedom Bank's new "progress fund" committee, a fund established by the bank to assist business owners' with façade improvements. The loan officers will qualify the applicants and the projects will be submitted for approval to the committee. Nicosia reported that both she and Councilman Fisher have been asked to participate. Nicosia reported that all of the infrastructure projects are slated to begin the week of March 30<sup>th</sup>: water, sewer and drainage. Nicosia reported on the dog park information she had shared with Councilman Lovering. Nicosia also noted that the City Clerk had received the city election information and Plevel, Fisher and Karper's positions are up for re-election.

**CITY MANAGER  
REPORT**

City Clerk Staaland provided the council with the necessary paperwork regarding the election calendar. Nicosia reported that the Police Department is in the process of implementing the Digiticket system.

**MISCELLANEOUS REPORTS:**

- A. INFORMATIONAL CORRESPONDENCE - List available for Review
- B. Reports:
  - a. Finance – February
  - b. Police – February Activity

**MISC  
CORRESPON-  
DENCE**

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**ADJOURN**: Upon motion duly made by Councilman Plevel and seconded by Councilman Lovering, the meeting adjourned at 8:50 p.m.

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: April 6, 2015