

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MARCH 21, 2016**

**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, Fisher, Lovering and Piper  
ABSENT: Karper

**ROLL CALL**

Also present were City Manager Nicosia, City Clerk Staland, Deputy City Attorney Stephanie 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 Piper, and the motion carried unanimously.

**AGENDA  
APPROVAL**

**CONSENT AGENDA:**

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

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims - \$44,986.12 + \$90.94 WBC = \$45,077.06 - March 21, 2016
- B. Approval of Payroll Claims - \$84,551.02 - March 11, 2016
- C. Approval of Regular Meeting Minutes - March 7, 2016
- D. Approval of Easement Agreement - Charter Communications and authorize City Manager to sign (Charter used same location as FEC for hotel/conference center location).
- E. Approval of Subdivision Improvement Agreement, Carlyle Properties LLC, 1107 9<sup>th</sup> St West and authorize City Manager to execute documents.
- F. Approval of MT DOC Youth Recreational Facility Grant Program, Contract #MT-17-YRF-60-001 and authorize City Manager to execute documents.

**VISITORS/PUBLIC COMMENTS**

Steve Duffy, 1503 Eddy Court, is concerned about lead water pipe in the country. Mr. Duffy indicated he read the City's 2015 water report in the newspaper and would like to know if there is a way to summarize it and let the public know the lead piping in the City has been cataloged and monitored and the City's water is in fact safe to drink.

**VISITOR  
COMMENTS**

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Mr. Duffy said in the winter of 2014 during construction of the North Valley Clinic on Talbot Road which is adjacent to his back yard, a piece of equipment damaged his fence. During the same time the city put up new cell phone signs and it was damaged as well and has not been replaced. Mr. Duffy would like to see the cell phone sign replaced.

Mayor Barnhart asked Mr. Duffy if his fence was repaired. Mr. Duffy said a neighbor came down and they fixed it to bandage repair. Mayor asked if he knew the contractors name and Mr. Duffy said he spoke with Mr. Waters who was doing the contracting for the water supply and he said his company was not in the specific area at the time the damage was done.

Mayor Barnhart also advised Mr. Duffy the City does not use lead piping, we have galvanized. Councilman Shepard said the National Building Code changed in the 90's to no lead piping.

**PUBLIC HEARINGS/NOTICES:**

**A. Notice of Hearing – Adoption of International Wildland-Urban Interface Code (IWUIC) 2012 Edition**

**PUBLIC  
HEARINGS**

The Columbia Falls City Council will hold a public hearing for the purpose of amending Chapter 15.08 adding the adoption of the International Wildland-Urban Interface Code (IWUIC) 2012 edition, at their regular meeting, Monday, April 18, 2016 at 7:00 p.m. The hearing will be held in the Council Chambers, City Hall, 130 6<sup>th</sup> ST. West, Columbia Falls, MT.

**Adoption of  
International  
Wildland-Urban  
Interface code  
(IWUIC) 2012  
Edition**

The Montana Department of Labor & Industry Building Codes Bureau gave notice that they adopted the International Wildland-Urban Interface Code (IWUIC) 2012 edition. As a certified city, the City of Columbia Falls must amend Chapter 15.08, Building Codes, to also adopt the IWUIC. Future editions of the IWUIC adopted by the Department of Labor & Industry will be adopted by the City under Administrative Order, as established by Ordinance 684 in 2007.

The proposed amendment is available for review at the office of the City Clerk, City of Columbia Falls 130 6<sup>th</sup> Street West, Columbia Falls, MT.

Written comments concerning this amendment may be addressed to the City Clerk at 130 6<sup>th</sup> Street West, Columbia Falls, MT 59912 or delivered in person to the City Council

**UNFINISHED BUSINESS**

None.

**UNFINISHED  
BUSINESS**

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**NEW BUSINESS:**

Franchise agreement with Charter Communications.

City Manager Nicosia said she provided Council with the proposed agreement along with comments in the council packet. These agreements include mandatory language as required by federal language. Nicosia recommends the highlighted language at this time.

**NEW BUSINESS-  
Franchise agreement  
with Charter  
Communications**

Councilman Fisher motioned to approve the City Manager to sign the Franchise Agreement with Charter Communication, second by Councilman Shepard. Mayor asked how much money the city has been awarded by this franchise. Nicosia said \$40,000 a year.

AYES: Petersen, Piper, Shepard, Fisher, Lovering and Barnhart. NOES: None. ABSENT: Karper.

**ORDINANCES/RESOLUTIONS:**

A. SECOND AND FINAL READING - Ordinance 761 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Chapter 15.08 Building Codes of the Columbia Falls Municipal Code.

**ORDINANCE #761  
ISPSC 2015 - Final  
Reading**

Nicosia said the State Building Code Bureau adopted the 2015 International Swimming Pool and Spa Code, and the City will have to adopt it as well. Future additions will be adopted through the Administrative Order procedure.

Councilman Shepard motioned to approve Ordinance 761, second by Councilman Lovering with Council voting as follows. AYES: Petersen, Piper, Shepard, Fisher, Lovering and Barnhart. NOES: None. ABSENT: Karper.

B. SECOND AND FINAL READING - Ordinance 762 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Chapter 12.40 Parks of the Columbia Falls Municipal Code.

**ORDINANCE #762  
Final Reading  
Amending Chapter  
12.40 for alcohol in  
two parks**

City Manager Nicosia said Ordinance 762 was to include various sections to amend the park application to have sales and or consumption of alcohol at Marantette Park and River's Edge Park.

Councilman Lovering made motion to approve Ordinance #762, second by Councilman Petersen. Councilman Piper noticed that Pinewood Park was not included. Nicosia said Pinewood Park is close to the City Pool with children and did not want alcohol in the vicinity, plus parking would also be an issue in that location.

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The band shell area at Marantette can be fenced off away from children. Mayor Barnhart said after we get into the application process we could revisit which parks will be available for alcohol sales or consumption.

AYES: Piper, Shepard, Fisher, Lovering, Petersen and Barnhart. NOES: None. ABSENT: Karper.

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

Councilman Lovering said the Community Garden has almost reached the goal for donations needed for the fencing project and asked what would be allowed by the City. Mayor Barnhart said you would need to bring it to the City Manager for review.

Councilman Shepard said on Saturday night at 7:30 p.m. on Nucleus Avenue and 6<sup>th</sup> Street he had a hard time crossing the street. He noted it is a dark corner and we need to get better lighting at the intersection. Mayor asked about contacting the two businesses owners to see if they would put lights up on their buildings.

Councilman Petersen said he read in the paper that there was going to be 10 minute parking on the corner. Petersen said he would like to pass on an incident on Nucleus Ave and 6<sup>th</sup> Street where a 4<sup>th</sup> grade girl was getting ready to cross the street and a vehicle came to a screeching halt to miss her. Petersen thought maybe we could move the cross walk further down to the middle of the block by Melby's. Petersen inquired about a one way on that block, the parking spaces would be increased with angled parking. There is development coming to Nucleus Ave. and we need to make sure we are doing what we can for public safety as well as adequate parking. Nicosia said the timing on the transportation study is in the works. Petersen asked how many parking spaces angled parking would accommodate. Councilman Shepard said in some towns there are little men with business district signs in the middle of the street. Chief Perry asked Councilman Petersen if he was talking about 1<sup>st</sup> Ave. on the east side of Los Caps being a one way street. Mayor Barnhart said we put the new sidewalk and signs up and parents should instruct their children the proper way to use them. Nicosia said with the transportation study in the works this will be a good time to review the specific area. Councilman Petersen asked about a time line on the traffic study. Nicosia said there are several steps and she anticipates about 6 months.

Councilman Piper said the Circle Plaza parking lot is a mess; he has contacted Sandry Construction as well as the owner of the property and is hoping for some improvement. Mayor asked if there is drainage in the parking lot. Nicosia said there is a dry well, she has contacted the owner with safety concerns as well and reminded him that a paved parking lot is required.

**REPORTS FROM  
MAYOR AND  
COUNCIL  
REPORT FROM  
CITY ATTORNEY**

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Mayor Barnhart said he noticed our ordinance book has not been updated since 2008 and would like to schedule an update. Nicosia said it is in the budget this year. Mayor can we also include a zoning map.

Mayor said we had a public safety meeting with Fire Chief Hagen and Police Chief Perry and there was good information provided.

Mayor Barnhart said there are vehicles and trailers being stored on city right of way and wonders if we need to prevent this in the right of way. Nicosia said the length of parking in the right of way is 72 hours but that doesn't prevent the issues that have come up this winter.

**REPORTS/BUSINESS FROM CITY ATTORNEY:**

Deputy City Attorney Stephanie Breck said the Kent case will be going to trial April 25<sup>th</sup> - May 3<sup>rd</sup>.

**CITY MANAGER:**

The investigation of the well at the industrial park was started but due to the age of construction, DEQ will not allow the well to be connected to the City. 2015 water report was published, on the website and city bulletin board. The City's drinking water had no violations during the 2015 calendar year.

We are continuing with DOT and enforcement and education at the intersections.

Next Council meeting will be April 18<sup>th</sup>; there is no meeting on April 4<sup>th</sup>.

April 25<sup>th</sup> there is a full council workshop to address administrative items and April 11<sup>th</sup> Public works committee for water/sewer/streets.

Water rights project is almost complete. We will need to update the water sewer PERS and complete the Riverwood Estates Subdivision SID.

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

**ADJOURN:** Upon motion duly made by Councilman Fisher and seconded by Councilman Lovering the meeting adjourned at 8:11 p.m.

**CITY MANAGER  
REPORT**

**CORRES-  
PONDENCE**

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: April 18, 2016