

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 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: Bates, Fisher, Karper, Plevel, and Shepard

ABSENT: Petersen

ROLL CALL

Also present were City Manager Nicosia, City Clerk/Treasurer Watkins, City Attorney Breck, Police Chief Perry.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

Mayor Barnhart requested a motion to approve the agenda. Councilman Bates moved to approve the agenda. Second by Councilman Plevel and the motion carried unanimously.

**AGENDA
APPROVAL**

CONSENT AGENDA:

Councilman Karper 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: Bates, Fisher, Karper, Plevel, Shepard, Barnhart NOES: None. ABSENT: Petersen.

**CONSENT
AGENDA
APPROVAL**

A. Approval of Claims \$130,609.22 - May 7, 2012

B. Approval of Payroll Claims \$58,040.38 - April 27, 2012

C. Approval of Regular Meeting Minutes - April 16, 2012

D. Approval to Renew Employee Assistance Program and Authorize the City Manager to sign.

VISITORS/PUBLIC COMMENTS

State Search and Rescue - Rendezvous CFAC and HS (June).

Brian Heino advised that the State Search and Rescue Organization is hosting a search and rescue conference in Columbia Falls from June 15-17. They anticipate 200-300 people participating in the conference. There will be instructors providing training on 1) lost subject behavior, 2) ropes and knots, 3) GPS and garmin, and 4) swift water training. They will be talking to local business about donating to the rendezvous. Columbia Falls High School will provide a landing area for two helicopters.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

APPOINTMENTS

Councilman Shepard moved to appoint Will Loveall to the City Police Commission for a term of three years beginning May 2012 through May 2015. The motion was seconded by Councilman Bates and the motion carried unanimously.

PUBLIC HEARINGS/NOTICES:

A. Public Hearing - Title 18 Zoning Text Amendment addressing the calculation of allowed square footage of signage in Title 18.438.040 and notice of series of Growth Policy Workshops.

**PUBLIC
HEARINGS -
Text amendment
Title 18.438.040**

City Manager Nicosia provided an overview of staff report CZC-12-01. City Manager Nicosia advised that the Planning Board had asked for further information and clarification regarding the calculation of square footage for signage. City Manager Nicosia advised that Contract City Planner Eric Mulcahy is in attendance tonight to present the report, findings and recommendations. Mr. Mulcahy advised that the Planning Board did approve using the building frontage option for calculating sign square footage. This recommendation came after reviewing several existing signs associated with local businesses and applying both the prior method for determining sign size and the building frontage method. The signs reviewed included Depot Storage, Town Pump, and Falls Station. In all three cases the building frontage method reduced the size of the sign but not significantly and still provides a sizable sign comparable to the prior method applied.

Councilman Plevel asked for clarification on signage for a building with multiple occupants.

Mr. Mulcahy advised that the vagueness in frontage calculation, particularly with multiple tenants in a building, resulted in confusion and inconsistencies in sizing signs. Mr. Mulcahy advised that with the change to building frontage calculation, it will now make it consistent based upon the building size.

Councilman Shepard inquired about business ownership changes, specifically what happens when Conoco changes to Cenex Zip Trip and they change their signs. Mayor Barnhart also questioned the same situation with business ownership changes.

Mr. Mulcahy advised that if a business is just replacing panels within an existing sign, they can do that regardless of ownership changes.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

Mr. Mulcahy advised that there are many instances of ownership changes and new owners being able to use the existing signage with having to get a new permit. Mr. Mulcahy did advise that a new business would have to get a new sign permit.

At this time Mayor Barnhart opened the meeting for public input. There being no public input, and no written testimony, the public hearing was closed.

Councilman Plevel moved to approve staff report CZC-12-01, findings of fact and approve text amendments. The motion was seconded by Councilman Fisher and the motion carried unanimously.

Councilman Karper moved to approve the Planning Board's recommendation to use the Building Frontage formula when calculating the size of a sign. The motion was seconded by Councilman Plevel and the motion carried unanimously.

B. Notice of Public Hearing - Mayor Barnhart read the notice of hearing: June 4, 2012 - Conditional Use Permit - Lawrence and Diane Kraft to construct a caretakers residence in association with and located east of the existing mini-storage business. The caretakers unit will consist of a garage with a one-bedroom unit; and Text Amendment - Vacation Rentals.

**Notice of Hearing -
June 4, 2012 CUP -
Kraft and Text
Amendment -
Vacation Rentals**

ORDINANCE AND RESOLUTIONS

A. Ordinance 728 - Fowl and Livestock (18.434) - 2nd and Final Reading.

**ORDINANCES
RESOLUTIONS**

City Manager Nicosia advised that this is the language adopted by council pursuant to the hearing held April 21st. An unidentified individual requested the Council amend the proposed ordinance to provide for the possession of male ducks. Mayor and Council discussed proposed language and concurred that they did not wish to amend the language at this late date. City Manager Nicosia recommended Council approve Ordinance 728 as written. At this time Mayor Barnhart asked if there was any further discussion or public input concerning Ordinance 728. There being no further discussion, Councilman Bates moved to approve second reading of Ordinance 728 as presented. The motion was seconded by Councilman Shepard and the vote was as follows: YES: Fisher, Karper, Plevel, Shepard, Bates, Barnhart NOES: None. ABSENT: Petersen.

**Ordinance 728 -
18.434 Fowl and
Livestock**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

B. Ordinance 729 – Recreational Vehicle Definition (18.636) – 2nd and Final Reading.

**Ordinance 729 –
18.636 Recreational
Vehicle Defn.**

City Manager Nicosia recommended Ordinance 729 for approval. Mayor Barnhart asked if there was any further discussion or public input concerning Ordinance 729. There being no further discussion, Councilman Shepard moved to approve Ordinance 729 as presented. The motion was seconded by Councilman Bates and the vote was as follows: YES: Karper, Plevel, Shepard, Bates, Fisher, Barnhart NOES: None. ABSENT: Petersen.

C. Ordinance 730 – Land Use Definitions and Permitted Uses – Adding Assembly Halls and Micro Brewery, Brew Pubs and Mini Brewery (18.336, 18.338 & 18.600) – Second and Final Reading.

**Ordinance 730 –
18.336, 18.338 and
18.600 Assembly
Halls and Micro
Brewery, etc
Defn./Uses**

City Manager Nicosia recommended Ordinance 730 for approval.

Mayor Barnhart asked if there was any further discussion or public input concerning Ordinance 730. There being no further discussion, Councilman Shepard moved to approve Ordinance 730 as presented. The motion was seconded by Councilman Plevel and the vote was as follows: YES: Plevel, Shepard, Bates, Fisher, Karper, Barnhart NOES: None. ABSENT: Petersen.

UNFINISHED BUSINESS

There was no unfinished business to consider, discuss or act upon.

NEW BUSINESS

A. Amendment to Interlocal Agreement with Flathead County.

**Amendment to
Flathead County
Planning Interlocal
Agreement**

City Manager Nicosia advised Council that this item was on the County Commissioners agenda on Tuesday, May 1, 2012 for consideration and approval. City Manager Nicosia advised that both she and City Planner Eric Mulcahy were in attendance and that the Commissioner’s unanimously approved the amendment. City Manager Nicosia advised that the termination provisions in paragraph 16 have been added and the boundaries have been formalized into the agreement as well. City Manager Nicosia recommended the agreement for approval.

City Manager Nicosia also advised that the Columbia Falls Planning board still has a county and City opening on the Planning Board.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

There being no further discussion pertaining to the Interlocal Agreement, Councilman Shepard moved to approve the agreement as presented. The motion was seconded by Councilman Bates and the votes was as follows: YES: Shepard, Bates, Fisher, Karper, Plevel, Barnhart NOES: None. ABSENT: Petersen.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Plevel advised that the Arbor Day celebration was very nice and the school children had a great time. Councilman Plevel complimented Mayor Barnhart for his remarks, thanked DNRC for being present and thanked the Public Works Department for doing an excellent job.

**MAYOR AND
COUNCIL**

Councilman Shepard advised that the initial report from Carver Engineering is done and that he has reviewed the report. Councilman Shepard advised that every known septic is now plotted around the City. The question that remains is how the county is going to create a master map so we know where we have problem areas. City Manager Nicosia advised that Public Works Director Lorin Lowry will attend a meeting on May 17th to learn more about the report and meet with the people who worked on the report.

Councilman Karper asked if the High School football concession stand is connected to sewer treatment system, and also thanked the participants at the Arbor Day celebration.

Mayor Barnhart also noted that the Arbor Day celebration was very well done and approximately 150 trees have been planted through the City's forestry program. Mayor Barnhart asked when the 3rd Avenue Bike Path would be paved. City Manager Nicosia advised that the hot mix plant is still not opened but advised that the path should be paved very soon.

REPORTS/BUSINESS FROM CITY ATTORNEY:

City Attorney advised council that the City's prosecutor Steve Berg is taking a one month leave of absence in July and that City Attorney Justin Breck and Assistant City Attorney Stephanie Breck will share the work load. When Mr. Berg returns City Attorney Breck plans on splitting up some of the work between he and Stephanie Breck, as Mr. Berg would like to commit less time to the position but is willing to take on an intern to assist the City with transition. Mayor Barnhart asked when discussion would be held about converting the City Court to a Court of Record. City Manager Nicosia advised that she and City Attorney Breck will be meeting with Judge Gordon the week of May 14th and that council would need to adopt a resolution to commit to this.

PROJECT UPDATE

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

REPORTS/BUSINESS FROM CITY MANAGER:

City Manager Nicosia advised that a walk through and punch list review has taken place on the recently remodeled police department. City Manager Nicosia advised that the City hopes to achieve substantial completion by May 15th. City Manager Nicosia advised that the remodeled area is impressive and the police department plans to move in the first week of June. City Manager Nicosia also advised that the City will be updating the exterior of building as well as the interior hallway and some other areas as well. Police Chief Perry advised that there is some minor items to address including electrical work and the installation of security cameras in the area, the court room, and the finance area as well. This project was quoted separately and the low bid received was from DCS. The system will record for 30 days and will have microphones in the booking areas.

PROJECT UPDATE

City Manager Nicosia advised that she will confirm the status of the Bike Path Project.

City Manager Nicosia advised that health insurance premiums have increased by 5% for the coming year. City Manager Nicosia explained the employer share of premium contributions and the history associated with the same. City Manager Nicosia recommended the City consider increasing the employer contribution for families, employee and spouse and employee and children. City Manager Nicosia requested input from council regarding employer contributions and was supported by Council. City Manager Nicosia advised that all positions within the City are at 67% of wages paid by other cities of similar size and that insurance contributions has been an area that the City of Columbia Falls has focused on providing at a level above the other cities. City Manager Nicosia advised that the permissive medical levy covers the additional cost for employees except for those employees working in the water and sewer department. City Manager Nicosia advised that the permissive levy increase would be \$5,255 over last year which can be accommodated this coming year. City Manager Nicosia advised that the City has not changed the employer contribution in 6 years. Council was supportive of the recommendation.

City Manager Nicosia advised that Safe Routes to Schools did not fund the infrastructure grant of \$90,000 but did fund the non-infrastructure grant in the amount of \$2,000 to assist with the "Safe Route Buddy" program. City Manager Nicosia advised that the granting agency would like to see a community start a project with local money, then apply for grant funding. City Manager Nicosia advised that the City is preparing safe route maps to go into student handbooks. City Manager Nicosia advised that the City will identify funding in next year's CIP budget. City Manager Nicosia advised

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 7, 2012**

that the City would need about \$30,000 to get this started.

City Manager Nicosia advised that the Intercap Loan application was approved as a promissory note based upon the general debt capacity of the City. Closing documents will be coming and there was no expense to this type of loan.

City Manager Nicosia congratulated Rick Hagen, as he is now an official fire inspector.

City Manager Nicosia advised that weed and decay letters have been sent out and it seems to be working. Chief Perry sent approximately 125 letters. At this time Council reviewed photos of specific areas of concern and also reviewed Ordinance 709.

City Manager Nicosia advised that the spring newsletter has been posted on the website and will be mailed to residents on Friday, May 11th.

MISCELLANEOUS:

- A. INFORMATIONAL CORRESPONDENCE is available for review for thirty days in the City Clerk/Treasurer's office.
- B. Staff Reports:
 - a. Finance - Monthly Cash and Budget Report
- C. Other
 - a. East Helena Fowl Ordinance

**MISC
CORRESPON-
DENCE**

ADJOURN:

Upon motion duly made and seconded the meeting adjourned at 9:00 p.m. p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: May 21, 2012