

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 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, Shepard, Plevel, Fisher and Lovering
ABSENT: Petersen.

ROLL CALL

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

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**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

A. Approval of Claims - \$ 102,038.46 - October 19, 2015

B. Approval of Payroll Claims - \$19,188.44 - September 30, 2015

Quarterlies

Approval of Payroll Claims - \$87,096.00 = October 9, 2015

C. Approval of Regular Meeting Minutes - October 5, 2015

D. Approval of Plant Investment Fee Agreement - Randy Jones Construction, Inc., 2 Diane Road and authorize City Manager to sign.

E. Approval of Plant Investment Fee Agreement - Randy Jones Construction, Inc., 4 Diane Road and authorize City Manager to sign.

F. Approval of Memorandum of Agreement between Columbia Falls Chamber of Commerce and the City of Columbia Falls and authorize City Manager to sign.

VISITORS/PUBLIC COMMENTS

None.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

PUBLIC HEARINGS/NOTICES:

A. CONTINUED HEARING - COMMUNITY NEEDS ASSESSMENT:

Beginning on October 5, 2015 during the 7:00 p.m. regular council meeting, the City Council of the City of Columbia Falls, shall conduct a series of public hearings and meetings for the purpose of obtaining public comment to determine the greatest community development needs (public facilities, economic development, and housing needs). The City will take public comment during the month of October in order to obtain the greatest public input. The intent of the needs assessment process is to provide the City with a list of potential projects or actions in the areas of housing, economic development and public infrastructure that could be pursued over a period of years in order to improve the community, particularly as those needs affect low and moderate income persons. Based on the results of the needs assessment, the City may apply for state or federal funding from the Montana Community Development Block Grant (CDBG) Program and other funding sources to deal with local housing, public facilities, or other community needs and would like comments or suggestions from local citizens regarding the City's needs and types of projects which should be considered.

**PUBLIC
HEARINGS-
Community Needs
Assessment**

Mayor Barnhart continued the Public Hearing from the October 5, 2015 Council meeting at 7:02 p.m.

Don Bennett, 1000 Columbia Drive, said he has been involved in the city for several years. Mr. Bennett believes this is a great opportunity for Columbia Falls and personally knows 5-6 businesses that have benefited from the CDBG program. Mr. Bennett said he could not say enough about the opportunities available in Columbia Falls and encouraged the Council to continue with the Economic Development grants.

With no further comments Mayor Barnhart closed the Public Hearing at 7:04 p.m.

B. HEARINGS:

a. Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

Ruis Holdings LLC is requesting a Planned Unit Development (PUD) to place an 82 room three story hotel (64 rooms first phase) on property located at the southwest corner of Highway 2 and Second Avenue West. This is the vacant parcel just east of the City Park and Pool. The PUD will review the large building standards as well as deviations to height, landscape buffer and parking counts. The property is Zoned CB-2 and hotels are a permitted use in this zone.

**PUD-Ruis Holding
LLC-Motel**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

City Planner Mulcahy presented staff report CPUD-15-01. Mulcahy discussed the zoning deviations requested with the PUD: Height, landscaping encroachment and parking provisions. Mulcahy reported that the Planning Board approved the PUD unanimously and sent to Council. Staff is recommending approval of the project with the listed 12 conditions.

Mayor Barnhart asked Council if they had any questions for staff.

Councilman Plevel asked if the PUD request was for the entire property or just the hotel area. Mulcahy said it is the northern 2/3 of blocks 67 & 70. The Southern lots remain undeveloped at this time. Councilman Plevel asked if the applicants will be removing the old buildings. Mulcahy said the owners can best answer that question.

Mayor Barnhart asked where phase II was situated on the building and if that phase will come back to Council separately. Mulcahy said the PUD is for the entire project and the additional 18 rooms will be located on north side of the building.

Mayor Barnhart opened Public Hearing at 7:31 p.m.

Michelle Moore, 1107 2nd Ave West, said she lives on 2nd Ave and has concerns with the lighting. Ms. Moore said she would like the owners to be mindful of the lighting for the residents in the area.

Rod Shaw, 370 Meadow Lake Road, said the buildings to the south of the property will go away. Mr. Shaw said he has been in the hospitality business for 30 years and wants to have a clean, quiet facility with appropriate lighting as possible for guests. There will not be bright lights as this will also be bothersome to the guests. Mr. Shaw said he assures they will park the property out and it will probably increase the value of the Moore's property. We are building the motel with 64 units and hope to add on the additional 18 rooms in the next few years pending on demand. Mr. Shaw said there remains to be parking concerns and payment of street parking. If it is such that other businesses pay for public parking, and we pay for additional street parking will it be for our private parking or will the public have access to it at our expense. We plan to provide a shuttle service from the airport to the motel to reduce parking. We could have reduced the conference center but decided to keep it at a capacity for 200 to meet community needs. We are conflicted when paying for pavement when others are able to use it and we just ask council to reconsider pavement responsibilities.

Mr. Bennett, 1000 Columbia Drive, said he would like to echo that statement on parking. Mr. Bennett states he knows the parties involved with the development of the motel and they are awesome people. They are getting Columbia Falls to the next phase. As far as the cost of the project with the

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

conference center Mr. Bennett said he suggested keeping it at the two hundred capacity. As far as the parking goes he does not think that the owners should be asked to pay for the additional paving of the city roadway.

Barnhart asked if there are any written comments. Nicosia said she received an email on October 13, 2015 from Jill Jacobson with concerns on the motel which was included in the Council packets.

With no further comments Mayor Barnhart closed the Public Hearing at 7:42 p.m.

Councilman Fisher asked if there are other businesses that pay for parking. City Manager Nicosia said pursuant to the Planning/Zoning Code the motel/conference center was short 36 parking spots, thus their request to have on street parking. Nicosia said the estimated cost to do an overlay on the existing road on 2nd Ave W. was approximately \$30,000. To provide a wider road plus a sidewalk will be around \$200,000. Nicosia said there was discussion with the owners on cost sharing as they were using the on street parking to meet their parking requirement. Nicosia noted that the condition allowed for negotiation on the amount. The Xanterra and Coffee Traders parking and curb were a cost share project. Nicosia said we have not asked the Farmers Market to pay for additional parking off site of their facility. Nicosia noted that the only reason it is raised in the conditions is because the developer is relying on the street parking to meet their parking requirement.

Councilman Plevel said that is a big price difference on pavement. Nicosia said the \$4.30 per square foot figure came from the engineers, noting that without the hotel/conference city development, the street would not be widened.

Councilman Shepard said he too is concerned about the parking price. Shepard said his wish was to have a motel in Columbia Falls and would like to provide a better deal for them. Nicosia said the city didn't ask them to pay the difference, but to share in the costs; noting that the City would not pave the additional width, only overlay existing pavement without the development.

Councilman Lovering asked if the motel will fall into the TIF district. Nicosia replied that it is within the boundary of the URD/TIF.

Mayor Barnhart stated that he believes the City needs to buy into the motel/conference center. Mayor would like the City to do it right with sidewalks that will provide parking for the motel and Farmers Markets. Mayor Barnhart stated that he believes condition 6 should be removed and the City proceeds with widening the street and installing the sidewalk.

Councilman Plevel asked who will maintain that section of 2nd Ave W.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

Nicosia said it is a public street and the City will maintain it.

Councilman Shepard motioned to approve Staff Report CPUD-15-01 as findings of fact, second by Councilman Fisher with Council voting as follows. YES: Karper, Lovering, Plevel, Shepard, Fisher and Barnhart. NOES: None. ABSENT: Petersen.

Councilman Shepard made motion to approve the PUD with the removal of condition #6 of Staff Report CPUD-15-01, second by Councilman Fisher with Council voting as follows. YES: Lovering, Plevel, Shepard, Fisher, Karper and Barnhart. NOES: None. ABSENT: Petersen.

Mayor Barnhart suggested a 10 minute recess at 7:55 p.m. Meeting was back in session at 8:05 p.m.

b. Request by the City of Columbia Falls to adopt new Floodplain Regulations:

**FLOODPLAIN
REGULATIONS**

The City of Columbia Falls is a participant in the National Flood Insurance Program (NFIP) which is administered through the Federal Emergency Management Agency (FEMA). The City participates in this program so that citizens within its jurisdiction can secure federally backed flood insurance and in cases of flooding, the City and its citizens can be eligible for Federal Disaster Assistance through FEMA. As a condition of participation in the NFIP, FEMA requires that enrolled communities adopt Floodplain Regulations compliant with the State and Federal Floodplain Regulation Model. The proposed Floodplain Regulations will replace the existing Floodplain Regulations which were last updated in 2007.

City Planner Mulcahy presented Staff Report CFREGS-15-01.

Councilman Shepard asked if we have heard from people in the floodplain area. Mulcahy said most of the changes in the map are in the Evergreen area. Mulcahy said the City of Columbia Falls maps were improved with changes in the Trumbull and Garnier Creek areas.

Councilman Fisher motioned to adopt Staff Report CFREGS-15-01 as findings of fact, second by Councilman Shepard with Council voting as follows. YES: Plevel, Shepard, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: Petersen.

Councilman Lovering motioned to approve the Floodplain Regulations as presented, second by Councilman Karper with Council voting as follows. YES: Shepard, Fisher, Karper, Lovering, Plevel and Barnhart. NOES: None. ABSENT: Petersen.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

C. NOTICE OF HEARINGS:

The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, November 10th at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on December 7th, 2015 starting at 7:00 p.m. in the same location.

**NOTICE OF
PUBLIC
HEARINGS**

Columbia Falls Zoning Regulations - Title 18 (Zoning Text Amendment):

A request by the City of Columbia Falls to amend certain portions of the text of the Columbia Falls Zoning Regulations (Title 18 of the Columbia Falls Municipal Code). The City proposes changes to 18.410.030.A(G) (Accessory Building Height in the CR zoning) and increase the building height for a detached garage from 15-feet to 22-feet. Amend Chapter 18.324.040(H) - Building Height increasing the existing 30-feet to 35-feet height to match all of the other residential zoning districts. Adding a new provision for Clustering in the SAG zones enabling a property owner to use the density provisions of the zone to create smaller lots in exchange for open space or agriculture easements. Explore the possibilities of creating off-premise signage and other sign provisions for the downtown CB-4 (Central Business District). Propose other amendments to the Sign Chapter 18.438 to comply with recent US Supreme Court decisions.

**Columbia Falls
Zoning Regulations-
Title 18**

Persons may testify at the hearings or submit written comments prior to the meetings. Written comment may be sent to Columbia Falls City Hall, Attention: Susan Nicosia, City Manager, 130 6th Street West, Room A, Columbia Falls, MT 59912. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

UNFINISHED BUSINESS

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

None.

NEW BUSINESS

ORDINANCES:

A. Second and Final Reading - Ordinance 753 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Designating the Columbia Falls Industrial Park Targeted Economic Development Area, Creating the Columbia Falls Industrial Park Targeted Economic Development District (TEDD) and Adopting the Columbia Falls Industrial Park Targeted Economic Development District Comprehensive Development Plan with a Tax Increment Financing Program Pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Codes Annotated

**ORDINANCE #753
Second and Final
Reading - TEDD**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

Councilman Plevel motioned to approve second and final reading of Ordinance #753, second by Councilman Shepard with Council voting as follows. YES: Fisher, Karper, Lovering, Plevel, Shepard, Fisher and Barnhart. NOES: None. ABSENT: Petersen.

B. First Reading – Ordinance 754: An Ordinance Of The City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map to Allow the Development of a Planned Unit Development (PUD) Overlay at 930 Second Ave West, a Tract of Land in the Northwest One-Quarter of the Northeast One-Quarter of Section 17, Township 30 North, Range 20 West, P.M.M, Flathead County, More Particularly Described as all of Block 67 of First Addition to Columbia Falls According to the Plat Thereof on File and of Record in Flathead County, State of Montana Together with the Abandoned Portions of Third Avenue West and Tenth Street Immediately Adjacent to the Above Described Parcels and Lot 1, Lot 6, the North 15-Feet of Lot 2, and the North 15-Feet of Lot 7 of Block 70 of First Addition to Columbia Falls According to the Plat Thereof on File and of Record in Flathead County, State of Montana Together with the Abandoned Portions of Third Avenue West and Tenth Street Immediately Adjacent to the Above Described Parcels. Together with and Subject to All Appurtenant Servitudes Existing or of Record. Containing 2.55 Acres More-or-Less.

**ORDINANCE #754
FIRST READING
PUD-Motel**

City Manager Nicosia said based on the unanimous Planning Board approval and thoroughness of the application and comments in the hearing, staff brought forth the 1st reading of the PUD Ordinance in order to move forward with the Building Permit at this time.

Councilman Plevel made motion to approve the First Reading of Ordinance #754, second by Councilman Lovering and the motion passed with all members voting in favor.

C. First Reading – Ordinance 755: An Ordinance Repealing Ordinance No. 453, 526, 576, 598 and 693 Codified as Chapter 15.28 City of Columbia Falls Code, and Replacing Said Ordinance with the City of Columbia Falls Floodplain Ordinance in Compliance with M.C.A. 76-5-101 through 76-5-406 and Declaring an Effective Date.

**ORDINANCE #755
First Reading-
Floodplain**

Councilman Shepard motioned to approve the First Reading of Ordinance #755, second by Councilman Fisher and the motion carried with all members voting in favor.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

**REPORTS FROM
MAYOR AND
COUNCIL**

Councilman Plevel thanked Nicosia for addressing a complaint on 2nd Ave W with yard improvements, but there is an area that was not repaired.

Mayor Barnhart passed around a Sympathy card for the Schellinger family on the loss of Mrs. Faithe Schellinger who served on City Council for 2 terms. Mayor reported that Randy Jones is moving forward with 6 and 8 plex homes, improving rental needs in Columbia Falls.

Mayor reported there is one light in Diane that needs to be installed. Nicosia said that was Mr. Jones responsibility to install per his CUP. Mayor also noted the parking on Diane narrows the driving surface. He noted that it is signed visitor parking on street only but it appears that tenants are parking there. Nicosia said some tenants said it was because Mr. Jones charged them if they got oil on the pavement in the parking spots. The snow plow trucks have a hard time getting through the street and cars may be plowed in. Nicosia said the City can send out letters to the owners advising them of clearing the on street parking.

Mayor asked if we can get sidewalks down 13th street to Hilltop. I see people trying to walk with no sidewalks. Nicosia said it could be a part of our transportation study.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

**REPORT FROM
CITY ATTORNEY**

CITY MANAGER REPORT:

The MT League of Cities and Towns annual conference held last week was very good and informative. There was a lot of good information, particularly from DT DOC Community Development and MT DOT Director Mike Tooley. Now may be the time for the City of Columbia Falls to become a Main Street affiliate City. Additionally, Nicosia noted that the MLCT will be holding regional meetings in the near future to discuss legislative strategy, collaboration with other entities/agencies and the general needs and issues of cities and towns. We have decided to make these meetings more formal and include training. The sessions will include representatives from the MLCT, the Local Government Center and MMAI as well as inviting our local legislators and congressman.

Based on comments during the PUD hearing, Nicosia noted that crosswalks on Hwy 2 and 1st Ave West were looked into by MT DOT and they decided that the intersection crosswalks on 4th Avenue and Hwy 2 and Nucleus were sufficient. Nicosia noted that the Transportation Study can also address such issues.

The Columbia Falls Library Association donated a 1916 photo to the City for display in City Hall.

Nicosia is working on updating the agreement with Glacier Bank on the Falls Park to define each party's responsibilities.

**CITY MANAGER
REPORT**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

Nicosia, Hagen and the Attorney's office is also working on an agreement with Three Rivers Ambulance. Three Rivers has asked on occasion our Fire Department and Police Department to drive an ambulance. Based on our insurance requirements, the City needs to have an agreement and insurance in place that would cover our volunteers and employees.

The Flathead County Commissioners set the schedule to complete the 911 Special Purpose District and Assessment process before the Jan. 1st deadline. The Commissioners will hold a public hearing on October 28th and the notices will be mailed to each affected taxpayer. There is a 60 day protest period. The 911 election failed within the City of Columbia Falls last year despite the fact that the proposed funding method would have saved our citizens tax dollars. Council discussed how we want to get the word out to our community and ensure the success of the 911 center funding. Councilman Shepard suggested getting the Hungry Horse News to write an editorial.

At the last council meeting, October 5, 2015 Mr. Duffy raised the vision issue at the intersection of S. Hilltop and Talbot Road. The stop sign has been moved to provide for a more appropriate stopping distance allowing for a better sight of vision of traffic. Chief Perry investigated the traffic complaint on 4th Ave West and reported that there is no evidence of vehicles traveling through the school zone at 45 mph. They have added extra patrols over the last two weeks for speed enforcement. Perry noted that the crossing guard was not properly manning the crosswalk and that issue has been addressed with the school principal. Nicosia noted that the Public Works crew is also looking at other intersections to determine the proper placement of the signage.

The City Crew repaired a leak in the Dairy Queen water service line. The leak was about 40 feet into the highway. Based on the size of the leak, Public Works Director Jenkins determined that it would have leaked approximately 1.5-2 million gallons per month.

City administration has carefully reviewed the level of service provided by the Police Department. The review determined that the City could provide a more appropriate and needed level of public service by eliminating the Police Department Office Assistant position and adding one Police Officer positions, maintaining the current level of staffing but providing a higher level of service. The PD Office Assistant position was filled when the City consolidated the dispatch services with the 911 Center. With the recent technological upgrades, the clerical duties, such as entering tickets into the system, have been greatly reduced and will be further reduced with upcoming New World updates. A sworn officer will work during the day, providing direct service to the window traffic, backing up the daytime officer as needed, completing the warrant and CJIN duties and providing community policing and other duties as required. Mayor Barnhart stated that

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD OCTOBER 19, 2015**

he is pleased that the review was completed and that having a sworn officer on duty will eliminate the complaints and concerns expressed by the citizens since the 911 consolidation.

Councilman Fisher said there is a Tree Board meeting October 20, 2015.

A. INFORMATIONAL CORRESPONDENCE - List available for Review

**CORRESPONDEN
CE/REPORTS**

B. Reports:

1. Finance - September
2. Police - September activity
3. Court - Quarter ending 9/30th activity

ADJOURN: Upon motion duly made by Councilman Shepard and seconded by Councilman Fisher, the meeting adjourned at 9:13 p.m. **ADJOURN**

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: November 2, 2015