



13 0 6th STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391
FAX (406) 892-4413

AGENDA
MONDAY, AUGUST 1, 2016
COUNCIL CHAMBERS CITY HALL

FINANCE COMMITTEE - 6:30 P.M.

1. Claims Review (Barnhart, Fisher, Karper)

REGULAR MEETING - 7:00 P.M.

1. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

2. APPROVAL OF AGENDA **1-4

3. CONSENT AGENDA:

- *A. Approval of Claims - \$ 119,469.72 - August 1, 2016 **5-16
- *B. Approval of Payroll Claims - \$ 63,622.19 - July 29, 2016 **17-18
- *C. Approval of Regular Meeting Minutes - July 18, 2016 **19-26
- *D. Approval of Interlocal Agreement between City of Columbia Falls **27-35 and the City of Whitefish for Police Administrative Services and authorize City Manager to sign.

4. VISITORS/PUBLIC COMMENT: (Items not on agenda)

5. NOTICES OF HEARINGS/PUBLIC HEARINGS: **36

- *A. Public Hearing: The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 12th 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 August 1, 2016 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction: **37-53

Patrick W. Rose and Salvador Maldonado are requesting to amend the zoning district map for three properties in the Columbia Falls Zoning Jurisdiction. The applicants in total own approximately 1.7 acres of property that is currently zoned CB-2 and R-4. The Rose property is the former location of convenience store and gas station located at the corner of 8th Avenue E.N. and Railroad Street. The Maldonado property is adjacent to the Rose property and located directly east. The applicants are requesting a zone change to CRA-1 (Multi-Family) so that they may construct multi-family rental apartments. Multi-family structures in excess of two units require a conditional use permit from the City. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way along with Assessors Tracts 1A and 1AD all in Section 9, T30N, R20W, P.M.M, Flathead County.

- a. Adopt Staff Report CZC-16-02 as findings of fact.
- b. Approve, amend or deny the zone change (See Ordinances below)

Request for Conditional Use Permit: **54-71

A request by Patrick W. Rose for a Conditional Use Permit (CUP) to convert the old convenience store and gas station located at 673 8th Avenue E.N to a three plex apartment building with garages and preserve the existing mangers living quarters on the property. The applicant is also requesting a zone change to CRA-1 (Multi-Family Residential). The CRA-1 zoning designation requires a CUP to construct a three-plex or greater within the zoning district. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way in Section 9, T30N, R20W, P.M.M, Flathead County.

Persons may testify at the hearing or submit written comments prior to the meeting. 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.

- a. Adopt Staff Report CCU-16-01 as findings of fact.
- b. Approve, amend or deny the Conditional Use Permit (See Resolutions below)

*B. Public Hearing: **72 Notice is hereby given, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on August 1, 2016 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, for the following purposes:

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2016 and ending June 30, 2017. This hearing will be continued until final adoption of the budget.

Special Assessments

Consideration of the adoption of the Street Lighting District and Street Maintenance District assessments for FY2016/2017. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2016/2017. Special Assessments are estimated as follows:

Street Lighting District	\$ 40,000
Street Maintenance District	\$301,000

Individual property payment schedules are available for inspection ten (10) days from this notice, in the office of the City Clerk, 130 6th Street West, Columbia Falls, Montana, during regular hours Monday through Friday, 8:00 AM to 5:00 PM.

Permissive Medical Levy

Consideration of adoption on the proposed tax levy to fund health insurance premium contributions for group benefits beyond the amount of contributions in effect on June 30, 1999. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. Written comments may be mailed to the City Clerk, 130 6th Street West, Room A, Columbia Falls, Montana, 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS: None

8. ORDINANCES/RESOLUTIONS:

*A. RESOLUTION # 1728 - ****73** A Resolution of the City Council of the City of Columbia Falls, Montana, Approving the Sale of Lot Four of Cedar Creek North Subdivision, Flathead County, Montana

*B. SECOND AND FINAL READING - ORDINANCE #764 ****74-75** - An Ordinance of the City Council of the City of Columbia Falls, Montana, Changing The Zoning Classification From CSAG-10 Suburban Agricultural To CR-1 Suburban Residential

For Certain Property in the Columbia Falls Zoning District, Described as Lot 1 of Subdivision #193 Located in Section 20, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, More Particularly Described as 3985 Columbia Falls Stage Road.

*C. FIRST READING - ORDINANCE # 765 ****76-77**- An Ordinance of the City Council of The City Of Columbia Falls, Montana, Changing The Zoning Classification From CB-2 (General Business) and CR-4 (Urban Residential) To CRA-1 Residential Apartment for Certain Property in the Columbia Falls Zoning District, Described as Tract B of the Crescent Amended Plat Excluding MDOT Right-Of-Way and Assessors Tracts 1A and 1AD all Located in Section 9, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, More Particularly Described as 673 8th Avenue E.N. and 810 Railroad Street, Columbia Falls.

*D. RESOLUTION # 1729 - ****78-79** A Resolution of the City Council of the City of Columbia Falls, Montana, Approving an Application for a Conditional Use Permit by Patrick W. Rose to Convert the Former Convenience Store and Gas Station into a Three Plex Apartment and Maintain the Existing Managers Unit on Tract B of the Crescent Amended Plat Excluding MDOT Right-Of-Way in Section 9, Township 20 North, Range 20 West, P.M.M., Flathead County.

10. REPORTS/BUSINESS FROM MAYOR & COUNCIL

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

*A. Manager's Update ****80-81**

13. MISCELLANEOUS/REPORTS:

*A. INFORMATIONAL CORRESPONDENCE - List available for Review ****82**

14. ADJOURN

Next Scheduled Meetings:

Council - Regular Meeting - August 15, 2016

Planning Board - to be determined

***Attached**

07/29/16
14:03:31

CITY OF COLUMBIA FALLS
Claim Approval Signature Page
For the Accounting Period: 7/16

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Report ID: AP100A

Council Meeting Date: August 1, 2016

Claims Submitted to Council:\$ 119,469.72

Claims Denied/Withheld by Council Finance Committee:\$ _____ Claim #'s: _____

Prepared By: Todd Watkins, City Treasurer

Approved by Susan M. Nicosia, City Manager

Susan M . Nicosia

City Council to Approve by motion on consent agenda

Mayor & Council:

These claims include claims for June 2016 and July 2016: \$3,264.95 and \$116,204.77 respectively.

The July claims include the \$58,177 payment to MMIA for the Liability Insurance for the 2017 FY, after the \$8,750 dividend reduction. The City's mod factor went from 1.10 to 1.11 so the dividend refund helped the City considerably.

July claims also include \$7,522.50 to B.E. Gibbons on the residential backflow testing. These fees are applied to the UB accounts.

The street crack repair, by JC Sealcoating, was not completed until July in the amount of \$5,900 so the budget authority in the Gas Tax Fund, 2820, was carried over to the 2017 FY.

WWTP purchased \$15,227.55 in alum and polymer, this is a planned, reoccurring expense.

June claims will continue to be processed against the 2016 FY budget.

No major capital expenses will be made until after the 2017 FY Budget is adopted.

Please let me know if you have questions or concerns.

Susan

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
35151		2719 2M COMPANY INC	181.05					
	9066707	07/12/16 PRKS-REGULATOR COMBO	18.00*			1000 460400	240	101000
	9066952	07/18/16 PRKS-INSERTS,ADPTRS,SLIP FIX,	111.91*			1000 460400	240	101000
	9067081	07/20/16 PRKS-INSERT,ADPTR,VALVE	51.14*			1000 460400	240	101000
		Total for Vendor:	181.05					
		*** Claim from another period (6/16) ****						
35148		1478 ALPINE LOCK & SAFE	85.50					
	6168	06/13/16 FD-CHNGD COMBINATION BOTH FHLL	85.50*			1000 420400	366	101000
		Total for Vendor:	85.50					
35152		877 APPLIED INDUSTRIAL TECHNOLOGIES	345.30					
	7008310498	07/14/16 SWR-SHAFT SEALS,BALL BRGS	281.30*			5310 430600	240	101000
	7008363671	07/21/16 SWR-BALL BRGS	64.00*			5310 430600	240	101000
		Total for Vendor:	345.30					
35154		276 B & F EXCAVATING CO., INC.	300.00					
	2016-237	07/15/16 WTR-EXCAVATE WTR LEAK	300.00*			5210 430500	399	101000
		Total for Vendor:	300.00					
35159		2882 B.E. GIBBONS CONSULTANTS	7,522.50					
	072216	07/13/16 BACKFLOW CONTRACT	3,230.00*			5210 430500	399	101000
	072216	07/14/16 BACKFLOW CONTRACT	2,252.50*			5210 430500	399	101000
	072216	07/18/16 BACKFLOW CONTRACT	2,040.00*			5210 430500	399	101000
		Total for Vendor:	7,522.50					
35160		999999 BLAIR, BRIAN & ANDREA	72.11					
	072516	07/20/16 REFUND-OVERPAYMENT	72.11			5210 214010		101000
		Total for Vendor:	72.11					
35153		1700 BRECK LAW OFFICE, PC	5,580.83					
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	1,236.88*			1000 411100	350	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	2,773.75*			1000 410365	350	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	494.75*			5210 430500	350	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	494.75*			5310 430600	350	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	247.38*			1000 411000	350	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	100.00*			1000 420100	399	101000

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	22.22*			5210 430500	357	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	33.33*			5310 430600	357	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	44.44*			2500 430200	399	101000
	072216	07/20/16 LEGAL FEES FOR AUGUST 2016	133.33*			1000 411100	350	101000
		Total for Vendor:	5,580.83					
35155		999999 CARPENTER, CHELSEA	196.96					
	072216	07/20/16 WTR/SWR REFUND	196.96			5210 214010		101000
		Total for Vendor:	196.96					
35161		1260 CARQUEST AUTO PARTS	111.13					
	247385	07/01/16 STRS-INTL TORX	4.59*			2500 430200	240	101000
	248094	07/11/16 SWR-FUEL	38.15*			5310 430600	232	101000
	248431	07/15/16 STRS-DIESEL EXHAUST FLUID	27.58*			2500 430200	232	101000
	247703	07/06/16 PRKS-DRILL BIT, PLUG TAP	19.87*			1000 460400	220	101000
	247900	07/08/16 PRKS-DRILL BIT	20.94*			1000 460400	220	101000
		Total for Vendor:	111.13					
35164	E	997 CENTURYLINK	1,762.59					
	072716	07/18/16 COURT-TELEPHONES	113.09*			1000 410360	345	101000
	072716	07/18/16 ADMIN/MGR	84.70*			1000 410400	345	101000
	072716	07/18/16 FINANCE	149.51*			1000 410500	345	101000
	072716	07/18/16 COMP SERV	71.93*			1000 410580	345	101000
	072716	07/18/16 POLICE	436.92*			1000 420100	345	101000
	072716	07/18/16 FIRE	227.59*			1000 420400	345	101000
	072716	07/18/16 POOL	70.95*			1000 460445	345	101000
	072716	07/18/16 STREETS	136.92*			2500 430200	345	101000
	072716	07/18/16 WATER	269.64*			5210 430500	345	101000
	072716	07/18/16 SEWER	201.34*			5310 430600	345	101000
		Total for Vendor:	1,762.59					
35162	E	2852 CHARTER COMMUNICATIONS	89.98					
	072716	07/21/16 PD-INTERNET 7/31-8/30/16	89.98*			1000 420100	355	101000
		Total for Vendor:	89.98					

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Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
35163		14 CITY OF COLUMBIA FALLS	4,448.65					
	072716	07/25/16 FACILITIES-WATER/SEWER	214.60*			1000 411200	342	101000
	072716	07/25/16 FIRE	26.86*			1000 420400	342	101000
	072716	07/25/16 PARKS	1,802.61*			1000 460400	342	101000
	072716	07/25/16 POOL	1,862.42*			1000 460445	342	101000
	072716	07/25/16 STREETS	79.87*			2500 430200	342	101000
	072716	07/25/16 WATER	46.94*			5210 430500	342	101000
	072716	07/25/16 SEWER	415.35*			5310 430600	342	101000
		Total for Vendor:	4,448.65					
35132		75 DAILY INTERLAKE THE	102.52					
	2791347	07/10/16 PLNG-VARIANCE REQUEST	102.52*			1000 411000	331	101000
		Total for Vendor:	102.52					
35166		2889 DAKOTA SUPPLY GROUP	163.54					
	C295680	07/21/16 PRKS-KIT	163.54*			1000 460400	240	101000
		Total for Vendor:	163.54					
35133		1287 DALEN'S DIESEL SERVICE	683.29					
	W17528	07/12/16 WTR-INTERNTL SVCD	683.29*			5210 430500	361	101000
		Total for Vendor:	683.29					
35165		777 DIAMOND PLUMBING & HEATING, INC.	227.29					
	SRV0716-24	07/20/16 FAC-FIN A/C REPAIR	227.29*			1000 411200	366	101000
		Total for Vendor:	227.29					
35167		2834 ERIC HUMMEL	140.00					
	072716	07/25/16 CRT-SUB JUDGE 7/18-7/20/16	140.00*			1000 410360	399	101000
		Total for Vendor:	140.00					
35134		438 FERGUSON ENTERPRISES, INC.	944.91					
	5007158	07/11/16 SWR-PEX CRMP RNG	20.20*			5310 430600	220	101000
	5002572	07/11/16 WTR-TUBES,CAP,ADPT,TAPE,ELL	894.01*			5210 430500	230	101000
	5015185	07/14/16 PRKS-CLOBBER	30.70*			1000 460400	224	101000
		Total for Vendor:	944.91					

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35168		1216 FIRST BANKCARD	1,117.93					
	X67469/3	07/11/16 PRKS-BRICK GRAY	30.00*			1000 460400	240	101000
	44368	07/16/16 FD-SUPER 8,S.BATES	83.39*			1000 420400	380	101000
	44367	07/16/16 FD-SUPER 8,L.GROGAN	83.39*			1000 420400	380	101000
	44366	07/16/16 FD-SUPER 8,E.HAWKINS	83.39*			1000 420400	380	101000
	4250729590	07/22/16 CRT-GOLDEN NUGGET,S.GORDON	837.76*			1000 410360	380	101000
		*** Claim from another period (6/16) ****						
35187		1216 FIRST BANKCARD	532.84					
	A67775/34	06/22/16 MURDOCH'S-CAMBELBAK,G.WOODS	27.99*			1000 410100	220	101000
	22562-1	06/24/16 OXFORD STES-PD,J.HADDENHAM	504.85*			1000 420100	380	101000
		Total for Vendor:	1,650.77					
35135		869 FLATHEAD COMMUNITY HEALTH	115.00					
	072016	07/14/16 FD-PRE-EMPLMNT,D.THORSTEINSON	115.00*			1000 420400	390	101000
		Total for Vendor:	115.00					
		*** Claim from another period (6/16) ****						
35149		1039 GLACIER WALLFLOWER	35.00					
	72848	06/10/16 PLANT-M.HADER	35.00*			1000 410100	220	101000
		Total for Vendor:	35.00					
35169		999999 GRANGROTH, BRITNI	35.15					
	072716	07/20/16 REFUND-OVERPAYMENT	35.15			5210 214010		101000
		Total for Vendor:	35.15					
35156		167 HACH COMPANY	1,029.09					
	10009831	07/11/16 SWR-CAP REPLCMNT,CAP ASSY,TN	787.47*			5310 430600	222	101000
	10027646	07/21/16 SWR-TNT TOTL PHOS,RGT SET TN	241.62*			5310 430600	222	101000
		Total for Vendor:	1,029.09					
35170		2730 HADDENHAM, JARED	97.00					
		FIREARMS INSTRUCTOR COURSE - AUG. 8-12, 2016 - HELENA, MT						
	072716	07/20/16 PD-MEALS	97.00*			1000 420100	380	101000
		Total for Vendor:	97.00					

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35172		999999 HALEY, PATRICK	56.00					
	072716	07/18/16 POOL-LESSONS REFUND	56.00			1000 346033		101000
		Total for Vendor:	56.00					
35136		2806 HANSON'S HARDWARE	212.89					
	581668	07/13/16 PRKS-ROTOR,SEAL TAPE,BUSHING,N	27.82*			1000 460400	240	101000
	581694	07/15/16 PRKS-PLAY SAND	8.58*			1000 460400	240	101000
	581725	07/19/16 PRKS-MSKNG TAPE,BRUSH,RLR FRAM	54.40*			1000 460400	220	101000
	581726	07/19/16 PRKS-RL REFL,FAB ROLLER	17.97*			1000 460400	220	101000
	581658	07/13/16 SWR-TAPE MEASURE,TIE DOWNS	29.97*			5310 430600	212	101000
	581741	07/20/16 PRKS-SCREWS,SLIP CAP	12.14*			1000 460400	240	101000
	581618	07/08/16 PRKS-PULLEY	12.99*			1000 460400	240	101000
	581612	07/08/16 PRKS-DERBY ROPE,ROPE CLIP	25.63*			1000 460400	240	101000
	581653	07/13/16 PRKS-SS WASHERS	21.49*			1000 460400	240	101000
	581738	07/20/16 PRKS-FENDER WASHERS	1.90*			1000 460400	240	101000
		Total for Vendor:	212.89					
35171		1659 HIGH COUNTRY LINEN SUPPLY	175.78					
	0224452	07/25/16 FAC-MATS (CITY HALL)	148.25*			1000 411200	224	101000
	022443	07/25/16 FD-MATS	27.53*			1000 411200	224	101000
		Total for Vendor:	175.78					
35138		2849 J2 BUSINESS PRODUCTS	670.83					
	658859	07/15/16 CRT-SHARPIES,CRD CASE,CRDS,WIP	169.71*			1000 410360	210	101000
	659065	07/15/16 POOL-PINE DISINFECTANT	13.04*			1000 460445	224	101000
	659558	07/22/16 SWR-GRBG LNR,HAND SOAP	92.07*			5310 430600	224	101000
	659612	07/22/16 CRT-COPY PAPER	127.80*			1000 410360	210	101000
	659614	07/22/16 FIN-SCISSORS	9.74*			1000 410500	210	101000
	659799	07/22/16 FAC-SOAP,GRBG LNR,BLEACH	157.07*			1000 411200	224	101000
	659807	07/22/16 FAC-UTILITY PAD HOLDER	8.69*			1000 411200	224	101000
	660190	07/26/16 POOL-TOILET PAPER,DISINFECTANT	92.71*			1000 460445	224	101000
		Total for Vendor:	670.83					

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35190		2842 JC SEALCOATING	5,900.00					
	447	07/25/16 STRS-CRACK REPAIR	5,900.00*			2820 430200	399	101000
		Total for Vendor:	5,900.00					
35137		2571 JIFFY LUBE	97.82					
	107433674	07/15/16 FD-2010 F150,SVCD	47.22*			1000 420400	361	101000
	1074400	07/21/16 FD-2014 F150,SVCD	50.60*			1000 420400	361	101000
		Total for Vendor:	97.82					
35174		999999 KOZIC,MIKE M	12.18					
	072716	07/21/16 REFUND-OVERPAYMENT	12.18			5210 214010		101000
		Total for Vendor:	12.18					
		*** Claim from another period (6/16) ****						
35188		1290 KROGER COMPANY	11.98					
	185182	06/30/16 CRT-DONUTS	11.98			1000 410360	390	101000
		Total for Vendor:	11.98					
		*** Claim from another period (6/16) ****						
35158		2759 KTURBO USA, INC	440.00					
	KT160616A	06/16/16 SWR-STD FILTERS	440.00*			5310 430600	240	101000
		Total for Vendor:	440.00					
35173		2564 KUSTERS ZIMA CORPORATION	325.00					
	62199	07/18/16 SWR-SCREENING BAGS	325.00*			5310 430600	240	101000
		Total for Vendor:	325.00					
35185		2047 LAURIE'S DELI	21.00					
	072716	07/14/16 WTR-(3) LUNCHES,MAIN REPAIR	21.00*			5210 430500	220	101000
		Total for Vendor:	21.00					
35139		2415 LIABILITY RISK RETENTION PROGRAM	58,177.00					
	072116	07/01/16 FY16/17 LIABILITY ASSESS PYMNT	42,695.69*			1000 510330	510	101000
	072116	07/01/16 FY16/17 LIABILITY ASSESS PYMNT	503.65*			2394 510330	510	101000
	072116	07/01/16 FY16/17 LIABILITY ASSESS PYMNT	6,366.48*			5210 510330	510	101000
	072116	07/01/16 FY16/17 LIABILITY ASSESS PYMNT	8,611.18*			5310 510330	510	101000
		Total for Vendor:	58,177.00					

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
35186		1493 MAHUGH FIRE & SAFETY	72.00					
	69233	07/22/16 SWR-(2) NEW EXTINGUISHERS	72.00*			5310 430600	220	101000
		Total for Vendor:	72.00					
35140		735 MASTER TECH REPAIR	12.00					
	9367-6	07/13/16 PRKS-MIX	12.00*			1000 460400	231	101000
		Total for Vendor:	12.00					
35141		1652 MONTANA STATE FIRE CHIEFS	50.00					
	M2016249	07/01/16 2016 MEMBERSHIP DUES-R.HAGEN	50.00*			1000 420400	335	101000
		Total for Vendor:	50.00					
35142		230 MUFFLER ALLEY & BRAKE SHOP	993.73					
	8768	07/18/16 PD-2013 INRCPTR,EXHST REPAIRED	993.73*			1000 420100	361	101000
		Total for Vendor:	993.73					
35144		52 NAPA AUTO PARTS	8.48					
	772583	07/13/16 PRKS-GUNK ENG CL,CARB CLN	8.48*			1000 460400	240	101000
		Total for Vendor:	8.48					
		*** Claim from another period (6/16) ****						
35189		2477 NEW CASTLE ELECTRIC, INC	132.00					
	4285	06/06/16 WTR-TRBLSHT FLOWMETER	132.00*			5210 430500	230	101000
		Total for Vendor:	132.00					
35191		908 NEWMAN TRAFFIC SIGNS	833.05					
	TI-0300160	07/19/16 STRS-MISC SIGNS	833.05*			2500 430200	242	101000
		Total for Vendor:	833.05					
35143		162 NORTH VALLEY HOSPITAL	32.00					
		LINE 1-PT ID#2128025-0001						
		LINE 2-PT ID#2128187-0001						
		072116 07/05/16 PD-ER,VENOUS COLLECTION	17.00*			1000 420100	399	101000
		072216 07/05/16 PD-ER,VENOUS COLLECTION	15.00*			1000 420100	399	101000
		Total for Vendor:	32.00					

07/29/16
14:03:30

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 7/16

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Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	FO #	Fund Org Acct	Object Proj	Cash Account
35175		1491 NORTHERN SAFETY CO. INC.	225.65					
	902025670	07/20/16 SWR-NITRILE GLVS,LTHR GLVS,	225.65*			5310 430600	220	101000
		Total for Vendor:	225.65					
35145		2002 NORTHWEST PARTS & EQUIPMENT &	107.20					
	C227535	07/19/16 PRKS-T-BOLT CLAMPS	37.20*			1000 460400	240	101000
	C227536	07/19/16 PRKS-T-BOLT CLAMPS	18.60*			1000 460400	240	101000
	C227523	07/19/16 PRKS-T-BOLT CLAMPS	18.80*			1000 460400	240	101000
	C227547	07/19/16 PRKS-T-BOLT CLAMPS	18.60*			1000 460400	240	101000
	C227073	07/06/16 PRKS-PARTS	14.00*			1000 460400	240	101000
		Total for Vendor:	107.20					
35177		801 PACIFIC STEEL & RECYCLING	67.12					
	1258206	07/06/16 STRS-HR RND,HR FLAT,DISCS	67.12*			2500 430200	220	101000
		Total for Vendor:	67.12					
35176		1235 PEPSI COLA BOTTLING CO.	55.00					
	81383151	07/15/16 POOL-POP REFILL	55.00*			1000 460445	220	101000
		Total for Vendor:	55.00					
35178		1495 PLATT ELECTRIC SUPPLY	154.41					
	J83390	07/11/16 WTR-AUD/CNTL,CONN,SHRKN TUBING	154.41*			5210 430500	230	101000
		Total for Vendor:	154.41					
35157		1888 PLETCH ELECTRIC INC	134.47					
	4272	07/10/16 PRKS-DAMAGED WIRE FALLS PUMP	134.47*			1000 460400	366	101000
		Total for Vendor:	134.47					
35180		2846 RDO EQUIPMENT CO	50.10					
	P17001	07/12/16 PRKS-WHEEL KIT	50.10*			1000 460400	240	101000
		Total for Vendor:	50.10					
35192		2099 RE/MAX Mountain View	890.00					
	072816	07/28/16 SELLING BROKER COMMISSION	890.00			2700 382030		101000
		Total for Vendor:	890.00					

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
35179		2769 RESPONSE EQUIPMENT SPECIALISTS	327.91					
	1715	07/21/16 FD-PUMP CNTRL, TAG, BRCKT, CAP	327.91*			1000 420400	232	101000
		Total for Vendor:	327.91					
35193		2620 ROBERT PECCIA AND ASSOCIATES	3,864.92					
	3	07/15/16 8TH ST & 1ST AVE IMPROV	497.34*			2500 430200	931	101000
	2	07/15/16 RIVERWOOD EST SID	1,683.79*			5210 430500	354	101000
	2	07/15/16 RIVERWOOD EST SID	1,683.79*			5310 430600	354	101000
		Total for Vendor:	3,864.92					
35182		199 SCHELLINGER CONSTRUCTION	327.50					
	77319	07/20/16 PRKS-3/4 LAFARGE	327.50*			1000 460400	240	101000
		*** Claim from another period (6/16) ****						
35195		199 SCHELLINGER CONSTRUCTION	2,000.00					
	J23030722	05/31/16 STRS-DRAIN SUMP	2,000.00*			2500 430200	399	101000
		Total for Vendor:	2,327.50					
35183		2755 SHERWIN-WILLIAMS CO	442.91					
	0147-9	06/17/16 PRKS-CREDIT, DURACRAFT FL	-82.14*			1000 460400	240	101000
	1184-8	07/13/16 STRS-MNFLD FLTR, REPAIR KIT	303.50*			2500 430200	212	101000
	1447-2	07/21/16 PRKS-SLD COL	221.55*			1000 460400	240	101000
		Total for Vendor:	442.91					
35181		2705 SONICLEAR	50.00					
	66058	07/22/16 CRT-USB KEY	50.00*			1000 410360	210	101000
		Total for Vendor:	50.00					
35146		74 THATCHER COMPANY OF MONTANA	15,227.55					
	342817	07/11/16 SWR-ALUM SULFATE	7,174.35*			5310 430600	221	101000
	342890	07/20/16 SWR-T-FLOC	8,053.20*			5310 430600	221	101000
		Total for Vendor:	15,227.55					
		*** Claim from another period (6/16) ****						
35150		1623 THE UPS STORE #4515	27.63					
	888852	06/20/16 PD-EVIDENCE	8.57			1000 420100	310	101000
	888825	06/23/16 PD-PACKAGE	1.92			1000 420100	310	101000
	888369	06/30/16 PD-EVIDENCE	17.14			1000 420100	310	101000
		Total for Vendor:	27.63					

07/29/16
14:03:30

CITY OF COLUMBIA FALLS
Claim Approval List
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	FO #	Fund Org Acct	Object Proj	Cash Account
35184	E	1218 VERIZON WIRELESS	1,058.69					
		9768656391 07/12/16 ADMIN-CELL PHONES	10.00*			1000 410400	345	101000
		9768656391 07/12/16 FINANCE	10.00*			1000 410500	345	101000
		9768656391 07/12/16 FIRE	104.94*			1000 420400	345	101000
		9768656391 07/12/16 FACILITIES	28.99*			1000 411200	345	101000
		9768656391 07/12/16 STREETS	57.97*			2500 430200	345	101000
		9768656391 07/12/16 POLICE	681.86*			1000 420100	345	101000
		9768656391 07/12/16 PARKS	28.99*			1000 460400	345	101000
		9768656391 07/12/16 WATER	67.97*			5210 430500	345	101000
		9768656391 07/12/16 SEWER	67.97*			5310 430600	345	101000
		Total for Vendor:	1,058.69					
35147		84 WESTERN BUILDING CENTER	304.76					
		4449071 07/19/16 PRKS-DROP CLTH,WIRE BRSH,SCRIP	36.55*			1000 460400	220	101000
		4447855 07/11/16 SWR-STEPLADDER	82.99*			5310 430600	240	101000
		4448309 07/13/16 SWR-SHUTOFF,NOZZLE,HSE RPR,WH	18.26*			5310 430600	240	101000
		4448309 07/13/16 SWR-WORK GLOVES	15.99*			5310 430600	226	101000
		4449225 07/20/16 PRKS-CAULK,CAP CONN	8.78*			1000 460400	240	101000
		4449544 07/22/16 FD-HEX NC,WASHER,LOCK NUT	4.96*			1000 420400	232	101000
		4448246 07/13/16 PRKS-HEX BOLT,FASTENERS	22.00*			1000 460400	240	101000
		4448822 07/18/16 PRKS-STAKES	16.26*			1000 460400	240	101000
		444968 07/19/16 PRKS-FASTENERS	2.80*			1000 460400	240	101000
		4449180 07/20/16 PRKS-2X4'S	21.24*			1000 460400	240	101000
		4449514 07/22/16 PRKS-PREMIX CON	50.00*			1000 460400	240	101000
		4449538 07/22/16 PRKS-EPOXY	24.93*			1000 460400	240	101000
		Total for Vendor:	304.76					
		# of Claims	63	Total:	119,469.72			
		Total Electronic Claims			2,911.26			
		Total Non-Electronic Claims			116558.46			

Total for Payroll Checks

	Employee	Employer	Amount
ADDL HOURS (Additional)	0.00		611.40
COMA HOURS (Comp Time Accumulated)	43.50		0.00
COMP HOURS (Comp Time Used)	7.00		139.57
OVER HOURS (Overtime)	75.25		1,960.17
OVT2 HOURS (STEP SHIFT B)	2.00		1.05
OVTD HOURS (STEP overtime)	5.00		157.73
REG HOURS (Regular Time)	2,602.75		49,355.31
SHF1 HOURS (Shift Diff B)	241.00		84.35
SHF2 HOURS (Shift diff C)	232.50		162.77
SHFB HOURS (OVT "B" Shift Diff @ 1.5x)	2.00		1.05
SICK HOURS (Sick Time)	30.50		536.14
VACA HOURS (Vacation Time Used)	98.75		2,168.11
GROSS PAY	55,177.65	0.00	
NET PAY	40,462.41	0.00	
NET PAY (CHECKS)	4,578.28		
NET PAY (DIRECT DEPOSIT)	35,884.13		
*CHILD SUPPORT	439.00	0.00	
CHILD SUPPORT	107.57	0.00	
CITY OF COLUMBI	15.00	0.00	
FIT	4,331.71	0.00	
GARNISHMENT	258.08	0.00	
MEDICARE	800.06	800.06	
MT ST FIRE ASSO	24.24	0.00	
P.E.R.S.	2,617.25	2,772.96	
PERS/FURS	259.36	348.07	
PERS/POLICE	1,406.56	2,252.04	
SIT	2,160.00	0.00	
SOCIAL SECURITY	2,271.41	2,271.41	
UNEMPL. INSUR.	0.00	248.29	
WHITEFISH CREDI	25.00	0.00	
WORKERS' COMP	0.00	2,574.29	
FIRST CITIZENS	1,032.98	0.00	
FIRST INTERSTAT	2,430.94	0.00	
FREEDOM BANK	1,319.60	0.00	
GLACIER BANK/CF	10,329.55	0.00	
GLACIER BANK/WF	2,672.21	0.00	
PARKSIDE CR U	7,643.23	0.00	
US BANK-	1,322.01	0.00	
WELLS FARGO	4,037.16	0.00	
WFISH CR UNION	5,096.45	0.00	
FIT/SIT BASE	50,894.48	0.00	
MEDICARE BASE	55,177.65	0.00	
PERS BASE	51,181.74	0.00	
SOC SEC BASE	36,635.90	0.00	
UN BASE	55,177.65	0.00	
WC BASE	54,512.34	0.00	
Total		11,267.12	

7/29/16
Payroll
\$63,622.19
Boris Stealund

Total Payroll Expense (Gross Pay + Employer Contributions): 66,444.77

Check Summary

Payroll Checks Prev. Out. \$116,377.47
Payroll Checks Issued \$5,447.17
Payroll Checks Redeemed \$114,576.84
Payroll Checks Outstanding \$7,247.80
Electronic Checks \$58,175.02

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
-----	-----	-----	-----	-----
Social Security		4542.82		212260
Medicare		1600.12		212260
P.E.R.S.		5390.21		212270
Unempl. Insur.	881.16		1129.45	212210
Workers' Comp	9250.34		11824.63	212220
FIT		4331.71		212260
SIT		2160.00		212260
AFLAC-PRETAX				212230
NATIONWIDE/EMP				212280
Teamsters dues				212310
MPEA Dues				212320
Whitefish credi		25.00		212350
PERS/Police		3658.60		212240
GARNISHMENT		258.08		212330
TEAMSTERS INIT				212310
NATIONWIDE/CITY				212280
AFLAC-POSTTAX				212230
PERS/FURS		607.43		212275
MT ST FIRE ASSO		24.24		212315
HEALTHINS/PRE	12901.39		12901.39	212400
CITY OF COLUMBI		15.00		212450
UNUM LIFE INS.	122.51		122.51	212400
FLEX ALLEGIANCE				212285
CHILD SUPPORT		107.57		212330
*CHILD SUPPORT		439.00		212300
Total Ded.	25982.36	23159.78	25977.98	

**** Carried Forward column only correct if report run for current period.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 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, City Attorney Breck, Fire Chief Hagen and City Planner Mulcahy.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

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

**AGENDA
APPROVAL**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$131,404.55 - July 18, 2016
 \$ 80,081.42 - July 5, 2016
- B. Approval of Payroll Claims - \$132,133.84 - July 15, 2016
 \$ 15,511.04 - June 30th Quarterlies
- C. Approval of Regular Meeting Minutes - June 20, 2016
- D. Approval of Employee Assistance Program Service Agreement with Sapphire Resource Connection for the 2017 FY and authorize City Manager to sign.

VISITORS/PUBLIC COMMENTS

None.

**VISITOR/PUBLIC
COMMENTS**

APPOINTMENTS:

A. Probationary Volunteer Firefighter - Dillon Thorsteinson
Fire Chief Hagen recommends Dillon Thorsteinson as a Probationary Volunteer Firefighter.

**APPOINTMENTS-
Probationary
Firefighter
Thorsteinson**

Councilman Fisher motioned to accept Dillon Thorsteinson as Probationary Volunteer Firefighter, second by Councilman Shepard and the motion passed. City Clerk Staland administered the oath of office.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

PUBLIC HEARINGS/NOTICES:

A. Public Hearing: The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, June 14th at 6:30 p.m. in the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on July 18, 2016 starting at 7:00 p.m. in the same location.

**PUBLIC
HEARINGS-
Gideon Zone
Change**

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:

William T. Gideon is requesting to amend the zoning district map on a portion of property in the Columbia Falls Zoning Jurisdiction. The applicant owns 18.21 acres of land but approximately one acre is not located in the Columbia Falls zoning Jurisdiction and is not zoned by the City or County. The zone change request only affects the 17+/- acres that are zoned. The property is currently zoned SAG-10 but is adjacent to other R-1 properties and therefore, the applicant is requesting R-1 zoning for his acreage. The property is described as that portion of Lot 1 of Subdivision 193 in Section 20, T30N, R20W, P.M.M., located north of the south boundary of the NE1/4 NE1/4 line. The property is addressed as 3985 Columbia Falls Stage in Columbia Falls.

City Planner Eric Mulcahy presented staff report CZC-16-01 for the zone change request from Mr. Gideon. Mulcahy reviewed the zoning conditions and noted there was one neighbor that attended the Planning Board meeting in favor of the rezone. Councilman Piper recused himself from the hearing as he has an interest in the area.

Mayor Barnhart opened the Public Hearing at 7:12 p.m.

Mr. Gideon said he would like to rezone his property for possible selling purposes.

Mayor Barnhart closed the Public Hearing at 7:13 p.m.

Councilman Fisher motioned to adopt staff report CZC-16-01 as findings of fact, second by Councilman Shepard and the motion passed with all members voting in favor.

Councilman Shepard made motion to approve the Zone Change, second by Councilman Fisher and the motion carried with all members voting in favor.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

B. Notice of Hearing: The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 12th 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 August 1, 2016 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:

Patrick W. Rose and Salvador Maldonado are requesting to amend the zoning district map for three properties in the Columbia Falls Zoning Jurisdiction. The applicants in total own approximately 1.7 acres of property that is currently zoned CB-2 and R-4. The Rose property is the former location of convenience store and gas station located at the corner of 8th Avenue E.N. and Railroad Street. The Maldonado property is adjacent to the Rose property and located directly east. The applicants are requesting a zone change to CRA-1 (Multi-Family) so that they may construct multi-family rental apartments. Multi-family structures in excess of two units require a conditional use permit from the City. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way along with Assessors Tracts 1A and 1AD all in Section 9, T30N, R20W, P.M.M, Flathead County.

**PUBLIC
HEARINGS-
Request for a zone
change-Rose &
Maldonado**

Request for Conditional Use Permit:

A request by Patrick W. Rose for a Conditional Use Permit (CUP) to convert the old convenience store and gas station located at 673 8th Avenue E.N to a three plex apartment building with garages and preserve the existing mangers living quarters on the property. The applicant is also requesting a zone change to CRA-1 (Multi-Family Residential). The CRA-1 zoning designation requires a CUP to construct a three-plex or greater within the zoning district. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way in Section 9, T30N, R20W, P.M.M, Flathead County.

**CONDITIONAL
USE PERMIT
REQUEST-Rose &
Maldonado**

Persons may testify at the hearing or submit written comments prior to the meeting. 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.

C. Notice of Hearing: Notice is hereby given, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on August 1, 2016 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, for the following purposes:

**NOTICE OF
PUBLIC HEARING-
Budget FY 16-17**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2016 and ending June 30, 2017. This hearing will be continued until final adoption of the budget.

Special Assessments

Consideration of the adoption of the Street Lighting District and Street Maintenance District assessments for FY2016/2017. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2016/2017. Special Assessments are estimated as follows:

Street Lighting District \$ 40,000

Street Maintenance District \$301,000

Individual property payment schedules are available for inspection ten (10) days from this notice, in the office of the City Clerk, 130 6th Street West, Columbia Falls, Montana, during regular hours Monday through Friday, 8:00 AM to 5:00 PM.

Permissive Medical Levy

Consideration of adoption on the proposed tax levy to fund health insurance premium contributions for group benefits beyond the amount of contributions in effect on June 30, 1999. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. Written comments may be mailed to the City Clerk, 130 6th Street West, Room A, Columbia Falls, Montana, 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

UNFINISHED BUSINESS

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

A. Adopt updated Job Description - Police Chief

**NEW BUSINESS-
Police Chief Job
Description**

City Manager Nicosia reported that the Public Safety Committee met to update the Police Chief job description which was adopted in 2000. The updated job description has been reviewed by the City Attorney as well as MMIA for certain requirements. The Public Safety Committee recommends Council approve the updated job description. Councilman Fisher motioned to

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

adopt the updated Police Chief job description, second by Councilman Lovering.

Councilman Shepard asked why there are no requirements for marksmanship. Nicosia said it is included in the POST certification per the State. Shepard asked if the chief is required to patrol. Nicosia said yes that is correct, referring to language in the job description. Shepard asked if this is the time to require the Chief of Police to wear a uniform at all times. Nicosia replied yes this would be the time to add it as a requirement. Mayor Barnhart said our Fire Chief is always in uniform and agrees with Councilman Shepard that the Police Chief be in uniform as well. Nicosia said she will add it in the appropriate section on the job description.

Motion passed unanimously. Nicosia noted that the position will be advertised as soon as possible.

A. Award Bid – Youth Recreation Grant – Knife River

City Manager said the city was awarded \$88,000 in grant money with the initial low bid coming in from Knife River at \$97,450. The estimated project increased due to the increase in drainage, landscaping and striping. City staff met with Columbia Falls Baseball Association and Knife River and approved a revised plan that meets the grant requirements as well as the DNRC landscaping and drainage requirements. In the revised plan, CFBA is responsible for the landscaping and striping portions of the project. The revised bid from Knife River is \$86,450. Final revisions have been submitted to DNRC for their final approval.

**BID AWARD-
Youth Recreation
Grant**

Councilman Piper motioned to award the bid of \$86,450 from Knife River to complete the project, upon final approval by DNRC, second by Councilman Shepard with Council voting as follows. AYES: Lovering, Petersen, Piper, Shepard, Fisher and Barnhart. NOES: None. ABSENT: Karper.

C. Approve 2017-2019 Collective Bargaining Agreement – Teamsters Union Local No. 2

Teamsters have ratified the agreement with a 3 year term of 3% wage increase as well as the following: change in insurance premiums on the city contribution for family coverage from \$1,390/month to \$1,560/month to move closer to the percentages of the single and spouse/child. We also increased the clothing allowance from \$700 to \$800 and clarified the benefit of the clothing allowance to be prorated by month for probationary employees. We also added certification payments with an employee that has additional certifications above job requirements to \$27.00 per pay period and prorated for seasonal employees to \$13.50 per pay period.

**Collective
Bargaining
Agreement-
Teamsters Union
Local No. 2**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

Councilman Shepard motioned to approve the 2017-2019 Collective Bargaining Agreement, second by Councilman Lovering. Councilman Petersen asked the approximate dollar amount and how the increase will be funded. Nicosia replied the Teamsters are in the water, sewer and street funds so they are paid with user fees and assessments, with the increase of approximately \$12,000 per year funded without an increase in those funds.

Council voting as follows. AYES: Petersen, Piper, Shepard, Fisher, Lovering and Barnhart. NOES: None. ABSENT: Karper.

ORDINANCES/RESOLUTIONS:

A. RESOLUTION # 1726 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving the Sale of Lot Three of Cedar Creek South Subdivision, Flathead County, Montana

**RESOLUTION
#1726-Approving
the sale of Lot 3 of
Cedar Creek South**

City Manager Nicosia said this was a cash offer to the City for \$89,000, representing the last of the CCS lots to sell and staff recommends approval. Councilman Petersen asked where the funds go. Nicosia said they go into the Cedar Creek Trust Fund.

Councilman Fisher motioned to approve Resolution #1726, second by Councilman Lovering with Council voting as follows. AYES: Piper, Shepard, Fisher, Lovering, Petersen and Barnhart. NOES: None. ABSENT: Karper.

B. RESOLUTION # 1727 - A Resolution of the City Council of Columbia Falls, Montana, Amending Fund 2394 Building Code Enforcement Fund Budget Appropriations for the Fiscal Year 2015-2016.

**RESOLUTION
#1727 Amending
the Building Code
Enforcement Fund**

City Manager Nicosia said this resolution request is to amend the building code enforcement budget for actual activity.

Councilman Shepard motioned to approve Resolution #1727, second by councilman Piper with Council voting as follows. AYES: Shepard, Fisher, Lovering Petersen, Piper and Barnhart. NOES: None. ABSENT: Karper

B. First Reading - ORDINANCE #764 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Changing The Zoning Classification From CSAG-10 Suburban Agricultural To CR-1 Suburban Residential For Certain Property in the Columbia Falls Zoning District, Described as Lot 1 of Subdivision #193 Located in Section 20, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, More Particularly Described as 3985 Columbia Falls Stage Road.

**FIRST READING
ORDINANCE
#764 -Zone Change
Giddeon**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

Councilman Shepard motioned to approve the First Reading of Ordinance #764, second by Councilman Lovering and the motion passed with Councilman Piper recusing.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Fisher reported their baby boy has arrived early.
Councilman Lovering has had comments on weeds around town. Nicosia said the weed letters are in the mail and we are currently working on the issue.
Councilman Shepard reminded Council about the car show Wednesday July 27th at Marantette Park, adding the American Legion Post is cooking burgers and hot dogs during the car show with dinner proceeds going toward the rebuilding of the grandstands at the ball field.
Shepard said he attended the meeting with Senator Tester, along with Mayor Barnhart and Susan Nicosia. The main discussion was on the Weyerhaeuser facilities shut down in Columbia Falls.
Councilman Petersen said he was concerned with communication from the City Manager on a recent termination and he believes there should be a committee formed as a conduit for communication. City Attorney Breck said the council can create a committee, in compliance with City ordinance, however the state statute on the public's right to know includes personnel items unless the individual's right to privacy exceeds the public's right to know. Mayor Barnhart recommended putting the committee idea on a future agenda for further discussion.
Councilman Piper said he was disgusted with Weyerhaeuser's decision to shut down the lumber mill, but noted that they may be donating something to the grandstand rebuilding. Piper said he was not a fan of the paving the North Fork Road to Camas Creek in the past but now may be in favor.
Mayor asked Fire Chief Hagen if the weeds are at a height that they are a fire danger. Discussion followed on the weed ordinance requirements and process.

Mayor Barnhart said sometimes as elected officials we need to be reminded to not send group emails. Councilman Lovering asked can I send emails to the City Manager. Mayor said yes that is alright but not in group emails.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

CITY MANAGER:

The street signs for the streets with newly adopted parking restrictions have been ordered and will be put up as soon as they get in.
The weekend of July 22-24 the Fresh Life Church is holding their annual Blitzkrieg weekend and has volunteered to work in some of the City parks

**REPORTS FROM
MAYOR AND
COUNCIL**

**REPORT FROM
CITY ATTORNEY**

**CITY MANAGER
REPORT**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JULY 18, 2016**

before Heritage Days.

A. INFORMATIONAL CORRESPONDENCE/REPORTS -

**CORRESPONDEN
CE/REPORTS**

A. INFORMATIONAL CORRESPONDENCE - List available for Review

B. REPORTS-

- a. Finance – June Preliminary
- b. Police – June Activity
- c. Court – March – June quarter activity
- d. Fire – Jan – June Activity

ADJOURN: Upon motion duly made by Councilman Fisher and seconded by Councilman Lovering and the meeting adjourned at 8:35 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: August 1, 2016

INTERLOCAL AGREEMENT
between
THE CITY OF COLUMBIA FALLS
and
THE CITY OF WHITEFISH

The **CITY OF COLUMBIA FALLS**, hereinafter referred to as “COLUMBIA FALLS” a municipal corporation duly formed and authorized pursuant to Montana state law and the **CITY OF WHITEFISH**, hereinafter referred to as “WHITEFISH” a municipal corporation duly formed and authorized pursuant to Montana state law hereby enter into an agreement as set forth below.

RECITALS

- WHEREAS**, Title 7, Chapter 11, Part 1, M.C.A., known as the “Interlocal Cooperation Act,” permits governmental units to make the most efficient use of their powers by enabling them to cooperate with other local governmental units on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities;
- WHEREAS**, said Act provides that an Interlocal agreement may be authorized and approved by the governing body of each party to said contract;
- WHEREAS**, COLUMBIA FALLS is a municipal corporation of the State of Montana located within Flathead County, Montana and is duly organized and in existence pursuant to the terms of *MCA Title 7 Chapter 3 Part 43*;
- WHEREAS**, WHITEFISH is a municipal corporation of the State of Montana located within Flathead County, Montana and is duly organized and in existence pursuant to the terms of *MCA Title 7 Chapter 3 Part 43*;
- WHEREAS** COLUMBIA FALLS requires professional services to be performed in connection with Police Department Administrative services on a temporary basis;
- WHEREAS**, WHITEFISH represents that its municipal Police Department staff is fully qualified and capable to perform such services and is in compliance with federal and state law relating to the provisions of such service; and,
- WHEREAS**, COLUMBIA FALLS desires to have WHITEFISH perform such professional services, and WHITEFISH is willing to do so.

NOW THEREFORE, IT IS AGREED by and between COLUMBIA FALLS and WHITEFISH, each a local government agency of the State of Montana, and pursuant to *MCA 7-11-104*, that it is to their mutual benefit to adopt this Interlocal Agreement as follows:

1. **SCOPE OF WORK OR SERVICES; COMPENSATION:**

- A. WHITEFISH shall furnish professional services, obligations, and responsibilities under this Agreement, more particularly set forth in Exhibit "A," Scope of Service, attached hereto and incorporated herein by this reference.
- B. COLUMBIA FALLS shall pay for services from time to time, as set forth in Exhibit "B," Compensation Schedule, attached hereto and incorporated herein by this reference, in an amount not to exceed \$15,000.00.
- C. COLUMBIA FALLS shall pay WHITEFISH within thirty (30) days following receipt from WHITEFISH and approval by COLUMBIA FALLS of invoices for the administrative services performed.
- D. WHITEFISH may select the time and place of performance hereunder, provided, however, that access to COLUMBIA FALLS documents, records, and the like, if needed by WHITEFISH, shall be readily available.
- E. WHITEFISH shall be solely responsible for any retirement system contributions, the submission of any employer reports, and / or the furnishing of any additional information under MCA 19-2-506 that may be required as a result of the services provided or compensation paid hereunder.

2. **COORDINATION AND ORGANIZATION:**

- A. WHITEFISH shall coordinate its performance with the COLUMBIA FALLS's Project Manager. WHITEFISH shall advise and inform COLUMBIA FALLS's Project Manager of the work in progress on the Project in sufficient detail so as to assist COLUMBIA FALLS's Project Manager in making presentations and in holding meetings for the exchange of information. Together, the WHITEFISH Project Manager and the COLUMBIA FALLS Project Manager shall be responsible for administering the cooperative undertaking created by this Agreement.

The designated Project Manager for COLUMBIA FALLS is:

Susan M Nicosia
City Manager
130 6th Street West

Columbia Falls, Montana 59912
406-892-4384

The designated Project Manager for WHITEFISH is:

Mike Ferda
Asst. Police Chief
275 Flathead Ave.
Whitefish, MT 59937
406-863-2423

- B. The parties acknowledge that a substantial inducement to COLUMBIA FALLS for entering this Agreement was and is the reputation, knowledge, and skills of WHITEFISH's key employee Mike Ferda. COLUMBIA FALLS shall have the right to approve any person proposed by WHITEFISH to replace such key employee.

3. **FINANCE OF PROJECT AND MAINTENANCE OF BUDGET:** Financing of the Scope of Work and the corresponding Compensation hereunder shall be accomplished by and through General Fund budget authority. The budget for COLUMBIA FALLS' payment of the services hereunder shall be as authorized in the 2016-17 FY Budget as adopted by the Columbia Falls City Council.

4. **INSURANCE:** COLUMBIA FALLS acknowledges that WHITEFISH has the same levels of insurance coverage through the Montana Municipal Interlocal Authority as COLUMBIA FALLS and as such provides the same degree of insurance protection as would exist if COLUMBIA FALLS was utilizing its own personnel for the services. WHITEFISH shall comply with all applicable requirements of Montana's Workers' Compensation Act, and the Occupational Disease Act.

5. **INDEMNITY:** COLUMBIA FALLS agrees to defend, indemnify and hold WHITEFISH harmless of and from any and all claims, demands, actions, suits, proceedings or judgments based upon the negligence or intentional acts of COLUMBIA FALLS employees in its performance or failure to perform the contracted services.

WHITEFISH agrees to defend, indemnify and hold COLUMBIA FALLS harmless of and from any and all claims, demands, actions, suits, proceedings or judgments based upon the performance of the administrative services hereunder by WHITEFISH's employee(s).

6. **ASSIGNMENT AND SUBCONTRACTING:** This Agreement contemplates the personal services of WHITEFISH and WHITEFISH's employees, and the parties acknowledge that a substantial inducement to COLUMBIA FALLS for entering this Agreement was and is the professional reputation and competence of WHITEFISH and WHITEFISH's employees. WHITEFISH shall not assign its rights or delegate its duties hereunder, or any interest herein, or any portion hereof, without the prior written consent of COLUMBIA FALLS. WHITEFISH shall not subcontract any portion of the

performance required hereunder without the prior written consent of the Columbia Falls City Manager or her designee, nor substitute an approved subcontractor without said prior written consent to the substitution. Nothing stated in this Paragraph 5 shall prevent WHITEFISH from employing as many employees as WHITEFISH deems necessary for performance of this Agreement.

7. **CONFLICT OF INTEREST:** WHITEFISH, by executing this Agreement, certifies that, at the time WHITEFISH executes this Agreement and for its duration, WHITEFISH does not and will not perform services for any other client which would create a conflict, whether monetary, scheduling, or otherwise, as between the interests of COLUMBIA FALLS hereunder and the interests of such other client.

8. **MATERIALS:** WHITEFISH shall furnish all labor and supervision, supplies, materials, tools, machinery, equipment, appliances, transportation, and services necessary to or used in the performance of WHITEFISH's obligations.

9. **OWNERSHIP OF DATA:** All materials, information and data prepared, developed, or assembled by WHITEFISH or furnished to WHITEFISH in connection with this Agreement, including but not limited to documents, estimates, studies, graphs, charts, computer disks, computer source documentation, samples, models, reports, summaries, notes, information, material, and memorandum ("Data") shall be the exclusive property of COLUMBIA FALLS. Data shall be given to COLUMBIA FALLS, and COLUMBIA FALLS shall have the unrestricted right to use and disclose the Data in any manner for use in connection with the project for which it is intended without payment of further compensation to WHITEFISH. Copies of Data may be retained by WHITEFISH but WHITEFISH warrants that Data shall not be made available to any person or entity for use without the prior written approval of COLUMBIA FALLS. Said warranty shall survive termination of this Agreement for ten (10) years. It is agreed that WHITEFISH's referral to Data in general terms for the purpose of listing past professional experience in future marketing endeavors is not a violation of this warranty.

10. **CONFIDENTIALITY:** WHITEFISH shall keep the Data confidential and shall not disclose the Data or use the Data directly or indirectly other than in the course of services provided hereunder during this Agreement and for ten (10) years following expiration or termination of this Agreement. In addition, WHITEFISH shall keep confidential all information whether written, oral, or visual, obtained by any means whatsoever in the course of WHITEFISH's performance hereunder for the same period of time. WHITEFISH shall not disclose any or all of the Data to any third party, nor use it for WHITEFISH's own benefit or the benefit of others except for the purpose of this Agreement.

11. **CHANGES AND EXTRA SERVICES:**

- A. COLUMBIA FALLS may make changes within the general scope of this Agreement. Change orders shall be in writing and shall state the dollar

amount of the change, the method of payment, any adjustment in the time for performance and, when negotiated prices are involved, shall provide for WHITEFISH's signature indicating acceptance. If WHITEFISH estimates that any change will cause an increase or decrease in the cost or time required for performance, WHITEFISH shall so notify COLUMBIA FALLS of that fact. Any notification by WHITEFISH shall be provided within ten (10) calendar days from the date of receipt by WHITEFISH of the change order. In addition, WHITEFISH shall notify COLUMBIA FALLS when WHITEFISH identifies a condition which may change the initial scope of work or services within ten (10) days of identifying such a condition. All change orders shall be deemed part of this Agreement.

- B. COLUMBIA FALLS may request in a change order that WHITEFISH perform extra services not covered by the scope of work or services, and WHITEFISH shall perform such extra services. COLUMBIA FALLS shall pay for such extra services as specified in the change order. COLUMBIA FALLS shall not be liable for payment of such extra services nor shall WHITEFISH be obligated to perform such extra services unless and until the change order is signed by both parties. Extra services shall not exceed twenty-five percent (25%) of the contract price, as set out in Exhibit "B," without prior approval of the COLUMBIA FALLS City Council.

12. **TERMINATION:**

- A. Either party may terminate this Agreement by giving ten (10) days' prior written notice to the other party in the event of substantial failure by such other party to perform in accordance with the terms of this Agreement through no fault of the terminating party.
- B. COLUMBIA FALLS shall have the right to terminate this Agreement for any reason or no reason at any time by giving ten (10) days' prior written notice to WHITEFISH.
- C. In the event of termination under Paragraph 9(A) or Paragraph 9(B), the ten (10) days shall run from the date of deposit in the mail or the date on which personal service is obtained, whichever first occurs. Further, in the event of termination under Paragraph 9(A) or Paragraph 9(B), COLUMBIA FALLS shall pay WHITEFISH for services satisfactorily performed and costs incurred up to effective date of termination for which WHITEFISH has not been previously paid. The procedures for payment in Paragraph 1(C) with regard to invoices shall apply. On the effective date of termination, WHITEFISH shall deliver to COLUMBIA FALLS all Data developed or accumulated in the performance of this Agreement, whether in draft or final form, or in process, without regard to whether or not WHITEFISH has

received from COLUMBIA FALLS all compensation that WHITEFISH claims is due.

13. **NONDISCRIMINATION:** WHITEFISH agrees that all hiring by WHITEFISH of persons performing this Agreement will be on the basis of merit and qualification and will not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin. WHITEFISH agrees to comply with all applicable federal, state, and municipal laws concerning the prohibition of discrimination.

14. **AMENDMENT:** This Agreement, including all exhibits, shall not be amended, nor any provision or breach hereof waived, except in writing signed by the parties, which expressly refers to this Agreement.

15. **NO THIRD-PARTY BENEFICIARY:** This Agreement is for the exclusive benefit of the parties, does not constitute a third-party beneficiary agreement, and may not be relied upon or enforced by a third party.

16. **GOVERNING LAW:** This Agreement shall be governed by and construed pursuant to the laws of the State of Montana.

17. **FORUM:** Any legal proceeding to enforce or interpret this Agreement or to protect or establish any rights or remedies hereunder shall be maintained only in the courts in the County of Flathead, Montana.

18. **NECESSARY ACTS:** Each party to this Agreement agrees to perform any further acts and execute and deliver any further documents that may be reasonably necessary to carry out the provisions of this Agreement.

19. **ENTIRE AGREEMENT:** This Agreement, including all exhibits, constitutes the entire understanding between the parties and supersedes all other agreements, whether oral or written, with respect to the subject matter herein.

20. **SEVERABILITY:** If any portion of this Agreement is held to be void or unenforceable, the balance thereof shall continue in effect.

21. **NOTICES:** Any notice required hereunder or desired to be given by either party shall be in writing and personally served or deposited in the U.S. Postal Service, first class, postage prepaid, addressed to WHITEFISH at its address stated herein, and to COLUMBIA FALLS at the "City of Columbia Falls, Attention: Columbia Falls City Manager, 130 6th ST West, Columbia Falls, Montana 59912." Notice of change of address shall be given in the same manner as stated herein for other notices. The notice shall be deemed given on the date deposited in the mail or on the date personal service is obtained, whichever first occurs.

22. **WAIVER**: The acceptance of any services by COLUMBIA FALLS or the payment of any money by WHITEFISH shall not operate as a waiver of any provision of this Agreement, or of any right to damages or indemnity stated in this Agreement. The waiver of any breach of this Agreement shall not constitute a waiver of any other or subsequent breach of this Agreement.

23. **AUTHORITY**: Each party represents that it has full power and authority to enter into and perform this Agreement and that the person signing this Agreement on behalf of each party has been properly authorized and empowered to sign this Agreement.

24. **EFFECTIVE DATE**: The effective date of this agreement shall be upon the execution of this document as authorized by the governing bodies of each party.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on the dates set forth opposite their signatures.

CITY OF WHITEFISH,
a municipal corporation

CITY OF COLUMBIA FALLS
a municipal corporation

By: _____
Charles C. Stearns
Whitefish City Manager

By: _____
Susan M. Nicosia
Columbia Falls City Manager

DATED: _____

DATED: _____

EXHIBIT "A" Scope of work or services, including proposed timeline

EXHIBIT "B" Compensation schedule and procedure for reimbursement of expenses

EXHIBIT A
Scope of Services

1. Provide administrative personnel for oversight, guidance, case management and auditing areas of police function for the Columbia Falls Police Department during the term the City is without an appointed Police Chief. The administrative personnel provided by the City of Whitefish will work directly with the City's senior staff member, Sergeant Sean Murphy, in coordinating the administrative functions and oversight of all department personnel. The administrative personnel will report directly to the Columbia Falls City Manager, as needed. The Scope of Services may be amended by mutual consent of both parties as described above based on the needs of the Columbia Falls Police Department.

EXHIBIT B
Compensation Schedule

1. The City of Whitefish will be reimbursed at the rate of \$54.74/hour for 8 hours/week for an estimated 12-16 week time period. The City of Whitefish will invoice the City of Columbia Falls for the actual hours spent providing the professional administrative services. It is anticipated that the hours spent at the beginning of this agreement may exceed the 8 hours/week. Additional services and/or time worked will be approved as indicated in the agreement.



130 6th STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391
FAX (406) 892-4413

CITY OF COLUMBIA FALLS NOTICE OF PUBLIC HEARING

The COLUMBIA FALLS BOARD OF ADJUSTMENT will hold a public hearing on Monday, July 25, 2016 at 6:30 p.m. in the Council Chambers of City Hall, 130 6th Street West, Columbia Falls regarding the following:

VARIANCE REQUEST to the maximum height standards of the Columbia Falls Zoning Ordinance. School District #6 and the Columbia Falls High School are requesting a variance to install four light poles that are 60-feet in height to illuminate the High School soccer fields. The light poles will be installed on the west side of the field and point toward the east but directed down to the field. The District's application states that the School would use the lights for 6 to 10 night games a year. The property is zoned CR-3 (One Family Residential) and has a maximum height limit of 30-feet. The property is located at 910 13 Street West and is described as Tract 1 of COS 9882 in Section 17, Township 30 North, Range 20 West, P.M.M. Flathead County.

Persons may testify at the hearing or submit written comments prior to the meeting. For more information call Eric H. Mulcahy, City Planner at 755-6481.

Dated this 6th day of July, 2016

/s/

Susan Nicosia, City Manager/Zoning Administrator
COLUMBIA FALLS BOARD OF ADJUSTMENT

PUBLISH:
Legal Section – Daily Interlake, Sunday, July 10, 2016

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
PATRICK ROSE AND SALVADOR MALDONADO
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#16-02
June 30, 2016**

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to amend the zoning classification from CB-2 (General Business) and CR-4 (Urban Residential) to CRA-1 (Residential Apartment) within the Columbia Falls Zoning Jurisdiction. The zone change request is scheduled for a public hearing before the Planning Board on Tuesday, July 12, 2016, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council August 1, 2016 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Patrick W. Rose
673 ½ 8th Avenue E.N.
Columbia Falls, MT 59912

Salvador Maldonado
9 Darlene Road
Columbia Falls, MT 59912

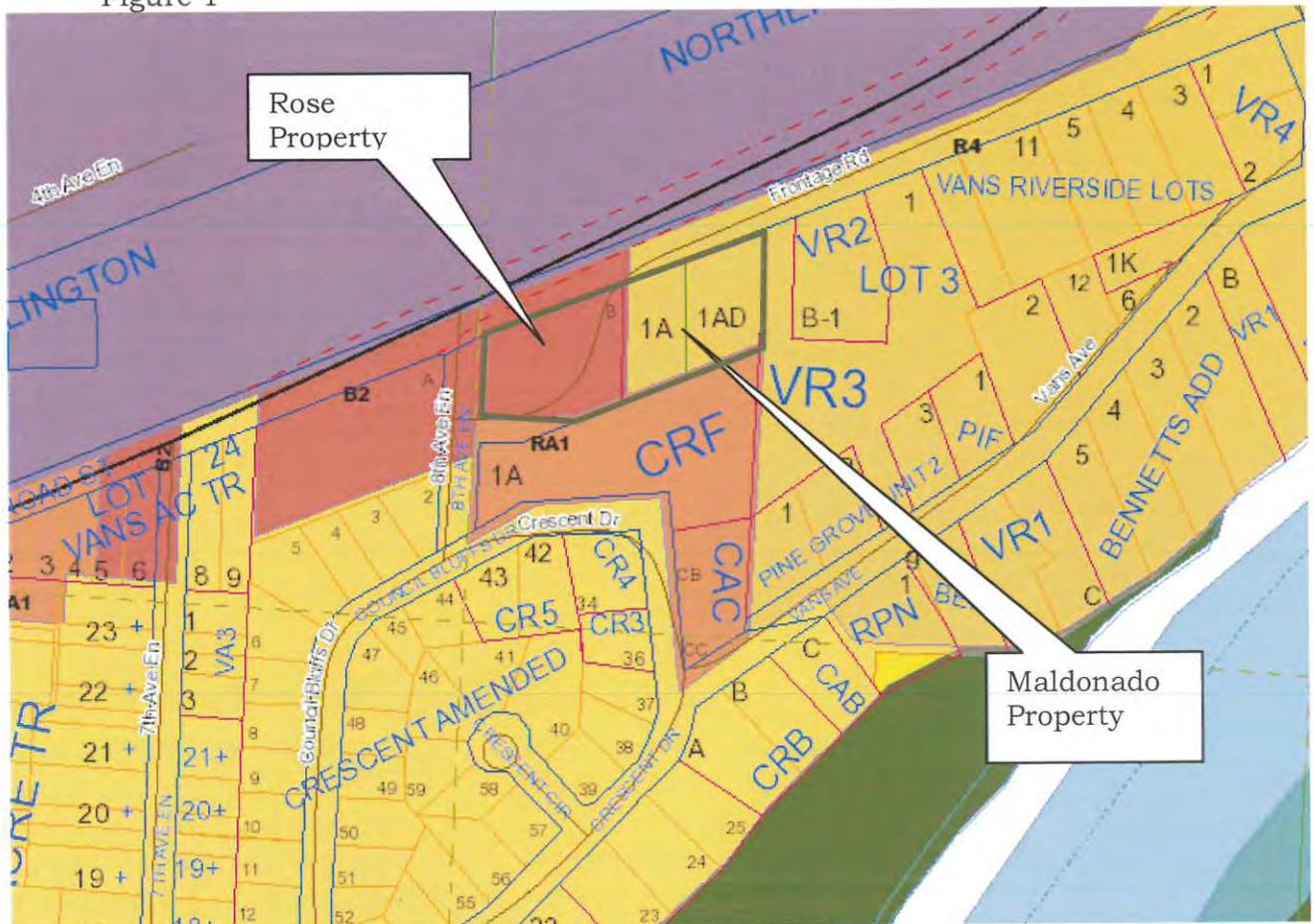
B. LOCATION/DESCRIPTION

The properties are located at 673 8th Avenue E.N and 810 Railroad Street in Columbia Falls. In total the properties amount to 1.7 acres. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way along with Assessors Tracts 1A and 1AD all in Section 9, T30N, R20W, P.M.M, Flathead County (See Exhibit A).

C. REQUEST

The request would amend the zoning on properties from CB-2 (General Business) and CR-4 (Urban Residential) to CRA-1 (Residential Apartment). See figure 1 for current zoning. The Rose property has been used in the past as a convenience store/gas station and a medical marijuana outlet which if this zone change and CUP are approved will convert to a tri-plex with the existing managers unit remaining. The Maldonado property, adjacent but across Frontage Road, has one small house and a barn that would eventually be replaced by a multi-family structure.

Figure 1



Columbia Falls Zoning District Map, Flathead County GIS

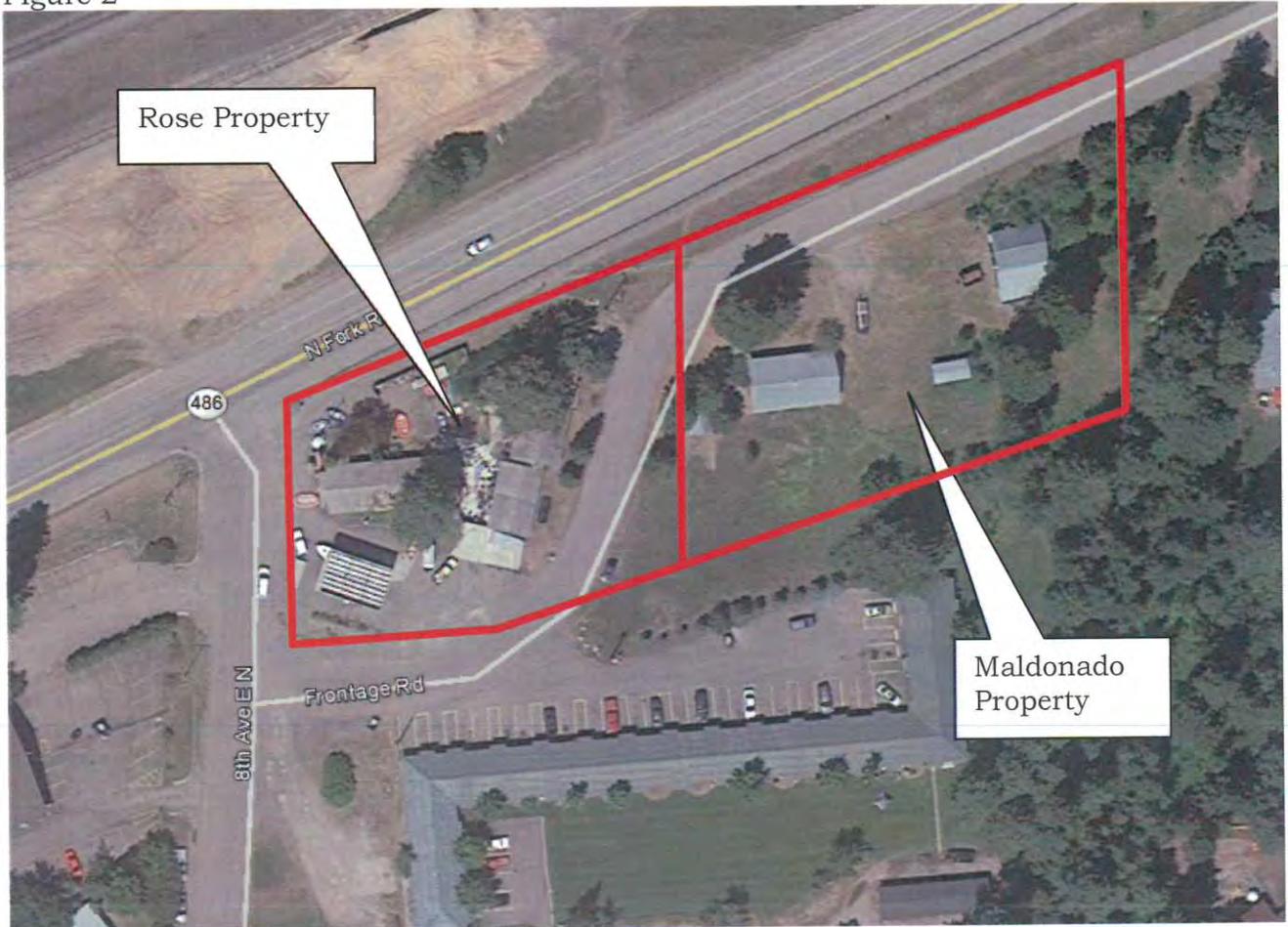
D. REASON FOR REQUEST

The Applicant/Owner requests the zone change to convert these properties to multi-family as they are currently bordered on the south by multi-family development. According to Mr. Rose, when CFAC closed, the convenience store and gas station ceased to be profitable and other commercial uses or combinations of uses have not produced a profit.

E. EXISTING LAND USE

The Rose property has been used in the past as a convenience store/gas station and a medical marijuana outlet which if this zone change and Cup are approved will convert to a tri-plex with the existing managers unit remaining. The Maldonado property, adjacent but across Frontage Road, has one small house and a barn that would eventually be replaced by a multi-family structure.

Figure 2



Source: Google Maps

F. ADJACENT ZONING AND LAND USE:

Figure 1 shows the existing zoning and use.

Direction from Site	Current Zoning	Current Use
North	CH-1	Heavy Industrial with the BN Railroad and the Columbia Falls Industrial Park
South	CRA-1	Apartments
West	CB-2	Old Forest Service Office
East	CR-4	Single Family Residential Uses

G. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for Commercial and Multi-Family Residential. This proposal complies with the map and text of the Growth Policy.

Text of the Columbia Falls Growth Policy (2013 update) supports the request as described in Policy 4b. “Small high density residential districts are encouraged to be dispersed throughout

the urban area. These districts should be located predominantly near schools, buffer retail and business areas, and adjacent to major streets.”

Policy 4c. “Multi-Family housing developments should be designed to fit compatibly with larger single family neighborhoods”

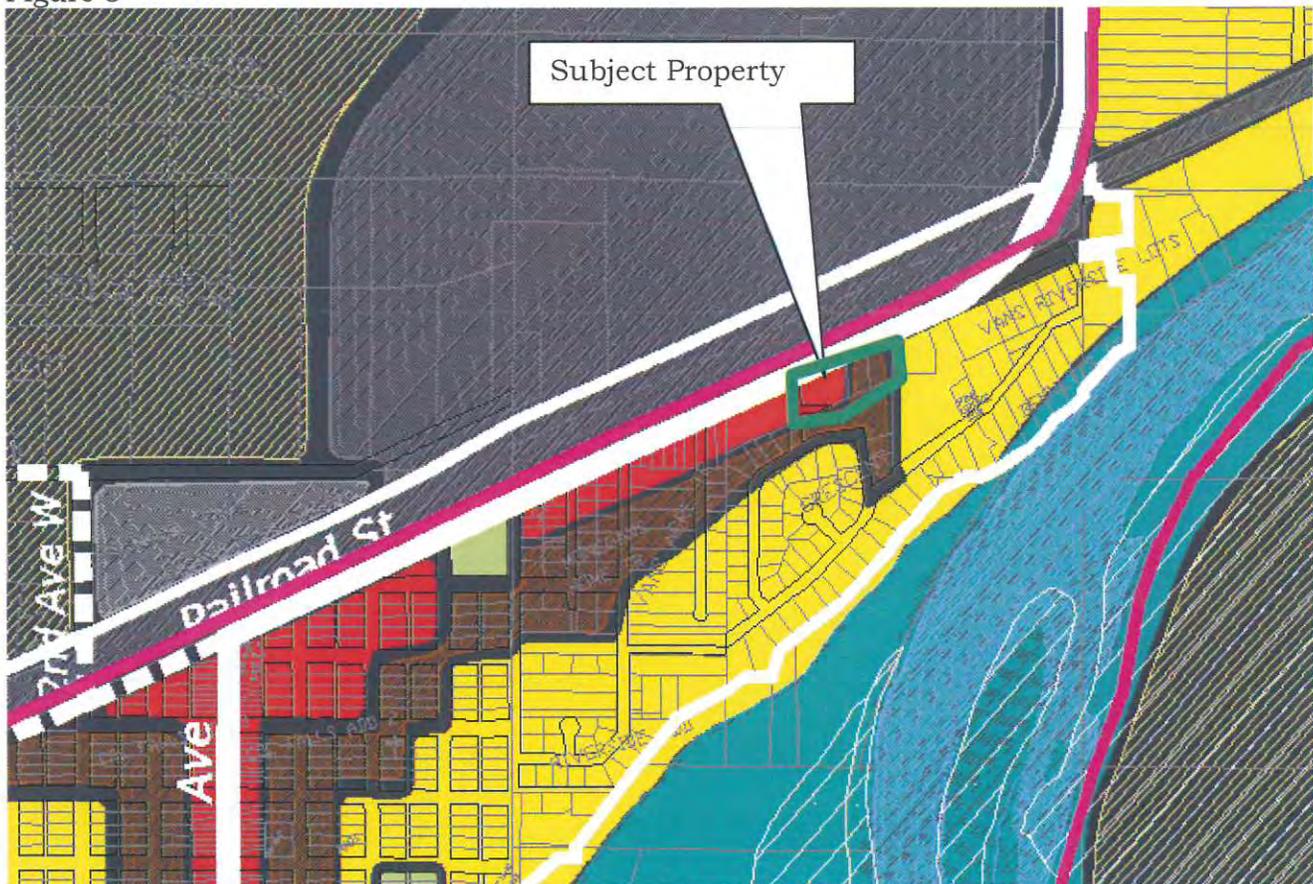
Policy 4f. “Multi-Family Residential areas should be within close proximity to small parks or common open spaces. When parks are not immediately available or are undersized, projects should contribute to the development of neighborhood parks.

Policy 4g. High density areas should be fully served by urban infrastructure and services. This includes paved streets, curbs, gutters, sidewalks abutting all residential lots, boulevards and public sewer and water

Policy 4h. Centralized refuse collection should be screened and protected from wildlife.

In this case even though a portion of the request would replace commercial zoning, the proposal would still buffer lower density residential from commercial uses to the west and the Railway Street (North Fork Highway)

Figure 3



Excerpt from the 2005 Columbia Falls Growth Policy Map

LAND USE

Commercial

General, Highway and Neighborhood oriented retail sales, services or mixed office use

Resort Business/Residential

A resort area providing mixed commercial services, recreational opportunities, and a mixture of housing types and densities within the confines of an overall development plan

Urban Mixed Use

Integrated development area which may contain a combination of commercial services, housing density and types, including single family through multi-family, all of which are and receiving urban services, and are within the confines of an overall development plan

Heavy Industrial

Manufacturing, processing, storage and assembly where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.

Light Industrial

Wholesale and industrial areas with good access to air, rail and highway and where impacts to air, water and noise levels are limited to the confines of a building or screened area.

Multi-Family Residential

8+ units/acre. A higher density residential area with single family, duplex and attached housing including townhouse and apartment units, all served by urban services. Also serves as a buffer or transitional area.

Legend for Growth Policy Map

H. UTILITIES/SERVICES

Water

City Water is available.

Sewer

City Sewer is available.

Fire Protection

Columbia Falls Fire Department

Police Protection

Columbia Falls Police Department

Electricity

Flathead Electric Co-op.

EVALUATION BASED ON STATUTORY CRITERIA

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A., and as stated by the Montana Supreme Court. The following findings are made:

1. Does the requested zone comply with the Growth Policy?

The Columbia Falls Growth Policy Map designates the subject property for Commercial and Multi-Family Residential. This proposal complies with the map and text of the Growth Policy (Figure 3). This proposal complies with the Growth Policy.

As stated previously in this report, the Growth Policy document provides a list of goals and policies for multi-family residential uses. The proposed zone change complies with the text as well as the map of the Growth Policy.

2. Is the requested zone designed to lessen congestion in the streets?

The proposed zone change will convert a commercial property to the multi-family designation and a single family lot to a multifamily use. With the commercial conversion, the convenience store most likely generated more vehicle trip traffic than the proposed three plex multi-family use and so the proposed use would lessen congestion. On the Maldonado Lot, the traffic generation will increase. As both lots have almost immediate access to a City collector street, Railroad Street, congestion is mitigated by the fact that the street is intended for higher traffic use. The proposed zoning designation is a good fit for the location.

3. Will the requested zone secure safety from fire, panic, and other dangers?

The property is located in the City Limits of Columbia Falls and is serviced by the Columbia Falls Police and Fire departments. According to the Flathead GIS Website, the property is not mapped within the Wildland Urban Interface. The property is not located or mapped within the 100-year floodplain of the Flathead River (FIRM Panel 1435J).

4. Will the requested change promote the health and general welfare?

The proposed zone change is near the BN Railroad tracks which pose some concerns with children trespassing on the tracks. However this is also true for much of the City which is bisected by the BNSF lines. The proposed zone change is adjacent to other multi-family uses and zoning as well as closely complying with the land use designations of the growth policy. The proposed CRA-1 zoning designation also requires a CUP for any multi-family use of three or more units. The conditional use permit will address connection of sewer and water utilities, onsite parking, and pedestrian circulation.

5. Will the requested zone provide for adequate light and air?

Setbacks are 15 feet in the front, 5-feet on the side, 15 feet on the side corner and rear yards. The CB-2 setbacks are the same as the CRA-1 when adjacent to residential uses. The CR-4 setbacks are 20-feet in the front and rear otherwise they are the same as the proposed CRA-1. Therefore, the zone change will have little or no impact on light and air.

6. Will the requested zone prevent the overcrowding of land?

The proposed zone change, with the increased density, closely complies with the Community's long range planning document which is the Columbia Falls Growth Policy, 2013 Edition. The proposed zoning matches the zoning designation for the property located directly south of the applicant's property. Therefore the proposed CRA-1 densities meet the Growth Policy recommendation and are consistent with neighboring zoning provisions

7. Will the requested zone avoid undue concentration of people?

The proposed CRA-1 zoning district does not prescribe a maximum density; the density is based on the maximum lot coverage, parking provisions and other constraints. However the proposed CRA-1 will have a higher concentration of people when developed on the Maldonado lot. The Commercial lot on the other hand could have a higher concentration of people than the proposed zoning.

The Growth Policy Map prescribes a commercial/multi-family designation for this area (Figure 3) so a high concentration of people is anticipated in the long range planning document.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

The proposed zone change does not by itself provide or require the adequate provisions of infrastructure. However, when the applicants go through CUP and Building Permit review, the project will be reviewed for access, parking, sewer, water, etc.

As the property is in the City limits of Columbia Falls, the Streets are owned and maintained by the City except that Railroad Street is owned and maintained by the MDOT. The City provides parks, sewer and water services. Schools are provided by the Columbia Falls School District.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The Rose property is currently underutilized as the convenience store and gas station have closed. The Maldonado property has one small house and a detached garage even though the zoning would allow additional lots if the applicant were to go through subdivision review. Mr. Rose has made a number of attempts to find a commercial use that will flourish at his location and unfortunately they have not worked out. Given the residential uses in the area, converting the convenience store to a residential use seems appropriate.

10. Does the requested zone give reasonable consideration to the character of the district?

There is an apartment building directly south of the property; industrial use is located north of the property, commercial use is located to the west and some single family residential use is located to the east. The proposed zone change does give consideration to the character of the district.

11. Will the new zoning affect property values?

Given that the properties abut adjacent apartment uses and front on a busy street with a railroad track across said street, the proposed zone change should not have a negative impact on nearby property values.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The subject property is designated in the Columbia Falls Growth Policy as Commercial/Multi-Family Residential. The text of the Growth Policy supports this location. The neighboring zoning and land use is multi-family. It would appear that this is an appropriate location for the requested use.

SUMMARY

The property is designated “Commercial/Multi-Family Residential” by the Columbia Falls Growth Policy. The property is located adjacent to lands already zoned CRA-1 and developed with an apartment use. The proposed densities are supported by the urban services and utilities of the City of Columbia Falls.

RECOMMENDATION

Staff finds that the subject properties sufficiently meet the adopted review criteria to be rezoned from CB-2 and CR-4 to CRA-1. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-16-02 as findings of fact and recommend approval of the zone change to the Columbia Falls City Council.

Exhibit A

Tract B of the Crescent Amended Plat excluding MDOT right-of-way and;

A Tract of land in the US Gov't Lot 3 of Section 9, T30N, R20W, P.M.M, Flathead County, Montana, being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of a Tract B of Crescent, A subdivision of Flathead County Montana, according to the official plat thereof, on file and of record in the office of the Clerk and Recorder of Flathead County, Montana, thence North $65^{\circ}14'$ East, 242.22 feet; thence south $0^{\circ}01'$ West 198.00 feet to the point of beginning.

Excepting therefrom that portion conveyed to the State of Montana for roadway purposes by warranty deed recorded July 1, 1971 in book 526, Page 362 as instrument No 5389.



Planning Department

130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

PETITION FOR ZONING MAP AMENDMENT

A complete application must be provided a minimum of 35 days prior to the desired hearing date before a scheduled Planning Board meeting.

FILING FEE ATTACHED \$ _____

Zone Change Base Fee \$750
For first 50 acres \$ 25/acre
For each add'l acre over 50 \$ 10/acre
Certified Owner's List from FH County or Title Company \$75
Per each address on list \$4/ea. address

NAME OF APPLICANT: Salvador Maldonado
MAIL ADDRESS: 9 Darlene Rd
CITY/STATE/ZIP: Columbia Falls MT 59912 PHONE: 906-971-8826
INTEREST IN PROPERTY: owner of 100% AS Salvador Maldonado

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 810 Railroad Street, Columbia Falls MT 59912
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number
(Section, Township, Range)
TR 1A & TR 1AD IN LOT 3 ; 09-30N-20W

(Attach sheet for metes and bounds)

- C. Land in zone change (ac)
(1AD) .5 Acres + 4 Acres (1A) = .9 Acres Approximately
- D. The present zoning of the above property is: B-1 R-4
- E. The proposed zoning of the above property is: CRA-1
- F. State the changed or changing conditions that make the proposed amendment necessary:

Owner desires to build low density apartments, lot to the south is already apartments, Columbia Falls has a need for downtown housing/apartments that are new and local. It's hard to find a place to live that is new and clean.

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

A. Promoting the Growth Policy

Housing that attracts new residents looking to live and/or start businesses in Columbus Falls. Existing apartments are older and in short supply

B. Lessening congestion in the streets and providing safe access

Parking will comply with existing codes, this is a small in-fill project, low density, little or no congestion outside normal growth of Columbus Falls

C. Promoting safety from fire, panic and other dangers

Will be built to code and compliant in safety, fire and other civic or community needs

D. Promoting the public interest, health, comfort, convenience, safety and general welfare

Public Interest - satisfies need for housing and apartment
Health - New construction standards
Convenience, locate downtown proximity
Safety & general welfare will be our focus in design

E. Preventing the overcrowding of land

Low density in-fill development

F. Avoiding undue concentration of population

Low density in-fill development, no concentration, no overcrowding, organized, prudent progress

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

New on-site improvements on Railroad Street with stub-in capabilities, all there, all new ready for thoughtful development

H. Giving reasonable consideration to the character of the district

Contiguous southern property is apartments, older without the esthetic designs that I will incorporate, easy to look up on and attractive

I. Giving consideration to the peculiar suitability of the property for particular uses

Suitable, because the city and the Flathead has less than 20% vacancy, rents are rising, new development will add supply for local downtown residents

J. Protecting and conserving the value of buildings

New development will reverse older trend apartments to the south and will increase pride of ownership to surrounding properties

K. Encouraging the most appropriate use of land by assuring orderly growth

The zoning use CRA-1 is already there, and meets the needs of local renters, our project will add more strength to the area in a complimentary fashion

The signing of this application signifies approval for Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during approval process.

(Applicant Signature)

(Date)

APPLICATION PROCESS

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application form.

C. Application fee per schedule, made payable to the Columbia Falls Planning Department.

<u>Zone Change: Base fee</u>	\$750.00
For first 50 acres of area of the request add	\$25/acre
For next 50+ acres add	\$10/acre

PUD Zoning Review:

Residential	\$600.00 + \$25/acre
Commercial	\$800.00 + \$25/acre
Mixed Use	\$850.00 + \$25/acre

Letters to Adjoining Property Owners: \$4 per address

* Deduct \$300 from PUD fee if application is concurrently submitted with a preliminary plat.

D. The application must be accepted as complete by the Columbia Falls Planning staff **thirty-five (35) days prior** to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

E. Application Contents:

1. Petition for zone change signed by the real property owners representing at least 65% of the land area for which the change in zoning classification is sought.
2. A map showing the location and boundaries of the property.
3. A list of the names and mailing addresses of all property owners within 150 feet of the subject property as shown on the Assessor's roll. See example below and attached notice from County Plat Room.

Assessor No Sec-Twn-Rng Lot/Tract No Property Owner & Mailing Address

4. A title report of the subject property.

APPLICATION PROCESS

APPLICABLE TO ALL ZONING APPLICATIONS:

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A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

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PETITION FOR ZONING MAP AMENDMENT

A complete application must be provided a minimum of 35 days prior to the desired hearing date before a scheduled Planning Board meeting.

FILING FEE ATTACHED \$ _____

- Zone Change Base Fee \$750
- For first 50 acres \$ 25/acre
- For each add'l acre over 50 \$ 10/acre
- Certified Owner's List from FH County or Title Company \$75
- Per each address on list \$4/ea. address

NAME OF APPLICANT: Patrick W Rose

MAIL ADDRESS: 673 1/2 8th AVE E.N.

CITY/STATE/ZIP: Columbia Falls PHONE: 406 471-7271

INTEREST IN PROPERTY: owner

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 673 8th AVE E.N. Columbia Falls MT 59912
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number (Section, Township, Range)

(Attach sheet for metes and bounds)
- C. Land in zone change (ac)

- D. The present zoning of the above property is: _____
- E. The proposed zoning of the above property is: _____
- F. State the changed or changing conditions that make the proposed amendment necessary:
Chang from commercial C-store & Gas
to 4 units or less Residential

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

A. Promoting the Growth Policy

In Remodeling of a older structure, and adding more rental space for are community.

B. Lessening congestion in the streets and providing safe access

reducing foot traffic from C-Store to Residential 4-units or less. This should reduce congestion.

C. Promoting safety from fire, panic and other dangers

D. Promoting the public interest, health, comfort, convenience, safety and general welfare

C-Store is not sustainable in this location, putting new clean and convenient housing with safe access

E. Preventing the overcrowding of land

The footprint of the building will change very little.

F. Avoiding undue concentration of population

Trying to answer to the need of lack of rentals in are growing community

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

H. Giving reasonable consideration to the character of the district

I. Giving consideration to the peculiar suitability of the property for particular uses

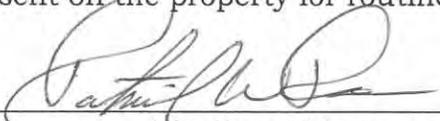
J. Protecting and conserving the value of buildings

Remodel interior and a new elevation to the building, and from commercial to residential

K. Encouraging the most appropriate use of land by assuring orderly growth

By considering the appropriate use of this land seeing the growth in our neighborhood and the increase in residential growth.

The signing of this application signifies approval for Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during approval process.



(Applicant Signature)

6/2/16

(Date)

**CONDITIONAL USE PERMIT REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION**

COLUMBIA FALLS PLANNING OFFICE STAFF REPORT #CCU-16-01

Patrick W. Rose

July 5, 2016

1

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to permit a conditional use located at 673 8th Avenue E.N. The Conditional Use request is scheduled for a public hearing before the Planning Board on Tuesday, July 12, 2016 at 6:30 PM and Columbia Falls City Council on Monday, August 1, 2016 at 7:00 p.m.

BACKGROUND INFORMATION

A. PETITIONERS

Patrick W. Rose
633 ½ 8th Avenue EN
Columbia Falls, MT 59912

B. PETITIONER'S TECHNICAL ASSISTANCE

None listed

C. LOCATION/DESCRIPTION

The property is located at 673 8th Avenue E.N in Columbia Falls and is approximately 0.8 acres in size. The properties are described as Tract B of the Crescent Amended Plat excluding MDOT right-of-way in Section 9, T30N, R20W, P.M.M, Flathead County

D. REQUEST

The applicants are petitioning for a Conditional Use Permit to allow for the conversion of the old convenience store and gas station into a three plex apartment and to keep the existing managers unit to remain as the fourth residential unit on the property. (See attached plans)

E. NATURE OF THE REQUEST

The applicant along with his neighbor has proposed a zone change to CRA-1 that is running concurrent with this CUP. As required by the CRA-1 zoning, a Conditional Use Permit is required for the construction/creation of multi-family structures in excess of a duplex building. In this case the applicant is requesting the CUP to allow four units on the same property. The intent of the Conditional Use Permit is to address neighborhood impact and compatibility.

F. EXISTING LAND USE

The subject property was previously the old Stop and Shop convenience store and gas station. The store and gas pumps have been closed for a number of years and the owner/applicant has lived in the managers unit on the back of the property while trying to establish a viable use for the property.



Stop and Shop Convenience Store and Gas Station.

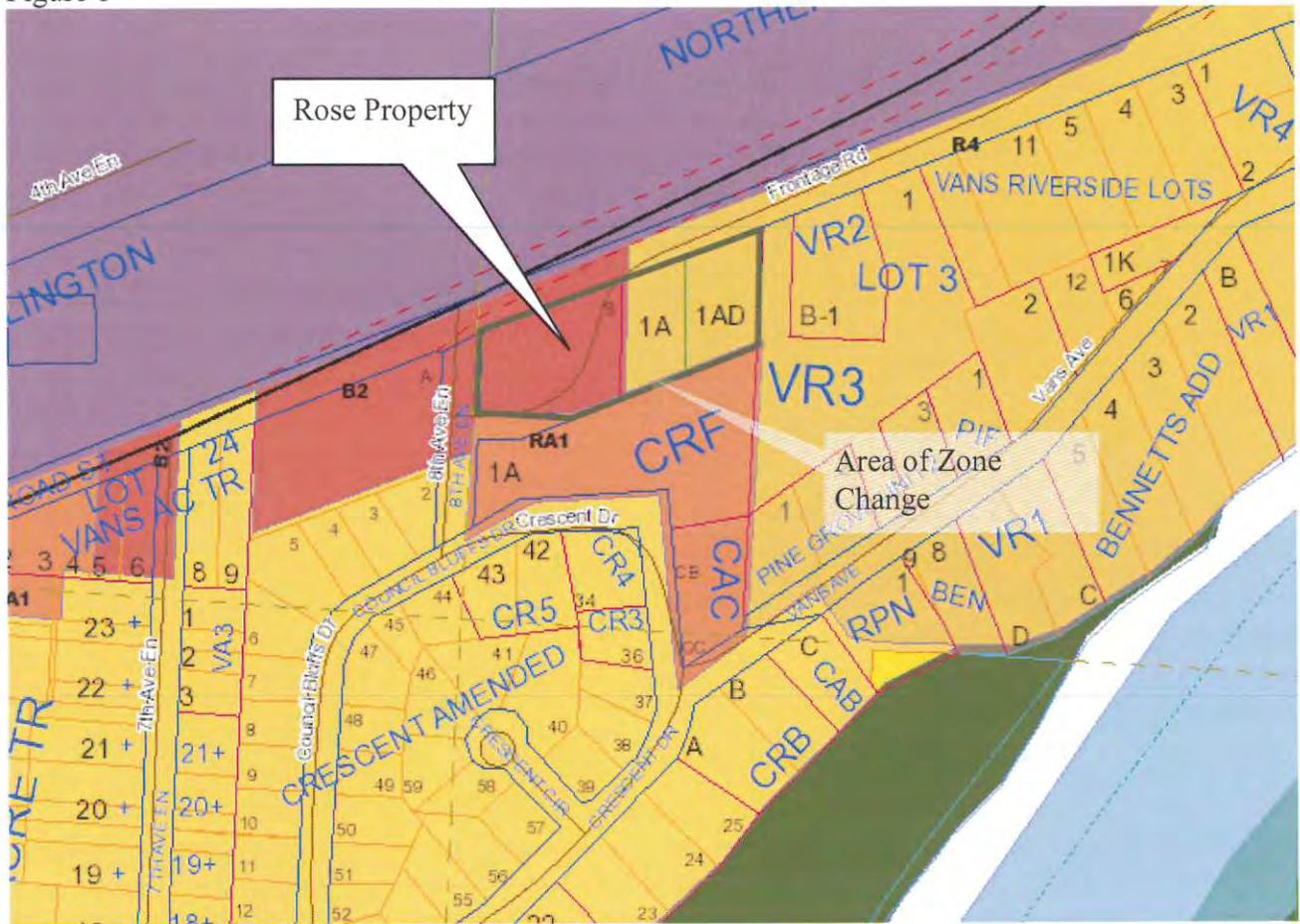




G. ADJACENT ZONING AND LAND USE:

The property is currently zoned CB-2 which is a general business zone that supported the convenience store use. With this CUP application the applicant is also requesting a zone change to CRA-1 (Residential Apartment). Adjacent zoning consists of CRA-1 to the south with an existing apartment complex; CR-4 to the east with a single family house; BN railroad tracts and the Columbia Falls Industrial Park to the north with CH-1 heavy Industrial zoning; and the old Forest Service Headquarters zoned CB-2 to the east. (See Figure 1 for the zoning)

Figure 1



Source Flathead County GIS

H. GROWTH POLICY DESIGNATION:

The Columbia Falls Growth Policy Map designates the subject property for Commercial and it is adjacent on two sides to Multi-Family Residential. The Columbia Falls Growth Policy Map is not intended to be property specific but instead generalized areas with fuzzy lines between. This proposal complies with the map and text of the Growth Policy.

Text of the Columbia Falls Growth Policy (2013 update) supports the request as described in Policy 4b. "Small high density residential districts are encouraged to be dispersed throughout the urban area. These districts should be located predominantly near schools, buffer retail and business areas, and adjacent to major streets."

Policy 4c. "Multi-Family housing developments should be designed to fit compatibly with larger single family neighborhoods"

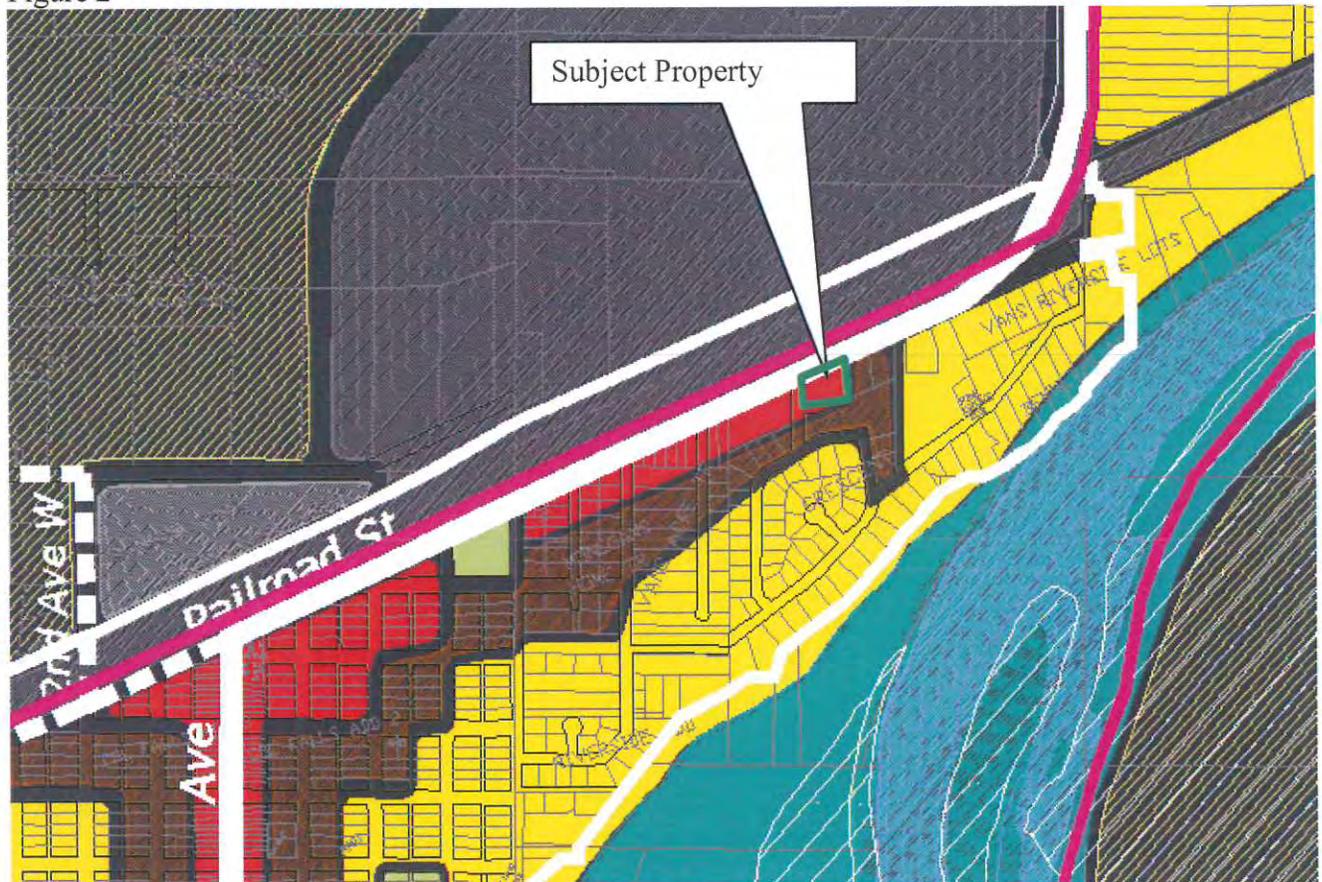
Policy 4f. "Multi-Family Residential areas should be within close proximity to small parks or common open spaces. When parks are not immediately available or are undersized, projects should contribute to the development of neighborhood parks."

Policy 4g. "High density areas should be fully served by urban infrastructure and services. This includes paved streets, curbs, gutters, sidewalks abutting all residential lots, boulevards and public sewer and water."

Policy 4h. "Centralized refuse collection should be screened and protected from wildlife."

In this case even though a portion of the request would replace commercial zoning, the proposal would still buffer lower intensity residential uses from commercial uses to the west and the Railway Street (North Fork Highway) on the north.

Figure 2



Excerpt from the 2005 Columbia Falls Growth Policy Map

LAND USE

Commercial

General, Highway and Neighborhood oriented retail sales, services or mixed office use

Resort Business/Residential

A resort area providing mixed commercial services, recreational opportunities, and a mixture of housing types and densities within the confines of an overall development plan

Urban Mixed Use

Integrated development area which may contain a combination of commercial services, housing density and types, including single family through multi-family, all of which are and receiving urban services, and are within the confines of an overall development plan

Heavy Industrial

Manufacturing, processing, storage and assembly where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.

Light Industrial

Wholesale and industrial areas with good access to air, rail and highway and where impacts to air, water and noise levels are limited to the confines of a building or screened area.

Multi-Family Residential

8+ units/acre. A higher density residential area with single family, duplex and attached housing including townhouse and apartment units, all served by urban services. Also serves as a buffer or transitional area.

Legend for Growth Policy Map

I. UTILITIES/SERVICES:

Sewer: City Sewer is available

Water: City Water is available

Solid Waste: Private Contract Hauler

Police: Columbia Falls Police

Fire: Columbia Falls Fire Department

EVALUATION BASED ON REQUIRED CRITERIA

18.332.030 Criteria Required for Consideration of a Conditional Use Permit:

A Conditional Use Permit may be granted only if the proposal, as submitted, conforms to all of the following general Conditional Use Permit criteria, as well as to all other applicable criteria that may be requested.

- a. Site Suitability. (That the site is suitable for the use) This includes:
 - i) Adequate Usable Space: Proposed use is to be contained within the existing permitted lot coverage. The subject parcel is 36,264 square feet in size. The buildings both proposed and existing total 6,053 square feet. The Columbia Falls Zoning Ordinance allows maximum lot coverage of 45%. The lot coverage equates to 16.6% and is within the allowable coverage. With four units on 36,264 square feet the density equates to 4.8 units per acre. This density is not out of character with some of the neighboring CR-4 (Urban Residential) zoning which can allow up to four units per acre.
 - ii) Adequate Access: The property sits at the intersections of 8th Ave EN and Railroad Street and also 8th Ave EN and Crescent Drive. There is no existing or proposed access to Railroad Street. 8th Avenue EN and Crescent Drive will provide the access to the units. 8th Avenue and Crescent are paved City streets. Railroad Street is owned and maintained by the Montana Department of Transportation. The access is good and will function adequately for the proposed apartments.

Because this project is a conversion of an existing use in a fully developed neighborhood, staff is not going to require the applicant to install sidewalks, street trees, curb or gutter as none of these infrastructure elements exist anywhere close to the project and as such would not connect to anything. Requiring the elements in this location would only cause frustration for the City with maintenance, the public wondering where the sidewalk leads, and the applicant who has to pay for it.

Parking Lots: The applicant proposes parking off of 8th Ave EN in front of what was the store front. These parking spaces will need to be shifted to allow access to the door of Apartment #2 as shown on the applicant's site plan. The parking on the south side of the building (spaces 6-9) appear to work fine. The applicant is also showing four garage spaces in a conversion of the old pump island. The Columbia Falls zoning ordinance requires two parking spaces per unit and therefore the four units proposed would require eight parking spaces and the applicant is showing twelve.

Pedestrian Access: There are no sidewalks in the neighborhood with the closest being on Nucleus Avenue and the small segment on the east side of the viaduct. There are no traditional bike paths in the neighborhood but Railroad Street/North Fork Road was constructed with wide shoulders and is a popular biking and running route.

- iii) Absence of Environmental Constraints: As the development will be served by public sewer and water, there does not appear to be any significant environmental constraints. The property is flat, there does not appear to be any danger of flooding or slumping. The applicant is required to maintain all new drainage on-site as part of the building permit approval process. The drainage requirement protects adjoining neighbors from this project's roof and parking lot run-off. The applicant states that the underground petroleum tanks were removed approximately 12 months ago and the work was inspected by the State and this was confirmed by the MDEQ Underground Storage Tank Program.
- b. Appropriateness of Design. The site plan for the proposed use will provide the most convenient and functional use of the lot. Consideration of design should include:
- i) Parking Scheme: There is limited to no on-street parking available so the developer is proposing off-site parking for each development. (Each unit requires a minimum of two spaces and the four unit project will require eight spaces). All parking lots and driveways will be paved.

The small building standards of the zoning code Section 18.441 requires a minimum of 5% of the property be landscaped and it also requires four feet of street frontage landscaping. As this is a conversion of a gas station with much of the property in asphalt, staff is proposing the applicants meet the intent of the ordinance without having to completely start from scratch.

- ii) Required parking for Residential Apartment (18.518) is a minimum of two spaces per residential unit. The application shows twelve parking stalls although stall three may need to be moved to allow access into the units.
- iii) Traffic Circulation: The property sits at the intersections of 8th Ave EN and Railroad Street and also 8th Ave EN and Crescent Drive. There is no existing or proposed access to Railroad St. 8th Avenue EN and Crescent Drive will provide the access to the units. 8th Avenue and Crescent are paved City streets. Railroad Street is owned and maintained by the Montana Department of Transportation. The access is good and will function adequately for the proposed apartments.

Each residential unit is anticipated to generate up to 10 vehicle trips per day, therefore, this project could create 40 trips however one of the residential units already exists and the Stop and Shop generated a significant amount of vehicle trips when it was profitable and CFAC was running.

- iv) Open Space: The applicant's proposal meets all front, side and rear yard setbacks as required by the CRA-1 zoning. There is a small baseball park several blocks to the west and Columbus Park where the City tennis courts, basketball court and playground are located. See more discussion in the Parks and Recreation section of this report.

- v) Fencing/Screening: No fencing is proposed but there currently is some fencing in the rear of the old convenience store and managers unit.
 - vi) Landscaping: The small building standards of the zoning code Section 18.441 requires a minimum of 5% of the property be landscaped and it also requires four feet of street frontage landscaping. As this is a conversion of a gas station with much of the property in asphalt, staff is proposing the applicants meet the intent of the ordinance without having to completely start from scratch. There is currently rear and sideyard landscaping which will remain.
 - vii) Signage: Signage would conform to existing Columbia Falls sign regulations for the CRA-1 zone. There are no signs proposed and the existing Stop and Shop signage will be removed as a condition of this Permit. The Sign Ordinance will limit the sign to 6 feet in height and 16 square feet per face maximum if an identification sign is requested.
- c. Availability of Public Services and Facilities. The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:
- i) Schools: There were 14,753 students recorded with the Flathead County Superintendent of Schools Office including public, private and home schooled children at the beginning of the 2011 school year. The US Census Bureau 2010 counted 46,963 housing units in Flathead County – 14,753 students / 46,963 housing units = 0.31 students per unit), the three new units would generate one school aged student to the schools system. The one additional student should not negatively impact the District.
 - ii) Parks and Recreation: The applicants are not proposing any significant open space or recreational amenities on-site. The project is just east of a small baseball park and within walking distance of the tennis courts, basketball court and playground at Columbus Park.

As suggested in the Columbia Falls Growth Policy (Policy 4f), multi-family developments should contribute to area parks if they are small or lacking infrastructure which is the case for both parks. The City has looked at installing some playground equipment at the baseball field as well as looking for ways to improve the facilities at Columbus Park. It would be appropriate for the proposed multi-family project to contribute to the area parks.

As with multi-family projects in South Hilltop, the City will recommend that the applicant provide a \$1,000.00 payment to the City of Columbia Falls. These funds will be earmarked for improvements to either Columbus Park or the Baseball Park located just west of the project.

- iii) Police: The Columbia Falls Police Department is responsible for the proposed development. The small apartment project should have limited impact on the Police Department.

- iv) Fire Protection: The Columbia Falls Fire Department provides fire protection to this neighborhood. The Columbia Falls Building Inspector will review the development for all building and fire code requirements.
 - v) Water: City water service is in Railroad Street.
 - vi) Sewer: All lots will be serviced by City Sewer located in Crescent Drive.
 - vii) Solid Waste: The applicant did not specify a location for refuse. Staff will condition the permit to storing refuse inside until day of pick up or if using a community dumpster that the facility will be completely fenced with sight obscuring materials.
- d. Immediate Neighborhood Impact. Directly south of the proposed apartment project is an existing apartment facility that was a hotel converted to apartments. To the east is the neighbor that is proposing the same zone change to CRA-1. To the west is the old Forest Service Headquarters that has been used for offices, currently occupied by GPI. To the north are the BN railroad tracks and the Columbia Falls Industrial Park. The proposed apartment use will blend and or buffer neighboring uses. There is no apparent negative neighborhood impact.
- e. Typical negative impacts which extend beyond the proposed site include, but are not limited to:
- i) Excessive Traffic Generation: The proposed conversion of a gas and convenience store to a four unit apartment facility, one of said units already exists, will generate less traffic than the previous use or similar uses that were allowed in the CB-2 zoning district.
 - ii) Noise or Vibration: There will be less noise and activity associated with apartments than with the previously permitted gas and convenience store. Once completed, the apartment use will blend with the neighboring apartment and single family use.
 - iii) Dust, Glare, Or Heat: No change to existing conditions is anticipated.
 - iv) Smoke, Fumes, Gas, and Or Odors: No change to existing conditions is anticipated.
 - v) Inappropriate Hours of Operation: None proposed.
 - vi) Signage: 18.438.010 Permitted Signs in Zoning Districts allows the applicant to have signs that comply and do not to exceed the standards of section 18.438.080(c.).

APPLICABLE REGULATIONS

The following sections of the Columbia Falls Zoning Regulations are applicable to this proposal:

Chapter 18.210 Conditional Use Permits

Chapter 18.332 CRA-1 Residential Apartment

Chapter 18.532.010 Parking facilities

Chapter 18.438 Signs

Chapter 18.441 Small Buildings (less than 10,000 square feet)

SUMMARY

The Conditional Use Request is for permitting the conversion of the old convenience store and gas station into a three plex apartment and to keep the existing managers unit to remain as the fourth residential unit on the property. Staff recommends that the CUP should be approved based upon the information presented in the attached application and a review of the property and the associated findings of fact.

The multi-family nature of the project complies with the recommendations of the Columbia Falls Growth Policy.

Environmental constraints from the development are considered to be minimal.

The project is located on a collector street and buffers less intense uses from more intense uses.

The project density is consistent with the neighboring residential development.

RECOMMENDATIONS

Staff recommends that the Columbia Falls City County Planning Board adopt this staff report for four residential units on a single tract as findings-of-fact and send a recommendation for approval to the Columbia Falls City Council with the following conditions:

1. The applicant shall develop the project as proposed, except as modified by these Conditions.
2. The applicant shall pave all parking areas and driveways.
3. The applicant shall provide an engineered drainage plans to address on site storm water disposal for the new impervious surface. This plan will need to be accepted by the City prior to issuance of a building permit.
4. The applicant shall either store individual refuse containers indoors or shall fully enclose with a sight obscuring fence materials the shared garbage container.
5. All sewer and water hookups shall be built according to plans and specifications approved by the City of Columbia Falls and meeting the City Standards for Public Works Improvements and the Montana Public Works Standard Specifications.
6. All conditions provided above and all improvements necessary for the operation of an apartment complex must be in place prior to the occupancy of the complex. Any elements such as landscaping not finished prior to the issuance of an occupancy permit, may be bonded for with signed improvements agreement approved by the City Manager for an amount not less than 125% of the cost of the remaining improvement.
7. The applicant shall remove the asphalt as indicated on the landscape plan and replace with grass and/or other groundcover and landscaping.
8. Signage shall comply with Section 18.438.080 of the Columbia Falls Zoning Regulations and all of the existing signage advertising the Stop and Shop shall be removed
9. A \$1,000 payment for the single parcel will be made to the City of Columbia Falls prior to the issuance of a Certificate of Occupancy for improvements specifically to Columbus Park or the baseball park just west of the project.
10. The applicant shall landscape the property in accordance with a plan approved by the City Planning Staff/City Manager.
11. The Conditional Use Permit shall terminate 18 months from the date of issuance if commencement of the authorized activity has not begun.



Planning Department

130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391
FAX (406) 892-4413

APPLICATION FOR CONDITIONAL USE PERMIT

FILING FEE ATTACHED \$ _____

PROPOSED USE: 3 plex and detached
Apartment

(Describe in detail, indicate if continued to attached pages)

OWNER(S) OF RECORD:

Name: Patrick W Rose

Mailing Address: 633 1/2 8th AVE E.N.

City/State/Zip: Columbia Falls, MT 59912 Phone: 406-471-7271

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: Patrick W Rose

Mailing Address: 673 1/2 8th AVE E.N.

City/State/Zip: Columbia Falls, MT 59912 Phone: 406-471-7271

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street Address 673 1/2 8th AVE E.N. Tract B-EX R/W
Block _____ Lot _____

Subdivision Name Crescent AMD

Section 09 Township 30 Range 20

The Applicant is responsible for providing sufficiently complete information (see 18.210.090). Attached is the *Required Criteria for Conditional Use Application* the Planning Board and Council must use to create a "Finding of Fact" in making a decision. Please review the Criteria carefully before providing the following information and documents.

18.210.090 Burden of proof.

The burden of proof for satisfying the aforementioned criteria shall rest with the applicant and not the planning board. The granting of a conditional use permit rests in the discretion of the city council as to whether or not the proposal conforms to the criteria and requirements set forth in Chapter 18.210.080

1. Zoning District and Zoning Classification in which use is proposed: CRA 1

2. Attach a plan of the affected lot which identifies the following items:

- Surrounding land uses.
- Dimensions and shape of lot.
- Topographic features of lot.
- Size(s) and location(s) of existing buildings.

Required Criteria for Conditional Use Application

18.210.080 Criteria required for consideration of a conditional use permit.

A conditional use permit may be granted only if the proposal, as submitted, conforms to all of the following general conditional use permit criteria, as well as to all other applicable criteria that may be requested.

- A. Site Suitability. That the site is suitable for the use. This includes:
 - 1. Adequate usable space,
 - 2. Adequate access, and
 - 3. Absence of environmental constraints.
- B. Appropriateness of Design. The site plan for the proposed use will provide the most convenient and functional use of the lot. Consideration of design should include:
 - 1. Parking scheme,
 - 2. Traffic circulation,
 - 3. Open space,
 - 4. Fencing/screening,
 - 5. Landscaping, and
 - 6. Signage.
- C. Availability of Public Services and Facilities. The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:
 - 1. Sewer,
 - 2. Water,
 - 3. Storm water drainage,
 - 4. Fire protection,
 - 5. Police protection, and
 - 6. Streets.
- D. Use will not be detrimental to abutting properties in particular and the neighborhood in general. Typical negative impacts which extend beyond the proposed site include, but are not limited to:
 - 1. Excessive traffic generation,
 - 2. Noise or vibration,
 - 3. Dust, glare, or heat,
 - 4. Smoke, fumes, gas, or odors, and
 - 5. Inappropriate hours of operation
 - 6. Economic impacts if the building is a large building with a minimum floor area of 60,000 square feet.

Eric H. Mulcahy

From: BRAD BUTLER <BRADBO_1@hotmail.com>
Sent: Tuesday, July 05, 2016 2:55 PM
To: Eric Sands
Subject: Rose project

36,264 sq ft lot size

3,541 sq ft new remodel

2,512 sq ft existing

Brad Butler

Brad's Design and Drafting
213 7th Ave West
Kalispell, Mt 59901

406.261.7834

CRESCENT

SEC. 9, T. 30N, R. 20W, P. M.M.,
FLATHEAD COUNTY, MONTANA

TRACT B

RAILROAD AVENUE
N65°14'00"E
230.84'

S00°04'00"W
198.00'

S00°02'00"W
126.28'

9'X18' PARKING SPACE (TYP)

1
19.016'

2

3

4
21.319'

5

20.667'

29.052'

S89°58'00"E
149.05'

N65°14'00"E
67.76'

24.932'

26.575'

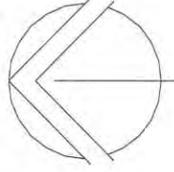
EXISTING

46.37'

EXISTING

67.764'

NORTH



SCALE
0' 5' 10' 20' 40'

9 10

9 10

EXISTING

NEW

EXISTING



SITE PLAN

1
9831

SITE PLAN
S0.1

DATE 21 JUN 16

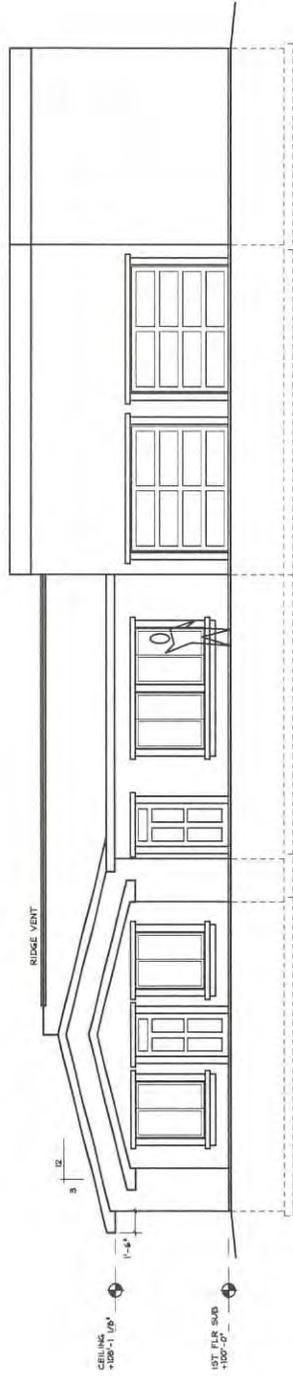
SCALE AS NOTED

REVISIONS
1 JUN 16
21 JUN 16

NO
ON
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CM

BRAD BUTLER
312.7TH AVE WEST
KALISPELL, MT.
www.bradbutler.com
C. 408.261.7834

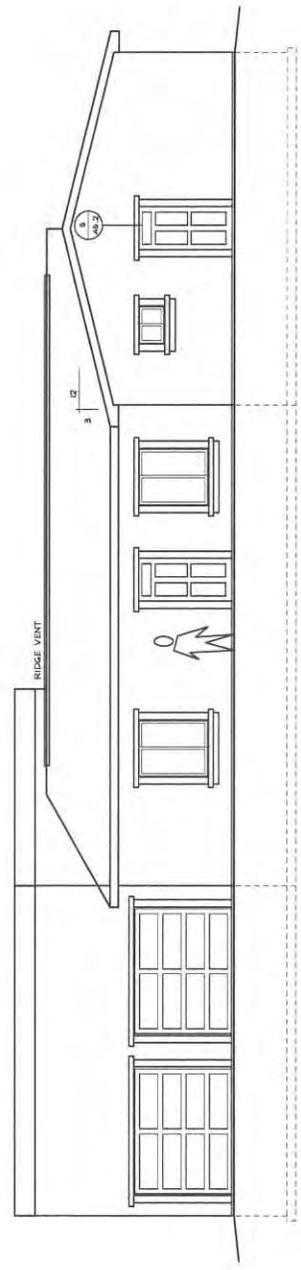




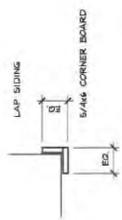
1
FRONT ELEVATION
 SCALE 3/4"=1'-0"

NO
ON
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DATE 31 MAY 16
 SCALE AS NOTED
 REVISIONS 31 MAY 16
 ELEVATIONS
A5.1



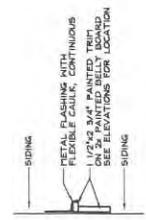
2
BACK ELEVATION
 SCALE 3/4"=1'-0"



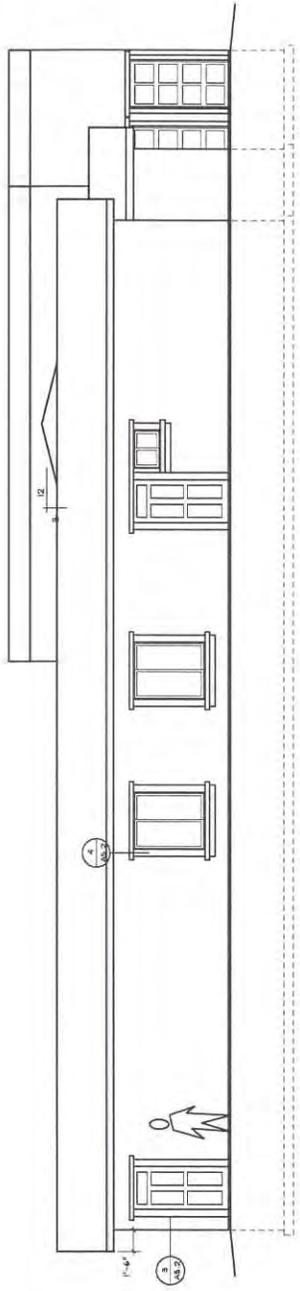
3 CORNER BOARD DETAIL
 SCALE: 1/4" = 1'-0"



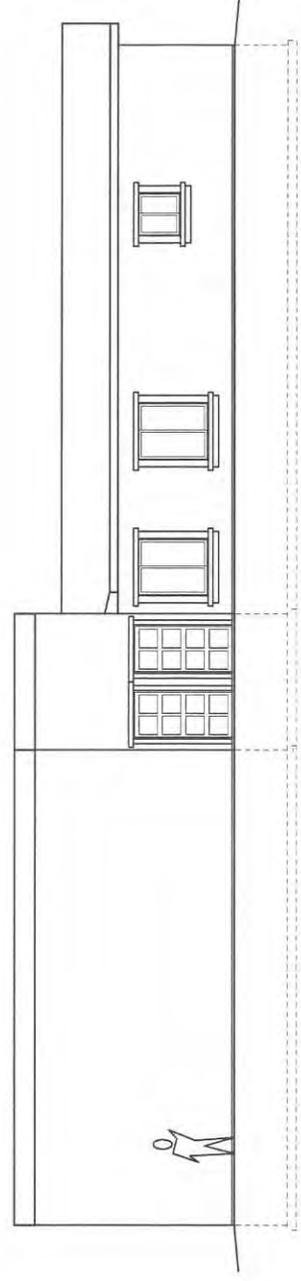
4 WINDOW TRIM DETAIL
 SCALE: 1/4" = 1'-0"



5 BAND DETAIL
 SCALE: 1/4" = 1'-0"



1 LEFT ELEVATION
 SCALE: 1/4" = 1'-0"

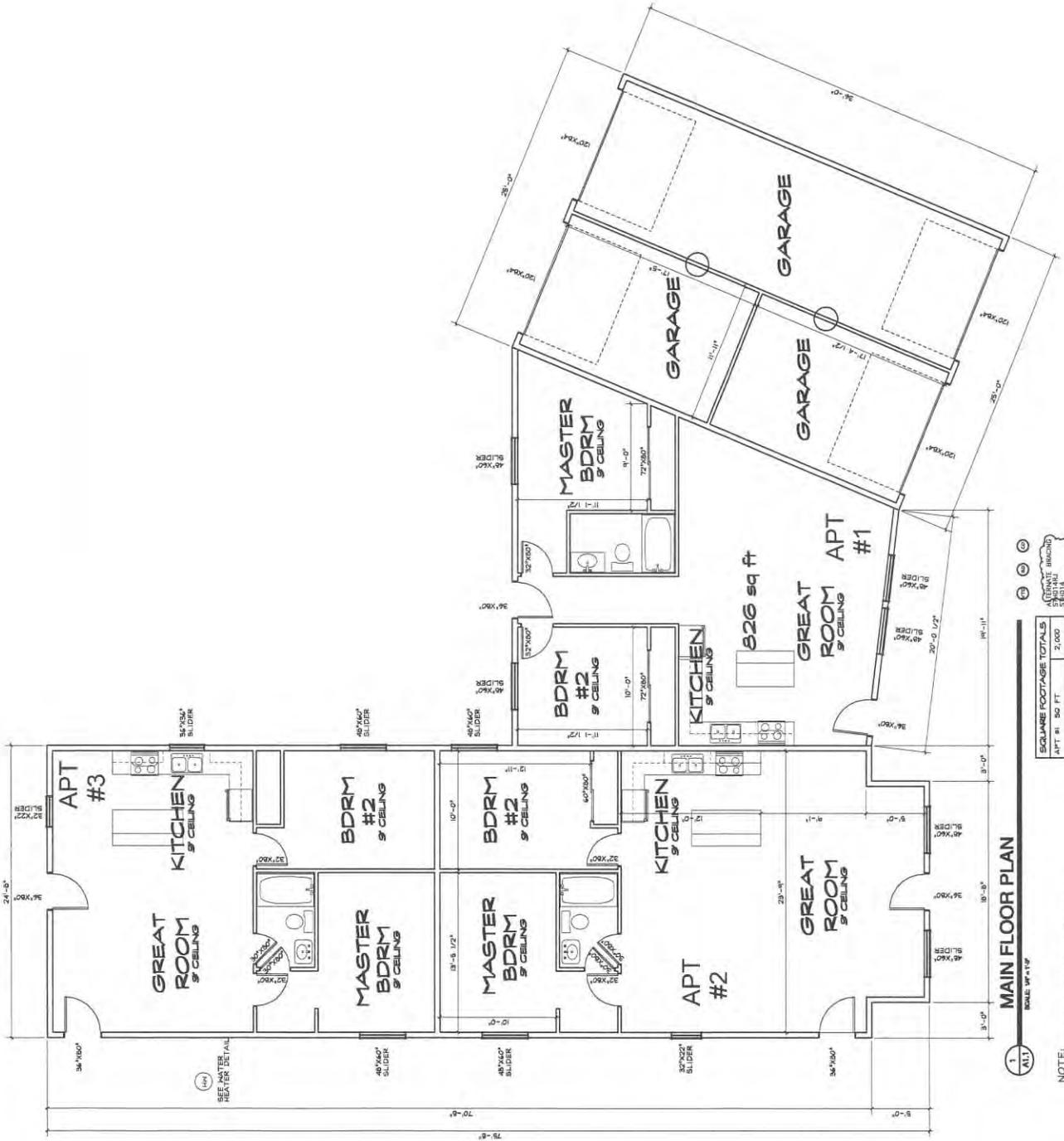


2 RIGHT ELEVATION
 SCALE: 1/4" = 1'-0"

**NO
 DIMENSIONS**

DATE: 31 MAY 16
 SCALE: AS NOTED
 REVISIONS:
 31 MAY 16

ELEVATIONS
A5.2



SQUARE FOOTAGE TOTALS

APT #1	50 FT	2,000
APT #2	50 FT	2,000
APT #3	50 FT	2,000
TOTAL	150 FT	6,000

MAIN FLOOR PLAN
 SCALE: 1/8" = 1'-0"

NOTE: DETECTORS TO BE HARDWIRED WITH A BATTERY BACKUP. DETECTORS TO BE LOCATED IN ALL AREAS INCLUDING SLEEPING AREAS, AND THE AREA GIVING ACCESS TO ALL ENTRANCES.

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on August 1, 2016 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, for the following purposes:

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2016 and ending June 30, 2017. This hearing will be continued until final adoption of the budget.

Special Assessments

Consideration of the adoption of the Street Lighting District and Street Maintenance District assessments for FY2016/2017. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2016/2017. Special Assessments are estimated as follows:

Street Lighting District	\$ 40,000
Street Maintenance District	\$301,000

Individual property payment schedules are available for inspection ten (10) days from this notice, in the office of the City Clerk, 130 6th Street West, Columbia Falls, Montana, during regular hours Monday through Friday, 8:00 AM to 5:00 PM.

Permissive Medical Levy

Consideration of adoption on the proposed tax levy to fund health insurance premium contributions for group benefits beyond the amount of contributions in effect on June 30, 1999. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. Written comments may be mailed to the City Clerk, 130 6th Street West, Room A, Columbia Falls, Montana, 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

DATED THIS 18th DAY OF JULY, 2016

s/Barb Staaland, City Clerk

Publish: Wednesday July 20th and Wednesday July 27th

RESOLUTION NO. 1728

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING THE SALE OF LOT FOUR OF CEDAR CREEK NORTH SUBDIVISION, FLATHEAD COUNTY, MONTANA.

WHEREAS, the City of Columbia Falls has reviewed a (Land) Buy-Sell Agreement dated July 26, 2016, for the sale of the following described real property to Dinnie Blair:

Lot Four (4) of Cedar Creek North Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One: That Susan Nicosia, the City Manager, is hereby authorized to execute any and all documents necessary to effectuate the sale of said real property to Dinnie Blair.

Section Two: That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 1ST DAY OF AUGUST, 2016, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 1st DAY OF AUGUST 2016.

Mayor

ATTEST:

City Clerk

ORDINANCE NO.764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM CSAG-10 SUBURBAN AGRICULTURAL TO CR-1 SUBURBAN RESIDENTIAL FOR CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT, DESCRIBED AS LOT 1 OF SUBDIVISION #193 LOCATED IN SECTION 20, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED AS 3985 COLUMBIA FALLS STAGE ROAD.

WHEREAS, William T. Giddeon, the purported owner of the real property, has requested a zone change from CSAG-10 Suburban Agriculture to CR-1 Suburban Residential for the property described as Lot 1 of Subdivision #193, according to the plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana;

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on June 14, 2016, and the Commission recommended approval of said change in zoning classification; and

WHEREAS, said zone change request was considered by the Columbia Falls Planning Office in Report #CZC-16-01, dated May 27, 2016, wherein it was recommended that said request be approved; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, July 18, 2016, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning change is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-16-01, dated May 27, 2016, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the zoning classification is hereby changed from CSAG-10 Suburban Agricultural to CR-1 Suburban Residential for certain real property more particularly described as Lot 1 of Subdivision #193, located in Section 20, T30N, R20W, P.M.M., Flathead County.

Section Three. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Four. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Five. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 1st DAY OF AUGUST, 2016, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 1st DAY OF
AUGUST, 2016.

Mayor

ATTEST:

City Clerk

ORDINANCE NO.765

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM CB-2 (GENERAL BUSINESS) AND CR-4 (URBAN RESIDENTIAL) TO CRA-1 RESIDENTIAL APARTMENT FOR CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT, DESCRIBED AS TRACT B OF THE CRESCENT AMENDED PLAT EXCLUDING MDOT RIGHT-OF-WAY AND ASSESSORS TRACTS 1A AND 1AD ALL LOCATED IN SECTION 9, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED AS 673 8TH AVENUE E.N. AND 810 RAILROAD STREET, COLUMBIA FALLS.

WHEREAS, Patrick W. Rose, the purported owner of the real property, has requested a zone change from CB-2 General Business to CRA-1 Residential Apartment for the property described as Tract B of the Crescent Amended Plat Excluding MDOT right-of-way, according to the plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana, more particularly described as 673 8th Ave E.N., Columbia Falls, MT;

WHEREAS, Salvador Maldonado, the purported owner of the real property, has requested a zone change from CR-4 Urban Residential to CRA-1 Residential Apartment for the property described as Assessors Tracts 1A and 1AD, Section 9, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, more particularly described as 810 Railroad Street, Columbia Falls, MT;

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on July 12, 2016, and the Commission recommended approval of said change in zoning classification; and

WHEREAS, said zone change request was considered by the Columbia Falls Planning Office in Report #CZC-16-02, dated June 30, 2016, wherein it was recommended that said request be approved; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, August 1, 2016, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning change is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-16-02, dated June 30, 2016, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the zoning classification is hereby changed from CB-2 General Business and CR-4 Urban Residential to CRA-1 Residential Apartment for certain real property more particularly described as Tract B of the Crescent Amended Plat Excluding MDOT right-of-way, according to the plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana, more particularly described as 673 8th Ave E.N., Columbia Falls, MT and property described as Assessors Tracts 1A and 1AD, Section 9, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, more particularly described as 810 Railroad Street, Columbia Falls, MT;

Section Three. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING

Section Four. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Five. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF AUGUST, 2016, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS _____ DAY OF AUGUST, 2016.

Mayor

ATTEST:

City Clerk

Return to
City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

RESOLUTION NO. 1729

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT BY PATRICK W. ROSE TO CONVERT THE FORMER CONVENIENCE STORE AND GAS STATION INTO A THREE PLEX APARTMENT AND MAINTAIN THE EXISTING MANAGERS UNIT ON TRACT B OF THE CRESCENT AMENDED PLAT EXCLUDING MDOT RIGHT-OF-WAY IN SECTION 9, TOWNSHIP 20 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY.

WHEREAS, an Application been filed with the City by Patrick W. Rose requesting permission to convert the former convenience store and gas station property into a three plex apartment and maintain the existing managers unit to remain as the fourth residential unit on the property;

WHEREAS, the property is currently zoned CB-2 General Business but the applicant has also applied for a zone change to CRA-1 Residential Apartment which would allow, with conditional use, the proposed apartment complex;

WHEREAS, multi-family dwellings are a conditional use pursuant to 18.332.030 in the Columbia Falls Municipal Code;

WHEREAS, said requested conditional use permit was considered by the Columbia Falls City-County Planning Board at its regular meeting on July 12, 2016, and said Board recommended granting the proposed conditional use permit, with certain conditions; and

WHEREAS, said conditional use permit was considered by the City Council of the City of Columbia Falls, Montana, at a public hearing held during the Council's regularly scheduled meeting on Monday, August 1, 2016, pursuant to public notice as required by law, and all comments filed or voiced concerning said requested conditional use permit having been considered by the City Council, along with the recommendation of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact. That the City Council specifically finds that the conditions set forth in Section 18.332.030 of the Columbia Falls Municipal Code are accurately evaluated as set forth in Conditional Use Report #CCU-16-01 of the Columbia Falls Planning Office, and the City Council hereby adopts said report as findings of fact in support of the requested conditional use permit.

Section Two. Permit Approved. That based upon the findings of Section One of this Resolution, the Application by Patrick W. Rose to convert the former convenience store and Gas Station into a three plex apartment and maintain the existing managers unit on Tract B of the Crescent Amended Plat excluding MDOT right-of-way in Section 9, Township 20 North, Range 20 West, P.M.M., Flathead County, is hereby approved.

Section Three. Conditional Use Permit. That the conditional use permit is approved, specifically contingent upon the conditions set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Section Four. Effective Date. That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 1st DAY OF AUGUST, 2016, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

CITY CLERK

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 1st DAY OF AUGUST, 2016.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A"

1. The applicant shall develop the project as proposed, except as modified by these Conditions.
2. The applicant shall pave all parking areas and driveways.
3. The applicant shall provide an engineered drainage plans to address on site storm water disposal for the new impervious surface. This plan will need to be accepted by the City prior to issuance of a building permit.
4. The applicant shall either store individual refuse containers indoors or shall fully enclose with a sight obscuring fence materials the shared garbage container.
5. All sewer and water hookups shall be built according to plans and specifications approved by the City of Columbia Falls and meeting the City Standards for Public Works Improvements and the Montana Public Works Standard Specifications.
6. All conditions provided above and all improvements necessary for the operation of an apartment complex must be in place prior to the occupancy of the complex. Any elements such as landscaping not finished prior to the issuance of an occupancy permit, may be bonded for with signed improvements agreement approved by the City Manager for an amount not less than 125% of the cost of the remaining improvement.
7. The applicant shall remove the asphalt as indicated on the landscape plan and replace with grass and/or other groundcover and landscaping.
8. Signage shall comply with Section 18.438.080 of the Columbia Falls Zoning Regulations and all of the existing signage advertising the Stop and Shop shall be removed
9. A \$1,000 payment for the single parcel will be made to the City of Columbia Falls prior to the issuance of a Certificate of Occupancy for improvements specifically to Columbus Park or the baseball park just west of the project.
10. The applicant shall landscape the property in accordance with a plan approved by the City Planning Staff/City Manager.
11. The Conditional Use Permit shall terminate 18 months from the date of issuance if commencement of the authorized activity has not begun.

July 29, 2016

To: Mayor & Council

From: City Manager Nicosia

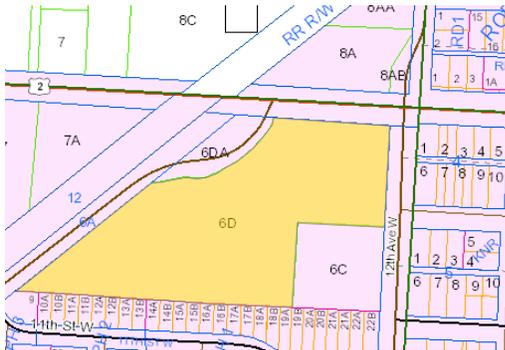
RE: Manager's Update

1. Floodplain Permit to be revised – The City recently applied for and received a floodplain development permit pursuant to City and state requirement to allow 500 cubic yards of clean fill on Lots 6 – 10, Block 48, Columbia Falls Original. Unfortunately, the original permit request had a typo, changing the needed 5,000 cubic yards to 500 cubic yards. To comply with the requirements, the City must send out new notices and issue a new permit.
2. The consent agenda includes the Interlocal Agreement with the City of Whitefish for Police Administrative Services. Whitefish has graciously provided the City of Columbia Falls with administrative support by their Asst. Chief, Mike Ferda. Mr. Ferda will attend the Monday, August 1st council meeting so he can be formally introduced to the Council. Mr. Ferda is working with Sergeant Murphy and me on all department administrative matters. This interlocal will work very well for the City. The Police Chief position advertisement has gone out and we will be accepting applications through the month of August.
3. The new playground equipment installs are taking place and should be completed in the near future. The new play structure at Horine Park was completed on Tuesday of this week:



The Pinewood structure will be installed as soon as possible as well as the parent/tot swings. The new “merry go round” was installed at Marantette and is already getting considerable use. The water fountain at Claire Park was recently vandalized, broken completely off the wall mount. We are taking advantage of the fountain replacement by replacing the broken fountain with a fountain that can be used by people and dogs. The fountain at Horine Park, also in need of upgrade, will be replaced by people/dog fountain.

4. Monday will include the preliminary budget hearings – riveting power point with graphs (for Councilman Karper). I anticipate public comment on Street Maintenance Assessment from Steve Duffy, on behalf of the Catholic Church. During the Public Works committee meeting, we discussed the request by Mr. Duffy for a waiver/break in fee along with the overall street maintenance and the recommendation was to leave the current system in place and funding at the same level. Currently, the only adjustment to the square footage assessment is the adjustment for a single family residence on a lot larger than half-acre in size. As properties have been subdivided and developed, the numbers of residentially zoned parcels qualifying for the reduction have been greatly reduced. The City Attorney has reminded the City that any waiver/fee reduction must be evenly applied to all similar tax payers. There are over 75 exempt properties, not counting city properties, with an “E” in the assessor number. As the state may or may not assign an exempt property with an “E,” that may not include all tax exempt properties in the City. Of those designated with an “E,” 16 are in the name of a church. The 2015-16 FY square footage rate was \$0.00767/sq. foot with the city-wide assessment at \$301,000, billed to



2,208 property owners. The Catholic Church owns a large parcel of property, just less than 6 acres, on which they were assessed \$1,982.26 for street maintenance.

5. Heritage Days – we worked with MDOT to slow traffic down on Hwy 2 East – much longer 25 MPH zone. The city also purchased “event ahead” signs to work with MDOT on our larger community events. See you out and about this weekend. The car show and American Legion dinner both doubled in size on Weds. Night.

**CITY OF COLUMBIA FALLS
CORRESPONDENCE LIST
COUNCIL MEETING
August 1, 2016**

Regular Correspondence:

07/26/16 Letter from Montana Department of Commerce-2014 Annual Rental Certification
07/21/16 Board of Agenda for Flathead Solid Waste District