

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD DECEMBER 5, 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 Staaland, City Attorney Breck and Police Chief Peters.

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 Lovering, and the motion carried unanimously.

**AGENDA  
APPROVAL**

**CONSENT AGENDA:**

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

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims - \$ 147,072.97 - December 5, 2016
- B. Approval of Payroll Claims - \$ 86,847.28 - December 3, 2016 Payroll
- C. Approval of Regular Meeting Minutes - November 21, 2016
- D. Approval of Vacation of Detective Position
- E. Approval of Encroachment Easement - Lot 3, Block 22 - Beebe Family Trust

**VISITOR/PUBLIC COMMENT:** (Items not on the agenda)

None.

**VISITOR/PUBLIC  
COMMENT**

**APPOINTMENTS:**

A. Planning Board/Zoning Commission - 2 year terms ending December 31, 2018: Mike Shepard and Steve Hughes  
Nicosia reported that both city members whose terms expire December 31, 2016, Mike Shepard and Steve Hughes, have agreed to be reappointed.

**APPOINTMENTS  
Planning/Zoning  
Board**

Councilman Piper motioned to approve Mike Shepard and Steve Hughes to a two year term on the Planning Board/Zoning Commission, second by Councilman Lovering. Motion carried.

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**PUBLIC HEARINGS/NOTICES:**

**A. Notice of Public Hearing:**

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, December 13, 2016 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 December 19, 2016 starting at 7:00 p.m. in the same location.

**NOTICE OF  
PUBLIC HEARING-  
Brunz Zone Change**

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

William A. Brunz and Andrea R. Brunz, applicants, are requesting to amend the zoning district map on a portion of property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 11.87 acres of land that is currently zoned CR-3 (One-Family Residential) with a minimum lot size of 9,600 square feet. The applicants propose to change the zoning to CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. The property is located on Rogers Road approximately 400 feet west of Highway 206 and is described as Tract 4 of COS 20092 in Section 16, T30N, R20W, P.M.M. in Columbia Falls.

**Notice of Public Hearing:**

The Columbia Falls City Council will hold a public hearing for the purpose of declaring their intent to create SID 38, Riverwood Subdivision water and sewer services and roadway reconstruction, Monday, December 19, 2016 at 7:00 p.m. The hearing will be held in the Council Chambers, City Hall, 130 6<sup>th</sup> ST. West, Columbia Falls, MT.

**NOTICE OF  
PUBLIC HEARING-  
SID 38 Riverwood**

The SID 38 Riverwood Subdivision details are available for review at the office of the City Clerk, City of Columbia Falls 130 6<sup>th</sup> Street West, Columbia Falls, MT.

**UNFINISHED BUSINESS**

None.

**UNFINISHED  
BUSINESS**

**NEW BUSINESS:**

A. Declare designated personal property surplus, obsolete and no longer suitable for City purposes.  
City Manager Nicosia asked Council to declare the 2009 and 2011 Crown Victoria police vehicles as obsolete and no longer suitable for city purposes. Nicosia noted that pursuant to state statute, the intent to dispose of the vehicles will be provided to the public with a minimum of 15 days' notice after which the items will be sold in the most efficient manner

**NEW BUSINESS-  
Dispose of surplus  
property**

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possible.

Mayor Barnhart asked if the vehicles are operable. Nicosia said yes. Councilman Lovering made a motion to declare the vehicles as surplus property, second by Councilman Fisher and the motion carried.

**ORDINANCES/RESOLUTIONS:**

A. Resolution #1743 -A Resolution of the City Council of the City of Columbia Falls, Montana, Approving the Sale of Lot Three of Cedar Creek North Subdivision, Flathead County, Montana.

City Manager Nicosia said the City has received a cash offer of \$85,000 for Lot 3 Cedar Creek North. Nicosia recommended acceptance of the offer. This is the last remaining lot for the Cedar Creek subdivisions. The closing date is scheduled for Dec 19, 2016

**ORDINANCE  
#1743-Sale of lot 3  
of Cedar Creek  
North Subdivision**

Councilman Shepard motioned to approve Resolution #1743, second by Councilman Piper with Council voting as follows. AYES: Fisher, Lovering, Petersen, Piper, Shepard and Barnhart. NOES: None. ABSENT: Karper.

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

Councilman Petersen wants to revisit the intersection of Nucleus and the highway before the next busy tourist season. Petersen said he would like to start planning the intersection and he would like to see permits ready to go to avoid any delays, noting that Manager Nicosia is working with MT DOT. While visiting Estherville, he noticed the downtown area had 3-4 blocks of buildings with lights along the roof lines similar to O'Briens and the Bandit. He got information from the City about the lights, reporting that the businesses paid for the lighting and the City pays for the maintenance. Mayor Barnhart said he would make a recommendation to get an uptown merchant group. Petersen said he would talk to the business owners to get something organized.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

Shepard said the Night of Lights Parade was well attended. People are talking about paving the North Fork Road in the newspaper. Shepard noted that paving would be good for traffic in our uptown area and would like to see it on the council's short term goals.

Mayor Barnhart noted that he would like to attend the next Parks Committee meeting. He noted that Columbus Park could be a really nice park with a pavilion and signage to include a photo of the old school. Pinewood Park has a lot of potential as well as the Shay engine park. Mayor Barnhart would like to explore putting projects out to the public to volunteer for some of these projects to benefit the city. Barnhart noted that the backstop at Fenholt park still needs to be replaced or repaired.

**REPORTS/BUSINESS FROM CITY ATTORNEY:**

None.

**REPORT FROM  
CITY ATTORNEY**

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**CITY MANAGER:**

Nicosia, City Attorney Breck and Police Chief Peters updated Council on Marsy's Law implementation and the reasons behind the City supporting a Supreme Court Opinion on establishing a July 1, effective date. They reported there is some difficulty in implementing the law due to both broad and vague language in the initiative. Mayor Barnhart asked if the implementation of this law increases City Court Costs. Nicosia said that the victim notification requirements will increase city responsibilities and will impact the Police Department or Court, noting that procedures have not yet been identified and implemented. Chief Peters echoed the sentiment of Nicosia and Breck and added that there may be a chance we can't locate a victim as defined by Marsy's Law.

Nicosia provided Council with the Top 10 City Taxpayers for the 2016-17 Fiscal Year. The numbers in the chart are only the city taxes and not the total tax bill. Nicosia reported that while reviewing the tax bills, it is evident that some newer builders, both commercial and residential have not been added to the tax values.

The Flathead County Bridge Department is working with their insurer and RPA to come up with a permanent solution to the vandalism and graffiti at the Red Bridge. They have cleaned up the site again but it is always short-lived. With the development of Red Bridge Park, the bridge abutment is visible from 3<sup>rd</sup> Ave East but it has not prevented graffiti. Nicosia would like to work with the school to assist with preventing vandalism at the location. Chief Peters said if it is better lit, it may prevent vandalism.

Nicosia also reported that Flathead County Parks may be proposing a change in the Recreational Program agreement that has been in place for the last 20 years, providing youth and adult recreational opportunities.

Bell Ringing December 15, 2016 for the Salvation Army. Mayor said remind you friends and family of the challenge.

**INFORMATIONAL CORRESPONDENCE** - List available for Review

**ADJOURN:** Upon motion duly made by Councilman Lovering and seconded by Councilman Shepard the meeting adjourned at 7:55 p.m.

**CITY MANAGER  
REPORT**

**CORRESPONDEN  
CE**

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: December 19, 2016