

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD FEBRUARY 21, 2017**

Regular Meeting - Transact Routine Business

Mayor Barnhart called the meeting to order at 7:00 p.m. with roll call as follows:

PRESENT: Mayor Barnhart
COUNCIL: Karper, Petersen, Shepard, Fisher, Lovering and Piper
ABSENT: None

ROLL CALL

Also present were City Manager Nicosia, City Clerk Staland, Police Chief Peters and Fire Chief Hagen.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

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

**AGENDA
APPROVAL**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$114,561.74 - February 21, 2017
- B. Approval of Payroll Claims - \$93,642.39 - February 10, 2017 Payroll
- C. Approval of Regular Meeting Minutes - February 7, 2017
- D. Approve Right-of-Way Agreement, Roger F. and Virginia R. Elliott, 1832 Riverwood Drive and authorize City Manager to sign.
- E. Approve Right-of-Way Agreement, McIntire & Young, LLC, Lot 1 of the O'Neil Subdivision and authorize City Manager to sign.
- F. Approve 2017 Urban and Community Forestry Subaward Agreement, USDA FS Grant # 15-DG-11010000-008, CFDA # 10.664 and authorize City Manager to sign.
- G. Approve updated Job Description, Police Department Office Assistant

VISITORS/PUBLIC COMMENT:

None.

**VISITOR/PUBLIC
COMMENT**

APPOINTMENTS/EMPLOYEE RECOGNITION:

A. Approve appointment of Probationary Firefighter Cooper Lee
Fire Chief Hagen said Mr. Lee moved to Columbia Falls about

**APPOINTMENTS-
Firefighter Lee**

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six months ago. Mr. Lee has attended department trainings and has shown significant interest in being a Volunteer Firefighter. Fire Chief Hagen recommends approval from Council for Cooper Lee as Probationary Volunteer Firefighter.

Councilman Shepard motioned to approve Cooper Lee as Probationary Volunteer Firefighter, second by Councilman Piper and the motion carried. City Clerk Staland administered Oath of Office.

B. Present Michael Johnson, Patrolman, with 10 year service pin
Mayor Barnhart recognized Patrolman Michael Johnson on his 10 years of service to the City, followed by his 10 year pin presentation.

**EMPLOYEE
RECOGNITION-
Johnson 10 Years of
Service**

PUBLIC HEARINGS/NOTICES:

A. NOTICE OF HEARING, MARCH 6, 2017: Mayor Barnhart read the notice of hearing to be held March 6, 2017: The Columbia Falls City Council adopted Resolution # 1744 on December 19, 2016 after holding a public hearing on their Intention to Create Special Improvement District #38. Such resolution is on file with the City Clerk for the City of Columbia Falls and contains a description of the boundaries of the proposed district.

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

Special Improvement District (SID) #38 is created to install the necessary water and sewer mains and service lines to connect all of the properties to City water and sewer services, install water hydrants, and rebuild the street surface as engineered and pay the appropriate water and sewer plant investment fees.

The estimated costs of these improvements and plant investment fees are \$1.2 million with the SID 38 properties contributing a total of approximately \$340,000 or an equal per lot assessment of \$12,142/lot. If the number of benefited lots or parcels within the boundary of SID #38 increases during the term of the bonded indebtedness, the assessment per lot or parcel will be recalculated as provided in 7-12-4162(3)(b), MCA.

Property owners may protest the creation of SID #38 by writing to the City Clerk, 130 6th ST West, Room A, Columbia Falls, MT 59912 by 5 pm February 27, 2017. Each protest must be in writing, identify the property in the district owned by the protestor, and be signed by all the owners of the property. The Columbia Falls City Council will consider such written protests at their regularly scheduled meeting, to be held in Council Chambers at Columbia Falls City Hall at 7:00 pm, Monday, March 6, 2017.

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UNFINISHED BUSINESS

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

Approval of Right-of-Way and Utility Easement to the City of Columbia Falls, Roger F. and Virginia R. Elliott, 1832 Riverwood Drive, Columbia Falls, MT

**NEW BUSINESS-
Right of Way and
Utility Easement**

City Manager Nicosia said the Right of Way and Utility Easement for Mr. and Mrs. Elliott has been reviewed by the City Attorney and recommended approval.

Councilman Fisher motioned to approve the Right of Way and Utility Easement, second by Councilman Lovering with Council voting as follows. AYES: Shepard, Fisher, Karper, Lovering, Petersen, Piper and Barnhart. NOES: None. ABSENT: None.

Approval of Temporary Construction Permit to the City of Columbia Falls, McIntire & Young, LLC, 2050 9th Street West, Columbia Falls, MT

City Manager Nicosia said the temporary construction permit is for a temporary water line across the McIntire & Young property during the repair of the water main on Hwy 2. The repair of the 12 inch water main needs to be completed before the highway project is started. This permit approval will provide the temporary water line to Timber Creek Village.

Councilman Piper motioned to approve the Temporary Construction Permit, second by Councilman Karper. Mayor Barnhart asked what the estimated cost was; Nicosia replied \$250,000 and the City will seek damages.

AYES: Fisher, Karper, Lovering, Petersen, Piper, Shepard and Barnhart.

Consideration of Nighttime Work - MT DOT Hwy 2 project

City Manager Nicosia said the City received a request from MT DOT for the Highway 2 project. MT DOT has requested the availability of nighttime hours for the work to be completed around high volume traffic. Nicosia said the City currently uses the construction hours of 6 a.m. to 6 p.m. MT DOT has scheduled the start of construction in late July or early August. Nicosia said the council could allow a specific time or types of work, such as demolition, during the evening hours. MT DOT suggested 6 a.m. to 10 p.m. After extensive Council discussion, work hours are suggested between 6:00 a.m. to 10:00 p.m.

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Councilman Fisher motioned for MT DOT to do Highway 2 construction between the hours of 6 a.m. and 10 p.m., second by Councilman Petersen and the motion carried.

ORDINANCES/RESOLUTIONS:

None.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Shepard said he and City Manager Nicosia have reviewed the recommendations from the Kalispell Council meeting on 911 Interlocal Agreement. Shepard believes the Board meeting time should be addressed in the bylaws by the Board and not in the Interlocal Agreement.

Councilman Lovering said 6th Street is a disaster behind Los Caporales and wondered if the street crew could cut off the snow bank by the corner in order to allow for two way traffic to avoid any accidents. Lovering asked if Council should be putting pressure on paving the North Fork Road to get people to take the alternate route during Highway 2 construction.

Mayor Barnhart noted that at the last meeting, Council voted to support Whitefish Council's amendment to the interlocal agreement to put in a funding vote deadline of November 2018. Mayor Barnhart asked if Council wants to consider approving the interlocal agreement without the deadline. Nicosia said all three cities are in agreement with a deadline. Nicosia said she asked Commissioner Mitchell to consider language the County would feel comfortable with approving. The subcommittee will be meeting to review the recommendations made by the four parties.

Mayor Barnhart asked Nicosia if the City has had an opportunity to discuss a sidewalk maintenance fee for snow clearing on Highway 2. Nicosia said she heard from one property owner following the newspaper article.

**REPORTS FROM
MAYOR AND
COUNCIL**

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

**REPORT FROM
CITY ATTORNEY**

CITY MANAGER REPORT:

The visit with Amy and Jason the TPL representatives, on Feb 14th went very well. They changed the process and now will not make the final decision until after visiting the communities. We will be notified by the end of the month if we are selected. Darin Fisher, Eric Mulcahy, Paul Travis (Flathead Land Trust) and Nicosia toured the city and surrounding area with them. They were very impressed with all that is going on in and around Columbia Falls.

After seeing a social media discussion about the City's water supply and possible connection to health risks, including cancer, Nicosia provided the 2015 city water testing information and noted that the 2016 water report will

**CITY MANAGER
REPORT**

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be out soon. The City routinely tests for contaminations as required by federal and state law and expanded testing last year to ensure no contamination from the CFAC site.

RPA received notice that DNRC was able to place the Riverwood Project SID sewer easement on the March Land Board agenda instead of April. That will keep the project on schedule without delay. Nicosia noted that on March 6th council will hold the 2nd required public hearing, this one considers any protests to creation and officially creates the SID pursuant to state statute.

INFORMATIONAL CORRESPONDENCE - List available for Review

CORRESPONDENCE

- A. Reports:
 - a. Finance - January
 - b. Police -January

ADJOURN: Upon motion duly made by Councilman Piper and seconded by Councilman Lovering the meeting adjourned at 8:21 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: March 6, 2017