

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 7, 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: Karper, Shepard, Fisher, Lovering and Piper
ABSENT: Petersen

ROLL CALL

Also present were City Manager Nicosia, City Clerk Staland, City Attorney Breck, Police Chief Perry and Public Works Director Jenkins.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

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

**AGENDA
APPROVAL**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$65,573.38 - March 7, 2016
- B. Approval of Payroll Claims - \$ 61,445.17 - February 26, 2016
- C. Approval of Regular Meeting Minutes - February 16, 2016

VISITOR/PUBLIC COMMENT:

None.

**VISITOR/PUBLIC
COMMENT**

EMPLOYEE RECOGNITION: Mayor Barnhart presented David Perry, Chief of Police with his 25 years of service pin and thanked him for his dedication to the City of Columbia Falls.

**EMPLOYEE
RECOGNITION**

PUBLIC HEARINGS/NOTICES:

A. Hearing - Adoption of International Swimming Pool and Spa Code (ISPSC) 2015 Edition

The Columbia Falls City Council will hold a public hearing for the purpose of amending Chapter 15.08 adding the adoption of the International Swimming Pool and Spa Code (ISPSC) 2015 edition, at their regular meeting, Monday, March 7, 2016 at 7:00 p.m. The hearing will be held in the Council Chambers, City Hall, 130 6th ST. West, Columbia Falls, MT.

**PUBLIC
HEARINGS-
Adoption of ISPSC**

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The Montana Department of Labor & Industry Building Codes Bureau gave notice that they adopted the International Swimming Pool and Spa Code (ISPSC) 2015 edition. As a certified city, the City of Columbia Falls must amend Chapter 15.08, Building Codes, to also adopt the ISPSC. Future editions of the ISPSC adopted by the Department of Labor & Industry will be adopted by the City under Administrative Order, as established by Ordinance 684 in 2007.

The proposed amendment is available for review at the office of the City Clerk, City of Columbia Falls 130 6th Street West, Columbia Falls, MT.

Written comments concerning this amendment may be addressed to the City Clerk at 130 6th Street West, Columbia Falls, MT 59912 or delivered in person to the City Council during the hearing.

City Manager Nicosia said in January 2016 the Department of Labor & Industry Building Codes Bureau gave notice they adopted the 2015 International ISPSC and the City would also need to adopt the code subject to provisions of administration order per City Ordinance #760. Fees will not be increased or be separate from the building permit fees. Mayor Barnhart asked if Whitefish increased their fees. Nicosia replied no, they did not.

With no public comment Mayor Barnhart opened and closed the public hearing at 7:05 p.m.

B. Hearing - Amending Chapter 12.40 Parks

The Columbia Falls City Council will hold a hearing for the purpose of amending Chapter 12.40 Parks to allow the city to amend the park rules allowing the consumption of alcohol at specially permitted events at designated City Parks and providing the specific permit requirements.

**PUBLIC
HEARING-
Amending Chapter
12.40 Parks Special
Use Permit**

City Manager Nicosia provided Council with the revised application for special use permit for City Parks. Staff is proposing to have River's Edge Park and Marantette Park designated to apply for an alcohol use permit.

Councilman Piper asked about the parking area at River's Edge Park. Nicosia said there is limited parking and the applicant would be required to show a parking plan. Mayor said we could open up the service road for parking during special events. Councilman Karper asked how the city will control how many people show up. Nicosia said it would have to be controlled by security. Chief Perry said on the application there is an authorized representative and he will ask how many people are going to be in attendance. Karper asked what happens if too many people show up, do we

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send people away. Nicosia said it would be capacity controlled similar to a building occupancy. City Attorney Breck said we could add two additional questions to the application 1. What is the estimate of attendance based on? 2. What contingency plan will be in place if attendance substantially exceeds estimates? City Attorney Breck said he is unaware of an event in the city exceeding capacity. Councilman Lovering asked about the neighbors in the areas near the parks. Chief Perry said we could put a 200 people limit per event. Mayor Barnhart said perhaps we need police patrolling.

Mayor Barnhart opened the public hearing at 7:34 p.m.

Chris Petersen said he would like to see the applicant be able to utilize the entire park for kids and parking, and the 10:00 p.m. closing time sounds reasonable.

With no further comments Mayor Barnhart closed the public hearing at 7:36 p.m.

Councilman Karper made a motion to amend the application in adding two additional questions. 1. What is the estimate of attendance based on? 2. What contingency plan will be in place if attendance substantially exceeds estimates? Second by Councilman Shepard and the motion carried.

Mayor Barnhart concurs with Chris Petersen in renting the entire park, and issue wrist bands to monitor attendees. Councilman Karper said he would not want the entire park dedicated to the party, due to others having access to the playground and pavilion. Councilman Fisher said he likes the idea and would like to see small groups be able to use the pavilion with alcohol available. Mayor said you would still be required to fence off the area, provide insurance and complete the application.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

A.6th St/Nucleus Ave. Intersection Review

Nicosia presented slides of 6th Street and Nucleus for possible parking modifications. Chief Perry said he and Public Works Director Jenkins, Street Lead Matt Cox and MDOT met at the location for review. Perry said the yellow strip goes back 25 feet and per state law only needs to be 20 feet. The survey showed 184 vehicles going through the intersection per day. Chief Perry said he checked into the LED lights and they are expensive. Nicosia suggested moving the yellow no parking line back 15 feet, and painting that

**UNFINISHED
BUSINESS**

**NEW BUSINESS-
6th Street and
Nucleus Ave
Intersection**

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section white and make it 10 minute parking. Mayor Barnhart said the attempt is to slow people down, the average speed is 22.72 per hour up Nucleus, and the speed limit is 25 MPH. Lovering said she uses the intersection daily and believes it is very unsafe.

Shepard said he thinks the newness has worn off at the North Fork Pizza and parking may not be the issue and believes speed could be. Mayor asked if we can replace the Crosswalk signs. Nicosia said MDOT said they would consider it. Shepard asked about the little caution men on the street and to have them removed in the winter months. Councilman Fisher does not see where the white line will help with the safety concerns.

Mayor said the proposal is to add 20 feet white line for 10 minute parking.

Councilman Karper made motion to back up the yellow line 15 feet and add a 20 foot white line designated for 10 minute parking, second by Councilman Fisher. Councilman Fisher said he doesn't feel that it particularly will do much good and does not see it as a solution to the problem. Councilman Lovering concurs with Fisher that it is not addressing the problem. Councilman Shepard agrees with Fisher and Lovering. Mayor Barnhart believes it is one piece to the solution.

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

Councilman Shepard asked if we could have a meeting with Dee Brown and MDOT. The traffic is going to get busier up main street and we need to find a permanent solution. Nicosia said stop signs need to meet criteria and we will provide the traffic reports to MDOT. Mayor would like to make sure the yellow areas are correctly painted to the correct distances, and have all cross walks painted so they are clearly visible. Councilman Shepard asked Chief Perry to enforce the crosswalk violations and speeding on Nucleus Avenue.

ORDINANCES/RESOLUTIONS:

A. SECOND AND FINAL READING - Ordinance 760 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Chapter 10 Section 39 Designated one-way streets in the Columbia Falls Municipal Code.

**ORDINANCE
#760-Designating
one way streets**

Councilman Shepard motioned to approve the final reading of Ordinance #760, second by councilman Lovering with Council voting as follows. AYES: Karper, Lovering, Piper, Shepard, Fisher and Barnhart. NOES: None. ABSENT: Petersen.

B. FIRST READING - Ordinance 761 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Chapter 15.08 Building Codes of the Columbia Falls Municipal Code.

**ORDINANCE #761
FIRST READING
ISPSC**

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City Manager said as discussed earlier this ordinance is to adopt the International Swimming and Pool Spa Code, 2015 edition as adopted by the Montana Department of Labor & Industry Building Codes Bureau.

Councilman Karper motioned to adopt the First Reading of Ordinance #761, second by Councilman Fisher and the motion carried.

C. FIRST READING - Ordinance 762 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Chapter 12.40 Parks of the Columbia Falls Municipal Code.

**ORDINANCE #762
FIRST READING
Special permit
application for park
use.**

Councilman Lovering motioned to approve the First Reading of Ordinance #762 to include the two added questions on the application, second by Councilman Shepard and the motion carried.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Mayor said the Shay Engine is rusting and would like to have it spray painted. Shepard said he talked with Tester and his comment is to not delay the process at CFAC. Shepard mentioned there is a corned beef and cabbage dinner at the Masonic Lodge for St. Patrick's Day.

**REPORTS FROM
MAYOR AND
COUNCIL**

Councilman Lovering commends the police department for their prompt response, as she had to use the 911 system to which the officers showed up immediately to resolve the issue. Lovering also wished the Girls Basketball Team good luck at the state tourney this week.

Mayor Barnhart said he and City Manager had an informational meeting with the head of Glencore and they talked to the EPA in Denver. They want to keep us in the loop and continue moving forward.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

**REPORT FROM
CITY ATTORNEY**

CITY MANAGER:

The right of way on 9th and Nucleus was given to us verbally but nothing on paper. City Attorney Breck sent a formal letter requesting the property to the City but MT DOT later said we couldn't, after looping through their Planning and Legal Department. Nicosia said anything the City does would have to get their permission. The intent is to create an entrance up Nucleus Avenue.

**CITY MANAGER
REPORT**

Proposed Council Schedule:

March 14, 2016 - Public safety committee meeting in the Public Works office at 6:30 p.m., reviewing Fire and Police departments. Piper, Barnhart and Lovering.

March 21, 2016 Regular Council Meeting

April 4, 2016 Regular Council Meeting cancelled due to Nicosia being out of

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the Country for spring break; council will still authorize claims.

April 12, 2016 Public Works Committee meeting, reviewing water, sewer and street departments.

April 18, 2016 Regular Council meeting

April 25, 2016 Council workshop reviewing general operations/fees not addressed previously planning, building, pool etc.

No March Planning Board meeting.

Nicosia reviewed the Red Bridge Park/river access grant request - The City is requesting \$20,800, \$1,000 from Trout Unlimited and \$3,000 from the City.

Nicosia also reviewed the proposed 911 Center funding options.

Nicosia also reported that the Backslope Brewing location SIA is still outstanding but will be completed and signed as soon as the necessary information is obtained.

INFORMATIONAL CORRESPONDENCE - List available for Review

CORRESPONDENCE

ADJOURN: Upon motion duly made by Councilman Fisher, seconded by Councilman Piper and the meeting adjourned at 8:50 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: March 21, 2016