

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 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, City Attorney Breck and Police Chief Peters.

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$ 47,166.49 - May 1, 2017
- B. Approval of Payroll Claims - \$ 59,887.17 - April 21, 2017 Payroll
- C. Approval of Regular Meeting Minutes - April 17, 2017
- D. Approval of PIF Agreement - Randy Jones - 6 Diane Road

VISITOR/PUBLIC COMMENT: (Items not on agenda)

None.

**VISITOR/PUBLIC
COMMENT**

APPOINTMENTS:

A. Re-Appoint Police Commissioner - Larry Wilson - 3 year term through April 2020.

City Manager Nicosia said Mr. Wilson indicated he is willing to serve another 3 year term as Police Commissioner and recommended reappointment.

**APPOINTMENT-
Larry Wilson,
Police
Commissioner**

Councilman Shepard motioned to re-appoint Larry Wilson to a 3 year term as Police Commissioner, second by Councilman Piper and the motion carried unanimously.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

PUBLIC HEARINGS/NOTICES:

A. PUBLIC HEARING - May 1, 2017: Mayor Barnhart read the notice and requested the staff report from City Manager Nicosia: Notice is hereby given to all persons that the City Council of the City of Columbia Falls, Montana, will hold a public hearing on snow removal alternatives on 9th Street West, also known as Highway 2, traveling east/west through the City. The MT Department of Transportation has proposed berming the snow to the middle of the roadway instead of placing the snow on the adjoining sidewalks, making them impassable in the winter. Alternatively, the City Council has discussed a special fee for the adjoining property owners that would provide funding to hire a contractor to clear the sidewalks on both sides of the roadway.

**PUBLIC
HEARINGS-Snow
Removal on Hwy 2
and sidewalks**

City Manager Nicosia said the City was approached by the Department of Transportation notifying us they are removing the light poles from the middle of the sidewalk and putting sidewalks on both sides of the highway as part of the Hwy 2 upgrade project this summer. The City began looking at alternatives to get the sidewalks clear of snow making them passable during the winter months. Currently, it takes special equipment to get the snow removed from the sidewalks as MDOT plows the snow from the multiple traffic lanes onto the sidewalks. Nicosia noted that the City has kept the school crossings open at Nucleus, 4th Ave. West, 6th Ave. West and 12th Ave. West utilizing manpower from the Water Department. After this heavy winter, the City Council discussed hiring a contractor and adding a fee to adjoining property owners for snow removal on the sidewalks in front of their property. Department of Transportation said they would berm the snow in the middle of the highway at an additional expense of approximately \$50,000 if the City would enforce the City's sidewalk ordinance on Hwy 2. Nicosia noted that the City has not enforced the sidewalk clearing ordinance along Hwy 2 as it is impossible to remove the snow, often hard-packed and piled 4' tall, without special equipment.

Mayor Barnhart opened the Public Hearing at 7:07 p.m.

Ray Negron, 511 4th Ave. W., said his concern is safety issues with berming snow into the turning lane. In comparison to Whitefish, their businesses do not have parking off the highway but in Columbia Falls we have the center turn lane to access businesses along the highway. Mr. Negron said in the winter months they have 3 hours of business which is little time to make money and blocking the center lane would prevent traffic from turning left into his espresso stand. He believes berming snow in the center lane will be cutting off access for those heading west that want to make a left hand turn.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

The turn lane runs through town, when someone wants to make a left turn they will back up traffic if the turning lane is full of snow. As far as walkers using the sidewalks and the fee that may go with clearing snow off the sidewalks, what if we clear our own sidewalks? Mr. Negron said he invested in a snowplow and keeps the sidewalk in front of his business clear of snow.

Laurie Panusuk, 330 9th Street W. said she agrees with Mr. Negron on the snow berm in the turning lane. Panusuk said there is a problem as her snow plow guy tries to get through the intersection a couple times in the morning and then the highway is plowed a couple times and puts snow where it had been plowed. Panusuk said she has two employees that walk to work and wouldn't mind paying a contractor fee if it is reasonable to clear the sidewalks as she recognizes it is a problem.

Chris Peterson, 926 Nucleus Ave., favors the idea of having a contractor remove the snow and pay the fee as we have nowhere to put the snow. Peterson believes berming the snow in the turning lane is not a great idea; perhaps if it's a temporary berm.

Steve Duffy, 1503 Eddy Court, Mr. Duffy believes the city has not done its due diligence on this item when discussing a fee or contract. Whitefish has a situation where they have street lights on intersections. Mr. Duffy would like to see Council do more homework on this before making a final decision.

Laurie Panusuk asked if the sidewalks are going to be widened 8 inches. City Manager Nicosia said they are not widening the sidewalk on the south side but the project will bring sidewalks into compliance with ADA requirements. The project includes a sidewalk on the North side of the highway where there are currently no sidewalks. The light poles will be moved back from the sidewalk, with the intent to provide better snow removal.

Mayor asked if there was written testimony received. City Clerk Staland reported that there were three written comments received: Colette & Peter Gross - in agreement with pooling resources to clear the sidewalk and berm the snow into the middle of the Hwy 2; Steve Marquesen - opposed to the berming due to safety issues; and Mike Strouse - opposed to berming, noted that Kalispell and Whitefish enforce snow removal on sidewalks.

Mayor Barnhart closed the Public Hearing at 7:18 p.m.

Police Chief Peters said he is concerned with the berming of snow in the turning lane. Chief Peters echoes the safety concerns here tonight, anytime a lane is taken out of the equation, the number of crashes will go up. Peters said he envisions the City being extremely busy responding to crashes should the

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

berm be in the turning lane. The emergency vehicles will have a hard time getting around which will also create a problem. Some vehicles try to plow through the berm now and sometimes they make it and other times not so lucky. Chief Peters said this terrifies him on a safety standpoint.

City Manager Nicosia said this is not an action item this evening. If Council was to proceed with an additional maintenance assessment, there would be considerable more research and information and then there would be an extensive hearing and resolution process. Nicosia clarified at this time City Council was obtaining public comment.

Councilman Fisher said the berm on Nucleus can get difficult to get through and the berm in the turning lane on the highway is a safety concern to him as well. Fisher said he would like to talk to other business owners to get their thoughts on potential contractor fees for clearing sidewalks. Fisher would like to get more information for future discussion.

Councilman Lovering said she is not in favor of berming snow in the turning lane.

Councilman Shepard said he agrees with Chief Peters that the berms are a problem with people getting stuck. Shepard asked about the street maintenance fees on the 9th St West properties. Nicosia said that all properties in the City limits pay street maintenance fees and that funding goes toward street maintenance and snow removal as permitted by statute.

Councilman Petersen asked if what MDOT is proposing is that if the light poles are moved to the back of the sidewalk, the blade could do a better job of removing the snow and the owners could more easily remove the snow from the sidewalk. Nicosia said that is the theory as proposed by MDOT.

Councilman Karper asked where this goes from here. Nicosia said the City communicates to MDOT that there was limited public support to berm in the center lane of the highway. Karper said he is not in favor of putting snow in the middle of the highway. Karper said in some places there is no place to put snow from the sidewalks. Nicosia said it would have to be hauled.

Mayor Barnhart stated that the City should ask MDOT to do a better job removing the snow from the sidewalks with the blade. Mayor Barnhart suggested giving it a year to see what happens with the light poles being moved back.

Councilman Piper believes with the light poles moved they will be able to do a better job. Piper said he is against berming in the center lane.

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

Ray Negron asked if the ADA requirements are in place during the winter months as well. Will the city be liable for not enforcing the snow removal?

B. NOTICE OF PUBLIC HEARING: MAY 15TH, 2017: Mayor Barnhart read the notice of hearing:

Beginning on May 15, 2017 during the 7:00 p.m. regular council meeting, the City Council of the City of Columbia Falls, shall conduct a series of public hearings and meetings for the purpose of obtaining public comment to determine the greatest community development needs (public facilities, economic development, and housing needs). The City will take public comment during the month of May and June in order to obtain the greatest public input. The intent of the needs assessment process is to provide the City with a list of potential projects or actions in the areas of housing, economic development and public infrastructure that could be pursued over a period of years in order to improve the community, particularly as those needs affect low and moderate income persons. Based on the results of the needs assessment, the City may apply for state or federal funding from the Montana Community Development Block Grant (CDBG) Program and other funding sources to deal with local housing, public facilities, or other community needs and would like comments or suggestions from local citizens regarding the City's needs and types of projects which should be considered.

**NOTICE OF
PUBLIC
HEARING-
Community
Development needs**

Interested persons may contact the City Manager at 406-892-4391 or 130 6th Street West, Columbia Falls, MT for more information about the hearing or to submit community needs suggestions. Comments may be given orally at the hearing or submitted in writing before 5 pm, Thursday, May 11, 2017.

The City of Columbia Falls makes reasonable accommodation for any known disability that may interfere with a person's ability to participate in this hearing. Persons needing an accommodation need to contact Barb Staalnd, City Clerk no later than Friday, May 12, 2017 to allow adequate time to make needed arrangements. Please contact Barb Staalnd at 892-4391 or write to 130 6th ST West, Room A, Columbia Falls, MT 59912 to make your request known.

C. NOTICE OF PUBLIC HEARING: MAY 15TH, 2017: Mayor Barnhart read the notice of hearing:

The Columbia Falls City Council will hold a public hearing for the purpose of amending Chapter 10.57, Stopping, Standing and Parking, provisions at their regular meeting, Monday, May 15, 2017 at 7:00 p.m. The hearing will be held in the Council Chambers, City Hall, 130 6th ST. West, Columbia Falls, MT.

**NOTICE OF
PUBLIC
HEARING- Vehicle
parking**

The City Council is proposing to amend the Columbia Falls Municipal Code to clarify where and when vehicles may legally park as well as address the

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

storage of vehicles, trailers, campers, etc.

The proposed text amendments are 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.

ORDINANCES/RESOLUTIONS:

None.

**ORDINANCE/
RESOLUTION**

UNFINISHED BUSINESS

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

A. Proclamation for National Police Week 2017

Mayor Barnhart said he was approached by a retired Police Officer about the Proclamation for National Police Week 2017 and concurred that it was very appropriate for Columbia Falls to recognize National Police Week.

**NEW BUSINESS-
Proclamation for
National Police
Week**

B. Approval of Memorandum of Agreement - School District #6, Youth Recreation and authorize City Manager to sign

**Memorandum of
Agreement-Youth**

City Manager Nicosia said the City received a revised agreement from School District #6. The City concurred with the changes made by SD #6 and Nicosia recommended approval.

Councilman Fisher motion to approve the revised memorandum of agreement and authorize the City Manager Nicosia to sign, second by Councilman Lovering with voting as follows. AYES: Lovering, Petersen, Piper, Shepard, Fisher, Karper and Barnhart. NOES: None. ABSENT: None.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Fisher said he has resigned from the USFS to work full time at the Backslope Brewery.

Councilman Lovering said the community garden opened last week and they have 30 families in addition to the Food Bank plot.

Councilman Shepard said the City crews blew out the pipes where the potential fishing pond will be at River's Edge Park. There are various groups coming forward to support FWP and the City on the project.

Councilman Petersen said tomorrow there is a meeting to work on the design of the intersection at Nucleus and Hwy 2. They should have some designs for

**REPORTS FROM
MAYOR AND
COUNCIL**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 1, 2017**

Council review by June or July. Petersen said with the increase of activity on Nucleus Avenue we will need to address pedestrian safety and parking. 6th Street W and Nucleus intersection remains difficult.

Councilman Karper said this Friday is the City's Arbor Day celebration beginning at noon at Columbus Park. Karper reported that the Tree Board approved planting 3 trees at Columbus Park with Arbor Day funds and 8-9 trees at Horine Park with the Urban Forestry funds.

Mayor Barnhart said he was pleased to see that the City has invested in smoke detectors throughout City Hall. Mayor Barnhart reported that he had a meeting at the Veterans' Home with Sherry Lewis Peterson concerning a new movement to renovate the old main building. The City has the ability to support her and the community with this project.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

**REPORT FROM
CITY ATTORNEY**

CITY MANAGER:

Nicosia reported that the BACI committee has a meeting to complete the tasks before attending the Active Community workshop in Butte on May 16-18th.

**CITY MANAGER
REPORT**

The City is still under consideration for the Trust For Public Lands pilot project.

Nicosia reviewed the final Gas Tax bill as adopted by the legislature. It will provide additional funding to the City but with considerably more strings than the current gas tax funding.

Nicosia reported that the City will increase the City insurance contributions for the Employee/Spouse from \$1,134 to \$1,200/month and the Family from \$1,560 to \$1,616, leaving the single coverage at \$608 and the Employee/children at \$1,134. This keeps the city share at least 80% for each classification and does not result in a net loss on a paycheck to any employee.

INFORMATIONAL CORRESPONDENCE - List available for Review

CORRESPONDENCE

ADJOURN: Upon motion duly made by Councilman Lovering and seconded by Councilman Shepard and the meeting adjourned at 8:27 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: May 15, 2017