

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 6, 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, Fisher, Lovering and Piper

ABSENT: Shepard

ROLL CALL

Also present were City Manager Nicosia, City Clerk Staland, City Attorney Breck, City Planner Mulcahy 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 Lovering, 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: Karper, Lovering, Petersen, Piper, Fisher and Barnhart. NOES: None. ABSENT: Shepard

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$ 363,409.32 - November 6, 2017
- B. Approval of Payroll Claims - \$ 64,887.72 - October 20, 2017
Approval of Payroll Claims - \$ 87,668.27 - November 3, 2017
- C. Approval of Regular Meeting Minutes - October 16, 2017
- D. Adoption of Job Description: City Judge
- E. Approval of City Manager signature - Dorsey Engagement Letter - Riverwood SID # 38
- F. Approval of Waste Disposal Agreement with Pop A Squat Portable and authorize City Manager to sign.
- G. Approval of City Manager 2018 FY Contract and authorize Mayor Barnhart to sign.
- H. Approval of Change Order #3, Cutting Edge Excavation, LLC and authorize City Manager to sign.

VISITOR/PUBLIC COMMENT: (Items not on agenda) - None

**VISITOR/PUBLIC
COMMENT**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 6, 2017**

PUBLIC HEARINGS/NOTICES:

A. PUBLIC HEARING: The Columbia Falls City Council will hold a hearing on November 06, 2017 starting at 7:00 p.m. for the following item:

**PUBLIC
HEARINGS-Pero
CUP for 6-plex's**

Request for a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

A request by Robert W. Pero for a Conditional Use Permit (CUP) to build a six-plex condominium/apartment building on each of two lots owned by the applicant. As a result there will be a total of twelve units proposed. The six-plex's will occupy Lots 166 and 167 of Hilltop Homes Subdivision located on Diane Road in Columbia Falls. The properties are zoned CRA-1 (Multi-Family Residential) which requires a CUP to construct a three-plex or greater within the zoning district. The properties are addressed as 9 and 11 Diane Road and described as Lots 166 and 167 of the Hilltop Homes subdivision in Section 18, Township 30 North, Range 22 West, P.M.M., Flathead County

City Planner Mulcahy presented Staff Report CCU-17-01. Mulcahy said there are a number of 6-plex's in the neighborhood and the project complies with the City standards. The planning board held a meeting on October 10th, 2017 and approved the Conditional Use Permit. Staff recommends approval of the two six plex units on lots 166 and 167.

Kevin Nelson a representative of Marquardt Surveying said he was in attendance to answer any questions Council may have about the project.

Mayor Barnhart opened the Public Hearing at 7:05 p.m., with no one wishing to provide comment, Mayor Barnhart closed the hearing.

Councilman Petersen made motion to approve Staff Report CCU-17-01 as findings of fact, second by Councilman Lovering, with Council voting as follows. AYES: Lovering, Petersen, Piper, Fisher, Karper and Barnhart. NOES: None. ABSENT: Shepard.

Councilman Fisher motioned to approve the Conditional Use Permit, second by Councilman Petersen with Council voting as follows. AYES: Petersen, Piper, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: Shepard.

B. NOTICE OF PUBLIC HEARING: Mayor Barnhart read the Notice of Public Hearing:

The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, November 14th at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West,

**NOTICE OF
PUBLIC HEARING-
CUP Columbia
Mortuary**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 6, 2017**

Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on November 20, 2017 starting at 7:00 p.m. in the same location.

Request for a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

A request by Columbia Mortuary for a Conditional Use Permit (CUP) to add a small 884 square foot addition to the mortuary. The addition will function as a garage and crematory. The addition is located on the south side of the existing mortuary and will access from the alley. The property is located at 1010 4th Avenue West, Columbia Falls and is described as the Amended Plat of Lots 6, 7, 8, 9, & 10; Block 6 of Hoerner Addition to Columbia Falls 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. 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.

UNFINISHED BUSINESS:

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

None.

NEW BUSINESS

ORDINANCES/RESOLUTIONS:

A. Resolution # 1763 - A Resolution of the City Council of the City of Columbia Falls Approving an Application for a Conditional Use Permit by Robert W. Pero Revocable Trust to Allow for One Six-Plex Condominium to be Placed on Each of Lots 166 and 167, Hilltop Homes Subdivision, Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

**RESOLUTION
#1763-Pero CUP**

Councilman Petersen motioned to approve Resolution #1763, second by Councilman Piper with Council voting as follows. AYES: Piper, Fisher, Karper, Lovering, Petersen and Barnhart. NOES: None. ABSENT: Shepard.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Piper said he understands the baseball grandstands have been bid on and the Baseball Assn. has decided on a contractor.

Councilman Karper said it was nice to be back and thanked Council for allowing him the time off. Karper said Cutting Edge did a great job on the project in the Riverwood subdivision. The paving was a little disappointing but from what he understands it is being addressed.

**REPORTS FROM
MAYOR AND
COUNCIL**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 6, 2017**

Councilman Fisher was concerned with construction along the highway and was not impressed with the safety cones being left up for a week or so in front of businesses. Fisher noted they picked up the cones today.

Mayor Barnhart reminded everyone to vote in the City election on Tuesday, Nov. 7th.

Mayor Barnhart requested a work shop on the planning and zoning approval process, including amending findings of facts. City Manager Nicosia said she will set something up after the first of the year, including the Planning Board.

CITY MANAGER:

Nicosia said the Riverwood subdivision work is substantially complete as of last week with the exception of a punch list and road work that will be completed and/or redone in the spring/summer of 2018. The SID 38 financing with Glacier Bank closed on November 2, 2017.

The City received notification that Knife River will be suspending operations for the Columbia Falls Urban Project as of today for the winter. Periodically they may have crews doing miscellaneous cleanup work over the next few weeks.

Public Works Director Jenkins and Nicosia met with Justun Juelfs, Maintenance Chief, Kalispell Division, MT DOT to discuss the snow removal on the highway. Mr. Juelfs will have the snowplow operators place the snow adjacent to the curbside, keeping as much snow off the sidewalk as possible. MT DOT would then “slush” the snow as needed. In large snow events this may not be possible and the snow will be placed on the sidewalk with removal as provided in the past. The City will send a letter to the adjacent land owners reminding them of the requirement to remove snow from the sidewalks. The City will also be meeting with MT DOT before Thanksgiving on the encroachment permits.

The City will be working with Columbia Rising LLC and SmartLam in the coming months on a platted industrial park at the former Weyerhaeuser site. The City’s participation may include creating a TEDD, sponsoring grant applications and approving tax abatements as permitted in state stature. This presentation will provide substantial information to Council on the SmartLam projects.

Cliff Boyd will provide an update to Council at the November 20, 2017 meeting. He will have a lot of information to bring to council at that time. We are also working with him on the possibility of using the fill material from the pond area at the CFAC site.

Nicosia reported that City Hall hours will remain from 7 a.m. to 6 p.m. The extended hours have worked well with contractors and residents paying their water/sewer bill.

Mayor Barnhart asked Nicosia to update Council on hiring the new judge.

**CITY MANAGER
REPORT**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 6, 2017**

Nicosia said the first step was to adopt a job description which Council did this evening as recommended by the Public Safety Committee. The Columbia Falls' City Judge is appointed by the council and serves as a city department head. City Municipal Code requires a job description for each city officer which includes the City Judge. The city will advertise the open position for the month of November and then the Public Safety Committee will review applications after the Council meeting on Dec. 4th. Nicosia noted that after council appoints the new Judge, the Supreme Court will assign a training judge. Additionally, Charles Harball, Kalispell City Attorney and member of the Courts of Limited Jurisdiction Commission will provide training to City Council, Attorneys, Manager, and staff regarding the respective responsibilities and relationship with the City Judge.

Mayor Barnhart said he read about the City settling a lawsuit in the newspaper, Mayor Barnhart said he thought he would hear about it from the attorney. City Manager said the Sauls' case was handled by MMIA. City Attorney Breck said Deputy City Attorney Breck handles litigations and if council would like she can come and provide an update. Mayor Barnhart asked how the suit against the drilling company was moving along. Breck said the complaint has been filed and now the party is answering the complaint.

REPORTS/BUSINESS FROM CITY ATTORNEY:

None.

**REPORT FROM
CITY ATTORNEY**

INFORMATIONAL CORRESPONDENCE - List available for Review

REPORTS:

- a. Finance – September
- b. Court – Quarter ending September 30th

**CORRESPONDEN
CE/REPORTS**

ADJOURN: Upon motion duly made by Councilman Lovering and seconded by Councilman Karper the meeting adjourned at 7:37 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: November 20, 2017