

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 19, 2018**

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, Piper and Robinson
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 Robinson 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 Karper and the motion carried.

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$ 73,027.77 – March 19, 2018
- B. Approval of Payroll Claims - \$103,992.32 - March 9, 2018
- C. Approval of Regular Meeting Minutes – March 5, 2018

VISITOR/PUBLIC COMMENT: (Items not on agenda)

Kevin Warrington, 52 Martha Road, said he was in attendance representing Flathead County Transportation Advisory Committee. We are the organization that advises Eagle Transit. Mr. Warrington said they want to reach out to cities and are interested in communicating with Columbia Falls. Mr. Warrington said he would like to make himself available as a liaison to the Transportation Advisory Committee. Councilman Shepard said it appears to be working as the seniors are using the service.

**VISITOR/PUBLIC
COMMENT**

PUBLIC HEARINGS/NOTICES:

A. NOTICE OF PUBLIC HEARINGS: Mayor Barnhart read the following notices of Public Hearings:

**NOTICE OF
PUBLIC
HEARINGS**

The Columbia Falls City-County Planning Board held a public hearing for the following items at their regular meeting on Tuesday, March 13, 2018 at 6:30 p.m. The Columbia Falls City Council will hold a subsequent hearing

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 19, 2018**

on April 2, 2018 starting at 7:00 p.m. in City Council Chambers:

Planned Unit Development Expiration - Columbia Range PUD: The City of Columbia Falls has initiated a request to remove an expired PUD Overlay from the project formerly known as Columbia Range from the zoning map and revert it to the underlying zoning of CR-3 and SAG-5. Columbia Range was a 146 lot development on 72 acres which never proceeded to construction or final PUD/Plat approval. The property is described as Tracts 1, 2, 3, & 4 of COS 20092, in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Planned Unit Development Expiration - River Highlands PUD: The City of Columbia Falls has initiated a request to remove an expired PUD Overlay from the project formerly known as River Highlands from the zoning map and revert it to the underlying zoning of CR-3. River Highlands was a 151 unit development on 48 acres which never proceeded to construction or final PUD/Plat approval. The property is described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Tracts 2 & 3 of COS 14045, in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Planned Unit Development Expiration - Grace Ann PUD: The City of Columbia Falls has initiated a request to remove an expired PUD Overlay from the project formerly known as Grace Ann from the zoning map and revert it to the underlying zoning of CR-4 and CRA-1. Grace Ann was a 16 unit condominium development on two acres which never proceeded to construction or final PUD/Plat approval. The property is described as Parcels 1 & 2 of COS 17116, in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County.

Planned Unit Development Expiration - Glacier Estates PUD: The City of Columbia Falls has initiated a request to remove an expired PUD Overlay from the project formerly known as Glacier Estates from the zoning map and revert it to the underlying zoning of CR-3. Glacier was a 122 unit development on 14 acres which never proceeded to construction or final PUD/Plat approval. The property is described as Lots 3 & 4 of Williams Estate Subdivision in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Columbia Falls Subdivision Regulations - Title 17 (Subdivision Text Amendment): A request by the City of Columbia Falls to amend certain

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 19, 2018**

portions of the text of the Columbia Falls Subdivision Regulations (Title 17 of the Columbia Falls Municipal Code). The City proposes to amend Sections 17.12.020 Phasing of plats; 17.12.050(I)(c) and 17.12.060(J)(3) approval periods and extension process for major and minor subdivisions.

B. NOTICE OF PUBLIC HEARING:

The Columbia Falls City Council will hold a public hearing for the following item at their regular meeting on Monday, April 2, 2018 at 7:00 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana.

Selling of parkland - Riverwood Estates: The Riverwood Estates Homeowners Association owns a small strip of land 30-feet wide by 286-foot long located in Riverwood Estates Subdivision on Riverwood Drive. The strip of land was required as part of the subdivision approval by the Flathead County Commissioners in 1981. The strip of land was never formally developed as river access for the subdivision since the plat was recorded. Riverwood Estates has been annexed into the City and the City has taken ownership and maintenance duties of Riverwood Drive. Recently, City sewer and water mains have been extended into the subdivision. As a result, the HOA is no longer necessary and is dissolving. The HOA plans to sell the parkland strip as there will no longer be an entity to provide maintenance. The property is described as 30' access strip to River on the Plat of Riverwood Estates, in Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons may testify at the hearings or submit written comments prior to the meetings. 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:

A. Proclaiming March 29, 2018 Vietnam Veterans Day
Councilman Shepard read aloud the Vietnam Veterans Day Proclamation.
Mayor Barnhart proclaimed March 29, 2018 as Vietnam Veterans Day.

NEW BUSINESS

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 19, 2018**

ORDINANCES/RESOLUTIONS

None.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Shepard said at the March 5th, Council meeting there was discussion of the radio issues within the Police Department with incomplete service. Shepard said he spoke with Jack Spillman who rented a scissor lift and went above the Waste Water Treatment Plant approximately 70-80 feet in the air, and the radios worked at Mosquito Flats and the schools. Shepard said the next step will be looking into a permanent tower and funding. Shepard said our Police and emergency personnel deserve to have working radios. Councilman Robinson asked what the cost of the tower would be. Shepard said he was unsure at this time.

**REPORTS FROM
MAYOR AND
COUNCIL**

Mayor Barnhart said it has been awhile since our last city facility tour, and asked City Manager if that can be scheduled.

Mayor said he noticed citizens walking along Railroad Street and asked if we have reached out to local BN officials, to put in a walking path. Nicosia said the city will address the Railroad Street path with a Transportation Alternative Grant.

Mayor asked about the progress on the bump outs on Nucleus Ave. Nicosia said the engineers are finishing the engineering and cost estimates.

CITY MANAGER:

The Department of Transportation is proposing a rule change to the welcome to/entrance signs, and it is currently open for public comment. There will be a letter from the city for the April 2nd, meeting. Nicosia said we can't apply for the encroachment permit until the text amendments are approved.

**CITY MANAGER
REPORT**

We received notice on March 6th, that one of our census tracts is eligible for opportunity zoning. There are 106 census tracts in the state and the Governor can only nominate 25 of them. If selected, development within the tract is eligible for tax incentives.

The LOR Foundation has given the Flathead Land Trust additional time through the fall to complete the fishing pond. MMIA has indicated that the pond is insurable under our standard policy and is no different than the existing slough/river access at the park.

Nicosia said in mid-April the connector trail from the top of 3rd Ave E to River's Edge Park will be getting started.

CITY ATTORNEY REPORT:

City Attorney Breck distributed a memo to the Mayor and Council on the Assumption of License Granted to Gateway to Glacier of CFAC land for the

**REPORT FROM
CITY ATTORNEY**

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 19, 2018**

trail. The City has been asked to assume a license granted to the Gateway to Glacier Trail, Inc. for the purpose of allowing the licensee to construct, use, maintain, repair, and improve a non mon-motorized public recreational trail. Breck said the initial and main concern of his office is its consideration of whether the City should assume the License and whether the City's provider of defense and liability/indemnity coverage (MMIA) would as part of its coverage of the City, cover the City's construction, use, maintenance, repair, and improvement of the subject trail. After having reviewed the License Agreement and other pertinent documents, MMIA's Claims Manager has determined that MMIA cannot provide insurance coverage as required by the License Agreement. In MMIA's estimation, if the City were to assume the License, it would undertake substantial responsibility and risk, without coverage by MMIA.

Mayor Barnhart asked Attorney Breck if this tells us why the county will not take on additional trails. City Attorney Breck said it is a license not an easement but he cannot say why the county said no. Mayor Barnhart asked if Glacier to Gateway could insure the license agreement themselves. Attorney Breck said yes they could certainly do that.

INFORMATIONAL CORRESPONDENCE - List available for Review
REPORTS:

Finance - February
Police - February Activity

**CORRESPONDENCE/
REPORTS**

ADJOURN: Upon motion duly made by Councilman Lovering and seconded by Councilman Robinson and the meeting adjourned at 7:42 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: April 2, 2018