

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 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, Police Chief Peters, Fire Chief Hagen and City Planner Mulcahy.

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 Shepard, and the motion carried unanimously.

**AGENDA  
APPROVAL**

**CONSENT AGENDA:**

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

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims - \$ 236,648.48 - August 6, 2018
- B. Approval of Payroll Claims - \$ \$87,566.49 - July 27, 2018  
Approval of Payroll Claims - \$ \$51,411.79 - July 17th - July 23, 2018
- C. Approval of Regular Meeting Minutes - July 16, 2018
- D. Approval of Standard Master Agreement between Morrison Maierle, Inc and City of Columbia Falls "On-Call Services" and Task Order #1 "Honeymoon Mobile Home Park Water Analysis" and authorize City Manager to sign.
- E. Approval of Contract Amendment #3 Morrison-Maierle, Inc and City of Columbia Falls "Nucleus Ave Intersection Pedestrian Improvements Project" and authorize City Manager to sign.

**VISITOR/PUBLIC COMMENT:** (Items not on agenda)

Heather Peacock, 1235 Clayton Lane, said she received a phone call from one of her daughters on July 25 that a flyer was put on the door regarding tree trimming and a city employee was there to trim the tree. Ms. Peacock spoke to a young man on the phone and he said they needed to trim a tree that was in the clear vision triangle. Ms. Peacock asked what type of training he had to trim a tree and his response was none. Ms. Peacock contacted the Public

**VISITOR/PUBLIC  
COMMENT**

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

Works Director to let him know she was not happy and asked what training he had provided his crew for tree trimming. He stated they do this all over Columbia Falls but had no special training. Peacock stated she has a forestry degree and her husband was the golf course superintendent for several years. Ms. Peacock said the tree was a present from her daughters and the city crew trespassed on her property to trim the tree. Ms. Peacock said they are a family that is currently stressed as far as they can be and didn't need the added stress. Ms. Peacock said when she spoke with the Public Works Director all she got was arrogance and apathy with no apology. He said he would come over to look at the tree but she did not see him. Ms. Peacock believes these types of notices can be included with the yearly backflow notices. Ms. Peacock asked the city not to send out uneducated crews to trim trees. They caused an incredible amount of stress to our family. Mayor Barnhart said we will put this concern in the hands of the City Manager to see that this doesn't happen again. Mayor apologized for her negative experience with city employees.

Steve Duffy, 1503 Eddy Court, said he would like to thank City Attorney Breck for keeping the Planning Board on track and up to date at the July 10<sup>th</sup> Planning Board meeting.

Mr. Duffy said for two years the City Council has discussed moving the city limits/welcome sign to the City park. It still sits in the cow pasture and we were promised it was going to be moved last spring.

**NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:**

**A. PUBLIC HEARING - CITY COUNCIL:**

The Columbia Falls City-County **Planning Board** held a public hearing for the following items at their regular meeting on **Tuesday, July 10, 2018 at 6:30 p.m.** at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls **City Council** will hold a subsequent hearing on **August 6, 2018** starting at 7:00 p.m. in the same location.

**PUBLIC  
HEARINGS**

**Request for a Growth Policy Amendment in the Columbia Falls Planning Jurisdiction:**

Greenway Capital LLC is requesting a Growth Policy amendment in the Columbia Falls Growth Policy. The property is located at 104 and 105 Bills Lane in Columbia Falls and consists of 13.8 acres. The property is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The property currently has an Urban Residential Land Use Designation anticipating densities of two to eight dwelling units per acre. The applicants are proposing a Multi-Family Land Use Designation with anticipated eight to twenty dwelling units per acre.

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

**Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:**

Greenway Capital LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 104 and 105 Bills Lane in Columbia Falls and is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CRA-1 (Residential Apartment).

**Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:**

Greenway Capital LLC is requesting a Planned Unit Development overlay to develop an apartment project. The property is located at 104 and 105 Bills Lane in Columbia Falls and consists of 13.8 acres. The property is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The project consists of 207 units in six buildings. The buildings are three stories tall with a proposed maximum height of 43.5-feet. The units will primarily consist of studio and one-bedroom apartments but there will be some two-bedroom units as well. To serve the site there will be 306 parking spaces. The apartment project proposes amenities such as a clubhouse, carwash for tenants, playground, game courts, Frisbee golf, along with on-site management. Approximately 65% of the 13.8 acres will be preserved in green space.

Mayor Barnhart asked the City Planner, Eric Mulcahy, to present the staff reports for tonight's hearing. He noted that all three reports will be presented and then the public hearing will be held. City Planner Mulcahy explained the process: growth policy amendment, zone change and then PUD. City Planner Mulcahy delivered staff report #GP-18-01. Mulcahy discussed each of the Neighborhood plan amendment criteria. He noted that the project area was found to have no known hazards in an environmental assessment, and according to the latest FEMA maps it is not in a flood plain. The location of the project was described as a transitional area between commercial and residential. The project would be completed in three phases and county housing reports state the need of a project similar to this. Staff recommends approval of GP-18-01 as findings of fact. The Planning Board held a hearing at the July 10, 2018 meeting and unanimously recommended approval. Staff is recommending the amendment to the Growth Policy.

City Planner Mulcahy reviewed Staff Report #CZC-18-01. Mulcahy said the property is zoned CR-3 and the applicants are proposing going to CRA-1. Mulcahy reviewed the statutory criteria for the zone change request from CR-3 to CRA-1 which would allow for higher density, multi-family use of up to 20

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

units per acre. Mulcahy noted the traffic study performed by Abelin Traffic Services in June 2018. The study found that around 24% of traffic coming out of the project would head north toward Nucleus Ave and around 76% would head south towards US HWY 2. The intersections in the area function at level B. This would continue with the project, except for at peak times in the morning and evening where it goes to a level C. To mitigate this, in phase two it is recommended to add a right and left turn lane on 3<sup>rd</sup> Ave E. The City Fire Chief approved the layout of the project for the fire department. The site has access to municipal water and sewer. The proposal has plenty of green space, 65% of the property, and the buildings are well within the setbacks. The buildings will have 36 units: 12 studio apartments, 18 one-bedroom, and 6 two-bedroom units per building. There will be an onsite manager and office, carwash for residents, ball courts, BBQ's, and other community amenities. The surrounding area is a mix of commercial, residential, and agriculture. Staff recommends approval of CZC-18-01.

Next, Mulcahy presented #CPUD-18-05. Mulcahy noted that the buildings are subject to the Large Building Standards in Chapter 18.428 of the City's Zoning Code. The applicants are requesting zoning variances with the PUD with respect to the height requirement and parking. The applicant is requesting a building height of 43' instead of the maximum 35' in code to allow for architectural character and not flat-roofed buildings. The Fire Chief approved the building height deviation as the buildings will be sprinkled. The parking deviation request of 1 spot for studios, 1.5 for one bedroom, and 2 for two bedrooms is the current trend for similar projects both locally and nationally. Mulcahy reported that the proposed plans are missing elements for compliance with the Large Building Standards but they will be addressed in the building permit stages. Mulcahy reviewed the PUD site plan noting 65% of the property will be greenbelt/open space. Lighting plans will be addressed at the time of the building permit application. Pedestrian circulation to the surrounding area is adequate. Community areas will add a benefit to the tenants and surrounding community. Snow removal and parking will be checked again at time of building permit application. There are adequate snow storage areas on the site. Fire Chief Hagen said he would be able to access the building if needed at the proposed 43.5 feet height. The Planning Board had recommendations on specific conditions as listed in the staff report. Staff is recommending approval with the revised conditions. Mulcahy stated all conditions can be reviewed and changed as needed by Council.

Mayor Barnhart asked if the applicant wished to make a presentation to the council at this time. Dusty Emmert, a partner of Greenway Capital, LLC, introduced himself. Mr. Emmert said they are in commercial and residential

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

construction and build large units. Mr. Emmert said they saw a need for affordable housing in the Flathead Valley. Each project they have built has been very successful with 100 percent occupancy. Emmert said they are not building low income housing and are funding the project themselves. Mr. Emmert said they looked at several other properties in other cities and have landed here in Columbia Falls, noting City staff has been great to work with. They want to build housing units that fit the area. They are asking for some parking changes and will also look at each phase to see if more parking is needed. Emmert said they build to own long term and are not looking to flip them. If approved the first phase will take about a year for completion. For all phase completion we are looking at a 5 or 6 year build out. They have their own property management company and will have a full time manager on site starting at Phase one.

Aaron Wallace, Montana Creative, professional consultant on the project, said he has done several different projects here in the valley. The covered parking areas will not be for every parking spot but can be rented by the tenants along with storage units for recreational equipment. A small club house will be available for the office manager and gathering room for tenants. A car wash will be on the property as well. There is a 6 foot privacy fence to the north with a landscape buffer. They are requesting a height increase to allow for the 3 story units to avoid flat roof buildings and to have more residential character in the buildings with gable roofs.

Mayor Barnhart asked Council if they had any questions for the applicants. Councilman Lovering asked about dark sky lighting. Mr. Wallace said it is required now and they will follow the standards, no light fixtures with the bulbs up and cannot see the bulb itself.

Councilman Robinson asked what the potential maximum occupancy would be at completion. Mr. Emmert said the maximum in a studio unit is two people, maximum in a one bedroom is two people and a 2 bedroom is 4 people (2 people per bedroom). Mr. Emmert said there would be 552 maximum residents if all units were full. Robinson asked if there would be consideration in lowering the speed limit on highway 2. Bob Abelin with Traffic Services said the speed limit is 45 in that area and is a MDT designated route. Mr. Abelin noted there is always an opportunity for the City to ask for a speed reduction through a section of town.

Mayor Barnhart asked if you will be doing private snow plowing. Mr. Emmert said yes, we are responsible for all snow removal.

Councilman Shepard asked about the entrance off Bills Lane and why the project does not have a secondary emergency access. City Planner Mulcahy said the subdivision regulations state that 600 feet is the road length that would require a secondary access and they are only at 300 feet. Fire Chief

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

Hagen said according to the International Fire Code appendix D any development over 200 units is required to have a secondary access. The State of Montana did not adopt appendix D, thus it is not a requirement here. Mayor Barnhart asked if there was an emergency would he feel safe. Hagen said he feels comfortable with a 300 foot long and 60 feet wide road without a secondary access. Mayor Barnhart and Councilman Piper said the City has always asked for a secondary access on this type of project. Mr. Emmert said it did come up in the Planning Board and there is a sliver of land that would allow for a secondary exit but they do not own it and it is not for sale. Councilman Shepard said the internal parking will be important for snow plowing purposes. Mr. Emmert believes they have done their due diligence with the city and have put in the road width and hammerheads required by the Fire Chief. Mayor Barnhart asked about a street light on 3<sup>rd</sup> Ave and Highway 2, noting that the neighborhood had turned down installing a light at that intersection. Mr. Abelin said his report did not address street lights but if possible, he always recommends putting them in. City Manager Nicosia said she will review the procedure to install additional lights within the City's Street Lighting District with the City Attorney.

Mayor Barnhart asked the members of the audience if they had any questions for the applicants, noting that the public hearing will be opened later and this is not the time for comment.

Mr. Hewitt, 835 4<sup>th</sup> Ave E. asked if there was something the city can do about the low water pressure. Mr. Emmert said there is a looped water system there and they will be tying into the city's main on Bills Lane according to the engineered plans. There was no indication of lack of water pressure.

Rick Calvi, 317 Bills Lane said he has lived on Bills Lane for the last 6 years and noted that he would like to see a secondary access other than Bills Lane. Calvi's question was if there will be a buffer system to the west by the existing duplexes. Mr. Emmert said our plan is to not remove any trees there. Another neighbor said she lives on the west side of the project and there are wild game trails that go through the buffer and feels a fence is necessary along the west side. Mr. Wallace said they would have a look at that.

David Soleim, 252 Riverside Drive, inquired what the grade difference was between this project and Park Ave. Mr. Soleim said after walking through the property when it's wet asked if it is zoned wetland. Mr. Emmert said the environmental study indicated that they are not wetlands and do have natural low spots. Mr. Wallace said the elevation and grades have not been set yet but looking at grades on site the plan, it appears to be about 30' from bottom to ridge.

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

Mayor Barnhart opened the public hearing at 8:16 p.m.

Bill Shaw, 3328 Columbia Falls Stage, noted that he no longer lives in the City or the Planning Jurisdiction but said he was the City Manager when the original plan was approved. Mr. Shaw said he is concerned with not having the second exit, and believes it to be a critical element given climate change and our area. They have access to Park Avenue and thinks they should use it, just as the original 60 unit project required.

Elaine Countryman, 1009 3<sup>rd</sup> Ave. E. believes there are too many people in one area, and traffic will be a huge problem. They are going to use 3<sup>rd</sup> Ave E and not the highway. She stated that the hill in the winter is passable for one car. There is a lot more traffic on Nucleus Ave. which will also hinder traffic. Ms. Countryman added according to the State Attorney General's Office, corporations must be registered before they can do business in Montana, and Greenway is not registered.

Martha Castel, 406 1st Ave W. doesn't disagree we need housing, but thinks 207 units is too many for our small town Columbia Falls. She is worried that when that many people move in it will change the small town feel of Columbia Falls. Maybe 100 units would be better than 207. Columbia Falls cannot handle the traffic. Please take a minute before making your decision tonight.

City Clerk Staalnd read aloud letters from Larry Fowler and Senator Dee Brown, along with The Highline Traffic Study Comments from Bob Abelin.

With no further comments Mayor Barnhart closed the Public Hearing at 8:30 p.m.

Councilman Fisher made motion to approve Staff Report #GP-18-01 as findings of fact, second by Councilman Piper with Council voting as follows. AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart. NOES: None. ABSENT: None.

Councilman Piper motioned to approve the Growth Policy Land Use Map Amendment, second by Councilman Fisher with the Council voting as follows. AYES: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart. NOES: None. ABSENT: None.

Councilman Fisher motioned to approve Staff Report CZC-18-01 as findings of fact, second by Councilman Shepard with Council voting as follows. AYES:

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

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

Councilman Robinson made motion to approve the Zone Change to CRA-1 from CR-3, second by Councilman Karper with Council voting as follows. AYES: Piper, Robinson, Shepard, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: None

Councilman Fisher motioned to adopt Staff Report CPUD-18-05 as findings of fact, second by Councilman Robinson. Mayor Barnhart asked for discussion and deliberation of the facts. Councilman Shepard asked why 10 years ago we required the PUD to have a second access. Mulcahy said it is not a PUD requirement, a PUD allows for zoning variances. Mulcahy said it is not required in our zoning or subdivision regulations, citing section 17.18.080. Mulcahy noted that there is a 60 foot right of way, and an 8 foot pedestrian path. Mulcahy said Council could require it based on a standard or regulations in place that can be justified, not arbitrary. He noted that the developer would have to wipe out half of the trees to grade that road. Fire Chief Hagen said IFC Appendix D was not adopted by the State of Montana, and that he can only enforce the regulations put in place. He said he would personally like to see every building sprinkled but that's not what the code requires at this time. Councilman Piper thinks the density of the project dictates the need of the secondary road. Mr. Emmert said he didn't have the authority to put the road in at this time plus anything we add to the project will increase tenant rent.

Councilman Fisher said at Timber Ridge there is an emergency access road off the back of the property; it would be nice if that was an option here. Mayor Barnhart asked if it was an option to go north. Mr. Emmert said that is not their property. Shepard said this is interesting as every unit will be sprinkled, however he remains concerned not having a second exit. Mayor Barnhart asked if at Phase 1 or 2 the emergency exit is not required but it would be required at Phase 3. Mayor Barnhart believes this is a reasonable expectation of Council for public safety and to protect the welfare of the people. Mr. Emmert said when we have the traffic study done we are asking for parking reduction for what Columbia Falls requires. We could do another traffic study before Phase 3, not only for inside the development but for Bills Lane and Highway 2. Mr. Wallace said the issue is, no matter which way we go we do not own the property for a second access.

Councilman Fisher asked if we did not address this tonight would there be another method to add things at a later date. City Planner Mulcahy said you could have a condition to approve phase one and two, then come back before phase 3 is started. That would give the developer the opportunity to explore



**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

further options. Councilman Karper said it would give us an opportunity to address it after we have more information to see what occupancy will be because right now we are basing the need for another access on maximum occupancy. Mr. Emmert said he believes this is a reasonable option and is in favor of coming back at Phase 3 to update the traffic study.

Councilman Fisher motioned to add Condition 21 requiring the applicant to come back to council with a new traffic study and an evaluation of a secondary emergency access prior to phase 3 commencing, second by Councilman Shepard with Council voting as follows. AYES: Robinson, Shepard, Fisher, Karper, Lovering, Piper and Barnhart. NOES: None. ABSENT: None.

Councilman Karper motioned to add Condition 22 to disallow any short term vacation rentals in this specific project, second by Councilman Lovering, with Council voting as follows. AYES: Shepard, Fisher, Karper, Lovering, Piper, Robinson and Barnhart. NOES: None. ABSENT: None.

Councilman Shepard made a motion to amend condition 13 to add a minimum four foot fence on the western boundary from the northwest corner to the edge of Bills Lane, second by Councilman Fisher, with Council voting as follows. AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart. NOES: None. ABSENT: None.

Councilman Karper said he does not see this changing the face of Columbia Falls. There is a need for additional housing for people that want to live here. Columbia Falls is changing with new businesses in town. Mayor Barnhart said this council has strived to keep the small town character of Columbia Falls and believes this will be a nice addition to town. Councilman Lovering said if we could have affordable housing in Columbia Falls some of our graduating students may have a place to live in town. Piper said he commends the Planning Board for the work they did on this project. Councilman Fisher would like to address the traffic turning onto highway 2.

Councilman Fisher amended his original motion to approve Staff Report #CPUD-18-05 as findings of fact to approve Staff Report #CPUD-18-05 as amended, amended motion second by Councilman Robinson with Council voting as follows. AYES: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart.  
NOES: None. ABSENT: None.

Councilman Karper motioned to approve the PUD with the recommended amended conditions, second by Councilman Shepard, with Council voting as

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

follows. AYES: Lovering, Piper, Robinson, Shepard, Fisher, Karper and Barnhart. NOES: None. ABSENT: None.

9:18 p.m. Mayor Barnhart suggested taking a 5 minute break, the meeting was back in session at 9:26 p.m.

**B. PUBLIC HEARINGS – BUDGET HEARINGS CONTINUED:**

**NOTICE IS HEREBY GIVEN**, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on July 16, 2018 at 7:00 p.m. in the Columbia Falls City Hall, 130-6<sup>th</sup> Street West, Columbia Falls, Montana, for the following purposes:

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2018 and ending June 30, 2019. This hearing will be continued until final adoption of the budget.

Mayor Barnhart noted that the budget hearings have been continued from the July 16<sup>th</sup> meeting. City Manager Nicosia presented an approximate \$8.1 million budget to the Council for the 2018-19 FY. Nicosia reported that the MT DOR had provided the certified taxable valuations in advance on the deadline. Nicosia noted that the City had not experienced as much growth as projected and the total mill value increased by only .36%. Nicosia reported that the TIF District valuation dropped and she has asked MT DOR to check in to the reason for the change. The drop was in centrally assessed property so they may have made an error.

Nicosia presented the levied funds to council (General, Fire Relief, GO Pool Bond, Go Street Bond and Permissive Medical Levy). Nicosia noted that the General Fund budget was prepared including the 3.96 carry over mills from the prior year. The carry over mills were then used to fund capital purchases. Nicosia noted that it will be a Council decision on whether or not to use the carryover mills this year. The Permissive Medical Levy is actually decreasing due to the statutory calculation and the employees covered on the insurance for the 2018-19 fiscal year.

Nicosia also reviewed the non-levied funds, noting that the Street Lighting District will see a slight reduction to \$33,349 based on available resources. Nicosia noted that the Finance Director is continuing to update June 30<sup>th</sup> resources so the budget schedules will be updated accordingly. Nicosia and department heads are still prioritizing projects in concert with the goals set by the Council in each of the committee meetings. Nicosia noted that the lighting and street maintenance assessments must be adopted at the August 20<sup>th</sup> council meeting. She will verify the date for setting the levies. Nicosia reviewed the capital project budgets noting that this is the first year that the City has anticipated purchasing much-needed equipment for the street

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

department. She then asked Fire Chief Hagen to discuss his potential truck purchase, as previously discussed in the Public Safety Committee meeting with the Rural Fire Board.

Fire Chief Hagen said he has found two Quints he is interested in purchasing. The one he is particularly interested in has a basket and is 105 foot tall. It is located in Colorado and is \$45,000., which is a good price. The second one is very attractive with 12,000 miles, with a 75 foot stick. It appears to be in excellent shape, both trucks come with a pump test and aerial certification. Chief Hagen said he is looking into sending a mechanic from RES to Colorado to have a look at it. The one in Texas is \$195,000, and has low miles and low usage on the aerial.

**UNFINISHED BUSINESS**

None.

**UNFINISHED  
BUSINESS**

**NEW BUSINESS:**

None.

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

A. FIRST READING - Ordinance #777 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Growth Policy 2013 Land Use Map to Show Multifamily Residential for Certain Property in the Columbia Falls Zoning District, Located at 104 and 105 Bills Lane and Further Described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

**ORDINANCE  
#777-First Reading-  
Growth Policy  
Amd.**

Councilman Fisher motioned to approve the First Reading of Ordinance #777, second by Councilman Shepard and the motioned carried unanimously.

B. FIRST READING - Ordinance # 778 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Changing the Zoning Classification from CR-3 One Family Residential to CRA-1 Residential Apartment on Property Located at 104 and 105 Bills Lane and Further Described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana

**ORDINANCE #778  
First Reading-  
Zoning Change**

Councilman Lovering motioned to approve the First Reading of Ordinance #778, second by Councilman Piper and the motion carried unanimously.

C. FIRST READING - Ordinance #779 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map to Allow the Development of a Planned Unit Development (PUD) Overlay at 104 and 105 Bills Lane and Further Described As Lots 3 And 4 Of

**ORDINANCE #779  
First Reading - PUD**

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

Williams Estates In Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Councilman Shepard made motion to approve the First Reading of Ordinance #779, noting the addition of condition 21 and 22 and the amended condition 13, second by Councilman Robinson, the motion passed unanimously.

**REPORTS/BUSINESS FROM MAYOR & COUNCIL:**

Councilman Fisher has noticed a lot of knapweed in town and would like the City Manager to find out how much spraying has been done.

Councilman Lovering said 7<sup>th</sup> Ave. E. has a section which is not paved and is becoming hazardous to drive on. City Manager Nicosia said the plan is to replace 20 feet of water main and then pave the road this fall.

Councilman Shepard agrees with Fisher on the knapweed in town, the apartment complex on 7<sup>th</sup> street E. are merely mowing weeds and it needs to be sprayed. Shepard is concerned with the tree complaint and training city employees.

Councilman Piper would like to see the little man caution sign that was on Nucleus returned.

Mayor Barnhart agrees with Councilman Shepard on the tree trimming and suggests that we have our employees properly trained.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

**CITY MANAGER:**

There will be a meeting with MDOT officials on August 7<sup>th</sup> at 1:00 p.m. regarding winter maintenance. The Whitefish Credit Union open house will be the same day.

There is a new Glacier Bank ATM at City Hall; it will stay if it gets enough use to justify having it here. There is also new indoor and outdoor signage at City Hall.

The Building permit activity for FY 2017-18, 83 permits were sold with a project valuation of \$16,605,676. with an average project cost of \$200,068 compared to 57 permits and \$ 6,408,525 for the previous year.

Riverwood subdivision paving project repairs are to start this week and will be completed by August 27<sup>th</sup>.

Columbia Rising has submitted their information for a preliminary plat. Montana West Economic Development has \$422,608 available from the City's grant funds that are then loaned out. This is for Columbia Falls businesses.

**CITY MANAGER  
REPORT**

**CITY ATTORNEY REPORT:**

On August 2<sup>nd</sup> the court issued a clarifying order that confirms the City's case. The first part of the order is the City can bring a claim of negligence. Secondly the City can bring the common law negligence. The court went further by issuing a scheduling order, which is a timeline with the Jury trial set for July

**REPORT FROM  
CITY ATTORNEY**

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 06, 2018**

8<sup>th</sup>, 2019.

**INFORMATIONAL CORRESPONDENCE** - List available for Review

**CORRESPONDENCE**

**ADJOURN**: Upon motion duly made by Councilman Fisher and seconded by Councilman Shepard, the meeting adjourned at 10:58 p.m.

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED BY COUNCIL ACTION: August 20, 2018