

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD OCTOBER 15, 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: Shepard, Fisher, Lovering, Piper and Robinson  
ABSENT: Karper

**ROLL CALL**

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

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 Lovering. Motion carried with Council voting as follows: YES: Lovering, Piper, Robinson, Shepard, Fisher and Barnhart NOES: None. ABSENT: Karper.

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims - \$ 271,566.88 - October 15, 2018
- B. Approval of Payroll Claims - \$ 73,895.93 - September 21, 2018  
\$ 3,519.26 - September 26, 2018  
\$121,490.40 - October 5, 2018
- C. Approval of Regular Meeting Minutes - September 17, 2018
- D. Approval of Updated Job Description - Detective
- E. Approval of Developers' Improvement Agreement, Patrick Rose, 673 8th Ave EN and authorize City Manager to sign.
- F. Approval of an Encroachment Permit, 503 2<sup>nd</sup> Ave E (Kragh or Larsen) and authorize City Manager to sign.
- G. Approval of Amendment #1, HOME Program Grant M10-5G3001-49, Management Plan and authorize City Manager to sign.
- H. Approval of updated Library Agreement and authorize City Manager to sign.

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

Kyle Rosas, Bruce Crockett and Steve Crews, Pastors at the Gateway Church gave thanks to the City for letting them volunteer to work in the City Parks. They appreciate having the opportunity to help the community.

**VISITOR/PUBLIC  
COMMENT**

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Mr. Rosas reflected on projects they have completed such as painting the Shay Engine, painting the Band shell and picnic pavilions at Marantette Park, cutting grass in city parks, park roofing projects, and getting wood chips donated for the park playgrounds. Mr. Rosas said they look forward to doing more projects for the community. Mayor Barnhart thanked the volunteers from Gateway Church for their volunteer service in the City Parks.

**RECOGNITION:**

Employee Recognition: Sean Murphy - 15 years - Police Department, and Mark Lampman - 15 years - Water Department  
Mayor Barnhart presented the 15 year pins to the employees and Council and Administration thanked Sean Murphy and Mark Lampman for their 15 years of dedicated service to the City of Columbia Falls.

**REGOGNITION-  
Sean Murphy and  
Mark Lampman**

**PRESENTATION:**

Montana Department of Transportation - Justun Juelfs, MDT Kalispell Division Maintenance Chief, presented Council with a winter maintenance program overview. Mr. Juelfs said for the Columbia Falls section there are approximately 120 lane miles, 4 snowplows and 5.5 winter staff to cover three shifts including weekends when necessary. DOT looks at three things: traveler safety and mobility, efficient operations and responsibility and environmental preservation. He noted the challenges they have are mother nature outlasting the budget, along with snow storage and removal on Hwy 2 and Nucleus. Right now on Nucleus they plow to the center and remove the snow later which impacts left turns and visibility concerns. Juelfs said they have a hauling contract where they load the dump trucks and haul snow off Nucleus Ave. Mayor Barnhart said in years past a loader was utilized that went up Nucleus to haul the snow off. Mr. Juelfs said it is more efficient to blow the snow into the dump trucks during clean up but during a snow event the main focus is getting the roads plowed. Mr. Juelfs said they tried something new last year on Hwy 2 to not plow the snow onto the sidewalks but rather keep the snow by the curb, and that did not work as well as planned with the amount of snow received last year.

**PRESENTATION-  
MDOT-Justun  
Juelfs**

Councilman Lovering asked if it would be possible to clear certain intersections on Nucleus Avenue. Juelfs said yes it is possible. Councilman Shepard suggested at the very least clearing the two entrances to Smith's Grocery store along with the Post Office.

Mayor Barnhart asked the public if they had any comments/concerns to share with Mr. Juelfs.

Mike Burr with Whitefish Credit Union said his concern is WFCU clears the sidewalk and the state plow truck comes by after and puts snow onto the sidewalk that the business is responsible to keep clear. Mayor Barnhart asked if MDT could use the grader to clear the sidewalk. Juelfs said there is not

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enough room to put the snow; it has to be put on the back side of the sidewalk. Juelfs said at the end of the day they do not have the time or man power to clear the sidewalks. Lovering asked if we can get some intersections on highway 2 cleared for the safety of school kids and pedestrians. Mr. Juelfs said during the snow storm probably not but after the storm yes we can get them cleared. Mr. Juelfs said what they would like to do is come through after the storm to do cleanup of the sidewalks and center lane.

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

**A. Public Hearing – Columbia Rising Targeted Economic Development**

**District:**

Mayor Barnhart read the notice: The Columbia Falls City Council will hold a public hearing at its regular meeting on Monday, October 15, 2018 beginning at 7:00 PM in the City Hall Council Chambers, 130 6<sup>th</sup> Street West, Columbia Falls, MT, to consider the First Reading and Provisional Adoption of the Ordinance establishing the Columbia Rising Targeted Economic Development District (TEDD) and adoption of the Columbia Rising TEDD Comprehensive Development Plan. Columbia Falls intends to use tax increment financing in support of making infrastructure improvements as revenues permit and may issue tax increment financing bonds.

**PUBLIC  
HEARING-  
Columbia Rising  
TEDD**

And, at the Columbia Falls City Council regular meeting on Monday, November 5, 2018 beginning at 7:00 PM in the City Hall Council Chambers, 130 6<sup>th</sup> Street West, Columbia Falls, MT, the Council will consider the Second Reading and Final Adoption of the Ordinance establishing the Columbia Rising Targeted Economic Development District (TEDD) and adoption of the Columbia Rising TEDD Comprehensive Development Plan.

The Columbia Rising TEDD is approximately 54 acres located northwest of the truck route, and south and east of the railroad rights-of-way in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana. More specifically, the area is located west of 4<sup>th</sup> Avenue West and 6<sup>th</sup> Avenue West, north of 3<sup>rd</sup> Street West and 5<sup>th</sup> Street West, east of the extension of 12<sup>th</sup> Avenue West, and south of the Vetville for Vets subdivision.

All interested parties are encouraged to attend. Written comments on establishing the Columbia Rising Targeted Economic Development District (TEDD) and adoption of the Columbia Rising TEDD Comprehensive Development Plan may be submitted to Susan Nicosia, City Manager, City of Columbia Falls, 130 6<sup>th</sup> Street West, Columbia Falls, MT 59912 or nicosias@cityofcolumbiafalls.com. For further information call the City at 406-892-4391.

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Janet Cornish, with Community Development Services of Montana, said she has worked with the City of Columbia Falls in preparing documents to create a Targeted Economic Development District at the site of Columbia Rising. Ms. Cornish said they have worked with Columbia Falls in the past on other projects. Ms. Cornish said the Planning/Zoning Board found the TEDD plan to be in conformance with the Growth Policy. The plan for the area includes the provision to use tax increment financing. Cornish noted that tonight's meeting is to adopt the plan creating the TEDD that may use tax increment financing tools and to enable the City Columbia Falls to work with public and private partners to implement a program for the area. The hearing tonight is to adopt the plan as the First reading.

Mayor Barnhart opened the Public Hearing at 7:44 p.m.

Steve Bradshaw, Superintendent of School District #6, said the School Board has not taken a position on the TEDD one way or another but he was here tonight as he had questions on the finances; the City has the TIF which impacts what the School District receives in taxes as a School District. Mr. Bradshaw said the District would have to weigh out the revenue loss before adding the TEDD. There is no way of telling at this time what businesses are going in there. Bradshaw asked if this was a 20 year TEDD. Ms. Cornish said it is authorized for 15 years but can go longer if the City issued bonds, which can extend the TEDD an additional 25 years.

With no further comments Mayor Barnhart closed the Public Hearing at 7:47 p.m.

Mayor Barnhart asked when/how the TEDD base would be calculated. Nicosia noted that if the TEDD is approved by DOR, the base year would be measured as of January 1, 2019; noting that it will be difficult to predict the base using the prior Weyerhaeuser tax statements as some buildings and equipment have been removed but Smartlam has moved in new equipment. Ms. Cornish said if any equipment has been removed it would reduce the base. Also, addressing the School District concerns, as that area grows that means more jobs for the community, with people coming in to purchase homes and perhaps creating more enrollment in the schools. Cornish stated that this economic development tool is about increasing the overall tax base for the community. Mayor Barnhart said if the School Board had specific questions can they call Ms. Cornish or City Manager Nicosia.

**B. Notice of Hearing - Municipal Code Amendments - November 5<sup>th</sup>:**

Mayor Barnhart read the notice: On November 5, 2018, during the 7:00 p.m. regular council meeting, the City Council of the City of Columbia Falls, shall

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conduct a public hearing for purpose of adopting changes to the Columbia Falls Municipal Code Title 1, 2, 3, 5, 6, 8, 9, 10, 12, 13, and 15 pursuant to a comprehensive legal analysis of the codes for compliance with state and federal statutes.

The City Council is proposing completing the suggested text changes as recommended by the legal analysis and to update other outdated or necessary text changes as identified by City staff or Council.

City Council will also consider code changes recommended by the Public Works Committee to Title 13 Public Services amending sewer connection requirements and service line repair provisions. Council will also consider changes to Title 12 Streets, Sidewalks and Public Places addressing right of way maintenance and encroachments.

The proposed changes are available for review at the office of the City Clerk, City of Columbia Falls 130 6<sup>th</sup> Street West, Columbia Falls, MT. Persons may contact the City Clerk or City Manager at 406-892-4391 or 130 6<sup>th</sup> Street West, Columbia Falls, MT for more information about the hearing.

City Manager Nicosia said the Public Works Committee has worked on updating language which will be included in the proposed text amendments on November 5<sup>th</sup>. Additionally, the City will recodify this year so we will be completing all of the known and required code changes to have the code as complete and current as possible.

**UNFINISHED BUSINESS:**

None.

**UNFINISHED  
BUSINESS**

**NEW BUSINESS:**

A. Call for Bids - Lift Station #2 Improvements Project  
City Manager Nicosia said the engineers have completed the Lift Station #2 Improvements design and it is ready for the City Council to Call for Bids.

**NEW BUSINESS**

Councilman Lovering motioned to approve the call for bids on Lift Station #2, second by Councilman Robinson and the motion carried.

B. Nucleus Avenue Project Update/Amendment  
Mayor Barnhart welcomed and introduced new Public Works Director Tyler Bradshaw.

Public Works Director Bradshaw said the Nucleus Avenue and 6<sup>th</sup> Street W. sidewalk project became more complex when the "tunnel" was exposed

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during construction of the pedestrian safety improvements. Bradshaw noted that the tunnel was part of the original building construction in 1909 including the glass prisms in the sidewalk, sending light into the basement. City staff is going back and forth with the contractors and engineers to see what we can do to efficiently to fix the problem. The original contract was to replace 20 feet of sidewalk, whereas the tunnel is 80 feet in length. Bradshaw said we have disturbed this area so we must repair it; the question is do we stay at repairing the 20 feet or repair the 80 feet or leave it until spring. Bradshaw said as an engineer he would like to have it fixed with a change order to the original contract to allow Knife River to complete the project in its entirety. Nicosia said it will not be less expensive to repair the 80 feet in the future. The City will have the funds available through the TIF. Nicosia noted that to complete the entire project will be approximately \$160,000 more than the original pedestrian project. Nicosia said we may have to cut back on alley paving this year but we will have Special Gas Tax in March that can be used for the alleys. Nicosia said that they will keep council updated on the project.

Mayor Barnhart suggested setting up a temporary fence to secure the area to protect the public.

Mayor Barnhart asked for a committee to review the FY 18-19 City Manager contract. Councilman Piper, Shepard and Lovering said they would be on the committee to review the City Manager contract. Nicosia will set up a meeting with them.

**ORDINANCES/RESOLUTIONS:**

A. Second and Final Reading – Ordinance #780 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Section 18.520 Manufacturing and Warehousing Parking in Title 18 of the Columbia Falls Municipal Zoning Code.

**ORDINANCES  
#780 Final Reading-  
Amending Section  
18.520**

Councilman Shepard motioned to approve the second and final reading of Ordinance #780, second by Councilman Fisher with Council voting as follows. AYES: Piper, Robinson, Shepard, Fisher, Lovering and Barnhart. NOES: None. ABSENT: Karper.

B. First Reading – Ordinance #781 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Designating the Columbia Rising Targeted Economic Development Area, Creating the Columbia Rising Targeted Economic Development District (TEDD) and Adopting the Columbia Rising Targeted Economic Development District Comprehensive Development Plan with a Tax Increment Financing Provision Pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Codes Annotated.

**ORDINANCE  
#781-First Reading-  
TEDD**

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Councilman Shepard motioned to approve the First Reading of Ordinance #781, second by Councilman Piper and the motion carried.

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

Councilman Lovering said the bulb outs are great and are very effective. There is still construction material and equipment on 7<sup>th</sup> Ave E., is that going to be removed any time soon? City Manager said it belongs to Knife River and they are still working on the sidewalk project.

Lovering said at the community garden there are a lot of holes around the bottom of the fence where the cats are getting into the garden. They were wondering if they could get some fill from the pond to place around the fence.

Councilman Fisher said next week he will be going to Boulder CO. representing Columbia Falls for a conference on trails.

Mayor Barnhart asked if we were responsible for the bulb out lights, he would still like to see push the button sign.

**CITY MANAGER:**

City Manager said the wayfinding signs will be installed by the street crew when they are received from the manufacturer. DOT is reviewing the City's encroachment permit.

School District #6 has a long range planning Committee meeting on October 24, Nicosia said she would encourage each council member to attend. They will be putting in a bond request to fund elementary building facilities.

The City Court is having an Amnesty Week the week of October 29-Nov 1st. Nicosia reported that the Flathead County Health Board Agenda for next week has an action item on feral cats. They want to remove cats as invasive species. Council may want to send someone to the meeting on October 18<sup>th</sup> at 1:00 p.m. Nicosia will represent the City to express concerns over feral cats.

Nicosia noted that on the Consent Agenda, council approved an amendment to the HOME Program Grant Management Plan. We have recaptured \$90,000 from the Habitat project and need to put it back into affordable housing. This agreement amendment would provide alternatives for assisting with affordable housing.

The City has updated the agreement with the Flathead County Library Board to address issues resulting from library operations, particularly with the after school kids program. Nicosia noted that the agreement amendments were reviewed and approved by the City Attorney and MMIA. Nicosia will discuss the agreement with the Library Board when they meet here on October 24<sup>th</sup>.

The excavator is available the week of October 29<sup>th</sup> to start work on the pond.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

**CITY MANAGER  
REPORT**

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**CITY ATTORNEY REPORT:**

None.

**CITY ATTORNEY  
REPORT**

**Other Reports:**

Police Chief Peters thanked Council for sending a letter to POST. He believes it made a difference and they have made some changes to the program.

**INFORMATIONAL CORRESPONDENCE** - List available for Review

**REPORTS:**

- a. Finance - September
- b. Police - September Activity

**CORRESPONDENCE  
/REPORTS**

**ADJOURN:** Upon motion duly made by Councilman Lovering and seconded by Councilman Shepard the meeting adjourned at 8:41 p.m.

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: November 5, 2018