

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD APRIL 15, 2019**

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 Sergeant Murphy.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

Mayor Barnhart requested a motion to approve the agenda, moving items D and E to New Business for discussion, Councilman Piper moved to approve the agenda as amended, second by Councilman Robinson, and the motion carried unanimously.

**AGENDA
APPROVAL**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims -\$77,872.14 - April 15, 2019
- B. Approval of Payroll Claims - \$105,933.31 - April 5, 2019
- C. Approval of Regular Meeting Minutes - April 1, 2019

VISITOR/PUBLIC COMMENT: (Items not on agenda)

None.

**VISITOR/PUBLIC
COMMENT**

PUBLIC HEARINGS/NOTICES:

Public Hearing - Municipal Code Amendments - Continued until complete:

**PUBLIC
HEARINGS-Code
Amendments**

Presentation on April 15th of proposed amendments to all 11 Chapters

The City Council of the City of Columbia Falls, shall conduct public hearings for the 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.

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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Council is proposing completing the suggested text changes as recommended by the legal analysis and to update other outdated or necessary text changes as identified by City staff or Council. This hearing will be continued until the code changes are complete. Text review will be continued until complete.

City Manager Nicosia presented Title 6 Animals. Nicosia noted that the general penalty is in Title 1. Council discussed proposal to redefine dog at large; adding shock collar or voice command but leaving "or otherwise," providing for officer discretion. Nicosia recommends striking all of the language that discussed impounding the dog, which is done by the Flathead County Animal Control and not the City. The code was updated with Ordinance 724 in 2012. Council concurred with the recommended changes. Nicosia noted that final text amendments will be brought forward in Ordinance readings.

Mayor Barnhart noted that the hearing will remain open until the text amendments are complete.

UNFINISHED BUSINESS

None.

**UNFINISHED
BUSINESS**

NEW BUSINESS:

A. Small Works Contract - Fish Pond

Nicosia said this project is funded by the grant and the funds from the sale of the gravel. This contract will restore the road entrance to the park, repair the gate and fix fencing. Nicosia said very little, if any, city money is involved.

Councilman Fisher motioned to approve the Small Works Contract for the Park and Fish Pond, second by Councilman Lovering with Council voting as follows. AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart. NOES: None. ABSENT: None.

NEW BUSINESS

B. Approve Professional Services Contract with WGM Group

City Manager Nicosia said not all of this work is related to the fish pond it also includes River's Edge Park development as a whole. The majority of this contract will be paid for with remaining LOR Foundation Grant Funds. This project will provide the City with a complete River's Edge Park development plan that will allow the City to apply for other grants, including LWC&F and additional F, W & P pond grants.

Councilman Fisher motioned to approve the professional service contract with WGM Group and authorize City Manager to sign, second by Councilman Shepard with Council voting as follows. AYES: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart. NOES: None. ABSENT: None.

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C. Consideration of Health Insurance provisions effective July 1, 2019

City Manager Nicosia said the City received notice from MMIA that the Health Insurance rates for the 2020FY are increasing 8%. The City has always elected the Copay Rx Option which has a higher premium rate. The other option is the Percentage Rx which will result in a savings in monthly premiums. Finance Director Carlson completed an analysis and found it to be cost effective to the employee. Staff recommends approval to switch to the Percentage Rx Option.

Councilman Fisher motioned to approve adopting the Percentage Rx Option Health Insurance plan for FY 19/20, second by Councilman Lovering and the motion carried unanimously.

D. Special Gas Tax Funding Approval

City Manager Nicosia said City staff evaluated street repair projects for the HB 473 BARSAA Funds, also known as the Special Gas Tax. The Public Works Director concluded that repairs to 13th Ave. by the High School would require more than the total available. There are other intersections and streets in need of repair. City Manager Nicosia and Public Works Director Bradshaw recommend that Council approve the Columbia Falls Repair Projects to the extent of available funding, allocated special gas tax funds and matching funds total \$77,448.50. Bradshaw will prepare a list of the streets most in need of repair and repairs will be made until the funds are depleted. Council concurred with the Special Gas Tax project plan and will adopt the necessary resolution on May 6, 2019.

E. Amended Library Agreement update

City Manager Nicosia said she and City Attorney Breck are presenting a final Amended Library Agreement for Council approval. They have spent the last six months working with the Library Board, Director and Deputy City Attorney without an acceptable agreement. This final agreement has been reviewed and approved by MMIA. MMIA has noted multiple times that the Library needs to be responsible for their patrons and they change in use of the space provided by the City.

City Attorney Breck said the City is providing free space to the library.

What the City is trying to accomplish in the provisions is the library needs to be responsible for the patrons whether it be children or adults. The use of the library as it is currently used was not contemplated as it was originally. Councilman Karper asked what happens if they don't comply with the written contract. City Attorney Breck said the County will have to decide how valuable this space is to them. Mayor Barnhart said the use of the Library has changed. Councilman Robinson said if the after school program is causing a problem perhaps they can change it.

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Councilman Karper made motion to forward the amended Library Agreement to the Library Board, second by Shepard and the motion carried unanimously.

ORDINANCES/RESOLUTIONS

None.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:

Councilman Lovering said she received a request to review the intersection at 13th and 12th for a 4 way stop sign. Lovering also inquired on the tennis court project. Nicosia said staff is still gathering more information and looking at costs; with the update to come to the Parks Committee when ready.

Council Shepard asked what we are doing with our TIF money, there are residents interested in the lights uptown. He noted that the pedestrian lights on 6th are still not working.

Councilman Karper the condition of the bike path is really bad past 11th Ave by the Catholic Church.

Councilman Piper said he has been asked when something is going to happen with the road at 12th Ave W. from the railroad tracks to the Truck Route. Nicosia said the City is required to maintain it; unfortunately the County gave the road to the City after it was in disrepair. It will be reviewed with the other city streets.

Mayor Barnhart asked about repairing the sidewalk on the north side of the old jewelry shop. Nicosia said she has discussed the City splitting the cost of replacing the sidewalk with the lessee with a project they are proposing; it is in the TIF district so the City can use that funding for the City share. Mayor Barnhart would like to see it completed.

Councilman Karper mentioned that the Chamber Luncheon presentation by Nicosia went very well.

**REPORTS FROM
MAYOR AND
COUNCIL**

CITY MANAGER:

Nicosia updated council on the legislative session. Nicosia also reported on the preliminary 2020 FY 911 budget reviewed last week. The City's share will increase 4.25%, up approximately \$5,500. Nicosia also reported that we need to advertise for a Police Commission opening as Rick Skyberg does not wish to be reappointed. Nicosia gave an update on the County's Mosquito control in our problem areas.

Nicosia reported that the Growth Policy survey wrapped up last week, 89 people responded. Finance Director Carlson is currently summarizing the data for the Planning Board and County.

Nicosia requested Mayor Barnhart to appoint a Salary/Negotiations Committee. Mayor Barnhart appointed Councilman Robinson, Councilman

**CITY MANAGER
REPORT**

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Karper and himself, with Shepard as an alternate.

CITY ATTORNEY REPORT:

None.

INFORMATIONAL CORRESPONDENCE -

List available for Review

A. REPORTS:

- a. Finance - March 2019
- b. Police - March activity

**CORRESPONDENCE
and REPORTS**

ADJOURN: Upon motion duly made by Councilman Lovering and seconded by Councilman Karper the meeting adjourned at 9:01 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: May 6, 2019