

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MAY 20, 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, Lovering, Piper and Robinson  
ABSENT: Fisher

**ROLL CALL**

Also present were City Clerk Staland, City Attorney Breck, Sergeant Murphy, Public Works Director Bradshaw and Fire Chief Hagen.

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 Robinson, 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 Robinson. Mayor Barnhart corrected a name reference on the May 6<sup>th</sup> minutes. Motion carried with Council voting as follows: YES: Karper, Shepard, Lovering, Piper, Robinson and Barnhart NOES: None. ABSENT: Fisher.

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims -\$ 76,676.00 - May 20, 2019
- B. Approval of Payroll Claims - \$72,169.92 - May 17, 2019
- C. Approval of Regular Meeting Minutes - May 6, 2019
- D. Police Sergeant Position Description - Regrade May 2019

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

None.

**VISITOR/PUBLIC  
COMMENT**

**APPOINTMENTS:**

A. Probationary Volunteer Fireman - Mitchell O'Brien  
Fire Chief Hagen said Mitchell O'Brien has recently moved to Columbia Falls and is very interested in becoming a Probationary Volunteer Firefighter. Mr. O'Brien is presently serving in the Naval Reserves but lives and works in Columbia Falls. Staff recommends approval of Mr. O'Brien as Probationary Volunteer Fireman.

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MAY 20, 2019**

Councilman Piper motioned to approve Mitchell O'Brien as Probationary Volunteer Firefighter, second by Councilman Shepard and the motion carried unanimously. Clerk Staland administered the oath of office to Mr. O'Brien.

**PUBLIC HEARINGS/NOTICES:**

**A. Public Hearing - Municipal Code Amendments - Continued until complete:**

**No Presentation on May 20<sup>th</sup> - Text Amendments will resume in June**

**B. Public Hearing - Proposed Street and Alley Abandonments:**

Mayor Barnhart read the public hearing notice: NOTICE IS HEREBY GIVEN to all persons that petitions have been filed with the City Council of the City of Columbia Falls, Montana, requesting the abandonment, discontinuance and vacating of certain public way in the City of Columbia Falls, Montana, more particularly described as follows:

**PUBLIC  
HEARINGS-Alley  
Abandonments  
5<sup>th</sup> St. E. and 3<sup>rd</sup> & 4<sup>th</sup>  
Ave. W.**

1. 25' of the south portion of the unbuilt platted 5<sup>th</sup> Street East between Blocks 31 and 34. Abandonment of this portion of roadway will provide the adjacent property owners with adequate off street parking and will place the property on the tax role.

2. 12' undeveloped alleyway between 3<sup>rd</sup> Ave West and 4<sup>th</sup> Ave West, between Tracts A and B, Lot 1 Lenonville Subdivision. Abandonment of this alleyway will resolve encroachment and ownership issues and will place the property on the tax role. The proposed alleyway abandonment would be apportioned to the adjacent property owners based on their current occupancy, 10' to the west and 2' to the east.

The benefiting property owners will pay all surveying and recording costs. The abandonments will be subject to the rights of the City or any other public utility to access, operate and maintain any public utilities currently located within the platted roadway or alleyway.

The City Council of Columbia Falls is scheduled to act on said petitions at the regular meeting of the City Council at 7:00 p.m., on May 20, 2019 in the Council Chambers, 130 6<sup>th</sup> Street West, Columbia Falls, Montana, at which time and place all persons desiring to be heard on said petitions may appear and offer comments on the proposed abandonments. Written comments may be addressed to the City Clerk, 130 6<sup>th</sup> Street West, Room A, Columbia Falls, Montana 59912 prior to the May 20, 2019 hearing.

Mayor Barnhart opened the Public Hearing at 7:08 p.m.

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MAY 20, 2019**

Tony Whitaker, 1239 4<sup>th</sup> Ave W. Mr. Whitaker said he is the property owner of the west portion of the said alley abandonment on 4<sup>th</sup> and 5<sup>th</sup> Ave. W. Mr. Whitaker said it was proposed to him that the jog would be on the south portion of the north shed, there are two sheds there and he wants to be certain the property split is where he understands it to be. Public Works Director Bradshaw said staff has been on site and the alley will basically be split into 3 sections to include the city and the two property owners. The alley will be surveyed, and paid for by the adjoining property owners, to determine the actual property boundary so that each of the property owners will have the same property that they currently use, minus the 8' portion left in the City's ownership for sewer main maintenance.

With no further comments Mayor Barnhart closed the Public Hearing at 7:12 p.m.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS:**

None.

**ORDINANCES/RESOLUTIONS**

A. RESOLUTION #1790 - A Resolution of the City Council of Columbia Falls, Montana Abandoning, Discontinuing and Vacating a Portion of the Unbuilt 5<sup>th</sup> St E Roadway Between Block 31 and Block 34 Adjacent to Lot 1 Block 34 , Columbia Falls Original, Columbia Falls, Montana

**Resolution #1790-  
Street Abnd. 5<sup>th</sup> St.  
E.**

Councilman Lovering made motion to approve Resolution #1790, second by Councilman Robinson with Council voting as follows. AYES: Shepard, Karper, Lovering, Piper, Robinson and Barnhart. NOES: None. ABSENT: Fisher.

B. Resolution #1791 - A Resolution of the City Council of Columbia Falls, Montana Abandoning, Discontinuing and Vacating a Portion of the Alleyway Between Tracts A and B, Lot 1, Lenonville Subdivision, Columbia Falls, Montana

**Resolution #1791-  
Alleyway Abnd.  
Tracts A and B, Lot  
1 Lenonville**

Councilman Piper motioned to approve Resolution #1791, second by Councilman Karper with Council voting as follows. AYES: Karper, Lovering, Piper, Robinson, Shepard and Barnhart. NOES: None. ABSENT: Fisher.

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD MAY 20, 2019**

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

Councilman Karper said he was pleased to see enforcement on cell phone violations this month.

Mayor Barnhart thanked the Columbia Falls Police Officers for their service and recognized National Police week, May 12<sup>th</sup> - 18<sup>th</sup>.

**REPORTS FROM  
MAYOR AND  
COUNCIL**

**CITY ATTORNEY REPORT:**

City Attorney Breck said there office has recently hired Mark Sullivan, former District Court Judge to be prosecutor for the City.

**REPORT FROM  
CITY ATTORNEY**

**OTHER REPORTS:**

Fire Chief Hagen said the ladder truck should be on the road in early June. Public Works Director Bradshaw reminded Council that the City is having the Fish Pond grand opening June 18, 2019 from 4:00 pm - 7:00 pm with Fish, Wildlife and Parks. Bradshaw said the River's Edge Park survey is open until June 11<sup>th</sup>. He and City Manager Nicosia attended the Farmer's Market on Thursday with information and survey sheets from 5:00 pm -8:00 pm.

**INFORMATIONAL CORRESPONDENCE** - List available for Review

A. REPORTS:

- a. Finance - April
- b. Police - April activity

**CORRESPONDENCE  
/REPORTS**

**ADJOURN:** Upon motion duly made by Councilman Lovering and seconded by Councilman Robinson the meeting adjourned at 7:18 p.m.

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: June 3, 2019