

**CITY OF COLUMBIA FALLS  
MINUTES OF THE REGULAR MEETING  
HELD AUGUST 5, 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, Police Chief Peters, and City Planner Mulcahy.

Pledge of Allegiance

**PLEDGE**

**APPROVAL OF AGENDA:**

Mayor Barnhart requested a motion to approve the agenda. Councilman Karper 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. Motion carried with Council voting as follows: YES: Fisher, Lovering, Piper, Robinson, Karper, Shepard, and Barnhart NOES: None. ABSENT: None.

**CONSENT  
AGENDA  
APPROVAL**

- A. Approval of Claims -\$ 172,441.18 - August 5, 2019
  - Approval of Claims - \$8,580.00 - July 22, 2019
- B. Approval of Payroll Claims - \$ 83,065.06 - July 26, 2019
- C. Approval of Regular Meeting Minutes - July 15, 2019
- D. Approval of Amended Easement Agreement - CFAC - Cedar Creek Diversion Channel Lining Project

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

None.

**VISITOR/PUBLIC  
COMMENT**

**PUBLIC HEARINGS/NOTICES:**

Mayor Barnhart read the hearing notice:

**PUBLIC  
HEARINGS**

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**1. Request for a Subsequent Minor Subdivision in the Columbia Falls Planning Jurisdiction for the Woodland Acres Subdivision:** Michael P. and Maria A Tamburelli are requesting approval of a 2 lot residential subdivision on Riverwood Drive in Columbia Falls. The 1.10 acre property is located 1899 Riverwood Drive and is described as Lot 12A of the Amended Plat of Lot 12, Riverwood Estates and Drift Water Way, River Terrace Estates, Phase 2 in Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County. The parcels are within the City Limits of Columbia Falls and will utilize municipal sewer and water services.

**Riverwood  
Amendment-  
Subsequent Minor  
Subdivision-  
Tamburelli**

City Planner Mulcahy presented staff report CPP-19-01. Mulcahy reviewed each of the findings and recommended approval of the subdivision. Mulcahy reported that the Planning and Zoning Board unanimously approved the Subsequent Minor Subdivision at their July 9, 2019 meeting.

Mayor Barnhart opened the public hearing at 7:09 p.m.

Buck Breckenridge, 46 Empire Loop, said he represents applicants Mike and Maria Tamburelli and is here to answer any questions Council may have. Mr. Breckenridge is in favor of the Subsequent Minor Subdivision.

With no further comments Mayor Barnhart closed the Public Hearing at 7:11 p.m. There were no written comments received.

Councilman Fisher made motion to adopt Staff Report CPP-19-01 as findings of fact, second by Councilman Lovering with Council voting as follows. AYES: Karper, Lovering, Piper, Robinson, Shepard, Fisher and Barnhart. NOES: None. ABSENT: None.

Councilman Karper motioned to approve the Subsequent Minor Subdivision with said conditions, second by Councilman Robinson with Council voting as follows. AYES: Lovering, Piper, Robinson, Shepard, Fisher, Karper and Barnhart. NOES: None. ABSENT: None.

Mayor Barnhart read the hearing notice:

**2. Conditional Use Permit Request for a Drive-thru Coffee Stand:** Quad Shot LLC is requesting a Conditional Use Permit to place a drive-up Coffee Stand at 270 Nucleus Avenue. The property is a corner lot with access from Nucleus Avenue and A Street WN. The property is zoned CB-2 in the Columbia Falls Zoning Jurisdiction and the zoning regulations require a conditional use permit for drive-up restaurants. The property is described as Lots 10- 15 of Block 128, Columbia Falls

**CUP-Drive-thru  
Coffee Stand-Fast**

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Addition#3 in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Planner Mulcahy delivered Staff Report CCU-19-02 as findings of fact. Mulcahy said this exact CUP was approved a couple years ago but the applicant didn't move forward with the business. Mulcahy reviewed each of the findings and conditions noting that there will be landscaping required along with repaving the parking lot. Mulcahy also noted that the Planning Board revised Condition #4 to include coordination with the Public Works Director to ensure proper drainage on site and off site. Mulcahy recommended approval and reported that the Planning Board recommended approval as well.

Mayor Barnhart opened the Public Hearing at 7:13 p.m.

Shae Fast resides at 1080 Woodland Road and is the owner of Cowgirl Coffee and Quad Shot, LLC. Ms. Fast said she would be happy to answer any questions Council may have and is in favor of the project.

Mayor Barnhart closed the Public Hearing at 7:14 p.m. No written comments had been received.

Councilman Shepard motioned to Approve Staff Report CCU-19-02 as findings of fact, second by Councilman Fisher with Council voting as follows. AYES: Piper, Robinson, Shepard, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: None.

Councilman Robinson motioned to approve CCU-19-02 with specified conditions, second by Councilman Piper with Council voting as follows. AYES: Robinson, Shepard, Fisher, Karper, Lovering, Piper and Barnhart. NOES: None. ABSENT: None.

Mayor Barnhart read the hearing notice:

**1. Condition Use Permit Request for a Six-Plex Apartment Building:** Alpine Homes LLC and Ryan Blanchette are requesting a conditional use permit to construct a six-plex apartment building at 10 Diane Road in Columbia Falls. The property is zoned CRA-1 (Residential Apartment) and the zoning requires a CUP to review parking, street improvements, parkland dedication and the like. The property is described as Lot 178 of Hilltop Homes, Section 18, T30N, R20W, P.M.M., Flathead County.

**CUP- 6-plex  
Building at 10 Diane  
Rd.**

City Planner Mulcahy said the City has issued several CUP's for 6-plexes in the Diane Road area. The applicant has provided the City with the needed documents. Mulcahy reported that Diane Road is looking very nice

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with new homes, sidewalks and mature landscaping. This CUP will be the same as the other 6-plex units with the \$1,000 cash in lieu for Horine park development.

With no public comments Mayor Barnhart opened and closed the Public Hearing at 7:17 p.m. No written comments had been received.

Councilman Lovering motioned to approve Staff Report CCU-19-01 as findings of fact, second by Councilman Shepard with Council voting as follows: AYES: Shepard, Fisher, Karper, Lovering, Piper, Robinson and Barnhart. NOES: None. ABSENT: None.

Councilman Fisher motioned to approve the Conditional Use Permit with specified conditions, for the Six-Plex Apartment Building at 10 Diane Road second by Councilman Shepard with Council voting as follows. AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart. NOES: None. ABSENT: None.

**B. Preliminary Budget Hearings - continued until complete:**

Mayor Barnhart read the notice:

Notice is hereby given, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on July 15, 2019 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, 2019 and ending June 30, 2020. This hearing will be continued until final adoption of the budget after receiving the certified taxable valuation.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. Written comments may be mailed to the City Clerk, 130 6<sup>th</sup> Street West, Room A, Columbia Falls, Montana, 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

Mayor Barnhart requested that City Manager Nicosia present the 2019-20 FY budget. Nicosia presented the preliminary budget totaling \$10.3 million without depreciation. Nicosia reported that this amount is up from the \$8 million last year; noting that the difference is primarily due to the Third Well Project at \$1.3 million, Lift Station 2 repairs and main extension, \$230,000 and the \$900,000 in transfers from 5211 and 5311 to

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fund portions of these projects. Nicosia presented the mill levy calculation, noting that the tax value, after TIF, increased 9.5% resulting in a reduction in the mills levied. Nicosia recommended that Council adopt the levy at the maximum amount pursuant to 15-10-420, MCA, or 178.38 mills. With the newly taxable increase of \$23,948 and inflation factor of 1.02%, \$13,234, the maximum tax increase is \$37,135. Nicosia presented the budget in two parts: levied funds and non-levied funds. Nicosia reported that budget reflects the Council's goals as well as the needs of each department, within the available resources. Nicosia recommended leaving the budget hearing open through August 19<sup>th</sup> with budget adoption planned for Tuesday, September 3<sup>rd</sup>. Nicosia presented examples of tax impact with total mill levies at 212.845, a reduction of 14.13 mills over last year.

Councilman Shepard asked Nicosia if she knew of any tax payers that have asked for a review on their property valuation. Nicosia said she had not heard of any adjustments at this time but she had asked DOR if they were anticipating significant adjustments to the City's certified taxable valuation. DOR officials indicated that they were not anticipating significant adjustments, of the 300 county-wide informal review requests, approximately 55 were in Columbia Falls.

Mayor Barnhart opened the Public Hearing at 8:08 p.m. noting that the hearing will remain open at this time.

**UNFINISHED BUSINESS:**

None.

**UNFINISHED  
BUSINESS**

**NEW BUSINESS:**

None.

**NEW BUSINESS**

**ORDINANCES/RESOLUTIONS**

A. Resolution # 1797 - A Resolution of the City of Columbia Falls, Montana, Levying Assessments upon Property within Special Improvements Districts to Defray the Cost of Said Special Improvement Districts for the Fiscal Year 2019-20.

**RESOLUTION  
#1797-Levying  
Special St and  
Lighting  
Assessments**

Councilman Fisher motioned to approve Resolution #1797, 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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B. Resolution # 1798 - A Resolution of the City Council of the City of Columbia Falls, Montana, Redefining the Area Included Within the Columbia Falls Street Maintenance District and Method of Assessment. City Manager Nicosia reported that there was an adjustment to Riverwood Subdivision large lot adjustments due to the addition of the former open space strip to the adjoining lot. Nicosia reported that there were no annexations in 2019.

**RESOLUTION  
#1798 Redefining  
the Street Maint.  
District**

Councilman Robinson made motion to approve Resolution #1798, second by Councilman Piper with Council voting as follows. AYES: Lovering, Piper, Robinson, Shepard, Fisher, Karper and Barnhart. NOES: None. ABSENT: None.

C. Resolution #1799 - A Resolution of the City Council of Columbia Falls, Montana Conditionally Approving the Preliminary Plat of Woodland Acres, A Two Lot Residential Subsequent Minor Subdivision Described as Lot 12A of the Amended Plat of Lot 12, Riverwood Estates & Driftwater Way, River Terrace Estates Phase 2, According to the Map or Plat Thereof on File and of Record in the Office of the Clerk and Recorder of Flathead County, Montana.

**RESOLUTION  
#1799 Approving  
the Preliminary  
Plat of Woodland  
Acres**

Councilman Lovering motioned to approve Resolution #1799, second by Councilman Shepard with Council voting as follows. AYES: Piper, Robinson, Shepard, Fisher, Karper, Lovering and Barnhart. NOES: None. ABSENT: None.

D. Resolution # 1800 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving An Application for a Conditional Use Permit by Quad Shot, LLC to Add a Small Drive Through Coffee Shop at 270 Nucleus Avenue. The Property is described as Lots 10, 11, 12, 13, 14 and 15 of Block 128 of Third Addition to Columbia Falls, Montana, According to the Map or Plat Thereof on File and of Record in the Office of the Clerk and Recorder of Flathead County, Montana.

**RESOLUTION  
#1800 CUP Quad  
Shot**

Councilman Shepard motioned to approve Resolution #1800, second by Councilman Fisher with Council voting as follows. AYES: Robinson, Shepard, Fisher, Karper, Lovering, Piper and Barnhart. NOES: None. ABSNET: None.

E. Resolution # 1801 - A Resolution of the City Council of the City of Columbia Falls, Montana, Approving an Application for a Conditional Use Permit by Alpine Homes LLC to Allow for one Six-Plex Condominium to be Placed on Lot 178, Hilltop Homes Subdivision, Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

**RESOLUTION  
#1801 CUP for a 6-  
plex on Diane Rd.**

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Councilman Shepard made motion to approve Resolution #1801, second by Councilman Lovering with Council voting as follows. AYES: Shepard, Fisher, Karper, Lovering, Piper, Robinson and Barnhart. NOES: None. ABSENT: None.

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

Councilman Lovering asked if there have been any reported issues with UTV's in the River's Edge Park area. Chief Peters replied there have not been any issues.

Councilman Shepard said the age group of young males roaming the streets on bicycles from 9:30-12:30 a.m. has him concerned and he wondered if the City was enforcing the curfew. Chief Peters said the Police Dept. will keep an eye out for potential issues.

Mayor Barnhart said he appreciates the fact that we got rid of the weeds on Nucleus Avenue.

Mayor Barnhart inquired about the signs at the Shay Engine and the Kreck Riverside Park. Nicosia said she'd check on them as city staff was working on getting them ordered.

**CITY MANAGER:**

Nicosia reported that the City has received two letters of interest for the Resort Tax Committee. The closing date to have letters of interest into the City Clerk is August 12<sup>th</sup>.

On July 31<sup>st</sup> the Health Inspector found we had not replaced the grates in the pool. They temporarily shut the pool down until we replaced the grates, which staff did immediately.

Nicosia reported that the City attorney's office is still trying to get the Badger case settled before the court date. Mayor Barnhart asked if we do get the settlement where does the money go. Nicosia said the settlement proceeds will go into the Water Fund to reimburse the fund for the expenditure to repair the mis-installed water main.

Nicosia reported that the Highline building A is open and occupants are moving in. Building B will be complete soon and is reported to be full. Nicosia reported that the developers will be coming forward with an amended PUD application to revise Phase 2 and 3, including building 3 buildings under Phase 2. Council discussed the Traffic Study requirements in the PUD. Nicosia said that all requirements will be addressed in the application.

**CITY ATTORNEY REPORT:**

None.

**POLICE CHIEF REPORT:**

Mayor Barnhart asked if the departments were happy with their budgets and

**REPORTS FROM  
MAYOR AND  
COUNCIL**

**CITY MANAGER  
REPORT**

**REPORT FROM  
CITY ATTORNEY**

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Chief Peters said he is pleased with the budget level for the upcoming year, allowing the department to purchase required items. Peters noted that the department is at full staff and they have had the busiest July in years. Chief Peters said he is very proud of the staff, noting that Heritage Days went very well.

**INFORMATIONAL CORRESPONDENCE** - List available for Review

**CORRESPONDENCE**

**ADJOURN**: Upon motion duly made by Councilman Piper and seconded by Councilman Lovering and the meeting adjourned at 8:28 p.m.

**ADJOURN**

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED BY COUNCIL ACTION: August 19, 2019