

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JANUARY 6, 2020**

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 and Police Chief Peters.

Pledge of Allegiance

PLEDGE

APPROVAL OF AGENDA:

Mayor Barnhart requested a motion to approve the agenda. Councilor Fisher moved to approve the agenda, second by Councilor Robinson, and the motion carried unanimously.

**AGENDA
APPROVAL**

OATHS OF OFFICE

City Clerk Staland administered oath of office to City Attorney Breck, Councilman Fisher and Councilman Piper.

**OATHS OF
OFFICE**

CONSENT AGENDA:

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

**CONSENT
AGENDA
APPROVAL**

- A. Approval of Claims - \$359,401.49 - January 6, 2020
- B. Approval of Payroll Claims - \$73,551.99 - December 27, 2019
- C. Approval of Regular Meeting Minutes - December 16, 2019
- D. Approval of Preliminary Plat/PUD Extension Agreement - Glacier Village at Meadow Lake Resort and authorize City Manager to sign.

VISITOR/PUBLIC COMMENT: (Items not on agenda)

Greg Fortin resides at 24 7th Street West, said he would like to revisit the old red bridge as there was recently 3,500 people that showed interest in the bridge. They will be looking into possibly moving forward with construction or tear down of the bridge, he will keep Council updated. Mr. Fortin said he believes the county public transportation is severely lacking. There are a lot of people that travel back and forth to Whitefish and Columbia Falls, with no bus service available unless they travel to Kalispell first. Fortin believes this should be looked at in the future.

**VISITOR/PUBLIC
COMMENT**

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PUBLIC HEARINGS/NOTICES:

Mayor Barnhart read the public notice and asked City Manager Nicosia for a staff report:

A. NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana, will hold a public hearing on January 6, 2020 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, to adopt an amended 2020 FY budget for the Tax Increment District Fund and Targeted Economic District Fund.

**PUBLIC
HEARINGS-TIF
and TED**

The City received the estimated tax funding for the Tax Increment District Fund at the end of October, 2019. Based on the estimated real estate tax funding of \$459,324, the City Council will amend the appropriations for the 2020 FY. The funds will be spent as provided for in the Tax Increment District Statement of Need and priorities established through the public hearing process.

The City received the estimated tax funding for the Targeted Economic District Fund at the end of October, 2019. Based on the estimated real estate tax funding of \$1,734, the City Council will consider appropriating the available funds for the 2020 FY based on the Statement of Need and priorities established through the public hearing process.

City Manager Nicosia gave a presentation on the Tax Increment District Fund and Targeted Economic District Funds balances and project revenues. Nicosia also noted the planned uses of each of the funds based on the needs assessments completed as part of the Urban Development and Targeted Economic Development Plans for each district.

Mayor Barnhart opened the Public Hearing at 7:25 p.m.

O'Brien Byrd resides at 185 Martin Road, serves on the Community Foundation and was involved with the installation of the Nucleus District Monuments. Byrd said the Nucleus project started with the new signs as phase one. Mr. Byrd said he and his wife had owned a business on Nucleus Ave. and had to move their business to Highway 2 to capture the tourist business and to increase visibility. Byrd said the Columbia Falls Community Foundation is looking to improve the Nucleus District with phase 2 pedestrian lighting, initially from Hwy 2/9th Ave to 7th Ave. The lighting is a public safety necessity for children and adults. Byrd said they would like to have TIF monies allocated to pedestrian lighting for the safety of our community.

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Dave Petersen resides at 201 4th Ave E. said the last time he was here he spoke on the short fall of the Nucleus District Monuments. Petersen handed out an invoice from Glacier Precast Concrete. The invoice is inaccurate as it is billed to himself and the City of Columbia Falls. Petersen believes this past due invoice would qualify for TIF monies.

Greg Fortin, 24 7th Street West, said in 2014 there was a nonprofit bridge restoration company that came to assess the bridge for a pedestrian path. They are willing to come back to Columbia Falls for a cost of \$10,000 to reevaluate the bridge. Fortin said he understands the bridge is owned by the county but would still like to have another look at it.

Don Bennett resides at 1000 Columbia Drive, said there are a lot of positive changes to Columbia Falls and he would like to see public parking taken into consideration.

Chris Peterson resides at 926 Nucleus Ave. said Peg Newman takes really good care of the little garden by the Hungry Horse News and Hwy 2. Last summer we were told it would get an irrigation system and it has yet to be done.

Mayor Barnhart closed the public hearing at 7:47 p.m.

Mayor Barnhart read the hearing notice and asked City Manager Nicosia for a staff report:

B. NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana will hold a public hearing beginning on January 6, 2020 during the 7:00 p.m. regular council meeting, the City Council of the City of Columbia Falls, shall conduct a series of public hearings and meetings for the purpose of obtaining public comment to determine the greatest community development needs (public facilities, economic development, and housing needs). The City will take public comment during the month of January in order to obtain the greatest public input. The intent of the needs assessment process is to provide the City with a list of potential projects or actions in the areas of housing, economic development and public infrastructure that could be pursued over a period of years in order to improve the community, particularly as those needs affect low and moderate income persons. Based on the results of the needs assessment, the City may apply for state or federal funding from the Montana Community Development Block Grant (CDBG) Program and other funding sources to deal with local housing, public facilities, or other community needs and would like comments or suggestions from local

**NOTICE OF
PUBLIC
HEARING-
Community
Development
Needs**

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citizens regarding the City's needs and types of projects which should be considered.

City Manager Nicosia reviewed the possible Community Development Block Grant (CDBG) programs that the City could submit applications for when the opportunities arise. Nicosia noted that the City holds this annual Community Needs Assessment as the first step if an application is submitted. Nicosia said the City has successfully applied for CDBG HOME Grants, partnering with Habitat and Teakettle Vista and five Economic Development Grants that have resulted in an on-going loan funds for Columbia Falls. The City could also submit a Community Facility Grant application, noting that the City does not automatically qualify for funding due to our high income level but we can qualify projects.

Mayor Barnhart opened the Public Hearing at 7:56 p.m.

Don Bennett, 1000 Columbia Dr. presented the new Boys and Girls Club Community Center. His hope is the new facility could accommodate up to 300 kids. This would also serve as a community center. The projected building cost is \$5.5 million to complete the project. Mr. Bennett said the CDBG monies would be helpful to pay for city infrastructure services such as water, sewer, and bikepath. Bennett noted that it is important to take care of the young kids in our community and make sure they are on the right path.

Brian Parker resides at 936 3rd Ave. E., Kalispell, is a Community Land Trust Coordinator. Mr. Parker said they are seeking funding for affordable housing here in Columbia Falls. The Land Trust, working with the City, has identified significant affordable housing needs.

Mayor Barnhart noted that the hearing will continue to the next meeting, January 21st.

Mayor Barnhart read the notice of hearing for Tuesday, January 21st:

C. **NOTICE IS HEREBY GIVEN**, that the City Council of the City of Columbia Falls, Montana, will hold a public hearing on Tuesday, January 21, 2020 at 7:00 p.m. in the Columbia Falls City Hall, 130 6th Street West, Columbia Falls, Montana, to receive comments on the proposed resort tax funding option.

**NOTICE OF
PUBLIC
HEARING-Resort
Tax**

The Advisory Committee recommendation will be submitted to City Council at the January 6, 2020 Regular Council meeting. The City

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Council will hold a public hearing at the next regular meeting, Tuesday, January 21, 2020 to receive public input on the proposed resort tax funding option.

Taxpayers are encouraged to attend the hearing and give written or oral comments on the resort tax funding option. Written comments may be mailed to the City Clerk, 130 6th 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.

ORDINANCES/RESOLUTIONS:

A. Resolution # 1812 - A Resolution of the City Council of the City of Columbia Falls, Montana Establishing Certain Fees and Charges Relating to the City's Bulk Water Sales.

**RESOLUTION
#1812-Bulk Water
Sales**

City Manager Nicosia said we are updating the resolution to simplify billing by eliminating monthly billing and only bill upon completion of bulk water sales. Nicosia noted that the resolution also changes the base fee from a ¾ meter to the base fee for a 2" meter, as that is the size of the meter. The billing was also clarified to base all water usage on the commercial billing rates.

Councilor Shepard motioned to approve resolution #1812, second by Councilor Robinson with council voting as follows. AYES: Lovering, Piper, Robinson, Shepard, Fisher and Barnhart. NOES: None. ABSENT: Karper

B. FIRST READING - Ordinance # 796 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Title 17 of the Columbia Falls Municipal Code.

**ORDINANCE #796
- Title 17**

City Manager Nicosia said there were four ordinance updates for the Title 17 Subdivision Regulations since the last codification. Nicosia noted that this first reading has incorporated all of the changes made from 2008 to current. Nicosia reported that the formatting and numbering/lettering will be reviewed for accuracy before the second and final reading.

Councilor Fisher motioned to approve the first reading of Ordinance #796, second by Councilor Shepard and the motion carried unanimously.

C. FIRST READING - Ordinance # 797 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Title 18 of the Columbia Falls Municipal Code.

**ORDINANCE
#797 - Title 18**

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City Manager Nicosia reported that there have been 20 ordinances revising Title 18, Zoning Regulations, since the last codification. As noted with Title 17, all references and formatting will be verified before the second and final reading.

Councilor Lovering made a motion to approve the first reading of Ordinance #797, second by Councilor Robinson and the motion carried.

D. FIRST READING - Ordinance # 798 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Title 9 of the Columbia Falls Municipal Code.

**ORDINANCE #798
- Title 9**

Nicosia said after the legal review most of Title 9 is covered under state law or is outdated and no longer applicable. Nicosia reviewed the deletions and text amendments proposed in the update of Title 9, Public Peace, Morals and Welfare.

Councilor Shepard motioned to approve the first reading of Ordinance #798, second by Councilor Piper and the motion carried.

E. FIRST READING - Ordinance # 799 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Title 10 of the Columbia Falls Municipal Code.

**ORDINANCE #799
- Title 10**

Nicosia reviewed the proposed text amendments to Title 10, noting that since the last codification, Title 10 was updated by Ordinance 733, Hand Held Devices (10.80) and most recently by Ordinance 767, Stopping, Standing, Parking (10.57).

Councilor Lovering motioned to approve the first reading of Ordinance #799, second by Councilor Shepard and the motion carried unanimously.

F. FIRST READING - Ordinance # 800 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending Title 12 of the Columbia Falls Municipal Code.

**ORDINANCE #800
- Title 12**

Nicosia said Title 12 has had four ordinance amendments including 12.12 Street and Sidewalk width with Ordinance 784, Park Rules updated with Ordinances 714 and 762 and one-way street designation with Ordinance 760. We are also proposing striking outdated language as reviewed.

Councilor Shepard made motion to adopt the first reading of Ordinance #800,

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second by Councilor Lovering and the motion carried.

NEW BUSINESS:

A. Arbor Day Proclamation – Mayor Barnhart proclaimed May 1, 2020 as Arbor Day in the City of Columbia Falls, reading the annual proclamation.

**NEW BUSINESS –
Arbor Day
Proclamation**

B. Resort Tax Advisory Committee Recommendation

Mayor Barnhart asked City Manager Nicosia to present the Resort Tax Advisory Committee recommendations to the full council. Nicosia presented the draft ordinance as approved by the Committee at their last meeting on December 11th. At the conclusion of Nicosia’s presentation, Mayor Barnhart asked for questions or comments.

**Resort Tax
Advisory
Committee
Recommendation**

Dave Petersen 201 4th Ave E. said he was on the Resort Tax Advisory committee along with four council members and two other city residents. Mr. Petersen said he is 100% behind getting the resort tax passed. Petersen said we need to focus on what will get the vote passed. Petersen believes that 25% property tax relief is not enough to get the vote passed. Petersen suggests 40% tax relief, 40% emergency services and 20% to administrative services.

Clint Peters, Columbia Falls said he believes the 25% property tax relief is enough because the City is trying to offset the costs of increased public safety. Peters said the public has to understand that most of the taxable items on the list are not things you would purchase daily. The idea is to capture money coming in from out of town guests. Peters said the cost of two Firefighters would be an estimated \$190,000 per year with employer costs which could be paid with the Resort Tax monies.

Don Bennett asked if what you’re discussing this evening is what will be on the ballot. Mayor Barnhart said this is a recommendation from the committee that some council members have not seen yet. The proposal will be discussed and refined before it is placed on a ballot. There was further discussion on the items taxed and how the committee arrived at the percentages presented. Mayor Barnhart said he truly believes the City needs the Resort Tax and believes we can get it passed by providing citizens with proper information. Councilman Fisher said the Committee used templates from other communities to make sure we are on the right path. Fisher said he is on board with the 25% property tax rebate. Council had further discussion on the Resort Tax.

Councilor Fisher made a motion to strike Video games, sports cards, gaming systems in section 3.20.210, second by Councilor Lovering and the motion passed.

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Councilor Fisher motioned to make the Tax Relief portion 25%, 5% Administrative Fee to business, 55% to Public Safety Funding, 14% to Public Infrastructure Funding and 1% to City Administration costs, second by Councilor Piper and the motion carried unanimously. Mayor Barnhart stated that the Council will hold a public hearing on this proposal at the next regular council meeting, Tuesday, January 21st.

MAYOR AND COUNCIL COMMENTS:

Councilor Shepard said there are some upset neighbors about the mud coming off the construction project at Swan Mountain Outfitters on to Railroad Street. Shepard said he has been hearing drones in the evening, noting that they have been used illegally in Bozeman.

Councilor Lovering said at the corner of 2nd Ave. and 6th the signs have come down indicating the sharp turn around the guardrail. There is still graffiti at the shed at the Railroad St. ball field.

Mayor Barnhart said the City needs to get road closed ahead signs up at 7th and 1st Ave. E.

**MAYOR AND
COUNCIL
COMMENTS**

CITY MANAGER:

City Manager Nicosia reported that the City has been awarded a tourism grant for \$85,000 for the bathrooms and parking improvements at River's Edge Park. The City will be calling for bids in the near future.

Nicosia also reported that the city and county managers met and reviewed the long-range 911 funding proposal. The funding committee will be meeting on January 7th and they will make a recommendation to the 911 Board.

**CITY MANAGER
REPORT**

INFORMATIONAL CORRESPONDENCE - List available for Review

A. REPORTS:

- a. Fire Department Activity
- b. Fire Department - Call History

**CORRESPONDENCE
and REPORTS**

ADJOURN: Upon motion duly made by Councilor Lovering and seconded by Councilor Robinson the meeting adjourned at 9:27 p.m.

ADJOURN

Mayor

ATTEST:

City Clerk

APPROVED BY COUNCIL ACTION: January 21, 2020