



**KALISPELL CITY COUNCIL MINUTES
AUGUST 1, 2016**

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A REGULAR MEETING OF THE KALISPELL CITY COUNCIL WAS HELD AT 7:00 P.M., MONDAY, AUGUST 1, 2016, IN THE COUNCIL CHAMBERS AT CITY HALL IN KALISPELL, MONTANA.

A. CALL TO ORDER

B. ROLL CALL

Jim Atkinson, Sandy Carlson, Kari Gabriel, Chad Graham, Phil Guiffrida, Mark Johnson, Tim Kluesner, Rod Kuntz, Wayne Saverud were present.

Also present: City Manager Doug Russell, City Attorney Charles Harball, City Clerk Aimee Brunckhorst, Planning Director Tom Jentz, Senior Planner Jarod Nygren, and Police Chief Roger Nasset.

C. PLEDGE OF ALLEGIANCE

D. AGENDA APPROVAL

Phil Guiffrida moved to approve the agenda as submitted. The motion was seconded by Kari Gabriel.

The motion carried unanimously upon vote.

1. Council Minutes - Regular Meeting - July 18, 2016
Minutes

Public Comment

Mayor Johnson opened public comment on the consent agenda. Seeing none, he closed public comment.

Jim Atkinson moved to approve the consent agenda as submitted. The motion was seconded by Sandy Carlson.

The motion carried unanimously upon vote.

F. COMMITTEE REPORT - None.

G. PUBLIC COMMENT

Mayor Johnson opened public comment.

James Thompson, Public Comment

Mr. Thompson of 5865 Hwy 93 South, Somers, a Partner in MT Chip Partners spoke as the applicant for the de-annexation that is on the agenda as action item H.2.

Public Comment closed.

Seeing no further public comment, Mayor Johnson closed public comment.

H. REPORTS, RECOMMENDATIONS, AND SUBSEQUENT COUNCIL ACTION
1. Ordinance 1774 - Second Reading - Amendment to the Kalispell Airport/Athletic Complex Redevelopment Plan (now referred to as the South Kalispell Urban Renewal District Plan)

This Ordinance would amend the City of Kalispell Airport/Athletic Complex Redevelopment Plan to adopt and incorporate the April, 2016, draft of the South Kalispell Urban Renewal Plan. [1774](#)

City Manager Doug Russell provided a brief presentation for this item.

Public Comment

Mayor Johnson opened public comment. Seeing none, he closed public comment.

Phil Guiffrida moved to approve Ordinance 1774, an Ordinance Amending the City of Kalispell Airport/Athletic Complex Redevelopment Plan to adopt and incorporate the April 2016 draft of the South Kalispell Urban Renewal Plan as recommended by the Kalispell city Planning and Zoning Board. The motion was seconded by Chad Graham.

The motion carried upon vote with Jim Atkinson, Chad Graham, Phil Guiffrida, Mark Johnson, Tim Kluesner, Rod Kuntz, and Wayne Saverud voting in favor; and Sandy Carlson, and Kari Gabriel voting against.

2. Resolution 5766 - Resolution of Intent - De-annexation - Montana Chip Partners & Kraig Trippel

This Resolution informs the public that the Council intends to consider de-annexation of 15,472 square feet of land adjacent to County land owned by Kraig Trippel, during the September 6, 2016 City Council meeting.

[5766](#)

Planner PJ Sorensen provided the staff presentation on this item.

Public Comment

Mayor Johnson opened public comment. Seeing none, he closed public comment.

Wayne Saverud moved to approve Resolution 5766, a Resolution of Intention to exclude certain territory from the City of Kalispell, under the provisions of Title 7, Part 48, M.C.A. (exclusion of land), comprising a tract of land more particularly described as Tract 1AE in Section 7, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana (Parcel 1 of certificate of survey 18419), and further described on Exhibit "A", Directing the City Clerk to provide notice of this Resolution as provided by law, and setting a public hearing.
The motion was seconded by Kari Gabriel.

The motion carried unanimously upon vote.

3. Final Plat - Mountain Vista Estates Subdivision, Phase 4B

Marquardt Surveying, on behalf of Touchstone, LLC, is requesting final plat approval for a 5-lot residential subdivision.

[Final Plat](#)

Senior Planner Jarod Nygren provided the staff presentation on this item.

Public Comment

Mayor Johnson opened public comment. Seeing none, he closed public comment.

Chad Graham moved to approve the Final Plat for Mountain Vista Estates Subdivision, Phase 4B, and the subdivision improvement agreement. The motion was seconded by Tim Kluesner.

The motion carried unanimously upon vote.

4. Conditional Use Permit for an Accessory Casino - Dengar Properties

Dengar Properties is requesting a conditional use permit for an accessory casino at 1250 Highway 2 West (Tree Frog Tavern) within the B-2 (General Business) Zoning District.

CUP

Senior Planner Jarod Nygren provided the staff presentation on this item.

Councilor Kluesner began questions for staff.

Public Comment

Mayor Johnson opened public comment.

Kim Larson, Public Comment

Mr. Larson, a planner with Apeck Engineering of 75 Somers Road in Somers MT, spoke on behalf of the new potential owner of the Tree Frog Restaurant. He would respectfully ask that condition #5 be stricken as they feel it unfairly prohibits the owner from any outdoor signage regarding the casino.

Public Comment Closed

Seeing no further public comment, Mayor Johnson closed public comment.

Phil Guiffrida moved to approve conditional use permit KCU-16-04 with the six conditions of approval. The motion was seconded by Jim Atkinson.

Councilor Kluesner provided discussion on the motion pertaining to the public comment provided.

Councilor Atkinson continued discussion on the motion.

Planning Director Tom Jentz responded to questions from council regarding condition #5.

Councilor Atkinson continued discussion on the motion.

Councilor Kuntz continued discussion on the motion.

Councilor Kluesner continued discussion on the motion.

Councilor Guiffrida continued discussion on the motion.

Councilor Gabriel provided discussion on the motion.

Councilor Kluesner provided further discussion on the motion.

Councilor Kuntz provided discussion on the motion.

Mayor Johnson continued discussion on the motion.

The motion carried unanimously upon vote.

5. Appointments to the Street Tree Committee

Consideration of the appointments of Barb Andersen, and Rick Moore to the Street Tree Committee.

Street Tree

Mayor Johnson recommended the appointments of Barb Andersen, and Rick Moore to the Street Tree Committee.

Wayne Saverud moved to approve the Appointments of Barb Andersen and Rick Moore to the Street Tree Committee. The motion was seconded by Jim Atkinson.

The motion carried unanimously upon vote.

I. CITY MANAGER, COUNCIL, AND MAYOR REPORTS (No Action)

City Manager Doug Russell provided the following report:

- Work Session next Monday Night: Appraisal for the Forest Service Building, Discussion on special permits for alcohol, and an operations update from Solid Waste
- Mr. Russell received a notification from the Governor that he has been appointed to the State Inoperability Governing Board.

Councilor Kluesner asked the Mayor for an update regarding invites to gubernatorial candidates. Mayor Johnson responded that they have been invited, and he is awaiting responses.

Councilor Atkinson said he was involved in a Friendship Force meeting welcoming a Friendship Force group from Purth, Australia. The Mayor of Purth sent the city of Kalispell a letter of friendship.

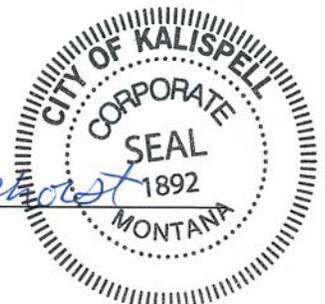
Mayor Johnson provided the following report:

- Mayor Johnson will attend a meeting at The Chamber of Commerce tomorrow from 11:30 to 2:00 to talk about health care in the Flathead Valley.
- He is also scheduling a meeting with Senator Tester's staff to update staff on some of the city's progressions.

J. ADJOURNMENT

Mayor Johnson adjourned the meeting at 7:39 p.m.


Aimee Brunckhorst, CMC
City Clerk



Minutes approved on: *August 15, 2016*

