

**CITY OF COLUMBIA FALLS  
CITY COUNCIL REGULAR MEETING MINUTES  
HELD MARCH 16, 2026**

Mayor Barnhart called the meeting to order at 7:00 PM

**ROLL CALL:** Councilor King, Councilor Piper, Councilor Price, Councilor Robinson, Councilor Semok, Councilor Stob and Mayor Barnhart.

Also present: City Manager Hanks, City Clerk Staaland, City Attorney Breck and Sergeant Rice.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:** Councilor Price made motion to approve the agenda, seconded by Councilor Semok and the motion carried.

**CONSENT AGENDA:** Councilor Price motioned to approve the consent agenda noting all claims appeared to be in order, seconded by Councilor Semok and the motion carried unanimously.

Approval of Claims - March 16, 2026 - \$123,852.42

Approval of Payroll Claims - March 13, 2026 - \$212,280.99

Approval of Regular Council Minutes - March 2, 2026

Sidewalk Easement- 204 Nucleus Avenue

**VISITORS/PUBLIC COMMENT (Items not on agenda)**

Roger Hopkins, 949 Vans Avenue, thanked Mayor Barnhart for his stance on county septic system regulations. He emphasized the importance of encouraging development within city limits and expressed support for maintaining current regulations.

Shirley Folkwein, 285 Shooting Star Dr., also thanked Mayor Barnhart for his stance, opposed returning to gravity systems, and expressed support from the Upper Flathead Neighborhood Association for maintaining current pressurized regulations. She also complimented the new city website.

Darin Fisher, 303 3rd Ave. E., thanked the City for opening parks early this season, noting increased use of basketball courts at Columbus Park. He also expressed appreciation to Mayor Barnhart for supporting clean water and opposing a return to gravity septic systems.

**NEW BUSINESS:**

City Manager Hanks said that as part of the Montana Land Use Planning Act the Council directed staff to evaluate short-term rental policies and their impacts on housing, neighborhoods, and the local economy. While short-term rentals provide benefits, when not well managed they can reduce long-term housing availability and create neighborhood and enforcement challenges.

He explained that short-term rentals are defined as stays under 30 days and are regulated differently in residential and commercial zones, though both require inspections and licensing. Currently, the City has 121 units, with most located in residential areas.

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Hanks noted the program generates about \$3.2 million in gross revenue and roughly \$96,000 in resort tax, but compliance issues exist, with some units not properly licensed or reporting Resort Tax. Improving education, enforcement, and coordination with hosting platforms will help increase compliance.

To address this, the City is proposing to modernize the program, centralize oversight under a single staff lead, and create clearer, more enforceable regulations aligned with community goals, including housing availability and neighborhood character.

He added that while some rentals operate more commercially, many are used by residents for supplemental income. Staff believes now is the right time to establish a clear framework moving forward. The Planning Commission has reviewed the issue and will present a recommendation that differs somewhat from staff's proposal.

Justin Ping with the Planning Commission said the recommendation included in the packet reflects extensive discussion over the past two meetings and is important for the public to hear. The Commission recognizes short-term rentals as both a vital part of the local economy and a potential tool to help residents offset rising costs. A healthy inventory of short-term rentals provides lodging options for visitors and supports local businesses, while also offering supplemental income for homeowners.

At the same time, the Commission acknowledged ongoing concerns from residents about impacts to housing availability, rising home prices, and neighborhood character, including issues like vacant homes, noise, and properties that do not align with the surrounding neighborhood. The Commission believes housing in Columbia Falls should primarily serve people who live here or intend to live here.

With that in mind, the Commission is recommending a more proactive and restrictive regulatory approach than what staff has proposed, modeled largely after the City of Bozeman. Their primary recommendation is to prioritize primary homeowners for new short-term rental permits, using the state's definition of a primary residence as occupancy for at least seven months of the year. This definition is already established through the Montana Department of Revenue, which helps from an administrative standpoint.

Ping emphasized that this approach would not eliminate existing short-term rentals. Current operators, including second homeowners, would be allowed to continue, but the short-term rental permit would not transfer with the sale of the property. The intent is to discourage long-term speculative investment in short-term rentals and instead prioritize local ownership and occupancy.

He also clarified that primary homeowners would still have multiple ways to participate in the short-term rental market, including renting individual rooms, renting their home seasonally, or operating accessory dwelling units. The Commission does not support placing a cap on the number of short-term rentals and believes access should be equitable across all zoning districts.

Councilor Price raised concerns about long-term residents who may not have anticipated short-term rentals in their neighborhoods and emphasized the importance of maintaining neighbor notification before permits are issued. Ping agreed that public notice is a critical component and should remain part of the process.

City Manager Hanks explained that staff is proposing a more incremental approach rather than immediately adopting one of the most restrictive models in the state and broader region. Staff's framework focuses on

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creating a consistent permitting system across all zoning districts, improving data collection to better understand the number and impact of non-owner-occupied rentals, and strengthening enforcement mechanisms.

The staff proposal includes establishing a dedicated short-term rental permit system in place of the current business license, with higher fees to support administration and enforcement. It also outlines operational requirements such as clearly defined parking limits, trash management, property boundaries, and guest behavior standards. Additional recommendations include prohibiting short-term rentals in larger apartment complexes, implementing stronger penalties for noncompliance, and working with hosting platforms like Airbnb and VRBO to improve enforcement.

Staff also recommend delaying implementation of new regulations until January 2027 and establishing a three-year pilot period to evaluate the effectiveness of the program before making further changes.

City Attorney Breck advised that restricting short-term rentals to owner-occupied units carries potential legal risks, including challenges related to property rights, regulatory takings, and interstate commerce. He also noted that enforcement could be difficult, particularly in verifying whether a property is truly owner-occupied.

During public comments, speakers supported maintaining neighbor notification requirements, honoring existing zoning decisions such as PUD restrictions that prohibit short-term rentals, and allowing neighborhoods to establish their own restrictions through covenants. Some also encouraged the City to take a more proactive approach now rather than phasing in changes over time, even if it carries some legal risk.

Councilor King asked for clarification on the terminology being used in the ordinance, specifically the difference between “host,” “primary residence,” and “owner,” and whether those terms are being used interchangeably. City Attorney Breck explained that a primary residence is legally defined as the one place a person primarily lives, and a person can only have one. He noted that in this context, primary residence and owner-occupied generally mean the same thing. King expressed concern about inconsistent wording, especially the use of “host” in Bozeman’s ordinance and emphasized the importance of choosing one clear term to avoid confusion, particularly if “host” could be interpreted as a property manager.

Discussion then moved to the compliance plan requirement for property boundaries. City Manager Hanks clarified that the intent is not a formal legal survey, but rather a simple, clear understanding of property access so it remains practical for guests who may assume access that infringes on a neighbor’s property.

Councilor Price raised concerns about properties not paying resort tax and asked whether platforms like AirBnB or VRBO could collect and remit those taxes directly. Staff explained that while platforms often collect state taxes, some cities still require property owners to remit local taxes themselves. In terms of enforcement, permits are due annually at the end of January, with notices sent for noncompliance, and continued failure to comply could result in properties being reported to hosting platforms and potentially removed, which tends to drive compliance.

The main difference between the staff and Planning Commission recommendations is the issue of owner occupancy. The Planning Commission recommends a tiered system that would gradually phase out non-owner-occupied rentals over time through attrition. Darren Fisher clarified that this is the only difference, and the Planning Commission supports all other aspects of staff’s work.

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Councilor Stob spoke in support of the Planning Commission's approach, emphasizing the impact of short-term rentals on housing availability and affordability. She noted rising rents and the need to prioritize residents, while still allowing owner-occupied rentals as a balanced approach.

City Manager Hanks recommended that the council take additional time before making a decision and outlined three options to consider: restricting to owner-occupied units, allowing a mix depending on zoning, or keeping the program unrestricted for now and revisiting it later.

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

Councilor Stob shared that she has been thinking about public transportation, especially as concerns continue to come up around infill development, traffic, and parking. She noted that some residents do not have vehicles and need reliable ways to get to work. While services like Mountain Climber are valuable, she feels they are not always practical for the working population.

Councilor Price asked whether those responsible for vandalism at the skatepark had been identified and whether cleanup had occurred. Sergeant Rice explained that the incident was reported too late to pursue leads, and no suspects were identified. Staff had reviewed the damage, but follow-up on cleanup was unclear.

Price asked about the possibility of installing cameras as a deterrent, noting the community investment in the park. Staff acknowledged that while camera systems are becoming more affordable, there are legal considerations and potential public concern about surveillance in public spaces.

Councilor Piper expressed appreciation to the Fire Department and Public Works Director Bates for their work on the basketball court cleanup and raised ongoing concerns about turn signals and the need for dog waste stations.

Piper inquired about the vacant parking area behind the Columbia Café and whether it could be used for public parking. Staff indicated the privately owned area is likely considered unsafe, and the owner may have liability concerns about allowing others to use it.

Mayor Barnhart asked about progress on replacing Railroad Street Park for youth baseball. Staff reported that a temporary solution is underway at Horine Park, where base paths will be cut and a backstop installed, though it will temporarily impact use of a soccer field. Coordination with the school district was not successful for this season, but work is ongoing to have the field ready.

Mayor Barnhart shared an update on attending a Kalispell work session regarding proposed septic system changes. While there was general support for the concept, Kalispell officials felt it was outside their jurisdiction to take action. Mayor plans to attend an upcoming public hearing and asks for informal support from the council in opposing changes to gravity systems, emphasizing the importance of following guidance from the environmental health department.

### **CITY MANAGER REPORT**

On March 18, the Local Government Study Commission will be meeting with the Local Government Center attending virtually to discuss self-governing powers and forms of government. This will be a pop-up open house.

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There has been a schedule change for the Downtown Sidewalk Project Phase II. An Open House will be held March 19 at 5:00 p.m., the pre-construction meeting is March 20, and construction will now begin March 23. Door hangers have been distributed, and project maps are available on the city website and social media.

At the April 6 Council meeting, the main agenda item will be a zoning regulations training. The Mayor and I recently attended this training and felt it would be beneficial to bring it back to the full Council. Materials are included in your packet, and we encourage you to review them and come prepared with questions. This will be a discussion, not just a presentation, and will also cover the Council's quasi-judicial role in land use decisions.

The Planning Commission meets April 9 to continue work on the future land use map and zoning recommendations, with a goal of finalizing those items. A special meeting is scheduled for April 13 for the Teakettle Heights application under the current code.

The staff requested a Parks Committee meeting on March 30 at 5:00 p.m. to discuss recreation projects, pool updates, and begin planning for the next fiscal year.

The City submitted a \$3.1 million funding request to Representative Zinke for wastewater system improvements, including UV system upgrades, sludge dewatering, and an aeration blower. We plan to bring a larger, more comprehensive request next year.

From our recent MDT meeting, the Railroad Street sidewalk project has been pushed to Fall 2026 or Spring 2027. Traffic studies are nearing completion, and we'll schedule a presentation soon. We also discussed congestion on Meadow Lake Boulevard and potential intersection improvements, as well as the school zone project, which will likely shift to next summer due to required approvals.

As for project updates, 4th Avenue remains closed through mid-August for the Gateway to Glacier project, with ongoing utility work. Tree removal will take place on 7th Street West. At Rivers Edge, the fishing pier project is expected to begin within the next couple of weeks, and pool and park improvements are on track for completion before the season.

Mayor Barnhart called for a recess at 8:52 PM, back in session at 8:55 PM.

Mayor Barnhart distributed information on Growth Policies.

Sergeant Rice reported February stats: 793 calls for service, 32 arrests, 13 accidents, 213 traffic stops, 7 DUIs, and 4 drug incidents, with about 7,000 miles patrolled. February is typically the lowest month, and there were also 20 agency assists.

He also shared a note from the Sheriff's Office thanking our department for its professionalism and assistance, highlighting the value of the training support from Mayor and Council.

### **MISCELLANEOUS**

Council Correspondence

February - Police Department Reports

February - Fire Department Reports

**ADJOURN**

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Mayor

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City Clerk