

WHITEFISH CITY COUNCIL

August 7, 2023

7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Feury, Davis, Sweeney, and Norton. Councilor Caltabiano attended via Teams until arriving at City Hal at 7:54 p.m. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs, Finance Director Gospodarek, Planning and Building Director Taylor, Public Works Director Workman, Parks and Recreation Director Butts, Police Chief Kelch and Senior Planner Compton-Ring. Approximately 17 people were in the audience and 1 attended virtually.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Jess Cerra to lead the audience in the Pledge of Allegiance.

3) COMMUNICATIONS FROM THE PUBLIC— (This time is set aside for the public to comment on items that are either on the agenda, but not a public hearing or on items not on the agenda. City officials do not respond during these comments but may respond or follow-up later on the agenda or at another time. The mayor has the option of limiting such communications to three minutes depending on the number of citizens who want to comment and the length of the meeting agenda)

Jess Cerra, Co-Organizer of the Last Best Ride. The Last Best Ride is a cycling event that took place in Whitefish over the weekend. Mrs. Mansfield was a guidance counselor at Whitefish High School and had a huge impact on her life. She started the Barbara Mansfield Champion Scholar award three years ago. It is a non-profit race that is hard and attracts a lot of people. This year they gave out \$75,500 of total money in scholarships to local women. They have expanded into multiple high schools and have a regional program to bring in riders from marginalized and underrepresented communities and have given out approximately \$25,000 in scholarships to those riders. This race is about empowerment, inclusion, diversity and making people feel welcomed. This weekend, people crossed the finish line crying because this race had changed their lives because the impact of the entire weekend and the collective effort of the special people, volunteers, and the community of Whitefish. She recognizes this brings people into the community and it puts bikes on the road. There is a lot of local resources that go into this race and support it. She shared her appreciation for the community.

Jan Metzmaker, 915 Dakota Avenue, would like the Council to consider changing some of their policies regarding noxious weeds. A lot of the weed issues are on city projects that created boulevards. The City created this issue because the contractors brought in soil with noxious weeds and then handed the problem over to the property owner. Now the noxious weeds are spilling over onto the street and being transported all over town. It is continually growing. She would really the Council to consider one time hitting the boulevards of the problems that were created and let the landowners off the hook and putting an effort into fixing these boulevards. Mowing the weeds is not controlling it.

Isaiah Pam, Republic Services, introduced himself. He is new to the team. He stated their partnership with the City is important.

Jake Persinger, Republic Services, provided an update on the bear proof cart rollout. The last load of carts will be delivered by the end of August and completely rolled out by September. A couple of things that impact their ability to service customers regularly, in the residential area, is spacing the carts four feet apart and four feet away from obstacles. They are trying not to damage property as they go through the alleys to service those carts. They do their best to remind customers with flyers. On the commercial side, vehicles

blocking access to containers. They try to service the alleys as early as possible, but it is not always possible to squeeze past vehicles. Their policy and standard are to go back the same day or return the next day.

Ed Docter, Montana Tap House, provided an update on the Fish Tank. It is going well; the community is getting involved. The Council debate is scheduled for September 15th.

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

- a) [Consideration](#) of awarding a consulting contract to update the Sustainable Tourism Management Plan and approve the Memorandum of Understanding between the City of Whitefish and the Whitefish Convention and Visitors Bureau (p.23)

City Clerk Howke presented her staff report that is provided in the packet on the website.

Councilor Sweeney made a motion, seconded by Councilor Norton to approve the contract with Applied Communications and approve the Memorandum of Understanding between the Whitefish Convention Visitors Bureau and the City. The motion carried.

5) CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

- a) [Minutes](#) from July 17, 2023 Regular Meeting (p.32)
- b) [Ordinance No. 23-11](#); An Ordinance rezoning 55 Hedman Lane in Section 1, Township 30 North, Range 22 West, P.M.,M., Flathead County, Montana, zoned WCR (Country Residential District) to WR-2 (Two-Family Residential District) and adopting findings with respect to such rezone (Second Reading) (WZC 23-04) (p.39)
- c) [Ordinance No. 23-12](#); An Ordinance amending Title 11 – Zoning Regulations, Chapter 2 – Zoning Districts, Chapter 3 – Special Provisions, Section 34 – Marijuana Facilities, of the Whitefish City Code (Second Reading) (WZTA 23-04) (p.42)
- d) [Consideration](#) of a request from Curt McIntyre for a Whitefish Lake and Lakeshore Protection Permit to remove three cottonwood trees within the Lakeshore Protection Zone, located at 1372 West Lakeshore Drive (WLP 23-10) (p.46)

Councilor Sweeney made a motion, seconded by Councilor Davis to approve the Consent Agenda. Councilor Norton abstained. The motion carried.

6) PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30-minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

- a) [Resolution No. 23-15](#); A Resolution adopting the Whitefish Community Housing Plan: Resort Tax (p.75)

City Manager Smith presented her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing.

Daniel Sidder, Housing Whitefish Executive Director spoke on behalf of the Housing Whitefish Board. The Board supports the plan as proposed. The Board also supports the ballot language that is proposed as agenda item 6b.

Ed Docter, Montana Tap House, supports this plan and the ballot language as proposed in agenda item 6b.

Cameron Blake supports the plan.

Leanette Galaz, 265 Colorado Avenue, Unit D4, Shelter WF Board of Directors, supports the plan as proposed. She advocates for more assistance than 10%. We can do better. There is a lot of allocation of funds that are going to places that is not benefitting the community, specifically referring to the property tax rebate and its allocation to a lot of out of staters. Now it a great time to update it and address the current needs of the community.

Anne Moran, 432 W. 3rd Street, an owner of affordable housing rentals as well as some less affordable housing rentals. As we move into more involvement with these kinds of projects, the way they are structured, is not always easy for long-term management by government. These situations there are usually subsidies, grants, and tax credits for the initial developers, whether they do it on their land or your land. They often sell out after the tax credits have been retained and you may be left with a project in your backyard that is not easy to manage. In any event you will have to have staff who is familiar with relating or coordinating with these entities whether you retain the property or whether you sell it. Those skill sets are specialized, and they are not easy, and they create a long-term overhead that may not be as sustainable as you would like it. The promise to the community with the initial resort tax was that this would help alleviate property taxes and cost for all of us. With all due respect for the comments offered, we have had a lot of external ownership of properties in Whitefish for many years. That has not been an uncommon situation. As a landlord, when costs increase, it will be passed somewhat to the tenants. Council can't fix the market, but every decision Council can be mindful for whether that money is being spent to ultimately make it more efficient for everybody in this town. She provided a handout to the Council of her ideas that are appended to the packet on the website.

There being no further public comment, Mayor Muhlfeld closed the Public Hearing and turned matters over to the Council for consideration.

Councilor Qunell made a motion, seconded by Councilor Norton to approve [Resolution No. 23-15](#); A Resolution adopting the Whitefish Community Housing Plan: Resort Tax. Councilor Qunell stated he has been advocating for trying to help fix our housing crisis. He appreciates all the comments. This is a good first step. Councilor Davis stated the resort tax is an excellent way to help ask the visiting community who has created some of this housing problem to help at the margins. This is not enough but is enough to make a difference. Councilor Norton stated this gives us a good start. We know that we have more to do. Councilor Sweeney stated even with the reallocation, as a result of going to 3%, the amount of money we are going to use for infrastructure support is going up. This is reallocation for supporting Haskill Basin is going to supporting some community housing. **The motion carried.**

- b) [Resolution No. 23-16](#); A Resolution submitting to the qualified electors of the City of Whitefish, Montana, the question of whether, to approve the use of the 3% resort tax starting February 1, 2025, as follows: (I) 25% for property tax relief; (II) 48% for the repair, maintenance, and improvement of streets, including storm sewers, all underground utilities, sidewalks, and curbs and gutters; (III) 10% for community housing initiatives including the development of deed restricted affordable housing units and community housing programs; (IV) 10% for improvements and maintenance of bicycle and pedestrian paths and other park acquisitions, capital improvements, and equipment; (V) 2% for the maintenance and replacement of existing improvements of the Whitefish Trail with any amounts not expended within five fiscal years available for the maintenance of city bicycle and pedestrian paths; and (VI) 5% for the merchants' costs of administration (p.91)

City Manager Smith presented her staff report that is provided in the packet on the website. Manager Smith stated there is a correction to Exhibit 'A', to mimic the language within the resolution.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned matters over to the Council for their consideration.

Councilor Norton made a motion, seconded by Councilor Qunell to approve [Resolution No. 23-16](#); including amending the language in Exhibit ‘A’ to reflect the language within the resolution.

Councilor Qunell made a motion, seconded by Councilor Norton to amend item (iii) 10% for community housing initiatives ~~including the development of deed restricted affordable housing units and community housing programs~~. Councilor Qunell reads this as the City is going to develop deed restricted affordable housing. He doesn't think the City has the capacity to develop affordable housing. Councilor Feury stated there may be a project that the City would be involved with the development of. By leaving that term out of there, we potentially would not be able to do so. **The motion was tied, Mayor Muhlfeld voted against. The motion failed 4-3, Councilors Qunell, Caltabiano and Norton voting in favor.**

The motion to approved carried.

- c) [Resolution No. 23-17](#): A Resolution to annex and incorporate within the boundaries of the City of Whitefish by petition and consent of the property owner approximately 1.36 acres of land known as 236 Jennings Lakeside Road in Section 14, Township 22 North, Range 22 West, in Whitefish, Montana, and zone the property to WSR, Suburban Residential, based on the findings of fact in the staff report (WAR 23-02) (p.103)

Senior Planner Wendy Compton-Ring presented her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their considerations.

Councilor Caltabiano made a motion, seconded by Councilor Sweeney to approve [Resolution No. 23-17](#). The motion carried.

RESOLUTION NO. 23-17

A Resolution to annex and incorporate within the boundaries of the City of Whitefish by petition and consent of the property owner approximately 1.36 acres of land known as 236 Jennings Lakeside Road in Section 14, Township 22 North, Range 22 West, in Whitefish, Montana, and zone the property to WSR, Suburban Residential, based on the findings of fact in the staff report.

WHEREAS, Kaitlyn Johnson, principal of Log Off LLC, filed a Petition for Annexation with the City Clerk requesting annexation and waiving any right of protest to annexation as the sole owner of real property representing 50% or more of the total area to be annexed. Therefore, the City Council considers this petition for annexation pursuant to the statutory Annexation by Petition method set forth in Title 7, Chapter 2, Part 46, Montana Code Annotated; and

WHEREAS, services to the annexed area will be provided according to the City of Whitefish Extension of Services Plan, amended by the City Council by Resolution No. 21-21 on June 21, 2021, as required by and in conformity with §§ 7-2-4610 and 7-2-4732, MCA, available at the Office of the City Clerk; and

WHEREAS, the herein described property is within the City of Whitefish's Urban Growth Boundary, the City has current and future capacity to serve the property and development, and the owners/developers will pay all costs to extend the municipal sewer and water service to the property; and

WHEREAS, pursuant to § 7-2-4211(2), MCA, the City shall include the full width of any public streets or roads, including the rights-of-way, that are adjacent to the property being annexed; and

WHEREAS, the proposed City zoning district, WSR, Suburban Residential, authorizes land uses comparable to the land uses authorized by Flathead County zoning; and

WHEREAS, the City, pursuant to §§ 76-2-303 and 7-1-4127, MCA, published in the newspaper of general circulation in the City of Whitefish, at least once a week for two successive weeks on July 19, 2023, and July 26, 2023, a notice that a resolution of annexation will appear on the City Council agenda for the regular meeting scheduled for August 7, 2023, at 7:10 p.m., and, at that meeting, the City will hold a public hearing and thereafter vote to either approve or deny the requested annexation and zone change; and

WHEREAS, on July 17, 2023, the Whitefish City Council approved the resolution of intent to annex and rezone the property; and

WHEREAS, the City Council of the City of Whitefish held a public hearing at its regularly scheduled meeting on August 7, 2023, at 7:10 p.m. at Whitefish City Hall, 418 E. 2nd Street, Whitefish, Montana, and thereafter voted to annex the area described in the Petition for Annexation and to apply City zoning, WSR, Suburban Residential, to said area; and

WHEREAS, pursuant to § 76-2-303, MCA, the City conducted the hearing on the annexation in conjunction with the hearing on the zoning of the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The City of Whitefish adopts the recitals set forth above as findings of fact.

Section 2: It is hereby determined by the Whitefish City Council to be in the best interest of the City of Whitefish, and the inhabitants thereof, as well as the current and future inhabitants of the area to be annexed described herein, that the area be annexed into the City of Whitefish and it is hereby declared by the City of Whitefish that its corporate boundaries shall be extended to include the boundaries of the area legally described below and that City zoning WSR, Suburban Residential, shall be applied to said property:

Lot 12 of First Addition to Whitefish Lake Summer Homes Amended, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Including the full width of any public streets or roads, including the rights-of-way, that are adjacent to the property being annexed.

Section 3: The minutes of the City Council meeting of the City of Whitefish, Montana, shall incorporate this Resolution.

Section 4: This Resolution shall take effect immediately upon its adoption by the City Council and the signing of the Mayor thereof.

RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 7TH DAY OF AUGUST 2023.

/s/John Muhlfeld
John M. Muhlfeld, Mayor

ATTEST:

/s/Michelle Howke
Michelle Howke, City Clerk

- d) [Ordinance No. 23-13](#); An Ordinance amending Zoning Regulations Title 11, Sections 11-2-1, Zoning Districts Established, 11-2A (WA), 11-2B (WCR), 11-2C (WSR), 11-2D (WER), 11-2E (WLR), 11-2F (WR-1), 11-2G (WR-2), 11-2H (WR-3), 11-2I (WR-4), 11-2J (WB-1), 11-2K (WB-2), 11-2L (WB-3), 11-2M (WB-4), 11-2N (WRR-1), 11-2O (WRR-2), 11-2P (WRB-1), 11-2Q (WRB-2), 11-2R (WI), 11-2S (WPUD), 11-2T (WBMV), 11-2U (WBMRR), 11-2V (WBSD), 11-2W (T-3), 11-2Y (WB-T), 11-6, Off-street Parking Standards, and Chapter 9, Section 2, Definitions, of the Whitefish City Code (First Reading) (WZTA 23-06) (p.120)

Planning and Building Director Dave Taylor presented his staff report that is provided in the packet on the website. Discussion followed with the distinction between duplex and a duplex townhome. Duplex would be a single building on one lot that has two units in it, either over/under or side by side with a common wall; duplex townhome is on a subplot that has zero lot line connected together, could be on one lot or multiple lots.

Mayor Muhlfeld opened the Public Hearing.

Leanette Galaz, 265 Colorado Avenue, Unit D4, Shelter WF Board of Directors, addressed the letter that is provided in the packet written by Nathan Dugan. The letter is in relation to the zoning regulations pertaining to an available HUD Grant. Less stringent zoning regulations is going to result in more density, more density results in more affordable housing. If we care about affordable housing, we need to talk about density. If we care about density, we need to talk about zoning regulations. One of the limitations for Whitefish to apply for the HUD Grant is the zoning regulations. They would have to be updated to be more friendly to affordable housing. Those requirements are listed in Nathan's letter.

Daniel Sidder, Housing Whitefish Executive Director, spoke toward a letter he provided that is appended to the packet. He thinks Council should focus on the parking. He sees this as an opportunity for the City to try something and see if it works. It can always be changed back during the Growth Policy update.

Lisa, 146 Reimer Lane, stated she supports this ordinance. It would allow her to increase density and create more green space, with less parking requirements.

Ed Docter, Montana Tap House, agrees with Daniel and supports changing the parking restrictions to create more density.

Renee, 13 Green Place, Grouse Mountain HOA, asked if it would affect those that are under covenants. Director Taylor stated it does not affect covenants that are already in place.

There being no further public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for consideration.

Councilor Sweeney made a motion, seconded by Councilor Caltabiano to adopt [Ordinance No. 23-13](#). The motion carried.

- e) [Ordinance No. 23-14](#); An Ordinance amending the Whitefish City Code, Title 2, Chapter 10, Architectural Review Committee; Section 11-3-3, Architectural Standards, Section 11-5-5, General Sign Standards; Architectural Review Standards (First Reading) (WZTA 23-05) (p.324)

Senior Planner Wendy Compton-Ring presented her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

Councilor Qunell made a motion, seconded by Councilor Sweeney to adopt [Ordinance No. 23-14](#). The motion carried.

- f) [Ordinance No. 23-15](#); An Ordinance amending Title 12, Subdivision Regulations, of the Whitefish City Code (First Reading) (WSUB 23-01) (p.388)

Senior Planner Wendy Compton-Ring presented her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

Councilor Caltabiano made a motion, seconded by Councilor Sweeney to adopt [Ordinance No. 23-15](#). The motion carried.

7) COMMUNICATIONS FROM ACTING FIRE CHIEF

- a) [Emergency Ordinance No. 23-16](#); An Emergency Ordinance placing a Stage II Fire Restriction within City limits, providing an exception, and waiving the second reading, with an immediate effective date (Only Reading) (p.539)

City Manager Smith presented Acting Fire Chief Travis Tveidt' s staff report in his absence. The staff report is provided in the packet on the website.

Councilor Qunell made a motion, seconded by Councilor Sweeney to adopt [Emergency Ordinance No. 23-16](#). The motion carried.

Mayor Muhlfeld called for a 5-minute recess at 8:47 pm and reconvened at 9:00 pm.

8) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR

- a) [Update](#) pertaining to the Whitefish Yards Offsite Trail Construction & Maintenance (p.545)

Public Works Director Craig Workman presented his staff report that is provided in the packet on the website. City Council held a work session on July 17th with Casey Malmquist, the developer of Whitefish Yards. There is confusion as to who is going to pay for the construction and maintenance of the offsite trail section. BNSF and DNRC are requiring the City hold the permit for these improvements.

The proposed license agreement from BNSF is one-sided and present a few issues. There is an indemnity provision which is broad and will require the City to defend and indemnify BNSF for any liability arising out of the license. There are also some insurance provisions in the agreement that the City will not be able to meet.

In terms of cost, engineers estimate for the off-site trail construction is \$382,000. The majority of this is for the retaining walls that will be required for the eastern connection on the other side of the bridge. There is also an \$800 application fee and \$3,700 issuance fee for the BNSF agreement. There will also be an annual fee for that agreement. Staff will not know the cost of the annual fee until after the improvements are completed.

Staff is looking for discussion on the construction and maintenance costs and direction on how to proceed. Attorney Jacobs explained the insurance issue is more that BNSF is requiring the City to add them as a third party insured, which is common. Some of the aspects of the insurance that BNSF is asking us to procure, MMIA cannot provide. The City's insurance company (MMIA) is an inter-local pool of municipalities. There are some aspects they cannot provide, such as a contractual assumption of liability. The license agreement is requiring us to provide some requirements that MMIA will not be able to provide. BNSF has traditionally had some onerous insurance requirements, usually when placing sewer under BNSF. MMIA's caution was this is kind of a bike path. It is not necessary infrastructure. BNSF might not want to grant the license if we can't insure them in the manner that they want to be insured. Staff has asked to include this on to an existing agreement. BNSF has not responded.

Manager Smith stated the funding for this project will compete with the Riverbend project. If Council proceeds with this, the funding will come out of the General Fund, which will spend down cash reserves. The Riverbend project is funded under resort tax.

Mayor Muhlfeld addressed Casey Malmquist, 160 Walker Creek Lane. Mayor Muhlfeld asked Casey clarified that is it more than just the bridge. There is also the north connection to the Sky Park Bridge trail. Without those two connections the half mile trail, \$2 million expenditure, is not going to go anywhere.

Director Workman stated in terms of cost, the north connection under the trestle is approximately \$123,000. The connection on the east side which would connect the new bridge to the BNSF Loop, is approximately \$260,000. The north connection under the trestle that connects to Sky Park Bridge is included in the current Bike and Pedestrian Master Plan.

Councilor Qunell asked, and Casey stated the bridge is purchased and has been delivered on site. He doesn't know what to do with the bridge. There will be significant cost ramifications if delayed; storing the bridge; and tearing out completed trail to install the bridge. Casey stated the conversation was to build it and the City would compensate after it was completed.

Councilor Norton stated we have the money; we have more reserves than we ever have had, and we are getting a bridge that we were planning to get. What is the downside going forward with this plan and making up for the decreased revenue. Mayor Muhlfeld stated reducing reserves is a percentage of cash from 35% to 30%. Manager Smith reminded Council that we are spending down reserves anyways this year in the preliminary budget, that we have to make up in future years. We are doing that to even out the property tax increase needed. We will have to look at addressing that shortfall that we are budgeting this year to keep property taxes from increasing too much.

Mayor Muhlfeld stated a compromise to fund the east improvements and allow the developer to fund the BNSF north improvements. The City would get the license and permit and pay for the cost of construction.

Director Workman stated the City did an amendment to the trail agreement at the time of constructing the Baker Avenue underpass, to include the section under the trestle. So, it would be the license applicable to the east and the DNRC permit.

Director Workman stated he understood that LHC was under contract to build this based on the plans and specs that the City approved. Manager Smith stated the City will have to go out to bid. The City cannot use the LHC contract that Casey has. It would have to be a fair and competitive bid process.

Mayor Muhlfeld stated he would like to see the final property valuations and look at the final budget before going to final adoption and get a better perspective on how this would impact the final fiscal year budget. Those two questions need to be answered before moving forward. Mayor Muhlfeld asked for this to be included on the August 21, 2023 agenda.

9) COMMUNICATIONS FROM CITY MANAGER

- a) [Written report](#) enclosed with the packet. Questions from Mayor and Council? (p.568)

None

- b) Other items arising between August 2nd through August 7th.

Manager Smith reported a press release was issued regarding the falling water levels on Whitefish Lake and the challenges that large watercraft and long trailers might face with the decreasing water levels. We are recommending boaters consider what they have docked.

We have received our taxable values from the State. Our values were adjusted by 55%. We went from the city earning \$49,000 to earning about \$79,000. About 5% of the whole 60% growth is due to new taxable property. She asked the Council for direction regarding the housing mills that have been set aside. Does the Council want to see it based on number of mills or dollar value going to affordable housing? Council agreed to keep it at 4 mills.

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) [Consideration](#) of a request from the Flathead Conservation District Board of Supervisors recommending the Whitefish City Council appoint Michael Kopitzke to serve as Urban Supervisor, term ending 12/31/2025 (p.572)

Councilor Caltabiano made a motion, seconded by Councilor Qunell to appoint Michael Kopitzke to the Flathead Conservation District to serve as an Urban Supervisor, term ending 12/31/2025. The motion carried.

- b) [Letter](#) from Nancy Nicoll, Community Manager, Iron Horse HOA/CCOA, addressing concerns pertaining to the lack of solid waste pickup (p.573)

No comment.

Council Comment

Councilor Feury stated as a procedural note, under item 6d, Councilor Sweeney's motion was to approve a resolution rather than an ordinance on a first reading. That will need to be corrected.

August 7, 2023

Councilor Norton addressed Jan Metzmaker's comments at the beginning of the meeting. All of the boulevards have noxious weeds. She asked staff if we can improve that. She feels it is the City's responsibility to come up with a plan. Director Workman stated an unirrigated boulevard is going to take at least three years to mature. We typically try to get seed down in the spring and fall, when we have help from mother nature. The last couple of projects we have not had that luxury. Without homeowners help watering the boulevards, it is going to take a couple of years to germinate. Staff is changing things in plans and specifications to be more stringent on the topsoil that is brought in. Staff is adding a two-year maintenance warranty that will include spraying for weeds. Councilor Norton also proposed a rule that cell phones are not allowed to be used at the dais or in work sessions other than for emergency purposes. Councilor Caltabiano stated he uses tablets and cell phones for both following the agenda and the packet. He does research online as Council is deliberating. He would like to keep using his tools. Other Council members agreed that members of the Council are not scrolling through social media while at the dais. Mayor Muhlfeld did mention that excessive use is distracting. He asks the Council to be conscious of that. Councilor Norton also asked that City staff look at pay scales for Mayors and Councilors to provide for the local government review.

Councilor Davis stated Council passed the 10% resort tax reallocation. He appreciated the discussion regarding property tax relief. There were good ideas about the impact of property tax relief. He thinks Council made the right decision, but he hopes the Council will revisit this conversation in the future. He also appreciated the comments with regard to the zoning changes. Changes that come from the state level are unintended consequences. It is the wrong way to go about things. The right way to go about things is to study and think about what our zoning regulations should be and that they fit our town. He is hoping staff is taking this into consideration.

Councilor Qunell agrees there are changes to the zoning that can be made prior to the Growth Policy update. He spoke about the Last Best Race event from the weekend. It is important to him, and he thinks this is the type of event we are looking for to bring visitors to town.

Councilor Caltabiano reminded citizens of the fire danger and asked citizens to report a smokestack at first sight.

Mayor Muhlfeld wished his niece and nephew, Jack, and Madeline a happy birthday. Jack is headed to Vancouver, British Columbia to play hockey; and Madeline is going to the University of Hawaii. He wishes them both the best of luck in their next path in life.

11) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority)

Mayor Muhlfeld adjourned the meeting at 9:58 p.m.

/s/John Muhlfeld

Mayor Muhlfeld

Attest:

/s/Michelle Howke

Michelle Howke, Whitefish City Clerk