

WHITEFISH CITY COUNCIL
September 21, 2020
7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Feury, Hennen, Davis, Sweeney. Councilor Norton was absent. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs, and Police Chief Dial. Approximately 25 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Lauren Oscilowski 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)

Maureen Cordoza did not state her address because she does not want it on the internet. She also stated the flag should be at half mast and needs to be replaced.

Catherine Owens, PO Box 1606, stated the BLM protestors have all their signs leaning against City Hall. She makes a recommendations if they have signs, they have to hold them.

Brian Scott Nordwall, 4960 Whitefish Stage Road, shared the Constitution of Montana, he does not think Whitefish is following the State or Federal Constitution. He would like to know why. He would like to know what facts Council is using to make decisions. The only thing that is true and honest is the Constitution. You follow it and you follow the laws on the books. The COVID-19 death rate without a vaccine is lower than the flu death rate with a vaccine. Council does not have the authority. We the people have the authority.

Jill, lives in Whitefish, stated the Council seem to like CDC and World Health Organization data stats. They are bought and paid for. They are compromised and unethical. It was discovered there is no evidence that surgical masks prevent virus for the wearer or those around the wearer. Cloth masks can make you sicker, there is zero evidence that cloth masks work on virus of any kind. We are seeing chronic headaches in children due to hypoxia, more respiratory infections from mask wearing like TB and Pleurisy. Council tells us per the Governors mandate, we all have to wear mask. There is exemption to the mandate. You continue to bully people that may or may not have exemptions. That is not acceptable. You are openly discriminating against medically exempt disabled and handicapped people here tonight. You are responsible for this discrimination. You are attempting to do the same here by not holding public meetings.

Jenny Alva, 616 Wisconsin Avenue, stated currently there is no public transportation. A bus is a really easy way to provide access to services like healthcare, school education, work, recreation. Not just for people who do not want to drive or cannot drive, but for folks who are disabled, kids who do not drive, etc. We need to focus on getting a robust transit system, not just for the City of Whitefish but also the rest of Flathead County. She thinks that is one of the most pressing issues that we can talk about.

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

None

5) CONSENT AGENDA

- a) [Minutes from September 8, 2020 Regular Session \(p.11\)](#)
- b) [Ordinance No. 20-12](#); An Ordinance amending Title 11, Zoning Regulations, Chapter 2 – Zoning Districts, Article 2K – WB-2 Secondary Business District, of the Whitefish City Code (WZTA 20-02) (Second Reading) (p.19)
- c) [Consideration](#) of a request from Karin and Jeff Thill, a 24-month extension of the preliminary plat for the Joanna King Trust Subdivision located Mountain Shadows Drive and Lot 14 of Mountain Shadows Subdivision (WPP 17-05) (p.24)

Councilor Hennen made a motion, seconded by Councilor Sweeney to approve the Consent Agenda. Councilor Feury had corrections to the minutes on behalf of Councilor Norton. Page 3 of the minutes 3rd paragraph “Maureen statedd”; page 4, 1st paragraph “Councilor Qunell stated his motion to deny is based on the “premise that this ordinance”, page 6, 8th paragraph changed “~~aloud~~allowed”. **The motion to approve the Consent Agenda as corrected 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. 20-36](#); A Resolution adopting the Whitefish Sustainable Tourism Management Plan (p.31)

Whitefish Sustainable Tourism Management Plan (STMP) Chair Lauren Oscilowski presented the plan that is provided in the packet on the website. This plan is a culmination of over two years of hard work by the volunteer committee, consultants, and advisors. On behalf of the STMP Committee we want to extend a huge thanks to our consultants Kate McMahon, Lorraine Roach and Michelle Archie as well as the committee advisors Dylan Boyle, Rhonda Fitzgerald, and former city councilor Jen Frandsen. The Committee is made up of Lauren Oscilowski, Councilor Andy Feury, Michelle Howke, Mariah Joos, Alan Myers-Davis, Nick Polumbus, Meagan Powell, Brian Schott, Craig Workman, and past member Steve Thompson.

There is not a single answer to addressing sustainable tourism. This is a complex plan that provides a lot of data and implementation of action items. Our community is currently experiencing unprecedented impacts as a result of COVID-19, which are also compounding issues that have already been identified in the plan. As a result, continuing the work of this committee by working to prioritize the implementation action items and beginning to act upon those is what our community really needs. The STMP Committee is recommending that the committee is extended for up to a year, to work on prioritizing and implementing identified action items in the plan. Another piece of the standing committee is also going to involve recommendation of what type of committee we need moving forward. The committee is willing to come back in the fall to report on that first step of prioritization of action items. Providing direction to the STMP Committee to work in conjunction with the Whitefish CVB on prioritizing and implementing action items is imperative to keep this important work moving forward.

Dylan Boyle, Executive Director of the Whitefish Convention and Visitors Bureau, also known as Explore Whitefish, and also served as an advisor to the committee. We ask Council to consider providing some guidance for the CVB as well as the committee on moving forward on planned action items that could be integrated into our current safety messaging as well as keeping our momentum moving forward as we are addressing these acute issues our community is facing with sustainable tourism. We realize our community right now is fatigued by over tourism after an extraordinarily busy summer and during a pandemic. We may need more time to participate in that process.

The key components are education and outreach as identified in the work program on the executive summary, and as a priority action item. To promote safe and responsible tourism are some of the issues

that we heard in all of our public comments and public input sessions. We have received a safety grant from the Montana Office of Tourism Business Development specifically to put out safety messaging for responsible travel during the pandemic. This includes elements of recreating responsibly and being kind to one another while visiting our community. The grant funds have to be expended before the end of this year. The CVB is working hard formulating a plan and actually integrates nicely with the action item of education outreach with the STMP.

Some of the work they want to undertake in the next few months is; a visitor value statement, recreating responsibly campaign and messaging, integrating safe travel- clean, careful, connected messaging; and our sustainability message into the new travel guide coming out in December. Looking at the Whitefish brand guidelines is also identified in the work program. The CVB is planning to engage a renowned brand strategist, Mike Bento to work with the CVB to integrate elements of the sustainable tourism management plan into our branding and messaging for our visitors. The committee would be involved in that process as well. The Whitefish CVB is committed to the STMP and by providing some guidance to them to move forward helps them to really build that critical momentum during this really important time as we work towards solutions and the identified issues.

Mayor Muhlfeld opened the Public Hearing.

Catherine Owens, PO Box 1606, stated the word ‘sustainable’ seems to be a buzz word. Kind of a marketing ploy. She read an article in the paper and there was a quote that said, “we want people to be like minded”. She took that as we are going to check people’s values at the door before they come into Whitefish. They have to think like City Council does. She does not know about the Sustainable Tourism, it has a good word, but sometimes those good words are not necessarily best for the community.

Brian Scott Nordwall, 4960 Whitefish Stage Road, stated 2300 years ago discovered that forcing people to cover their nose and mouth broke their will and individuality and depersonalize them, it made them submissive. That is all this is. The COVID information is wrong, the CDC is wrong, Steve Bullock is wrong. All these people are ruining his home.

Lisa Jones, 314 Blanchard Hollow, has worked in tourism for three decades. We have been working on sustainable tourism for a long time. The volunteers and the leaders in our community have spent two years working on this plan and have put some thought into this process and have taken all of us into consideration; the businesses, the environment, the visitors, everything. It is a very thoughtful plan. It is forward thinking and she hope the Council will consider letting it move forward in some capacity even if the entire plan cannot be adopted based on the circumstances.

There not being any further public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the City Council for their consideration.

Councilor Feury made a motion, seconded by Councilor Sweeney to approve [Resolution No. 20-36](#); A Resolution adopting the Whitefish Sustainable Tourism Management Plan. Councilor Feury agrees with some of the criticism that this is not a perfect document. The major complaints are there is not a lot of actionable items or metrics to say enough is enough. He is not sure either of those things are really obtainable. The educational component of this is extremely important. It is important for our tourists, and people that work in the service industry. We will work out the bugs overtime, but there are a lot of things in the plan that are of value. We started two years ago on this plan, this is not something we just decided after COVID that we were going to go ahead and do. This plan is targeted to give our visitors the best possible experience and reduce the impact on the people that actually live here on a daily

basis. We can all benefit from the economics of tourism brings us. He encourages the Council to pass this tonight.

Councilor Feury amended his motion to also include the Standing Committee be extended to October 1, 2021, and move forward by year end education and the outreach component if the plan, which would include messaging, work on the travel guide on the website, preparing for winter digital messaging and working with our consultant on Whitefish branding guidelines. Councilor Sweeney who seconded the original motion agreed.

The motion to approve Resolution No. 20-36 carried.

- b) Ordinance No. 20-14; An Emergency Ordinance providing for remote meeting of the City Council, City Boards and Committees, and waiving a second reading (Only Reading) (p.177)**

City Attorney Jacobs gave her staff report that is provided in the packet on the website. Two written comments were received, both in favor of remote meetings.

Mayor Muhlfeld opened the Public Hearing.

Maureen Cordoza, Whitefish, stated she does not come to very many meetings for the City Council. She stated she is a very passionate person in what she believes in. She finds this city has changed so much in the 26 years she has been here. She does not want to see this go remote. She worries about an internet glitch, or she not being seen to want to talk. She also feels some people do not have the capabilities to know how to get on WebEx. There needs to be something available to people about how to get to these meetings and how it works.

Catherine Owens, PO Box 1606, stated Council can have board meetings. They are about 20 feet from the audience. Show solidarity to the people that you are asking them to lose their jobs. She suggested the Council to do a hybrid meeting.

Jenny Alva, 616 Wisconsin, stated a really great thing about these meetings is that she gets to be exposed to a lot of different opinions. Some that she really disagrees with and some that she agrees with and all the in between. She thinks it is important that she gets to participate in this community, and that all of her community members also get to participate. She is in favor of the remote meetings. It is important to be able give the education necessary.

Brian Scott Nordwall, 4960 Whitefish Stage Road, stated Council is taking the wrong road, following the wrong information, and making the wrong decisions for the people. Please reconsider.

Lisa Jones, Blanchard Hollow Road, hopes the council will go with remote meetings. It makes the most sense especially since if masks are such a decisive issue. People do not have to wear them while attending remotely. Public comments are all documented, so there are lots of ways to participate if you do not want to get on to WebEx.

There being no further 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 Hennen to adopt Emergency Ordinance 20-14; An Emergency Ordinance providing for remote meetings of the City Council, City Boards

and Committees, and waiving a second reading. Councilor Qunell stated he does not think this would be necessary if there was a general feeling of solidarity in the community. This move to remote meetings has been made necessary because people will not follow those rules and to consider the safety and health of our citizens in the city.

Councilor Feury finds remote meetings quite cumbersome at best. He finds them difficult; it is hard to read people's body language when they are in two-dimensional form. Body language is important. People do not come because they have health issues, and they do not feel safe. He understands that. City Council is a non-partisanship and volunteer their time. We try to do the best thing we can do for this community as a whole.

Councilor Sweeney agrees with Councilor Feury, remote meetings are more challenging than the in-person meeting. This is the only way we can have the entire community have an ability to participate. There are those in this community that feel they have a right or a reason, or a need to wear a mask or follow social distancing. That does not mean that the others that want to participate and believe those things are important cannot. This community is about inclusion, solicitation of all members of this community to participate in the decisions this group makes. He will vote to support the Ordinance.

Mayor Muhlfeld reminded the audience, City Council meets at 7:10 p.m. on the first and third Monday of the month. The packet is made public five days in advance, available online at www.cityofwhitefish.org. The agenda includes directions on how to log in remotely and join the meeting via WebEx. The City Manager's Agenda Report is included in the packet shortly after the agenda. You can also sign up for notifications through the website. If you do have technical problems during the next meeting please direct those comments to the city and we will do everything we can to assist you to make sure it is more seamless at the next meeting.

The motion to adopt Ordinance No. 20-14 carried.

Mayor Muhlfeld called a recess at 8:25 p.m. and reconvened at 8:35 p.m.

7) COMMUNICATIOS FROM PUBLIC WORKS DIRECTOR

- a) **Consideration to award the Engineering Contract for the Edgewood Place & Texas Avenue Reconstruction Project (p.183)**

City Manager Smith gave Director Workman's report that is provided in the packet on the website.

Councilor Hennen made a motion, seconded by Councilor Sweeney to award the Engineering Contract to Robert Peccia and Associates for the Edgewood Place and Texas Avenue reconstruction project. The motion carried.

8) COMMUNICATIONS FROM CITY MANAGER

- a) **Written report enclosed with the packet. Questions from Mayor or Council? (p.186)**

None

- b) **Other items arising between September 16th through September 21st**

City Manager Smith reported the City of Whitefish has partnered with North Valley Food Bank to collect apples from trees in the parks. There was a great article in the Flathead Beacon. There has been a positive COVID-19 case at City Hall that did require other employees to be quarantined at this time, therefore

out of abundance of caution, she shut down City Hall to the public. She will reassess the situation in two weeks.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) **Letter of request from Jerry Dunker for Amendments to Deed Restrictions for Trail View, LLC (p.194)**

The general consensus of the Council was to turn down Jerry Dunker's request.

Council Comments

Councilor Qunell stated is a very stressful time for everybody, tempers are flaring. He is worried about what it says for our democracy when we cannot sit in a room, express different opinions, and have people come and get in your face after public comment. It is not how democracy worked in this country and not how it should work. People should not interrupt elected official's comments. He hopes we all can find a way to get back to what civil discourse is.

Councilor Sweeney wanted to give City Manager Smith a shout out, she has done a spot-on job with managing the city, this building, and helping us navigate this problem. Making the tools available through WebEx to be able to go remote. We need to go to remote meetings because we have a pandemic that is exploding in this valley. A remote system accommodates those that do not want to wear masks.

Councilor Hennen echoes Councilor Sweeney's comments. He does not like the remote meetings. Shout out to staff, they are doing a great job handling all the madness. Hopefully, we can get back to in-person meetings sooner rather than later.

Councilor Feury has a really hard time when someone stands up here and says nobody is dying from this pandemic or they do not know a single person that has died. For the ten families who lost people that lived in the care facility here in Whitefish, and family, friends and loved ones of the 200,000 people who have died in this country to date, that is a horrible thing to say. He cannot stand by and watch people make light of the losses that people are experiencing in the country right now. It is beyond him, he does not care who you vote for, what you think politically, that is terrible.

10) ADJOURNMENT

Mayor Muhlfeld adjourned the meeting at 8:55 p.m.

/s/John Muhlfeld

Mayor Muhlfeld

Attest:

/s/Michelle Howke

Michelle Howke, Whitefish City Clerk