

WHITEFISH CITY COUNCIL
August 17, 2020
SPECIAL SESSION 5:15 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Feury, Hennen, Davis, Sweeney, and Norton. City Staff present were, City Manager Smith, and City Clerk Howke.

2) INTERVIEW FOR BOARD OF ADJUSTMENT

Mayor Muhlfeld and City Councilors interviewed Jeff Fisher for the Board of Adjustments

3) APPOINTMENT

Councilor Sweeney made a motions, seconded by Councilor Hennen to appoint Jeff Fisher to the Board of Adjustment, term ending December 31, 2021. The motion carried.

4) ADJOURNMENT

Mayor Muhlfeld adjourned the Special Session at 5:25 pm and opened the Closed Executive Session at 5:30 pm.

WHITEFISH CITY COUNCIL
August 17, 2020
7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Feury, Hennen, Davis, Sweeney, and Norton. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs, Planning and Building Director Taylor, Public Works Director Workman, and Officer Duke. Approximately 6 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked City Attorney Jacobs 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)

David Von Kleist, 436 West 3rd Street, stated people are upset about the incident that occurred behind the VFW a few weeks prior. He begs the Council to work with the Police Department, work with the public and help them understand the Council is watching out for their constituency and that Council wants equality. He claims there is injustice going on.

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

None

5) **CONSENT AGENDA**

- a) **Minutes** from August 3, 2020 Regular Session (p.33)
- b) **Consideration** of a revised Subdivision Improvement Agreement (SIA) for Alta Views (WFP 18-01) to extend to September 5, 2022 (p.37)
- c) **Consideration** of a request for a Final Plat for Peters Subdivision, a 2-lot minor waiver subdivision located at 243 W. 4th Street, zoned WR-2 (Two-Family Residential District) (WFP 20-03) (p.46)

Councilor Sweeney made a motion, seconded by Councilor Norton to approve the Consent Agenda. Councilor Norton had corrections to the August 3rd minutes; page 36 of the packet, Councilor Feury first line things, next line down brought. 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. 20-22**; A Resolution amending the 2020 fiscal year annual budget to increase appropriations in three funds of the City (p.73)

City Manager Smith gave her staff report that is provided in the packet on the website. Resolution No. 20-22 is amending the fiscal year 2020 budget to increase appropriations in three funds; \$267,00 from the fund balance reserves in the Resort Tax Fund to cover approved costs from the State Park Road Reconstruction Project; \$11,250 from the fund balance reserves in the Residential Lighting District Fund to cover costs for the Residential LED Lighting Improvement Project; and \$75,000 from the fund balance reserves in the Gas Tax – BaRSAA Fund to cover cost of the Monegan Street Improvement Project.

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 Sweeney made a motion, seconded by Councilor Hennen to approve **Resolution No. 20-22**; A Resolution amending the 2020 fiscal year annual budget to increase appropriations in three funds of the City. The motion carried.

- b) **FY21 Budget, Tax Levy, and Assessments Public Hearing**: (p.77)
 - i. **Resolution No. 20-23**; A Resolution accepting and approving the municipal budget for the City of Whitefish for the 2021 Fiscal Year Commencing July 1, 2020 in its final form (p.80)
 - ii. **Resolution No. 20-24**; A Resolution (1) budgeting property tax revenue, (2) determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish, and (3) levying and assessing all special improvement assessments and other assessments on real estate within the Districts for the 2020 Fiscal Year (p.213)
 - iii. **Resolution No. 20-25**; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Street Maintenance District to defray the costs of street improvements (p.216)
 - iv. **Resolution No. 20-26**; A Resolution levying and assessing tax upon all real estate in Special Improvement Lighting District No. 1 in the City of Whitefish, Montana to defray the cost of improvements in said Special Improvement Lighting District (p.218)

- v. **Resolution No. 20-27**; A Resolution levying and assessing a tax upon all real estate in Special Improvement Lighting District No. 4 in the City of Whitefish, Montana, to defray the cost of improvements in said Special Improvement Lighting District (p.220)
- vi. **Resolution No. 20-28**; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Parkland and Greenway Maintenance District (p.222)
- vii. **Resolution No. 20-29**; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Stormwater Improvement and Maintenance District (p.224)
- viii. **Resolution No. 20-30**; A Resolution levying and assessing a tax on each lot or parcel of land lying within the boundaries of Special Improvement District No. 166 (JP Road) to defray the cost of creation of said District and of the improvements therein (p.226)
- ix. **Resolution No. 20-31**; A Resolution levying and assessing a tax on each lot or parcel of land lying within the boundaries of Special Improvement District No. 167 (Downtown Parking Structure) to defray the cost of creation of said District and of the improvements therein (p.239)
- x. **Resolution No. 20-32**; A Resolution levying and assessing costs from certain properties within the City for the extermination and removal of noxious weeds pursuant to Title 4, Chapter 3, of the Whitefish City Code; and for the removal of ice, snow, slush, or other impediments pursuant to Title 7, Chapter 2, of the Whitefish City Code (p.245)
- xi. **Resolution No. 20-33**; A Resolution levying and assessing costs from certain properties within the City for the collection of utility service charges pursuant to Title 8, Chapter 1, of the Whitefish City Code (p.248)

City Manager Smith gave her staff report that is provided in the packet on the website. The city received its certified taxable valuation on August 3rd. The value per mill for FY21 is \$40,219. Due to the expiration of the Tax Increment District the value of the city's mill has grown 49.64% since the prior year. The increase in taxable value, positive year-end figures, and the anticipated reimbursement from the Cares Act, the overall property tax levy has been decreased by 10 mills (\$402,194). All maintenance assessments remain the same as the year prior and after reviewing the bond coverage requirements for outstanding water and wastewater bonds and the ongoing Capital Improvements Projects, staff has determined a rate increase for water and wastewater is not necessary. The Property Tax Relief for FY21 has decreased by \$163,000 due to the pandemic. The Haskill Basin Conservation Bond should be fully covered during FY21 with Resort Tax funds unless further closure of businesses occurs. The water fund has adequate cash reserves should that happen.

Manager Smith highlighted a few changes since the preliminary budget hearing. An added contingency to the budget for \$25,000 for any unexpected COVID-19 costs; increased contribution to the Crisis Communications from \$10,000 to \$15,000; added \$40,000 to the Planning Department to hire a consultant to help create a new TIF District. The Cares Act funding has allowed to cash fund the ambulance purchase and add the Emergency Services Center LED Lighting upgrade project.

Capital projects have increased the budget by \$10.9 million from last year with two significant projects: The Wastewater Treatment Plant and the Water Treatment Plant expansion project. There are a few increases to staffing; part time customer service clerk to a full time position, part time office manager

for the Fire Department to a full time position, and the full time police officer position that was budgeted for half a year last budget will be budgeted for a full year this budget and 10 hours increase of staff time for the library.

There are three important areas for the city to continue to plan and consider as we move forward; improving cash reserves and fund balance; continue to adopt the annual Capital Improvement Program (CIP); and continue to address significant amount of unfunded liabilities for payouts for employees.

Manager Smith thanked Finance Director Dahlman, Department Directors and their staff, and the City Council and Mayor.

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 Feury made a motion, seconded by Councilor Sweeney to approve Resolution Nos. 20-23 through 20-33, adopting the FY21 Budget including revised Resolution No. 20-30 Special Improvement District for JP Road. The motion carried.

7) COMMUNICATIONS FROM FINANCE DIRECTOR

- a) **Review and adopt the FY21-FY25 Capital Improvement Program (p.252)**

Finance Director Dahlman gave his staff report that is provided in the packet on the website.

Councilor Sweeney made a motion, seconded by Councilor Hennen to adopt the FY21-FY25 Capital Improvement Program. The motion carried.

8) COMMUNICATIONS FROM CITY MANAGER

- a) **Written report enclosed with the packet. Questions from Mayor or Council? (p.277)**

Councilor Norton asked and Manager Smith stated staff is working with the County Election Department with regards to the Polling Places for the upcoming Election.

- b) **Other items arising between August 12th through August 17th**

Councilor Sweeney made a motion, seconded by Councilor Qunell to appoint Councilor Feury as an alternate for the Planning Board meeting August 20th. The motion carries.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) **Consideration of appointment to Board of Adjustments not made during the Special Session preceding tonight's meeting**

Council appointed Jeff Fisher to the Board of Adjustments during the Special Session preceding tonight's meeting.

- b) **Letter from Mitch Goulet regarding the events that occurred at the July 28th Farmers Market (p.281)**

No action nor discussion.

Councilor Comments

Councilor Feury stated Whitefish is a great example Tax Increment Financing District (TIF) work. The budget numbers today, and the things the city did with that money has made this community a better place to live. As a community we need to thank the other taxing jurisdiction for being patient and not getting their fair share over the years. If we look at the improvements that were made in the community it is unbelievable, the new City Hall, Ice Rink, Performing Art Center, Library, and streets to name a few. He thanked all the Council who preceded them and have spent that money wisely on projects we all will benefit from for generations.

Councilor Norton addressed fear and things getting wily in the community. We are only responsible for ourselves. If you are feeling fear, you have the capacity to produce peace within yourselves and within the community.

10) ADJOURNMENT

Mayor Muhlfeld adjourned the meeting at 7:55 p.m.

/s/John Muhlfeld

Mayor Muhlfeld

Attest:

/s/Michelle Howke

Michelle Howke, Whitefish City Clerk