

**WHITEFISH CITY COUNCIL MINUTES**  
**JULY 1, 2013**  
**EXECUTIVE SESSION, 5:30 TO 6:30 PM**

Mayor Muhlfeld called the meeting to order. Councilors present were Anderson, Hildner, Sweeney, Kahle and Phillips. City Staff present were City Manager Stearns, City Attorney VanBuskirk, Planning and Building Director Taylor and City Clerk Lorang. Councilor Hyatt was seated at 6:15 pm. The meeting was closed for the quarterly litigation update with the City Attorney. The meeting adjourned at 6:30 p.m.

**SPECIAL SESSION, 6:30 TO 7:00 PM**

**1. Call to Order**

Mayor Muhlfeld called the meeting to order. Councilors present were Anderson, Hildner, Sweeney, Hyatt, Mitchell and Kahle. City Staff present were City Manager Stearns, City Clerk Lorang, Planning and Building Director Taylor and City Attorney VanBuskirk.

**2. Interviews**

The Mayor and Council conducted an interview with Edward (Jay) Wolfe, applicant for the Member at Large on the Whitefish Highway 93W Corridor Plan Steering Committee. William Schnebel was also scheduled for an interview for this position but did not appear for the interview. His letter of interest was included in the Council's packet. Also included in the Council's packet were letters from Frank Barnes, Rob Pero and Nancy Woodruff; all who had been previously interviewed on June 3, 2013.

**3. Public Comment - None**

**4. Appointments**

**4a. Councilor Sweeney offered a motion, seconded by Councilor Anderson, to appoint Nancy Woodruff as the Member at Large to the Whitefish Highway 93W Corridor Plan Steering Committee. The motion passed with four (4) aye votes and two (2) no votes. (Councilors Mitchell and Hyatt voted in the negative).**

**4b. Mayor Muhlfeld appointed John Middleton, with Council's consensus, to the Whitefish Housing Authority Board to fill the vacancy for the term expiring December 31, 2015.** (John Middleton had been previously interviewed on June 17, 2013, as he could not attend an interview on this July 1, 2013 date).

**4c. Councilor Kahle offered a motion, seconded by Councilor Hyatt, to confirm the Park Board recommendation for their representatives on two committees:**

**Laurel Grady for the Ice Rink Advisory Committee**

**Jim DeHerrera for the Weed Control Advisory Committee**

**The motion passed unanimously.**

**5. Adjournment - Mayor Muhlfeld adjourned the Special Session at 7:03 p.m.**

Attest:

\_\_\_\_\_  
Mayor Muhlfeld

\_\_\_\_\_  
Necile Lorang, City Clerk

# WHITEFISH CITY COUNCIL MINUTES

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7:10 P.M.

## **1. CALL TO ORDER**

Mayor Muhlfeld called the meeting to order. Councilors present were Mitchell, Sweeney, Anderson, Hildner, Kahle and Hyatt. City Staff present were City Manager Stearns, City Clerk Lorang, City Attorney VanBuskirk, Assistant City Manager/Finance Director Knapp, Planning and Building Director Taylor, Public Works Director Wilson, Parks and Recreation Director Cozad, and Police Chief Dial. Approximately 20 people were in attendance.

## **2. PLEDGE OF ALLEGIANCE**

Mayor Muhlfeld asked Stella and Mitch Eddy 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)

None.

## **4. COMMUNICATIONS FROM VOLUNTEER BOARDS**

Councilor Hildner said the Weed Committee met and Parks and Recreation Director Cozad said they are working on public education and notification for noxious weed control. Councilor Hildner said the Bike/Ped Committee is still working on some easements for the Skye Bridge project, and the Dodger Lane project will begin next week. The committee was going to have a work-project to sand and repaint the bridge railings but a private volunteer will be doing that. Will McDonald with the Averill Group attended the meeting to give a presentation, but Councilor Hildner said he knew it would be coming before the Council for consideration so he left the meeting and had nothing to report on that project. He said Char Rygg has granted the easement across her property so that puts together a couple of key pieces in the trail system. He thanked Doug Adams and Greg Gunderson for their work on getting that easement. Manager Stearns said the trail on the Rygg property will be via a lease easement agreement.

**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)

**5a. Minutes from the June 17, 2013 Council special session (p. 30)**

**5b. Minutes from the June 17, 2013 Council regular session (p. 31)**

**5c. Consideration of approving application from Rob Pero for Whitefish Lake Lakeshore Permit (#WLP-13-W12) to install a 587 sq ft I-shaped EZ dock at a new development on Oregon Avenue next to City Beach subject to 12 conditions (p. 41)**

**5d. Consideration of approving application from Duane and Valerie Bauch for Whitefish Lake Lakeshore Permit (#WLP-13-W18) to stone steps at 2190 Houston Drive subject to 17 conditions (p. 57)**

Councilor Kahle offered a motion, seconded by Councilor Hyatt, to approve the consent agenda. The motion passed unanimously.

**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)

**6a. Consideration of an application from William Montgomery and Karen Ellingson for a Conditional Use Permit for a Bed and Breakfast at 178 East Blanchard Lake Road (p. 71)**

Planning Director Taylor reported on a request by William Montgomery and Karen Ellingson for a conditional use permit to operate a bed & breakfast at 178 E Blanchard Lake Road. The property is zoned SAG-5, Flathead County Suburban Agricultural. Planning Director Taylor reported that the applicant is requesting a conditional use permit (CUP) in order to operate a four room Bed & Breakfast at their house located at 178 E Blanchard Lake Road, with an on-site manager. The SAG-5 zoning district requires a Conditional Use Permit (CUP) for Bed & Breakfasts (2005 FCZR 3.08.030).

The property is just over an acre, which is still under the five acre required lot size for the SAG-5 zoning designation (most lots in that area are substandard in size). The applicant's site plan shows there are twelve available off street parking spaces, double what is required. Because this property is outside of city limits in a SAG-5 zone, no additional paving or landscaping is required. The property is located on the east side of Highway 93 South accessed via a private drive off of E Blanchard Lake Road. The Growth Policy designation for this area is Rural Residential which is intended for lots 2.5 to 10 acres in size of rural character. The SAG-5 zoning is consistent with this land use designation. Staff finds that the project meets the development requirements for Bed and Breakfast Establishments found in FCZR 4.02, the Conditional Use Permit requirements found in FCZR 2.06.080, and is consistent with the adopted 2007 Whitefish City-County Growth Policy.

A notice was mailed to adjacent land owners within 150-feet of the subject parcel on May 30, 2013. A notice was mailed to advisory agencies on June 3 2013. A notice of the public hearing was published in the *Whitefish Pilot* on June 5, 2013. One person called with concerns about dust, but the applicant has agreed to mitigate the dust.

Staff recommends approval subject to the following conditions:

1. The residential structure shall not be significantly modified to provide additional sleeping rooms or exhibit a nonresidential appearance.
2. The bed and breakfast shall be limited to four guest rooms and a live-in manager.
3. All on-site lighting shall be dark skies compliant.
4. The applicant shall secure necessary permits from the Flathead City-County Health Department for the operation of the Bed and Breakfast.
5. The owner or manager must be in permanent residence and maintain full use of the kitchen and at least one bedroom.
6. Sleeping quarters and breakfast facilities shall not be allowed in an accessory building.
7. Overnight lodgers shall not have direct access to cooking facilities, although the permanent residents of the dwelling may provide breakfast service to the guests.
8. Use of the residential structure shall be limited to the exclusive use of the resident dwellers and their overnight guests. With the exception of the occasional special event such as a wedding, no other use such as a restaurant, bar, or other use which attracts non-boarding customers is permitted. No alcoholic beverages shall be sold on the premises.
9. There shall be a minimum of six off-street parking spaces maintained and contained on the site.

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10. Prior to commencing the bed and breakfast use, the applicant shall schedule a site inspection with the Fire Marshal and comply with any required changes.
11. The applicant shall secure a sign permit for any signage associated with the bed and breakfast and the signage shall comply with the residential standards of the Whitefish Zoning Jurisdiction Regulations and shall not flash, rotate, or blink.
12. The applicant shall comply with all conditions and the Zoning Administrator shall verify that the conditions have been met prior to occupancy of the bed and breakfast.
13. The conditional use permit is valid for 18 months and shall terminate unless commencement of the authorized activity has begun or proof is provided prior to expiration that the applicant is diligently working toward commencing the use.

The Whitefish City-County Planning Board met on June 20, 2013 to consider the request. Following the hearing, the Planning Board unanimously recommended approval of the conditional use permit with the thirteen (13) conditions from the staff report and adopted the staff report as findings of fact. (Konopatzke and Vail were absent).

Councilor Mitchell asked and Director Taylor said guests aren't allowed to use the kitchen, they are dependent upon the owner/manager to provide the food.

Mayor Muhlfeld opened the public hearing. No one wished to speak and the public hearing was closed.

**Councilor Anderson offered a motion, seconded by Councilor Hyatt, to approve the application from William Montgomery and Karen Ellingson for a Conditional Use Permit for a Bed and Breakfast at 178 East Blanchard Lake Road with 13 conditions and the staff report as findings of fact (WCUP 13-07). The motion passed unanimously.**

**6b. Consideration of an application from Graham Hart of Bonsai Brewing for a Microbrewery and Tasting Room in the Mountain Mall at 6475 Hwy 93 South, space #45 (p. 98)**

Planning Director Taylor reported on a request by Graham Hart for a conditional use permit to operate a Microbrewery and Tasting Room called Bonsai Brewing on property owned by the Carrington Company at the Mountain Mall Space #45, 6475 Highway 93 South. The property is zoned WB-2, Secondary Business District.

The subject application is to operate a micro-brewery in conjunction with a tasting room. The WB-2 zoning district requires a Conditional Use Permit (CUP) for a microbrewery (WCC 11-2L-3). The location is within the Mountain Mall facility which has a multitude of different uses, both commercial and retail. There have been full service bars in the mall in the past (i.e., Sherwoods). The location of the brewery will be adjacent to the food court area of the mall.

The brewery and tap room will operate under State Liquor Board requirements which limits hours of operation to 10 am to 8 pm daily, and they can only serve each customer a maximum of 48 ounces of beer per day. The focus will be on selling craft beer in the tap room.

Breweries do have some impacts beyond what a typical restaurant or bar might have. There is a strong roasting grain smell produced by the manufacturing process that is generally non-objectionable. Grain dust generated from milling on-site can ignite and explode if exposed to open flames used for heating kettles, so fire marshal review is important. Harsh cleaning chemicals are often used on the

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vats/kettles, and yeast waste can be hard on public wastewater systems. The public works director is comfortable with how the effluent gets diluted before it gets to the sewer plant. However, a condition will be placed on the approval that all wastewater discharges must be in compliance with the rules and regulations of the wastewater utility. This request complies with zoning regulations and the WB-2 zoning. It is compliance with Code and there is plenty of parking.

A notice was mailed to adjacent land owners within 150-feet of the subject parcel on May 31, 2013. A notice was published in the *Whitefish Pilot* on June 5, 2013. One letter from Mall Manager Tom Krause was received in support of the request.

Staff recommended that the Whitefish City-County Planning Board adopt staff report #WCUP-13-06 findings-of-fact and recommend to the Whitefish City Council the conditional use permit for Graham Hart and Bonsai Brewing be approved subject to the following conditions:

1. Except as amended by these conditions, the use of the conditional use permit shall be in substantial conformance with the uses described in the application for a microbrewery.
2. Necessary Business Licenses and Sign Permits must be obtained.
3. The Fire Department requires the applicant to comply with all city fire codes for this classification of occupancy.
4. All wastewater discharges must be in compliance with all the rules and regulations of the wastewater utility per the Public Works Department.
5. The conditional use permit is perpetual, but shall terminate in 18 months unless commencement of the authorized activity has begun or the applicant contacts staff prior to the expiration and provides proof that they are diligently working toward commencing the activity without lapse and obtains an extension.

The Whitefish City-County Planning Board met on June 20, 2013 to consider the request and unanimously recommended approval of the conditional use permit with the five conditions from the staff report and adopted the staff report as findings of fact. (Konopatzke and Vail were absent). The applicant spoke at the public hearing in support of his project.

Councilor Kahle asked and Director Wilson said there are State limitations on a microbrewery. They can only serve 48 ounces to one person. Councilor Sweeney asked why the permit was perpetual and Director Taylor said CUPs are granted for the land or rental space, not for the business, so a future microbrewery could replace this business in the future. Councilor Hildner said the State Code makes no difference between micro versus nano breweries. He asked if the applicant wanted to expand to a micro brewery would it change the CUP and Director Taylor said if they added distribution of their product it might take further review.

Mayor Muhlfeld opened the public hearing. No one wished to speak and the public hearing was closed.

**Councilor Hyatt offered a motion, seconded by Councilor Sweeney, to approve the application from Graham Hart of Bonsai Brewing for a Microbrewery and Tasting Room in the Mountain Mall at 6475 Hwy 93 South, space #45 with 5 conditions and the staff report as findings of fact (WCUP 13-06). The motion passed unanimously.**

**7. COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR**

**7a. Resolution No. 13-11; A Resolution approving a five-year lease agreement with the Flathead Valley Ski Education Foundation, for the Saddle Club at Mountain Trail Park located at 705 Wisconsin Avenue (p. 122)**

Parks and Recreation Director Cozad said the Flathead Valley Ski Education Foundation (FVSEF) approached the City of Whitefish Park Board in May of 2013 with the desire to discuss the opportunity to lease the Saddle Club, which is located in Mountain Trails Park, for the purpose of creating a home for a local skiing hall of fame and museum to be operated by the FVSEF. The opportunity to partner with a non-profit organization in providing the resources necessary to improve the functionality of the Saddle Club and to provide another cultural attraction within our community will serve as a benefit to both the Flathead Valley Ski Education Foundation and our community. He introduced Tim Hinderman from the FVSEF.

Tim Hinderman said the Flathead Valley Ski Education Foundation is an organization that supports Flathead Valley youth skiing. He said they have several Olympians and National champions from their program; notably Tommy Moe. The Foundation would like to work to make sure those successes continue in the future. They want to bring major national championships to Whitefish Mountain Resort. They want to develop a museum heritage center with a hall of fame. They need a permanent home for this museum. They would like to work with the Park Board and the City of Whitefish for a long term lease for the Saddle Club on Wisconsin Avenue.

Dick Solberg said he started skiing on Big Mountain 63 years ago. The Saturday Evening Post magazine from 63 years ago contains the entire story of the history of the Big Mountain Resort. He quoted a famous quote that says, "Those who forget history are bound to repeat it." He said that those who forget Big Mountain ain't squat.

Mike Jenson said this is a union that will be a win for everyone. It will not only preserve a historic building but will provide a home for a great cause. These folks are willing and able to go to work for this cause, so they are willing to update the building and create a museum. He said the Ski Foundation does great things for kids.

Councilor Mitchell asked and Mike Jenson said the Ski Foundation will update the building and see that it is maintained. Councilor Hyatt said the Park Board was losing \$2500/year for the cost of the maintenance of the building versus the rental income from the use of the building. He said members of the FVSEF are working with Jason Loveless, who is the Parks Superintendent who oversees facilities, and he will show them how to do the scheduled work on this building. Mayor Muhlfeld asked and Director Cozad said the Armory will be available for those who exclusively want to rent a smaller place that matches the current rent from the Saddle Club.

Councilor Kahle modeled a sweater made for Russ Street that had "Big Mountain" on the back. He said he is the President of the Ski Foundation and is excited about this project. He said the story of Big Mountain needs to be told and needs to be remembered. He thinks this is a win-win project which will preserve the Saddle Club and create a museum for the ski history. Tim Hinderman said they met twice with Stumptown Historical Society and have started making plans to collect some of the ski stuff they have in their facility. He said they have talked about collaboration with the Historical Society. Councilor Hildner wondered if a 5-year lease was long enough or if it was open for renewal every 5 years. Director Cozad asked and Attorney VanBuskirk said the term is for 5 years, allowing renewal in additional 5 year increments. She didn't see any limitation that would prevent renewal in future years. Councilor Kahle disclosed that he is an officer of the Foundation, but he isn't gaining anything from this

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personally, so he would like to vote on it. Attorney VanBuskirk said neither State law nor the City's Ethic's Policy would preclude his participation.

**Councilor Hyatt offered a motion, seconded by Councilor Kahle, to approve Resolution 13-11, a five-year lease agreement with the Flathead Valley Ski Education Foundation, for the Saddle Club at Mountain Trail Park located at 705 Wisconsin Avenue. The motion passed unanimously.**

## **8. COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR**

### **8a. Resolution No. 13-12; A Resolution approving an Application for a \$15,000.00 TSEP Infrastructure Planning Grant and Committing Matching Funds (p. 127)**

Public Works Director Wilson said the Public Works Department has prepared an application to the State Department of Commerce for a \$15,000 TSEP Infrastructure Planning Grant. Staff needs the City Council to adopt the attached resolution, authorizing the City Manager to submit the application and committing to provide matching funds. The goal is to prepare a more in-depth structured grant for \$500,000. He said for an investment of \$40,000, they are optimistic that they can get \$500,000.

Councilor Mitchell asked and Director Wilson said this is work they will do anyway, but the grant applications allow them to do it with less expense. The project is the rehabilitation and replacement of sewer mains and manholes to reduce the inflow and infiltration of clear water to the sewage collection and treatment system.

**Councilor Hildner offered a motion, seconded by Councilor Sweeney, to approve an application for a \$15,000.00 TSEP Infrastructure Planning Grant and committing matching funds.**

Mayor Muhlfeld thanked Director Wilson and the Public Works Department for researching grant opportunities.

**The motion passed unanimously.**

## **9. COMMUNICATIONS FROM CITY MANAGER**

### **9a. Written report enclosed with the packet. Questions from Mayor or Council? (p. 137)** None.

### **9b. Other items arising between June 26<sup>th</sup> and July 1<sup>st</sup>**

Manager Stearns said today is Mayor Muhlfeld's 40<sup>th</sup> Birthday. He said July 1<sup>st</sup> is also the new fiscal year for the City. He said Fire Chief Kennelly, Rich Knapp and Manager Stearns met with the mediator with the Firefighters Union. He said the Firefighters Union was pondering the latest proposal and he hasn't heard anymore today. If mediation doesn't work they will move to binding arbitration.

Manager Stearns said he and John Wilson received an email from Orlan Sorenson that he isn't able to get financing so he has terminated the buy/sell on the Block 46 property and is also terminating his hotel project.

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Councilor Mitchell said the cemetery site didn't pass ground water tests and Manager Stearns said the committee is continuing to look for a 10-acre property; under consideration is seeking a lease for a cemetery on DNRC property near the Lion Lake trail. He said the proposed site south of the City wastewater building had a dry test hole the whole time, so they might be able to build a smaller cemetery on that property. Councilor Mitchell asked and Manager Stearns said the columbarium is in the budget next year for the existing cemetery site.

## **10. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS**

**10a. Standing budget item - None.**

**10b. Letter from Michael Morton of 101 Lakeside Avenue regarding limiting parking to one side of the street on Waverly Place just east of Washington Avenue (p. 151)**

Mayor Muhlfeld asked and Director Wilson talked about this area. Manager Stearns said page 152 and 153 show photos of the road. Staff, especially the Fire Department, recommends no parking on the south side of Waverly Place.

Michael Morton, 101 Lakeside Blvd. said his front door faces onto Waverly Place. People park on both sides of Waverly Place and the road is narrow and it is difficult to pull through. Councilor Hyatt asked if this was for summer or all year around. Manager Stearns said the sign can list May-October or they can leave it up for the whole year. He thinks it would be best to have no parking anytime on one side of the street to limit confusion of a seasonal restriction.

**Councilor Hyatt offered a motion, seconded by Councilor Kahle, to create no-parking on the south side of Waverly Place year around.**

Councilor Kahle asked about limiting parking on both sides and Manager Stearns said the request was for one side. There is a parking problem around City Beach, and this request is for one side only. Mayor Muhlfeld said he lives near there and the boat trailers overflow into residential neighborhoods. He said he has seen vehicles park all the way up Idaho Avenue, too, and it is a concern as well. He asked if staff would look into it.

**The motion passed unanimously.**

**10c. Email from Zane Perryman regarding places for a local band to play (p. 155)**

Councilor Hyatt said he sent a note to Ryan Zinke about the Veteran's Peace Park as a location.

**10d. Select an elected official to participate in the selection process for an engineering firm to design the 3<sup>rd</sup> Street sewer and road project associated with the Block 46 development project (p. 157)**

Manager Stearns said now that the Block 46 hotel project has been withdrawn they don't know if a future development will also need the sewer re-located. The current property is parceled into different lots. They don't know if they will be sold separately in the future. He said it is likely that in the future they might need to have the sewer relocated. It may not be necessary to move forward on this at this point. Councilor Hyatt asked and Director Wilson said the church sits over the sewer and it would be a positive thing to get it out from under the church, but it could wait awhile. Councilor Mitchell asked and Director Wilson said they don't know if the investment will ever serve any advantage, so he would

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see a benefit in waiting because this property is on the market. Manager Stearns asked if there would be an advantage to have the plans drawn up and not do the construction right away. Having the documents drawn up and ready to bid would make it shovel ready down the road. Director Wilson said they would be over-designing if the new purchasers didn't need the sewer line moved. Councilor Kahle said he doesn't hear that there's anything urgent here and there are too many unknowns, so he suggested that they wait. The rest of the Councilors agreed.

**10e. Schedule date for next budget work session (p. 159)**

Mayor Muhlfeld said there are 17 items to address and need a work session for the budget. Manager Stearns suggested July 22 or 29. The meeting was scheduled for July 29<sup>th</sup> at 5:00 p.m.

**10f. Appointments to Committees and Boards that were not made at tonight's Special Session before the meeting.** None.

**Councilor Comments:**

Councilor Hildner said he and Councilor Sweeney attended the budget oversight meeting for the High School and the good news is that the Iron Horse foundation donated \$1million for the locker rooms and fitness area. The managers also said that there could be design enhancement savings if they utilize a portion of the old school; the old gym foyer and the former space for the school office and lunch room. It would gain 6,500 square feet of space at minimal expense for an entryway to the new construction. As it would change the façade, it would mean the project would have to go before the ARC again. He is concerned that there is not currently any contingency money. He said bid package #3 was substantially over-budget so they are still working on it. They will meet again on July 9<sup>th</sup>.

Councilor Sweeney said the idea of keeping the 6,500 feet of existing school could save significant money, up to 6 figures. This proposal makes sense. Councilor Anderson asked and Councilor Hildner said normally there is a 20-25% contingency for changes, but there isn't any cushion for contingencies in this project. Councilor Anderson asked and Councilor Hildner said bid package #3 is \$11 million of a \$19 million dollar project and it was a few hundred thousand dollars over budget. Councilor Hyatt said he asked Bayard Dominick to give regular reports to the Council so they can keep up-to-date on this project. He asked Manager Stearns to contact them about this.

Councilor Mitchell asked and Councilor Sweeney said the new idea is to retain the current entry and office space. By retaining that 6,500 square feet they retain space they already own and they can save hundreds of thousands of dollars. He said it would help them meet their budget. Councilor Mitchell asked if the 6,500 was usable space or just a foyer. Councilor Sweeney said yes it is space that they need to retain. He said space is important for traffic flow from the athletic and arts areas. Councilor Mitchell said his frustration is that initially they kept telling the public they couldn't use any part of the old building. He is disappointed with the management skills of the consultants and the lack of contingency fee is unacceptable. He is unhappy with how this is done. Councilor Hildner said they are making a good faith effort and the changes are good recommendations. They assured the oversight committee that if it isn't revenue neutral they won't do it.

Councilor Hildner said a couple of people have approached him about lake noise from boats with large boom boxes, especially at night. He hoped they could address it. Councilor Hildner said fireworks are allowed on July 2, 3 and 4 by ordinance. He wondered if the police boat could circulate around the lake and let people know they can't set off fireworks beyond those dates. Chief Dial said they have a

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lack of resources to keep up with this. They have been policing it and giving out citations when they catch people.

Councilor Hildner said the boulevards and property on the Baker Commons area need to be mowed. Councilor Hyatt thanked staff and wished them a happy Fourth of July. Councilor Kahle said they did a good thing with the Ski Foundation and he thanked the Council for their support. Councilor Sweeney said, with respect to the school project, that they share other's frustration with the programming and budgeting of this project. He said the Councilors have some thoughts and they are trying to push the project in the right direction. He said there have been discussions with others who want to make contributions to the school, so that is a positive. He said they are cognizant that the project will require a contingency as part of their budget plan, but it remains to be seen where they will find it. Councilor Mitchell thanked Councilors Sweeney and Hildner for serving on the High School oversight committee.

Councilor Mitchell asked, and Chief Dial said, they plan the use of the police boat when they know the lake is the busiest. He said community input helps. If people will get a boat registration and report on the boat, the police will investigate it. Councilor Mitchell said the Highway 93 West construction is going well and the traffic is moving very well. Councilor Mitchell wondered if they should look at Block 46 for a parking area and City Hall site. Mayor Muhlfeld said it would require any of the Councilors who voted for the prevailing decision, Councilor Hildner, Anderson or Sweeney, to bring this up for reconsideration and none of them indicated they were willing to bring it up.

Mayor Muhlfeld said on July 13<sup>th</sup> the Whitefish Lake Institute will have the grand opening for the interpretive trail through the wetlands. He said it is a unique trail system and he encouraged them to attend.

**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 8:47 p.m.

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Mayor Muhlfeld

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Jane Latus Emmert, Recording Secretary

Attest:

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Necile Lorang, City Clerk