

WHITEFISH CITY COUNCIL MINUTES
NOVEMBER 17, 2014
7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Barbaris, Anderson, Frandsen, Hildner and Sweeney. Staff present were City Manager Stearns, Assistant City Clerk Woodbeck, City Attorney Van Buskirk, Finance Director Smith, Planning & Building Director Taylor, Public Works Director Wilson, Parks and Recreation Director Butts, Interim Fire Chief Page, Police Chief Dial, Senior Planner Compton-Ring and Planner Mininch. There were around 110 people in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Nick Palmer to lead 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) (CD 1:19)

Ina Albert, 955 Northwoods Drive, is here to say where “LOVE LIVES HERE” came from. In 2009 a lady moved here from California and she would have her white supremacist friends come to the valley. They wanted to come in with a more positive attitude that would be helpful, caring and loving so LOVE LIVES HERE was born. They have held demonstrations when films were being shown about Jews and Hitler. Their mission is co-creating a caring, open and accepting a diverse community; free from discrimination and dedicated to the equal treatment of all citizens. We are welcoming to all. We are requesting tonight that the Whitefish City Council pass a No-Hate ordinance. They do not want hate organizations doing business in our town. Please take our message as your motto, logo and standard here when you consider the ordinance. This is a pledge to the Council: “Whatever places you have known; the flags of your heritage or the color of your skin you are welcome here. Whoever you are; whatever the circumstance are of your life and whomever you love you are welcome here. And whether you ran here on little feet today or walked in briskly or ambled in or rolled in you are welcome here. Whether you agree or disagree, have doubts and uncertainties, lean left or right or like the middle you are welcome here”.

Rick Blake, 80 Eagle Crest Lane, read some of the letter from Mike Eldred for the record. My partner and I chose Whitefish as a second home because of the warm, accepting, loving, and compassionate members of the community who have showed us nothing but acceptance in the last decade. As a gay couple, we are amazed at how warmly we have been received into this community. So much so that we chose to have our commitment ceremony in Whitefish, as opposed to our home in Nashville, TN. People of all beliefs, ideas, thoughts and principles attended and encouraged us.

As a performing artist, I have seen the very best of the community in Whitefish over the years as so many have gathered together to show charity, raise funds for the needy and to take care of their own. To support any type of organization who exists to encourage prejudice and separation in this day and age seems like a huge leap back into the dark ages. I would hope that we would do our best to encourage Richard and his organization to find another home. I have many, many friends of all different skin types

whom I'm anxious to share Whitefish with in the future! I sure hope they will feel as welcome and safe as I have over the last ten years.

Gail Linne, 106 Murray Ave, representing the Murray Homes Community. The letter they have in their packets addresses the variance request from Alpine Enterprise LLC. If they have any questions she will be here.

Bruce Guthrie, 539 Crestview Road, Kalispell, said it is important on what we are doing here tonight as bull work. Mr. Spencer was quoted at saying Whitefish is a place where I go to get away from it all. I have no desire to do anything that changes the community that I love. But this statement is contradicted by his public statements were regards with his aspirations as advocated by the National Policy Institute. The people would like to know what Mr. Spencer has to say because his editorial said that he came here to maintain a low key but when he made an appearance on Russia's Today TV on August 12, 2013 it showed him from Montana USA. He is glad that Mr. Spencer has become a public figure in Whitefish as it gave all of our community and across the valley a chance to allow his ideas to be exposed to public scrutiny and further judgment to be manifest in the communities willingness to engage with him. He encourages the Council to be pro-active with regarding the kinds of activities that may be promoted here and also the kind of representation of Mr. Spencer's international notoriety being brought to the Flathead Valley.

Lindsay Hart, Whitefish resident and homeowner, said Richard Spencer advocates a government who will or can sterilize the minority men and women so they cannot have children. He wants to become a stakeholder in our community which means he will represent our community.

Brian Muldoon, 1165 Tamarack Lane, Columbia Falls, said this is not about an individual but a way of thinking that is despicable and cannot be tolerated in our community. It is his way of thinking that needs to be addressed. This community is standing up strongly against the kind of ideas that Richard Spencer and the National Policy Institute are promoting. It is time for us to standup to this kind of thinking. Tough Love Live Here and it is time for us to step up to the plate.

Turner Askew, 3 Ridgecrest Court, said we do not accept hate and discrimination in our town.

Allen Secher, 955 Northwoods Drive, said when he was a child he was beaten up and refused service at a hospital because he was Jewish. He thought this was finally all past them. He adores this town and wants to keep adoring it. He read a statement from the 30's that was written by a Protestant Pastor from Germany. Let's not open the door to this guy. He says his headquarters are not here but it is.

Mark Van Everen, 4 Pine Ave, said he is here asking the Council to consider a variance to his subdivision. He is building a tri-plex at the corner of Hwy 93 and Murray Avenue. He is being required to make improvements to the alley including paving prior to getting a building permit which will push the project off another 6 months. The alley is currently unimproved and not maintained. With the highway construction the alley have been used a lot more with the detours. The construction company has grated it several times due to wear and tear. He had been told he needs to improve the alley and manage the storm drainage. He is willing to take on these responsibilities but due to the fact that the alley is not a primary road for anyone he does not believe it is necessary or warranted to do before receiving his building permit. He hopes Council will grant his variance and also address the staff's

recommendation for the additional requirements of approval from the Fire and Public Works Departments. On page 223 of the packet, letter H, item 1, it says an all-weather drivable surface is to be installed by the developer and be inspected and approved by the Fire and Public Works Departments prior to submitting an application for final plat. He said requiring the approval from these additional departments will add delays to a straight forward project.

Shawna Moore, 120 Washington Ave, said she is in support of a No Hate activity ordinance. She believes it is important to honor the basis humanity of it all. Groups that attempt to shame and exclude are harmful to peaceful existence. Whitefish is much smarter than to support groups that foster hate. With support from groups like LOVE LIVES HERE and the Montana Human Rights Network and with a strong message from the Whitefish City Council she believes that nothing will become of this most recent local expression of division and discrimination.

Deborah Schmidt, Pastor of the United Methodist Church, in Whitefish and also lives at 322 Fairway Drive, said we do not want to encourage anyone promulgated to have the kind of ideas that were promulgated during Hitler's attempt to take over the world. It is very important that we send the message that we are here to embrace the vast diversity of people. She urges the Council to consider ways that we can express our desire to include and welcome people of the vast wonder of humanity.

Patrick Carloss, 829 Highland Drive, is here to support the No Hate ordinance.

Tony Veseth, 560 Somers Ave, said he understands the power of the 1st Amendment of the Constitution. We should never have to tolerate bigotry. One thing that has not attracted friends and colleague's is the idea of creating a White National State in Northwest Montana. We now have a choice as well as a responsibility to keep the idea of Montana as being a place for all to live, work and play. Not a place of bigotry hate and exclusivism. This is not the Next Great White State but rather maintain the Last Best Place for all. He urges the Council to send a message of love, acceptance and tolerance. Please pass a resolution, an amendment, a petition and ordinance telling the world that people who promote hate and violence are not welcome here.

Dru Rafkin, 830 Highland Drive, said she moved here 15 years ago and loves living here and has always felt safe. She said what is happening now has her not feeling safe but being here tonight and seeing all this support is a lot of help. She hopes the Council will not think they are over reacting. Please do not table this. She said Richard Spencer has on his website that he is going to create a State of Whites in the Western United States. He also said "the action part of this would be easy". She wants him to know that it cannot be done and it will not be easy.

Hilary Shaw, 650 Blanchard Lake Road, said she is the secretary of LOVE LIVES HERE and also the Executive Director of the Abby Shelter of Kalispell. She also serves on the leadership team of the Jewish Community of the Flathead Valley. She has been taught by her grandfather that it is not ok to judge all the Germans by the actions of a few. LOVE LIVES HERE promotes a community that stands up for each other and this means no-one is left behind. She said Mr. Spencer says that not all people deserve equal rights and all men are not created equal. He also said anti-discrimination is the enemy of tradition. She does not want Richard Spencer to be permitted to conduct National Policy Institute business in our town. She is here to ask them to do whatever is necessary to insure that he and others who share the same beliefs cannot conduct business in our town. His business does infringe on our rights

to live freely. You have the opportunity to impact the culture of our town. The Anti-Hate ordinance is constitutional and fair to all and not a hard choice.

Francine Rosten, 591 Hill Top Court, and also a Rabbi, said they just moved here from New Jersey and were welcomed with kindness. They felt this community is well diverse so they felt comfortable moving here. She is surprised that Richard Spencer has planted the National Policy Institute in Whitefish and how quickly people have recognized him for the person for which he is. She strongly supports the anti-hate and anti-discrimination legislation. She supports this and she wants the children to feel safe and wants the children to hear what we stand for which is the acceptance of the diversity of people.

Mike Jensen said he supports this effort and it is a very important issue.

Paula Koch, 1344 4th Street, said she is an educator and she cannot teach the students what is right or wrong without the backing of our community and council.

Pete Costain, 1210 O'Brien Ave, said he does not want to try to explain to his kids why the National Policy Institute is now based in Whitefish. He asked the council to do what they can to support this.

Jan Metzmaker, 915 Dakota Ave, said we have to take a stand now and do something.

Nathan Kosted, Kalispell, said he googled Richard Spencer and read that he is headquartered in Whitefish. He also read a quote from Mr. Spencer on his conference. He is banned from a 26 country area in Europe for violating their laws for 3 years. He has violated international law and has lied to us in the Whitefish Pilot. He does not want Whitefish to turn into another Hayden Lake, Idaho. He stands for a Non-Hate ordinance.

Ruth Neff, 1045 E 4th Street, said she has talked to people who are very negative towards African Americans and the President. She said maybe we should invite Mr. Spencer to our houses and ask why he is doing what he is doing.

Judy Owsowitz, 6505 Farm to Market, said her children were always afraid to say they had some Jewish in them for fear of being ostracized. She feels Whitefish should be a shining example for our state.

Isan Brandt, 1658 E. 2nd Street, said this could affect people staying here and not going to places that accept diversities.

Lisa Jones, 314 Blanchard Hollow Road, said she supports this group. Richard Spencer does have his rights but the people are looking to the City for leadership. We need to send a strong message.

Diana Smith, 2060 Houston Drive, wanted to thank the press, LOVE LIVES HERE and the Flathead residents for being here. She supports an Anti-Hate ordinance. It's time to prohibit hate. She said Mr. Spencer and his mother are building a business on Lupfer Avenue and it may house the National Policy Institute if we don't pull out all the tools in the toolbox. Everyone believes in the 1st Amendment but sometimes it is worth getting sued over. You are the leaders, you have the power. So take a stand and do the things that are hard even though they are scary. Please say No Not Now Not Here Not Ever.

Councilor Hildner made a pledge to protect the citizens of Whitefish.

Mayor Muhlfeld closed the public comment.

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

- a) Consideration of recommendation from Future City Hall Steering Committee regarding progressing to schematic design phase using Scheme 1.5 (p. 25) (CD 1:02:22)

Councilor Hildner made a motion, seconded by Councilor Sweeney, to approve the recommendation from Future City Hall Steering Committee regarding progressing to schematic design phase using Scheme 1.5. The motion passed unanimously.

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) (CD 1:04:58)

- a) Minutes from the November 3, 2014 Council special session (p. 44)
- b) Minutes from the November 3, 2014 Council regular session (p. 45)
- c) Ordinance No. 14-12; An Ordinance rezoning approximately 1.050 acres of land to become a part of 6348 Highway 93 South, Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County R-2 (One Family Limited Residential) and B-2 (General Business) to City WLR (One-Family Limited Residential District) and WB-2 (Secondary Business District) and adopting Findings with respect to such rezone (Second Reading) (p. 52)
- d) Ordinance No. 14-13; An Ordinance transferring the Mountain Trails Ice Rink Advisory Committee, Whitefish Tree Advisory Committee, Pedestrian and Bicycle Path Advisory Committee, and Weed Control Advisory Committee from advisory committees to the City Council to advisory committees to the Board of Park Commissioners, establishing the W.A.G. Board as an advisory committee to the Board of Park Commissioners, and amending Whitefish City Code, Title 2, Chapters 1, 6, 7, 8 and 11 (Second Reading) (p. 55)
- e) Consideration of a request from Doug Simonson representing the Bevill Limited Partnership to extend the Subdivision Improvement Agreement for the Orchard Lane 3 subdivision from November 30, 2014 to June 30, 2015 (p. 60)

Councilor Anderson made a motion, seconded by Councilor Sweeney, 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) (CD 1:05:15)

- a) Ordinance No. 14-14; An Ordinance amending Zoning Regulations in Whitefish City Code Section 11-2A-3, WA Agricultural District Conditional Uses, and adding a new Section 11-3-XX, Special Provisions, regarding airports, heliports and helipads (First Reading) (p. 71)

Planning & Building Director Taylor went through his staff report. He said staff is recommending approval of the text amendment. Staff recommends one minor additional change that arose after hearing public comment, adding the word “manned”.

Councilor Anderson asked Director Taylor why they are just addressing residential areas? Director Taylor said they could state within City limits. Mayor Muhlfeld asked about emergency aircrafts landing within the City limits and Director Taylor said this does not pertain to emergency aircrafts.

Mayor Muhlfeld opened the Public Hearing.

Mike Jenson, 919 Dakota Avenue, made a reference to Heitel's letter in clarifying text amendment is referenced to an excerpt from one residential zoning district which states: Accessory buildings, swimming pools, home occupations and other accessory uses. **The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.** Mike said they can regulate and enforce it and it is an asset to the neighborhood to not have to listen to helicopters coming and going.

Jan Metzmaker, 915 Dakota Avenue, said she does not believe helicopters should be landing inside the city residential areas. She would also like to at some point address the float planes coming and going from the Lodge at Whitefish Lake.

Mayor Muhlfeld closed the public hearing and turned it over to council for discussion.

Councilor Frandsen made a motion, seconded by Councilor Anderson, to approve Ordinance 14-14 with staff amendments of adding in the introduction paragraph to say "allowable only in WA" and also adding "manned helicopter from landing and taking off outside of permitted helipads or heliports. Also with Exhibit "A" to add E to the section of 11-3-33 stating "Manned Helicopters are strictly prohibited from landing or taking off in areas outside of permitted helipads or heliports, except for emergencies. The motion passed unanimously.

- b) Ordinance No. 14-15; An Ordinance rezoning approximately 0.881 acres of land located at 1722 and 1726 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, Whitefish, Montana, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting Findings with respect to such rezone (First Reading) (p. 87)

Planner Minnich gave the staff report.

Mayor Muhlfeld opened the public hearing. No one wished to speak. The Mayor closed the public hearing and turned it over to council for discussion.

Councilor Hildner made a motion, seconded by Councilor Frandsen, to approve Ordinance 14-15; An Ordinance rezoning approximately 0.881 acres of land located at 1722 and 1726 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, Whitefish, Montana from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting Findings with respect to such rezone. The motion passed unanimously.

- c) Ordinance No. 14-16; An Ordinance rezoning approximately 7 acres of land located at 2492, 2494, 2496 and 2498 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (First Reading) (p. 116)

Planner Minnich gave the staff report.

Mayor Muhlfeld opened the public hearing. No one wished to speak. The Mayor closed the public hearing and turned it over to council for discussion.

Councilor Frandsen made a motion, seconded by Councilor Anderson, to approve Ordinance 14-16; An Ordinance rezoning approximately 7 acres of land located at 2492, 2494, 2496 and 2498 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone. The motion passed unanimously.

- d) Ordinance No. 14-17; An Ordinance rezoning approximately 3 acres of land located at 2520, 2522, and 2524 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (First Reading) (p. 142)

Planner Minnich gave the staff report.

Mayor Muhlfeld opened the public hearing. No one wished to speak. Mayor closed the public hearing and turned it over to council for discussion.

Councilor Anderson made a motion, seconded by Councilor Frandsen, to approve Ordinance 14-17; An Ordinance rezoning approximately 3 acres of land located at 2520, 2522 and 2524 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone. The motion passed unanimously.

- e) Ordinance No. 14-18; An Ordinance rezoning approximately 2 acres of land located at 2530 and 2532 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (First Reading) (p. 167)

Planner Minnich gave the Staff report.

Mayor Muhlfeld opened the public hearing. No one wished to speak. Mayor Muhlfeld closed the public hearing and turned it over to council for discussion.

Councilor Anderson made a motion, seconded by Councilor Hildner, to approve Ordinance 14-18; An Ordinance rezoning approximately 2 acres of land located at 2530 and 2532 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone. The motion passed unanimously.

- f) Ordinance No. 14-19; An Ordinance rezoning approximately 2.3 acres of land located at 2405 Carver Bay Road, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from

County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (First Reading) (p. 195)

Planner Minnich gave the staff report.

Mayor Muhlfeld opened the public hearing. No one wished to speak. Mayor Muhlfeld closed the public hearing and turned it over to council for discussion.

Councilor Anderson made a motion, seconded by Councilor Frandsen, to approve Ordinance 14-19; An Ordinance rezoning approximately 2.3 acres of land located at 2405 Carver Bay Road, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone. The motion passed unanimously.

7) COMMUNICATIONS FROM PLANNING AND BUILDING DIRECTOR

- a) Consideration of a minor subdivision variance request a request from Mark Van Everen on behalf of Alpine Enterprise LLC for a variance to §12-3-11D and §12-3-11I of the Whitefish City Code to delay road improvements and authorize road improvements to be a part of the Subdivision Improvement Agreement for Murray Townhouses (p. 220) (CD 1:40:21)

Senior Planner Compton-Ring gave her staff report. Planner Compton-Ring said staff recommends **denial**. If the Council disagrees with staff they recommend Finding #3 be amended and the following condition be added:

An all-weather drivable surface be installed by the developer and inspected and approved by the Fire and Public Works Departments prior to submitting an application for Final Plat. The developer shall maintain this surface until the road is paved.

Councilor Sweeney asked if the developer is required to pave the whole road. Compton-Ring said no it would be about half of the road. Public Works Director Wilson said he does not feel this size of project needs to have this condition attached. Interim Fire Chief Page said the all-weather driving surface needs to be able to stand up to their vehicles without sinking.

Councilor Anderson made a motion, seconded by Councilor Sweeney, to approve the variance with Finding #3 amended to state that the hardship is not self-imposed because of the time it took for the application being approved. Also with the condition that prior to paving the road it has to be in a condition acceptable to the Fire Marshall.

Councilor Anderson asked the developer when the road could be paved.

Councilor Anderson made an amended motion, seconded by Councilor Sweeney, to pave the road 30 days prior to Temporary Certificate of Occupancy. The amendment passed unanimously.

The motion with the amendment passed unanimously.

8) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR

- a) Consideration of a request from the Pedestrian-Bicycle Trail Advisory Committee to increase the cost of the Skye Park Bridge project by approximately \$77,000 for a stone veneer on the retaining walls and bridge abutments rather than MSE concrete walls (p. 244) (CD 1:56:48)

Public Works Director Wilson gave his staff report and said that the Pedestrian-Bicycle Trail Advisory Committee met and they would like to do poured concrete wall with stone veneer to match the rest of other walls throughout town.

Councilor Anderson made a motion, seconded by Councilor Sweeney, to deny the request.

Councilor Anderson said the motion is to deny the request as it is like a change order that gets rejected. The project stays the same with no changes.

The motion passed with a vote of 4 to 1 with Councilor Hildner voting in opposition.

- b) Resolution No. 14-54; A Resolution establishing "No Parking" Zones along portions of East 2nd Street (p. 244) (CD 2:15:56)

Public Works Director Wilson gave his staff report.

Councilor Anderson made a motion, seconded by Councilor Frandsen, to adopt Resolution 14-54 with the modification that "No Parking" on the north side of E. 2nd Street from Larch Lane to the BNSF crossing and on the South side of E. 2nd Street from the alley between 2nd and Willowbrook to the BNSF crossing. The motion passed unanimously.

9) COMMUNICATIONS FROM CITY MANAGER (CD 2:23:50)

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 248)-None.
- b) Other items arising between November 12th and November 17th – Councilor Sweeney asked if City Manager Stearns has heard if Ken Williams is the 3rd person elected for the Study Commission. City Manager Stearns said as of today he has not heard.
- c) Consideration of approving Addendum No. 1 to the City Hall/Parking Structure architectural contract with Mosaic Architecture to proceed to the Schematic Design and Design Development Phase (p. 250)

City Manager Stearns gave a history of the project and also his staff report.

Councilor Hildner made a motion, seconded by Councilor Sweeney, to approve Addendum No. 1 to the City Hall/Parking Structure architectural contract with Mosaic Architecture to proceed to the Schematic Design and Design Development Phase.

Councilor Frandsen's concern with extending the contract is that she would like to see multiple design options.

Councilor Frandsen made a motion, seconded by Councilor Anderson, to amend the motion to direct Mosaic Architecture to provide alternate designs that address the Crandall Arambula

comments that have been heard by the building committee members and this Council. And to also direct the committee to support the process of having an alternative design presented.

Councilor Frandsen said she would like to see what it would look like if it was a more historic building and it was brought out to the corner.

The amended motion passed unanimously.

The original motion as amended was passed unanimously.

d) Resolution No. 14-55; A Resolution extending and revising the Future City Hall Steering Ad Hoc Committee (p. 256) **(CD 2:50:11)**

City Manager Stearns said the original resolution is due to expire on January 31, 2015 and with this resolution it would extend the term of the Future City Hall Steering ad hoc Committee until January 31, 2016 or until the City Hall is constructed plus add two more councilors to the committee.

Councilor Anderson made a motion, seconded by Councilor Sweeney, to increase the committee by two (2) Council members. The motion passed unanimously.

e) Consideration of additional directions on parameters of the proposed Special Improvement District (SID) to provide \$750,000.00 of funding towards the construction of the Parking Structure (p. 264) **(CD 2:56:18)**

City Manager Stearns gave his report with the recommendation to approve the use of inner and outer rectangle for the boundaries of a proposed SID for the parking structure.

Councilor Frandsen made a motion, seconded by Councilor Anderson, to approve the use of an inner and outer rectangle for the boundaries of the proposed SID for the parking structure instead of using an inner rectangle and an outer circle as proposed in the City Council packet. The motion passed unanimously.

f) Resolution No. 14-56; A Resolution approving Amendment No. 5 to the City's Flexible Benefit Plan (Cafeteria Plan) (p. 267) **(CD 3:02:32)**

City Manager Stearns gave a report explaining the City's Flexible Benefit Plan (Cafeteria Plan).

Councilor Frandsen made a motion, seconded by Councilor Hildner, to approve Resolution 14-56; A Resolution approving Amendment No. 5 to the City's Flexible Benefit Plan (Cafeteria Plan). The motion passed unanimously.

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS **(CD 3:05:55)**

Councilor Sweeney wants to join Councilor Hildner in his comment to do whatever they can to the concerns of the public tonight. It would be best if we could enact a "No Hate" or "Non-Discrimination" Ordinance and at a fast pace. All the Councilors were in support of this process moving forward and

directed staff to put together an ordinance. City Manager Stearns asked if they wanted examples of a “No-Hate” and a “Non-Discrimination” ordinance as they are different. Councilor Frandsen said she would like to see a resolution and an ordinance.

Councilor Hildner said whether it is a resolution or ordinance he just wants to make it clear to everyone that our position for our community is that it respects all. He also stated he strongly concurs with Councilor Sweeney.

Councilor Frandsen said she is appreciated on how our community came out and were able to speak their minds and gave useful ideas on how to address their concerns. She wanted to extend an invitation to the public, Councilors and staff to the Montana West Economic Development annual meeting on November 19th at their new office in Kalispell. Councilor Frandsen also would like to direct staff to have the street width in any future “No Parking” requests.

Mayor Muhlfeld made a motion, seconded by Councilor Hildner to appoint Councilor Frandsen and Councilor Anderson to the Future City Hall Steering Ad Hoc Committee. The motion passed unanimously.

Councilor Anderson said we already have some strong state statutes on the “No Hate” “Non-Discrimination” and he would like the City’s action either be an ordinance or resolution.

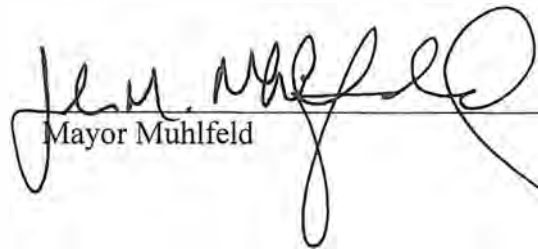
Councilor Barberis said she wanted to thank everyone that came out tonight and expressed their thoughts and we as a council will work our hardest to make sure that Whitefish is put on the map of a place where Love Lives.

Mayor Muhlfeld wanted to thank Jason Spring from North Valley Hospital for the very informative work session tonight. Mayor Muhlfeld asked Interim Fire Chief Page if in the future they could include the hospital in training for emergencies that they have.

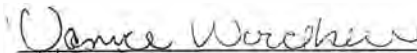
11) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority)

Meeting adjourned at 10:38 p.m.

Attest:



Mayor Muhlfeld



Assistant City Clerk Woodbeck

Please return to Necile

PUBLIC HEARINGS

PLEASE SIGN IN TO SPEAK ON A SPECIFIC PUBLIC HEARING 11/17/14

PLEASE PRINT NAME and ADDRESS

Zone Text Amendment - WA
Zone, Heliports and Helipads

Five Hearings for Zone Changes for recently annexed properties: 1) 1722, 1726 W. Lakeshore Dr. 2) 2492, 2494, 2496, 2498 E. Lakeshore Dr. 3) 2520, 2522, 2524 E. Lakeshore Dr. 4) 2540, 2532 E. Lakeshore Dr. 5) 2405 Carver Bay Road

1.	MIKE JENSON	X	
2.	BRAD SEAMAN		
3.	BRAD SEAMAN		
4.	DAVE MULLBORN		
5.	BRUCE GILHART		
6.	Paul Lima		other Murray Ave. alleyway variances request
7.	Casey Sullivan		
8.	Mark VanEveren		Murray Townhomes variances request
9.	Jan Metzmake		helicopter
10.			
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