

WHITEFISH CITY COUNCIL CLOSED EXECUTIVE SESSION

January 20, 2015

5:00 – 6:00 p.m.

Closed Executive Session: Personnel Matter Pursuant to §2-3-203(3) MCA. Mayor Muhlfeld, Councilors Barberis, Frandsen, Hildner, Feury and Sweeney were in attendance. Also in attendance were City Manager Stearns and City Attorney VanBuskirk.

WHITEFISH CITY COUNCIL MINUTES

January 20, 2015

7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Barberis, Frandsen, Hildner, Feury and Sweeney. Councilor Anderson was seated at 7:40 p.m. City Staff present were City Manager Stearns, City Clerk Lorang, City Attorney VanBuskirk, Planning and Building Director Taylor, Public Works Director Wilson, Parks and Recreation Director Butts, Interim Fire Chief Page, and Police Chief Dial. Approximately 25 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Eric Sawtelle to lead the audience in the Pledge of Allegiance.

3) PRESENTATION – Whitefish Community Center (formerly Golden Agers) facility and program update – Chuck Wilhoit (CD 00:58)

Whitefish Community Center Board Member Chuck Wilhoit submitted the 2014 Annual Report to the Council, reporting that 2014 was a very productive year. Some of the established senior programs are daily lunches at the Center and Meals-On-Wheels deliveries, senior health and exercise programs including a new wellness class of T'ai Chi instruction. Also enjoyed by many, a popular monthly History of Whitefish in conjunction with the Stumptown Historical Society, facilitated by Walter Sayre who was mentioned in memoriam. A grant from the Whitefish Community Foundation along with in-memoriam donations on behalf of Helen Gustafson funded a kitchen remodel, tables and chairs. Another grant from the Whitefish Community Foundation has funded an Activities Coordinator staff position now filled by Kathy Cozad. There have been some great speakers who gave presentations on site and great field trips through the "Out and About Tours". They have expansion plans to their activities for 2015 and to that end are applying for more grants. They continue to seek revenue resources through site rental, grants and sponsoring special events, along with their annual mail campaign in February. Along with the two site manager, Marianne Dyon and Kathy Cozad, 50+ volunteers help to provide services to keep the Center there for the Senior population; it is a life line and an integral part of their daily lives. (Appended to the Council Packet).

4) 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 6:48)

Hayley Berger and Emma Nixon, from the Whitefish High School Community Greenhouse Project, addressed the Council, saying the Goal is to connect students to the community through experiential education of the food system. Richard and Carol Atkinson have agreed to help fund the greenhouse project by matching funds raised by the students and the community. Richard has been

walking 3 miles/day from September 29th to February 23rd; and the Atkinson's will match (up to \$25,000) student and community pledges received towards Richard's daily walks. They hope to involve not only classes from the High School, but also those from the Middle and Muldown Schools, along with local businesses. They envision growing food for school cafeterias, as well as have food to donate to the Food Bank, and to be part of the local farmer's markets. By studying and working through the food system, students will not only make connections to earth's critical systems, they will make connections that affect their own lifestyle and ultimately become engaged members of the community. Construction is scheduled for Spring of 2015, and course implementation will begin in the Fall of 2015. Anyone interested in helping with the fundraising is encouraged to do so through the Whitefish Community Foundation website or call the High School. (Appended to the Council Packet).

Brian Labuda, 601 Park Avenue, said he was attending tonight as a representative of the Government Affairs Committee of the Chamber of Commerce.

Ben Cavin, 2130 Houston Point Drive, said his property lies in the Houston Lakeshore Tracts, and he was here to address the Agenda Item 9a) regarding the Preliminary Engineering Report on septic leachate. He had a letter from Sean S. Frampton from the Morrison & Frampton Law Firm representing Frampton's clients in the Houston Lakeshore Tracts and Stocking Tracts. Mr. Cavin submitted the letter to the Mayor and Council and City Clerk, which will be appended to the Council Packet. He read the letter to the Council which urged the Council to take action on those lands by "Worst First", according to the Contamination & Risk Assessment on page 55 of the Whitefish Lake Institute's report. Mr. Frampton's letter said that his clients' neighborhood (East Lakeshore) was listed below five other locations that are shown to be at a much higher risk of contaminating Whitefish Lake, according to the report.

Yvonne Slaybaugh, 2155 Houston Point Drive, said she was representing not only those in her subdivision, but also three properties to the north that were not part of her subdivision. They asked the Council to go after the "Worst First", not just the easiest. She listed the worst as City Beach Bay, Lazy Bay, Viking Creek, and Dog Bay below Lion Mountain. She said the City should spend their dollars working with the County and the property owners in those areas. She said she represents a lot of people.

5) COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Frandsen reported that the Montana West Economic Development is holding their 13th Annual Flathead Valley Economic Forecast from 8:00 to 10:00 am on Wednesday, January 28th. One can register on their website of www.dobusinessinmontana.com.

Mayor Muhlfeld announced there would be an agenda change tonight; #8, Communications from City Manager will follow #6, the Consent Agenda, and the #7 Public Hearing will follow #8, because Councilor Anderson is unable to get here tonight until nearly 8:00 o'clock.

6) 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 10:20)

a) Minutes from the January 5, 2015 Council regular session (p. 42)

b) Ordinance No. 15-01; An Ordinance rezoning approximately 0.17 acres of land located at 1016 Park Avenue, in Section 31, Township 31 North, Range 21 West, Whitefish, Montana, from County R-4 (Two-Family Residential) to City WR-2 (Two-Family

Residential District) and adopting Findings with respect to such rezone (Second Reading) (p. 47)

- c) **Ordinance No. 15-02; An Ordinance amending Whitefish City Code Title 2, Chapter 3, as it pertains to members of the Board of Adjustment to remove residence in the extraterritorial jurisdiction as a requirement (First Reading) (p. 50)**

Councilor Sweeney made a motion, second by Councilor Barberis, to approve the consent agenda as presented. The motion passed unanimously.

8) COMMUNICATIONS FROM CITY MANAGER (CD 19:40)

- a) **Written report enclosed with the packet. Questions from Mayor or Council? (p. 152) – None.**
- b) **Other items arising between January 14th and January 20th**

City Manager Stearns said in his report on page 153 in the packet, the paragraph on Montana DEQ's upcoming meeting on March 12th, will start at 5:30, rather than the 6:00 p.m. start time that was listed in the packet. In addition, Manager Stearns noted that his report included the announcement that Public Works Director Wilson will be leaving the City of Whitefish to be the Public Works Director in Missoula. Tonight will be his last meeting, and February 6th will be his last day of work. Mayor Muhlfeld offered Congratulations and wishes of Good Luck to John Wilson on behalf of himself and the Council; he thanked him for all the good work he has done for the City of Whitefish and said he would be leaving a good mark for himself.

- c) **Consideration of selecting Martel Construction as the General Contractor/Construction Manager for the future City Hall/Parking Structure project and authorize the City Manager to enter into negotiations with Martel Construction for a contract to be presented for future City Council approval (p. 170) (CD 21:35)**

Mayor Muhlfeld asked if the Council wished to proceed with this item #8c, or if they preferred to wait for Councilor Anderson to be in attendance; it was the consensus of the Council to proceed.

Manager Stearns said his staff report starting on page 170 explains the alternative construction methods of Design-Build or Construction Manager at Risk. On November 3, 2014, the City Council approved using the Construction Manager at Risk method so the City proceeded with the Request for Proposals. Seven proposals were received and reviewed by the selection committee: Mayor Muhlfeld, Councilor Hildner, Public Works Director Wilson, Sherri Baccaro from the Future City Hall Steering Committee, and Manager Stearns, and with the assistance of architect Ben Tintinger of Mosaic Architecture. Four firms were selected to submit more detailed RFPs and were interviewed by the selection committee; after which the selection committee is sending forth their recommendation for Martel Construction as the city's General Contractor/Construction Manager for the City Hall/Parking Structure project. The staff report includes the details of that decision.

Councilor Sweeney had some questions and architect Ben Tintinger spoke to the Council regarding his past work experience with Martel Construction. During this discussion Councilor Anderson was seated at about 7:40 p.m.

Councilor Hildner made a motion, second by Councilor Sweeney, to select Martel Construction as the city's General Contractor/Construction Manager for the new City Hall & Parking Structure, and to authorize Manager Stearns to enter into negotiations with Martel Construction for a contract to be presented for future City Council Approval. The motion passed unanimously.

- d) Resolution No. 15-02; A Resolution authorizing participation in The Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (InterCap Revolving Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto (Water Tender Truck) (p. 194). (CD 29:36)**

Finance Director Smith said that pursuant to Council's November 4, 2013 approval of purchasing a 3,000 gallon fire water tender apparatus from Rosenbauer, LLC, with \$70,000 cash on hand; this Resolution completes the terms for financing the remaining \$211,000 over 7 years with a Montana INTERCAP Loan.

Councilor Feury made a motion, second by Councilor Frandsen, to approve Resolution No. 15-02; A Resolution authorizing participation in The Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (InterCap Revolving Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto (Water Tender Truck) The motion passed unanimously.

7) 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) Consideration of various design options and alternatives for the future City Hall/Parking Structure (CD 32:11)**
i) Presentation by Mosaic Architecture (p. 53)

Architect Ben Tintinger, Mosaic Architecture, said his presentation includes comments he received during the Council's January 5, 2015 worksession, and subsequent comments he received after that. He said the project has come a long ways since they started in November 2012 with the design competition but he understands from comments from Mayor Muhlfield that not all minds are made up. He said tonight's presentations still includes options on the stairs and the lobby. He said tonight they are hoping this is the final review of schematic design and they can get ready for design submittal. Currently the building is planned to be built to the lot line on all sides with a rectangular entry way at the corner of 2nd and Baker – with entry doors on both 2nd and Baker. Arched windows over the entryways and along the southern exposure depict historical architecture features of the old city hall. Their design also tried to address input regarding making the entry way a more prominent part of the building. The design includes the potential 3rd floor; he noted that one does not see the 3rd level at the street level by the building or from most vantage points. These drawings show columns supporting an overhang on both Baker and 2nd, which he realizes may be a challenge but if it is something the Council would like to pursue he can have the engineers meet with MDOT to see if they can be worked out. The entryway is set back some because of MDOT turning radius requirements at the corner of 2nd and Baker. From Baker Avenue there is an entry that goes either into the parking garage or the lobby of city hall. He showed the entire west elevation and said from comments received at the 1-5-15 review, the arched windows have been incorporated along this elevation as well as around the corner to the north side. Brick façade is all the way around, again from input gathered on 1-5-15. Ben then reviewed the

different options for the lobby and stairway; both with a separate stair that works as a buffer between office space and the lobby, or a stair that wraps around the elevator. He added a description of the dimensions with both options. His presentation had pictures of actual stairways that stand alone in lobbies in other buildings; and he explained how both stairways (both options) enter into each floor. The lobby space is open to the upper floors which should allow a lot of light to come in.

The parking structure goal is to provide 230 spaces. Whether or not there will be parking below ground is still to be determined, which also will determine the flow of the rest of the layout; they are continuing to work with the parking engineer and now will be working with the Martel, the new General Contractor/Construction Manager. There are possible water issues and/or shoring issues with subsurface parking. They have been considering how to make up for the loss of subsurface parking spaces which could possibly be done by going up to 45 feet on a portion of the alley side; all of these options are being considered. Designing around the retail space also affects the efficiency of the garage. The retail space can be redesigned; the scheme basically saves the space, and has hallways included for deliveries. The designs show one elevator, which, by standards, is sufficient for the size of this parking garage and is the architect's recommendation. Two elevators would provide more convenience but at the cost of a loss of a parking space and would also be an impact to the budget. There is a single use public restroom that is adjacent to the elevator, accessed off of 1st Street. He reviewed the outside of the parking structure from both the north and west elevations. Perforated metal screening at the windows screens the cars and fulfills the airflow requirements as it is classified as an open parking garage. That will also affect what is shown as the placement of the windows on these schematic designs; final design will depend on what is technically required. Technical design will also affect how those window panels will look on the west side, and how close to the ground they have to be extended. He said there are options on the west side; a canopy if it can be afforded, and the perforated metal screening could be printed with historic images, or whatever is deemed appropriate. Councilor Sweeney asked if snow gets through the perforated metal and Ben said he wasn't sure – he thinks it would keep snow out. He said the new parking garage in Missoula has the perforated metal on all sides of their structure. He said the different levels and break down at the west side was designed specifically to meet the requirements of the original RFP published by the City requesting a design of something different than a solid wall.

The Mayor and Council asked both Ben from Mosaic and Steve from Martel Construction some follow-up questions.

ii) City Manager discussion of history of square footage requirements and future City Hall square footage options (p. 148)

City Manager Stearns said he has been asked, by several, regarding square footage requirements for a new city hall, and, for the benefits of those who had not been following this recently, the evolution of the different designs this building has gone through. He said it isn't in the current packet, but from previous discussions, as recently as a month ago, there were four basic design options and he reviewed those; because he said he knew the Council was interested on gathering comments regarding the third floor, the entryway, as well as other options. He projected the design options on the wall, including, as we saw earlier tonight, a rectangular corner on 2nd and Baker with entries off both 2nd and Baker; but this option did not have the lobby built all the way out to the south lot line. The next screen showed an option with the lobby built all the way out to the south lot line; and with less glass than the previous option. A 3rd option is circular at the corner of 2nd and Baker with a single entrance that faced the intersection at a 45 degree angle. A fourth option is again a single entry but with a chamfered corner, facing the intersection at a 45 degree angle, similar to two other buildings already at this corner. He said

he wanted to show these because he has heard comments from some of the Council that they would like to consider the chamfered corner.

Before going into the history of square footage requirements, Manager Stearns said there was a typo on his spreadsheet on page 148 in the packet. In Column K the square footage of the parking structure should read same as in Column D – 90,417 square feet; the difference being what is being set aside for a retail space – 4,563. He said it really didn't affect the rest of the spreadsheet. Regarding the history of the changes of square footage requirements brought forward by staff throughout this process; a space need analysis came forward in 2007 when the new city hall was planned to be built north of the library or in Depot Park, on land that would require a building on slab on grade, no basement because of the diesel plume from Burlington Northern, for an 18,000 square-foot building. Those plans allowed room for additional future expansion, which our current site and 2nd and Baker does not have. Building city hall here, at our current site, with an attached parking structure does not allow for expansion, unless the 3rd floor is not built initially and becomes an option for expansion. The basement is either built initially, or not, there is not an option to build a basement later. When our architect, Ben Tintinger, looked at the 18,000 square foot space needs study, he pointed out it was only a conceptual level of design and did not include wall thicknesses or other needs that adds square footage once you get into actual design. Manager Stearns said the 18,000 square-foot design was probably even undersized at the time. The 2007 space needs study had some allowances for some expansion, but did not include space for the three new positions now currently being planned; the new HR Director, the IT/GIS Technician and expansion in the Legal Department. We need to make sure we have enough space for our current needs as well as long-term needs in the future. Our architect looked at our lot size here and determined a 220' parking structure could be designed to fit our needs, leaving 80' for the city hall portion. Our lot width is 130', and by 80' that is 10,400 square feet per floor, gave us about 20,000 square feet of space, without a basement. Currently, under the City Clerk's office is an 1800 square-foot basement as well as a basement here at the corner under the Council Chambers that formerly housed the Police Department, both are being used for storage for the offices currently at this location. 3,535 square feet is a partial basement. That is how we got to the numbers on the spreadsheet on page 148 that shows now, in Column C, a basic city hall with 23,538 square feet including a 3,535 square foot basement. Column F reflects building a full basement – full width and full depth below city hall, adding 4,145 square feet of basement. Along with our current storage needs, when the Planning & Building and the Parks and Recreation Departments move over to this location, they will need storage space. Storage space needs are mandated by some state laws that require safe storage for original documents, including building plans. When the architects and some of the Ad Hoc New City Hall Committee toured the four sites in communities in the Seattle area of city halls that were comparable to what Whitefish will need; it came out more than once from those staff members who said they did not plan well enough for needed storage area; and were having to use hallways for storage, or store off-site. On the spreadsheet, Column G is the third floor which was originally planned for mostly a community space, a meeting hall space that could be used by the community – even during times when the rest of city hall is closed. If needed in the future, it could be a possible expansion area for needed office space. A third floor could be built in the future, but funding other than Tax Increment Funds would have to be found; funding would be needed, and some on the Ad Hoc New City Hall Committee have pointed out that construction costs in the future will probably be higher than current construction costs. The Council has some important costs decisions to make; he felt that to build a third floor later would be difficult and more expensive than to build it now. The retail space, a feature that has been identified and called out in the Downtown Master Plan as a connector between downtown and commercial space in the Railway District, adds 3,101 square feet, and adds cost to the project because of its impacts on the parking structure design. Again, it could become extra future flex space for needed city hall expansion. Manager Stearns said he hoped this

explanation, along with the spreadsheet, shows a better analysis of the changes in the square footage requirements. There was some follow-up discussion between Council, Manager Stearns, and Ben Tintinger and Steve Martel regarding costs for the third floor, the basement costs and shoring needs. Both Ben and Steve said costs have yet to be vetted when basic design features are set.

iii) Future City Hall Steering Committee Recommendations (p. 97)

There were no additional comments; Manager Stearns pointed out these were here in the packet.

iv) Public Hearing (p. 149)

Mayor Muhlfeld opened the public hearing.

Leo Keane, 514 Pine Place, thanked the Council for the opportunity to weigh in on the project. He said he likes the design, it is inviting, an important element, and will be a legacy for the Community of Whitefish. He likes the chamfered corner with a covered entryway, and he liked the open and curved stairway. He thought the curved stairway, an indoor feature but one that can be seen from outdoors because of all the glass, is an important and inviting feature and worth spending the extra money on; he said for a \$14 million building the extra money should be spent on a curved staircase. He said the wrap-around stairway is just the opposite – an un-inviting feature that to him says “you don’t want to go there”, more like a dark hole and not inviting. Regarding grounding of the building, he feels that glass all the way down weakens the structure, it should be grounded by a 3-4 foot base which could be used for landscaping to soften the building. He supported the retail space. Regarding a basement, he wasn’t in support of digging additional basement for parking, but since the existing building has existing basement already, he thought it smart and efficient to use that space for storage. He liked the 3rd floor for community space, he hopes that feature can be kept. He said once the numbers come in you can really start making those decisions.

Clerk’s Note – for viewing the video at this point, go to the 2nd CD.

Mary Jo Look, 290 Fairway Drive, said she has been following this project from the beginning as much as she can. She likes the build out of the building to the lot lines. She likes the rectangular entryway, that is more traditional to Whitefish; and she likes being able to enter from either 2nd Street or Baker Avenue. She did not like the chamfered entry, she said two other buildings like that at this corner is enough. She agreed with Mr. Keane’s comments regarding having a 3-4 foot base at the ground level, and she agreed the basement will need shoring. She thinks the lobby is too large – wasting space, and the elevator should not be the focal point – she said there isn’t anything pretty about an elevator. She said to remember – this is a city hall – for offices to do city business – not a gathering place. She asked that question and Mayor Muhlfeld said yes, it is offices, but the public uses the building as well. She said there would be more office space if the lobby size was decreased. She addressed the retail in the parking structure saying it uses up prime parking space. As an experienced retailer, she disagreed with the plan to include this retail space in the design. She said it is prime parking, not prime retail, and would take a very special type of retailer to utilize that space. She said it would need to be a very stable retail business because small businesses come and go. She said the pedestrians will cross Baker Avenue if they need to; and whether or not that space is retail will not matter to the pedestrians. She said for the expense – it isn’t worth putting the retail there.

Rhonda Fitzgerald, 412 Lupfer Avenue, said she also had comments that were included in the packet. She talked about former plans for a parking structure at the corner of 2nd and Spokane, across from the school and said that early in that process it was determined that going down, subsurface, was very expensive there. She said those plans also included retail space. She spoke in support of the retail in the current proposed structure for pedestrian connectivity, and she encouraged the Council to research and consider a 2nd elevator within the parking structure because she said that would help pedestrian connectivity as well. Regarding the new city hall – she feels that people in the community are very excited about building a new city hall that fits in the community – and using architectural features reminiscent of the old city hall makes the building fit in better. She thinks that with each new progression of the design the building is getting to be more Whitefish-like, and she thinks that is great. She supports a diagonal entry, a brick building, and less glass, then it might look like a building that had always been here in Whitefish.

Ian Collins, 898 Heron Drive, said he had comments in the packet as well. He doesn't like a 2-sided entry so he hoped the Council would continue seeking alternatives. He supports a wrap-around stair rather than a freestanding stairway, he said it leaves the lobby more open and gives it better flexibility. He supports the retail component as described and called out in the Downtown Master Plan. He said he is pleased that they will be working with Martel Construction.

Yvonne Slaybaugh, 2155 Houston Drive, she said she really like the proposal and thought the architects had done a great job. She is against the retail space just because it is so hard to find parking in Whitefish, she thinks the concentration should be on parking. She thought it was important to maximize the basement as much as possible, of course with consideration of shoring needs; and include completion of the third floor with new construction – don't look into the future for that but build it all now. She thought it would be more expensive to build it later. She thought one elevator is enough for the size of this parking structure, it might even encourage people to walk a little more and see more of the town.

Mayor Muhlfield closed the public hearing and called for a break at 9:25 p.m. The Council reconvened at 9:35 p.m.

v) Discussion and direction from City Council (2nd CD 11:54)

Mayor Muhlfield said the public hearing has been closed and now it is back to the Council for discussion. He said his expectations after discussion and direction from the Council, is that Ben will have direction so that he can do his job. This is the first public hearing for this project, and more public hearings will follow, and this is only the third opportunity that Council has had to meet with Ben to give guidance and feedback, previous meetings with Ben have mostly been with the Ad Hoc New City Hall Committee in addition to the meetings with staff regarding staff needs. He said he had compiled a list of comments he had received from members of folks in town, and members of the building committee and City Council, which he handed out prior to the meeting to City Council and Manager Stearns, (appended to the Council packet). He apologized to Ben that he only got it out about an hour before the meeting, but he only had a short time to compile it before tonight; and he hoped that the outline could be a basis for discussion tonight.

Based on the outline starting with the entryway, Councilor Barberis said discussion could start there. She noted this differed from the Council's vote for a rectangular entry at their previous meeting, but since then there has been increasing discussion along the lines to request another design option to

bring forward a classic chamfered entry. Mayor Muhlfeld asked the Council's preference regarding procedure and Councilor Hildner said he hoped there would be opportunities to debate individual issues, and others on the Council nodded in agreement. **Councilor Frandsen made a motion, second by Councilor Anderson, to build the building out to the lot line with a prominent entry, a singular prominent entry, on a chamfered corner.**

Councilor Hildner said he felt there was a near unanimous direction at the last meeting between the Council and our architect to go forward with a rectangular corner. He thought the doors were obvious. He said any chamfered corners are on buildings that have only been built within the last 10 to 20 years in Whitefish; chamfered corners are not part of the Whitefish historic vernacular. He noted that possibly the most historic building in Whitefish is the Presbyterian Church which has an entryway on 3rd Street and an entryway on Central Avenue. Councilor Sweeney said, without having a preference of entryways, to look at two of the four corners of this intersection with chamfered entryways, this would be the third, and there could be a fourth in the future. Is this a cookie cutter design for this intersection? He said it doesn't really set city hall out with a distinctive or unique design. He thought it was taste versus function and he felt two entries functioned well and were more accessible. Councilor Frandsen said she would like an entryway that is obvious and a focal point on the building, she thinks a chamfered corner solves the problem on this corner. Councilor Feury said he thinks people are looking for a design that really and clearly brings out the entryway. He thinks some are wishing for that design option, whether it is the one that is voted on as the final design, no one can be sure until they see the option. Councilor Sweeney asked if that was what the architect was looking for and Mayor Muhlfeld said, at this point, the motion is asking for more design options. Mayor Muhlfeld asked Ben if that was clear and Ben said yes, it is clear, but aggravating. It will cause a delay with that backtrack, at this point this project it getting stuck in the design phase rather than moving forward with design development and construction documents in anticipation with getting construction going this summer. Mayor Muhlfeld asked him to bear with the Council who all have to be comfortable with the building project going forward; and Ben said he would bear with them. Councilor Frandsen said the Council is trying to hear out all the concerns of the public which may take weeks or months. Ben said his office has put so many hours of work on this project, and according to the norm, they are so far behind, now there is additional backtracking. He said he has been through a lot of public process, this is not a normal public process. It is taking so much extra time he's not sure they can afford to do it; given they thought they already had direction from the building committee and the council from earlier meetings. In addition, he has a feeling that Crandall & Arambula is designing this from behind the scenes, which is frustrating, he said, and he apologized for expressing his frustration; but he said they will do what they need to do.

The motion passed with a five (5) to one (1) vote, Councilor Hildner voting in the negative.

Mayor Muhlfeld asked them to move on to the lobby, his compiled list included comments he had received from the Council and from the downtown master plan consultants, Crandall & Arambula. Ben had included a couple different options for the stairway in the lobby in tonight's presentation. The Mayor's list said the Council would like to move forward with a spacious and uncluttered lobby utilizing the wrap-around stair. In addition, if the final decision goes with a chamfered entryway, would the lobby, hallway, and front counters need to be reoriented to reflect that?

Councilor Anderson made a motion, second by Councilor Frandsen, to go forward with an uncluttered lobby and to request an optional lobby design matching a chamfered entryway, replacing the curved wall in the west hallway with a diagonal wall giving more office space as it moves out. And to go along with a two-storied chamfered entryway on the outside, utilize the

open-lobby space inside on the second floor with a conference room, or an extended conference room, whatever it might be.

Councilor Sweeney requested clarification, this motion would be in place if the chamfered entryway is chosen for final design. If the rectangular entryway is the final design, the lobby would have to be revisited and Councilor Anderson agreed. Councilor Barberis said the third floor hasn't been discussed yet, but by using the space on the second floor of an open lobby as described in the motion, it might be space that could be utilized by staff if the third floor isn't built. Councilor Hildner said his fear is that, if we choose the chamfered entryway, then we have to come back and look again at the interior walls, the curved hallway, etc., that have been in the design pretty much from the beginning; and will cause further delay. He thought this discussion point would evolve around the wrapped stair versus the irresistible stairway, but when you start talking again about that curved wall – that involves a design feature that is throughout all the interior schemes on the west side. Councilor Sweeney asked and Councilor Anderson clarified that his motion would still allow for a two-story open lobby, but to utilize some of the open space over the vestibule for a finished-off room. Councilor Frandsen said all along it has been her concern that some decisions on the interior were made before the outside was designed, and each has an effect on the other.

The motion passed with a five (5) to one (1) vote, Councilor Hildner voting in the negative.

Architect, Ben Tintinger, asked for clarification of the last motion. Councilor Anderson said they are requesting an optional design integrating a diagonal entrance with the straight western wall/hallway, diagonal counters matching the diagonal entrance, and front counters extended out into the lobby; with a build out of the second floor in the southwest corner over the entry-vestibule.

Mayor Muhlfeld clarified with Manager Stearns that earlier conversations was to carry the third floor option into schematic design which would give the opportunity for the Council to see cost estimates with and without the third floor. Mayor Muhlfeld said it is too early for that decision as we don't have those numbers yet, but he asked Ben if it would be easy to produce a rendering showing the south and west elevations without the third floor and Ben said that would be easy to do.

Councilor Anderson made a motion, second by Councilor Frandsen, requesting renderings without the 3rd floor and a siren tower within the height restrictions. The motion passed unanimously.

There was a general discussion between Council and Ben on design features. Some would like brick work more reminiscent of the original city hall brick detail. Ben said there are lots of materials to choose from for the finished product, including the type of brick. Councilor Barberis suggested a motion would not be needed at this time, maybe just provide the list of comments to Ben and the Mayor asked if the rest of the Council was fine with that. Councilor Anderson said he would like to see a show of hands of those who agree to incorporate these comments into the design as it evolves, he agrees with Ben these are small details, but they are details that catch citizen's eyes. He said he has received a lot of calls from a lot of citizens about city hall and how it is going to look. Ben said it is a little confusing to him because he thought they had been including those design elements from the old building into the new. Councilor Sweeney asked for clarification of the 4th bullet – elimination of wood posts under canopies; Councilor Frandsen said yes, this requests the columned canopy be replaced with a metal suspended canopy, all around the building. On a show of hands, requested by the Mayor, showing support or not for these design features, Councilors Frandsen, Anderson and Sweeney raised their hands,

others were unsure. Ben said he did not know that it was the general intention to mimic the old city hall exactly, they have shown some of it in the schematics. Ben said the problem is, these decisions are not made at this point in schematic design. Councilors Frandsen and Anderson explained they just weren't sure what is expected of them. Mayor Muhlfeld suggested he will get together with Manager Stearns and Ben so that a timeline can be set out as to when each of those decisions will need to be made.

Mayor Muhlfeld said the last three items on the list were cost considerations for a ½ finished basement, the retail component and the 3rd floor. He said it might be too early in the process to begin these discussions, since no numbers are out yet. He did note that during discussions with Ben and Steve earlier tonight that Steve had mentioned that a concrete floor for the 3rd floor could be poured with initial construction for future completion. The Mayor thought that was worth consideration, along with consideration of a second elevator. Discussion followed, no further motions were made on the project. The architect, Ben, asked the Council to understand they have been given direction at different levels of the process so far, even including from the Council at the work session on January 5th, and they had been proceeding down that road according to that direction. They have worked up a 3-D model of the project based on the direction they had been given, which takes quite a while to work up. Revisions will take up a lot of time; they can be done but he will be talking to Manager Stearns about whether or not this is additional service and if there should be additional cost of services. And, the revisions are extending the timeline way out complicating getting started on time in the summer to work throughout the winter. The Mayor said they realize they are back-peddling from decisions made on January 5th but they are hoping they have given him enough information to move forward. He said this is Council direction versus building committee direction. He hoped this was a productive meeting for all sides.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (2nd CD 1:04:35)

a) Letter from Whitefish County Water District regarding funding assistance to complete Preliminary Engineering Report for Lazy Bay neighborhood septic leachate and treatment options (p. 236)

Mayor Muhlfeld asked Mike Koopal to give his report. Mike Koopal, Whitefish Lake Institute (WLI) said he had a memo in the packet on page 237 giving an update on their work with the Whitefish Community Wastewater Committee (WCWC) regarding septic leachate. After the last worksession that WLI attended, Council had asked them to seek out partners to help support Preliminary Engineering Report (Per) completions in at least two neighborhood areas identified in the WCWC's Management Plan report. After discussions with many they have narrowed down the two areas for PERs, the Lion Mountain area and the East Lakeshore area. A management plan and a draft budget is printed with the memo in the packet. The Mayor asked what dollar amount from the City will be needed for each of these projects? Koopal said it is dependent on quotes that come in through the RFQ process. After working with Public Works Director Wilson they are estimating the PERs to be about \$55,000 each. Estimates are as follows for East Lakeshore Drive:

DNRC RRGL Planning Grant \$5,000 - \$15,000
TSEP Planning Grant up to \$15,000
Flathead Conservation District \$10,000
City of Whitefish \$25,000

For Lion Mountain: DNRC RRGL Planning Grant \$5,000 - \$15,000
TSEP Planning Grant up to \$15,000
Whitefish County Water District – letter in packet, administrative support

Lion Mountain HOA (possible individual contributions)
Underwood Estates HOA (possible individual contributions)
City of Whitefish \$35,000

Mayor Muhlfeld said that is \$60,000 and he asked Public Works Director Wilson if those funds were available in this year's Wastewater Budget. Director Wilson said they were not programmed in this budget specifically but the Council could consider deferring some projects to make room for it. Manager Stearns said they could check to see if it was budgeted in the Water Fund also, which he thought was a possibility. The Mayor said while staff is looking for available funds, he brought it to the Council's attention that at the bottom of Mike Koopal's memo it is stated that WLI has spent considerable pro-bono time facilitating and building partnerships for this project. The Mayor said that work is certainly appreciated, but WLI will have a continual role serving as technical facilitator for both these projects and the draft budget printed in the packet proposed WLI will need about \$8,000 to provide the technical support. Manager Stearns said they do not see any line item for PERs in either the Water or the Wasterwater Budget, so to pay for this request something else will have to be deferred. The Mayor asked and Koopal said funds wouldn't be needed from the City until after July 1st, so the Mayor said these can be programed in the next budget, and Councilor Hildner said a note could be made to consider this during the next budget preparation. Councilor Frandsen said that in a memo from WLI for their October 20, 2014 worksession, WLI had recommended then that the City plan for \$200,000 for the next four years to participate in the PER process, so Councilor Frandsen said that is about \$50,000/year and that it looks like it has already been talked about.

Councilor Anderson made a motion, second by Councilor Barberis, to commit \$35,000 for the Lion Mountain PER, \$25,000 for the East Lakeshore PER, and \$8000 for the contract management of the project as indicated on page 241 in the packet.

Councilor Feury said it is time to address the singular problem of the degradation of water quality in Whitefish Lake.

The motion passed unanimously.

(2nd CD 1:19:51)

b) Letter from Christian Rasch regarding a Non-Discrimination Ordinance (p. 242)

No comments.

c) Notice sent from Montana Fish and Wildlife Commission regarding Administrative Rule revision for changes to the Whitefish River regulations (p. 243)

No comments.

d) Select elected official(s) to serve on selection committee for Owner's Representative for the City Hall/Parking Structure construction project

Manager Stearns said that both Mayor Muhlfeld and Councilor Hildner have been on the Ad Hoc New City Hall Committee from the beginning, and both of them served on the General

Contractor/Construction Manager selection committee, and he wondered if it would be the Council's pleasure to have them continue with this selection committee or if they wanted to involve anyone else.

Councilor Sweeney made a motion, second by Council Feury, to appoint Mayor Muhlfeld and Councilor Hildner to serve on the selection committee for Owner's Representative for the City Hall/Parking Structure construction project. The motion passed unanimously.

Council Comments:

Councilor Hildner said on the bike paths he is seeing lots of dog waste not picked up and he beseeched dog owners to pick up after their pets and discard it properly.

Councilor Frandsen and Councilor Anderson thanked Public Works Director Wilson for his years of good service to the City of Whitefish. And Councilor Anderson commended the Public Works Department for their management of snow removal; it was recently a big challenge with a huge snowfall. Director Wilson said he would pass that along to those who did the work.

Councilor Barberis congratulated Whitefish Lake Institute on their 10-year anniversary. And she said she was sorry the conditions couldn't be worked out to allow Great Northern Brewery to hold their event during Winter Carnival; and hoped it could be worked out for the future.

(2nd CD 1:23:46)

Mayor Muhlfeld said he would like to revisit the Council's decision regarding LEED Certification for the new City Hall. It was a split vote at the time and he broke the tie for a non-specified level of LEED Certification. He said during the interviews and selection process for the General Contractor/Construction Manager there were discussions on the merits of LEED Certification which has given him doubts about his decision.

Mayor Muhlfeld made a motion, second by Councilor Anderson, to reconsider the decision to have LEED Certification on the new City Hall.

Staff advised that, under Council's rules, the motion should be to direct staff to place this item on their next agenda for consideration.

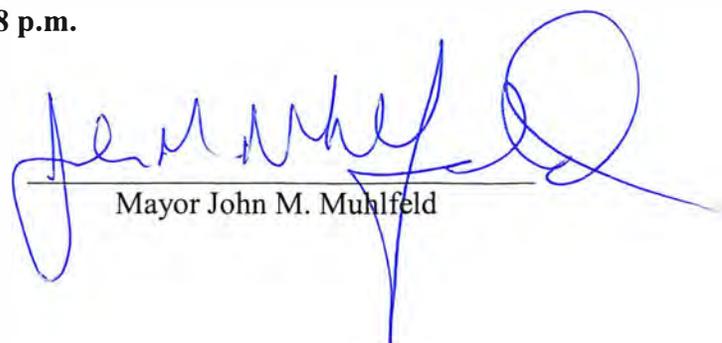
Mayor Muhlfeld amended his motion to direct staff to place the reconsideration of the decision to have LEED Certification on the new City Hall on the next agenda. Councilor Anderson said that was fine with the second. The motion passed unanimously.

10) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority) (2ndCD 1:27:19)

Mayor Muhlfeld adjourned the meeting at 10:48 p.m.

Attest:


Necile Lorang, Whitefish City Clerk


Mayor John M. Muhlfeld

Please return to Necile

PUBLIC HEARINGS
PLEASE SIGN IN TO SPEAK ON A SPECIFIC PUBLIC HEARING 1/20/15

PLEASE PRINT NAME and ADDRESS

Consideration of various design options and alternatives for the future City Hall/Parking Structure

1.	RICH ATKINSON	GREENHOUSE PROJECT
2.	NIKKI ATKINSON REED	
3.	HAYLEY BERGER	
4.	EMMA NIXON	
5.	YVONNE STAYBAUGH	Engineering Leadchate
6.	Kendall Staybaugh	
7.	Leslie Collins	
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