

WHITEFISH CITY COUNCIL

April 4, 2016

7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Hildner, Feury, Barberis, Frandsen, Sweeney, and Williams. City Staff present were City Manager Stearns, City Clerk Howke, City Attorney Jacobs, Finance Director Smith, Planning and Building Director Taylor, Public Works Director Workman, Parks and Recreation Director Butts, and Police Chief Dial. Approximately 10 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Dylan Boyle to lead the audience in the Pledge of Allegiance.

3) PRESENTATION

a) Update on City Hall and Parking Structure construction progress – Owner’s Representative Mike Cronquist (p.71)

Mike Cronquist, Owner’s Representative gave his update regarding the City Hall Parking Structure project, his report is included in the packet on the website. In addition to the report Mike added that they were able to reduce the last CMR by about \$10,000, largely due to the efforts of Ryan Dunn. A notice was sent out today, informing the neighbors the north end of the alley will be closed. Communications with the public remains good. Since his report there is a little bit more contamination along the west wall line of the parking structure.

Councilor Frandsen asked and Mike stated the concrete tests have been going well with no problems. She also was interested in the requirements and projected time frame of getting the alley open. Mike stated the excavation along the alley needs to be backfilled to get the alley roadway stabilized, this could take up to six weeks. Councilor Frandsen also asked and Mike said the project is a month behind due to weather and the contaminated soils.

b) Annual review and consideration of approval for Whitefish Convention and Visitor Bureau marketing plan and public lodging tax budget of \$90,000.00 for FY17 (p.79)

Councilor Frandsen recues herself due to the fact that she is an owner in Old Town Creative that is the agency of record for the Whitefish Convention and Visitor Bureau (WCVB).

Rhonda Fitzgerald, 412 Luper Avenue, is the Treasurer for the WCVB, gave the introduction to the presentation. Rhonda reported that every year the State celebrates the tourism industry at the Governor’s conference on tourism. This year it is held in Kalispell, April 11-12, the tourism awards are Monday night, Jan Metzmaker has been nominated as Tourism Person of the Year.

Dylan Boyle, the Executive Director of the WCVB, presented the marketing plan and the FY17 budget that is provided in the packet on the website. Dylan reported State law requires approval of the marketing budget in order for WCVB to receive funds for the lodging facility use tax also known as the bed tax. The mission of the WCVB is to promote Whitefish as a premier authentic travel destination to non-resident visitors.

Councilor Hildner made a motion, second by Councilor Williams to approve the FY17 marketing plan and public lodging tax budget not to exceed \$90,000. The motion passed unanimously with a 5-0 vote, Councilor Frandsen abstaining.

- 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: 23:00)**

Allen Secher, 955 Northwoods Drive, thanked the Council for passing the Non-Discrimination Ordinance. He stated he is proud to live in Whitefish.

Rhonda Fitzgerald, 412 Luper Avenue, spoke towards the lease parking rates that are on the agenda. She urges the Council to structure the rates system in such a way that as many employees and business owners park in the garage as possible to provide off street parking to the customers. She is hoping that there be different rates for covered and un-covered parking.

Denny Gignoux, 659 West 9th Street, presented a petition to the Council from the residents that live in the county from 18th Street to 7th Street, who are wanting to live in R2 zoning rather than R3 zoning that the County is proposing. He is asking the Council to not reconstruct West 7th Street and keep it as a rural street.

- 5) COMMUNICATIONS FROM VOLUNTEER BOARDS (CD 28:00)**

Councilor Hildner reported on behalf of the Bicycle Pedestrian Committee. Skye Park Bridge grading and paving should be completed by the end of April. The committee recognizes the problem with transients along the river. The committee is looking for a contract amendment to the Bike/Ped Master Plan update to include information in regards to construction or creation of the trail in front of Riverbend Condos. The committee would like this done prior to Riverbend Condos HOA meeting in July. There is going to be a special Bicycle Pedestrian meeting on April 18, at 8:30 a.m. in the Council Conference Room to go over the Master Plan updates.

- 6) CONSENT AGENDA (CD 29:29)**

- a) Minutes from the March 21, 2016 Council executive session (p.119)**
- b) Minutes from the March 21, 2016 Council regular meeting (p.120)**
- c) Ordinance No. 16-07; An Ordinance adding a new chapter to Title 1, Administration, of the Whitefish City Code, to establish a civil rights policy prohibiting discrimination on the basis of actual or perceived sexual orientation or gender identity or expression, creating a cause of action in the Whitefish Municipal Court, authorizing the Municipal Court to fashion civil remedies, creating a time limit under which a claim may be filed, and establishing an effective date (Second Reading) (p.129)**

Councilor Hildner had corrections to the minutes on page 124 of the packet, next to the last paragraph. Change “in partial” to “in part of”, then change “bit” to “bid” in the motion on the same page.

Councilor Sweeney had a correction on page 123 of the packet, in the first paragraph, second line, change “..... rock solid and demonstrated in other communities that had strived as a result” to “..... rock solid and in other communities that have enacted it have thrived as a result.”

Councilor Sweeney made a motion, second by Councilor Frandsen to approve the Consent Agenda as corrected. 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)

(NONE)

- 8) **COMMUNICATIONS FROM CITY MANAGER (CD 31:14)**

- a) **Written report enclosed with the packet. Questions from Mayor or Council? (p.137)-None**
- b) **Other items arising between March 30th and April 4th -None**
- c) **Discussion and possible direction on options for leased parking in the future parking structure – number of spaces, lease rates, and other items (p.144)**

City Manager Stearns gave his staff report that is included in the packet on the website. In order to put in cameras for License Plate Recognition (LPR), he is looking for a decision on the number of conduit and the location of the cameras in the parking structure.

City Manager Stearns reviewed the options for additional lease spaces on page 145 of the packet. City Manager Stearns agreed with Heart of Whitefish that it is desirable to get as many cars off of Central Avenue from employees and get them relocated, so we want the lease rate to be attractive. He met with Chris Schustrom and he pressed City Manager Stearns with a difference with covered and un-covered parking rates.

City Manager Stearns reported he is starting to anticipate in the budget a position to both maintain City Hall Parking Structure and do the enforcement of the lease parking. That position on an annual basis will cost \$61,772, without any other supplies or cost. There could be an argument that not all of that should go towards parking lease, but if it is not paid for by parking leases then we will have to pay it out of property taxes.

The LPR system is nice to use since we can’t have a gate at the entrance on 1st Street, due to too many vehicles would be backed up. A gate could be placed at the start of the lease section of the structure, but gates require maintenance, and are customer unfriendly. The LPR is customer friendly, and can be effective with a 90% recognition. Obviously with the dirty license plates and those covered in snow it won’t recognize the plate. That is when the Parking Structure Maintenance would go and verify the license plate and enforce if need be.

City Manager Stearns walked the Council through the map on page 159 of the packet, of his thoughts on location for the conduit for the camera system. Two cameras are needed in each location, one for each direction of traffic. City Manager Stearns is looking for direction from the Council on how many locations are wanted or needed for the conduit for the camera system.

Discussion followed between Councilor Williams and City Manager Stearns regarding the number of vehicles per leased space. City Manager Stearns thought two vehicles per space, the LPR system could have options of three to four plates per space, which could be more difficult. The LPR system will send an alarm if anything is out of the ordinary. Councilor Williams felt businesses might be more incentivized if purchasing two or three lease spots and rotate through employees on shift. City Manager Stearns stated the lease will be 12-hours, and evenings and weekends the whole structure will be free and available.

Councilor Sweeney asked and City Manager Stearns stated it is going to be more of a first come first serve rather than assigned parking. With this there could be some concern with covered and un-covered parking control. The system should be able to pick up if a vehicle who is not authorized to park in covered and should be parking in un-covered parking. Councilor Sweeney also asked if 127 spaces will be leased, City Manager Stearns stated there is not a good feeling for the demand, but we could incentivize the merchants with lower rates, or discounted rates for long lease period, or quantity leasing.

Councilor Frandsen agreed to differentiate between covered and un-covered parking rates and incentivize that a little more and provide as many conduit locations as possible.

Councilor Hildner favors the three camera conduit locations that City Manager Stearns suggested. He would support the differentiation of the rate prices.

Discussion followed between Mayor Muhlfeld and City Manager Stearns regarding evening leased parking. City Manager Stearns stated the peak parking is during the day and at night parking is usually available in the 200 block of Central. The peak event parking is Farmers Market; he believes the whole parking structure should be available at night. City Manager Stearns said the system would be flexible enough to lease in the evenings. He can go back and research if other Utility Parking Structures lease in the evening. Finance Director Smith stated that with the evening leasing we need to think about the cost of enforcement for overnight parking. We have staff on hand Monday through Friday, enforcement overnight would require somebody to be on call, which would be an increased cost.

Mayor Muhlfeld stated when the revenue goal was set, it was anticipated that revenue would be used for operation and maintenance of the garage. There was never talk of creating an additional position of a lease manager. City Manager Stearns stated there was always some anticipation that some salary would need to go to operations and maintenance. We need City Hall maintenance, Parking Structure maintenance and somebody to handle the lease violations. Mayor Muhlfeld asked and City Manager Stearns stated he anticipates putting the position in the Parks and Recreation budget, which would include maintenance at the ESC to help with the HVAC system, and boiler system. Mayor Muhlfeld felt this is a more detailed discussion for the budget session.

Councilor Sweeney agrees with Mayor Muhlfeld, that the cost of operations and maintenance didn't include time a person was going to take to do that work. Since this position will have other duties outside the Parking Structure, it should not be charged to the operations and maintenance. Mayor Muhlfeld is opposed to using property tax revenue to pay for the operation and maintenance of the Parking Structure. Finance Director Smith clarified that each position is allocated across funds.

City Manager Stearns will create as much flexibility for camera positions and continue to think about lease.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (CD 1:10:50)

- a) Consideration of approving the Request for Qualifications (RFQ) for a Housing Needs Assessment in conjunction with the Whitefish Chamber of Commerce (p.153)**

City Manager Stearns gave the staff report that is included in the packet on the website. Kevin Gartland with the Whitefish Chamber of Commerce, stating they were trying to link two parts of the process together and bring the assessment and the planned development under one RFQ, to be eligible for WCVB grants for phase II, unfortunately, was not able to get there. This is moving forward with the RFQ for the housing assessment.

Councilor Sweeney asked and Kevin stated the decision that is taken to the Board will come out of the selection committee. The council and the City will be represented in the selection committee.

Councilor Sweeney made a motion, second by Councilor Barberis to approve the Request for Qualifications (RFQ) for a Housing Needs Assessment. The motion passed unanimously.

- b) Letter from Toby Scott regarding the South Whitefish Transportation Plan issues (p.159)-None**
- c) Consideration of appointing City representative to the Haskill Basin Conservation Easement Liaison Team (p.160)**

Councilor Hildner made a motion, second by Councilor Sweeney to appoint Mayor Muhlfeld as a representative to the Haskill Basin Conservation Easement Liaison Team. The motion passed unanimously.

Councilor Frandsen stated that the property on Edgewood next to the O'Shaughnessy property has been slowly clearing the trailers from the property, but there is trash that needs to be cleaned up and would like Code Enforcement to look into it.

Councilor Sweeney stated that the Consent Agenda was the most pleasurable to approve in some time.

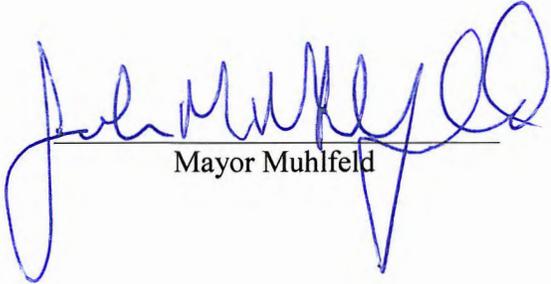
Mayor Muhlfeld suggested holding another work session in July regarding the Lion Mountain septic and sewer alternatives. Councilor Frandsen asked if this is delayed until July

are we missing an opportunity for funding for upcoming two-year period? City Manager Stearns thinks WLI would like to, through the County Water and Sewer District, put forward an application before the deadline. Even with a City Resolution for a deferral they won't have a reading on the neighborhood by that time. Such an action by the City Council would be well received by the State, he doesn't know if it is great to wait until July, he also thinks some of this needs to sink in, but also if council could give some sort of direction. Mayor Muhlfeld also thinks having a resolution passed is going to be important getting the County Commissioners on board. Mayor Muhlfeld encourages the Council to move this forward a bit more quickly. Councilor Sweeney agrees with Mayor Muhlfeld. We should think about if the financing district is in place to put the sewer in, and it is done in the next two years, we will defer for ten years. If it doesn't happen in two years, the deferral goes away.

Council has asked City Attorney Jacobs to provide a staff report that presents some option for the Council. Mayor Muhlfeld asked City Attorney Jacobs to look into if we can equitably and legally extend the option to neighborhoods that have a direct link to water quality degradation while preserving the right not to extend, that when we are looking at other areas in the City that are for example, wholly surrounded unrelated to the Whitefish Lake.

10) 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 8:41 p.m.



Mayor Muhlfeld

Attest:



Michelle Howke, Whitefish City Clerk