



**CITY COUNCIL SPECIAL SESSION  
CITY COUNCIL CHAMBER CONFERENCE ROOM  
MONDAY, MAY 16, 2016, 5:05 TO 7:00 PM**

1. Call to Order

2. Interviews

- 5:05 Dave Hunt – PUD Re-Write Steering Committee
- 5:15 Charles Deese – Architectural Review Committee
- 5:25 Edna White-Whitefish Convention Visitors Bureau
- 5:35 Rebecca Baker – Whitefish Convention Visitors Bureau
- 5:45 Kim Schierl – Whitefish Convention Visitors Bureau
- 5:55 Nick Polumbus – Whitefish Convention Visitors Bureau
- 6:05 Duane Reisch – Architectural Review Committee
- 6:15 Mayre Flowers – PUD Re-Write Steering Committee
- 6:25 Matthew Bussard – Whitefish Convention Visitors Bureau
- 6:35 Jake Cook- Whitefish Convention Visitors Bureau
- 6:45 Kathryn Skemp – Architectural Review Committee
- 6:55 Trek Stephens – Resort Tax Monitoring Committee

3. Public Comment

4. Appointments

- a. PUD Re-Write Steering Committee-Council Appoint
  - 1) 1 member from the Whitefish development community- (Mulcahy, Flowers)
  - 2.) 2-4 members either Whitefish residents or own property within boundaries or within ½ mile of the boundaries (Spivey, Horne Jr., Hunt)
- b. Architectural Review Committee– 3 Positions – 3-year term – Mayoral Appointment, confirmed by Council, 2 incumbents (Reisch, Skemp), 1 new applicant (Deese)
- c. WCVB – 3 Positions – 3-year term, 1 Position term ending 5-31-2017, (4 appointments total) - Mayoral Appointments, confirmed by Council. Six (6) applicants; (Polumbus, Cook-incumbents; 4 new applicants-Matthew Bussard, Rebecca Baker, Edna White, Kim Schierl)
- d. Resort Tax Monitoring Committee – 1 Position – 3-year term, Council Appointment, Retail position – 1- incumbent

Note - If time runs out before all appointments are made, time has been set aside to make them during the Regular Council Session under Communications from Mayor and City Councilors.

5. Adjourn



# PUBLIC NOTICE

## VACANCIES ON CITY BOARDS/COMMITTEES

**IMPACT FEE ADVISORY COMMITTEE** – Three Positions, 2-Year terms. Openings are for a person from the Development Community, a Certified Public Accountant, and a Member at Large. Applicant either lives or works within the Whitefish zoning jurisdiction. The Committee meets once a year.

**RESORT TAX MONITORING COMMITTEE**- One positions, 3-Year terms. The one (1) positions expiring this year is a Retail member. Applicants can be an owner, operator or representative of a Retail Business in the City limits.

**PLANNED UNIT DEVELOPMENT RE-WRITE STEERING COMMITTEE**- Five positions open to 1 member from the Whitefish development community, 2 to 4 either Whitefish resident, or who owns property within the City’s boundaries or within one-half mile of the boundaries. Committee will meet no less than bi-weekly, and will disband no later than August, 2018

**WISCONSIN AVENUE CORRIDOR PLAN STEERING COMMITTEE**- Eight positions open to 1 business owner in the corridor representing resort or recreation interests, 1 business owner representing commercial or retail interests, 1 business owner representing professional interests, 2 residential owner-occupied property owners, 1 residential investment or multifamily property owner, 2 “at large” Whitefish resident. The Committee shall meet as often as necessary, and shall be disbanded as of June 1, 2017 or earlier.

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**Interested citizens** – Please submit a letter of interest to serve on the above committees to the Whitefish City Clerk’s Office at 1005 Baker Avenue or mail to P.O. Box 158, Whitefish, MT 59937, by **Friday, May 6, 2016**. Interviews will be May 16, 2016 as needed. Thereafter, if vacancies still exist, letters of interest will be accepted until the positions are filled. If you have any questions, please call the City Clerk’s Office at 863-2400 or visit the City’s website: [www.cityofwhitefish.org](http://www.cityofwhitefish.org) \*THANK YOU FOR YOUR INTEREST\*

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received  
4-13-16

David Hunt  
113 Park Knoll Ln  
Whitefish, MT 59937

April 14, 2016

Whitefish City Clerk's Office  
City of Whitefish  
P. O. Box 158  
Whitefish, MT 59937

To whom it may concern:

I am submitting this Letter of Interest to serve on the Planned Unit Development Re-Write Steering Committee. I have been a property owner and resident within one-half mile of the city boundaries for the past 14 years. As Vice President of the Park Knoll HOA I have presented to the Planning Board and City Council on many occasions over the past 18 months regarding resident concerns about the PUD regulations. I remain deeply interested in working to develop revised regulations that promote healthy growth and work better for all involved.

I spent more than 30 years working in information technology, managing large-scale teams and projects in the financial services industry. That role required constant learning, managing complex problems, interpreting large volumes of industry regulations, technology capabilities and business requirements to reach balanced and timely decisions. I hope that those skills can be leveraged to help meet the challenges facing this committee.

I would welcome the opportunity to further discuss my background and interest in this position. I look forward to hearing from you.

Sincerely,



David Hunt



May 5, 2016

Whitefish City Council  
P.O. Box 158  
Whitefish, MT 59937

RE: Position on the PUD Re-write Committee.

Dear Mayor and City Council:

I am interested in serving on the Whitefish Planned Unit Development Re-Write Committee, as a development community member, or as a community resident representative. It is not clear how you define a “development community member” and your notice is silent on the potential role of a community resident representative. Given this lack of clarity I am providing by background for your consideration for a position on this committee. As this committee is tasked with providing the City Council with a recommended policy rewrite, I feel I can provide valuable expertise and draw on pass experience to be an asset to the city in this process.

My role in the planning/development community is in a sense unique in that Citizens for a Better Flathead, as a non profit, works to provide research, and educational outreach to local governments and to the public and business community to encourage sound planning and broad public participation. We advocate for planning policies and decision that we feel fairly balance the desires of an applicant for a development proposal along with those of other current property owners or renters, or the community as a whole, who have an interest in or concern a proposed development proposal or in a land use policy decisions made by local government bodies.

As you are aware, for the past 25 years I have worked for Citizens for a Better Flathead. In this capacity, I have developed an extensive knowledge of planning practices both locally within Flathead County and the three cities, and regionally as I work to stay current with best practices around the state and across the country. I have actively participated and provided comment on updates by local governments to their planning regulations during this time.

It would be an honor to serve the City of Whitefish as a committee member. I am available at your convenience for an interview.

Sincerely

Mayre Flowers  
Citizens for a Better Flathead

## RESOLUTION NO. 16-15

### **A Resolution of the City Council of the City of Whitefish, Montana, establishing the Planned Unit Development Re-write Steering Committee.**

BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: There is hereby established the Planned Unit Development Re-Write Steering Committee (the "Committee").

Section 2: The general purpose of the Committee will be to re-write, as needed, the Planned Unit Development ordinances contained in Article S of Title 11, Chapter 2 of the City Code to remedy various concerns raised by the public, including the averaging of density across underlying zoning districts when a Planned Unit Development overlays more than one district.

Section 3: The Committee will consist of not less than five (5) but not more than seven (7) individuals with representation as follows: One (1) City Council Member; One (1) staff member from the City's Planning Department; One (1) member from the Whitefish development community; and Two (2) to Four (4) members who are either Whitefish residents or who own property within the City's boundaries or within one-half mile of the boundaries. The Committee members shall select a Chairperson and a Vice-Chairperson from the members of the Committee. The Committee shall appoint one member as Secretary of the Committee, who shall keep minutes of all meetings and submit them to the City Clerk. A majority of the members shall constitute a quorum. The Committee shall meet as often as necessary to accomplish its general purpose, as described above, but not less than bi-weekly. The Committee shall cease to exist as provided in Section 4.

Section 4: The Committee will begin its deliberations as soon as practical after creation of the Committee. The Committee shall meet not less than bi-weekly with the goal of having a finalized draft of the revised Planned Unit Development ordinances prepared and ready to present to the Planning Board by September 1, 2016. The Committee shall be disbanded as of the date the City Council passes an ordinance adopting the changes to Article S of Title 11, Chapter 2 of the City Code but, in any case, no later than August 16, 2018.

Section 5: A member of the Committee may be removed by the City Council, after a hearing for misconduct or nonperformance of duty. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute grounds for removal. The circumstances of the absences shall be considered by the City Council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the Chairperson of the Committee at least twenty-four (24) hours prior to any scheduled meeting.

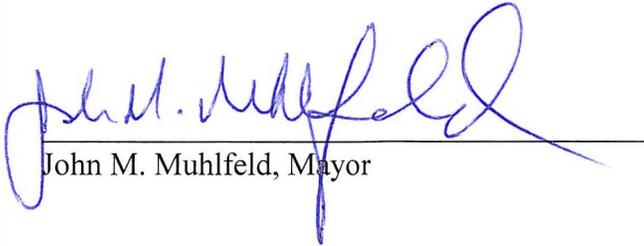
Section 6: Any vacancy occurring on the Committee will be filled in the same manner that the initial position was filled.

Section 7: The Committee will not have authority to make any expenditure on behalf of the City or disburse any funds provided by the City or to obligate the City for any funds.

Section 8: The Committee will have no authority to direct City staff with respect to any matter, but may request information and assistance from City staff.

Section 9: This Resolution will take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 21ST DAY OF MARCH, 2016.



John M. Muhlfeld, Mayor

ATTEST:



Michelle Howke, City Clerk



PIONEERING ENVIRONMENTS

April 13, 2016

Whitefish City Clerk's Office  
1005 Baker Avenue  
Whitefish, Montana 59937

To Whom It May Concern:

I would like to submit myself for consideration to any Architectural Review Committee openings. While I have been a Whitefish resident for four years, within the last year I have become a home owner. Now I would like to double down my investment in the City of Whitefish by doing what I can to give back to the community. I am a licensed architect in the State of Montana. It seems a natural fit to pursue membership on the Architectural Review Committee.

My professional work includes several projects located in Whitefish both commercial and residential. Four of which are currently under construction. The most notable may be the recent addition to The WAVE. My work represents a wide array of client aesthetics, but each has met Architectural Review's expectations. I have developed an understanding and appreciation for the city's design standards. My relationships with city building and planning department has been positive and enjoyable. With these experiences I think I can make an immediate contribution to the committee.

Additionally, I hope to provide balance between strong design sense and practical problem solving. Not every project comes to the committee with a healthy construction budget. Not every project starts with strong design direction. The ability to provide applicants with plausible solutions, while maintaining their vision, benefits all.

I look forward to the opportunity to interview for an open position. My card with contact information is attached, I hope to hear from you shortly.

Sincerely,

A handwritten signature in blue ink that reads 'Charles R. Deese'. The signature is fluid and cursive.

Charles R. Deese, AIA

received  
4-18-16



City of Whitefish, City Clerk's Office  
1005 Baker Avenue, PO Box 158  
Whitefish, MT 59937  
406-863-2400  
mhowke@cityofwhitefish.org

April 11, 2016

Dear Duane Reisch:

Your term on the Architectural Review Committee  
expires on May 31, 2016.

As a matter of course, the City will also be advertising this position along with others also expiring at this time. The deadline to receive letters of application, and to receive your letter of interest if you want to reapply to serve another term, is Friday, April 22, 2016. Interviews with the Council will be scheduled for May 2, and May 16, 2016. I will call you to set up your specific interview time if you are re-applying. If you wish, you can complete the blank lines below and return this notice to me in place of a new letter of interest.

I have enclosed a copy of the ad we will be running.

If you are not planning to 're-up' for your position again, please let me know that as well.

Thank you, and thank you for your service to the community of Whitefish!

*Michelle Howke*

Michelle Howke  
Whitefish City Clerk

To Whitefish City Council:

I am interested in serving another term on the ARC REVIEW *CCM*

*Duane Reisch*  
Signature

*862-3025*  
Daytime Phone #

received  
4-15-16



City of Whitefish, City Clerk's Office  
1005 Baker Avenue, PO Box 158  
Whitefish, MT 59937  
406-863-2400  
mhowke@cityofwhitefish.org

April 11, 2016

Dear Kathryn Skemp:

Your term on the Architectural Review Committee  
expires on May 31, 2016.

As a matter of course, the City will also be advertising this position along with others also expiring at this time. The deadline to receive letters of application, and to receive your letter of interest if you want to reapply to serve another term, is Friday, April 22, 2016. Interviews with the Council will be scheduled for May 2, and May 16, 2016. I will call you to set up your specific interview time if you are re-applying. If you wish, you can complete the blank lines below and return this notice to me in place of a new letter of interest.

I have enclosed a copy of the ad we will be running.

If you are not planning to 're-up' for your position again, please let me know that as well.

Thank you, and thank you for your service to the community of Whitefish!

*Michelle Howke*

Michelle Howke  
Whitefish City Clerk

To Whitefish City Council:

I am interested in serving another term on the Architectural  
Review Committee

*Kathryn A. Skemp* 262-424-1680  
Signature Daytime Phone #

## **Chapter 10**

# **ARCHITECTURAL REVIEW COMMITTEE**

### **2-10-1: COMMITTEE ESTABLISHED:**

There is hereby established an architectural review committee, hereinafter "committee".  
(Ord. 03-26, 9-15-2003)

### **2-10-2: PURPOSE, POWERS AND DUTIES:**

- A. Primary Purpose: The primary purpose of the committee shall be to review and act on applications submitted to the committee by individuals or entities proposing to construct commercial, industrial, public or municipal buildings, or fiveplex or greater residential structures within the city of Whitefish zoning jurisdiction, as provided more fully in the city of Whitefish architectural review standards. Upon receipt of a formal application that has been determined by the committee or its staff, as appropriate, to be complete, the committee shall conduct a meeting regarding the proposed application, and its compliance with the city of Whitefish architectural review standards. The committee shall make one of the following decisions at the time of the meeting: to approve, to approve with conditions, to table the application pending submission of revisions or additional materials, or to deny the applicant's proposal. The committee's decision shall be announced at the meeting, and its decision, together with findings supporting its decision, shall be provided to the applicant, in writing, within five (5) working days of such meeting. The applicant may appeal a decision of the architectural review committee to the city council by delivering a written letter of appeal to the city manager within ten (10) days of the committee's issuance of its written decision. More information regarding the necessary content of an appeal, and the process before the city council, may be found in the Whitefish zoning jurisdiction regulations<sup>1</sup>.
- B. Secondary Purpose: The secondary purpose of the committee shall be to make recommendations to the city's planning staff with respect to proposed amendments to the city of Whitefish architectural review standards, or the procedures utilized by the committee. (Ord. 03-26, 9-15-2003)

### **2-10-3: MEMBERSHIP:**

- A. Appointment; Compensation: The committee shall have seven (7) members who either reside within the corporate limits of the city of Whitefish, are employed or own a business in the city of Whitefish, or own property in the city of Whitefish. Members shall be appointed by the city council. Two (2) of the committee members shall be Montana licensed architects and one of the members shall be a licensed design professional (i.e., either architect, engineer or landscape architect). If, within the discretion of the city council, less than two (2) licensed architects or one licensed design professional, as described above, is identified after publication of a notice of position vacancy, the city council may make an appointment of an individual that is not a licensed architect or licensed design professional. No member of the committee shall concurrently serve on the Whitefish city council, the Whitefish planning board or the Whitefish board of adjustment. No member of the committee with any interest in a project may sit in review of that project, or attempt to influence other members of the committee other than through the normal application and public meeting process. Committee members shall receive no compensation. (Ord. 15-09, 6-1-2015)
- B. Terms; Positions: Committee terms shall be three (3) years. There are hereby created positions numbered 1 through 7 inclusive. The initial term of members in each position shall begin on June 1, 2003, and terminate on the date specified below for each position:

<u>Position Number</u>	<u>Position Specification</u>	<u>Initial Expiration Date</u>
1	Member	May 31, 2004
2	Member	May 31, 2004
3	Member	May 31, 2004
4	Member	May 31, 2005
5	Member	May 31, 2005
6	Member	May 31, 2006
7	Member	May 31, 2006

In making the initial appointments, the city council shall determine which appointees shall serve one, two (2) or three (3) year terms. Thereafter members appointed to each position shall serve for three (3) year terms. At the discretion of the city council, members may be appointed for more than one term.

- C. Removal Of Member: A member of the committee serves at the pleasure of the council and may be removed by a majority vote of the same. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute grounds for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the chairperson or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.
- D. Vacancy: Pursuant to subsections A and B of this section, any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. (Ord. 03-26, 9-15-2003)

#### **2-10-4: ORGANIZATION:**

The committee, at its first meeting after June 1 of each year, shall elect a chairperson, vice chairperson and secretary for the next twelve (12) month period. Upon the absence of the chairperson, the vice chairperson shall serve as chairperson pro tem. If both the chairperson and the vice chairperson are absent from a specific meeting, the attending members shall elect a chairperson pro tem for the meeting. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chairperson, vice chairperson or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 03-26, 9-15-2003)

#### **2-10-5: MEETINGS, RULES AND REGULATIONS:**

Five (5) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business or conduct any proceedings before the committee. The committee shall adopt rules of procedure for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. The committee shall meet as frequently as is necessary in order to provide a timely decision with respect to all applications that it considers. The committee shall decide the time, place and date of meetings. All meetings shall be open to the public. (Ord. 03-26, 9-15-2003)

#### **2-10-6: STAFF SUPERVISION:**

The committee shall have no supervisory control and shall not direct city staff in the performance of their official duties. (Ord. 03-26, 9-15-2003)

### **2-10-7: EXPENDITURES:**

The committee shall not have authority to make any expenditures on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds except as has been included in the city budget and after the city council shall have authorized the expenditure by resolution, which resolution shall provide the administrative method by which funds shall be drawn and expended. (Ord. 03-26, 9-15-2003)

ARCHITECTURAL REVIEW COMMITTEE – WCC 2-10 - Terms – 3 years – 1<sup>st</sup> Tuesday -  
8:45 a.m. \*

**In Council Conference**

**Room**

1.	Duane Reisch Markus Foods	209 Fairway Drive	862-3025	May 31, 2016	Owns
2.	Kathryn Skemp Architect	3038 River Lakes Drive	262-424-1680	May 31, 2016	
3.	Ian Collins in Training	898 Blue Herron Dr, WF	863-9376, 270-7047	May 31, 2016	Architect
4.	John Repke	411 Sunset View Ct	730-2419	May 31, 2017	
5.	Scott Freudenberger at Large	PO Box 1354	862-3600	May 31, 2017	Member
6.	Jillian Lawrance) Architect in Training	530 W. 4 <sup>th</sup> St.	508-450-2679, 862-8152 (W)	May 31, 2018	
7.	Chad Phillips Licensed Architect	309 Wisconsin Ave	862-7451	May 31, 2018	

\*Ordinance 03-26 includes provision to appoint others at the discretion of the Council, (if not 2 Licensed Architects, 1 Design Professional)



received  
4-18-16

Michelle Howke  
City Clerk  
City of Whitefish  
1005 Baker Avenue  
Whitefish, MT 59937

Dear Michelle Howke:

I am writing to express interest in serving on the Whitefish Convention & Visitor Bureau Committee. I have been a resident of the City of Whitefish and have worked in the tourism industry here for the past 19 years.

For the past 5+ years, I've regularly attended WCVB board meetings and have actively participated on the WCVB marketing committee. This has given me an understanding of the function and processes of the committee, as well as provided me the opportunity to influence the marketing plan that has led to the organization's success in growing tourism to Whitefish.

As Sales & Marketing Director for Averill Hospitality, I oversee sales & marketing for The Lodge at Whitefish Lake, Boat Club Lounge & Restaurant, Spa at Whitefish Lake, Marina at Whitefish Lake, and our soon to open boutique property in downtown Whitefish, The Firebrand Hotel. This position has provided me a vast amount of experience in marketing the unique benefits for travelers to Whitefish and the challenges local businesses face.

My associate, Scott Ringer, served on the WCVB committee for the past 9 years, and his decision to retire from that position has prompted me to apply for a seat on the committee. I understand and appreciate the important role of the WCVB in supporting tourism businesses in Whitefish and am eager to serve on the committee as a representative of Averill Hospitality.

Sincerely,

Edna White  
Sales & Marketing Director  
Averill Hospitality  
406-863-4046  
[edna@lodgeatwhitefishlake.com](mailto:edna@lodgeatwhitefishlake.com)

received  
4-21-16



Grouse Mountain Lodge

2 Fairway Drive | Whitefish, MT 59937  
406.867.3000 | 800.321.8627 F  
info@grousemountainlodge.com E

GrouseMountainLodge.com

April 18, 2016

Whitefish City Clerk's Office  
PO Box 158  
Whitefish, MT 59937

To Whom It May Concern,

My name is Rebecca Baker and the intent of this letter is to inform you of my interest in serving as a Board Member for the Whitefish Convention and Visitors Bureau (Explore Whitefish). I am currently the Marketing and Public Relations Manager for Glacier Park, Inc. (GPI). We operate seven hotels in and around Glacier National Park including Grouse Mountain Lodge in Whitefish. Grouse has been a member of Explore Whitefish for many years and it has been a very successful partnership for us.

As a marketer for a large lodging property in Whitefish, I understand both the challenges and opportunities in attracting visitors to the region. I have also served on the Explore Whitefish Marketing Committee and have a comprehensive understanding of Explore Whitefish's marketing plan and initiatives. Because of this experience, coupled with my passion and appreciation for Whitefish as a travel destination, I would be an excellent addition to the Explore Whitefish Board.

I look forward to the opportunity to serve on the Board and further contribute to Explore Whitefish's initiatives to attract more visitors to our beautiful region. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Baker', written over a light blue horizontal line.

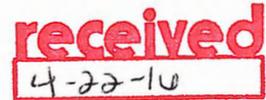
Rebecca Baker  
Marketing & Public Relations Manager  
Glacier Park, Inc. | Grouse Mountain Lodge  
p: 406.249.0815  
e: [rbaker@glacierparkinc.com](mailto:rbaker@glacierparkinc.com)

A GLACIER PARK, INC. COMPANY

**Michelle Howke**

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**From:** Kim Schierl <paddlefish.kim@gmail.com>  
**Sent:** Friday, April 22, 2016 2:34 PM  
**To:** Michelle Howke  
**Subject:** Letter of Interest - WCVB Committee Vacancies



Good afternoon, Michelle.

Please consider this email as my letter of interest for one of the vacant WCVB Committee positions advertised in the Whitefish Pilot recently, specifically the Retail opening.

Together with my spouse, Sonny, we own & operate Paddlefish Sports, a standup paddleboard rental & retail shop located at 105 Wisconsin Avenue and also at City Beach. We are happy to be celebrating our 5th year of being a part of the Whitefish community!

I am also employed full time (since 2006) for Total Label USA, located a few miles north of Whitefish. I wear several hats there... I am primarily Accounts Payable currently, but also perform Customer Service, Art Department and Plateroom responsibilities, as needed.

Please let me know if there's anything else you need from me at this time. I appreciate your consideration, and look forward to speaking more soon!

Warm Regards,

Kim Schierl  
**Paddlefish Sports LLC - The Small Shop with BIG Stoke!**  
my cel: 406-212-6951  
shop cel/Sonny: 406-260-7733  
MAIL: PO Box 5491  
SHOP: 105 Wisconsin Ave. & Whitefish City Beach  
Whitefish, MT 59937  
[www.facebook.com/paddlefishSUP](http://www.facebook.com/paddlefishSUP)

**Home Address (outside the Whitefish Planning Jurisdiction, but within Flathead County)**  
111 Hearst Drive  
Kalispell, MT 59901

## Michelle Howke

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**From:** nickp@skiwhitefish.com  
**Sent:** Wednesday, April 13, 2016 10:52 AM  
**To:** Michelle Howke  
**Subject:** WCVB Board Vacancy

received  
4-13-16

Hi Michelle. It is my intention to seek reappointment to the WCVB Board of Directors. Will this email suffice for indicating my interest?

Please let me know.

Thanks.

--Nick

### **Nick Polumbus**

*Director of Marketing and Sales*

Whitefish Mountain Resort - on Big Mountain since 1947

PO Box 1400 • Whitefish, Montana • 59937

[www.skiwhitefish.com](http://www.skiwhitefish.com)

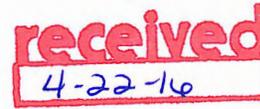
e | [nickp@skiwhitefish.com](mailto:nickp@skiwhitefish.com)

p | 406.862.1955

c | 406.212.3568

f | 406.862.2955





Matthew Bussard  
PO Box 4542  
Whitefish, Montana 59937

Michelle Howke, City Clerk  
City of Whitefish  
1005 Baker Avenue  
Whitefish, Montana 59937

To the City Clerk of Whitefish:

This my letter of intent to apply for your consideration of my membership to the Whitefish Convention and Visitors Bureau (CVB). I will briefly outline some areas of specialty and interest in this letter.

Having been a member of the Flathead Valley community for almost 10 years, I have witnessed some of the change and growth in our community. As I look forward to my continued involvement in our community, I seek out organizations with whom I can work with and grow. I wish to be a part of the organizations and people who are tasked with growing the city's profile. As a CVB Board member, I will represent Retail Interests of downtown Whitefish.

Working for Montana Coffee Traders for 7 years, I have witnessed the impacts of how our city has grown and adapted to the valley's growing tourism economy. The CVB plays a key role in promoting and encouraging business in downtown Whitefish. It's important to have a diverse group of members on the board so different perspectives and ideas are brought to attention. As a new member, I will bring new ideas; and as a representative of retail, I will keep a focus on how that sector may be impacted.

As a member of a team, I seek out working with others, and I enjoy working with people. When facing a challenge or problem, I use my resources - other experts, written materials, research - to come to an educated and informed decision. I prefer to not think of myself as an expert in anything; rather, a constant learner. This approach has provided me with the best starting point almost every time. That being said, when necessary, I am decisive and can hold steady.

As I look to become involved in your board, I would like to take some time to listen and absorb facts, history and culture/climate. I see some great potential for positive growth and direction, and I wish to be active in steering that change.

Sincerely,

Matthew C. Bussard

received  
4-22-16



City of Whitefish, City Clerk's Office  
1005 Baker Avenue, PO Box 158  
Whitefish, MT 59937  
406-863-2400  
mhowke@cityofwhitefish.org

April 11, 2016

Dear Jake Cook:

Your term on the WCVB  
expires on May 31, 2016.

As a matter of course, the City will also be advertising this position along with others also expiring at this time. The deadline to receive letters of application, and to receive your letter of interest if you want to reapply to serve another term, is Friday, April 22, 2016. Interviews with the Council will be scheduled for May 2, and May 16, 2016. I will call you to set up your specific interview time if you are re-applying. If you wish, you can complete the blank lines below and return this notice to me in place of a new letter of interest.

I have enclosed a copy of the ad we will be running.

If you are not planning to 're-up' for your position again, please let me know that as well.

Thank you, and thank you for your service to the community of Whitefish!

*Michelle Howke*

Michelle Howke  
Whitefish City Clerk

To Whitefish City Council:

I am interested in serving another term on the Whitefish Convention & Visitors Bureau

*[Handwritten Signature]*  
Signature

(406) 885-3650  
Daytime Phone #

## **Chapter 12**

# **CONVENTION AND VISITOR BUREAU COMMITTEE**

### **2-12-1: STANDING COMMITTEE ESTABLISHED:**

There is hereby established a standing committee to be called the "Whitefish convention and visitor bureau committee", hereinafter referred to as the committee. (Ord. 06-05, 3-20-2006)

### **2-12-2: PURPOSE, POWERS, PROCESSES AND DUTIES:**

The purpose and duties of the committee are:

- A. To be the designated nonprofit convention and visitors' bureau for the city of Whitefish;
- B. To develop an annual marketing plan and budget for each fiscal year, which annual marketing plan and budget will be presented to the Whitefish city council for approval;
- C. To submit the annual marketing plan approved by the Whitefish city council to the Montana tourism advisory council and receive approval by the tourism advisory council of such annual marketing plan;
- D. To contract with the Montana department of commerce to receive lodging tax revenues earmarked for tourism promotion and disbursed pursuant to section 15-65-121, Montana Code Annotated;
- E. To implement the annual marketing plan referenced above, and use the proceeds distributed by the Montana department of commerce pursuant to the budget approved by the Whitefish city council;
- F. To comply with all of the provisions contained under the category "eligible organizations" in the "Regulations And Procedures For Regional/CVB Tourism Organizations Use Of

Lodging Facility Use Tax Revenue" promulgated by the Montana department of commerce;

- G. To provide recommendations and advice to the Whitefish city council, as appropriate, regarding tourism promotion; (Ord. 06-05, 3-20-2006)
  
- H. To solicit nonvoting members residing in or owning a business located in the Whitefish postal district (59937), if the committee determines it to be in the best interests of the committee and in the best interests of tourism promotion; such members may be required by the committee to pay an annual fee for membership; (Ord. 15-15, 9-8-2015)
  
- I. To conduct such additional activities with regard to tourism promotion as are determined by the committee to be in the best interests of the committee and of the city of Whitefish; and (Ord. 06-05, 3-20-2006)
  
- J. To create a new classification of members, to be called "associate members", which would have the following characteristics:
  - 1. The associate member must provide a significant activity, experience or service that is not already provided in the Whitefish postal district (59937).
  - 2. The associate member must agree to all obligations and duties applicable to regular members of the WCVB.
  - 3. The associate member must be nominated by a convention and visitor bureau standing city committee member (board member of the WCVB) and be approved by a majority of the standing city committee (board of the WCVB).

Associate members cannot participate in the nomination or recommendation of board positions, nor can they serve on the board. Otherwise, however, they will have the same rights as other members. (Ord. 15-15, 9-8-2015)

Nothing in this chapter shall be construed to provide the committee with the power to authorize the use of public funds other than those funds specifically identified in the committee's annual budget and approved by the Whitefish city council. The committee shall be entitled to conduct fundraising activities, including charging a membership fee, and expend any funds raised for purposes related to tourism promotion. In conducting fundraising activities, the committee shall not be entitled to incur indebtedness that could be charged against the city. (Ord. 06-05, 3-20-2006)

**2-12-3: MEMBERSHIP:**

- A. Appointment; Compensation: The committee shall have up to nine (9) members. Members shall be appointed by the city council. At least seven (7) members shall reside in the city of Whitefish postal district (59937). Two (2) members may reside in Flathead County, but outside the city of Whitefish postal district (59937), as long as the member has an ownership interest or managerial position at a business located and operating within the city of Whitefish postal district (59937). The city council shall endeavor to appoint members who represent one of the following business categories, and that have broad experience in and a current understanding of the following types of businesses:

Finance  
 Large lodging properties  
 Restaurant and bar business  
 Retail businesses  
 Small lodging properties  
 Transportation business  
 Whitefish Golf Course  
 Whitefish Mountain Resort

The city clerk shall make a notation of a member's representation category and a member's residence to facilitate appointment to categories not represented. However, the city council shall be entitled to appoint those individuals that it determines most qualified, regardless of representation category. The city council may appoint one of its members to serve as an ex officio (nonvoting) member of the committee. Committee members shall receive no compensation. (Ord. 15-15, 9-8-2015)

- B. Terms Of Members: Committee terms shall be for three (3) years, although several of the terms of the initial appointees may be slightly longer than three (3) years. There are hereby created positions numbered 1 through 9 inclusive of the members of the committee. Three (3) of the initial appointees shall serve three (3) year terms. Two (2) of the initial appointees shall serve two (2) year terms. Two (2) of the initial appointees shall serve one year terms. Terms shall be assigned to the initial appointees randomly.

<u>Position Number</u>	<u>Position Specification</u>	<u>Initial Expiration Date</u>
1	Member	May 31, 2009
2	Member	May 31, 2009
3	Member	May 31, 2009

4	Member	May 31, 2008
5	Member	May 31, 2008
6	Member	May 31, 2007
7	Member	May 31, 2007
8	Member	May 31, 2014
9	Member	May 31, 2013

Thereafter members appointed to each position shall serve for three (3) year terms; the terms beginning on June 1 of the year in which the term for the position expires. At the discretion of the city council, members may be appointed for more than one term. (Ord. 12-10, 7-2-2012)

- C. **Removal Of Member:** A member may be removed from the committee by majority vote of the city council for cause upon written charges and after a public hearing. Wilful disregard of this chapter and the rules of procedure or bylaws of the committee, or absences from three (3) consecutive meetings, including regular and special meetings, or absences from more than fifty percent (50%) of such meetings held during the calendar year, shall constitute cause for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the chairperson or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.
- D. **Vacancy:** Any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. The city council may appoint members of the city council to temporarily fill vacant positions on the committee. (Ord. 06-05, 3-20-2006)

## **2-12-4: ORGANIZATION:**

At its first meeting after the initial appointment of committee members, and thereafter at its first meeting after June 1 of each year, the committee shall elect officers, including a chairperson (also known as the president), vice chairperson (also known as the vice

president), treasurer and secretary for the next twelve (12) month period. Upon the absence of the chairperson, the vice chairperson shall serve as chairperson pro tem. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chairperson, vice chairperson, treasurer or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 06-05, 3-20-2006)

## **2-12-5: MEETINGS, RULES AND REGULATIONS:**

Five (5) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business before the committee. The concurring vote of a simple majority of members present shall be necessary to decide any question or matter before the committee. The committee shall adopt bylaws for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. Meetings of the committee shall be held at least once every other month or at the call of the chairperson, and at such other times as the committee may determine. All meetings shall be open to the public. (Ord. 12-10, 7-2-2012)

## **2-12-6: STAFF SUPERVISION:**

The committee shall have no supervisory control and shall not direct city staff in the performance of their official duties. (Ord. 06-05, 3-20-2006)

## **2-12-7: EXPENDITURES:**

Other than those funds specifically identified in the committee's annual budget and expenditure of which has been approved by the Whitefish city council, the committee shall have no authority to make any expenditure on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds. (Ord. 06-05, 3-20-2006)

## **2-12-8: COMMITTEE AS BOARD OF DIRECTORS:**

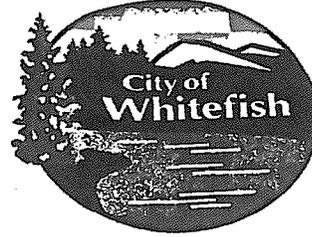
The committee shall serve as the board of directors of the Whitefish Convention And Visitor Bureau, Inc., a Montana nonprofit corporation (the "nonprofit corporation"). The officers of

the committee shall serve in the same capacity as officers of the nonprofit corporation. The articles of incorporation of the nonprofit corporation shall be amended, as necessary and appropriate, to conform to the terms of this chapter, and shall further provide that such articles of incorporation shall not be further amended without approval of the Whitefish city council. The committee, acting as board of directors of the nonprofit corporation, shall adopt bylaws that conform to the terms of this chapter and to the amended articles of incorporation, and thereafter such bylaws shall not be amended without approval of the Whitefish city council. The committee, acting as board of directors of the nonprofit corporation, may provide that that nonprofit corporation may have members, and may solicit dues or other contributions from such members; provided, however, that all of such members shall be nonvoting members, and shall not be able to elect or remove members of the board of directors, or amend the articles of incorporation or bylaws of the nonprofit corporation. (Ord. 06-05, 3-20-2006)

**WHITEFISH CONVENTION AND VISITOR BUREAU COMMITTEE – WCC 2-12 3 YEAR TERMS**

**(Meetings/second Monday every other month (even months); Rocky Mountain Lodge at 3 pm)**

1	Rhonda Fitzgerald (Small Lodging Properties)	862-3440	412 Lupfer Avenue	May 31, 2017
2	Erica Terrell (Restaurant/Bar)	249-4035	1332 E. 3 <sup>rd</sup> Street	May 31, 2017
3	Zak Anderson (Whitefish Lake Golf Course)	250-5256	122 Dakota Avenue	May 31, 2017
4	Jennifer Fisher Kandahar Lodge, Dir of Sale & Marketing (Transportation)	862-6098	PO Box 278, WF	May 31, 2017
5	Luke Walrath Alpine Theatre Project	862-9050 (W)	PO Box 1959, WF	May 31, 2017
6	Scott Ringer (Large Lodging Properties)	871-0393	CEO, The Lodge at Whitefish Lake, 1380 Wisconsin Ave, WF	May 31, 2016
7	Nick Polumbus (Whitefish Mountain Resort)	862-1955	Director of Marketing & Sales Whitefish Mountain Resort, PO Box 1400 WF	May 31, 2016
8	Jason St. Clair Glacier Park Inc (Large Lodging Properties)	910-617-6361	312 Edgewood Pl – Unit A Resigned	May 31, 2017
9	Jake Cook	885-3650	630 Woodside Lane	May 31, 2016



City of Whitefish, City Clerk's Office  
1005 Baker Avenue, PO Box 158  
Whitefish, MT 59937  
406-863-2400  
mhowke@cityofwhitefish.org

April 11, 2016

Dear Trek Stephens:

Your term on the Resort Tax Monitoring Committee

expires on May 31, 2016.

As a matter of course, the City will also be advertising this position along with others also expiring at this time. The deadline to receive letters of application, and to receive your letter of interest if you want to reapply to serve another term, is Friday, April 22, 2016. Interviews with the Council will be scheduled for May 2, and May 16, 2016. I will call you to set up your specific interview time if you are re-applying. If you wish, you can complete the blank lines below and return this notice to me in place of a new letter of interest.

I have enclosed a copy of the ad we will be running.

If you are not planning to 're-up' for your position again, please let me know that as well.

Thank you, and thank you for your service to the community of Whitefish!

*Michelle Howke*

Michelle Howke  
Whitefish City Clerk

To Whitefish City Council:

I am interested in serving another term on the

Resort tax Comm

*[Signature]*  
Signature

249 6105  
Daytime Phone #

## **Chapter 4**

# **RESORT TAX MONITORING COMMITTEE**

### **2-4-1: COMMITTEE ESTABLISHED:**

There is hereby established a resort tax monitoring committee for the city, hereinafter referred to as the committee. (Ord. 01-07, 2-20-2001)

### **2-4-2: PURPOSE, POWERS AND DUTIES:**

The purpose of the committee is to monitor, review and advise the city council on the use of resort tax funds pursuant to [title 3, chapter 3](#) of this code. The committee may also advise the city council on proposed changes to [title 3, chapter 3](#) of this code. The committee shall report to the city council on matters of pertinence and interest related to the resort tax as the committee may deem appropriate or as the city council may request. The committee's powers shall be advisory only. Nothing in this chapter shall be construed to provide the committee with the power to authorize or prohibit the use of resort tax funds. (Ord. 01-07, 2-20-2001)

### **2-4-3: MEMBERSHIP:**

A. Appointment; Compensation: The committee shall have seven (7) members. Members shall be appointed by the city council. The city council shall attempt to appoint one member who is a lodging business owner, operator, or representative; one member who is a restaurant/bar owner, operator, or representative; one member who is a retail business owner, operator, or representative; and one business owner at large, who may, but need not, own one of the types of businesses listed above. Any member designated as a business owner, operator, or representative of one of the above listed business categories, as well as the business owner at large, shall do so in relation to an associated business located within the corporate boundaries of the city of Whitefish, although personal residency shall not be required. The city clerk shall make appropriate notation of a member's business category affiliation on the official committee roster. If, within the discretion of the city council, an individual appropriate to fill a vacancy in any of the above listed business categories is not identified after publication of a notice of position vacancy, the city council may make a general membership appointment. In such case, the city council shall attempt to make such business category appointment with the next available vacancy where an incumbent member has not applied for reappointment

or the city council decides not to reappoint an incumbent member. One position shall be specified for the mayor or a city councilor. The remaining positions shall be general membership positions and shall require residency within the corporate boundaries of the city of Whitefish. Committee members shall receive no compensation.

- B. Terms; Positions: Committee terms shall be three (3) years. There are hereby created positions numbered 1 through 7 inclusive of the members of the committee. The terms of those appointees holding positions on the effective date of this chapter shall continue until the termination date listed below:

Position Number	Position Specification	Initial Expiration Date
1	Mayor or councilor	May 31, 2008
2	Member	May 31, 2008
3	Member	May 31, 2008
4	Member	May 31, 2006
5	Member	May 31, 2006
6	Member	May 31, 2007
7	Member	May 31, 2007

Thereafter members appointed to each position shall serve for three (3) year terms; the first of such terms beginning on June 1 of the year in which the initial term for the position expires. At the discretion of the city council, members may be appointed for more than one term. (Ord. 06-14, 6-5-2006)

- C. Removal Of Member: A member of the committee serves at the pleasure of the city council and may be removed by majority vote of the same. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year, shall constitute grounds for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his inability to attend a specific meeting shall notify the chair or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.

- D. Vacancy: Pursuant to subsections A and B of this section, any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. (Ord. 01-07, 2-20-2001)

**2-4-4: ORGANIZATION:**

At its first meeting after June 1 of each year, the committee shall elect a chair, vice chair and secretary for the next twelve (12) month period. Upon the absence of the chair, the vice chair shall serve as chair pro tem. If both the chair and the vice chair are absent from a specific meeting, the attending members shall elect a chair pro tem for the meeting. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chair, vice chair or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 01-07, 2-20-2001)

**2-4-5: MEETINGS, RULES AND REGULATIONS:**

Four (4) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business or conduct any proceedings before the committee. The committee shall adopt rules of procedure for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. The committee shall meet as frequently as is necessary and convenient within the judgment of the committee, but shall meet not less than once every three (3) months. The committee shall decide the time, place and date of meetings. All meetings shall be open to the public. (Ord. 06-14, 6-5-2006)

**2-4-6: EXPENDITURES:**

The committee shall have no authority to make any expenditures on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds except as has been included in the city budget and after the city council shall have authorized the expenditure by resolution, which resolution shall provide the administrative method by which funds shall be drawn and expended. (Ord. 01-07, 2-20-2001)

**RESORT TAX MONITORING COMMITTEE - WCC 2-4 - 3 Year Terms – City Council Appointments  
**Meet 3<sup>rd</sup> Wednesday-7AM****

Position #	TERM EXPIRATION DATE			
1.Andy Feury	PO Box 158	250-4179	May 31, 2018	Council Representative
2.Ken Stein	509 E. 6 <sup>th</sup>	250-0599	May 31, 2017	Member at Large
3.Julia Olivares	333 W. 6 <sup>th</sup> Street	862-6401	May 31, 2017	Member at Large
4.Brian Averill	1476 Barkley Lane	250-2038	May 31, 2018	Member at Large
5.Doug Reed, Whitefish Lake Golf Club Restaurant, <u>Chairman</u>	PO Box 1719	862-5285	May 31, 2018	Restaurant/Bar Member
6.Chris Schustrom,	504 Spokane Avenue	862-3440	May 31, 2019	Lodging member
7.Trek Stephens	122 Central Ave	862-2271	May 31, 2016	Retail member- Secretary

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## **CITY COUNCIL REGULAR MEETING AGENDA**

The following is a summary of the items to come before the City Council at its regular session to be held on Monday, May 16, 2016, at **7:10 p.m.** at Interim City Hall, 1005 Baker Avenue.

Ordinance numbers start with 16-10. Resolution numbers start with 16-21.

- 1) CALL TO ORDER
- 2) 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)
- 4) COMMUNICATIONS FROM VOLUNTEER BOARDS
- 5) CONSENT AGENDA
  - a) Minutes from the May 2, 2016 Special Meeting (p. 45)
  - b) Minutes from the May 2, 2016 Regular Meeting (p. 46)
  - c) Ordinance No. 16-09; An Ordinance rezoning approximately 1.203 acres of land located at 6232 US Highway 93 South, in Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County SAG-10 (Suburban Agricultural District) to City WA (Agricultural District) and adopting findings with respect to such rezone (Second Reading) (p. 54)
- 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)

None
- 7) COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR
  - a) Consideration of accepting or rejecting construction bids for the Depot Park Gazebo project (p. 58)
- 8) COMMUNICATIONS FROM CITY MANAGER
  - a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 63)
  - b) Other items arising between May 11<sup>th</sup> and May 16<sup>th</sup>

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Letter from Barbara Palmer opposing the culling of deer from within city limits (p. 88)
- b) Email from Mark and Catherine Owens of Shady River Lane regarding odors from wastewater treatment plant (p. 90)
- c) Consideration of a request from Stacy Reid to operate a commercial horse-drawn carriage on certain streets in the City (p. 93)
- d) Appointment of a City Council member(s) to the PUD re-write committee (p. 97)
- e) Appointment of two City Council members to the Wisconsin Avenue Corridor Study committee (p. 99)
- f) Consideration of any appointments to volunteer committees not made during tonight's work session (p.1)

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



The following Principles for Civil Dialogue are adopted on 2/20/2007 for use by the City Council and by all boards, committees and personnel of the City of Whitefish:

- We provide a safe environment where individual perspectives are respected, heard, and acknowledged.
- We are responsible for respectful and courteous dialogue and participation.
- We respect diverse opinions as a means to find solutions based on common ground.
- We encourage and value broad community participation.
- We encourage creative approaches to engage public participation.
- We value informed decision-making and take personal responsibility to educate and be educated.
- We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem-solving.
- We acknowledge, consider and respect the natural tensions created by collaboration, change and transition.
- We follow the rules and guidelines established for each meeting.

Adopted by Resolution 07-09  
February 20, 2007

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May 11, 2016

The Honorable Mayor Muhlfeld and City Councilors  
City of Whitefish  
Whitefish, Montana

Mayor Muhlfeld and City Councilors:

**Monday, May 16, 2016 City Council Agenda Report**

There will be a work session at 5:00 p.m. for interviews for appointments to boards, commissions, and committees. Food will be provided.

The regular Council meeting will begin at 7:10 p.m.

**CONSENT AGENDA**

- a) Minutes from the May 2, 2016 Special Meeting (p. 45)
- b) Minutes from the May 2, 2016 Regular Meeting (p. 46)
- c) Ordinance No. 16-09; An Ordinance rezoning approximately 1.203 acres of land located at 6232 US Highway 93 South, in Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County SAG-10 (Suburban Agricultural District) to City WA (Agricultural District) and adopting findings with respect to such rezone (Second Reading) (p. 54)

**RECOMMENDATION:** Staff respectfully recommends the City Council approve the Consent Agenda.

**Items a and b are administrative matters; item c is a quasi-judicial matter.**

**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

**COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR**

- a) Consideration of accepting or rejecting construction bids for the Depot Park Gazebo project (p. 58)

From Parks and Recreation Director Maria Butts staff report:

Since October 2015, Robert Peccia and Associates (RPA), in collaboration with Bruce Boody and Ross Anderson, have presented to the Park Board several conceptual designs for the Depot Park Gazebo Project. Through the conceptual design process, the gazebo took shape as a 30', elevated, ADA accessible gazebo with electrical outlets and lighting. On February 9, 2016, the Park Board of Commissioners moved to approve the gazebo design as presented, contingent upon available funds. The motion was approved with a five to one vote, with Member Schnee in opposition. The Park Board clarified in discussion of the motion that if the bids were to come in at a higher cost than available funds, the project would not move forward.

Tax Increment funds have been committed to the Depot Park Gazebo Project. Currently, \$120,776 is available in the Tax Increment Fund (TIF) for this project, including \$15,000 in grant monies received from the Whitefish Rotary for the construction of the gazebo.

The Parks and Recreation Department, through the contracted services of RPA, advertised for sealed bids in the Daily Interlake on April 24<sup>th</sup> and May 1<sup>st</sup> for the Depot Park Gazebo Project. All bids were to be received by 11:30 AM, Tuesday, May 3, 2016. Two sealed bids were received and were publically opened and read aloud at City Hall on the same date.

The City of Whitefish has received two bids for the Depot Park Gazebo. The first bid from Frontier Builders of Montana, LLC totaled \$243,635, which is \$122,859 more than available TIF Funds. The second bid from Davidson Construction totaled \$342,247, which is \$221,471 more than available TIF Funds.

The Park Board of Commissioners discussed the bids and the cost of the project during the May 10, 2016 meeting. During the meeting, the Park Board recommended that the City Council reject the bids and return the bid bonds. As well, the Park Board directed staff to seek out prefabricated gazebo designs and gather cost estimates for grading the southeastern portion of the park and setting a concrete pad for the gazebo.

**RECOMMENDATION:** Staff respectfully recommends the City Council reject both bids and return the bid bonds to Frontier Builders of Montana, LLC and Davidson Construction, Inc. for the Depot Park Gazebo Project.

**This item is a legislative matter.**

#### COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 63)
- b) Other items arising between May 11<sup>th</sup> and May 16<sup>th</sup>

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Letter from Barbara Palmer opposing the culling of deer from within city limits (p. 88)
- b) Email from Mark and Catherine Owens of Shady River Lane regarding odors from wastewater treatment plant (p. 90)
- c) Consideration of a request from Stacy Reid to operate a commercial horse-drawn carriage on certain streets in the City (p. 93)
- d) Appointment of a City Council member(s) to the PUD re-write committee (p. 97)
- e) Appointment of two City Council members to the Wisconsin Avenue Corridor Study committee (p. 99)
- f) Consideration of any appointments to volunteer committees not made during tonight's work session (p.1)

ADJOURNMENT



Sincerely,  
Chuck Stearns, City Manager

**Table 1: Common Motions Used in a Meeting.<sup>1</sup>**

	<b>Wording</b>	<b>Interrupt another speaker</b>	<b>Requires a second</b>	<b>Debatable</b>	<b>Amendable</b>	<b>Vote Required</b>	<b>Reconsider</b>
<b>Privileged Motions</b>							
Fix time for next meeting (12)	"I move that we meet next at..."	No	Yes	No	Yes	Majority	Yes
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority	No
Take a recess (12)	"I move that we recess. . ."	No	Yes	No	Yes	Majority	No
Raise a question of privilege	"I rise to a question of privilege affecting the assembly"	Yes	No	No	No	(1)	No
Call for the orders of the day	"I call for the orders of the day"	Yes	No	No	No	(1) (15)*	No
<b>Subsidiary Motions</b>							
Lay on the table	"I move to lay the question on the table" or "I move that the motion be laid on the table"	No	Yes	No	No	Majority	(3)*
Previous question (to close debate)	"I move the previous question" or "I move we vote immediately on the motion"	No	Yes	No	No	2/3 of assembly	Yes
Limit-extend debate (12)	"I move the debate be limited to. . ." or "I move that the speaker's time be extended by. . ."	No	Yes	No	Yes	2/3 of assembly	Yes
Postpone to a definite time (12)	"I move that the question be postponed until. . ."	No	Yes	Yes	Yes	Majority	Yes
Refer to a committee (12)	"I move to refer the matter to the . . . committee"	No	Yes	Yes	Yes	Majority	Yes
Amendment to the main motion (12)	"I move to amend by adding/striking the words. . ."	No	Yes	(5)	Yes	Majority	Yes
Postpone indefinitely (12)	"I move that the motion be postponed"	No	Yes	Yes (16)	No	Majority	(4)
<b>Main Motions</b>							
Main Motion	"I move that we..."	No	Yes	Yes	Yes	Majority	Yes
<b>Incidental Motions (11)</b>							
Suspension of rules	"I move to suspend the rules so that. . ."	No	Yes	No	No	(9)*	No
Request to withdraw a motion (13)	"I move that I be allowed to withdraw the motion"	*	*	No	No	Majority*	(3)
Objection to the consideration of a question (10)	"I object to the consideration of the question"	Yes	No	No	No	2/3 of assembly (17)	(3)
Point of order	"I rise to a point of order" or "Point of order!"	Yes	No	No	No	(1)*	No
Parliamentary inquiry	"I rise to a parliamentary inquiry" or "A parliamentary inquiry, please"	Yes	No	No	No	(1)	No
Appeal to the chairperson	"I appeal from the decision of the chair"	Yes	Yes	Yes*	No	(7)	Yes

	Wording	Interrupt another speaker	Requires a second	Debatable	Amendable	Vote Required	Reconsider
Point of information	"I rise to a point of information" or "A point of information, please"	Yes	No	No	No	(1)	No
Division of assembly	"Division!" or "I call for a division"	Yes	No	No	No	(14)	No
Division of a question	"I move to divide the motion so that the question of purchasing ... can be considered separately."	No	Yes	No	Yes	Majority	No
<b>Renewal Motions (8)</b>							
Reconsider* (2)	"I move to reconsider the vote on the motion relating to. . ."	No*	Yes	(5) (16)	No	Majority	No
Take from table	"I move to take from the table the motion relating to. . ."	No	Yes	No	No	Majority	No
Rescind	"I move to rescind the motion passed at the last meeting relating to. . ."	No	Yes	Yes (16)	Yes	(6)	(3)
Discharge a committee	"I move that the committee considering . . . be discharged."	No	Yes	Yes (16)*	Yes	(6)	(3)

<sup>1</sup> Source: Robert, H. 2000. *Robert's Rules of Order* (Newly Revised, 10th Edition) New York: Perseus Books Group; Sturgis, A. 2000. *The Standard Code of Parliamentary Procedure* (4th Edition). New York: McGraw-Hill.

**\* Refer to Robert's Rules of Order Newly Revised**

- (1) The chair decides. Normally no vote is taken.
- (2) Only made by a member who voted on the prevailing side and is subject to times limits.
- (3) Only the negative vote may be reconsidered.
- (4) Only the affirmative vote may be reconsidered.
- (5) Debatable when applied to a debatable motion.
- (6) Majority with notice, or 2/3 without notice or majority of entire membership.
- (7) Majority or tie vote sustains the chair.
- (8) None of these motions (except Reconsider) are in order when business is pending.
- (9) Rules of order, 2/3 vote—Standing rules, majority vote.
- (10) Must be proposed before debate has begun or a subsidiary motion is stated by the chair (applied to original main motions).
- (11) The Incidental Motions have no precedence (rank). They are in order when the need arises.
- (12) A Main Motion if made when no business is pending.
- (13) The maker of a motion may withdraw it without permission of the assembly before the motion is stated by the chair.
- (14) The chair can complete a Division of the Assembly (standing vote) without permission of the assembly and any member can demand it.
- (15) Upon a call by a single member, the Orders of the Day must be enforced.
- (16) Has full debate. May go into the merits of the question which is the subject of the proposed action.
- (17) A 2/3 vote in negative needed to prevent consideration of main motion.

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**WHITEFISH CITY COUNCIL MEETING**  
**MAY 2, 2016**  
**SPECIAL SESSION, 5:05 TO 7:00 PM**

**1. Call to Order**

Mayor Muhlfeld called the meeting to order. Councilors present were Frandsen, Williams, Feury, and Sweeney. Councilors Hildner and Barberis were absent. City staff present were City Manager Stearns, City Clerk Howke, Parks and Recreation Director Butts and Planning and Building Director Taylor.

**2. Interviews**

The Mayor and Council interviewed applicant Greg Gunderson and incumbents Ray Boksich, Ron Brunk and Susan Schnee for the Park Board. Incumbent Ross Doty was interviewed for the Police Commission, and incumbent Chris Schustrom was interviewed for the Resort Tax Monitoring Committee. Theodore Roosendahl was interviewed for the Lake and Lakeshore Protection Committee along with Anne Shaw Moran as an incumbent for the Library Board of Trustees. The Mayor and Council interviewed Eric Mulcahy, Robert Horne Jr., and Don Spivey for the PUD Re-Write Steering Committee. The Council will appoint members to the PUD Re-Write Steering Committee at the May 16, 2016 meeting.

**3. Public Comment** -Alyssa LaChance, 1646 East Second Street, stated she felt Eric Mulcahy had a lot of good things to say.

**4. Appointments**

**Councilor Feury made a motion, second by Councilor Sweeney to appoint Theodore Roosendahl to the Whitefish Lake and Lakeshore Protection Committee, Chris Schustrom to the Resort Tax Monitoring Committee, and Anne Shaw Moran to the Library Board of Trustees. The motion passed unanimously.**

**Mayor Muhlfeld appointed Ross Doty to the Police Commission. The Council confirmed his appointment.**

**Mayor Muhlfeld re-appointed Ron Brunk, Ray Boksich and Susan Schnee to the Park Board. The Council confirmed his appointment.**

**5. Adjournment** – Mayor Muhlfeld adjourned the Special Session at 6:56 p.m.

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**Mayor Muhlfeld**

**Attest:**

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**Michelle Howke, City Clerk**

**WHITEFISH CITY COUNCIL**

**MAY 2, 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, Planner II Minnich, Public Works Director Workman, Parks and Recreation Director Butts, Police Chief Dial and Fire Chief Page. Approximately 25 people were in the audience.

**2) PLEDGE OF ALLEGIANCE**

Mayor Muhlfeld asked Nick Palmer to lead the audience in the Pledge of Allegiance.

**3) PRESENTATION – Update on City Hall/Parking Structure construction – Owner’s Representative Mike Cronquist (p.57)**

Mike Cronquist, Owner's Representative gave his report that is provided in the packet on the website. The foundation walls between City Hall and the Parking Structure is complete. Most of the basement walls are done.

Councilor Sweeney asked and Mike said the alley would be available to be opened by Memorial Day weekend.

**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)**

Sandy Carpenter, 3809 Tamarack Avenue, is the Board Secretary and the Garden Manager of the Whitefish Community Garden. A letter is in the packet requesting an increase from the City of the water allotment from \$300 to \$600. They have grown from 19 families to 43 families who use the garden, 7 food bank beds and orchard with cherry trees, apple trees, strawberry bed, herb bed and perennial bed. The first year the Community Garden donated 220 pounds of fresh organic produce to the Food Bank, this least season just over 1,000 pounds of fresh organic produce was donated. Their motto is Growing Food and Cultivating Community.

Barbara Palmer- spoke in regards to the article in the paper about deer culling. She said there is other ways to protect our yards, and is against this idea.

Nick Palmer, has talked with people and nobody he has talked to agrees with deer culling. He said to think of the kids when they learn adults are killing deer.

Mayor Muhlfeld clarified Councilor Hildner had mentioned in the goal setting session of deer culling along with one other comment from the public. The Council is not actively pursuing this situation at this time.

Laura Oscilowski, 503 Railway Street Suite A, Spotted Bear Spirits and the Whitefish Chamber of Commerce Board of Directors, thanked Mayor Muhlfeld and the Council, and mentioned a fundraiser May 14<sup>th</sup> through May 20<sup>th</sup> starts with a Distilleries Festival and Culinary Showcase hosted by six different restaurants throughout town.

Dan Cutforth, 1255 Larch Lane, regarding the pollution of Dog Bay and the annexations of Lion Mountain residents. He feels replacing an entire system because of a possibility a few septic systems are leaching into the lake is not the way to address the situation. He hopes the Council talks to the Homeowners Association about addressing the situation. He doesn't know what he would gain being annexed into the city limits.

Rebecca Norton, 530 Scott Avenue, is in favor of pursuing Lion Mountain annexation and likes the idea of deferred payment of city tax in exchange of payment of connecting to the sewer system.

Dick Zoellner, 1365 Voermans Road, is concerned about the water not just the lake but also the river. The City does not check for chemicals in the water. Fertilizers and weed killers need to be addressed along with the Lion Mountain issue. City should step up and check the water. He also mentioned there are some problems some people see with the deer that others are not seeing.

## **5) COMMUNICATIONS FROM VOLUNTEER BOARDS**

Chief Dial reported the 911 Board had a special meeting. Commissioner Mitchell feels the current staffing at the dispatch center needs to be evaluated. They have created a 3-member subcommittee; Mayor Johnson of Kalispell, City Manager Nicosia of Columbia Falls and Chief Dial of Whitefish, tasked with recommendation on who to hire, the spending and what will be evaluated for the audit.

Councilor Williams is on the Whitefish Trail Operations Committee, reported a few months ago the question came up about horses being on the new trail in Haskill Basin and the potential to change the easement for Iron Horse to allow horse access to that trail. After evaluating the issue concerning horse use from the Haskill Basin trailhead on Reservoir Road. The trail on City Property includes eight switchbacks over two ridges in a ½ mile stretch limiting and narrowing a stretch not conducive to horse use. The proposal is to use and have horse access off Stoltzes property or access the trail from the Big Mountain Road.

## **6) CONSENT AGENDA**

- a) Minutes from the April 18, 2016 Council regular meeting (p.68)**
- b) Ordinance No. 16-08; An Ordinance approving the McKay Enterprises Preliminary Plat and Planned Unit Development, to develop 18 lots located at 6361 and 6365 Highway 93 South, Whitefish (Second Reading) (p.76)**

- c) **Consideration of approving application from Bruce Boody on behalf of Covey Family Trust for Whitefish Lake Lakeshore Permit (#WLP-16-W02) at 2524 East Lakeshore Drive to install dry set stone stairs, placement of gravel, and a gravel bypass swale for stormwater management subject to 20 conditions (p.83)**
- d.) **Consideration of approving application from Doepker Landscape, Inc. on behalf of Curtis and Jodi Thew for Whitefish Lake Lakeshore Permit (#WLP-16-W03) at 1490 Barkley Lane to remove existing non-native vegetation and re-landscape within the Lakeshore Protection Zone, install a slide onto an existing dock, and remove a log from the lake which is creating a safety hazard subject to conditions (p.99)**

**Councilor Frandsen made a motion, second by Councilor Williams to approve the Consent Agenda. 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 an application from the VFW Lion Mountain Post #276 for a Conditional Use Permit for the expansion of a non-conforming use to install five (5) new gaming machines. The property is developed with an existing commercial use which currently has nine (9) gaming machines, and is zoned WB-3 (General Business District). The property is located at 20 Baker Avenue (WCUP16-03) (p.122) (CD 30:20)**

Planner II Minnich gave her staff report that is provided in the packet on the website.

Councilor Frandsen asked and Planner Minnich confirmed the CUP carries with the land. Councilor Sweeney asked and Planner Minnich said the applicant can only ask for one 50% increase.

Mayor Muhlfeld opened the Public Hearing, there being no public comment the Mayor closed the Public Hearing and turned it over to the Council for their review.

**Councilor Frandsen made a motion, second by Councilor Williams to approve Whitefish Conditional Use Permit 16-03, an application of a non-conforming use to install five (5) new gaming machines. The motion passed unanimously.**

- b) **Ordinance No. 16-09; An Ordinance rezoning approximately 1.203 acres of land located at 6232 US Highway 93 South, in Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County SAG-10 (Suburban Agricultural District) to City WA (Agricultural District) and adopting findings with respect to such rezone (First Reading) (WZC 16-01) (p.148) (CD 36:55)**

Planner II Minnich gave her staff report that is provided in the packet on the website.

Councilor Frandsen asked and Planner Minnich clarified that if a property were to subdivide in the WA they would be required 15 acres in order to split the lot. This lot will not be able to be subdivided.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, the Mayor closed the Public Hearing and turned it over to the Council for their review.

**Councilor Frandsen made a motion, second by Councilor Sweeney to approve Ordinance 16-09, an Ordinance rezoning approximately 1.203 acres of land located at 6232 US Highway 93 South, in Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County SAG-10 to City WA and adopting findings with respect to such rezone. The motion passed unanimously.**

- c) **Consideration of an application for a preliminary plat approval from Triple S Landgroup and Daniel Scheffer for a 6-lot subdivision that contains four (4) detached single family homes and two (2) attached single family homes. The property is zoned WR-2 (Two-Family Residential District). The property is located at 235 Haugen Heights (WPP 16-01) (p.176) (CD 42:16)**

Planner II Minnich gave her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing.

Jay Snowden, 1640 Ranch Road, with Triple S Landgroup, shared that he, his partners and Dan Scheffer and with the help of the neighbors have come up with a proposal everybody can agree on.

Mayor Muhlfeld closed the Public Hearing and turned it over to the Council for their review.

**Councilor Sweeney made a motion, second by Councilor Frandsen to approve WPP 16-01 and adopt the findings of fact and the staff report including the 20 conditions of approval as recommended by the Whitefish Planning Board on April 21, 2016. The motion passed unanimously.**

#### **8) COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR**

- a) **Consideration of awarding a contract for engineering services for Riverside Park Tennis Courts and new City Beach Parking Lot (55 Woodland Place) to TDH Engineering (p.237) (CD 50:06)**

Parks and Recreation Director Butts gave her staff report that is provided in the packet on the website. This does include the conceptual layout of the parking lot at 55 Woodland Place.

**Councilor Frandsen made a motion, second by Councilor Sweeney to award a contract for engineering services for Riverside Park Tennis Courts and the new City Beach Parking Lot (55 Woodland Place) to TDH Engineering. The motion passed unanimously.**

Mayor Muhlfeld thanked Director Workman and Director Butts for installing the BMPs at 55 Woodland Place.

**9) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR (CD 53:41)**

**a) Resolution No. 16-17; A Resolution adopting the final Environmental Assessment for the Wastewater Treatment Plant Improvements Project (p.243)**

Public Works Director Workman gave his staff report that is provided in the packet on the website.

Mayor Muhlfeld stated he has been approached by 2-3 individuals regarding the odors coming from the Wastewater Treatment Plant and stated the odors are getting worse. Director Workman reported the early turnovers in the lagoon and the water density and water temp is in the high 40's and low 50's, bacterial activities are low. As temperatures rise and bugs do their job, the odor will decrease.

**Councilor Frandsen made a motion, second by Councilor Williams to approve Resolution 16-17, a Resolution adopting a final Environment Assessment for the Wastewater Treatment Plant Improvement Project. The motion passed unanimously.**

**b) Resolution No. 16-18; A Resolution authorizing the City Manager to submit an application to the Montana Department of Commerce for TSEP and DNRC-RRGL grant funding associated with the Wastewater Treatment Plant Improvements Project (p.258)**

Director Workman included his report with agenda item 9a.

**Councilor Frandsen made a motion, second by Councilor Sweeney to approve Resolution 16-18, a Resolution authorizing the City Manager to submit an application to the Montana Department of Commerce for TSEP and DNRC-RRGL grant funding associated with the Wastewater Treatment Plant Improvement Project. The motion passed unanimously.**

**c) Resolution No. 16-19; A Resolution authorizing support for a Department of Natural Resources and Conservation RRGL for government facilities grant application for the "Optimization of the Whitefish Water Treatment Plant" project and the work that would be funded under the grant (p.259)**

Public Works Director Workman gave his staff report that is provided in the packet on the website.

Mayor Muhlfeld asked if the work can get done for \$130,000, and Director Workman said that as we move forward, we have been asked to participate at the level and phase it in.

**Councilor Sweeney made a motion, second by Councilor Frandsen to approve Resolution 16-19, a Resolution authorizing support for a Department of Natural Resources and Conservation RRGL for government facilities grant application for the "Optimization for the Whitefish Water Treatment Plant" project and the work that would be funded under the grant. The motion passed unanimously.**

**10) COMMUNICATIONS FROM CITY MANAGER (CD 1:08:01)**

- a) **Written report enclosed with the packet. Questions from Mayor or Council? (p.264) - None**
- b) **Other items arising between April 27<sup>th</sup> and May 2<sup>nd</sup>**

City Manager Stearns stated that the Public Works Union reached a tentative agreement proposed for 3 years that involves a 3.8% base pay increase for one year then in future years use the same formula as used in the past. Mike Cronquist, Director Workman and City Manager Stearns met with the businesses affected by the closure of East 1<sup>st</sup> Street at the City Hall Parking Structure construction. They will meet with Martel to work on opening at least one lane of traffic. The businesses are concerned if closed throughout the summer their business will suffer.

**c) Third Quarter Financial Report – Finance Director Dana Smith (p.266)**

Financial Director Smith gave the Third Quarter Financial Report that is provided in the packet on the website.

Mayor Muhlfeld asked and Director Smith said the status change depends on how much Federal grant monies that are collected, and actually spent. It changes every year.

Councilor Sweeney asked and Director Smith said the lighting district fund is at 85% and the commercial lighting district is at 82%. This fund is driven for the lighting needed for streets, and found it cost effective to have light poles on hand, and is a timing issue.

City Manager Stearns also stated that the water fund will require a budget amendment, the \$8 Million plus for the Haskill Basin was budgeted in the Resort Tax, because of the second pledge of water revenues and because it is a SRF loan, the Bond Council wanted us to do the bond issuance in the water fund.

**11) COMMUNICATIONS FROM CITY ATTORNEY (CD 01:23:50)**

- a) **Review and discuss memo on options for delaying annexations for areas around Whitefish Lake with demonstrated septic leachate problems including the Lion Mountain area (p.280)**

City Attorney Jacobs gave her review that is provided in the packet on the website.

Mayor Muhlfeld asked and City Attorney Jacobs said the intent for Option 3 is to allow Lion Mountain residents a certain amount of time to petition the county for an RSID to get the process moving.

City Manager Stearns thought of a time deferral to the length of an RSID, the tough part is each Lion Mountain owner would face \$18,232 capital cost TSEP and RRGL grants. City Manager Stearns thinks there is possibility in the next legislature session for infrastructure funding. Another option is to petition DEQ and the Flathead County for moratorium on new septic systems.

Mayor Muhlfeld stated Whitefish Lake Institute decided not to apply to the DNRC for the grant for engineering and construction. More of an education and outreach is needed so the affected residents can gain ownership.

Councilor Sweeney told City Attorney Jacobs well done on this project. The concern he has is that this is a present problem that is not getting better. We are not helping ourselves or the lake by not getting to a solution. He thinks we need to move forward quickly.

Councilor Feury supports deferred annexation with a trigger date, and move on it as quickly as possible.

Mayor Muhlfeld suggested he and Councilor Feury meet with Mike and Lori at the Whitefish Lake Institute.

City Manager Stearns stated there would be some policy changes and staff could come back with a red lined policy change.

**12) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (CD 01:44:10)**

- a) Letter from Michael Henson of Whitefish Community Garden requesting an increase in water allowance from \$300 per year to \$600 per year as support for community garden (p.284)**

Councilor Frandsen asked and City Manager stated the fund is currently out of the Council budget, there is no precedent on the appropriation of money.

Councilor Sweeney asked Michael Hanson, President of Whitefish Community Garden, said at the beginning the \$300 carried over. This year already at 2/3 comp asity and is growing 3-5% each year.

Mayor Muhlfeld asked and Michael Hanson stated there are bed fees, \$50 per bed and 10% of those beds for scholarship beds funded by Soroptomist, and seven food bank beds.

**Councilor Sweeney made a motion, second by Councilor Frandsen to increase the water allowance for Whitefish Community Gardens from \$300 per year to \$600 per year.**

Councilor Frandsen was concerned where the funding is coming from. Director Smith found that it is credited to the water bill.

**The motion passed unanimously.**

- b) Discuss and set dates for budget work sessions for FY17 budget and set date for the preliminary public hearing on the budget for the June 20<sup>th</sup> meeting (p.285)**

**Councilor Feury made a motion, second by Councilor Sweeney to set the preliminary public hearing on the FY17 for June 20<sup>th</sup> meeting. The motion passed unanimously.**

**c) Resolution No.16- 20: A Resolution establishing annual goals for the City (p.286)**

**Councilor Frandsen made a motion, second by Councilor Williams to approve Resolution 19-20, a Resolution establishing annual goals for the City. The motion passed unanimously.**

**d) Consideration of any appointments to volunteer committees not made during tonight's work session (p.1)**

The appointments were completed in the Work Session.

Council comments:

Councilor Frandsen stated at the recycling center the cardboard containers are overflowing and there is trash and rubbish floating around. She would like a better understanding of when we are picking up and cleaning more frequently. Director Workman reported the location is serviced five days a week and at the latest time possible on Fridays. He and North Valley Refuse are working on adding cameras, more signage and changing the cardboard container. He is also asking for more community support to help. Councilor Frandsen stated the signage would be more helpful.

Councilor Sweeney wanted to share he would be willing to offer to serve on the PUD Re-Write Committee.

Councilor Feury agrees with Director Workman it is easier to throw boxes in the recycle bin rather than break the boxes down. He also wanted to share his disappointment with the County on the zone change south of the Majestic Arena.

**13) 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 9:08 p.m.

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Mayor Muhlfeld

Attest:

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Michelle Howke, Whitefish City Clerk

**ORDINANCE NO. 16-09**

**An Ordinance of the City Council of the City of Whitefish, Montana, rezoning approximately 1.203 acres of land located at 6232 US Highway 93 South, in Section 1, Township 30 North, Range 22 West, Whitefish, Montana, from County SAG-10 (Suburban Agricultural District) to City WA (Agricultural District) and adopting findings with respect to such rezone.**

WHEREAS, the City of Whitefish initiated a rezone with respect to property located at 6232 US Highway 93 South, and legally described as Tract 3BB-100, in Section 1, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana; and

WHEREAS, in response to the City-initiated rezone, the Whitefish Planning & Building staff prepared Staff Report WZC 16-01, dated April 14, 2016, which analyzed the proposed rezone and recommended in favor of its approval; and

WHEREAS, at a lawfully noticed public hearing on April 21, 2016, the Whitefish Planning Board reviewed Staff Report WZC 16-01, received an oral report from Planning staff, invited public comment, and thereafter voted to recommend in favor of the proposed zone change; and

WHEREAS, at a lawfully noticed public hearing on May 2, 2016, the Whitefish City Council reviewed Staff Report WZC 16-01 and letter of transmittal, received an oral report from Planning staff, and invited public comment; and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to approve the proposed rezone; and

WHEREAS, the proposed rezone meets zoning procedure and the criteria and guidelines for the proposed rezone required by MCA §§76-2-303 through 76-2-305 and WCC §11-7-12.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: Staff Report WZC 16-01 dated April 14, 2016, together with the April 26, 2016 letter of transmittal from the Whitefish Planning & Building Department, are hereby adopted as Findings of Fact.

Section 3: The real property located 6232 US Highway 93 South, and legally described as:

That portion of the Southwest one-quarter (SW1/4) of the Southeast one-quarter (SE1/4) of Section One (1), Township Thirty North (T.30 N.), Range Twenty-two West (R.22 W.), Principal Meridian Montana, Flathead County, Montana, more particularly described as follows:

Beginning at the Northwest corner of Tract 1 of Certificate of Survey No. 16386, a map or plat of which is on file at the Clerk and Recorder's Office, Flathead County,

Montana;  
thence S05°52'00"E 198.21 feet; thence N89°39'36"W 284.47 feet; thence  
N03°20'55"W 184.37 feet; thence N87°38'22"E 269.98 feet to the Point of  
Beginning and containing 1.203 acres of land more or less

previously zoned County SAG-10 (Suburban Agricultural District) is hereby rezoned to City  
WA (Suburban Agricultural District).

Section 4: The official Zoning Map of the City of Whitefish, Montana, shall be amended,  
altered and changed to provide that the rezone and zoning map amendment of the real property  
identified on the map attached hereto as Exhibit "A", and incorporated herein by reference, shall  
be designated City WA (Suburban Agricultural District). The Zoning Administrator is instructed  
to change the City's official Zoning Map to conform to the terms of this Ordinance.

Section 5: In the event any word, phrase, clause, sentence, paragraph, section or other  
part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such  
judgment shall affect only that part held invalid, and the remaining provisions thereof shall  
continue in full force and effect.

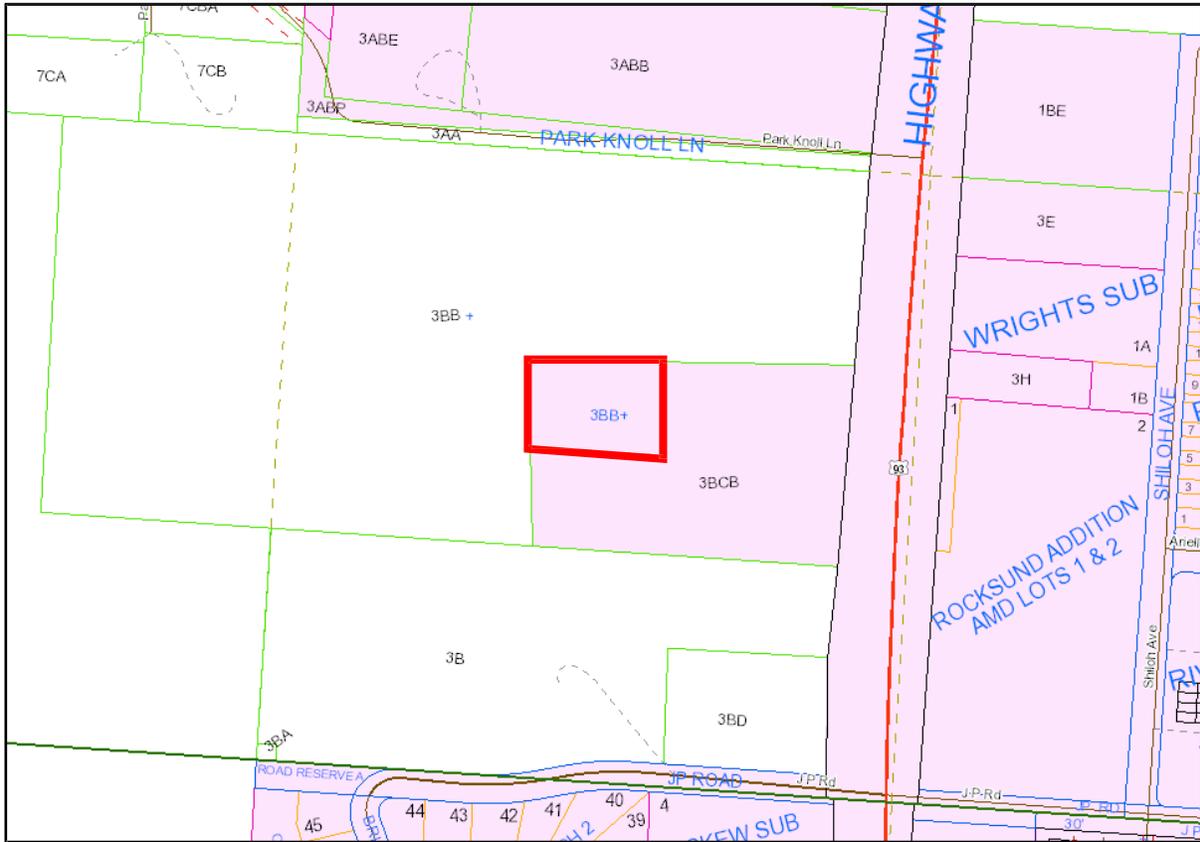
Section 6: This Ordinance shall take effect thirty (30) days after its adoption by the City  
Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF  
WHITEFISH, MONTANA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
John M. Muhlfeld, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Howke, City Clerk



**EXHIBIT "A"**

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## Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Maria Butts, Director of Parks, Recreation and Community Services

Date: May 10, 2016

A handwritten signature in blue ink that reads "Maria".

### **Recommendation to Reject Bids and Return Bid Bonds to Frontier Builders of Montana, LLC and Davidson Construction, Inc. for the Depot Park Gazebo Project**

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#### **Introduction/History**

Since October 2015, Robert Peccia and Associates (RPA), in collaboration with Bruce Boody and Ross Anderson, have presented to the Park Board several conceptual designs for the Depot Park Gazebo Project. Through the conceptual design process, the gazebo took shape as a 30', elevated, ADA accessible gazebo with electrical outlets and lighting. On February 9, 2016, the Park Board of Commissioners moved to approve the gazebo design as presented, contingent upon available funds. The motion was approved with a five to one vote, with Member Schnee in opposition. The Park Board clarified in discussion of the motion that if the bids were to come in at a higher cost than available funds, the project would not move forward.

Tax Increment funds have been committed to the Depot Park Gazebo Project. Currently, \$120,776 is available in the Tax Increment Fund (TIF) for this project, including \$15,000 in grant monies received from the Whitefish Rotary for the construction of the gazebo.

The Parks and Recreation Department, through the contracted services of RPA, advertised for sealed bids in the Daily Interlake on April 24<sup>th</sup> and May 1<sup>st</sup> for the Depot Park Gazebo Project. All bids were to be received by 11:30 AM, Tuesday, May 3, 2016. Two sealed bids were received and were publically opened and read aloud at City Hall on the same date.

#### **Current Report**

The City of Whitefish has received two bids for the Depot Park Gazebo. The first bid from Frontier Builders of Montana, LLC totaled \$243,635, which is \$122,859 more than available TIF Funds. The second bid from Davidson Construction totaled \$342,247, which is \$221,471 more than available TIF Funds.

The Park Board of Commissioners discussed the bids and the cost of the project during the May 10, 2016 meeting. During the meeting, the Park Board recommended that the City Council reject the bids and return the bid bonds. As well, the Park Board directed staff to seek out prefabricated gazebo designs and gather cost estimates for grading the southeastern portion of the park and setting a concrete pad for the gazebo.

**Financial Requirement**

There is no financial requirement to reject the bids and return the bid bonds.

**Recommendation**

Staff respectfully recommends the City Council reject both bids and return the bid bonds to Frontier Builders of Montana, LLC and Davidson Construction, Inc. for the Depot Park Gazebo Project.

Sincerely,  
Maria Butts  
Director of Parks, Recreation and Community Services



**SUMMARY OF BIDS  
DEPOT PARK GAZEBO PROJECT  
WHITEFISH, MT**

Bid Opening Date / Time / Location:  
May 6, 2016 @ 11:30 am  
City Hall, Whitefish, Montana

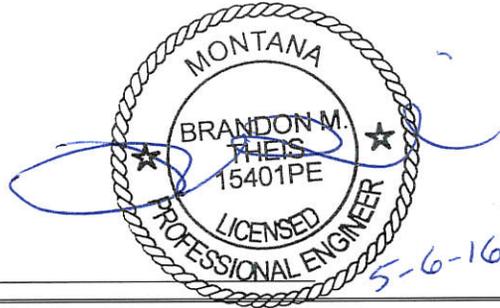
	Acknowledged Addendum No. 1	Bid Bond	MT Contractors Registration No.	BASE BID	ADDITIVE ALTERNATE ONE	ADDITIVE ALTERNATE TWO	TOTAL (BASE BID + AA1 + AA2)	Apparent Low Bidder
Engineer's Estimate	n/a	n/a	n/a	\$115,880.00	\$2,000.00	\$9,330.00	\$127,210.00	
Frontier Builders of Montana, LLC	yes	yes	202689	\$224,526.00	\$9,355.00	\$13,772.00	\$247,653.00	x
Davidson Construction, Inc.	yes	yes	146008	\$276,167.00	\$16,912.00	\$49,168.00	\$342,247.00	

**SUMMARY OF BIDS  
DEPOT PARK GAZEBO PROJECT  
WHITEFISH, MT**



Robert Peccia & Associates, Inc.  
825 Custer Avenue \* Helena \* Montana \* (406) 447-5000  
102 Cooperative Way, Suite 300 \* Kalispell \* Montana \* (406) 752-5025

Item No.	Quantity	Unit	Unit Description	Engineer's Estimate		Frontier Builders of Montana, LLC		Davidson Construction, Inc.	
				Unit Price (Figures)	Total Price (Figures)	Unit Price (Figures)	Total Price (Figures)	Unit Price (Figures)	Total Price (Figures)
<b>BASE BID</b>									
1	1	LS	Gazebo	\$115,880.00	\$115,880.00	\$224,526.00	\$224,526.00	\$276,167.00	\$276,167.00
<b>TOTAL BASE BID:</b>					<b>\$115,880.00</b>		<b>\$224,526.00</b>		<b>\$276,167.00</b>
<b>ADDITIVE ALTERNATE ONE</b>									
AA1-1	1	LS	Finish Electrical	\$2,000.00	\$2,000.00	\$9,355.00	\$9,355.00	\$16,912.00	\$16,912.00
<b>TOTAL BASE BID + AA1:</b>					<b>\$117,880.00</b>		<b>\$233,881.00</b>		<b>\$293,079.00</b>
<b>ADDITIVE ALTERNATE TWO</b>									
AA2-2	1	LS	Landscaping	\$9,330.00	\$9,330.00	\$13,772.00	\$13,772.00	\$49,168.00	\$49,168.00
<b>TOTAL BASE BID + AA1 + AA2:</b>					<b>\$127,210.00</b>		<b>\$247,653.00</b>		<b>\$342,247.00</b>



TRUE TABULATION OF BIDS RECEIVED  
Robert Peccia & Associates  
Today's Date: May 6, 2016

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# MANAGER REPORT

April 27, 2016



## TENTATIVE SETTLEMENT ON LABOR UNION CONTRACT WITH AFSCME- PUBLIC WORKS

On Monday, May 2<sup>nd</sup>, we reached a tentative settlement on a new Collective Bargaining Agreement (CBA) with AFSCME for the Public Works union. The three negotiation meetings went very well. The union still has to vote on the proposal. The basic aspects of the settlement are below:

- A three year contract with wages established by our current formula shown below. Thus the wage increase for FY17 will be a maximum of 3.8% and will depend on what the tax base growth for FY17 is. (We receive the tax base by the first Monday in August).

The City is offering multi-year contracts whereby the out years' (FY17, FY18, and FY19 etc.) annual compensation increase would be agreed in advance to be the **lower** of the following two formulas:

1. Cost of Living Adjustment (COLA) as previously agreed upon (December to December West Urban CPI-U) (1.8% in FY17) plus the STEP increases in the Pay Plan Matrix (each one being 2%) or
2. COLA plus the increase in the City's tax base, as measured by the Montana Department of Revenue Certified Taxable Valuation Information rendered to the City of Whitefish on or before the first Monday in August each year.

For the AFSCME #2943 Public Works union contract for FY17-FY19, there is a floor of 1.5% in either scenario (1 or 2 above) and a ceiling of 4% in either scenario (1 or 2 above).

- For working on weekends, we were able to get the following provisions into the contract:
  5. Union employees hired on or after April 6, 2015 may be scheduled to work a regular schedule that includes weekends.
  6. As an incentive to work weekends, the Employer may offer to any or all employees the option to work weekends with a year round shift of ten (10) hours per day during a four (4) day workweek.
  7. Any union employee scheduled to work a regular schedule that includes weekends shall be paid an additional \$0.25 per hour as a weekend differential pay.

- There were some other small increases in some differential pay for odd shifts or being called back to work before the next regularly scheduled shift. The cost of these differentials were typically in the \$100 - \$400 range total cost annually.
- There is an opener in the contract in two years to discuss Medical Insurance premiums and our formula for City-employee cost sharing. At that time, the Police and Fire CBA's will also be open, so that would be a good time to discuss medical insurance premiums.
- There were some other minor language clarifications.

I will let you know if the union approves the tentative settlement.

## **RESORT TAX COLLECTIONS**

On an equivalent basis of the 2% Resort Tax this year compared to last year, Resort Tax collections in March were up by 12.7% or \$15,366. For the year-to-date, the comparative 2% Resort Tax is up 1.24% or \$21,118. Frequency of delinquencies is up a little bit. The slow shoulder season, less Canadian visitation, and the increase of the tax from 2% to 3% might all contribute to some increased delinquent accounts.

Overall, with the additional 1% Resort Tax that voters approved, the 3% Resort Tax was up by 69.07% or \$83,492 for March compared to the 2% Resort Tax in March, 2015. There are comparative figures and charts attached to this report in the packet.

## **URBAN LAND INSTITUTE WEBINAR ON AFFORDABLE HOUSING**

On Wednesday, April 27<sup>th</sup>, I viewed and participated in a webinar from the Urban Land Institute on affordable housing. You can still view the webinar at <http://communitybuilders.org/webinars/housing-affordability/> if you want to see it. I am attaching several of the more interesting Power Point slides from the webinar with this packet.

## **CONTINUING CLOSURE OF FIRST STREET BY THE CITY HALL/PARKING STRUCTURE PROJECT**

It was originally hoped that one lane of 1<sup>st</sup> Street (north lane) that is closed for the City Hall/Parking Structure project could be opened this spring. However, the hydrocarbon/petroleum contamination in the underground soils at the old City Hall site has caused some delays. We have had two meetings with the businesses in the building at 404 East 1<sup>st</sup> Street and they are pressing for the street to be opened for the summer. We are currently working with Martel Construction on various options and we have more meetings scheduled for Wednesday, May 11<sup>th</sup>.

## **CITY HALL/PARKING STRUCTURE – MDT RULING ON CANOPIES ON BAKER – NO POSTS ALLOWED**

We found out a couple of months ago that the Montana Department of Transportation (MDT) will not allow the canopies on Baker Avenue by the future retail space of the Parking Structure to have posts in the ground to support the canopies. We will have to support the canopies from above with cantilever supports like on the rest of the building. We can have canopy posts on East 1<sup>st</sup> Street, however, as that is the City's right-of-way.

The determination from MDT is below. ARM stands for Administrative Rules of Montana. It would have taken a process of 6-8 months for the state to consider changing the ARM for this purpose and we needed to move on with the design and the ordering of materials.

I spoke with our Traffic Engineer once again. MDT will need to maintain the position that unless the ARM is changed, no columns will be allowed for the canopies on MDT right of way. With the ARM as it is, our direction from Helena is that no encroachment application that would include them will be permitted.

Dennis Oliver  
Kalispell Maint. Supt. MDT  
406-751-2012

## **MEETINGS**

Affordable Housing Task Force (5/10) – The Task Force met on Tuesday morning. We heard a presentation about a study of Cooperative Housing options in Montana. Kevin Gartland announced that there were 6 statements of qualifications submitted for the Housing Needs Assessment RFQ from locations in Montana, Crested Butte, CO, Denver, Portland, Philadelphia, and Boston. A selection committee of seven members was chosen based on Kevin's recommendation and that selection committee includes Richard Hildner and me. Interviews of the short list of firms will occur on Thursday, May 19<sup>th</sup>.

## **UPCOMING SPECIAL EVENTS**

May 31<sup>st</sup> – First Downtown Farmer's Market – 5-7:30 p.m.

## **REMINDERS**

Budget work session, Tuesday, May 31<sup>st</sup> at 5:30 p.m.  
Budget work session, Monday, June 13<sup>th</sup> at 5:30 p.m.



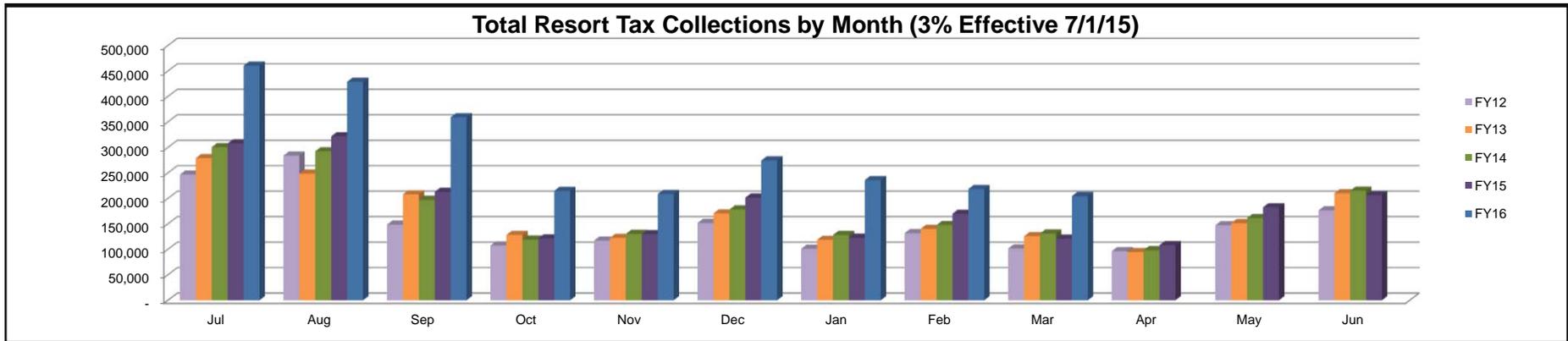
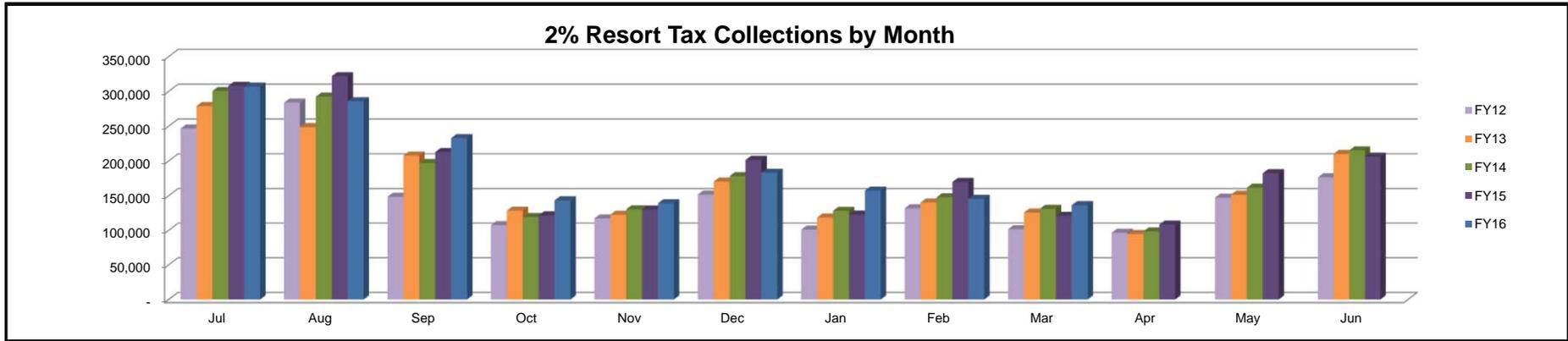
Respectfully submitted,  
Chuck Stearns, City Manager

**Resort Tax Report**  
**Reported in the Month Businesses Collected Tax**

**Additional 1% Resort Tax Effective July 1, 2015**

Month/Year	Lodging	Bars & Restaurants	Retail	Collected	% Chng Mnth to Pr Yr Mnth	% Chng Quarter to Pr Yr Quarter	Bars & Restaurants				Total Collected (3% Resort Tax for FY16)	Interest	Total	
							Lodging	Restaurants	Retail	Collected				
Jul-13	81,828	98,642	120,028	300,497	7.7%		-	-	-	-	300,497	496	300,993	
Aug-13	77,809	108,131	106,422	292,362	17.6%		-	-	-	-	292,362	434	292,796	
Sep-13	50,377	77,416	69,328	197,120	-5.1%	7.4%	-	-	-	-	197,120	434	197,554	
Oct-13	16,851	48,015	54,271	119,137	-7.1%		-	-	-	-	119,137	434	119,571	
Nov-13	6,831	47,701	75,780	130,312	6.3%		-	-	-	-	130,312	2654	132,966	
Dec-13	21,782	64,884	91,585	178,251	4.6%	1.5%	-	-	-	-	178,251	404	178,655	
Jan-14	16,848	54,481	56,839	128,169	8.2%		-	-	-	-	128,169	404	128,573	
Feb-14	22,323	58,758	66,487	147,568	5.3%		-	-	-	-	147,568	404	147,972	
Mar-14	15,770	64,178	51,114	131,061	4.2%	5.8%	-	-	-	-	131,061	409	131,470	
Apr-14	10,065	41,894	46,458	98,417	4.0%		-	-	-	-	98,417	455	98,872	
May-14	18,993	58,791	83,683	161,467	6.6%		-	-	-	-	161,467	455	161,922	
Jun-14	44,865	69,190	101,053	215,107	2.4%	4.1%	-	-	-	-	215,107	455	215,562	
<b>YTD Compared to Last Year</b>														
<b>Total FY14</b>	<b>\$ 384,342</b>	<b>\$ 792,081</b>	<b>\$ 923,047</b>	<b>\$ 2,099,470</b>			<b>5.12%</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,099,470</b>	<b>\$ 7,438</b>	<b>\$ 2,106,908</b>
FY13 vs FY14	11.2%	4.5%	3.3%	5.1%	or		\$ 102,265	n/a	n/a	n/a	n/a	5.1%	TaxableSalesFY14	\$ 110,498,402
Jul-14	84,053	104,935	118,876	307,864	2.5%		-	-	-	-	307,864	440	308,304	
Aug-14	93,049	117,674	111,016	321,739	10.0%		-	-	-	-	321,739	498	322,236	
Sep-14	49,804	84,149	78,813	212,767	7.9%	6.6%	-	-	-	-	212,767	246	213,013	
Oct-14	18,589	50,665	52,266	121,519	2.0%		-	-	-	-	121,519	604	122,123	
Nov-14	8,530	43,076	78,311	129,917	-0.3%		-	-	-	-	129,917	359	130,276	
Dec-14	20,944	74,617	105,885	201,446	13.0%	5.9%	-	-	-	-	201,446	293	201,739	
Jan-15	15,285	52,940	54,543	122,768	-4.2%		-	-	-	-	122,768	281	123,049	
Feb-15	25,805	74,286	69,705	169,795	15.1%		-	-	-	-	169,795	166	169,961	
Mar-15	16,336	51,183	53,368	120,887	-7.8%	1.6%	-	-	-	-	120,887	227	121,114	
Apr-15	11,755	50,637	45,835	108,227	10.0%		-	-	-	-	108,227	263	108,490	
May-15	23,911	61,756	96,773	182,441	13.0%		-	-	-	-	182,441	288	182,728	
Jun-15	39,483	78,394	88,316	206,194	-4.1%	4.6%	-	-	-	-	206,194	301	206,495	
<b>YTD Compared to Last Year</b>														
<b>Total FY15</b>	<b>\$ 407,543</b>	<b>\$ 844,313</b>	<b>\$ 953,707</b>	<b>\$ 2,205,564</b>			<b>5.05%</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,205,564</b>	<b>\$ 3,966</b>	<b>\$ 2,209,529</b>
FY14 vs FY15	6.04%	6.59%	3.32%	5.05%	or		\$ 106,094	n/a	n/a	n/a	n/a	5.1%	Taxable Sales FY15	\$ 116,082,301
Jul-15	78,513	111,068	117,342	306,922	-0.3%		39,256	55,534	58,671	153,461	460,383	377	460,760	
Aug-15	69,374	114,956	101,484	285,814	-11.2%		34,687	57,478	50,742	142,907	428,722	375	429,097	
Sep-15	75,699	74,806	82,265	232,770	9.4%	-2.0%	37,850	47,403	41,133	126,386	359,156	410	359,566	
Oct-15	19,169	63,939	60,111	143,219	17.9%		9,584	31,970	30,056	71,610	214,829	545	215,373	
Nov-15	8,611	43,585	86,861	139,057	7.0%		4,306	21,793	43,430	69,529	208,586	527	209,113	
Dec-15	18,343	74,975	89,645	182,964	-9.2%	2.7%	9,172	37,488	44,823	91,482	274,446	484	274,929	
Jan-16	17,685	70,025	69,541	157,251	28.1%		8,842	35,012	34,771	78,625	235,876	505	236,381	
Feb-16	20,630	57,181	67,760	145,571	-14.3%		10,315	28,590	33,880	72,785	218,356	500	218,856	
Mar-16	16,046	64,651	55,556	136,253	12.7%	6.2%	8,023	32,325	27,778	68,126	204,379	977	205,356	
Apr-16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
May-16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Jun-16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>YTD Compared to Last Year</b>														
<b>Total FY16</b>	<b>\$ 324,069</b>	<b>\$ 675,186</b>	<b>\$ 730,566</b>	<b>\$ 1,729,821</b>			<b>1.24%</b>	<b>\$ 162,035</b>	<b>\$ 347,593</b>	<b>\$ 365,283</b>	<b>\$ 874,911</b>	<b>\$ 2,604,732</b>	<b>\$ 4,699</b>	<b>\$ 2,609,431</b>
FY15 vs FY16	-2.50%	3.31%	1.08%	1.24%	or		\$ 21,118	n/a	n/a	n/a	n/a	52.4%	Taxable Sales FY16	\$ 137,091,143
FY16 % of Collections	19%	39%	42%				19%	40%	42%					
<b>Grand Total</b>	<b>\$ 5,086,533</b>	<b>\$ 10,712,419</b>	<b>\$ 12,830,381</b>	<b>\$ 28,629,333</b>			<b>\$ 162,035</b>	<b>\$ 347,593</b>	<b>\$ 365,283</b>	<b>\$ 874,911</b>	<b>\$ 29,504,244</b>	<b>\$ 764,459</b>	<b>\$ 30,269,253</b>	
% of Total Collections	18%	37%	45%				19%	40%	42%					2.6% Average since '96

**Resort Tax Report  
Reported in the Month Businesses Collected Tax**



**Total Taxable  
Sales Since 1996**  
\$ 1,552,854,924

**Total Collected**  
\$ 31,057,098

**5% Admin**  
\$ 1,552,855

**Public Portion**  
\$ 29,504,244

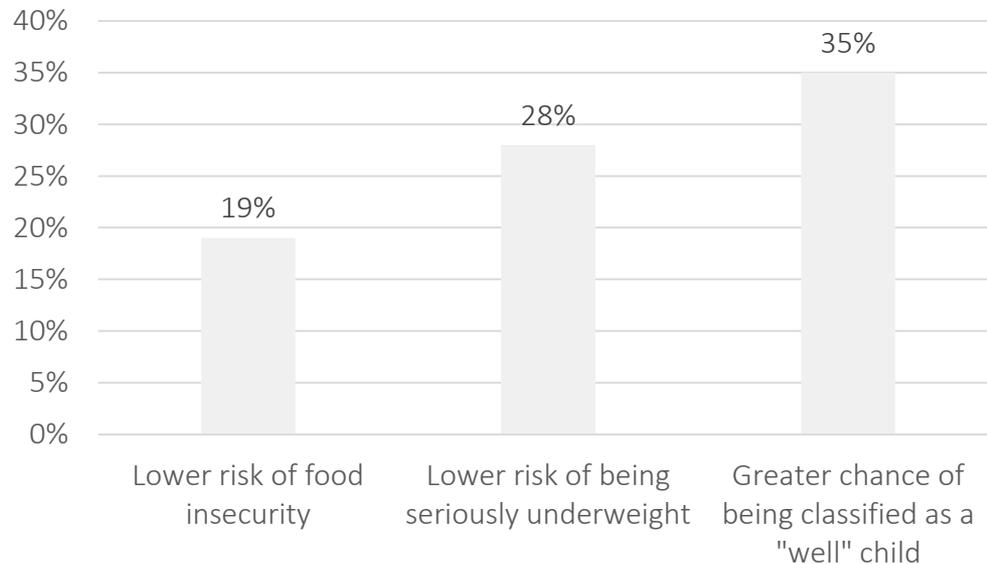
# Housing Affordability: Crisis and Solutions

## Community Builders Webinar Series April 27, 2016

Stockton Williams  
Executive Director  
ULI Terwilliger Center for Housing

# How Housing Matters: Health

## Subsidized Housing Protects Children's Health



“When low-income families receive assistance in paying rent, they have more of the resources they need to raise healthy children.”

Children's Health Watch

Source: Children's Health Watch

# How Housing Matters: Economy

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## Education

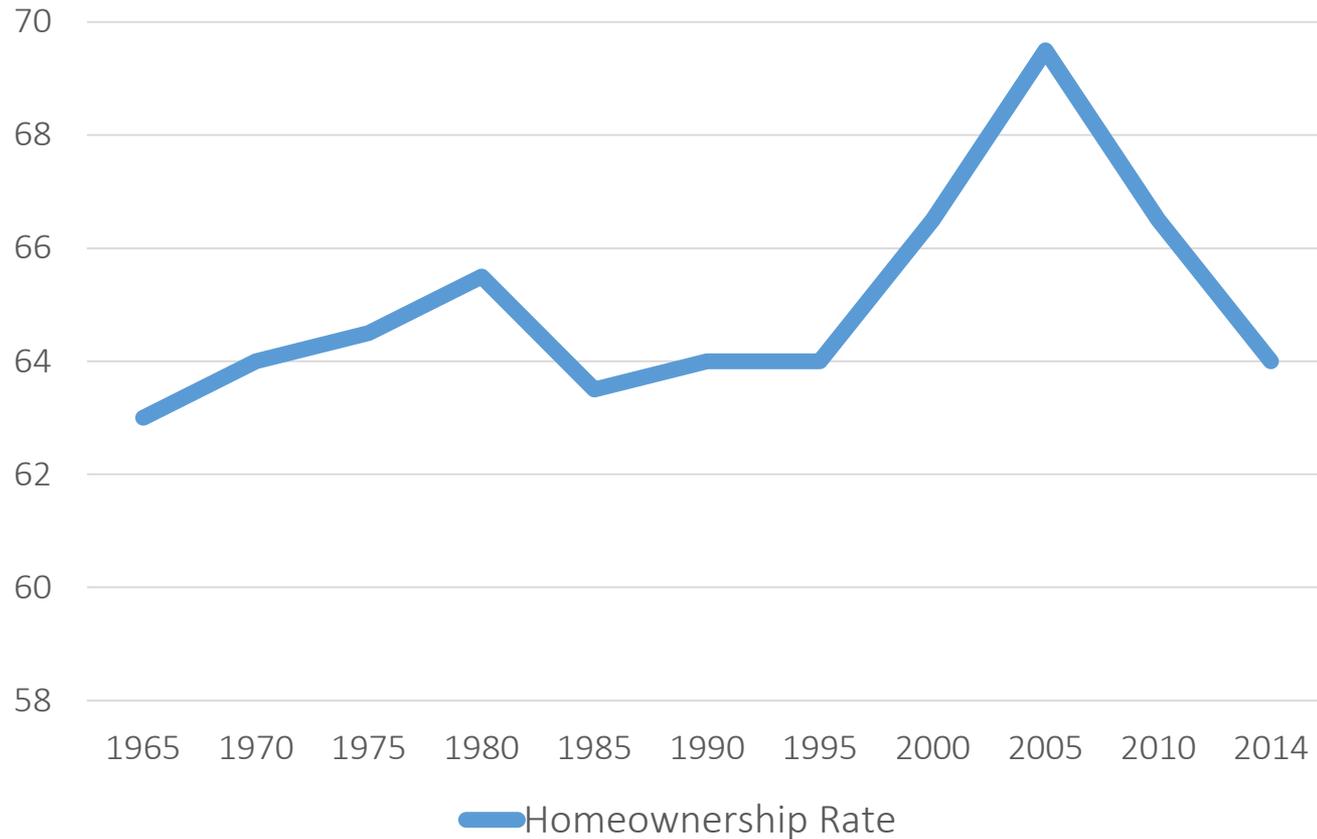
Better educational opportunities and outcomes for children.



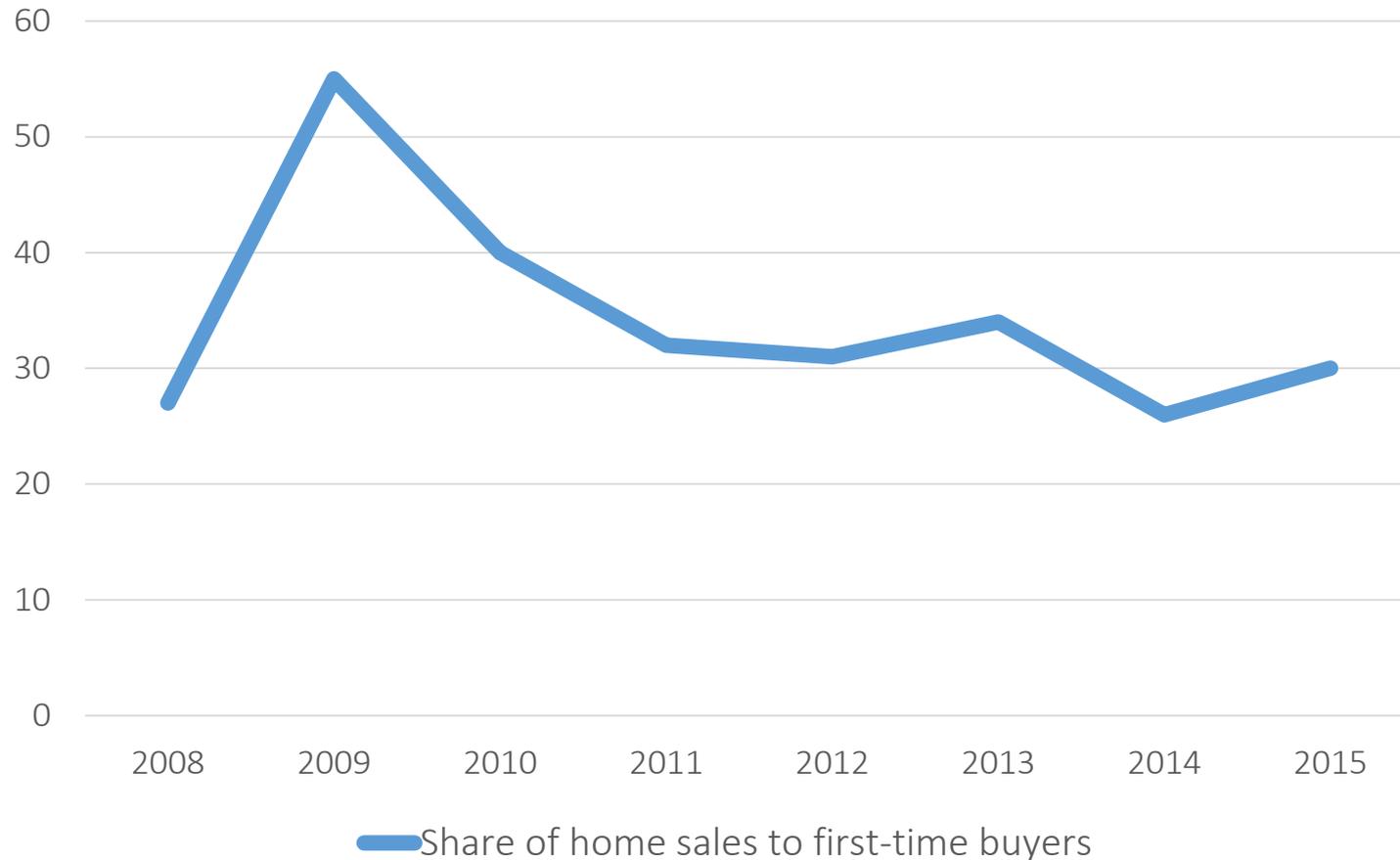
## POOR KIDS WHO MOVE TO OPPORTUNITY

- Increase their total lifetime earnings by about \$302,000.
- This equals a gain of \$99,000 per child in present value.
- They'll pay an extra \$394 per year in federal taxes during their mid-twenties.

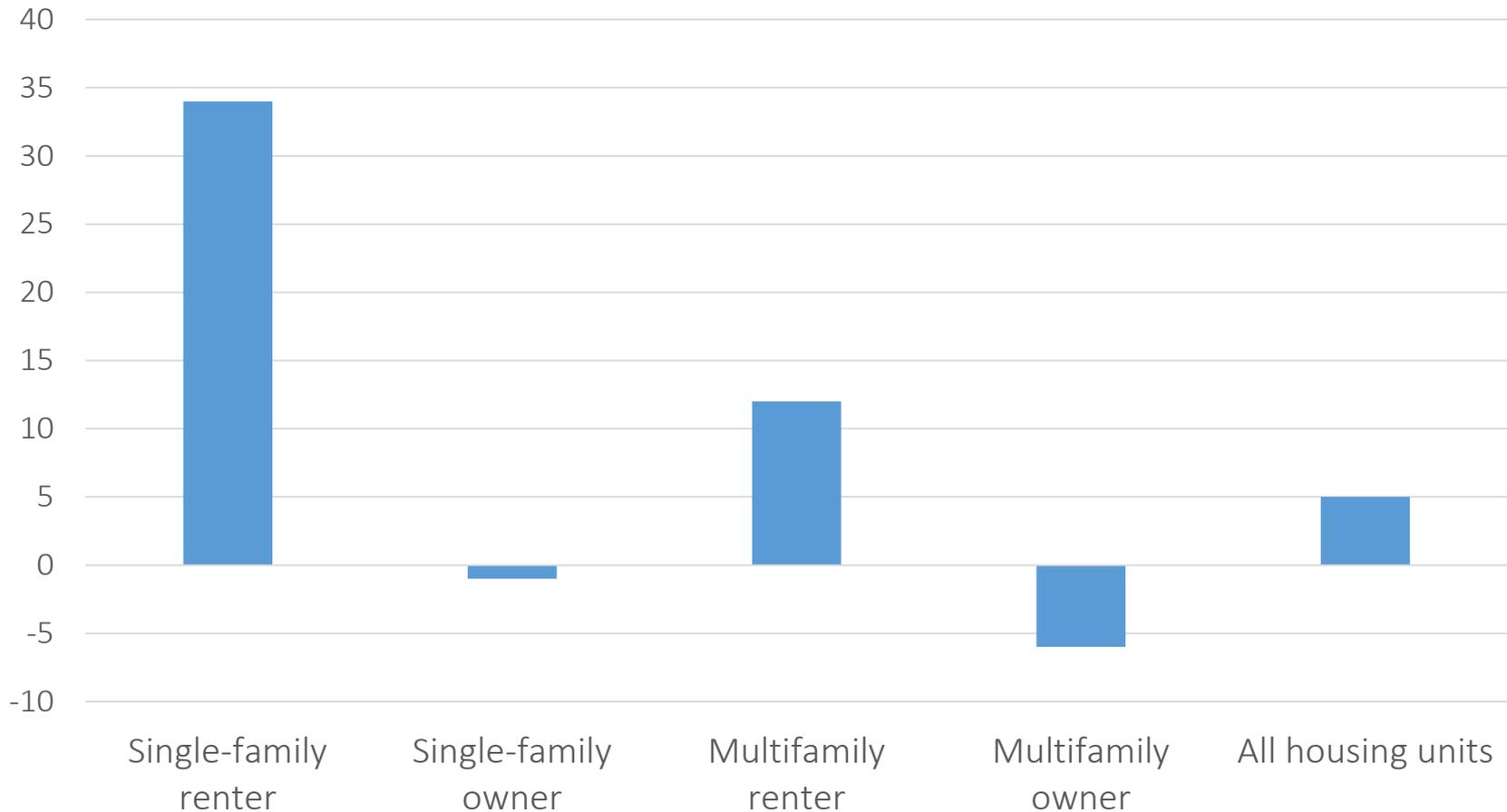
# Homeownership is at a 48-Year Low



# The Rate for First-Time Buyers Remains Suppressed

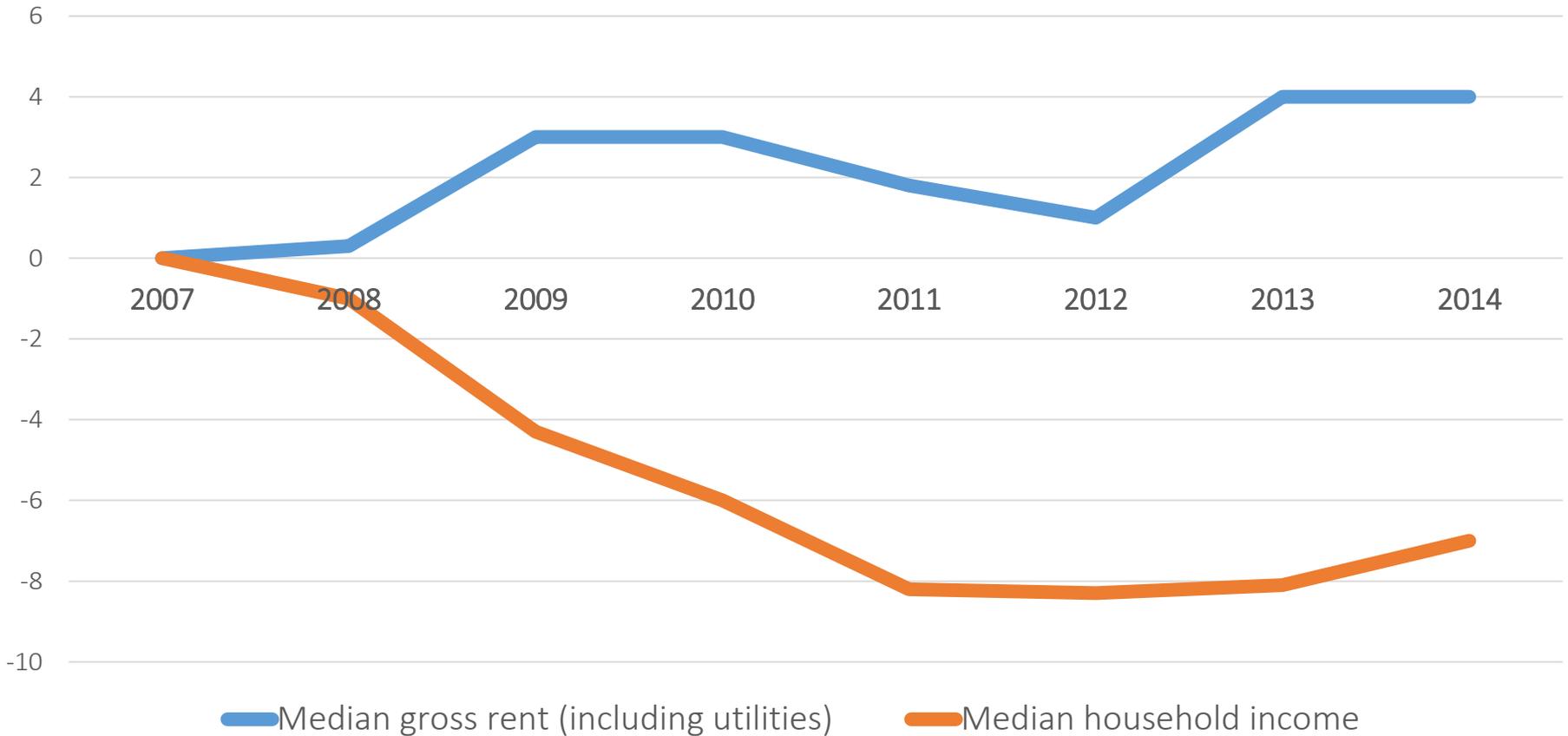


# SF and MF Rentals Account for All Post-Crash Growth



# Household Incomes Have Not Kept Pace with Rental Costs

Percent change since 2007, adjusted for inflation



# Most New Housing Demand Will be Rental

Annual household growth (millions)



Source: The Urban Institute

# Five Steps Every Community Can Take

- Preserve the existing stock
- Create a dedicated revenue source
- Use zoning and incentives to create “win wins”
- Innovate in design and development
- Leverage land assets

# PROJECT REVIEW

DATE: 10 May 2016

CITY OF WHITEFISH

NEW CITY HALL and PARKING STRUCTURE

REPORT TO CITY COUNCIL and STAFF for 23 May, 2016 COUNCIL MEETING

## ACTIVITIES COMPLETED – THIS PERIOD

- The basement and stairwell walls are complete.
- The basement floor (slab on grade) was placed on May 5<sup>th</sup>.
- The final part of the footing for the east wall of the PS was also poured on May 5<sup>th</sup>. The entire footing along the alleyway is now complete.
- Backfill around the basement has been initiated. The first floor framing over the basement must be in place before the remaining backfill can be placed.
- The final shipments of structural steel were received during the week of May 2<sup>nd</sup>.
- The last storm drain manhole and tie-in, at the north end of the alley, were installed on May 5<sup>th</sup>.

## ACTIVITIES IN PROGRESS

- Concrete work on the walls and columns for the PS, along grid line J, from grid lines 11 – 22. (Along the alley). Note: East wall concrete work has been prioritized and is being expedited in order to remove sheet piling and partially re-open the alley to traffic.
- Erection of structural steel columns and deck framing in the basement.
- Mechanical and electrical rough-in work.
- Structural fill in and around the basement areas.

## ACTIVITIES PLANNED (3 WEEK LOOK AHEAD)

- Completion of the basement wall framing system.
- Installation of the structure steel framing – basement walls
- Continuation of mechanical and electrical rough-in.
- Completion of structural fill around the basement area.
- Completion of PS foundations along the alley.
- Removal of shoring, and installation of structural backfill along the alley.

## CONTRACT ACTIVITIES

- No new activities at this time.

## FUTURE SCHEDULED ACTIVITIES

- Completion of basement area structural steel elements.
- Continue to ramp up the concrete foundation efforts in the PS.
- Continue backfill – City Hall.
- Increase the plumbing and electrical efforts – all areas.
- Continue structural steel erection.

## COMMUNICATIONS TO THE PUBLIC

- Efforts are being made, now, to re-open the alley to quasi-normal traffic flow by the first week of June.
- Alley closures, however, will continue intermittently, and will be addressed by the Owner's Representative by visits to business owners, and by press releases, as appropriate.
- Business owners along First Street have expressed concern about loss of sales and services due to the current closure of First St. The City Mgr. and the O.R. have been meeting with them, on a weekly basis, to address their questions and concerns. Efforts are being made to re-open one lane of the street as soon as possible.
- Relations and communications with the local business owners, and the community in general, remain positive.

## AREAS OF CONCERN

- There are no new concerns at this time.

Mike Cronquist  
Owners Representative

**SITE PHOTOS**

**COMPLETED BASEMENT FLOOR**





INSPECTOR FROM CMG CHECKING WELD QUALITY ON BEAM CONNECTIONS IN BASEMENT WALL



FINAL PART OF PS FOOTINGS AT NORTH END OF THE ALLEY



FINAL PREPARATIONS JUST PRIOR TO PLACING CONCRETE – SOUTHEAST CORNER OF THE PS. THIS IS THE CONTINUATION OF THE EAST WALL FOUNDATION WORK.



CONCRETE BEING PLACED, VIA PUMP TRUCK, IN THE FORMWORK SHOWN IN PREVIOUS PHOTOS



BACKFILL OPERATION IN / AROUND CITY HALL BASEMENT



45 TON CLASS HYDRAULIC CRANE BEING MOBILIZED TO BEGIN STEEL ERECTION



PLACING A MANLIFT IN THE BASEMENT FOR THE WELDER



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May 1, 2016

Whitefish City Councilors:

Unfortunately, we live in a world filled with animal cruelty and exploitation and now Mr. Hildner wants to add Whitefish to the list of cruel places that kill deer because they inconvenience some people.

Research shows that using lethal methods to manage deer populations provides a short term solution and requires a perpetual killing program because deer respond with increased fertility, producing more twins and triplets and more female fawns. This is also true of coyotes and other animal populations.

Instead of killing as a solution use deer fencing, which is inexpensive and works great. Plant deer resistant plants and make use of the many deer repellents on the market.

Most of us live here because of the amazing nature that surrounds us, and with nature comes wildlife. If the wildlife inconveniences some people they should consider moving to a concrete and asphalt city devoid of nature where they won't be bothered by the pesky wildlife.

I will be deeply ashamed of my city representatives if they choose killing as an acceptable option.

Sincerely yours,

Barbara Palmer

P.O. Box 727

Whitefish

862-6659

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**From:** Mark\_E\_Owens@amat.com [mailto:Mark\_E\_Owens@amat.com]

**Sent:** Monday, May 09, 2016 10:15 AM

**To:** Craig Workman <cworkman@cityofwhitefish.org>; Necile Lorang <nlorang@cityofwhitefish.org>

**Cc:** John Muhlfeld <jmuhlfeld@cityofwhitefish.org>; Pam Barberis <pbarberis@cityofwhitefish.org>; Richard Hildner <rhildner@cityofwhitefish.org>; Jen Frandsen <jfrandsen@cityofwhitefish.org>; Andy Feury <afeury@cityofwhitefish.org>; Frank Sweeney <fsweeney@cityofwhitefish.org>; Katie Williams <kwilliams@cityofwhitefish.org>; lcoco@aboutmontana.net; ironworking@yahoo.com; kellytalsma@bresnan.net; Mark\_E\_Owens@amat.com; catyadams40@gmail.com; audreyweigl@yahoo.com; texasowens@mac.com

**Subject:** RE: Waste Water Treatment Plant

Craig,

We have been experiencing particularly strong smells from “turd lake” since Feb this year. I spoke with the person running the facility there and he agreed that this is the first time in 20 years he has experienced this problem.

Additionally, we are expecting it to get worse going into the summer without intervention. Intervention is what is needed to drastically change the approach with outside experienced engineering consultants, as the folks currently working at the plant clearly do not have this under control.

Mayor Muhlfeld,

You of all people can appreciate the concern here given your background in the water industry. Our expectation is that you are addressing this problem as one of your highest priorities and that you are personally involved in finding a quick

solution. We cannot go into this summer with that overwhelming stench not allowing us to open our windows and cool off at night, not to mention our concerns for the health and wellbeing of people/ children surrounding this area.

We expect an articulated plan from your team with a clear plan of action, short term and longer term, as part of the agenda for this next city council meeting.

Mark Owens, PMP  
Director Etch Operations | Silicon Systems Group | Applied Materials  
974 E. Arques Ave. | Sunnyvale, CA 94085 | USA  
Office: 408.563.8832 | Mobile: 512.657.6503

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**From:** Catherine Owens [<mailto:texasowens@mac.com>]  
**Sent:** Sunday, May 08, 2016 8:57 PM  
**To:** Craig Workman; [nlorang@cityofwhitefish.org](mailto:nlorang@cityofwhitefish.org)  
**Cc:** [jmuhlfeld@cityofwhitefish.org](mailto:jmuhlfeld@cityofwhitefish.org); [pbarberis@cityofwhitefish.org](mailto:pbarberis@cityofwhitefish.org); [rhildner@cityofwhitefish.org](mailto:rhildner@cityofwhitefish.org); [jfrandsen@cityofwhitefish.org](mailto:jfrandsen@cityofwhitefish.org); [afeury@cityofwhitefish.org](mailto:afeury@cityofwhitefish.org); [fsweeney@cityofwhitefish.org](mailto:fsweeney@cityofwhitefish.org); [kwilliams@cityofwhitefish.org](mailto:kwilliams@cityofwhitefish.org); Coco Linda; Kelly Mary; Kelly Talsma; Mark E Owens; Caty Collinsworth; Oglesby Audrey  
**Subject:** Waste Water Treatment Plant

Dear Craig,

I am writing in regards to the awful stench coming from the waste water treatment plant on Monegan. I have written to you before and you explained the reasons for the smell. Though I appreciate your time, an explanation is NOT solving the problem.

This problem has been going on for at least a year and has been escalating. Last night was positively terrible. People from the Lakes, Shady River Lane, and, I am sure, those behind Don K and elsewhere were affected by the stench.

I know of one couple who has had to leave their home at night because the smell is so bad. People are not opening their windows on hot nights, when they are desperate for cooler air, because the air is so rancid. We are unable to enjoy outdoor visiting and dining during these beautiful Whitefish evenings because the air smells so toxic. All of this and we are paying a sewer bill. Just doesn't make sense.

SOMETHING has to be done, and soon. This is going to have a detrimental affect on property values and will especially hurt those wanting to sell their homes in the near future.

We need an immediate solution. Certainly, others around the country live near water treatment plants and don't smell what we smell. We should not have to, either, especially considering the size of our town. We CANNOT wait for a multi million dollar sewage plant to be built.

Lastly, the drone noise from the motor/fan is also a very large problem. A dampener of some sort may solve that issue. Not sure, but this needs to be addressed as well.

To Necile and the Council: We would appreciate this topic be put on the agenda for the May 16 meeting. This issue cannot wait.

Respectfully,  
Mark & Catherine Owens  
Shady River Lane, Whitefish

PS

## Chuck Stearns

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**From:** Craig Workman  
**Sent:** Monday, May 09, 2016 12:24 PM  
**To:** Chuck Stearns  
**Subject:** Odor situation

Chuck,

I understand that the odors we are experiencing at the wastewater plant this spring are worse than in years past. I gave my explanation for the situation at council last week, but I wanted to give you an update on some of the things we are doing to try and improve the odor situation, in case you want to pass this along to the Mayor & Council:

- I met with John Wilson in Bozeman last month and discussed the history of the plant and past odor control/improvement activities.
- We are adjusting flow controls to raise the water level in cell #1, divert some of the influent wastewater into Cell #2, and increase the recirculation in the lagoon network. I am optimistic that this will increase the dissolved oxygen in Cell #1 and improve the biological activity in this portion of the system.
- I am planning to meet with DEQ to review operations and gather suggestions. They planned to be onsite last week, then cancelled their trip. Indications to Jim Putnam from DEQ staff was that they receive odor complaints from many lagoon systems in the spring and they will come see us when they can.
- We perform continuous dissolved oxygen monitoring in the lagoons and adjust aeration based on our findings. Unfortunately, these adjustments to aeration typically lead to additional noise complaints.
- I have ordered a complete round of probiotic treatment to increase the efficiency of the biological treatment process in the lagoons. However, due to the temperatures we took in cell #1 last week, we had to order the "Arctic Blend" for the initial treatment. This should give residents a pretty good indication that temperature is still playing some role in this situation.
- I am working with a water quality specialist out of California to improve the efficiency of the lagoon aeration system.

Let me know if you would like me to present this information in a formal staff report for the meeting next week, or if I should just plan to address the situation verbally.

### **Craig C. Workman, P.E.**

*Director of Public Works*

City of Whitefish

P.O. Box 158

1005 Baker Avenue

Whitefish, MT 59937

O: (406) 863-2455

F: (406) 863-2419



## Chuck Stearns

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**From:** Michelle Howke  
**Sent:** Tuesday, May 10, 2016 4:17 PM  
**To:** Chuck Stearns  
**Subject:** FW: Tamarack Carriage Routes (proposed)

**From:** Stacy Reid [mailto:stacylreid@gmail.com]  
**Sent:** Tuesday, May 10, 2016 3:59 PM  
**To:** Michelle Howke <mhowke@cityofwhitefish.org>  
**Subject:** Tamarack Carriage Routes (proposed)

Dear Mayor and City Council ~

I am sending you this request to start a one horse/one carriage business in Whitefish.

Initially, I would like to try it on the weekends and see how much demand there is. I have a vis a vis carriage that holds 4 adults or 2 adults and 2 or 3 children (plus the driver). I don't need retail space in Whitefish...just permission to park my carriage in a place where it's out of the way between tours. Attached is a map of the area with proposed routes and standing areas. Both Brian Averill (the owner of The Lodge at Whitefish Lake) and Karen Baker (the General Manager at Grouse Mountain Lodge) have graciously given their permission for me to turnaround and briefly stand in their parking lots. The routes I propose have been carefully considered, not only for scenic appeal, but for speed limit, number of lanes and traffic flow/patterns.

I anticipate doing short tours (30-45 min) in and around Whitefish to offer tourists a taste of what this lovely town has to offer....pointing out restaurants, local breweries, wine tastings and other local events. If requested, I could also provide a taxi-like point A to point B service.

I would also offer special reservation type services for weddings and anniversaries: collect a couple (or party) from wherever they are staying, take them to dinner, then pick them up for a romantic ride home afterward.

I understand that some of the service I anticipate providing will be taxable under Whitefish's resort tax....and I would, of course, comply with that.

My carriage is equipped with hydraulic brakes, lights, rubber wheels, a Slow Moving Vehicle triangle on the back and a manure bag ...so there isn't any manure left behind ...all requirements to be operating on the road in other cities. Naturally I would comply with any additional regulations that Whitefish might stipulate.

My carriage horse is very quiet, experienced and well trained.

I have seen this work very well in other beautiful cities....adding to their charm; an attraction for tourists and locals alike.

Thank you very much for your consideration.

Stacy Reid  
965 Northwoods Dr  
Whitefish,  
MT 59937  
301-325-1766

>

# Whitefish, MT

Tamarack Carriage Routes [proposed]

24 views

[SHARE](#)

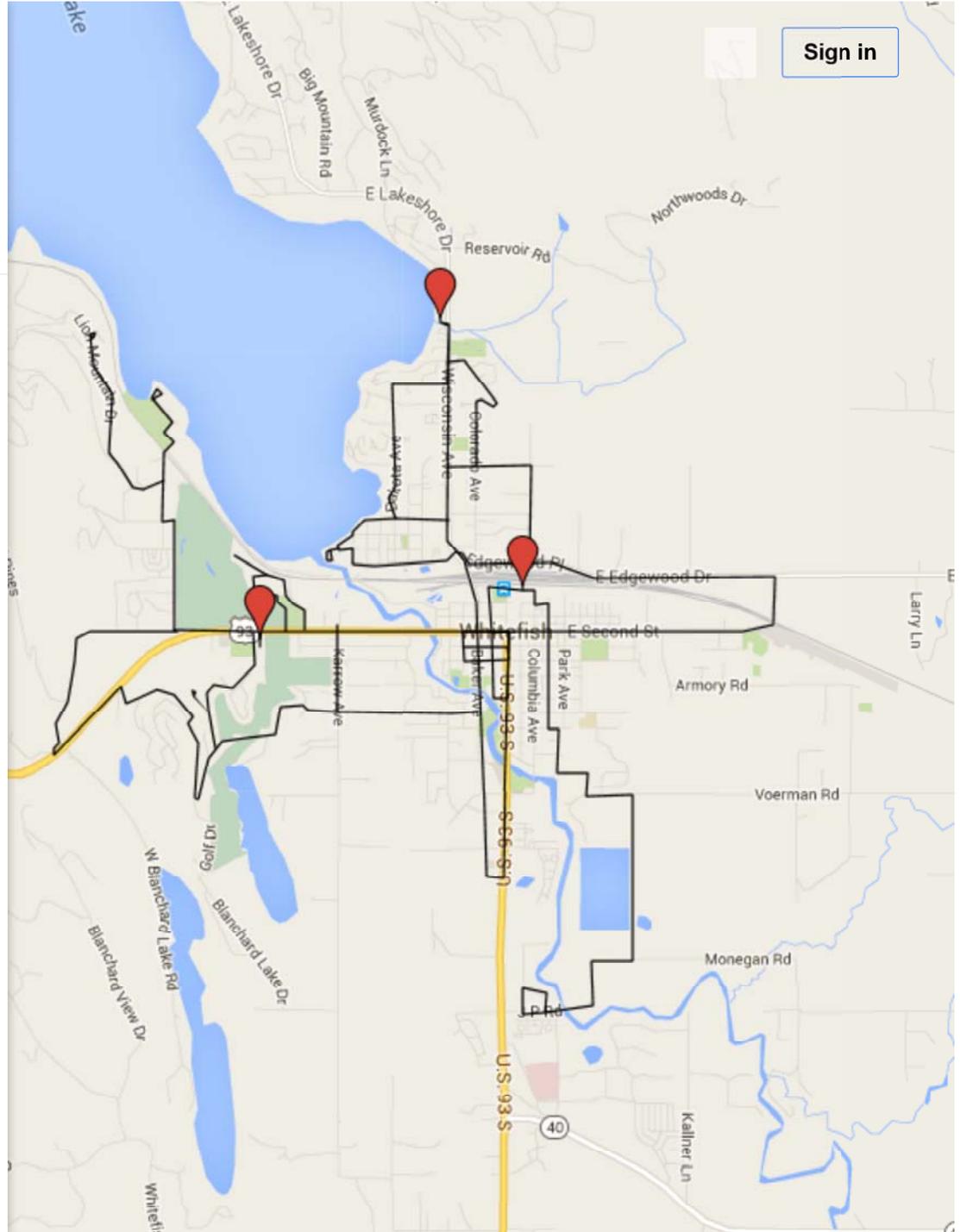


Sign in



## Standing Areas

-  Point 1 Depot St
-  Point 2 Grouse Mtn Lodge
-  Point 3 The Lodge at Whitefish Lake
-  Line 4
-  Line 5
-  Line 6
-  Line 7
-  Line 8
-  Line 9
-  Line 10
-  Line 11
-  Line 12
-  Line 14
-  Line 15
-  Line 16
-  Line 18



## 6-2-1: STANDING RESTRICTIONS:

### A. Use Of Public Ways:

1. The city council is authorized to, by motion, designate such places upon the streets, avenues or highways of the city, as it may deem necessary, desirable or proper for pushcarts, lunch, popcorn or ice cream stands or wagons, and also for public and private hacks, buses and taxicabs to stand when not employed in carrying passengers; no pushcart, lunch, popcorn, ice cream stand or wagon shall stand in or upon or be operated in or upon any public street, highway or other roadway in any place other than that so designated by the city council, and no public or private hack, bus or taxicab shall stand or park upon any street in any business district at any place other than at the bus stop or taxicab or hack stand so designated by the city council, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other parking regulations for the purpose of and while actually engaged in letting passengers into or out of such vehicle. It is unlawful for any driver of any taxicab to seek employment or passengers by persistently driving his vehicle back and forth in a short space so as to interfere with proper and orderly access to or egress from any theater, hall, hotel, public resort, railway station or any place of public gathering, but any driver of any automobile or taxicab may solicit employment by driving through any public street or avenue without stops other than those due to obstruction of traffic or requirement of this title, and may pass or repass any of such places hereinbefore referred to, provided that after passing such public place he shall not turn and repass the same until he shall have gone a distance of two (2) blocks beyond such place.
2. The city clerk and the police department shall keep on file and open to inspection a record showing the location upon the streets or highways set apart and designated as stands where public or private hacks, buses and taxicabs may stand when not employed in the actual carrying of passengers. (Ord. A-85, 12-5-1955)

### B. Specific Areas: It is unlawful, at any time, to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device:

1. In any intersection;
2. In any crosswalk;
3. At any place where the vehicle would block the use of a driveway;
4. On any sidewalk, parkway or curb area between any sidewalk and street curb line;
5. Within any alley in such a manner or under such conditions as to leave available less than sixteen feet (16') of the width of the alleyway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrances to any abutting property;
6. At any place where official signs prohibit parking;
7. On any private property without the consent of the owner of the property. (Ord. A-85, 12-5-1955; amd. Ord. A-137, 11-19-1965; Ord. A-155, 8-7-1967; Ord. A-165, 10-7-1968; Ord. 85-14, 10-21-1985)
8. For purposes of this title, "compact and subcompact motor vehicles" shall include only vehicles having a length of less than one hundred ninety inches (190"). (Ord. 03-09, 4-7-2003)

### C. Violation; Penalty: A person who violates this section shall be guilty of a misdemeanor and, upon conviction thereof, be subject to a fine as provided in the general penalty in section [1-4-1](#) of this code. A person who

violates this section shall also be deemed to have committed a municipal infraction, and shall be assessed the civil penalty described in section [1-4-4](#) of this code. For each separate incident, the city shall elect to treat the violation as a misdemeanor or a municipal infraction, but not both. If a violation is repeated, the city may treat the initial violation as a misdemeanor and the repeat violation as a municipal infraction, or vice versa. Each day that a violation remains shall constitute a separate violation. (Ord. 09-20, 10-19-2009)

## RESOLUTION NO. 16-15

### **A Resolution of the City Council of the City of Whitefish, Montana, establishing the Planned Unit Development Re-write Steering Committee.**

BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: There is hereby established the Planned Unit Development Re-Write Steering Committee (the "Committee").

Section 2: The general purpose of the Committee will be to re-write, as needed, the Planned Unit Development ordinances contained in Article S of Title 11, Chapter 2 of the City Code to remedy various concerns raised by the public, including the averaging of density across underlying zoning districts when a Planned Unit Development overlays more than one district.

Section 3: The Committee will consist of not less than five (5) but not more than seven (7) individuals with representation as follows: One (1) City Council Member; One (1) staff member from the City's Planning Department; One (1) member from the Whitefish development community; and Two (2) to Four (4) members who are either Whitefish residents or who own property within the City's boundaries or within one-half mile of the boundaries. The Committee members shall select a Chairperson and a Vice-Chairperson from the members of the Committee. The Committee shall appoint one member as Secretary of the Committee, who shall keep minutes of all meetings and submit them to the City Clerk. A majority of the members shall constitute a quorum. The Committee shall meet as often as necessary to accomplish its general purpose, as described above, but not less than bi-weekly. The Committee shall cease to exist as provided in Section 4.

Section 4: The Committee will begin its deliberations as soon as practical after creation of the Committee. The Committee shall meet not less than bi-weekly with the goal of having a finalized draft of the revised Planned Unit Development ordinances prepared and ready to present to the Planning Board by September 1, 2016. The Committee shall be disbanded as of the date the City Council passes an ordinance adopting the changes to Article S of Title 11, Chapter 2 of the City Code but, in any case, no later than August 16, 2018.

Section 5: A member of the Committee may be removed by the City Council, after a hearing for misconduct or nonperformance of duty. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute grounds for removal. The circumstances of the absences shall be considered by the City Council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the Chairperson of the Committee at least twenty-four (24) hours prior to any scheduled meeting.

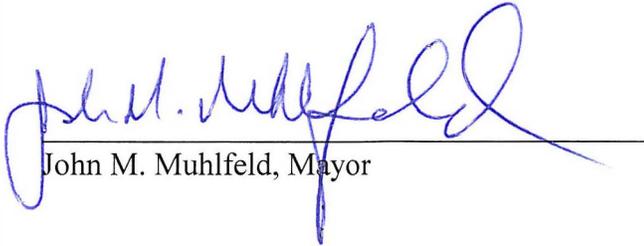
Section 6: Any vacancy occurring on the Committee will be filled in the same manner that the initial position was filled.

Section 7: The Committee will not have authority to make any expenditure on behalf of the City or disburse any funds provided by the City or to obligate the City for any funds.

Section 8: The Committee will have no authority to direct City staff with respect to any matter, but may request information and assistance from City staff.

Section 9: This Resolution will take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 21ST DAY OF MARCH, 2016.



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John M. Muhlfield, Mayor

ATTEST:



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Michelle Howke, City Clerk

## RESOLUTION NO. 16-16

### **A Resolution of the City Council of the City of Whitefish, Montana, establishing the Wisconsin Avenue Corridor Plan Steering Committee.**

BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: There is hereby established the Wisconsin Avenue Corridor Plan Steering Committee (the "Committee").

Section 2: The general purpose of the Committee shall be to serve as the primary sounding board to work through the planning process with the consultant and members of the public to establish a development policy for the Wisconsin Avenue Corridor study district.

Section 3: The Committee shall consist of eleven (11) individuals appointed by the City Council with representation as follows: Two (2) City Council members, one (1) Whitefish City County Planning Board representative, one (1) business owner in the corridor representing resort or recreation interests; one (1) business owner representing commercial or retail interests; (1) business owner representing professional interests; (2) residential owner-occupied property owners; one (1) residential investment or multifamily property owner, two (2) "at large" Whitefish residents. City staff may be appointed as ex officio members. The Committee members shall select a Chairperson from the members of the Committee. The Committee shall appoint one member as Secretary of the Committee, who shall keep minutes of all meetings and submit them to the City Clerk. Six (6) members shall constitute a quorum. The Committee shall meet as often as necessary to accomplish its general purpose, as described above. The Committee shall cease to exist as provided in Section 4.

Section 4: The Committee shall begin its deliberations as soon as practical after creation of the Committee. The Committee shall meet for two hours at a time on at least six occasions, with the dates and times to be determined by the Planning Consultant, Applied Communications. The Committee shall be disbanded as of June 1, 2017, or earlier if the City Council completes its consideration of the Committee's report prior to that date.

Section 5: A member of the Committee may be removed by the City Council, after a hearing for misconduct or nonperformance of duty. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute grounds for removal. Circumstances of the absences shall be considered by the City Council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the Chairperson of the Committee at least twenty-four (24) hours prior to any scheduled meeting.

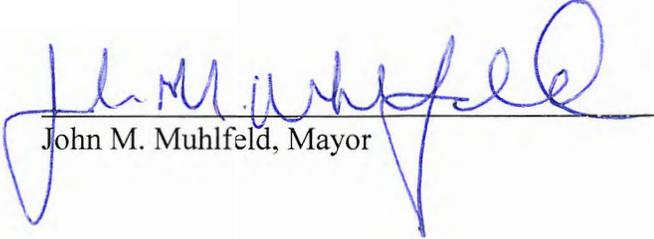
Section 6: Any vacancy occurring on the Committee shall be filled in the same manner that the initial position was filled.

Section 7: The Committee shall not have authority to make any expenditure on behalf of the City or disburse any funds provided by the City or to obligate the City for any funds.

Section 8: The Committee shall have no authority to direct City staff with respect to any matter, but may request information and assistance from City staff.

Section 9: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 18TH DAY OF APRIL, 2016.



John M. Muhlfeld, Mayor

ATTEST:



Michelle Howke, City Clerk

The following pages were handed out at the City Council meeting the night of the meeting. They are included here as an addendum to the packet.

## Michelle Howke

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**From:** Matthew Bussard <matthew.bussard@gmail.com>  
**Sent:** Friday, May 13, 2016 3:03 PM  
**To:** Michelle Howke  
**Subject:** CVB Board Member Interview

City of Whitefish Council Members and Convention and Visitors Bureau,

Due to recent, unforeseen personal events, I do not feel able to make the commitment necessary to fulfill the role of board member to the Whitefish CVB. I hope to reapply when the timing is better in the future.

Thank you for your consideration.

Matthew Bussard  
matthew.bussard@gmail.com  
406.871.4686