

# WHITEFISH CITY COUNCIL

March 1, 2021

7:10 P.M.

Via Webex

## 1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Hennen, Davis, Sweeney, and Norton. Councilor Feury was absent. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs, Planning and Building Director Taylor, Public Works Director Workman, Parks and Recreation Director Butts, Police Chief Dial and Fire Chief Page. Approximately 19 people were in the audience.

## 2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Councilor Norton to lead the audience in the Pledge of Allegiance.

## 3) COMMUNICATIONS FROM THE PUBLIC— (This time is set aside for the public to comment on items that are either on the agenda, but not a public hearing or on items not on the agenda. City officials do not respond during these comments but may respond or follow-up later on the agenda or at another time. The Mayor has the option of limiting such communications to three minutes depending on the number of citizens who want to comment and the length of the meeting agenda)

City Clerk Howke received a written letter from Hannah Perno. She is a resident of Cedar Haven Apartments that have been sold recently. The apartment building is one of the few affordable housing units in Whitefish. The new owner is evicting the tenants to remodel the units into luxury condos. The rental market in the valley is slim to non-existent. She is asked the Council of an eviction moratorium to be issued to protect the residents of Cedar Haven Apartments.

## 4) COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Qunell, reported the Legacy Lands Advisory Committee reviewed the proposed Resort Tax reallocation and up and coming projects for the Whitefish Trail.

Councilor Norton reported the Health Insurance Committee met and voted to continue coverage with Montana Municipal Interlocal Authority(MMIA). MMIA will be adding Vitamin D testing to the biometric testing for the wellness screening. The Tree Committee will be meeting March 9<sup>th</sup> at 6:00 p.m. to walk the last section of the State Park Road Reconstruction Project.

Councilor Sweeney reported the Bike/Ped Committee talked about the Riverbend Trail along Miles Avenue. The Committee wants to pursue the possibility of putting a trail on the riverside of the condos. The Committee will draft a recommendation for the Park Board and the City Council.

## 5) CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

- a) [Minutes](#) from February 16, 2021 Special Session (p.32)
- b) [Minutes](#) from February 16, 2021 Regular Session (p.33)
- c) [Resolution No. 21-06](#); A Resolution declaring certain property to be unneeded and obsolete, and authorizing the disposal of such property (p.37)
- d) [Resolution No. 21-07](#); A Resolution amending Resolution No. 18-09 to extend the duration of the Highway 93 South Corridor Plan Steering Committee through July 31, 2021 (p.39)

**Councilor Sweeney made a motion, seconded by Councilor Hennen to approve the Consent Agenda as presented. The motion carried by roll call.**

## 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)

- a) [Ordinance No. 21-02](#); An Ordinance pursuant to Title 6, Chapter 2, Section 5, Prohibited and Restricted Parking, of the Whitefish City Code, to establish additional parking restrictions (First Reading) (p.42)

Public Works Director Craig Workman gave his staff report that is provided in the packet on the website. One letter of support was received and is included in the packet.

Mayor Muhlfeld opened the Public Hearing.

Richard Hildner, 104 5<sup>th</sup> Avenue- provided a letter that is included in the packet on the website. He supports the idea of restricting parking on East 4<sup>th</sup> Street between Baker Avenue and Lupfer Avenue. He recommends restricting parking on the northeast and southeast sides of 4<sup>th</sup> Street from Baker Avenue to the alley. Parking on both sides restricts traffic turning onto E. 4<sup>th</sup> Street from Baker Avenue and the view of pedestrians.

Jenny Cloutier, Big Mountain Commercial Association, stated Director Workman covered the reasons for restricting parking along Spokane Avenue between 3<sup>rd</sup> Street and 4<sup>th</sup> Street. It is a great opportunity to have a visible location downtown.

There being no further public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

**Councilor Sweeney made a motion, seconded by Councilor Norton to adopt [Ordinance No. 21-02](#); An Ordinance pursuant to Title 6, Chapter 2, Section 5, Prohibited and Restricted Parking, of the Whitefish City Code, to establish additional parking restrictions (First Reading). The motion carried by roll call.**

- b) WITHDRAWN BY APPLICANT 2/9/2021

#### 7) COMMUNICATIONS FROM FIRE CHIEF

- a) [Consideration](#) to award the bid for the 2021 Ambulance to Apgar Ambulance (p.62)

Fire Chief Joe Page gave his staff report that is provided in the packet on the website.

**Councilor Hennen made a motion, seconded by Councilor Sweeney to award the bid for the 2021 Ambulance to Apgar Ambulance, the amount not to exceed \$248,780.00. The motion carried by roll call.**

#### 8) COMMUNICATIONS FROM CITY MANAGER

- a) [Written report](#) enclosed with the packet. Questions from Mayor and Council? (p.65)

None

- b) Other items arising between February 24th through March 1<sup>st</sup>

City Manager Smith reported updates on the legislative session:

HB137 related to vaping has a hearing with the committee on March 16<sup>th</sup>.

HB257, face covering bill, no action and still sitting at the Senate.

HB259 related to the Inclusionary Zoning is scheduled for a hearing in the Senate, a local government committee on March 12<sup>th</sup>.

HB359 was tabled.

HB435 which revises civil liability for local governments is moving forward.

HB473 and HB 531 were withdrawn.

HB550 if passed could impact workers compensation rates -was tabled.

SB161 has passed the Senate and is transmitted to the House.

The local option tax was tabled and most likely will not be going further.

The Whitefish Housing Authority Board approved moving forward with Montana Construction for the Snow Lot project. Councilor Norton mentioned she would like to see us provide comment towards HB137.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Consideration of approving tentative FY22 budget calendar (p.69)

Staff reviewed the calendar. Council did not have any changes.

- b) COVID-19

Councilor Qunell asked and Manager Smith stated the City can not apply for PPE loans. If the new stimulus package passes and they do not get it of state and local government funding portion the City could see funding. They often look at population size to get a direct payment. We received ours through the State of Montana.

Councilor Norton reported she thinks the vaccinations are going well. Vaccinations are given by appointment only. Citizens should call 406-751-8119 or complete the online registration form that is provided on the Flathead City-County Health Department website. She reported Glacier Medical stated they are getting a lot of visitors coming in for testing. She has concerns on how we are educating the public for getting vaccinated.

Council Comments

Councilor Norton mentioned it is remarkable what the staff has accomplished even through the pandemic. She thanked all the Department Directors for working really hard through a difficult time and keeping us functional as a municipality.

Councilor Qunell gave a shout out to Jerome, who operates the lift at Chair Two at Whitefish Mountain Resort. He was confronted by a gentleman who refused to wear his mask. Jerome kept calm and shut down the lift and the crowd took over after a few minutes. The gentleman and his wife or partner stepped out of line and the lifts were turned back on. It was nice to see people are willing to stand up and do what is right. He also mentioned he went to two different businesses and stated the masks are coming down. It is happening and we have to prepare for it. Hopefully, our businesses will do as well as Jerome did. He did business at the Town Pump and was shocked at the giant display of candy flavored cigarettes at the cashier counter. He is glad we are taking this on, he hopes the state government understands the ramifications of a decision that would undo the ability for local governments to prevent these things from getting into the hands of kids. Councilor Sweeney endorsed Councilor Norton's idea to make a comment on HB137.

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

Mayor Muhlfeld adjourned the meeting at 8:16 p.m.

/s/John Muhlfeld

Mayor Muhlfeld

Attest:

/s/Michelle Howke

Michelle Howke, Whitefish City Clerk