1) CALL TO ORDER

The City Council meeting was held remotely through WebEx to follow Governor Steve Bullocks Stay-at-Home Directive to help slow the spread of COVID-19. Mayor Muhlfeld called the meeting to order. Councilors present were Quinell, Hennen, Hartman, Sweeney, and Norton. Councilor Feury was absent. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs and IT Administrator Hunt. Approximately 18 attendees joined remotely.

2) 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)

Kristen Larsen thanked the Council for being open and transparent and being a leader for our community.

3) 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. 20-05; An Emergency Ordinance of the City Council of the City of Whitefish, Montana, prohibiting motels, hotels, short term rentals, and all other lodging facilities from accepting reservations for non-essential purposes through April 30, 2020 and waiving a second reading (Only Reading) This item was originally scheduled under Communications for Mayor and City Council on April 6, 2020. Friday April 3, 2020, Mayor Muhlfeld called for this item to be a Special Session.

City Attorney Jacobs reported it was brought to the City’s attention that people from other areas of high COVID-19 risk are Sheltering-in-Place in small mountain towns such as Whitefish. Per Council directive this ordinance bars motels, hotels, short term rentals and all other lodging facilities from accepting reservations for non-essential purposes during the COVID-19 emergency. Staff did add new language since it was posted on April 1, 2020 to include walk-ins and cancel existing reservations for non-essential purposes. The exemptions for essential purposes are; government, health care, law enforcement, domestic violence victims, personnel responding to the COVID-19 emergency, essential workers as defined by federal and state guidance, family members of those seeking medical treatment, and those individuals that have a medical recommendation to quarantine outside their home. This ordinance also authorizes the City Manager to extend the deadline in accordance with Federal, State and Local guidance. Whitefish is the first city to do this in Montana.

Discussion followed between Council and staff regarding enforcement of this ordinance. Enforcement will be the owner’s responsibility. The only recourse is to revoke their business license. Council suggested a list of questions to be provided to the front desk clerks to maneuver questions from customers.

Mayor Muhlfeld opened the Public Hearing.

City Clerk Howke read aloud into the record the following:
Rhonda Fitzgerald, 412 Lupfer Avenue, clips from Facebook regarding comments made to the Whitefish Pilot ‘Whitefish asks hotels to refrain from accepting guests’ article post.

Alan and Allison Beougher, 2095 Houston Drive, supports the ordinance.

Addame Bookmiller, supports the ordinance.

Dghuntmtt, wrote: glad to see city lose money. Asked when Council is going to take residents into consideration.

Jan Hankinson, supports the ordinance.

Ruthe Heimel, Wood Run Drive, supports the ordinance.

Will Hersom, supports the ordinance.

Lindsey Hromdka, 309 Wisconsin Avenue, supports the ordinance.

Patrick Kestell, suggests shutting down construction, there are many workers from other states.

Kristen Larson, supports the ordinance.

Michelle McDowell, asked if rooms will be available for folk who need to leave residents for household members needing to be quarantined.

Tim and Kerry Mushkin, 310 B. Wood Run Drive, supports the ordinance.

Dawn Oehlerich, 309 Wisconsin Avenue, supports the ordinance.

RMA, supports the ordinance.

Hilary Shaw, 650 Blanchard Lake Rd, asked for survivors of domestic violence to be listed as essential, and suggested “COVID-19 Refugees” in existing reservations are permitted to extend reservations.

Doug Rommereim, owner of Great Northern Bar, supports the ordinance.

Casey Sullivan, supports the ordinance.

Jana Todd, supports the ordinance.

Joy Whipple, supports the ordinance.

Joe Kingan, supports the ordinance.

Anna Stein, 307 3rd Street West, Columbia Falls, is concerned about management and enforcement of this ordinance. Real enforcement would be to make sure they are self-quarantining and should not put that on the owners and front-desk staff. She thinks the city will find gaps in service, and abuse of it. She suggests partnering with the Abbey Shelter for education and outreach for those domestic violence victims.
Brian Schott, 708 Lupfer Avenue, appreciates Councilor Qunell’s comments regarding domestic violence and the nuances that every short-term rental owner would have in terms of what is essential. How are we taking care our community and protecting our community but also taking care of those who need a safe haven. He appreciates the comments of Councilor Hartman in terms of the tone that the Whitefish Community set. This is a critical issue in terms of protecting our citizens. A caring tone does need to be set for everything that we move forward with. We are all in this together. We need to take care of each other.

Felicia Ennis, 510 Monegan Road, had concerns of homelessness, victims of violence shelters and putting the burden on the front desk staff.

Karin Hilding, 1016 Creekview Drive, is supportive of the measures Council is taking and the ordinance.

Mike Jopek, Blanchard Lake area, trusts Mayor Muhlfeld and Councilors to lead in a kind tone and he thanks them for their leadership.

Paula Sweeney, 350 Lost Coon Trail, stated the Council is on the right track.

Rhonda Fitzgerald, 412 Lupfer Avenue, Owner of Garden Wall Inn, commends the Council for Section 3 of the ordinance. Whitefish will be the first City to adopt this ordinance. Whitefish is the city with the most short-term rentals anywhere in the state. She asked if the ordinance includes guests that are currently here and intended to stay.

Scott Wurster, 222 Montana Avenue, supports the ordinance and thanked the Council. He also supports the transparency of this type of a meeting. He encourages the City-County Health Board and the Commissioners to follow this example.

Tracy Gridley, Blanchard Lake Road area, commends the Council on how they are handling everything. She is not concerned about losing money, but rather more about lives we can be saving. She asked at what point this will be re-evaluated and extended?

Lindsay Schott thanked the Council and stated there are only 22 ICU beds available in the Flathead Valley. One case of COVID-19 leads to exponential growth.

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

Discussion followed between Council. The Abbey Shelter is set up with the hotels for victims of violence. Households with a member who has been tested positive, the members of the household should quarantine together. Businesses should have a set of guidelines, questionnaire or checklist when taking reservations. Those who are already checked into local lodging will be able to continue to stay with the anticipation they are following the travel directive to quarantine for 14 days and stay-at-home directive. Those who have reservations and are not currently checked in will need to cancel their reservations. City Manager Smith has the discretion to extend the deadline, in accordance with the Governor’s directives and Federal guidelines. The lodging facilities would have to cancel reservations within the extended time frame.

Councilor Sweeney made a motion, seconded by Councilor Qunell to approve Emergency Ordinance 20-05; An Emergency Ordinance of the City Council of the City of Whitefish, Montana,
prohibiting hotels, motels, short-term rentals and all other lodging facilities accepting reservations for non-essential purposes through April 30, 2020 and waiving a second reading. Mayor Muhlfeld spoke with Commissioner Mitchell regarding this ordinance. Commissioner Mitchell did not speak on behalf of the entire commission, but as representing our area, supports this ordinance as long as it is in effect through April 30th only. If it needs to be extended, he requests we have the opportunity to re-address the ordinance as a Council. Police Chief Dial is in full support. Mayor Muhlfeld thanked Chief Dial and all of the law enforcement officers for coming back for this ordinance. Mayor Muhlfeld also spoke to Lieutenant Governor Mike Cooney regarding this ordinance and Lieutenant Governor Cooney supports local governments and what they need to do to keep their community safe. Mayor Muhlfeld thanked the 70% of lodging establishments who voluntarily complied with the request to cease taking reservations before April 30th. The motion passed unanimously.

Mayor Muhlfeld thanked the public for taking time out of their Sunday morning to participate in the public process. He also thanked City Manager Smith, City Attorney Jacobs and the entire staff.

4) 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 11:30 a.m.

[Signature]
Mayor Muhlfeld

Attest:

[Signature]
Michelle Howke, Whitefish City Clerk
Hi Michelle,
Could you please send this email out to our City Council?
Thank you,
Rhonda Fitzgerald
Whitefish ask hotels to refrain from accepting guests

The City of Whitefish is urging all short-term rentals, hotels, motels and...

Christine Bleyhl  At least they’re just being asked and not being told. There are a lot of reasons why someone might need a hotel room, and it’s not just for tourism.

Like · Reply · 1d

Sherry Wells  Refrain, how about just NO for out of town requests!

Like · Reply · 1d · Edited

Write a comment...
Tom Clark: I take care of a lot of vacation homes around the valley, I would say about half have been occupied in the past 10 days. One has 4 MSU students who went to Mexico for Spring Break and are now here in one of their parent's vacation homes. They left Mexico then spent 4 days in their sorority house in Bozeman after returning, came up here, went shopping, hit the bars and then went to the house, no problems with that.

Will Randall: The contractor I work for also takes care of vacation homes all along the east lakeshore. He is saying basically the same thing, second homes are filling up rapidly. Gallatin county has 18 infections in the 20-29 age group.

Ashlynn Johnson: Ugh 😞😞😞

Rebecca Norton: Good detail
Please stop accepting reservations. Look to Sun Valley Idaho if you want to see COVID spread results of visitors. Everyone stay home and talk to your dogs and kids.
Sherry Wells: Just helping bring virus into our community, all due to greed of the folks who keep accepting reservations! Stop it!

Cyndy Massey Stanley: Yes!!

Judy Strassman York: I moved my May 4 Kauai trip to October. Really people!

Margery Fox: I’m already considering stepping away for 2020 from Airbnb even though it’s a significant loss.

Sherry Wells: It’s not such a loss if you consider those who may come and bring the virus with them.

Patrice Manget: Consider too the work of absolutely sanitizing every thing, every surface, rugs, curtains, walls ... between every guest. Just sayin.
Full disclosure: I've made a living working for people like this for many, many years.
https://missoulacurrent.com/government/2020/04/cases-rise-montana/?fbclid=IwAR3f-nLnT4EQynHFNKbqDvcTnaytbVz5cU-0AYzM9VzmtU4wILgV6AMp4J0

Montana cases climb to 217; National Guard activated to screen arriving visitors ~ Missoula Current

EXTERNAL SENDER verified by City of Whitefish IT
April 4, 2020

We fully support an ordinance that would prohibit any and all short term rentals, including hotels, B&B’s etc. Keeping our long term citizens safe and our small first responder crews from being overwhelmed should be priority number 1. Thank you for taking this matter seriously. We are relying on our elected officials to navigate a path that protects our health and resources. Stay safe and please keep up the campaign of Social distancing.

Alan & Allison Beougher
Whitefish, MT
EXTERNAL SENDER verified by City of Whitefish IT
I ABSOLUTELY agree with:

Prohibiting motels, hotels, short-term rentals, and other lodging facilities from accepting reservations for non-essential purposes through April 30, 2020.

maybe even longer into middle may. By having these places continue to operate as normal as possible we are having an uptick in people from hotspot areas of the covid-19 pandemic come here, not abide by 14 day quartine, and "lay low" in Montana. There are numerous VRBO's fully booked till May with people from other states. I understand the financial impact this will cause but if we can keep our risks low the reward of that far out weighs the monetary value. Time to say Montana is FULL!!

Thanks

Addame Bookmiller
I'm actually glad to see this city loose money. It's so hard to live in this area and be an actual everyday worker. Cost of living here is ridiculous and nobody seems to care we just keep letting the rich in and push us out. When are you all going to take us in to consideration.
We might be a bit late on this move to limit families relocating to our town to “ride out” the Social distancing or sequestering period, but it is a good plan to take this step. The Hamptons in NY did not take measures and thousands of Manhattanites relocating to their vacation homes has overwhelmed their supply chain for food and they do not have the hospital capacity to handle the surge. The locals are furious at their safety being undermined by selfishness and arrogance of the rich and powerful.

Thank you for keeping ahead of the outbreak here.

John Hankinson
EXTERNAL SENDER verified by City of Whitefish IT
We live on Wood Run on Big Mountain and there has been an influx of out of state / area license plates up here. People are not self-quarantined as per the Governors directive. Our local [tax paying] residents are extremely concerned that our local resources such a medical, food, and more will be depleted. We don't want to compete for our supplies with those fleeing their own home area restrictions. They are out & about with no social distancing. It is extremely unfair to those of us practicing safety guidelines for the benefit of all. Please, please help us with this.

Thank you , Ruthe Heimel
Wood Run Drive

PS: in mid-March we asked this of the county commissioners for the same reasons.
EXTERNAL SENDER verified by City of Whitefish IT
The question is not whether we should close down lodging, the question is, why did it take this long to have a conversation about it. Moab Utah did it over 2 weeks ago.

Whitefish is not a place where people should look to isolate from larger populations outside our local community.

Will Hersom
WF Resident

EXTERNAL SENDER verified by City of Whitefish IT
Hi,

I strongly agree with the need to stop visitors from entering Whitefish during this time by prohibiting rentals from accepting reservations. We need to protect our community, and if we do not stop visitors from coming in, we are putting significantly more people at risk, especially our healthcare workers on the front lines of this unprecedented crisis. I sincerely appreciate the Council’s consideration of this issue! This is the kind of leadership we need. Stay well.

Best,
Lindsey

Lindsey W. Hromadka
Weinberg & Hromadka, PLLC
Whitefish, MT 59937
www.whlawmt.com
Bullock refuses to stop new construction. Luxury homes and new shiny schools are not essential. No hand sanitizer on the jobs or even in the bathrooms. The air is unfiltered and not recycled. Workers come from other states and counties and we have to work side by side with them. If 30 to 40 men on a job site get sick. They take it home to families, kids, healthcare workers they are married to. Not shutting down these jobs will exponentially spread covid-19 through our community and healthcare system. Please shut down no construction. Deadlines are not essential. Construction lives matter

EXTERNAL SENDER verified by City of Whitefish IT
THANK YOU for your time, Michelle.

"Thank you Mayor John Muhlfeld and to the City of Whitefish for holding this special session. We are in uncharted waters and I want to thank you for your leadership during this time. We only need to look to our neighboring state of Idaho to see how a small town can be devastated by Covid-19 by allowing short-term rentals to continue business as usual. We need quick decisive planning and action. We have to be proactive. Short-term rentals, hotels, motels, are not essential during this time of crisis.

What is essential is the safety of our families.

Thank you for your time and communication.

-County Commissioner Candidate, Kristen Larson"
Hello!
I am wondering if there will be available rooms for folks that need to leave their residences due to household members needing to be quarantined?
Michelle McDowell

Sent from my iPhone
EXTERNAL SENDER verified by City of Whitefish IT
Thank you for taking this matter up in emergency session. Aptly so. Please do not be short sighted. National health and world-wide economic ramifications aside... Short-term greed for local rental income could do irreparable damage to both our lives and our long-term tourism industry due to loss of credibility. By failing to take responsible action limiting tourism during this crisis you would be unduly placing non-Whitefish tourist demands on critical Covid-19 essential emergency services at the expense of our local citizens and tax payers - that is wrong. This is a time of mutual responsibility, and mutual sacrifice. Why should Whitefish citizens lose weeks/months of our lives responsibly sheltering in place for safety just to be undermined by a few greedy landlords wanting to make a quick weekend buck? Theses are unprecedented times. Your actions will be recorded for all time. Let history judge you for taking the responsible high ground and doing the Right Thing for the population you are sworn to protect and govern. The National Guidance is social distancing. Even our National Parks are sacrificing tourism income for the greater good. Please don’t second guess that. Have faith and stay the line to shorten this nightmare for all of Montana and the United States. Thank you for your consideration of the above. We respect and appreciate your hard work.

Tim & Kerry Mushkin
Whitefish, MT 59937

Sent from my iPad
EXTERNAL SENDER verified by City of Whitefish IT
May it be noted, please, that my husband Michael and myself are of the opinion that encouraging people from out of State, coming from potential areas of Covid 19 clusters be disallowed from our vacation rental pool at least until the State shelter in place mandates are lifted. It is imperative that we do all we can to protect our own community members and not overburden our medical resources and staffing. This is a unique situation without historical precedence and hoteliers and vacation rental owners potentially could make a huge difference in the overall impact of this virus by leaving accommodations empty now.

Thank you
Dawn Oehlerich
606 Masters Court
Whitefish, MT

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Dawn Oehlerich, RIA,CFP
KilterHowling, LLC
Registered Investment Advisor
Whitefish, MT 59937

EXTERNAL SENDER verified by City of Whitefish IT
Please, please, Please close all lodging facilities - this is the only way to stop out-of-staters coming!

EXTERNAL SENDER verified by City of Whitefish IT
Hello Michelle, thank you for receiving all of our community’s comments!

Hilary Shaw
WF

Abbie Shelter comment:
Please ensure that survivors of domestic and sexual violence needing hotel services are listed as an essential service in this ordinance. Survivors are facing so many added barriers to safety because of COVID19 and we don’t want to add another one.

Whitefish Resident comment:
I suggest that “COVID19 Refugees” who are already in our local hotels or short term rentals be permitted to extend that existing reservation. Many individuals who have fled their cities have gone through a trauma to get here, and I think we should consider the individual “heart cost” of forcing them to return. I also suggest that they be asked to donate to local nonprofits that are carrying the deepest struggles of our community.

Thank you!

Hilary Shaw, Executive Director
www.ABBIESHELTER.org
(Sent from my iPhone.)
EXTERNAL SENDER verified by City of Whitefish IT
Michelle Howke

From: Doug Rommereim icloud.com>
Sent: Saturday, April 4, 2020 11:44 AM
To: Michelle Howke
Subject: Fwd: Hotels, Airbnb’s, etc

Sent from my iPhone

Begin forwarded message:

From: Doug Rommereim icloud.com>
Date: April 4, 2020 at 11:38:40 AM MDT
To: mhowke@cityofwhitefish.gov
Subject: Hotels, Airbnb’s, etc

Hello. This is Doug Rommereim from the great northern bar. I applaud the city’s efforts against this horrid virus. You got on it early, and, so far, it seems to be working. However, it makes no sense to me to shut down the bars and restaurants, and most non/essential businesses, yet to allow visitors from potentially infected areas to come into our valley and rent a room or condo. We all have seen the reprehensible ad from whitefish escapes. This is not acceptable to me. I urge you to include short term rentals in the closure list. If we’re going to shut it down, let’s do it right. This is a hardship for us all, but the sooner we act, the sooner it will be over. Thanks for your diligence, and your collective wisdom.

Doug

Sent from my iPhone

EXTERNAL SENDER verified by City of Whitefish IT
I would like to add my voice to those who feel it is wise to shut down short term rentals in the valley until we are back to business as usual. There is plenty of data available from places that continued to allow this and the increase in Corona virus due to it. Please do the right thing! Let's get our community back on its feet as quickly as possible.
Thank you for your efforts!
Casey Sullivan
EXTERNAL SENDER verified by City of Whitefish IT
Good morning, I’m writing in strong support of John Muhlfeld’s proposal of prohibiting motels, hotels, short-term rentals, and other lodging facilities from accepting reservations for non-essential purposes through April 30, 2020.

Thank you, Jana

EXTERNAL SENDER verified by City of Whitefish IT
Michelle Howke

From: [redacted] @aol.com
Sent: Saturday, April 4, 2020 9:55 PM
To: Michelle Howke
Subject: Upcoming meeting input

As a Whitefish resident I would strongly support the limitation of non-essential rentals within our city. While I greatly sympathize with the economic strain this puts on these businesses it is a matter of the greater good and a necessary sacrifice at this time. First and foremost must be the safety of our population. Travelers jeopardize not only the exposure and infection of others in coming here but put an added burden on all our resources including a healthcare system that may potentially be pushed to existing limits leaving us unable to care for them or our own residents.
Thank you for consideration,
Joy Whipple.

EXTERNAL SENDER verified by City of Whitefish IT
City of Whitefish

We are opposed to opening up short term rentals and hotels in our area. Allowing people in from other areas of the Country without testing and venting them to make sure they are not carrying the Covid-19 virus is a big mistake and will accelerate the spread of this deadly disease.

A-Systematic carriers do not even know they are carriers.

This is a big mistake to open this back up at this time.

Do not agree to open this back up!

Joe Kingan

406-