

**GOVERNMENT REVIEW STUDY COMMISSION  
COUNCIL CHAMBERS  
418 EAST SECOND STREET  
WEDNESDAY, JULY 2, 2025  
7:00 PM**



- 1) Call to Order
- 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 presiding officer 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)
- 3) Approval of Minutes
  - a) May 7, 2025
  - b) May 13, 2025
  - c) June 4, 2025
  - d) June 11, 2025
- 4) Public Hearing
  - a) Local Government Study Commission Tentative Report
- 5) Communication to or from Study Commissioners
- 6) Next meeting: TBD
- 7) Adjournment



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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# PARLIAMENTARY MOTIONS GUIDE

Based on Robert's Rules of Order Newly Revised (11th Edition) and [www.jimslaughter.com](http://www.jimslaughter.com)

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

PRIVILEGED MOTIONS							
YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Adjourn	I move to <b>adjourn</b>	No	Yes	No	No	Majority	Yes
Take a break	I move to <b>recess</b> for	No	Yes	No	Yes	Majority	No
Register complaint	I rise to a <b>question of privilege</b>	Yes	No	No	No	None	No
Orders of the day	I call for the <b>orders of the day</b>	Yes	No	No	No	None	No

SUBSIDIARY MOTIONS							
YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Lay aside temporarily	I move to <b>lay the question on the table</b>	Yes	Yes	No	No	Majority	Negative vote only
Close debate	I move the previous question	No	Yes	No	No	2/3	Yes
Limit / extend debate	I move that <b>debate be limited to...</b>	No	Yes	No	Yes	2/3	Yes
Postpone to a certain time	I move to <b>postpone</b> the motion to...	No	Yes	Yes	Yes	Majority	Yes
Refer to a committee	I move to <b>refer</b> the motion to...	No	Yes	Yes	Yes	Majority	Yes
Amend a motion	I move to <b>amend</b> the motion by...	No	Yes	Yes	Yes	Majority	Yes
Kill main motion	I move that the motion be <b>postponed indefinitely</b>	No	Yes	Yes	No	Majority	Affirmative vote only

## MAIN MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Bring business to motion	I <b>move that (or “to”)</b> ...	No	Yes	Yes	Yes	Majority	Yes

No order of precedence. Arise incidentally and decided immediately.

## INCIDENTAL MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Enforce rules	<b>Point of order</b>	Yes	No	No	No	None	No
Submit matter to assembly	I <b>appeal</b> from the decision of the chair	Yes	Yes	Varies	No	Majority	Yes
Suspend rules	I move to <b>suspend the rules</b> which...	No	Yes	No	No	2/3	No
Avoid main motion altogether	I <b>object to the consideration</b> of the question	Yes	No	No	No	2/3	Negative vote only
Divide motion / question	I move to <b>divide the question</b>	No	Yes	No	Yes	Majority	No
Demand rising vote	I call for a <b>division</b>	Yes	No	No	No	None	No
Paliamentary law question	<b>Parliamentary inquiry</b>	Yes (if urgent)	No	No	No	None	No
Request information	A <b>point of information</b> , please.	Yes (if urgent)	No	No	No	None	No

No order of precedence. Introduce only when nothing else pending.

## RENEWAL MOTIONS

YOU WANT TO:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	RECONSIDER?
Take matter from table	I move to <b>take from the table...</b>	No	Yes	No	No	Majority	No
Cancel or change previous action	I move to <b>rescind / amend</b> the motion...	No	Yes	Yes	Yes	2/3 or majority w/notice	Negative vote only
Reconsider motion	I move to <b>reconsider</b> the vote on...	No	Yes	Varies	No	Majority	No

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**GOVERNMENT REVIEW STUDY COMMISSION**  
**MAY 7, 2025**  
**5:30 PM**  
**MINUTES**

1) Call to Order

Study Commissioner Chair, Kevin McDowell called the meeting to order. Members present were Commissioners Alessi, Wurster, and Dugan. Commissioner Whitman was absent. Ex-officio Howke and City Manager Smith. Dick Zoellner was in the audience.

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 presiding officer 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)

None

3) Approval of April 17, 2025, Minutes

**Commissioner Wurster made a motion, seconded by Commissioner Alessi to approve the minutes. The motion carried.**

4) Old Business

The Commissioners discussed the April 24th Open House at the Montana Tap House, with concerns raised about hosting it in a private venue instead of the originally planned O'Shaughnessy Center.

Survey results were reviewed, revealing a broad range of opinions and a lack of public understanding of the process. Commissioner Wurster emphasized that the Commission is not yet prepared to draft a report due to unresolved concerns and inadequate public input. He warned that rushing the process could reinforce existing distrust in local government. Commissioner McDowell acknowledged his concerns and highlighted the difficulty of engaging the public, echoing similar struggles with the Growth Policy.

Commissioners debated strategies to improve turnout, including extending the process and hosting additional meetings. Commissioner Alessi suggested delaying discussions until survey completion and a meeting with Dan Clark from the Local Government Center on May 14th. Public engagement challenges were highlighted, with some individuals actively participating, while others expressed dissatisfaction without attending City Council meetings.

Manager Smith noted valuable feedback in survey responses but acknowledged that some individuals resist engagement despite outreach efforts. The Commission recognized the importance of educating the public on the form of government and ensuring meaningful opportunities for input. While a draft report is expected by the end of May, further time may be required to refine recommendations and address public concerns.

**Commissioner Alessi made a motion, seconded by Commissioner Wurster to table this discussion pertaining to the timetable and reevaluate it after the meeting with Dan Clark. The motion carried.**

**Chair McDowell moved agenda item 8) in the agenda.**

5) Communication to or from Study Commissioners

a) Commissioners report from individual group meetings

Commissioner Wurster reported ongoing discussions with Roger Hopkins from the Columbia Falls Study Commission, noting shared concerns. The Columbia Falls group consists of two former city managers and a city council member, with pressure to expedite the process. Roger Hopkins will be meeting with Dan Clark to evaluate their form of government, considering a shift to a charter form or self-governance without a charter. Concerns were raised about internal influences on the decision-making process, particularly from a former city manager opposed to any changes.

Commissioner Wurster also emphasized efforts to promote the online survey, though scheduling meetings with key stakeholders has been unsuccessful. He distributed physical copies widely but is concerned about the low response rate.

Commissioner Alessi engaged with residents at the Senior Center and Whitefish Manor, prioritizing times with high attendance. The Whitefish Theatre Company has made survey postcards available during events. Commissioner Dugan met with high school students, and Commissioner McDowell distributed surveys downtown. However, McDowell expressed disappointment over apparent lack of engagement.

b) Letter from Rebecca Norton – comments on amendments to charter

Commissioner McDowell stated the comments provided by Rebecca Norton was along the same thoughts as the Commissioners.

5)6) New Business

None

6)7) Review City Charter (Standing Agenda Item)

- a) Included in the packet is the redlined version provided by Commissioner Alessi, which also includes comments provided by Commissioners Dugan and Whitman

Commissioner Alessi presented her redline version of the Charter, primarily removing gendered language, capitalizing specific terms, and restructuring legal references for readability. Commissioner Whitman supported these adjustments.

Section 1.04: Alessi added language clarifying governmental units; Whitman suggested streamlining for conciseness.

Commissioner Wurster inquired about previous legal challenges; City Manager Smith recalled possibly one instance. Discussion arose on whether formatting changes require voter approval—Dan Clark may provide guidance.

Section 2.01: Restructured numbering and incorporated language approved by voters in 2024. Councilor Dugan raised concerns about term limits and deletion of certain provisions.

Section 2.01 (5)(A)(i) Discussion on how renting impacts council member residency; City Attorney Jacobs to research.

Section 2.01 (5)(A)(iii) Dugan questioned applicability to reinstated individuals.

Section 2.01 (5)(A)(iv) Dugan raised concerns about enforcement.

Section 2.02 Legal references were redlined, discussion on anonymous voting. Clarity needed regarding vacancy appointments and potential impact on mayoral authority—City Attorney Jacobs to provide interpretation.

Mayor’s Veto Power: Unclear language flagged by Commissioners Dugan and Alessi.

Standing Committee: Uncertainty about their existence and removal processes—legal clarification requested.

Park Board: Dugan questioned its inclusion in the Charter.

Section 2.03 (3) Council and Staff Interaction: Concern raised about council members directing staff – potential provisions discussed.

Section 2.04 Adjustments were made. Updates needed for municipal record fees following 2025 legislative changes.

Due to the length of the meeting, the Commissioner chose to complete reviewing Articles III – VI on May 13<sup>th</sup> at 5:30pm.

Commissioner McDowell asked the Commissioners to provide questions for Dan Clark by Sunday, May 11<sup>th</sup> at noon.

~~7)8)~~ Public Comment

None

- ~~8) Communication to or from Study Commissioners~~
- ~~a) Commissioners report from individual group meetings~~
- ~~b) Letter from Rebecca Norton—comments on amendments to charter~~

- 9) Next meeting: May 13, 2025 @ 5:20pm
  - May 14, 2025, 9am-Noon meet w/Dan Clark
  - May 29, 2025, 6pm Public Hearing present/adopt tentative report

10) Adjournment

Commissioner McDowell adjourned the meeting at 8:10pm.

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Kevin McDowell - Chair

Attest:

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Michelle Howke, Whitefish City Clerk

**GOVERNMENT REVIEW STUDY COMMISSION**  
**WEDNESDAY, MAY 13, 2025**  
**5:30 PM**

1) Call to Order

Vice Chair Commissioner Dugan called the meeting to order. Commissioners present were Alessi, Whitman, and Wurster. Chair Commissioner McDowell was absent. Ex-officio Howke, City Manager Smith and City Attorney Jacobs was present.

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 presiding officer 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)

None

3) Review City Charter (Standing Agenda Item) Continue from May 7<sup>th</sup>

- a) Included in the packet is the redlined version provided by Commissioner Alessi, which also includes comments provided by Commissioners Dugan and Whitman

Commissioners continue reviewing the City Charter Articles III thru VI.

Wurster reiterated his concerns about the extent of proposed changes, stating that the current format may exceed the Commission's authority. Unit 4 of the training materials was cited, emphasizing that the Commission's proposals are limited—particularly when recommending alternate forms of government, only two forms may be submitted: the current and the proposed alternative. If instead of amending the existing plan or modifying an alternative, up to three sub-options may be proposed, each with no more than two alternatives.

Alessi inquired whether the Commission's authority is confined solely to its recommendations, noting her interpretation of statutes suggests otherwise. Attorney Jacobs acknowledged the question's importance and recommended consulting Dan Clark for clarification, stating that many such legal questions are best directed to him.

**Discussion on Section 3.02(i):** The Commission discussed the requirement for the City Administrator to attend Planning Board meetings. Howke clarified that this requirement was removed by voters during the last Local Government Review, which also amended Sections 3.03(2)(a) and 3.03(3). However, the change was not reflected in the most recent Charter. In the 2015 election, voters approved amending Section 3.03 to delete the requirement for the City Administrator's attendance at Planning Board meetings and to clarify the applicability of exceptions to the Administrator's duties.

The Commission may be limited in the number of changes it can recommend to voters, and suggested that adding one sentence could address gender-neutral language through interpretive clarification.

**Section 4.01 (1) Discussion Summary:**

Dugan suggested revisiting the powers of the Mayor, stating the position should hold more significance than simply leading council meetings.

Smith clarified that while City Council approves the creation of or division of departments (e.g., Planning and Building) through the budgeting process, the City Manager holds authority for internal departmental changes.

Whitman inquired about how departmental duties are reassigned. Smith explained that Council sets policy decisions impacting duties, such as adding maintenance of new areas like Smith Fields. Additional responsibilities would require Council approval for staffing through the budget process.

Dugan asked who has the authority to eliminate a department. Smith responded that such decisions, if necessary, due to budget shortfalls, would also follow the budgeting process.

### **Section 5.03 – Reapportionment of Wards Discussion:**

Wurster raised a question regarding whether wards become mandatory once a city reaches first-class status (population of 10,000).

Smith confirmed that for non-charter cities, reaching 10,000 triggers a requirement to establish wards, as outlined in M.C.A. 7-5-4401.

Wurster noted that despite the repeal of related statutes, a provision remains stating all first-class municipalities must have wards.

Dugan inquired about the possibility of a ward being at-large; Wurster responded that this likely stems from defaults established in the 1972 Montana State Constitution.

Section 6.03 Alessi changed from Separability to Severability.

### **Discussion on Charter Election Provisions and Potential Amendments**

Smith referred to MCA 7-3-704 regarding the nomination and election of commissioners. She noted that the Charter must apportion districts by population and offer flexibility in structure (e.g., by district, at-large, or a combination), aligning with state law. Smith supported this interpretation, emphasizing that the current system is at-large but could transition to district-based under options in MCA 7-3-701. Commissioners acknowledged Dan Clark would need to clarify this further.

Dugan discussed possible combinations of council representation without altering the number of councilors, including scenarios involving wards and at-large positions.

Regarding Charter revisions, Dugan supported simplifying language without compromising other goals. Alessi raised concerns over incorrect terminology (e.g., “separability” vs. “severability”), with Attorney Jacobs and Wurster agreeing on corrections.

Wurster stressed the need to limit changes to maintain voter clarity and emphasized specificity, especially regarding formatting adjustments. Alessi proposed eliminating gendered language, correcting errors, and improving formatting. Wurster agreed in principle but preferred expert guidance. Dugan suggested consulting Dan on resolving drafting errors.

#### **4) Public Comment**

None

5) Communication to or from Study Commissioners

Dugan stated the Commission should meet again after meeting with Dan to work on the tentative report. He asked Howke to poll an email for availability for another meeting. He said there is potential to schedule multiple meetings to draft the report.

Wurster renewed his objection to the current process and timeline, expressing concern that there is insufficient time to prepare and discuss a tentative report before the May 29th deadline. He emphasized the need for meaningful discussion, which he believes is not feasible within the current schedule. Dugan and Alessi acknowledged the plan to meet with Dan Clark to better understand the proposed changes before determining whether to proceed or postpone.

Smith suggested a Friday Teams meeting; however, Wurster was unavailable. Wurster requested advance notice if the tentative report presentation is to be canceled. Howke stated that the meeting with Dan may help clarify the scope and detail required for the report and will follow up via email to schedule the next steps.

Wurster also raised concerns about the lack of public engagement, stating that survey responses alone are not adequate input. He argued for more public outreach, citing training materials that offer guidance. He added that current meetings have not incorporated those strategies.

Dugan agreed that limited public participation is a problem but questioned whether extending the timeline would resolve it. Whitman shared that, based on his outreach, public interest appears low regardless of timeline. He expressed skepticism about improving participation, though he remains neutral on the two-year study timeline.

Dugan concluded by stating that releasing a tentative report may help spark public interest.

- 6) Next meeting: May 14, 2025, 9am-Noon meet w/Dan Clark  
May 29, 2025, 6pm Public Hearing present/adopt tentative report

7) Adjournment

Dugan adjourned the meeting at 6:50pm.

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Nathan Dugan -Vice Chair

Attest:

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Michelle Howke, Whitefish City Clerk

**GOVERNMENT REVIEW STUDY COMMISSION**  
**WEDNESDAY, JUNE 4, 2025**  
**5:30 PM**

1) Call to Order

Commissioner Chair McDowell called the meeting to order. Commissioners present were Whitman, Alessi, Dugan and Wurster. Ex-officio Howke, City Manager Smith and City Attorney Jacobs were in attendance. Two members of the community were in the audience.

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 presiding officer 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)

Roger Hopkins, Columbia Falls Study Commissioner, provided an update on the Commission's recent focus on exploring self-governing powers. While they are not interested in drafting a Charter, they are considering the potential for local self-governance, which requires expanding the scope of their investigation. Hopkins noted the Commission may need to adjust its timeline and expressed uncertainty about the feasibility of bringing a proposal to voters without holding a public hearing. He also conveyed disappointment that the Commission has not fully examined future collaborative opportunities between the two municipalities in the northwest valley.

3) Meeting Decorum and Comments from the Chairman

Chairman McDowell provided the following statement: Recently a commissioner circulated emails alleging unethical behavior by fellow members and staff. I want to be clear that such allegations are unfounded, unprofessional, and harmful to the work of this commission. All members are expected to treat one another with respect. Going forward he asks everyone to move forward constructively and with evidence. This commission operates in good faith, and I will ensure we stay focused on facts and not professional attacks.

4) Old Business

a) Survey Responses

Wurster noted that approximately three-quarters of survey respondents appeared to favor no change to the current system. Dugan highlighted that while there were several complaints, the survey yielded valuable insights, particularly regarding potential changes to the number of council members and their terms. He also observed that many respondents are affluent homeowners. Whitman remarked that many comments addressed broader policy issues beyond the Study Commission's scope and that overall satisfaction with the current form of government was evident. Term limits emerged as the most frequently mentioned issue. McDowell expressed disappointment with the number of responses but agreed with Wurster's impression of general contentment. Alessi also concurred that most respondents did not favor change.

b) Conversation with Dan Clark

Commissioner McDowell shared that the recent meeting with Dan Clark was enlightening, noting that municipal governance options are broad and varied. He was surprised to hear Clark consider the community survey response rate strong.

Discussion focused on election structure under Whitefish's charter form of government. Manager Smith reviewed relevant statutes—M.C.A. 7-5-4401, 7-3-704, and 13-3-104—and clarified that while non-chartered cities under 10,000 must use districts, Whitefish has the flexibility to choose between at-large or

district elections. Though wards and districts are functionally similar, Commissioner Wurster expressed skepticism that the Study Commission could recommend a shift to districts. Rebecca Norton recalled that in the previous Study Commission, it was concluded that Whitefish's transient population would hinder equal district representation.

Commissioners Dugan and Whitman appreciated Dan Clark's recommendation against the Zoning Administrator being appointed by Council. Commissioner Alessi added that when Charter sections do not reflect current practice, aligning them could improve clarity for voters, though such updates would require a substantive change.

5) New Business

- a) Vote on six items to present to the public, to narrow down to three

Commissioner Wurster – 1) No recommendation/No change

Commissioner Dugan – 1) Change number of members (6 -7 council); 2) Term limits

Commissioners discussed potential changes to the city council structure, including increasing the number of council members from 6 to 7. They explored how this change would affect the mayor's ability to cast tie-breaking votes and considered the implications for council representation and decision-making. The conversation touched on the need for more data on council member absences and the impact of these changes on the form of government.

Commissioner Whitman – 1) Committees – all meetings should be recorded/videoed 2) Committees – majority members appointed include relevant experience or expertise in the subject matter; 3) Committees – allow non-resident participation.

Commissioner Alessi – 1) Separability vs. Severability 2) Recommend City Council implement of repeal Section 2.01(5)(a) & (b) and Section 2.02(11)

Commissioner McDowell – 1) Term limits

The group discussed term limits for city council positions, with McDowell explaining allowing two consecutive terms followed by a vacant term before running again. They explored concerns about losing institutional knowledge while encouraging new perspectives and discussed potential issues with appointed positions when no candidates run.

**Commissioner Dugan made a motion, seconded by Commissioner Whitman to propose in the tentative report the following recommendations: 1) Committee – expertise other than state statute; 2) Committee -audio/video recordings; 3) Committee – residency; 4) Repeal 2.01(5)(a)(b); 5) Repeal 2.02(11). The motion carried.**

**Commissioner Wurster made a motion, seconded by Commissioner Alessi, to recommend that no changes be made to the Charter.** Dugan thinks this should be in the tentative report as an option. There is enough in the survey that they need to explore things to change. Alessi stated she would disagree with that assumption. Wurster stated it would take a simple majority of three votes to get something included on the tentative report. It would take four out of five votes to move that to the final report. Wurster stated he would be voting against both of those including no change on the tentative report and the final report. After some discussion the intent of Commissioner Wurster's motion was confusing to the Commissioners. He restated his motion below.

**Commissioner Wurster made a motion, seconded by Commissioner Alessi that the tentative report lists as the sum total of recommendations no change to the charter as the only thing on the tentative report.** Wurster stated that three quarters of the people stated that is what they wanted. Alessi confirmed that Wurster would allow recommendations on the tentative report. **Commissioner McDowell made a motion, seconded by Commissioner Dugan to amend the motion to state this is one of many items on the tentative report to bring to the public for a charter change. The friendly amendment carried 3-2 with Commissioners Wurster and Alessi voting in opposition. The original motion as amended carried 4-1 Commissioner Wurster voting in opposition.**

**Commissioner Dugan made a motion, seconded by Commissioner Whitman to include in the tentative report to amend the Charter to increase the number of councilors from 6 to 7 and 1 mayor.** Alessi does not support this motion due to the cost, it will remove the Mayor from voting as a tie breaker. She thinks things work well now. An additional council member will do a complete upset as to how things have been done for a long time. Dugan stated he is not sure he wants to take this to a vote, but to include in the tentative report, the Commissioners should error on the side of including more things. That is an opportunity to get feedback from the public. There were comments in the survey that alluded to this change. Alessi stated she did not see enough interest in the survey to put it on the tentative report. Whitman shares Alessi's concern that this survey is the most comprehensive that we have available right now of public input. He stated if 10 people show up for the public hearing and state they want to increase the number of councilors, he doesn't know if that trumps the many "no's" that he is seeing. He is not necessarily opposed to putting it on there but he would exercise caution. Manager Smith asked why not have 9 councilors? Is the intent to change the frequency of the mayors vote or increase participation? Wurster stated they are struggling because this is the first time they have considered this. **The motion failed 4-1 with Commissioner Dugan voting in favor.**

**Commissioner Whitman made a motion, seconded by Commissioner Dugan, to include in the tentative report to amend the Charter to limit terms served.** There was some discussion that this is the first time discussing this without studying it, and potential loss of institutional knowledge. Institutional knowledge can be shared during public comment, not necessarily at the dais. Whitman is torn on this issue. He does agree institutional knowledge is very important. As a young person, he doesn't feel like he has been represented politically. That is an equal problem to the benefit of institutional knowledge. He doesn't have exact language for term limits, but it has come up often enough in the survey it is worth putting in the tentative report. Dugan didn't think the mayor needed term limits, that could be the institutional knowledge. Manager Smith stated this discussion is changing two sections of the Charter if the intent of the motion is to include the mayor position. Dugan stated this could be studied for another year but is skeptical that there would be enough time. He thought this discussion was how to include this in the tentative report and to include options. **The motion failed 2-3 with Commissioners Whitman and Dugan voting in favor.**

**Commissioner Wurster made a motion, seconded by Commissioner McDowell to move Separability to be included in the tentative report as a recommendation. The motion carried on a 4-1 vote, Commissioner Dugan voting in opposition.**

**Commissioner Wurster made a motion, seconded by Commissioner McDowell to include in the tentative report as a recommendation for the Council to look into term limits and increase the number of council members. The motion carried on a 4-1 vote, Commissioner Dugan voting in opposition.**

- b) Nominate one person to finish the tentative report with Chairman McDowell by June 6<sup>th</sup>

Wurster will help McDowell work on the rough draft of the tentative report.

- c) Scheduling:
  - 1) Meeting within one week to vote on the Tentative Report – **June 11<sup>th</sup> at 5:30pm**
  - 2) Schedule a Public Hearing to adopt the Report – **July 2, 2025 @ 7:00pm**
  - 3) Schedule supplemental meetings – discuss at June 11<sup>th</sup> meeting.

6) Public Comment

None

7) Communication to or from Study Commissioners

- a) Letter from Jenny Paatalo – public submission of evidence regarding improper Impact Fees and Request for Review

Commissioner Wurster stated that, after reviewing the submitted materials, he does not believe the Study Commission has an oversight mandate in the area referenced. He sees the Commission's role as accepting public comment and maintaining public record, not issuing recommendations to Council on legal matters. He categorized the issue into pre-lawsuit and post-lawsuit, noting the former is resolved through settlement. Wurster expressed doubt that the Commission could or should make a recommendation without evidence of an ongoing issue, as it would require legal expertise beyond the Commission's scope. He concluded that no action is necessary.

Commissioner Whitman agreed, stating that the materials contained allegations of a legal nature, which fall outside the Study Commission's responsibilities. He also recommended no further action be taken.

8) Next meeting: June 11, 2025, at 5:30pm

9) Adjournment

**Whitman made a motion, seconded by Dugan to adjourn the meeting at 7:58pm.**

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Kevin McDowell - Chair

Attest:

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Michelle Howke, Whitefish City Clerk

**GOVERNMENT REVIEW STUDY COMMISSION**  
**WEDNESDAY, JUNE 11, 2025**  
**5:30 PM**

1) Call to Order

Commissioner Chair McDowell called the meeting to order. Commissioners present were Alessi, Dugan, Whitman, Wurster, Ex-officio Howke and City Attorney Jacobs.

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 presiding officer 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)

None

3) Review of the draft Tentative Report

Commissioners McDowell and Wurster drafted the tentative report that is provided in the packet. After some discussion, the Commissioners removed the draft language under Appendix A, statutes 7-3-301 thru 7-3-318, since those are for cities that do not have a Charter form of government. The Commissioners agreed the City Charter should be Appendix A, and Appendix B should be the recommendations.

The recommendation to repeal Section 2.01(5)(a)(b), M.C.A 7-3-704(1) requires the Charter to provide grounds for removal of City Councilors. These should remain in the Charter.

Recommendation #3 After some discussion the Commissioners agreed upon School District #44 for the residency allowed for boards and committees.

Recommendation #1 include replace “all” with “majority” as it pertains to qualifications for committee appointments.

Introduction Letter: The Commissioners agreed to remove “Review” to read Local Government Study Commission. Paragraph 2; provide numbers for the 1) no change; 2) propose and amendment to the existing form of government; 3) or offer an alternative form of government... Include language included in ordinances pertaining to public hearings in the 3<sup>rd</sup> paragraph.

Remove town and replace with city in Introduction and Report Summary. Include the graphs from the Community Survey at the end of the Report Summary. Commissioner Dugan will provide a Minority Report, so he asked to include a sentence to read “This recommendation held by majority but not unanimous as found on the Minority Report”.

Commissioners discussed appending the survey to the Final Report.

4) Public Comment

None

5) Communication to or from Study Commissioners

None

- 6) Next meeting: July 2, 2025, Public Hearing – Tentative Report
- 7) Adjournment

Commissioner Chair McDowell adjourned the meeting at 6:36pm.

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Kevin McDowell - Chair

Attest:

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Michelle Howke, Whitefish City Clerk

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**CITY OF WHITEFISH STUDY COMMISSION**  
**TENTATIVE REPORT**  
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  - A. Findings of the Study Commission
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- III. COMPARISON OF THE EXISTING PLAN OF GOVERNMENT AND THE PROPOSED CHANGES**
  - .
  - A. Existing Form of Government – Whitefish City Charter
  - B. Recommendations to the City Council
  - C. Minority Report
  
- IV. APPENDIX**
  - A. Appendix A: Certificate Establishing the Existing Form of Government – Whitefish City Charter
  - B. Appendix B: Certificate Establishing the Recommendations to the City Council
  - C. Appendix C: Minority Report

## I. INTRODUCTION

### *To the Citizens of the City of Whitefish*

The Whitefish Local Government Study Commission (Study Commission) elected by the voters on November 5, 2024, present this report to you, the citizens of this city.

The purpose of the Study Commission, as defined in state law, is “to study the existing form and powers of local government and procedures for delivery of local government services and to compare them with other forms available under the laws of the state.” After completing these two phases of the study it is the responsibility of the Study Commission to submit a report recommending one of three options; 1) no change, 2) propose an amendment to the existing form of government, or 3) offer an alternative form of government to the qualified electors.

This Study Commission sought advice and information from members in the community. Commissioners solicited opinions and recommendations from local government officials, community organizations, and citizens. All Study Commission meetings were open to the public. Commission members appeared before various community organizations to explain the work of the commission and to hear the viewpoints, ideas, and concerns of those present. The Study Commission held an open house and conducted a survey of the citizens’ attitudes to determine community opinion that elicited responses.

Our recommendations reflect the thoughts and opinions of those who participated in public hearings, those who attended our regular meetings, and those who responded to the survey, in addition to the independent efforts of the Study Commission.

## II. REPORT SUMMARY

### **Findings of the Study Commission:**

After a study of the city government including one collective interview session where the Mayor and a majority of Council members were present, followed by a collective session where the City Manager and many department directors, were present, discussion with numerous citizens, an open house, and receiving results of the community survey before, during and after a public hearing, the Whitefish Local Government Study Commission recommends making no changes to the Whitefish City Charter. This recommendation was made by majority of the Study Commission but it was not unanimous as found in Appendix C: Minority Report.

Final results of the community survey are provided below:

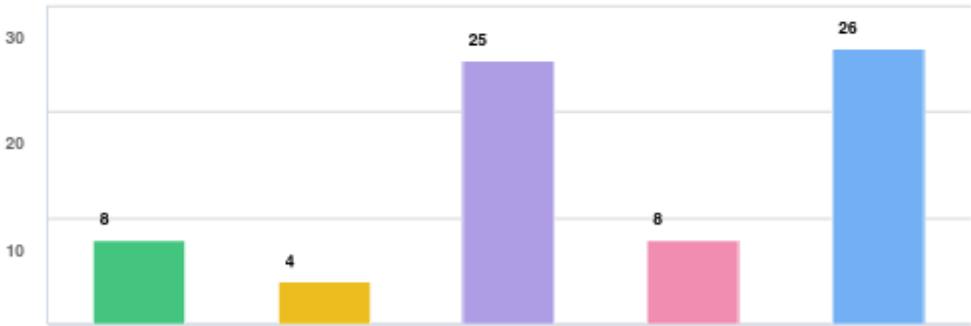
**Q1 Are you satisfied with the current form of local government?**



**Question options**  
 ● Yes ● No

*Optional question (286 response(s), 13 skipped)*  
 Question type: Checkbox Question

**Q2 If you answered 'No' above, what form do you suggest: (If you answered 'Yes' above, skip to #4)**



**Question options**  
 ● Commission ● Commission-Chairman ● Commission-Executive (Mayor) ● Commission-Manager (no Charter)  
 ● Town Meeting

*Optional question (71 response(s), 228 skipped)*  
 Question type: Checkbox Question

**Q6** Should the elected officials of your city government run for office on a partisan (with political party label) or on a nonp...



**Question options**  
● Partisan ● Nonpartisan

*Optional question (283 response(s), 16 skipped)*  
*Question type: Checkbox Question*

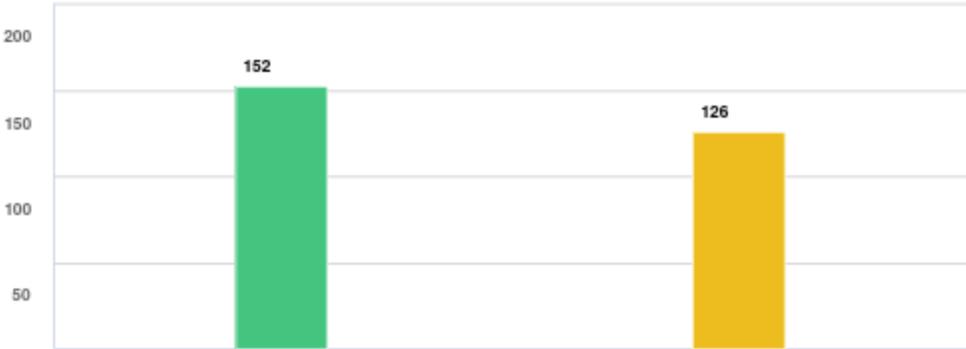
**Q7** Should the elected officials of your city government run for office in districted (ward based) or at-large elections?



**Question options**  
● Wards ● At-large

*Optional question (279 response(s), 20 skipped)*  
*Question type: Checkbox Question*

**Q8** According to the current charter, the Zoning Administrator is hired by and reports to the City Manager. Would you prefer th...

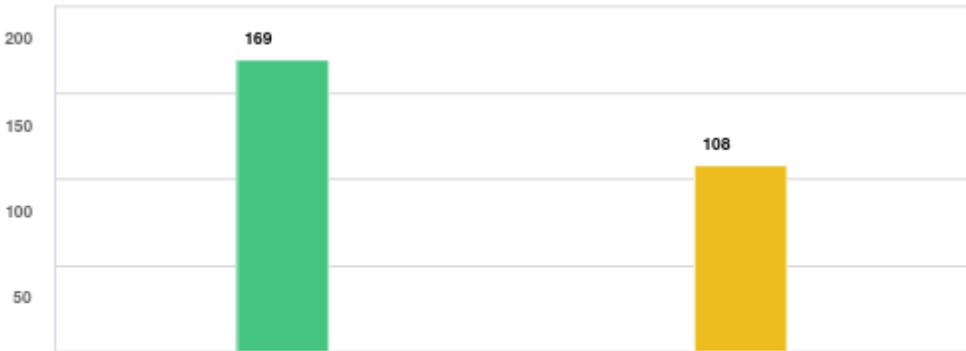


**Question options**

● Yes ● No

*Optional question (278 response(s), 21 skipped)  
Question type: Checkbox Question*

**Q10** In providing essential services, does your local government make reasonably good use of the taxes and fees it collects?

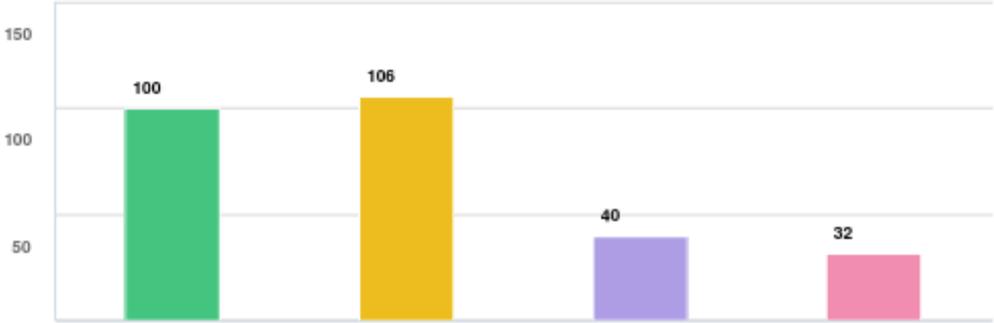


**Question options**

● Yes ● No

*Optional question (277 response(s), 22 skipped)  
Question type: Checkbox Question*

**Q11** | If I had to vote tomorrow, I would vote to:



**Question options**

- Keep town government the same as it is now
- Make a few changes in the Town government
- Make major changes in the Town government
- Completely change the form and powers of the Town government

Optional question (278 response(s), 21 skipped)  
Question type: Checkbox Question

### **III. COMPARISON OF THE EXISTING PLAN OF GOVERNMENT AND THE PROPOSED PLAN OF GOVERNMENT**

#### **A. Existing Form – Whitefish City Charter**

The Study Commission proposes no changes to the City Charter described on Appendix A.

#### **B. Recommendations and Reasons**

The Study Commission proposes the recommendations to the Whitefish City Council set forth in Appendix B.

#### **C. Minority Report**

**APPENDIX A:**  
**Certificate Establishing the Existing Form of Government**  
**for the City of Whitefish**

The government of the City of Whitefish shall remain organized under the following provisions of 7-3-701, MCA et. Seq., which authorizes the Charter form of government:

**PREAMBLE**

We, the people of the city of Whitefish, Montana, in accordance with article XI, section 5 of the Montana Constitution, and in accordance with title 7, chapter 3, part 7 Montana Code Annotated 1979, in order to modernize our form of local government, increase its efficiency and to provide for local self-determination, do hereby adopt this charter.

**Article I**

**GENERAL PROVISIONS**

Section 1.01: Powers Of the City: The city of Whitefish shall possess self-government powers and have all powers not prohibited by the constitution of Montana, the laws of Montana or this charger.

Section 1.02: Interpretation Of Powers: The powers and authority of the city of Whitefish shall be liberally construed. Every reasonable doubt as to the existence of a power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03: Charter Supremacy: As provided in article XI, section 5 of the constitution of Montana, and title 7, chapter 3, part 701(2), Montana Code Annotated 1979, provisions herein establishing an executive, legislative and administrative structure and organization are superior to statutory provisions.

Section 1.04: Intergovernmental Cooperation: As provided by article XI, section 7 of the constitution of Montana, unless prohibited by law or this charter, the city of Whitefish may:

1. Delegate any of its power to;
2. Delegate any of its functions to; or
3. Cooperate in the financing of any services with any one or more local government units, school districts, the state or the United States/

Section 1.05: Oath Of Office: Before entering upon the duties of office, all elected city officials shall take and subscribe the oath of office as prescribed in article III, section 3 of the constitution of Montana. (January 5, 1981)

## Article II CITY COUNCIL

### Section 2.01: Composition, Election, Qualifications, Compensation, Removal, Filling Of Vacancies:

1. There shall be a city council of six (6) members, three (3) of whom shall be elected every two (2) years. (January 5, 1981)
2. All Council members shall be elected at large and be a qualified voter of the city of Whitefish and that the three (3) candidates for council receiving the most votes at each biannual election shall be elected to the office of city council. (Amended November 1985)
3. Members of the council shall be elected for terms of four (4) years on a nonpartisan basis.
4. Members of the City Council may receive compensation, such as a salary, stipend, City-paid health insurance, per diem, or mileage allowance, all as set by resolution after a public hearing.
5. a. The office of a council member shall become vacant upon his death, resignation, removal from office in any manner authorized by law or forfeiture of his office;  
b. A council member shall forfeit his office if he:
  - i. Loses his eligibility for election to his council seat;
  - ii. Violates any express prohibition of this charter;
  - iii. Is convicted of a felony;
  - iv. Without council approval, fails to attend three (3) consecutive regularly scheduled council meetings.

### Section 2.02 Powers And Duties Of The Council:

1. The city council shall be the legislative and policy determining body of the city of Whitefish. Except as prohibited by the constitution of the state of Montana, the laws of the state of Montana or this charter, the council shall provide for the exercise of all powers of the city and for performance of all duties and obligations of the city.
2. The council shall appoint or remove the city administrator with the concurrence of four (4) of its members.
3. The council shall adopt an annual budget by ordinance.
4. The council shall provide for an independent annual audit of all city accounts and may provide for such more frequent audits as it deems necessary. If the state makes such an audit, the council may accept it as satisfying the requirements of this section.
5. The council shall adopt by ordinance and maintain an administrative code and a personnel system as provided in article IV of this charter.

6. The council may make investigations into the affairs of the city and the conduct of any city department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence.
7. In the event of vacancy, the council shall, within thirty (30) days, by majority vote of the remaining members, appoint a person, eligible to hold such council seat, to fill the vacancy until the next regular city election at which time the remainder of the terms shall be filled as provided by law.
8. The council shall be the judge of the election and qualifications of its members and of the grounds of forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in a manner consistent with state law. (Effective 1-5-1981)
9. A mayor shall be elected every four (4) years, at large on a nonpartisan basis. The mayor shall preside at meetings of the council, shall be recognized as the head of the city government for all ceremonial purposes ( or may delegate this duty) and by the governor for the purposes of military law. The mayor shall have no administrative duties. The mayor shall vote in the case of tie votes on the council. (Effective 1-5-1981; amd. Approved by voters 11-7-2006, eff. 1-2-2007)
10. The council shall elect from among its members a deputy mayor who shall act as mayor during the absence or disability of the mayor and, if a vacancy occurs in the office of the mayor, shall become mayor for the remainder of the unexpired term. (Effective 1-5-1981)
11. The council shall appoint a citizen's standing committee or board of three (3) to five (5) members who shall serve at the will of the council for the purpose whereby citizens or other interested parties may first submit or present their proposals for action of the city council for study, review and recommendations by the committee or board to the council as a whole. This provision shall not prohibit the appointment of ad hoc committees by the mayor or council.
12. The council shall create and establish a board of park commissioners pursuant to and subject to all the provisions of MCA sections 7-16-4201 through 7-16-4226. (Amended by voters 11-1985, eff. 1-1-1986)

Section 2.03: Restrictions On The Council:

1. Except where authorized by law, no council person shall hold any other city office or city employment for compensation
2. Neither the council nor any of its member shall in any manner dictate the appointment or removal of any city administrative offices or employees whom the administrator or any of his subordination are empowered to appoint, but the council may express its

views and fully and freely discuss with the administrator anything pertaining to appointment and removal of such officers and employees.

3. Except for the purpose of inquiries and investigations under article II, section 2.02 of this charter, the council or its members shall deal with officers and employees who are subject to the direction and supervision of the administrator solely through the administrator, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.

Section 2.04: Council Procedure, Public Participation:

1. Council procedures shall be as prescribed by state law.
2. The council shall meet at least once per month in regular session.
3. The council shall determine its own rules and order a business and shall provide for the keeping of minutes of its proceedings.
4. All meetings shall be open to the public except in such circumstances as are prescribed by state law.
5. All documents and records of the council shall be public records and shall be made available for examining or copying. (January 5, 1981)

**Article III**

**CITY ADMINISTRATOR**

Section 3.01 : Appointment And Removal, Qualifications, Compensation

1. The city administrator shall be appointed by the council for an indefinite term on the basis of merit only. The council shall fix his compensation.
2. The city administrator need not be a resident of the city at the time of his appointment but may reside outside the city while employed only with the approval of the council.
3. The council may remove the city administrator from office at any regularly scheduled or special meeting.

Section 3.02: Acting City Administrator: By letter filed with the mayor, the administrator shall designate, subject to approval of the council, a qualified city administrative officer to exercise the powers and perform the duties of administrator during his temporary absence or disability. During such absence or disability, the council may revoke such designation at any time and appoint another officer of the city to serve until the administrator shall return or his disability shall cease.

Section 3.03: Duties Of The City Administrator

1. The city administrator shall be the chief administrative officer of the city. He shall be responsible to the council for the administration of all city affairs.
2. The city administrator shall:

- a. Direct, supervise and administer all departments, agencies and offices of the local government until except as otherwise provided by this charter, law or ordinance;
  - b. Carry out policies established by the council;
  - c. Prepare the council agenda
  - d. Report to the council and recommend measures on the affairs and financial condition of the local government as the council may require;
  - e. Execute bonds, notes, contracts and written obligations of the council, subject to the approval of the council;
  - f. Attend council meetings and may take part in the discussion, but may not vote;
  - g. Prepare and present the budget to the council for its approval and execute the budget adopted by the council; (January 5, 1981)
  - h. Except for city attorney and municipal court judge, appoint, suspend and removal all employees of the city unless otherwise provided by law or ordinance; provided, however, that in the case of the appointment of chief of police for the city, the police commission of the city shall review all applicants for the position and make its recommendations to the city administrator; (Amended November 1985; effective January 1, 1986; amd. Approved by voters 11-3-2009)
  - i. (Rep. by voters 11-3-2015)
  - j. Submit recommended changes in the administrative code or the personnel system to the council. (January 5, 1981)
3. The city administrator shall not delete any of the duties and responsibilities in this section without consent of the council except as otherwise provided by this charter, law or ordinance. (January 5, 1981; amd. Approved by voters 11-3-2015)

#### **Article IV**

#### **ADMINISTRATIVE DEPARTMENTS**

##### Section 4.01 : General :

1. The council may establish city departments, offices or agencies in addition to those created by this charter, and may prescribe the functions of all departments, offices and agencies.
2. All departments, officers and agencies under the direction and supervision of the administrator shall be administered by an officer appointed by and subject to the direction and supervision of the administrator. With the consent of the council, the administrator may serve as the head of one or more such departments, offices or agencies or may appoint one person as the head of two (2) or more of them.

Section 4.02: Legal Officer: There shall be a legal officer of the city, appointed by the city council, who shall serve as chief legal advisor to the council, the administrator and all city

departments, offices and agencies, shall represent the city in all legal proceedings and shall perform any other duties prescribed by ordinance.

Section 4.03: Administrative Code: The administrative code shall provide the complete plan of organization and structure of the city government and shall include:

1. The department organization of the government, the nature and scope of each department and all required rules and procedures for department operation.
2. Comprehensive budget procedures for the government.
3. Procedures regarding boards, commissions or any other government activities.

Section 4.04: Personnel System : The city personnel system shall include a salary schedule, provisions for vacations, sick leaves, insurance and other benefits for all persons in accordance with the provisions of this charter; procedures for employees to have an opportunity to be heard upon their request pending discharge, suspension or any designated disciplinary action and shall provide for such other procedures as necessary for an efficient personnel system. (January 5, 1981)

## **Article V**

### **NOMINATIONS AND ELECTIONS, INITIATIVE AND REFERENDUM**

Section 5.01: Elected Offices: The procedure for the election of all elected city officials shall be as prescribed by law for nonpartisan elections. The procedure for recall of all elected city officials shall be as provided by law.

Section 5.02: Initiative And Referendum: The procedure for initiative and referendum shall be as provided by law. (January 5, 1981)

Section 5.03: Reapportionment Of Wards: (Repealed November 1985; effective January 1, 1986)

Section 5.04: Redistricting: (Repealed November 1985; effective January 1, 1986)

## **Article VI**

### **MISCELLANEOUS PROVISIONS**

Section 6.01: Amendment Of Charter: This charter may be amended only as provided by state law.

Section 6.02: Effective Date: This charter shall become effective on January 5, 1981.

Section 6.03: Separability: If any provision of this charter is held invalid, the other provisions of this charter shall not be affected thereby. If the application of the charter, or any part of its provisions, to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected thereby. (January 5, 1981)

## APPENDIX B:

Although the Study Commission is not recommending changes to the City Charter itself, it offers the following five recommendations to the City Council for consideration as administrative or policy-level improvements:

1. **Committee Membership Criteria:** Subject to all applicable laws, rules and regulations, for those Committees that do not already have them, the Study Commission recommends that City Council establish qualifications for a majority of committee appointments that include relevant experience or expertise in the subject matter of the committee. [Commissioner Whitman – unanimous concurrence)
2. **Recording Requirements:** Subject to all applicable laws, rules and regulations, for those Committees that do not already do so, require that all board and committee meetings be recorded with audio and/or video, and that recordings be made accessible to the public and retained as required law. It is further recommended that the City Council make an actual contemporaneous recording the official record of such board and committee meetings, which recordings would prevail over summary written minutes if and when questions about the proceedings arise. (Commissioner Whitman – unanimous concurrence with additions.)
3. **Residency Flexibility:** Subject to all applicable laws rules and regulations, amend city policy by appropriate means to permit qualified board and committee members who reside within School District #44, but have relevant expertise or community ties to serve. (Commissioner Whitman – unanimous concurrence)
4. **Implement or Repeal Section 2.02(11):** Recommend that City Council either implement or repeal. Section 2.02(11) which currently reads:

11. The council shall appoint a citizen’s standing committee or board of three (3) to five (5) members who shall serve at the will of the council for the purpose whereby citizens or other interested parties may first submit or present their proposals for action of the city council for study, review and recommendations by the committee or board to the council as a whole. This provision shall not prohibit the appointment of ad hoc committees by the mayor and council.

The Study Commission recommends that City Council either implement or repeal article II, Section 2.02, 11 because this mandatorily worded provision is not currently adhered to by the City Council. (The origin of this with some alteration may or may not reside in Section 7-3-317 MCA which discusses a 3-member Community Councils that are either elected or authorized by ordinance.)

The current provision requires City Council to create a “citizen’s standing committee or board of three (3) to five (5) members who shall serve at the will of the council for the purpose whereby citizens or other interested parties may first submit or present their proposals for actions of the city council for study, review and recommendations by the committee or board to the council as a whole.”

The Study Commission recommends that the City Council bring itself into compliance with the City Charter by either implementing or repealing this Charter provision. (Commissioner Alessi – unanimous concurrence)

5. Correct article VI, Section 6.03: It is recommended that the title “Separability” be changed to “Severability” reflecting the clause’s nature as a standard severability provision. (Commissioner Alessi – unanimous concurrence)

We, the Study Commissioners of the City of Whitefish do hereby certify these recommendations to the City Council.

In testimony whereof, we set our hands.

Done at Whitefish City Hall this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEAL  
ATTEST: \_\_\_\_\_  
Whitefish City Clerk

Whitefish Study Commission

## APPENDIX C

### Whitefish Study Commission

#### Minority Report

We, the undersigned members of the Whitefish Study Commission, met to study the existing form and powers of the city government and the procedures for the delivery of local government services and compared them with other forms available under the laws of the state of Montana. Though a majority of the Study Commission agreed that no changes should be made, we believe that public feedback obtained through the Study Commission's survey of community members indicated a preference that the Study Commission discuss, research, and consider placing the following questions on the ballot:

- 1) Term limits for the Mayor and/or City Council.
- 2) At-large versus districted (ward-based) elections for City Council.

Additionally, we believe that the extensive narrative answers provided by community members on the survey should be summarized in the Study Commission's report, in order to provide a report that is complete and reflective of the Study Commission's entire body of work. Since there was minority support for such recommendations, we submit these opinions in the form of this minority report.

Regarding the question of term limits, some background information is necessary to explain the sentiment held by some community members. The City of Whitefish was able to compile records of Mayors and City Councils from 1976 to the present day with election results from 1985 to the present day, excluding 2005. These election records reveal that 30 incumbent City Councilors have run for re-election since 1985 with 22 of those winning re-election and retaining their seat. Of the incumbent candidates who lost re-election, 7 of them were beaten in an election and 1 of them tied with another candidate and lost his seat via Mayoral appointment to break the tie. 5 of the 8 incumbent candidates who were beaten lost their elections between the years of 2001 and 2009. No incumbent City Councilor has been beaten in an election since 2009. It is possible that some of these numbers would change if 2005 election data were available. Mayoral elections were not reviewed for this report.

Prior to 2019 (and dating back to 1985), only one candidate had attempted to run for a 3rd consecutive term on the Whitefish City Council. This candidate ultimately lost this bid for re-

election to a 3rd consecutive term. In 2019, a candidate ran for and won re-election to a 3rd consecutive term on the Whitefish City Council. This candidate subsequently ran for and won re-election to a 4th consecutive term on the Whitefish City Council in 2023. Candidate filing for the 2025 election has now closed, and one incumbent candidate is running for a 4th consecutive term on the Whitefish City Council, having been re-elected to a 3rd consecutive term in 2021.

Since 1985, an average of 1.5 incumbent candidates have run for re-election during each election cycle. During the most recent and upcoming election cycles, in 2023 and 2025, all 3 incumbent candidates have run for re-election in each election. Since 1986, the Whitefish City Council has been made up of members serving their 1st or 2nd consecutive term in office. In June 2025, the Whitefish City Council is composed of members serving in their following terms:

- 1) 1st term in office, running for re-election
- 2) 1st elected term in office (previously appointed to complete a term), running for re-election
- 3) 2nd consecutive term in office
- 4) 2nd consecutive term in office
- 5) 3rd consecutive term in office, running for re-election
- 6) 4th consecutive term in office

Given this lack of turnover on the Whitefish City Council in recent years compared to the historical average, it is perhaps not surprising that the issue of term limits was raised repeatedly in survey responses to the Study Commission despite not being directly prompted. Public support for term limits was most prevalent in the answers to survey question #5, which read:

*“Would a change in the number of council members or a change in their term of office improve effective representation of neighborhoods and communities?”*

In the responses from the public for this question, the phrase “term limits” appeared at least 63 times (out of 223 total responses). This phrase also appeared in the narrative answers to other survey questions, though some of these were provided by the same respondents. In addition to this, ~45% of survey respondents answered generally “yes” to this question (indicating a belief that a change in the number of council members or their terms of office would improve representation), ~42% of survey respondents answered generally “no” to this question, and ~12% of survey respondents answered generally “unsure” to this question. We, the minority members of the Study Commission, believe that this distribution of responses rises to the level of a

recommendation to voters where the entire electorate can weigh in on term limits for the City Council and/or Mayor in the November 2025 election. At a minimum, this question should have been considered and studied by the Study Commission prior to recommending no changes to Whitefish's Local Government.

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Survey question #7 asked, "*should the elected officials of your city government run for office in districted (ward-based) or at-large elections?*" Of 279 responses received, 45.9% indicated a preference for ward-based elections and 54.1% indicated a preference to maintain the current at-large (citywide) election system. We, the minority members of the Study Commission, believe that this distribution of responses warrants additional study on the merits of both ward-based and at-large elections. This may also rise to the level of a recommendation to voters where the entire electorate can weigh in on ward-based versus at-large elections in the November 2025 election, however, at the very least, the Whitefish City Council should make an effort to study this issue and report findings by December 2026.

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Finally, we, the minority members of the Study Commission, believe that narrative survey responses received from community members should be summarized.

First, though 73.4% of survey respondents indicated in question #1 that they are satisfied with the current form of Whitefish's local government (Charter Form, further organized as a commission-city manager plan under the city's charter), this does not indicate a preference for no changes within the structure of Whitefish's local government. When asked directly in question #11, only 36% of respondents indicated a preference to "keep town government the same as it is now," while 64% of respondents indicated a preference for few changes to completely changing the form and powers of government.

Lastly, narrative answers provided by survey respondents can be informative to gauge public perception of Whitefish's local government, and can be used by the City Council to inform the body's decision-making in the future. Some common themes emerged, and these are summarized below:

- 1) There were respondents who indicated dissatisfaction with the current city manager system, as well as with perceptions of high taxes and unfair calculations of fees, particularly impact fees. Based on the Study Commission's interview session with city department directors, the city is well-aware of these complaints from this group of residents, which have been ongoing for some time. The city has taken steps to mitigate these concerns.
- 2) Some respondents indicated a preference for a Town Meeting Form of local government. Though this may be the preference of some in the community, it should be noted that this option is only available to incorporated cities and towns in Montana with a population of fewer than 2,000 residents, making Whitefish ineligible to adopt this form of local governance (7-3-601, MCA).
- 3) Some respondents expressed concern with high housing costs and a lack of affordable housing as well as perceptions of poor infrastructure maintenance.
- 4) When contemplating whether Whitefish's local government is representative of the whole community, survey respondents indicated:
  - a) Mixed opinions, with some respondents indicating that the local government is representative and others indicating a perception that the local government caters to specific groups, such as wealthy residents, developers, or tourists.
  - b) Inadequate representation of working class residents, renters, or long-term locals.
  - c) Perceptions of political bias toward a specific ideology.
  - d) Concerns about barriers to public participation, such as a lack of childcare during meetings, inconvenient meeting times, and inadequate outreach by the city to underserved communities and constituents.
  - e) Concerns about the volunteer nature of the City Council and Mayor leading to less representative candidates for city council seats. It should be noted that the Whitefish City Council did adopt a compensation package for the City Council and Mayor during its June 16, 2025 regular meeting.
- 5) Many respondents indicated a preference for term limits for local government elected officials and for ward-based representation rather than the current at-large system. Concerns were also expressed by other respondents about finding candidates to run for office if term limits were imposed or if elections were conducted by wards.
- 6) Some respondents opposed changing the size of the City Council, while other respondents indicated a preference for adding an additional 1-2 council members to improve overall representation.
- 7) Some respondents indicated a desire to change the length of terms, with some of these indicating a preference for shorter terms and others indicating a preference for longer terms. Many respondents felt that the current 4-year term length was sufficient.
- 8) Some respondents feel that residents of areas adjacent to the city but outside of the city limits should have greater representation.

- 9) Some respondents suggested simplifying the city’s charter, addressing substance abuse issues, improving the city’s zoning policies, reducing law enforcement budgets, and ensuring that councilmembers are long-term residents of Whitefish.

We recommend that the City Council consider and address these issues and themes that emerged through the Local Government Study process. Though not all of these suggestions and comments are actionable or should be acted upon, we find that it is important to listen to and comment on these various issues raised by citizens through public outreach conducted by the Study Commission.

Respectfully submitted,

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Whitefish Study Commissioners