

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 6th

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 11th at 5:30pm**
 - 2) Schedule a Public Hearing to adopt the Report – **July 2, 2025 @ 7:00pm**
 - 3) Schedule supplemental meetings – discuss at June 11th 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

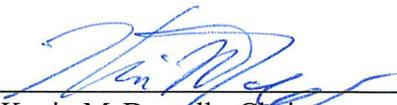
Commissioner Wurster stated that, after reviewing the submitted materials, he does not believe the Study Commission has an oversight mandate in the area referenced. He sees the Commission's role as accepting public comment and maintaining public record, not issuing recommendations to Council on legal 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.



Kevin McDowell - Chair

Attest:



Michelle Howke, Whitefish City Clerk