

**GOVERNMENT REVIEW STUDY COMMISSION**  
**WEDNESDAY, JULY 2, 2025**  
**7:00 PM**

1) Call to Order

Commissioner Chair McDowell called the meeting to order. Commissioners present were Alessi, Dugan, Whitman, Wurster, Ex-officio/City Clerk Howke, City Manager Smith, City Attorney Jacobs. Approximately 9 people 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)

None

3) Approval of Minutes

a) May 7, 2025

**Commissioner Wurster made a motion, seconded by Commissioner Alessi to approve May 7, 2025, minutes. The motion carried.**

b) May 13, 2025

**Commissioner Wurster made a motion, seconded by Commissioner Whitman to approve May 3, 2025, minutes.**

**Commissioner Alessi made a motion, seconded by Commissioner Wurster to include the discussion pertaining to section 2.02(11) of the Charter in the minutes.**

*Ex-officio/City Clerk Howke reviewed the recording. During this meeting the Commissioners continued their review of the Charter starting with Articles III through VI. The discussion for Section 2.02(11) was discussed and summarized in the May 7, 2025 minutes.*

**The motion to amend and approve the amended minutes carried.**

c) June 4, 2025

**Commissioner Wurster made a motion, seconded by Commissioner Whitman to approve June 4, 2025, minutes.**

**Commissioner Alessi made a motion, seconded by Commissioner Wurster to include the discussion pertaining to section 2.02(11) of the Charter in the minutes.**

Page 2, Commissioner Alessi – 1) Separability vs. Severability 2) Recommend City Council implement or repeal Section 2.01(a)&(b) and Section 2.02(11) *go to state law because it seems it would be better flushed*

*out and we can use state law standards and if it comes to litigation there is not the friction there. It is complicated unless we had a lot more time to explain that to the voters. It could confuse people.*

**Commissioner Dugan made a motion, seconded by Commissioner Wurster to make a correction on page 3, third paragraph, Dugan ~~stated this could be studied for another year but is skeptical that there would be enough time~~ doubted if another year would be sufficient time to convince skeptical commissioners.**

**The motion to amend the minutes and approve the amended minutes carried.**

d) June 11, 2025

**Commissioner Whitman made a motion, seconded by Commissioner Dugan to approve June 11, 2025, minutes. The motion carried.**

4) Public Hearing

a) Local Government Study Commission Tentative Report

Commissioner Chair McDowell presented the Tentative Report that is provided in the packet on the website.

Commissioner Whitman spoke about his recommendations that are included in Appendix B of the report. Recommendation 1) after visiting with city staff, it is a recommendation for the majority of members on vacant boards and committees, besides those applicable to statutory law, have demonstrable experience to the subject matter; 2) require all vacant boards and committees to be recorded with audio and/or video; 3) expanding those that are eligible to serve on vacant board and committees in regards to residency, recommending residency within the Whitefish School District #44. This would allow those who work in Whitefish and have kids that go to Whitefish the ability to serve on a committee.

Commissioner Alessi spoke about her recommendations that are included in the report. Recommendation 4) recommending the Council implement or repeal Section 2.02(11) as it pertains to citizen's standing committee or board of three to five members. There are twelve standing committees, and this section may not be needed. If we don't need it then it should be repealed. If there is a desire for it, then it should be implemented. It is not good to have something in the Charter that is mandatory that is not implemented. Commissioners are recommending the Council to take that upon themselves to take that to a vote before the citizens. 5) recommending Council to correct Article VI, Section 6.03, to change the title "Separability" to standard legal clause "Severability".

Commissioner Dugan presented a detailed summary of public feedback from the survey, emphasizing that the main report lacked a comprehensive narrative on the essay-style responses (over 1,000 received).

He advocated for the inclusion of common themes and potential recommendations such as:

- Term limits for mayor and/or city council.
- Consideration of at-large versus districted (ward-based) elections.

Survey Question: *Would a change in the number of council members or their term of office improve representation?*

- Term limits were frequently raised, though not directly prompted.
- Out of 223 responses: ~45% said "yes", ~42% "no", remainder were unsure—indicating potential need for broader public input.

Dugan highlighted that the commission met regularly but less often than the 2015 Study Commission. He felt the one-year timeline was insufficient for a thorough review.

On ward-based elections:

- Survey results showed a near split (54% favored at-large, 46% favored ward-based).
- Dugan felt this justified putting the question to voters.

On government structure:

- ~75% expressed satisfaction with the current form, though it's unclear if all respondents understood the structure.
- Another survey question indicated ~64% of respondents favored at least some changes, conflicting with the commission's recommendation of no changes.

Dugan felt this discrepancy warranted the creation of the Minority Report and suggested all narrative comments and survey question summaries be included in the official record.

Commissioner Alessi commented that one of the limitations of the survey was that there were 300 responses. She saw a number of individual survey responses, but when they were coalited the essay responses were tallied up together. We had some surveys indicate the same thing as they wanted a ward based or more council members and term limit. They mentioned it more than once. The survey counts responses not individuals. That was part of the reason why she wasn't interested in including those things in the report.

Commissioner Dugan stated he did not count responses for multiple questions, only for those that were the most frequent. And he didn't count multiple responses in the same narrative question.

Commissioner Wurster asked, and Commissioner Dugan explained that out of 223 total survey responses, 63 specifically mentioned term limits. The responses were generally favorable, with many suggesting terms of two or six years. Roughly 45% believed term limits could improve representation, while about 42% disagreed. However, Dugan admitted the data was not cross-referenced.

Commissioner Wurster raised concerns about the reliability of the survey, viewing it more as a straw poll due to the absence of standard statistical tools like margin of error and cross-tabulation. He cautioned that interpreting the percentages could be misleading and noted that around three-quarters of respondents preferred no change to the current form of government. Among the remaining quarter, half were driven by interest groups focused on Impact Fees and proposed a change from the city manager system to a strong mayor and town hall model. The other half supported Commissioner Dugan's proposed ballot changes. Wurster emphasized that these results likely reflected organized advocacy rather than broad public support, stating he hadn't encountered any significant grassroots push for these changes during the study.

Wurster criticized the Minority Report for including data on incumbency and re-election that he felt were derived solely from Dugan's post-vote personal research, not public input. When Wurster questioned the impartiality of the report, Dugan invoked a point of order to clarify that state law permits minority reports without a commission vote. Wurster ultimately concluded that the report lacked objectivity and stated he would not be signing onto it.

Commissioner Dugan said that the survey conducted was not statistically significant. He emphasized that since the commission's role is to refer questions to the electorate—not to enact laws directly—the survey's relevance is limited. He noted that the commission is not providing voters with the opportunity to decide on certain themes that emerged during public engagement, which consisted solely of the survey. The minority

report highlights these themes, underscoring concerns about the lack of voter input on them. Dugan added that if the electorate opposes a measure, they will simply vote it down.

Commissioner Chair McDowell opened the Public Hearing.

Marti Brandt, Armory Road, expressed support for the Commission's recommendation to expand board positions for county residents impacted by city legislation, citing their current lack of representation. She emphasized the need for board members with relevant experience and endorsed the clarity improvements in Appendix B. Marti advocated for including the Minority Report in the final submission to City Council, aligning with Commissioner Dugan's position that public backing should determine its inclusion. Prompted by the Tentative Report, she reviewed all community survey responses and praised Whitefish residents' civic engagement. She noted significant dissatisfaction with local government, citing that 64% of respondents expressed a desire for change. Marti recommended including a summary of survey questions in the final report to better reflect public sentiment. She encouraged further input and clarity on term limits and ward-based elections, and pointed out the survey's limited renter participation, urging improved representation of their perspectives going forward.

Lina Camero voiced support for Appendix B recommendations #1 and #2, endorsing the idea that volunteer board and committee members should possess relevant expertise. She strongly backed recording requirements, sharing that she regularly relies on recordings and prefers them over written summary minutes. Lina emphasized that recording technology has existed since the 1920s and should be formally recognized.

She also advocated for the inclusion of the Minority Report, speaking from her experience as someone frequently in the minority. After completing the committee survey, Lina expressed discomfort with labeling public engagement as "special interest mobilization." While recognizing the super majority's opposition to the Minority Report, she stressed its importance in capturing excluded perspectives.

Richard Hildner identified a discrepancy in the number of survey respondents—286 counted versus the previously cited 300—and raised concerns about the sample size's ability to accurately reflect public sentiment. He questioned the reliability of the survey, citing the potential for duplicate submissions.

Referring to page 11, Richard emphasized the importance of thoughtfully addressing gender representation in the updated terminology concerning the City Administrator. On page 17 of the Minority Report, he challenged the clarity of a survey item containing two distinct questions, suggesting it may confuse respondents.

He questioned the inclusion of a Town Hall government model on page 19, noting that such a structure is not permitted in municipalities over 1,000 residents and may mislead participants. He also highlighted the absence of data on Whitefish's voting population and turnout rate, expressing interest in better understanding what proportion of the community is represented in the survey.

On term limits, Richard argued that elections already provide a means of limiting terms and hoped this view would gain broader recognition. Finally, he recommended reconsidering the use of SD #44 as a boundary criterion, pointing out its extended reach to Glacier High School and questioning its continued relevance.

Mallory Phillips expressed appreciation for the inclusion of the Minority Report and survey responses in the final report. As a resident in her 30s earning under \$50,000 annually and struggling with housing affordability, she voiced frustration over the city's dismissive tone toward public engagement. Mallory cautioned that such attitudes discourage participation, create apathy, and suppress voter turnout. She urged commission members to reflect on their role in fostering meaningful engagement. Citing the process she observed, Mallory questioned the value of contributing public feedback when it risks being disregarded. She

noted that the survey responses were not originally intended for inclusion and emphasized that omitting the Minority Report would overlook critical perspectives from the government review study approved by voters.

There being no further public comment, Commissioner Chair McDowell closed the Public Hearing and turned matters over to the Commissioners for consideration.

**Commissioner Wurster made a motion, seconded by Commissioner Alessi to adopt the Tentative Report to include Appendix A, Appendix B, and Appendix C.** Commissioner Wurster asked and Ex-officio Howke stated there was discussion to include the survey with the Final Report which would include all the comments provided in the survey.

**Commissioner Dugan, seconded by Commissioner Whitman, moved to include the Minority Report's term limits proposal as a ballot question in the Tentative Report, recommending a maximum of three consecutive Council terms.** Commissioner Dugan stated the question of term limits is simple to understand. He does not think that it requires extensive study. He thinks breaking the city into wards would require significant study for the Commissioners to be responsible for putting it on the ballot. **The motion failed 3-2 with Commissioners Dugan and Whitman voting in favor.**

**The original motion to adopt the Tentative Report carried 4-1 with Commissioner Dugan voting in opposition.**

#### 5) Communication to or from Study Commissioners

Commissioner Whitman addressed the recurring discussion around statistics and relevancy, stating he felt qualified to comment. He explained that statistical relevancy is typically determined using methods like a P test, but noted that without the necessary input data, the relevancy of the current dataset can't be definitively assessed. Despite this limitation, he cautioned against disregarding the data, describing it as the clearest input received from the public. Whitman also urged against making assumptions about special interest groups, referencing the Community Development Board's approval of a rewrite from such a group, with some edits reportedly not being reviewed. He emphasized that this kind of oversight contributes to public distrust and disengagement and stressed the importance of taking community input seriously.

Commissioner Alessi noted that some survey responses appeared to reflect repeated input from individuals particularly invested in specific topics. She acknowledged the presence of participants strongly attached to a particular outcome but expressed concern that there didn't seem to be sufficient broad community support to justify placing the issue on a ballot.

Commissioner Wurster expressed agreement with Commissioners Dugan and Whitman, noting that the survey was not intended to be statistically valid but rather a way to gauge community sentiment. He valued the input received and advocated for a more extended, two-year study process to allow for deeper public engagement. He regretted the reliance on a single survey and suggested that monthly meetings would have better solicited input. Acknowledging the challenge of engaging the public, he described the survey as a useful starting point, though unverifiable on its own. He emphasized that his main objective on the commission is to encourage public participation and voiced strong support for including both the Minority Report and survey results in the final report.

Commissioner Dugan acknowledged that while the Commission did solicit public input, he felt that feedback was not meaningfully utilized. He pointed out that, although commissioners are volunteers, the process involved taxpayer funding and staff time—raising concerns about the return on that investment. He cited

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rising housing costs and downtown business closures as urgent issues and criticized the Commission for not presenting the full picture.

Referring to 64% of survey respondents who expressed support for change, he argued that denying them the chance to vote is regrettable. He challenged the framing of statistical relevance, suggesting the discussion wouldn't arise if the survey results aligned with certain viewpoints. He asserted that elections are the true measure of public sentiment and advocated using the ballot to address these questions.

Describing the survey as the only form of public input in the process, he found it troubling that discomfort with its findings led to questioning its legitimacy. He expressed disappointment in the Commission's overall commitment and outcome, saying more could have been accomplished without extending the timeline—only with stronger dedication.

Commissioner Chair McDowell noted that Montana is the only state whose 1972 Constitution mandates a voter review of local government every ten years—an exceptional feature. However, he observed that public understanding of this process is lacking. He expressed concern over the small survey sample size, stating that 300 participants is not substantial. While he appreciated the suggestions presented, he was disappointed by the limited public participation.

6) Next meeting: August 6, 2025, at 5:30pm

7) Adjournment

Commissioner Chair McDowell adjourned the meeting at 8:05pm.

  
Kevin McDowell - Chair

Attest:

  
Michelle Howke, Whitefish City Clerk