

Monday 2 February 2009

Whitefish city council meeting

Jim Stack transcript

Mayor and City Council

I am Jim Stack. I'm chairman of Whitefish lake and lakeshore protection committee. I want to address two quick issues with the council this evening.

First, two weeks ago I supplied a preliminary copies of the new proposed Whitefish lake and lakeshore protection regulations to the cities' chairman of the ad hoc committee. That was John Phel.....John Muhlfeld for distribution to city council and everything was complete in those documents except for one thing and that is the summary of changes. We were still working on it at that time. I wanted to bring that so you have the latest version in your document (gives docs to council). The reason I had supplied that preliminary version to the chairman of the City ad hoc is because John relayed to me he was feeling a significant amount of internal pressure for the council to get something into your hands. In any case there was a several day delay in providing that same information, including this completed version summary of changes to the lakeshore protection committee. In retrospect that was a procedural mistake. I should not have provided that to City council until we could provide it to the lakeshore committee and the public all at one. But in any case there was some question apparently by some that there was an agenda on my part, giving it to the council first and then and then to the public and the lakeshore committee. I assure you and I assure everyone else out there, there was not.

Second thing, I want to address is in the cover letter to the council I said that the lakeshore committee supported the new regulations unanimously. That was based on two things: ONE, all of the revision as they came thru the lakeshore committee had been voted on and approved by pretty much overwhelming support. By the time we worked it thru and worked thru the amendments we, um, had very few objections going thru there. SECONDLY, there was a telephone poll after the completion of that. Lisa Stack who is the administrator of the committee called members and said, you know, Jim has

to move forward with this, with the county commissioners and council. Do you support the regulations and she obtained at that time and in retrospect again, I should not have sought approval in that manner. We should have waited till we had the final completed document, had it all in lakeshore committee members hand and, and then asked their approval and there has been as Ken Stein has mentioned, he does not support the document in its current form. I apologize to Ken for representing to the council that he did and I apologize to the council for that. Moving forward, our plan is to bring the regulations into the lakeshore committee next week for a full reviews. I'd like to call it a final review, but if we don't get it, get it thru it in a meeting by midnight, then we may have to continue it till another meeting. But we are going to bring it back in and address some of the concerns we have heard and we have submitted this regulation, this set of regulations to the public.

We have sent it out to known contractors on the lake who have a large number of permits frequently. We've also, I've personally also have sent out a copy to one of the organizers of the group that opposed the critical areas ordinance (CAO), because I wanted it well understood out there, this in not a clear CAO. It's not. We don't want it to be a controversial amendment to the lakeshore regulations. Over 90% of the work in this document, I'd say 95% is consolidating, you know, simplifying and turning the reg lakeshore regulations into something that someone can pickup as a property owner and understand and not end up in a violation. Not have to go to two, three and even four different sections to make sure they understand every portion of the regulations that pertain to what they want to do. I think the committee has accomplished that.

There are some areas we are going to have to address next week. One in particular pertains to non conforming structures. That has always been one of the most contentious issues on, on issues Whitefish Lake. How do you allow full maintenance repair of non conforming structures and yet tell that person who comes in across the table from you that wants to build that new deck, that new boat house or put their new home partially in the lakeshore zone that they can't do it. You know there is no one on the committee, myself included that has an agenda of getting those structures out of the lake. The balance lies in the middle, the balance is how do you allow maintenance and repair and do it in a manner that is as friendly as possible to those residents while still maintaining the, you know, what is there without

allowing them to transform into something that has more impact on the lake or creates more controversy from the other person who isn't allowed to build that. In any case there are some possible amendments there. We will, I assure the council that something is going to change there, just from the degree of feedback that we have had. Something is going to have to change, uh; there is one possible amendment, um. I won't mention it till goes thru the lakeshore committee, but hopefully we can address the majority of concerns of the public out there.

My goal overall is to stay committed to this process. I told the council last summer that I planned to step down from the lakeshore committee, that plan has not changed, but I also said I am committed to getting this regulation rewrite completed, taking it thru the process and getting a user friendly document out there that works because if the regulations are more concise, if they are simplified, if they're easier to understand that in and of itself will help prevent a majority of violations, I believe.

So uh: that's it. I can answer any questions but it might be better to wait until this gets thru the lakeshore committee. We are planning on going thru the full review process with the city/county planning board or I guess you call it the city planning board now and then come to the city, the city council.

Thank you.