



## Council to allow impact-fee payments to be divided

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CALEB SOPTELEAN/Daily Inter Lake |

The Kalispell City Council on Tuesday discussed but eventually tabled some housekeeping changes to the city's administrative code.

Council members did approve City Manager Jane Howington's request to allow city impact fees to be paid in installments. The move was seen as a business-friendly inducement by several council members.

On the administrative code, the council attempted to clean up the wording in the code that was enacted in 1991. City Attorney Charlie Harball said the council would be "cleaning inconsistencies in the code ... making sure there's no confusion down the road."

Atkinson asked about the enforcement of a decorum clause that gives the mayor the authority to have the police chief remove someone from a meeting for disruptive behavior.

Atkinson noted an incident in 2001 when then-Mayor Bill Boharski demanded that the police chief discipline the crowd for unruly behavior after people applauded the city manager and booed Boharski.

According to a Daily Inter Lake story, Police Chief Garner asked the crowd for decorum but defied Boharski.

"I am the chief of police, and I will make the determination if someone acts in a criminal manner," Garner said.

Mayor Tammi Fisher said that just because someone is removed doesn't necessarily mean he or she broke the law.

Council member Bob Hafferman asked for an amendment to the code that would require city staff to bring before council any change orders for building contracts beyond a 10- or 20-percent contingency that would be agreed to in the contract.

"We need to strengthen the code. Now is the time to change the code," he said, referring to "beaucoup change orders" that never come to council for approval.

City Manager Jane Howington said she has been "walking a tightrope" ever since starting her job last year. "I have been disturbed at the laxness of definition of the authority I have and council has," she said.

The council voted to table the administrative code changes for 30 days, with Hafferman and Kenyon voting no.

Separately, the council unanimously approved an amendment to its impact fee ordinance that allows the fees to be paid in five equal installments over five years with any remaining balance resulting in a lien on the property with interest accruing at 5 percent.

“It shows the business community we are business-friendly,” council member Jeff Zauner said.

Zauner thanked Howington for putting it on the agenda. “This wouldn’t be before you if Charlie wasn’t your law director,” Howington said. Hafferman said planning staff had mentioned the idea once before in a meeting.



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