CITY COUNCIL SPECIAL SESSION
CITY COUNCIL CHAMBER CONFERENCE ROOM
1005 BAKER AVENUE
MONDAY, AUGUST 15, 2016
5:00 TO 5:30 PM

1. 5:00 - Call to Order
2. 5:05 - Interviews for Committee Vacancies- Planning Board

    a. 5:05 – Lauren Oscilowski
    b. 5:15 – Allison Linville
    c. 5:25 – Joy Keuylian

3. Public Comment

4. Appointments

    a. Planning Board -1 Position- Complete term ending December 31, 2016 -City Council Appointment

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CITY COUNCIL WORK SESSION
CITY COUNCIL CHAMBER CONFERENCE ROOM
1005 BAKER AVENUE
MONDAY, AUGUST 15, 2016
5:45 TO 7:00 PM

5. 5:45 to 7:00 – Updates on wastewater nutrient trading plan and wastewater treatment plant upgrade design

6. Public Comment

7. Provide direction to City Manager on above matters

8. Adjournment

PUBLIC NOTICE
VACANCIES ON CITY BOARDS/COMMITTEES

IMPACT FEE ADVISORY COMMITTEE - Two Positions, 2-Year terms. Openings are for a person from a Certified Public Accountant, and a Member at Large. Applicant either lives or works within the Whitefish zoning jurisdiction. The Committee meets once a year.

WISCONSIN AVENUE CORRIDOR PLAN STEERING COMMITTEE - One Position, residential owner-occupied property owner of the Wisconsin Avenue Corridor. The Committee shall meet as often as necessary, and shall be disbanded as of June 1, 2017 or earlier.

WHITEFISH PLANNING BOARD - One Position to complete term ending December 31, 2016, open to City Resident. The Committee meets once a month.

ARCHITECTURAL REVIEW COMMITTEE - One Position to complete term ending May 31, 2018 for a licensed architect. The Committee meets once a month.

WHITEFISH LAKE & LAKESHORE PROTECTION COMMITTEE - One Position to complete term ending December 31, 2017 for 1 non-city resident who owns Whitefish Lakefront property outside the City Limits.

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Interested citizens – Please submit a letter of interest to serve on the above committees to the Whitefish City Clerk's Office at 1005 Baker Avenue or mail to P.O. Box 158, Whitefish, MT 59937, by **Friday, August 5, 2016.** Interviews will be August 15, 2016 as needed. Thereafter, if vacancies still exist, letters of interest will be accepted until the positions are filled. If you have any questions, please call the City Clerk's Office at 863-2400 or visit the City's website: www.cityofwhitefish.org

THANK YOU FOR YOUR INTEREST

received
8-1-16

August, 1, 2016

Dear Mayor Muhlfeld and City Council,

This letter serves to express my interest in serving our city on the Whitefish Planning Board. As a small business owner who has completed the Conditional Use Permit process and continues to coordinate with the city, I will bring a small business owner's perspective to the board. My understanding of the challenges that a new business faces and the social, economic, and environmental impacts that businesses have on our community will provide the board with a more holistic perspective in recruiting, retaining, and developing businesses as well as creating, implementing, and refining policies. Whitefish is experiencing both economic and structural growth and the recommendations set forth by the Planning Board directly affect the landscape and community culture that it aims to create. I want Whitefish to grow in stride with accountability—to encourage sustainable growth and realize that our decisions today impact the city we create tomorrow. I welcome the opportunity to affect positive change through service on the Whitefish Planning Board and I look forward to further discussing the available position in person.

Sincerely,

Lauren Oscilowski

Spotted Bear Spirits
503 Railway Street, Suite A
406-407-5909

received
8-5-16

78 Montana Ave
Whitefish, MT 59937

August 3, 2016

City of Whitefish
PO Box 158
Whitefish, MT 59937

Dear City of Whitefish,

I am interested in the Planning Board vacancy with the City of Whitefish. I have been a Whitefish resident since 2009 (albeit with a brief interlude for graduate school), and have been involved in the community in various capacities. I am excited by this opportunity to positively impact the direction of growth in the city.

I currently work as the Community Relations Coordinator at North Valley Hospital. In this role, I am able to interact with community members, the chamber of commerce, local businesses, tourists, and Whitefish residents. Through these interactions, I have realized that Whitefish is poised to change dramatically in the next decade (at least), and I would like to have a positive influence on this change by ensuring it is sustainable, beneficial to the community, maintains the character of the city, promotes economic development, and achieves support from year round residents.

While living in Whitefish, I have experienced many different aspects of the community. I have worked for Whitefish Mountain Resort, the U.S. Forest Service, and the Whitefish School District as an assistant cheerleading coach. In addition to my full-time position with North Valley Hospital, I also am a fitness instructor at The Wave, play soccer and softball organized by the Parks and Recreation Department, and participate in a community garden that supports the local food bank. As a highly engaged citizen, I would like to become further involved in assisting this wonderful community in a time of growth and economic changes.

Thank you for considering my application for the Planning Board vacancy. I look forward to further discussing the skills and experience I would bring to the City of Whitefish Planning Board via an interview at your convenience. Please contact me either via email: allisonlinville@gmail.com or phone: (208) 365-8007.

Sincerely,

Allison J. Linville

Michelle Howke

From: joykjewels@gmail.com
Sent: Monday, July 18, 2016 5:11 PM
To: Michelle Howke
Subject: Planning Board - Letter of Interest

c/o Michelle Howke

To Mayor John Muhlfeld and City Councilmembers,

Please accept this letter of interest for a volunteer position on the Whitefish Planning Board. My name is Joy Keuylian and I have lived in Whitefish since August of 2012. My current home address is 1022 State Park Rd. Whitefish.
The reasons why I believe I would be an asset to the Whitefish Planning Board include, but are not limited to:

- I am a downtown Whitefish business owner and Chamber of Commerce member which gives me a very good understanding of Whitefish's business climate and the economic impact on business owners as a result of decisions made by the City's boards from a business perspective.
- I love Whitefish's small town feel and emphasis on preserving its environmental and recreational appeal it has regarding locals and tourists alike. I realize the fine line the City has to walk in order to maintain this feel and appeal while experiencing growth and needed increased infrastructure.
- I'm married with three kids in high school (2 at WHS and 1 at WCA), which further adds to my motivation to ensure the quality of life in Whitefish remains very high far into the future.
- I have been on the other side of the podium in front of the Planning Board, Architectural Review Board, and the City Council numerous times presenting our own projects for years, so I am familiar with the "process" and will be able identify with others in the same situation.

Thank you for your consideration,
Joy Keuylian

Sent from Windows Mail

Chapter 15
WHITEFISH PLANNING BOARD

2-15-1: STANDING COMMITTEE ESTABLISHED:

Pursuant to and under the provisions of title 76, Montana Code Annotated, the city council of the city of Whitefish does create and establish a city planning board to be known as the "Whitefish planning board" consistent with state law. (Ord. 14-08, 9-15-2014)

2-15-2: PURPOSE, POWERS AND DUTIES:

By this chapter, the city council of the city of Whitefish adopts all of the sections of the laws of Montana aforementioned that specifically pertain to a city planning board, granting and delegating to the Whitefish planning board all of the rights, privileges, powers, duties, and responsibilities thereto appertaining. The Whitefish planning board shall have such jurisdiction as provided by state law. (Ord. 14-08, 9-15-2014)

2-15-3: MEMBERSHIP:

The Whitefish planning board shall consist of seven (7) members, residing within the corporate limits of the city of Whitefish, to be appointed as follows:

A. One member appointed by the city council from its own membership;

B. One member appointed by the city council who, at the council's discretion, may be an employee of the city of Whitefish or hold public office in Whitefish or Flathead County;

C. One member appointed by the mayor upon designation by the Flathead County board of commissioners, who may be a member of the board of county commissioners or an office holder or employee of the county; and

D. Four (4) citizen members appointed by the mayor, who shall be qualified by knowledge and experience in matters pertaining to the development of the city.

Board members shall receive no compensation. (Ord. 14-08, 9-15-2014)

2-15-4: TERMS; POSITIONS:

Board terms shall be two (2) years. There are hereby created positions numbered 1 through 7 inclusive of the members of the Whitefish planning board. Members serving on the effective date of this chapter shall be assigned to positions that correspond with the following expiration dates:

Position Number	Term Expiration Date
1	December 31, 2015
2	December 31, 2015
3	December 31, 2015
4	December 31, 2015
5	December 31, 2016
6	December 31, 2016
7	December 31, 2016

As each of the above listed expiration dates has past, a member appointed to the position shall serve for a two (2) year term. Terms shall begin on January 1 following the initial expiration of the preceding term. At the discretion of the city council, members may be appointed for more than one term. (Ord. 14-08, 9-15-2014)

2-15-5: REMOVAL OF MEMBER:

A member of Whitefish planning board may be removed from the board by majority vote of the city council for cause upon written charges and after a public hearing. Wilful disregard of state statutes, city ordinances and the rules of procedure of the board, or absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute cause for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the chair or secretary of Whitefish planning board at least twenty four (24) hours prior to any scheduled meeting. (Ord. 14-08, 9-15-2014)

2-15-6: VACANCY:

Pursuant to sections 2-15-3 and 2-15-4 of this chapter, any vacancy on Whitefish planning board shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. The city council may appoint members of the city council to temporarily fill vacant positions on Whitefish planning board. (Ord. 14-08, 9-15-2014)

2-15-7: ORGANIZATION:

Whitefish planning board, at its first meeting after January 1 of each year, shall elect a chair and vice chair for the next twelve (12) month period. Upon the absence of the chair, the vice chair shall serve as chair pro tem. If a vacancy occurs in the chair or vice chair position, the board shall elect a member to fill the vacancy at the next meeting. (Ord. 14-08, 9-15-2014)

2-15-8: MEETINGS; RULES AND REGULATIONS:

Four (4) members of Whitefish planning board shall constitute a quorum. Not less than a quorum of the board may transact any business or conduct any proceedings before the board. The concurring vote of four (4) members of the board shall be necessary to decide any question or matter before the board, except a motion for a continuance and motions to elect a chair and vice chair may be decided by a simple majority vote of the board. The board shall adopt rules of procedure for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. Meetings of the board shall be held at the call of the chair and at such other times as the board may determine. All meetings shall be open to the public. (Ord. 14-08, 9-15-2014)

2-15-9: EXPENDITURE AUTHORIZED:

Whitefish planning board shall not have authority to make any expenditures on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds except as has been included in the city budget and after the city council shall have authorized the expenditure by resolution, which resolution shall provide the administrative method by which funds shall be drawn and expended. (Ord. 14-08, 9-15-2014)

EXECUTIVE SUMMARY FOR CITY OF WHITEFISH NUTRIENTENT TRADING PLAN

E.1 NUTRIENT TRADING

The Montana Department of Environmental Quality (MDEQ) defines nutrient trading as a market-based approach to achieving water quality standards in which a point source (such as the Whitefish Wastewater Treatment Plant) purchases pollutant reduction credits from another point source or a nonpoint source in the applicable trading region that are then used to meet the source's pollutant discharge obligations. To be creditable to the source purchaser, the credits must reflect an actual, pollutant load differential below the credit seller's baseline. Under certain circumstances, a point source buyer may have to purchase more than one pound of pollutant reduction to equal a pound discharged at its outfall. In simpler terms, if the City can find means to reduce nutrient loading (nitrogen and phosphorus) from other sources they can obtain a "nutrient credit" that in effect increases the nutrient loading limits for nitrogen and phosphorus in the City's current discharge permit. Potential nutrient trading sources in the Whitefish Area include:

- Land application of effluent from the existing wastewater treatment plant.
- Residential on-site septic systems.
- Runoff from agricultural land
- Stormwater runoff from the City's stormwater collection system.
- Golf course runoff.
- Smoke from woodstoves.

E.2 INITIAL INVESTIGATIVE AND SAMPLING EFFORTS

In order to make an initial determination as to whether or not there are potential nutrient trading sources near the Whitefish Wastewater Treatment Plant (WWTP), an initial sampling plan was developed to screen for the presence of nutrients in the City's stormwater discharges and at or near the mouth of nearby tributary streams that flow into the Whitefish River. The table below taken from Chapter One summarizes the sampling points.

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TABLE 1-1 SAMPLING POINTS	
Sample Location	Sample Type
Whitefish River Outfall	Storm Water
Riverside Pond	Storm Water
Hamilton/Baker Outfall	Storm Water
Spruce Court Outfall	Storm Water
Mouth of Cow Creek	Surface Water
Swift Creek at Delrey	Surface Water
Swift Creek at Olney	Surface Water
Haskill Creek Near Mouth	Surface Water
Viking Creek Near Mouth	Surface Water
Walker Creek Near Mouth	Surface Water
Whitefish River at Columbia Bridge	Surface Water
Whitefish River at JP Road	Surface Water
Whitefish River at Highway 40	Surface Water
Whitefish River at Lake Outlet	Surface Water

The current in-stream nutrient standards for the Northern Rockies Ecoregion (as defined in Circular DEQ 12-A) are 0.275 mg/l TN and 0.025 mg/l TP. These standards are in effect from July 1st to September 30th of each year and were used as an initial gauge for the significance of the initial sampling results. The limited sampling that was completed in 2014 indicated three areas or sources where nutrient concentrations exceeded the numeric nutrient instream standards for the Northern Rockies Ecoregion. They were Cow Creek, Walker Creek and stormwater runoff from the City of Whitefish. Cow Creek receives multiple discharges from the City's storm drainage system and livestock are wintered just to the east of the creek in the Creek View Drive area. Livestock (cattle) were noted on Walker Creek near the Dillon Road Crossing and could be contributing to the nutrient loading in the creek. Nutrients detected in the urban stormwater runoff can be attributed to sources such as lawn fertilizer, pet waste, and particulate material. Based on the sampling results and on the ground investigations the conclusion was made that the Cow and Walker Creek drainages and the City's stormwater effluent have a potential for generating nutrient trading credits.

In addition to the above sources other potential sources of nutrient credits were investigated in the nutrient trading plan including:

- Golf Course Runoff
- Agricultural Runoff
- Lawn Fertilizers
- Areas with onsite septic tanks
- Smoke from woodstoves
- Land Application (irrigation) of the Effluent from the Whitefish Wastewater Treatment Plant (WWTP)

E.3 EVALUATION OF POTENTIAL NUTRIENT TRADING SOURCES

The table below taken from Chapter 3 summarizes the advantages and disadvantages of potential nutrient trading sources:

TABLE 3-1 ADVANTAGES AND DISADVANTAGES OF NUTRIENT TRADING SOURCES		
Potential Trading Source	**Advantages**	**Disadvantages or Issues**
Land Application of WWTP Effluent	• Long-term source of credits. • Most credits available of any of the sources. • City would have direct control of the irrigation system. • Quantity of available credits easy to document • Amount of credit will not vary unless irrigated volume reduced or increased.	• Cost to implement is very high with the exception of irrigating on City property around the plant. • Multiple irrigation sites would be needed. Would have purchase multiple sites or enter into multiple lease agreements. • Clay soils in the area may pose challenges. • Extensive piping system is required to serve multiple irrigation sites. • Credits available only during irrigation season unless total retention/storage is provided.
Residential On-Site Septic Systems	• Moderate amount of potential credits available. • Long-term source of credits. • Amount of credit will not vary.	• Cost per pound of credit is very high. • Septic systems that connect to the City's collection system will increase the lbs/day loading to the WWTP by at least twice the lbs/day of credits generated. • Converting septic systems to a central or individual level two advanced treatment systems would require a significant monitoring effort by the City to validate and maintain the credits.
Runoff from Agricultural Land	• Moderate to low amount of potential credits available • Cost per pound of credit generated is reasonable	• Not a long-term source of trading credits (land use or ownership can change). • Requires landowner cooperation. • BMP's will require a management and maintenance effort by the City to document and validate credits.
Storm water	• Cost per pound of credit generated is reasonable	• Amount of potential credits available is low.
Golf Courses		• Not likely to provide a significant amount of trading credits. • Would have to enter into an agreement with the golf course owners for management of BMP's • May not be a long term source if golf course closes, changes ownership or management practices.
Urban Runoff (Lawn Fertilizer)	• Cost to implement fertilizer management programs and/or implementing ordinances to require fertilizers with slow release nitrogen and low or zero phosphorus should be reasonable.	• May be difficult to document the effect of implementing management BMP's and fertilizer ordinances. • Depends upon public participation and results may vary from year to year. • Would have to document by sampling runoff on a yearly basis. • Magnitude of trading credits unknown. Other states have not noticed marked decrease in nutrient pollution.
Smoke from Woodstoves		• Likely not a significant source of trading credits • Would be hard to manage and document. • Pollution control devices on woodstoves don't typically target nutrients.

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The table below also taken from Chapter 3 summarizes an estimate of potential trading credits that may be available from the various sources that were evaluated in this document. Sources that did not show initial promise are not included in this table. These estimates are very preliminary and are subject to many factors as discussed in this document. The table also provides a range of estimated costs to generate the estimated nitrogen trading credits based on the preliminary analyses provided in Chapter 2. These cost estimates are provided in dollars/pound/day, in other words the cost to produce a pound per day of nitrogen credit. The costs to produce a pound per day of phosphorus credit are not provided but would be significantly higher because the number of phosphorus credits generated from each source are much lower than the pounds per day of nitrogen credit generated. The estimates are provided are preliminary and would have to be fined tuned for each actual trading source that is pursued. For comparison purposes the cost and amount of credits that would be generated by adding nutrient removal to a new mechanical treatment plant is included in the table.

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TABLE 3-2 ESTIMATE OF NUTRIENT CREDITS GENERATED FROM VARIOUS SOURCES AND COST/DAY/LB OF CREDIT GENERATED					
Trading Source	**Estimate of Total Available TN Credits (lbs/day)**	**Estimate of Total Available TP Credits (lbs/day)**	**Estimated Capital Cost for BMP or Credit Generation**	**Cost per One Pound of TN Credit Generated per Day**	**Notes**
Onsite Land Application at the WWTP Property	Up to **22**	Up to **0.5**	$1.0 million	$45,000	Assumes 20 Acres Available for Irrigation at WWTP Site. Available credits will decrease and cost per credit will increase if a mechanical plant with BNR is constructed, due to lower nutrient concentration in the effluent.
Land Application Offsite from the WWTP	Up to **192** currently Up to **276** by end of 20-yr planning period	Up to **4.2** currently Up to **6** by end of planning period	$10 million - $73 million	$36,000-$237,000	Cost and credits dependent upon volume of wastewater land applied.
Connect on-site septic systems to City collection system or convert to advanced treatment	**14-24** (Potential for area around Whitefish lake and upper Whitefish River.)	**0.6-1.8** (Potential for area around Whitefish lake and upper Whitefish River.)	Varies	Varies	Capital costs and cost per pound per day of credit for site specific examples are provided in table 2-13.
Connect 100 generic lots with on-site septic systems to City collection system or convert to advanced treatment	**3.8 to 6.3**	**0-0.5**	$4.1million - $5.3 million for 100 generic lots	$650,000 to 1.4 million for 100 generic lots	Range of costs and generated credits based on either connecting to sewer system or installing advanced treatment. Less credits are generated for advanced treatment.
Agricultural Runoff	**8** (Based on three areas with significant concentrations of livestock.)	**2** (Based on three areas with significant concentrations of livestock.)	Varies with BMP implemented. $90,000 to $108,000 (For three site specific examples evaluated.)	Varies with BMP implemented. $ 34,000 to $38,000 (Based on three areas with significant concentrations of livestock)	Total available credits may increase if other areas are identified.
Stormwater	**0.4 to 4.0**	**0.08 to 0.80**	Varies with BMP implemented and drainage area.	Varies with BMP implemented and drainage area.	
Stormwater estimates for generic 5 acre drainage area	**0.003 to 0.007**	**0.0009 to 0.002**	$25,000 to $ 223,000	$3.8 million - $42 million	Costs vary with type of BMP implemented. See Table 2021
Install Mechanical Treatment with Biological Nutrient Removal at the Whitefish WWTP	**109** Based on current flow (1.0 MGD). **163** Based on 20-yr planning period flow (1.5 MGD).	**2.1** Based on current flow. **3.1** Based on 20-yr flow	$1,600,000 To add BNR to Mechanical Treatment Plant	$14,700 (current) $ 9.815 (20-yr)	Assumes BNR would increase current TP removal rate by 50% and produce 10 mg/l TN in WWTP effluent.

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E.4 NEED FOR NUTRIENT TRADING CREDITS

The table below summarizes the current nitrogen and phosphorus loading limits in the City's discharge permit that expires in July of 2020. The table also includes the current and projected 20-year nutrient effluent loadings with an estimate of the credits that will be needed over the planning period in order to comply with the current discharge permit.

TABLE 3-3 CURRENT NUTRIENT LOADING LIMITS AND CURRENT AND 20-YEAR ESTIMATED WWTP EFFLUENT NUTRIENT LOADS

Nutrient	Current Permit Effluent Limit (lbs/day)	Current WWTP Average Effluent Load (lbs/day)	Estimated 20-yr WWTP Average Effluent Load (at 1.5 MGD) (lbs/day)	Current Credits Needed (Average) (lbs/day)	Credits Needed at End of 20-Year Planning Period (Average) (lbs/day)
Nitrogen					
Summer	176	184	276	8	100
Non-Summer	273	184	276	0	3
Phosphorus					
Year Around	10.4	4.5	6.75	0	0

The treatment plant effluent loadings in the above table are based on the performance of the City's existing aerated lagoons. At current treatment levels, there will be no need to obtain phosphorus credits during the planning period unless the effluent limits in the City's discharge permit are lowered during the 20-year planning period. The existing WWTP will not be able to meet the current and 20-year summertime permit effluent limit of 176 lbs/day for total nitrogen and it will not be able to meet the non-summertime permit effluent limit by the end of the 20-year planning period. Currently, the existing treatment plant will exceed the nitrogen loading limit in its discharge permit by up to 8 lbs per day and this number will increase to 100 lbs per day by the end of the planning period. The estimated credits that will be needed at the end of the planning period will likely decrease or may not be needed if the City constructs a treatment process that is more efficient at removing nitrogen (and phosphorus) than the existing aerated lagoons. If nutrient trading is implemented, the first order of priority would be to obtain nitrogen trading credits in the summer months.

E.5 FEASIBLE OPTIONS FOR NUTRIENT TRADING

There is one trading option that would be able to provide the 100 lbs/day of nitrogen credits needed at the end to the planning period; land application of a significant portion of the treated wastewater effluent from the WWTP. The construction of a mechanical plant with nutrient removal would also allow the City to meet the requirements of its discharge permit. Constructing a new WWTP is not nutrient trading. Although, there is a limited potential that the City could sell credits to another entity in the future if a new WWTP is constructed that removes more lbs/day of nitrogen and phosphorus than is required by the discharge permit for the plant.

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The remaining sources listed in table 3-2 (stormwater, septic tanks and agricultural runoff) even if combined would likely not be able to generate the needed 100 lbs/day of nitrogen credits in the summer months at the end of the planning period without upgrading City's WWTP. In the short-term installing an irrigation system to irrigate effluent on the City's property combined with trading credits from other sources would allow the City to meet the nitrogen effluent limits for a portion of the planning period (5-10 years). Other options include:

- Credits from recent and future stormwater improvements. The amount of potential credits from stormwater improvements is limited (estimated at 0.4 to 4 lbs/day of total nitrogen). However, it may be possible to obtain credits for recently completed and future stormwater improvements such as detention basins and groundwater infiltrators. These credits could be documented by sampling and banked for future use. It is likely not cost effective to install stormwater treatment just for obtaining nutrient credits because of the small amount of credits available, but credits should be documented and banked for improvements that are being completed for other reasons. These credits could be used if future discharge permit nutrient limits become more stringent in the future.
- Credits from On-Site Septic Systems. In general it would not be cost effective to obtain nutrient trading credits by sewering areas with on-site septic systems and connecting to the City's sewer system or by providing some type of advanced treatment system for the on-site systems. The costs are very high for obtaining the credits from septic systems as illustrated in the table above. Also, if the on-site systems are connected to the City sewer system the additional nutrient load in lbs/day to the City's treatment system would be at least twice the amount of nutrient credits in lbs/day that could be generated (due to the trading ratios that de-rate the credits as discussed later in this document). However, if there are areas adjacent to the City's collection system that are going to be connected for other reasons, the credits should be documented and banked for future use in case future discharge permits tighten the effluent limits for nitrogen and phosphorus.

E.6 VIABLE NUTRIENT TRADING SOURCES

In order to determine if a source is viable source for nutrient trading the following criteria should be examined:

- Capital cost for implementing BMP's or improvements to generate credits.
- Cost per pound per day of nutrient credit generated.
- Quantity of credits available from the source.
- Practicality of maintaining and documenting the quantity of credits generated.
- Whether the credits are long or short term.
- Manpower effort and cost required to maintain and operate BMP's.

Based on these criteria and the analysis in this document the most cost effective and practical options for generating nutrient credits or meeting the requirements of the City's discharge permit would be:

- Adding nutrient removal to the proposed mechanical treatment plant.
- On-site irrigation of WWTP effluent

- Installing BMP's to reduce nutrients in agricultural runoff.

3.5.1 Adding BNR to the Proposed Mechanical Treatment Plant. This source does not generate credits by "trading" in the traditional manner with other sources of nutrient pollution. It consists of constructing a new treatment plant with nutrient removal capability. The cost per pound per day of credit that is presented in Table 3-2 was based on the cost to add nutrient removal to some type of mechanical treatment plant such as a traditional activated sludge plant, oxidation ditch, MBR or SBR. It assumes that the plant is going to be constructed as a replacement to the existing aerated lagoons. This source of "credits" is discussed here because it appears to be the most cost effective means of meeting the current discharge permit's nitrogen and phosphorus limits. Also, it is capable of generating trading credits in excess of what is required to meet the current discharge permit which could be sold to other point source dischargers if they exist.

3.5.2 On-site irrigation of WWTP Effluent. Utilizing the City property around the existing WWTP for land application of a portion of the effluent from the plant is a viable option. It could generate up to 22 lbs/day of nitrogen credits which would be enough for the WWTP to stay in compliance with its current discharge permit for the next few years. The estimated cost per pound per day of credit generated is higher than adding nutrient removal to a new mechanical treatment plant, but is lower than some of the other nutrient trading options that were evaluated. It would also be a good option to implement in the future should the nutrient limits in the City's discharge permit become tighter.

3.5.3 Installing BMP's to Reduce Nutrients in Agricultural Runoff. This source would not likely generate a significant quantity of credits. However the cost to implement BMP's to remove nutrients from agricultural runoff is lower than most of the other options. This may not be a reliable long-term source of nutrient trading credits if land ownership changes or if land management practices change. Therefore, this may be a good option if the nutrient limits in future discharge permits are lowered further and credits are needed to comply with the permit in the short-term until treatment upgrades can be completed.

Other sources that were evaluated that were not as cost effective, posed management or documentation problems or that did not generate a significant number of credits included:

- Connecting on-site septic systems to the City's collection system or converting them to advanced treatment.
- Adding BMP's for nutrient removal to existing stormwater discharges (unless they are being done for other reasons then the credits should be banked for future use).
- Off-site land application of large volumes of wastewater effluent.
- Runoff from golf courses.
- Runoff from urban lawns.
- Woodsmoke.

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Report Summary

1.1 Introduction

This summary briefly describes the information provided in the ***City of Whitefish 2016 Wastewater Systems Improvements Project - Preliminary Engineering Report (PER)***, including conclusions and recommendations arising from this document. The PER was prepared by Anderson-Montgomery Consulting Engineers of Helena, MT in conjunction with Robert Peccia and Associates and Richwine Environmental. The primary impetus for the project are new wastewater treatment standards implemented by the Montana Department of Environmental Quality (DEQ) through the latest discharge permit issued to the City in 2015. New requirements for removal of ammonia, nitrogen and phosphorous were included in the new permit. The lagoon system, originally constructed in 1979, has served the City well but is approaching the end of its useful design life. The existing treatment facility cannot be made to meet the new standards without major reconstruction. The engineering study considered alternatives to address the existing discharge permit as well as position the City for anticipated new limits that have been proposed by the DEQ for the next 5 and 10 years respectively, as the discharge permit is renewed. Incorporation of existing plant facilities, where feasible, was a key consideration in developing treatment alternatives. The Draft 2016 Preliminary Engineering Report is available at offices for the City Public Works Department for public review.

Outside of this planning document, a Nutrient Reduction and Trading Plan was recently prepared by Robert Peccia and Associates in conjunction with Anderson-Montgomery to consider non-plant options for nutrient reduction, such as storm water control or reduction of discharge volume through irrigation. These alternate measures for nutrient reduction were considered in Chapter 5 of the PER.

1.2 Basis of Planning

Determination of the usage of the wastewater system is dependent on land use, population density, the magnitude and type of commercial and industrial activity to be served, the condition of the existing system and regulatory requirements. The area studied in the planning document was established through meetings with the City Public Works and Planning Staff by examination of property ownership, zoning, planning jurisdiction and environmental conditions. The study area boundary, as decided by the planning team, is similar to the boundary used in a previous Wastewater PER prepared in 2008, with updates in 2014.

Estimates of population growth were developed using 2000 and 2010 census data and reflect a lower growth rate than that experienced in the area in earlier planning documents, when growth rates were high during the housing boom in early 2000. In reviewing the 2010 Census, it shows that the City of Whitefish's growth for the 2000-2010 period was 26.33% or a 2.37% average annual growth. Historically, the City has had an average annual growth of 1.75% over

the last 40 years. Also, the 2010 Census projected an average annual growth rate of 1.9% between 2005 and 2025 for Flathead County. Based on review of a more current historical growth rate in the community plus consideration of the 2010 census data, it was decided to use an average annual growth rate of 1.9% for the 20 year planning period.

Theoretical build-out assumes that all developable land within the study area will be developed, giving a maximum density for the study area. **Table 1.1** summarizes the current and predicted study area population as well the connected population in the study area.

Table 1.1 Predicted Study Area Population

	2015	2025	2035	Ultimate Build-out
Existing and Proposed Sewer Service Planning Area Population	11,661	14,076	16,992	36,929
Existing and Proposed Sewer Service Area **Connected** Population	8,033	9,697	11,705	36,929

The City of Whitefish had an estimated population of 6,984 in 2015, obviously less than the connected population identified in the table above. To effectively conduct facilities planning it is necessary to set a potential service area boundary. The service area is the projected area in which municipal services can or may be extended depending upon needs and demand. Criteria examined in setting the potential service area boundary included environmental factors, public health protection, groundwater quality protection, surface water quality protection, land use planning and growth management, cost of service, the political environment and geophysical characteristics. The boundary for the proposed future wastewater service area was based on examination of the criteria described above, meetings and discussions with City staff, and comparison of predicted population growth with the capability of the proposed service area to accommodate the predicted growth.

1.3 Wastewater Loads and Characteristics

Monthly flow and organic loading data was evaluated for a three year period, from 2012 through 2014. Based on this data, the average waste strength and flow are as follows:

BOD_5	**297 mg/l**
TSS	**239 mg/l**
Phosphorous	**6 mg/l**
Ammonia	**25 mg/l**
Average Daily Flow per capita	**128.7 gpcd**
Average Daily Flow per capita (wet weather)	**154.5 gpcd**

Waste strength has increased significantly, almost 49% stronger in the concentration of BOD_5, since the last PER prepared in 2008. This increase in wastewater concentration reflects, in part,

the ongoing efforts of the City to remove infiltration and inflow (I/I) of clear water from the collection system. Reduction of I/I allows for reduced sizing of new wastewater treatment unit processes and a corresponding savings in cost. Additionally, the biological treatment processes used in wastewater plants function more effectively if waste strength is not diluted with clear water.

Project Design Criteria are developed in a PER to evaluate treatment alternatives, size unit processes, prepare preliminary design drawings and prepare estimates of cost. The design criteria for this project are shown in the table below:

Table 1.2 CITY OF WHITEFISH WASTEWATER IMPROVEMENTS DESIGN CRITERIA

	2013	2015	2020	2025	2035
Planning Area	11,230	11,661	12,812	14,076	16,992
Connected Pop.	7,736	8,033	8,826	9,697	11,705
Q avg flow	0.996	1.034	1.136	1.248	1.507
Q wet weather (6 month period)	1.195	1.241	1.363	1.498	1.808
Q Max Day		4.266	4.342	4.355	4.530
AVG BOD (lbs/day)	2467.8	2562.5	2815.4	3093.3	3734.0
MAX BOD	3289.6	3415.8	3753.0	4123.4	4977.4
TSS (lbs/day)	1980.4	2056.4	2259.4	2482.4	2996.5
Ammonia (lbs/day) ***25.03 mg/l Avg. Conc.***	208.9	216.9	238.3	261.8	316.0
Total P (lbs/day) ***6.0 mg/l Avg. Conc.***	49.83	51.74	56.85	62.46	75.40
TKN Avg 41.4 mg/l					
Alkalinity 265.6 mg/l					
	Dec	Jan	Feb	Mar	Apr
Avg. Influent Temp (*°C*)	9.5	8.8	8.1	8.2	9.2

1.4 Existing Wastewater Treatment and Collection

1.4.1 Wastewater Treatment Plant

The existing wastewater treatment facilities consist of 3 partially-mixed aerated lagoons for biological treatment with the discharge from the lagoon system flowing to a flocculating clarifier where alum and polymers are added to precipitate phosphorus. Design capacity for the lagoons, built in 1979, is 1.25 MGD based on average daily flow. New pretreatment facilities with odor control and a second, redundant flocculating clarifier were constructed in 2008-09. A

temporary disinfection system using sodium hypochlorite and chlorine neutralization was constructed in 2012.

The treatment system has consistently met the requirements of previous MPDES discharge permits regarding effluent quality. While the existing system is sized sufficiently to handle limited future growth, the age of the system and the inability of the treatment plant to remove nutrients and ammonia results in a need to upgrade or replace many of the existing facility's components. Recently, odors have occurred in the existing system during the spring when lagoons frequently experience "turnover" due changes in water density as the stratified lagoon contents changes temperature.

1.5 Regulations

1.5.1 Montana Regulatory Authority

Water pollution degrades surface and ground waters, potentially making them unsafe for drinking, fishing, swimming, and other activities. Accordingly, the State and Federal regulatory agencies have passed statutes with the intent of maintaining and restoring the beneficial uses of State waters. As authorized by the Clean Water Act and the Montana Water Quality Act, the Montana Pollutant Discharge Elimination System (MPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the State. The Montana Department of Environmental Quality has adopted water quality standards that govern the discharge of wastewater which would cause a new or increased source of pollution to state waters. The Department also administers the MPDES program which authorizes and regulates all discharges to State surface waters. The Department develops design standards applicable to the design and construction of public water supply and wastewater systems.

Presently the treated wastewater from the Whitefish wastewater system is discharged directly into the Whitefish River, via an effluent diffuser. The Whitefish River flows southerly from Whitefish Lake to join the Stillwater River near U.S. Highway 2 east of Kalispell. The river then flows a short distance to Flathead Lake. The MPDES discharge permit is the primary mechanism whereby the DEQ regulates the quality of the effluent discharge of wastewater from the wastewater system to the Whitefish River. The discharge permit establishes criteria for implementing the National Secondary Treatment Standards, Montana Water Quality Standards, the recently adopted numeric nutrient standards and Non-degradation based load limits.

1.5.2 Current Regulatory Compliance of the Whitefish Wastewater Treatment Plant

The existing facilities cannot consistently meet the new standards for ammonia and will have difficulty in meeting the limits for total nitrogen as the system adds additional users. These limits are established to prevent toxicity in the river during low flow events and limit growth of undesirable algal plant species. In review of 6 years of monthly effluent data for 2010 through 2015, eighteen violations of the load limits in the current discharge permit for Total Nitrogen were noted. During the same period, several violations of the ammonia limit were shown for

each year, primarily when the lagoons were not nitrifying during colder weather conditions. Ammonia values for the period are only below the permit limit of 9.6 mg/l for a 1-2 month period typically during July and August. Additionally, a number of exceedances of the *E. Coli* bacteria limits were noted in the period of record considered.

The City of Whitefish is required by the DEQ, under an Administrative Order on Consent (AOC), to bring the wastewater treatment facilities into full compliance with the current discharge permit in accordance with an agreed upon Schedule of Compliance.

1.5.3 New Total Nitrogen and Total Phosphorous Treatment Standards

The current permit contains new limits for the nutrients Total Nitrogen (TN) and Total Phosphorous (TP) based on the numeric nutrient standards recently adopted by the DEQ. The numeric nutrient standards are very low in comparison to the removal capabilities of conventional treatment technologies and approach the treatment limits of current technology. While smaller wastewater treatment systems can address the limits by curtailing their discharge through the use of land application of treated effluent, larger systems generally cannot install land application systems in a cost-effective manner. The DEQ concluded that treatment of wastewater to base numeric nutrient standards would result in substantial and widespread economic impacts on a statewide basis and developed a procedure to grant a variance from the criteria. A permittee who meets the end-of-pipe treatment requirements provided in the table below may apply for and the Department shall approve a general nutrient standards variance. The Department will process the general variance request through the discharge permit, and include information on the period of the variance and the interim requirements. The general variance may be established for a period not to exceed 20 years. A compliance schedule to meet the treatment requirements as shown may be granted on a case-by-case basis. The DEQ anticipates a process that will "ratchet down" effluent standards via the variance process until the final water quality standards are met. The following schedule indicates the process contemplated by the DEQ to reduce nutrient concentrations in the discharge. The schedule for systems with flows greater than 1.0 MGD is applicable to Whitefish.

Facilities with Flow > 1 MGD:
A. Current general variance: 10 mg TN/L, 1.0 mg TP/L **-per statute**
B. Next permit (+5 years): 8 mg TN/L, 0.8 mg TP/L
C. Next permit: 8 mg TN/L, 0.5 mg TP/L
D. Next permit: *Under Development*

Facilities with Flow < 1 MGD:
A. Current general variance) 15 mg TN/L, 2.0 mg TP/L **-per statute**
B. Next permit (+5 years): 12 mg TN/L, 2.0 mg TP/L
C. Next permit: 10 mg TN/L, 1.0 mg TP/L
D. Next permit: 8 mg TN/L, 0.8 mg TP/L

If a low-cost technological innovation for lowering nitrogen and phosphorus concentrations in the treated effluent were to become widely available in the near future, the Department could make more stringent the concentrations shown in the Table above. Permittees receiving a

general variance are required to evaluate current facility operations in order to optimize nutrient reduction with existing infrastructure and shall analyze cost-effective methods of reducing nutrient loading including nutrient trading, land application and improved facilities operation.

Whitefish received a General Variance in their latest discharge permit for the discharge category being greater than 1.0 MGD, resulting in a Total P limit of 1.0 mg/l and a Total N limit of 10 mg/l. These limits were used to calculate allowable loads of Total Nitrogen and Total Phosphorous in the permit, effective July 1st through September 30th of each year.

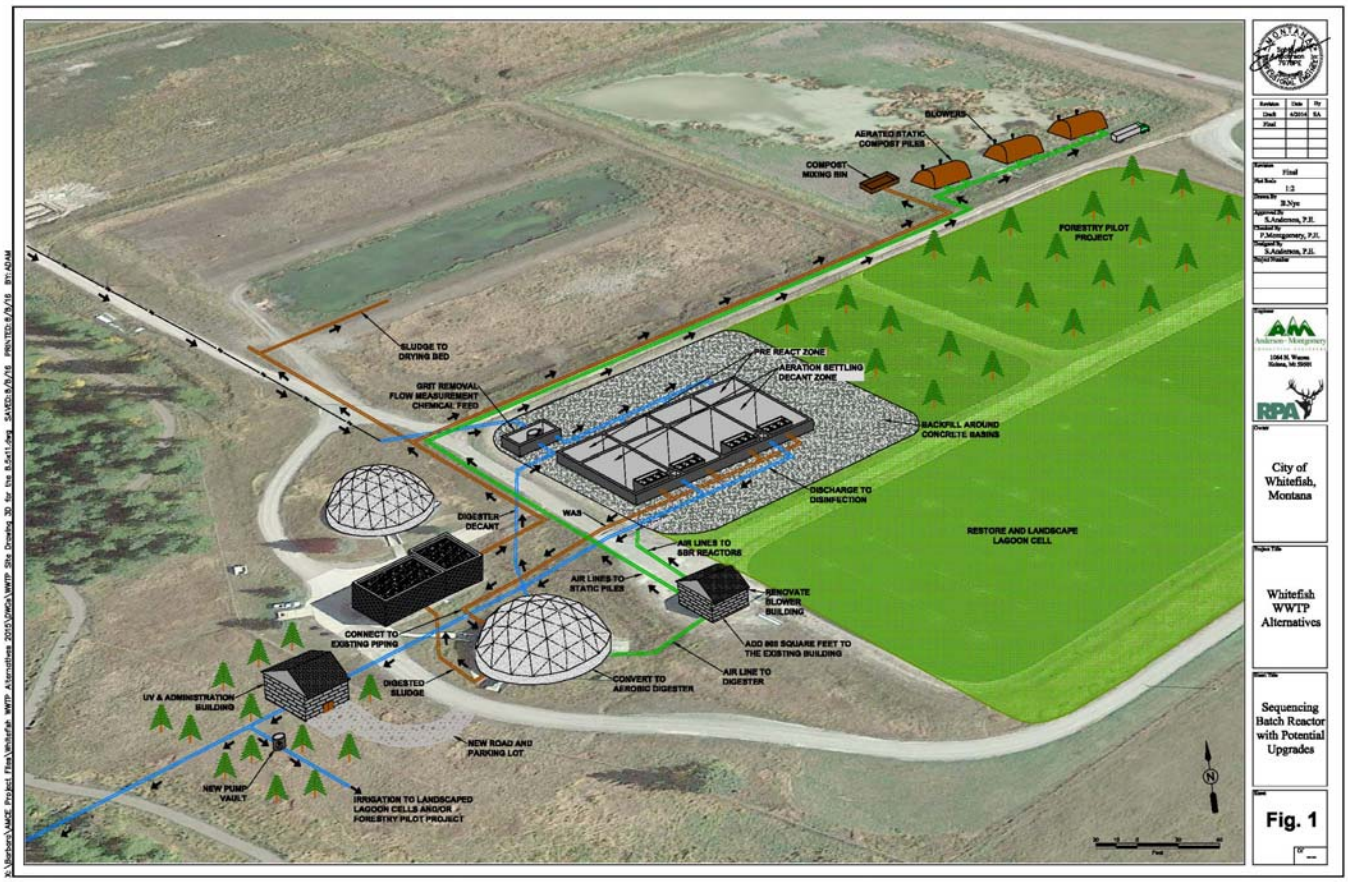
When developing wastewater treatment options for the future, it is important to consider systems that can be added to or expanded to meet more restrictive standards, if promulgated by the regulatory agency.

1.6 Recommendations for Wastewater Improvements

A systematic analysis of the existing wastewater treatment plant was completed in the planning document, considering waste loads from existing sources and anticipated loads for a 20 year planning period. In Chapter 4 of the PER, alternatives were evaluated to comply with existing and projected treatment standards. Advanced lagoon systems capable of nutrient removal and mechanical treatment plants were considered in detail. The “no action” alternative was reviewed and generally found to not be a viable approach. Alternatives to in-plant treatment processes were considered in Chapter 5 of the planning document.

1.6.1 Summary Recommendations for Wastewater Improvements

The recommended project includes replacement of the existing secondary treatment plant with a Sequencing Batch Reactor (SBR), which is a mechanical wastewater treatment plant capable of removing ammonia, nitrogen and phosphorous to fully comply with the requirements of the current MPDES discharge permit. Furthermore, the plant should be capable of meeting the anticipated more restrictive nutrient standards proposed by the DEQ in the next two discharge permit cycles (5 and 10 years hence). Pretreatment of the wastewater will be provided by the existing perforated screen plus grit removal capability added by a new unit process. A four cell sequencing batch reactor will be constructed within the third lagoon cell whereas the existing lagoon cells will be retained for treatment during construction. Use of 4 cells allows continuous discharge from the system, eliminating the need for a post treatment flow equalization basin. Disinfection of the treated effluent would be provided by ultraviolet disinfection. Biosolids, a byproduct of the SBR treatment process, will be discharged to an aerobic digester for further stabilization. The existing flocculating clarifier will be converted to a covered aerobic digester. After stabilization, the biosolids will be sent to the existing drying beds for further dewatering and long-term storage. Periodically the solids can be removed for disposal at the landfill or applied to farm lands. While not an immediate plan (or need), a small composting operation could be constructed on site within one of the old treatment cells utilizing biosolids and wood waste to generate compost.



The new plant will be designed with provisions to utilize treated wastewater for irrigation on the treatment plant site. The existing lagoon cells are scheduled to be cleaned out and restored for other possible use. Figure 1 above provides of conceptual schematic of how the new facilities will appear within the existing plant site.

The estimated 2019 costs for the project are $17,366,666 including costs for construction, engineering, administration and a 15% contingency. Annual costs for operating the entire facility are estimated to be $780,480, which roughly equates to a $440,000 cost increase over the current operational cost. Detailed cost estimates for this option are included in Appendix D of the PER.

1.6.2 Funding Strategy and User Costs

A project budget strategy has been prepared in Chapter 6 of the PER which anticipates grant funding from the TSEP and DRNC programs matched by a SRF loan, including forgiving principal of the loan in the amount of $500,000. An alternative or supplement to the SRF loan is being investigated utilizing a Rural Development Loan and Grant combination. If grants are obtained for the amounts listed, the average residential wastewater user rate will increase from the current rate to an estimated rate of $76 per month.

1.6.3 Affordability Analysis

According to the 2010 Census data, the City of Whitefish has a Median Household Income (MHI) of $ 43,117 with 40.98% considered "low to moderate" income, and a 17.3% poverty rate. Using the "Target Rate" concept used by the funding agencies, the current procedure would use a multiplier of 2.3% x MHI to determine what is considered to be a target combined water/sewer rate. For Whitefish, the combined water/sewer target rate for a typical household would be calculated as follows:

$43,117 x 0.023 ÷ 12 months = **$82.64/month**

Current average combined monthly water rates in Whitefish are $90.10, which is in excess of the target water/sewer rate. Estimated increase for the proposed project will equate to a $25 to $30/month per equivalent dwelling unit (EDU), depending on the loan term and grant amount. The projected water and sewer rate when the project is implemented is estimated to be $127.03, which would be 154% of the target water and sewer rate. This affordability analysis indicates that increased costs, even with grants and low interest loans, are high and will impose a financial burden on system users in the City.

1.7 Implementation Schedule

The following schedule provides an achievable timeline for implementation of the needed wastewater improvements, presuming that affordable project financing can be obtained. This schedule is required to be met as per a regulatory action (AOC) issued by the DEQ.

Task	Date of Completion
Complete Facilities Planning (PER)	Oct 1 2016
Submit Design Plans to DEQ	February 1 2018
Construction Completion	May 1 2021
Achieve Compliance	Nov 1 2021
Annual Progress Reports	January 2016-2021

1.8 Public Participation

A project meeting was held with the City staff to discuss the project on September 23, 2015. A Whitefish Council work session, with the inclusion of the public, was held November 16, 2015 to discuss the planning process and potential treatment options. A public hearing was held April 18, 2016 to further discuss the project and associated environmental impacts identified through the public review. A final decision regarding the environmental Assessment was made by the City Council on May 2, 2016. The City also participates with the Whitefish Community Wastewater Committee which discusses local wastewater issues pertaining primarily to Whitefish Lake. This discussion often incorporates comments regarding the City's wastewater treatment and collection system, system needs and regulatory requirements. Additional

meetings are planned regarding planning for the new treatment plant in the future to allow for additional public input.

Comments or questions on the planning process are welcome and can be directed to the City of Whitefish Public Works Department at 406-863-2460 or to Anderson-Montgomery Consulting Engineers at 406-449-3303 or to Scott@a-mce.com.

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CITY COUNCIL REGULAR MEETING AGENDA

The following is a summary of the items to come before the
City Council at its regular session to be held on Monday,
August 15, 2016, at **7:10 p.m.** at Interim City Hall, 1005 Baker Avenue.

Ordinance numbers start with 16-14. Resolution numbers start with 16-37.

1) CALL TO ORDER

2) PLEDGE OF ALLEGIANCE

3) 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 Mayor 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)

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

5) CONSENT AGENDA
   a) Minutes from August 1, 2016 Regular Meeting (p. 46)
   b) Ordinance No. 16-13; An Ordinance rezoning approximately 0.196 acres of land located at 1436 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting findings with respect to such rezone (Second Reading) (p. 60)
   c) Resolution No. 16-___; A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 0.39 acres of land known as Parcel C of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation (p. 63)

6) PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))
   a) Resolution No. 16-___; A Resolution amending the 2016 Fiscal Year annual budget to increase appropriations in four Funds of the City (p. 75)
   b) FY17 Budget, Tax Levy, and Assessments Public Hearing: (p. 80)
      i) Resolution No. 16 - ___; A Resolution accepting and approving the Municipal Budget for the City of Whitefish for the 2017 Fiscal Year Commencing July 1, 2016, in its final form (p. 84)

ii) Resolution No. 16 - ___; A Resolution (1) budgeting property tax revenue, (2) determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish, and (3) levying and assessing all special improvement assessments and other assessments on real estate within the Districts for the 2017 fiscal year (p. 206)

iii) Resolution No. 16 - ___; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Street Maintenance District to defray the costs of street improvements (p. 209)

iv) Resolution No. 16 - ___; A Resolution levying and assessing a tax upon all real estate in Special Improvement Lighting District No. 1 in the City of Whitefish, Montana, to defray the cost of improvements in said Special Improvement Lighting District (p. 211)

v) Resolution No. 16 - ___; A Resolution levying and assessing a tax upon all real estate in Special Improvement Lighting District No. 4 in the City of Whitefish, Montana, to defray the cost of improvements in said Special Improvement Lighting District (p. 213)

vi) Resolution No. 16 - ___; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Parkland and Greenway Maintenance District (p. 215)

vii) Resolution No. 16 - ___; A Resolution levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Stormwater Improvement and Maintenance District (p. 217)

viii) Resolution No. 16 - ___; A Resolution levying and assessing a tax on each lot or parcel of land lying within the boundaries of Special Improvement District No. 166 (JP Road) to defray the cost of creation of said District and of the improvements therein (p. 219)

ix) Resolution No. 16-___; A Resolution levying and assessing costs from certain properties within the City for the extermination and removal of noxious weeds pursuant to Title 4, Chapter 3, of the Whitefish City Code; and for the removal of ice, snow, slush or other impediments pursuant to Title 7, Chapter 2, of the Whitefish City Code (p. 233)

x) Resolution No. 16-___; A Resolution levying and assessing costs from certain properties within the City for the collection of utility service charges pursuant to Title 8, Chapter 1, of the Whitefish City Code (p. 236)

c) Ordinance No. 16-___; An Ordinance amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Conditional Uses in WB-2 Secondary Business District (First Reading) (p. 240)

7) COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR

a) Ordinance No. 16-____; An Ordinance repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners (First Reading) (p. 326)

8) COMMUNICATIONS FROM CITY MANAGER

a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 332)

b) Other items arising between August 10th and August 15th

c) Quarterly Financial Report – 4th Quarter and year end FY16 – Finance Director (p. 351)

9) COMMUNICATIONS FROM CITY ATTORNEY
   a) Ordinance No. 16-___; An Ordinance extending the Interim Ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a Planned Unit Development overlays more than one district (Emergency Ordinance – only 1 Reading) (p. 366)

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS
   a) Letter from Montana Board of Investments regarding Short Term Investment Pool annual confirmation of authorized City representatives (p. 373)

11) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority)

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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August 10, 2016

The Honorable Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and City Councilors:

Monday, August 15, 2016 City Council Agenda Report

There will be a work session at 5:00 p.m. for interviews for the Planning Board vacancy and for updates on the wastewater nutrient trading plan and the wastewater treatment plant improvements design. Food will be provided.

The regular Council meeting will begin at 7:10 p.m.

CONSENT AGENDA

a) Minutes from August 1, 2016 Regular Meeting (p. 46)
b) Ordinance No. 16-13; An Ordinance rezoning approximately 0.196 acres of land located at 1436 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting findings with respect to such rezone (Second Reading) (p. 60)
c) Resolution No. 16-___; A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 0.39 acres of land known as Parcel C of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation (p. 63)

RECOMMENDATION: Staff respectfully recommends the City Council approve the Consent Agenda.

Item a is an administrative matter, item b is a quasi-judicial matter, and item c is a legislative matter.

PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))

a) Resolution No. 16-___; A Resolution amending the 2016 Fiscal Year annual budget to increase appropriations in four Funds of the City (p. 75)

There are four budget amendments to the FY16 Budget which is the budget which ended June 30, 2016. Finance Director Dana Smith has a memo in the packet explaining the four budget amendments (increases). Only one of the four amendments is to increase appropriations for an over-expenditure in FY16 – for the Street Lighting District Fund because extra supplies were purchased in bulk. The large increase of $8,133,558.00 in the Water Fund is because we budgeted for the Haskill Basin Conservation Easement funding originally in the Resort Tax Fund, but the Bond Counsel said that it needed to be budgeted in the Water Fund because of the Water Fund's back-up pledge of security for the bond issue. The other two increases to appropriations were related to bond issues which legally don't have to be budgeted, but we do budget them anyway and the increases are to appropriate revenues that we didn't anticipate in the FY16 budget.

RECOMMENDATION: Staff respectfully recommends that the City Council, after considering testimony at the public hearing and the staff recommendation, adopt A Resolution amending the 2016 Fiscal Year annual budget to increase appropriations in four Funds of the City.

This item is a legislative matter.

b) FY17 Budget, Tax Levy, and Assessments Public Hearing: (p. 80)

There are ten resolutions to adopt relating to the FY17 Budget, the property tax levy, and various special assessments. All of the assessments also go on the property tax bills sent to property owners. The FY17 Budget has a **decrease** of 15 mills or 11.18% **decrease** in the property tax levy compared to last year because of the extra property tax relief provided for when the Resort Tax was increased from 2% to 3% last year. There is also a list of changes included in the packet before the budget document that shows all of the changes to the FY17 Budget which were made and reviewed by the City Council since the City Manager's proposed budget was released in early May.

i) Resolution No. 16 - ___; A Resolution accepting and approving the Municipal Budget for the City of Whitefish for the 2017 Fiscal Year Commencing July 1, 2016, in its final form (p. 84)
ii) Resolution No. 16 - ___; A Resolution (1) budgeting property tax revenue, (2) determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish, and (3) levying and assessing all special improvement assessments and other assessments on real estate within the Districts for the 2017 fiscal year (p. 206)

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x) Resolution No. 16-___; A Resolution levying and assessing costs from certain properties within the City for the collection of utility service charges pursuant to Title 8, Chapter 1, of the Whitefish City Code (p. 236)

RECOMMENDATION: Staff respectfully recommends that the City Council, after considering testimony at the public hearing and the staff recommendation, approve ten Resolutions relating to the FY17 Budget, the 2016 (FY17) property tax levy, and various special assessments.

These items are legislative matters.

c) Ordinance No. 16-___; An Ordinance amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Conditional Uses in WB-2 Secondary Business District (First Reading) (p. 240)

From Dave Taylor's memo of August dated August 15th:

At the meeting of August 1, the City Council postponed action on the proposed Zoning Text Amendment proposed by Justin Lawrence regarding Recreational Guides and Outfitters in the WB-2 Secondary Business District zone and asked staff to suggest language to consider the use as a Conditional Use rather than a Permitted Use. Those recommendations are contained in this report, as well as some additional considerations.

Recommendations

Based on the concerns heard, staff recommends the following language:

- Recreational Guides and Outfitters, limited to 5,000 square feet of gross floor area, no formula businesses, with no limitation on number of boats or similar equipment stored or displayed outside

  The 5,000 square foot area limit and formula business restriction should alleviate concerns with large chain outfitting companies potentially taking advantage. The removal of an outdoor display limitation is recommended because current Conditional Use Permit standards for Personal Services limit outdoor display to only one boat. Those standards were set as they are listed as a Conditional Use exclusively in the WR-3 and WR-4 multi-family residential zones. If Recreational Guides and Outfitters are added to the WB-2, those CUP standards would apply as is unless superseded. In the WB-2, where boat rentals and sales are permitted outright, such restrictions don't seem warranted.

  Alternately, if you choose to make Recreational Guides and Outfitters a permitted use in the WB-2 per the Planning Board's recommendation, then staff recommends the following language added under Permitted Uses:

- Recreational Guides and Outfitters, limited to 5,000 square feet of gross floor area, no formula businesses

  As a permitted use, the normal standards of the WB-2 apply, where there is no restriction on outside display other than potential setback requirements per the intent and language of the zoning district. This is staff's preferred alternative.

Additional Considerations

Concerns were heard about this opening up the WB-2 to all kinds of guiding and outfitting besides hunting and fishing, such as ATV or backcountry ski guides. If your wish is to just allow hunting and fishing guides and outfitters in the WB-2 (other types would be relegated to the downtown, Wisconsin, or the high density residential zones along the arterials), then you could modify the proposed definition of Recreational Guides and Outfitters thusly:

Recreational guides and outfitters – Business offering ~~trained and/or~~ State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of supplies and equipment related to the primary activity are allowed up to 30% of the gross floor area.

My understanding of the state law is that only fishing and hunting outfitters require state licensing. Other types such as rafting, biking, backcountry skiing, etc., do not.

Here are the Montana Code Annotated definitions:

MCA 37-47-101. Definitions.

(6) "Guide" means a person who is employed by or who has contracted independently with a licensed outfitter and who accompanies a participant during outdoor recreational activities that are directly related to activities for which the outfitter is licensed.

(9) "Outfitter" means any person, except a person providing services on real property that the person owns for the primary pursuit of bona fide agricultural interests, who for consideration provides any saddle or pack animal, facilities, camping equipment, vehicle, watercraft, or other conveyance, or personal service for any person to hunt, trap, capture, take, kill, or pursue any game, including fish, and who accompanies that person, either part or all of the way, on an expedition for any of these purposes or supervises a licensed guide or outfitter's assistant in accompanying that person.

(10) "Outfitter's assistant" means a person who is employed or retained by and directed by a licensed outfitter to perform the tasks of a guide, but the person may not represent to the public that the person is an outfitter or guide.

The 30% retail restriction was brought up as a concern. Other zones such as the WBSD restrict accessory retail to a percentage (49%). It is enforced at the time of a building permit or zoning compliance permit where the floor plan layouts are reviewed. All personal services are allowed to have an accessory retail component. General planning interpretations are that if a use is less than 50% of the gross floor area and it's secondary but related to the main advertised activity, it is an ancillary use.

The code defines accessory use as follows:

A subordinate use of a building, other structure or use of land:

A. *Which is clearly incidental to the primary use of the main building, other structure, or use of land; and*
B. *Which is used customarily in connection with the main building, other structure or use of land; and*
C. *Which is located on the same lot with the main building, other structure or use of land.*

So a hair salon personal service in a WR-3 zone could technically have up to 49% of their floor area devoted to hair and beauty products. Recreational Guides and Outfitters are treated similarly under the existing code. The 30% number was chosen as a reasonable number to limit the amount of retail floor even further to alleviate concerns regarding outfitters but maintaining some floor area that was still workable for a business. With 30% and a 5000 square foot maximum floor area, that would only be 1500 square feet of accessory retail maximum.

The code currently places Recreational Guides and Outfitters in the definition of Personal Services. The code has Conditional Use Permit criteria under "Personal Services" specific in the Special Provisions chapter (11-3-30). They are a conditional use in the WR-3 and WR-4 zones along major arterials, which includes Spokane, Wisconsin, 2nd Street West, and Central Avenue south of 5th.

11-3-30: PERSONAL SERVICES:

Conditional use criteria for personal services shall be as follows:
A. When specified as a conditional use, the criteria in section 11-7-8 of this title shall be applied; provided, however, if the use involves an existing structure, an administrative conditional use permit, as provided in subsection 11-7-8M of this title, shall be obtained. Such services with more than two (2) chairs or stations proposed for an existing structure are not eligible for an administrative permit process
B. The applicant shall meet the following design standards:
1. Total signage shall be as provided in chapter 5 of this title.
2. All parking shall be provided off street according to the sum of the uses on a particular property as follows:
a. Two (2) spaces per residential unit.
b. One space per employee per maximum shift, excluding resident family members.
c. One space for each client, customer or visitor who will be present or arriving during the period of daily activity with a minimum of two (2) spaces required per chair or station.
d. In no case shall required parking be less than that required in chapter 6 of this title under professional offices.
3. All landscaping and parking lot improvements, including asphalt/concrete work, shall be completed prior to occupancy; provided, however, should occupancy occur between November and April, the owner/applicant may delay landscaping and parking lot/driveway hard surfacing until the following May 15 to avoid inclement weather.
4. Any exterior modifications to the building shall be done in a mode architecturally compatible to and in scale with buildings in the adjacent residential neighborhood. Exterior modifications shall not exceed paint, siding, roofing and exterior refurbishment
C. With the exception of one such item, guides and outfitters cannot openly store equipment such as boats, bikes, rafts, and horse trailers.

There were concerns raised about a new definition of Recreational Guides and Outfitters possibly being in conflict with the existing definition of Personal Services. It is not a conflict to have a more detailed definition, as the code would break out Recreational Guides and Outfitters separately in certain zoning districts anyway, much like hair salons.

PERSONAL SERVICES: A use that provides a service to an individual customer designed to accommodate a specialized need, provide a convenience, or cater to a particular lifestyle. Such services shall be those types that require mechanical skill or manual dexterity, as differentiated from mental disciplines generally requiring licensing or certification such as those listed under professional services (see definition of Professional Services). Examples of personal services would include, but are not limited to: delivery and pick up, catering, event planning, recreational guiding and outfitting, personal training, tattoo, and personal spa and grooming services such as manicure, facial, hairstylists, and makeup consulting. Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon.

Removing Recreational Guides and Outfitters from the definition of Personal Services would have a couple of unforeseen consequences. First, in the Personal Services development standards, section 11-3-30-C that references storage limitations would need to be removed. The second consequence is that Recreational Guides and Outfitters would no longer be allowed in the WR-3 and WR-4 zones without specifically referencing them as permitted or conditional uses in those zones. This is due to it not being in any other definitions, and it being listed as a specific use in the WB-2. The WB-1 and WB-3 zones would still allow them, as they would fall under the very general "retail sales and services". Note that the WB-1 does not allow outside display so it is unlikely an outfitter would want to locate there. One other consideration is that if outfitters are removed from the personal services definition, it could be successfully argued that fishing and hunting guides and outfitters are a "professional services" rather than a "personal services", since fishing and hunting guides are licensed by the state. That use could then potentially be a "use by right" in the WB-2 as professional services are a permitted use. Note that massage therapists were removed from personal services and put in professional services a few years back because they successfully argued they are now state licensed, and the Council agreed to modify the code to reflect that.

Here's the professional services definition:

PROFESSIONAL SERVICES: Conduct of a service business which is commonly identified as a profession and which may be licensed by the state. Such services include engineers, architects, planners, surveyors, designers, lawyers, accountants, real estate brokers, insurance agents, dentists, physical therapists, massage therapists, chiropractors, or physicians. Additionally, accounting, journalism, research, editing, administration or analysis; the conduct of a business by salespersons, sales representatives or manufacturer's representatives, or the conduct

of business by professionals is included. Professional services do not include veterinarians, showrooms, manufacturing, repair, testing, retail sales, the storage, sale or delivery of goods located on the premises, or other occupations requiring physical skill such as those found under personal services (see definition of Personal Services).

It should also be noted that nowhere in the 2011 WB-2 Stakeholder Agreement did it say that there would be no future text amendments or uses added to the WB-2 until a corridor plan was complete. The agreement noted that a corridor plan should be done as soon as possible to address land use and appropriate commercial activity since there were obviously some issues with non-conforming uses. It should be noted that long range plans rarely look in detail at specific uses, but are much more general and big picture in scope.

The council should note that 90 days from the date of the application is September 20th.

RECOMMENDATION: Staff respectfully recommends that the City Council, after considering testimony at the public hearing and the recommendations from the Planning Board and staff, adopt Ordinance No. 16-___; An Ordinance amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Conditional Uses in WB-2 Secondary Business District (First Reading) (unless you want it to be put as a Permitted Use with additional language).

This item is a legislative matter.

COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR

a) Ordinance No. 16-____; An Ordinance repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners (First Reading) (p. 326)

From Parks and Recreation Director Maria Butts' staff report:

On November 17, 2014, Whitefish City Council adopted Ordinance 14-13, adopting WAG as a subcommittee of the Park Board of Commissioners. As WAG has continued to serve the community through their volunteer efforts and improvements of the Hugh Rogers WAG Park, they have functioned well and been very effective in meeting their goals as a fifteen member board. However, the City Charter requires that they limit their subcommittee to nine members. In September of 2015, WAG representatives requested the Park Board of Commissioners allow WAG to continue as a fifteen member board or to relinquish WAG as a subcommittee and instead enter into an MOU with the WAG Board to allow them to continue to volunteer in the dog park in the same capacity as they have in the past, while still providing them with liability coverage. After some discussion, the Park Board determined they would support entering into an MOU with WAG as an individual entity.

I worked with the Whitefish Animal Group (WAG) and Angela Jacobs to write an MOU between the City and WAG to address their concerns of being a sub-committee of the Park Board, as they do not want to limit their representation to nine members as required by the City Charter. The MOU will allow WAG to have as many members on its board as it wants but still be covered by the City's insurance. Included in your packet is the MOU both parties have agreed to. Angela has spoken with MMIA regarding the MOU and was informed that the individual members of WAG would be covered under the City's insurance as volunteers and that MMIA would be willing to add WAG (the entity) as an additional covered party. On July 12th, the Park Board of Commissioners approved the MOU between the City and WAG and unanimously recommended the City Council relinquish WAG as a subcommittee of the Park Board.

RECOMMENDATION: Staff respectfully recommends the City Council adopt Ordinance No. 16-____; An Ordinance repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners (First Reading)

COMMUNICATIONS FROM CITY MANAGER

a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 332)
b) Other items arising between August 10th and August 15th
c) Quarterly Financial Report – 4th Quarter and year end FY16 – Finance Director (p. 351)

Finance Director Dana Smith has a comprehensive, end of the year, fourth quarter financial report in the packet. Cash balances for the end of the year came in higher than originally expected, but some were still down from last year as expected. Department Directors generally did a very good job of controlling spending and none of them overspent their total departmental budgets. Revenues in many areas were higher than expected, especially in planning and building related revenues, impact fees, and water and wastewater charges. This item is for information only and does not need a motion.

COMMUNICATIONS FROM CITY ATTORNEY

a) Ordinance No. 16-___; An Ordinance extending the Interim Ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a Planned Unit Development overlays more than one district (Emergency Ordinance – only 1 Reading) (p. 366)

From City Attorney Angela Jacobs staff report:

In response to questions that arose regarding the Planned Unit Development ("PUD") Chapter of the Whitefish City Code, Planning Staff initiated an effort early last year to amend the Code to clarify the maximum residential density that is permitted when a PUD overlays more than one underlying zoning district. As the result of Planning Staffs effort, the Whitefish Planning Board held a work session and then directed Staff to address the confusion regarding residential density averaging and to look into revising the entire PUD Chapter.

At the direction of the Planning Board, Planning Staff prepared a revised report which was presented to the Board at a public hearing on January 21, 2016. The Planning Board recommended the City Council deny the proposed text amendments to the City Code, direct Planning Staff to revise the PUD Chapter, and place a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district.

On February 1, 2016, the City Council, after receiving a report from Planning Staff and public input, directed Legal Staff to prepare an interim ordinance imposing a moratorium on the averaging of residential density across underlying zoning districts when a PUD overlays more than one district. On February 16, 2016, the City Council held a public hearing and thereafter adopted the interim ordinance drafted by Legal Staff. After adopting the interim ordinance, the City Council appointed a Planned Unit Development Re-write Steering Committee to re-write, as needed, the PUD Chapter.

Section 76-2-306, MCA, provides an interim ordinance expires six months from the date of its adoption. Accordingly, the interim ordinance imposing a moratorium on the averaging of residential density across underlying zoning districts when a PUD overlays more than one district will expire on August 16, 2016. After proper legal notice and a public hearing, the City Council may, by a two-thirds vote, extend the interim ordinance for one year. *See* Mont. Code Ann. § 76-2-306(3). The Planned Unit Development Re-write Steering Committee is currently working to re-write, as needed, the PUD Chapter of the City Code. If the Council wishes to keep the moratorium in place while the Committee continues its work, it should extend the interim ordinance.

RECOMMENDATION: Staff respectfully recommends that, if the City Council wishes to keep the PUD moratorium in place, it adopt Ordinance No. 16-___; An Ordinance extending the Interim Ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a Planned Unit Development overlays more than one district (Emergency Ordinance – only 1 Reading).

This item is a legislative matter.

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

a) Letter from Montana Board of Investments regarding Short Term Investment Pool annual confirmation of authorized City representatives (p. 373)

ADJOURNMENT

Chuck

Sincerely,
Chuck Stearns, City Manager

Table 1: Common Motions Used in a Meeting.[1]

	Wording	Interrupt another speaker	Requires a second	Debatable	Amendable	Vote Required	Reconsider
Privileged Motions							
Fix time for next meeting (12)	"I move that we meet next at..."	No	Yes	No	Yes	Majority	Yes
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority	No
Take a recess (12)	"I move that we recess. . ."	No	Yes	No	Yes	Majority	No
Raise a question of privilege	"I rise to a question of privilege affecting the assembly"	Yes	No	No	No	(1)	No
Call for the orders of the day	"I call for the orders of the day"	Yes	No	No	No	(1) (15)*	No
Subsidiary Motions							
Lay on the table	"I move to lay the question on the table" or "I move that the motion be laid on the table"	No	Yes	No	No	Majority	(3)*
Previous question (to close debate)	"I move the previous question" or "I move we vote immediately on the motion"	No	Yes	No	No	2/3 of assembly	Yes
Limit-extend debate (12)	"I move the debate be limited to. . ." or "I move that the speaker's time be extended by. .	No	Yes	No	Yes	2/3 of assembly	Yes
Postpone to a definite time (12)	"I move that the question be postponed until. . ."	No	Yes	Yes	Yes	Majority	Yes
Refer to a committee (12)	"I move to refer the matter to the . . . committee"	No	Yes	Yes	Yes	Majority	Yes
Amendment to the main motion (12)	"I move to amend by adding/striking the words. . ."	No	Yes	(5)	Yes	Majority	Yes
Postpone indefinitely (12)	"I move that the motion be postponed	No	Yes	Yes (16)	No	Majority	(4)
Main Motions							
Main Motion	"I move that we..."	No	Yes	Yes	Yes	Majority	Yes
Incidental Motions (11)							
Suspension of rules	"I move to suspend the rules so that. . ."	No	Yes	No	No	(9)*	No
Request to withdraw a motion (13)	"I move that I be allowed to withdraw the motion"	*	*	No	No	Majority*	(3)
Objection to the consideration of a question (10)	"I object to the consideration of the question"	Yes	No	No	No	2/3 of assembly (17)	(3)
Point of order	"I rise to a point of order" or "Point of order!"	Yes	No	No	No	(1)*	No
Parliamentary inquiry	"I rise to a parliamentary inquiry" or "A parliamentary inquiry, please"	Yes	No	No	No	(1)	No
Appeal to the chairperson	"I appeal from the decision of the chair"	Yes	Yes	Yes*	No	(7)	Yes

	Wording	Interrupt another speaker	Requires a second	Debatable	Amendable	Vote Required	Reconsider
Point of information	"I rise to a point of information" or "A point of information, please"	Yes	No	No	No	(1)	No
Division of assembly	"Division!" or "I call for a division"	Yes	No	No	No	(14)	No
Division of a question	"I move to divide the motion so that the question of purchasing ... can be considered separately."	No	Yes	No	Yes	Majority	No
Renewal Motions (8)							
Reconsider* (2)	"I move to reconsider the vote on the motion relating to. . ."	No*	Yes	(5) (16)	No	Majority	No
Take from table	"I move to take from the table the motion relating to. .	No	Yes	No	No	Majority	No
Rescind	"I move to rescind the motion passed at the last meeting relating to. . ."	No	Yes	Yes (16)	Yes	(6)	(3)
Discharge a committee	"I move that the committee considering . . . be discharged."	No	Yes	Yes (16)*	Yes	(6)	(3)

[1] Source: Robert, H. 2000. *Robert's Rules of Order* (Newly Revised, 10th Edition) New York: Perseus Books Group; Sturgis, A. 2000. *The Standard Code of Parliamentary Procedure* (4th Edition). New York: McGraw-Hill.

**** Refer to Robert's Rules of Order Newly Revised***

(1) The chair decides. Normally no vote is taken.

(2) Only made by a member who voted on the prevailing side and is subject to times limits.

(3) Only the negative vote may be reconsidered.

(4) Only the affirmative vote may be reconsidered.

(5) Debatable when applied to a debatable motion.

(6) Majority with notice, or 2/3 without notice or majority of entire membership.

(7) Majority or tie vote sustains the chair.

(8) None of these motions (except Reconsider) are in order when business is pending.

(9) Rules of order, 2/3 vote—Standing rules, majority vote.

(10) Must be proposed before debate has begun or a subsidiary motion is stated by the chair (applied to original main motions).

(11) The Incidental Motions have no precedence (rank). They are in order when the need arises.

(12) A Main Motion if made when no business is pending.

(13) The maker of a motion may withdraw it without permission of the assembly before the motion is stated by the chair.

(14) The chair can complete a Division of the Assembly (standing vote) without permission of the assembly and any member can demand it.

(15) Upon a call by a single member, the Orders of the Day must be enforced.

(16) Has full debate. May go into the merits of the question which is the subject of the proposed action.

(17) A 2/3 vote in negative needed to prevent consideration of main motion.

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WHITEFISH CITY COUNCIL
August 1, 2016
7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Hildner, Feury, Frandsen, Sweeney, and Williams. Councilor Barberis was absent. City Staff present were City Manager Stearns, City Clerk Howke, City Attorney Jacobs, Finance Director Smith, Planning and Building Director Taylor, Public Works Director Workman, Parks and Recreation Director Butts, Police Chief Dial, Fire Chief Page, Senior Planner Compton-Ring, and Planner II Minnich. Approximately 40 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Brian Murphy to lead the audience in the Pledge of Allegiance.

3) PRESENTATIONS – City Hall/Parking Structure construction update – Owner's Representative Mike Cronquist (p. 27)

Mike Cronquist, Owner's Representative gave his report that is provided in the packet on the website. Over 95% of the steel is complete, and should be complete this week. The two pours of the second deck are complete, the third pour is scheduled for Wednesday morning. The first placement of concrete for the Parking Structure slab on grade will be poured Wednesday morning. The alley is problematic, access to the structure becomes tighter and tighter, there will be periods the alley will need to be restricted. The closures may be daytime only and they will try to limit that. Martel and Mike has gone around to the merchants to get delivery schedules, and Martel will schedule work between deliveries. Relations continue to be positive.

Councilor Frandsen said she has had some members of the public comment to her about contractors parking very close to the job site instead of at the snow lot. Mike said he has addressed that with the site manager, right now there are 50 hands on site, parking is an issue and he is going to continue to work on finding more remote parking. There are some vehicles with necessity that need to be near the job site, such as the electrical contractor, fire protection contractor, and the plumbing contractor. Mayor Muhlfeld said a committee member of the steering committee would like to have a tour of the facility, Manager Stearns said he will be setting a tour date for Department Directors and also the Steering Committee.

4) 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 Mayor 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)

Gary Stepehens, 1470 Barkley Lane, had two issues to discuss with the Council. The first issue is in regards to the parking behind his store, The Toggery. Last month because of the City Hall Parking Structure construction they were cut off from parking, he had a parking ticket for parking in the street, and talked to the Judge and was dismissed because of the hardship. He feels The Toggery should be given two permits, because, two hours is the parking limit in town. If the alley is closed for any amount of time, he needs to have a place to park on the street temporarily, he

won't do it to impede customers, but he comes and goes, and he needs the convenience to get to the store. The delays will take longer than two hours, even though they try to coordinate, there has been a lot of disruption with the shipping too, and they are coming in to their fall shipping period and it is going to be heavy, and a lot is freight traffic. The second issue is with North Valley Refuse (NVR). They are almost like an independent contractor, and they are providing a service to those of us in Whitefish. In his private home, he hauls his own garbage, and NVR tells him he has to pay the same fee as his neighbor who is having his garbage hauled. He feels he should not have to pay for a service he is not receiving. The Toggery has two water services, and talked to NVR and said they only want one container, they said they couldn't do that. The Toggery doesn't need more than one container.

Mike Jensen, 919 Dakota Avenue, said he knows the City can perform services such as grass and weed cutting and bill the land owner. There is a situation out on West Second Street, that involves a property next door to his leased building. The building has been all but abandoned, nothing has been done this whole year, and the weeds are higher than his six-foot fence he installed last year. He would like to see the City follow up on either notifying the landowner or taking care of those weeds. He also wanted to bring it to the Council and the public's attention that he feels like they have been a bit abandoned by the City with regards to the refuse disposal. NVR refuses to assign billing to the renter. He thinks that is a big problem. This is still supposed to be a city function, leased it out to the point where it is out of the city's hands.

5) COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Hildner reported that with the Bike Ped Master Plan update, August 15, 2016 there will be an update of the Bike Ped Master Plan status at 8:30 a.m. at 1005 Baker Avenue, open to the public but mostly for the committee. Then on September 7th at 6:30 p.m. there will be a public meeting at 1005 Baker Avenue, on the Bike Ped Master Plan update. If you want current updates check the website and Facebook. The Skypark Bridge paving and landscaping are generally done.

6) CONSENT AGENDA

a) Minutes from July 18, 2016 Special Meeting (p. 34)
b) Minutes from July 18, 2016 Regular Meeting (p. 35)
c) Confirmation of Police Officer Hunter Boll (p. 44)
d) Resolution No. 16-34; A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 4.14 acres of land known as Parcels A, B and C of Certificate of Survey No. 20226, and Parcels A, B and D of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation (p. 46)

RESOLUTION NO. 16-34

A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 4.14 acres of land known as Parcels A, B and C of Certificate of Survey No. 20226, and Parcels A, B and D of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31

North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation.

WHEREAS, Robert W. Pero Revocable Trust, and Janen M. Pero, have filed a Petition for Annexation with the City Clerk requesting annexation and waiving any right of protest to annexation as the sole owners of real property representing 50% or more of the total area to be annexed. Therefore, the City Council will consider this petition for annexation pursuant to the statutory Annexation by Petition method set forth in Title 7, Chapter 2, Part 46, Montana Code Annotated; and

WHEREAS, services to the annexed area will be provided according to the City of Whitefish Extension of Services Plan, adopted by the City Council by Resolution No. 09-04 on March 2, 2009, as required by and in conformity with §§ 7-2-4610 and 7-2-4732, MCA, available at the Office of the City Clerk; and

WHEREAS, it is the considered and reasoned judgment of the City Council of the City of Whitefish that the City is able to provide municipal services to the area proposed for annexation. Further, it is hereby determined by the Whitefish City Council to be in the best interest of the City of Whitefish, and the inhabitants thereof, as well as the current and future inhabitants of the area to be annexed described herein, that the area be annexed into the City of Whitefish and it is hereby declared to be the intent of the City of Whitefish that the corporate boundaries of the City of Whitefish be extended to include the boundaries of the area described in the Petition for Annexation within the limits of the City of Whitefish.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The corporate boundaries of the City of Whitefish are hereby extended to annex the boundaries of the area herein described in the Petition for Annexation, according to the map or plat thereof, on file and of record in the Office of the Clerk and Recorder of Flathead County, Montana, legally described as:

> Parcels A, B and C of Certificate of Survey No. 20226, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana.
>
> and
>
> Parcels A, B and D of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana.

Section 2: The minutes of the City Council of the City of Whitefish, Montana, incorporate this Resolution.

Section 3: The City Clerk is hereby instructed to certify a copy of this Resolution so entered upon the August 1, 2016 Minutes of the City Council. Further that this document shall be filed with the office of the Clerk and Recorder of Flathead County. Pursuant to § 7-2-4607, MCA,

this annexation shall be deemed complete effective from and after the date of the filing of said document with the Flathead County Clerk and Recorder.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 1ST DAY OF AUGUST, 2016.

S/S John Muhlfeld, Mayor

ATTEST:

S/S Michelle Howke, City Clerk

e) **Consideration of approving an application from Kerri K LLC for a final subdivision plat approval of the Kerri K subdivision at 315 West 2nd Street, a two lot subdivision between West 2nd Street and West 3rd Street (p. 64)**
f) **Consideration of an application from Eric Mulcahy on behalf of Haugen Heights, LLC for a two-year extension of the Tamarack Ridge subdivision preliminary plat (p. 98)**

Councilor Feury made a motion, second by Councilor Sweeney to approve the Consent Agenda as presented. The motion passed unanimously.

7) **PUBLIC HEARINGS** **(Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30-minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))**
a) **Consideration an application from the Whitefish School District for a Conditional Use Permit for a greenhouse with classrooms at the Whitefish High School located at 1143 East 4th Street, subject to ten (10) conditions (WCUP 16-06) (p. 108) (CD1 19:40)**

Senior Planner Compton-Ring gave her staff report that is included in the packet on the website.

Mayor Muhlfeld opened the Public Hearing.

Heather Davis Schmidt, Superintendent of Whitefish School District said this is something she is very excited and passionate about because of the instructional program related to this. This is an experiential learning center for the students to learn about and apply aspects of energy, agriculture, natural resources and entrepreneurial ship.

Shawn Watts, Chairman of the School District Board of Trustees, is also a member of the core team that has been meeting almost weekly for a better part of a year as they have been working their way through the design process. The board as a whole has received regular updates and are very supportive of the project to date.

Scott Elden, Montana Creative, said on page 117 of the packet is a great summary explaining the Conditional Use Permit is for the secondary use request. The project has many origins and one of the most notable was the students who rallied around a fundraising effort and really kick started the whole program.

There being no further Public Comment, the Mayor closed the Public Hearing and turned it over to Council for their consideration.

Councilor Frandsen made a motion, second by Councilor Sweeney to approve a Conditional Use Permit (WCUP 16-06) for a greenhouse with classrooms at the Whitefish High School located at 1143 East 4th Street, subject to ten (10) conditions and the Finding of Fact in the staff report.

Councilor Hildner asked the applicant how they plan to sustain beyond the enthusiasm amongst the student body and the faculty. Super Intendent Davis-Schmidt said that is an important question that they have looked at closely over the last year as this project has grown, but also starting a few years ago when the students have become very energetic and began the grass roots program to raise money. This program is expanded beyond high school and is a K12 program. As part of that they have developed a phase in plan to the school district general fund budget for the ongoing full time maintenance of the program and the facility. That is including 1.5 staff members. Councilor Hildner also asked if they have looked forward to even decommissioning if necessary, the greenhouse, the gardens and the orchards. Super Intendent Davis-Schmidt said they have not because they have indicated this is something they value and they will imbed within the general fund budget. Councilor Hildner asked if the glow from the greenhouse is dark skies compliant, and Scott Elden said the greenhouse will operate on solar energy, presently there is a small level of greenhouse lighting plan. The sustainable idea of the project is not only going from the growing cycle but the heating and cooling cycle. Late night winter glow from electric lights is minimized and are required to be dark sky compliant.

The motion passed unanimously.

b) **Ordinance No. 16-13; An Ordinance rezoning approximately 0.196 acres of land located at 1436 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting findings with respect to such rezone (First Reading) (WZC 16-05) (p. 153) (CD1 34:00)**

Planner II Minnich gave her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

Councilor Feury made a motion, second by Councilor Sweeney to approve Ordinance No. 16-13; An Ordinance rezoning approximately 0.196 acres of land located at 1436 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting findings, staff report WZC 16-05 and public comment with respect to such rezone. The motion passed unanimously.

c) **Resolution No. 16-35; A Resolution to establish an increase in the public usage fee schedule and the establishment of new commercial licensing boat launch permit fee**

and special event support fee schedules for the public's use of City parks, facilities and grounds (p. 178) (CD1 36:40)

Parks and Recreation Director Butts gave her staff report that was provided in the packet on the website. Mayor Muhlfeld noted on page 185 of the packet, the daily boat launch fees of $5 per boat launched at City Beach, has not been increased since 2010. Related to City Beach since that time the City has incurred substantial costs related to the Aquatic Invasive Species Program (AIS) and from his perspective, those costs will continue to increase as AIS become more complicated and difficult to manage. He would like the Council to consider an increase to the daily boat launch fee, and a portion of that increase to be dedicated for the AIS program. Director Butts said they did originally consider increasing it to $6 or $7 but the reason they kept it at $5 is because it is easy to hand over a $5 bill. She agrees with Mayor Muhlfeld we are seeing the impact with the AIS program. Mayor Muhlfeld asked if there would be a way to track that increase in the daily fee and commit it specifically to the AIS program. Director Smith said that could be allocated to what the Council directs Staff. Manager Stearns said they could easily move the expenditure out of the water fund into Parks and Recreation and they would have the revenue at the time to help support those. It would depend whether talking this year or investigate it for the future. Mayor Muhlfeld said this has not been assessed since 2002 and right now City tax payers are the only ones paying for AIS, and probably 30-40% of the boat launches that occur from Whitefish Lake is non-resident users who should contribute equally to that program.

Councilor Frandsen said she would support that but feels it is a separate issue than what we are looking at tonight. She would like both the Park Board and the public have a better opportunity to review that. Councilor Sweeney also agreed it needs to be looked at and it is important for us to do.

Mayor Muhlfeld opened the Public Hearing. There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

Councilor Hildner made a motion, second by Councilor Frandsen to approve Resolution 16-35, A Resolution to establish an increase in the public usage fee schedule and the establishment of new commercial licensing boat launch permit fee and special event support fee schedules for the public's use of City parks, facilities and grounds. Councilor Hildner asked Director Butts to come back to the Council with some rational for increasing the daily boat launch fee and take a look at AIS. **The motion passed unanimously.**

d) Ordinance No. 16-13; An Ordinance amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Permitted Uses in WB-2 Secondary Business District (First Reading) (WZTA 16-02) (p. 197) (CD1 45:32)

Director Taylor gave his staff report that is provided in the packet on the website. He addressed some of the concerns that were placed on the Council's desk that were appended to the packet on the website. Director Taylor stated that long range plans don't go into the specifics of uses, they look at broader considerations, commercial versus high density residential. He would rather save the implementation of the plan for the zoning document which goes into the specifics of the types of uses. Typically, they have a procedure where anybody can petition the planning board for

recommendation on additional uses if they are not in the code. A corridor plan for Highway 93 South is several years out. The classic definition of spot zoning is "the process of singling out a small parcel of land for a use classification totally different from that of a surrounding area for the benefit of owner of such property and to the detriment of other owners." This is an application to amend the zoning code in general and add a use to an entire district rather than rezoning a specific parcel of land. As far as the stakeholder agreement of 2011, WB-2 zoning text amendment, that process was a considerable process that a lot of people were involved with. The purpose of the committee was to address the nonconforming uses that had cropped up in that district. It didn't specifically look at future uses that might or might not be appropriate there. It was there mostly to legitimize existing uses, and never meant to set in stone uses that are occurring in that district. If this text amendment were to be approved, the applicant would be required to get a zoning compliance permit for any new location, at that time they would look at sign permit, available parking, landscaping requirement, etc. Currently within the zoning code there is conditional use requirements for personal services, that are specific to the WR-3 and WR-4 residential zones. One of the things it talks about is guides and outfitters being limited to one boat for display. That certainly is appropriate where it is in a residential zone, if this was a conditional use in the WB-2 we might look at expanding that since boat sales aren't an allowed use and you wouldn't want to restrict them for their outdoor display. Director Taylor read over the findings of fact that are provided on page 221-223 of the packet on the website.

Councilor Frandsen asked and Director Taylor said the application was signed and received on June 20, 2016. She also asked how the 30% threshold was calculated, and Director Taylor said it is based on what his particular needs are. Since retail use in the WB-2 is a concern, the WB-3 zone is designed to protect the retail interest of downtown. It was important to add a restriction on the amount of retail, and base that generally on the floor area of the main building. She also asked and Director Taylor said the state focusses on hunting and fishing guides and outfitters. We are a resort community with other types of guides, such as guided mountain biking, guided snowmobiling, back country skiing. She asked how the usage within the building is enforced and Director Taylor said a zoning compliance permit is required, at that time Planning will look at the lay out, floor plan and measure the percentages.

Councilor Feury asked City Attorney Jacobs, since 99% of the testimony is going to be for a specific piece of property, and a specific business that will specifically benefit from this decision; if we were to decide in the affirmative is that a defensible position that it is not a spot zone? Attorney Jacobs said she believes it is; since text amendments are petitioned. It applies unilaterally, everybody will have the opportunity if they want to have this type of business. It is not just benefiting one property owner in particular.

Councilor Hildner asked and Director Taylor said the WB-2 has specific zoning requirement based on the types of business it is, and the code outlines the number of parking spaces required based on the location. Councilor Sweeney said the parking requirements is dependent on the square foot of the foot print of the building. Taylor said that retail or personal services is one space for 300 square feet of gross floor area. Councilor Williams asked and Director Taylor said the outdoor space would not be calculated in the retail space. Hildner clarified only 30% of the floor space can be used for retail sales.

The Mayor opened the Public Hearing.

Justin Lawrence, 334 Central Avenue, Lakestream Fly Shop is the applicant. He is requesting the text amendment for the need to park and display boats, raft and trailers and currently there is no accommodation in any zone for a guide and outfitting business to exist in this town. The downtown Central Avenue business district has grown to the point where there is no room for these types of businesses to live or grow. The WB-2 is a great fit for these businesses because of the need for parking, large display and proximity to arterial streets and highways. Lakestream is an outfitting based fly shop and a 30-year business in Whitefish. The business model has changed dramatically from a Mom and Pop retail shop it once was. They are one of the largest fly fishing outfitters in the State of Montana and the largest in Northwest Montana. The retail component is fed by the outside world, that professionally licensed guides and independent outfitters have created. True retail is 25% of Lakestream's business, the rest is created by development of relationships garnered throughout the outfitter world. Lakestream supports 27 independent contracted guides and 7 shop employees and their families. It brings 2200 people to the town per year to fish with the guides. These customers stay in our hotels and rentals, eat in our restaurants and bars and spend their dollars in our shops. To not allow a business like this to exist and grow in our town because of an oversight in zone would affect all of us that do business in the town. It would be a great loss for our mountain town and community.

Turner Askew-3 Ridgecrest Court, was on the study committee for the South Whitefish zoning. He has watched Lakestream teach fly fishing in the middle of Central Avenue. Is that the right place for them?

Mike Jensen, 919 Dakota Avenue, said this is prompted by the current need for a place to allow outfitters and guides to operate in our community. Justin added the component of guided and outfitting into the business. It is necessary now tonight to define a place for this type of business to operate and succeed in our community. It was stated in the Planning Board meeting that nothing should happen until the stakeholder's agreement of a corridor study is completed. That may be years. The reason text amendment language exist in our zoning documents is to accommodate oversights and changes that need to be dealt with. This is one of them. This is to allow a service business in our community to actually stay in our community.

Rick Adams, 550 Stovepipe Road, is the owner of Flathead Fish and Seafood Company. He supports the fly shop and he thinks it is a great thing for Whitefish. Professional guides need to have licenses throughout the state. The fly shops need guided trips to survive. As he takes people down the river he talks about the beautiful area, his seafood company, and promotes Whitefish. Lakestream would be a great entrance business to the beginning of the heart of downtown of Whitefish.

Larry LaRoque, 365 Tamarack Creek Road, works at Lakestream Fly Shop. He moved to Whitefish 13 years ago and started working at Lakestream. They call 27 guides every day. A typical day is employees and guides scrambling to get out numerous boats while take up parking spaces. Tonight one of their guides was double parked in the middle of the road, this is typical of what they are doing. He encourages the council to approve the text amendment.

Drayton Osteen, 244 Cattail Drive, started guiding about 8 years ago. He said this is not only helping one business. There are 27 guides independently contracted with Lakestream, and 27 businesses and families are being supported by Lakestream Fly Shop.

Jessica Owen, 451 Woodland Place, supports the text amendment for Lakestream and other businesses who would like to offer guiding and outfitting services. She works downtown and also for the Historical Society, the motto in the 1950's was "year around playground". She urges the Council and the community to support businesses that offer a range of diverse and interesting activities and increase our tourism value.

Lisa Jones, 314 Blanchard Hollow Road, makes her living in outdoor recreation in conservation and tourism fields. She knows how important this field is to the community and to the economic health of the community. She promotes tourism and the target visitor is someone who is high quality low impact, so they like them to go out with guides and be with somebody that knows the rules and know which fish to throw back and know which native plants not to step on. Guiding and outfitters is a huge part of that whole picture. Anything we can do to help our businesses, within Whitefish that are providing that service is helping our entire community and economic health. She supports the text amendment.

Mayre Flowers, Citizen for a Better Flathead, 35 4th Street West, Kalispell, submitted comments that are included in the packet on the website. The building at 669 Spokane Avenue is not currently in compliance with the landscape standards and has encroachment issues, access issues, along with issues if West 7th Street is developed. Also look at the zoning text of 11-9-2, stating personal services should not involve retail sale except on an incidental basis. She encourages the Council to table this to allow opportunity to look at a conditional use rather than permitted use and defines guides.

John Middleton, 1285 Lion Mountain Drive, supports Lakestream, and said this is part of our economy, and it it has been a boom for our community since Justin has taken over. It is not just one business; it is 27 independent contractors. We are not allowing special treatment for a singular entity, this is something that has been a part of our community for 30 years. It is impossible to compare a box store to Lakestream. Where would you place this business in the Central Avenue area? People come here to enjoy the outdoors. Lakestream is the shop to go to. Turning a blind eye to this will not only impact the community negatively it will impact 28 independent contractors and businesses negatively. He encourages the council to approve the text amendment.

Chris Schustrom, 504 Spokane Ave, is an officer and a board member of the Heart of Whitefish organization. Effective planning and zoning takes hard work and community wide efforts to succeed. After 30 years of efforts to recover from decision to empty out the retail core, the zoning in place today creates a foundation for well-planned efficient growth. Significant time and effort has been extended in terms of coming to find resolutions to non-conforming use zoning issues. Those culminated in 2011 after a 3-year process that resulted in an agreement with 19 stakeholders that represented a community interest. The council approved those text amendments and updates to resolve the issues and laid the foundation to move forward. Unfortunately, this application, the way it is put together, is the attempt to stretch and redefine the word in the WB-2 zone, and to redefine the intent of the entire WB-2 zone. The biggest concern, is if this is approved it will apply to the entire zone, and while Lakestream Fly Shop is a great owner operated business,

this zoning text amendment could allow Cabela's to come in and build a 14,999 square foot building and offer trained recreational guides and outfitters and have over 4,000 square foot of retail space. It is important for the City to understand what goes into play for the specific property with regard to city development standards, landscape standards, and city right-of-way. The city has 60-foot right-of-way south of the property. Chris presented to the Council a copy of the encroachment permit from MDOT which is provided in the packet on the website. The property is in violation of the permit; it is supposed to be 35 feet from the white shoulder line. He also handed a photo that is provided in the packet on the website. There are many problems with this property. It is important to encourage businesses to stay in the community, the council shouldn't repeat the mistakes of the past. It is important to honor the work that has been done, and to honor the zoning that is in place. The reason visitors come to Whitefish, not only for the outdoor recreation and fishing and the services provided by Lakestream Fly Shop, they love the fact we have a vibrant downtown. He asks the council to deny this text amendment, it is not because of an individual business, this is a zoning question.

Christina Trewieler-Schmidt, 614 Pine Ave, said it seems reasonable to her that if additional hotels are approved in the area, we also need to look at expanding what is allowed to include businesses that will build these hotels. Guides and outfitters will help keep those hotels filled throughout the year. She doesn't see where this would interfere with the Heart of Whitefish, and feels it would expand it. There are a number of other guides and outfitters that don't have a place in downtown Whitefish. She hopes this will be approved and she hopes there will be other outfitters that can open in the area and held to the same standards.

Will Hagen, 160 Stageline, he is in support of the text amendment. One of the big fears is a big box retail coming into WB-2, can't exist with less than a 1/3 of the total square footage being dedicated to retail. The property is not an issue, the city has proper procedures and proper remedies in place in the event the property is not compliant. This is not a variance, this is a text amendment to the zoning code that supports any recreation guide and outfitter to do business in the City of Whitefish. Recreational guides and outfitters are uniquely suited for the 93 corridor, where do you want these types of businesses? Each part of Whitefish, north of the viaduct to the Highway 93 South corridor helps support and nourish downtown Whitefish as a whole. Restricting business of this sort to a few city blocks in the core of whitefish would be economic isolation. He believes the text amendment fits the intent and purpose of the WB-2 snuggly, comfortably.

Ryan Wigness, 312 Vintage Way, has lived in Whitefish for 14 years and has been a business owner for 14 years. The outdoor recreation business is important to what we are doing in this town to make it viable to give us our identity. He doesn't think downtown is the right place for these businesses based on his experience. The 93 corridor is the ideal place for this type of business.

Dan Short, 420 Wisconsin Avenue, owns an independent fly fishing agency and works with fly shops across Idaho, Montana and Wyoming. He said Lakestream does the best job of looking professional and great representation of what we have to offer. He shows his support for the text amendment.

Gary Stephens, 1470 Barkley lane, said this is not about Lakestream, this is about what the Council visualizes of Whitefish and what the Council thinks the community should be like. There always has been a vision that strong downtown core is essential to the community's health and

vitality, which has been proven to be true. This is a destination area; people want to come here. He doesn't want to lose Lakestream from downtown. If that is the only place they locate, they find a way to do that. The downtown traffic is a value to a business to be in that area. They can do van transfers to outside location, where there is mass storage of trailers. It doesn't have to be right in the downtown area. If you make a stand, they will find a way to handle it and do what they want to do. Make a conditional use permit in that zone, for this, then it is sight specific. He would like to see it in the WB-3 district. There is no reason an outfitter can't be located in a downtown building; provide service, and feed off the traffic and have a remote location for all the large scale uses.

There being no further public comment, the Mayor closed the Public Hearing and turned the matter over to the Council for their consideration.

Councilor Sweeney said this is challenging, he agrees we should not be doing this for one business, at the same time as a community and a Council we have a responsibility for doing what we can to encourage and create the opportunity for growth for our local businesses. He is uncomfortable with the way this is structured and the way the idea that we would create a new permitted use for the WB-2 zone, without having thought through all the permutations of it.

Councilor Sweeney made a motion, second by Councilor Frandsen to postpone to August 15, 2016 and direct Planning and Building Director Taylor to come back with a text amendment with the proposed use as conditionally approved versus a permitted use.

Councilor Hildner agreed with Mike Jensen that it is important to find a place for this kind of business to operate and succeed and grow. This isn't just about Lakestream; it is about Lakestream being the vehicle during the discussions for a zoning text amendment. The assumption that this was specifically for the old DQ site is not the case; the text amendment would include all of the WB-2. He thinks the proper thing to do is within the time constraints to make sure we make the right decision not only for the businesses of Whitefish but for the community at large and the integrity for both WB-2 and WB-3 zones.

Councilor Frandsen said she has a very long list of reasons to support and a long list of reason of concerned. She can appreciate the concern the businesses have about a lack of proper identification for this particular kind of a business, and its suitability for specific zones in the code. She would like to see a maximum allowance for square foot footprint, she feels 30% is inadequate. We need to address personal services in code 11-9-2 as it relates to guides and outfitters and does that particular use carry over to the conditional use or how is that broken out. Regarding big box stores; we have no way to tell people we don't want this kind of business in our town. We have guidelines, things that speak to retail for formula businesses but no specific requirement in the WB-2 zone addressing guides and outfitters. We need to pay a little bit attention to that and how that might be an adverse reaction and how do we counter that. It was also brought up that we should address how this fits into the WB-3, and are there differences and what are those differences? Discussion followed between Councilor Frandsen and Justin Lawrence for clarification of daily duties of a guides and outfitters business as it relates to retail floor area use.

Councilor Sweeney included in his motion the Public Hearing remains open. Councilor Frandsen being the second agreed. The original motion with the amendment passed unanimously.

8) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR (CD2 18:27

a) Consideration of initiating a notification and public hearing process for water and wastewater rate increases consistent with 69-7-111 MCA (p. 255)

Public Works Director Workman gave his staff report that is provided in the packet on the website.

Councilor Frandsen made a motion, second by Councilor Hildner to direct staff to initiate a notification and public hearing process for water and wastewater rate increases consistent with 69-7-111 MCA. Mayor Muhlfeld asked if a map of the user classes could be included in the packet. Director Workman said there will be an elaborate mailing that MCA requires for all the rate payers. He is not sure the map will fit into that mailing, but could refer property owners to a webpage for a breakdown of how it affects their property. **The motion passed unanimously.**

9) COMMUNICATIONS FROM CITY MANAGER (CD2 25:35)

a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 264)- None

b) Other items arising between July 27th and August 1st - None

c) Consideration of approving Changeorder #1 to the City Hall/Parking Structure construction contract with Martel Construction for $123,641.00 and to increase the project budget (p. 274)

Manager Stearns gave his staff report that is provided in the packet on the website.

Councilor Feury made a motion, second by Councilor Frandsen to approve Changeorder #1 of $123,641 to Martel's construction contract and $219,537 to the overall project budget to cover all contaminated soil costs leaving $150,000 in the contingency account. The motion passed unanimously.

d) Resolution No. 16-36; A Resolution approving an Interlocal Agreement to provide temporary police services for the City of Columbia Falls (p. 307)

Manager Stearns gave his staff report that is in the packet on the website.

Councilor Hildner made a motion, second by Councilor Williams to approve Resolution No. 16-36; A Resolution approving an Interlocal Agreement to provide temporary police services for the City of Columbia Falls. The motion passed unanimously.

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (CD2 42:03)

Council Comment

Councilor Hildner has received comments and calls regarding the increased persistence and belligerence and aggressiveness of the transient population outside businesses downtown. He said we need to look in to the comments Gary Stephens made regarding the container issue with NVR. He would like to address Mike Jensen's concerns regarding the weed issue, and he has noticed the weeds in the empty lot north of Super 1 need to be treated and or abated. He has received a call from a woman who is on W. 7th street and will have 600 feet of sidewalk, she is elderly, with a fixed income, and wondering if we can come up with some senior assistance snow removal program other than ask your neighbor to help.

Councilor Frandsen asked and Director Taylor said he has a big pile of weed complaints on his desk and he is trying to get to them based on the order they come in. He said they are advertising for another code enforcement officer.

Councilor Sweeney said he would also like to follow up with Mike Jensen's complaint regarding the billing with NVR and also an issue with recycling curbside pickup. Director Workman said the issue regarding the tenant versus owner billing has been contested since day one. The contract is clear that NVR will bill the property owner. They lobbied to get that in there because they were nervous about liability. They didn't want to lose the ability to bill the owner when having multiple tenants. NVR has a form similar to the form the City of Whitefish requires the owners to sign that gives them the authority to bill the tenants. The contract with NVR only regulates the central recycling site, not the curb side collect. Councilor Sweeney feels we need to start managing NVR a bit better, he is concerned with the relationship they are building or not building with our residents.

Councilor Feury said he has the same issue as Gary Stephens, with the number of water meters and cans. Director Workman said he knows the billing is based on meters, but is should also be an address portion of that. He will look into that with NVR. Councilor Feury also said that after the approval of the Marriott Hotel, and the blanket universal disappoint he heard from almost every citizen of the community, we need to take a look at the WB-2 zone and formula businesses. Otherwise, it is going to be a problem. The Council agreed to a work session on formula businesses. Manager Stearns was concerned with the work load on the Planning Department. Director Taylor said it could be done in the next month but his concern was he knows you can limit formula businesses in certain zones but not city wide.

Manager Stearns said there was one budget item to discuss from the work session and he wanted to reconfirm the Police part time salary's for $10,000 increase. Basically if the taxable value provided so more leeway we would consider the $10,000 increase to the police part time salaries, if it was at or below where we had it in the budget; it would not be in. Councilor Hildner said we don't like it but that is what was discussed. Mayor Muhlfeld said the reality of it is at the end of the year, they are going to spend more paying for overtime help than they would if that $10,000 was allocated to part time wages. Manager Stearns said they are limited to both line items and they are not supposed to spend those, however if we do give them the leeway if they are going to under spend especially in salary's then we don't care as much if they over spend overtime or part-time. That is not necessarily true, he still has to live within the budget as a total and we do look at personal services or payroll as a total. He has some flexibility but we can't just go over in all three items. Mayor Muhlfeld acknowledge Chief Dial to the podium. Chief Dial said it is good to remember good business practices. We are paying a part time person about $30/hour with

benefits, and a regular full time officer $45- $50/hour depending on experience. Also in this environment, he doesn't want one guy out there and that is what is going to happen. The Police Department is not an office staff; police are out there risking their lives. Part-time are people are there to help and back up the officers. Would the Council like to go to a domestic at 2:00 a.m. by themselves? That is what is going to happen. With the environment we have in the United States right now, he doesn't want his people to work by themselves.

Councilor Sweeney asked and Manager Stearns said we might already be below the 12% with the addition of the Judges salary, and Managers salary increase. Councilor Williams said as much as she would like to see us keep our cash reserves and cash balance as high as possible, her personal opinion dropping that below 12% in lieu of public safety and recognizing our services in law enforcement is much more valuable at this time given everything we've stood for in the past two weeks.

The Council agreed to drop the year end cash balance below 12% to address Chief Dials concerns.

11) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority)

Mayor Muhlfeld adjourned the meeting at 10:30 p.m.

_____
Mayor Muhlfeld

Attest:

_____
Michelle Howke, Whitefish City Clerk

ORDINANCE NO. 16-13

An Ordinance of the City Council of the City of Whitefish, Montana, rezoning approximately 0.196 acres of land located at 1436 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting findings with respect to such rezone.

WHEREAS, the City of Whitefish initiated a rezone with respect to property located at 1436 West Lakeshore Drive, and legally described as Lot 9 of Block 7 of Lake Park Addition to Whitefish, Montana, and Road Abandonment #19, in Section 26, Township 31 North, Range 22 West, P.M.M., Flathead County, Montana; and

WHEREAS, in response to the City-initiated rezone, the Whitefish Planning & Building staff prepared Staff Report WZC 16-05, dated July 14, 2016, which analyzed the proposed rezone and recommended in favor of its approval; and

WHEREAS, at a lawfully noticed public hearing on July 21, 2016, the Whitefish Planning Board reviewed Staff Report WZC 16-05, received an oral report from Planning staff, invited public comment, and thereafter voted to recommend in favor of the proposed zone change; and

WHEREAS, at a lawfully noticed public hearing on August 1, 2016, the Whitefish City Council reviewed Staff Report WZC 16-05 and letter of transmittal, received an oral report from Planning staff, and invited public comment; and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to approve the proposed rezone; and

WHEREAS, the proposed rezone meets zoning procedure and the criteria and guidelines for the proposed rezone required by MCA §§ 76-2-303 through 76-2-305 and WCC § 11-7-12.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: Staff Report WZC 16-05 dated July 14, 2016, together with the July 26, 2016 letter of transmittal from the Whitefish Planning & Building Department, are hereby adopted as Findings of Fact.

Section 3: The real property located 1436 West Lakeshore Drive, and legally described as:

> Lot 9 of Block 7 of Lake Park Addition to Whitefish, Montana, and Road Abandonment #19, according to the map or plat thereof on file and of record in the office of the Clerk & Recorder of Flathead County, Montana.

previously zoned County R-3 (One Family Residential) is hereby rezoned to City WR-1 (One-Family Residential District).

Section 4: The official Zoning Map of the City of Whitefish, Montana, shall be amended, altered and changed to provide that the rezone and zoning map amendment of the real property identified on the map attached hereto as Exhibit "A", and incorporated herein by reference, shall be designated City WR-1 (One-Family Residential District). The Zoning Administrator is instructed to change the City's official Zoning Map to conform to the terms of this Ordinance.

Section 5: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

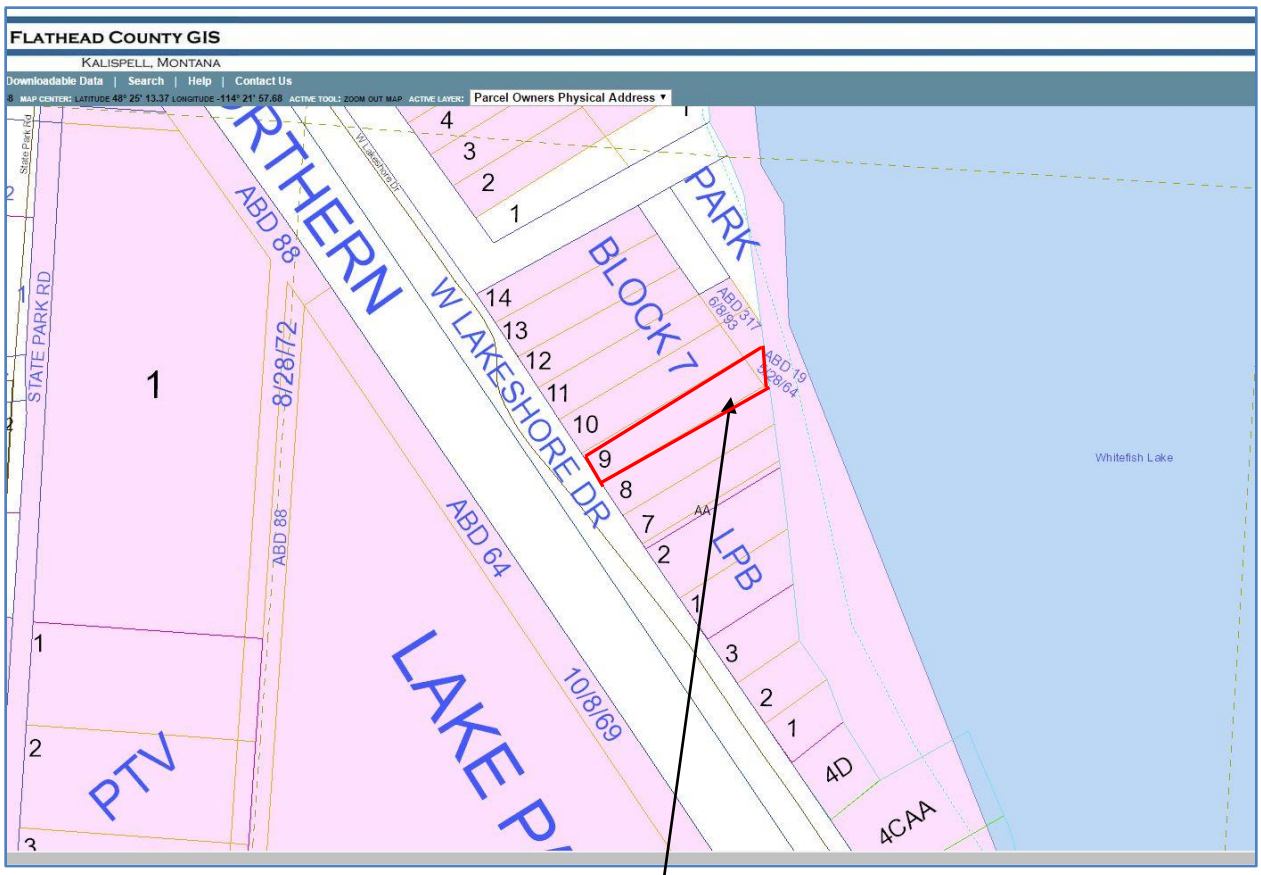
Section 6: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk



1436 West Lakeshore Drive
Assessor No. 0242250

EXHIBIT A

After Recording Return to:
Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 0.39 acres of land known as Parcel C of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation.

WHEREAS, Robert W. Pero Revocable Trust, has filed a Petition for Annexation with the City Clerk requesting annexation and waiving any right of protest to annexation as the sole owner of real property representing 50% or more of the total area to be annexed. Therefore, the City Council will consider this petition for annexation pursuant to the statutory Annexation by Petition method set forth in Title 7, Chapter 2, Part 46, Montana Code Annotated; and

WHEREAS, services to the annexed area will be provided according to the City of Whitefish Extension of Services Plan, adopted by the City Council by Resolution No. 09-04 on March 2, 2009, as required by and in conformity with §§ 7-2-4610 and 7-2-4732, MCA, available at the Office of the City Clerk; and

WHEREAS, it is the considered and reasoned judgment of the City Council of the City of Whitefish that the City is able to provide municipal services to the area proposed for annexation. Further, it is hereby determined by the Whitefish City Council to be in the best interest of the City of Whitefish, and the inhabitants thereof, as well as the current and future inhabitants of the area to be annexed described herein, that the area be annexed into the City of Whitefish and it is hereby declared to be the intent of the City of Whitefish that the corporate boundaries of the City of Whitefish be extended to include the boundaries of the area described in the Petition for Annexation within the limits of the City of Whitefish.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The corporate boundaries of the City of Whitefish are hereby extended to annex the boundaries of the area herein described in the Petition for Annexation, according to the

map or plat thereof, on file and of record in the Office of the Clerk and Recorder of Flathead County, Montana, legally described as:

> Parcel C of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana.

Section 2: The minutes of the City Council of the City of Whitefish, Montana, incorporate this Resolution.

Section 3: The City Clerk is hereby instructed to certify a copy of this Resolution so entered upon the August 15, 2016 Minutes of the City Council. Further that this document shall be filed with the office of the Clerk and Recorder of Flathead County. Pursuant to § 7-2-4607, MCA, this annexation shall be deemed complete effective from and after the date of the filing of said document with the Flathead County Clerk and Recorder.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

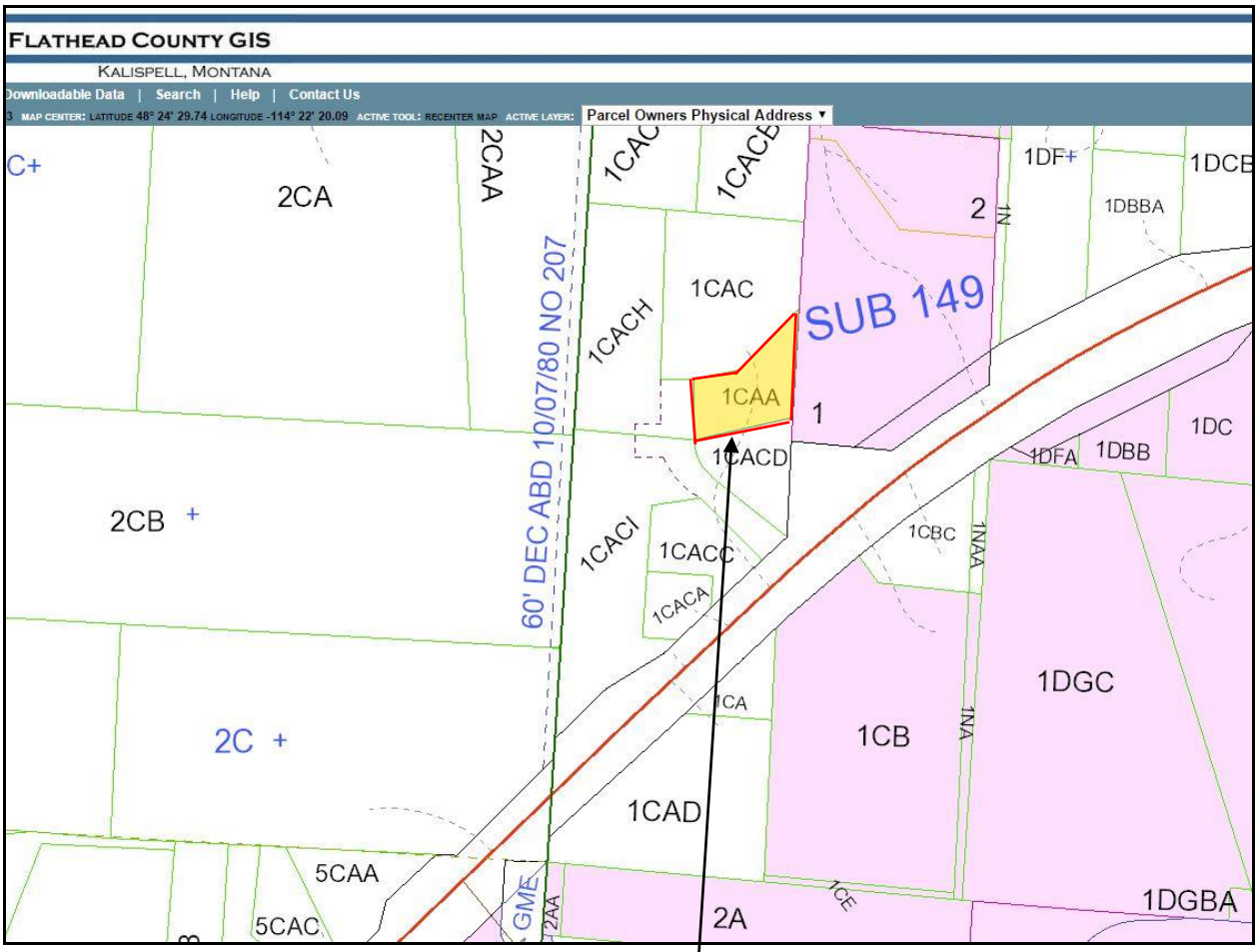
I, the undersigned, being the duly qualified and acting recording officer of the City of Whitefish, Montana (the "City"), hereby certify that the attached resolution is a true copy of a resolution entitled: "A Resolution extending the corporate limits of the City of Whitefish, Montana, to annex within the boundaries of the City approximately 0.39 acres of land known as Parcel C of Certificate of Survey No. 20213, in the Southwest Quarter of the Northwest Quarter of Section 35, Township 31 North, Range 22 West, records of Flathead County, Montana, for which the owners have petitioned for and consented to annexation" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on August 15, 2016, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, Councilors voted unanimously in favor thereof.

WITNESS my hand and seal officially this 15th day of August 2016.

_____

Michelle Howke, City Clerk



Tract 1CAA
Assessor No. 0014968
No Address

After Recording Return to:
Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

PETITION
BEFORE THE CITY COUNCIL
OF THE
CITY OF WHITEFISH

PETITION FOR ANNEXATION TO CITY

Dated this 5TH day of august, 2016.

The undersigned Property Owner hereby petitions the City Council of the City of Whitefish, pursuant to Section 7-2-4601(3)(a), MCA, requesting annexation of the following real property into the City of Whitefish and to remove the following real property from the Whitefish Fire Service Area.

This petition is pursuant to the Contract Agreement for Annexation and City Water and/or Sanitary Sewer Service dated the 5th day of August, 2016.

Petitioner agrees that this annexation petition is irrevocable, and that the City may act on this petition, and actually accomplish the annexation of such real property, at any time in the future, without limitation. Petitioner has had an opportunity to review the City of Whitefish Plan for Extension of Services applicable to such real property, and Petitioner is satisfied with such Plan.

LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED:

parcel C, Certificate of Survey No. 20213 in the Southwest 1/4 of the Northwest 1/4 of Section 35, Township 31 North, Range 22 West records of Flathead County, Montana

PROPERTY ADDRESS:

ZONED AS:

[signature] ROBERT W PERO
[Printed Name] [Printed Name]

STATE OF Montana)
) :ss
County of Flathead)

On this 5th day of August, 20___, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared Robert Pero and ___, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

MICHELLE HOWKE NOTARIAL SEAL STATE OF MONTANA
MICHELLE HOWKE
NOTARY PUBLIC for the State of Montana
Residing at Whitefish, Montana
My Commission Expires February 04, 2020

Michelle Howke

After Recording Return to:
Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

CONTRACT AGREEMENT FOR ANNEXATION AND CITY WATER AND/OR SANITARY SEWER SERVICE

THIS AGREEMENT is entered into as of 5th day of august, 2016, by and between the City of Whitefish, a municipal corporation ("CITY") as grantor of City water and/or sanitary sewer services, and Robert W. Pero ("OWNER"), as grantee recipient(s) of City water and/or sanitary sewer services, whose mailing address is 1290 Birch point Dr Whitefish with respect to the following facts:

A. CITY owns and operates a municipal water and sanitary sewer system.

B. OWNER is the sole owner of the real property that is legally described below, or as fully disclosed and shown on Exhibit "A" attached and made a part of this Agreement ("OWNER'S REAL PROPERTY"):

LEGAL DESCRIPTION

Parcel C, certificate of Survey No. 20213 in the Southwest 1/4 of the Northwest 1/4 of Section 35 Township 31 North, Range 22 West, records of Flathead County, Montana

C. OWNER'S REAL PROPERTY is located outside of the current corporate limits of the CITY.

D. OWNER desires to obtain municipal water/sewer service from the CITY to serve OWNER'S REAL PROPERTY.

E. The parties desire to enter into an Agreement pursuant to MCA §§7-13-4312 and 7-13-4314, for the CITY to furnish municipal water and/or sanitary sewer service at rates adopted in accordance with Montana State Law in return for OWNER'S agreement that OWNER'S REAL PROPERTY may be annexed to the corporate limits of the CITY at any time.

In consideration of the performance of the terms and conditions of this Agreement on the part of each party, and pursuant to MCA §§7-13-4312 and 7-13-4314, it is hereby agreed as follows:

(1) **Furnishing of Sewer Services**: The CITY hereby agrees to furnish municipal water and/or sanitary sewer service to OWNER'S REAL PROPERTY. Unless otherwise agreed in writing between the parties, OWNER shall be solely responsible for all costs involved in extending municipal water and/or sanitary sewer service to OWNER'S REAL PROPERTY and connecting OWNER'S REAL PROPERTY to the municipal water and/or sewer system. Nothing in this Agreement shall obligate CITY to pay the costs of right-of-way acquisition, engineering, construction and other related costs involved in extending or connecting municipal water and/or sewer service to OWNER'S REAL PROPERTY.

(2) **Municipal Water and/or Sanitary Sewer Connections**: Upon approval by the CITY Public Works Department of the design and construction of all the municipal water and/or sanitary sewer lines and other facilities necessary to serve OWNER'S REAL PROPERTY, and acceptance of all of such water and/or sewer facilities by the CITY, OWNER will be given permission to connect no more than _____1_____ connection to the CITY'S municipal water and/or sanitary sewer system. Any additional water and/or sewer connections shall require a new application for service and approval obtained from the CITY Public Works Department.

Upon approval by the CITY Public Works Department, OWNER will be given permission to extend _____1_____ water and sanitary sewer stubs from the municipal sanitary main to the property line of the property described herein. Any additional water and/or sanitary sewer stubs shall require a new application for CITY water and/or sanitary sewer service. Prior to connecting any residential or commercial building or any other structure to the water and/or sanitary sewer service stub-out(s), a request must be submitted to CITY for municipal water and/or sanitary sewer service describing the use of the building proposed to be connected. Any connections must comply with the Rules and Regulations for the City of Whitefish Water, Wastewater and Garbage Utility. The request is to be reviewed and approved by CITY prior to any connection of a residential or commercial building, or other structure. No residential or commercial building or any other structure shall be allowed to connect to the municipal water and/or sanitary sewer service extension unless approval has first been obtained from the CITY Public Works Department.

(3) **Transfer of Title**: Within thirty (30) days of the completion of the construction and CITY acceptance of the said water and/or sanitary sewer extension, OWNER hereby agrees to transfer, or cause to be transferred to CITY by appropriate documents any right, title and interest that OWNER may have in the municipal water and/or sanitary sewer lateral and main extensions to be built by OWNER to provide service to the herein described property.

OWNER agrees that the municipal water and/or sanitary sewer line extension to the property shall be constructed in a public right-of-way or on land either owned by OWNER or subject to an appropriate easement approved by CITY, granting OWNER, CITY, and their successors and assigns the right to construct, repair, and maintain the sanitary sewer extension lines. If any portion of the lateral extension is constructed on land owned by OWNER at the time OWNER transfers their interest in the sanitary sewer extension line to the CITY, they shall also grant the CITY an

appropriate easement for construction, repair, and maintenance of the municipal water and/or sanitary sewer extension lines. The CITY shall not be required to accept any previously constructed water or sewer lines unless they are properly located in the right-of-way or a valid easement.

(4) **Maintenance**: Upon completion and acceptance of construction and the approval of access to the municipal water and/or sanitary sewer lines constructed in easements, maintenance, and repair of the mains servicing OWNER'S REAL PROPERTY shall become and remain the responsibility of CITY. Maintenance and repair of the lateral service lines serving the OWNER'S REAL PROPERTY shall become and remain the responsibility of the OWNER.

(5) **Rates, Rules and Policies**: OWNER agrees to pay to the CITY such charges, rates, and fees, including but not limited to connection fees and impact fees, as are established by the CITY in accordance with Montana Law. In addition, OWNER agrees to comply with and be subject to all of the CITY'S rules, regulations and policies, as amended from time to time, with respect to the operation of the CITY'S municipal water and/or sanitary sewer system.

(6) **Consent to Annexation**: OWNER acknowledges and agrees that the CITY is willing to provide municipal water and/or sanitary sewer services only if OWNER provides all of the promises and representations contained in this Agreement. Pursuant to MCA §7-13-4314, the CITY requires that any person, firm, or corporation outside of the incorporated CITY limits is required, as a condition to initiate such service(s), to consent to and petition for annexation of the tract served by the CITY, and in consideration for the CITY'S agreement to provide municipal water and/or sanitary sewer service, OWNER agrees to consent to annexation under the following conditions and in the following manner:

a) OWNER hereby irrevocably consents to the annexation of OWNER'S REAL PROPERTY, and OWNER irrevocably waives any right of protest to any annexation proceedings initiated by the CITY. OWNER agrees that the CITY may initiate annexation of OWNER'S REAL PROPERTY, relying upon this consent and waiver of protest, at any time in the future, without limitation. OWNER acknowledges that, but for this waiver, OWNER would have a right to protest the annexation of OWNER'S REAL PROPERTY.

b) OWNER hereby petitions to have OWNER'S REAL PROPERTY annexed to the CITY, pursuant to MCA §7-2-4601, *et seq*. OWNER agrees that the CITY may act on this petition at any time in the future, without limitation. OWNER furthermore expressly waives the provisions of MCA §7-2-4608, which provides, in effect, that no property used for agricultural, mining, smelting, refining, transportation, or any industrial or manufacturing purposes or for any purpose incident thereto shall be annexed pursuant to the provisions of MCA §7-2-4601, *et seq*.

c) OWNER hereby signs the petition requesting annexation attached to and made a part hereof under this Agreement for municipal water and/or sanitary sewer services at the time of signing this Agreement. Such Petition shall be filed with the City Clerk.

d) OWNER acknowledges and agrees that OWNER has had an opportunity to inspect the contents of the CITY'S Plan for Extension of Services, as adopted by the CITY, and which describes the manner in which CITY services may be extended to properties annexed by the CITY. OWNER acknowledges and agrees that OWNER is satisfied with the CITY'S Plan for Extension of Services, and that the CITY'S Plan for Extension of Services adequately provides for the extension of CITY services to OWNER'S REAL PROPERTY. OWNER hereby waives the right to object or otherwise challenge the CITY'S Plan for Extension of Services.

e) OWNER hereby irrevocably waives for all time the right to file an action in court to challenge, for any reason, the CITY'S annexation of OWNER'S REAL PROPERTY, whether such annexation occurs now or in the future.

f) OWNER acknowledges and agrees that all of OWNER'S REAL PROPERTY, as described above, will clearly and immediately, and not merely potentially, be serviced by the municipal water and/or sanitary sewer service to be provided by the CITY pursuant to this Agreement.

g) OWNER agrees that if ever OWNER, their heirs, assigns, successors, purchasers, administrators, personal representatives or subsequent holders of title to OWNER'S REAL PROPERTY, breach, challenge, disregard, or otherwise violate any of the terms of this Agreement, the CITY may, after providing twenty (20) days written notice, terminate water and/or sanitary sewer services to OWNER'S REAL PROPERTY, in addition to any other remedies that the CITY may have.

h) OWNER agrees that if OWNER, in violation of this Agreement, submits a protest to the annexation of OWNER'S REAL PROPERTY, the CITY may disregard such protest, in addition to any other remedies that the CITY may have.

i) The promises, covenants, representations, and waivers provided pursuant to this Agreement are voluntarily and knowingly given, with full knowledge of the OWNER'S legal rights. OWNER acknowledges and agrees that it is has had an opportunity to consult with legal counsel of its choice regarding the provisions of this Agreement.

(7) **Recording; Binding Effect**: OWNER agrees that this entire Agreement shall be recorded in the office of the Clerk and Recorder of Flathead County, and OWNER agrees that this Agreement shall run to, with, and be binding upon OWNER'S REAL PROPERTY and OWNER'S title to such real property, and shall be binding upon the OWNER'S heirs, assigns, successors, administrators, personal representatives and any and all subsequent holders or owners of OWNER'S REAL PROPERTY.

(8) **Future Deeds**: Subsequent to this Agreement all deeds to parcels of land within the property subject to this Agreement granted by OWNER shall contain the following consent to annexation and waiver:

The Owner hereby covenants and agrees that acceptance of this deed does constitute a waiver of the statutory right of protest against any annexation procedure initiated by the City of Whitefish with respect to the property described herein. Owner also agrees that acceptance of a deed constitutes an obligation on the part of Owner to initiate annexation procedures per the Petition to Annex on file at the City Clerk's Office.

This consent to annexation and waiver shall run with the land and shall forever be binding upon the Owner, transferees, successors and assigns.

OWNER agrees that this Agreement shall be binding even if OWNER fails to include the language set forth above in future deeds. After annexation of OWNER'S REAL PROPERTY, future deeds need not contain the language set forth above.

(9) **Term**: This Agreement shall be in perpetuity.

(10) **Entire Agreement**: This Agreement contains the entire agreement between the parties and any additional agreement hereafter made shall be ineffective to alter, change, modify or discharge it in whole or in part, unless such additional agreement is in writing and signed by the parties hereto.

(11) **Partial Invalidity**: Each term, covenant, condition or provision of this Agreement shall be viewed as separate and distinct, and in the event that any such term, covenant, condition or provision shall be held by a court of competent jurisdiction to be invalid, the remaining provisions shall continue in full force and effect.

(12) **Necessary Acts**: Each party to this Agreement agrees to perform any further acts and execute and deliver any further documents that may be reasonably necessary to carry out the provisions of this Agreement.

OWNER(S)

ROBERT W. PERO

[Printed Name]

OWNER(S)

[Printed Name]

CITY OF WHITEFISH

By: Charles C. Stearns

Charles C. Stearns, City Manager

ATTEST:

Michelle Howke

Michelle Howke, City Clerk

STATE OF Montana)
) ss.
County of Flathead)

On this 5th day of August, 2016, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared Robert Pero and _____, known to me to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the foregoing instrument, and acknowledged to me that he/~~she/they~~ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

MICHELLE HOWKE
NOTARY PUBLIC for the
State of Montana
Residing at Whitefish, Montana
My Commission Expires
February 04, 2020

Michelle Howke

STATE OF MONTANA)
) ss.
County of Flathead)

On this 8th day of August, 2016, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared CHARLES C. STEARNS, and MICHELLE HOWKE, to me known to be the City Manager and City Clerk respectively of the City of Whitefish, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the City of Whitefish for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument on behalf of the City of Whitefish.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year last above written.

KENI HOPKINS
NOTARY PUBLIC for the
State of Montana
Residing at Columbia Falls, Montana
My Commission Expires
November 08, 2018

Keni Hopkins

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RESOLUTION NO. 16-__

A Resolution of the City Council of the City of Whitefish, Montana, amending the 2016 fiscal year annual budget to increase appropriations in four Funds of the City.

WHEREAS, in order to consider amendments to the City's 2016 fiscal year annual budget as allowed by the Local Government Budget Act, § 7-6-4001, *et seq.*, MCA, the City scheduled a public hearing before the Whitefish City Council to be held at 7:10 p.m. on Monday, August 15, 2016; and

WHEREAS, prior to such hearing, a notice of the type required by § 7-6-4021, MCA, was published twice as required by § 7-1-4127, MCA, in the Legal Notices Section in the *Whitefish Pilot*, on August 3 and August 10, 2016; and

WHEREAS, at a lawfully noticed public hearing on August 15, 2016, the Whitefish City Council conducted a hearing for the purpose of amending the 2016 fiscal year annual budget, received staff reports, invited public input and considered all written comments received prior to the hearing for the following amendments:

- Appropriating $7,000.00 from the fund balance of the Lighting District #1 (Residential) Fund to the Lighting District #1 (Residential) Fund to cover the higher utility costs for the District; and

- Appropriating $72,891.00 of unanticipated revenue from bond proceeds in the Tax Increment Revenue Bond Debt Fund to the Tax Increment Revenue Bond Debt Fund to cover the closing costs associated with the Tax Increment Revenue Bonds-Series 2016 issued in fiscal year 2016; and

- Appropriating $50.00 from the fund balance of the SID 166 Bond Debt (J.P. Road Project) Fund to the SID 166 Bond Debt (J.P. Road Project) Fund to cover the additional costs for paying agent fees; and

- Appropriating $8,133,558.00 of unanticipated revenue transferred from the Resort Tax Fund to the Water Fund for the Haskill Basin Conservation Easement loan repayment and the bond proceeds in the Water Fund to the Water Fund to cover the cost of the acquisition of the Haskill Basin Conservation Easement and the first debt payment on the related bond; and

WHEREAS, upon completion of the public hearing, the City Council approved the transfers and amendments to the 2016 fiscal year budget, and as allowed by § 7-6-403, MCA, and authorized the Finance Director to transfer appropriations between items within the same fund and make other transfers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The Finance Director is authorized and directed to transfer appropriations between items within the same fund and to amend the 2016 fiscal year annual budget as follows:

1. Appropriating $7,000.00 from the fund balance of the Lighting District #1 (Residential) Fund to the Lighting District #1 (Residential) Fund to cover the higher utility costs for the District; and

2. Appropriating $72,891.00 of unanticipated revenue from bond proceeds in the Tax Increment Revenue Bond Debt Fund to the Tax Increment Revenue Bond Debt Fund to cover the closing costs associated with the Tax Increment Revenue Bonds-Series 2016 issued in fiscal year 2016; and

3. Appropriating $50.00 from the fund balance of the SID 166 Bond Debt (J.P. Road Project) Fund to the SID 166 Bond Debt (J.P. Road Project) Fund to cover the additional costs for paying agent fees; and

4. Appropriating $8,133,558.00 of unanticipated revenue transferred from the Resort Tax Fund to the Water Fund for the Haskill Basin Conservation Easement loan repayment and the bond proceeds in the Water Fund to the Water Fund to cover the cost of the acquisition of the Haskill Basin Conservation Easement and the first debt payment on the related bond.

Section 2: The City's 2016 fiscal year annual budget, with the amendments and clarifications described immediately above, is hereby ratified, re-adopted and amended consistent with this Resolution.

Section 3: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Dana Smith, Finance Director

Date: August 2, 2016

Re: Fiscal Year 2016 Budget Amendments

Introduction/History

The table below describes all expenditures and transfers that exceeded or did not have adequate budget authority for Fiscal Year 2016. Therefore, as described by MCA 7-6-4006(4) and 7-6-4021, budget amendments are required to be made to the Fiscal Year 2016 Budget.

Current Report

To	From	Amount	Justification
Lighting District #1 Fund: 2400-430263-340	Lighting District #1 Fund Balance	$7,000.00	To cover the additional costs of utilities and repair and maintenance supplies.
Tax Increment Revenue Bond Debt Fund: 3110-490200-350	Proceeds from Debt Issuance (unanticipated revenue)	$72,891.00	To cover the anticipated, but unbudgeted issuance costs of the City Hall and Parking Structure Bond. Only budgeted debt payments in FY16.
SID 166 Bond Debt (J.P. Road Project): 3545-490300-630	SID 166 Bond Debt Fund Balance	$50.00	To cover additional cost of paying agent fees not budgeted in FY16.
Water Fund: 5210-430500-910	Proceeds from Debt Issuance and transfers from Resort Tax Fund (unanticipated revenue)	$8,133,558	To cover the expenditures originally budgeted in the Resort Tax Fund for the acquisition of the Haskill Basin Conservation Easement and the first debt service payment made in June 2016. We had originally budgeted these costs in the Resort Tax fund, but the bond structure dictated that it be budgeted and paid for from the Water Fund.

Recommendation

Staff recommends the City Council approve the Fiscal Year 2016 budget amendments.

Montana Code Annotated 2015

7-6-4031. Budget amendment procedures. (1) The final budget resolution may authorize the governing body or a designated official to transfer appropriations between items within the same fund.

(2) The annual budget appropriations may be amended as provided in 7-6-4006(3) and 7-6-4012.

(3) Except as provided in 7-6-4006, 7-6-4011, 7-6-4012, 7-6-4015, and 7-6-4032 or in the case of an emergency under Title 10, chapter 3, a public hearing is required for an overall increase in appropriation authority.

History: En. Sec. 27, Ch. 278, L. 2001.

Provided by Montana Legislative Services

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FISCAL YEAR 2016 - 2017 RESOLUTIONS

RESOLUTION NO. 16-___: Accepting and approving the Municipal Budget for the City of Whitefish for the 2017 Fiscal Year Commencing July 1, 2016, in its final form.

RESOLUTION NO. 16-___: Determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish; and levying and assessing all special improvement assessments on all real estate within the corporate limits of the City of Whitefish, Montana.

RESOLUTION NO. 16-___: Assessing a tax on each lot or parcel of land in Street Maintenance District as follows: Per lot assessment of $83.00 for residential lots, regardless of size, located within subdivisions that maintain a network of private streets; per lot assessment of $109.50 for residential lots having a frontage of 50 feet or less, and $140.00 for commercial/multi-family lots having a frontage of 50 feet or less; front foot assessment of $2.19 per foot for residential lots in excess of 50 feet, with a maximum assessment of $328.50; or a front foot assessment of $2.80 per front foot for commercial/multi-family lots in excess of 50 feet, with a maximum assessment of $1,120.00.

RESOLUTION NO. 16-___: Levying a tax upon all real estate in Special Improvement Lighting District No. 1 at the rate of $0.22 per front foot in residential area.

RESOLUTION NO. 16-___: Levying a tax upon all real estate in Special Improvement Lighting District No. 4 at the rate of $1.46 per front foot in the business area.

RESOLUTION NO. 16-___: Assessing for Parkland and Greenway Maintenance District.

RESOLUTION NO. 16-___: Assessing for Stormwater Improvement and Maintenance District.

RESOLUTION NO. 16-___: Assessing for improvements on JP Road (Special Improvement District No. 166).

RESOLUTION NO. 16-___: Levying and assessing costs for weed control and removal of snow, ice and other impediments.

RESOLUTION NO. 16-___: Levying and assessing costs for collection of utility service charges.

CITY OF WHITEFISH
NOTICE OF PUBLIC HEARING ON
BUDGET AND PROPERTY TAXES AND ASSESSMENTS

The Whitefish City Council has completed the City's preliminary budget for fiscal year 2017, its final, proposed budget for fiscal year 2017, the appropriations, tax levy and assessments, and possible budget amendments for fiscal year 2016, which have been placed on file and are open to inspection in the City Clerk's office located at 1005 Baker Avenue.

At the regular meeting of the Whitefish City Council to be held on Monday, August 15, 2016, at 7:10 p.m. in the Whitefish City Council Chambers, 1005 Baker Avenue, the City Council will hold a public hearing for the purposes of receiving public input and approving a final budget, making appropriations, fixing the tax levy and assessments, and approving possible budget amendments for fiscal year 2016 for the following:

1) possible amendments to the annual budget for fiscal year 2016;
2) approve a final budget for fiscal year 2017;
3) levy and assess property taxes, including the Permissive Medical Levy
4) levy and assess Street Maintenance District No. 1 within the City;
5) levy and assess Special Improvement Lighting Districts No. 1 and No. 4 within the City;
6) levy and assess Parkland and Greenway Maintenance District No. 1 within the City;
7) levy and assess Stormwater Improvement and Maintenance District No. 1 within the City;
8) levy and assess Special Improvement District No. 166 (JP Road); and
9) levy and assess for weed control, collection of utility service charges, and/or removal of snow, ice and other impediments.

The City of Whitefish intends to budget a decrease in revenue from property taxation by 8.43% or $241,586, because of the additional property tax relief resulting from the Resort Tax rate increase of an additional 1% that became effective July 1, 2015. All concerned persons are invited to attend the public hearing on all of the above matters as described above. A decision on approving the budget, taxes, assessments, and possible fiscal year 2016 budget amendments will be made after considering comments at this public hearing.

Individuals, any taxpayer or resident may appear or submit written testimony at the hearings and be heard for or against any part of the proposed fiscal year 2016 budget amendments, final budget for fiscal year 2017, appropriations, tax levy and assessments. Written comments may be delivered or mailed to Michelle Howke, City Clerk, 1005 Baker Avenue, PO Box 158, Whitefish, MT 59937, or emailed to mhowke@cityofwhitefish.org. Additional information regarding the proposed amendments, the final budget, property tax revenue, and assessments may be obtained by contacting Dana Smith, Finance Director, 406-863-2405, or visiting the City's website, www.cityofwhitefish.org.

For publication on August 3 and August 10, 2016, in the Legal Notices Section of the *Whitefish Pilot*.

Montana Code Annotated 2015

7-6-4006. Appropriation power -- requirements. (1) A governing body may appropriate money and provide for the payment of the debts and expenses of the local government.

(2) Money may not be disbursed, expended, or obligated except pursuant to an appropriation for which working capital is or will be available.

(3) Appropriations may be adjusted according to procedures authorized by the governing body for:

(a) debt service funds for obligations related to debt approved by the governing body;

(b) trust funds for obligations authorized by trust covenants;

(c) any fund for federal, state, local, or private grants and shared revenue accepted and approved by the governing body;

(d) any fund for special assessments approved by the governing body;

(e) the proceeds from the sale of land;

(f) any fund for gifts or donations; and

(g) money borrowed during the fiscal year.

(4) The governing body may amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings. Budget amendments providing for additional appropriations must identify the fund reserves, unanticipated revenue, or previously unbudgeted revenue that will fund the appropriations.

History: En. Sec. 14, Ch. 278, L. 2001.

Provided by Montana Legislative Services

Montana Code Annotated 2015

7-6-4012. Fee based budgets -- adjustable appropriation. (1) In its final budget resolution, the governing body may authorize adjustments to appropriations funded by fees throughout the budget period. Adjustable appropriations are:

(a) proprietary fund appropriations; or

(b) other appropriations specifically identified in the local government's final budget resolution as fee-based appropriations.

(2) Adjustments of fee-based appropriations must be:

(a) based upon the cost of providing the services supported by the fee; and

(b) fully funded by the related fees for services, fund reserves, or nonfee revenue such as interest.

History: En. Sec. 16, Ch. 278, L. 2001.

Provided by Montana Legislative Services

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, accepting and approving the municipal budget for the City of Whitefish for the 2017 fiscal year commencing July 1, 2016, in its final form.

WHEREAS, in conformity with the provisions of the Local Government Budget Act, § 7-6-4001, *et seq.*, MCA, the City of Whitefish, prepared a preliminary budget for the 2017 fiscal year commencing July 1, 2016; and

WHEREAS, at the lawfully noticed public hearing on June 20, 2016, the City Manager's proposed budget was reviewed and approved as the preliminary budget by the Whitefish City Council; and

WHEREAS, in order to adopt the 2017 fiscal year final annual budget and decrease the amount of property tax revenues from the previous year as provided for in § 7-6-4030, MCA, the City scheduled a public hearing before the Whitefish City Council to be held at 7:10 pm on August 15, 2016; and

WHEREAS, prior to such hearing, notices of the type required by § 7-6-4021, MCA, were published twice in the *Whitefish Pilot*, on August 3 and August 10, 2016, as required by § 7-1-4127, MCA, in the Legal Notices Section; and

WHEREAS, at a lawfully noticed public hearing on August 15, 2016, the Whitefish City Council, conducted a hearing for the purpose of adopting the final budget for the 2017 fiscal year with a decrease of 8.50 percent or $243,375.00 in property tax revenues because of the additional property tax relief resulting from the Resort Tax rate increase of an additional 1 (one) percent that became effective July 1, 2015, received staff reports, invited public input and considered all written comments received prior to the hearing; and

WHEREAS, following the public hearing, the City Council determined it would be in the best interests of the City of Whitefish and its inhabitants to approve the 8.5 percent or $243,375.00 decrease increase in the amount of property tax revenues and adopt the 2017 fiscal year budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The municipal budget for the City of Whitefish, Montana, for the 2017 fiscal year beginning July 1, 2016, as prepared and submitted to the City Council at its August 15, 2016, Council meeting, which budget is incorporated herein as if set forth verbatim, is hereby accepted and adopted as the final municipal budget for the City of Whitefish, Montana, as permitted by § 7-6-4030, MCA.

Section 2: The City Council hereby authorizes the appropriations contained in the final budget to defray the expenses or liabilities for the 2017 fiscal year.

Section 3: The City Council hereby establishes legal spending limits at the level of detail as contained in the final budget.

Section 4: As permitted by § 7-6-4031(1), MCA, the City Manager and/or the Finance Director are hereby authorized to transfer appropriations between items within the same fund.

Section 5: As permitted by § 7-6-4031(2), MCA, the City Manager and/or the Finance Director are hereby authorized to amend and adjust the annual budget appropriations throughout the budget period, as necessary, as provided in §§ 7-6-4006(3) and 7-6-4012, MCA.

Section 6: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 7: The effective date of this Resolution is July 1, 2016, the beginning of the City's 2017 fiscal year, upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

	A	B	C	D	E	F	G	H
1	**Mandatory Changes to the Preliminary FY2017 Budget**							
2	**Change Made**	**Description of Budget Change**	**Budgets affected**	**Expenditure Change**	**Revenue Change**	**Cash Balance Change**		**Notes**
3	Y	Increase in STEP for part-time Court Receptionist Position	General Fund	$298	$0	($298)		
4	Y	Increase in 911 Dispatch Services from $160,240 in FY16 to $161,256 in FY17	Police and Fire/Ambulance Funds	$0	$0	$0		Funds budgeted for FY17 in the Preliminary Budget covered the additional $1,016
5	Y	Final State Fuel Allocation for FY17 received from MDT	Streets	$0	$170	$170		
6	Y	Changes in newly hired employee's pay STEP (still within same range)	Water/Sewer Funds	($7,336)	$0	$7,336		
7	Y	Change in employee health insurance status	Water/Sewer Funds	$5,069	$0	($5,069)		
8	Y	Change in new employee health insurance status	Police Fund	$5,767	$0	($5,767)		
9	Y	Change in employee health insurance status	General (40%) and Building (60%) Funds	($10,756)	$0	$10,756		
10	Y	Increase in health insurance due to updated calculation	Various Funds	$7,938	$0	($7,938)		
11	Y	Reclassification of Parks & Recreation Director's position resulting in salary increase	Parks & Recreation Fund (90%) and TIF Fund (10%)	$13,941	$0	($13,941)		
12	Y	Updated property and liability insurance amounts based on final invoice and allocation	Various Funds	($2,215)	$0	$2,215		
13	Y	Change in employee health insurance status during open enrollment	Police Fund	$5,764	$0	($5,764)		
14	Y	Updated shift differential and standby-time rates based on final Collective Bargaining Agreement for the Public Works Union	Water/Sewer/Street Funds	$935	$0	($935)		
15	Y	Increase in property tax relief transferred(from the Water Fund) as a result of resort tax collections during FY16 allocated to the debt services being in excess of the required debt payments and reserve requirements in FY16 (+$319,485). Required by the approved vote in April of 2015. In addition, the actual revenues used to calculate the property tax related to the 2% was updated (-$46,909). Net effect on the General Fund is a decrease in property tax revenue and an increase in transferred funds from the Water Fund. Net effect is $0 in revenue of the General Fund.	General Fund (Water/Resort Tax)	$272,576	$272,576	$0		Resort transfers funds monthly to Water Fund per bond requirements. Thus the transfer of surplus (excess) funds is coming from the Water Fund, but is offset by revenue collected in the prior year.
16	Y	Reduction in Resort Tax revenue based on actual collections of Resort Tax in FY16	Resort Tax Fund	$0	($78,817)	($78,817)		
17	**Proposed Changes/Council Policy Decisions to Change the Preliminary FY2017 Budget**							
18	**Change Made**	**Description of Proposed Budget Change**	**Budgets affected**	**Expenditure Change**	**Revenue Change**	**Cash Balance Change**		**Notes**
19	Y	Updated resort tax funded street projects based on amounts completed in FY16 for W 7th Street and available cash at year-end to starts Somers Ave.	Resort Tax Fund	$108,496	$0	($17,883)		Offset is beginning cash available.
20	Y	Updated resort tax funded parks projects based on amounts completed at year end. Includes the following adjustments: Riverside Tennis Court Reconstruction (+$60,000), Bike-Ped (+$4,500), Basketball Court at Memorial Park (+$20,000), Lacrosse Field Irrigation (-$42,530), Armory Improvements (-$17,800).	Resort Tax Fund	$24,170	$0	($24,170)		
21	Y	Added transfer of one-half of parking lease revenue generated from the parking structure from General Fund to City Hall/Parking Structure Construction Fund	General Fund and City Hall/Parking Structure Fund	$5,760	$5,760	$0		Transferred 1/2 lease revenue instead of splitting the location of revenue being received. Net effect is $0, but a decrease of $5,760 in cash for the General Fund and an increase in cash in the CH/PS Fund of $5,760.
22	Y	Reduced Shop Expansion project for amounts that were spent before year-end (split among 3 Fund at differing amounts).	Streets/Water/Sewer Funds	($32,294)	$0	$0		Offset by less cash at beginning of year.
23	Y	Update amount spent in FY16 on Columbia Ave Bridge Water Main Upgrade	Water Fund	($5,360)	$0	$0		Offset by less cash at beginning of year.
24	Y	Increase in appropriations to allow for the completion of the Lion MTN Loop Interconnect Project in FY17. Retainer to be paid after completion of the Columbia Avenue Bridge Water Main Upgrade	Water Fund	$11,000	$0	($11,000)		
25	Y	Adjusted figures for I&I Project based on spending and work completion in FY16. Increased related grant revenue too.	Wastewater Fund	$99,651	$99,651	$0		
26	Y	Updated appropriations for the City Hall and Parking Structure Project to reflect remaining amount for FY17 based on previously approved project budget of $16,041,550 in January 2016 plus upcoming changes orders. Increase in expenditures is funded through an additional $221,216 transfer from the TIF Fund and a $4,000 increase in interest revenue.	City Hall/Parking Structure Construction Fund	$1,249,265	$225,216	$0		Portion offset by beginning cash balance because the expected amount spent in FY16 was lower than what actual took place.
27	Y	Updated transfers from Impact Fee Fund to TIF Fund due to higher than expected collections in the 4th quarter of FY16.	Impact Fee Fund/TIF Fund	$70,386	$70,386	$0		Revenue increased in TIF Fund and Expenditures increased in Impact Fee Fund.
28	Y	Updated transfers from Impact Fee Fund to City Hall/Parking Structure Construction Fund due to higher than expected collections in the 4th quarter of FY16.	Impact Fee Fund/City Hall/Parking Structure	$66,098	$66,098	$0		Revenue increased in CH/PS Fund and Expenditures increased in Impact Fee Fund.
29	Y	Increase in Residential Lighting Utilities due to higher costs in FY16 and an increase in light fixtures for FY17 as a result of the W. 7th Street Resort Tax Project.	Residential Lighting Fund	$6,000	$0	($6,000)		
30	Y	Increase in appropriations for the Skye Park Bridge work not completed in FY16, but expected to be finished in FY17.	Parkland Acquisition & Development Fund	$38,226	$0	($38,226)		
31	Y	Increased appropriations for Depot Park Gazebo work that was not completed in FY16.	TIF Fund	$123,775	$0	$0		Offset by beginning cash balance.
32	Y	Added appropriations for shop local campaign for amounts not spent in FY16.	TIF Fund	$30,095	$0	($30,095)		
33	Y	Added appropriations for the workforce/affordable housing contributions since no funds were spent in FY16.	TIF Fund	$60,000	$0	($60,000)		
34	Y	Increased transfer from TIF Fund to TIF Debt Service Fund to ensure appropriate year-end cash debt service is available as required by the bond covenants.	TIF Fund/TIF Debt Service	$227,483	$227,483	$0		

	A	B	C	D	E	F	G	H
35	Y	Increased auditor consulting costs for OPEB calculations (once every 3 years) and GASB 68 calculations and consulting.	Various Funds	$4,000	$0	($4,000)		
36	Y	Since beginning cash balances came in higher than originally projected, the contingency in the TIF Fund has been increased to allow for more flexibility during the fiscal year.	TIF Fund	$225,000	$0	($225,000)		
37	Y	Appropriated all available cash to allow for flexibility in planning the design and building of the trail at the Riverbend Condos or other trails in the City.	Impact Fee Fund	$65,034	$0	($65,034)		
38	Y	Updated Year-end cash balances	All Funds	$0	$0	$4,382,394		See handout describing reason for changes.
39	Y	Use part of excess resort tax revenues over 15 mills of property tax relief promised to voters from increase of Resort Tax to increase cash balance in general fund (and therefore property tax funds) to get a 12.11% year end cash balance (increases mills by 3.94 mills), but still a net property tax mill decrease of 15 mills or 11.18% property tax decrease on city mills.	General Fund	$0	$0	$86,680		
40	Y	Increase of transfer from General Fund to Law Enforcement (Police) Fund to ensure cash balance is positive after insurance adjustments above.	Police Fund/General Fund	$2,000	$2,000	$0		Total net cash change of $0 in property tax supported funds.
41	Y	Municipal Court - Judge's Salary	General Fund	$3,448	$0	($3,448)		Same as other employees (union and non-union) at 3.8%
42	N/A	Riverside Park Erosion Control Project		$0	$0	$0		Added as reminder for FY18 Budget if progress is not made during FY17
43	N/A	Fire and Ambulance as a percentage of City-wide budget	Fire and Ambulance Fund	$0	$0	$0		Discussion item only
44	N/A	TIF budget changes for SID lawsuit	TIF Fund	$0	$0	$0		No change necessary at this time
45	Y	City Manager's Salary	Various Funds	$6,035	$0	($6,035)		Same as other employees (union and non-union) at 3.8%
46	Y	Increase Police Part-time Salaries by $10,000	Police and General Fund	$10,000	$0	($10,000)		Increased part-time expenditure in Police Budget funded through additional transfer from General Fund. Overall property tax supported fund cash balance decreases by $10,000.
47	Y	Municipal Court - Sub-Judge appropriations increased by $1,300 for a total of $2,500 instead of $4,000 as requested by Judge	General Fund	$1,300	$0	($1,300)		Increased part-time expenditure in Police Budget funded through additional transfer from General Fund. Overall property tax supported fund cash balance decreases by $10,000.
48	Y	Increase in Residential Lighting Assessment	Residential Lighting Fund	$0	$7,634	$7,634		A 10% increase would result in an average assessment of $17.76. The increase of 10% would set the assessment at $0.22 per front foot compared to the current rate of $0.20 per front foot.
49	Y	Increase appropriations for demolition and removal of buildings on Bakke Nature Reserve	Parks & Recreation Fund	$25,000	$0	($25,000)		
50	Y	Updated taxable value (3.02% increase from FY16 and only .08% lower than preliminary budget shows). Also adjusted mills based on the maximum levy calculations for the permissive medical levy and regular property tax levy. Total levy continues to have a 15.000 mill decrease for FY17.	General, Fire and Ambulance, Library Funds	$0	($959)	($959)		
51	Y	Adjusted TIF revenue based on taxable value received on 8/1/16. Taxable value came in 2.45% lower than in the preliminary budget.	TIF Fund	$0	($134,477)	($134,477)		
52	Y	Updated City Hall Budget based on Council action at the August 1st meeting that increased the budget by $219,537 for a total project cost of $16,261,087. As of June 30, 2016 a total of $6,034,212.64 was spent so the total budgeted amount should be $10,226,874. The first adjustment in line 26 was adjusted accordingly here based on Council action.	City Hall/Parking Structure Construction Fund	($2,390)	($2,390)	$0		Transfer from TIF Fund reduced slightly to ensure the correct expenditure amount was available with no residual other than potential contingency savings throughout the project.
53	Y	Admin/Legal cost allocation must be updated after the final changes are made to ensure the appropriate percentage is used in the calculation, which is based on allocation of salaries among funds.	Various Funds	$0	$0	$0		Only changes amounts in each fund. This does not change the total expenditure city-wide.
54	Y	Corrected a formula error on the budget spreadsheet for Parks & Rec Fund that did not include the Warming Hut account in the total.	Parks & Rec Fund	$2,400	$0	($2,400)		
55	Y	Corrected State Contribution to FURS to match expenditure in the Fire & Ambulance Fund.	Fire and Ambulance Fund	$0	$1,444	$1,444		

City of Whitefish Montana

Architect's Rendering of the future City Hall

Fiscal Year 2017

Budget Proposed for Adoption

Mayor

John Muhlfeld

City Council

Pam Barberis

Andy Feury

Jen Frandsen

Richard Hildner

Frank Sweeney

Katie Williams

City Manager

Chuck Stearns

Finance Director

Dana Smith

Administrative Services Director/City Clerk

Michelle Howke

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MEMORANDUM

#2016-024

To: Mayor John Muhlfeld
City Councilors

From: Chuck Stearns, City Manager

Re: FY17 Budget Message – Final Budget

Date: August 4, 2016

INTRODUCTION

The Fiscal Year 2017 (FY17) City of Whitefish Budget provides budget authority for the services and projects the City anticipates during the upcoming fiscal year, which runs from July 1, 2016 to June 30, 2017. The City budget contains a total of 24 active, self-balancing funds. "Self-balancing" means that resources equal requirements. Each fund exists to provide segregated accounting for specific activities. This message provides a general description of the budget document and the financial plans for the City for the upcoming fiscal year.

FY17 BUDGET MAJOR CHANGES AND ISSUES

The FY17 budget was initially more difficult to balance than I originally envisioned, but higher than expected year-end cash balances at June 30th and extra Resort Tax cash balance from only having to pay one debt service payment for the Haskill Basin loan made for a somewhat easier final budget. The budget, as proposed for final adoption, is balanced and with a property tax mill levy **reduction of 15 mills** or 11.18% because of voter's approval of the Resort Tax increase to 3% with 25% of the one percent increase going to additional property tax reduction.

Total proposed spending for FY17 is $11,983,942 or 18.92% lower than last year's budget because the Haskill Basin Conservation Easement acquisition is complete and the City Hall/Parking Structure Construction Fund appropriation is $4,061,170 less than in FY16 because construction was approximately 33% complete by June 30, 2016. I hope the media portrays these tax and expenditure decreases with the same vigor that they portrayed last year's anomaly of budget increases for the capital projects.

Some of the important issues in the proposed budget and some of the factors causing the difficulty in the FY17 Budget were:

- This budget is the first year in probably over 20 years that there will not be a phase-in of property value increases from a reappraisal. With the State Legislature adopting a two

year reappraisal cycle, there is no general valuation increase this year. The only property valuation or mill value increase available will be from new construction going on the tax rolls and some other classes of valuation like Centrally Assessed property. The mill value increased by 3% to $21,984.576 per mill this year. We are very pleased with that growth, even though I had hoped in the preliminary budget that it would grow by 3.1%.

- In last year's budget, because of the uneven effects of the reappraisal, we balanced the budget by projecting to draw down year end cash reserves (June 30, 2016) by over $310,000. Unless the use of the cash balance is for one-time type of expenditures like a non-recurring capital project, that drawdown can't be repeated each year. However, for the FY17 budget, in order to balance it and keep a tax decrease, the final draw down of reserves is $110,692 for property tax supported funds which leaves an 11.57% FY year-end cash balance.

- Another impact to the FY17 budget is that we are no longer budgeting to operate the Stumptown Ice Den. While we can eliminate the part-time and seasonal positions that were in that budget, that budget and its non-tax revenue of fees supported approximately $70,000 to $75,000 of full-time employee salaries and benefits for Parks and Recreation staff time spent on the ice rink. So that level of expenditures, without any layoffs of full-time staff, gets shifted to property tax supported functions in the Parks and Recreation Department.

- There was a similar reallocation of salaries from the Solid Waste budget to other Public Works budgets and somewhat to the General Fund (for Administrative support and cashiering) now that we are not doing the billing for the garbage service. The amount from the FY16 budget that moved to other property tax supported functions equaled approximately $38,000.

- A Consumer Price Index (CPI) increase of 1.8% along with two settled union contracts will mean employees will generally receive a pay increase of 3.8%. Last year's increase was 2.3% which did not include a 2% STEP increase in the pay matrix for employees. Last year's pay increases were the lowest among Flathead County cities and the County, so I believe the 3.8% pay increases are justified.

- Medical insurance premiums increased 7.3% in FY17 and vision insurance will increase by 16.5%, but the cost increase for vision insurance is only a $1.15 to $3.00 per month per employee, so it is a pretty small impact. The impact on property tax supported funds for both of those increases was approximately $37,351.

- This budget also proposes some fee increases in the Parks and Recreation programs. The City Council approved those fee increases on August 1st. We also hope to propose the first increase in ambulance fees since 2012, but those revenues are not yet built into the budget.

- The FY17 budget also has an increase of $55,000 to the Parks and Greenway Assessment, from $300,000 last year to $355,000 this year as part of the difficult process to balance the budget, especially for the Parks and Recreation Department.

- This budget does add or increase staffing in the following areas:

    - A ¾ time receptionist in Planning and Building is proposed to go to full-time in order to help with the workload, primarily in the building inspection office. Most of these costs are paid by building permit revenues, so there is only a small effect on property tax supported funds.
    - A seasonal worker in the Parks and Recreation Department who worked 50 out of 52 weeks per year anyway is being put to full-time status because we have to pay medical insurance for this employee anyway now under the Affordable Care Act. There were offsetting decreases in part-time employee costs for the wages.
    - We are proposing to start a new, full-time Maintenance Facility Technician next March 1st (for 1/3 FTE in this budget) to do maintenance of the new City Hall and Parking Structure and to administer the leased parking in the parking structure. After hearing some concerns on this position from the Mayor and Council about parking lease revenue covering all of this position, we are proposing that the TIF fund pay 50% of the cost of the position and that 50% be covered by parking lease revenue. The FY17 wages and benefits cost of this position is $21,336 and the annualized cost would be $64,008.
    - We are also proposing a new Information Technology (IT) position. With Greg Acton's retirement in June, 2016, with increased demand by all departments for IT help, and because our phone system and accounting system are now done via the internet, we think we need a dedicated IT position. That will leave the GIS/IT position to do mostly GIS (which he has been able to do very little because of being pre-occupied with IT work) and he can also back up the IT position. Greg Acton's former position will no longer do any IT work, but will focus on the Water and the Wastewater Treatment Plants, especially the design and construction of the new Wastewater Treatment Plant.

- This budget continues the $300,000 lower Stormwater assessments which the City Council enacted several years ago. The City Council held a work session three years ago where pay as you go financing of stormwater improvements was compared to debt financing. The City Council decided this year to wait until the construction bids come in for these projects to see how much we will spend and then consider increasing the assessment incrementally in future years as new stormwater projects are needed.

- Because the year-end cash balance in the Commercial Street Lighting District (District #4) would have been less than zero at year-end, we proposed that the rates for the district be increased 10% again this year. The rates were increased by 10% for the last two years, but we can't have a negative year end cash balance. The impact on the median commercial property assessment of $33.50 would only be $3.35 for this increase. The City Council also decided to increase the residential street lighting assessment by 10%,

but that increase amounted to an average increase on a residential property of only $1.60 per year.

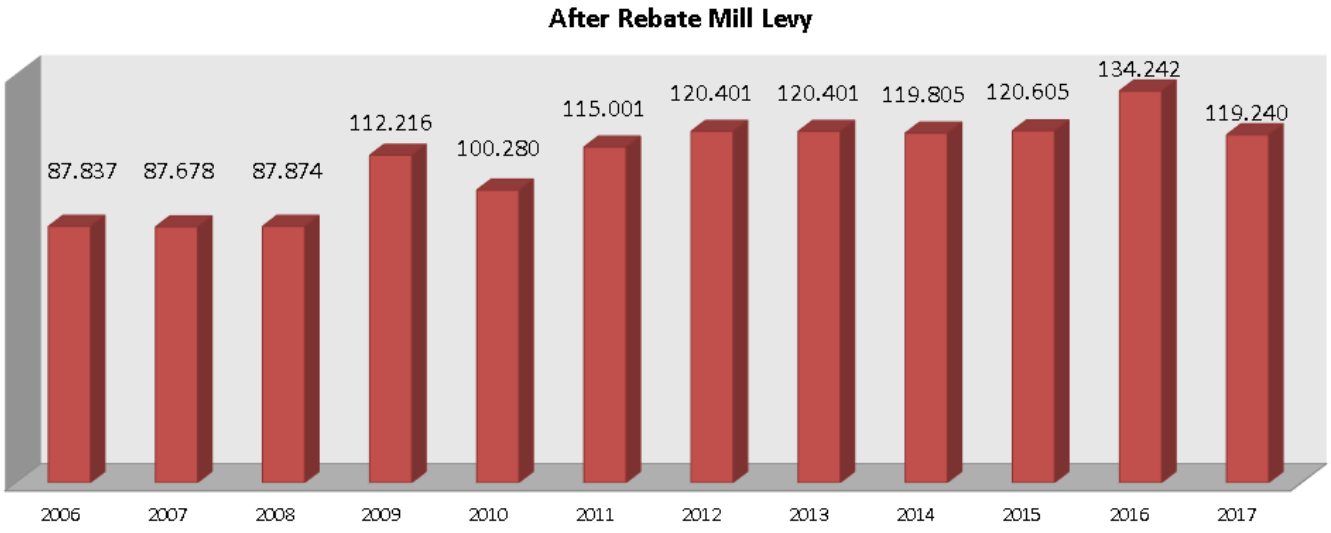
FY17 BUDGET OVERVIEW

The FY17 proposed budget totals $51,343,252 of transfers and expenditures for all funds compared to $63,327,194 in FY16, an 18.92% or $11,983,942 decrease. Most of this decrease can be explained by the following factors:

1. No $7,759,900 appropriation for the Haskill Basin Conservation Easement as that project was completed in FY16.
2. City Hall/Parking Structure Construction Fund has an appropriation that is $4,061,170 less than in FY16 because construction was approximately 33% complete by June 30, 2016
3. Almost no Stumptown Ice Den budget, so that appropriation is $466,236 lower than last year.

Property Tax supported funds' appropriations are down by $149,208, but that figure is somewhat misleading because the Stumptown Ice Den appropriation is down by $466,236. So other than that, property tax supported funds appropriations would be up by $317,028.

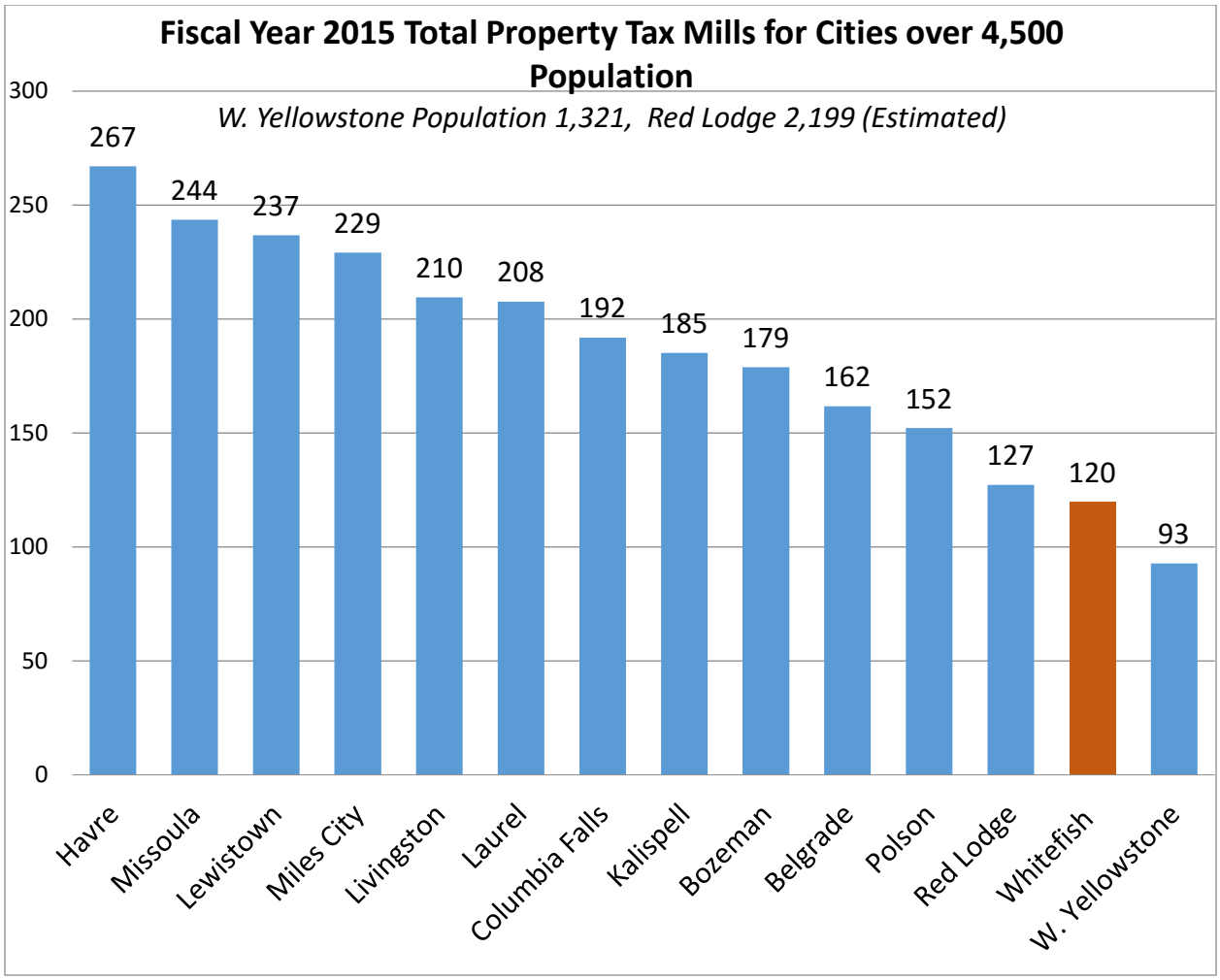
The chart below shows the trend of our net property tax mills levied in recent years.



When considering mill rates, it is instructive to compare the City of Whitefish to other Montana cities. Our budget has provided the graphic below for several years. Whitefish has historically had very low property tax mill levy rates because of our Resort Tax rebate for property tax reductions, high property valuations, and maintenance district assessments.

While levy comparisons are of interest, caution should be exercised in not drawing hard conclusions based on such information. Cities use property taxes to support similar, but not

always the same mix of public services. For example, some cities support libraries, public transportation and other such services with mill-rate levies while others do not. Some cities have maintenance district assessments and others do not.

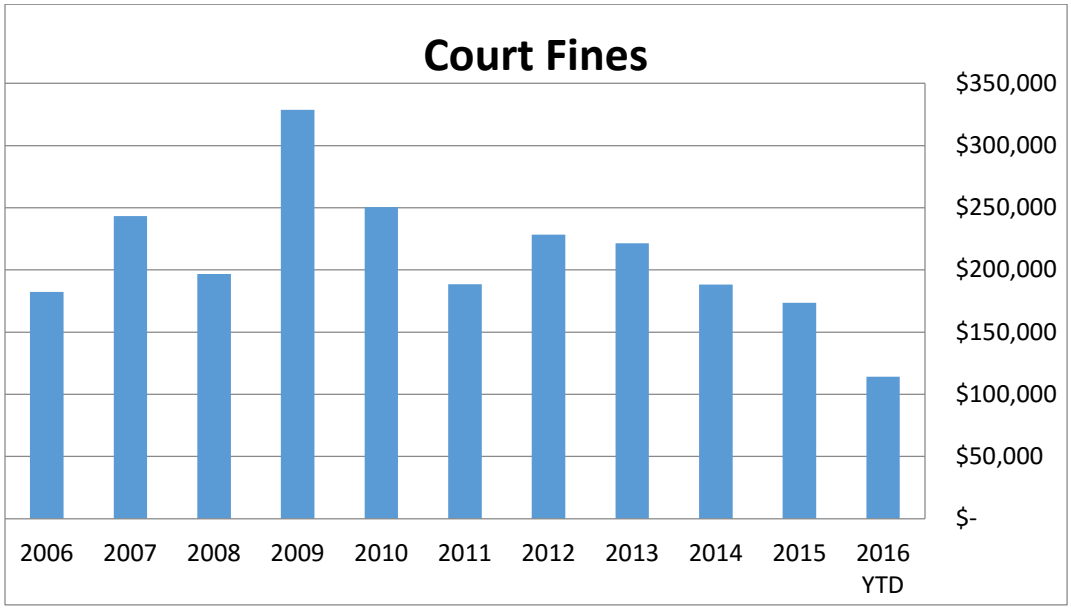


Some other less significant, but still important issues for the Mayor and City Council to realize about the FY17 budget are:

- There is a new ambulance budgeted for $175,000 in FY17 to remain on a schedule of buying a new ambulance every three years. However, this entire cost is offset by a new INTERCAP equipment loan and we estimate the debt service budget for that loan won't begin until FY18.
- I had to eliminate the $20,000 budget that the City Council directed us to include in the budget for planning and designing the new Cemetery at the south end of the Wastewater Treatment Plant property.
- Last year's budget had authorization for a new, full-time utility billing clerk because of the uncertainty of an employee's health. While the situation is not completely resolved, the new position was never hired. We are only budgeting for authorization for a ½ year

position in the FY17 budget and we may not fill that position. We do continue to use some temporary contracted employees to help out with the workload in utility billing. However, the loss of billing for garbage service (it was contracted out to North Valley Refuse in the recent contract), should mean less workload in this area.

- If the Mayor and City Council wanted to increase year-end cash reserves or reallocate spending to another area, we offered some or all of the next level of possible cuts that I considered, but did not end up recommending. Those options were, in priority order:
    1. Reduce or eliminate the lifeguard function at City Beach. Maria Butts tells me that no other lake swimming access areas in Montana provide lifeguards (e.g. Polson and Flathead Lake). Savings in this area could be up to $45,000.
    2. Eliminate the Municipal Court receptionist position that is currently vacant. Savings in this area would be approximately $14,681. Our Municipal Court now requires approximately $75,000 per year in property tax subsidy, whereas most Municipal or City Courts provide excess revenue beyond their costs to help pay for police or prosecution services. The recent trend of Municipal Fines is shown below (does not include dog or parking fines). However, subsequent investigation revealed that police issuance of citations is also down by a similar trend, so the some of the decrease is caused by fewer tickets being written.



    3. Cut the Police car in the budget for $33,500.
    4. Cut the one month overlap of City Managers (December, 2016) to save $8,000.

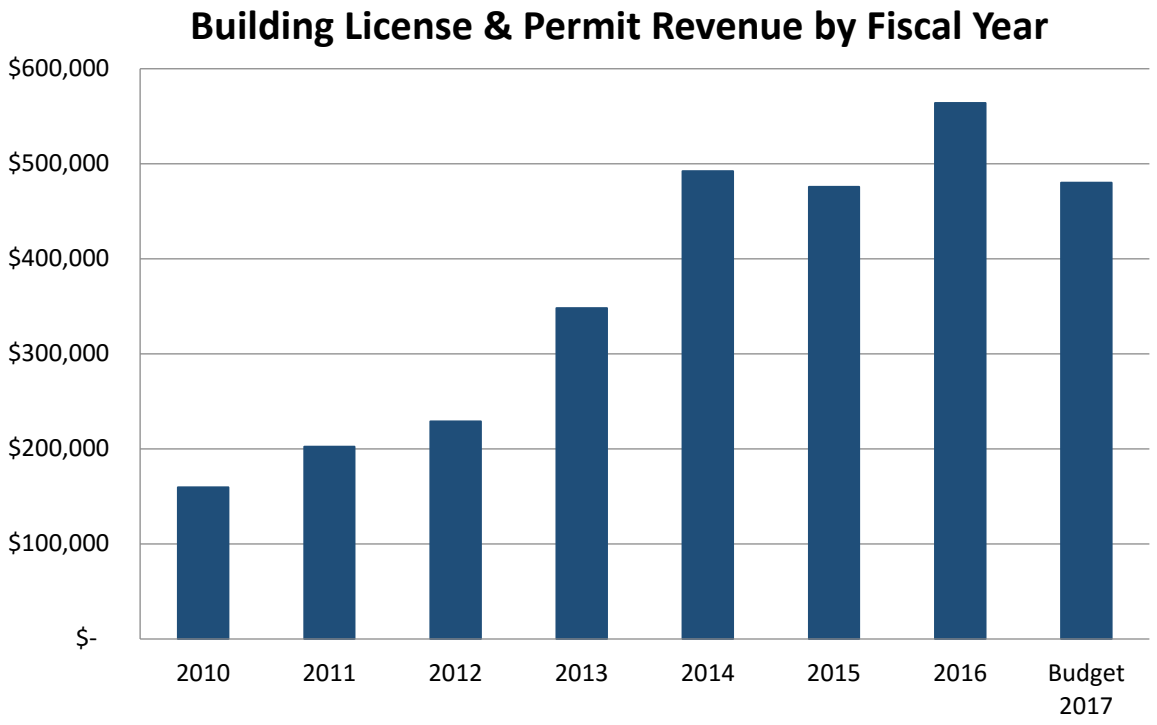
REVENUES

Total revenues for all 24 budgeted funds are budgeted at $29,403,848 which is $18,861,443 or 39.08% lower than the FY16 budget of $48,265,291. Again, most of that is caused completion

of the Haskill Basin Conservation Easement, no Tax Increment Bond for the City Hall/Parking Structure, and partial completion of the City Hall/Parking Structure project.

Total General Fund Revenues are projected at $3,401,420 in FY17 which is a $197,653 or a 5.49% decrease from last year's figure of $3,599,073. Property tax revenues are 12.22% lower in the General Fund because of the additional property tax rebate from the 1% increase in the Resort Tax.

The history and budget for total building permit and plan review fees are shown below. The FY17 estimate is higher than in FY16 because of the expected building permit for the City Hall and Parking Structure and two hotels.



Water usage revenues are up by $174,732 to $3,049,732 which is an increase of 6% because of higher usage, more connections, and last fall's rate increase. The FY16 actual revenues were $3,075,421. We have not anticipated a water rate increase in this budget, but that is because the City Council typically makes utility rate increase decisions later in the year.

Wastewater usage charges are estimated at $2,343,957 or $56,043 or 2.3%% lower in FY17 than in FY16. The FY16 actual figure was $2,467,267 next year, but we budgeted the figures supplied by Utility Operations Supervisor Greg Acton. We have not anticipated a wastewater rate increase in this budget, but we will need to discuss a significant rate increase beginning this next year for the wastewater treatment plant improvements. The City Council recently set the public hearing on water and wastewater rate increases for September 6th.

EXPENDITURES

Total proposed appropriations and transfers equal $51,343,252 which is an $11,983,942 or 18.92% decrease in budget authority as compared to the adopted FY16 Budget of $63,327,194.

Again, most of the decrease is caused by not having to budget for $8,532,000 of debt to provide for the $7,700,000 of needed funds for the Haskill Basin Conservation Easement and a City Hall/Parking Structure construction budget that is $4,061,170 lower than last year as we were about 33% complete by June 30th. Also, the Highway 93 North (Whitefish West) water and sewer projects were completed last fall, so there is only a small budget to finish up the final bill on that project.

Total expenditures and transfers for the General Fund equal $4,688,998 which is a $76,497 or 1.66 increase from the FY16 budget figure of $4,612,501. Most of this increase is from higher wages and benefits.

We have outlined major expenditure and capital outlay items in the narrative for each fund, so I will not repeat that information here.

CONCLUSION

The proposed FY17 budget was initially more difficult than I anticipated because of some of the factors I mentioned above. I do think next year's budget will be a little easier and may give the City Council more flexibility in capital expenditures and an option to increase year-end reserves.

I would also like to thank the Department Directors for their help and support and Michelle, Vanice, and Sherri Baccaro for their help in compiling and entering information in the budget. Our Finance Director, Dana Smith, did almost all of the work of entering the data, checking the spreadsheets for accuracy, and preparing the narrative. Dana's experience and advice were invaluable and she carried most of the burden for creating this budget and she makes my work much easier. My thanks to all of them and to the Mayor and City Council for your review and consideration of the budget.

Budget Summary by Main Revenue Source
City of Whitefish
Fiscal Year 2017 Budget

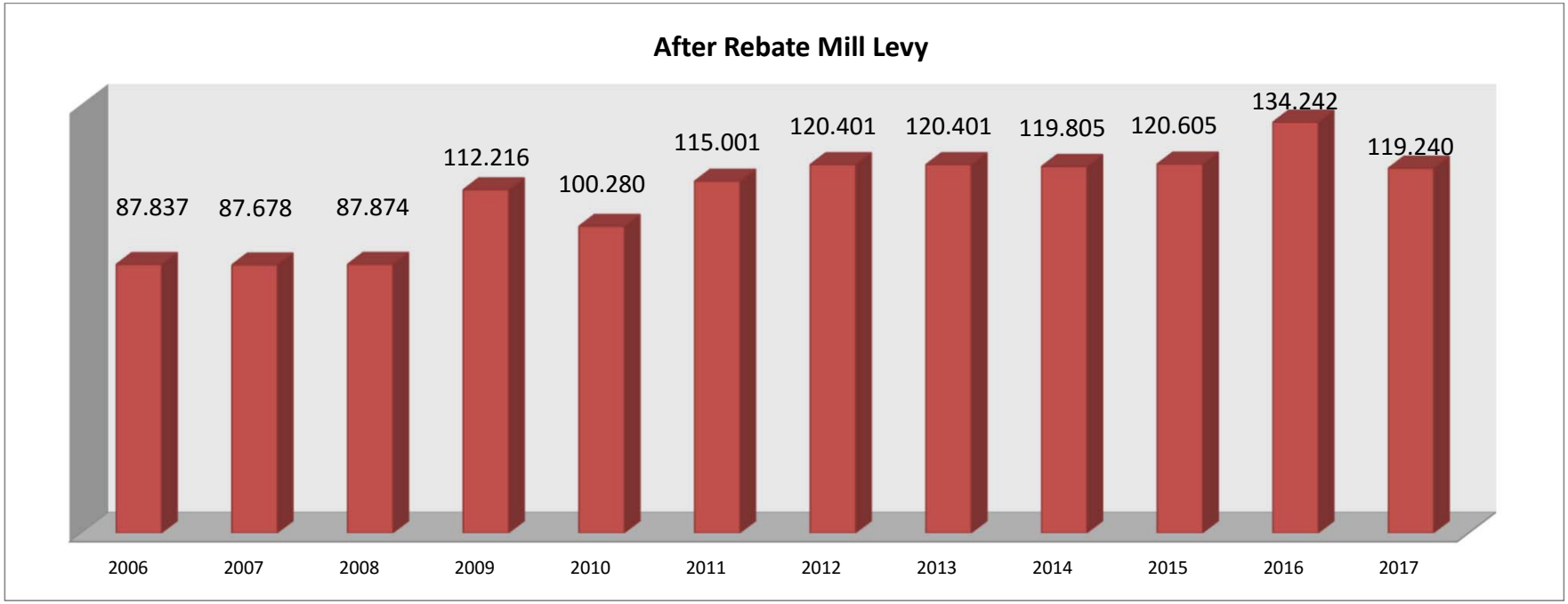
8/4/2016 14:01

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
4		Resources				Requirements									
5–7	Fund	Beginning Available Cash	Revenue & Other Financing	Transfers	Total	Personal Services	Materials & Services	Capital Outlay	Transfers	Debt Service	Conting.	Total Approp Budget	Ending Available Cash	Total Approp. & Unapprop	Change in Cash
9	**Property Tax Supported Funds:**														
10	General	$ 700,564	$ 3,401,420	$ 1,182,354	$ 5,284,338	$ 800,973	$ 173,315		$ 3,704,710		$ 10,000	$ 4,688,998	$ 595,340	$ 5,284,338	$ (105,224)
11	Library	116,217	194,835	34,371	345,423	175,767	67,506				36,500	279,773	65,650	345,423	(50,567)
12	Law Enforcement	4,618	522,693	2,157,000	2,684,311	2,145,485	498,980	33,500		5,552		2,683,516	795	2,684,311	(3,823)
13	Fire & Ambulance	199,300	2,760,650	835,000	3,794,950	2,330,170	876,234	175,000		165,988		3,547,392	247,558	3,794,950	48,258
14	Parks/Rec	127,608	805,135	672,579	1,605,322	864,039	574,981	5,500		32,528		1,477,048	128,274	1,605,322	666
15	**Total**	$ 1,148,307	$ 7,684,733	$ 4,881,304	$ 13,714,344	$ 6,316,434	$ 2,191,016	$ 214,000	$ 3,704,710	$ 204,068	$ 46,500	$ 12,676,728	$ 1,037,615	$ 13,714,344	$ (110,692)
16												Change in Cash	(110,692)		
17						Total Operating Budget =		8,507,450			Ending Cash as a % of Budget		11.57%		
18	**Other Tax, Fee & Assessment Supported Funds:**														
19	Resort Tax	$ 1,961,414	$ 3,352,277		$ 5,313,691			$ 2,169,941	$ 1,702,494			$ 3,872,435	$ 1,441,257	$ 5,313,691	$ (520,158)
20	Tax Inc Dist	1,413,992	5,613,388	203,386	7,230,766	207,033	1,121,392	535,775	4,683,916		500,000	7,048,116	182,650	7,230,766	(1,231,342)
21	Bldg Codes	197,431	556,000		753,431	380,728	72,892	30,000				483,620	269,811	753,431	72,380
22	Street Fund	1,246,954	1,356,097		2,603,051	702,372	432,204	681,249			50,000	1,865,825	737,225	2,603,051	(509,728)
23	Street Lighting #1	37,372	84,471		121,843	27,324	65,470					92,794	29,048	121,843	(8,323)
24	Street Lighting #4	12,029	81,421		93,450	27,324	58,870					86,194	7,256	93,450	(4,773)
25	Impact Fees	350,014	208,000		558,014				391,484			391,484	166,530	558,014	(183,484)
26	Sidewalk	142,237	400		142,637			142,637				142,637	0	142,637	(142,237)
27	Stormwater	566,142	74,600		640,742		32,767	115,000				147,767	492,975	640,742	(73,167)
28	**Total**	$ 5,927,585	$ 11,326,654	$ 203,386	$ 17,457,625	$ 1,344,781	$ 1,783,596	$ 3,674,602	$ 6,777,893	$ -	$ 550,000	$ 14,130,872	$ 3,326,753	$ 17,457,625	$ (2,600,833)
30						Total Operating Budget =		3,128,377							
31	**Enterprise Funds:**														
32	Water	$ 5,435,620	$ 3,347,342	$ 839,625	$ 9,622,587	$ 1,078,344	$ 773,470	$ 1,272,288	$ 319,485	$ 1,381,776		$ 4,825,364	$ 4,797,223	$ 9,622,587	$ (638,397)
33	Wastewater	2,144,483	5,503,570		7,648,053	987,464	896,829	3,370,549		321,153		5,575,995	2,072,058	7,648,053	(72,425)
34	Solid Waste	155,751	200		155,951	11,297	10,229					21,526	134,425	155,951	(21,326)
35	**Total**	$ 7,735,853	$ 8,851,112	$ 839,625	$ 17,426,590	$ 2,077,105	$ 1,680,528	$ 4,642,837	$ 319,485	$ 1,702,929	$ -	$ 10,422,884	$ 7,003,706	$ 17,426,590	$ (732,147)
37						Total Operating Budget =		3,757,633							
38	**Other Funding Source Funds:**														
39	City Hall/Parking Structure	$ 8,006,276	$ 764,000	$ 1,456,598	$ 10,226,874			$ 10,226,874				$ 10,226,874	$0	$ 10,226,874	$ (8,006,276)
41	Housing Authority	1,973	527,500		529,473		529,473					529,473	0	529,473	(1,973)
42	WF Trail Construct	4,806	75,000		79,806		50,000	19,000			6,000	75,000	4,806	79,806	0
43	Park Acq & Dev	52,077	2,300		54,377							0	54,377	54,377	2,300
44	TIF Debt Svc	4,679,013	6,000	3,421,176	8,106,189					3,165,573		3,165,573	4,940,616	8,106,189	261,603
45	Victim/Wit	253	15,000		15,253		15,000					15,000	253	15,253	0
46	Misc. S.I.D.	136,006	151,550		287,556					100,848		100,848	186,708	287,556	50,702
47		$ 12,880,404	$ 1,541,350	$ 4,877,774	$ 19,299,527	$ -	$ 594,473	$ 10,245,874	$ -	$ 3,266,421	$ 6,000	$ 14,112,767	$ 5,186,760	$ 19,299,527	$ (7,693,644)
49	**Total**	$ 27,692,149	$ 29,403,848	$ 10,802,088	$ 67,898,086	$ 9,738,320	$ 6,249,613	$ 18,777,312	$ 10,802,088	$ 5,173,418	$ 602,500	$ 51,343,252	$ 16,554,834	$ 67,898,086	$ (11,137,316)

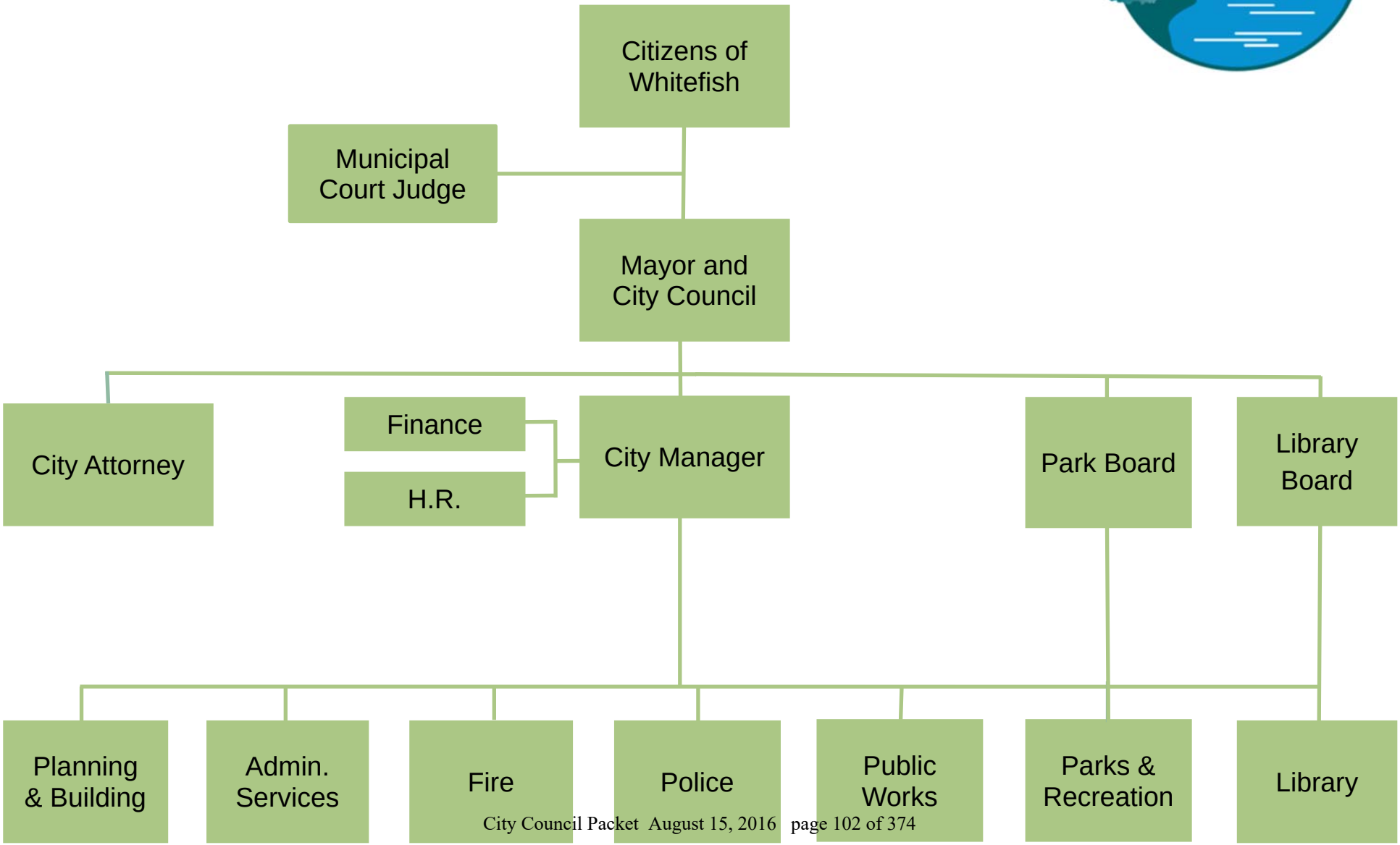
City of Whitefish
Mill Value and Tax Levy
History

8/3/2016

Fiscal Year	Total Market Value	Newly Taxable Value	Mill Value		HB 124 Mills Levied	Health Insur Mills	Gross Mills Levied	Resort Tax Relief	Net Mills Levied	Fire & Amb Mills	Total Mills Levied	Distibution of Property Tax Levy: General	Library	Fire Pension	Fire/Amb	Fire	Amb	Total Property Tax Revenue
	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o			p
							(e+f)		(g+h)		(i+j)							(c x k)
2002	$ 331,297,444	$ 1,543,904	$ 9,521.589	16.1%	97.90		97.900	-28.63	69.267		69.267							$ 659,532
2003	$ 376,926,297	$ 1,171,218	$ 10,540.581	11%	106.40	4.81	111.210	-26.43	84.782		84.782	$ 851,489		$ 42,162				$ 893,652
2004	$ 438,821,953	$ 1,688,291	$ 12,324.709	17%	106.40	4.81	111.210	-24.07	87.139		87.139	$1,024,664		$ 49,299				$1,073,963
2005	$ 496,460,096	$ 1,042,687	$ 13,398.957	9%	106.40	4.81	111.210	-24.14	87.069		87.069	$1,113,038		$ 53,596				$1,166,634
2006	$ 577,691,081	$ 1,438,400	$ 15,023.975	12%	107.40	3.81	111.210	-23.37	87.837		87.837	$1,259,565		$ 60,096				$1,319,661
2007	$ 676,545,891	$ 1,121,030	$ 16,608.044	11%	105.68	5.53	111.210	-23.53	87.678		87.678	$1,389,728		$ 66,432				$1,456,160
2008	$ 755,263,708	$ 1,812,408	$ 18,512.556	11%	105.68	5.53	111.210	-23.34	87.874		87.874	$1,552,722		$ 74,050		$ -		$1,626,772
2009	$ 789,392,160	$ 1,029,224	$ 19,499.520	5.3%	108.75	2.46	111.210	-22.99	88.216	24	112.216	$1,642,172		$ 77,998	$ 467,988	$294,833	$173,156	$2,188,158
2010	$ 888,143,474	$ 1,238,391	$ 20,103.083	3%	108.75	2.46	111.210	-23.29	87.920	12.36	100.280	$1,687,048		$ 80,412	$ 248,474	$ 99,390	$149,084	$2,015,935
2011	$ 952,357,384	$ 563,091	$ 20,434.118	2%	115.40	2.46	117.860	-22.54	95.321	19.68	115.001	$1,866,064		$ 81,736	$ 402,143	$160,857	$241,286	$2,349,944
2012	$1,022,102,349	$ 710,377	$ 21,287.796	4%	116.33	6.08	122.412	-26.01	96.401	24	120.401	$1,852,060	$114,954	$ 85,151	$ 510,907	$204,363	$306,544	$2,563,072
2013	$1,090,881,100	$ 522,087	$ 21,631.411	1.6%	117.966	6.08	124.046	-27.65	96.401	24	120.401	$1,881,954	$116,810	$ 86,526	$ 519,154	$207,662	$311,492	$2,604,444
2014	$1,164,900,282	$ 307,117	$ 22,105.761	2.2%	117.174	10.00	127.174	-31.369	95.805	24	119.805	$1,910,048	$119,371	$ 88,423	$ 530,538	$212,215	$318,323	$2,648,381
2015	$1,241,653,567	$ 540,964	22,873.171	3.5%	116.000	9.846	125.846	-29.241	96.605	24	120.605	$1,994,655	$141,814	$ 91,493	$ 548,956	$219,582	$329,374	$2,758,619
2016	$1,988,271,955	$ 447,138	21,340.576	-6.7%	127.600	14.46	142.061	-31.818	110.242	24	134.242	$2,164,408	$145,543	$ 42,681	$ 512,174	$204,870	$307,304	$2,864,806
2017			21,984.576	3.0%	129.600	19.42	149.021	-53.781	95.240	24	119.240	$1,899,897	$149,935	$ 43,969	$ 527,630	$211,052	$316,578	$2,621,431
			change from last year		2.00	4.96	6.96	-21.96	-15.00	0.00	-15.00	$ (264,511)	$ 4,392	$ 1,288	$ 15,456	$ 6,182	$ 9,274	$ (243,375)
											-11.18%	-12.22%	3.02%	3.02%	3.02%	3.02%	3.02%	-8.50%

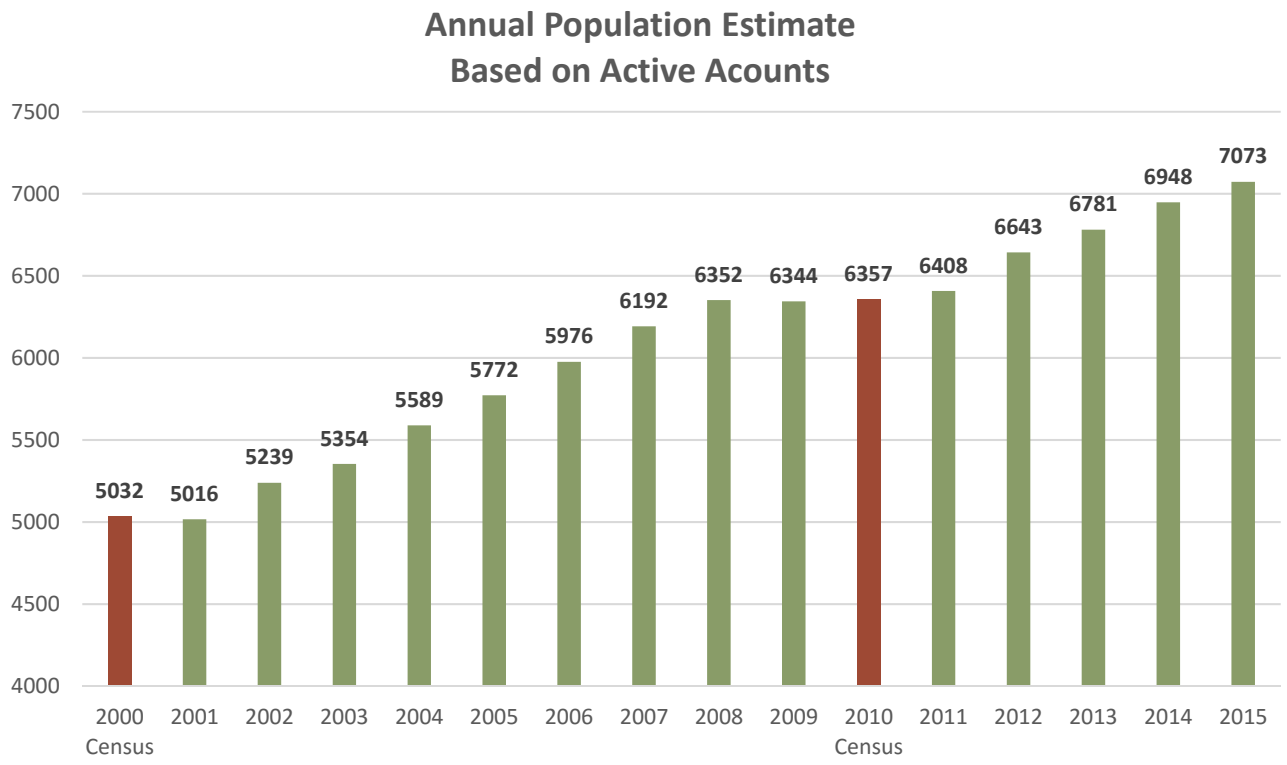


City of Whitefish Organizational Chart



Population

FY 2017



Staffing

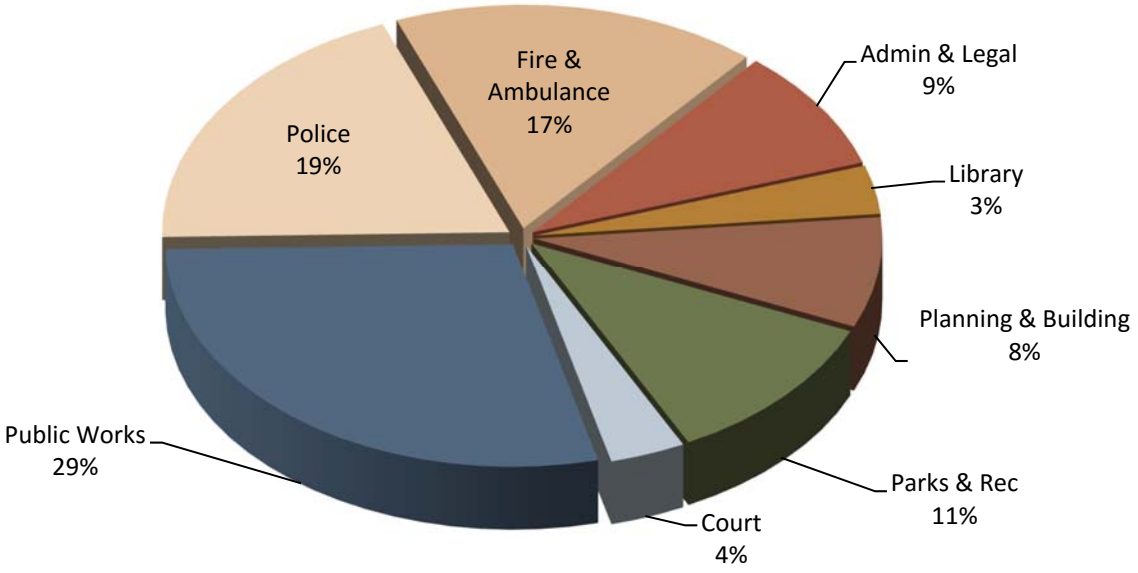
FY 2017

The FY 2017 budget funds 99.60 full time equivalent employees not including seasonal employees for Parks and Recreation during the winter and summer months, a summer internship for Public Works, or a summer intern for the Legal Services Department. The total budgeted payroll and benefits expense (personal services) increased about $195,066 from FY 2016 to FY 2017, which does include seasonal and intern wages and employer contributions. Changes in payroll include the following:

- A 3.8% wage increase is included for FY 2017. The wage adjustment is COLA (1.8% for FY 2017) plus a 2% pay matrix STEP for a total of 3.8%.
- Health and vision insurance costs are increasing for FY 2017 by 7.3% and 16.5%, respectively.
- Seasonal wages in the Parks & Recreation Department are reduced by $97,957 since seasonal staff are no longer required at the community ice rink with the management contract that is in place for the facility.
- The Summer Camp/Youth Program Coordinator position in the Parks & Recreation Department has been reclassified from a reoccurring seasonal position into a full-time position due to the health insurance requirements of the Affordable Care Act and a minimal break in service during past years.
- The part-time position in the Building Department has been increased to a full-time position.
- A new IT position is included in the budget for nine months of FY 2017, with an expected start date in October 2016.
- A new facilities maintenance technician position has also been included in the budget with an expected start date in March 2017.

Full Time Employee Equivalents - FY 2017

(not including Parks & Rec seasonal employees and 2 intern positions)



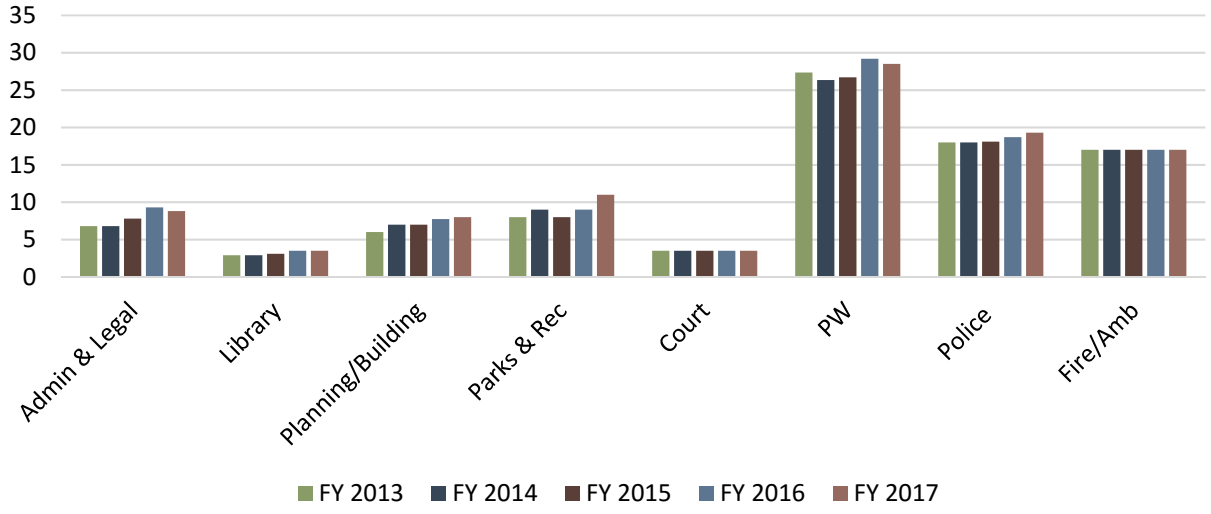
Below is a summary of the full time and part-time employees for FY 2017:

FY 2017 Employee Summary

Department	Full-time	Part-time	Full-time Equivalent
Admin & Legal	8	0.8	8.8
Library	1	2.50	3.5
Planning & Building	8	0	8
Parks & Rec	11	0	11
Court	3	0.5	3.5
Public Works	28	0.5	28.5
Police	18	1.30	19.3
Fire & Ambulance	17	0	17
Total Employees	94	5.60	99.60

**Parks also has seasonal employees budgeted for summer and winter that are not shown above. In addition, there are two internship positions budgeted (one for Public Works and one for Legal).*

Full Time Equivalents Trend by Department FY 2013 - FY 2017



Debt

FY 2017

The City carries debt from revenue bonds, loans from the State Revolving Fund, and loans from the State of Montana INTERCAP Program. Revenue bonds are backed by the underlying revenue applicable to the financing. The City has no general obligation debt outstanding.

In FY 2015 the City refunded the 2009 Tax Increment Bond (now referred to as the TIF 2015 Series) to save money with lower interest rates. On March 1, 2016, the City closed on the TIF 2016 Series Bonds to provide financing for a portion of the new City Hall and Parking Structure. The only SID that is currently being assessed is SID 166, which was for the JP Road construction project. The bond for that project is backed by an assessment within that Special Improvement District.

The water and wastewater loans currently outstanding were provided by the State of Montana's Revolving Fund (SRF) for construction and upgrades to the water and wastewater systems. These loans are backed by and paid for through the user fees generated from the water and wastewater systems. In FY 2016, the City closed on a loan through the SRF program to fund the purchase of the Haskill Basin Conservation Easement. This loan is first backed by Resort Tax revenues resulting from 70% of the additional 1% that went into effect on July 1, 2015. In addition to the Resort Tax revenues, the loan is further backed up by water user fees if Resort Tax revenues are not adequate.

In FY 2017, the City issued debt for the Wastewater I&I Mitigation Project and anticipates and additional loan for the Wastewater Treatment Plant Design through the SRF program. An INTERCAP loan is also budgeted as the method of financing the purchase of a new Ambulance. Furthermore, SID 167 that was approved by the City Council is expected to be issued in January of 2017 and the budget and related fund will be created and approved at the time of issuance.

Debt

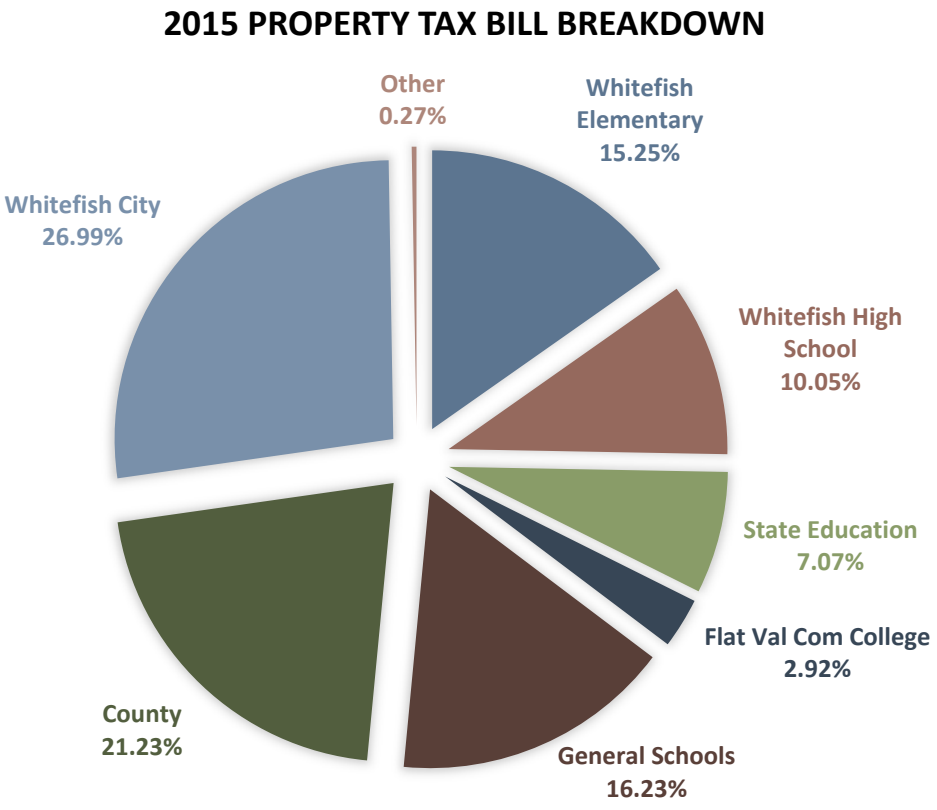
FY 2017

Below is a summary of the outstanding debt obligations of the City as of June 30, 2016:

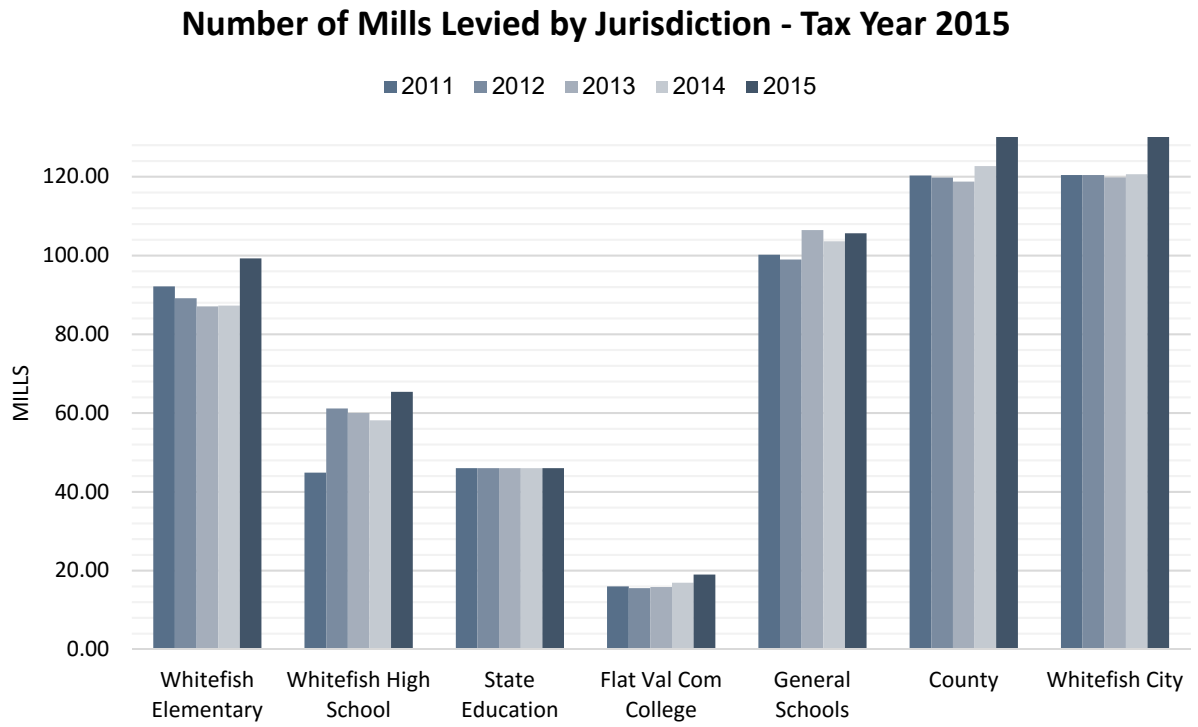
Description of Long-Term Liability	Balance as of June 30, 2016	Balance as of June 30, 2015	Change
TIF 2015 Refunding (ESC)*	$ 7,183,000	$ 7,183,000	$ 0
TIF 2016 (City Hall/Parking Structure) *	9,800,000	0	9,800,000
Water Revenue Bonds*	2,423,000	2,793,000	(370,000)
Water Revenue Bond – Haskill Basin C.E.*	7,863,000	0	7,863,000
Wastewater Revenue Bonds*	3,488,563	2,659,218	829,345
SID 166 Bond	655,000	725,000	(70,000)
Ice Rink Loan	47,862	79,422	(31,560)
Ambulance Loan	93,070	123,520	(30,450)
Police Vehicle Loan	5,488	10,935	(5,447)
Fire Engine Loan	414,716	461,318	(46,602)
Fire Pumper Loan	181,739	211,000	(29,261)
Fire SCBA Loan	230,453	0	230,453
TOTAL	**$32,385,892**	**$14,246,413**	**$18,139,479**

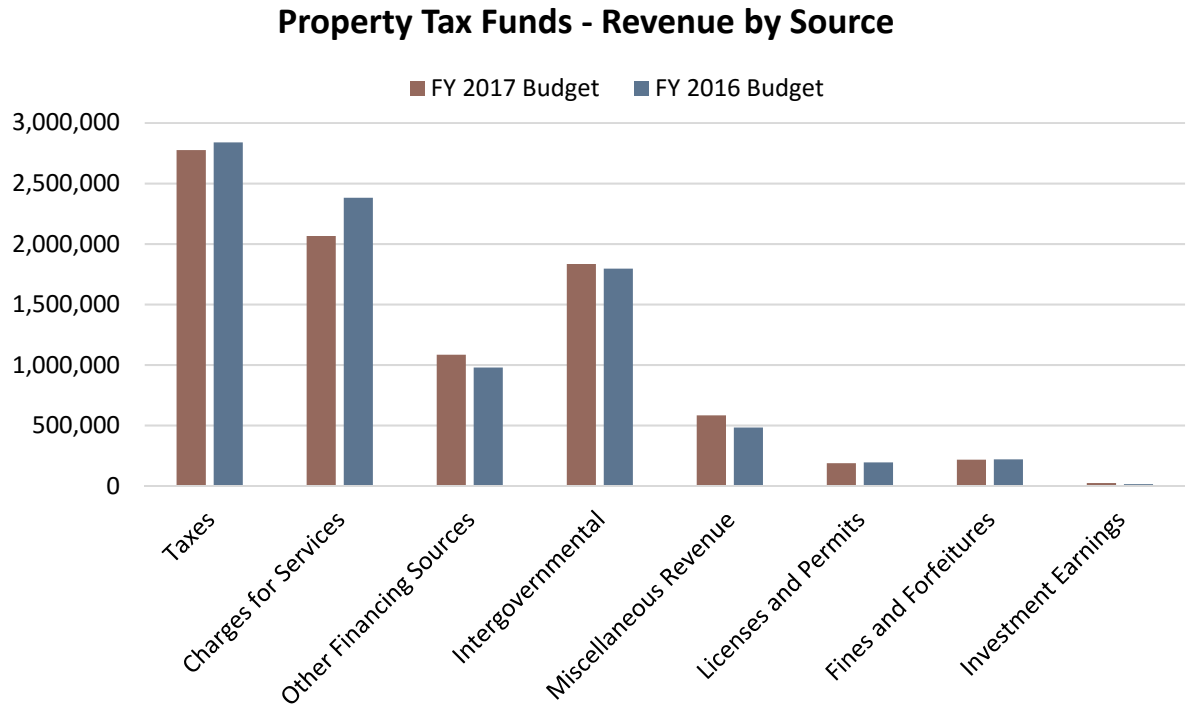
**Revenue bonds secured by and repaid by future revenues.*

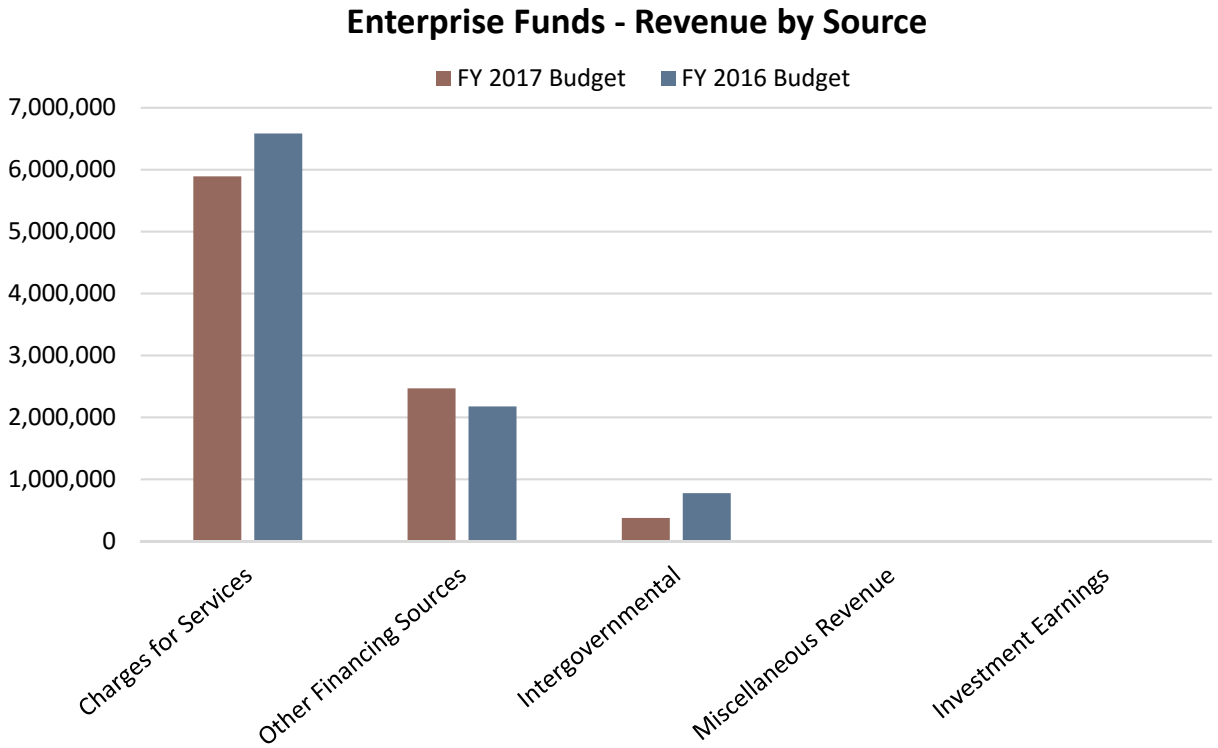
Of the total property tax bill (including taxes and assessments), the City of Whitefish accounts for 26.99%. About 50% of a city resident property tax bill goes to education.



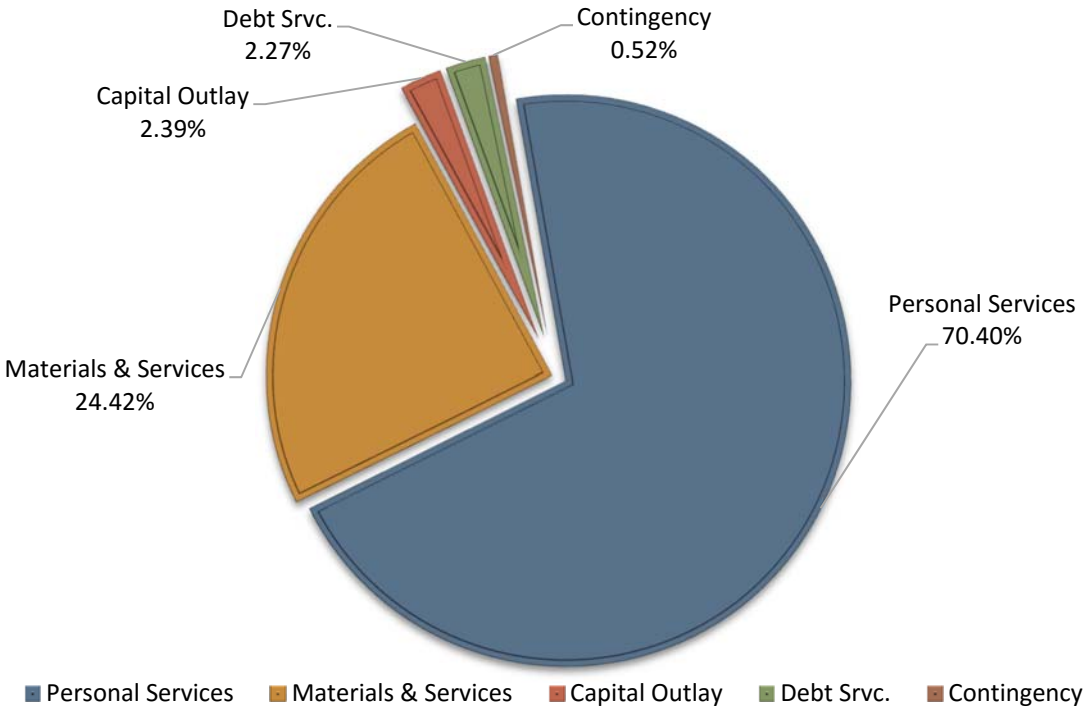
Calendar year 2008 was the first year the city levied the 24 mills for 24/7 coverage for Fire and Ambulance Fund. In 2011, 5.4 mills were levied by the City instead of the County for the Whitefish Community Library. The City's tax year 2012 levy remained the same as the prior year and the mill levy decreased by half a percent for 2013. The 2014 tax year mill levy increased the library mills levied by 0.8 mills with the overall total of mills levied increasing by 0.67 percent. The FY 2016 budget included an increase in mills for the 2015 tax year mostly as a result of the reappraisal process. For FY 2017, or the 2016 tax year, the City has budgeted a 15.00 mill decrease.



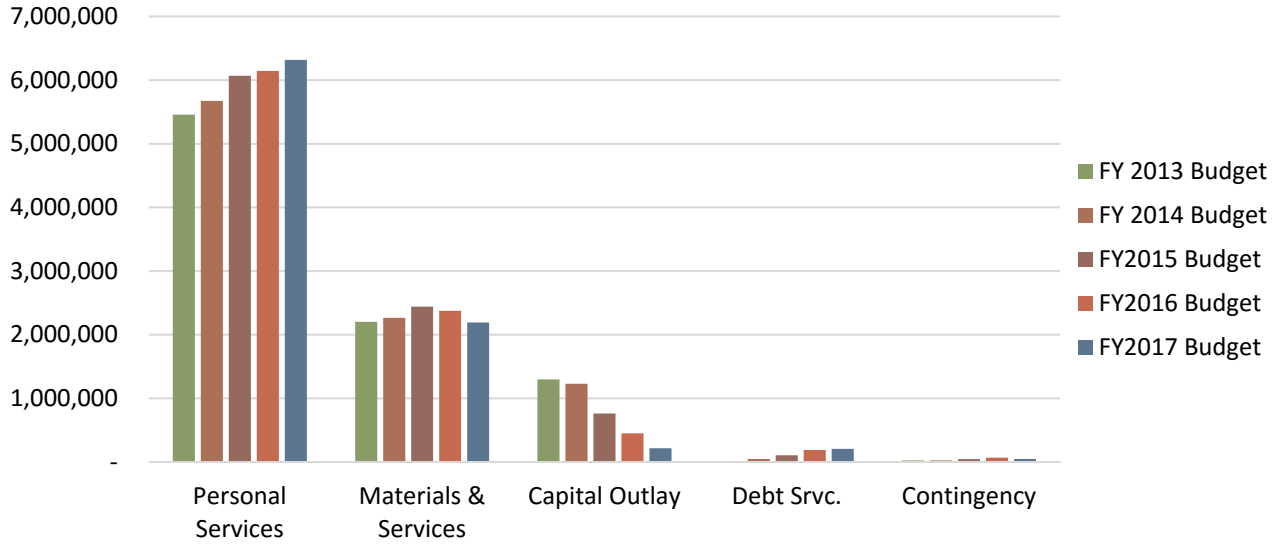

Property Tax Funds - Revenue by Source
FY 2017 Budget
FY 2016 Budget
3,000,000
2,500,000
2,000,000
1,500,000
1,000,000
500,000
0
Taxes
Charges for Services
Other Financing Sources
Intergovernmental
Miscellaneous Revenue
Licenses and Permits
Fines and Forfeitures
Investment Earnings

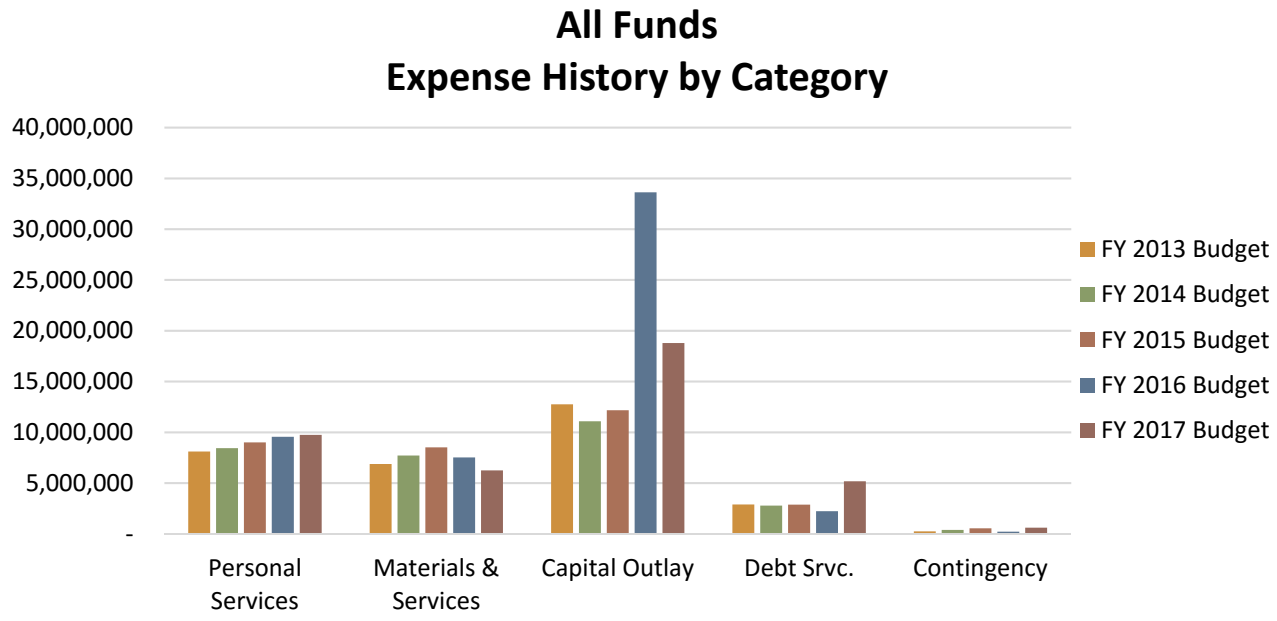

Enterprise Funds - Revenue by Source
FY 2017 Budget
FY 2016 Budget
7,000,000
6,000,000
5,000,000
4,000,000
3,000,000
2,000,000
1,000,000
0
Charges for Services
Other Financing Sources
Intergovernmental
Miscellaneous Revenue
Investment Earnings

FY 2017 Property Tax Supported Budget Requirements

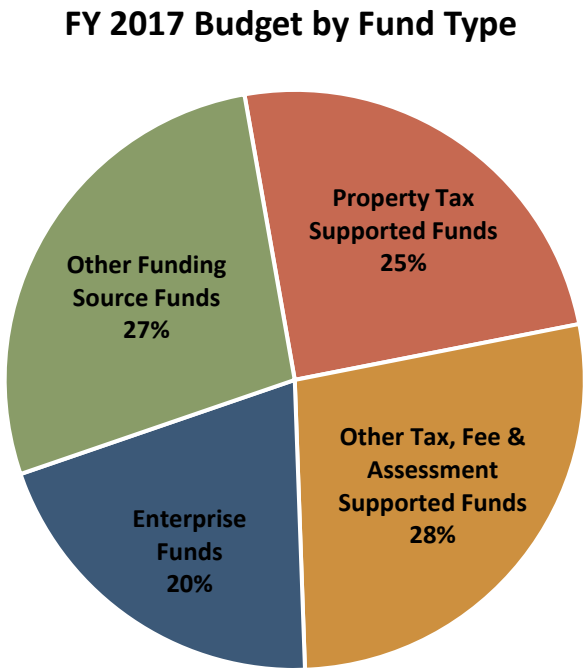


Property Tax Supported Funds Expense History by Category





Note: FY 2016 Capital Outlay was significantly higher due to the acquisition of the Haskill Basin Conservation Easement for $7,700,000 and the expenses budgeted for the City Hall/Parking Structure project totaling $14,288,044. For FY 2017 only a portion of the $14,288,044 of budgeted expenses for the City Hall/Parking Structure Project have been carried over from FY 2016.



General Fund

FY 2017

Purpose

The General Fund provides services and projects that are typically not self-supporting. Services provided by the General Fund include Municipal Court, Administrative Services, Resort Tax Administrative Services, Legal Services, Facilities Maintenance, Community Planning, Community Agencies, Cemetery Services, and other Non-Departmental functions. Significant transfers of property taxes are also made from the General Fund to support the Law Enforcement Fund, Fire and Ambulance Fund, Library Fund and the Parks and Recreation Fund. General Fund services generate relatively little or no revenue to offset their costs. As such, property tax revenue and other "general" income sources are used to pay for General Fund expenses.

FY 2017 Objectives

The objective of the General Fund for FY 2017 is to provide budget authority to provide the above listed services within the City.

Significant or Changed Appropriations during FY 2017 are:

Item/Project	
Revenue Changes	
• Decrease in property tax revenue	$197,653
• Increase in State Entitlement Distribution	$30,006
• Increase in Planning & Zoning fee estimates	$30,500
• Increase in Resort Tax Property Tax Relief	$503,331
Expenditure Changes	
• One-month overlap for City Manager position	$8,000
• City Manager payoff of accrued vacation, personal, and sick leave (additional expenditure of $30,276 in funds other than the General Fund - $5,220 in property tax supported funds and $25,056 in other funds)	$4,524
• New City Manager Selection Process (a portion of the $12,000 is allocated to other funds – See Administrative Services Division)	$12,000
• Decreased Prosecution Services (FY 2017 no outside Legal Services required)	$20,000
• Reduced cost of ½ time Legal Assistant (additional savings of $10,980 in other funds)	$11,895
• Decrease in operating contingency	$7,500
• Increased transfers to the Law Enforcement Fund	$72,000
• Increased transfer to the Parks & Recreation Fund	$21,341

General Fund Revenue - 1000

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Taxes					
311010	Real Property Taxes	1,824,285	2,021,796	2,146,408	2,111,984	1,881,897
311020	Personal Property Taxes	17,410	11,325	18,000	9,986	18,000
312000	Penalty and Interest	7,309	7,273	5,000	6,709	7,000
314125	In Lieu of Taxes - Housing Auth.	10,902	12,020	12,500	12,661	13,000
		$ 1,859,906	**$ 2,052,415**	**$ 2,181,908**	**$ 2,141,341**	**$ 1,919,897**
	Licenses and Permits					
321070	Fees in Lieu of Taxes	-	1,355	-	1,585	1,000
322010	Alcohol Bvrg Licenses/Permits	14,225	13,951	15,000	15,815	15,000
322014	Catering License Fees	245	350	300	245	300
322020	General Business License	44,087	46,507	45,000	46,619	47,000
322022	Security Alarm Fees	-	110	100	125	100
323021	Special Events Permit Fees	2,725	3,485	3,000	2,750	3,500
323030	Animal Licenses	852	733	1,000	563	800
		$ 62,134	**66,490**	**64,400**	**67,701**	**67,700**
	Intergovernmental					
334140	Cultural Arts Grant - Pass Through	4,219	-	10,000	-	10,000
335020	Personal Property Tax Reimb - State	13,129	-	-	-	-
335110	Live Card Game Table Permit	-	1,358	2,800	1,008	1,500
335120	Gambling Machine Permits	18,414	15,550	18,000	15,675	16,000
335230	State Entitlement Distribution	741,457	785,300	807,597	807,597	837,603
		$ 777,218	**802,208**	**838,397**	**824,280**	**865,103**
	Charges for Services					
341010	Copies, Maps & Misc.	409	90	200	24	100
341015	Bad Check Service Charges	100	75	100	25	100
341061	Temporary Use/Vendor Fees	1,350	200	1,000	625	1,000
341062	Variance Fee	4,160	4,488	4,000	3,575	5,000
341063	Conditional Use Permit Fees	13,195	30,550	22,000	27,091	25,000
341064	Sign Fee	14,356	13,753	12,000	10,835	12,000
341065	Architectural Review Fee	14,615	16,925	15,000	20,025	20,000
341066	Lakeshore Fee	15,660	9,915	7,000	8,115	9,000
341067	Floodplain	-	-	500	-	500
341068	Critical Area Fee - Inside City	3,180	1,300	1,500	200	1,000
341069	Critical Area Fee - Outside City	1,600	-	-	-	-
341070	Planning Fees	83,345	33,846	45,000	51,131	50,000
341071	Zoning Fees	111,762	110,513	90,000	123,334	105,000
341077	5% Admin Fee for Impact Fees	14,212	10,714	10,000	25,489	12,000
343320	Sale of Cemetery Lots	-	290	250	250	250
343321	Sale of Cemetery Cremain Niches	-	13,100	10,000	350	3,000
343340	Cemetery Burial Fees	3,500	1,850	4,000	2,850	2,000
343360	Weed Control Charges	498	4,649	2,000	7,381	4,000
		$ 281,942	**252,258**	**224,550**	**281,301**	**249,950**
	Fines and Forfeitures					
351030	Municipal Court Fines	188,325	173,669	190,000	161,516	180,000
351031	Parking Fines	27,365	29,665	30,000	35,995	36,000
351040	Dog Fines	525	835	500	975	1,000
351045	Defense Attorney Fee Reimburse	50	770	250	-	250
		$ 216,265	**204,939**	**220,750**	**198,486**	**217,250**
	Miscellaneous Revenue					
361000	Parking Lease Fee					11,520
361010	Golf Course Lease Fee	48,754	22,375	29,068	25,234	26,000
362000	Miscellaneous Revenue	29,309	19,005	25,000	9,581	20,000
		$ 78,063	**41,380**	**54,068**	**34,815**	**57,520**

General Fund Revenue - 1000

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Investment Earnings					
371010	Investment Earnings	21,663	14,535	15,000	18,602	24,000
		$ 21,663	**14,535**	**15,000**	**18,602**	**24,000**
	Other Financing Sources					
383002	Resort Tax - Tax Relief Transfer	693,432	668,831	679,023	679,023	862,869
383000	Haskill Basin Excess Tax Relief	-	-	-	-	319,485
		$ 693,432	**668,831**	**679,023**	**679,023**	**1,182,354**
	Total Fund Revenue	**$ 3,990,623**	**4,103,057**	**4,278,096**	**4,245,549**	**4,583,774**
101000	**Beginning Available Cash**			**886,994**		**700,564**
	Total Resources			**5,165,090**		**5,284,338**

General Fund Expenditures - 1000

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
410100 Legislative Services					
220 Operating Supplies/Material	3,491	2,797	3,000	4,425	4,000
370 Council Travel & Training	800	351	1,000	671	1,000
390 Other Purchased Services	3,030	3,274	4,500	3,070	4,500
Total Legislative Services	**$ 7,321**	**$ 6,422**	**$ 8,500**	**$ 8,166**	**$ 9,500**

Municipal Court

FY 2017

Purpose

The Municipal Court budget in the General Fund provides for the administration of the Whitefish Municipal Court.

FY 2017 Objectives

The objective of the Municipal Court Division for FY 2017 is to provide budget authority to operate the Whitefish Municipal Court. Two full-time and one part-time clerk assist the Municipal Judge in operating the Municipal Court.

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
410360	**Municipal Court**					
	Personal Services					
110	Salaries	157,397	163,754	170,250	167,460	174,178
112	Permanent Part Time	12,181	12,572	13,812	10,744	14,592
120	Overtime	2,278	2,936	2,228	1,801	2,294
130	Vacation/Sick Accrual	-	-	-	-	-
140	Employer Contributions	63,342	65,433	73,483	61,722	71,707
		$ 235,198	**$ 244,695**	**$ 259,773**	**$ 241,727**	**$ 262,771**
	Materials and Services					
210	Office Supplies/Materials	1,975	1359	2300	1540	2,300
220	Operating Supplies/Material	434	455	500	2630	500
230	Repair/Maintenance Supplies	227	789	1100	88	1,100
310	Communication & Transportation	880	1016	1700	541	1,700
320	Printing	-	-	200	-	200
330	Publicity/Subscriptions/Dues	1,024	1079	1800	1088	1,800
340	Utility Services	4,915	5110	7000	4786	7,000
360	Repair & Maintenance	3,634	4728	4000	5606	5,000
370	Travel & Training	3,604	3338	5000	3911	5,000
390	Other Purchased Services	2,208	1379	3762	840	3,762
397	Sub-Judge Contracts	1,326	1430	1200	1014	2,500
510	Insurance	6,068	4878	8207	4847	3,754
540	Special Assessments	101	102	105	101	105
		$ 26,397	**$ 25,663**	**$ 36,874**	**$ 26,991**	**$ 34,721**
	Capital Outlay					
920	Building	-	798	-	-	-
		$ -	**$ 798**	**$ -**	**$ -**	**$ -**
	Total Municipal Court	**$ 261,595**	**271,156**	**296,647**	**268,718**	**297,492**

Administrative Services Division

FY 2017

Purpose

The Administrative Services Division provides for the general administration of the City including the offices of the City Manager, Finance Director, City Clerk, and the Human Resources Director. Insurance, benefits, payroll, accounting, and financial reporting are areas covered by this division. There are six full time employees in Administrative Services, but most of their personnel costs are spread throughout the city's budget in a cost allocation formula.

FY 2017 Objectives

The objective of the General Fund for FY 2017 is to provide budget authority to provide the above listed services within the City. The City Council established short term and long term goals for the City and these goals guide the operations and objectives during FY 2017.

The current City Manager is retiring in January 2017, so the Mayor and City Council will hire a replacement late in 2016 with a budgeted start date in the beginning of December 2016. The FY 2017 Budget provides for a month overlap of the current City Manager and new City Manager, as well as a $12,000 budget to cover the cost of the selection and hiring process.

Admin & Legal Cost Allocation

FY 2017

The Administrative Services Division expenditures of the General Fund are allocated to any fund that has personal services expenditures. The amount of admin expenditures allocated to other funds is based on the amount of salaries and benefits paid by each of the other funds as a percentage of the total salaries and benefits paid by the City. For example, in FY 2017 8.93% of the total city payroll was in the General Fund. Therefore 8.93% of any administrative services materials and services expense stayed in the General Fund, and 91.07% was allocated to other funds. The table below shows both the total amount before the costs are allocated and the amount that will remain in the General Fund. In Office Supplies, under the Budget FY 2017 column, the total budget is $9,000, however, of that $9,000 only $804 or 8.93% will stay in the General Fund—found in the next column to the right.

		0.0764	0.0803	0.0879	0.0879	0.0893	0.0893
	Expenditures	**Actual FY 2014**	**Actual FY 2015**	**Budget FY 2016**	**Actual FY 2016**	**Budget FY 2017**	**Allocation FY 2017**
410500 -	**Administrative Services**						
	Materials and Services						
210	Office Supplies/Materials	10,392	4,052	8,000	722	9,000	804
220	Operating Supplies/Materials	13,556	7,238	14,800	1,305	12,200	1,089
230	Repair/Maintenance Supplies	1,903	1,022	1,500	55	1,000	89
310	Postage & Freight	3,344	3,773	5,000	454	5,000	447
320	Printing	39	58	400	2	400	36
330	Publicity/Subscriptions/Dues	10,933	10,989	12,000	1,663	15,000	1,340
340	Utility Services	28,231	21,015	27,000	1,828	25,000	2,233
350	Professional Services	57,944	26,799	28,000	4,276	27,000	2,411
360	Repair & Maintenance	7,270	6,125	19,160	179	22,200	1,982
370	Travel & Training	4,358	5,407	9,000	620	21,000	1,875
390	Other Purchased Services	12,854	3,744	13,000	1,188	2,000	179
397	Contracted Workers	10,571	5,541	8,000	712	8,000	714
510	Insurance	14,305	5,343	4,000	257	1,700	152
530	Rent / Lease	-	-	-	-	720	64
540	Special Assessments	1,284	1,283	1,400	78	1,400	125
880	Administrative Costs	16,355	-	-	-	-	-
		$ 193,338	**$ 102,388**	**$ 151,260**	**$13,339**	**$ 151,620**	**$ 13,540**

Admin & Legal Cost Allocation

FY 2017

Expenditures for the Legal Services Division is also allocated based on the percentages above. Below are the totals before allocation and the amount that is budgeted to remain in the General Fund.

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017	Allocation FY 2017
411100 -	**Legal Services**						
	Materials and Services						
210	Office Supplies/Materials	3,232	2,876	3,750	208	4,000	357
220	Operating Supplies/Materials	2,005	348	8,200	679	2,500	223
310	Postage & Freight	286	100	300	16	500	45
330	Publicity/Subscriptions/Dues	2,250	2,112	4,100	116	4,100	366
340	Utility Services	2,195	713	2,000	44	1,000	89
350	Professional Services	1,008	3,627	1,023	436	5,000	447
360	Repair & Maintenance	1,010	-	-	-	-	-
370	Travel & Training	1,428	18	4,000	134	5,000	447
390	Other Purchased Services	-	-	500	-	500	45
510	Insurance	1,773	653	700	61	1,273	114
530	Rent / Lease	-	-	-	-	360	32
		$ 15,186	**$ 10,446**	**$ 24,573**	**$ 1,696**	**$ 24,233**	**$ 2,165**

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
410500	**Administrative Services**					
	Personal Services					
110	Salaries	44,999	47,449	62,579	60,995	67,764
112	Permanent Part Time	-	200	-	-	-
120	Overtime	1,230	1,759	1,805	1,975	420
130	Vacation/Sick Accrual	-	-	8,000	8,935	2,436
140	Employer Contributions	15,504	16,501	21,321	23,018	25,550
		$ 61,733	**$ 65,910**	**$ 93,705**	**$ 94,923**	**$ 96,170**
	Materials and Services					
210	Office Supplies/Materials	-	-	703	722	804
220	Operating Supplies/Materials	-	-	1,301	1,305	1,089
230	Repair/Maintenance Supplies	-	-	132	55	89
310	Communication & Transportation	-	-	440	454	447
320	Printing	-	-	35	2	36
330	Publicity/Subscriptions/Dues	-	-	1,055	1,663	1,340
340	Utility Services	-	-	2,373	1,828	2,233
350	Professional Services	-	-	2,461	4,276	2,411
360	Repair & Maintenance	-	-	1,684	179	1,982
370	Travel & Training	-	-	791	620	1,875
390	Other Purchased Services	-	-	1,143	1,188	179
397	Contracted Workers	-	-	703	712	714
510	Insurance	-	-	352	257	152
530	Rent / Lease	-	-	-	-	64
540	Special Assessments	-	-	123	78	125
880	Administrative Costs	16,355	12,623	-	-	-
		$ 16,355	**$ 12,623**	**$ 13,296**	**$ 13,339**	**$ 13,540**
	Total Administrative Services	**$ 78,088**	**$ 78,533**	**$ 107,001**	**$ 108,262**	**$ 109,710**

Resort Tax Admin & Legal Services

FY 2017

Resort Tax Administrative Services

Purpose

The Resort Tax Administrative Services budget provides for the administration of the City's Resort Tax. Ordinance 95-15, the Resort Tax Ordinance, does not allow the use of Resort Tax collections to pay for related the administrative expenses. Due to this prohibition such expenses are paid from the General Fund.

FY 2017 Objectives

The objective of the General Fund for this budget year is to provide budget authority to provide the above listed services within the City.

Legal Services

Purpose

The Legal Services budget provides for the administration of the Legal Services Department. The City Attorney provides legal support to the City including legal consultation, preparation and review of legal documents, and representation in civil matters. The FY 2017 budget continues to provide for in-house prosecution services for the City Court through the Deputy Attorney position that was added in FY 2016. The Legal Department is also supported by a legal assistant and a summer intern positon.

FY 2017 Objectives

The objective of the General Fund for this budget year is to provide budget authority to provide the above listed services within the City.

Item/Project	Amount
Expenditure Changes	
• Decreased Prosecution Services (outside assistant no longer required)	$20,000
• Decreased cost of ½ time Legal Assistant from FY16 budget	$22,427

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
410505	**Resort Tax Admin Services**					
	Materials and Services					
210	Office Supplies & Materials	-	1555	-	-	-
350	Professional Services	6,036	7,646	6,500	5,355	6,500
390	Other Purchased Services	-	6,328	-	-	-
	Total Resort Tax	**$ 6,036**	**$ 15,529**	**$ 6,500**	**$ 5,355**	**$ 6,500**
410364	**Prosecution Services**					
	Materials and Services					
350	Professional Services	110,771	94,285	20,000	-	-
	Total Prosecution	**$ 110,771**	**$ 94,285**	**$ 20,000**	**$ -**	**$ -**
411100	**Legal Services**					
	Personal Services					
110	Salaries	23,093	25,277	53,530	33,101	39,631
112	Part-Time Wages	7,059	7,423	15,751	6,919	2,327
120	Overtime	31	-	28	86	9
130	Vacation/Sick Accrual	-	-	6,630	6,794	-
140	Employer Contributions	7,119	7,584	26,903	12,633	13,382
		$ 37,302	**$ 40,285**	**$ 102,842**	**$ 59,533**	**$ 55,349**
	Materials and Services					
210	Office Supplies/Materials	-	-	330	208	357
220	Operating Supplies/Materials	-	-	721	679	223
310	Communication & Transportation	-	-	26	16	45
330	Publicity/Subscriptions/Dues	-	-	360	116	366
340	Utility Services	-	-	176	44	89
350	Professional Services	-	-	90	436	447
360	Repair & Maintenance	-	-	-	-	-
370	Travel & Training	-	-	352	134	447
390	Other Purchased Services	-	-	44	-	45
510	Insurance	-	-	62	61	114
530	Rent / Lease	-	-	-	-	32
		$ -	**$ -**	**$ 2,161**	**$ 1,696**	**$ 2,165**
	Total Legal Services	**$ 37,302**	**$ 40,285**	**$ 105,003**	**$ 61,229**	**$ 57,514**

Facilities Maintenance

Purpose

With the opening of a new City Hall and Parking Structure scheduled for April 4, 2017, there will be a need for increased facilities maintenance for this building, as well as for other City buildings and facilities. A new full-time position is budgeted to start work on March 1, 2017 in order to maintain City Hall and the Parking Structure. The position will also operate and enforce the leased parking spaces in the Parking Structure. 50% of the position is funded by the General Fund and 50% of the position is funded in the Tax Increment Fund for the Parking Structure services this position will perform. The supervisor for the position will be in the Parks and Recreation Department as they continue to build a city-wide facilities maintenance operation.

FY 2017 Objectives

The objective of the Facilities Maintenance account in the General Fund for this budget year is to provide budget authority to provide the above listed services within the City.

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
411230	**Facilities Maintenance**					
	Personal Services					
110	Salaries	-	-	-	-	8,780
120	Overtime	-	-	-	-	600
130	Vacation/Sick Accrual	-	-	-	-	348
140	Employer Contributions	-	-	-	-	6,240
		$ -	**$ -**	**$ -**	**$ -**	**$ 15,968**
	Materials and Services					
220	Operating Supplies/Materials	-	-	-	-	250
230	Repair & Maintenance Supplies	-	-	-	-	1,500
		$ -	**$ -**	**$ -**	**$ -**	**$ 1,750**
	Total Facilities Maintenance	**$ -**	**$ -**	**$ -**	**$ -**	**$ 17,718**

Community Planning

FY 2017

Purpose

The Community Planning Division provides for the development, administration and enforcement of the City's land use, development and zoning regulations and other provisions of the City Code. These functions are performed by the City's Planning and Building Department.

FY 2017 Objectives

The objective of the Community Planning Division for this budget year is to provide budget authority for a broad range of planning activities including review, development and revision of planning regulations, long-range planning, processing land use and development applications, and enforcement of land use, development and zoning regulations and other provisions of the City Code.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount
Revenue Changes	
• Aggregate increase of all Planning revenues caused by increased activity in recent years	$30,500
Expenditure Changes	
• Partial cost of Wisconsin Avenue Corridor Plan – Planning will provide the staff costs and labor for this project. Consultant costs of up to $50,000 will be paid from the Tax Increment Fund.	

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
420540	**Community Planning**					
	Personal Services					
110	Salaries	172,153	204,788	219,945	211,354	249,025
112	Part-Time Wages	3,530	4,688	4,978	5,605	8,843
120	Overtime	619	65	46	427	53
130	Vacation/Sick Accrual	-	-	3,900	3,996	1,740
140	Employer Contributions	72,478	85,482	96,297	87,981	106,492
		$ 248,780	**$ 295,023**	**$ 325,166**	**$ 309,364**	**$ 366,153**
	Materials and Services					
210	Office Supplies/Materials	1,338	2,200	2,000	1,566	2,000
220	Operating Supplies/Materials	3,584	5,715	4,500	2,175	4,500
230	Repair & Maintenance Supplies	2,534	205	650	-	650
310	Communication & Transportation	1,636	1,624	1,500	1,446	1,500
320	Printing	39	-	500	41	500
330	Publicity/Subscriptions/Dues	6,113	8,598	7,300	5,226	7,300
340	Utility Services	5,521	5,819	6,000	3,721	6,000
350	Professional Services	27,248	1,955	5,000	-	5,000
360	Repair & Maintenance Services	5,314	1,913	2,000	875	2,000
370	Travel & Training	7,099	3,982	4,500	3,680	4,500
390	Other Purchased Services	616	1,101	1,000	975	1,000
397	Contract Services	7,178	1,420	5,000	1,438	5,000
510	Insurance	5,284	4,440	5,000	7,715	5,000
530	Rent / Lease	-	-	-	-	480
540	Special Assessments	104	104	104	103.87	104
		$ 73,608	**$ 39,074**	**$ 45,054**	**$ 28,963**	**$ 45,534**
	Capital Outlay					
940	Machinery & Equipment	-	16,287	10,000	-	-
		$ -	**$ 16,287**	**$ 10,000**	**$ -**	**$ -**
	Total Community Planning	**$ 322,388**	**$ 350,384**	**$ 380,220**	**$ 338,327**	**$ 411,687**

Community Agencies Division

Purpose

The Community Agencies Division provides budget authority to support various community organizations. These include the Eagle Bus Service, Big Mountain SNOW Bus, Golden Agers Community Center, Whitefish Theatre Grant, O'Shaughnessy Center Insurance, Whitefish Housing Authority, and property insurance for The Wave.

FY 2017 Objectives

The objective of the Community Agencies Division for this budget year is to provide budget authority to support various community organizations, as described above. In FY 2014, the City began reimbursing the Whitefish Housing Authority for the Payment in lieu of taxes (PILT) which the Housing Authority pays to the City for Mountain View Manor, an elderly and disabled subsidized housing apartment building. This has continued in the FY 2017 Budget.

Cemetery Services

Purpose

The Cemetery Division provides budget authority for the ongoing maintenance of the Whitefish Cemetery. The City operates a 7.0 acre cemetery on Hwy 93 North next to the golf course.

FY 2017 Objectives

The objective of the Cemetery Division this fiscal year is to provide budget authority for the maintenance of the Whitefish Cemetery. The City is pursuing purchasing land for a new Cemetery.

General Fund Expenditures - 1000

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Community Agencies					
	Materials and Services					
790	Eagle Bus Service	9,300	9,300	9,300	9,300	9,300
790	Big Mountain Snow Bus	7,500	7,500	7,500	7,500	7,500
790	Golden Agers Cmmnty Center	1,500	1,500	1,500	1,500	1,500
730	Cultural Arts Grant Pass Through	11,850	-	10,000	-	10,000
790	Whitefish Housing Authority	10,901	12,020	12,500	12,661	12,500
510	O'Shaughnessy Center Insurance	2,550	2,631	2,700	2,690	2,700
510	WAVE Property Insurance	7,075	7,298	7,100	6,908	7,000
	Total Community Agencies	**$ 50,676**	**$ 40,249**	**$ 50,600**	**$ 40,559**	**$ 50,500**
430900	**Cemetery Services**					
	Personal Services					
110	Salaries	748	755	3,391	3,123	3,370
120	Overtime	546	218	266	262	42
130	Vacation/Sick Accrual	-	-	1,200	1,340	-
140	Employer Contributions	458	273	1,009	1,165	1,150
		$ 1,752	**$ 1,246**	**$ 5,866**	**$ 5,890**	**$ 4,562**
	Materials and Services					
220	Operating Supplies	382	476	1,000	990	1,000
230	Repair/Maintenance Supplies	564	136	3,000	170	3,000
330	Publicity/Subscriptions/Dues	-	636	-	43	-
340	Utility Services	200	671	1,000	828	1,000
350	Professional Services	1,095	200	2,000	-	2,000
390	Other Purchased Services	2,892	4,373	2,000	1,284	2,000
510	Insurance	30	31	55	51	105
		$ 5,163	**$ 6,523**	**$ 9,055**	**$ 3,366**	**$ 9,105**
	Capital Outlay					
930	Improvements	**$ 60,585**	**-**	**-**	**-**	**-**
	Total Cemetery Services	**$ 6,915**	**$ 7,769**	**$ 14,921**	**$ 9,256**	**$ 13,667**
510900	**Operating Contingency**					
870	Operating Contingency	6,579	-	17,500	-	10,000
		$ 6,579	**$ -**	**$ 17,500**	**$ -**	**$ 10,000**
	Transfers to Other Funds					
820	Trans to Library Fund	34,371	34,371	34,371	34,371	34,371
820	Trans to Parks and Rec Fund	603,000	693,919	651,238	651,238	672,579
820	Trans to Law Enforcement Fund	1,845,000	1,885,000	2,085,000	2,085,000	2,157,000
820	Trans to Fire & Ambulance Fund	575,000	815,000	835,000	835,000	835,000
820	Trans to City Hall/Parking Structure	-	-	-	-	5,760
		$ 3,057,371	**$ 3,428,290**	**$ 3,605,609**	**$ 3,605,609**	**$ 3,704,710**
	Total Non-Departmental	**$ 3,063,950**	**$ 3,428,290**	**$ 3,623,109**	**$ 3,605,609**	**$ 3,714,710**
	Total Expenditures	**$ 4,005,626**	**$ 4,332,902**	**$ 4,612,501**	**$ 4,445,481**	**$ 4,688,998**
	Ending Cash Balance (Reserves)			**$ 552,589**		**$ 595,340**
	Total General Fund			**$ 5,165,090**		**$ 5,284,338**

General Fund Expenditures - 1000

8/4/2016

Expenditures		Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
Total General Fund						
Personal Services		584,765	647,160	787,352	711,437	800,973
Materials and Services		296,326	240,368	192,040	128,434	173,315
Capital Outlay		60,585	17,085	10,000	-	-
Contingency		6,579	-	17,500	-	10,000
Transfers		3,057,371	3,428,290	3,605,609	3,605,609	3,704,710
		4,005,626	4,332,902	4,612,501	4,445,481	4,688,998
Personal Services						
	110	398,390	442,024	509,695	476,033	542,748
	111	-	-	-	-	-
	112	22,770	24,884	34,541	23,269	25,762
	120	4,673	4,978	4,373	4,551	3,418
	130	31	-	19,730	21,065	4,524
	140	158,901	175,274	219,013	186,520	224,521
Materials and Services						
	210	3,313	5,114	5,333	4,037	5,461
	220	7,891	9,443	11,022	12,205	11,562
	230	3,325	1,129	4,882	313	6,339
	310	2,516	2,641	3,666	2,457	3,692
	320	39	-	735	43	736
	330	7,137	10,313	10,515	8,137	10,806
	340	10,636	11,600	16,549	11,207	16,322
	350	145,150	104,085	36,051	10,067	16,358
	360	8,948	6,641	7,684	6,660	8,982
	370	11,503	7,670	11,643	9,016	12,822
	390	8,746	16,455	12,449	7,357	11,486
	397	8,504	2,850	6,903	3,164	8,214
	510	21,007	19,278	23,476	22,529	18,825
	530	-	-	-	-	576
	540	205	206	332	283	334
	730	11,850	-	10,000	-	10,000
	790	29,201	30,320	30,800	30,961	30,800
	880	16,355	12,623	-	-	-
Capital Outlay						
	940	60,585	17,085	10,000	-	-
Contingency						
	870	6,579	-	17,500	9,999	10,000
Transfers						
	820	3,057,371	3,428,290	3,605,609	3,605,609	3,704,710
Total		4,005,626	4,332,902	4,612,501	4,455,481	4,688,998

Library Fund

FY 2017

Purpose

Title 22, Chapter 1, Part 3 of the Montana Code Annotated provides for the establishment and laws related to free public libraries. The Whitefish Community Library was created as a City Library via Resolution 10-48 on November 15, 2010 after the City Council had voted to terminate an Interlocal Agreement with the Flathead County Library Board of Trustees for the consolidated county-wide library service. This fund provides for the collection of property taxes, donations, fines and other revenues and the appropriations for the Whitefish Community Library.

FY 2017 Objectives

The objective of the Library Fund for this fiscal year is to provide budget authority for the Whitefish Community Library.

Significant policy issues in the FY 2017 Budget are:

Item/Project	Amount
Revenue Changes	
• Increase in private gifts and donations from FY 2016	$5,000
Expenditure Changes	
• Library Director received a personnel reclassification and pay increase during FY16 to bring her pay level more in line with comparable city staff	~$11,000

Library Fund - 2220

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Taxes					
311010	Real Property Taxes	113,230	141,480	145,543	143,138	149,135
311020	Personal Property Taxes	1,080	703	-	716	800
		$ 114,310	**$ 142,183**	**$ 145,543**	**$ 143,854**	**$ 149,935**
	Intergovernmental					
334100	State Aid	2,640	4,716	2,353	4,716	2,400
		$ 2,640	**$ 4,716**	**$ 2,353**	**$ 4,716**	**$ 2,400**
	Charges for Services					
346070	Library Collections	12,182	11,800	12,500	11,092	12,500
		$ 12,182	**$ 11,800**	**$ 12,500**	**$ 11,092**	**$ 12,500**
	Miscellaneous Revenue					
365010	Private Gifts and Bequests	65,104	40,329	25,000	29,633	30,000
		$ 65,104	**$ 40,329**	**$ 25,000**	**$ 29,633**	**$ 30,000**
	Other Financing Sources					
383004	General Fund Operating Transfer	34,371	34,371	34,371	34,371	34,371
		$ 34,371	**$ 34,371**	**$ 34,371**	**$ 34,371**	**$ 34,371**
	Total Fund Revenue	**$ 228,606**	**$ 233,400**	**$ 219,767**	**$ 223,667**	**$ 229,206**
101000	**Beginning Available Cash**			**$ 100,131**		**$ 116,217**
	Total Resources			**$ 319,898**		**$ 345,423**

Library Fund - 2220

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460120						
	Personal Services					
110	Salaries	49,024	51,882	54,009	61,293	67,478
112	Permanent Part Time	49,970	49,435	65,012	53,017	67,271
120	Overtime	60	1,053	818	133	1,058
140	Employer Contributions	34,357	29,133	33,049	31,667	39,960
		$ 133,411	**$ 131,503**	**$ 152,888**	**$ 146,109**	**$ 175,767**
	Materials and Services					
210	Office Supplies/Materials	2,375	1,805	3,000	1,722	2,500
220	Operating Supplies	5,924	3,659	5,000	6,191	5,000
221	Library Materials	2,747	10,713	9,000	7,931	9,000
229	Library Materials Processing	-	1,274	3,000	2,814	2,000
230	Repair & Maintenance Supplies	284	-	500	250	750
310	Communication & Transportation	2,524	4,487	6,000	4,558	6,000
330	Publicity, Subscriptions & Dues	8,997	5,716	6,200	6,548	8,700
340	Utility Services	14,663	13,674	16,000	14,425	16,000
360	Repair & Maintenance Services	8,854	8,642	2,800	3,412	2,800
362	Office Machinery & Computers	-	540	1,000	1,805	1,000
370	Travel & Training	1,924	1,928	3,000	2,301	3,000
390	Other Purchased Services	-	1,480	1,400	2,855	1,400
397	Contracted Services	781	638	750	471	750
510	Insurance	5,253	4,528	5,654	4,864	4,942
540	Special Assessments-Co. Land Fill	189	189	200	189	200
880	Administrative Costs	3,818	2,741	3,077	2,701	3,464
		$ 58,333	**$ 62,014**	**$ 66,581**	**$ 63,038**	**$ 67,506**
870	**Operating Contingency**	-	-	36,500	-	36,500
		$ -	**$ -**	**$ 36,500**	**$ -**	**$ 36,500**
	Total Expenditures	**$ 191,744**	**$ 193,517**	**$ 255,969**	**$ 209,147**	**$ 279,773**
	Ending Available Cash			**$ 63,929**		**$ 65,650**
	Total Fund			**$ 319,898**		**$ 345,423**

Law Enforcement Fund

FY 2017

Purpose

The Law Enforcement Fund provides the primary financial support for the City Police Department. The Department provides policing services through a staff of 16 sworn officers (including the Chief of Police), and a part-time parking enforcement officer.

FY 2017 Objectives

The objective of the Law Enforcement Fund for this fiscal year is to provide budget authority for the Police Department.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount
Revenue Changes	
• FY17 is the last year the City will receive reimbursement from the COPS SRO Grant program for the School Resource Officer at School District #44	$25,000
• School District #44 matching funds for COPS SRO Grant	$45,899
• Increased transfer from General Fund (Property Tax Support)	$72,000
Expenditure Changes	
• Salary and Benefits for SRO	$65,537
• New Police Vehicle – fully equipped	$33,500

Law Enforcement Fund - 2300

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Intergovernmental					
334012	Traffic Safety Grant	-	2,014	-	-	-
334091	DOT Overtime Reimbursement	5,860	20,284	20,000	5,643	20,000
331000	Federal Grants - Vests	-	1,558	2,000	-	2,000
334151	MDT Equipment Grant	-	15,660	23,000	7,285	20,000
336020	Offset for State Payment to MPORS	237,398	253,352	273,625	282,303	284,294
337010	Reimbursement - Drug TF Overtime	6,854	4,539	7,500	2,089	7,500
337014	Drug Task Force Grant	72,405	67,529	75,000	74,228	75,000
337015	COPS Hiring Grant	382	42,939	48,000	32,497	25,000
337018	Stone Garden Federal Grant	1,527	20,835	25,000	18,356	25,000
337019	School District 44 Reimb. SRO	-	12,601	20,835	12,544	45,899
		$ 324,425	**$ 441,311**	**$ 494,960**	**$ 434,946**	**$ 504,693**
	Miscellaneous Revenue					
362000	Misc. Law Enforcement Collections	10,252	12,668	16,000	19,095	16,000
365000	Contributions	3,000	-	-	-	2,000
		$ 13,252	**$ 12,668**	**$ 16,000**	**$ 19,095**	**$ 18,000**
	Other Financing Sources					
381070	Loan Proceeds	16,399	-	-	-	-
383004	General Fund Operating Transfer	1,845,000	1,885,000	2,085,000	2,085,000	2,157,000
		$ 1,845,000	**$ 1,885,000**	**$ 2,085,000**	**$ 2,085,000**	**$ 2,157,000**
	Total Fund Revenue	**$ 2,182,677**	**$ 2,338,979**	**$ 2,595,960**	**$ 2,539,041**	**$ 2,679,693**
101000	**Beginning Available Cash**			**$ -**		**$ 4,618**
	Total Resources			**$ 2,595,960**		**$ 2,684,311**

Law Enforcement Fund - 2300

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
420100						
	Personal Services					
110	Salaries	965,110	1,002,813	1,101,567	1,098,605	1,151,654
112	Part-Time Wages	49,388	61,202	49,834	80,715	62,161
120	Overtime	63,619	66,353	44,770	61,577	29,638
120	Reimbursed Overtime	-	-	45,000	-	45,000
130	Vacation/Sick Accrual	-	-	3,950	4,232	1,740
140	Employer Contributions	417,720	442,996	509,772	512,777	570,998
145	Offset State Pymnt to MPORS	237,398	253,352	273,625	282,303	284,294
		$ 1,733,235	**$ 1,826,715**	**$ 2,028,518**	**$ 2,040,209**	**$ 2,145,485**
	Materials and Services					
210	Office Supplies/Materials	3,478	2,752	7,200	3,894	7,200
220	Operating Supplies/Materials	60,804	52,391	73,800	70,193	65,000
230	Repair/Maintenance Supplies	51,159	32,011	46,000	36,449	50,000
310	Postage & Freight	1,048	915	1,300	656	1,300
330	Publicity/Subscriptions/Dues	1,311	1,664	2,000	1,354	1,000
340	Utility Services	30,636	30,272	33,000	29,693	33,000
350	Professional Services	5,803	35,703	8,000	4,118	8,000
360	Repair & Maintenance	42,076	49,358	53,000	44,163	50,000
370	Travel & Training	17,438	15,384	22,000	12,835	24,000
390	Other Purchased Services	137,071	137,224	136,500	145,271	144,000
397	Contracted Workers	54,606	63,451	57,000	63,634	57,000
510	Insurance	36,043	26,820	28,000	28,011	21,000
530	Rent	1,200	1,200	1,200	1,250	1,500
540	Special Assessments	429	429	450	429	-
880	Administrative Expense	39,088	30,357	34,762	30,491	35,980
		$ 482,190	**$ 479,930**	**$ 504,212**	**$ 472,440**	**$ 498,980**
610/620	**Debt Service**	**$ -**	**$ 5,542**	**$ 5,566**	**$ 5,566**	**$ 5,552**
	Capital Outlay					
920	Buildings	-	3,392	-	-	0
940	Machinery & Equipment	46,680	79,653	50,000	43,358	33,500
		$ 46,680	**$ 83,044**	**$ 50,000**	**$ 43,358**	**$ 33,500**
	Operating Contingency	**$ -**	**$ -**	**$ 2,000**	**$ -**	**$ -**
	Total Fund Expenditures	**$ 2,262,105**	**$ 2,395,231**	**$ 2,590,296**	**$ 2,561,573**	**$ 2,683,516**
	Ending Available Cash			**5,664**		**795**
	Total Law Enforcement			**$ 2,595,960**		**$ 2,684,311**

Crime Victims Assistance Fund - 2917

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
351015	Victim & Witness Prgrm Fines	6,560	6,829	15,000	5,666	15,000
	Total Fund Revenue	**$ 6,560**	**$ 6,829**	**$ 15,000**	**$ 5,666**	**$ 15,000**
	Beginning Available Cash			**49**		**253**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
410370	**Materials and Services**					
725	Crime Victim's Assistance	6,560	6,829	15,000	5,462	15,000
		$ 6,560	**$ 6,829**	**$ 15,000**	**$ 5,462**	**$ 15,000**
	Ending Available Cash			**$ 49**		**$ 253**

Fire and Ambulance Fund

FY 2017

Purpose

The purpose of the Fire and Ambulance Fund is to provide budget authority for the delivery of fire prevention and suppression, rescue services, and ambulance and advanced life support services to the City of Whitefish, the rural fire service area, and surrounding areas.

FY 2017 Objectives

The objective of the Fire and Ambulance Fund for this fiscal year is to provide fire suppression, fire and accident rescue, hazardous materials incident response, fire code enforcement, ambulance and advanced life support service, and community education on related issues.

Significant policy issues in the FY 2017 budget are:

- Whitefish fire and ambulance equipment has aged to point of reducing safety and increasing maintenance costs. The budget anticipates borrowing from the State INTERCAP Loan program to fund the cost of a new ambulance.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount
Revenue Changes	
• Loan Proceeds (State INTERCAP Loan Program)	$175,000
• No change in transfer of property taxes from General Fund	$0
Expenditure Changes	
• Fire – Vacation, Personal, and Sick Leave Payoff for Fire Marshall (only partial payoff budgeted, additional $8,000 of vacancy savings will be necessary by waiting to fill the position)	$8,800
• Ambulance – Contracted billing services	$37,500
• Ambulance – Capital Expenditure – New Ambulance	$175,000

Fire and Ambulance Fund - 2340

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Taxes					
311010	Real Property Taxes	503,245	559,902	504,174	509,879	519,630
311020	Personal Property Taxes	4,802	3,124	8,000	2,768	8,000
		$ 508,047	**$ 563,026**	**$ 512,174**	**$ 512,647**	**$ 527,630**
	Licenses and Permits					
323015	Fire Prevention Program Fee	108,042	106,817	130,000	119,174	120,000
323051	Burning Permits	400	425	300	150	300
		$ 108,442	**$ 107,242**	**$ 130,300**	**$ 119,324**	**$ 120,300**
	Intergovernmental					
336020	Offset for State Pymnt to FURS	353,918	355,777	384,524	366,579	387,403
338050	Countywide Ambulance Assessment	56,830	60,719	65,000	92,010	65,000
		$ 410,748	**$ 416,496**	**$ 449,524**	**$ 458,589**	**$ 452,403**
	Charges for Services					
342020	Rural Fire Service Assessment	227,000	229,585	260,000	253,700	280,317
342031	Federal Wildland Firefighting	12,159	-	-	-	-
342050	Ambulance Services	1,000,763	1,046,400	1,100,000	1,050,930	1,180,000
342055	RescueCare Ambulance Prog	26,121	29,581	20,000	24,612	15,000
		$ 1,266,043	**$ 1,305,566**	**$ 1,380,000**	**$ 1,329,242**	**$ 1,475,317**
	Miscellaneous Revenue					
362000	Miscellaneous Income	59,382	11,669	5,000	48,052	10,000
365000	Contributions	250	950	-	-	-
		$ 59,632	**$ 12,619**	**$ 5,000**	**$ 48,052**	**$ 10,000**
	Other Financing Sources					
381070	Loan Proceeds	356,233	493,659	300,000	230,453	175,000
383004	General Fund Operating Transfer	575,000	815,000	835,000	835,000	835,000
		$ 931,233	**$ 1,308,659**	**$ 1,135,000**	**$ 1,065,453**	**$ 1,010,000**
	Total Fund Revenue	**$ 3,284,145**	**$ 3,713,608**	**$ 3,611,998**	**$ 3,533,308**	**$ 3,595,650**
101000	**Beginning Available Cash**			**308,127**		**199,300**
	Total Resources			**$ 3,920,125**		**$ 3,794,950**

Fire and Ambulance Fund - 2340

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
420400	**Fire and Rescue**					
	Personal Services					
110	Salaries	409,375	447,205	468,930	460,067	457,047
112	Regular Part-time	1,881	1,923	2,016	4,545	8,443
120	Overtime	36,001	42,060	37,138	46,985	39,009
120	Scheduled Overtime	-	-	935	-	970
130	Vacation/Sick Accrual	-	-	3,950	4,232	10,540
140	Employer Contributions	158,600	173,339	187,216	183,352	196,937
146	State Contribution to FURS	121,789	129,076	142,274	109,974	143,339
147	Med Deduction Reimbursement	528	813	-	918	-
190	Other Personal Services	23,226	5,532	10,000	2,897	3,000
		$ 751,400	**$ 799,947**	**$ 852,459**	**$ 812,970**	**$ 859,285**
	Materials and Services					
210	Office Supplies/Materials	878	1,485	1,000	273	1,000
220	Operating Supplies/Materials	27,824	25,332	40,000	26,801	35,000
230	Repair & Maintenance Supplies	31,153	27,561	20,000	16,150	20,000
310	Communication & Transportation	421	487	100	145	-
320	Printing, Duplicating, Binding	-	112	250	-	-
330	Publicity/Subscriptions/Dues	1,660	1,923	2,500	2,739	2,500
340	Utility Services	14,461	15,385	15,000	12,614	12,100
350	Professional Services	3,517	6,798	6,000	4,039	9,000
360	Repair and Maintenance	50,244	43,951	40,000	37,630	42,993
370	Travel & Training	5,332	5,884	4,500	5,212	4,500
380	Training Services	2,959	2,303	10,000	4,848	10,000
390	Other Purchased Services	7,299	6,955	7,211	7,604	7,900
510	Insurance	17,767	17,324	21,000	20,334	21,000
540	Special Assessments	214	214	-	214	215
880	Administrative Services	15,855	12,251	14,031	12,300	13,699
		$ 179,584	**$ 167,965**	**$ 181,592**	**$ 150,903**	**$ 179,907**
610/620	**Debt Service**	**$ -**	**$ 26,170**	**$ 116,536**	**$ 84,601**	**$ 133,911**
	Capital Outlay					
	Building	-	1,736	-	-	-
940	Equipment	224,348	584,130	275,000	236,831	-
		$ 224,348	**$ 585,866**	**$ 275,000**	**$ 236,831**	**$ -**
	Total Fire	**$ 1,155,332**	**$ 1,579,948**	**$ 1,425,588**	**$ 1,285,304**	**$ 1,173,103**

Fire and Ambulance Fund - 2340

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
420730	**Ambulance**					
	Personal Services					
110	Salaries	734,011	708,728	768,708	740,142	774,079
112	Part-Time Wages	-	-	-	5,865	15,000
120	Overtime	82,898	96,970	85,560	108,929	90,662
120	Scheduled Overtime	-	-	2,183	-	2,264
140	Employer Contributions	292,145	292,359	325,495	315,240	339,816
146	State Contribution to FURS	232,128	226,701	242,250	256,605	244,064
190	Other Personal Services	31,953	13,100	20,000	6,606	5,000
		$ 1,373,135	**$ 1,337,857**	**$ 1,444,196**	**$ 1,433,388**	**$ 1,470,885**
	Materials and Services					
210	Office Supplies/Materials	2,003	2,578	1,750	660	1,750
220	Operating Supplies/Materials	45,781	32,671	38,000	42,658	39,000
230	Repair & Maintenance Supplies	30,223	25,806	33,000	14,699	30,000
310	Communication & Transportation	1,689	3,503	2,000	1,656	10
330	Publicity/Subscriptions/Dues	2,160	3,214	2,000	1,856	2,000
340	Utility Services	25,363	26,454	35,000	25,903	28,175
350	Professional Services	7,578	15,934	21,000	21,662	59,200
360	Repair and Maintenance	49,000	31,434	17,500	34,340	31,367
370	Travel & Training	5,150	2,803	4,000	3,062	4,500
380	Training Services	6,403	5,682	8,000	5,677	8,500
390	Other Purchased Services	17,037	20,480	16,825	17,645	18,550
510	Insurance	25,472	20,440	21,000	19,382	14,000
540	Special Assessments	517	517	-	517	517
880	Administrative Expense	28,699	22,659	23,808	20,880	23,758
		$ 247,075	**$ 214,175**	**$ 223,883**	**$ 210,597**	**$ 261,327**
610/620	**Debt Service**	**$ -**	**$ 31,606**	**$ 31,898**	**$ 31,898**	**$ 32,078**
	Accounts Payable Adjustments					
810	Bad Debt Expense	164,538	178,121	115,000	207,994	115,000
811	Medicare/Medicaid Adjustment	361,813	311,774	300,000	346,006	300,000
812	RescueCare Benefits	7,669	6,336	10,000	4,766	10,000
813	City Resident	13,760	8,243	10,000	4,825	10,000
		$ 547,780	**$ 504,473**	**$ 435,000**	**$ 563,591**	**$ 435,000**
	Capital Outlay					
920	Buildings		4,050			
940	Equipment	169,970		75,000	75,000	175,000
		$ 169,970	**$ 4,050**	**$ 75,000**	**$ 75,000**	**$ 175,000**
	Total Ambulance	**$ 2,337,960**	**$ 2,092,162**	**$ 2,209,977**	**$ 2,314,473**	**$ 2,374,289**
	Total Expenditures	**$ 3,493,292**	**$ 3,672,110**	**$ 3,635,565**	**$ 3,599,777**	**$ 3,547,392**
	Ending Available Cash			**$ 284,560**		**$ 247,558**
	Total Fund			**$ 3,920,125**		**$ 3,794,950**

Fire and Ambulance Fund - 2340

8/4/2016

Expenditures		Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
Total Fire & Amb Fund						
Personal Services		2,124,535	2,137,804	2,296,655	2,246,358	2,330,170
Materials and Services		426,659	382,140	405,475	361,500	441,234
Debt Service		-	57,777	148,434	116,499	165,988
Capital Outlay		394,318	589,916	350,000	311,831	175,000
Contingency		-	-	-	-	-
Account Payable Adjustment		547,780	504,473	435,000	563,591	435,000
		3,493,292	3,672,110	3,635,565	3,599,777	3,547,392
Personal Services						
	110	1,143,386	1,155,933	1,237,638	1,200,209	1,231,126
	112	1,881	1,923	2,016	10,410	23,443
	120	118,899	139,029	125,816	155,914	132,905
	130	-	-	3,950	4,232	10,540
	140	450,745	466,512	512,711	499,510	536,753
	146	354,445	355,777	384,524	366,579	387,403
	190	55,179	18,631	30,000	9,503	8,000
Materials and Services						
	210	2,881	4,062	2,750	933	2,750
	220	73,605	58,003	78,000	69,459	74,000
	230	61,376	53,368	53,000	30,849	50,000
	310	2,110	3,990	2,100	1,801	10
	320	-	112	250	-	-
	330	3,820	5,137	4,500	4,595	4,500
	340	39,824	41,839	50,000	38,517	40,275
	350	11,095	22,732	27,000	25,701	68,200
	360	99,244	75,385	57,500	71,970	74,360
	370	10,482	8,688	8,500	8,273	9,000
	380	9,362	7,985	18,000	10,525	18,500
	390	24,336	27,435	24,036	25,249	26,450
	510	43,239	37,764	42,000	39,716	35,000
	540	731	731	-	731	732
	880	44,554	34,910	37,839	33,180	37,457
Debt Service		-	57,777	148,434	116,499	165,988
Accounts Payable Adjustments						
	810	164,538	178,121	115,000	207,994	115,000
	811	361,813	311,774	300,000	346,006	300,000
	812	7,669	6,336	10,000	4,766	10,000
	813	13,760	8,243	10,000	4,825	10,000
Capital Outlay						
	920	-	5,786	-	-	-
	940	394,318	584,130	350,000	311,831	175,000
Contingency						
	960	-	-	-	-	-
Total		3,493,292	3,672,110	3,635,565	3,599,777	3,547,392

Building Code Fund

FY 2017

Purpose

The Building Code Program Fund provides budget authority to administer the City's Building Code Program and also the contract for Building Code services for the City of Columbia Falls. Administration of the Building Codes Program is provided by the Planning and Building Department.

FY 2017 Objectives

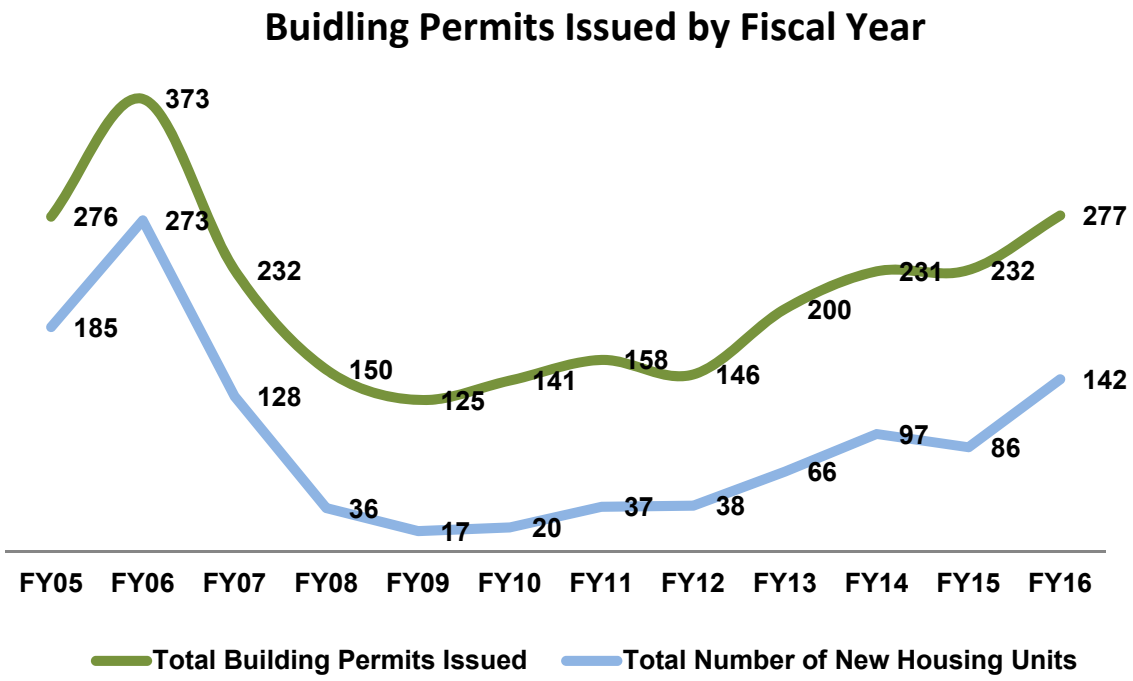
The objective of the Building Code Program Fund for this fiscal year is to promote dependable and safe buildings and structures through the implementation and enforcement of the International Building Code, International Plumbing Code, International Mechanical Code, and National Electric Code within the City of Whitefish.

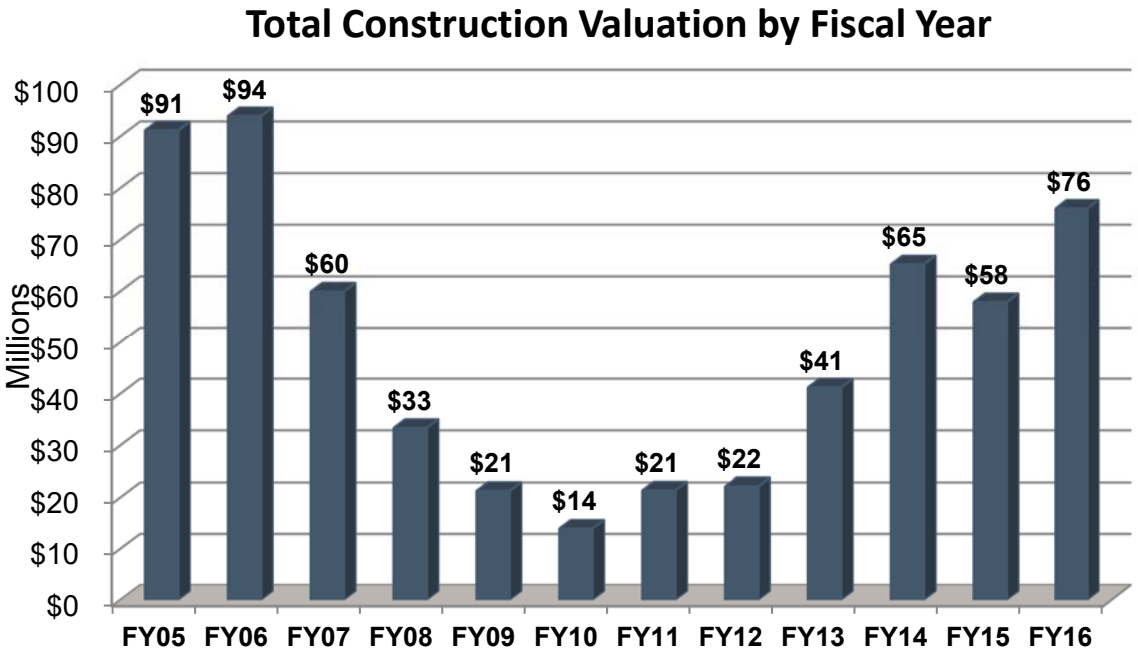
During the Great Recession of 2008 and ensuring years, the City's General Fund loaned a total of $460,978 to the Building Code program. The loan was used to provide funding for the program until such time that the building activity and building permit revenues started to rebound. Partial repayment occurred during FY 2013, FY 2014, and FY 2015. The final payment on the loan was made during FY 2016.

The FY 2017 budget proposes a continuation of increased building activity and workload for the Department. The part-time customer service clerk that was added in FY 2016 is increased to a full-time position in FY 2017 to further assist both the Building and Planning Department.

Significant or changed appropriations during FY 2017 are:

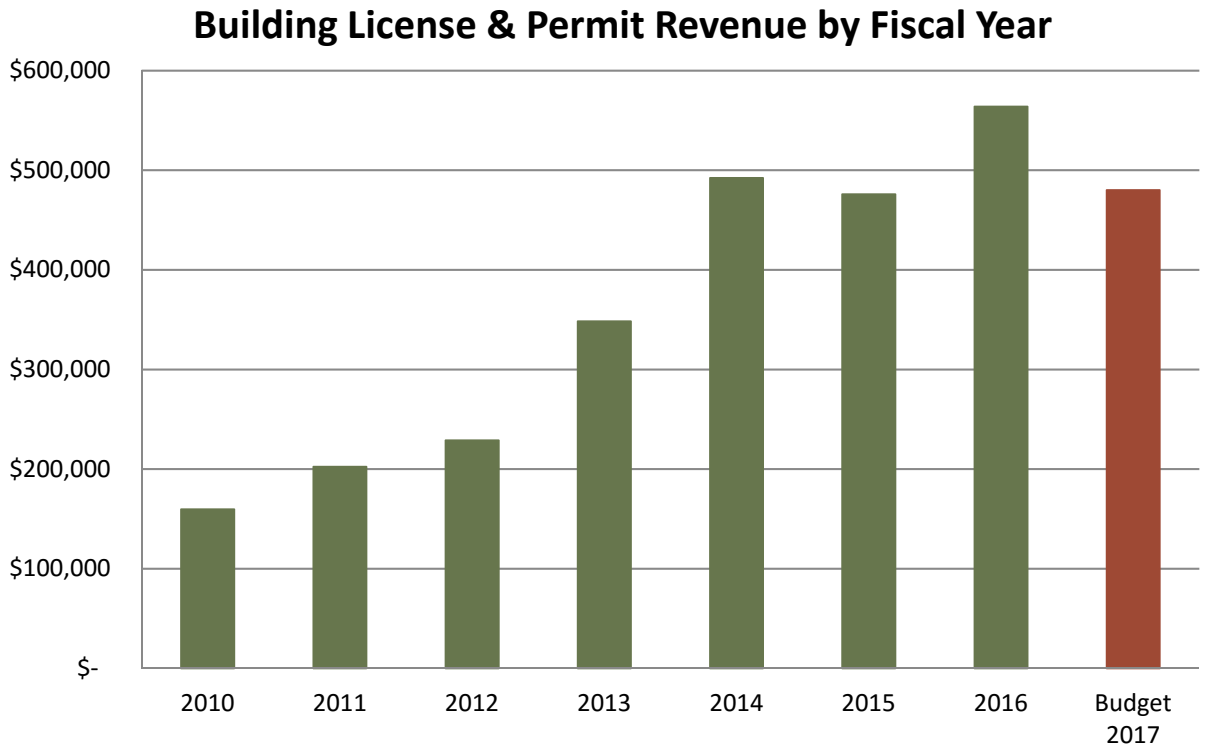
Item/Project	Amount
Revenue Changes	
• Decrease in revenue from plan reviews and building permits	$50,000
• Increase in revenue from Columbia Falls inspection contract	$25,000
Expenditure Changes	
• Increase in salaries and benefits from part-time customer service clerk increasing from part-time to full-time	$11,491
• Increase in professional services for electrical inspection and commercial plan review	$22,000
• One new pickup truck	$30,000


Buidling Permits Issued by Fiscal Year
276
373
232
150
125
141
158
146
200
231
232
277
185
273
128
36
17
20
37
38
66
97
86
142
FY05
FY06
FY07
FY08
FY09
FY10
FY11
FY12
FY13
FY14
FY15
FY16
Total Building Permits Issued
Total Number of New Housing Units


Total Construction Valuation by Fiscal Year
Millions
$100
$90
$80
$70
$60
$50
$40
$30
$20
$10
$0
$91
$94
$60
$33
$21
$14
$21
$22
$41
$65
$58
$76
FY05
FY06
FY07
FY08
FY09
FY10
FY11
FY12
FY13
FY14
FY15
FY16

Building Code Fund

FY 2017



Building Code Fund - 2394

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Licenses and Permits					
323010	Building Plan Review	196,818	190,191	200,000	237,882	190,000
323011	Building Permits	195,310	190,493	200,000	217,039	190,000
323012	Electrical Permits	40,314	39,906	50,000	46,706	40,000
323013	Plumbing Permits	29,172	26,640	40,000	31,065	30,000
323017	Mechanical Permits	30,157	28,604	40,000	31,192	30,000
		$ 491,771	**$ 475,834**	**$ 530,000**	**$ 563,884**	**$ 480,000**
	Charges for Services					
342041	Col. Falls Building Codes Contract	71,844	69,811	50,000	79,607	75,000
		$ 71,844	**$ 69,811**	**$ 50,000**	**$ 79,607**	**$ 75,000**
	Miscellaneous Revenue					
362000	Miscellaneous Revenue	1,539	1,879	2,000	135	1,000
		$ 1,539	**$ 1,879**	**$ 2,000**	**$ 135**	**$ 1,000**
	Total Fund Revenue	**$ 565,154**	**$ 547,524**	**$ 582,000**	**$ 643,626**	**$ 556,000**
	Beginning Available Cash			**$ 13,110**		**$ 197,431**
	Total Resources			**$ 595,110**		**$ 753,431**

Building Code Fund - 2394

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
420530 -	**Construction Inspection**					
	Personal Services					
110	Salaries	183,456	192,261	224,034	181,888	227,526
112	Part-time Wages	-	27	1,778	15,806	1,711
120	Overtime	190	244	272	320	178
130	Vacation/Sick Accrual	-	-	37,120	31,830	696
140	Employer Contributions	80,639	92,744	105,378	99,130	102,729
		$ 264,285	**$ 285,275**	**$ 368,582**	**$ 328,973**	**$ 332,840**
	Materials and Services					
210	Office Supplies/Materials	843	1,670	2,000	1,681	2,000
220	Operating Supplies	2,739	2,334	3,000	3,141	4,600
230	Repair & Maintenance Supplies	10,709	4,831	6,000	1,700	6,000
310	Postage & Freight	47	-	250	10	250
320	Printing	11	-	100	-	100
330	Publicity/Subscriptions/Dues	2,348	2,234	3,000	2,738	3,000
340	Utility Services	5,539	5,550	5,300	4,100	5,300
350	Professional Services	-	-	2,900	26,640	26,900
360	Repair and Maintenance	5,674	3,152	3,600	2,128	3,711
370	Travel & Training	1,776	1,665	4,000	1,900	4,000
397	Contracted Workers	234	20	3,000	14,965	1,000
510	Insurance	10,172	4,158	5,100	4,681	4,000
530	Lease/Rental	-	-	-	-	720
540	Special Assessments	104	104	105	104	105
880	Administrative Expense	7,817	5,607	7,420	6,507	7,491
		$ 48,013	**$ 31,325**	**$ 45,775**	**$ 70,296**	**$ 69,177**
	Capital Outlay					
940	Machinery & Equipment	-	40,447	25,000	29,038	30,000
		$ -	**$ 40,447**	**$ 25,000**	**$ 29,038**	**$ 30,000**
	Total Construction Inspection	**$ 312,298**	**$ 357,048**	**$ 439,357**	**$ 428,307**	**$ 432,017**
510700 -	**Columbia Falls Building Codes**					
	Personal Services					
110	Salaries	16,700	17,474	24,104	19,115	32,181
130	Vacation/Sick Accrual	-	-	1,850	1,565	-
140	Employer Contributions	8,031	9,849	12,749	10,590	15,707
		$ 24,731	**$ 27,323**	**$ 38,703**	**$ 31,270**	**$ 47,888**
	Materials and Services					
220	Operating Supplies/Materials	-	-	400	138	400
230	Repair & Maintenance Supplies	3,482	2,771	3,000	1,330	3,000
510	Insurance	726	421	725	362	315
		$ 4,208	**$ 3,192**	**$ 4,125**	**$ 1,830**	**$ 3,715**
	Total Columbia Falls Contract	**$ 28,939**	**$ 30,516**	**$ 42,828**	**$ 33,101**	**$ 51,603**
	Total Fund Expenditures	**$ 341,237**	**$ 387,563**	**$ 482,185**	**$ 461,408**	**$ 483,620**
	Ending Available Cash			**$ 112,925**		**$ 269,811**
	Total Building Code Fund			**$ 595,110**		**$ 753,431**

Parks, Recreation & Community Services FY 2017

Parks & Recreation Department Mission Statement

The mission of the City of Whitefish Parks and Recreation Department is to maintain a healthy, diverse, sustainable, and interactive environment for our residents, visitors, and future generations with dedication, pride, and respect for our community. As stewards of Whitefish, through proactive involvement, efficiency, communication, and understanding, we will go above and beyond our duties as City employees to enhance the overall quality of life for the citizens of Whitefish.

Purpose

The purpose of the Parks, Recreation and Community Services Fund is to provide the budgetary authority necessary to maintain the parks, trails and property owned by the City, operate community facilities, provide recreational programs, and provide other beautification and community services as needed.

FY 2017 Objectives

The objectives of the Parks, Recreation and Community Services Fund for this fiscal year are to

(1) maintain and, where appropriate, operate various City facilities. These include the Stumptown Ice Den, Mountain Trails Park, Roy Duff Memorial Armory Center, Armory Park, Credit Union Park, City Hall building and grounds, City Beach, Soroptimist Park, Baker Park, Riverside Park, Creekwood Park, Grouse Mountain Park, Memorial Ball Park perimeter, Jack Zerr Fields, Canoe Park, Kay Beller Park, Crestwood Park, Riverwood Park, the Baker/Wisconsin Street Viaduct, S. Baker Avenue right-of-way, W. Edgewood Place right-of-way, property at 2nd and Spokane Avenue, Greenwood Drive property, Central Avenue Medium, and the grounds of the Whitefish Cultural Arts Center, Whitefish Library, and City Wastewater Plant. The Department also maintains the various sections of the Whitefish Trail.

(2) provide a series of recreation programs and special events.

(3) provide maintenance for boulevard trees and pre-planting administration.

(4) maintain the Hwy. 93 right-of-way landscape, and provide weed spraying services on City property and right-of-ways as needed.

(5) provide other general beautification and community services as needed.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount
Revenue Changes	
• Decrease in budgeted Ice Rink related revenues due to management of the facility being under contract with the Whitefish Sports Facility Foundation.	$475,255
• Increase in Summer Day Camp revenue based on projected rate increase in FY17	$26,913
• Increase of the Greenways & Parkland Assessment	$55,000
• Increase in transfer from General Fund (Property Tax Support)	$21,341
Expenditure Changes	
• New Summer Camp/Youth Coordinator position – this was a seasonal position with only a two week break in FY16. Additional insurance cost is budgeted at $12,300.	
• Capital Outlay – Snow Blower	$5,500
• Increase in Repair and Maintenance for Baker Path Trail Repair	$15,000
• Decrease in seasonal staff wages	$97,947
• Increase in Parks & Recreation Director's salary due to a reclassification of the position	$13,941
• Decrease in expenditures other than personal services for the Community Ice Rink	$282,852
• Decrease in contingency	$10,000

Parks and Recreation Fund - 2210

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Licenses and Permits					
322015	Alcohol Consumption Permit	460	540	350	580	350
		$ 460	**$ 540**	**$ 350**	**$ 580**	**$ 350**
	Intergovernmental					
334000	Grants	3,450	11,924	7,000	4,865	6,000
334002	FWP Fishing Lease - WF Trail	7,000	3,500	3,500	3,500	3,500
		$ 10,450	**$ 15,424**	**$ 10,500**	**$ 8,365**	**$ 9,500**
	Charges for Services					
346014	Beach Concessions	15,352	14,325	4,500	8,260	7,800
346015	Beach Gazebo Rental	2,540	3,180	2,200	2,440	3,200
346016	Boat Launch Passes	4,995	7,483	5,000	11,757	7,500
346017	Beach Floatation Rentals	16,350	11,685	2,000	1,000	-
346030	Hockey Tournaments	64,854	90	-	-	-
346033	Ice Rink Admissions	56,241	49,161	52,553	7,824	-
346035	Ice Rink Advertising	10,500	10,179	30,000	5,050	-
346037	Ice Rink Concessions	30,921	28,203	38,000	6,373	-
346039	Ice Rink Pro Shop	21,071	19,281	19,000	3,298	-
346040	Ice Rink Management Contract	-	-	-	96,229	32,528
346041	Ice Rink Rentals	174,579	298,527	364,330	111,839	-
346043	Ice Rink Season Passes	21,849	3,491	3,900	2,160	-
346044	Ice - Adult Hockey Fees	-	-	-	-	-
346045	Ice Skating Lessons	58	20	-	-	-
346007	After School Program	79,731	66,339	100,850	64,067	103,640
346022	Summer Day Camp	85,555	86,280	95,215	87,653	122,128
346085	Adult Programs	18,683	2,259	2,030	1,702	4,500
346086	Youth Programs	17,189	17,539	27,550	20,565	24,640
346087	Adult Softball	-	1,823	-	-	-
346057	Special Events	-	-	3,500	-	3,500
346054	Saddle Club Rental	-	-	-	-	-
346009	Armory Rental	9,042	7,615	8,000	6,826	8,500
346402	Facility Usage Revenue	4,400	9,891	6,500	12,350	9,500
		$ 633,909	**$ 637,371**	**$ 765,128**	**$ 449,394**	**$ 327,436**
	Miscellaneous Revenue					
361020	Verizon Cell Tower Lease	-	18,000	18,000	18,720	19,470
362000	Miscellaneous Revenue	419	1,373	2,000	16,391	2,000
362007	Program Guide Revenue	2,740	3,030	2,500	2,240	2,500
363010	Greenwys & Prklnd Assessmnt	175,845	239,689	300,000	293,496	355,000
363040	P&I Special Assessments	649	677	1,000	858	1,000
365000	Contributions & Donations	55,000	1,400	1,000	11,459	26,500
365001	WF Trail Oper Rev (net of City staff time contribution)	22,500	45,516	58,140	44,423	61,379
		$ 257,153	**$ 309,685**	**$ 382,640**	**$ 387,587**	**$ 467,849**
	Other Financing Sources					
383004	Op. Transfer from Gen. Fund	603,000	693,919	651,238	651,238	672,579
381070	Loan Proceeds	70,212	-	-	-	-
		$ 673,212	**$ 693,919**	**$ 651,238**	**$ 651,238**	**$ 672,579**
	Total Fund Revenue	**$ 1,575,184**	**$ 1,656,939**	**$ 1,809,856**	**$ 1,497,164**	**$ 1,477,714**
101000	**Beginning Available Cash**			**$ 121,621**		**$ 127,608**
	Total Resources			**$ 1,931,477**		**$ 1,605,322**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
430255 Bicycle Path Maint. Program					
Personal Services					
110 Salaries	7,168	8,623	17,427	11,586	21,522
111 Part-time/Seasonal Wages	5,103	3,191	5,800	2,168	5,039
120 Overtime	-	38	888	63	1,110
130 Vacation/Sick Accrual	-	-	-	-	-
140 Employer Contributions	3,198	4,867	11,885	6,071	12,321
	$ 15,469	**$ 16,718**	**$ 36,000**	**$ 19,888**	**$ 39,992**
Materials and Services					
220 Operating Supplies	2,040	2,402	4,500	1,371	4,000
230 Repair & Maintenance Supplies	6,962	7,166	7,000	7,620	7,000
330 Publicity/Subscriptions/Dues	1	1	100	1	100
350 Professional Services	-	-	-	33	-
360 Repair & Maintenance Services	3,695	343	5,000	5,581	20,000
510 Insurance	459	433	500	407	418
530 Rent	2,814	2,898	2,575	2,985	2,575
	$ 15,971	**$ 13,244**	**$ 19,675**	**$ 17,998**	**$ 34,093**
Capital Outlay					
940 Machinery & Equipment	-	59,778	-	-	-
	$ -	**$ 59,778**	**$ -**	**$ -**	**$ -**
Total Bicycle Path Maint.	**$ 31,440**	**$ 89,740**	**$ 55,675**	**$ 37,887**	**$ 74,085**
430256 Whitefish Trail Maintenance					
Personal Services					
110 Salaries	65	2,630	11,435	11,573	2,703
111 Part-time/Seasonal Wages	939	355	-	-	-
120 Overtime	-	-	24	-	213
140 Employer Contributions	1,949	1,955	5,114	5,306	1,334
	$ 2,953	**$ 4,940**	**$ 16,573**	**$ 16,879**	**$ 4,250**
Materials and Services					
220 Operating Supplies	2,166	10,927	5,000	9,046	21,500
230 Repair & Maintenance Supplies	-	-	3,000	5,244	18,000
330 Publicity/Subscriptions/Dues	135	249	-	-	-
360 Repair & Maintenance Services	5,411	11,915	13,800	2,209	6,000
390 Other Purchased Services	-	4,545	20,840	22,437	70
510 Insurance	-	19	2,500	878	479
530 Rent	20,579	15,494	10,500	12,934	14,930
	$ 28,291	**$ 43,147**	**$ 55,640**	**$ 52,748**	**$ 60,979**
Total Whitefish Trail Maint.	**$ 31,244**	**$ 48,087**	**$ 72,213**	**$ 69,627**	**$ 65,229**

Parks & Recreation Fund - 2210

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460400	**Parks & Rec Administration**					
	Personal Services					
110	Salaries	18,380	85,549	80,585	92,604	98,139
111	Seasonal	-	-	-	-	-
112	Permanent Part-Time	1,834	1,896	1,813	2,031	1,813
120	Overtime	20	57	1,675	301	1,771
130	Vacation/Sick Accrual	-	-	1,950	1,998	1,740
140	Employer Contributions	37,206	31,037	35,295	32,582	43,408
		$ 57,440	**$ 118,540**	**$ 121,318**	**$ 129,517**	**$ 146,871**
	Materials and Services					
210	Office Supplies/Materials	2,133	3,519	3,000	1,967	3,000
220	Operating Supplies	5,534	3,543	3,000	5,208	3,500
230	Repair & Maintenance Supplies	583	159	1,000	365	500
310	Postage & Freight	829	2,405	1,000	1,112	500
320	Printing	467	2,030	500	-	500
330	Publicity/Subscriptions/Dues	5,044	2,373	2,500	2,536	2,500
340	Utility Services	3,724	4,103	3,500	3,981	4,000
350	Professional Services	-	-	500	200	500
360	Repair & Maintenance Services	2,425	1,149	1,500	918	1,500
370	Travel & Training	3,813	1,354	3,000	852	3,000
390	Other Purchased Services	3,219	2,487	3,300	4,132	3,500
397	Contract Workers	234	337	500	-	500
510	Insurance	3,343	2,584	3,625	1,814	1,500
530	Rental/Leases	-	-	-	-	720
790	Memorial Park Acct - Glac Twins	-	18,000	18,000	18,720	19,470
880	Administrative Expense	12,355	14,543	17,671	15,501	17,409
		$ 43,703	**$ 58,586**	**$ 62,596**	**$ 57,304**	**$ 62,599**
	Total Parks and Rec Admin	**$ 101,143**	**$ 177,126**	**$ 183,914**	**$ 186,821**	**$ 209,470**

Parks & Recreation Fund - 2210

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460434	**City Parks & Properties**					
	Personal Services					
110	Salaries	115,749	75,265	81,163	105,825	90,543
111	Part-time/Seasonal Wages	59,953	81,794	60,900	54,277	54,960
120	Overtime	548	847	5,320	4,568	5,908
130	Vacation/Sick Accrual	-	-	-	-	-
140	Employer Contributions	60,339	47,959	57,275	66,671	61,226
		$ 236,589	**$ 205,865**	**$ 204,658**	**$ 231,341**	**$ 212,637**
	Materials and Services					
210	Office Supplies/Materials	756	770	700	950	700
220	Operating Supplies	18,826	20,072	42,500	32,778	49,200
230	Repair & Maintenance Supplies	46,681	39,764	47,000	47,062	52,000
310	Postage & Freight	29	116	300	68	300
320	Printing	70	-	100	21	100
330	Publicity/Subscriptions/Dues	442	220	350	458	350
340	Utility Services	40,844	44,790	42,000	59,450	57,000
350	Professional Services	-	3,428	500	90	500
360	Repair & Maintenance Services	8,385	23,358	15,000	29,525	50,000
370	Travel & Training	3,015	4,296	7,000	3,962	5,000
390	Other Purchased Services	16,012	6,252	6,000	9,445	6,000
397	Contracted Workers	-	5,147	-	25,317	10,600
510	Insurance	8,794	8,435	9,000	7,665	7,502
530	Rent/Lease Expense	1,723	2,259	2,600	1,391	2,600
540	Special Assessments	1,005	1,006	1,010	2,002	2,050
		$ 146,582	**$ 159,914**	**$ 174,060**	**$ 220,183**	**$ 243,902**
	Capital Outlay					
910	Land	-	10,255	-	-	-
920	Buildings	-	-	-	-	-
931	Park Improvements	-	-	-	-	-
940	Machinery & Equipment	39,265	-	27,000	20,738	5,500
		$ 39,265	**$ 10,255**	**$ 27,000**	**$ 20,738**	**$ 5,500**
	Total City Parks & Properties	**$ 422,436**	**$ 376,033**	**$ 405,718**	**$ 472,262**	**$ 462,039**
460437	**Urban Forestry Program**					
	Personal Services					
110	Salaries	-	7,888	13,874	8,129	33,349
111	Part-time/Seasonal Wages	5,276	4,492	11,600	7,351	8,160
120	Overtime	18	54	739	63	1,694
140	Employer Contributions	790	4,392	10,187	4,047	23,284
		$ 6,084	**$ 16,826**	**$ 36,400**	**$ 19,590**	**$ 66,487**
	Materials and Services					
220	Operating Supplies	5,786	8,315	8,000	7,295	8,000
230	Repair & Maintenance Supplies	1,615	1,803	1,500	2,159	2,000
340	Utility Services	-	12	1,000	-	-
350	Professional Services	-	-	500	-	500
360	Repair & Maintenance Services	12,443	8,291	20,000	22,363	25,000
390	Other Purchased Services	290	11,000	500	20	-
397	Contracted Workers	251	1,538	-	-	-
510	Insurance	109	108	260	258	195
		$ 20,494	**$ 31,067**	**$ 31,760**	**$ 32,095**	**$ 35,695**
	Total Urban Forestry	**$ 26,578**	**$ 47,893**	**$ 68,160**	**$ 51,686**	**$ 102,182**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460505 After School Program					
Personal Services					
110 Salaries	3,732	11,591	27,259	30,364	38,727
111 Part-time/Seasonal Wages	23,996	23,652	31,900	34,687	36,001
120 Overtime	-	90	2,991	-	2,509
140 Employer Contributions	5,665	7,643	16,665	12,373	15,865
	$ 33,393	**$ 42,976**	**$ 78,815**	**$ 77,424**	**$ 93,102**
Materials and Services					
220 Operating Supplies	6,569	6,359	9,890	9,945	9,580
330 Publicity/Subscriptions/Dues	-	126	108	-	108
340 Utility Services	180	-	-	53	-
370 Travel & Training	1,343	1,678	2,092	819	2,000
390 Contract Services	2,708	2,220	1,747	1,385	2,709
510 Insurance	810	583	750	733	775
	$ 11,610	**$ 10,965**	**$ 14,587**	**$ 12,935**	**$ 15,172**
Total After School Program	**$ 45,003**	**$ 53,941**	**$ 93,402**	**$ 90,359**	**$ 108,274**
460507 Armory Facility					
Personal Services					
110 Salaries	8,052	6,971	9,238	9,989	8,880
111 Part-time/Seasonal Wages	-	-	-	-	-
120 Overtime	-	2	454	26	496
140 Employer Contributions	5,405	2,916	5,091	4,270	5,270
	$ 13,457	**$ 9,889**	**$ 14,783**	**$ 14,285**	**$ 14,646**
Materials and Services					
210 Office Materials and Supplies	-	14	150	-	150
220 Operating Supplies	3,326	2,128	2,200	1,980	2,200
230 Repair & Maintenance Supplies	2,043	615	4,000	1,743	4,000
320 Printing, Duplicating, Typing	-	-	-	-	-
330 Publicity/Subscriptions/Dues	-	-	150	-	150
340 Utility Services	13,534	11,400	12,000	11,173	13,500
360 Repair & Maintenance Services	2,041	1,233	2,000	894	9,000
370 Travel and Training	279	-	-	-	-
510 Insurance	1,158	1,132	1,550	1,514	1,510
540 Special Assessments	479	478	500	478	500
	$ 22,859	**$ 17,000**	**$ 22,550**	**$ 17,782**	**$ 31,010**
Capital Outlay					
920 Buildings	-	-	-	-	-
	$ -	**$ -**	**$ -**	**$ -**	**$ -**
Total Armory Facility	**$ 36,316**	**$ 26,889**	**$ 37,333**	**$ 32,067**	**$ 45,656**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures		Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460514 City Beach						
	Personal Services					
110	Salaries and Wages	10,913	15,677	32,748	25,264	36,945
113	P.T./Seasonal Lifeguard Wages	17,339	19,499	34,400	19,779	41,239
114	P.T./Seasonal Boat Inspection	10,755	13,144	12,000	16,341	13,000
120	Overtime	56	61	3,284	147	3,797
140	Employer Contributions	9,124	11,337	19,932	14,430	29,063
		$ 48,187	**$ 59,717**	**$ 102,364**	**$ 75,961**	**$ 124,044**
	Materials and Services					
210	Office Materials and Supplies	656	-	250	133	250
220	Operating Supplies	4,896	2,812	8,000	3,609	8,000
223	Concessions	15,710	7,482	-	-	-
230	Repair & Maintenance Supplies	2,784	6,823	5,000	624	5,500
310	Postage & Freight	-	49	50	-	50
320	Printing, Duplicating, Typing	135	-	300	-	300
330	Publicity, Subscriptions & Dues	330	263	350	180	350
340	Utility Services	10,058	8,555	9,000	8,742	9,500
350	Professional Services	710	-	500	-	500
360	Repair & Maintenance Services	9,100	42,269	35,800	36,661	14,000
370	Travel and Training	-	154	1,050	355	1,050
390	Other Purchased Services	562	7,200	1,000	484	1,000
510	Insurance	1,395	1,104	1,400	1,304	1,064
540	Special Assessments	-	81	85	81	85
		$ 46,335	**$ 76,791**	**$ 62,785**	**$ 52,174**	**$ 41,649**
	Total City Beach	**$ 94,523**	**$ 136,508**	**$ 165,149**	**$ 128,134**	**$ 165,693**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460533 Community Ice Rink Pavilion					
Personal Services					
110 Salaries and Wages	31,610	46,174	48,565	21,586	-
111 Temporary/Seasonal Wages	78,746	55,669	87,800	25,801	-
114 Part-time wages - Concessions	24,391	25,165	5,000	4,671	-
120 Overtime	499	959	4,596	889	-
140 Employer Contributions	33,126	28,130	37,423	15,276	-
	$ 168,372	**$ 156,097**	**$ 183,384**	**$ 68,223**	**$ -**
Materials and Services					
210 Office Materials and Supplies	790	667	800	651	-
220 Operating Supplies	21,261	24,792	30,000	6,329	-
223 Concessions	24,728	19,822	33,000	5,905	-
230 Repair & Maintenance Supplies	18,745	15,229	41,606	24,168	8,000
320 Printing, Duplicating, Typing	51	246	15,650	656	-
330 Publicity/Subscriptions/Dues	2,303	1,380	1,000	345	-
340 Utility Services	115,707	90,033	92,000	33,596	-
350 Professional Services	10,830	-	1,500	-	-
360 Repair & Maintenance Services	31,044	49,302	50,606	83,726	-
370 Travel and Training	905	380	7,500	-	-
390 Other Purchased Services	15,673	2,701	3,000	889	-
397 Contracted Workers	-	13,997	-	26,363	-
510 Insurance	6,577	5,780	6,000	5,564	3,735
	$ 248,614	**$ 224,331**	**$ 282,662**	**$ 188,191**	**$ 11,735**
610 Loan Principal	22,335	31,212	31,560	31,560	31,911
620 Loan Interest	999	1,027	893	893	617
Debt Service	**$ 23,334**	**$ 32,239**	**$ 32,453**	**$ 32,453**	**$ 32,528**
Capital Outlay					
920 Building Improvements	57,934	-	-	-	-
940 Machinery & Equipment	16,630	-	12,000	-	-
	$ 74,564	**$ -**	**$ 12,000**	**$ -**	**$ -**
Total Ice Rink Pavilion	**$ 514,884**	**$ 412,666**	**$ 510,499**	**$ 288,867**	**$ 44,263**
460534 Warming Hut					
Materials and Services					
340 Utility Services	-	-	-	1,714	2,400
Total Saddle Club Rental	**$ -**	**$ -**	**$ -**	**$ 1,714**	**$ 2,400**
460554 Saddle Club Rental					
Materials and Services					
340 Utility Services	2,976	1,502	-	812	900
Total Saddle Club Rental	**$ 2,976**	**$ 1,502**	**$ -**	**$ 812**	**$ 900**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460557 Special Events					
Personal Services					
110 Salaries and Wages	-	-	5,265	4,266	16,352
120 Overtime	-	-	-	-	1,065
140 Employer Contributions	-	-	1,921	1,236	8,890
	$ -	**$ -**	**$ 7,186**	**$ 5,502**	**$ 26,307**
Materials and Services					
220 Operating Supplies	-	-	5,000	-	1,500
230 Repair & Maintenance Supplies	-	-	-	-	1,500
397 Contract Workers	-	-	1,000	-	1,000
Total Special Events	**$ -**	**$ -**	**$ 6,000**	**$ -**	**$ 4,000**
Total Special Events	**$ -**	**$ -**	**$ 13,186**	**$ 5,502**	**$ 30,307**
460590 Adult Programs					
Personal Services					
110 Salaries and Wages	4,634	10,910	2,164	2,875	2,204
111 Temporary/Seasonal Wages	6,457	4,713	-	-	
120 Overtime	-	-	242	-	106
140 Employer Contributions	4,028	5,420	927	639	894
	$ 15,119	**$ 21,043**	**$ 3,333**	**$ 3,514**	**$ 3,204**
Materials and Services					
220 Operating Supplies	4,697	7	-	738	150
310 Communication & Transportation	-	-	-	-	-
320 Printing	-	-	-	-	-
330 Publicity/Subscriptions/Dues	-	-	-	-	-
390 Contract Services	1,518	-	-	-	-
	$ 6,215	**$ 7**	**$ -**	**$ 738**	**$ 150**
Total Adult Programs	**$ 21,334**	**$ 21,050**	**$ 3,333**	**$ 4,252**	**$ 3,354**
460591 Youth Programs					
Personal Services					
110 Salaries and Wages	8,875	5,903	9,519	10,434	20,673
111 Temporary/Seasonal Wages	5,570	5,152	2,900	6,518	7,680
120 Overtime	-	-	1,001	-	1,143
140 Employer Contributions	6,855	3,031	4,541	3,348	6,573
	$ 21,300	**$ 14,086**	**$ 17,961**	**$ 20,300**	**$ 36,069**
Materials and Services					
220 Operating Supplies	7,890	3,301	7,821	2,199	3,075
310 Communication & Transportation	-	-	168	-	-
330 Publicity/Subscriptions/Dues	-	-	613	-	-
390 Contract Services	1,611	-	3,080	1,265	1,838
510 Insurance	488	308	520	229	223
	$ 9,989	**$ 3,609**	**$ 12,202**	**$ 3,693**	**$ 5,136**
Total Youth Programs	**$ 31,289**	**$ 17,694**	**$ 30,163**	**$ 23,993**	**$ 41,205**

Parks & Recreation Fund - 2210

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460592	**Summer Camp**					
	Personal Services					
110	Salaries and Wages	8,906	13,197	7,679	8,576	30,638
111	Temporary/Seasonal Wages	35,236	42,253	37,700	53,987	37,519
120	Overtime	22	23	1,011	43	8,384
140	Employer Contributions	10,897	11,615	9,191	11,176	19,889
		$ 55,061	**$ 67,088**	**$ 55,581**	**$ 73,783**	**$ 96,430**
	Materials and Services					
220	Operating Supplies	5,397	3,333	3,449	4,340	3,500
310	Communication & Transportation	-	-	430	147	-
320	Printing	-	-	-	-	-
330	Publicity/Subscriptions/Dues	61	-	538	-	-
340	Utility Services	216	-	-	-	-
360	Repair and Maintenance Services	-	-	323	-	-
370	Travel and Training	37	-	323	-	350
390	Contract Services	15,599	17,540	21,016	14,212	20,950
510	Insurance	1,597	1,135	1,200	1,474	761
		$ 22,907	**$ 22,008**	**$ 27,279**	**$ 20,173**	**$ 25,561**
	Total Summer Camp	**$ 77,968**	**$ 89,096**	**$ 82,860**	**$ 93,956**	**$ 121,991**
460504	**Adult Softball**					
	Personal Services					
110	Salaries and Wages	-	2,819	-	-	-
111	Temporary/Seasonal Wages	-	-	-	-	-
120	Overtime	-	3	-	-	-
140	Employer Contributions	-	1,259	-	-	-
		$ -	**$ 4,081**	**$ -**	**$ -**	**$ -**
	Materials and Services					
220	Operating Supplies	-	330	-	-	-
330	Publicity/Subscriptions/Dues	-	-	-	-	-
397	Contract Services	-	-	-	-	-
		$ -	**$ 330**	**$ -**	**$ -**	**$ -**
	Total Adult Softball	**$ -**	**$ 4,411**	**$ -**	**$ -**	**$ -**
870	**Operating Contingency**	**$ 6,240**	**$ -**	**$ 10,000**	**$ -**	**$ -**
	Total Expenditures	**$ 1,443,375**	**$ 1,502,637**	**$ 1,731,605**	**$ 1,487,940**	**$ 1,477,048**
	Ending Available Cash			**$ 199,872**		**$ 128,274**
	Total Parks & Recreation Fund			**$ 1,931,477**		**$ 1,605,322**

Parks & Recreation Fund - 2210

8/4/2016

Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
Total Parks and Rec Fund					
Personal Services	673,424	737,865	878,356	756,206	864,039
Materials and Services	626,547	662,500	771,796	678,543	574,981
Debt Service	23,334	32,239	32,453	32,453	32,528
Capital Outlay	113,829	70,033	39,000	20,738	5,500
Contingency		-	10,000	-	-
	$ 1,443,375	**$ 1,502,637**	**$ 1,731,605**	**$ 1,487,940**	**$ 1,477,048**
Personal Services					
110	218,084	293,196	346,921	343,071	400,675
111	221,276	221,271	238,600	184,789	149,359
112	1,834	1,896	1,813	2,031	1,813
114	52,485	57,807	51,400	40,791	54,239
120	1,163	2,133	22,225	6,101	28,196
130	-	-	1,950	1,998	1,740
140	178,582	161,561	215,447	177,425	228,017
Materials and Services					
210	4,335	4,970	4,900	3,700	4,100
220	88,388	88,319	129,360	84,839	114,205
223	40,438	27,304	33,000	5,905	-
230	79,413	71,559	110,106	88,985	98,500
310	858	2,570	1,948	1,327	850
320	723	2,276	16,550	677	900
330	8,316	4,612	5,709	3,519	3,558
340	187,239	160,396	159,500	119,521	87,300
350	11,540	3,428	3,500	323	2,000
360	74,544	137,860	144,029	181,878	125,500
370	9,392	7,861	20,965	5,988	11,400
390	57,192	53,945	34,816	54,269	36,067
397	485	21,020	27,167	51,680	12,100
510	24,728	21,621	27,305	21,840	18,162
530	25,116	20,651	15,675	17,310	20,825
540	1,484	1,565	1,595	2,561	2,635
790		18,000	18,000	18,720	19,470
880	12,355	14,543	17,671	15,501	17,409
Contingency	6,240	-	10,000	-	-
Debt Service	23,334	32,239	32,453	32,453	32,528
Capital Outlay					
930	57,934	-	-	-	-
940	55,895	70,033	39,000	20,738	5,500
	1,443,375	**1,502,637**	**1,731,605**	**1,487,940**	**1,477,048**

Parkland Acquisition & Development

FY 2017

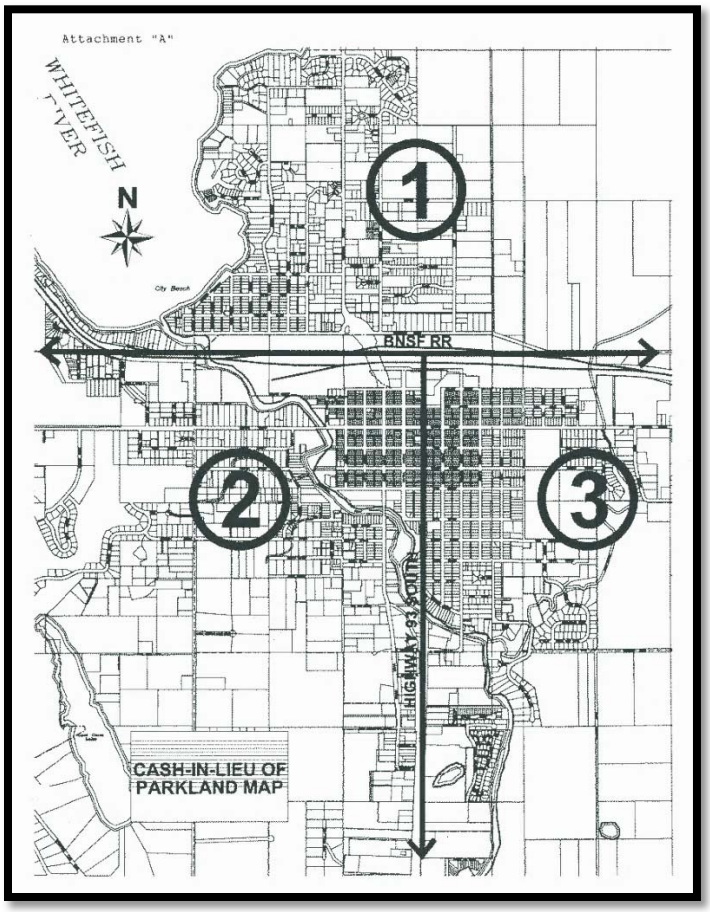
Purpose

The Parkland Acquisition and Development Fund is a capital fund designed to accommodate the purchase of parkland and enable park improvement projects funded through contributions, grants, and payments made in lieu of park land dedication requirements.

Authority for the Parkland Acquisition and Development Fund derives in the Montana Subdivision and Platting Act, specifically Section 76-3-621 (5) MCA. In order to comply with the proximity requirements of the law, the City has designated three quadrants in the City where the funds are spent—Resolution 07-10.

FY 2017 Objectives

The objective of this fund is to track and spend monies for the purchase of parkland and park improvements. The City has used this fund to aggregate some of the various revenue sources, especially the State's CTEP grant funds in order to build the Skye Park pedestrian bridge over the Whitefish River.



Parkland Acquisition & Development - 2990

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Licenses & Permits					
323050	Other Misc Permits	$ -	$ -	$ -		$ -
	Intergovernmental					
331050	CTEP Project Grant	-	121,379	241,706	241,706	-
331051	Federal Earmark Grant for Trails	-	-	210,700	210,700	-
		$ -	**$ 121,379**	**$ 452,406**	**$ 452,406**	**$ -**
	Investment Earnings					
371010	Investment Earnings	389	414	300	289	300
		$ 389	**$ 414**	**$ 300**	**$ 289**	**$ 300**
	Other Financing Sources					
381061	Proceeds From Cash In-lieu / Dist W	-	300	1,000	300	1,000
381062	Proceeds From Cash In-lieu / Dist N	6,550	-	1,000	-	1,000
383002	Transfer from Resort Tax	19,900	19,900	-	-	-
383003	Transfer from Tax Increment	-	360,000	61,600	61,600	-
383000	Transfer from Impact Fees	-	-	165,000	165,000	-
		$ 26,450	**$ 380,200**	**$ 228,600**	**$ 226,900**	**$ 2,000**
	Total Fund Revenue	**$ 26,839**	**$ 501,993**	**$ 681,306**	**$ 679,595**	**$ 2,300**
102130	**Cash - District East**			**$ 0**		**$ 8,296**
102131	**Cash - District West**			**$ 3**		**$ 604**
102132	**Cash - District North**			**$ 349,184**		**$ 43,177**
	Total Resources			**$ 1,030,493**		**$ 54,377**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
460434						
	Materials and Services					
350	Professional Services	1,399	-	-	-	-
360	Repair & Maintenance Services	-	-	-	-	-
		$ 1,399	**$ -**	**$ -**	**$ -**	**$ -**
	Capital Outlay					
910	Land	-	6,834	-	-	-
924	Buildings	5,791	83,354	-	-	-
931	Park Improvements	5,363	51,600	1,023,500	986,458	38,226
938	Trail Improvements	1,554	132,897	-	-	-
		$ 12,708	**$ 274,685**	**$ 1,023,500**	**$ 986,458**	**$ 38,226**
	Total Expenditures	**$ 14,107**	**$ 274,685**	**$ 1,023,500**	**$ 986,458**	**$ 38,226**
102130	**Cash - District East**			**$ 60**		**$ 8,396**
102131	**Cash - District West**			**$ 1,013**		**$ 1,704**
102132	**Cash - District North**			**$ 5,900**		**$ 6,051**
	Total Park Acquisition Fund			**$ 1,030,473**		**$ 54,377**

Whitefish Trail Construction Fund

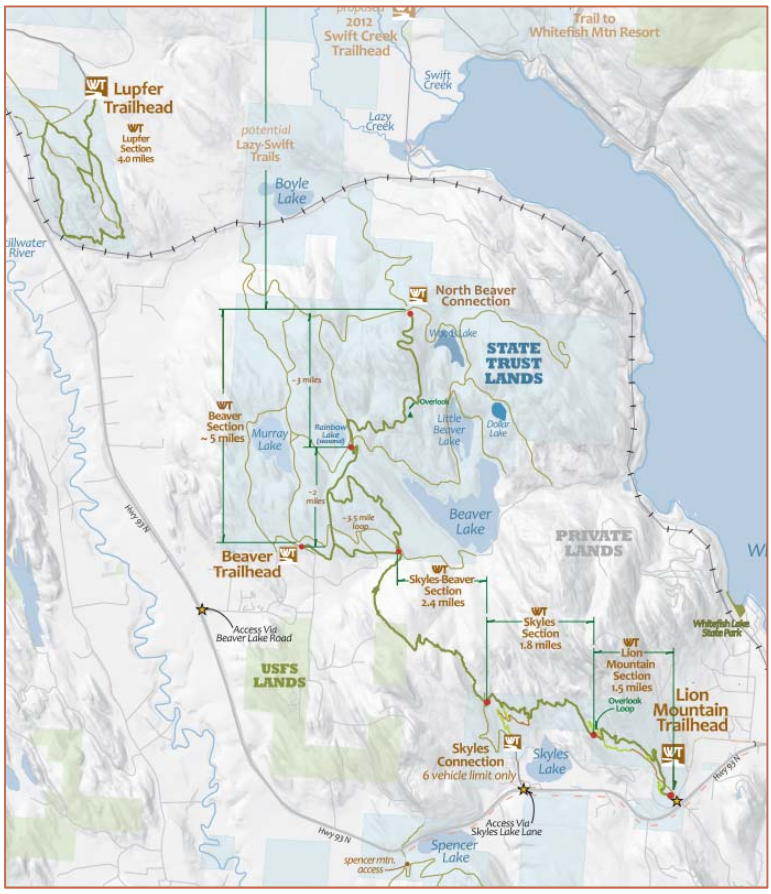
FY 2017

Purpose

The purpose of the Whitefish Trail Construction Fund is to provide budget authority to support efforts to design and construct new portions of Whitefish Trail network. Funds provided to the effort are primarily through private contributions. Local resident Michael Goguen contributed a $3,000,000 donation in 2008 as part of a three way land trade and trail development project. In FY 2012, $1,750,000 was transferred to Whitefish Community Foundation, and $316,351 was transferred to Whitefish Legacy Partners. Maintenance for existing portions of the trail is expensed in the Parks & Rec Fund. To date these contributions have been used toward the purchase of the Beaver Lakes Easement and 25 miles of trails including 7 trailheads. In addition, Mr. Goguen's contribution has provided leverage for other grants and donations.

FY 2017 Objectives

The objective of the Whitefish Trail Construction Fund for this fiscal year is to continue to use private donations for the acquisition of easements and trail construction work. For FY 2017 additional trails and trailheads will be developed, as well as planning and design of future development opportunities.



Whitefish Trail Construction - 4540

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Intergovernmental					
334000	Grants	71,542	-	30,000		15,000
		$ 71,542	**$ -**	**$ 30,000**	**$ -**	**$ 15,000**
	Miscellaneous Revenue					
346005	Donations and Sponsors	-	156,023	164,000	114,027	60,000
		$ -	**$ 156,023**	**$ 164,000**	**$ 114,027**	**$ 60,000**
	Investment Earnings					
371010	Investment Earnings	182	23	-	10	-
		$ 182	**$ 23**	**$ -**	**$ 10**	**$ -**
	Total Fund Revenue	**$ 71,724**	**$ 156,046**	**$ 194,000**	**$ 114,037**	**$ 75,000**
101000	**Beginning Available Cash**			**$ 19,069**		**$ 4,806**
	Total Resources			**$ 213,069**		**$ 79,806**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
430255						
	Materials and Services					
350	Professional Services	33,015	-	-	-	50,000
360	Repair & Maintenance Services	-	-	-	-	-
		$ 33,015	**$ -**	**$ -**	**$ -**	**$ 50,000**
	Capital Outlay					
938	Trail Construction	124,570	107,757	194,000	126,434	19,000
		$ 124,570	**$ 107,757**	**$ 194,000**	**$ 126,434**	**$ 19,000**
	Operating Contingency					
870	Operating Contingency	25,918	-	19,000	-	6,000
		$ 25,918	**$ -**	**$ 19,000**	**$ -**	**$ 6,000**
	Total Expenditures	**$ 150,488**	**$ 107,757**	**$ 213,000**	**$ 126,434**	**$ 75,000**
	Ending Available Cash			**$ 69**		**$ 4,806**
	Total WF Construction Fund			**$ 213,069**		**$ 79,806**

Resort Tax

FY 2017

Purpose

The resort tax is authorized by Section 7-6-1501 MCA and was originally approved by Whitefish voters on November 7, 1995 by a 56%-44% vote. The resort tax was approved for a 20 year term beginning January 1, 1996. At the November 2, 2004 City election, the voters approved an extension of the resort tax until January 31, 2025 by a margin of 2012 to 632. At a special election on April 28, 2015, the voters approved an increase in the Resort Tax from 2% to 3% for additional property tax relief and to fund the purchase of the Haskill Basin Conservation Easement to protect and preserve water quality and quantity. The vote passed by a margin of 1718 to 334. The 1% increase in Resort Tax from 2% to 3% is effective July 1, 2015.

Whitefish's resort tax is a tax on the sale of lodging, restaurant and prepared food, alcoholic beverages, ski resort goods and services, and the retail sale of defined luxury items. As of July 1, 2015, Whitefish voters allocated the use of the 3% resort tax as follows:

A. *Property tax reduction for taxpayers residing in the city in an amount equal to twenty five percent (25%)of the 3% resort tax revenues derived during the preceding fiscal year;*

B. *Provision for the repair and improvement of existing streets, storm sewers, all underground utilities, sidewalks, curbs and gutters, in an amount equal to sixty five percent (65%) of the 2% resort tax revenues derived during the preceding fiscal year;*

C. *Bicycle paths and other park capital improvements in an amount equal to five percent (5%) of the 2% resort tax revenues derived during the preceding fiscal year;*

D. *Repayment of a loan or bond to finance a portion of the costs of, or to otherwise pay for, the acquisition of the conservation easement or other interest, in and around Haskill Basin in order to protect and preserve water quality and quantity, including the source drinking water supply for the municipal water system of the city of Whitefish, in an amount equal to seventy (70%) percent of the 1% resort tax revenues to be collected during a fiscal year.*

E. *Cost of administering the resort tax in an amount equal to five percent (5%) of the 3% resort tax per year.*

FY 2017 Objectives

Specific projects appropriated during FY 2017 are shown below. Additional funds are appropriated in case of cost increases or if other projects are approved during the year.

Item/Project	Amount
Revenue Changes	
• Increased resort tax collection due to the anticipated increase in collections during FY16	$57,684

Expenditure Changes

• West 7th Street road reconstruction and trail construction	$1,545,771
• Somers Street Reconstruction Design – south of East 2nd Street (design only for now)	$300,000
• Riverside Park tennis court reconstruction (carryover to finish)	$120,000
• Ped-Bike Master Plan Update (carryover to finish)	$24,600
• Basketball Court resurfacing at Memorial Park	$35,000
• Lacrosse fields with irrigation at Armory Park (carryover to finish)	$22,470
• Parking Lot at James Bakke Nature Reserve	$20,000
• Armory Improvements (Flooring, Lighting, HVAC, possible addition)	$102,200
• Debt Service for Haskill Basin Conservation Easement Loan (budgeted in Water Fund – transferred from Resort Tax Fund)	$839,625
• Property tax relief increase from FY16	$183,845

RESORT TAX PROJECTS FUNDED SINCE 1996:

STREETS:

Baker Avenue (2nd Street to River)
Baker Avenue (River to 10th Street)
Baker Avenue overlay (10th Street to 19th Street)
7th Street (Columbia Avenue to Pine Avenue)
7th Street (Pine Avenue to street terminus)
19th Street overlay (Baker Avenue to Hwy 93)
Columbia Avenue (River to 7th Street)
Columbia Avenue (2nd Street to 7th Street)
Skyles Place (Wisconsin Avenue to Dakota Avenue)
Lupfer Avenue (Entire length)
Railway St. (Miles Avenue to O'Brien Avenue)
Railway St. (Columbia Avenue to Somers Avenue)
Somers Avenue (Railway Street to 2nd Street)
Colorado Avenue (Edgewood Drive to Crestwood Court)
Community-wide sidewalk replacement project - 84 blocks
6th St / Geddes-Baker Ave to 3rd Street-In progress
Central Avenue-Railway to 3rd
6th and Geddes
East 2nd Street

PARKS:

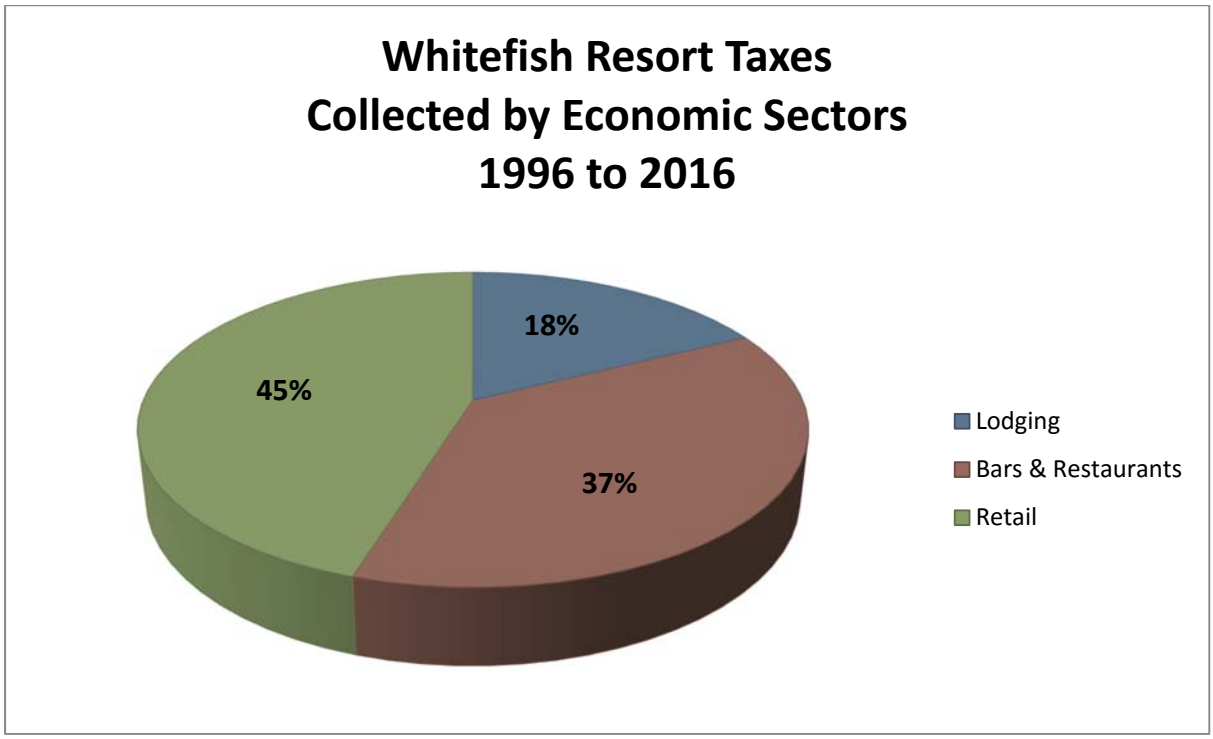
Riverside Park Bike/Ped Path
Baker Street Park Bike/Ped Path
Grouse Mnt Park Tennis Court reconstruction
Riverside Park Tennis Court improvements
Kay Beller Park Construction
Memorial Park Basketball Court Resurfacing
Baker Park Bike/Ped Path
2nd to Armory Trail
East Edgewood Trail
Rocksund/Monegan Trail
Rocksund Footbridge
Ice Den Signage
Donation for New Baseball Stadium
Parks and Recreation Master Plan
Soroptimist Park Play Equipment
Pickleball Courts at Memorial Park

Future Street Projects:

West 7th Street
Somers Avenue
State Park Road
East Edgewood Place
Karrow Avenue

Future Parks Projects:

Riverside Tennis Court Renovation
Update Ped-Bike Master Plan
Basketball Court Resurfacing at Memorial Park
Lacrosse Fields at Armory Park with Irrigation
Armory Improvements (Flooring, Lighting, HVAC)
Bakke Nature Reserve Parking Lot



Resort Tax Expenditures (Inception through June 2016):

Property tax relief since 1996:	$ 7,908,981
Street improvements since 1996:	$ 17,217,196
Park improvements since 1996:	$ 1,152,486

Resort Tax Fund - 2100

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Taxes					
311010	Resort Taxes	2,087,995	2,213,700	3,288,592	3,243,642	3,346,277
		$ 2,087,995	**$ 2,213,700**	**$ 3,288,592**	**$ 3,243,642**	**$ 3,346,277**
	Investment Earnings					
371010	Investment Earnings	7,474	3,967	5,000	8,849	6,000
		$ 7,474	**$ 3,967**	**$ 5,000**	**$ 8,849**	**$ 6,000**
	Other Financing Sources					
383001	SRF Loan Proceeds	-	-	8,387,000	-	-
		$ -	**$ -**	**$ 8,387,000**	**$ -**	**$ -**
	Total Revenue	**$ 2,095,469**	**$ 2,217,667**	**$ 11,680,592**	**$ 3,252,492**	**$ 3,352,277**
101000	**Beginning Cash-Rebate**			**$ 679,335**		**$ 862,869**
	Beginning Cash-Streets			**$ 541,915**		**$ 753,103**
	Beginning Cash-Parks			**$ 530,297**		**$ 345,442**
	Ending Cash - Debt Service					
	Ending Cash - Debt Service Reserve					
	Total Resources			**$ 13,432,139**		**$ 5,313,691**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Materials and Services					
350	Professional Services	**$ 730**	**$ -**	**$ -**	**$ -**	**$ -**
	Capital Outlay					
910	Conservation Easement	-	-	7,759,900	-	-
932	Street Improvements	1,545,666	1,612,622	1,914,000	1,223,137	1,845,771
931	Park Development	89,250	25,544	450,000	302,327	324,170
		$ 1,634,916	**$ 1,638,166**	**$ 10,123,900**	**$ 1,525,463**	**$ 2,169,941**
	Debt Service					
610	Principal (See Water Fund)	-	-	**$ 690,000**	-	-
620	Interest (See Water Fund)	-	-	**$ 117,748**	-	-
		$ -	**$ -**	**$ 807,748**	**$ -**	**$ -**
	Other Financing Uses					
820	Property Tax Relief Transfer	693,432	668,831	679,023	679,023	862,869
826	Transfer to Park Development Fund	19,900	19,900	-	-	-
820	Transfer to Water Fund (Haskill Basin)	-	-	-	745,840	839,625
		$ 713,332	**$ 688,731**	**$ 679,023**	**$ 1,424,863**	**$ 1,702,494**
	Total Expenditures	**$ 2,348,248**	**$ 2,326,897**	**$ 11,610,671**	**$ 2,950,326**	**$ 3,872,435**
	Ending Cash - Rebate			**$ 870,869**		**$ 862,557**
	Ending Cash - Streets			**$ 127,841**		**$ 433,956**
	Ending Cash - Parks			**$ 195,727**		**$ 138,743**
	Ending Cash - Debt Service			**$ 30**		**$ -**
	Ending Cash - Debt Service Reserve			**$ 627,000**		**$ -**
	Total Cash			**$ 1,821,468**		**$ 1,435,256**
	Total Resort Tax Fund			**$ 13,432,139**		**$ 5,307,691**

Tax Increment Fund

FY 2017

Purpose

Section 7-15-4282 MCA authorizes the use of Tax Increment Financing for Urban Renewal purposes. Resolution 87-3, establishing the Whitefish Urban Renewal Plan, was adopted by the City Council on May 4, 1987. Resolution 87-16, establishing the tax increment provisions of the Urban Renewal Plan, was subsequently adopted by the City Council on July 6, 1987. In accordance with Section 7-15-4292 of the Montana Code, tax increment districts must be terminated 15 years after their creation or at a later date necessary to pay all bonds and related interest for which the tax increment has been pledged. Due to the City's issuance of tax increment bonds, termination of the district is now projected to be July 15, 2020.

FY 2017 Objectives

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount
Revenue:	
• Increase in property tax revenue from prior year	$203,198
Expenditures:	
• Wisconsin Ave Corridor Study (350 Account – Prof Services)	$50,000
• Downtown Master Plan Implementation (350 Account – Prof Services)	$50,000
• Misc. Professional Services (350 Account – Prof Services)	$25,000
• Contributions (770 Account)–Business Rehab Loans	$30,000
• Contributions (770 Account)–Shop Local Campaign	$30,095
• Contributions (770 Account)–Affordable Housing	$60,000
• Land (910 Account)–Design and possible construction of parking lot at new City Beach lot at 55 Woodland Place	$250,000
• Improvements (930 Account)–Depot Park Phase II – Gazebo (any carryover?)	$123,775
• Improvements (930 Account)–Sidewalk/Bikeway for Boutique Hotel	$147,000
• Transfer – City Hall/Parking Structure Construction Fund	$1,262,740
• Transfer – TIF Debt Service Fund (Current TIF Bond and New City Hall/Parking Structure TIF Revenue Bond)	$3,421,176
• Contingency	$500,000

Tax Increment District Fund - 2310

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Taxes					
311010	Real Property Taxes	4,169,414	4,653,928	5,053,326	4,981,949	5,256,523
311020	Personal Property Taxes	93,653	48,847	90,000	48,292	90,000
312000	Penalty and Interest	12,911	11,473	15,000	11,815	13,000
		$ 4,275,978	**$ 4,714,248**	**$ 5,158,326**	**$ 5,042,055**	**$ 5,359,523**
	Intergovernmental					
335210	Baucus Earmark for Trails	92,144	-	-	-	-
335230	State Entitlement Share	148,221	248,865	248,865	248,865	248,865
334000	Rotary Grant (Depot Park)	-	-	10,000	-	-
		$ 240,365	**$ 248,865**	**$ 258,865**	**$ 248,865**	**$ 248,865**
	Miscellaneous Revenue					
362000	Miscellaneous Revenue	1,826	2451	-	23,828	-
363000	Special Assessments	25,883	26,711	20,000	25,251	5,000
363040	P & I Special Assessments	83	74	-	47	-
383021	Transfer from Impact Fees	-	92,000	213,084	213,084	203,386
		$ 27,792	**$ 121,236**	**$ 233,084**	**$ 262,210**	**$ 208,386**
	Total Revenue	**$ 4,544,135**	**$ 5,084,349**	**$ 5,650,275**	**$ 5,553,131**	**$ 5,816,774**
101000	**Beginning Available Cash**			**$ 2,504,964**		**$ 1,413,992**
	Total Resources			**$ 8,155,239**		**$ 7,230,766**

Tax Increment District Fund - 2310

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
470330						
	Personal Services					
110	Salaries	156,495	163,039	153,370	165,273	137,038
112	Part-Time Wages	5,759	5,835	6,048	6,094	6,632
120	Overtime	1,790	2,185	1,877	1,507	1,225
130	Vacation/Sick Accrual	-	-	11,850	12,696	10,440
140	Employer Contributions	50,433	52,625	55,551	58,156	51,698
		$ 214,477	**$ 223,683**	**$ 228,696**	**$ 243,726**	**$ 207,033**
	Materials and Services					
220	Operating Supplies	816	597	2,000	4,230	2,000
230	Repair and Maintenance Supplies	-	36	-	1,830	-
330	Publicity/Subscriptions/Dues	-	1,189	-	42	-
350	Professional Services	87,827	90,871	125,000	21,764	125,000
360	Repair and Maintenance Services	4,103	-	-	-	-
370	Travel and Training	-	152	-	-	-
390	Other Purchased Services	787	2,443	25,000	15,840	25,000
510	Insurance	4,250	3,487	3,600	3,547	2,411
540	Special Assessments	-	940	-	1,558	-
770	Contributions	20,320	200,000	150,000	4,976	120,095
790	Grants	827,986	750,000	-	-	-
880	Administrative Expense	5,940	4,213	4,361	3,831	3,886
		$ 952,029	**$ 1,053,927**	**$ 309,961**	**$ 57,618**	**$ 278,392**
	Intergovernmental Allocations					
591	School District Residential Rebate	645,788	669,232	680,000	829,608	843,000
		$ 645,788	**$ 669,232**	**$ 680,000**	**$ 829,608**	**$ 843,000**
	Transfers					
820	Trans to Parkland Acq & Development	-	360,000	61,600	61,600	-
820	Transfer to TIF Debt Service Fund	1,805,556	1,801,948	3,119,108	3,085,121	3,421,176
820	Trans to City Hall/Parking Construction Fu	250,000	250,000	2,250,080	2,250,080	1,262,740
		$ 2,055,556	**$ 2,411,948**	**$ 5,430,788**	**$ 5,396,801**	**$ 4,683,916**
	Capital Outlay					
910	Land	56,500	-	300,000	286,001	250,000
920	Buildings	135,266	196,657	8,000	8,140	-
930	Urban Renewal Projects	337,169	50,502	651,802	175,077	285,775
		$ 528,935	**$ 247,159**	**$ 959,802**	**$ 469,218**	**$ 535,775**
	Contingency	**$ -**	**-**	**100,000**	**-**	**500,000**
	Total Expenditures	**$ 4,396,785**	**$ 4,605,949**	**$ 7,709,247**	**$ 6,996,970**	**$ 7,048,116**
	Year end Available Cash			**$ 445,357**		**$ 182,015**
	Total Fund			**$ 8,154,604**		**$ 7,230,131**

Tax Increment Debt Service Fund

FY 2017

Purpose

The Tax Increment Debt Service Fund was established pursuant to resolutions related to the sale of the City's Series 2000, 2001 and 2004 Tax Increment Revenue Bonds. The resolutions specify that debt service requirements related to the bond issues be provided for through a special debt service fund. The resolutions also require the establishment of a bond reserve account, which has been provided for in this fund.

The City refinanced the Series 2000, 2001, and 2004 Bonds in order to lower its interest rates in July, 2009 as part of a new bond issue which provided funding of $7,500,000 for the construction of the Emergency Services Center. The City received an A- and stable rating on the 2009 bond issue from Standard and Poor's. The true interest cost on the 2009 bonds is 4.23% compared to the 5.8% - 6.625% interest rate of the 2001 bonds, the 6% interest rate of the 2001 bonds, and the 5.1% interest rate of the 2004 bonds.

The City refinanced the 2009 bonds at the beginning of June 2015 to save money on interest by obtaining a new true interest cost of 2.619% instead of the 4.23% true interest cost. The City issued $9,800,000 of Tax Increment Bonds in March, 2016 as part of the financing for the City Hall and Parking Structure project. The interest rate on these bonds was 2.21%. All bonds expire in July 2020.

FY 2017 Objectives

Meet debt service requirements on the 2015 and 2016 TIF Revenue Bonds.

Tax Increment Debt Service Debt - 3110

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Investment Earnings					
371010	Investment Earnings	$ 10,407	$ 5,621	$ 6,000	$ 5,382	$ 6,000
	Other Financing Sources					
383011	Transfer from TIF District Fund	$ 1,805,556	$ 1,801,948	$ 3,119,108	$ 3,085,121	$ 3,421,176
381000	Revenue from Bond Issue	-	7,109,975	980,000	1,053,200	-
	Total Fund Revenue	**$ 1,815,963**	**$ 8,917,544**	**$ 4,105,108**	**$ 4,143,703**	**$ 3,427,176**
102000	**Debt Service**			**$ 2,119**		**$ 2,980,713**
102000	**Debt Service Reserve**			**$ 718,300**		**$ 1,698,300**
	Total Resources			**$ 4,825,528**		**$ 8,106,189**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
490200	**Debt Service**					
350	Bond Issuance Costs	-	-	-	72,591	-
552	Amortization of Bond Premium	22,524	110,369	-	-	-
610	Principal (Refunding 2015)	1,305,000	10,715,000	-	-	2,806,000
620	Interest	-	629,979	112,394	112,394	359,573
630	Paying Agent Fees	-	-	-	300	-
		$ 1,327,524	**$ 11,455,348**	**$ 112,394**	**$ 185,285**	**$ 3,165,573**
	Total Requirements	**$ 1,305,000**	**$ 11,455,348**	**$ 112,394**	**$ 185,285**	**$ 3,165,573**
102000	**Debt Service**			**$ 3,014,834**		**$ 3,242,316**
102000	**Debt Service Reserve**			**$ 1,698,300**		**$ 1,698,300**

Impact Fee Fund

FY 2017

Purpose

The City Council adopted Ordinance No. 07-25 authorizing the collection of impact fees on August 6, 2007. The ordinance required the segregation of impact fees from other funds, therefore, this fund provides that segregation for impact fee expenditures other than for enterprise funds such as Water and Wastewater. These areas are Paved Trails, Park Maintenance Building, the Emergency Services Center, City Hall, and Stormwater.

FY 2017 Objectives

The objective of the Impact Fee Fund for this fiscal year is to provide a segregated fund to account for appropriate impact fee project expenditures. The City has established an Impact Fee Advisory Committee to help monitor the impact fees and advise the City on appropriate expenditures. A five year review of the impact fee calculation took place in FY 2013.

Impact Fees - 2399

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Charges for Services					
341072	Impact Fee - Paved Trails	40,837	37,890	30,000	60,203	25,000
341073	Impact Fee - Park Maint Building	2,716	2,520	2,000	4,004	2,000
341074	Impact Fee - ESC	109,464	78,050	90,000	208,862	80,000
341075	Impact Fee - City Hall/Parking Structure	103,682	74,082	90,000	197,839	80,000
341076	Impact Fee - Stormwater	23,070	21,576	20,000	45,355	20,000
		$ 279,769	**$ 214,118**	**$ 232,000**	**$ 516,263**	**$ 207,000**
	Investment Earnings					
371010	Investment Earnings	1,938	1,891	1,000	1,584	1,000
		$ 1,938	**$ 1,891**	**$ 1,000**	**$ 1,584**	**$ 1,000**
	Total Fund Revenue	**$ 281,707**	**$ 216,010**	**$ 233,000**	**$ 517,847**	**$ 208,000**
101000	**Beginning Available Cash:**			**$ 400,304**		**$ 350,014**
	Paved Trails			163,437		39,534
	Park Maint Building			3,250		2,013
	ESC			117,834		119,373
	City Hall/Parking Structure			55		108,098
	Stormwater			115,727		80,996
	Total Resources			**$ 633,304**		**$ 558,014**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Capital Outlay					
930	Improvements - Stormwater	-	-	90,000	80,538	-
938	Trail Improvements - Paved Trails	-	3,913	18,150	19,460	65,034
		$ -	**$ 3,913**	**$ 108,150**	**$ 99,998**	**$ 65,034**
	Transfers					
820	TIF-Park Maint Building	-	2,000	5,250	5,250	4,013
820	Emergency Services Building	43,578	90,000	207,834	207,834	199,373
820	City Hall/Parking Structure Construction	-	384,356	90,055	90,055	188,098
820	Parkland Acq. Fund (Paved Trails)	-	-	165,000	165,000	-
		$ 43,578	**$ 476,356**	**$ 468,139**	**$ 468,139**	**$ 391,484**
	Total Expenditures	**$ 43,578**	**$ 480,269**	**$ 576,289**	**$ 568,137**	**$ 456,518**
101000	**Ending Available Cash:**			**$ 57,014**		**$ 101,496**
	Paved Trails			**$ 10,787**		-
	Park Maint Building			**$ -**		-
	ESC			**$ -**		-
	City Hall/Parking Structure			**$ -**		-
	Stormwater			**$ 46,227**		101,496
	Total Requirements	**43,578**	**$ 480,269**	**$ 633,304**		**$ 558,014**

City Hall/Parking Structure Construction Fund

FY 2017

Purpose

The City Hall/Parking Structure Construction Fund was established by Resolution 03-63, which was approved by the City Council on November 17, 2003. The purpose of the fund is to accumulate and account for the construction of City Hall and the Parking Structure.

The construction of City Hall and the Parking Structure is currently in progress. Mosaic Architecture of Helena is responsible for the architectural design of City Hall and the Parking Structure. In addition, Martel Construction is the general contractor/construction manager and Mike Cronquist was selected as the owner's representative for the project. Anticipated completion of the project is in April of 2017.

FY 2017 Objectives

The objective of the City Hall/Parking Structure Construction Fund for this fiscal year is to provide budget authority for the City Hall/Parking Structure Project construction that is scheduled to take place in FY 2017. A transfer of funds from the Tax Increment District Fund as prescribed in Resolution 03-63 is included in the budget, as well as a transfer of additional funds from the Tax Increment District Fund which was anticipated to reduce the Tax Increment Revenue Bond that was issued March 1, 2016.

City Hall/Parking Structure Construction Fund - 4005

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenues					
362000	Other Miscellaneous Revenues	$ -	$ -	$ -	$ 6,060	$ -
	Investment Earnings					
371000	Investment Earnings	$ 7,153	$ 5,302	$ 8,000	$ 19,126	$ 14,000
	Other Financing Sources					
382011	Bond proceeds (TIF Bond/SID Bond)	-	73,025	9,570,000	8,746,800	750,000
383000	Transfer from Impact Fees	-	384,356	90,055	90,055	188,098
383011	Transfer from TIF District Fund	250,000	250,000	2,250,080	2,250,080	1,262,740
383000	Transfer from General - Parking Lease	-	-	-	-	5,760
	Total Other Financing Sources	$ 257,153	$ 712,682	$ 11,910,135	$ 11,086,935	$ 2,206,598
	Total Revenue	$ 264,306	$ 717,984	$ 11,918,135	$ 11,112,121	$ 2,220,598
101000	**Beginning Available Cash**			$ 2,369,909		$ 8,006,276
	Total Resources			$ 14,288,044		$ 10,226,874

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
411850						
	Capital Outlay					
920	City Hall/Parking Structure Project	31,646	594,974	14,288,044	5,403,229	10,226,874
	Total Expenditures	$ 31,646	$ 594,974	$ 14,288,044	$ 5,403,229	$ 10,226,874
	Contingency			$ -		$ -
	Unappropriated			$ -		$ -
	Total Fund			$ 14,288,044		$ 10,226,874

CDBG/HOME Homebuyers Assistance Fund - 2945

Purpose

The CDBG/HOME Homebuyers Assistance Fund provides budget authority to facilitate a "pass-through" grant for first-time homebuyer assistance in Whitefish. The Community Development Block Grant (CDBG) Program pays grant funds to the City of Whitefish. These funds are then paid to the Whitefish Housing Authority. The Housing Authority administers the program. In addition to the CDBG Program, the Whitefish Housing Authority also participates in the HOME Grant Program.

FY 2017 Objectives

The objective of the CDBG/HOME Homebuyers Assistance Fund for this fiscal year is to facilitate the pass-through of grant dollars to the Whitefish Housing Authority.

Housing Rehabilitation Fund - 2987

Purpose

The Housing Rehabilitation Fund provides budget authority to facilitate the City's Housing Rehabilitation Revolving Loan Program for qualified homeowners and property owners. The program is administered by the Whitefish Housing Authority through an interlocal agreement with the City.

FY 2017 Objectives

The objective of the Housing Rehabilitation Fund for this fiscal year is to comply with Federal requirements to manage the repayment and reuse of rehabilitation loans.

Affordable Housing Fund - 2989

Purpose

The purpose of the Affordable Housing Fund is to provide budget authority to administer the City's voluntary affordable housing cash in-lieu program.

FY 2017 Objectives

The objective of the Affordable Housing Fund for this fiscal year is to administer the affordable housing cash in-lieu program in cooperation with the Whitefish Housing Authority. The City Council may evaluate options for a mandatory affordable housing program during FY 2017.

CDBG/HOME Homebuyers Assistance Fund - 2945

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Intergovernmental Revenues					
331009	CDBG/HOME Grant	-	-	400,000	-	400,000
	Total Revenue	**$ -**	**$ -**	**$ 400,000**	**$ -**	**$ 400,000**
101000	**Beginning Available Cash**			**-**		**-**
	Total Resources	**$ -**	**$ -**	**$ 400,000**	**$ -**	**$ 400,000**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Economic Development					
350	Professional Services	-	-	-	-	-
			$ -	**$ -**	**$ -**	**$ -**
470600	**Homebuyers Assistance**					
794	Acq. of Rentals/Homes Purchase	-	-	380,000	-	380,000
880	Administrative Expense	-	-	20,000	-	20,000
		-	**-**	**400,000**	**-**	**400,000**
	Total Expenditures	**$ -**	**$ -**	**$ 400,000**	**$ -**	**$ 400,000**

Housing Rehabilitation Fund - 2987

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenue					
362000	Miscellaneous Revenue	-	-	20,000	-	20,000
		$ -	**$ -**	**$ 20,000**	**$ -**	**$ 20,000**
	Investment Earnings					
373030	HOME Loan Repayments	520	325	2,500	250	2,500
373070	USDA Program Loan Repayments	425	365	5,000	415	5,000
		$ 945	**$ 690**	**$ 7,500**	**$ 665**	**$ 7,500**
	Total Fund Revenue	**$ 945**	**$ 690**	**$ 27,500**	**$ 665**	**$ 27,500**
101000	**Beginning Available Cash**			**$ 308**		**$ 973**
	Total Resources			**$ 27,808**		**$ 28,473**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Materials and Services					
470200	USDA Housing Rehab Projects	1,700	4,200	18,235	-	18,900
470440	HOME Grant Projects	-	-	9,573	-	9,573
	Total Expenditures	**$ 1,700**	**$ 4,200**	**$ 27,808**	**$ -**	**$ 28,473**

Affordable Housing Fund - 2989

(Cash-in-Lieu of Affordable Housing)

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
362004	Cash-in-Lieu Payments	-	-	100,000	-	100,000
	Total Revenue	**$ -**	**$ -**	**$ 100,000**	**$ -**	**$ 100,000**
101000	**Beginning Available Cash**			1,000		1,000

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Materials and Services					
794	Homeowner Assistance	-	-	101,000	-	101,000
	Total Expenditures	**$ -**	**$ -**	**$ 101,000**	**$ -**	**$ 101,000**

Sidewalk Districts Fund

FY 2017

Purpose

The Sidewalk Districts Fund provides budget authority for construction of community sidewalks resulting from cash-in-lieu fees paid by developments when new construction occurs in established neighborhoods. Funds are segregated into three districts; east, north and west. Projects are undertaken within each district when sufficient funds are available to build substantial lengths of sidewalks.

FY 2017 Objectives

The objective of the Sidewalk Districts Fund for this fiscal year is to accumulate funds for future projects and provide for construction of sidewalks as funds become available.

Sidewalk Districts Fund - 2992 (cash in lieu)

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Investment Earnings					
371010	Investment Earnings	453	313	400	452	400
		$ 453	**$ 313**	**$ 400**	**$ 452**	**$ 400**
	Other Financing Sources					
381060	Cash In-lieu - District E	-	-	-	7,833	-
381061	Cash-in-lieu - District W	-	-	-	1500	-
381062	Cash-in-lieu - District N	3,000	-	-	6,411	-
		$ 3,000	**$ -**	**$ -**	**$ 15,744**	**$ -**
	Total Fund Revenue	**$ 3,453**	**$ 313**	**$ 400**	**$ 16,196**	**$ 400**
101000	**Beginning Available Cash**			**$ 126,041**		**$ 142,237**
	Total Resources			**$ 126,441**		**$ 142,637**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Capital Outlay					
430267	East District Improvements	-	4,557	6,891	-	14,818
430268	West District Improvements	-	-	60,302	-	61,973
430269	North District Improvements	-	-	59,248	-	65,846
	Total Expenditures	**$ -**	**$ 4,557**	**$ 126,441**	**$ -**	**$ 142,637**
	Total Fund			**$ -**		**$ -**

Commercial & Residential Lighting Districts FY 2017

Purpose

The Residential Lighting District Fund 2400 and the Commercial Lighting District Fund 2410 provides budget authority to provide, maintain, and improve residential and commercial street lighting within the City. The districts are funded through a lighting assessment on property. In 2013, the city raised the lighting assessment 10%. This was the first increase in at least thirty years. To offset the increase, the Council decreased the mill levy by the dollar amount raised by the lighting increase. The Council then approved a 10% increase in the Commercial Lighting District Assessment in order to avoid an operating deficit in FY 2015 and FY 2016.

FY 2017 Objectives

The objective of the Residential & Commercial Lighting District Funds for this fiscal year is to provide street lighting within residential and commercial areas. Funds are used to pay for electricity used by street lights located in the Residential & Commercial Lighting Districts and to support capital improvement and replacement of system components. A 10% increase in the Commercial Lighting District Assessment is included in the FY 2017 to ensure adequate cash reserves in the fund and to avoid an operating deficiency.

Significant or changed appropriations during FY 2017 are:

Item/Project	Cost
Revenue Changes	
• A 10% increase in the Commercial Lighting Assessment for FY 2017	$7,379
• A 10% increase in the Residential Lighting Assessment for FY 2017	$7,634
Expenditure Changes	
• Utility Services in the Residential Lighting District was increased due to the actual costs in FY 2016 and anticipated costs of the W. 7th Street lighting.	$10,000

Residential Light District Fund - 2400 (Lighting District #1)

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenue					
363010	Maintenance Assessments	73,374	79,614	76,337	77,710	83,971
363040	Penalties & Interest	284	275	500	215	500
	Total Fund Revenue	**$ 73,658**	**$ 79,889**	**$ 76,837**	**$ 77,925**	**$ 84,471**
101000	**Beginning Available Cash**			**43,282**		**37,372**
	Total Resources			**$ 120,119**		**$ 121,843**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Personal Services					
110	Salaries	17,007	17,691	19,182	20,576	19,838
120	Overtime	112	51	477	131	495
140	Employer Contributions	3,834	4,099	6,577	5,053	6,991
		$ 20,953	**$ 21,841**	**$ 26,236**	**$ 25,760**	**$ 27,324**
	Materials and Services					
230	Repair & Maintenance Supplies	10,941	10,045	15,000	17,266	17,000
340	Utility Services	34,051	38,655	36,000	41,110	46,000
360	Repair & Maintenance Services	-	1,000	1,600	670	1,600
510	Insurance	494	410	500	415	325
880	Administrative Costs	568	403	527	463	545
		$ 46,054	**$ 50,513**	**$ 53,627**	**$ 59,924**	**$ 65,470**
	Capital Outlay					
920	Buildings	-	9,350	-	302	-
940	Machinery & Equipment	25,600	-	-	-	-
		$ -	**$ 9,350**	**$ -**	**$ 302**	**$ -**
	Total Expenditures	**$ 67,007**	**$ 81,704**	**$ 79,863**	**$ 85,985**	**$ 92,794**
	Ending Available Cash			**$ 40,255**		**$ 29,048**
	Total Fund			**$ 120,119**		**$ 121,843**

Commercial Light District Fund - 2410 (Lighting District #4)

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenue					
363010	Maintenance Assessments	60,897	69,477	73,792	73,879	81,171
363040	Penalties & Interest	190	138	250	121	250
	Total Revenue	**$ 61,087**	**$ 69,615**	**$ 74,042**	**$ 74,000**	**$ 81,421**
101000	**Beginning Available Cash**			**19,170**		**12,029**
	Total Resources			**$ 93,212**		**$ 93,450**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Personal Services					
110	Salaries	17,007	17,691	19,182	20,576	19,838
120	Overtime	112	51	477	131	495
140	Employer Contributions	3,834	4,099	6,577	5,053	6,991
		$ 20,953	**$ 21,841**	**$ 26,236**	**$ 25,760**	**$ 27,324**
	Materials and Services					
230	Repair & Maintenance Supplies	19,649	19,555	19,000	21,709	20,000
340	Utility Services	25,159	22,035	26,000	21,207	26,000
360	Repair & Maintenance Services	4,121	9,849	10,000	11,454	12,000
510	Insurance	494	410	500	415	325
880	Administrative Costs	568	403	527	463	545
		$ 49,991	**$ 52,252**	**$ 56,027**	**$ 55,248**	**$ 58,870**
	Capital Outlay					
920	Buildings	-	7,359	332	462	-
940	Machinery & Equipment	25,600	-	-	-	-
		$ -	**$ 7,359**	**$ 332**	**$ 462**	**$ -**
	Total Requirements	**$ 70,944**	**$ 81,452**	**$ 82,595**	**$ 81,470**	**$ 86,194**
	Ending Available Cash			**$ 10,617**		**$ 7,256**
	Total Fund			**$ 93,212**		**$ 93,450**

Street Fund

FY 2017

Purpose

The Street Fund provides budget authority to support the operation, maintenance and improvement of the City of Whitefish street and storm drainage systems.

FY 2017 Objectives

The objective of the Street Fund for this fiscal year is to provide street maintenance and improvements for the driving, walking and bicycling public. Typical maintenance activities include street sweeping, asphalt repairs and preventative maintenance, snow and ice removal, and upkeep of traffic signs and markings.

Significant or changed appropriations during FY 2017 are:

Item/Project	
Expenditures	
Overlays & Chipseals (Repair & Maintenance - 360) – Reduced from prior year by $520,000 after 2.5 years were completed in FY 2016	**$100,000**

Priority	Improvement Description	
1	Shop Building Expansion - Building (split St/Wat/Sew) 10% impact fee	$13,749
2	Central Avenue Slump Repairs & Reconstruction (Total cost = $972,500)	$452,500
3	Flathead Avenue Road Extension (Preliminary Engineering/Easement Acquisition)	$50,000
4	Sidewalk Extension Project	$25,000
5	Wireless Mesh & Expansion of Backup Equipment (Total $45,000 split Street/Water/Sewer)	$15,000
6	Birch Point RxR Crossing Quiet Zone	$25,000
	Total	**$581,249**

Machinery & Equipment	
Pickup Truck, 4x4, Flat Bed – Replace 199 Ford F450	$37,000
Trailer (Paver) – 1997 Interstate 14PBS	$9,000
Excavator - Replace 1987 J. Deere 595 (Total $90,000 - split $30,000 each Street/Water/Sewer)	$30,000
Ford F150 XL 4x4 Pickup (Total $27,000 – split $9,000 each Street/Water/Sewer)	$9,000
Total	**$85,000**

Machinery & Equipment – Snow Plowing	
Tank, 10,000 Gal. Poly - Replace 1999 ACE	$7,000
Snow Gate - Replace 2006 Henke REL RIII	$8,000
Total	**$15,000**

Street Fund - 2110

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Licenses and Permits					
322031	Cable T.V. Franchise Fee	91,923	95,980	95,000	98,331	95,000
322035	Water Utility ROW Fee	133,619	143,823	143,750	153,771	152,487
322036	Wastewater Utility ROW Fee	108,998	114,150	120,000	123,363	117,198
323022	Street Excavation Permit Fees	3,300	3,350	3,000	3,775	3,500
		$ 337,840	**$ 357,303**	**$ 361,750**	**$ 379,241**	**$ 368,184**
	Intergovernmental Revenues					
334000	State Grants	-	2,000	-	-	-
334200	Safe Routes to School	7,542	60,752	-	-	-
335040	Gasoline Tax Apportionment	146,598	146,659	149,242	149,242	149,412
		$ 154,140	**$ 209,411**	**$ 149,242**	**$ 149,242**	**$ 149,412**
	Charges for Services					
343370	Plan Review/Const. Oversight Fees	-	750	2,000	1,463	1,000
		$ -	**$ 750**	**$ 2,000**	**$ 1,463**	**$ 1,000**
	Miscellaneous Revenue					
362000	Miscellaneous Revenue	7,678	7,964	5,000	6,733	5,000
363010	Maintenance Assessments	793,248	849,057	822,736	832,948	830,000
363040	Penalties and Interest	2,940	2,791	2,500	2,191	2,500
		$ 803,866	**$ 859,812**	**$ 830,236**	**$ 841,872**	**$ 837,500**
	Total Fund Revenue	**$ 1,295,846**	**$ 1,427,277**	**$ 1,343,228**	**$ 1,371,818**	**$ 1,356,097**
	Beginning Available Cash			**1,437,460**		**1,246,954**
	Total Resources			**$ 2,780,689**		**$ 2,603,051**

Street Fund - 2110

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
430200	**Street and Alley**					
	Personal Services					
110	Salaries	410,362	420,204	460,363	473,725	430,720
111	Seasonal	-	-	1,901	-	1,901
112	Permanent Part Time	24,499	13,979	2,016	3,163	4,130
120	Overtime	4,137	5,307	12,501	5,883	11,002
125	Stand By or Call Back Time	13,111	14,091	-	15,399	-
130	Vacation/Sick Accrual	-	-	3,950	4,232	1,740
140	Employer Contributions	186,688	193,003	195,008	207,767	175,879
		$ 638,797	**$ 646,585**	**$ 675,739**	**$ 710,169**	**$ 625,372**
	Materials and Services					
210	Office Supplies/Materials	1,128	2,158	3,000	1,826	2,000
220	Operating Supplies/Materials	9,089	18,694	15,000	12,103	13,925
230	Repair & Maintenance Supplies	87,872	91,631	79,700	95,533	80,500
310	Communication & Transportation	86	-	1,000	59	1,000
320	Printing	221	17	2,000	169	1,000
330	Notices, Subscriptions, Dues	1,179	1,895	7,250	1,418	9,600
340	Utility Service	12,295	11,069	14,482	8,810	14,386
350	Professional Services	9,727	11,611	28,600	14,953	21,100
360	Repair & Maintenance Services	23,848	32,047	655,500	520,366	133,000
370	Travel & Training	3,656	1,163	6,500	2,998	7,000
390	Other Purchased Services	1,746	23	10,000	1,354	10,000
397	Contract Services	3,160	4,804	2,500	5,756	4,500
510	Insurance Expense	17,172	15,730	16,000	14,556	16,722
530	Rent/Leases	-	-	-	-	400
540	Special Assessments	29,298	29,321	29,500	29,298	29,500
880	Administrative Expense	18,397	13,707	14,594	12,808	13,681
		$ 218,874	**$ 233,869**	**$ 885,626**	**$ 722,006**	**$ 358,314**
	Capital Outlay					
932	Street Improvements	163,729	75,102	391,343	24,290	581,249
940	Machinery & Equipment	108,552	17,883	2,500	-	85,000
		$ 272,281	**$ 92,985**	**$ 393,843**	**$ 24,290**	**$ 666,249**
	Operating Contingency					
870	Operating Contingency	-	-	50,000	-	50,000
		$ -	**$ -**	**$ 50,000**	**$ -**	**$ 50,000**
	Total Street and Alley	**$ 1,129,952**	**$ 973,440**	**$ 2,005,208**	**$ 1,456,466**	**$ 1,699,935**

Street Fund - 2110

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
430251	**Ice and Snow Removal**					
	Personal Services					
110	Salaries	20,683	55,402	25,000	35,118	35,000
120	Overtime	5,010	10,874	7,000	2,569	7,000
140	Employer Contributions	19,211	21,301	28,219	19,825	35,000
		$ 44,904	**$ 87,577**	**$ 60,219**	**$ 57,512**	**$ 77,000**
	Materials and Services					
220	Operating Supplies/Materials	422	287	6,000	5,089	8,000
230	Repair & Maintenance Supplies	53,558	31,967	44,000	23,650	47,000
340	Utility Services	-	622	-	-	-
360	Repair & Maintenance Services	3,139	1,109	16,300	550	16,300
397	Contract Services	171	174	2,000	-	2,000
510	Insurance	-	106	-	1,374	590
		$ 57,290	**$ 34,264**	**$ 68,300**	**$ 30,663**	**$ 73,890**
	Capital Outlay					
940	Machinery & Equipment	**$ 1,825**	**$ 7,485**	**$ 29,500**	**$ 21,770**	**$ 15,000**
	Total Ice and Snow Removal	**$ 104,019**	**$ 129,326**	**$ 158,019**	**$ 109,945**	**$ 165,890**
	Total Expenditures	**$ 1,233,971**	**$ 1,102,766**	**$ 2,163,227**	**$ 1,566,411**	**$ 1,865,825**
	Year End Available Cash			**$ 617,462**		**$ 737,225**
	Total Street Fund			**$ 2,780,689**		**$ 2,603,051**

Stormwater

FY 2017

Purpose

The Stormwater Fund provides budget authority to support the operation, maintenance and improvement of the City's stormwater system.

FY 2017 Objectives

The objectives of the Stormwater Fund for this fiscal year is to provide continuing maintenance and improvements for the City's stormwater system, as well as contract services necessary to implement environmental regulations. The Fund is supported by a stormwater utility assessment on all properties within the City.

Significant or changed appropriations during FY 2017 are:

Item/Project	
Revenue	
• Continued reduction of assessment from $72 to about $12	$66,000

Expenditure Changes

Priority	Project Description	
1	Riverside Stormwater Treatment Pond BMP Improvements	$50,000
2	Armory Road Drainage Improvements (Engineering & Const)	$65,000

Stormwater Fund - 2525

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Charges for Services					
343370	Plan Review / Construction Oversight	11,700	9,300	7,000	16,177	7,000
		$ 11,700	**$ 9,300**	**$ 7,000**	**$ 16,177**	**$ 7,000**
	Miscellaneous Revenue					
363010	Maintenance Assessments	61,693	66,489	66,000	64,818	66,000
363040	Penalties and Interest	236	241	1,600	194	1,600
		$ 61,929	**$ 66,730**	**$ 67,600**	**$ 65,011**	**$ 67,600**
	Total Fund Revenue	**$ 73,629**	**$ 76,030**	**$ 74,600**	**$ 81,188**	**$ 74,600**
	Beginning Available Cash			**738,620**		**566,142**
	Total Resources			**$ 813,220**		**$ 640,742**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Materials and Services					
210	Office Supplies/Materials	-	-	500	-	500
220	Operating Supplies	-	14	5,000	40	5,000
230	Repair & Maintenance Supplies	-	5,634	11,500	6,018	11,500
310	Postage & Freight	-	-	1,000	-	1,000
320	Printing	-	-	500	-	-
330	Publicity/Subscriptions/Dues	2,000	-	1,000	569	1,000
340	Utility Services	-	-	500	-	500
350	Professional Services	2,409	1,850	-	-	-
360	Repair & Maintenance Services	-	-	2,000	750	2,000
370	Travel & Training	356	-	2,500	-	2,500
390	Other Purchased Services	-	-	2,000	-	2,000
397	Contract Services	-	-	100	-	100
730	Whitefish Lake Institute Grant	6,667	6,666	6,667	6,666	6,667
		$ 11,432	**$ 14,164**	**$ 33,267**	**$ 14,043**	**$ 32,767**
	Capital Outlay					
930	Improvements	114,344	421,030	485,000	317,891	115,000
		$ 114,344	**$ 421,030**	**$ 485,000**	**$ 317,891**	**$ 115,000**
	Total Expenditures	**$ 125,776**	**$ 435,194**	**$ 518,267**	**$ 331,934**	**$ 147,767**
	Ending Available Cash			**294,953**		**492,975**
	Total Stormwater Fund			**$ 813,220**		**$ 640,742**

Water Fund

FY 2017

Purpose

The Water Fund provides budget authority to support the operation, maintenance and improvement of the water system of the City of Whitefish.

FY 2017 Objectives

The objective of the Water Fund for this fiscal year is to supply potable water to City water customers, provide preventative and emergency maintenance for the system as needed.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount

Revenue Changes

Increase in Water Usage Charges	$174,732

Expenditure Changes

Land Purchase Description	Total	Impact Fees
South Water Reservoir Land Acquisition – Purchase of land for new reservoir south of railroad tracks	**$150,000**	
Building Description		
Shop Building Expansion – Building (split Street/Water/Sewer) – 10% Impact Fee	**$9,648**	**$965**

Priority	Improvement Description	
1	Columbia Avenue Bridge Water Main Upgrade – Repair/upsize 6" water main to 8" running under the bridge.	$144,640
2	Grouse Mountain/Mountain Park Interconnect (mostly done in FY16)	$25,000
3	Cast Iron Water Main Replacement - Montana Ave North of Edgewood	$350,000
4	8th Street/10th Street Interconnect (Loop)	$100,000
5	Cast Iron Water Main Replacement - 3rd & 4th W of Jennings	$150,000
6	Central Avenue Water Main Replacement	$175,000
	Lion Mountain Loop Interconnect – retainer payment due after Columbia Avenue Bridge Water Main Upgrade is completed	$11,000
	Wireless Mesh & Expansion of Backup Equipment (Total $45,000 - split $15,000 each Street/Water/Sewer)	$15,000
	PLC Hardware/Software Upgrades	$35,000
	Total Improvements	**$1,005,640**

Machinery & Equipment	Total	Impact Fees
Auma Actuators - Continual Replacement)	$18,000	
Streaming Current Monitor - Continual Replacement	$10,000	
Locator (Total $6,000 – Split Water/Sewer)	$3,000	
Handheld Meter Reader (Total $5,500 – Split Water/Sewer)	$2,750	
Mobile Drive Unit (Total $6,500 – Split Water/Sewer)	$3,250	
Excavator – Replace 1987 J. Deere 595 (Total $90,000 – Split Street/Water/Sewer)	$30,000	
Ford F150 XL 4x4 Pickup (Total $27,000 – split $9,000 each Street/Water/Sewer)	$9,000	
Particle Counters - Replacement	$22,000	
Liquid Polymer Feeder - Replacement	$9,000	
Total Machinery & Equipment	**$107,000**	

Water Fund - 5210

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Intergovernmental Revenues					
334121	DNRC Grants	100,000	-	-	-	-
		$ 100,000	**$ -**	**$ -**	**$ -**	**$ -**
	Charges for Services					
341077	5% Admin Fee for Impact Fees	11,356	9,395	6,000	14,016	8,400
343021	Water Usage Charges	2,672,390	2,876,452	2,875,000	3,075,421	3,049,732
343025	Impact Fees - Water	226,465	186,708	150,000	280,349	168,000
343026	Installation Fees	55,368	42,846	45,000	55,831	45,000
343027	Miscellaneous Income	54,782	68,669	40,000	24,617	30,000
343029	Late Fees	34,325	33,095	33,000	38,060	33,000
343370	Plan Review/Const. Oversight Fees	875	4,000	2,500	2,035	1,200
		$ 3,055,561	**$ 3,221,166**	**$ 3,151,500**	**$ 3,490,330**	**$ 3,335,332**
	Miscellaneous Revenues					
363040	Penalties and Interest	7	9	10	-	10
363050	Latecomer Fees	1,500	1,550	500	1,850	1,500
		$ 1,507	**$ 1,559**	**$ 510**	**$ 1,850**	**$ 1,510**
	Investment Earnings					
371010	Investment Earnings	6,390	6,169	5,000	12,918	8,000
371010	Investment Earnings - Impact Fees	2,273	2,140	2,000	3,618	2,500
		$ 8,663	**$ 8,309**	**$ 7,000**	**$ 16,536**	**$ 10,500**
	Other Financing Sources					
381070	SRF Loan Proceeds	-	-	472,700	8,339,500	-
383002	Transfer from Resort Tax	-	-	-	745,840	839,625
		$ -	**$ -**	**$ 472,700**	**$ 9,085,340**	**$ 839,625**
	Total Revenue	**$ 3,165,731**	**$ 3,231,034**	**$ 3,631,710**	**$ 12,594,056**	**$ 4,186,967**
	Beginning Available Cash			2,334,040		3,192,802
102110	Impact/PIF Balance Beginning			954,156		1,091,177
102213	Debt Srvc, Debt Rsrv, Surplus Balance			649,825		1,151,641
				$ 3,938,020		**$ 5,435,620**
	Total Resources			**$ 7,569,730**		**$ 9,622,587**

Water Fund - 5210

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Personal Services					
110	Salaries	539,163	562,646	644,900	621,731	720,654
111	Seasonal	-	-	1,901	-	1,901
112	Permanent Part Time	27,830	17,606	6,994	7,226	7,958
120	Overtime	19,915	25,096	28,813	19,451	27,452
125	Stand By or Call Back	6,742	7,336	-	8,198	-
130	Vacation/Sick Accrual	11,040	-	13,850	14,930	5,916
140	Employer Contributions	224,924	231,894	277,816	255,094	314,463
		$ 829,614	**$ 844,577**	**$ 974,274**	**$ 926,629**	**$ 1,078,344**
	Materials and Services					
210	Office Supplies/Materials	3,342	2,473	4,000	2,686	3,500
220	Operating Supplies	63,931	53,010	56,975	59,638	57,975
230	Repair & Maintenance Supplies	139,256	139,618	170,784	106,237	158,918
310	Postage & Freight	13,473	13,335	13,500	12,969	13,500
320	Printing	375	191	2,500	513	2,500
330	Publicity/Subscriptions/Dues	11,490	9,702	19,010	11,698	20,448
340	Utility Services	73,485	69,487	80,000	73,393	93,550
350	Professional Services	23,199	43,601	107,600	128,289	72,600
360	Repair & Maintenance Services	65,952	120,583	39,800	61,120	50,000
370	Travel & Training	3,297	2,401	10,600	7,108	10,600
390	Other Purchased Services	35,169	28,081	32,500	32,623	32,500
397	Contract Services	5,536	46,264	40,000	43,173	35,000
510	Insurance	30,745	30,319	29,000	27,399	25,155
530	Rent/Leases	8,406	9,003	8,961	8,918	9,361
540	Special Assessments	7,891	8,575	7,555	8,415	7,555
545	Water Utility ROW Fee	133,619	143,823	143,750	153,771	152,487
730	Whitefish Lake Institute	6,666	6,667	6,667	6,667	6,667
880	Administrative Expense	23,489	17,703	19,342	16,967	21,155
		$ 649,321	**$ 744,836**	**$ 792,544**	**$ 761,582**	**$ 773,470**
	Total Water Operating	**$ 1,478,935**	**$ 1,589,414**	**$ 1,766,818**	**$ 1,688,210**	**$ 1,851,814**
	Capital Outlay					
910	Land	-	-	150,000	7,700,248	150,000
920	Buildings	32,295	-	60,000	15,353	9,648
930	Improvements	283,714	328,887	1,537,700	669,910	1,005,640
940	Machinery and Equipment	69,477	19,812	141,500	97,825	107,000
		$ 385,486	**$ 348,699**	**$ 1,889,200**	**$ 8,483,335**	**$ 1,272,288**
	Debt Service					
610	Water Bonds - Principal	469,000	479,000	518,000	490,000	497,000
620	Water Bonds - Interest	74,411	64,835	61,096	56,690	45,151
611	Haskill Basin Bond - Principal	-	-	-	356,500	647,000
621	Haskill Basin Bond - Interest	-	-	-	77,058	192,625
		$ 543,411	**$ 543,835**	**$ 579,096**	**$ 980,248**	**$ 1,381,776**
	Other Financing Uses					
820	Property Tax Relief Transfer - Haskill Basin E	-	-	-	-	**$ 319,485**
	Total Expenditures	**$ 2,407,832**	**$ 2,481,947**	**$ 4,235,114**	**$ 11,151,794**	**$ 4,825,364**
	Ending Available Cash			1,761,226		2,705,891
	Ending PIF/Impact Fee Balance			923,566		1,259,177
	Debt Service Ending Balance			649,825		832,155
				$ 3,334,616		**$ 4,797,223**
	Total Water Fund			**$ 7,569,730**		**$ 9,622,587**

Wastewater Fund

FY 2017

Purpose

The Wastewater Fund provides budget authority to support the operation, maintenance and improvement of the City of Whitefish wastewater system.

FY 2017 Objectives

The objective of the Wastewater Fund for this fiscal year is to collect and treat the community's wastewater and provide preventative and emergency maintenance for the system as needed.

Significant or changed appropriations during FY 2017 are:

Item/Project	Amount

Revenue Changes:

Loan Proceeds – I&I Mitigation ($1,134,000 total project cost less $650,000 of grants monies through TSEP/RRGL plus bond costs/reserves)	$506,000
Loan Proceeds – Wastewater Treatment Plan Design ($1,900,000 plus bond costs/reserves)	$1,961,000
Decrease in Sewer Service Charges	$56,043

Expenditure Changes:

		Total	Impact Fees
	Professional Services (350) includes the City Contribution for the Preliminary Engineering Reports for Lion Mountain and East Lakeshore (Septic Leachate)	$60,000	
	Building Description		
	Shop Building Expansion – (Split Street/Water/Sewer) – 10% Impact Fee	**$8,898**	**$890**
Priority	**Improvement Description**		
1	Whitefish West Sewer Main Improvement – Phase II (100% Impact Fees)	$50,000	$50,000
2	I&I Mitigation Project (anticipates $400,000 spent in FY16)	$833,651	
3	Sewer Main Upgrade North of Hospital – Greenwood to Columbia – 50% Impact Fees	$275,000	$137,500
4	Glenwood Sewer – Grinder Pump Replacement	$65,000	
5	Generator – City Beach Emergency Power & Access Improvements	$75,000	
6	Bohemian Lift Station	$20,000	
	Wastewater Treatment Plant Design Costs	$1,900,000	
	Total Improvement Projects	**$3,218,651**	**$187,500**

Machinery & Equipment	Total	Impact Fees
Slurry Pump w/VFD & Alum Recycle	$10,000	
Optimization Strategies DO Control, Recycle Heat Retention	$20,000	
Locator (Split Water/Sewer)	$3,000	
Handheld Meter Reader, replacement (split Water/Sewer)	$2,750	
Mobile Drive Unit (Total $6,500 – Split Water/Sewer)	$3,250	
Excavator – Replace 1987 J. Deere 595 (Total $90,000 – Split Street/Water/Sewer)	$30,000	
Ford F150 XL 4x4 Pickup (Total $27,000 – split $9,000 each Street/Water/Sewer)	$9,000	
Wireless Mesh & Expansion of Backup Equipment (Total $45,000 – split $15,000 each Street/Water/Sewer)	$15,000	
PLC Hardware/Software Upgrades	$15,000	
Total Machinery & Equipment	**$143,000**	

Wastewater Fund - 5310

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Intergovernmental Revenues					
334120	Treasure State Endowment Program	-	15,000	125,000	232,508	267,492
334121	DNRC Planning Grants	-	74,962	150,000	106,018	150,000
334121	RRGL & WRDA Grants	-		500,000	-	57,159
		$ -	**$ 89,962**	**$ 775,000**	**$ 338,526**	**$ 474,651**
	Charges for Services					
341077	5% Admin Fee for Impact Fees	11,655	12,163	8,000	13,821	9,500
343031	Sewer Service Charges	2,179,963	2,282,970	2,400,000	2,467,267	2,343,957
343032	Inspection Fees	2,240	2,290	1,000	2,420	1,000
343033	Impact Fees - Wastewater	232,422	239,754	200,000	278,569	190,000
343034	Impact Fees - Big Mt.	-	20,402	10,000	5,604	8,000
343036	Miscellaneous Income	4,966	21,834	1,000	2,592	3,000
343370	Plan Review/Const. Oversight Fees	775	4,000	1,500	1,025	1,200
		$ 2,432,021	**$ 2,583,412**	**$ 2,621,500**	**$ 2,771,298**	**$ 2,556,657**
	Miscellaneous Revenues					
363000	Special Assessments	-	-	-	-	-
363040	Penalties and Interest	10	12	12	-	12
365000	Contributions & Donations	-	100	-	-	-
		$ 10	**$ 112**	**$ 12**	**$ -**	**$ 12**
	Investment Earnings					
371010	Investment Earnings	3,292	3,254	3,000	6,303	4,500
371010	Investment Earnings - Impact Fees	1,920	1,099	2,000	864	750
		$ 5,212	**$ 4,354**	**$ 5,000**	**$ 7,167**	**$ 5,250**
	Other Financing Sources					
381070	SRF Loan Proceeds	452,300	185,454	1,703,527	1,024,345	2,467,000
		$ 452,300	**$ 185,454**	**$ 1,703,527**	**$ 1,024,345**	**$ 2,467,000**
	Total Revenue	**$ 2,889,543**	**$ 2,863,294**	**$ 5,105,039**	**$ 4,141,336**	**$ 5,503,570**
	Beginning Available Cash			1,659,222		1,599,607
102110	Impact/PIF Balance Beginning			224,946		289,556
102216	Debt Service Balance Beginning			219,078		255,319
				$ 2,103,246		**$ 2,144,483**
	Total Resources			**$ 7,208,285**		**$ 7,648,053**

Wastewater Fund - 5310

8/4/2016

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Personal Services					
110	Salaries	535,165	528,691	612,330	603,989	657,136
111	Seasonal	-	-	1,958	-	1,958
112	Permanent Part Time	27,593	17,467	6,994	7,260	7,516
120	Overtime	16,378	23,697	18,175	19,574	14,736
125	Stand By or Call Back	6,742	7,251	-	8,198	-
130	Vacation/Sick Accrual	6,905	-	13,850	14,930	6,264
140	Employer Contributions	239,319	234,646	276,079	262,185	299,854
		$ 832,102	**$ 811,750**	**$ 929,386**	**$ 916,135**	**$ 987,464**
	Materials and Services					
210	Office Supplies/Materials	1,397	1,874	3,000	1,924	3,000
220	Operating Supplies	143,139	116,853	141,125	128,402	141,125
230	Repair & Maintenance Supplies	118,247	85,247	149,709	119,114	141,018
310	Postage & Freight	13,185	12,980	13,000	12,854	13,500
320	Printing	335	187	600	219	600
330	Notices, Subscriptions, Dues	2,168	3,532	12,503	3,183	13,616
340	Utility Services	102,101	99,501	108,132	106,795	108,632
350	Professional Services	44,808	70,350	275,200	117,309	225,200
360	Repair & Maintenance Services	16,454	23,946	52,000	38,848	52,000
370	Travel & Training	8,075	2,830	11,500	4,931	11,500
390	Other Purchased Services	4,813	1,147	8,000	4,319	8,000
397	Contract Services	5,536	6,453	2,500	8,459	2,500
510	Insurance	32,119	34,509	27,000	22,457	23,402
530	Rents/Leases	175	780	5,210	185	5,610
540	Special Assessments	361	372	400	394	400
541	State Assessments and Fees	3,000	5,423	3,500	4,741	3,500
545	Wastewater Utility ROW Fee	108,998	114,150	120,000	123,363	117,198
730	Whitefish Lake Institute Grant	6,667	6,667	6,667	6,667	6,667
750	DEQ SSO Fines/WF Lake Institute	-	200	-	-	-
880	Administrative Expense	21,681	16,340	18,445	16,174	19,361
		$ 633,259	**$ 603,339**	**$ 958,491**	**$ 720,340**	**$ 896,829**
	Total Wastewater Operating	**$ 1,465,361**	**$ 1,415,090**	**$ 1,887,877**	**$ 1,636,475**	**$ 1,884,293**
	Capital Outlay					
920	Buildings	10,777	-	25,000	16,103	8,898
934	Improvement Projects	496,525	773,422	3,372,902	2,171,941	3,218,651
940	Equipment	128,349	2,300	130,250	16,242	143,000
		$ 812,029	**$ 775,722**	**$ 3,528,152**	**$ 2,204,286**	**$ 3,370,549**
	Debt Service					
610	Bonded Debt Principal	146,300	165,000	254,000	195,000	243,000
620	Bonded Debt Interest	59,910	67,536	113,859	79,733	78,153
		$ 206,210	**$ 232,536**	**$ 367,859**	**$ 274,733**	**$ 321,153**
	Total Expenditures	**$ 2,483,600**	**$ 2,423,348**	**$ 5,783,888**	**$ 4,115,494**	**$ 5,575,995**
	Ending Available Cash			1,005,873		1,440,932
	Ending PIF/Impact Fee Balance			159,446		298,306
	Debt Service Ending Balance			239,078		332,819
				$ 1,424,397		$ 2,072,058
	Total Wastewater Fund			**$ 7,208,285**		**$ 7,648,053**

Solid Waste

FY 2017

Purpose

The Solid Waste Fund provides budget authority to support contract and administrative services for the solid waste collection program.

FY 2017 Objectives

The objective of the Solid Waste Fund for this budget year is to administer the City's solid waste collection and recycling services contract with North Valley Refuse that became effective on April 1, 2016. The contract now requires North Valley Refuse to provide not only collections services for refuse, but also customer assistance, monthly billing, and general administrative support services for the solid waste collection program. It is anticipated, however, that the City will incur some administrative expenses during the year related to management of the contract and the operations of the City's central recycling site so some budget authority to spend down cash reserves is included in FY 2017.

Significant or changed appropriations during FY 2017 are:

Item/Project	
Revenue	
• Decrease in revenue collections due to North Valley Refuse collecting all solid waste collection fees and container charges.	$811,200
Expenditure Changes	
• Decrease in expenditures due to changes in contract with North Valley Refuse.	$778,277

Solid Waste Fund - 5410

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Charges for Services					
343041	Solid Waste Collection Fees	768,926	804,896	806,000	614,354	-
343043	Container Charge	6,185	6,825	5,000	3,634	-
343046	Miscellaneous Revenue	110	129	50	225	-
		$ 775,221	**$811,850**	**$811,050**	**$ 618,213**	**$ -**
	Investment Earnings					
371010	Interest Earnings	360	343	350	599	200
		$ 360	**$ 343**	**$ 350**	**$ 599**	**$ 200**
	Total Revenue	**$ 775,581**	**$ 812,192**	**$ 811,400**	**$ 618,811**	**$ 200**
	Beginning Available Cash			**$ 148,414**		**$ 155,751**
	Total Resources			**$ 959,814**		**$ 155,951**

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Personal Services					
110	Salaries	49,211	49,486	54,404	63,683	8,165
112	Permanent Part Time	1,880	1,870	2,016	2,078	-
120	Overtime	785	1,063	1,107	871	-
130	Vacation/Sick Accrual	-	-	3,950	4,232	-
140	Employer Contributions	15,877	16,840	22,021	22,280	3,132
		$ 67,753	**$ 69,259**	**$ 83,498**	**$ 93,144**	**$ 11,297**
	Materials and Services					
210	Office Supplies/Materials	242	152	500	106	-
220	Operating Supplies	830	679	1,000	466	-
230	Repair & Maintenance Supplies	1,668	1,411	5,330	2,554	-
310	Communication & Transportation	13,048	12,918	14,000	8,823	-
320	Printing	113	187	250	32	-
330	Publicity/Subscriptions/Dues	112	155	300	23	-
340	Utility Services	1,360	1,287	1,550	856	
350	Professional Services	1,473	1,957	2,000	326	-
360	Repair & Maintenance Services	307	912	800	2,465	10,000
370	Travel & Training	29	19	50	64	-
390	Refuse Hauling Contract	647,386	676,978	687,224	572,463	-
397	Contract Services	1,509	669	500	1,442	-
510	Insurance	1,516	1,082	1,200	1,131	-
810	Bad Debt Write-Offs	-	-	-	-	-
880	Administrative Expense	1,842	1,332	1,600	1,405	229
		$ 671,435	**$ 699,738**	**$ 716,304**	**$ 592,156**	**$ 10,229**
	Total Solid Waste Operating	**$ 739,188**	**$ 768,998**	**$ 799,802**	**$ 685,300**	**$ 21,526**
	Ending Available Cash			**$ 160,012**		**$ 134,425**
	Total Solid Waste Fund			**$ 959,814**		**$ 155,951**

SID Debt Service Funds

FY 2017

Purpose

The purpose of a Special Improvement District (S.I.D.) Fund is to provide budget authority to collect district assessments and to disperse principle and interest payments on behalf of district property owners and to repay the various City funds for the early retirement of externally-held S.I.D. bonds. S.I.D.s can be formed to address infrastructure needs (i.e. water, sewer, streets, sidewalks, etc.) in specific neighborhoods or areas of the City or on a City-wide basis.

FY 2017 Objectives

The objective of the S.I.D. Fund for this fiscal year is to meet obligations previously incurred to facilitate various community improvement projects. In addition, it provides for the proposed Parking Structure SID 167 to deposit a portion of the bond proceeds into the SID Revolving Fund as required by state law. A Parking Structure SID 167 Fund will be setup at the time of bond issuance.

SID Revolving Fund - 3400

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenue					
381030	SID Bond Proceeds (Parking Structure)	-	-	44,000	-	44,000
371010	Investment Earnings	478	340	-	417	-
	Total Fund Revenue	**$ 478**	**$ 340**	**$ 44,000**	**$ 417**	**$ 44,000**
101000	**Beginning Cash Balance**			**$ 127,921**		**$ 128,338**

	Expenditures	Actual FY 2014	Actual FY 2016	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Transfers					
820	Transfers to Other S.I.D. Funds					
		$ -	**$ -**	**$ -**	**$ -**	**$ -**
	Total Requirements	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
	Unappropriated Balance			**$ 171,921**		**$ 172,338**

S.I.D. 166 FUND - 3545

8/4/2016

	Revenues	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Miscellaneous Revenue					
363020	Bond Principal & Interest Assessments	100,368	112,448	107,200	111,288	107,200
363040	Penalties and Interest	179	289	300	160	300
		$ 100,547	**$ 112,738**	**$ 107,500**	**$ 111,449**	**$ 107,500**
	Investment Earnings					
371010	Investment Earnings	99	61	50	147	50
		$ 99	**$ 61**	**$ 50**	**$ 147**	**$ 50**
	Other Financing Sources					
383000	Transfer from Revolving S.I.D.	-	-	-	-	-
			$ -	**$ -**	**$ -**	**$ -**
	Total Fund Revenue	**$ 100,646**	**$ 112,799**	**$ 107,550**	**$ 111,596**	**$ 107,550**
101000	**Beginning Cash Balance**			-		7,668

	Expenditures	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY 2016	Budget FY 2017
	Debt Service					
610	Principal	70,000	70,000	70,000	70,000	70,000
620	Interest	39,598	36,623	33,578	33,578	30,498
630	Paying Agent Fee	300	350	300	350	350
	Total Requirements	**$ 109,898**	**$ 106,973**	**$ 103,878**	**$ 103,928**	**$ 100,848**
	Unappropriated Balance			**$ 3,672**		**$ 14,370**

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, (1) budgeting property tax revenue, (2) determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish, and (3) levying and assessing all special improvement assessments and other assessments on real estate within the Districts for the 2017 fiscal year.

WHEREAS, in conformity with the provisions of the Local Government Budget Act, § 7-6-4001, *et seq.*, MCA, the City of Whitefish, Montana, prepared a preliminary budget for the 2017 fiscal year commencing July 1, 2016; and

WHEREAS, at the lawfully noticed public hearing on June 20, 2016, the City Manager's proposed budget was reviewed and approved as the preliminary budget by the Whitefish City Council; and

WHEREAS, in order to adopt the 2017 fiscal year final annual budget and decrease of property tax revenues from the previous year as allowed by § 7-6-4030, MCA, the City scheduled a public hearing for the purpose of receiving comments on its intention to budget property tax revenue, and to determine property tax mills, levies and assessments before the Whitefish City Council to be held at 7:10 p.m. on August 15, 2016; and

WHEREAS, prior to such hearing, notices were published twice in the *Whitefish Pilot*, on August 3 and August 10, 2016, as required by § 7-1-4127, MCA, in the Legal Notices Section; and

WHEREAS, at a lawfully noticed public hearing on August 15, 2016, the Whitefish City Council, conducted a hearing for the purpose of adopting the final municipal budget for the City of Whitefish for the 2017 fiscal year with a decrease of 8.5 percent or $243,375.00 in property tax revenues because of increased taxable valuation, and because of the additional property tax relief resulting from the Resort Tax rate increase of an additional 1 (one) percent that became effective July 1, 2015, determining the property tax mills to be levied on all taxable property within the corporate limits of the City of Whitefish, Montana, and levying and assessing all special improvement assessments and other assessments on real estate within the Districts, received staff reports, invited public input and considered all written comments received prior to the hearing; and

WHEREAS, upon completion of the public hearing, the City Council determined it would be in the best interests of the City and its inhabitants to approve the 2017 fiscal year budget, decrease of 8.5 percent or $243,375.00 in property tax revenues because of the additional property tax relief resulting from the Resort Tax rate increase of an additional 1 (one) percent that became effective July 1, 2015, levy the property tax mills, and levy and assess all special improvement assessments and other assessments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: A mill levy of 19.420 mills on the dollar of assessed valuation of all taxable property within the City of Whitefish, Montana, identified as the permissive medical levy, is hereby approved to be used to pay the increased costs of group health insurance premiums for employees, for the fiscal year commencing July 1, 2016, and such mills are hereby levied on the assessed valuation of all taxable property within the corporate limits of the City of Whitefish, Montana.

Section 2: A mill levy of 24.000 mills on the dollar of assessed valuation of all taxable property within the City of Whitefish, Montana, identified as the 24 hours per day fire protection and ambulance services levy, is hereby approved to be levied for the fiscal year commencing July 1, 2016, and such mills are hereby levied on the assessed valuation of all taxable property within the corporate limits of the City of Whitefish, Montana.

Section 3: The mill levy for the City taxes to be raised for all municipal purposes other than the permissive medical levy, the 24 hours per day fire protection and ambulance services levy, described above, for the fiscal year commencing July 1, 2016, shall be 129.600 mills on the dollar of assessed valuation of all taxable property within the City of Whitefish, Montana, and that said amount is hereby levied and assessed upon all taxable property within the corporate limits of the City of Whitefish, Montana.

Section 4: The total mill levy for the City of Whitefish shall be 173.02 mills, consisting of the total of the mills identified in Sections 1, 2, and 3 above.

Section 5: From the total mill levy of 173.02 mills, and in accordance with § 3-3-8, Whitefish City Code, there shall be a Resort Tax rebate reflected on the property tax bills of City property owners. Twenty-five percent (25%) of the Resort Tax revenues derived in the prior fiscal year and the portion of Resort Tax revenues received from 70 percent of the additional 1 (one)percent that is more than is needed in the prior fiscal year for the loan or bond issued for the purchase of the Haskill Basin Conservation Easement which totals $1,182,352.00 and shall be used for property tax reduction. This reduction is equivalent to a credit to the taxpayer of 53.781 mills for the City's 2017 fiscal year, resulting in an effective net mill levy equaling 119.24 mills.

Section 6: An electronic listing of the total assessments for all special improvement assessments and other assessments levied against each lot or parcel of land within the Districts which has been prepared by the City Clerk and is maintained in the office of the City Clerk, is by this reference made a part hereof as fully as if set forth verbatim herein. Said special improvement assessments and other assessments are hereby levied and assessed against each lot as shown therein

and shall be submitted to Flathead County Information Technology to be collected with County taxes. Such special improvement assessments and other assessments hereby levied shall become delinquent at 6:00 o'clock p.m., November 30, 2016, and shall thereafter bear penalties and interest provided by law.

Section 7: As permitted by § 7-6-4031(1), MCA, the City Manager and/or the Finance Director are hereby authorized to transfer appropriations between items within the same fund.

Section 8: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 9: The effective date of this Resolution is July 1, 2016, the beginning of the City's 2017 fiscal year, upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Street Maintenance District to defray the costs of street improvements.

WHEREAS, the City Council of the City of Whitefish, has previously created the Street Maintenance District for the purpose of conducting street maintenance, and has provided the method of assessing all lots or parcels of land, located within such district; and

WHEREAS, after the proper and lawful notice was published and given, a hearing was held before the Whitefish City Council on August 15, 2016, at which public comment was received and objections received to the final adoption of a Resolution levying and assessing a tax on each lot or parcel of land in such district; and

WHEREAS, having determined that it is in the best interests of the City of Whitefish, and its inhabitants, to impose an assessment to defray the costs of street maintenance improvements, and having determined that the proposed formula is the most appropriate and equitable;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: There is hereby levied and assessed a tax upon all real property in the Street Maintenance District in the total amount of $839,187.23 to cover the cost of the improvements therein; that the name of the owner of each lot, a description of each lot or parcel of land within the Street Maintenance District and the amount of the tax levied against each lot shall be as shown on the electronic schedule marked as assessment for the Street Maintenance District submitted to Flathead County Information Technology to be collected with County taxes; which by this reference is made a part hereof as fully as if set forth verbatim herein.

Section 3: The formula upon which the assessments are based is as follows:

A. A per lot assessment of $83.00 for residential lots, regardless of size, located within subdivisions that collectively maintain a network of private streets, with primary access

from those privately maintained streets. Such subdivisions include but are not limited to Grouse Mountain, Suncrest, and Iron Horse. No front foot assessment will apply;

OR

B.1. A per lot assessment of $109.50 for residential lots, having a frontage of 50 feet or less, with primary access from publicly maintained streets, and $140.00 for commercial/multi-family lots having a frontage of 50 feet or less. All lots within the City that front on or have primary access from a City street fit within this category;

AND

B.2. A front foot assessment of $2.19 per front foot for residential lots, applied to frontage in excess of 50 feet, with a maximum assessment of $328.50 (corresponding to 150 feet of frontage); or a front foot assessment of $2.80 per front foot for commercial/multi-family lots, applied to frontage in excess of 50 feet, with a maximum assessment of $1,120.00 (corresponding to 400 feet of frontage).

Section 4: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 5: It is the intention of the City of Whitefish that the definition of "maintenance" as defined in §7-12-4401(2), MCA, shall be construed as broadly as is lawfully possible by a charter city with self-governing powers, to include all activities reasonably determined by the City to be necessary in connection with the maintenance of public streets and roads, including but not limited to sprinkling, graveling, oiling, chip sealing, seal coating, overlaying, treating, general cleaning, sweeping, flushing, snow removal, leaf and debris removal, the operation, maintenance, and repair of traffic signal systems, the repair of traffic signs, the placement and maintenance of pavement markings, curb and gutter repair, and sidewalk repair.

Section 6: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax upon all real estate in Special Improvement Lighting District No. 1 in the City of Whitefish, Montana, to defray the cost of improvements in said Special Improvement Lighting District.

WHEREAS, the City Council of the City of Whitefish, Montana, has previously created Special Improvement Lighting District No. 1 and provided for the method of assessing all lots and parcels of land therein benefited by such lighting; and

WHEREAS, after the proper and lawful notice was published and given, a public hearing was held before the Whitefish City Council on August 15, 2016, at which public comment was received and objections received to the final adoption of a Resolution levying and assessing a tax on each lot or parcel of land in such district; and

WHEREAS, having determined that it is in the best interests of the City of Whitefish, and its inhabitants, to impose an assessment to defray the costs of street lighting, and having determined that the proposed formula is the most appropriate and equitable;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: The total cost and expense of all Special Improvements in said Special Improvement Lighting District No. 1 of the City of Whitefish, Montana, is hereby fixed at the sum of $85,613.66.

Section 3: A Special Assessment against all real property within the confines of the Residential area of the City of Whitefish, Montana, at the rate of $0.22 per front foot, for the purpose of maintenance of the street lights in the Residential area, is hereby imposed and levied.

Section 4: The aforementioned amounts of taxes are hereby levied and assessed against each lot within the boundaries of said Special Improvement Lighting District No. 1 of the City of

Whitefish, Montana, as shown by the electronic schedule marked as assessment for Special Improvement Lighting District No. 1 and submitted to Flathead County Information Technology to be collected with County taxes and hereto and by this reference made a part hereof as fully as if set forth verbatim herein.

Section 5: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 6: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax upon all real estate in Special Improvement Lighting District No. 4 in the City of Whitefish, Montana, to defray the cost of improvements in said Special Improvement Lighting District.

WHEREAS, the City Council of the City of Whitefish, Montana, has previously created Special Improvement Lighting District No. 4 and provided for the method of assessing all lots and parcels of land therein benefited by such lighting; and

WHEREAS, after the proper and lawful notice was published and given, a public hearing was held before the Whitefish City Council on August 15, 2016, at which public comment was received and objections received to the final adoption of a Resolution levying and assessing a tax on each lot or parcel of land in such district; and

WHEREAS, having determined that it is in the best interests of the City of Whitefish, and its inhabitants, to impose an assessment to defray the costs of street lighting, and having determined that the proposed formula is the most appropriate and equitable;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: The total cost and expense of all Special Improvements in said Special Improvement Lighting District No. 4 of the City of Whitefish, Montana, is hereby fixed at the sum of $81,564.44.

Section 3: A Special Assessment against all real property within the confines of the Business Area of the City of Whitefish, Montana, at the rate of $1.46 per front foot, for the purpose of maintenance of the street lights in the Business Area, is hereby imposed and levied.

Section 4: The aforementioned amounts of taxes are hereby levied and assessed against each lot within the boundaries of said Special Improvement Lighting District No. 4 of the City of

Whitefish, Montana, as shown by the electronic schedule marked as assessment for Special Improvement Lighting District No. 4 and submitted to Flathead County Information Technology to be collected with County taxes and hereto and by this reference made a part hereof as fully as if set forth verbatim herein.

Section 5: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 6: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Parkland and Greenway Maintenance District.

WHEREAS, the City Council of the City of Whitefish, Montana, has previously created the Parkland and Greenway Maintenance District, and has provided the method of assessing all lots or parcels of land located within such district; and

WHEREAS, after the proper and lawful notice was published and given, a hearing was held before the Whitefish City Council on August 15, 2016, at which public comment was received and objections received to the final adoption of a Resolution levying and assessing a tax on each lot or parcel of land in such district; and

WHEREAS, having determined that it is in the best interests of the City of Whitefish, and its inhabitants, to impose an assessment to defray the costs of maintaining, preserving, and caring for trees, public parks and open space land, and irrigation systems, and paying costs incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: There is hereby levied and assessed a tax upon all real property in the Parkland and Greenway Maintenance District in the total amount of $359,468.59 to cover the costs of the maintenance required therein; that the name of the owner of each lot, a description of each lot or parcel of land within the Parkland and Greenway Maintenance District and the amount of the tax levied against each lot shall be as shown on the electronic schedule marked as assessment for the Parkland and Greenway Maintenance District submitted to Flathead County Data Processing to be collected with County taxes; which by this reference is made a part hereof as fully as if set forth verbatim herein.

Section 3: The formula upon which the assessments are based is as follows:

A. A per lot assessment of $40.98 for residential lots, regardless of size, located within subdivisions that collectively maintain a network of private streets, with primary access from those privately maintained streets. Such subdivisions include but are not limited to Grouse Mountain, Suncrest, and Iron Horse. No front foot assessment will apply;

OR

B.1. A per lot assessment of $40.98 for residential lots, having a frontage of 50 feet or less, with primary access from publicly maintained streets, and $77.37 for commercial/multi-family lots having a frontage of 50 feet or less. All lots within the City that front on or have primary access from a City street fit within this category;

AND

B.2. A front foot assessment of $0.8196 per front foot for residential lots, applied to frontage in excess of 50 feet, with a maximum assessment of $122.94 (corresponding to 150 feet of frontage); or a front foot assessment of $1.5474 per front foot for commercial/multi-family lots, applied to frontage in excess of 50 feet, with a maximum assessment of $618.96 (corresponding to 400 feet of frontage).

Section 4: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 5: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax on each lot or parcel of land in the City lying within the boundaries of the City's Stormwater Improvement and Maintenance District.

WHEREAS, the City Council of the City of Whitefish, Montana, has previously created the Stormwater Improvement and Maintenance District, and has provided the method of assessing all lots or parcels of land located within such district; and

WHEREAS, after the proper and lawful notice was published and given, a hearing was held before the Whitefish City Council on August 15, 2016, at which public comment was received and objections received to the final adoption of a Resolution levying and assessing a tax on each lot or parcel of land in such district; and

WHEREAS, having determined that it is in the best interests of the City of Whitefish, and its inhabitants, to impose an assessment to defray the costs of the types of maintenance and capital improvements identified in Resolution No. 06-42, and having determined that the proposed formula is the most appropriate and equitable;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: There is hereby levied and assessed a tax upon all real property in the Stormwater Improvement and Maintenance District in the total amount of $65,782.50; that the name of the owner of each lot, a description of each lot or parcel of land within the Stormwater Improvement and Maintenance District and the amount of the tax levied against each lot $12.53 per lot or parcel) shall be as shown on the electronic schedule marked as assessment for the Stormwater Improvement and Maintenance District submitted to Flathead County Information Technology to be collected with County taxes; which by this reference is made a part hereof as fully as if set forth verbatim herein.

Section 3: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing a tax on each lot or parcel of land lying within the boundaries of Special Improvement District No. 166 (JP Road) to defray the cost of creation of said District and of the improvements therein.

BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: There is hereby levied and assessed a tax plus interest amortized over 20 years with semiannual payments upon all real property in Special Improvement District No. 166, as identified on Exhibit "A", attached hereto and incorporated herein by reference, in the total amount of $106,808.33 to cover the cost of creation of said district and the making of improvements therein; that the amount of taxes are hereby levied and assessed against each lot within the boundaries of said Special Improvement District No. 166 of the City of Whitefish, Montana, as shown on the electronic schedule marked as assessment for Special Improvement District No. 166 and submitted to Flathead County Information Technology to be collected with County taxes; which by this reference is made a part hereof as fully as if set forth verbatim herein.

Section 2: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, to be collected by the Treasurer, as provided by law.

Section 3: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

EXHIBIT A

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0004241	ROCKSUND ADD AMD LOT 2	218192.04				CALC.	1,864.70	2
0005169	8-30-21 TR 2C	409899.60				CALC.	3,503.06	2
0005977	THE LAKES @ RIVERSIDE PH 1	50529.60				CALC.	431.83	2
0005978	THE LAKES @ RIVERSIDE PH 1	47108.50				CALC.	402.60	2
0005979	THE LAKES @ RIVERSIDE PH 1	62924.50				CALC.	537.77	2
0005980	THE LAKES @ RIVERSIDE PH 1	43804.50				CALC.	374.37	2
0005981	THE LAKES @ RIVERSIDE PH 1	40362.50				CALC.	344.94	2
0005982	THE LAKES @ RIVERSIDE PH 1	39193.50				CALC.	334.95	2
0005983	THE LAKES @ RIVERSIDE PH 1	39662.50				CALC.	338.97	2
0005984	THE LAKES @ RIVERSIDE PH 1	37796.50				CALC.	323.02	2
0005985	THE LAKES @ RIVERSIDE PH 1	39634.50				CALC.	338.72	2
0005986	THE LAKES @ RIVERSIDE PH 1	44179.50				CALC.	377.56	2
0005987	THE LAKES @ RIVERSIDE PH 1	30680.50				CALC.	262.20	2
0005988	THE LAKES @ RIVERSIDE PH 1	28775.50				CALC.	245.93	2
0005989	THE LAKES @ RIVERSIDE PH 1	31103.50				CALC.	265.81	2
0005990	THE LAKES @ RIVERSIDE PH 1	36200.50				CALC.	309.38	2
0005991	THE LAKES @ RIVERSIDE PH 1	35603.50				CALC.	304.27	2
0005992	THE LAKES @ RIVERSIDE PH 1	34270.50				CALC.	292.88	2
0006064	RIVERWOOD PARK LOT 1A	14810.40				CALC.	126.58	2
0006086	SUBDIVISION 224 LOT 1	25700.40				CALC.	219.64	2
0006642	RIVER SENIOR LIVING CENTER	182952.00				CALC.	1,563.53	2
0006643	RIVERSIDE SENIOR LIVING	242629.20				CALC.	2,073.55	2
0006644	RIVERSIDE SENIOR LIVING	108900.00				CALC.	930.69	2
0006949	THE LAKES @ RIVERSIDE PH 2	24999.10				CALC.	213.65	2
0006951	THE LAKES @ RIVERSIDE PH 2	25510.10				CALC.	218.02	2
0006952	THE LAKES @ RIVERSIDE PH 2	25286.10				CALC.	216.10	2
0006953	THE LAKES @ RIVERSIDE PH 2	24408.10				CALC.	208.60	2
0006954	THE LAKES @ RIVERSIDE PH 2	26740.10				CALC.	228.52	2
0006955	THE LAKES @ RIVERSIDE PH 2	26561.10				CALC.	227.01	2
0006956	THE LAKES @ RIVERSIDE PH 2	25695.10				CALC.	219.59	2
0006957	THE LAKES @ RIVERSIDE PH 2	28082.10				CALC.	240.00	2
0006958	THE LAKES @ RIVERSIDE PH 2	26598.10				CALC.	227.31	2
0006959	THE LAKES @ RIVERSIDE PH 2	25560.10				CALC.	218.45	2
0006960	THE LAKES @ RIVERSIDE PH 2	25616.10				CALC.	218.92	2
0006961	THE LAKES @ RIVERSIDE PH 2	28482.10				CALC.	243.41	2
0006962	THE LAKES @ RIVERSIDE PH 2	28154.10				CALC.	240.62	2
0006963	THE LAKES @ RIVERSIDE PH 2	27902.10				CALC.	238.46	2
0006964	THE LAKES @ RIVERSIDE PH 2	25960.10				CALC.	221.86	2
0007121	THE LAKES VILLAGE PH 2 LOT	7331.00				CALC.	62.65	2
0007602	RIVERWOOD PARK LOT 1B	7523.00				CALC.	64.29	2
0007603	RIVERWOOD PARK LOT 1C	7466.00				CALC.	63.81	2
0007604	RIVERWOOD PARK LOT 1D	10356.00				CALC.	88.51	2
0007605	RIVERWOOD PARK LOT 2A	10183.00				CALC.	87.02	2
0007606	RIVERWOOD PARK LOT 2B	6631.00				CALC.	56.67	2
0007607	RIVERWOOD PARK LOT 2C	6327.00				CALC.	54.08	2
0007608	RIVERWOOD PARK LOT 2D	9382.00				CALC.	80.18	2
0007609	RIVERWOOD PARK AMD LOT 3A	7405.20				CALC.	63.29	2
0007610	RIVERWOOD PARK AMD LOT 3B	5662.80				CALC.	48.39	2
0007611	RIVERWOOD PARK AMD LOT 3C	5662.80				CALC.	48.39	2
0007612	RIVERWOOD PARK AMD LOT 3D	8276.40				CALC.	70.73	2
0007613	RIVERWOOD PARK LOT 4A	10720.00				CALC.	91.61	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0007614	RIVERWOOD PARK LOT 4B	5641.00				CALC.	48.22	2
0007616	RIVERWOOD PARK LOT 4D	7074.00				CALC.	60.47	2
0007617	RIVERWOOD PARK LOT 5A	6439.00				CALC.	55.04	2
0007618	RIVERWOOD PARK LOT 5B	4467.00				CALC.	38.18	2
0007619	RIVERWOOD PARK LOT 5C	4446.00				CALC.	38.00	2
0007620	RIVERWOOD PARK LOT 5D	6844.00				CALC.	58.50	2
0007621	RIVERWOOD PARK LOT 6A	6763.00				CALC.	57.80	2
0007622	RIVERWOOD PARK LOT 6B	4920.00				CALC.	42.05	2
0007623	RIVERWOOD PARK LOT 6C	5307.00				CALC.	45.35	2
0007625	RIVERWOOD PARK PH 3 LOT 1	7098.00				CALC.	60.67	2
0007913	RIVERWOOD PARK PH 3 LOT 2	5561.00				CALC.	47.53	2
0007914	RIVERWOOD PARK PH 3 LOT 3	5559.00				CALC.	47.52	2
0007915	RIVERWOOD PARK PH 3 LOT 4	5558.00				CALC.	47.50	2
0007916	RIVERWOOD PARK PH 3 LOT 5	5558.00				CALC.	47.50	2
0007917	RIVERWOOD PARK PH 3 LOT 6	5557.00				CALC.	47.50	2
0007918	RIVERWOOD PARK PH 3 LOT 7	5556.00				CALC.	47.48	2
0007919	RIVERWOOD PARK PH 3 LOT 8	7778.00				CALC.	66.47	2
0007920	RIVERWOOD PARK PH 3 LOT 9	7767.00				CALC.	66.39	2
0007921	RIVERWOOD PARK PH 3 LOT 10	5548.00				CALC.	47.41	2
0007922	RIVERWOOD PARK PH 3 LOT 11	5548.00				CALC.	47.41	2
0007923	RIVERWOOD PARK PH 3 LOT 12	5548.00				CALC.	47.41	2
0007924	RIVERWOOD PARK PH 3 LOT 13	5548.00				CALC.	47.41	2
0007925	RIVERWOOD PARK PH 3 LOT 14	5548.00				CALC.	47.41	2
0007926	RIVERWOOD PARK PH 3 LOT 15	5548.00				CALC.	47.41	2
0007927	RIVERWOOD PARK PH 3 LOT 16	6982.00				CALC.	59.68	2
0007928	RIVERWOOD PARK PH 3 LOT 17	5918.00				CALC.	50.59	2
0007929	RIVERWOOD PARK PH 3 LOT 18	5223.00				CALC.	44.64	2
0007930	RIVERWOOD PARK PH 3 LOT 19	5645.00				CALC.	48.25	2
0007931	RIVERWOOD PARK PH 3 LOT 20	6022.00				CALC.	51.46	2
0007932	RIVERWOOD PARK PH 3 LOT 21	6398.00				CALC.	54.68	2
0007933	RIVERWOOD PARK PH 3 LOT 22	9828.00				CALC.	84.00	2
0007934	RIVERWOOD PARK PH 3 LOT 23	7520.00				CALC.	64.27	2
0007935	RIVERWOOD PARK PH 3 LOT 24	5029.00				CALC.	42.99	2
0007936	RIVERWOOD PARK PH 3 LOT 25	4669.00				CALC.	39.90	2
0007937	RIVERWOOD PARK PH 3 LOT 26	4308.00				CALC.	36.82	2
0007939	RIVERWOOD PARK PH 3 LOT 28	5124.00				CALC.	43.79	2
0007940	RIVERWOOD PARK PH 3 LOT 29	5606.00				CALC.	47.92	2
0007941	RIVERWOOD PARK PH 3 LOT 30	4156.00				CALC.	35.53	2
0007942	RIVERWOOD PARK PH 3 LOT 31	4374.00				CALC.	37.39	2
0007943	RIVERWOOD PARK PH 3 LOT 32	4590.00				CALC.	39.24	2
0007944	RIVERWOOD PARK PH 3 LOT 33	4807.00				CALC.	41.08	2
0007945	RIVERWOOD PARK PH 3 LOT 34	5025.00				CALC.	42.94	2
0007946	RIVERWOOD PARK PH 3 LOT 35	4715.00				CALC.	40.30	2
0007947	RIVERWOOD PARK PH 3 LOT 36	5255.00				CALC.	44.92	2
0009804	THE LAKES VILLAGE PH 1 LOT	5418.90				CALC.	46.32	2
0009805	THE LAKES VILLAGE PH 1 LOT	4875.00				CALC.	41.67	2
0009806	THE LAKES VILLAGE PH 1 LOT	4897.90				CALC.	41.87	2
0009808	THE LAKES VILLAGE PH 1 LOT	4880.90				CALC.	41.72	2
0009809	THE LAKES VILLAGE PH 1 LOT	4875.90				CALC.	41.67	2
0009810	THE LAKES VILLAGE PH 1 LOT	4671.90				CALC.	39.94	2
0009811	THE LAKES VILLAGE PH 1 LOT	4866.90				CALC.	41.60	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0009812	THE LAKES VILLAGE PH 1 LOT	4862.90				CALC.	41.57	2
0009813	THE LAKES VILLAGE PH 1 LOT	4857.90				CALC.	41.53	2
0009814	THE LAKES VILLAGE PH 1 LOT	4853.90				CALC.	41.49	2
0009815	THE LAKES VILLAGE PH 1 LOT	4848.90				CALC.	41.44	2
0009816	THE LAKES VILLAGE PH 1 LOT	4844.90				CALC.	41.41	2
0009817	THE LAKES VILLAGE PH 1 LOT	4839.90				CALC.	41.36	2
0009818	THE LAKES VILLAGE PH 1 LOT	4835.90				CALC.	41.33	2
0009819	THE LAKES VILLAGE PH 1 LOT	4831.90				CALC.	41.29	2
0009820	THE LAKES VILLAGE PH 1 LOT	6034.00				CALC.	51.58	2
0009821	THE LAKES VILLAGE PH 1 LOT	5930.00				CALC.	50.68	2
0009822	THE LAKES VILLAGE PH 1 LOT	5801.00				CALC.	49.59	2
0009823	THE LAKES VILLAGE PH 1 LOT	5746.00				CALC.	49.12	2
0009824	THE LAKES VILLAGE PH 1 LOT	4641.90				CALC.	39.68	2
0009825	THE LAKES VILLAGE PH 1 LOT	4641.90				CALC.	39.68	2
0009826	THE LAKES VILLAGE PH 1 LOT	4641.90				CALC.	39.68	2
0009827	THE LAKES VILLAGE PH 1 LOT	4978.90				CALC.	42.55	2
0009828	THE LAKES VILLAGE PH 1 LOT	5347.00				CALC.	45.71	2
0009830	THE LAKES VILLAGE PH 1 LOT	6721.00				CALC.	57.44	2
0009831	THE LAKES VILLAGE PH 1 LOT	6398.00				CALC.	54.68	2
0009832	THE LAKES VILLAGE PH 1 LOT	6669.00				CALC.	57.00	2
0009833	THE LAKES VILLAGE PH 1 LOT	7100.00				CALC.	60.69	2
0009967	LAKES COTTAGES PH 1 AMD	22671.30				CALC.	174.94	2
0009968	LAKES COTTAGES PH 1 AMD	20085.20				CALC.	174.94	2
0009969	LAKES COTTAGES PH 1 AMD	17977.20				CALC.	160.36	2
0009970	LAKES COTTAGES PH 1 AMD	78258.00				CALC.	728.92	2
0010127	THE LAKES VILLAGE PH 2 LOT	5991.00				CALC.	51.20	2
0010128	THE LAKES VILLAGE PH 2 LOT	6820.00				CALC.	58.29	2
0010129	THE LAKES VILLAGE PH 2 LOT	7036.00				CALC.	60.13	2
0010131	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010132	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010134	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010135	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010136	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010137	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010138	THE LAKES VILLAGE PH 2 LOT	6480.00				CALC.	55.38	2
0010139	THE LAKES VILLAGE PH 2 LOT	6574.00				CALC.	56.18	2
0010143	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010144	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010145	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010146	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010147	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010148	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010149	THE LAKES VILLAGE PH 2 LOT	6421.00				CALC.	54.87	2
0010151	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010152	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010153	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010154	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010155	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010156	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010157	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010158	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0010159	THE LAKES VILLAGE PH 2 LOT	6507.00				CALC.	55.61	2
0010160	THE LAKES VILLAGE PH 2 LOT	6574.00				CALC.	56.18	2
0010162	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010163	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010164	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010165	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010166	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010167	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010168	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010169	THE LAKES VILLAGE PH 2 LOT	6507.00				CALC.	55.61	2
0010170	THE LAKES VILLAGE PH 2 LOT	6507.00				CALC.	55.61	2
0010172	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010174	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010175	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010176	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010177	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010178	THE LAKES VILLAGE PH 2 LOT	6556.00				CALC.	56.04	2
0010179	THE LAKES VILLAGE PH 2 LOT	6574.00				CALC.	56.18	2
0010180	THE LAKES PH 3 LOT 12	37697.00				CALC.	322.17	2
0010181	THE LAKES PH 3 LOT 13	37428.00				CALC.	319.87	2
0010182	THE LAKES PH 3 LOT 14	38942.00				CALC.	332.81	2
0010183	THE LAKES PH 3 LOT 15	38614.00				CALC.	330.01	2
0010184	THE LAKES PH 3 LOT 16	41493.00				CALC.	354.61	2
0010185	THE LAKES PH 3 LOT 17	47526.00				CALC.	406.17	2
0010186	THE LAKES PH 3 LOT 18	97444.00				CALC.	832.77	2
0010187	THE LAKES PH 3 LOT 19	41014.00				CALC.	350.51	2
0010188	THE LAKES PH 3 LOT 20	31363.20				CALC.	268.03	2
0010189	THE LAKES PH 3 LOT 21	28827.00				CALC.	246.37	2
0010190	THE LAKES PH 3 LOT 22	28241.00				CALC.	241.35	2
0010191	THE LAKES PH 3 LOT 23	29882.00				CALC.	255.38	2
0010192	THE LAKES PH 3 LOT 24	32702.00				CALC.	279.48	2
0010193	THE LAKES PH 3 LOT 25	31645.00				CALC.	270.45	2
0010194	THE LAKES PH 3 LOT 26	27878.40				CALC.	238.25	2
0010195	THE LAKES PH 3 LOT 27	28407.00				CALC.	242.78	2
0010196	THE LAKES PH 3 LOT 28	30768.00				CALC.	262.96	2
0010197	THE LAKES PH 4 LOT 43	33168.50				CALC.	283.46	2
0010198	THE LAKES PH 4 LOT 44	35554.50				CALC.	303.85	2
0010199	THE LAKES PH 4 LOT 45	36176.50				CALC.	309.17	2
0010200	THE LAKES PH 4 LOT 46	36241.50				CALC.	309.73	2
0010201	THE LAKES PH 4 LOT 47	37766.50				CALC.	322.76	2
0010202	THE LAKES PH 4 LOT 48	39663.50				CALC.	338.97	2
0010203	THE LAKES PH 4 LOT 49	34594.50				CALC.	295.66	2
0010204	THE LAKES PH 4 LOT 50	32132.50				CALC.	274.61	2
0010205	THE LAKES PH 4 LOT 51	32132.50				CALC.	274.61	2
0010206	THE LAKES PH 4 LOT 52	32132.50				CALC.	274.61	2
0010338	RIVERWALK CONDO BLDG 4	3184.00				CALC.	42.73	2
0010339	RIVERWALK CONDO BLDG 4	3184.00				CALC.	42.73	2
0010341	RIVERWALK CONDO BLDG 4	3184.00				CALC.	42.73	2
0010342	RIVERWALK CONDO BLDG 4	3184.00				CALC.	42.73	2
0010343	RIVERWALK CONDO BLDG 4	3434.00				CALC.	46.80	2
0010344	RIVERWALK CONDO BLDG 4	3434.00				CALC.	46.80	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0010345	RIVERWALK CONDO BLDG 4	3434.00				CALC.	46.80	2
0010347	RIVERWALK CONDO BLDG 5	3184.00				CALC.	42.73	2
0010348	RIVERWALK CONDO BLDG 5	3184.00				CALC.	42.73	2
0010349	RIVERWALK CONDO BLDG 5	3184.00				CALC.	42.73	2
0010350	RIVERWALK CONDO BLDG 5	3184.00				CALC.	42.73	2
0010351	RIVERWALK CONDO BLDG 5	3434.00				CALC.	46.80	2
0010352	RIVERWALK CONDO BLDG 5	3434.00				CALC.	46.80	2
0010353	RIVERWALK CONDO BLDG 5	3434.00				CALC.	46.80	2
0010354	RIVERWALK CONDO BLDG 5	3434.00				CALC.	46.80	2
0010355	RIVERWALK CONDO BLDG 6	3184.00				CALC.	42.73	2
0010356	RIVERWALK CONDO BLDG 6	3184.00				CALC.	42.73	2
0010358	RIVERWALK CONDO BLDG 6	3184.00				CALC.	42.73	2
0010359	RIVERWALK CONDO BLDG 6	3434.00				CALC.	46.78	2
0010362	RIVERWALK CONDO BLDG 6	3434.00				CALC.	46.78	2
0010363	RIVERWALK CONDO BLDG 6	3434.00				CALC.	46.78	2
0010372	RIVERWALK CONDO BLDG 8	3184.00				CALC.	40.41	2
0010373	RIVERWALK CONDO BLDG 8	3184.00				CALC.	40.41	2
0010374	RIVERWALK CONDO BLDG 8	3184.00				CALC.	40.41	2
0010375	RIVERWALK CONDO BLDG 8	3184.00				CALC.	40.41	2
0010376	RIVERWALK CONDO BLDG 8	3142.00				CALC.	40.41	2
0010377	RIVERWALK CONDO BLDG 8	3142.00				CALC.	40.41	2
0010378	RIVERWALK CONDO BLDG 8	3142.00				CALC.	40.41	2
0010379	RIVERWALK CONDO BLDG 8	3142.00				CALC.	40.41	2
0010380	RIVERWALK CONDO BLDG 9	3184.00				CALC.	40.41	2
0010381	RIVERWALK CONDO BLDG 9	3184.00				CALC.	40.41	2
0010383	RIVERWALK CONDO BLDG 9	3184.00				CALC.	40.41	2
0010384	RIVERWALK CONDO BLDG 9	3142.00				CALC.	40.41	2
0010385	RIVERWALK CONDO BLDG 9	3142.00				CALC.	40.41	2
0010386	RIVERWALK CONDO BLDG 9	3142.00				CALC.	40.41	2
0010387	RIVERWALK CONDO BLDG 9	3142.00				CALC.	40.41	2
0010578	12-30-22 TR 5HAB	48787.20				CALC.	416.94	2
0010586	MONTERRA CONDO 6002 UNIT A	5388.63				CALC.	49.83	2
0010587	MONTERRA CONDO 6002 UNIT B	5388.63				CALC.	49.83	2
0010588	MONTERRA CONDO 6002 UNIT C	5388.63				CALC.	49.83	2
0010589	MONTERRA CONDO 6002 UNIT D	5388.63				CALC.	49.83	2
0010590	MONTERRA CONDO 6002 UNIT E	5388.63				CALC.	49.83	2
0010591	MONTERRA CONDO 6002 UNIT F	5388.63				CALC.	49.83	2
0010592	MONTERRA CONDO 6002 UNIT G	5388.63				CALC.	49.83	2
0010594	MONTERRA CONDO 6002 UNIT I	5388.63				CALC.	49.83	2
0010595	MONTERRA CONDO 6002 UNIT J	5388.63				CALC.	49.83	2
0010596	MONTERRA CONDO 6002 UNIT K	5388.63				CALC.	49.83	2
0010597	MONTERRA CONDO 6002 UNIT L	5388.63				CALC.	49.83	2
0010598	MONTERRA CONDO 6003 UNIT A	5388.63				CALC.	49.83	2
0010599	MONTERRA CONDO 6003 UNIT B	5388.63				CALC.	49.83	2
0010601	MONTERRA CONDO 6003 UNIT C	5388.63				CALC.	49.83	2
0010604	MONTERRA CONDO 6003 UNIT F	5388.63				CALC.	49.83	2
0010606	MONTERRA CONDO 6003 UNIT H	5388.63				CALC.	49.83	2
0010607	MONTERRA CONDO 6003 UNIT I	5388.63				CALC.	49.83	2
0010609	MONTERRA CONDO 6005 UNIT A	5388.63				CALC.	49.83	2
0010610	MONTERRA CONDO 6005 UNIT B	5388.63				CALC.	49.83	2
0010611	MONTERRA CONDO 6005 UNIT C	5388.63				CALC.	49.83	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0010612	MONTERRA CONDO 6005 UNIT D	5388.63				CALC.	49.83	2
0010613	MONTERRA CONDO 6005 UNIT E	5388.63				CALC.	49.83	2
0010614	MONTERRA CONDO 6005 UNIT F	5388.63				CALC.	49.83	2
0010615	MONTERRA CONDO 6005 UNIT G	5388.63				CALC.	49.83	2
0010616	MONTERRA CONDO 6005 UNIT H	5388.63				CALC.	49.83	2
0010617	MONTERRA CONDO 6005 UNIT I	5388.63				CALC.	49.83	2
0010618	MONTERRA CONDO 6005 UNIT J	5388.63				CALC.	49.83	2
0010619	MONTERRA CONDO 6007 UNIT A	5388.63				CALC.	49.83	2
0010620	MONTERRA CONDO 6007 UNIT B	5388.63				CALC.	49.83	2
0010621	MONTERRA CONDO 6007 UNIT C	5388.63				CALC.	49.83	2
0010622	MONTERRA CONDO 6007 UNIT D	5388.63				CALC.	49.83	2
0010623	MONTERRA CONDO 6007 UNIT E	5388.63				CALC.	49.83	2
0010624	MONTERRA CONDO 6007 UNIT F	5388.63				CALC.	49.83	2
0010625	MONTERRA CONDO 6007 UNIT G	5388.63				CALC.	49.83	2
0010626	MONTERRA CONDO 6007 UNIT H	5388.63				CALC.	49.83	2
0010627	MONTERRA CONDO 6007 UNIT I	5388.63				CALC.	49.83	2
0010628	MONTERRA CONDO 6007 UNIT J	5388.63				CALC.	49.83	2
0010629	MONTERRA CONDO 6008 UNIT A	5388.63				CALC.	49.83	2
0010630	MONTERRA CONDO 6008 UNIT B	5388.63				CALC.	49.83	2
0010631	MONTERRA CONDO 6008 UNIT C	5388.63				CALC.	49.83	2
0010632	MONTERRA CONDO 6008 UNIT D	5388.63				CALC.	49.83	2
0010633	MONTERRA CONDO 6008 UNIT E	5388.63				CALC.	51.91	2
0010634	MONTERRA CONDO 6008 UNIT F	5388.63				CALC.	49.83	2
0010635	MONTERRA CONDO 6008 UNIT G	5388.63				CALC.	49.83	2
0010636	MONTERRA CONDO 6008 UNIT H	5388.63				CALC.	49.83	2
0010637	MONTERRA CONDO 6008 UNIT I	5388.63				CALC.	49.83	2
0010638	MONTERRA CONDO 6008 UNIT J	5388.63				CALC.	49.83	2
0010639	MONTERRA CONDO 6008 UNIT K	5388.63				CALC.	49.83	2
0010640	MONTERRA CONDO 6008 UNIT L	5388.63				CALC.	49.83	2
0010641	MONTERRA CONDO 6009 UNIT A	5388.63				CALC.	49.83	2
0010642	MONTERRA CONDO 6009 UNIT B	5388.63				CALC.	49.83	2
0010643	MONTERRA CONDO 6009 UNIT C	5388.63				CALC.	49.83	2
0010644	MONTERRA CONDO 6009 UNIT D	5388.63				CALC.	49.83	2
0010645	MONTERRA CONDO 6009 UNIT E	5388.63				CALC.	49.83	2
0010646	MONTERRA CONDO 6009 UNIT F	5388.63				CALC.	49.83	2
0010647	MONTERRA CONDO 6009 UNIT G	5388.63				CALC.	49.83	2
0010649	MONTERRA CONDO 6009 UNIT I	5388.63				CALC.	49.83	2
0010651	MONTERRA CONDO 6009 UNIT J	5388.63				CALC.	49.83	2
0010652	MONTERRA CONDO 6009 UNIT K	5388.63				CALC.	49.83	2
0010653	MONTERRA CONDO 6009 UNIT L	5388.63				CALC.	49.83	2
0010654	MONTERRA CONDO 6103 UNIT B	5388.63				CALC.	49.83	2
0010655	MONTERRA CONDO 6103 UNIT C	5388.63				CALC.	49.83	2
0010656	MONTERRA CONDO 6103 UNIT D	5388.63				CALC.	49.83	2
0010657	MONTERRA CONDO 6103 UNIT E	5388.63				CALC.	49.83	2
0010658	MONTERRA CONDO 6103 UNIT F	5388.63				CALC.	49.83	2
0010659	MONTERRA CONDO 6103 UNIT G	5388.63				CALC.	49.83	2
0010660	MONTERRA CONDO 6103 UNIT H	5388.63				CALC.	49.83	2
0010661	MONTERRA CONDO 6103 UNIT I	5388.63				CALC.	49.83	2
0010662	MONTERRA CONDO 6103 UNIT J	5388.63				CALC.	49.83	2
0010664	MONTERRA CONDO 6103 UNIT L	5388.63				CALC.	49.83	2
0010665	MONTERRA CONDO 6104 UNIT A	5388.63				CALC.	49.83	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0010666	MONTERRA CONDO 6104 UNIT B	5388.63				CALC.	49.83	2
0010667	MONTERRA CONDO 6104 UNIT C	5388.63				CALC.	49.83	2
0010668	MONTERRA CONDO 6104 UNIT D	5388.63				CALC.	49.83	2
0010669	MONTERRA CONDO 6104 UNIT E	5388.63				CALC.	49.83	2
0010670	MONTERRA CONDO 6104 UNIT F	5388.63				CALC.	49.83	2
0010671	MONTERRA CONDO 6104 UNIT G	5388.63				CALC.	49.83	2
0010673	MONTERRA CONDO 6104 UNIT I	5388.63				CALC.	49.83	2
0010674	MONTERRA CONDO 6104 UNIT J	5388.63				CALC.	49.83	2
0010675	MONTERRA CONDO 6104 UNIT K	5388.63				CALC.	49.83	2
0010676	MONTERRA CONDO 6104 UNIT L	5388.63				CALC.	49.83	2
0010677	MONTERRA CONDO 6203 UNIT A	5388.63				CALC.	49.83	2
0010678	MONTERRA CONDO 6203 UNIT B	5388.63				CALC.	49.83	2
0010680	MONTERRA CONDO 6203 UNIT D	5388.63				CALC.	49.83	2
0010681	MONTERRA CONDO 6203 UNIT E	5388.63				CALC.	49.83	2
0010682	MONTERRA CONDO 6203 UNIT F	5388.63				CALC.	49.83	2
0010683	MONTERRA CONDO 6203 UNIT G	5388.63				CALC.	49.83	2
0010685	MONTERRA CONDO 6203 UNIT I	5388.63				CALC.	49.83	2
0010686	MONTERRA CONDO 6203 UNIT J	5388.63				CALC.	49.83	2
0010687	MONTERRA CONDO 6204 UNIT A	5388.63				CALC.	49.83	2
0010688	MONTERRA CONDO 6204 UNIT B	5388.63				CALC.	49.83	2
0010689	MONTERRA CONDO 6204 UNIT C	5388.63				CALC.	49.83	2
0010690	MONTERRA CONDO 6204 UNIT D	5388.63				CALC.	49.83	2
0010691	MONTERRA CONDO 6204 UNIT E	5388.63				CALC.	49.83	2
0010692	MONTERRA CONDO 6204 UNIT F	5388.63				CALC.	49.83	2
0010693	MONTERRA CONDO 6204 UNIT G	5388.63				CALC.	49.83	2
0010694	MONTERRA CONDO 6204 UNIT H	5388.63				CALC.	49.83	2
0010695	MONTERRA CONDO 6204 UNIT I	5388.63				CALC.	49.83	2
0010696	MONTERRA CONDO 6204 UNIT J	5388.63				CALC.	49.83	2
0010697	MONTERRA CONDO 6204 UNIT K	5388.63				CALC.	49.83	2
0010698	MONTERRA CONDO 6204 UNIT L	5388.63				CALC.	49.83	2
0010699	MONTERRA CONDO 6205 UNIT A	5388.63				CALC.	49.83	2
0010701	MONTERRA CONDO 6205 UNIT B	5388.63				CALC.	49.83	2
0010703	MONTERRA CONDO 6205 UNIT D	5388.63				CALC.	49.83	2
0010704	MONTERRA CONDO 6205 UNIT E	5388.63				CALC.	49.83	2
0010705	MONTERRA CONDO 6205 UNIT F	5388.63				CALC.	49.83	2
0010706	MONTERRA CONDO 6205 UNIT G	5388.63				CALC.	49.83	2
0010707	MONTERRA CONDO 6205 UNIT H	5388.63				CALC.	49.83	2
0010709	MONTERRA CONDO 6205 UNIT J	5388.63				CALC.	49.83	2
0010710	MONTERRA CONDO 6205 UNIT K	5388.63				CALC.	49.83	2
0010717	MONTERRA CONDO 6205 UNIT L	5388.63				CALC.	49.83	2
0010719	MONTERRA CONDO 6300 UNIT B	5388.63				CALC.	49.83	2
0010720	MONTERRA CONDO 6300 UNIT C	5388.63				CALC.	49.83	2
0010721	MONTERRA CONDO 6300 UNIT D	5388.63				CALC.	49.83	2
0010725	MONTERRA CONDO 6300 UNIT H	5388.63				CALC.	49.83	2
0010727	MONTERRA CONDO 6300 UNIT J	5388.63				CALC.	49.83	2
0010728	MONTERRA CONDO 6300 UNIT K	5388.63				CALC.	49.83	2
0010729	MONTERRA CONDO 6300 UNIT L	5388.63				CALC.	49.83	2
0010730	MONTERRA CONDO 6305 UNIT A	5388.63				CALC.	49.83	2
0010731	MONTERRA CONDO 6305 UNIT B	5388.63				CALC.	49.83	2
0010732	MONTERRA CONDO 6305 UNIT C	5388.63				CALC.	49.83	2
0010733	MONTERRA CONDO 6305 UNIT D	5388.63				CALC.	49.83	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0010734	MONTERRA CONDO 6305 UNIT E	5388.63				CALC.	49.83	2
0010736	MONTERRA CONDO 6305 UNIT G	5388.63				CALC.	49.83	2
0010739	MONTERRA CONDO 6305 UNIT J	5388.63				CALC.	49.83	2
0010740	MONTERRA CONDO 6305 UNIT K	5388.63				CALC.	49.83	2
0010741	MONTERRA CONDO 6305 UNIT L	5388.63				CALC.	49.83	2
0010742	MONTERRA CONDO 6310 UNIT A	5388.63				CALC.	49.83	2
0010743	MONTERRA CONDO 6310 UNIT B	5388.63				CALC.	49.83	2
0010744	MONTERRA CONDO 6310 UNIT C	5388.63				CALC.	49.83	2
0010745	MONTERRA CONDO 6310 UNIT D	5388.63				CALC.	49.83	2
0010746	MONTERRA CONDO 6310 UNIT E	5388.63				CALC.	49.83	2
0010747	MONTERRA CONDO 6310 UNIT F	5388.63				CALC.	49.83	2
0010748	MONTERRA CONDO 6310 UNIT G	5388.63				CALC.	49.83	2
0010751	MONTERRA CONDO 6310 UNIT J	5388.63				CALC.	49.83	2
0010752	MONTERRA CONDO 6300 UNIT I	5388.63				CALC.	49.83	2
0010754	MONTERRA CONDO 6310 UNIT I	5388.63				CALC.	49.83	2
0012449	DEER CREEK CONDO BLDG 14					CALC.	35.28	2
0012540	RIVERWALK CONDO BLDG 3					CALC.	36.55	2
0012541	RIVERWALK CONDO BLDG 3					CALC.	36.55	2
0012542	RIVERWALK CONDO BLDG 3					CALC.	39.84	2
0012543	RIVERWALK CONDO BLDG 3					CALC.	39.84	2
0012544	RIVERWALK CONDO BLDG 3					CALC.	39.84	2
0012545	RIVERWALK CONDO BLDG 3					CALC.	39.84	2
0014274	LAKES COTTAGES PH 3 LOT 55					CALC.	218.45	2
0196350	12-30-22 TR 5HA	57063.60				CALC.	487.68	2
0298060	THE LAKES PH 3 LOT 11	42720.00				CALC.	365.09	2
0383700	7-30-21 TR 2 - HOWKE OUT	93218.40				CALC.	796.66	2
0429226	DEER CREEK CONDO BLDG 1 #1	1881.00				CALC.	29.90	2
0502711	LAKES COTTAGES PH 2 LOT 38					CALC.	123.89	2
0502712	LAKES COTTAGES PH 2 LOT 39					CALC.	122.81	2
0502713	LAKES COTTAGES PH 2 LOT 40					CALC.	120.64	2
0502714	LAKES COTTAGES PH 2 LOT 41					CALC.	118.45	2
0502715	LAKES COTTAGES PH 2 LOT 42					CALC.	116.28	2
0502716	LAKES COTTAGES PH 2 LOT 43					CALC.	120.76	2
0502717	LAKES COTTAGES PH 2 LOT 44					CALC.	182.00	2
0502941	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502942	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502943	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502944	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502945	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502946	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502947	NORTH VALLEY MED OFF VLG #1					CALC.	196.04	2
0502958	LAKES COTTAGES PH 3 LOT 45					CALC.	220.29	2
0502959	LAKES COTTAGES PH 3 LOT 46					CALC.	208.49	2
0502960	LAKES COTTAGES PH 3 LOT 47					CALC.	210.56	2
0502961	LAKES COTTAGES PH 3 LOT 48					CALC.	203.64	2
0502962	LAKES COTTAGES PH 3 LOT 49					CALC.	206.42	2
0502963	LAKES COTTAGES PH 3 LOT 50					CALC.	219.38	2
0502964	LAKES COTTAGES PH 3 LOT 51					CALC.	217.01	2
0502965	LAKES COTTAGES PH 3 LOT 52					CALC.	211.57	2
0502966	LAKES COTTAGES PH 3 LOT 53					CALC.	226.33	2
0502967	LAKES COTTAGES PH 3 LOT 54					CALC.	226.82	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0502969	LAKES COTTAGES PH 3 LOT 56					CALC.	202.81	2
0502970	LAKES COTTAGES PH 3 LOT 57					CALC.	214.44	2
0502971	LAKES COTTAGES PH 3 LOT 58					CALC.	214.58	2
0502972	LAKES COTTAGES PH 3 LOT 59					CALC.	214.71	2
0502973	LAKES COTTAGES PH 3 LOT 60					CALC.	214.85	2
0502974	LAKES COTTAGES PH 3 LOT 61					CALC.	214.97	2
0502976	LAKES COTTAGES PH 3 LOT 63					CALC.	215.25	2
0502977	LAKES COTTAGES PH 3 LOT 64					CALC.	215.38	2
0503694	DEER CREEK CONDO BLDG 1 #3					CALC.	29.90	2
0503695	DEER CREEK CONDO BLDG 1 #4					CALC.	29.90	2
0503696	DEER CREEK CONDO BLDG 1 #5					CALC.	29.90	2
0503697	DEER CREEK CONDO BLDG 2 #1					CALC.	29.51	2
0503698	DEER CREEK CONDO BLDG 2 #2					CALC.	32.18	2
0503699	DEER CREEK CONDO BLDG 2 #3					CALC.	32.04	2
0503701	DEER CREEK CONDO BLDG 2 #4					CALC.	35.28	2
0503702	DEER CREEK CONDO BLDG 2 #5					CALC.	26.89	2
0503703	DEER CREEK CONDO BLDG 2 #6					CALC.	29.51	2
0503704	DEER CREEK CONDO BLDG 3 #1					CALC.	23.84	2
0503706	DEER CREEK CONDO BLDG 3 #3					CALC.	23.84	2
0503707	DEER CREEK CONDO BLDG 3 #4					CALC.	23.84	2
0503708	DEER CREEK CONDO BLDG 3 #5					CALC.	23.84	2
0503709	DEER CREEK CONDO BLDG 3 #6					CALC.	23.84	2
0503710	DEER CREEK CONDO BLDG 4 #1					CALC.	29.51	2
0503711	DEER CREEK CONDO BLDG 4 #2					CALC.	32.18	2
0503712	DEER CREEK CONDO BLDG 4 #3					CALC.	32.04	2
0503713	DEER CREEK CONDO BLDG 4 #4					CALC.	35.28	2
0503714	DEER CREEK CONDO BLDG 4 #5					CALC.	26.89	2
0503715	DEER CREEK CONDO BLDG 4 #6					CALC.	29.51	2
0503716	DEER CREEK CONDO BLDG 5 #1					CALC.	23.84	2
0503719	DEER CREEK CONDO BLDG 5 #4					CALC.	23.84	2
0503720	DEER CREEK CONDO BLDG 5 #5					CALC.	23.84	2
0503721	DEER CREEK CONDO BLDG 5 #6					CALC.	23.84	2
0503722	DEER CREEK CONDO BLDG 6 #1					CALC.	29.51	2
0503723	DEER CREEK CONDO BLDG 6 #2					CALC.	32.18	2
0503724	DEER CREEK CONDO BLDG 6 #3					CALC.	32.04	2
0503725	DEER CREEK CONDO BLDG 6 #4					CALC.	35.28	2
0503726	DEER CREEK CONDO BLDG 6 #5					CALC.	26.89	2
0503727	DEER CREEK CONDO BLDG 6 #6					CALC.	29.51	2
0503728	DEER CREEK CONDO BLDG 6 #7					CALC.	29.51	2
0503729	DEER CREEK CONDO BLDG 7 #1					CALC.	29.51	2
0503730	DEER CREEK CONDO BLDG 7 #2					CALC.	26.89	2
0503731	DEER CREEK CONDO BLDG 7 #3					CALC.	35.28	2
0503732	DEER CREEK CONDO BLDG 7 #4					CALC.	32.04	2
0503733	DEER CREEK CONDO BLDG 7 #5					CALC.	32.18	2
0503734	DEER CREEK CONDO BLDG 7 #6					CALC.	29.51	2
0503735	DEER CREEK CONDO BLDG 8 #1					CALC.	29.90	2
0503736	DEER CREEK CONDO BLDG 8 #2					CALC.	29.90	2
0503737	DEER CREEK CONDO BLDG 8 #3					CALC.	29.51	2
0503738	DEER CREEK CONDO BLDG 8 #4					CALC.	29.51	2
0503739	DEER CREEK CONDO BLDG 8 #5					CALC.	29.51	2
0503740	DEER CREEK CONDO BLDG 9 #1					CALC.	29.51	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0503741	DEER CREEK CONDO BLDG 9 #2					CALC.	32.18	2
0503742	DEER CREEK CONDO BLDG 9 #3					CALC.	32.04	2
0503743	DEER CREEK CONDO BLDG 9 #4					CALC.	35.28	2
0503744	DEER CREEK CONDO BLDG 9 #5					CALC.	26.89	2
0503745	DEER CREEK CONDO BLDG 9 #6					CALC.	29.51	2
0503746	DEER CREEK CONDO BLDG 10					CALC.	29.51	2
0503747	DEER CREEK CONDO BLDG 10					CALC.	23.84	2
0503748	DEER CREEK CONDO BLDG 10					CALC.	26.89	2
0503749	DEER CREEK CONDO BLDG 10					CALC.	35.28	2
0503751	DEER CREEK CONDO BLDG 10					CALC.	32.04	2
0503752	DEER CREEK CONDO BLDG 10					CALC.	32.18	2
0503753	DEER CREEK CONDO BLDG 11					CALC.	29.90	2
0503754	DEER CREEK CONDO BLDG 11					CALC.	29.90	2
0503755	DEER CREEK CONDO BLDG 11					CALC.	29.90	2
0503756	DEER CREEK CONDO BLDG 11					CALC.	29.90	2
0503757	DEER CREEK CONDO BLDG 11					CALC.	29.90	2
0503758	DEER CREEK CONDO BLDG 12					CALC.	29.90	2
0503759	DEER CREEK CONDO BLDG 12					CALC.	29.90	2
0503760	DEER CREEK CONDO BLDG 12					CALC.	29.90	2
0503761	DEER CREEK CONDO BLDG 12					CALC.	29.90	2
0503762	DEER CREEK CONDO BLDG 12					CALC.	29.90	2
0503763	DEER CREEK CONDO BLDG 13					CALC.	29.51	2
0503764	DEER CREEK CONDO BLDG 13					CALC.	32.18	2
0503765	DEER CREEK CONDO BLDG 13					CALC.	32.04	2
0503766	DEER CREEK CONDO BLDG 13					CALC.	35.28	2
0503767	DEER CREEK CONDO BLDG 13					CALC.	26.89	2
0503768	DEER CREEK CONDO BLDG 13					CALC.	29.51	2
0503769	DEER CREEK CONDO BLDG 14					CALC.	29.51	2
0503770	DEER CREEK CONDO BLDG 1 #2					CALC.	29.90	2
0503771	DEER CREEK CONDO BLDG 14					CALC.	32.18	2
0503772	DEER CREEK CONDO BLDG 14					CALC.	32.04	2
0503773	DEER CREEK CONDO BLDG 14					CALC.	26.89	2
0503774	DEER CREEK CONDO BLDG 14					CALC.	29.51	2
0503775	DEER CREEK CONDO BLDG 15					CALC.	29.51	2
0503776	DEER CREEK CONDO BLDG 15					CALC.	32.18	2
0503777	DEER CREEK CONDO BLDG 15					CALC.	32.04	2
0503778	DEER CREEK CONDO BLDG 15					CALC.	35.28	2
0503779	DEER CREEK CONDO BLDG 16					CALC.	29.51	2
0503780	DEER CREEK CONDO BLDG 16					CALC.	32.18	2
0503781	DEER CREEK CONDO BLDG 16					CALC.	32.04	2
0503782	DEER CREEK CONDO BLDG 16					CALC.	35.28	2
0503783	DEER CREEK CONDO BLDG 17					CALC.	29.90	2
0503784	DEER CREEK CONDO BLDG 18					CALC.	29.51	2
0503785	DEER CREEK CONDO BLDG 18					CALC.	32.18	2
0503786	DEER CREEK CONDO BLDG 18					CALC.	32.04	2
0503787	DEER CREEK CONDO BLDG 18					CALC.	35.28	2
0503788	DEER CREEK CONDO BLDG 18					CALC.	26.89	2
0503789	DEER CREEK CONDO BLDG 18					CALC.	29.90	2
0503790	DEER CREEK CONDO BLDG 18					CALC.	29.90	2
0503791	DEER CREEK CONDO BLDG 18					CALC.	26.89	2
0503792	DEER CREEK CONDO BLDG 18					CALC.	26.89	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0503793	DEER CREEK CONDO BLDG 18					CALC.	26.89	2
0503794	DEER CREEK CONDO BLDG 19					CALC.	29.90	2
0503795	DEER CREEK CONDO BLDG 19					CALC.	27.33	2
0503796	DEER CREEK CONDO BLDG 19					CALC.	29.90	2
0503797	DEER CREEK CONDO BLDG 19					CALC.	29.90	2
0503798	DEER CREEK CONDO BLDG 19					CALC.	29.90	2
0503799	DEER CREEK CONDO BLDG 19					CALC.	29.90	2
0503801	DEER CREEK CONDO BLDG 20					CALC.	29.90	2
0503802	DEER CREEK CONDO BLDG 20					CALC.	29.90	2
0503803	DEER CREEK CONDO BLDG 20					CALC.	29.90	2
0503804	DEER CREEK CONDO BLDG 20					CALC.	29.90	2
0503805	DEER CREEK CONDO BLDG 20					CALC.	29.90	2
0503806	DEER CREEK CONDO BLDG 21					CALC.	29.51	2
0503807	DEER CREEK CONDO BLDG 21					CALC.	32.18	2
0503808	DEER CREEK CONDO BLDG 21					CALC.	32.04	2
0503809	DEER CREEK CONDO BLDG 21					CALC.	35.28	2
0503810	DEER CREEK CONDO BLDG 21					CALC.	26.89	2
0503811	DEER CREEK CONDO BLDG 21					CALC.	29.90	2
0503812	DEER CREEK CONDO BLDG 21					CALC.	29.90	2
0503813	DEER CREEK CONDO BLDG 21					CALC.	26.89	2
0503814	DEER CREEK CONDO BLDG 21					CALC.	26.89	2
0503815	DEER CREEK CONDO BLDG 22					CALC.	29.51	2
0503816	DEER CREEK CONDO BLDG 22					CALC.	32.18	2
0503817	DEER CREEK CONDO BLDG 22					CALC.	32.04	2
0503818	DEER CREEK CONDO BLDG 22					CALC.	35.28	2
0503819	DEER CREEK CONDO BLDG 23					CALC.	29.51	2
0503820	DEER CREEK CONDO BLDG 23					CALC.	32.18	2
0503821	DEER CREEK CONDO BLDG 23					CALC.	32.04	2
0503822	DEER CREEK CONDO BLDG 23					CALC.	35.28	2
0503823	DEER CREEK CONDO BLDG 23					CALC.	26.89	2
0503824	DEER CREEK CONDO BLDG 24					CALC.	29.90	2
0503825	DEER CREEK CONDO BLDG 24					CALC.	29.90	2
0503826	DEER CREEK CONDO BLDG 25					CALC.	29.51	2
0503827	DEER CREEK CONDO BLDG 25					CALC.	32.18	2
0503828	DEER CREEK CONDO BLDG 25					CALC.	32.04	2
0503829	DEER CREEK CONDO BLDG 25					CALC.	35.28	2
0503830	DEER CREEK CONDO BLDG 25					CALC.	26.89	2
0503831	DEER CREEK CONDO BLDG 25					CALC.	29.51	2
0503832	DEER CREEK CONDO BLDG 26					CALC.	29.51	2
0503833	DEER CREEK CONDO BLDG 26					CALC.	29.51	2
0503834	DEER CREEK CONDO BLDG 26					CALC.	29.51	2
0503835	DEER CREEK CONDO BLDG 26					CALC.	32.04	2
0503836	DEER CREEK CONDO BLDG 26					CALC.	35.28	2
0503837	DEER CREEK CONDO BLDG 26					CALC.	26.89	2
0503838	DEER CREEK CONDO BLDG 26					CALC.	29.51	2
0503839	DEER CREEK CONDO BLDG 27					CALC.	29.90	2
0503840	DEER CREEK CONDO BLDG 27					CALC.	29.90	2
0503841	DEER CREEK CONDO BLDG 27					CALC.	29.90	2
0503842	DEER CREEK CONDO BLDG 27					CALC.	29.90	2
0503843	DEER CREEK CONDO BLDG 27					CALC.	29.90	2
0503844	DEER CREEK CONDO BLDG 28					CALC.	29.51	2

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Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0503845	DEER CREEK CONDO BLDG 28					CALC.	32.18	2
0503846	DEER CREEK CONDO BLDG 28					CALC.	32.04	2
0503847	DEER CREEK CONDO BLDG 28					CALC.	35.28	2
0503848	DEER CREEK CONDO BLDG 28					CALC.	26.89	2
0503849	DEER CREEK CONDO BLDG 28					CALC.	29.51	2
0503852	DEER CREEK CONDO BLDG 28					CALC.	29.51	2
0503853	DEER CREEK CONDO BLDG 29					CALC.	29.90	2
0503855	DEER CREEK CONDO BLDG 29					CALC.	29.90	2
0503856	DEER CREEK CONDO BLDG 29					CALC.	29.90	2
0503857	DEER CREEK CONDO BLDG 29					CALC.	29.90	2
0503858	DEER CREEK CONDO BLDG 29					CALC.	29.90	2
0503859	DEER CREEK CONDO BLDG 30					CALC.	29.51	2
0503860	DEER CREEK CONDO BLDG 30					CALC.	29.51	2
0503861	DEER CREEK CONDO BLDG 30					CALC.	29.51	2
0503862	DEER CREEK CONDO BLDG 30					CALC.	32.04	2
0503863	DEER CREEK CONDO BLDG 30					CALC.	35.28	2
0503864	DEER CREEK CONDO BLDG 30					CALC.	26.89	2
0503865	DEER CREEK CONDO BLDG 30					CALC.	29.51	2
0505025	LAKES COTTAGES PH 4B LOT 7					CALC.	200.41	2
0505026	LAKES COTTAGES PH 4B LOT 8					CALC.	200.41	2
0505027	LAKES COTTAGES PH 4B LOT 9					CALC.	194.84	2
0505028	LAKES COTTAGES PH 4B LOT					CALC.	194.84	2
0505029	LAKES COTTAGES PH 4B LOT					CALC.	194.84	2
0505030	LAKES COTTAGES PH 4B LOT					CALC.	200.41	2
0505031	LAKES COTTAGES PH 4B LOT					CALC.	205.98	2
0505032	LAKES COTTAGES PH 4B LOT					CALC.	211.54	2
0505033	LAKES COTTAGES PH 4B LOT					CALC.	200.41	2
0505034	LAKES COTTAGES PH 4B LOT					CALC.	205.98	2
0505035	LAKES COTTAGES PH 4B LOT					CALC.	200.41	2
0505036	LAKES COTTAGES PH 4B LOT					CALC.	200.41	2
0505037	LAKES COTTAGES PH 4B LOT					CALC.	200.41	2
0505038	LAKES COTTAGES PH 4B LOT					CALC.	205.98	2
0505039	LAKES COTTAGES PH 4B LOT					CALC.	211.54	2
0505040	LAKES COTTAGES PH 4B LOT					CALC.	205.98	2
0505041	LAKES COTTAGES PH 4B LOT					CALC.	205.98	2
0505042	LAKES COTTAGES PH 4A LOT 1					CALC.	178.14	2
0505043	LAKES COTTAGES PH 4A LOT 2					CALC.	178.14	2
0505044	LAKES COTTAGES PH 4A LOT 3					CALC.	178.14	2
0505045	LAKES COTTAGES PH 4A LOT 4					CALC.	172.58	2
0505046	LAKES COTTAGES PH 4A LOT 5					CALC.	178.14	2
0505047	LAKES COTTAGES PH 4A LOT					CALC.	194.84	2
0505048	LAKES COTTAGES PH 4A LOT					CALC.	200.41	2
0505049	LAKES COTTAGES PH 4A LOT					CALC.	194.84	2
0505050	LAKES COTTAGES PH 4A LOT					CALC.	222.68	2
0505051	LAKES COTTAGES PH 4A LOT					CALC.	228.24	2
0625950	12-30-22 TR 5 NVH	1121670.00				CALC.	9,585.96	2
0969564	THE LAKES PH 4 LOT 42	35145.50				CALC.	300.36	2
0970253	MONTERRA CONDO 6103 UNIT A	5388.63				CALC.	49.83	2
0971381	LAKES COTTAGES PH 4B LOT 6	1261062.00				CALC.	200.41	2
0977894	12-30-22 TR 5QD NVH	176418.00				CALC.	44.94	2
0977895	12-30-22 TR 5R NVH	637718.40				CALC.	5,450.04	2

SA/SID # Codes from 9440 to 9440

9440 JP ROAD

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
E000787	THE LAKES PH 1 CITY PARK	144619.20				CALC.	1,235.95	2
E000826	RIVERLAKES CITY PARK	535788.00				CALC.	4,578.92	2
E000927	RIVERWOOD PARK PH 1 CITY	190357.88				CALC.	1,626.83	2
E000991	7-30-21, 8-30-21 2BA IN 7,	2209798.80				CALC.	18,885.26	2
E001005	THE LAKES PH 3 CITY PARK	210830.40				CALC.	1,801.80	2
	Total for Assessment	**11797490.26**					**106,808.33**	
# of Lines 617	Grand Total	11797490.26					106,808.33	

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing costs from certain properties within the City for the extermination and removal of noxious weeds pursuant to Title 4, Chapter 3, of the Whitefish City Code; and for the removal of ice, snow, slush or other impediments pursuant to Title 7, Chapter 2, of the Whitefish City Code.

WHEREAS, certain persons within the City of Whitefish have failed to exterminate or remove noxious weeds from their properties pursuant to notice given in accordance with § 4-3-3 of the Whitefish City Code; and

WHEREAS, certain persons within the City of Whitefish have failed to remove ice, snow, slush or other impediments from their properties in accordance with §7-2-2 of the Whitefish City Code; and

WHEREAS, said extermination and removal costs were incurred and shall constitute a lien against the described property of the owners thereof where said described services for extermination or removal of noxious weeds and ice were furnished at a cost to the City of Whitefish in the total amount of $139.20, as identified on Exhibit "A", attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: There is hereby assessed and levied against such properties in the same manner as other municipal taxes or charges are assessed and collected for such costs caused the City of Whitefish to exterminate or remove noxious weeds and ice, and such costs were furnished by the City of Whitefish and are now due and owing to the City of Whitefish, in the amounts shown on the schedule marked as assessment for a Weed and Property Abatement Fee and submitted to Flathead County Information Technology to be collected with County taxes and hereto and by this reference made a part hereof as fully as if set forth verbatim herein, in the amounts shown on the attached Exhibit "A".

Section 3: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, and such amounts to be collected by the Treasurer, as provided by law.

Section 4: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

SA/SID # Codes from 9423 to 9423

9423 WEED & PROPERTY CLEANUP

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0510490 WF	B 55/LOT 13-14-15					CALC.	139.20	2
	Total for Assessment						**139.20**	
# of Lines 1	Grand Total						139.20	

Return to: Michelle Howke, City Clerk
City of Whitefish
PO Box 158
Whitefish, MT 59937-0158

RESOLUTION NO. 16-___

A Resolution of the City Council of the City of Whitefish, Montana, levying and assessing costs from certain properties within the City for the collection of utility service charges pursuant to Title 8, Chapter 1, of the Whitefish City Code.

WHEREAS, certain persons within the City of Whitefish have failed to pay utility service charges for water and/or sewer services furnished to their property pursuant to notice given in accordance with § 7-13-4309, MCA, and § 8-1-2 of the Whitefish City Code; and

WHEREAS, said utility service charges were incurred and shall constitute a lien against the described property of the owners thereof where said described services for delivery of utility services were furnished at a cost to the City of Whitefish in the total amount of $2,508.54, as identified on Exhibit "A", attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as findings of fact.

Section 2: There is hereby assessed and levied against such properties in the same manner as other municipal taxes or charges are assessed and collected for such costs caused the City of Whitefish to furnish water and sewer services, and such costs were furnished by the City of Whitefish and are now due and owing to the City of Whitefish, in the amounts shown on the schedule marked as assessment for Utility Service Charges and submitted to Flathead County Information Technology to be collected with County taxes and hereto and by this reference made a part hereof as fully as if set forth verbatim herein, in the amounts shown on the attached Exhibit "A".

Section 3: The City Clerk is hereby directed to certify a copy of this Resolution to the County Assessor and the County Clerk and Recorder of Flathead County, Montana, and such amounts to be collected by the Treasurer, as provided by law.

Section 4: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof, but shall be retroactive to July 1, 2016, the beginning of the City's 2017 fiscal year.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 15TH DAY OF AUGUST, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

SA/SID # Codes from 9424 to 9424

9424 WFSH DELINQ UTILITIES

Tax ID	Name	Area	Frontage	Taxable	Rate Code	Status	Amount	Pay?
0065850	WF B B/LOT BA 50' X 130'					CALC.	922.59	0
0862670	RIVERVIEW ADD B 5/LOT 3-4					CALC.	264.28	0
0977414	WF B 28/LOT 11-12 (EX N7"					CALC.	400.58	0
0977728	TOWERS ADD B B/1-2-3-9-10					CALC.	921.09	0
	Total for Assessment						**2,508.54**	
# of Lines 4	Grand Total						2,508.54	

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ORDINANCE NO. 16-___

An Ordinance of the City Council of the City of Whitefish, Montana, amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Conditional Uses in WB-2 Secondary Business District.

WHEREAS, Edward Justin Lawrence, owner of Lakestream Outfitters, requested an amendment to the Zoning Regulations to add recreational guides and outfitters to the list of Permitted Uses in the Whitefish City Code § 11-2K-2, WB-2 Secondary Business District, and add the definition of recreational guides and outfitters to § 11-9-2, Definitions; and

WHEREAS, in response to the proposal to amend Title 11, Chapters 2, and 9 in the Whitefish City Code, the Planning and Building Department prepared Staff Report WZTA 16-02, dated July 21, 2016; and

WHEREAS, at a lawfully noticed public hearing on July 21, 2016, the Whitefish Planning Board received an oral report from Planning staff, reviewed Staff Report WZTA 16-02, invited public comment, and thereafter voted to recommend approval of the proposed text amendments; and

WHEREAS, at a lawfully noticed public hearing on August 1, 2016, the Whitefish City Council received an oral report and a written report from Planning staff, reviewed Staff Report WZTA 16-02, and letter of transmittal, invited public input, and postponed action until August 15, 2016, asking for staff to provide draft language for the use to be a conditional use; and

WHEREAS, at a lawfully noticed public hearing on August 15, 2016, the Whitefish City Council received an oral report and a written report from Planning staff, reviewed Staff Report WZTA 16-02, and letter of transmittal, invited public input, and approved the text amendments attached as Exhibit "A;" and

WHEREAS, it will be in the best interests of the City of Whitefish and its inhabitants to adopt the proposed text amendments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: Staff Report WZTA 16-02 dated July 21, 2016, together with the July 22, 2016 letter of transmittal from the Whitefish Planning & Building Department, as well as the Memo from staff dated August 15, 2016, are hereby adopted as Findings of Fact.

Section 3: Amendments to Whitefish City Code §§ 11-2K-2 and 11-9-2, amending the language as provided in the attached Exhibit "A", with insertions shown in red and underlined, are hereby adopted.

Section 4: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 5: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

EXHIBIT "A"

Whitefish City Code Title 11 – Zoning Regulations

Chapter 2 – Zoning Districts

Article K. WB-2 Secondary Business District

11-2K-3: CONDITIONAL USES:

- Accessory apartments.
- Bars/lounges.
- Boat and recreational vehicle storage (see special provisions in section 11-3-32 of this title).
- Casinos within a casino overlay zone.
- Colleges, business and trade schools.
- Light assembly and light manufacturing.
- Manufactured home subdivisions.
- Microbreweries and microdistilleries.
- Ministorage.
- Personal care facilities when not in association with a hospital in a campus setting.
- Recreational guides and outfitters, limited to 5,000 square feet of gross floor area, no formula businesses, with no limitation on number of boats or similar equipment stored or displayed.
- Recreational vehicle parks, campgrounds and amusement parks (2 acres minimum size).
- Truck stops.
- Veterinary hospital.

Chapter 9 – Definitions

11-9-2: DEFINITIONS:

RECREATIONAL GUIDES AND OUTFITTERS: Business offering trained and/or State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of supplies and equipment related to the primary activity are allowed up to thirty percent (30%) of the gross floor area.

PLANNING & BUILDING DEPARTMENT
510 Railway Street
PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

August 15, 2016

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

RE: WZTA 16-02 LAWRENCE ZONING TEXT AMENDMENT

Mayor Muhlfeld and Councilors,

At the meeting of August 1, the City Council postponed action on the proposed Zoning Text Amendment proposed by Justin Lawrence regarding Recreational Guides and Outfitters in the WB-2 Secondary Business District zone and asked staff to suggest language to consider the use as a Conditional Use rather than a Permitted Use. Those recommendations are contained in this report, as well as some additional considerations.

Recommendations

Based on the concerns heard, staff recommends the following language:

- Recreational Guides and Outfitters, limited to 5,000 square feet of gross floor area, no formula businesses, with no limitation on number of boats or similar equipment stored or displayed outside

The 5,000 square foot area limit and formula business restriction should alleviate concerns with large chain outfitting companies potentially taking advantage. The removal of an outdoor display limitation is recommended because current Conditional Use Permit standards for Personal Services limit outdoor display to only one boat. Those standards were set as they are listed as a Conditional Use exclusively in the WR-3 and WR-4 multi-family residential zones. If Recreational Guides and Outfitters are added to the WB-2, those CUP standards would apply as is unless superseded. In the WB-2, where boat rentals and sales are permitted outright, such restrictions don't seem warranted.

Alternately, if you choose to make Recreational Guides and Outfitters a permitted use in the WB-2 per the Planning Board's recommendation, then staff recommends the following language added under Permitted Uses:

- Recreational Guides and Outfitters, limited to 5,000 square feet of gross floor area, no formula businesses

As a permitted use, the normal standards of the WB-2 apply, where there is no restriction on outside display other than potential setback requirements per the intent and language of the zoning district. This is staff's preferred alternative.

Additional Considerations

Concerns were heard about this opening up the WB-2 to all kinds of guiding and outfitting besides hunting and fishing, such as ATV or backcountry ski guides. If your wish is to just allow hunting and fishing guides and outfitters in the WB-2 (other types would be relegated to the downtown, Wisconsin, or the high density residential zones along the arterials), then you could modify the proposed definition of Recreational Guides and Outfitters thusly:

> Recreational guides and outfitters – Business offering ~~trained and/or~~ State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of supplies and equipment related to the primary activity are allowed up to 30% of the gross floor area.

My understanding of the state law is that only fishing and hunting outfitters require state licensing. Other types such as rafting, biking, backcountry skiing, etc., do not.

Here are the Montana Code Annotated definitions:

MCA 37-47-101. Definitions.

(6) "Guide" means a person who is employed by or who has contracted independently with a licensed outfitter and who accompanies a participant during outdoor recreational activities that are directly related to activities for which the outfitter is licensed.

(9) "Outfitter" means any person, except a person providing services on real property that the person owns for the primary pursuit of bona fide agricultural interests, who for consideration provides any saddle or pack animal, facilities, camping equipment, vehicle, watercraft, or other conveyance, or personal service for any person to hunt, trap, capture, take, kill, or pursue any game, including fish, and who accompanies that person, either part or all of the way, on an expedition for any of these purposes or supervises a licensed guide or outfitter's assistant in accompanying that person.

(10) "Outfitter's assistant" means a person who is employed or retained by and directed by a licensed outfitter to perform the tasks of a guide, but the person may not represent to the public that the person is an outfitter or guide.

The 30% retail restriction was brought up as a concern. Other zones such as the WBSD restrict accessory retail to a percentage (49%). It is enforced at the time of a building permit or zoning compliance permit where the floor plan layouts are reviewed. All personal services are allowed to have an accessory retail component. General planning interpretations are that if a use is less than 50% of the gross floor area and it's secondary but related to the main advertised activity, it is an ancillary use.

The code defines accessory use as follows:

A subordinate use of a building, other structure or use of land:

A. Which is clearly incidental to the primary use of the main building, other structure, or use of land; and
B. Which is used customarily in connection with the main building, other structure or use of land; and
C. Which is located on the same lot with the main building, other structure or use of land.

So a hair salon personal service in a WR-3 zone could technically have up to 49% of their floor area devoted to hair and beauty products. Recreational Guides and Outfitters are treated similarly under the existing code. The 30% number was chosen as a reasonable number to limit the amount of retail floor even further to alleviate concerns regarding outfitters but maintaining some floor area that was still workable for a business. With 30% and a 5000 square foot maximum floor area, that would only be 1500 square feet of accessory retail maximum.

The code currently places Recreational Guides and Outfitters in the definition of Personal Services. The code has Conditional Use Permit criteria under "Personal Services" specific in the Special Provisions chapter (11-3-30). They are a conditional use in the WR-3 and WR-4 zones along major arterials, which includes Spokane, Wisconsin, 2nd Street West, and Central Avenue south of 5th.

> ***11-3-30: PERSONAL SERVICES:***
>
> *Conditional use criteria for personal services shall be as follows:*
> *A. When specified as a conditional use, the criteria in section 11-7-8 of this title shall be applied; provided, however, if the use involves an existing structure, an administrative conditional use permit, as provided in subsection 11-7-8M of this title, shall be obtained. Such services with more than two (2) chairs or stations proposed for an existing structure are not eligible for an administrative permit process*
> *B. The applicant shall meet the following design standards:*
> *1. Total signage shall be as provided in chapter 5 of this title.*
> *2. All parking shall be provided off street according to the sum of the uses on a particular property as follows:*
> *a. Two (2) spaces per residential unit.*
> *b. One space per employee per maximum shift, excluding resident family members.*
> *c. One space for each client, customer or visitor who will be present or arriving during the period of daily activity with a minimum of two (2) spaces required per chair or station.*
> *d. In no case shall required parking be less than that required in chapter 6 of this title under professional offices.*
> *3. All landscaping and parking lot improvements, including asphalt/concrete work, shall be completed prior to occupancy; provided, however, should occupancy occur between November and April, the owner/applicant may delay landscaping and parking lot/driveway hard surfacing until the following May 15 to avoid inclement weather.*
> *4. Any exterior modifications to the building shall be done in a mode architecturally compatible to and in scale with buildings in the adjacent residential neighborhood. Exterior modifications shall not exceed paint, siding, roofing and exterior refurbishment*
> *C. With the exception of one such item, guides and outfitters cannot openly store equipment such as boats, bikes, rafts, and horse trailers.*

There were concerns raised about a new definition of Recreational Guides and Outfitters possibly being in conflict with the existing definition of Personal Services. It is not a conflict to have a more detailed definition, as the code would break out Recreational Guides and Outfitters separately in certain zoning districts anyway, much like hair salons.

> *PERSONAL SERVICES: A use that provides a service to an individual customer designed to accommodate a specialized need, provide a convenience, or cater to a particular lifestyle. Such services shall be those types that require mechanical skill or manual dexterity, as differentiated from mental disciplines generally requiring licensing or certification such as those listed under professional services (see definition of Professional Services). Examples of personal services would include, but are not limited to: delivery and pick up, catering, event planning, recreational guiding and outfitting, personal training, tattoo, and personal spa and grooming services such as manicure, facial, hairstylists, and makeup consulting. Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon.*

Removing Recreational Guides and Outfitters from the definition of Personal Services would have a couple of unforeseen consequences. First, in the Personal Services development standards, section 11-3-30-C that references storage limitations would need to be removed.

The second consequence is that Recreational Guides and Outfitters would no longer be allowed in the WR-3 and WR-4 zones without specifically referencing them as permitted or conditional uses in those zones. This is due to it not being in any other definitions, and it being listed as a specific use in the WB-2. The WB-1 and WB-3 zones would still allow them, as they would fall under the very general "retail sales and services". Note that the WB-1 does not allow outside display so it is unlikely an outfitter would want to locate there. One other consideration is that if outfitters are removed from the personal services definition, it could be successfully argued that fishing and hunting guides and outfitters are a "professional services" rather than a "personal services", since fishing and hunting guides are licensed by the state. That use could then potentially be a "use by right" in the WB-2 as professional services are a permitted use. Note that massage therapists were removed from personal services and put in professional services a few years back because they successfully argued they are now state licensed, and the Council agreed to modify the code to reflect that.

Here's the professional services definition:

> *PROFESSIONAL SERVICES: Conduct of a service business which is commonly identified as a profession and which may be licensed by the state. Such services include engineers, architects, planners, surveyors, designers, lawyers, accountants, real estate brokers, insurance agents, dentists, physical therapists, massage therapists, chiropractors, or physicians. Additionally, accounting, journalism, research, editing, administration or analysis; the conduct of a business by salespersons, sales representatives or manufacturer's representatives, or the conduct of business by professionals is included. Professional services do not include veterinarians, showrooms, manufacturing, repair, testing, retail sales, the storage, sale or delivery of goods located on the premises, or other occupations requiring physical skill such as those found under personal services (see definition of Personal Services).*

It should also be noted that nowhere in the 2011 WB-2 Stakeholder Agreement did it say that there would be no future text amendments or uses added to the WB-2 until a corridor plan was complete. The agreement noted that a corridor plan should be done as soon as possible to address land use and appropriate commercial activity since there were obviously some issues with non-conforming uses. It should be noted that long range plans rarely look in detail at specific uses, but are much more general and big picture in scope.

The council should note that 90 days from the date of the application is September 20th.

We will gladly try to answer any other questions you may have on this issue at the meeting.

David Taylor, AICP

David Taylor

From: Michelle Howke
Sent: Tuesday, August 09, 2016 7:55 AM
To: David Taylor
Cc: Wendy Compton-Ring; Bailey Minnich
Subject: FW: Lakestream SHOULD go to the Dairy Queen!

From: Tony Veseth [mailto:toveseth@mwfbi.com]
Sent: Monday, August 08, 2016 5:18 PM
To: Michelle Howke <mhowke@cityofwhitefish.org>
Subject: Lakestream SHOULD go to the Dairy Queen!

Hello Council:

I know this is probably getting to you too late, but I would like to chime in (I know, it's Veseth again) on the turmoil erupting over Lakestream Fly Shop moving to the old Dairy Queen building. I guess a few people around town don't like the idea of:

a. Veering off the master plan which we spent a ton of money putting together, even though it should be a living, breathing, evolving document which changes as our growing community changes
b. Moving anything to do with retail out of our very well protected downtown. Where else can startup businesses go in Whitefish that afford reasonable rent for a fledgling businesses? Downtown is safe folks. Business elsewhere is not going to affect the profitability of downtown businesses. Have you seen how many people are downtown this summer? I wanted some food to go the other night and I told my wife we can go anywhere but downtown. I just didn't want to deal with the crowds so we got Chinese food to go from Orient Express! Easy in, easy out.
c. Taking care of blight on Hwy 93 with business that just makes sense….would you rather see the Army Navy building and many others sit empty, becoming flop houses for the train kids?
d. Forgetting to include outfitters and guides when the out of state company wrote our master plan? I wonder what the net worth of the typical fly fisherman is who hires a guide, tips accordingly, and spends more time in the Valley than the typical mini-van tourist?
e. Putting something viable in a location that has been empty for almost two years. Why not encourage the right type of development and put something hip and cool, like a fly-fishing shop, there? Would you rather see a Krispy Kreme? Also, it makes a heck of a lot more sense putting it on Hwy 93 so trucks with drift boats can easily access the parking lot, pick up their guests, and quickly exit the City.

As a Whitefish citizen paying taxes since 1995, I really feel it's time to look at the rest of town and help develop, appropriately, what we have left. We are growing thanks to Heart of Whitefish and the CVB. They are here. But now that they are here, we need more room for them to move around, spend money, and enjoy all that we have to offer. A lot of tax dollars went in to developing downtown, and yes, it's beautiful. Let's come together, put our thinking caps on, and come up with a common sense approach to further our economic footprint. Look at Wisconsin Ave, Hwy 93 West (North) and the south part of town. I agree that we don't want Wal-Mart. That would suck. But look at how well Shopko turned out? I was skeptical, but it turned out nice, and I could go buy a swim suit for $19.95 and grab a copy of Minions 2 at the same time! And I still went downtown and stopped by the distillery and grabbed a bear claw at Stumptown Market.

I love this town. Our City Leaders have done an amazing job of taking good care of us. But there is more than just one voice leading the direction of our town and we have to really look at the proposal of Lakestream and say, "well, why is it a bad idea?" Other than just because they forgot to include outfitters and guides in the grand plan.

This is a great location for this business and it just makes sense!

Thanks for listening!

Tony Veseth

560 Somers Ave
The 'Fish

Tony Veseth
Agent
Mountain West Farm Bureau Insurance Company
1581 Baker Avenue Suite C
Whitefish, Montana 59937
http://www.tonyveseth.com
406-212-1117 (cell)
406-730-1000 (office)
406-730-1022 (fax)

Registered Representative/
Securities & services offered through
FBL Marketing Services, LLC+
5400 University Avenue
West Des Moines, IA 50266
877/860-2904, Member SIPC

Mountain West Farm Bureau Mutual Insurance Company
Farm Bureau Life Insurance Company+*
+Affiliates *Company provider of Farm Bureau Financial Services

David Taylor

From: Michelle Howke
Sent: Tuesday, August 02, 2016 2:53 PM
To: Whitefish City Council
Cc: David Taylor; Wendy Compton-Ring; Bailey Minnich
Subject: FW: support for the proposed....

Please see the email that was received after the August 1st meeting.

Thank you,

Michelle Howke
Whitefish City Clerk
P.O. Box 158
Whitefish, MT 59937
406-863-2402
mhowke@cityofwhitefish.org

From: kim short [mailto:ktsmontana@yahoo.com]
Sent: Monday, August 01, 2016 6:21 PM
To: Michelle Howke <mhowke@cityofwhitefish.org>
Subject: support for the proposed....

this was written by my husband and i feel exactly the same.
Kim Short

Quote
Members of the Whitefish City Council:

Please accept this email as my support for the proposed text amendment to expand the permissible uses in Zone WB-2, Secondary Business District in Whitefish to include Recreational Guides and Outfitters.

I would like you to consider the following reasons to support passage of this text amendment:

Recreational Guides and Outfitters as a service business and the sale and rental of products related to Guiding and Outfitting is not a material departure from other current permitted businesses such as financial and professional services, military surplus stores and automobile and boat sales. A guiding and outfitting business in this zone would not clash with other businesses in the zone either visually or economically. Quite the contrary, I feel it would complement some of the other businesses currently there.

Outdoor recreation is part and parcel of what makes Whitefish what it is today. Zone WB-2 is the southern gateway to Whitefish and a standalone outdoor recreation business that included guiding and outfitting services is the perfect Whitefish business to greet people driving in on Highway 93.

Passage of this text amendment will allow Justin Lawrence, the owner of Lakestream Fly Shop to relocate to a location compatible with the nature of his outfitting and guiding business. The parking situation at his current location is wholly inadequate for guides with raft and drift boat trailers. Additionally, the current location does not provide any serious ability to display boats and rafts that he holds for sale and rent. Ironically, the current WB-2 zoning does allow the sale and rental of boats and the parts and service they require. A text amendment allowing him to relocate into the WB-2 zone will allow Lakestream Fly Shop to provide adequate and safe parking for clients, guides and their boat and raft trailers as well as maximize his boat sale and rental operations.

Thank you for your consideration and I hope you pass this text amendment.

Daniel D. Short
Unquote.

David Taylor

From: Michelle Howke
Sent: Tuesday, August 02, 2016 2:52 PM
To: Whitefish City Council
Cc: David Taylor; Wendy Compton-Ring; Bailey Minnich
Subject: FW: Support for Zoning text amendment

Please see the email that was received after the August 1st meeting.

Thank you,

Michelle Howke
Whitefish City Clerk
P.O. Box 158
Whitefish, MT 59937
406-863-2402
mhowke@cityofwhitefish.org

From: Dan Short [mailto:dan.short55@gmail.com]
Sent: Monday, August 01, 2016 5:21 PM
To: Michelle Howke <mhowke@cityofwhitefish.org>
Subject: Fwd: Support for Zoning text amendment

Sent from my iPad

Begin forwarded message:

> **From:** "Short, Daniel D - KALISPELL MT" <dan_short@ml.com>
> **Date:** August 1, 2016 at 5:16:13 PM MDT
> **To:** Dan Short <dan.short55@gmail.com>
> **Cc:** Kim Short <ktsmontana@yahoo.com>
> **Subject: Support for Zoning text amendment**
>
> Members of the Whitefish City Council:
>
> Please accept this email as my support for the proposed text amendment to expand the permissible uses in Zone WB-2, Secondary Business District in Whitefish to include Recreational Guides and Outfitters.
>
> I would like you to consider the following reasons to support passage of this text amendment:

Recreational Guides and Outfitters as a service business and the sale and rental of products related to Guiding and Outfitting is not a material departure from other current permitted businesses such as financial and professional services, military surplus stores and automobile and boat sales. A guiding and outfitting business in this zone would not clash with other businesses in the zone either visually or economically. Quite the contrary, I feel it would complement some of the other businesses currently there.

Outdoor recreation is part and parcel of what makes Whitefish what it is today. Zone WB-2 is the southern gateway to Whitefish and a standalone outdoor recreation business that included guiding and outfitting services is the perfect Whitefish business to greet people driving in on Highway 93.

Passage of this text amendment will allow Justin Lawrence, the owner of Lakestream Fly Shop to relocate to a location compatible with the nature of his outfitting and guiding business. The parking situation at his current location is wholly inadequate for guides with raft and drift boat trailers. Additionally, the current location does not provide any serious ability to display boats and rafts that he holds for sale and rent. Ironically, the current WB-2 zoning does allow the sale and rental of boats and the parts and service they require. A text amendment allowing him to relocate into the WB-2 zone will allow Lakestream Fly Shop to provide adequate and safe parking for clients, guides and their boat and raft trailers as well as maximize his boat sale and rental operations.

Thank you for your consideration. I urge you pass this text amendment.

Sincerely,

Dan Short

164 Juniper Bend Dr

Kalispell, MT. 59901

406-250-5064

	about this facility. He is very happy to see it moving forward, it has a lot of public support, is a fantastic thing for the students, and he is happy to see it going down into the lower grades. There being no further comment, Chairman Meckel closed the public hearing and turned the matter over to the Planning Board for consideration.
MOTION / BOARD DISCUSSION	Rebecca moved and Melissa seconded to adopt the findings of fact within staff report WCUP 16-06, with the ten (10) Conditions of Approval, as proposed by City Staff. Rebecca loves this idea but has concerns for the neighbors across the street whose property may be devalued by looking at a fence instead of a forest, and she would like the forest swapped if possible to create a buffer. She also pointed out the two emails received concerned this issue.
VOTE	Chairman Meckel called for the question and **the motion passed five to one, with John voting in opposition**. The matter is scheduled to go before the Council on August 1, 2016.
PUBLIC HEARING 2: EDWARD JUSTIN LAWRENCE OF LAKESTREAM OUTFITTERS ZONING TEXT AMENDMENT 6:40 pm	A request by Justin Lawrence of Lakestream Outfitters for a Zoning Text Amendment to add "Recreational Guides and Outfitters" as a permitted use in Section 11-2K-2, WB-2 Secondary Business District, as well as a new definition for "Recreational Guides and Outfitters" in Section 11-9-2.
STAFF REPORT WZTA 16-02 (Taylor)	Director Taylor reviewed his staff report and findings. They have received letters in support from neighbors (Sean Frampton, Morrison & Frampton, Brian Murphy, Rocky Mountain Real Estate, Bob McConnell who has a business in the Frank Lloyd Wright Building, Great Northern Cycle & Ski, Joseph Akey at Tim Murphy's) attesting to problems with parking and congestion from constant truck, boat and trailer activity. There are no off-street parking requirements in the WB-3 zone, and the intent seems to justify adding this use to the WB-2 zone where it would be more appropriate. Staff recommended adoption of the findings of fact within staff report WZTA 16-02, and for **approval** to the Whitefish City Council.

BOARD QUESTIONS OF STAFF	Rebecca asked and Taylor said the reason this use was not in the WB-2 District before is because there has not been a business like that before and no one has requested it. He said there was discussion years ago regarding sporting goods, personal services, etc., but at that time, it had not been contemplated. Currently the zoning district provides for car sales, a large boat dealership and other businesses with similar amounts of traffic generation and the need for outside storage. They have a right to ask for this and it seems reasonable to staff.
APPLICANT / AGENCIES	Justin Lawrence, Lakestream Fly Shop, 334 Central Avenue. Lakestream is an outfitting based fly shop in business for 30 years and has approximately 2,000 guests per year. There is no question it has outgrown Central Avenue. The business model has changed over the 30 years and it is no longer a small "mom and pop" fly shop, but has become one of the largest outfitting businesses in Montana, and the largest in Northwest Montana. It has evolved into a need for more space. About 25% of their business is true retail with drift boats and rafts, not giant powerboats. Their guide traffic is mostly in the mornings and sometimes evenings, with five to twelve boats and trailers per day for five months a year. He distributed photos of parking problems on Central Avenue. Rebecca said the proposed location has pretty heavy traffic and asked how they will safely maneuver with drift boats, trailers, and trucks, etc. Mr. Lawrence said there are two driveways, so they will pull in an entrance, loop around and exit back out on Highway 93. National Parks Realty has also offered their large parking lot for lease to park boats and trailers. They will utilize the alley, go north and loop around the other way to alleviate having to cross traffic.
PUBLIC COMMENT	Mike Jenson, 919 Dakota, said Director Taylor said it very well, and he wanted to give some background from a personal nature. He was one of George Widener's better customers when the shop opened on the other end, through the alliteration of the Fitzgeralds when they bought the shop and each owner since then, and down to where it is currently located. The business has changed and is no longer a downtown retail business. While it does still sell flies, retail is very minor, and this is mainly now an outfitting business. Mayre Flowers, Citizens for a Better Flathead, 35 4th Street West Kalispell. This issue is legislative in nature. The Planning Board is being asked to make a decision not on one location, but if this use is appropriate within any of the areas currently zoned WB-2, because it would affect all areas zoned WB-2. It is not a decision that should be

driven by the need of one applicant although they would directly benefit from the decision. It is a very fine line to walk here in terms of a decision that can veer into spot zoning as opposed to a zone that is good for the community as a whole and for the corridor as a whole. The letters of support received speak to a specific business not a corridor or zone. The zoning of Highway 93 South has been a contentious issue for decades in this community. Director Taylor referenced the issue of compliance with growth policy, but what the growth policy calls for is development of a corridor study to address the appropriateness of the zoning in the corridor. There was a stakeholders group formed in 2011, which she served on, to try to identify what can be fair and reasonable uses until the City could move forward with the development and implementation of a corridor plan. The second point of the 2011 Agreement the stakeholder group signed, which was later adopted by the City, was to encourage the City to endorse and promptly commence a corridor plan for the WB-2 zone, as called for in the growth policy. This has not been done and the text amendment before the Planning Board is not consistent with our growth policy because the City has not moved forward to adopt this corridor plan. This is an important, long-time business in our community, but we have a different task other than looking at the needs of an individual business. She feels the Staff Report and application are deficient in addressing the nature of what the impact of this proposed text change might be. She feels the Planning Board needs to look at this as a legislative issue and not looking at a site specific applicant or business because then we are going to veer into the area of spot zoning which we all know is illegal. She handed out a copy of the 2011 Agreement referenced above.

Brian Murphy, 1032 Creek View Drive. He cannot think of an opportunity for a business to change locations that would be more beneficial for our community. They are obviously not located in the most ideal location and although they are most gracious and try to adhere to everyone around them, the fact is they are pulling trailers and Central Avenue is not designed to handle that type of traffic. This gives us an opportunity to have a business just coming into town that is part of the Montana dream and introduces visitors to all the fun and exciting things we have going on here. He applauds Justin for being willing to make a change and move to a location that benefits us all.

Chris Schustrom, 504 Spokane Avenue. As an officer and founding board member of the Heart of Whitefish, here on behalf of Heart of Whitefish. The Heart of Whitefish has been an important stakeholder in the discussion of WB-2/WB-3 zoning issues for many years. This included the involvement of their chair on the WB-2/WB-3 ad hoc

committee. Their vice chair and another board member served on the 19-member committee to reach agreement on the WB-2/WB-3 zoning issues including inconsistencies, archaic language and existing illegal uses that had begun to creep into the WB-2 and threatened to erode the vitality of downtown Whitefish. As a result of the three-month process, the 19-member committee reached unanimous agreement on the language to be included in the WB-2 zoning. They specifically addressed sporting goods as a result of the Army-Navy. He referenced 2011 Council Minutes, where the zoning text amendments were to resolve all of these issues, as a result of that process the Council unanimously agreed instead of "sporting goods," "military surplus" would be listed in the permitted uses and a definition be created to defined "military surplus" in a way for Army-Navy to be a legal use. But other sporting goods would be excluded. All 19 members agreed to this idea and signed the Agreement, including former Mayor Jenson. There is a lot of history about migration out of the WB-3 into the WB-2 zone and he described the community-wide effort to restore the economic vitality of downtown. The WB-3 is the general business district and retail will always want to relocate where it is cheaper. The WB-2/WB-3 Agreement was reached by all parties involved; the question of sporting goods was thoroughly discussed and determined not to be appropriate in WB-2. He described the purpose of the WB-2 district and any business can argue that they need more parking. He distributed photos of parking available in the proposed location. He noted the City owns a 60' right-of-way on which it intends to build the 7th Street connector and there are landscape requirements that will cut into parking. This is a well-meaning request for a text amendment, but the ramifications would be deep and are potentially very harmful because it would affect the entire WB-2 zone. Lakestream is a small retail fly shop and guiding does not require large display or highway frontage. It is a business with its fifth owner and has existed in downtown Whitefish since the mid-1980s. While well-meaning, it would be inappropriate to recommend approval of this zoning text amendment. These decisions and questions have been asked and answered in a long public process and community-wide effort involving stakeholders from the downtown business core, Heart of Whitefish, City of Whitefish, and from the WB-2 zone including numerous property and business owners, and they all agreed. He requested the Planning Board recommend denial of the text amendment and hoped Justin could find an appropriate spot or be able to invest in the WB-3 zone.

Bill Frazier, 557 Park Avenue. Businesses morph and change over time and he believes there is language about serving the tourist and traveler, and the guide service and business Justin operates fits into that

	description. The business that started out on 2nd Street as a tiny little fly shop selling fishing equipment is no longer the business that has become Lakestream Fly Shop and he wants that recognized in the discussion. Mike Jenson said the 2011 Agreement correctly states it was driven by the Army-Navy and general sporting goods. If you listen to the Heart of Whitefish and Citizens for a Better Flathead's comments, there would be zero that could ever happen to the WB-2 going forward from here. Justin is trying to do this right. He applied for and paid for the zone text amendment, which is all it is, it is not a zone change. It has been recommended for approval by staff, and is a process was also put in place for the evolution for our zoning. Ms. Flowers is correct in saying they were charged with and intended and still intend, he assumes, to go forward with a corridor study, but life does not stop until that is done. There are still issues before us and adjustments need to be made. He was a signatory to what happened at that time, but he is also in support of evolution of our zoning documents. There being no further comment, Chairman Meckel closed the public hearing and turned the matter over to the Planning Board for consideration.
MOTION / BOARD DISCUSSION	John asked and Taylor said Lakestream is currently in the WB-3 zoning classification, the downtown core commercial zone. John asked and Taylor said the Sportsman is in the WB-2, Secondary Business District. Since Sportsman rents boats, kayaks, paddleboards, and other similar equipment, John asked and Taylor said the difference is the Sportsman is part of the Mountain Mall. When the Mountain Mall was put into effect, the zoning code specifically put in malls and all associated retail businesses within the Mall, which is now a nonconforming use. If it stood alone, it could not be in that zone. Ken S. moved and Jim seconded to adopt the findings of fact within staff report WZTA 16-02. Ken S. thinks there are several things brought up that are not really issues, one of which is storage of boats. The guides come and go on a daily basis, they do not store their boats there. There are some rafts and maybe a couple of boats on display but it is not an issue. Taylor said that Section references commercial boat and RV storage, like a storage unit that would specifically be for storage. Ken S. thinks it is a prime location for this type of business as you enter into town. Melissa sees both the City and this Board caring for and focusing on the

best interests of this community and valley as a whole. She thanked Citizens for a Better Flathead and the Heart of Whitefish for what they do, but feels this is a good entrance to Whitefish. It is hard to sustain a business in Whitefish, and she hopes an eye for evolution continues to happen because if everything is contained within a two-block radius, no one else can come in. Having a little bit of space for trusting we are all working together and not against each other over the next couple of years will make us a stronger place.

Rebecca said she is conflicted as she feels we are approving a spot zoning application as people are addressing not the issues of changing the zoning but it is all about one business. We want to ensure successful long-term businesses stay in Whitefish, so that is the awkward part for her. But we had an Agreement to do a certain plan for the corridor, if we say yes to one zone text amendment, we have changed the plan. She asked about being bound to the agreement and Taylor said that particular Agreement was a group of stakeholders agreeing what to change at that particular time, which nonconforming uses they decided to legitimize. For instance, hair salons and the group decided to put it in as a permitted use even though in general personal services were not part of the list. However, guides and outfitters were never discussed. General large sporting goods stores were discussed quite a bit. As far as spot zoning is only a concern for rezoning a piece of property to a zone that is different than the zones around it. This request is not rezoning any property, it is a request to the overall Code and adding a compatible use based on the intent of the zone.

Rebecca asked about being compliant with the downtown master plan transitioning from high volume to smaller and smaller as we get closer to downtown and Taylor said the WR-3 zone goes down Spokane Avenue to 6th Street. With a conditional use, guides and outfitters or personal services could be along Spokane Avenue. It is the same with going out Highway 93 West; however, none of those properties are big enough to support this particular type of business. He looked at it from the perspective of if we were starting completely from scratch with the Code where would these types of businesses be appropriate in order to have the least amount of traffic impact and the most amount of parking. It is not an easy decision because this is a business that has been downtown for a long time and people are used to seeing it on Central Avenue. But all that aside, the applicant is requesting a holistic text amendment - should this type of use be in the WB-2, apart from whatever his location is now or where he wants to move to. He is asking us to look at this particular use and its appropriateness in the WB-2.

	Rebecca asked and Taylor said anyone can use the 60' right-of-way that belongs to the City of Whitefish in the meantime until we plan to build the connector. Construction of E 7th Street connector would be constructed by the State when they build the bridge as the City will never be able to afford to build a bridge across the River. It has been used as a parking lot by the businesses on either side for many years. The City could construct the road and anyone who purchases the property will have to realize that. E 7th Street may never be built or could be built in the next couple of years. We are not looking at the appropriateness of their business as they could go anywhere in the WB-2 and this applicant may not buy that property. Rebecca asked and Taylor said we are looking at the concept of allowing guides and outfitters to be in the WB-2 zone. Rebecca asked and Taylor said the corridor study has been on the list of things to do, but the Council decided to do Highway 93 West first, then Wisconsin Avenue which is just starting and will probably be a year or two-year process, so Highway 93 South is going to be a few years out. Jim said there is also money appropriated from the Highway 93 South project to do the corridor study on Highway 93 West; he believed $25,000 was shifted over to do the first study, then Wisconsin Avenue, and the next one will be Highway 93 South. Chairman Meckel said we all try hard to listen to both sides and have a great deal of appreciation for the Heart of Whitefish, but he also has a lot of respect for and personally is in agreement with the points made by Mr. Jenson. Planning needs to be flexible and holistic, and this is in concert with the intent of the Regulations.
VOTE	Chairman Meckel called for the question and **the motion passed five to one, with Rebecca voting in opposition**. The matter is scheduled to go before the Council on August 1, 2016.
PUBLIC HEARING 3: CITY OF WHITEFISH REZONE REQUEST 7:40 pm	A request by the City of Whitefish to rezone a parcel recently annexed into City limits from County R-3 (One Family Residential) to WR-1 (One-Family Residential District). The subject property is located at 1436 W. Lakeshore and can be legally described as Lot 9-BLK7 and Lot 9-BLK7-ABDRD of Lake Park Addition in Section 26, Township 31N, Range 22W.
STAFF REPORT WZC 16-05 (Minnich)	Planner Compton-Ring reviewed Minnich's staff report and findings. To date, no comments have been received. Staff recommended adoption of the findings of fact within staff report

Michelle Howke

From: Rob Weiker <robweiker73@hotmail.com>
Sent: Monday, August 01, 2016 8:08 AM
To: Michelle Howke
Subject: Wording Change in WB2

Hello, I am taking a minute to write a letter to express my support for the proposed wording change to the wb2 zoning to include outfitting and outfitting based businesses. WB2 is the perfect place for such a business. Downtown parking is getting tougher every day and this would free up lots of parking on the south end of central. It would give other business patrons more parking options. WB2 is also kind of the gateway to down town Whitefish, what better advertising for our cool little town.... Guide boats and fly shop to welcome people here. We all know that fishing is all part of the Montana and Whitefish experience, so help out small businesses that are run by locals, drive our economy and employe the people that live here.
Thanks for your time and tight lines,

Rob Weiker
313 Cougar Trail
Whitefish, MT 59937

Sent from my iPad

Michelle Howke

From: Mark Radway <radway@centurylink.net>
Sent: Saturday, July 30, 2016 7:24 PM
To: Michelle Howke
Subject: Lakestream Fly Shop

Just a quick note of support for the proposed zoning amendment to allow Lakestream Fly Shop to move to the old, "Shak/DQ" building. This fantastic 34 year-old Whitefish business would be a wonderful welcoming sight for many who visit our majestic area for outdoor activity. This vibrant business is a wonderful calling card for our community. This business is what Northwest Montana is all about.

Thank you for allowing so many of us to express how important this business is for our sport and community.

Best regards,

Mark Radway
268 Old Ranch Road
Whitefish, MT. 59937

406-407-6687

Sent from my iPad

Michelle Howke

From: DON MACKENZIE <macfish1@icloud.com>
Sent: Sunday, July 31, 2016 9:17 AM
To: Michelle Howke
Subject: LakeStream fly shop

Dear Sir: We moved to Whitefish 8 years ago for many reasons! My first passion is fly fishing, I've had the pleasure to meet and fish with Justin and others guys I've met thru the fly shop.
We have frequent guests here thru out the summer wanting to learn to fly fish. I take them to LakeStream the first day and they are "hooked"!
I hope you approve their move to the new location. The new location will provide better parking, a positive entry into Whitefish and a continued connection to the Whitefish/Montana experience.

Thank you for your support!
Don Mac Mackenzie

Sent from my iPhone

Michelle Howke

From: Vargie Williams <pawsagility1@gmail.com>
Sent: Sunday, July 31, 2016 4:41 PM
To: Michelle Howke
Subject: Lakestream

Lady's and gentlemen,
My husband and I have spent a lot of time getting to know Lakestreams guilds and owner over the last few years. They are an outstanding company and would be a big asset to the town of Whitefish. Their guild service will bring in a lot of revenue to your town. The shop, where it sits today, has always been neat, clean and friendly.
I would like to see the wording change in the WB2 zoning to include outfitting and outfitting based businesses to be allowed.
Thank you
Vargie Williams

--
Laugh when you can, apologize when you should, and let go of what you can't change. Kiss slowly, play hard, forgive quickly, take chances, give everything and have no regrets. Life's too short to be anything but happy.
— Unknown

received
8-1-16

Linda & Ron Olson

From: "Linda & Ron Olson" <jayrae950@gmail.com>
Date: Sunday, July 31, 2016 4:59 PM
To: "Richard Hildner" <rhildner@cityofwhitefish.org>
Subject: Lakestream Fly Fishing Shop

Richard and fellow council members. We would like to take this opportunity to request that you consider allowing Lakestream Fly Fishing Shop to re –locate to the property formerly housing the Dairy Queen at the entrance to Whitefish. This type of business employs upwards of 15 guides to take clients on various fishing tours in our area. To limit this business to a downtown location would seriously affect their clientele, not least of which could lead them to locate to a neighboring community. We are tourist oriented and this business is a very positive tourist attraction. We urge you to allow this change of location that would continue to attract tourists to our unique Whitefish. Thank You, Ron & Linda Olson

Michelle Howke

From: K & M Lewis <montanalewisfamily@gmail.com>
Sent: Monday, August 01, 2016 11:27 AM
To: Michelle Howke
Cc: Pam Barberis; John Muhlfeld; Andy Feury; Jen Frandsen; Richard Hildner; Frank Sweeney; Katie Williams
Subject: Lakestream

I would like to write in support of Lakestream Flyfishing Shop. I would be at the meeting except that I am out of town. I understand you prefer letters in advance of the day of meeting but implore you not to ignore my support of Lakestream. They are a very successful and necessary addition to our community.

Moving the business to the proposed location would be beneficial to the business as well as to the people going on guided fishing trips and the guides themselves. The parking area would be perfect for guides to pull up and meet their clients.

To deny the zoning required would be anti-business and against a business that has provided a long and successful history in our community. Lakestream employs not only staff in the shop but is outfitter for many guides in the valley.

I implore you to do the right thing and approve the zoning change for this business.

Miriam Lewis
406-249-5804

Michelle Howke

From: Daniel Minton <dminton@tdmfinancial.com>
Sent: Monday, August 01, 2016 2:23 PM
To: Michelle Howke
Subject: RE: Lakestream and Zoning

Hello,

My firm owns the property just South of what will be Lakestream's new location, we are at 600 E 8th St.

I would like to show my support for the change to zoning as it relates to Lakestream.

I feel that allowing drift boats, fly shops, outfitters etc... is a FANTASTIC thing for what is a main route into town. When I moved here 20 years ago it was for the recreation the area provides. Over those years Whitefish has changed dramatically. We now have three story dance clubs in the middle of our down town, we have massive hotels and sky bridges. I am fine with the progress and I feel that our local government does a good job overall, but Whitefish is not the same, that's for sure.

Now is your chance to provide support for the recreational aspect of our community. Let's give these businesses as much of a chance as we give the hoteliers and the bars. I would much rather have my daughter grow up in a town that values what I was initially drawn to.

Thank You,

Daniel

--
Daniel Minton
President
TDMFinancial
406.862.5400

PO Box 771 • 35 4th Street West
citizens@flatheadcitizens.org

Kalispell, Montana 59903
T: 406.756.8993 • F: 406.756.8991
www.flatheadcitizens.org

To: Whitefish City Council

Re: PROPOSED ZONING TEXT AMENDMENT, EDWARD JUSTIN LAWRENCE TITLE 11, CHAPTER 2K: SECONDARY BUSINESS DISTRICT, TITLE 11, CHAPTER 9: DEFINTIONS, STAFF REPORT # WZTA 16-02

August 1, 2016

Citizens for a Better Flathead, having reviewed the staff report, and participated in the planning board hearing, offers the following comments:

1. **Issue: Legislative focus of a zoning text amendment requires looking at what is good for the community as a whole and not the desires of an individual property owner or business.**

You are being asked as a council to make a Legislative Decision to decide if the entire Hwy 93 South entrance corridor to Whitefish, which is currently zoned WB-2, should be opened up to additional new uses at this time though a zoning text change process prior to completion of a corridor study for this area. The zone text amendment before you is not and should not be treated as, a Quasi-Judicial decision. Quasi-judicial decisions involve the application of already established policy to a specific development application in which the applicant has a direct financial interest. The packet for this council meeting incorrectly states that your decision tonight is quasi-judicial and we understand that the council has been now advised that this is a legislative decision.

While the applicant for the text amendment, the owner of the Lakestream Outfitters, and the public comment in support of the applicant's business at the planning board, and even comment by planning board members has made it clear that this applicant is requesting legislation that would directly benefit the applicant's business, this should not be the focus of this hearing. **The legislative decision before the council should be focused on the best decision for the south Hwy 93 corridor WB-2 District and the overall plans for the city and community as a whole, not on the desires of an individual business.** It is important that the decision you make avoids the slippery slope of illegal spot zoning.

For this reason, for example, the issue of parking space at the applicant's current business location should not be an issue this board weighs in your decision, but as presented in this application and as reviewed by the staff in the staff report the line between this text amendment as a spot zoning request has become blurred.

2. **Issue: There is a thin line to walk to avoid spot zoning.**

"The Montana Supreme Court identified three factors that enter into a determination of whether illegal spot zoning exists in any zoning action. All three of these factors must exist for the "spot" or "island" zoning to constitute unlawful spot zoning:

(1) the proposed use is significantly different from the prevailing use in the area;
(2) the area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change;
(3) the change is special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public."

In the case of the requested text amendment for a new permitted use for recreational guides and outfitters this proposed text amendment and your decision regarding this request, can become special legislation to enable spot zoning if the needs and desires of a particular business—in this case the applicant for this text amendment---are given priority over compliance with your growth policy and the additional actions you have taken to implement the growth policy, including the 2011 stakeholder agreement and resolution that the council passed to directly limit new uses in the Hwy 93 South Corridor until such time as a corridor study could be completed.

So under criteria one for spot zoning your growth policy and the 2011 stakeholder agreement and resolution that the council passed essentially set forth that adding new uses to this corridor prior to a corridor study creates a proposed use that is significantly different from the prevailing use in the area.

Under criteria two, the staff report in reviewing the area for this proposed change, and the public comment, focuses on primarily on a specific piece of property now apparently owned by the applicant within the WB-2 district where the applicant desires to move his business. The proposed findings you are being asked to adopt give little to no mention or consideration of the larger area of concerns for overall appropriate growth in the corridor addressed in the 2011 stakeholder agreement, or the more recently revised and affirmed downtown master plan, or the issues identified in the Whitefish Transportation Plan, or the overall increasing traffic issues in the corridor that a corridor plan is needed for to address including issues of access control and the most appropriate geographical location of uses in the corridor. There is no discussion of potential concerns and impacts from other guide services with retail services of a larger scale than the current Lakestream Outfitters business such as a Cabelas that would become a use of right through out the district, despite issues identified in the 2011 agreement citing the need for a corridor study to identify the best suited geographical location for certain current and future permitted and conditional uses.

Under criteria three, the staff report directly sets forth on page one that applicant is seeking to relocate his business to this corridor and the WB-2 district that he is seeking this amendment for. The hearing record, including public comment, also shows that the applicant owns or has vested interest in a particular piece of property for relocation at the former Dairy Queen location or 669 Spokane.

You must also look at the issue of due process. If you choose to allow one specific use change, as is the nature of the text amendment before you, what basis or criteria remain available to you to deny a flood of additional unique requests for additional uses?

3. **Issue: Compliance with Whitefish Growth Policy**

The Whitefish Growth Policy calls for this corridor study as a top priority. Completing a corridor study prior to any additional piecemeal changes that would add additional uses to this corridor is a strategy that you affirmed in 2011 with the adoption of a resolution affirming the stakeholder agreement for the Hwy 93 South Corridor, which is part of this hearing record and to which we were a signer and stakeholder.

This 2011 agreement set forth clear steps to prevent a series of piecemeal changes to uses in this corridor until this comprehensive corridor study could be completed including not adding new uses. It is our understanding that you currently have as a priority completing this corridor study, and that you will soon be able to undertake the US Hwy 93 South Corridor Study following the corridor study now underway for Wisconsin Avenue.

Finding #1 of the staff report page 3 sets forth that the proposed text amendment is in accordance with the growth policy by citing several economic goals within the growth policy but fails to consider the following goals and policies that provide a basis for finding that the proposed zoning text amendment is not made in accordance with the growth policy:

Page 68 of the WFGP

3C. Strengthen the role of Downtown Whitefish as the commercial, financial, and administrative center of the community.

Page 71 of the WFGP

7. The City shall develop special regulations for "big box" commercial structures to ensure that the scale and character of the community are maintained.[1]

Page 45 of the WFGP 2007

1. Support the role of Downtown Whitefish as the commercial center of the community through implementation of the Downtown Business District Master Plan.
2. The City of Whitefish shall make implementation of the Downtown Master Plan a priority in capital improvement planning and programming.

Page 71 of the WFGP 2007

9. The City shall formulate, or shall facilitate the development of corridor plans for all major transportation corridors to address land use, transportation function and

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[1] Recent development proposals along the highway corridor and public and council concerns raised about the criteria for approval of buildings exceeding 15,000 square feet point to the need for review of the city's current standards for this scale of development so this policy remains relevant for this zone text amendment. Issues identified in the 2011 stakeholder agreement also identify the need to set forth the most appropriate geographical location for certain types of uses within the Hwy 93 South Corridor.

modes, noise, screening, landscaping, and all aspects of urban design. Corridor plans shall address the issues and concerns set forth in this element of the Growth Policy. [2]

Page 56 of the Whitefish Downtown Business Master Plan 2015

Consistent with policy 9 above of the WFGP, Page 56 of the recently adopted Whitefish Downtown Business Master Plan calls for the following elements to be part of entrance corridors and the Hwy 93 South Corridor Plan.

The Whitefish Downtown Business Master Plan calls for:

"To announce the entrance into Downtown Whitefish from the major transportation corridors, the following elements should be introduced at the west and south Highway 93 and Wisconsin Avenue entry points:

- 'Welcome to Downtown Whitefish' directional and information signing that is readable at-a-glance by moving pedestrians, motorists and cyclists alike; The signs should be constructed of high-quality, durable natural wood or metal materials and be consistently applied at all entries
- **Distinctive parkway plantings of large conifer trees, native deciduous trees and shrub landscaping before and following the sign to signal a transition**
- **Backdrop ornamental trees, seasonal colorful flowers, grasses and evergreen landscaping**
- **Where necessary, evergreen landscape screening of unsightly adjacent uses**
- Distinctive pole lighting and banners consistent with the downtown pedestrian street themes. Spot lighting of gateway sign and landscape elements should be considered
- Underground overhead cable and electric power lines in the vicinity of gateways
- All signage to be consistent with the established city-wide wayfinding standards"

▶Of concern is that these elements should be in place to implement this goal prior to adding new uses **particularly given that the recent changes to property the applicant for the text change proposes to use at 669 Spokane do not meet:**

- **The Downtown Business Master Plan landscaping elements for corridor entrances,**
- **The remodeled facility at 669 Spokane is relying on a temporary encroachment permit (with removal required within 45 days of notice) from MDOT for its covered outdoor seating and may not be able to be relied on for other uses such as display of merchandise as MDOT needs and requirements change and as the City's 7th Street right of way access is**

[2] While the growth policy identified the Hwy 93 South Corridor plan as a first priority, the need to resolve the planning jurisdiction with the county led to other corridor plans being conducted first.

developed in accordance with city standards including limited access to the property,

- **The remodeled facility at 669 Spokane may currently be in violation of the required setbacks for this use of this permit which MDOT advised me must be set back 35 feet from the white line at the edge of the curb,**
- **The remodeled facility at 669 Spokane does not appear to meet the current landscaping requirements of the WB-2 zone as the building sits totally surrounded by asphalt,**
- **Furthermore access encroachments for this property are apparently not secure given the city's right of way and access standard to preserve the functionality and access to the city's 7th Street right of way and MDOT's right to shift access locations to comply with the development of the City's 7th Street right of way and other corridor beautification and landscaping requirements as a corridor plan for this area is developed.**

The Whitefish Downtown Business Master Plan calls for:

"To announce the entrance into Downtown Whitefish from the major transportation corridors, the following elements should be introduced at the west and south Highway 93 and Wisconsin Avenue entry points:

- 'Welcome to Downtown Whitefish' directional and information signing that is readable at-a-glance by moving pedestrians, motorists and cyclists alike; The signs should be constructed of high-quality, durable natural wood or metal materials and be consistently applied at all entries
- **Distinctive parkway plantings of large conifer trees, native deciduous trees and shrub landscaping before and following the sign to signal a transition**
- **Backdrop ornamental trees, seasonal colorful flowers, grasses and evergreen landscaping**
- **Where necessary, evergreen landscape screening of unsightly adjacent uses**
- Distinctive pole lighting and banners consistent with the downtown pedestrian street themes. Spot lighting of gateway sign and landscape elements should be considered
- Underground overhead cable and electric power lines in the vicinity of gateways
- All signage to be consistent with the established city-wide wayfinding standards"

Page 57 of the WFGP further reaffirms the need to address future development issues in the corridor prior to expanding uses.

"Therefore, any corridor plan for Hwy 93 South must successfully address at least the following issues:

- Commercial growth- Commercial growth will continue to be discouraged by the City of Whitefish.

- Scale- The existing modest scale of commercial and residential structures should be maintained. No "big box" retail or office buildings should be proposed.
- Architectural standards- Any successful plan must include high standards of architectural design that is compatible with the wooded environs of the corridor.
- Landscaping/screening- The corridor plan must include standards for replacement of existing forest stands, on-site landscaping, and screening of parking and service areas.
- Utilities- Water and sewer service must be provided, or, the corridor plan should support no more development than can be served by well and septic systems without adversely affecting water quality or wells on neighboring properties.
- Trip generation- With growing traffic volumes on Hwy 93 already, additional non-residential uses should not be of a nature that attracts large numbers of additional vehicle trips. The corridor plan must include a traffic impact and access analysis.
- Traffic safety, circulation, and access- Traffic safety will be a major concern with any new growth in this corridor. The proliferation of access points can cause both safety and traffic access problems. An access and circulation component must be a product of the over-all corridor plan.
- Bike/pedestrian facilities- Bicycle and pedestrian ways must be provided within the corridor itself, and should link to the existing commercial areas north of Hwy 40."

4. **Issue: Conflict with existing zoning definition for personal services.**

The text amendments before you are in direct conflict with the definition of personal services and for conditional uses for personal services as cited below. Case law requires that planning documents be internally consistent:

> **11-9-2 PERSONAL SERVICES:** A use that provides a service to an individual customer designed to accommodate a specialized need, provide a convenience, or cater to a particular lifestyle. Such services shall be those types that require mechanical skill or manual dexterity, as differentiated from mental disciplines generally requiring licensing or certification such as those listed under professional services (see definition of Professional Services). Examples of personal services would include, but are not limited to: delivery and pick up, catering, event planning, **recreational guiding and outfitting**, personal training, tattoo, and personal spa and grooming services such as manicure, facial, hairstylists, and makeup consulting. **Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon. {Emphasis added}**
>
> **11-3-30: PERSONAL SERVICES:**
>
> **Conditional use criteria for personal services shall be as follows:**
>
> **A. When specified as a conditional use, the criteria in section 11-7-8 of this title shall be applied; provided, however, if the use involves an existing structure, an administrative conditional use permit, as provided in subsection 11-7-8M of this**

title, shall be obtained. Such services with more than two (2) chairs or stations proposed for an existing structure are not eligible for an administrative permit process.

B. The applicant shall meet the following design standards:
1. Total signage shall be as provided in chapter 5 of this title.
2. All parking shall be provided off street according to the sum of the uses on a particular property as follows:
a. Two (2) spaces per residential unit.
b. One space per employee per maximum shift, excluding resident family members.
c. One space for each client, customer or visitor who will be present or arriving during the period of daily activity with a minimum of two (2) spaces required per chair or station.
d. In no case shall required parking be less than that required in chapter 6 of this title under professional offices.
3. All landscaping and parking lot improvements, including asphalt/concrete work, shall be completed prior to occupancy; provided, however, should occupancy occur between November and April, the owner/applicant may delay landscaping and parking lot/driveway hard surfacing until the following May 15 to avoid inclement weather.
4. Any exterior modifications to the building shall be done in a mode architecturally compatible to and in scale with buildings in the adjacent residential neighborhood. Exterior modifications shall not exceed paint, siding, roofing and exterior refurbishment.

C. With the exception of one such item, guides and outfitters cannot openly store equipment such as boats, bikes, rafts, and horse trailers. (Ord. 12-01, 1-17-2012)

5. **Issue: Leased Parking and how much parking is there really at the new site being considered at 669 Spokane?**

The City of Whitefish does not currently have standards for leased parking in the WB-2 zoning district. Such standards should be developed as part of a corridor plan for the Hwy 93 South Zoning District prior to further zone text changes to this zone we would suggest. Public comment demonstrates that the applicant for the zone text change and the property at 669 Spokane is being offered the lease of parking at an adjoining business that does not currently have outdoor storage for boats and related equipment.

Given the City's current standards for landscaping, parking, and for landscaping and access along it's seventh street right of way it is not clear that access or parking will be improved for the proposed new permitted use for guides and guide services at the 669 Spokane. Perhaps other parking solutions in the downtown area where Lakestream Outfitters in currently located such as a short term seasonal loading and unloading designation that converts back to diagonal parking during the rest of the day might help address some of the parking needs of this business more appropriately.

In conclusion we would ask that the city council deny this proposal before you and amend your findings of fact to include the following:

Finding #1 to replace the current finding #1
The proposed text amendment is not made in accordance with the Whitefish Growth Policy, which makes a top priority for the city to adopt a corridor plan for the Hwy 93 South Corridor and calls for the following issues to be addressed:

> "Therefore, any corridor plan for Hwy 93 South must successfully address at least the following issues:
>
> - Commercial growth- Commercial growth will continue to be discouraged by the City of Whitefish.
> - Scale- The existing modest scale of commercial and residential structures should be maintained. No "big box" retail or office buildings should be proposed.
> - Architectural standards- Any successful plan must include high standards of architectural design that is compatible with the wooded environs of the corridor.
> - Landscaping/screening- The corridor plan must include standards for replacement of existing forest stands, on-site landscaping, and screening of parking and service areas.
> - Utilities- Water and sewer service must be provided, or, the corridor plan should support no more development than can be served by well and septic systems without adversely affecting water quality or wells on neighboring properties.
> - Trip generation- With growing traffic volumes on Hwy 93 already, additional non-residential uses should not be of a nature that attracts large numbers of additional vehicle trips. The corridor plan must include a traffic impact and access analysis.
> - Traffic safety, circulation, and access- Traffic safety will be a major concern with any new growth in this corridor. The proliferation of access points can cause both safety and traffic access problems. An access and circulation component must be a product of the over-all corridor plan.
> - Bike/pedestrian facilities- Bicycle and pedestrian ways must be provided within the corridor itself, and should link to the existing commercial areas north of Hwy 40."

Finding #2 as a new finding to support making zone changes in accordance with the WFGP
The proposed zoning text amendment is not in keeping with the 2011 Stakeholders Agreement for the Hwy 93 South Corridor and the City Council adoption of that agreement as a step towards implementing the Whitefish Growth Policy.

Finding #3 to replace findings # 6, #7, #8, #10, #12, and #13
The proposed zoning text amendment does not reasonably consider potential parking, traffic, access, pedestrian and bike needs, appropriate overall location of uses in the Hwy 93 Corridor, and landscaping that would be better addressed overall by first completing a Hwy 93 South Corridor Plan.

Finding #4 to replace findings #6, #7, #8, #10, #12, and #13
The record does not demonstrate that the entire WB-2 zone is more compatible for recreational guides and outfitters at this time when a corridor plan has been identified as needed to determine the best location for certain uses and standards for development.

Finally we would add that the denial of this zone text amendment before you will not be an easy decision for you to make, or for us to recommend. Lakestream Outfitters is a well-liked and long time business in Whitefish. If this were a popularity contest they would win.

But when we look at this proposal we believe sound planning principles and state law requires you have an obligation to be guided by the policies set forth in your growth policy, by the actions you have taken to implement it—e.g. the 2011 Stakeholder's Agreement, and by consideration of due process to all business interests who may also want to also propose changes in this Hwy 93 South Corridor. The right though difficult choice to make is to deny this zone change request and to move forward as quickly as possible with a corridor plan that will help to ensure the continued economic vitality and quality of life that residents and visitors have come to expect of the City of Whitefish. You have made difficult and unpopular decisions before that have made all the difference in the way the city has evolved. Please have the courage to do so again.

File

Montana Department of Transportation

Encroachment Permit

Printed on: March 24, 2015

MASTER FILE COPY

APPLICANT INFORMATION:

Name: VIC KEUYLIAN Address: PO BOX 5270

City: WHITEFISH State: MT Zip: 59937

Corporation Name: 669 SPOKANE LLC Phone: 949-441-9177

Nature of Permit Desired:

ENCROACHMENT LOCATION INFORMATION:

Sign Route:	Corridor:	Beginning Reference	Ending Reference
US HWY 93	CG00005	127+0.300	

County:	Township:	Range:	Section:	Qrtr.	Qrtr. Qrtr.
FLATHEAD					

Comments:

1. THIS PERMIT IS FOR INSTALLATION AND UPGRADE OF LANDSCAPING, FENCING AND A COVERED PATIO. ANY ADDITIONAL PERMITS REQUIRED ARE THE RESPONSIBILITY OF THE PERMITTEE. FENCING CANNOT BE CLOSER THAN 25? FROM WHITE SHOULDER LINE. PATIO COVER CANNOT BE CLOSER THAN 35 FEET FROM WHITE SHOULDER LINE.

2. MAINTENANCE OF THESE IMPROVEMENTS WILL BE THE RESPONSIBILITY OF THE PERMITTEE.

3. PERMITTEE OR THEIR CONTRACTORS ARE REQUIRED TO LOCATE AND MOVE OR PROTECT ALL UTILITIES CURRENTLY BURIED ON MDT RIGHT OF WAY. REPAIR OF ANY DAMAGE CAUSED BY CONSTRUCTION WILL BE THE RESPONSIBILITY OF THE PERMITTEE.

4. PERMITTEE OR THEIR CONTRACTORS ARE REQUIRED TO MEET ALL SIGNING AND TRAFFIC CONTROL REQUIREMENTS WHILE WORKING ON MDT RIGHT OF WAY IN ACCORDANCE WITH MUTCD SPECIFICATIONS.

5. PERMITTEE IS RESPONSIBLE FOR ANY ROCKS, GRAVEL OR DEBRIS THAT IS CARRIED ONTO THE ROADWAY BY THIS CONSTRUCTION. SWEEPING AND CLEANING WILL BE DONE DAILY AT THE PERMITTEE?S EXPENSE.

6. NO SHRUBBERY OR PLANTS ARE ALLOWED TO EXCEED 18 INCHES MATURE HEIGHT. NO LANDSCAPE ROCKS ARE ALLOWED ON MDT RIGHT OF WAY.

7. NO ADDITIONAL RUN OFF FROM THIS AREA BEHIND THE SIDEWALK CAN BE DIRECTED TO MDT DRAINAGE FACILITIES.

8. IF IN THE FUTURE MDT NEEDS USE OF THE RIGHT OF WAY IT WILL BE UP TO THE PERMITTEE AT THEIR EXPENSE TO REMOVE OR RELINQUISH AT NO CHARGE THE IMPROVEMENTS TO MDT. COSTS INCURRED FOR REMOVAL WILL BE THE RESPONSIBILITY OF THE LANDOWNER.

9. NO SIGNAGE OR PARKING WITHIN MDT RIGHT OF WAY IS ALLOWED AT ANY TIME.

10. CONTACT THE ACTING AREA SUPERVISOR, JOHN GRAY AT 862-3068 TWENTY FOUR HOURS PRIOR TO STARTING CONSTRUCTION TO VERIFY LOCATION AND CONSTRUCTION DETAILS.

ENCROACHMENT PERMIT INFORMATION:

Application Date	Issue Date	End Date	Class	type	Maintenance Division
24-MAR-15	24-MAR-15			PERMANENT	KALISPELL

Permit number 5092

Approved by: GARY ENGMAN

Montana Department of Transportation

Encroachment Permit

Printed on: March 24, 2015

SPECIAL FACILITIES INFORMATION

Name | Address

City | State | Zip | ST Plane E | ST Plane N

Petro Elig | Super Fund Id | tank mdeq id | Type | Type Description

N

Mine mdeq id | Mine Description

Well Designation

Rcmd Apprvl | Apprvl Dt | Approval Recommended By

Spill Description

Comment

1 TERM. This permit shall be in full force and effect from the date hereof until revoked as herein provided.

2 FEE The fee for issuance of this permit is _____.

3 REVOCATION. This permit my be revoked by State upon giving 45 days notice to Permittee by ordinary mail, sent to the address shown herein However, the State may revoke this permit without notice if Permittee violates any of its conditions or terms.

4 COMMENCEMENT OF WORK. No work shall be commenced until Permittee notifies the Maintenance Chief shown in application the date the Permittee proposes to commence work.

5 CHANGES IN HIGHWAY. If State highway changes necessitate changes in structures or installations installed under this permit, Permittee will make necessary changes without expense to State.

6 STATE SAVED HARMLESS FROM CLAIMS. As a consideration of being issued this permit, the Permittee, its successors or assigns, agrees to protect the State and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the State and arising out of, or by reason of any of the above causes, the Permittee, its successors or assigns, will, upon notice to them of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the State in any such suit or action.

7 PROTECTION OF TRAFFIC. The Permittee shall protect the work area with traffic control devices that comply with the Manual of Uniform Traffic Control Devices. The Permittee may be required to submit a traffic control plan to the Maintenance Chief for approval prior to starting work. During work, the Maintenance Chief or designee may require the Permittee to use additional traffic control devices to protect traffic or the work area. No road closure shall occur without prior approval from the District Engineer.

8 HIGHWAY AND DRAINAGE If the work done under this permit interferes in any way with the drainage of the State highway affected, Permittee shall, at the Permittees expense, make such provisions as the State may direct to remedy the interference.

9 RUBBISH AND DEBRIS. Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and roadside left in a neat and presentable condition satisfactory to the State.

10 INSPECTION The installation authorized by this permit shall be in compliance with the attached plan and the conditions of this permit. The Permittee may be required to remove or revise the installation, at sole expense of Permittee. If the installation does not conform with the requirements of this permit or the attached plan.

11 STATES RIGHT NOT TO BE INTERFERED WITH. All changes, reconstruction or relocation shall be done by Permittee so as to cause the least interference with any of the States work, and the State shall not be liable for any damage to the Permittee by

reason of any such work by the State, its agents, contractor or representatives, or by the excercise of any rights by the State upon the highways by the installations or structures placed under this permit.

12 REMOVAL OF INSTALLATIONS OR STRUCTURES. Unless waived by the State, upon termination of this permit, the Permittee shall remove the installations or structures installed under this permit at no cost to the State and restore the premises to the prior existing condition, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control, excepted.

13 MAINTENANCE AT EXPENSE OF PERMITTEE. Permittee shall maintain, at its sole expense, the installations and structures for which this permit is granted, in a condition satisfactory to the State.

14 STATE NOT LIABLE FOR DAMAGE TO INSTALLATIONS. In accepting this permit the Permittee agrees that any damage or injury done to said installations or structures by a contractor working for the State, or by any State employee engaged in construction, alteration, repair, maintenance or improvement of the State highway, shall be at the sole expense of the Permittee.

15 STATE TO BE REIMBURSED FOR REPAIRING ROADWAY. Upon being billed, therefore, Permittee agrees to promptly reimburse State for any expense incurred in repairing surface of roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this permit.

16 The Permittee shall not discharge or cause discharge of any hazardous or solid waste by the installation or operation of the facility of a State Right-of-Way.

17 The Permittee will control noxious weeds within the disturbed installation area for two (2) years.

18 In accordance with Mont. Code Ann. 76-3-403(2), Permittee shall, at Permittees expense, employ the services of a Montana Licensed Professional Land Surveyor to re-establish all existing survey monuments disturbed by work contemplated under this permit.

19 The use of explosives is prohibited for the installation.

20 Any condition of this permit shall not be waived without written approval of the appropriate District Engineer.

21 OTHER CONDITIONS AND/OR REMARKS: _____.

5092

MDT-MAI-007 07/14

Montana Department of Transportation Encroachment Application

2701 Prospect Avenue
PO Box 5895
Helena, MT 59604-5895
Phone: (406) 444-7664
Fax (406) 444-5411
TTY: (406) 444-7696
www.mdt.mt.gov

To be filled in by Department of Transportation Personnel Print Form

Agreement Number:	Project Number:	Project Name:	ID Number:	County:
	F 27090			Flathead

Maintenance Section:	Corridor:	Sign Route:	Milepost:	Roadbed:
1215 - Whitefish	C000005	US Hwy 93	127.3	N

Montana Department of Transportation — Title: Maint Chief — Signature — Date: 3-24-15

Subject to the terms and conditions shown on Page 2 hereof; this permit is hereby approved and granted. The "Permittee" agrees to the terms of this permit.

APPLICANT (PROPERTY OWNER)

NATURE OF PERMIT APPLICATION:
(Give sufficient detail to permit thorough understanding and submit blueprints or sketches in triplicate.)
*If work involves Environmental-Related cleanup or monitoring, also complete Section 7.

Install and upgrade fence, landscape and covered patio within shoulder of MDT right of way. To be removed at Permittee's expense upon MDT request.

Township	Section	Range	/	Corridor	Sign Route	Mile Post
31N	S36	22W		C000005	US 93	127.3

Name	Phone\Fax Number
669 SPOKANE LLC	949-441-9177
Address	**E-mail**
PO BOX 5270	4USBIZ@GMAIL.COM

City	State	Zip Code
WHITEFISH	MT	59937

If a Corporation, give State of Incorporation and names of President and Secretary
MONTANA LLC

Highway survey stations, milepost, distances to centerline, and distance from right-of-way line near which installations or structures will be installed:

For how long a period is the permit desired?: 45 DAY NOTICE TO CLEAR SITE BY MDT.

Are there environmental actions involving hazardous waste sites? (Superfund, Spills, Underground Storage Tanks, Old Mines, etc.) If Yes you will need to fill out additional environment questions. ○ Yes (Complete Page 3) ● No

An environmental checklist must be filled out, signed and attached in order for this application to be considered complete.

Link to Environmental Checklist

669 SPOKANE LLC — Company or Corporation; MANAGER — Title; Signature; 8/16/15 — Date

Montana Department of Transportation Encroachment Application

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(INSTRUCTIONS CONCERNING USE OF THIS FORM)

Applicant will complete this form along with plans, sketches and an environmental checklist and send to the appropriate District Maintenance Chief for review and approval.

If the proposed installation will result in significant, permanent or long term impacts to the transportation network in terms of substantial increase traffic volumes, weight or delays to traffic on state roadways, such as major mines greater than five acres, a railroad at -grade crossing, railroad under or overpass, or strip mines, or if the proposed action has permanent impacts to other forms of transportation (rail, transit, or air movement), the encroachment permit must be submitted to the transportation planning division for review prior to issuance of this permit.

Subject to the following terms and conditions, the permit applied for upon the reverse side hereof, is hereby granted:

1. TERM. This permit shall be in full force and effect from the date hereof until revoked as herein provided.
2. REVOCATION. This permit may be revoked by State upon giving **45** days notice to Permittee by ordinary mail, sent to the address shown herein. However, the State may revoke this permit without notice if Permittee violates any of its conditions or terms.
3. COMMENCEMENT OF WORK. No work shall be commenced until Permittee notifies the Maintenance Chief shown in application the date the Permittee proposes to commence work.
4. CHANGES IN HIGHWAY. If State highway changes necessitate changes in structures or installations installed under this permit, Permittee will make necessary changes without expense to State.
5. STATE SAVED HARMLESS FROM CLAIMS. As a consideration of being issued this permit, the Permittee, its successors or assigns, agrees to protect the State and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the State and arising out of, or by reason of, any of the above causes, the Permittee, its successors or assigns, will, upon notice to them of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the State in any such suit or action.
6. PROTECTION OF TRAFFIC. The Permittee shall protect the work area with traffic control devices that comply with the Manual of Uniform Traffic Control Devices. The Permittee may be required to submit a traffic control plan to the Maintenance Chief for approval prior to starting work. During work, the Maintenance Chief or designee may require the Permittee to use additional traffic control devices to protect traffic or the work area. No road closure shall occur without prior approval from the District Engineer.
7. HIGHWAY AND DRAINAGE. If the work done under this permit interferes in any way with the drainage of the State highway affected. Permittee shall, at the Permittee's expense, make such provisions as the State may direct to remedy the interference.
8. RUBBISH AND DEBRIS. Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and roadside left in a neat and presentable condition satisfactory to the State.
9. INSPECTION. The installation authorized by this permit shall be in compliance with the attached plan and the conditions of this permit. The Permittee may be required to remove or revise the installation, at sole expense of Permittee, if the installation does not conform with the requirements of this permit or the attached plan.
10. STATE'S RIGHT NOT TO BE INTERFERED WITH. All changes, reconstruction or relocation shall be done by Permittee so as to cause the least interference with any of the State's work, and the State shall not be liable for any damage to the Permittee by reason of any such work by the State, its agents, contractors or representatives, or by the exercise of any rights by the State upon the highways by the installations or structures placed under this permit.
11. REMOVAL OF INSTALLATIONS OR STRUCTURES. Unless waived by the State, upon termination of this permit, the Permittee shall remove the installations or structures installed under this permit at no cost to the State and restore the premises to the prior existing condition, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control, excepted.
12. MAINTENANCE AT EXPENSE OF PERMITTEE. Permittee shall maintain, at its sole expense, the installations and structures for which this permit is granted, in a condition satisfactory to the State.
13. STATE NOT LIABLE FOR DAMAGE TO INSTALLATIONS. In accepting this permit, the Permittee agrees that any damage or injury done to said installations or structures by a contractor working for the State, or by any State employee engaged in construction, alteration, repair, maintenance or improvement of the State highway, shall be at the sole expense of the Permittee.
14. STATE TO BE REIMBURSED FOR REPAIRING ROADWAY. Upon being billed, therefore, Permittee agrees to promptly reimburse State for any expense incurred in repairing surface of roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this permit.
15. The Permittee shall not discharge or cause discharge of any hazardous or solid waste by the installation or operation of the facility of a State Right-of-Way.
16. The Permittee will control noxious weeds within the disturbed installation area for two (2) years.
17. In accordance with Mont. Code Ann. § 76-3-403(2), Permittee shall, at Permittee's expense, employ the services of a Montana Licensed Professional Land Surveyor to re-establish all existing survey monuments disturbed by work contemplated under this permit.
18. The use of explosives is prohibited for the installation.
19. Any condition of this permit shall not be waived without written approval of the appropriate District Administrator.

20 OTHER CONDIDTIONS AND/OR REMARKS:

21 ☐ See attached addendum

Montana Department of Transportation Encroachment Application

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Additional Environmental Questions Pertaining to Environmental actions involving hazardous waste sites (Superfund, Spills, Underground Storage Tanks, Old Mines, etc.)

Name of Facility: N/A

Facility ID:

Address: | City | State: MT | Zip Code

Check Boxes that are applicable below and provide subsequent details

☐ Leaking underground storage tank site? MDEQ identification number ☐ Petro Fund Eligible?

☐ Remediation Response Sites (State Superfund Site)? identification number and/or site name

☐ Federal Superfund Site? identification number and/or site name

☐ Is Mine Active or Abandoned? Mine Site ID# Mine Description or Name

☐ Spill? Spill Site Spill Description

Other Environmental Action

Traffic Control Plan Attached? ◯ Yes ◯ No

For each well installed in MDT R/W, provide GPS coordinates in state plane coordinates (preferred) or well survey information in another format (continue on another sheet if necessary).

NOTE: Each well request needs to be submitted on a separate application form.

Add Well	Well Designation	Easting	Northing
X			
X			
X			

MDT-ENV-006 11/13

Montana Department of Transportation Environmental Checklist

2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
Phone: (406) 444-7228
Fax (406) 444-7245
TTY: (406) 444-7696
www.mdt.mt.gov

Control Number/ UPN	Project Identification Number	Name/ Location Description	Route/Corridor	Federal Funds Involved?
	F 27090		C000005	

(↑For MDT Use Only↑)

Date: 3/16/15

Choose type of Environmental Checklist: Encroachment / Occupancy

Location

Highway or Route:	Milepost(s):
US Hwy 93S	127.3

Physical Address:	City:
669 SPOKANE	WHITEFISH

Legal Description:	County:
	FLATHEAD

Township:	Range:	Section(s):
31N	22W	S36

Applicant Information:

Name:	Title
VIK KEMYLIAN	PROJECT MANAGER.

Company/Utility:
669 SPOKANE LLC

Mailing Address:	Phone:
P.O BOX 5270	949441-9177

City:	State:	Zip:	Business Phone:
WHITEFISH	MT	59937	

MDT Environmental Checklist Help Guide

(Click button or go to www.mdt.mt.gov/other/environmental/external/forms/ENVIRONMENTAL-CHECKLIST-HELPSHEET.PDF)

Impact Questions

Actions that qualify for Categorical Exclusion under MEPA and/or NEPA (See ARM 18.2.261 and 23 CFR 771.117)
(See ARM 18.2.261 and 23 CFR 771.117)

Comment, Explanation, and/or Information Source (Attach supporting information, as necessary.)

1	Will the proposed action impact any known historical or archaeological site(s)?	○ Yes	☒ No
2	Will the proposed action impact any publicly owned parkland(s), recreation area(s), wildlife or waterfowl refuge(s)?	○ Yes	☒ No
3	Will the proposed action impact prime farmlands? (If yes, attach a completed Farmland Conversion Impact Rating Ad-1006.)	○ Yes	☒ No
4	a. Will the proposed action have an impact on the human environment that may result from relocations of persons or businesses, changes in traffic patterns, changes in grade, or other types of changes?	○ Yes	☒ No
	b. Has the proposed action received any preliminary or final approval from the local land use authority?	○ Yes	☒ No
5	For the proposed action, is there documented controversy on environmental grounds? (For example, has the applicant received a letter of petition from an environmental organization?)	○ Yes	☒ No
6	Will the proposed action require work in, across or adjacent to a listed or proposed Wild or Scenic River?	○ Yes	☒ No
7	Will the proposed action require work in a Class I Air Shed or nonattainment area?	○ Yes	☒ No
8	Will the proposed action impact air quality or increase noise, even temporarily?	○ Yes	☒ No
9	a. Is the proposed project a MS4 Area? (Billings, Bozeman, Butte, Helena, Great Falls, Kalispell, and Missoula)	○ Yes	☒ No
	b. Will the proposed action have potential to affect water quality, wetlands, streams or other water bodies? If YES, an environment-related permit or authorization may be required.	○ Yes	☒ No
10	Are solid or hazardous wastes or petroleum products likely to be encountered? (For example, project occurs in or adjacent to Superfund sites, known spill areas, understorage tanks, or abandoned mines.)	○ Yes	☒ No
11	a. Are there any listed or candidate threatened or endangered species, or critical habitat in the vicinity of the proposed action?	○ Yes	☒ No
	b. Will the proposed action adversely affect listed or candidate threatened or endangered species, or adversely modify critical habitat?	○ Yes	☒ No
12	Will the proposed action require an environmental-related permit or authorization? If the answer is "yes," please list the specific permits or authorizations.	○ Yes	☒ No
13	a. Is the proposed action on or within approximately 1 mile of an Indian Reservation?	○ Yes	☒ No
	b. If "Yes", will a Tribal Water Permit be required?	○ Yes ○ No	☒ N/A
14	Will the proposed action result in increased traffic volumes, increased wait or delays on state highways, or have adverse impacts on other forms of transportation (rail, transit or air movements)?	○ Yes	☒ No
15	Is the proposed action part of a project that may require other governmental permits, licenses or easements? If "Yes", describe the full extent of the project and any other permits, licenses or easements that may be necessary for the applicant to acquire. CITY OF WHITEFISH ARC APPROVAL?	☒ Yes	○ No

Montana Department of Transportation Environmental Checklist

2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
Phone: (406) 444-7228
Fax (406) 444-7245
TTY: (406) 444-7696
www.mdt.mt.gov

16	Attach a brief description of the work to be performed, including any subsurface work.	☒ Description Attached
17	Attach representative photos of the site(s) where the proposed action would be implemented. Photos are to include any structures, streams, irrigation canals, and/or potential wetlands in the project area.	☒ Photos Attached
18	Attach map(s) showing the location(s) of the proposed action(s); Section, Township, Range; highway or route number and approximate route post(s).	☒ Maps Attached

Checklist preparer: VIC CEUZIA **Title:** PROJECT MANAGER **Signature** **Date** 3-16-15

Reviewed for completeness by:

MDT District Representative — Title: Maint Chief — Date: 3-24-15

Checklist Approved by:

Environmental Services Bureau (When any of the items 1 through 15 are checked "Yes") — Title — Date

Transportation Planning (When any of the items 14 or 15 are checked "Yes") — Title — Date

Checklist Conditions and Required Approvals

A. The applicant is not authorized to proceed with the proposed work until the checklist has been reviewed and approved, as necessary, and any requested conditions of approval have been incorporated.

B. Complete the checklist items 1 through 15, indicating "Yes" or "No" for each item. Include comments, explanations, information sources, and a description of the magnitude/importance of potential impacts in the right hand column. Attach additional and supporting information as needed. Ensure that information required for items 16, 17, and 18, is attached. The checklist preparer, by signing, certifies the accuracy of the information provided.

C. If "Yes" is indicated on any of the items, the Applicant must explain the impacts as applicable. Appropriate mitigation measures that will be taken to avoid, minimize, and/or mitigate adverse impacts must also be described. **Any proposed mitigation measures will become a condition of approval.** Use attachments if necessary. If the applicant checks "No" and the District concludes there may in fact be potential impacts, the Environmental Checklist must be forwarded to Environmental Services Bureau for review and approval.

D. If "Yes" is indicated in item 11 a. (threatened or endangered species), the Applicant should provide information naming the particular species and the expected location, distribution and habitat use in the proposed action area, i.e. within the immediate area of the proposed action; or, in the general area on occasion (seasonally passes through) but does not nest, den or occupy the area for more than a few days.

E. If the applicant checks "Yes" for any item, the approach permit, occupancy agreement or permit, along with the checklist and supporting information, including the Applicant's mitigation proposal, documentation, evaluation and/or permits must be submitted to MDT Environmental Services Bureau. Electronic format is preferred.

F. When the applicant checks "Yes" to any item, the Applicant cannot be authorized to proceed with the proposed work until the MDT Environmental Services Bureau and/or Transportation Planning, as appropriate, reviews the information and signs the checklist.

G. Applicant must obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the proposed action or activity. The Applicant is solely responsible for any environmental impacts incurred as a result of the project; obtaining any necessary environmental permits, notifications, and/or clearances; and ensuring compliance with environmental laws and regulations.

Attachment for 669 Spokane LLC.

US 93 MP 127.3

1. This permit is for installation and upgrade of landscaping, fencing and a covered patio. Any additional permits required are the responsibility of the permittee. Fencing cannot be closer than 25' from white shoulder line. Patio cover cannot be closer than 35 feet from white shoulder line.

2. Maintenance of these improvements will be the responsibility of the permittee.

3. Permittee or their contractors are required to locate and move or protect all utilities currently buried on MDT right of way. Repair of any damage caused by construction will be the responsibility of the permittee.

4. Permittee or their contractors are required to meet all signing and traffic control requirements while working on MDT right of way in accordance with MUTCD specifications.

5. Permittee is responsible for any rocks, gravel or debris that is carried onto the roadway by this construction. Sweeping and cleaning will be done daily at the permittee's expense.

6. No shrubbery or plants are allowed to exceed 18 inches mature height. No landscape rocks are allowed on MDT right of way.

7. No additional run off from this area behind the sidewalk can be directed to MDT drainage facilities.

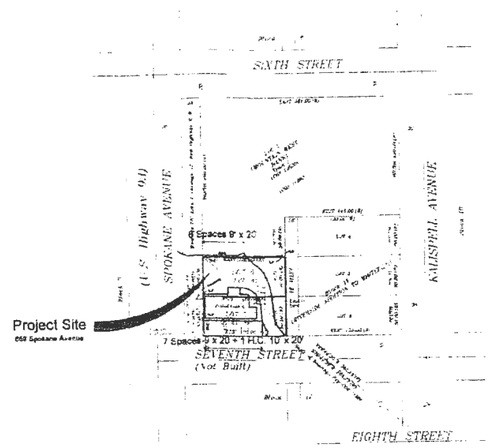
8. If in the future MDT needs use of the right of way it will be up to the permittee at their expense to remove or relinquish at no charge the improvements to MDT. Costs incurred for removal will be the responsibility of the landowner.

9. No signage or parking within MDT right of way is allowed at any time.

10. **Contact the acting area supervisor, John Gray at 862-3068 twenty four hours prior to starting construction to verify location and construction details.**

Image capture: Apr 2011 © 2015 Google

VIK 949-441-9177 4US BIZ@GMAIL.COM.

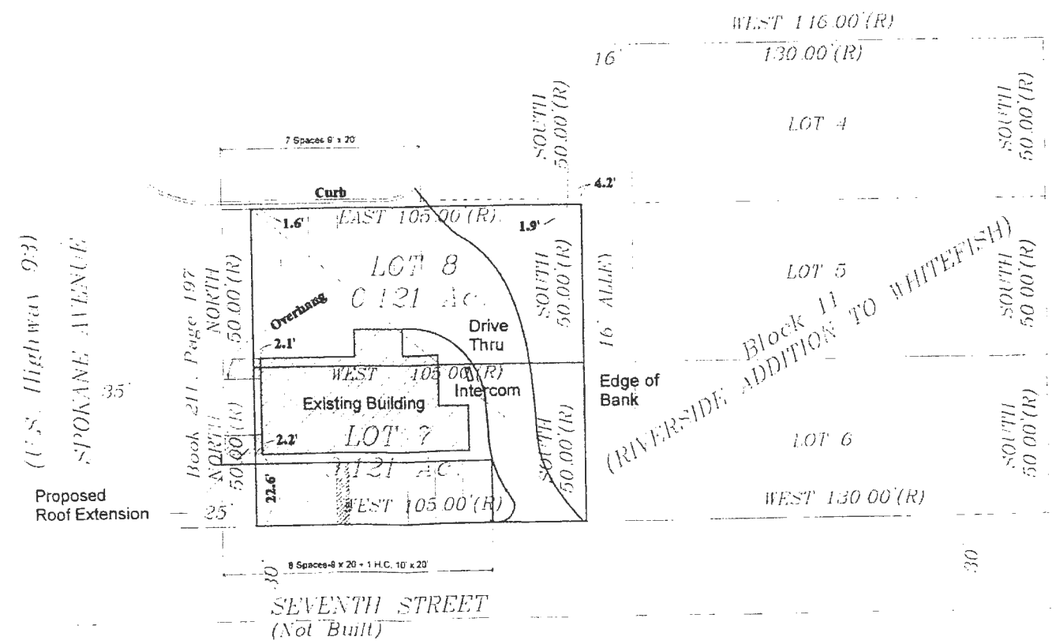


1) RE DO EXISTING FENCE

2) EXTEND & REDO PATIO COVER.

Vicinity Map

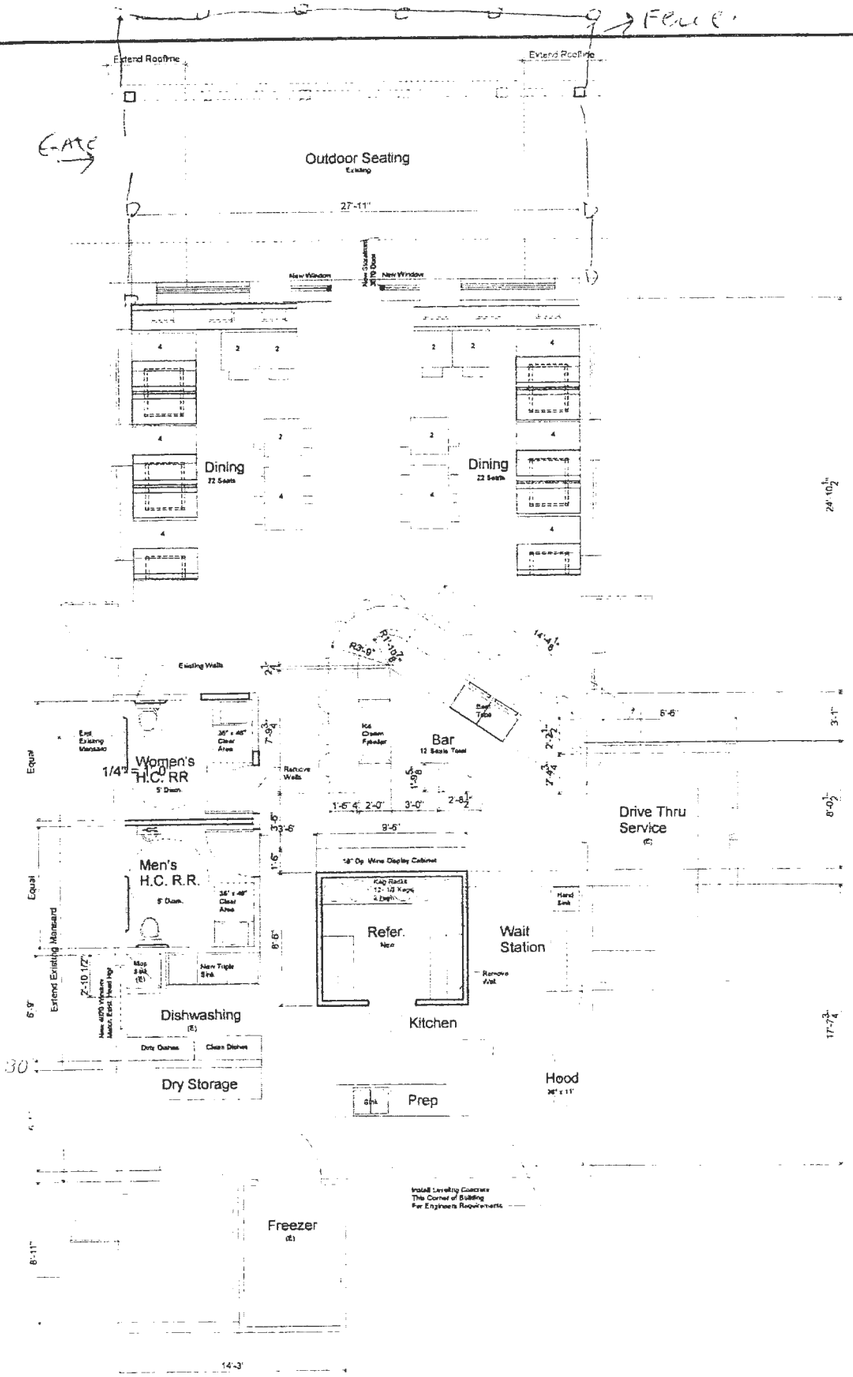
North
No Scale



Site Plan/Parking Plan

Proposed Parking-16 Spaces (Need 19 @ 1 Per 100)

North
Scale: 1" = 20'-0"



Proposed Floor Plan

1990 Sq.Ft. Approximate Area

1/4" = 1'-0"

Revisions:

Lyndon L. Steinmetz
Design Studio, LLC
Kalispell, Montana (406) 257-5463

All contractors & trades shall verify all levels, datums and dimensions prior to commencement of the work. Any discrepancies shall be reported to the designer for clarification prior to proceeding with the work.

Do not Scale these Drawings

This drawing must not be used for construction purposes unless signed by the DESIGNER.

Proposed Floor Plan
669 Spokane Ave
669 Spokane Avenue, Whitefish, MT

Proposed Floor Plan
● Issued for Pricing
● Issued for Construction
● Date Printed 12/29/15

Drawing Data:
Drawn: L.L.S.
Date: 02/28/15
Scale: 1/4"
Job: MTD1314

Sheet
ARB1
1 of 1

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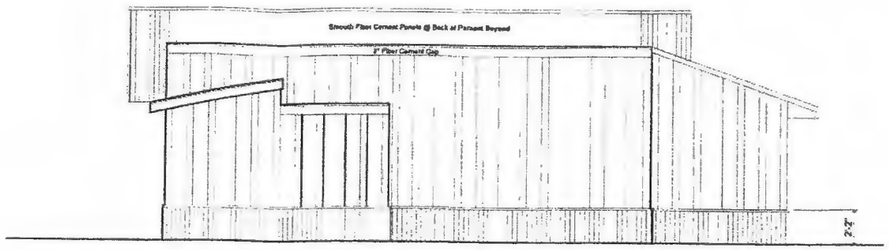
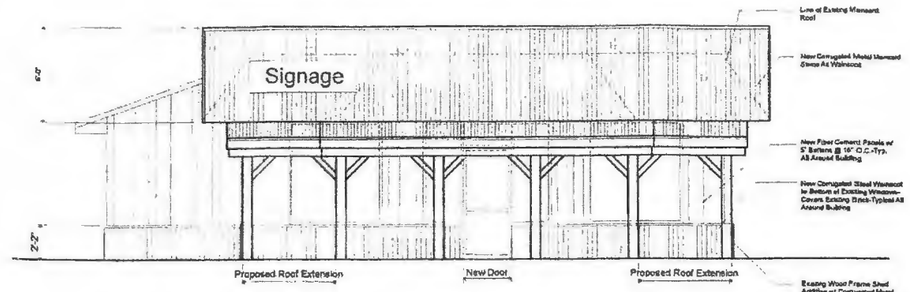


East Elevation

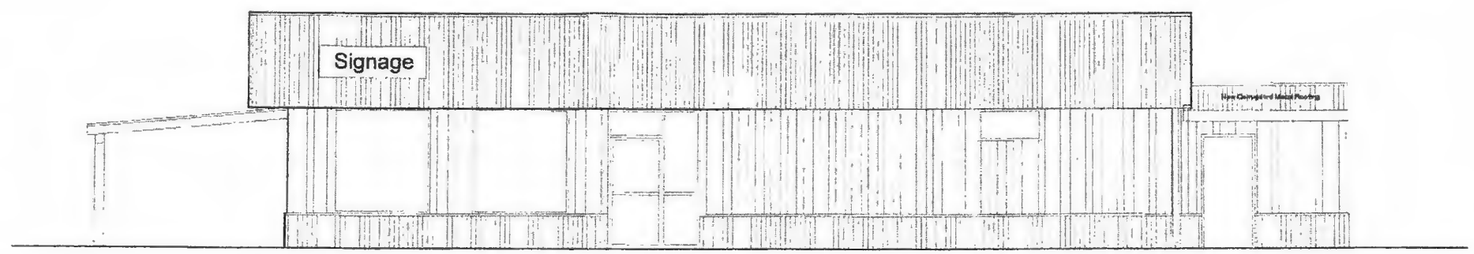
Scale: 1/4" = 1'-0"



Proposed Street (West) Elevation

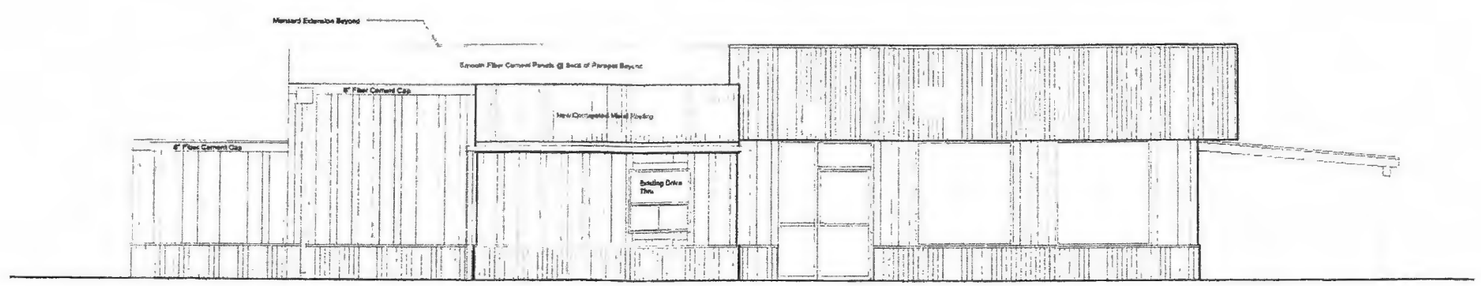
Scale: 1/4" = 1'-0"

Note:
Existing Mechanical Equipment (Heat Hoods, Motors, Electrical Panels, Etc.)
Not Shown on These Elevations.



South Elevation

Scale: 1/4" = 1'-0"



North Elevation

Scale: 1/4" = 1'-0"

Revisions:

Lyndon L. Steinmetz Design Studio, LLC
Kalispell, Montana (406) 257-5463

All craftsmen & trades shall verify all levels, dimensions & conditions prior to commencement of work & report any discrepancies or errors and omissions found in reported levels, dimensions & conditions prior to construction prior to proceeding with the work.

Do Not Scale These Drawings

These drawings are issued ISSUED FOR CONSTRUCTION.

Proposed Floor Plan
669 Spokane Ave
669 Spokane Avenue, Whitefish, MT

© Copyright Reserved, All parts of these drawings are the exclusive property of LYNDON L. STEINMETZ DESIGN STUDIO,LLC and shall not be used without the DESIGNERS permission.

Proposed Elevations

- Issued for Pricing
- Issued for Construction
- Date Printed 03/07/16

Drawing Data:
Drawn: L.L.S.
Date: 03/07/16
Scale: 1/4"
Job: M7013314

Sheet
ARB2
2 of 2

24'9"
35'
(from white shoulder line)

ORDINANCE NO. 16-___

An Ordinance of the City Council of the City of Whitefish, Montana, amending Zoning Regulations in Whitefish City Code Title 11 to add recreational guides and outfitters to the list of Permitted Uses in WB-2 Secondary Business District.

WHEREAS, Edward Justin Lawrence, owner of Lakestream Outfitters, requested an amendment to the Zoning Regulations to add recreational guides and outfitters to the list of Permitted Uses in the Whitefish City Code § 11-2K-2, WB-2 Secondary Business District, and add the definition of recreational guides and outfitters to § 11-9-2, Definitions; and

WHEREAS, in response to the proposal to amend Title 11, Chapters 2, and 9 in the Whitefish City Code, the Planning and Building Department prepared Staff Report WZTA 16-02, dated July 21, 2016; and

WHEREAS, at a lawfully noticed public hearing on July 21, 2016, the Whitefish Planning Board received an oral report from Planning staff, reviewed Staff Report WZTA 16-02, invited public comment, and thereafter voted to recommend approval of the proposed text amendments; and

WHEREAS, at a lawfully noticed public hearing on August 1, 2016, the Whitefish City Council received an oral report and a written report from Planning staff, reviewed Staff Report WZTA 16-02, and letter of transmittal, invited public input, and approved the text amendments attached as Exhibit "A;" and

WHEREAS, it will be in the best interests of the City of Whitefish and its inhabitants to adopt the proposed text amendments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: Staff Report WZTA 16-02 dated July 21, 2016, together with the July 22, 2016 letter of transmittal from the Whitefish Planning & Building Department, are hereby adopted as Findings of Fact.

Section 3: Amendments to Whitefish City Code §§ 11-2K-2 and 11-9-2, amending the language as provided in the attached Exhibit "A", with insertions shown in red and underlined, are hereby adopted.

Section 4: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 5: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

EXHIBIT "A"

Whitefish City Code Title 11 – Zoning Regulations

Chapter 2 – Zoning Districts

Article K. WB-2 Secondary Business District

11-2K-2: PERMITTED USES:

- Antique stores and auction barns.
- Automobile, boat, and recreational vehicle sales, rentals, parts, repair and service.
- Automotive service stations and convenience stores within.
- Bed and breakfast establishments (see special provisions in section 11-3-4 of this title).
- Bowling establishments.
- Building supplies outlets.
- Bus depot.
- Churches or similar places of worship.
- Daycare centers (13 or more individuals).
- Financial institutions and professional services.
- Frozen food lockers, not including slaughtering.
- Furniture and floor coverings stores.
- Grocery stores.
- Hair salons.
- Hospitals, and associated related nursing homes, retirement homes, congregate housing and personal care facilities in a campus setting.
- Hotels, motels, and other hospitality and entertainment uses.
- Household appliance and electronics stores.
- Laundry and dry cleaning.
- Machinery and equipment sales, rental and repair.
- Medical clinics and associated therapeutic health services.
- Military surplus stores.
- Mortuaries and crematories.
- Private postal services and shipping services.
- Professional offices.
- Public buildings.
- Recreational facilities, private and commercial.
- Recreational guides and outfitters.
- Residential:
  - Caretaker's units (see special provisions in section 11-3-6 of this title).
- Restaurants.
- Seed and grain sales.
- Theaters.
- Vendors (see special provisions in section 11-3-23 of this title).
- Veterinary office, small animal.
- Wholesale and warehousing.

Chapter 9 – Definitions

11-9-2: DEFINITIONS:

RECREATIONAL GUIDES AND OUTFITTERS: Business offering trained and/or State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of supplies and equipment related to the primary activity are allowed up to thirty percent (30%) of the gross floor area.

PLANNING & BUILDING DEPARTMENT
510 Railway Street, PO Box 158 Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

August 1, 2016

Mayor and City Council
City of Whitefish
PO Box 158
Whitefish, MT 59937

Re: Zoning Text Amendment: WZTA 16-02

Honorable Mayor and Council:

Summary of Requested Action: This application is a request by Edward Justin Lawrence, owner of Lakestream Outfitters, for a Zoning Text Amendment to the permitted uses of Section 11-2K-2, WB-2 Secondary Business District, to add "Recreational Guides and Outfitters", and adding a definition of "Recreational Guides and Outfitters" in Section 11-9-2, Definitions.

Planning & Building Department Recommendation: Staff recommended approval of the proposed zoning text amendment based on the findings attached to the staff report.

Public Hearing: A public hearing on this item occurred on July 21, 2016. After a presentation of the staff report and a presentation from the applicant on why he requested the change, there was public testimony from five members of the public. Mike Jensen spoke in favor of the text amendment, stating that the business has changed over the years into mostly outfitting, and they need more room to accommodate their boats. Brian Murphy has an office nearby their existing location and discussed traffic issues and supported the request. Bill Frazier also spoke in favor of the text amendment and how the business had outgrown its current location. Mayre Flowers opposed the text amendment, stating that a Corridor Study should be completed first and that it could be spot zoning. She also handed out a copy of the 2011 WB-2 Stakeholder Agreement on zoning uses in the WB-2. Chris Schustrom spoke on behalf of the Heart of Whitefish, and they opposed the text amendment based on sporting goods not being added to the list of permitted uses back in 2011 when the WB-2 zone was reviewed. He also discussed the 60' city right of way that encumbers the site on Spokane that the applicant wishes to possibly move to and handed out a photo. Mike Jensen spoke a second time and said he was on the WB-2 Stakeholder Committee and the changes were to address non-conforming uses, not close the door on future uses. He also discussed how the code is an evolving living thing, and improving things shouldn't wait years for corridor studies.

Planning Board Action: The Whitefish Planning Board held a public hearing on July 21, 2016. Following this hearing, the Planning Board recommended approval (5-1, Norton opposed) of the proposed amendments.

Proposed Motion:

> I move to approve WZTA 16-02 along with the Findings of Fact in the staff report

This item has been placed on the agenda for your regularly scheduled meeting on August 1, 2016. Should Council have questions or need further information on this matter, please contact the Whitefish Planning Board or the Planning & Building Department.

Respectfully,

David Taylor, AICP
Director

Att: Exhibit A, Proposed zoning text amendment, 7-22-16
Minutes of 7/21/16 Planning Board Meeting
Additional Photos Provided by Applicant 7-21-16
Copy of 2011 WB-2 Agreement from Mayre Flowers 7-21-16
Written Comment/Photo received 7-21-16 from Chris Schustrom

7/21/16 Planning Board Packet

c: w/att Michelle Howke, City Clerk

EXHIBIT 'A'
Planning Board Recommendation
WZTA 16-02
AUGUST 1, 2016

1. Secondary Business District, WB-2, 11-2k-2 PERMITTED USES

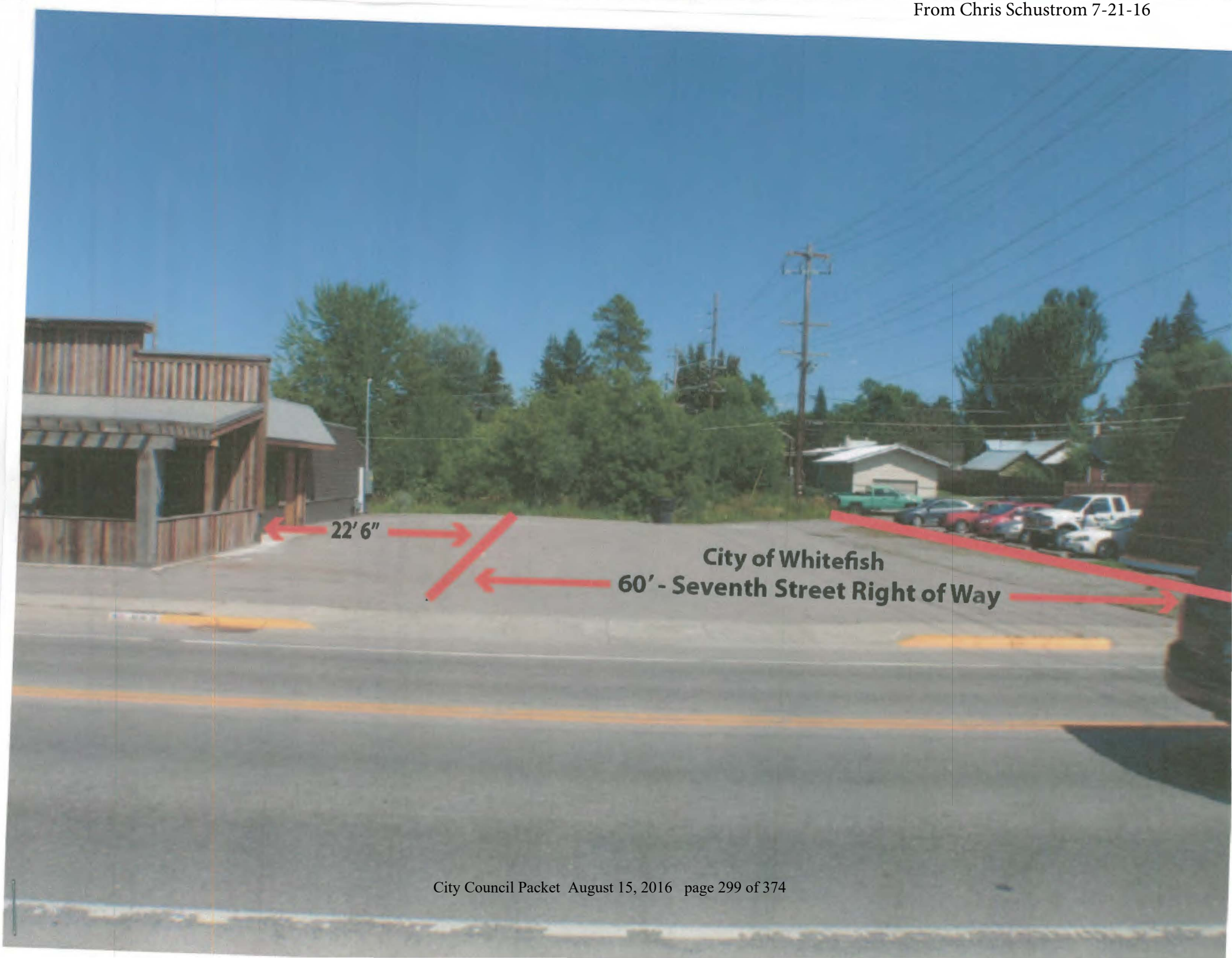
- Recreational guides and outfitters

Definitions, 11-9-2:

RECREATIONAL GUIDES AND OUTFITTERS:	Business offering trained and/or State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of supplies and equipment related to the primary activity are allowed up to 30% of the gross floor area.

OPEN

State Farm
Tim Murphy
the Whitefish
EYE CENTER
OPTOMETRY


22' 6"
City of Whitefish
60' - Seventh Street Right of Way

Chris Schustrom

From: Chuck Stearns [cstearns@cityofwhitefish.org]
Sent: Thursday, July 21, 2016 2:54 PM
To: Chris Schustrom
Subject: ROW width of 7th Street between Spokane Avenue and Kalispell Avenue

Chris:

To answer your question today, yes, it is a 60 foot right-of-way that the City has for the unimproved right-of-way of 7th Street between Spokane Avenue and Kalispell Avenue. That information is from the 1907 plat of the Riverside Addition.

As I said, we are interested in improving that with a road in the future. We have decided to wait to see if MDT pursues the 7th Street bridge over the river because if they do, we believe that they might also pay for the construction and paving of that block of 7th Street at the same time as a connector piece. If MDT does not pursue the 7th Street bridge, then the City would ultimately have to pursue it as a locally funded project. It is not eligible for Resort Tax funding as it is a new road, not the reconstruction of an existing road.

Chuck Stearns
City Manager
City of Whitefish
P.O. Box 158
1005 Baker Avenue
Whitefish, MT 59937-0158
406-863-2406
Fax 406-863-2419

Submitted by Mayre Flowers
7-21-16

Agreements

1. The Committee endorses the adoption of a zoning compliance ordinance, effective within City limits, that would require a business to establish compliance with the zoning for the location proposed for its operation. The Committee expressed a concern that the fees for zoning compliance not be onerous.

2. The Committee endorses the prompt commencement of a comprehensive Corridor Master Plan for the WB-2 zone, as called for in the Growth Policy, to provide a framework to establish a vision for the corridor, which includes consideration of the intention and purpose of the zone, market demand, land use, appropriate commercial activity, aesthetic considerations, traffic concerns and best practices of urban design, recognizing that there may be geographical differences within the WB-2 that may call for different solutions. The Committee urges the City to immediately apply for available grants for this study, including the Department of Commerce's CDBG grants, for which there is an April 15 deadline.

3. The Committee agrees that the Mountain Mall should be permitted to operate in its current form in perpetuity; it recommends that "shopping malls" be eliminated as a permitted use (since a shopping mall is a kind of structure, and not a use), which will make the Mountain Mall a legal, non-conforming use, but recommends that the City take whatever steps are necessary to provide that the Mountain Mall be permitted to retain its permitted uses even "in the event of a disaster that destroys more than 50% of the existing structure" (which otherwise might cause the Mall to lose its wide range of permitted uses). It is our understanding that, as long as the Mall applies for a building permit, the use will be considered continuous, but the Committee supports the Mall in closing this possible

EXHIBIT

C

loophole.

4. The Committee recommends that that City strengthen its open storage regulations so that businesses operating in the WB-2 (or elsewhere) not be permitted to store wrecked vehicles, oil drums, and other unsightly objects in public view.

5. The Committee recommends that "start-up" fees for new businesses be streamlined to the extent practicable. For example, if a business requests a zoning change to allow it to operate a business that is within the intention and purpose of the zone, perhaps a smaller fee could be considered. The Committee acknowledges the Planning Department's efforts to create a checklist for new businesses and endorses its efforts to educate and manage the demands on its staff.

6. These are the proposed text amendments to permitted uses in the WB-2 that garnered unanimous support:

11-2K-2: Permitted Uses:
*antique stores and auction barns
*automobile, boat, [delete manufactured home] and recreational vehicle sales, rentals, parts, repair and service
*automotive service stations and convenience stores within
*bed and breakfast establishments
*bowling establishments
*building supplies outlets
*bus depot
*churches or similar places of worship
*daycare centers (13 or more individuals)
*[delete electric and] household appliance and electronics stores
*financial institutions and professional services
*frozen food lockers, not including slaughtering
*furniture and floor coverings stores
*grocery stores

*hair salons
*hospitals, and associated related nursing homes, retirement homes, congregate housing and personal care facilities in a campus setting
*hotels, motels, and other hospitality and entertainment uses
*laundry and dry cleaning
*machinery and equipment sales, rental and repair
*medical clinics and associated therapeutic health services
*mortuaries and crematories
*professional offices
*public buildings
*recreational facilities, private and commercial
*residential
*caretaker's units
*restaurants
*seed and grain sales
*[delete shopping malls]
*theaters
*vendors
*veterinary office, small animal
*wholesale and warehousing
*military surplus [defined as "a retail sales establishment that offers for sale new or used military surplus items and may also include sporting goods and outdoor recreation clothing and gear"]

11-2K-3: Conditional Uses:
*accessory apartments
*bars, lounges
*boat and recreational vehicle storage
*casinos within a casino overlay zone
*colleges, business and trade schools
*light assembly and light manufacturing
*manufactured home subdivisions
*microbreweries
*mini-storage [see #7 below]

*personal care facilities when not in association with a hospital in a campus setting
*recreational vehicle parks, campgrounds and amusement parks (2 acres minimum size)
*truck stops
*veterinary hospital

7. Mini-storage. It was agreed that the City should establish appropriate setbacks and other appropriate regulation of mini-storage units on US 93, Baker Avenue and JP Road so that the units are not an eyesore or otherwise objectionable when viewed from the street.

DATED: March 31, 2011

LAWRENCE/LAKESTREAM
ZONING TEXT AMENDMENT
WZTA 16-02
EXHIBIT LIST
JULY 21, 2016

1. Staff Report – WZTA 16-02, 7-21-16
2. Public Comments (3 e-mails), 7-14-16

The following was submitted by the applicant:

3. Application for Zoning Text Amendment, 6-22-16

PROPOSED ZONING TEXT AMENDMENT
EDWARD JUSTIN LAWRENCE
TITLE 11, CHAPTER 2K: SECONDARY BUSINESS DISTRICT
TITLE 11, CHAPTER 9: DEFINTIONS
STAFF REPORT # WZTA 16-02
July 21, 2016

This is a request by Edward Justin Lawrence, owner of Lakestream Outfitters, for a Zoning Text Amendment to the permitted uses of Section 11-2K-2, WB-2 Secondary Business District, to add "Recreational Guides and Outfitters", and adding a definition of "Recreational Guides and Outfitters" in Section 11-9-2, Definitions. The Planning Board public hearing is scheduled for **July 21, 2016** and a subsequent hearing is scheduled before the City Council on **August 1, 2016**.

BACKGROUND INFORMATION

The applicant initiated a zoning text amendment because he is seeking to relocate his guiding, outfitting, and fly shop business to a different location. It is currently located on Central Avenue between E 4th and E 5th Streets in the WB-3 zone. In searching for a more suitable site that can accommodate their parking and display needs for rafts and trucks with trailers, he desires to move to the WB-2, Secondary Business District, which he feels is more appropriate for his operations. Boat sales and rentals are a permitted use in the WB-2 and are not permitted in the WB-3. Guiding and outfitting businesses are considered "personal services" in the code, and personal services are not listed in the allowed uses of the WB-2.

Under Section 11-7-3-B-14 of the code, the zoning administrator shall "*refer to the planning board for placement of all uses not categorically permitted but deemed to be synonymous by the zoning administrator. The planning board shall reserve the right to declare a new use and thus require a zoning ordinance amendment for placement of the new use*." Since this is a proposed amendment to the WB-2 zoning regulations, it is a legislative matter and not quasi-judicial.

The applicant is proposing to add "Recreational Guides and Outfitters" to the permitted uses under WB-2 Secondary Business District, 11-2K-2, and has proposed a new definition of that term, which staff modified slightly.

New proposed permitted use under 11-2K-2:

- <u>Recreational guides and outfitters</u>

New proposed definition under 11-9-2:

> <u>Recreational guides and outfitters – Business offering trained and/or State licensed guides as well as equipment and supplies for sale and/or rent for specialized outdoor activities such as fishing or hunting. Retail sales of</u>

supplies and equipment related to the primary activity are allowed up to 30% of the gross floor area.

11-2K-1, Intent and Purpose, describes the intent of uses allowed within the WB-2 zone:

> *The WB-2 district is intended to provide for those retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas and by outdoor commercial amusement or recreational activities. This district depends on proximity to highways or arterial streets and may be located in business corridors or islands*

Recreational Guides and Outfitters are a service that requires large display, parking, and storage areas for drift boats and rafts and trucks pulling trailers, and it can definitely be considered an "outdoor commercial amusement or recreational activity", so the proposed use fits with the Intent and Purpose of the WB-2. Other types of guides and outfitters (whitewater rafting guides, etc) would also be more appropriate in the WB-2 zone based on their need for outdoor display, storage, and parking outlined in the Intent and Purpose of the WB-2, as well as fitting within the "boat rental" permitted uses.

1 . Parking issues at current location

The applicant contends that with his business evolving into mostly guide based business, his current location is unsuitable for the type of activity his business generates and his parking and outdoor storage needs. He has stated that Lakestream has 5-6 boats and rafts for sale needing outside display and the business requires loading and parking for 8-10 trucks with boat trailers on site

every day for fishing clients. Neighboring businesses have attested that the constant boat and trailer activity has created congestion and parking issues on Central Avenue. The applicant has also stated that the retail component (fishing gear and promotional items) makes up only 20-25% of his total business, so he is fine with a 30% floor area restriction for retail.

REVIEW AND FINDINGS OF FACT

The proposed changes shall be evaluated based on the criteria for consideration for amendments to the provisions of the Zoning Regulations per Section 11-7-12E.

1. Zoning Regulations Must Be:

a. Made in Accordance with a Growth Policy

Economic Development Goal #3 is to diversify the economy with compatible businesses that protect the character and qualities of Whitefish. Economic Development Goal #4 is to develop and promote Whitefish as a year around destination resort community providing amenities for visitors and employment opportunities. The General Commercial/Highway Commercial Future Land Use is for "auto-oriented commercial and service uses" that require ample parking and display areas, which the proposed new use qualifies for.

Finding 1: The Growth Policy promotes a diversification of the economy and visitor related services which the proposed new use allows for. The proposed use is consistent with the intent of the General Commercial future land use, for auto-oriented commercial and service uses requiring ample parking and display areas.

b. Designed to:

i. Secure safety from fire and other dangers

Finding 2: The proposed code amendment is unrelated to securing safety from fire and other dangers.

ii. Promote public health, public safety and general welfare

Finding 3: The proposed amendments promote public health, public safety and general welfare by providing additional compatible uses within the intended zoning district.

iii. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements

Finding 4: The proposed code amendment will improve parking in the downtown core by allowing a business with excessive parking and outdoor storage requirements to locate in an appropriate zoning district. There is no off-street parking requirements in the WB-3, yet this uses requires room for boats and

trailers. The proposal has no impact on the adequate provision of water, sewerage, schools, parks and other public requirements.

2. In the adoption of zoning regulations, the city shall consider:

a. Reasonable provision of adequate light and air

Finding 5: The proposed code amendment is unrelated to reasonable provisions of adequate light and air.

b. The effect on motorized and non-motorized transportation systems

Finding 6: The proposed code amendment will help improve parking and reduce congestion downtown by facilitating a use that requires ample parking and outdoor display to a more compatible area with more room for on-site parking.

c. Promotion of compatible urban growth

Finding 7: The proposed code amendment will facilitate a use that has many boats and trailers in a district that is more compatible with such activity.

d. The character of the district and its particular suitability of the property for the particular uses

Finding 8: Guides and outfitters specifically meet the intent and purpose of the WB-2 district as they are service in need of large display and parking areas and storage areas, and are a recreational activity. The WB-3 zone does not permit boat sales and rentals.

e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area; and

Finding 9: The proposed code amendments do not affect the value of buildings.

f. That historical uses and established uses patterns and recent change in use trends will be weighed equally and consideration not be given one to the exclusion of the other.

Finding 10: Historic, established, and recent use trends support adding compatible appropriate uses to the WB-2 zoning district.

ADDITIONAL FINDINGS

Finding 11: Whereas, legal public notice according to the Whitefish City Code was published in the *Whitefish Pilot* on July 6, 2016;

Finding 12: Whereas boat sales and rentals are not permitted in the WB-3, and recreational guides and outfitting businesses need large display and parking areas consistent with the intent of the WB-2 zoning district;

Finding 13: It is in the best interest of the City of Whitefish to amend the Secondary Business District (WB-2) to add recreational guides and outfitters as permitted use and add a definition of same to Section 11-9-2.

OVERALL RECOMMENDATION

Staff recommends the Planning Board **approve** the recommendations set forth in the staff report to amend §11-2K-2 and §11-9-2 of the Zoning Regulations and adopt the findings of fact and transmit same to the Whitefish City Council for further action.

David Taylor

From: Joseph W Akey <joseph.w.akey.ukgp@statefarm.com>
Sent: Thursday, July 07, 2016 1:48 PM
To: David Taylor
Subject: Lakestream Guides

Dave, Justin Lawrence and his crew at Lakestream have always been great neighbors here on Central ave, however their continually expanding guide services have created an unfortunate parking issue. We are all aware of the limited parking on Central ave and it is exaggerated here on the 300 block. There are fewer painted parking spaces than on any other block of the Central Ave business district and only two spots available for the guides to park their vehicles and trailers. When those spots are full this results in the guides being forced to park illegally or try to find a space within a few blocks to load or unload their clients and all their gear. The 400 block is usually not an option for this as it is residential parking and the large median limits the vehicle/trailer combinations that can fit down the street.

I know that parking is a priority to the city, which was made clear by the building of the parking garage, and a move for Lakestream off of Central Ave would be a step in the right direction for a parking remedy. The success of this business is a great thing for the city of Whitefish but they have outgrown their current location and need to find something more suitable for the services they offer. Additional the move will make way for businesses who are primarily focused on retail sales. Thank you for your time and consideration.

JOE AKEY

TIM J MURPHY INS AGCY INC
TIM MURPHY, AGENT
346 CENTRAL AVE
WHITEFISH, MT 59937
P: 406-862-7747
F: 406-862-3711

David Taylor

From: Tim <timjoern@hotmail.com>
Sent: Monday, July 11, 2016 2:29 PM
To: David Taylor
Subject: Lakestream Fly Shop Relocation Support

Dear Mr. Taylor,

My name is Tim Joern. I've been a Science teacher at Whitefish Middle School for nearly 30 years and have worked 23 years part-time at Lakestream Fly Shop both as a Shop Pro and Certified Fly Casting Instructor. During my tenure with Lakestream I've worked for four different owners and have been fortunate to watch how this business has evolved into a first-class operation.

I have a keen understanding of current owner Justin Lawrence's vision for the fly shop's future and the excitement it will bring to our community. Justin is committed to not only meet, but to exceed the needs of visitors and residents alike.

Unfortunately, the current location of the shop limits growth and the opportunity to take this enterprise to the next level. While Lakestream at its current location occasionally provides an interesting store to visit for those strolling up and down Central Avenue, it is for the most part a destination business that customers frequent for their specific fly fishing needs. Associated with the current location are issues surrounding parking. When you consider all the customers' vehicles, customers with boats, and the number of guides and their boats, a disproportional amount of downtown parking is in demand by a single storefront. All things considered, it would be in the best interest for both the downtown and Lakestream if this business was relocated to a more suitable setting.

Justin has come up with a "win-win" solution that has been well received by those who are served by Lakestream. I am hopeful that you and the other decision makers will support his endeavors.

Sincerely,

Tim Joern
225 Peregrine Lane
Whitefish, MT 59937
862-1490

David Taylor

From: Mike Anderson <maland@aboutmontana.net>
Sent: Wednesday, July 13, 2016 1:51 PM
To: David Taylor
Subject: Lake Stream

Howdy Dave. Being a neighbor to the hopefully new location for Lake Stream fly shop on Spokane Ave. Just like to say I think it is a great location for them and hopefully the city council agrees.

National Parks Realty

Michael Anderson
Licensed in the State of Montana
National Parks Realty
601 Spokane Avenue
Whitefish, MT 59937
Phone: (406) 862-8400
Cell: (406) 261-9081
Fax: (406) 862-2887
Web: http://www.WhitefishMontanaRealty.com
E-mail: maland@aboutmontana.net

MORRISON & FRAMPTON, PLLP
FRANK LLOYD WRIGHT BUILDING
341 CENTRAL AVENUE
WHITEFISH, MONTANA 59937
TELEPHONE (406) 862-9600
FACSIMILE (406) 862-9611
sean@morrisonframpton.com

SEAN S. FRAMPTON
SHARON M. MORRISON
DOUGLAS SCOTTI *
RYAN D. PURDY
LORI B. MILLER**
JOHNNA PREBLE

FRANK B. MORRISON, JR. (1937-2006)
FORMER MONTANA SUPREME COURT JUSTICE

* Licensed also in State of Louisiana
** Licensed also in States of Washington and California

July 20, 2016

VIA E-MAIL
Dave Taylor
City of Whitefish Planning & Building Director
dtaylor@cityofwhitefish.org

Dear Mr. Taylor,

For the past 14 years, my business has occupied the office building directly across from Lakestream Fly Fishing Shop. The guides and employees are extremely friendly, however they are constantly driving their boats and trailers through our parking lot or blocking off part of the street to turn around. I have also noticed that in an effort to avoid parking in our private lot, they are forced to use several valuable downtown parking spots for their boats, making it even more difficult for the many patrons of downtown Whitefish to find open parking spots. We understand that this is an unavoidable part of their business operation and do our best to accommodate them, however I recently learned that Lakestream has an opportunity to move to another location several blocks away with ample parking while keeping their business and clientele close to downtown.

Lakestream Fly Fishing Shop has been an institution in Whitefish for as long as I can remember and it would be a great loss if they have to move out of town. Please reconsider granting a permit for them to operate on Spokane Avenue, where they will continue to bring visitors into Whitefish.

Very Truly Yours,

Morrison & Frampton, PLLP

ROCKY MOUNTAIN REAL ESTATE

City of Whitefish
Planning and Building Department
PO Box 158
510 Railway Street
Whitefish, MT 59937

July 14, 2016

Dear Planning and Building Department,

Please accept this letter as support for Justin Lawrence and Lakestream Fly Shop relocating to Spokane Avenue.

An outfitting and guiding business at the entrance to Whitefish provides the recreationist with the Montana dream of fishing our clear waters. And the new exterior of the fly shop will be an eye-pleasing business as visitors enter Whitefish.

Relocating Lakestream Fly Shop to WB-2 zoning is a much better fit than being located downtown, where parking of the vehicles and boats and trailers is a problem. Whitefish's WB-2 zoning lists commercial recreational use, and this location would provide the parking and visibility that Lakestream needs to serve its customers.

WB-2 zoning is a much better fit for outfitting and guiding businesses.

Thank you for your consideration,

Brian Murphy
Broker/Owner
406.890.1681

307 SPOKANE AVENUE SUITE 100 WHITEFISH, MONTANA 59937
TEL: (406) 862-9000 FAX: (406) 862-9004
E-MAIL: INFO@ROCKYMTNRE.COM WEB: WWW.ROCKYMTNRE.COM

David Taylor

From: Great Northern Cycle & Ski <gncsinc@gmail.com>
Sent: Thursday, July 14, 2016 12:01 PM
To: David Taylor
Subject: Lakestream Fly Shop

Hello,

Willie here from Great Northern Cycle & Ski writing to you. I am the business next door to Justins business, Lakestream Fly. The purpose of this email is to tell you how good of a decision it is for Justin to move is business to the old DQ/Shack building on Spokane. The main reason for this is because of the downtown parking issue. In his current location on Central Ave, the guides with their trailers take up multiple parking spots on Central Ave. resulting in fewer available spots for tourists and downtown shoppers.

The new location on Spokane would be a great spot for Justin to operate his business because there is ample parking for guides with their boats to park and load up for trips. All in all I think Justin as a great business and this new location on Spokane would be a perfect fit for him.

Thank you for you time, feel free to call with any questions.

Willie

Great Northern Cycle & Ski
328 Central Ave.
Whitefish MT, 59937
406.862.5321

David Taylor

From: Bob McConnell <bob@mcconnellfamily.org>
Sent: Wednesday, July 20, 2016 9:45 PM
To: David Taylor
Subject: Lakestream Fly Shop

Dave Taylor:

Since 2002 my office has been located in the Frank Lloyd Building directly across from the Lakestream Fly Shop. Lakestream has been a great neighbor and a part of the Central Avenue business community for over 30 years but I do have to admit that the nature of their business creates some parking and traffic congestion at our end of the street. The owner, Justin Lawrence, is being forced to move and has wisely found a new home in a great location on Spokane Avenue in the old Shack location. That location will give him plenty of parking and space for his guides with their boats to meet fishing clients. But I understand that the city may not give him a permit to operate his retail business out of that location. I believe that he should be allowed to operate a retail store there as that neighborhood is clearly commercial including a jewelry store which is a retail business. There is plenty of parking and it only makes sense to amend the regulations to permit his business to operate on Spokane Ave. The business district of Whitefish is growing in that direction because it is the only area with space to expand. I know that it upsets some current business owners in the heart of downtown but they will have to accept the fact that future growth of business in Whitefish has no choice but to move to Spokane and South Highway 93. It would be a shame if this long-time Whitefish business was forced to go to Columbia Falls or Kalispell to find a friendly environment in which to operate. Lakestream brings a lot of shoppers to this area and I urge you to grant them the permit to relocate to Spokane Avenue. Thank you.

Bob McConnell

Bob McConnell
341 Central Avenue
Whitefish, MT 59937
406-250-7688

File #: _____

Date: _____

Intake Staff: _____

Date Complete: _____

City of Whitefish
Planning & Building Department
PO Box 158
510 Railway Street
Whitefish, MT 59937
Phone: 406-863-2410 Fax: 406-863-2409

PETITION FOR TEXT AMENDMENT

FEE ATTACHED $ 1980.00
(See current fee schedule)

INSTRUCTIONS:

- ☐ A pre-application meeting with city staff is required. Date of pre-application meeting: _____
- ☐ Submit the application fee, completed application and appropriate attachments to the Whitefish Planning & Building Department a minimum of **forty five (45) days prior** to the Planning Board meeting at which this application will be heard.
- ☐ The regularly scheduled meeting of the Whitefish City Planning Board is the third Thursday of each month at 6:00 PM in the Council Chambers at 1005 Baker Avenue.
- ☐ After the Planning Board hearing, the application is forwarded with the Board's recommendation to the next available City Council meeting for hearing and final action.

A. PROJECT INFORMATION:

Project Address: 669 Spokane Avenue

Assessor's Tract No.(s) 0764031 Lot No(s) 7-8 E

Block # 11 Subdivision Name _____

Section 36 Township 31 N Range 22 W

I hereby certify that the information contained or accompanied in this application is true and correct to the best of my knowledge. The signing of this application signifies approval for the Whitefish staff to be present on the property for routine monitoring and inspection during the approval and development process.

Applicant's Signature _____ Date 6-20-16

Edward J. Lawrence
Print Name

Representative's Signature _____ Date _____

Print Name _____

Revised 8-26-15

C. FINDINGS: The following criteria form the basis for approval or denial of the Zone text Amendment. The burden of satisfactorily addressing these criteria lies with the applicant. Review the criteria below and discuss how the proposal conforms to the criteria. If the proposal does not conform to the criteria, describe how it will be mitigated.

1. Made in accordance with a Growth Policy

Economic Development Goal 3: Diversity economy with compatible businesses that protect the character and qualities of Whitefish.
Economic Development Goal 4: Develop and promote Whitefish as a year round destination resort community providing amenities for the visitor and employment opportunities. Use is compatible with General/highway commercial future land use, which is auto oriented and refuses ample parking and display area.

2. Secure safety from fire and other dangers:

N/A

3. Promote public health, safety and general welfare:

The WB-2 is an appropriate location for boat rental and storage as it can create traffic and parking issues in other commercial zones.

4. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements:

Again, parking and storing drift boats, etc, in the WB-2 would improve transportation and public parking.

5. Provide reasonable provision of adequate light and air:

N/A

6. The effect motorized and non-motorized transportation systems:

Trucks with boat trailers , coming and going 10-15 times a day is more appropriate in the WB-2 zoning district than downtown for guides and outfitters.

7. Promote Compatible urban growth:

Guides and Outfitters are more compatible with the WB-2 Zone as that zone already permits boat sales and rentals, which is a primary part of a guide business. Boat Rentals are not appropriate (or allowed) in the WB-3 Zone.

8. Consider the character of the district and its particular suitability for particular uses:

The WB-2 zone is the most suitable zone for Guides and Outfitters. The intent of that zone is "intended to provide for the retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas, and by outdoor commercial amusement or recreational activities"
Guides and Outfitters require large displays and parking areas for boats and are an outdoor commercial amusement or recreational facility.

9. Conserving the value of buildings:

N/A

10. Encourage the most appropriate use of land throughout the jurisdictional area:

This zoning text amendment encourages the most appropriate use of land for reasons previously stated.

11. That historical uses and established use patterns and recent change in use trends will be weighed equally and consideration not be given one to the exclusion of the other:

Whitefish is promoted extensively as a tourist destination and guides and outfitters provide unique service. The downtown area no longer has the room to support business that requires boats to come and go all day.

APPLICATION CONTENTS:

Attached ALL ITEMS MUST BE INCLUDED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

✓ Petition for Text Amendment Application – **8 copies**

___ Specific text amendment language in standard code format – **8 copies**

___ Written description how the proposal meets the findings in Section C – **8 copies**

___ A map showing the location and boundaries of the property, if applicable – **8 copies**

___ Electronic version of entire application such as .pdf

___ Any other additional information requested during the pre-application process

When all application materials are submitted to the Planning & Building Department, the application will be scheduled for public hearing before the Planning Board and City Council.

A. REQUEST:

☑ Zoning Text Amendment

☐ Subdivision Text Amendment

WHAT IS THE PROPOSED TEXT AMENDMENT? To add to the text Outfitting and Outfitting Based Business.

WHAT IS THE PROPOSE OR INTENT OF THE PROPOSED TEXT AMENDMENT?
To allow text change wich would allow outfitting and outfitting Based Business to opperate with in W B B.

B. APPLICANT:

Name: EDWARD Justin LAWRENCE Phone: 406 249 3446

Mailing Address: 334 Central Ave.

City, State, Zip: Whitefish MT, 59937

Email: info@lakestream.com

TECHNICAL/PROFESSIONAL:

Name: Stream Lake LLC. Phone: 406-862-1298

Mailing Address: 334 Central Ave.

City, State, Zip: Whitefish MT 59937

Email: info@lakestream.com

Revised 8-26-15

Petition for Text Amendment

We are petitioning the city council to add the text Outfitting and Outfitting based business to the WB-2 Zoning.

Whitefish is known for a recreation and tourism city. Developing and promoting Whitefish as a year round destination resort community, Outfitting is a beautiful way to provide amenities for the visitors and also year round employment for the locals.

Whitefish is promoted extensively as a tourist destination, and guides and Outfitters provide a unique service. While primarily a personal service, there are some limited retail sales of gear and or equipment which will complement the WB-2 Zoning requirements. Adding Outfitting and Outfitting based businesses to the WB-2 Zoning will be an appropriate location for boat rental and storage as it can relieve traffic and parking issues as in other Business/Commercial zoning.

The WB-2 Zone is the most suitable zone for Outfitters and Outfitter Based businesses. The intent of the WB-2 Zone is "intended to provide for those retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas and by outdoor commercial amusement or recreational activities. This district depends on proximity to highways or arterial streets and may be located in business corridors or islands". As an Outfitter business, we require large displays and parking areas for boats and are an outdoor commercial amusement or recreational facility.

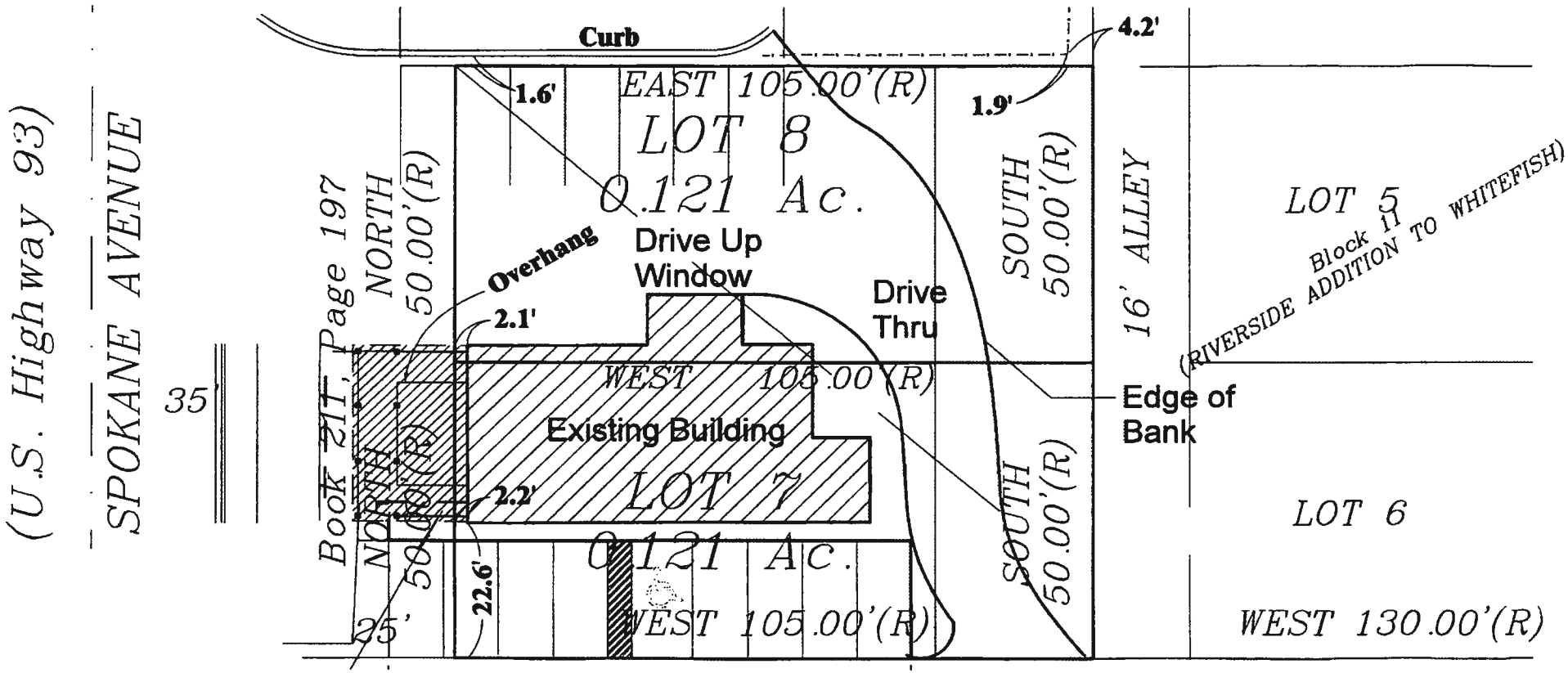
The Montana dream goes hand and hand with the services a Licensed and bonded Guide and Outfitting Business has to offer. Trucks and trailers don't belong on Main Street in downtown. We can't find a better place then highway 93, Spokane Avenue. We humbly ask that you consider this text amendment to the WB-2 zoning and add Outfitting and Outfitting business to the WB-2 Zoning.

New proposed permitted use under WB-2

- Recreational guides and outfitters

New proposed definition under 11-9-2:

Recreational guides and outfitters – Business offering guide and outfitting service and rentals for fishing, hunting, rafting, or other outdoor activities. While generally a personal service, limited retail sales of gear or equipment directly related to the primary service (ie, fishing rods, waders, boats, or tackle associated with a fishing guide service) are allowed up to 30% of the gross floor area.


(U.S. Highway 93)
SPOKANE AVENUE
35'
Curb
1.6'
EAST 105.00'(R)
LOT 8
0.121 Ac.
1.9'
4.2'
Book 211, Page 197
NORTH 50.00'(R)
Overhang
2.1'
Drive Up Window
Drive Thru
SOUTH 50.00'(R)
16' ALLEY
LOT 5
Block 11
(RIVERSIDE ADDITION TO WHITEFISH)
WEST 105.00'(R)
Edge of Bank
Existing Building
LOT 7
2.2'
NORTH 50.00'(R)
0.121 Ac.
SOUTH 50.00'(R)
LOT 6
22.6'
25'
WEST 105.00'(R)
WEST 130.00'(R)

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ORDINANCE NO. 16-___

An Ordinance of the City Council of the City of Whitefish, Montana, repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners.

WHEREAS, on November 17, 2014, the City Council adopted Ordinance No. 14-13; and

WHEREAS, Section 2 of Ordinance No. 14-13 established the Whitefish Animal Group, Inc. (W.A.G.) as an advisory committee to the Board of Park Commissioners; and

WHEREAS, W.A.G., as an advisory committee, desired to have more member representatives than is permitted under the City's Charter; and

WHEREAS, W.A.G. and the City have now entered into the "Whitefish Dog Park Agreement" to address W.A.G.'s concern and to define the parties' respective duties and rights; and

WHEREAS, as the result of entering into the "Whitefish Dog Park Agreement," W.A.G. no longer desires to be an advisory committee to the Board of Park Commissioners.

NOW, THEREFORE, be it ordained by the City Council of the City of Whitefish, Montana, as follows:

Section 1: Section 2 of Ordinance No. 14-13 is hereby repealed.

Section 2: All other provisions of Ordinance No. 14-13 shall remain unmodified.

Section 3: W.A.G. is dissolved as an advisory committee to the Park Board of Commissioners.

Section 4: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 5: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

August 9, 2016

Mayor Muhlfeld and Whitefish City Council
City of Whitefish
Whitefish, Montana

To: Mayor Muhlfeld and Members of Whitefish City Council,

From: Maria Butts, Director, Parks, Recreation and Community Services MB

RE: Recommendation to approve an Ordinance of the City Council of the City of Whitefish, Montana, repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners.

History
On November 17, 2014, Whitefish City Council adopted Ordinance 14-13, adopting WAG as a subcommittee of the Park Board of Commissioners. As WAG has continued to serve the community through their volunteer efforts and improvements of the Hugh Rogers WAG Park, they have functioned well and been very effective in meeting their goals as a fifteen member board. However, the City Charter requires that they limit their subcommittee to nine members. In September of 2015, WAG representatives requested the Park Board of Commissioners allow WAG to continue as a fifteen member board or to relinquish WAG as a subcommittee and instead enter into an MOU with the WAG Board to allow them to continue to volunteer in the dog park in the same capacity as they have in the past, while still providing them with liability coverage. After some discussion, the Park Board determined they would support entering into an MOU with WAG as an individual entity.

Current
I worked with the Whitefish Animal Group (WAG) and Angela Jacobs to write an MOU between the City and WAG to address their concerns of being a sub-committee of the Park Board, as they do not want to limit their representation to nine members as required by the City Charter. The MOU will allow WAG to have as many members on its board as it wants but still be covered by the City's insurance. Included in your packet is the MOU both parties have agreed to. Angela has spoken with MMIA regarding the MOU and was informed that the individual members of WAG would be covered under the City's insurance as volunteers and that MMIA would be willing to add WAG (the entity) as an additional covered party. On July 12th, the Park Board of Commissioners approved the MOU between the City and WAG and unanimously recommended the City Council relinquish WAG as a subcommittee of the Park Board.

Recommendation
Staff respectfully recommends the Whitefish City Council approve Ordinance 16- , repealing the portion of Ordinance No. 14-13 that established Whitefish Animal Group, Inc. as an advisory committee to the Board of Park Commissioners.

Sincerely,
Maria Butts
Parks, Recreation, and Community Services Director

WHITEFISH DOG PARK AGREEMENT

THIS Agreement is entered into this ___ day of _____, 2016, by and between the City of Whitefish, a municipal corporation ("City"), and W.A.G., Inc. ("WAG"), a 501 (c) (3) Montana Non-Profit Public Benefit Corporation.

WHEREAS, WAG formed a Montana Non-Profit Public Benefit Corporation with the Secretary of State on December 14, 2006, and obtained its 501(c)(3) determination from the Internal Revenue Service; and

WHEREAS, the City and WAG ("Party" or "Parties") thereafter entered into a Construction Agreement dated January 6, 2009, ("the Construction Agreement"), pursuant to which WAG and the City constructed a permanent outdoor dog park of approximately 4.9 acres ("the Park") on land owned by the City and with funds raised by WAG; and

WHEREAS, the Park as contemplated by the Construction Agreement is completed and the Parties desire to enter into this Agreement to govern the continued operation and development of the Park and to address the ongoing rights, responsibilities and duties of the Parties.

NOW THEREFORE, the Parties hereby agree as follows:

1. **Effective Date.** This Agreement shall become effective upon execution of the same by the Parties and the City's adoption of an ordinance or other resolution to the effect that WAG is no longer an advisory board to the City's Park Board ("the Park Board").

2. **City's Maintenance Obligations.** The City shall provide regular maintenance tasks to the Park as needed, including the upkeep and maintenance of the Park grounds, trees, and water system. The City's Department of Parks and Recreation ("Parks & Rec.") shall handle all complaints and comments from the public concerning the Park and install and maintain warning and instructional signs as it see fit.

3. **WAG's Maintenance Obligations.** Unless specifically agreed otherwise with the City, WAG shall maintain all vertical construction in the Park, i.e. the pavilion, the shed, the fencing, pond, etc., and provide the associated equipment and material in the shed to perform routine upkeep and or maintenance not otherwise provided by the City. WAG shall maintain and operate the bulletin board and may install and maintain commemorative signs as it sees fit, consistent with any and all policies adopted by the City.

4. **Dog Park.** The City will own and operate the Park as a dog park. The Parties hereby acknowledge the incredible commitment of time, money and resources donated by the Whitefish community to-date to bring this park from conception to reality. Therefore, the Parties agree that the City will make all reasonable efforts to continue to operate the Park as a dog park in perpetuity.

5. **Operations.** WAG's members shall perform services under the direction and control of the City and the City shall have primary control over all activities in the Park. WAG shall submit

written requests to, and receive prior approval from, the City for any construction, renovation or visible change to the Park and the City may reasonably veto the same.

6. **WAG Advisory Capacity**. WAG shall provide advice and assistance as requested by the City concerning the operations of the Park.

7. **Meetings.** At the request of WAG, Parks & Rec. or the Park Board, representatives of those entities shall meet to discuss and review the Park operations, maintenance and improvements. In the event WAG or the City requests such a meeting, Parks & Rec. shall prepare and maintain the minutes of such meeting, decision and discussion and keep the same on file with the City. Recommendations from those meetings shall be forwarded by Parks & Rec. to the Park Board for review and possible action.

8. **Volunteer Status.** WAG members shall perform all services hereunder on a volunteer basis for the City. WAG or its members shall not be compensated by the City for any of their services. WAG shall fill out volunteer forms as requested by the City.

9. **Indemnification and Hold Harmless.** The City agrees to indemnify, defend and hold harmless WAG and its Board of Directors, agents and employees who provide services to the Park from any and all losses, damages, liabilities, judgments, litigation costs and expenses, including reasonable attorney's fees, occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission by City, its agents or employees.

10. **Liability Insurance**. The City agrees to make its best effort to procure appropriate liability and workman's compensation insurance naming as additional insureds WAG, its Board of Directors, and its agents who provide services to the Park under the direction and control of the City, and shall mail an annual certificate of insurance to that effect to the attention of the WAG President at WAG's address of record. WAG shall comply with all procedures and requirements of the City or its insurer to effectuate this coverage.

11. **Non-Assignability.** Neither this Agreement nor any interest therein shall be assigned, transferred, hypothecated or otherwise conveyed by either Party without the prior written consent of the other Party.

12. **Right to Cure.** Any Party claiming breach of this Agreement shall provide the other Party with a minimum of ten (10) business days' written notice of the alleged breach and the requirement to cure the breach. The party alleging to be in breach shall have a minimum of twenty (20) calendar days to cure the same, or under circumstances where the violation cannot reasonably be cured within a twenty (20) calendar day period, to begin curing the violation and continue to diligently cure such violation until finally corrected.

13. **Attorneys' Fees.** In the event of any proceedings to enforce or interpret the provisions of this Agreement, or to remedy any breach thereof, the prevailing Party shall be entitled to reasonable attorney's fees.

14. **Entire Agreement.** This Agreement contains the entire agreement of the Parties and supersedes any prior written or oral agreement between the Parties concerning the subject matters contained herein, including the Construction Agreement. There are no representation, agreements, arrangements, or understandings, oral or written, between the Parties hereto relating to the subject matter contained in this Agreement that are not fully expressed herein.

15. **Partial Invalidity.** Each term, covenant, condition or provision of this Agreement shall be viewed as separate and distinct, and in the event that any such term, covenant, condition or provision is held by a court to be invalid, the remaining provisions shall continue to be in full force and effect.

16. **Successors in Interest.** Subject to the restrictions against assignment contained herein, this Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest of each of the Parties.

17. **Time is of the Essence.** Time is of the essence in the performance of all obligations under this Agreement.

18. **Necessary Acts.** Each Party to this Agreement agrees to perform any further acts and to execute and deliver any further documents that may be reasonably necessary or advisable to carry out the provisions of this Agreement.

19. **Cancellation**. This Agreement may be cancelled by either party by providing the other party thirty days' written notice.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set out above.

CITY OF WHITEFISH

By: _____
Maria Butts
Its: Director of Parks and Recreation

By _____
Charles C. Stearns
Its: City Manager

W.A.G., INC.

By: _____
James Lockwood
Its: President

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MANAGER REPORT

August 10, 2016

RESORT TAX COLLECTIONS

On an equivalent basis of the 2% Resort Tax this year compared to last year, Resort Tax collections in June were up by 13.7% or $28,221. For the year-to-date, the comparative 2% Resort Tax was up 2.12% or $46,777. Lodging was up by over $16,000 with the Hampden Inn and Suites having opened in late April.

Overall, with the additional 1% Resort Tax that voters approved, the 3% Resort Tax was up by 70.53% or $145,428 for June compared to the 2% Resort Tax in June, 2015. There are comparative figures and charts attached to this report in the packet.

MONTANA DEQ CLEARS OUR GROUNDWATER MONITORING OBLIGATIONS FOR THE FORMER BIG MOUNTAIN TIRE SITE (PARKING LOT AT 2ND AND SPOKANE)

In the early to mid-2000's the City acquired the former Big Mountain Tire site at the corner of 2nd Street and Spokane Avenue in order to own that entire half block where the parking lot now sits. There were leaking underground storage tanks on the site and the City inherited the obligation to remove the tanks and monitor the groundwater for contamination. The Montana Department of Environmental Quality (DEQ) has now cleared this site for groundwater monitoring, so we can remove the groundwater monitoring wells from the parking lot area. Estimated cost of removal is $6,619.07. As for all of the costs of installation, monitoring, reporting, and now abandonment of these wells, the Tax Increment Fund has paid and will pay these costs, although we may be able to get partial or full refund of costs from the State's Leaking Underground Storage Tank Reimbursement Fund. A copy of the DEQ closure report is attached to this report in the packet.

WEST 7TH STREET RECONSTRUCTION PROJECT UPDATE

From the construction engineer's latest project report:

2. Work Completed or in Progress this period

LHC Inc.: The Sanitary Sewer main from the "Gully" West was completed. All sewer services to the North side of West 7th and four to the South were also completed, leaving only 3 sewer services remaining on the project. The Storm main was began at the "Gully" with installation of SDMH-7. Sidewalk and concrete sidewalk prep continued from Baker to Scott. Work began on the Sediment Basin along the gully path.

Glacier Traffic Control: Traffic Control was set up, but not per plan with various street closures and detours set up around construction operations. Mail delivery and trash pick up continues, and is not an issue.

Stillwater Electric: Light pole bases and pull boxes were installed from Baker heading west to Scott. "SONO" tubes were installed for light bases. Stillwater is expecting to pour these at a later date when more are installed.

Sandon construction: Curb and gutter were machine poured from O'Brien towards Geddes, ending at approximate station 36+00. Drop inlets within the previously poured curb line were set to grade, formed, and poured. Residents were notified and Sandon began setting forms for private approaches from Baker to Scott.

6. Describe Anticipated Work by Contractor for Next Period

LHC Inc.: Concrete sidewalks and drive ways will be prepped and poured. The remaining sewer services will be completed, leaving only testing and CCTV inspection for completion of the projects Sewer System. Storm drain installation will continue, LHC expects to finish this work within a week. The Sediment Basin along the Gully Path will be completed along with sub-grade on the path itself. Gravel will be placed on the Gully Path. Prep for concrete sidewalk and approaches will continue.

Sandon Construction: Private approaches from Baker towards O'Brien will be formed and poured. Time permitting, sidewalk will be formed and poured also.

CITY HALL/PARKING STRUCTURE CONSTRUCTION PROGRESS

Our Owner's Representative, Mike Cronquist, has his two week construction update report attached to this report in the packet.

MEETINGS

Only internal or recurring meetings during the past two weeks.

UPCOMING SPECIAL EVENTS

August 12-14 – Huckleberry Days in Depot Park

REMINDERS
None

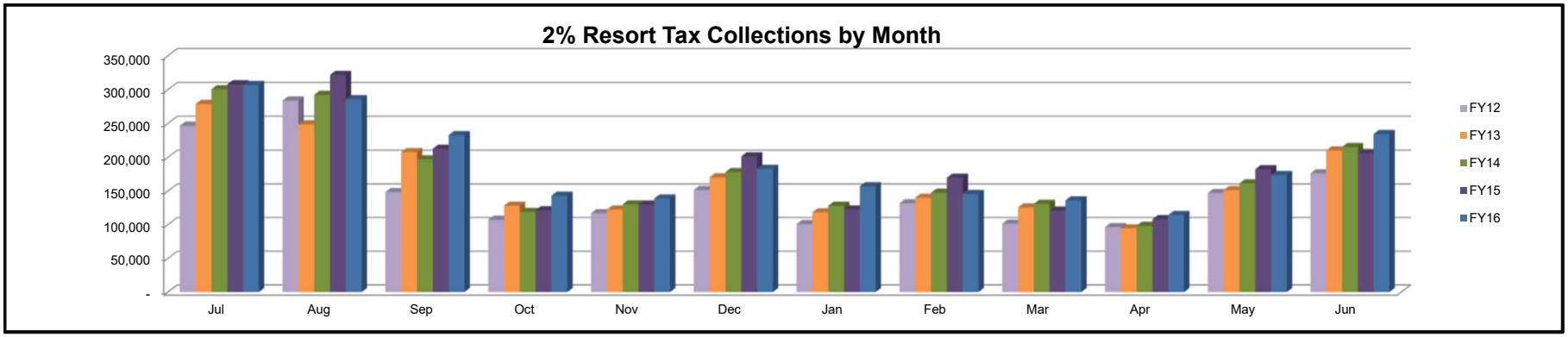
Respectfully submitted,
Chuck Stearns, City Manager

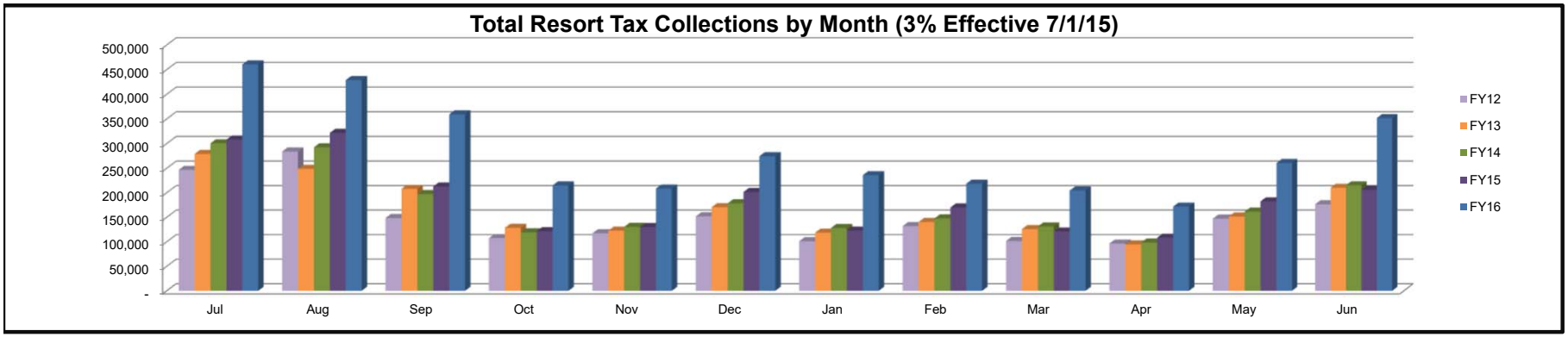
Resort Tax Report
Reported in the Month Businesses Collected Tax

Additional 1% Resort Tax Effective July 1, 2015

Month/Year	Lodging	Bars & Restaurants	Retail	Collected	% Chng Mnth to Pr Yr Mnth	% Chng Quarter to Pr Yr Quarter	Lodging	Bars & Restaurants	Retail	Collected	Total Collected (3% Resort Tax for FY16)	Interest	Total
Jul-13	81,828	98,642	120,028	300,497	7.7%		-	-	-	-	300,497	496	300,993
Aug-13	77,809	108,131	106,422	292,362	17.6%		-	-	-	-	292,362	434	292,796
Sep-13	50,377	77,416	69,328	197,120	-5.1%	7.4%	-	-	-	-	197,120	434	197,554
Oct-13	16,851	48,015	54,271	119,137	-7.1%		-	-	-	-	119,137	434	119,571
Nov-13	6,831	47,701	75,780	130,312	6.3%		-	-	-	-	130,312	2654	132,966
Dec-13	21,782	64,884	91,585	178,251	4.6%	1.5%	-	-	-	-	178,251	404	178,655
Jan-14	16,848	54,481	56,839	128,169	8.2%		-	-	-	-	128,169	404	128,573
Feb-14	22,323	58,758	66,487	147,568	5.3%		-	-	-	-	147,568	404	147,972
Mar-14	15,770	64,178	51,114	131,061	4.2%	5.8%	-	-	-	-	131,061	409	131,470
Apr-14	10,065	41,894	46,458	98,417	4.0%		-	-	-	-	98,417	455	98,872
May-14	18,993	58,791	83,683	161,467	6.6%		-	-	-	-	161,467	455	161,922
Jun-14	44,865	69,190	101,053	215,107	2.4%	4.1%	-	-	-	-	215,107	455	215,562
					YTD Compared to Last Year								
Total FY14	**$ 384,342**	**$ 792,081**	**$ 923,047**	**$ 2,099,470**	or	**5.12%**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,099,470**	**$ 7,438**	**$ 2,106,908**
FY13 vs FY14	11.2%	4.5%	3.3%	5.1%		$ 102,265	n/a	n/a	n/a	n/a	5.1%	TaxableSalesFY14	$ 110,498,402
Jul-14	84,053	104,935	118,876	307,864	2.5%		-	-	-	-	307,864	440	308,304
Aug-14	93,049	117,674	111,016	321,739	10.0%		-	-	-	-	321,739	498	322,236
Sep-14	49,804	84,149	78,813	212,767	7.9%	6.6%	-	-	-	-	212,767	246	213,013
Oct-14	18,589	50,665	52,266	121,519	2.0%		-	-	-	-	121,519	604	122,123
Nov-14	8,530	43,076	78,311	129,917	-0.3%		-	-	-	-	129,917	359	130,276
Dec-14	20,944	74,617	105,885	201,446	13.0%	5.9%	-	-	-	-	201,446	293	201,739
Jan-15	15,285	52,940	54,543	122,768	-4.2%		-	-	-	-	122,768	281	123,049
Feb-15	25,805	74,286	69,705	169,795	15.1%		-	-	-	-	169,795	166	169,961
Mar-15	16,336	51,183	53,368	120,887	-7.8%	1.6%	-	-	-	-	120,887	227	121,114
Apr-15	11,755	50,637	45,835	108,227	10.0%		-	-	-	-	108,227	263	108,490
May-15	23,911	61,756	96,773	182,441	13.0%		-	-	-	-	182,441	288	182,728
Jun-15	39,483	78,394	88,316	206,194	-4.1%	4.6%	-	-	-	-	206,194	301	206,495
					YTD Compared to Last Year								
Total FY15	**$ 407,543**	**$ 844,313**	**$ 953,707**	**$ 2,205,564**	or	**5.05%**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 2,205,564**	**$ 3,966**	**$ 2,209,529**
FY14 vs FY15	6.04%	6.59%	3.32%	5.05%		$ 106,094	n/a	n/a	n/a	n/a	5.1%	Taxable Sales FY15	$ 116,082,301
Jul-15	78,513	111,068	117,342	306,922	-0.3%		39,256	55,534	58,671	153,461	460,383	377	460,760
Aug-15	69,374	114,956	101,484	285,814	-11.2%		34,687	57,478	50,742	142,907	428,722	375	429,097
Sep-15	75,699	74,806	82,265	232,770	9.4%	-2.0%	37,850	47,403	41,133	126,386	359,156	410	359,566
Oct-15	19,169	63,939	60,111	143,219	17.9%		9,584	31,970	30,056	71,610	214,829	545	215,373
Nov-15	8,611	43,585	86,861	139,057	7.0%		4,306	21,793	43,430	69,529	208,586	527	209,113
Dec-15	18,343	74,975	89,645	182,964	-9.2%	2.7%	9,172	37,488	44,823	91,482	274,446	484	274,929
Jan-16	17,685	70,025	69,541	157,251	28.1%		8,842	35,012	34,771	78,625	235,876	505	236,381
Feb-16	20,630	57,181	67,760	145,571	-14.3%		10,315	28,590	33,880	72,785	218,356	500	218,856
Mar-16	16,046	64,651	55,556	136,253	12.7%	6.2%	8,023	32,325	27,778	68,126	204,379	977	205,356
Apr-16	12,455	51,338	50,635	114,428	5.7%		6,228	25,669	25,317	57,214	171,643	1,047	172,690
May-16	22,039	63,719	87,919	173,677	-4.8%		11,019	31,860	43,959	86,838	260,515	1,112	261,628
Jun-16	55,836	85,316	93,264	234,415	13.7%	5.2%	27,918	42,658	46,632	117,207	351,622	1,990	353,612
					YTD Compared to Last Year								
Total FY16	**$ 414,399**	**$ 875,559**	**$ 962,383**	**$ 2,252,341**	or	**2.12%**	**$ 207,200**	**$ 447,779**	**$ 481,192**	**$ 1,136,171**	**$ 3,388,512**	**$ 8,849**	**$ 3,397,361**
FY15 vs FY16	1.68%	3.70%	0.91%	2.12%		$ 46,777	n/a	n/a	n/a	n/a	53.6%	Taxable Sales FY16	$ 118,895,158
FY16 % of Collections	18%	39%	43%				18%	39%	42%				
Grand Total	**$ 5,176,863**	**$ 10,912,792**	**$ 13,062,198**	**$ 29,151,853**	**$ 28,220.97**		**$ 207,200**	**$ 447,779**	**$ 481,192**	**$ 1,136,171**	**$ 30,288,024**	**$ 768,609**	**$ 31,057,183**
% of Total Collections	18%	37%	45%				18%	39%	42%			2.5%	Average since '96

Resort Tax Report
Reported in the Month Businesses Collected Tax





Total Taxable Sales Since 1996
$ 1,594,106,517

Total Collected
$ 31,882,130

5% Admin
$ 1,594,107

Public Portion
$ 30,288,024

Department of
Environmental Quality
Leaking Underground Storage Tanks P.O. Box 200901 Helena MT 59620-0901 (406) 841-5000

RECEIVED
JUL 27 2016
BY: City - AJ

CAP AC-08
ABBREVIATED ABANDONMENT OF MONITORING WELLS CORRECTIVE ACTION PLAN and BUDGET FORMAT

This Corrective Action Plan (CAP) is used for routine abandonment of monitoring wells that are no longer needed for petroleum release investigation or cleanup, and the owner/operator does not want to retain responsibility and use of wells for other purposes. Monitoring wells, to which this CAP applies, include groundwater monitoring wells, soil vapor extraction wells, recovery wells, observation wells, sparge/injection wells, and piezometers.

Administrative Rules of Montana (ARM) 36.21.810 sets forth the legal requirements for properly abandoning monitoring wells. ARM 36.21.810 is attached and may be found at the following Internet address: http://www.mtrules.org/gateway/RuleNo.asp?RN=36.21.810

Return the CAP to: Petroleum Technical Section, Montana Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620-0901. **Please note that incomplete and/or unsigned CAPs will be returned** and may delay processing of claims submitted to the Petroleum Tank Release Compensation Board.

Facility Name Big Mountain Tire Facility ID# 15-11030 Release # 4179 WPID# 10345

Facility Address 540 2nd Street East (Street) Whitefish (City) 59937 (Zip)

Owner/Operator Name City of Whitefish

Owner/Operator mailing address, if different from above: P.O. Box 158
Whitefish, MT 59937

Consultant's name, address, and phone number: Applied Water Consulting - P.O. Box 7667 - Kalispell, MT 59904
756-2550

List monitoring wells by name and number to be abandoned: MW-1, MW-2, MW-3, MW-4, and MW-5

List monitoring wells by name and number to be maintained: Not applicable, all site wells will be abandoned.

Specify the method by which the monitoring wells will be abandoned: Casing will be pulled and the borehole will be filled with bentonite. Asphalt and concrete surfaces will be patched and landscaping will be restored following abandonment.

Target date for abandonment of the monitoring well(s): October 31, 2016

Unit cost per monitoring well for abandonment (include mobilization, portland cement, grout or bentonite, equipment, and consultant or contractor labor costs): $ 1,323.81 /well

Total cost of abandoning the above-listed monitoring wells: $ 6,619.07

****

[ ] I elect to maintain the monitoring wells located at the above-referenced Facility and will monitor the wells at least every three years and in accordance with applicable requirements of the Montana Department of Natural Resources & Conservation Division.

[X] I elect to abandon the monitoring wells located at the above-referenced Facility and certify that the above-referenced monitoring wells are to be properly abandoned in accordance with the provisions ARM 36.21.810 and other applicable requirements of the Montana Department of Natural Resources & Conservation Division.

Jamie Graham 7/25/16
(Signature of Facility owner or operator or authorized representative) (Date)

36.21.810 ABANDONMENT

(1) Wells which have not been monitored for more than 3 years shall be deemed abandoned unless written permission is obtained from the board to maintain the well.

(2) Monitoring wells that have outlived their useful purpose shall be abandoned by one of the following methods:

(a) If the casing and screen are left in place, the casing and screen shall be sealed from the bottom up using a pump and hose or tremie pipe to conduct the sealing material to the bottom of the well or by filling the casing and screen with bentonite pellets or chips placed in a manner that will prevent bridging. Metal casings shall be cut off 3 feet below the ground surface and the last 3 feet backfilled with naturally occurring soils;

(i) It is recommended that in all cases where possible the casing be pulled.

(b) If the casing and/or screen are removed, the hole shall be filled with sealing material, concrete, or bentonite pellets or chips from the bottom up, as the casing and/or screen is removed. From 6 to 3 feet from the surface, bentonite shall be added to the well. The last 3 feet shall be filled with naturally occurring soils;

(c) The sealing material shall be bentonite pellets or chips, bentonite clay grout, neat cement grout, or concrete. They may contain nonbiodegradeable fluidizing admixtures, provided they will not contaminate the ground water. Sealing materials which settle shall be topped to provide a continuous column of grout to within 3 feet of the surface; or

(d) Other methods for abandonment with prior board approval.

(3) For flowing wells, the abandonment procedures outlined in ARM 36.21.671 shall apply.

(4) A properly abandoned well shall not produce water nor serve as a channel for movement of water.

History: 37-43-202, MCA; IMP, 37-43-202, MCA; NEW, 1990 MAR p. 739, Eff. 4/13/90; AMD, 1991 MAR p. 913, Eff. 6/14/91; AMD, 1997 MAR p. 65, Eff. 1/17/97.

For additional information or requirements for abandoning or maintaining monitoring wells, please contact the Montana Department of Natural Resources & Conservation Division, Board of Water Well Contractors at (406) 444-6643

Applied Water Consulting Project Budget Sheet				(Montana Petro Board Approved)				
Project Name:		Big Mountain Tire			Facility ID #		15-11030	
Location:		Whitefish, Montana			Release #		4179	
					Work Plan #		10345	
Type of Project:		Monitoirng Well Abandonment						
			Description	Rate	Units	# Units		Totals
Abbreviated Corrective Action Plan (CAP AC-08)								
		Staff Engineer/Scientist	Work plan preparation and bid solicitation	$ 97.50	hrs	4		$ 390.00
Subtotal								**$ 390.00**
Project Management: coordinate with driller and site owner								
		Project Scientist	proj management, coordinate with subcontractor and City of Whitefish	$ 123.00	hrs	3		$ 369.00
		Staff Scientist	prepare encroachment application and right-of-way permit for work encroaching on Whitefish City right-of-way (necessary for abandoning wells MW-1, MW-2, and MW-5)	$ 97.50	hrs	8		$ 780.00
Subtotal								**$ 1,149.00**
Abandon Monitoring Wells								
		Tech III	Oversee well abandonment	$ 89.00	hrs	5		$ 445.00
		Tech III	Travel Time (includes 3 trips to and from whitefish 1- deploy cones, 2 - abandonment overshight, 3-pickup cones after patches have cured)	$ 89.00	hrs	3		$ 267.00
Mileage		Light Duty	Mileage (includes 3 round tripsfrom Kalispell to Whitefish)	$ 0.59	miles	90		$ 53.10
		Subcontractor	Boland - abandon 5 wells and patch asphalt/concrete	$3,371.00	unit bid	cost + 7%		$ 3,606.97
		Suplies	miscellaneous landscaping suplies to restore site - mulch, topsoil, ect...	$ 50.00	estimate	1		$ 50.00
Subtotal								**$ 4,372.07**
Prepare Abandonment Summary Report								
		Project Scientist	review report	123.00	hrs	1		$ 123.00
		Staff Scientist	draft letter report and prepare well abandonment forms for the 5 site wells	$ 97.50	hrs	6		$ 585.00
Subtotal								**$ 708.00**
Totals								**$6,619.07**
Cost per well								$ 1,323.81

PROJECT REVIEW

DATE: 09 August 2016

CITY OF WHITEFISH

NEW CITY HALL and PARKING STRUCTURE

REPORT TO CITY COUNCIL and STAFF for 15 August, 2016 COUNCIL MEETING

ACTIVITIES COMPLETED – THIS PERIOD

- Completed third and final section of second floor concrete – City Hall.
- Completed placement of concrete on City Hall roof.
- All major concrete work in the City Hall is now complete.
- Completed primary installation of HVAC ductwork – first floor, City Hall.
- Completed fire protection sprinkler system mains, and started installing drops on CH first floor.
- Fire protection system is 90% complete – basement.
- All sub grade concrete is complete in the PS.
- Continued final elements of Parking Structure backfill.
- Completed the first section of the first level of concrete slab-on-grade in the PS.
- Completed the installation of the CMU block to the second level for the common wall between the PS and CH.
- 1930 CY of concrete have been placed through 8/09: (730cy – CH & 1200cy – PS.)
- Progress through the end of July is at 40%.

ACTIVITIES IN PROGRESS

- Completion of misc. steel items and stairways in the City Hall.
- Backfill – PS interior – ramps to second level.
- HVAC trim work – CH first floor.
- Installation of HVAC ductwork – second floor.
- Mechanical rough-in - CH.

- Plumbing rough-in, City Hall rest rooms.
- Installation of in-slab electrical and communications conduits – PS first level.
- Electrical rough-in – City Hall, second floor.
- CMU block work – common wall between CH and PS.
- First level slabs-on-grade – Parking structure.
- Receipt, shake-out and assembly of post tensioned concrete deck forming systems.

ACTIVITIES PLANNED (3 WEEK LOOK AHEAD)

- Continue slab-on-grade effort – first level, PS.
- Begin setting up forms and supports for the second deck, PS.
- Begin placing PT (post tension) concrete – second level, PS.
- Continue mechanical and electrical rough-in – CH.
- Continue to receive first elements of the PS post-tensioned concrete forming system.
- Continue mechanical and electrical rough-in – all areas.
- Continue HVAC ductwork – CH.
- Receive and install roof-mounted air handling equipment. (AHU's scheduled to ship on 8/17, ETA onsite ~8/24.)

FUTURE SCHEDULED ACTIVITIES

- Mechanical and electrical rough-in, and set-up activities in the City Hall areas.
- Mechanical and electrical rough-in - PS
- Install CH membrane roofing system.
- Continue placing slab on grade in the PS.
- Continue receiving and assembling the forming system for PS elevated decks.
- Continue second deck, post tensioned concrete.

CONTRACT ACTIVITES

- A "clean-up" change order was issued to the Martel contract covering the costs for the removal and disposal of contaminated soils.

COMMUNICATIONS TO THE PUBLIC

- There were no press releases for the period.
- Work in the alley is creating some inconvenience for the business owners and the Public, in general. Martel is, however, employing site personnel to expedite and facilitate movement in, through and around the alleyway. Martel is also making every effort to coordinate their work such as to minimize interference with deliveries.

- Relations and communications with the local business owners, and the community in general, continue to be positive.

AREAS OF CONCERN

- There are no immediate concerns at this time.

Mike Cronquist
Owners Representative

SITE PHOTOS

Fig. 1 – First section of concrete roof deck – City Hall

Fig. 2 – Second section of roof deck ready for concrete.

Fig 3. – Mechanical Room – roof deck.

Fig. 4 – Common Wall CMU block.

Fig. 5 – Exterior wall – Southeast corner, City Hall (Public Works)

Fig. 6 – Work activity – first floor, City Hall (looking from Public Works desk)

Fig. 7 – Fire Protection piping – CH first floor.

Fig.8 (and Fig. 9, below) PT Concrete deck formwork – being sorted and staged.

Fig. 9 – Formwork arriving by truck.

Fig. 10 – Backfill effort – ramp from street level to second deck.

Fig. 11 – Second level ramp – being made ready for concrete.

Fig. 12 – Same ramp.

Fig. 13 – Rooftop view to the northeast.

Fig. 14 – Rooftop view looking towards Big Mountain.

Fig. 15 – View to the southwest.

Fig. 16 – View to the southeast (Columbia Mountain in the istance)

Staff Report

To: Mayor Muhlfeld and City Councilors

From: Dana Smith, Finance Director

Date: August 8, 2016

Re: Year-end (4th Quarter) Financial Report for Fiscal Year 2016

This financial report provides a summary version of the financial results of the City for Fiscal Year 2016. The first section is an overview of the City's financial condition specifically related to property tax supported funds. Subsequent sections provide further analysis and details for the year-ended June 30, 2016.

Financial Condition – Property Tax Supported Funds

An analysis of available cash in property tax supported funds provides an effective insight into the City's financial condition. The following table lists the FY14 year-end cash balance in column (a), the FY15 year-end cash balance in column (b) and the FY16 year-end cash balance in column (c) for comparison purposes.

Cash Balance in Property Tax Supported Funds

	a	*b*	*c*	*d (c-b)*
	June 30, 2014 Cash Balance	June 30, 2015 Cash Balance	June 30, 2016 Cash Balance	One Year Change
General	$890,170	$886,991	$700,564	($186,427)
Parks & Recreation	$325	$122,621	$127,608	$4,988
Law Enforcement	$38,541	$0	$4,618	$4,618
Library	$59,348	$100,131	$116,217	$16,086
Fire & Ambulance	$299,865	$308,127	$199,300	($108,827)
	$1,288,248	$1,417,870	$1,148,308	($269,562)

Total cash in property tax supported funds as of June 30, 2016 decreased by $269,562 or 19.01% compared to the balance on June 30, 2015. The decrease was primarily due to the budgeted spend-down of cash for the General Fund and Fire and Ambulance Fund in the FY16 Budget. The significant changes in cash balances from the prior year are discussed in detail below.

General Fund – The General Fund cash balance compared to a year ago decreased by $186,427 or 21.02%. Revenues and expenditures grew by approximately 3% during FY2016 and expenditures continued to exceed revenues by $199,933. Based on the FY16 Budget providing for the spend-down of cash on-hand in the General Fund, this decrease was expected. It is important to note the declining trend that has occurred over the past three years, which correlates with the budgeted decrease in General Fund cash balance in the FY14-FY16 budgets with only minor capital (one-time) purchases.

Parks & Recreation Fund – As of June 30, 2016, the Parks & Recreation Fund cash balance was 4% higher than the prior year. Amounts due to the City for the Whitefish Trail would have increased the cash balance by an additional $1,144 or and additional 1% growth over the prior year. This change is positive news for the Parks & Recreation Department which has dealt with unexpected costs (higher water usage due to the dry spring/summer), lower transfers from the General Fund (property tax support), and the transition of the ice rink management during FY16. However, all of these factors have contributed to a lower than *budgeted* cash balance at the end of the year. In the FY16 Budget, it was anticipated that the ending available cash would have been $199,872, which is significantly higher than the $127,608 actual at year-end. Most of this is due to the ice rink management transition and the $56,094 loss for the ice rink operations that was not originally budgeted.

Law Enforcement Fund – The Law Enforcement Fund had a cash balance of $4,618 as of June 30, 2016 with expenditures exceeding revenues by $22,532. This cash balance exceeded expectations leading up to year-end, but came in slightly lower than budgeted for FY16. Overall, the Department did a great job watching expenditures in the final quarter and ensuring grant revenue was received for equipment related purchased before year-end.

Library Fund – Although revenues overall are down by 4% and expenditures have increased 8% compared to the prior year, the Library Fund continues to have a solid cash balance that has grown 16% from the prior year with revenues continuing to exceed expenditures.

Fire & Ambulance Fund – The Fire and Ambulance Fund ended FY16 with a lower cash balance than the prior year by $108,827, or 35.32%. Although the FY16 Budget allowed for a spend down of cash balance, the total decrease was only $23,567 in the budget, which is much less than the $108,827 decrease that actually occurred. The primary reason for the additional decrease was the changes in ambulance billing. Initially, billing for ambulance services was delayed, but with the staffing changes in the Clerk's office, it was then determined that the best course of action was to contract with an external firm to process the ambulance billing for the City. With only a short window to review the success of the transition, overall the revenue seems to be about the same as the prior year, but cash collections from those billings has not fully been recognized. We will continue to monitor collections of outstanding ambulance accounts receivables through the remainder of the 1-year contract.

Summary – Overall the decrease in the total cash balance from the prior year fourth quarter is mostly expected when looking at all property tax supported funds. Expenditures tracked as expected with some deviations that are discussed in further detail later in this report. Most revenues followed the budget and the anticipated trend, with some minor delays in collections due to the timing of programs and grant revenue. Major impacts include the change in the ice rink management, budgeted spend-down of cash on hand for non-capital items, and the change in ambulance billing. The City finances remain in generally good condition with a solid end to FY16.

Financial Highlights

- The Columbia Falls Building Code Contract revenues collected through the fourth quarter of FY16 were 14% higher than the prior fourth quarter and came in at 159% of the FY16 budget.

- License and permit revenues in the Building Code Fund finished the year at 19% more than the prior year and totaled 106% of the FY16 budget. These figures include building permit fees for the City Hall/Parking Structure Project and numerous large ongoing developments in the City. May 2016 had the highest license and permit revenues compared to any other May since 2003.

- Impact Fees totaled an overwhelming 222% of the budgeted revenue for FY16. The 222% of budgeted revenue is further broken down among the various impact fees as follows: Paved Trails (201% of budget), Park Maintenance Building (200% of budget), Emergency Service Center (232% of budget), City Hall (220% of budget), and Stormwater (223% of budget). Growth from the prior year was $301,837, or 140%.

- Planning Fees, Zoning Plan Review Fees, Conditional Use Fees, and Architectural Review Fees all continued to generate revenue above expectations in FY16. Total fees collected came in at 114%, 137%, 123%, and 134% of the budgeted revenue to be received in FY16.

- The Resort Tax collections depict an increase of 47%, but that is skewed by the increase in the Resort Tax rate from 2% to 3% as of July 1, 2015. Year-to-date the Resort Tax collections finished the year at 99% of the FY16 Budget. On a comparative 2% basis, Resort Tax collections tracked similar to the prior year as a whole with minimal growth.

- Water Impact Fees continued to track higher than expected and were at 187% of the budgeted revenue to be received. Wastewater Impact Fees were at 138% of the FY16 budget revenue.

- After working through the transition of using a contracted ambulance billing company, Ambulance Service Charges came in at 96% of the budget. Collections of outstanding accounts receivable are continuing and will hopefully improve now that all payment methods, processes, and access to old accounts have been setup and are operational. Although the amount collected was slightly less than budgeted, the revenue was up from the prior year by $4,531. A future proposed rate increase will be coming to the City Council late this summer/early fall.

- The Fines and Fees of the Municipal Court were down 3% at the end of the fourth quarter, or $6,452. A steady decline in the Fines and Fees collected has been on-going since 2012.

- Investment earnings overall increased from the prior year due to the return on investments increasing in the STIP program. At this time the relatively small increase is expected to remain constant over the next year with minimal growth.

Expenditure Review

Total expenditures at the end of the fourth quarter were at or below the available budget authority for most funds. FY16 budget amendments have been proposed to provide budget authority for overages in the Residential Lighting Fund (108%) and the Water Fund (239%) for reasons described in more detail below. Two additional funds including the Tax Increment Revenue Bond Fund and the SID 166 Fund had anticipated, but not budgeted bond related costs so those also were also over budget.

The Residential Lighting District Fund exceeded its budget authority due to higher utility costs and more than anticipated repair and maintenance supplies. Our hope it that this issue has adequately been addressed in the FY17 Budget, but the amounts included for the additional utility costs associated with the lights on W. 7th Street is only a rough estimate at this time, especially since this will be the first time a portion of the lights will be LED lights and the savings are unknown.

The FY16 Adopted Budget provided for the Haskill Basin Conservation Easement acquisition, debt issuance costs, and debt payments to be paid from the Resort Tax Fund. However, based on discussions with our bond counsel and auditors at the time of the purchase and closing on the bond, these transactions were recorded in the Water Fund. Without the Haskill Basin Conservation Easement acquisition and related bond costs, and one debt service payment, the Water Fund would have ended the year at 69.4% of the budget.

In addition to the fund totals, a review of line-items revealed the following issues that were monitored throughout FY16 and ended up finishing the year significantly higher than budgeted:

- **Various Salary Paying Funds**
  - The pay-off of vacation, sick, personal, and comp time for three employees was included in the FY16 budget. The total pay-off was within the total budgeted amount. However, because the amount paid to each person varied from the budget and is distributed differently among funds, some funds did exceed the budget for this line-item. In addition, the retirement of Greg Acton was not budgeted in FY16, therefore his pay-off of vacation, sick, personal, and comp time made some of the salary related line-items go over budget in the Street and Solid Waste Funds. The Water and Wastewater Funds also had to absorb this cost, but there was enough flexibility so the line-items did not go over budget.

- **Parks & Recreation Fund**
  - *Youth Program - Seasonal/Temporary* wages was 225% of the budget at the end of the year. This higher than expected amount was due to the budget being decreased by $5,200 based on the re-allocation of Seasonal/Temporary wages among the different activities of the Parks & Recreation Department with no changes made in staffing at the program level. This problem has been addressed in preparing the FY17 Budget.

  - *Summer Camp - Seasonal/Temporary* wages account was 143% of the budget. This line-item continues to track similar to prior years.

- **Parks & Recreation Fund (Continued)**
  - *City Parks & Properties - Contracted Workers* was also higher than expected in the Parks & Recreation Fund, especially since no budget was identified for this line-item in the FY16 Budget. Based on discussions with the Parks & Recreation Director, however, contracted labor was necessary due to issues filling Seasonal/Temporary positons with a lack of applicants. The total Seasonal/Temporary wages was at 89% and when taking into account the $25,270 of Contracted Workers that is in a separate line-item, Seasonal/Temporary wages would be 131% of the budget. The prior year did not follow this trend. Another issue compounding this is that the budget for Seasonal/Temporary workers in the City Parks & Properties activity was decreased by $12,000 due to a re-allocation of Seasonal/Temporary wages. This problem has been addressed in the FY17 Budget by adding a budget for contracted workers of $10,600.

  - The *City Parks & Properties - Utility Services* line-item was at 142% at the end of the fourth quarter. This overage is attributed to additional parks and properties being added to the Parks Department, as well as the need to irrigate park properties more heavily from July through September due to the unusually dry summer last year. These costs continued to rise, but the wet May/June of 2016 did help. The increase in properties being irrigated and likely rate increase has been included to the FY17 Budget with an increase in budget authority for this line-item of $15,000.

  - The *Repairs and Maintenance Services for City Parks & Properties* was 197% of the budget at the end of the year. A portion of this was due to the unanticipated and generous donation for repair work on the Riverside Path ($9,900).

  - *Ice Rink - Repair and Maintenance Services* was 165% of the budget. Due to the numerous equipment issues at the facility, this overage was expected when reviewing accounts. It is estimated that $60,000 in unexpected repairs were necessary.

- **Street, Water, Wastewater and Solid Waste Funds**
  - The *Contracted Workers* in each fund listed above as of June 30th was 230%, 108%, 338%, and 288%, respectively. The total charged to these accounts, however, is offset in each fund by savings in the salaries and wages and employer contributions line-items. These line-item differences are related to the customer service clerk position in public works department that has not been filled to-date, but for which help was needed. Instead of filling the position, temporary help has continued to be used. This has been addressed in the FY17 Budget. All of these funds are still within the budget authority for expenditures at the end of the year, with the exception of the Water Fund, which was described above.

- **Building Codes Fund**
  - *Contracted Workers* is 499% of the budget, which was expected since the department needed additional help due to staffing issues, a delay in hiring the new position, and an increase in workload. In addition, the City contracted out some of the electrical inspections after our only electrical inspector passed away. However, Tad Lisowski, our new Chief Building Official, passed his residential electrical certification so only commercial inspections will now be contracted out. This has been included in the FY17 Budget.

  - During FY16 the City also contracted with Kalispell for some commercial plan review. This change in operations has resulted in *Professional Services* reporting at 919% of the budget for FY16, or $23,740. Since the third quarter those costs did not change. Overall the Fund is only 96% of the budget as of June 30, 2016 and was able to cover these additional expenses without the need for a budget amendment.

- **Fire & Ambulance Fund**
  - *Repair & Maintenance Services* finished the year at 196% of the budget at the end of the fourth quarter for Ambulance Services. Despite purchasing new fire and ambulance vehicles/equipment during the past few years, some of the fleet is very old and is requiring additional repairs. As of June 30, 2016 the total fund expenditures were 99% of the budget so savings in other line-items help offset these unexpected expenditures.

- **Law Enforcement Fund**
  - *Permanent Part Time Wages* came in at 162% of the budget at the end of the fourth quarter. This overage is mostly offset by the budget authority still available at year-end for overtime. However, $45,000 of the overtime was expected to be reimbursed through grants, but only $24,000 was actually received. An increase of $10,000 was added to the FY17 Budget at the direction of the City Council to help alleviate this budget overage for the next year.

- **Residential and Commercial Lighting Districts**
  - As mentioned above, the *Repair and Maintenance Supplies* line item is at 113% and 111% of the budget, respectively, with each fund at 108% and 99% at the end of the year. The *Utility Services* for the Residential Lighting District was also over budget at 114% of $5,110. The Residential Lighting District Fund did go over budget in total and a budget amendment has been proposed.

Additional Detailed Analysis

The following discussion further highlights the attached three spreadsheets.

General Fund Revenue (p. 1, line 9 to 17)
Total General Fund revenues finished the year at 99% of budget and increased from the prior year by 3%. The increase is primarily noted in charges for services from the Planning Department, miscellaneous revenue, and investment earnings due to the higher rate of return from the State's STIP program. Municipal fines and forfeitures also continued the downward trend of prior years, but at -3% versus the prior year decline of -5%.

General Fund Expenditures, Net Revenue, & Cash (p. 1, line 20 to 33)
Total General Fund expenditures were 96% of the FY16 budget at the end of the year.

The General Fund cash balance was $700,564 compared to $886,991 at the end of the prior year's fourth quarter (see Row 33), which represents a 21% decrease that was described earlier in this report. The graph on page 1 of the spreadsheet depicts the General Fund cash balance trends for the past four years. December, January, June, and July are months that tend to have higher cash balances due to the collection of property taxes. Since the General Fund is the "go-to" Fund when cash is needed, building cash reserves in the property tax supported funds, but especially the General Fund, to a minimum of 12% (preferably 15%-20%) each year is important to ensure an adequate cash balance throughout the year. A 12% reserves for property tax supported funds was the direction of the City Council during the budget process for the FY16 Budget.

Other Property Tax Supported Funds (p. 2, line 70 to 96)
The funds supported by property taxes have expenditures exceeding revenues at the end of the fourth quarter (see H96). When compared to a year ago, these funds experienced an overall increase in cash, which was mostly recognized in the Parks & Recreation Fund and Library Fund. Also compared to the prior year, overall revenues were down about 2%, which was the result of the ice rink operations being contracted out for most of the FY16 season and the full amount of revenue budgeted not being collected. Expenditures on the other hand were up 1% from the prior year, which was partially due to the unexpected expenditures of the ice rink for major repairs and maintenance before the transition in management. In addition, the FY16 Budget did anticipate an increase in expenditures due to increased wages, operating expenses, etc.

Other Tax, Fee, & Assessment Supported Funds (p. 2, line 99 to 137)
These funds located on the second half of the second page of the spreadsheet receive no general property tax support.

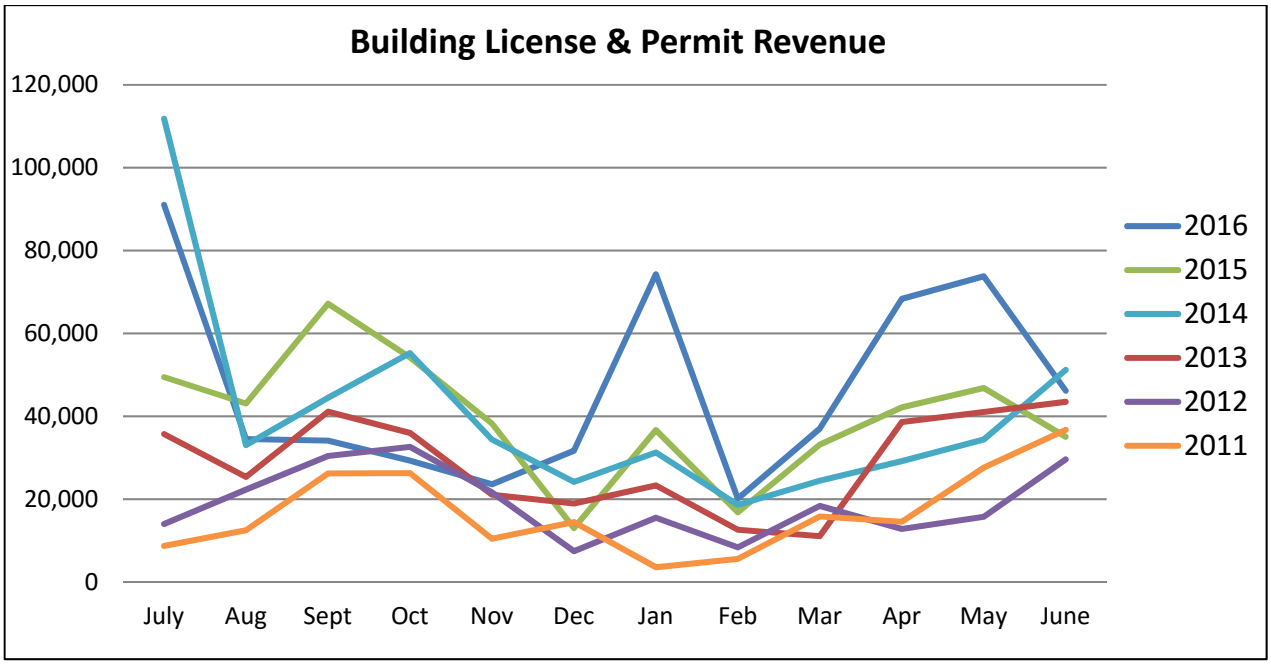
Resort Tax collections were 99% of the budgeted revenues at the end of the fourth quarter of FY16. The total revenue budget shows only 28% received (see I100), which is due to the Haskill Basin Conservation Easement originally being budgeted in this Fund. However, as noted earlier in this report, these transactions were recorded in the Water Fund. Thus the budgeted revenue received and expenditures made seem abnormally low percentage wise, but the dollar figures are much more in line with the prior year with the exception of increased revenue. Compared to the prior year, the increase of 47% in revenue was expected since the Resort Tax rate was increased from 2% to 3% as of July 1, 2015. Growth in collections (revenue) is important as the City looks to repay the revenue bond for the Haskill Basin Conservation Easement. Expenditures for capital projects vary on a year-to-year basis due to the timing of construction, which often bridges two fiscal years during the summer months. The W. 7th Street Project has continued into FY17 and the expenditures for FY16 were higher than the prior year as anticipated.

Street and Alley operations are in good financial condition even though expenditures exceeded revenues. The increase in expenditures (see J107) was expected since two years' worth of street overlay projects were completed this past summer. The net loss in the Fund was further compounded by a decrease in revenue due to the end of the Safe Routes to School Grant that was received in FY15, but not in FY16.

The *Tax Increment Fund* finished the year with expenditures exceeding revenue as expected since the budget provided for additional transfers to the debt service fund to pay both the Series 2015 and 2016 TIF Bonds on July 15th. In addition, a transfer of $2,250,080 from the Tax Increment Fund to the City Hall/Parking Structure Construction Fund was completed to help fund the project, which in comparison was only $250,000 in FY15.

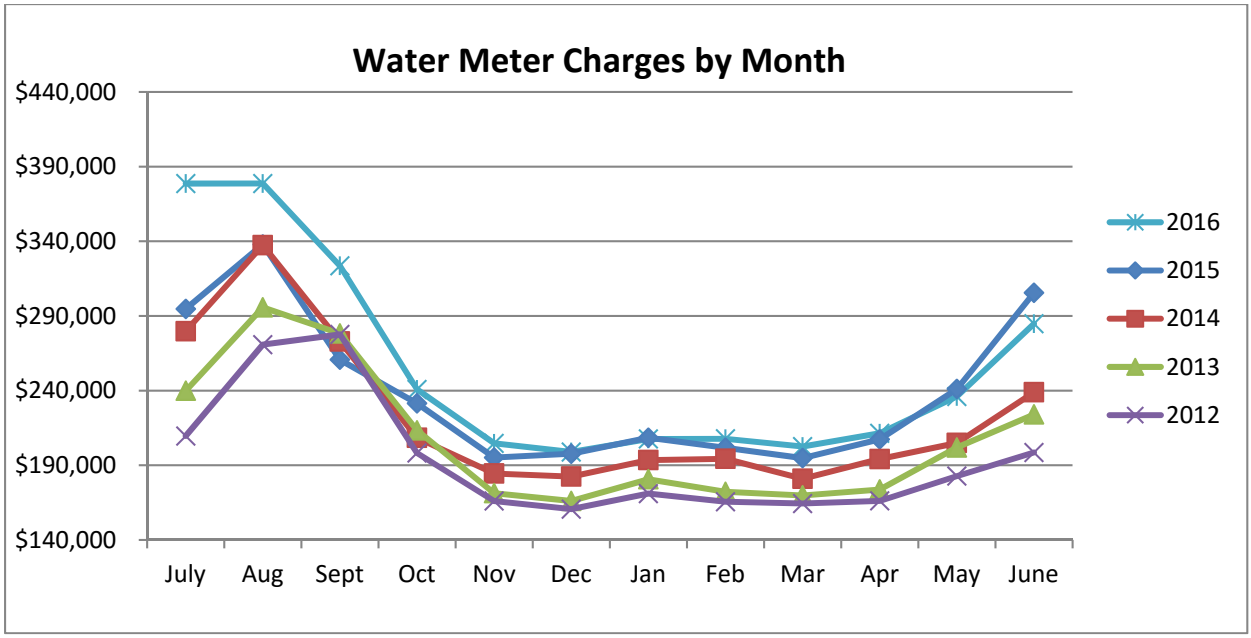
Impact Fee revenues increased a staggering $301,837 (see J117) compared to FY15. This increase was due to the large number of development projects in the City. Projects that have used impact fees in FY16 include the Skye Park Bridge and the installation of stairs at the 2nd Street Bridge. Other impact fees are transferred to the appropriate funds where the expenditure occurred. With this unexpected revenue, the FY17 Budget was adjusted to allow for larger transfers at the end of the year.

The higher revenue in the *Building Code Fund* from both the City of Whitefish and the contract with the City of Columbia Falls continued throughout FY16. Due to staffing difficulties, the City contracted with the City of Kalispell Building Department to complete the plan review for some commercial projects, which used some of the plan review revenue. However, other permit revenue is included in the licenses and permits revenue of the Fund. As depicted in the graph below, it is evident when permit fees were paid by the City for the City Hall/Parking Structure Project (January) and when another significant development paid in May 2016.



Enterprise Funds (p. 3)

Both the Water and Wastewater Funds are in good financial condition. Metered Water Sales and Wastewater Services Charges came in 7%-8% higher, or $198,969 and $184,297, respectively. As depicted in the graph below, Water Sales increased significantly from May 2015 through September 2015. The growth in revenue in the first quarter was not related to an increase in rates, but instead was attributed to the increase in water usage by customers during the dry summer months when the City experienced minimal precipitation and higher temperatures starting in May 2015. This change in usage also affected the Wastewater Charges. During the fourth quarter, the usage decreased due to more precipitation in May and June of 2016, but growth has been tracking as expected due to the rate increases of 1.3% for Water and 2.3% for Wastewater that went into effect as of October 1, 2015.



Capital expenditures in the Water and Wastewater Funds are significantly more than the prior year due various ongoing projects. A few of the major capital projects that the City has financed (shown as proceeds from bonds) or paid for includes the Highway 93-Phase II Utility Improvement Project (Water and Wastewater), the Birch Point Lift Station Project (Wastewater), the Cow Creek Extension Project (Wastewater), and the Haskill Basin Conservation Easement (Water – originally budgeted in the Resort Tax Fund).

The Solid Waste Fund had a decrease in revenues of 24% and a decrease in expenditures of 11% by the end of FY16. These decreases are due to North Valley Refuse (NVR) now managing the billing and collection of fees for solid waste services.

Capital Project Funds (p. 3)

Currently, the most active capital project fund of the City is the City Hall/Parking Structure Fund. In FY16 the City closed on the 2016 TIF Bonds used to finance a portion of the project with a total principal amount of $9.8 million. In FY17, it is anticipated that the City will issue another bond for the Parking Structure SID 167. Expenditures are ramping up with an expected physical completion date in April 2017.

Debt Summary

The City issued Water and Wastewater bonds for the Hwy 93 Phase II – Utility Improvement Project on December 17, 2015, a Water bond for the Haskill Basin Conservation Easement on February 16, 2016, and TIF revenue bonds for the City Hall/Parking Structure Project on March 1, 2016. The City has no general obligation bonds as of June 30, 2016. Below is a summary of outstanding debt and the changes from the prior year.

Description of Long-Term Liability	Balance as of June 30, 2016	Balance as of June 30, 2015	Change
TIF 2015 Refunding (ESC)*	$ 7,183,000	$ 7,183,000	0
TIF 2016 (City Hall/Parking Structure)*	$ 9,800,000	$ 0	9,800,000
Water Revenue Bonds*	$ 2,423,000	$ 2,793,000	(370,000)
Water Revenue Bond – Haskill Basin C.E.*	$ 7,863,000	$ 0	7,863,000
Wastewater Revenue Bonds*	$ 3,488,563	$ 2,659,218	829,345
SID 166 Bond	$ 655,000	$ 725,000	(70,000)
Ice Rink Loan	$ 47,862	$ 79,422	(31,560)
Ambulance Loan	$ 93,070	$ 123,520	(30,450)
Police Vehicle Loan	$ 5,488	$ 10,935	(5,447)
Fire Engine Loan	$ 414,716	$ 461,318	(46,602)
Fire Pumper Loan	$ 181,739	$ 211,000	(29,261)
Fire SCBA Loan	$ 230,453	$ 0	$230,453
TOTAL	**$32,385,892**	**$14,246,413**	**$18,139,479**

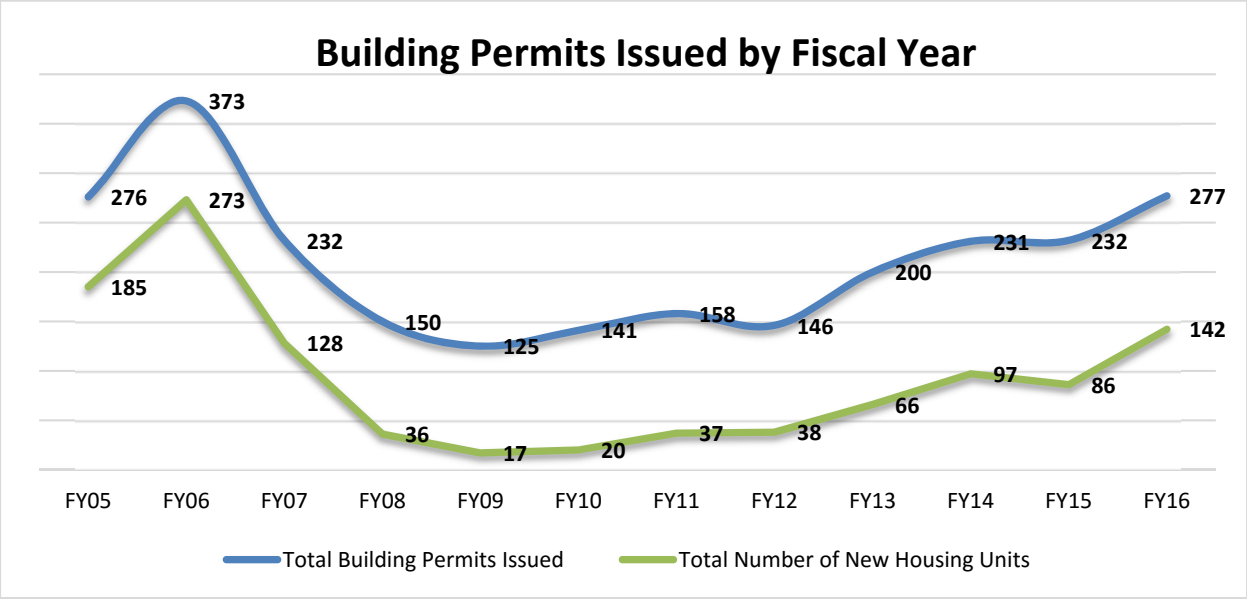
**Revenue bonds secured by and repaid by future revenues.*

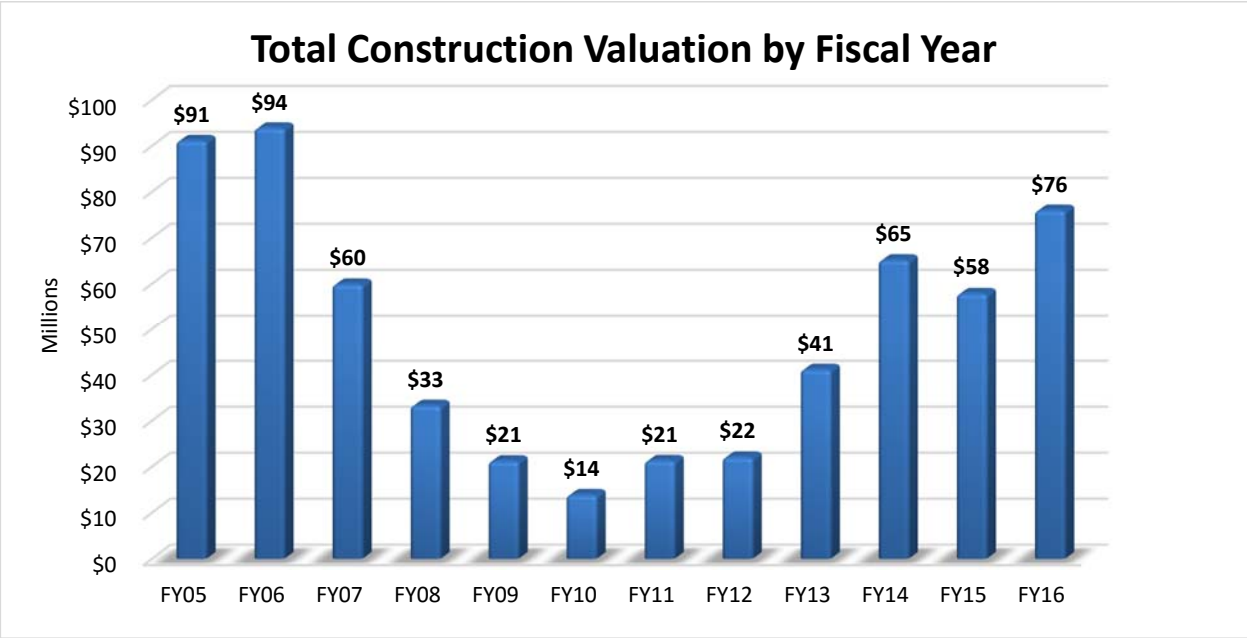
Economic Trends

The housing market for a community is a key indicator of economic performance. At the end of FY16, economic growth continues to be evident through the continued strong building permit revenues. As depicted in the graphs on the next page, the number of building permits issued in FY16 have continued to increase and more notably the number of new housing starts has increased. In addition, the valuation of the construction has improved over the prior year. Affordability is also important when looking at the health of the housing market, which the City is aware of and has earmarked $60,000 to help fund a study and hopefully working toward addressing this issue.

In addition to the housing market, tourism also plays a big part in our economy and can be monitored through the City's Resort Tax. During FY16 the collections tracked very similar to the prior year when looking at a 2% rate to 2% rate comparison. As noted during discussions with the Resort Tax Monitoring Committee, many visitors, specifically Canadians, are coming to Whitefish where they stay in our lodging facilities and frequent the bars and restaurants. However, retail has somewhat declined. This decrease can be attributed to the

exchange rate and the decline in the Canadian oil industry. Looking forward to next year, FY17 will be an interesting year for Resort Tax collections since two new hotels will be fully operational, allowing for more visitors in the summer months, but also adding more rooms to fill in the shoulder seasons.





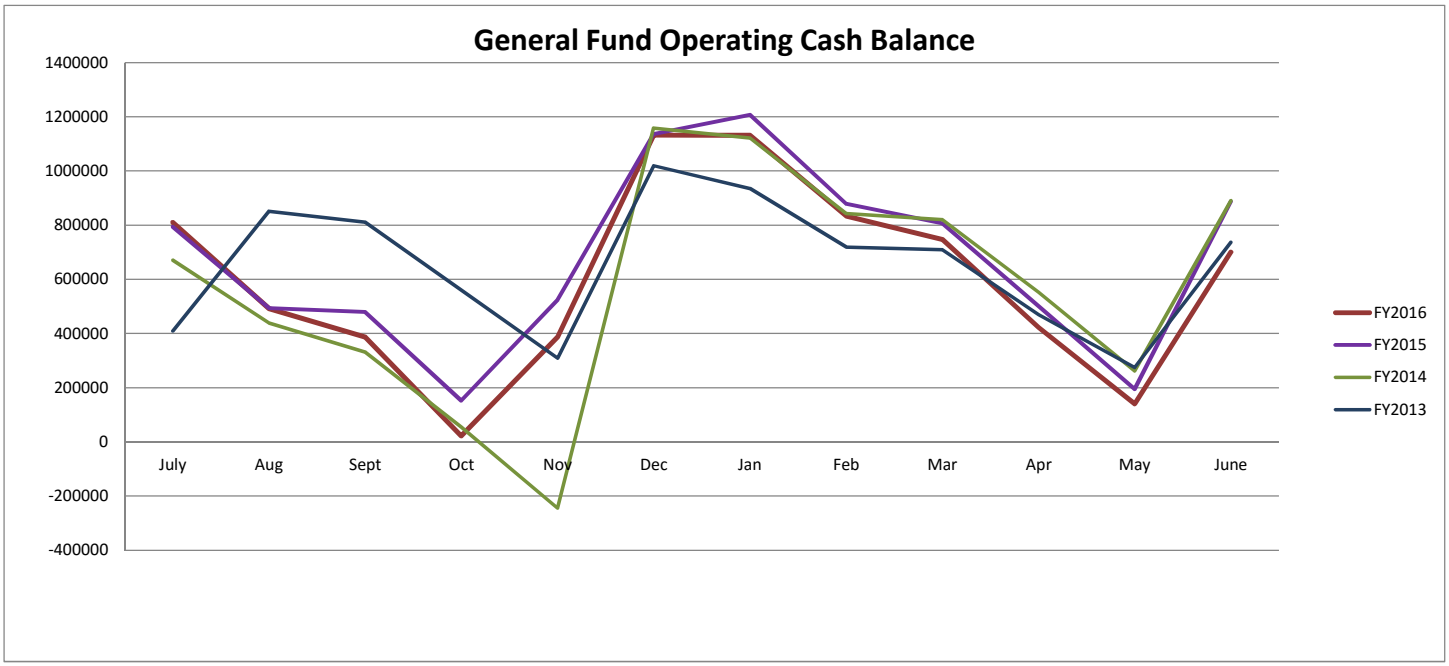
Summary

Overall the City finished FY16 as expected with some unanticipated areas of growth. The City's finances remain in generally good condition and areas of concern in FY16 have been addressed in the FY17 Budget. Please contact me if you have any questions regarding this report or the year-end financial results of the City.

City of Whitefish
Quarterly Financal Review
4th Quarter of Fiscal Year 2016
April 1, 2016 - June 30, 2016

100% of Fiscal Year Complete

General Fund Revenues	YTD June 30, 2014 Dollars	% of Budget	YTD June 30, 2015 Dollars	% of Budget	YTD June 30, 2016 Dollars	% of Budget	Chng Prev YR	% Chng Prev Yr
Property Taxes	$1,859,906	96%	$2,053,022	102%	$2,141,341	98%	$88,319	4%
Total Licenses and Permits	$62,134	103%	$66,490	110%	$67,701	105%	$1,211	2%
Intergovernmental Revenue	$777,218	100%	$802,208	98%	$824,280	98%	$22,072	3%
Charges for Services	$281,942	136%	$252,258	105%	$281,301	125%	$29,043	12%
Fines and Forfeitures	$216,265	84%	$204,938	90%	$198,486	90%	($6,452)	-3%
Miscellaneous	$78,082	193%	$29,432	63%	$34,815	64%	$5,382	18%
Investment Earnings	$21,663	108%	$14,535	97%	$18,602	124%	$4,067	28%
Resort Tax & SID RevolvingTransfer In	$693,432	100%	$668,831	100%	$679,023	100%	$10,192	2%
Total General Fund Revenues	$3,990,642	100%	$4,091,714	100%	$4,245,548	99%	$153,834	4%
General Fund Expenditures								
Municipal Court	$261,595	93%	$271,155	92%	$268,718	91%	($2,437)	-1%
Prosecution Services	$110,771	113%	$94,285	86%	$0	0%	($94,285)	-100%
Administrative Services	$78,089	96%	$78,533	99%	$108,262	101%	$29,729	38%
Legal Services	$37,312	95%	$40,285	94%	$61,229	83%	$20,944	52%
Community Planning	$322,331	92%	$350,384	88%	$338,327	89%	($12,057)	-3%
Transfer to Park Fund	$603,000	100%	$693,919	100%	$651,238	100%	($42,681)	-6%
Transfer to Law Enforcement Fund	$1,845,000	100%	$1,885,000	100%	$2,085,000	100%	$200,000	11%
Transfer to Fire Fund	$575,000	100%	$815,000	100%	$835,000	100%	$20,000	2%
Transfer to Library Fund	$34,371	100%	$34,371	100%	$34,371	100%	$0	0%
Cemetary/Other	$138,195	115%	$69,970	85%	$63,336	65%	($6,634)	-9%
Total General Fund Expenditures	$4,005,665	99%	$4,332,901	98%	$4,445,481	96%	$112,580	3%
General Fund Revenues Less Expenditures	($15,023)		($241,186)		($199,933)		$41,254	-17%
General Fund Operating Cash Balance	$890,170		$886,991		$700,564		($186,427)	-21%
Prop Tax Supported Funds (no General) Net	($200,911)		$156,102		-$65,257		($221,359)	
Prop Tax Supported Funds (no General) Cash	$398,078		$530,879		$447,744		($83,135)	
Total General & Prop Tax Supported Funds Net	($215,934)		($85,084)		($265,190)		($180,106)	
Total General & Prop Tax Supported Funds Cash	$1,288,248		$1,417,870		$1,148,308		($269,562)	



	A	D	E	F	G	H	I	J	K
68	**Property Tax Supported Funds**	June 30, 2014		June 30, 2015		June 30, 2016			
69		**Dollars**	**% of Budget**	**Dollars**	**% of Budget**	**Dollars**	**% of Budget**	**Chng Prev YR**	**% Chng Prev Yr**
70	Parks and Rec Operating Cash Balance	$325		$122,621		$127,608		$4,988	4%
71	Parks, Rec & Community Services Revenues	$1,575,089	95%	$1,656,738	98%	$1,497,163	83%	($159,575)	-10%
72	Parks, Rec & Community Services Exp.	$1,551,130	99%	$1,492,002	94%	$1,487,939	86%	($4,063)	0%
73	Revenues less Expenditures	$23,960		$164,736		$9,225		($155,511)	
74									
75	Law Enforcement Operating Cash Balance	$38,541		$0		$4,618		$4,618	
76	Law Enforcement Revenues	$2,211,993	100%	$2,345,728	97%	$2,539,041	98%	$193,312	8%
77	Law Enforcement Expenditures	$2,262,106	101%	$2,395,791	98%	$2,561,573	99%	$165,782	7%
78	Revenues less Expenditures	($50,113)		($50,063)		($22,532)		$27,531	
79									
80	Library Operating Cash Balance	$59,348		$100,131		$116,217		$16,086	16%
81	Library Revenues	$229,140	105%	$233,399	112%	$223,667	102%	($9,733)	-4%
82	Library Expenditures	$192,739	92%	$193,517	83%	$209,147	82%	$15,630	8%
83	Revenues less Expenditures	$36,402		$39,883		$14,520		($25,363)	
84									
85	Fire & Ambulance Cash Balance	$299,865		$308,127		$199,300		($108,827)	-35%
86	Fire & Ambulance Taxes, Penalty and Interest	$508,047	96%	$563,026	103%	$512,647	100%	($50,379)	-9%
87	Ambulance Services Revenue	$1,000,763	105%	$1,046,400	105%	$1,050,930	96%	$4,531	0%
88	Total Fire & Ambulance Revenue	$3,284,145	90%	$3,713,607	101%	$3,533,308	98%	($180,300)	-5%
89	Fire & Ambulance Expenditures	$3,495,304	89%	$3,712,061	99%	$3,599,777	99%	($112,284)	-3%
90	Revenues less Expenditures	($211,159)		$1,547		($66,469)		($68,016)	
91									
92	**Total Property Tax Supported Funds (not including General Fund)**								
93	Total Property Tax Supported Cash	$398,078		$530,879		$447,744		($83,135)	-16%
94	Total Property Tax Supported Revenue	$7,300,367		$7,949,473		$7,793,179		($156,295)	-2%
95	Total Property Tax Supported Expenditures	$7,501,278		$7,793,371		$7,858,436		$65,065	1%
96	Revenues less Expenditures	($200,911)		$156,102		($65,257)		($221,359)	
97									
98	**Other Tax, Fee & Assessment Supported Funds**								
99	Resort Tax Operating Cash Balance	$1,888,666		$1,751,546		$1,961,414		$209,868	12%
100	Resort Tax Collections	$2,087,995	108%	$2,213,700	106%	$3,252,492	28%	$1,038,791	47%
101	Resort Tax Investment Earnings	$7,474	125%	$3,967	79%	$8,849	177%	$4,882	123%
102	Resort Tax Expenditures and Transfers	$2,376,916	78%	$2,419,194	75%	$2,950,326	25%	$531,132	22%
103	Revenues less Expenditures	($281,447)		($201,527)		$311,014		$512,541	
104									
105	Street and Alley Operating Cash Balance	$1,107,015		$1,437,460		$1,246,954		($190,507)	-13%
106	Street and Alley Revenues	$1,308,409	99%	$1,427,276	104%	$1,371,817	102%	($55,459)	-4%
107	Street and Alley Expenditures	$1,241,652	72%	$1,102,767	50%	$1,566,411	72%	$463,644	42%
108	Revenues less Expenditures	$66,757		$324,509		($194,593)		($519,103)	
109									
110	Tax Increment Operating Cash Balance	$2,325,843		$2,504,964		$1,413,992		($1,090,972)	-44%
111	Tax Increment Property Taxes, Penalty & Interest	$4,275,978		$4,714,248	102%	$5,042,055	98%	$327,808	7%
112	Total Tax Increment Revenues	$4,544,135	99%	$5,157,374	103%	$5,553,131	98%	$395,757	8%
113	Tax Increment Expenditures & Transfers	$4,403,324	80%	$4,678,975	77%	$6,624,737	86%	$1,945,762	42%
114	Revenues less Expenditures	$140,811		$478,399		($1,071,607)		($1,550,006)	
115									
116	Impact Fees Cash Balance	$664,563		$400,304		$350,014		($50,289)	-13%
117	Impact Fee Collections - Revenues	$281,707	219%	$216,010	93%	$517,847	222%	$301,837	140%
118	Impact Fee Collections - Expenditures	$43,578	12%	$480,269	63%	$568,136	99%	$87,868	18%
119	Revenues less Expenditures	$238,128		($264,259)		($50,289)		$213,969	
120									
121	Street Lighting #1 Operating Cash Balance	$44,933		$43,282		$37,372		($5,910)	-14%
122	Street Lighting District #1 (Rsdntl) Revenues	$73,659	96%	$79,888	104%	$77,925	101%	($1,964)	-2%
123	Street Lighting District #1 (Rsdntl) Exp.	$92,607	97%	$81,704	98%	$85,985	108%	$4,282	5%
124	Revenues less Expenditures	($18,949)		($1,815)		($8,061)		($6,245)	
125									
126	Street Lighting #4 Operating Cash Balance	$30,843		$19,170		$12,029		($7,141)	-37%
127	Street Lighting District #4 (Cmmrcial) Revenues	$61,086	100%	$69,615	103%	$73,879	100%	$4,264	6%
128	Street Lighting District #4 (Cmmrcial) Exp.	$96,544	75%	$81,452	90%	$81,470	99%	$18	0%
129	Revenues less Expenditures	($35,457)		($11,837)		($7,591)		$4,246	
130									
131	Building Codes Operating Cash Balance	$1,670		$13,110		$197,431		$184,321	1406%
132	Payable to the General Fund	($171,699)		($21,158)		$0		$21,158	100%
133	License and Permits Revenues	$492,131	159%	$475,834	113%	$563,884	106%	$88,049	19%
134	Building Codes Expenditures without C. Falls	$312,298	101%	$357,046	97%	$428,307	97%	$71,261	20%
135	*Columbia Falls Contract Revenues*	$71,844	239%	$69,811	175%	$79,607	159%	$9,796	14%
136	*Columbia Falls Contract Expenditures*	$28,938	100%	$30,516	102%	$33,101	77%	$2,585	8%
137	Revenues less Expenditures	$222,739		$158,084		$182,083		$23,999	

	A	D	E	F	G	H	I	J	K
138	**Enterprise Funds**	June 30, 2014		June 30, 2015		June 30, 2016			
139		**Dollars**	**% of Budget**	**Dollars**	**% of Budget**	**Dollars**	**% of Budget**	**Chng Prev YR**	**% Chng Prev Yr**
140									
141	Water Cash Balance	$3,214,973		$3,937,405		$4,344,443		$407,038	10%
142	Water - Metered Water Sales	$2,672,390	111%	$2,876,452	115%	$3,075,421	107%	$198,969	7%
143	Water - Operating Revenues	$3,129,382	119%	$3,286,865	119%	$3,506,865	111%	$220,000	7%
144	Water - Operating Expenditures	$1,524,922	95%	$1,635,197	95%	$1,688,211	96%	$53,014	3%
145	Operating Revenues less Expenditures	$1,604,460		$1,651,668		$1,818,654		$166,987	
147									
148	Non Operating Revenue	$101,507	30%	$1,559	1%	$9,087,190	1920%	$9,085,631	582745%
149	Water Capital Expenditures	$307,566	24%	$348,699	21%	$8,483,335	449%	$8,134,637	2333%
150	Water Debt Service	$307,411	57%	$543,835	97%	$980,248	169%	$436,413	80%
151									
152									
153	Wastewater Cash Balance	$1,670,796		$2,102,631		$1,854,926		($247,705)	-12%
154	Wastewater - Sewer Service Charges	$2,179,964	105%	$2,282,970	108%	$2,467,267	103%	$184,297	8%
155	Wastewater - Operating Revenues	$2,437,233	110%	$2,346,913	103%	$2,778,466	106%	$431,552	18%
156	Wastewater - Operating Expenditures	$1,515,530	91%	$1,448,930	82%	$1,636,475	87%	$187,545	13%
157	Operating Revenues less Expenditures	$921,703		$897,983		$1,141,990		$244,008	
159									
160	Non Operating Revenue	$10	0%	$284,984	19%	$1,362,871	55%	$1,077,887	378%
161	Wastewater Capital Expenditures	$884,810	43%	$777,907	30%	$1,995,332	61%	$1,217,424	156%
162	Wastewater Debt Service	$128,910	43%	$232,536	80%	$274,733	75%	$42,197	18%
163									
164									
165	Solid Waste Operating Cash Balance	$110,522		$149,645		$155,751		$6,106	4%
166	Solid Waste Revenues	$775,581	104%	$812,193	106%	$618,811	76%	($193,381)	-24%
167	Solid Waste Expenditures	$739,187	100%	$767,995	100%	$685,300	86%	($82,695)	-11%
168	Revenues less Expenditures	$36,394		$44,198		($66,488)		($110,686)	
169									
170									
171	**Capital Project Funds**								
172									
173	City Hall/Parking Structure Project Cash Balance	$2,252,701		$2,369,909		$8,006,276		$5,636,367	238%
174	City Hall/Parking Structure - Revenues/Proceeds	$257,153	100%	$639,657	256%	$11,112,121	93%	$10,472,464	1637%
175	City Hall Project/Parking Structure - Expenditures	$31,646	8%	$557,450	63%	$5,403,229	38%	$4,845,780	869%
176	Revenues less Expenditures	$225,507		$82,208		$5,708,892		$5,626,684	
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ORDINANCE NO. 16-___

An Ordinance of the City Council of the City of Whitefish, Montana, extending the Interim Ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a Planned Unit Development overlays more than one district.

WHEREAS, the City Council has approved Planned Unit Developments ("PUDs") that included the averaging of residential density across multiple underlying zoning districts; and

WHEREAS, questions arose regarding the PUD Chapter in the City Code and lack of clarity with respect to the issue of PUD boundaries spanning multiple underlying zones; and

WHEREAS, in response to the questions, the Whitefish Planning & Building Department initiated an effort to amend City Code § 11-2S-3, WPUD, Planned Unit Development District, Standards of Development, and § 11-2S-5, WPUD, Planned Unit Development District, Deviations to Standards, to clarify maximum average residential density when a PUD overlays more than one underlying zoning district; and

WHEREAS, in furtherance of the effort to amend City Code §§ 11-2S-3, and 11-2S-5, the Planning & Building Department prepared Staff Report WZTA-15-01, dated January 15, 2015; and

WHEREAS, at a lawfully noticed public hearing on January 15, 2015, the Whitefish Planning Board received an oral report from Planning staff, reviewed Staff Report WZTA-15-01, invited public comment, and thereafter voted to recommend a continuance of the proposed amendments; and

WHEREAS, at a work session on June 18, 2015, the Whitefish Planning Board received an oral report from Planning staff, reviewed codes from Kalispell, Flathead County, Missoula, and Minnesota, invited public comment, and thereafter directed staff to address the confusion regarding residential density averaging when a PUD overlays multiple underlying zones, and to look at later revising the PUD Chapter; and

WHEREAS, in response, the Planning & Building Department prepared a revised Staff Report WZTA-15-01, dated January 21, 2016; and

WHEREAS, at a lawfully noticed public hearing on January 21, 2016, the Whitefish Planning Board received an oral report from Planning staff, reviewed Staff Report WZTA-15-01, invited public comment, and thereafter voted to recommend denial of the proposed text amendments to City Code §§ 11-2S-3, and 11-2S-5, and to ask the City Council to direct staff to revise the PUD Chapter as well as place a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district; and

WHEREAS, at a lawfully noticed public hearing on February 1, 2016, the Whitefish City Council received an oral and written report from Planning staff, reviewed Staff

Report WZTA-15-01, invited public input, and thereafter directed Legal staff to prepare an interim zoning ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district; and

WHEREAS, § 76-2-306, MCA, permits the City to protect public safety, health, and welfare by adopting as a urgency measure an interim zoning ordinance prohibiting any uses that may be in conflict with a contemplated zoning proposal that the City Council is considering or studying or intends to study within a reasonable time; and

WHEREAS, § 7-2-306, MCA, allows the City to adopt an interim zoning ordinance to protect public safety, health, and welfare without following the preliminary procedures otherwise required to adopt zoning ordinances; and

WHEREAS, in response to significant public input as well as review of the materials presented, the City Council determined the averaging of residential density across underlying zoning districts when a PUD overlays more than one district within the City of Whitefish could be immediately detrimental to, harmful to, and a threat to the peace, property rights, health, safety, and general welfare of the City and its inhabitants, until such time as the City has had an opportunity to further study such issue and an opportunity to adopt appropriate ordinances, zoning or otherwise, to appropriately address the issue and the entire PUD Chapter; and

WHEREAS, after first having provided lawful public notice, as required by § 76-2-306(2), MCA, the City Council conducted a public hearing on February 16, 2016, invited public comment, and thereafter adopted an interim ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district is hereby adopted in order to allow the City an opportunity to further study such issue and to adopt appropriate ordinances, zoning or otherwise, to appropriately address the issue and other issues within the PUD Chapter; and

WHEREAS, the City has appointed a Planned Unit Development Re-write Steering Committee that is working to re-write, as needed, the PUD Chapter; and

WHEREAS, § 76-2-306(3), MCA, allows the City, after proper notice and a public hearing, to extend an interim ordinance for one year; and

WHEREAS, after first having provided lawful public notice, as required by §§ 76-2-306(3) and 76-2-303, MCA, the City Council conducted a public hearing on August 15, 2016, and invited public comment, and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to extend the interim ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district is hereby adopted in order to allow the Planned Unit Development Re-write Steering Committee additional time to re-write, as needed, the PUD Chapter and the City an opportunity to adopt appropriate ordinances, zoning or otherwise.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: The interim zoning ordinance imposing a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district is hereby extended in order to allow the Planned Unit Development Re-write Steering Committee additional time to re-write, as needed, the PUD Chapter and the City an opportunity to adopt appropriate ordinances, zoning or otherwise.

Section 3: The interim zoning ordinance shall remain in effect for one year from the date of the adoption of this ordinance unless, after notice and pursuant to public hearing, the City Council further extends the ordinance as allowed by § 76-2-306(3), MCA, or repeals the ordinance.

Section 4: In the event any word, phrase, clause, sentence, paragraph, section or other part of the interim ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 5: This interim ordinance shall take effect immediately upon its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor or Deputy Mayor thereof. No second reading shall be required.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS _____ DAY OF _____, 2016.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Michelle Howke, City Clerk

Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Angela Jacobs, City Attorney

Date: August 8, 2016

Re: Extending the Moratorium on Allowing the Averaging of Residential Density Across Underlying Zoning Districts When a PUD Overlays More than One District

---

Introduction/History

In response to questions that arose regarding the Planned Unit Development ("PUD") Chapter of the Whitefish City Code, Planning Staff initiated an effort early last year to amend the Code to clarify the maximum residential density that is permitted when a PUD overlays more than one underlying zoning district. As the result of Planning Staff's effort, the Whitefish Planning Board held a work session and then directed Staff to address the confusion regarding residential density averaging and to look into revising the entire PUD Chapter.

At the direction of the Planning Board, Planning Staff prepared a revised report which was presented to the Board at a public hearing on January 21, 2016. The Planning Board recommended the City Council deny the proposed text amendments to the City Code, direct Planning Staff to revise the PUD Chapter, and place a moratorium on allowing the averaging of residential density across underlying zoning districts when a PUD overlays more than one district.

On February 1, 2016, the City Council, after receiving a report from Planning Staff and public input, directed Legal Staff to prepare an interim ordinance imposing a moratorium on the averaging of residential density across underlying zoning districts when a PUD overlays more than one district. On February 16, 2016, the City Council held a public hearing and thereafter adopted the interim ordinance drafted by Legal Staff. After adopting the interim ordinance, the City Council appointed a Planned Unit Development Re-write Steering Committee to re-write, as needed, the PUD Chapter.

Current Report

Section 76-2-306, MCA, provides an interim ordinance expires six months from the date of its adoption. Accordingly, the interim ordinance imposing a moratorium on the averaging of

residential density across underlying zoning districts when a PUD overlays more than one district will expire on August 16, 2016. After proper legal notice and a public hearing, the City Council may, by a two-thirds vote, extend the interim ordinance for one year. *See* Mont. Code Ann. § 76-2-306(3). The Planned Unit Development Re-write Steering Committee is currently working to re-write, as needed, the PUD Chapter of the City Code. If the Council wishes to keep the moratorium in place while the Committee continues its work, it should extend the interim ordinance.

Financial requirements/Impacts.

There are no financial requirements or impacts of extending the interim ordinance.

Recommendation.

If the Council wishes to keep the moratorium on the averaging of residential density across underlying zoning districts when a PUD overlays more than one district in place while the Planned Unit Development Re-write Committee continues its work, Staff respectfully recommends the City Council adopt Ordinance 16-____.

CITY OF WHITEFISH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that at its regular meeting on Monday, August 15, 2016, at 7:10 PM, in the Whitefish City Council Meeting room, located in City Hall, at 1005 Baker Avenue, Whitefish, Montana, the Whitefish City Council will conduct a public hearing and take public comment regarding extension of Ordinance No. 16-05 which imposes a moratorium with respect to allowing the averaging of residential density across underlying zoning districts when a Planned Unit Development overlays more than one district within the City of Whitefish.

Individuals may appear or submit written testimony at the hearing to comment on extending the proposed moratorium for one year. Written comments may be delivered or mailed to David Taylor, Planning and Building Director, 510 Railway Street, PO Box 158, Whitefish, MT, or emailed to dtaylor@cityofwhitefish.org. For questions or further information, phone 406-863-2416.

For publication on August 3 and August 10, 2016, in the Legal Notices Section of the *Whitefish Pilot*.

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MONTANA
BOARD OF INVESTMENTS

Department of Commerce

Street Address:
2401 Colonial Drive, 3rd Floor
Helena, MT 59601

Mailing Address:
P.O. Box 200126
Helena, MT 59620-0126

Phone: 406/444-0001
Facsimile: 406/449-6579
Website: www.investmentmt.com

August 1, 2016

CITY OF WHITEFISH
City Commissioners
P O Box 158
Whitefish, MT 59937

RE: Short Term Investment Pool (STIP) Annual Confirmation
STIP Account #____CI WHITE____

Dear Local Government STIP Participant:

The information below pertains to your STIP account as it appears on the Board of Investments' records. If the information provided below is current and correct, no action is required.

Authorized Representative Dana Smith
Authorized Delegate(s) Charles Stearns, Michelle Howke
Bank Name Glacier Bank
Bank Account Number (truncated) ____XXXX8604____

If the information provided above is not current or correct, it is the responsibility of the local government to provide updated information to the Board of Investments. Please take the following appropriate action(s) to provide the Board of Investments with updated information.

Submit a New STIP Resolution if:

- ☐ The Authorized Representative has changed
- ☐ The Bank Name or Account Number has changed AND the Authorized Representative *is not* allowed to change the Bank Name or Account Number
- ☐ Any Authorized Delegates have changed AND the Authorized Representative *is not* allowed to change the Authorized Delegates

Submit Exhibit A (STIP Participation Information Form) if:

- ☐ The Authorized Delegates have changed AND the Authorized Representative *is* allowed to change the Authorized Delegates

Submit Exhibit B (Electronic Funds Transfer Authorization Form) if:

- ☐ The Bank Name or Account Number has changed AND the Authorized Representative *is* allowed to change the Bank Name or Account Number

The STIP Resolution, Exhibit A and Exhibit B can all be found on the Board's website at:

http://investmentmt.com/STIP/Forms

Please direct any questions to Polly Boutin, Associate Financial Manager at (406) 444-0220, Frank Cornwell, Associate Financial Manager at (406) 444-0587 or April Madden, STIP Program Manager at (406) 444-0003.

Sincerely,

Julie Feldman
Financial Manager

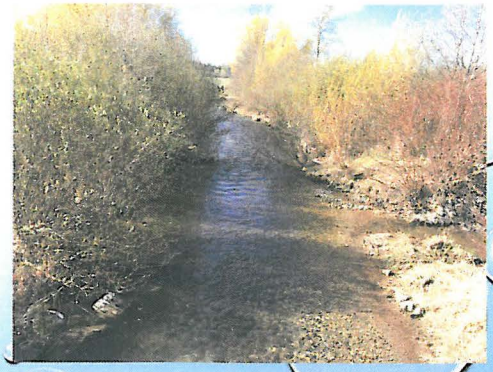
CC: Dana Smith
CITY OF WHITEFISH

The following pages were handed out at the City Council meeting the night of the meeting. They are included here as an addendum to the packet.

NUTRIENT REDUCTION AND TRADING PLAN

PREPARED FOR THE CITY OF WHITEFISH

AUGUST 15, 2016



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PROJECT TEAM

- ANDERSON MONTGOMERY ENGINEERING
- ROBERT PECCIA AND ASSOCIATES
- WHITEFISH LAKE INSTITUTE
- CITY OF WHITEFISH

2

INTRODUCTION

- MONTANA IS IN THE PROCESS OF ADOPTING NUMERIC CRITERIA FOR NUTRIENTS (NITROGEN AND PHOSPHORUS) TO PROTECT STATE WATERS.
- THE RESULTING IN-STREAM NUTRIENT STANDARDS ARE VERY LOW IN THE NORTHERN ROCKIES ECOREGION WHICH INCLUDES THE WHITEFISH RIVER
  - 0.275 MG/L TOTAL NITROGEN (TN)
  - 0.025 MG/L TOTAL PHOSPHORUS (TP)
  - STANDARDS IN EFFECT FROM JULY 1ST TO SEPTEMBER 30TH EVERY YEAR
  - CAN'T BE MET WITH CURRENT TREATMENT TECHNOLOGY
  - MDEQ HAS IMPLEMENTED A VARIANCE PROCESS FOR MUNICIPAL WASTEWATER TREATMENT PLANTS (WWTP)
    - 10 MG/L TOTAL NITROGEN AND 1 MG/L TOTAL PHOSPHORUS

3

INTRODUCTION

- THE VARIANCE LIMITS WILL BE REVIEWED BY MDEQ EVERY THREE YEARS AND WILL BE ADJUSTED DOWNWARD TO MEET THE IN STREAM STANDARDS BASED ON THE AFFORDABILITY OF NEW TREATMENT TECHNOLOGY
- THE CITY'S EXISTING LAGOONS CANNOT MEET THE VARIANCE LIMIT FOR NITROGEN AND CANNOT MEET THE LIMIT FOR AMMONIA IN ITS DISCHARGE PERMIT
- THE CITY IS CURRENTLY PLANNING FOR THE CONSTRUCTION OF A NEW MECHANICAL WASTEWATER TREATMENT PLANT TO MEET AMMONIA AND NITROGEN LIMITS
- NUTRIENT TRADING IS A PROCESS THAT COULD BE USED TO HELP THE CITY MEET FUTURE NUTRIENT LIMITS AS MDEQ CONTINUES TO REDUCE THE LIMITS OVER THE NEXT 20 YEARS

4

WHAT IS NUTRIENT TRADING

- MDEQ DEFINITION: "TRADING IS A MARKET-BASED APPROACH TO ACHIEVING WATER QUALITY STANDARDS IN WHICH A POINT SOURCE PURCHASES POLLUTANT REDUCTION CREDITS FROM ANOTHER POINT SOURCE OR A NONPOINT SOURCE IN THE APPLICABLE TRADING REGION THAT ARE THEN USED TO MEET THE SOURCE'S POLLUTANT DISCHARGE OBLIGATIONS. TO BE CREDITABLE TO THE SOURCE PURCHASER, THE CREDITS MUST REFLECT AN ACTUAL, POLLUTANT LOAD DIFFERENTIAL BELOW THE CREDIT SELLER'S BASELINE. UNDER CERTAIN CIRCUMSTANCES, A POINT SOURCE BUYER MAY HAVE TO PURCHASE MORE THAN ONE POUND OF POLLUTANT REDUCTION TO EQUAL A POUND DISCHARGED AT ITS OUTFALL."

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WHAT IS NUTRIENT TRADING

- IN OTHER WORDS: IF A POINT SOURCE DISCHARGER SUCH AS THE WHITEFISH WWTP CAN FIND A METHOD TO REDUCE THE NUTRIENT LOADING INTO THE WHITEFISH RIVER BY MEANS OTHER THAN INCREASING ITS WWTP TREATMENT EFFICIENCY, IT CAN RECEIVE NUTRIENT CREDITS THAT CAN BE USED TO MEET PERMIT LIMITS. FOR EXAMPLE IF THE WHITEFISH WWTP FOUND A SOURCE OF NUTRIENT DISCHARGE INTO THE WHITEFISH RIVER SUCH AS RUNOFF OF ANIMAL WASTE FROM A FEEDLOT OR PASTURE, STORM WATER DISCHARGE, FERTILIZER RUNOFF ETC. IT COULD PAY TO MITIGATE THE NUTRIENT DISCHARGE FROM THE SOURCE AND RECEIVE A CREDIT FOR THE REDUCTION IN POUNDS PER DAY. IN ORDER TO RECEIVE THE CREDIT, THE AMOUNT OF REDUCTION MUST BE QUANTIFIED BY A METHODOLOGY ACCEPTABLE TO MDEQ.

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DRAFT NUTRIENT TRADING PLAN

- PURPOSE OF PLAN:
  - IDENTIFY POTENTIAL SOURCES OF NUTRIENT TRADING
  - EVALUATE THE FEASIBILITY OF USING THE IDENTIFIED SOURCES FOR TRADING
  - PROVIDE PRELIMINARY COSTS FOR IMPLEMENTING TRADING FROM THE IDENTIFIED SOURCES
  - RECOMMEND A FEASIBLE/PRACTICAL APPROACH TO NUTRIENT TRADING

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POTENTIAL TRADING SOURCES

- PRELIMINARY SAMPLING WAS COMPLETED ON VARIOUS STREAMS AND ON STORMWATER DISCHARGED BY THE CITY TO IDENTIFY AREAS THAT MAY HAVE POTENTIAL SOURCES FOR NUTRIENT TRADING (NORTHERN ROCKIES ECOREGION IN-STREAM NUTRIENT STANDARDS USED AS A BASIS FOR SCREENING)
- ONLY A FEW STREAM SAMPLES EXCEEDED THE IN-STREAM NUTRIENT STANDARDS
  - THREE OF 18 SAMPLES TAKEN FROM THE WHITEFISH RIVER, BUT THESE WERE OUTSIDE THE JULY-SEPTEMBER WINDOW
  - COW CREEK – 8 SAMPLES EXCEEDED TN AND 6 SAMPLES EXCEEDED TP*
  - WALKER CREEK – 5 SAMPLES EXCEEDED TN AND ONE EXCEEDED TP*
  - VIKING CREEK – 1 SAMPLE EXCEEDED TN *

*A NUMBER OF THE SAMPLES WERE OUTSIDE THE JULY-SEPTEMBER WINDOW

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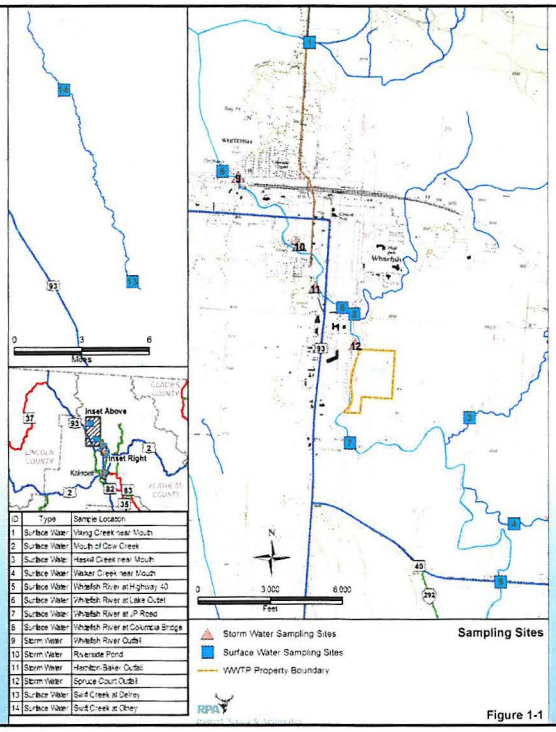
POTENTIAL TRADING SOURCES

- FOUR STORMWATER SITES WERE SAMPLED
  - ALL EXCEEDED THE INSTREAM STANDARD FOR TN.
  - ONLY ONE SITE EXCEEDED THE STANDARD FOR TP
- BASED ON PRIMARY SAMPLING RESULTS COW CREEK, WALKER CREEK AND THE CITY STORMWATER SYSTEM MAY HAVE POLLUTANT SOURCES THAT ARE POTENTIAL CANDIDATES FOR NUTRIENT TRADING
- COW CREEK HAS MULTIPLE STORMWATER OUTLETS DISCHARGING INTO CREEK AS WELL AS RUNOFF FROM AG LAND

9



ID	Type	Sample Location
1	Surface Water	Viking Creek near Mouth
2	Surface Water	Mouth of Cow Creek
3	Surface Water	Haskell Creek near Mouth
4	Surface Water	Walker Creek near Mouth
5	Surface Water	Whitefish River at Highway 40
6	Surface Water	Whitefish River at Lake Outlet
7	Surface Water	Whitefish River at P Road
8	Surface Water	Whitefish River at Columbia Bridge
9	Storm Water	Whitefish River Outfall
10	Storm Water	Riverside Pond
11	Storm Water	Hamilton Saker Outfall
12	Storm Water	Spruce Court Outfall
13	Surface Water	Swift Creek at Delmy
14	Surface Water	Swift Creek at Olney

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POTENTIAL TRADING SOURCES

- POTENTIAL TRADING SOURCES THAT WERE EVALUATED IN THE PLAN INCLUDED:
  - LAND APPLICATION (IRRIGATION) OF TREATED WASTEWATER FROM THE WWTP
  - RUNOFF FROM AGRICULTURAL LAND (WALKER AND COW CREEK)
  - WHITEFISH STORMWATER SYSTEM
  - RESIDENTIAL SEPTIC TANKS
  - RUNOFF FROM GOLF COURSES
  - LAWN FERTILIZERS
  - SMOKE FROM WOODSTOVES

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EVALUATION OF POTENTIAL TRADING SOURCES

- EVALUATION CRITERIA INCLUDES COST, LONG TERM RELIABILITY, QUANTITY OF CREDITS GENERATED, LONG OR SHORT TERM, AND THE DOCUMENTATION AND MANAGEMENT EFFORT REQUIRED TO CALCULATE AND MAINTAIN THE CREDITS.
- EMPHASIS IS ON NITROGEN CREDITS
  - EXISTING WWTP CAN MEET PHOSPHORUS LIMITS
  - PHOSPHORUS IS READILY ADSORBED BY THE SOIL SO TRADING RATIOS ARE HIGH
  - PHOSPHORUS CREDITS WILL BE GENERATED BUT LIKELY NOT NEEDED FOR THE FORESEEABLE FUTURE

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ADVANTAGES AND DISADVANTAGES OF NUTRIENT TRADING SOURCES

POTENTIAL TRADING SOURCE	*ADVANTAGES*	*DISADVANTAGES*
LAND APPLICATION OF WWTP EFFLUENT • ONSITE IRRIGATION AT WWTP • IRRIGATE SUMMER FLOWS ONLY • IRRIGATE TOTAL FLOW	-LONG-TERM SOURCE OF CREDITS -MOST CREDITS AVAILABLE -CITY WOULD HAVE DIRECT CONTROL -DOCUMENTATION EASY -AMOUNT OF CREDIT WOULD NOT VARY	-HIGH COST EXCEPT ON WWTP SITE -MULTIPLE SITES NEEDED -CLAY SOILS -CREDITS AVAILABLE ONLY DURING IRRIGATION SEASON
RUNOFF FROM AGRICULTURAL LAND • FENCING STREAMS • STREAM STABILIZATION • FILTER STRIPS	-REASONABLE COST -MODERATE AMOUNT OF CREDITS	-NOT A LONG TERM SOURCE -REQUIRES LANDOWNER COOPERATION -MAJOR EFFORT BY CITY TO DOCUMENT
STORMWATER TREATMENT	REASONABLE COST	- LIMITED AMOUNT OF CREDITS AVAILABLE
RESIDENTIAL SEPTIC SYSTEMS • CONNECT TO CITY SEWER • CONVERT TO ADVANCED TREATMENT • LOOKED AT SUBDIVISIONS AROUND LAKE	-MODERATE AMOUNT OF CREDITS -LONG-TERM SOURCE OF CREDITS -AMOUNT OF CREDIT WOULD NOT VARY	-HIGH COST -LOADING TO WWTP MUCH HIGHER THAN CREDIT -SIGNIFICANT MONITORING EFFORT BY CITY IF CONVERTED TO ADVANCED TREATMENT

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ADVANTAGES AND DISADVANTAGES OF NUTRIENT TRADING SOURCES

POTENTIAL TRADING SOURCE	*ADVANTAGES*	*DISADVANTAGES*
GOLF COURSES • LOW RUNOFF FROM TURG GRASS • POOR FERT., TURF AND IRRIGATION MANAGEMENT AFFECTS BOTTOM LINE		-LOW CREDITS DUE TO EXISTING MANAGEMENT PRACTICES -AGREEMENT WITH GOLF COURSE REQUIRED -MAY NOT BE LONG TERM SOURCE
URBAN RUNOFF (LAWN FERTILIZER) • URBAN FERT. MANAGEMENT PLAN AND ORDINANCES • LOW PHOS. FERTILIZERS • RESTRICTIONS ON WATER SOLUBLE NITROGEN	-REASONABLE COST	-DIFFICULT TO DOCUMENT -DEPENDS UPON PUBLIC PARTICIPATION -RESULTS WILL VARY YEARLY -MAGNITUDE OF CREDITS UNKNOWN -OTHER STATES HAVE NOT NOTICED MARKED DECREASE IN POLLUTION
SMOKE FROM WOODSTOVES		-LIKELY NOT A SIGNFICANT SOURCE -HARD TO DOCUMENT -POLLUTION CONTROL DEVICES ON STOVES DON'T TARGET NUTRIENTS

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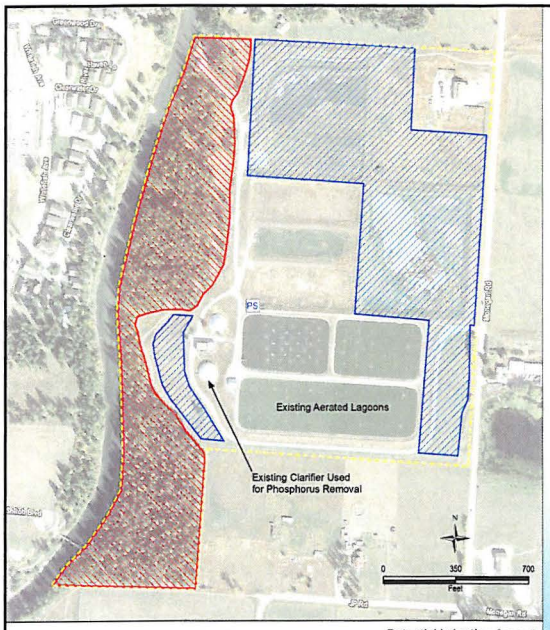
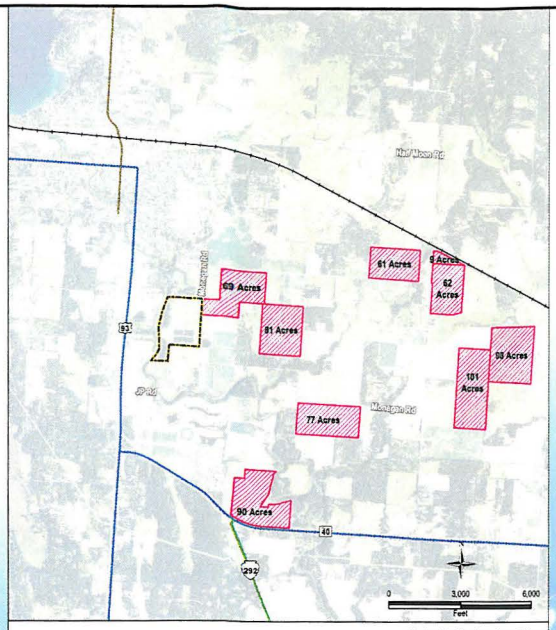


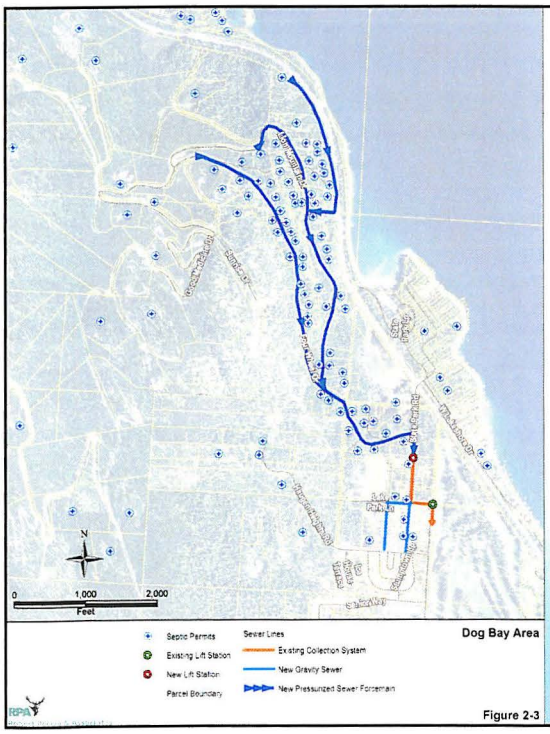
Potential Irrigation Area at the Existing WWTP

Figure 2-1



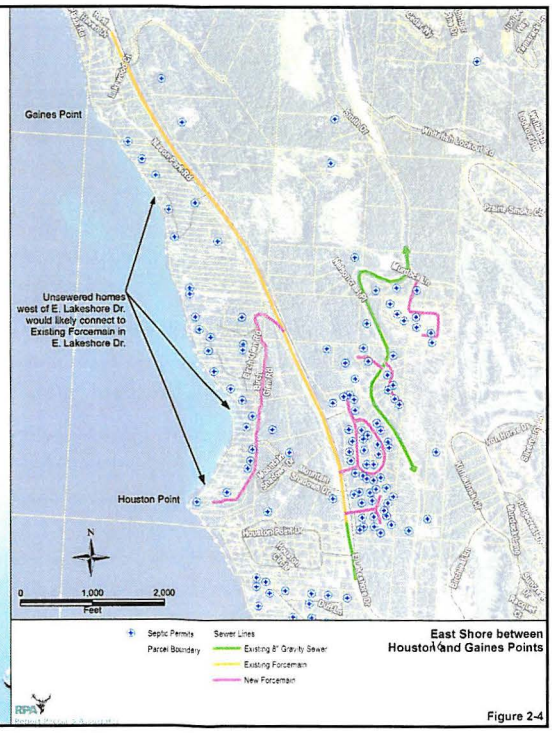
Potential Irrigation Sites Near the Existing WWTP

Figure 2-2



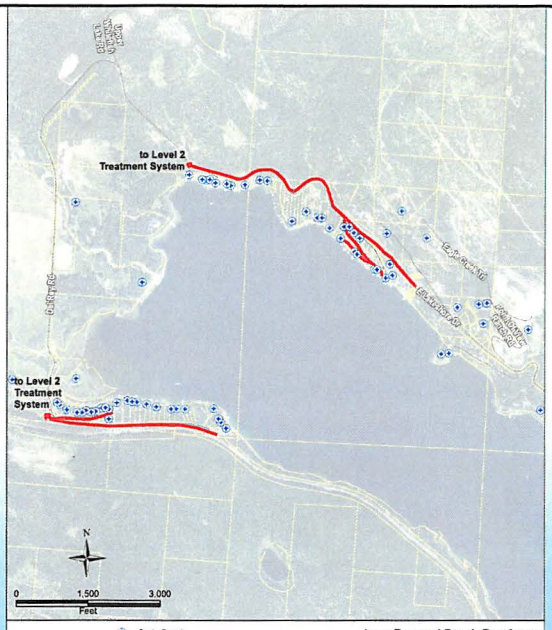
Dog Bay Area

Figure 2-3



East Shore between Houston and Gaines Points

Figure 2-4



Septic Permits
Parcel Boundary
Sewer Lines
New Pressurized Collection System and Forcemain

Lazy Bay and Brush Bay Areas

Figure 2-5

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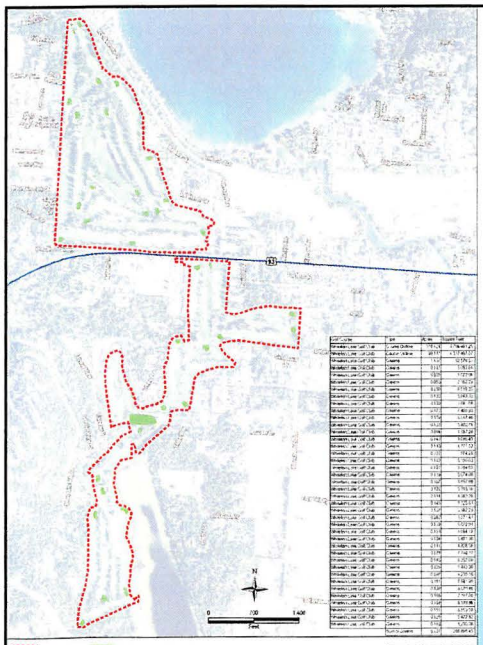
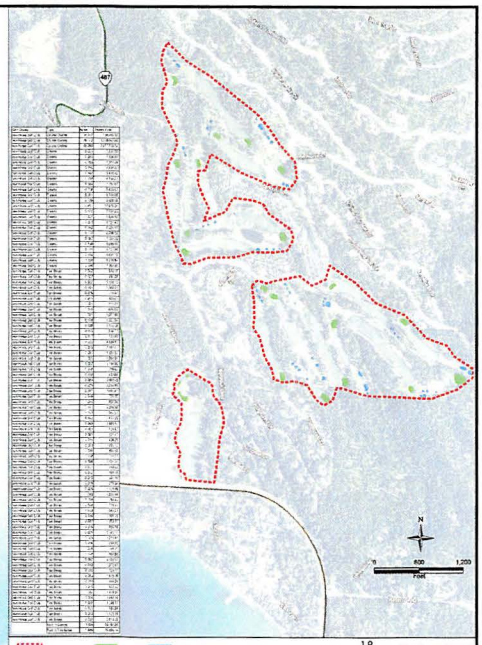


Course Outline
Greens

Whitefish Lake Golf Club

Figure 2-8



Course Outline
Greens
Tee Boxes

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Iron Horse Golf Club

Figure 2-9

ESTIMATE OF CREDITS FROM VARIOUS SOURCES AND COST TO IMPLEMENT

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TABLE 2-3 SUMMARY OF CAPITAL COST ESTIMATES FOR LAND APPLICATION

Description	Capital Cost at Current Flows (1MGD)	Capital Cost at Design Flows (1.5 MGD)	Notes.
Alt. One; On-site Disposal Only	$970,000	NA	Assumes 0.12 MGD can be disposed of onsite.
Alt. Two; Total Disposal of Summer Flows Only	$6,893,000	$9,979,000	Would eliminate discharge May-September. Discharge would occur the remainder of the year.
Alt Three; Total Disposal of Effluent Flow All Year (Eliminate Discharge)	$49,073,000	$72,781,000	High cost due to multiple land application sites and 140 – 210 acre storage lagoon to store effluent during non-irrigation season.
Alt. Four; _Land Apply to Meet Summer Nitrogen Limits for 20-year Planning Period	NA	$5,664,000	Cost based on 100 lbs. of credit needed at the end of the 20 year planning period. This alternative could be phased in over time as flows and the need for credits increase.

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TABLE 2-4 SUMMARY OF NITROGEN CREDITS GENERATED FROM IRRIGATION ALTERNTIVES

Description	CURRENT FLOWS (1.0 mgd) Total estimated nitrogen credits generated per 120 day irrigation season or per 365 days for total flow disposal	Cost per total credit generated	DESIGN FLOW (1.5 MGD) Total estimated nitrogen credits generated per 120 day irrigation season	Cost per total credit generated
Alt. 1; On-site Disposal Only	2,640 lbs. (22 lbs/day)	$367 ($44,100/lb/day)	2,640 lbs. (22 lbs/day)	$367 ($44,100/ lbs/day)
Alt 2; Total Disposal of Summer Flows Only	22,080 lbs. (184 lbs/day)	$312 ($37,500/lb/day)	33,120 lbs. (276 lbs/day)	$301 ($36,155/lb/day)
Alt 3; Total Disposal of Effluent Flow All Year (Eliminate Discharge)	67,160 lbs. (184 lbs/day)	$730 ($266,700/lb/day)	100,740 lbs. (276 lbs/day)	$722 ($236,700 lb/day)
Alt 4; Land Apply to Meet Summer Nitrogen Limits for 20-year Planning Period	12,000 lbs (100 lbs/day)	$472 ($56,640/lb/day)	12,000 lbs (100 lbs/day)	$472 ($56,640/lb/day)

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ESTIMATE OF TRADING CREDITS AVAILABLE FROM SEPTIC SYSTEMS

TABLE 2-6 ESTIMATE OF AVAILABLE TRADING CREDITS FROM SEPTIC SYSTEMS IN WHITEFISH AREA

Drainage Name	Estimated Number of Septic Tanks in Drainage	Estimate of TN Credits Assuming a 50% Trading Ratio Reduction (lbs./day)	Estimate of TN Credits Assuming a 70% Trading Ratio Reduction (lbs./day)	Estimate of TP Credits Assuming a 70% Trading Ratio Reduction (lbs./day)	Estimate of TP Credits Assuming a 90% Trading Ratio Reduction (lbs./day)
Lazy Creek*	2	0.06	0.04	0.005	0.002
Swift Creek South*	13	0.40	0.24	0.032	0.011
Whitefish Lake*	369	11.31	6.79	0.90	0.30
Whitefish River South	1015	63.49	38.09	4.57	1.5
Haskill Creek	81	5.07	3.04	0.36	0.12
TOTAL	**1480**	**80.32**	**48.19**	**5.87**	**1.96**

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* Includes additional trading ration reductions of 46% for TP and 51% for TN due to assimilation in lake

Table 2-13 Estimated Costs for Septic System Trading Examples

Example	Est. Capital Cost	Est. Nit. Credits	Est. Phos. Credits	Cost/Nit. Credit (lb./day)	Cost/Phos. Credit (lb./day)	Notes
One; Sewer 100 Generic Lots w/ Gravity Sewer	$4,775,490	6.26 lbs./day	0.45 lbs./day	$762,900	$10,612,200	Assumes 50% ratio for nit. and 70% ratio for phos.
One; Sewer 100 Generic Lots w/ Pressure Sewer	$4,069,206	6.26 lbs./day	0.45 lbs./day	$650,000	$9,042,700	Assumes 50% ratio for nit. and 70% ratio for phos.
Two; 100 Generic Lots Converted to Level 2	$5,304,490	3.75 lbs./day	0	$1,413,400	NA	Assumes 50% ratio for nit.; Level 2 provides no phos. .removal
Three; Sewer Dog Bay Area	$4,244,328	2.02 lbs./day	0	$2,088,300	NA	
Four; Convert Dog Bay Area to Level 2	$5,886,298	1.21 lbs./day	0	$4,849,798	NA	
Five: Sewer East Shore	$3,394,800	3.85 lbs./day	0.22 lbs./day	$881,900	$15,283,800	
Six; Convert Lazy and Brush Bays to Central Level 2	$4,363,000	0.78 lbs./day	0 lbs./day	$5,593,600	NA	
Seven; Convert Lazy and Brush Bays to Individual Level 2	$2,822,100	0.78 lbs./day	0 lbs./day	$3,618,100	NA	

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TABLE 2-14 SUMMARY OF STEPL RESULTS FOR AG. RUNOFF

Description	BMP Modeled	Affected Surface Water	Estimated Nutrient Load to Surface Water Without BMP (lbs./day)		Estimated Load Reduction (Credit) with BMP in Place (lbs./day)	
			TN	TP	TN	TP
Walker Creek Near Dillon Road Crossing 75 Cows (75 Acres)	Fencing and Streambank Stabilization	Walker Creek	3.9	1.0	2.9	0.8
Haskill Creek South of Edgewood (80 horses assumed)	Fencing and Streambank Stabilization	Haskill Creek	3.3	0.8	2.4	0.6
Cow Creek North of Voreman Rd. (120 Horses)	Filter Strip	Cow Creek	3.7	0.9	2.6	0.7
Total			10.9	2.7	7.9	2.1

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TABLE 2-16 COST ESTIMATES FOR BMP'S FOR AG RUNOFF

Site Location/Description	BMP Description	Estimated Cost	Cost per One Pound of TN Credit Generated	Cost per One Pound of TP Credit Generated
Walker Creek Near Dillon Road Crossing 75 Cows (75 Acres)	Fencing and Streambank Stabilization	$108,200	$37,310 (2.9 lbs.)	$135,250 (0.8 lbs.)
Haskill Creek South of Edgewood	Fencing and Streambank Stabilization	$91,900	$38,291 (2.4 lbs.)	$153,166 (0.6 lbs.)
Cow Creek North of Voerman Rd.	Filter Strip	$ 89,500	$34,223 (2.6 lbs.)	$127,857 (0.7 lbs.)

TABLE COMPARING SOURCES

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TRADING SOURCE	ESTIMATE OF TN CREDITS (LBS/DAY)	CAPITAL COST	COST PER ONE POUND OF NITROGEN CREDIT	COMMENTS
LAND APPLICATION AT WWTP	UP TO 22 LBS/DAY	UP TO $1.0 MILLION	$45,000	-DEPENDS ON TREATEMENT EFF. -ASSUMES 20 ACRES AVAILABLE AT WWTP
OFFSITE LAND APPLICATION	192 LBS/DAY	$10 TO $73 MILLION	$36,000 -$237,000	COST DEPENDS ON VOLUME IRRIGATED
ONSITE SEPTIC SYSTEMS (100 GENERIC LOTS) • CONVERT TO ADVANCED TREATMENT OR CONNECT TO CITY SEWER	3.8-6.3 LBS/DAY*	$4.1-5.3 MILLION	$650,000 TO $1.4 MILLION	-LOWER COST REFLECTS ADVANCED TREATMENT. -HIGHER COST CONNECTION TO CITY SEWER. -SITE SPECIFIC EXAMPLES IN REPORT
• CONNECT SEPTIC SYSTEMS AROUND LAKE TO CITY SEWER OR CONVERT TO ADVANCED TREATMENT	14-24	VARIES	VARIES	VERY HIGH COST FOR FEW CREDITS

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TRADING SOURCE	ESTIMATE OF TN CREDITS (LBS/DAY)	CAPITAL COST	COST PER ONE POUND OF NITROGEN CREDIT	COMMENTS
AG. RUNOFF	8 LBS/DAY	VARIES WITH BMP IMPLEMENTED ($90,000 - $108,000)	VARIES WITH BMP ($34,000-$38,000)	-COSTS BASED ON THREE EXAMPLES IN REPORT. -CREDITS MAY INCREASE OF OTHER SITES FOUND
STORMWATER	0.4-4.0	VARIES	VARIES	
STORMWATER GENERIC 5 ACRE DRAINAGE AREA	.003 TO.007	$25,000 TO $223,000	$3.8 -$42 MILLION	-DEPENDS UPON TYPE OF BMP IMPLEMENTED
INSTALL MECHANICAL TREATMENT AT WWTP	109 (CURRENT) 163 (20 YRS)	$1.6 MILLION TO ADD BNR	$14,700 (CURRENT) $9,815 (20 YRS)	-ASSUMES 10 MG/L TN IN EFFLUENT

Note: Phosphorus credits will be much lower and are not needed with the current and recommended treatment processes

*Because of trading ratios on the average only 50% of the TN and TP discharged to a drainfield can be used for generating credits. If the septic systems are connected to the City sewer the WWTP will receive the full load from the septic tanks but credits generated will be approximately half of the load received.

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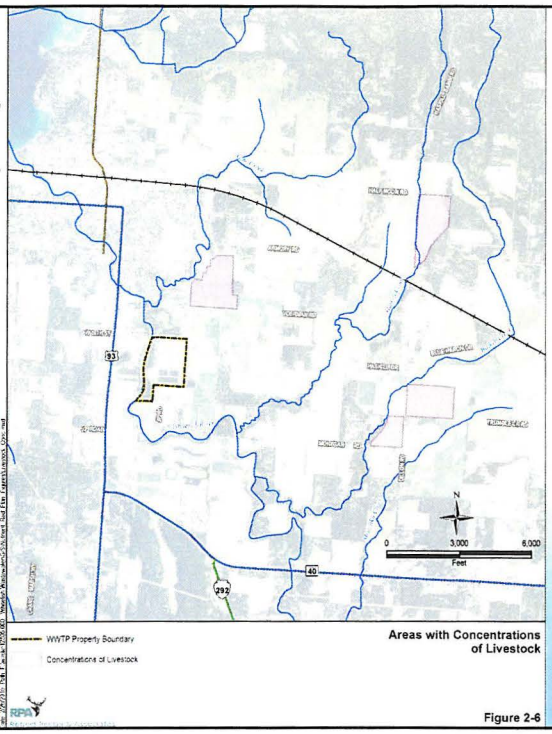

Areas with Concentrations of Livestock

Figure 2-6

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TABLE 3-3 CURRENT NUTRIENT LOADING LIMITS AND CURRENT AND 20-YEAR ESTIMATED WWTP EFFLUENT NUTRIENT LOADS

Nutrient	Current Permit Effluent Limit (lbs/day)	Current WWTP Average Effluent Load (lbs/day)	Estimated 20-yr WWTP Average Effluent Load (at 1.5 MGD) (lbs/day)	Current Credits Needed (Average) (lbs/day)	Credits Needed at End of 20-Year Planning Period (Average) (lbs/day)
Nitrogen					
Summer	176	184	276	8	100
Non-Summer	273	184	276	0	3
Phosphorus					
Year Around	10.4	4.5	6.75	0	0

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PROPOSED NUTRIENT TRADING PLAN

CREDITS NEEDED

- AT LEAST 100 LBS OF NITROGEN CREDITS PER DAY WOULD BE NEEDED TO MEET CURRENT PERMIT REQUIREMENTS
  - ONLY LAND APPLICATION OF A SIGNIFICANT PORTION OF THE WWTP EFFLUENT WOULD PROVIDE ENOUGH CREDITS, BUT COST WOULD BE VERY HIGH. SUFFICIENT SUITABLE LAND MAY NOT BE AVAILABLE
  - THE REMAINING POTENTIAL SOURCES FOR TRADING EVEN IF COMBINED WOULD NOT BE ABLE TO PROVIDED THE NEEDED CREDITS
- THE WHITEFISH WWTP CONTRIBUTES APPROXIMATELY 50% OF THE NUTRIENT LOAD TO THE UPPER WHITEFISH RIVER

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PROPOSED NUTRIENT TRADING PLAN

CRITERIA TO EVALUATE POTENTIAL SOURCES

- CRITERIA USED TO DETERMINE IF A SOURCE SHOWS PROMISE FOR TRADING:
  - CAPITAL COST FOR BMP'S OR IMPROVEMENTS NEEDED TO GENERATE CREDITS
  - COST PER POUND PER DAY OF CREDIT GENERATED
  - QUANTITY OF CREDITS AVAILABLE
  - PRACTICALITY OF MAINTAINING AND DOCUMENTING THE CREDITS GENERATED
  - ARE THE CREDITS LONG TERM OR SHORT TERM
  - MAN POWER AND COST REQUIRED TO MAINTAIN BMP'S AND DOCUMENT CREDITS
  - MDEQ BUY-IN

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PROPOSED NUTRIENT TRADING PLAN

FEASIBLE TRADING SOURCES

- THE BEST USE FOR NUTRIENT TRADING MAY BE TO USE TRADING FOR GENERATING CREDITS TO HELP THE WWTP TO MEET FUTURE NUTRIENT LIMITS AS MDEQ LOWERS THE PERMIT LIMITS OR TO MEET REQUIREMENTS OF THE FUTURE FLATHEAD LAKE TMDL.
- CREDITS FROM STORMWATER TREATMENT
  - MAY BE POSSIBLE TO OBTAIN CREDITS FROM RECENTLY COMPLETED PROJECTS
  - DETENTION BASINS, GROUNDWATER INFILTRATORS OR OTHER TREATMENT
  - PROBABLY NOT COST EFFECTIVE IF DONE JUST TO GENERATE CREDITS DUE TO SMALL AMOUNT OF CREDIT THAT WOULD BE GENERATED. IF IMPROVEMENTS ARE BEING COMPLETED FOR OTHER REASONS, THE CREDITS SHOULD BE LOGGED.
- CREDITS FROM RESIDENTIAL SEPTIC SYSTEMS
  - PURCHASE CREDITS FROM AREAS THAT CONVERT TO ADVANCED TREATMENT
  - LOG CREDITS FROM AREAS THAT ARE GOING TO CONNECT TO THE CITY SEWER SYSTEM FOR REASONS OTHER THAN NUTRIENT TRADING

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PROPOSED NUTRIENT TRADING PLAN

FEASIBLE TRADING SOURCES

- IRRIGATION USING THE 20 +/- ACRES AVAILABLE AT THE WWTP TO GENERATE CREDITS
  - MOST FEASIBLE AND COST EFFECTIVE SOURCE
- OFFSITE LAND APPLICATION
  - NOT PRACTICAL DUE TO COST, LARGE AREA REQUIRED AND LAND AVAILABILITY
- CONSTRUCT BMP'S TO REDUCE NUTRIENTS IN AGRICULTURAL RUNOFF
  - LOW COST BUT NOT A SIGNIFICANT SOURCE OF CREDITS
  - MAY NOT BE A LONG TERM SOURCE
  - COULD BE USEFUL FOR SHORT-TERM NEEDS
- LOG CREDITS FOR STORMWATER BMP'S THAT HAVE BEEN RECENTLY INSTALLED OR ARE BEING INSTALLED FOR OTHER REASONS
  - LOW CAPITAL COST BUT NOT A SIGNIFICANT SOURCE OF CREDITS

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PROPOSED NUTRIENT TRADING PLAN

FEASIBLE TRADING SOURCES

- GOLF COURSE RUNOFF
  - LIKELY NOT A SIGNIFICANT SOURCE OF TRADING CREDITS DUE TO LOW RUNOFF, BUFFERS IN PLACE AND EXISTING MANAGEMENT PRACTICES. FURTHER STUDY WOULD BE NEEDED
- URBAN LAWN RUNOFF
  - IMPLEMENTING ORDINANCES TO RESTRICT FERTILIZERS WOULD BE LOW COST
  - REQUIRES PUBLIC BUY-IN
  - MAY BE VERY HARD TO DOCUMENT BASED ON RESULTS IN OTHER STATES
- WOODSMOKE
  - LIKELY NOT POSSIBLE TO DOCUMENT

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SUMMARY/CONCLUSIONS

- MOST FEASIBLE TRADING SOURCE WOULD BE LAND APPLICATION OF A PORTION OF THE WWTP EFFLUENT ON THE EXISTING PLANT SITE.
  - DEMONSTRATION PROJECT
- THE CITY SHOULD LOG STORMWATER BMP CREDITS WITH MDEQ IF BMP'S ARE BEING INSTALLED FOR OTHER REASONS.
- THE CITY SHOULD LOG CREDITS FOR ANY SEPTIC SYSTEMS THAT ARE CONNECTED TO THE CITY'S SYSTEM.
- IF SUBDIVISIONS IN THE AREA ARE CONTEMPLATING THE INSTALLATION OF ADVANCED TREATMENT, CITY MAY WANT TO PURCHASE THE CREDITS THAT WOULD BE GENERATED.
- ANY UPCOMING WATERSHED IMPROVEMENT PROJECT SHOULD BE EVALUATED FOR THE POSSIBILITY OF GENERATING TRADING CREDITS.

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SUMMARY/CONCLUSIONS

- WILL NEED TO MEET WITH MDEQ TO NEGOTIATE AN ACCEPTABLE PROCESS FOR BANKING CREDITS FOR FUTURE USE
  - ALLOW CITY TO USE CREDITS FOR FUTURE PERMIT CHANGES AND NOT BE PENALIZED BY MDEQ USING THE CREDITS TO LOWER NUTRIENT LIMITS IN PERMIT BEFORE THE CREDITS ARE NEEDED.
  - PER DISCUSSIONS WITH TODD TEEGARDEN:
    - TN FIRST ADDED TO THE DISCHARGE PERMIT JULY 1, 2011 SO STORMWATER PROJECTS CONSTRUCTED AFTER THIS DATE COULD RECEIVE TN CREDITS
    - TP FIRST ADDED TO THE DISCHARGE PERMIT IN THE 1980'S SO PROJECTS CONSTRUCTED AFTER THIS TIME COULD RECEIVE TP CREDITS
- THE PROPOSED MECHANICAL WWTP IS THE CHEAPEST METHOD FOR REDUCING THE CITY'S NUTRIENT LOAD
- THE NEW WWTP WILL HAVE TO BE CONSTRUCTED TO MEET AMMONIA LIMITS, THE COST OF THE PLANT CAN'T BE AVOIDED WITH NUTRIENT TRADING

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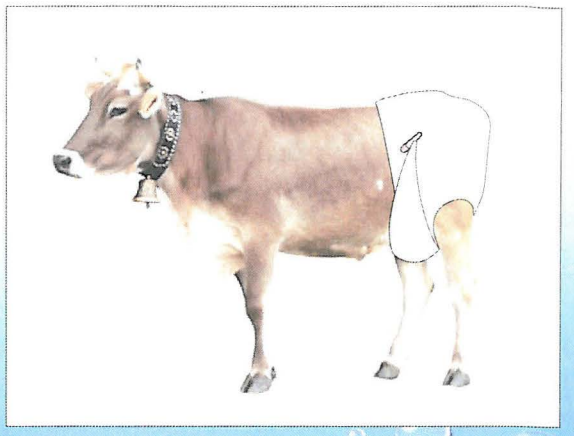
QUESTIONS ON NUTRIENT PLAN ?



39

STATUS OF WHITEFISH 2016 WASTEWATER SYSTEM IMPROVEMENTS PRELIMINARY ENGINEERING REPORT (PER)

- **Final Draft Under Review By Staff, Funding and Regulatory Agencies**
- **Additional Public Information Meeting August 29, 2016**
- **SBR Technology Evaluation – Plant Visits Underway, Considering Equipment Selection**
- **Financial Plan Under Development**
  - **DNRC-RRGL, TSEP Grants Submitted ($825,000)**
  - **SRF Loan Funds with Forgiven Principal**
  - **Rural Development under Consideration**

40

MONTANA STATE REVOLVING LOAN PROGRAM

- Often Used By City Of Whitefish
- Low Interest Loans With Favorable Terms
- Possible Forgiven Principal Up To $500,000
- Straightforward but Some Federal and State Requirements
- Eliminates DEQ Review Fee

41

RURAL DEVELOPMENT PROGRAM

GRANT-LOAN PACKAGE

- $750,000 Grant
- $4,250,000 Loan (40 Year Term Required)

CONCERNS REGARDING FUNDING SOURCE

- Many Programmatic Requirements
- Adds To Project Cost
- Requirements Apply To Entire Funding Package
- Eligibility Limited for Whitefish Due to City Size

42

SELECTION PROCESS FOR WASTEWATER TREATMENT TECHNOLOGY RECOMMENDED FOR USE IN WHITEFISH

- Natural Systems, Advanced Lagoon Systems And Mechanical Plants Evaluated
- Utilize Existing Facilities On Site Where Ever Possible
- Provide System that is Readily Expandable and Adaptable for More Restrictive Treatment Standards
- Identify the Most Cost-Effective Alternative Considering Capital and O&M Costs
- Consider Non-Monetary Factors
- Analysis Led to Selection of a Sequencing Batch Reactor

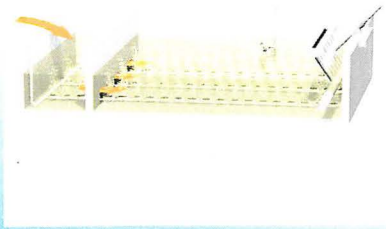
43

WASTEWATER TREATMENT WITH SEQUENCING BATCH REACTOR (SBR)

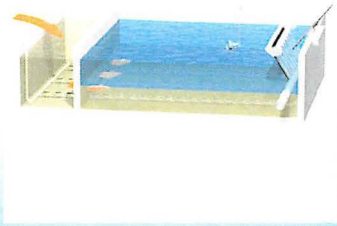
44

SEQUENCING BATCH REACTOR

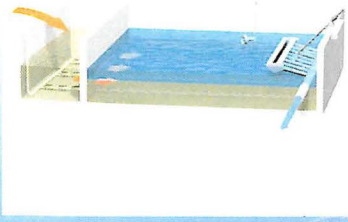
React Phase - Fill and Aerate

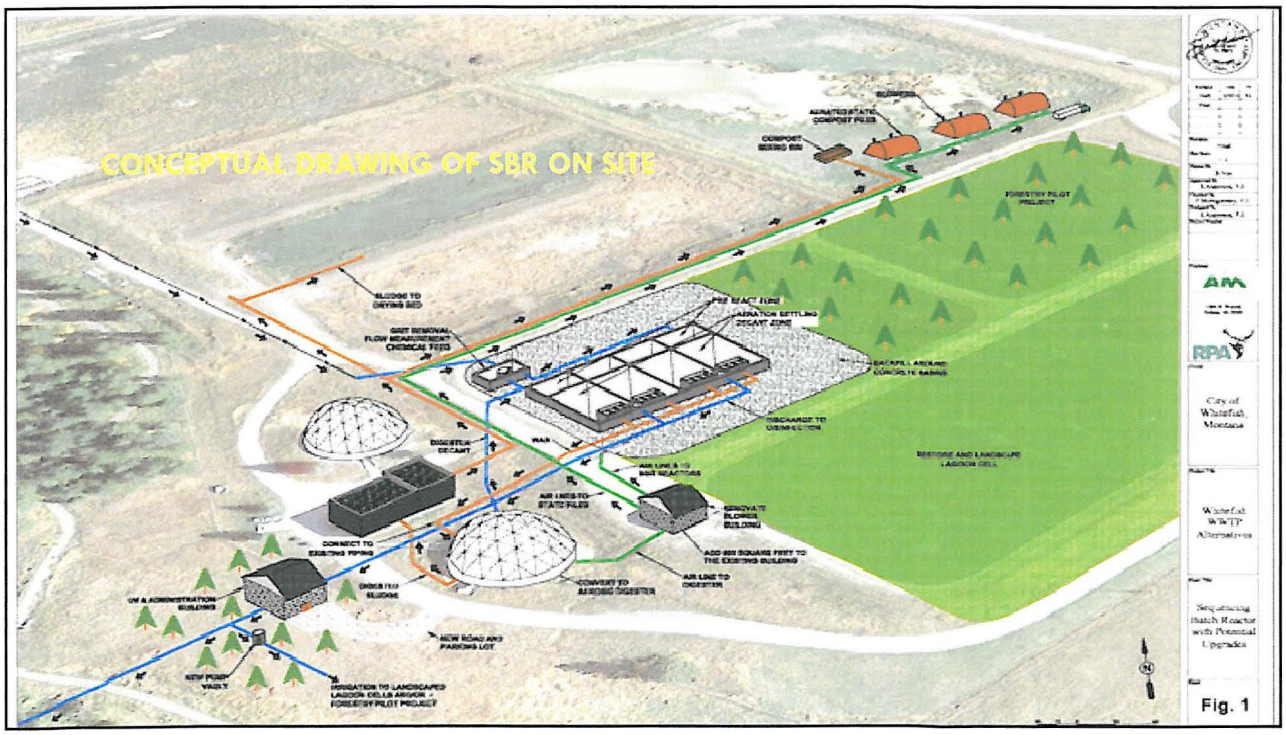


Settling Phase



Decant Phase





SUSTAINABILITY IN WASTEWATER TREATMENT

GOODS AND SERVICES SHOULD BE PRODUCED IN WAYS THAT DO NOT USE RESOURCES THAT CANNOT BE REPLACED AND DO NOT DAMAGE THE ENVIRONMENT

- Water – Improve and Restore Beneficial Uses in Whitefish River
  - Biological Nutrient Removal
  - Reduced Chemical Demand
  - Ultra-Violet Disinfection
  - Allow for On-site Irrigation, Composting of Biosolids
- Air – Reduce Potential for Nuisance Odors and Noise
- Energy – Select Option with Favorable Power Utilization
  - Energy Efficient Aeration Devices
  - Reduce Basin Volume
  - Low Carbon Power Supply

47

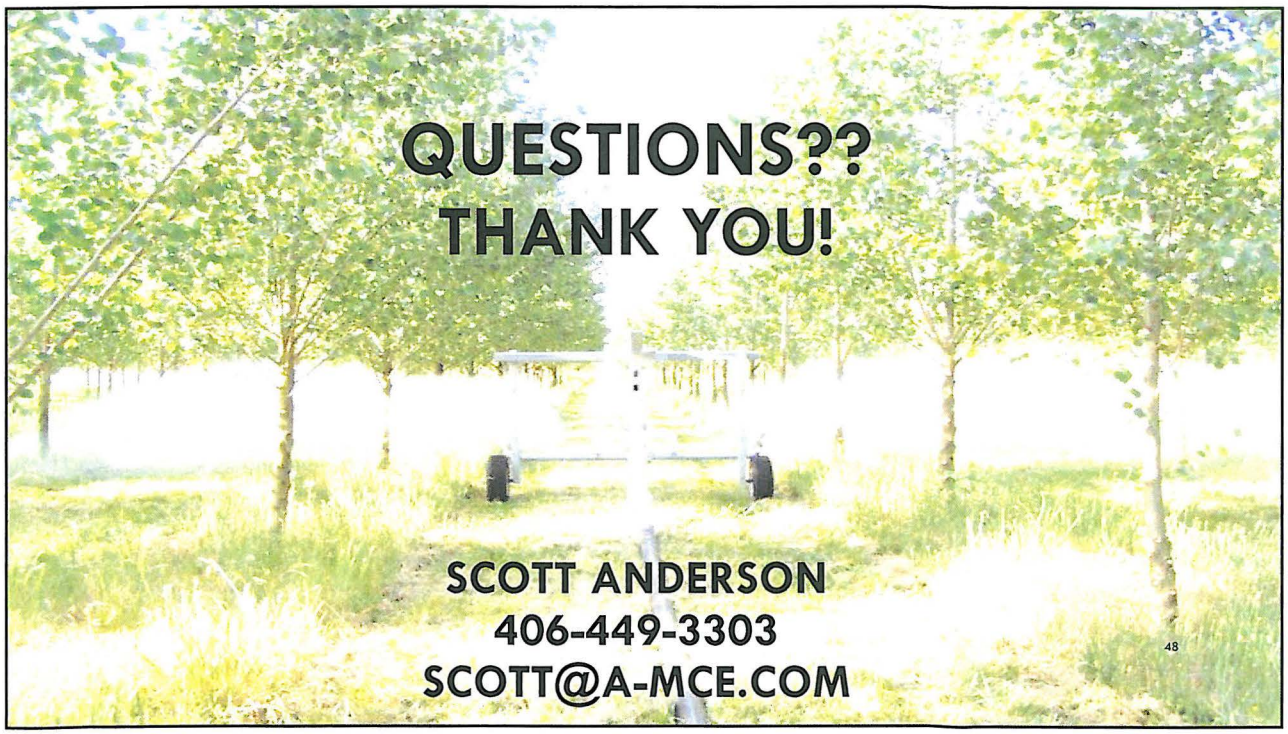


Table 6.1 PROJECT BUDGET

Preliminary Project Budget	Whitefish 2016 Wastewater System Improvements				May 3, 2016
Administrative/ Finance Costs	**Source: RRGL**	**Source: TSEP**	**SRF**	**SRF Forgiven Principal**	**Total:**
Professional Services-Project/Grant Administration	$5,000	$15,000	$48,000		$68,000
Legal Costs			$70,000		$70,000
Audit Fees					
Travel & Training			$5,000		$5,000
Loan Reserves			$520,000		$520,000
Interim Interest					
Bond Counsel & Related costs			$50,000		$50,000
ADMIN/FINANCE COSTS:	**$5,000**	**$15,000**	**$693,000**	**$0**	**$713,000**
Prel. Engineer (Geotech)			$35,000		$35,000
Engineering/Arch. Design		$485,000	$510,000		$995,000
Construction Engr. Services			$1,040,200		$1,040,200
Construction	$120,000	$250,000	$11,783,466	$500,000	$12,653,466
Contingency			$1,930,000		$1,930,000
ACTIVITY COSTS	**$120,000**	**$735,000**	**$15,298,666**	**$500,000**	**$16,653,666**
TOTAL PROJECT COSTS	**$125,000**	**$750,000**	**$15,991,666**	**$500,000**	**$17,366,666**

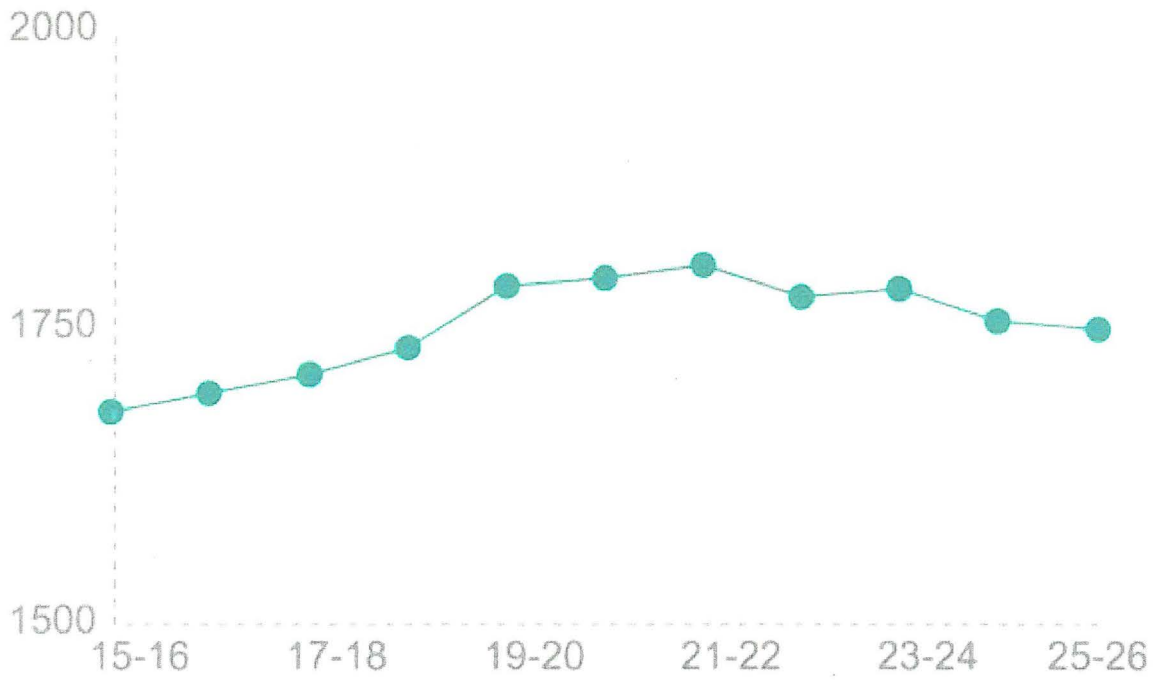
Completed by: Scott Anderson
Construction Cost increased by 3.0% inflation, 3 years

FROM WHITEFISH PILOT

BACK TO LOCAL NEWS

SCHOOL ENROLLMENT FORECAST TO REMAIN STEADY

August 03, 2016 at 12:15 pm | By Matt Baldwin



Young families moving into Whitefish should help keep local school enrollment steady over the next decade.

The forecast comes from a new demographic study complied for Whitefish School District as it plans for future growth and explores options to rebuild Muldown Elementary.

According to the preliminary study by McKibben Demographics, district enrollment is expected to increase by 6.7 percent, or 113 students, between now and 2020. A slight dip is then predicted between 2021 and 2025.

At a peak in 2021, the study shows 1,801 students will be enrolled kindergarten through grade 12. By 2025, that number is expected to decline by 55 students.

Total district enrollment last school year was 1,676.

"What [the study] tells us is that things will remain stable," said Whitefish Superintendent Heather Davis Schmidt.

"There's not going to be a significant decline, but there's not going to be a significant increase, either."

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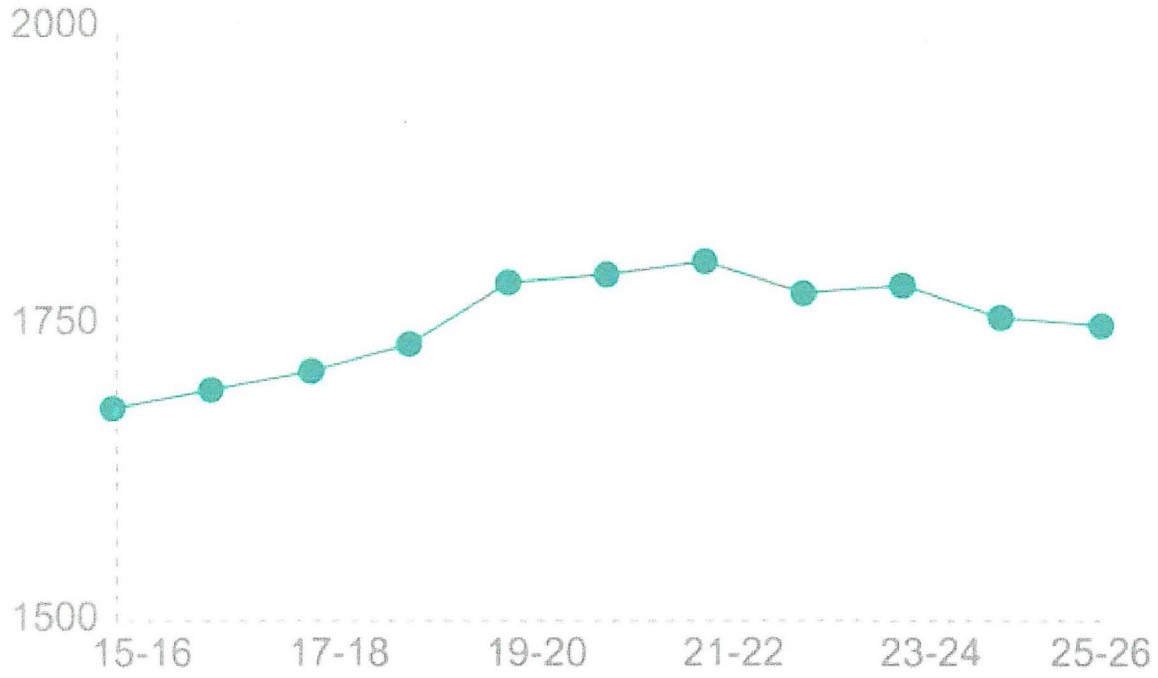

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"What [the study] tells us is that things will remain stable," said Whitefish Superintendent Heather Davis Schmidt.

"There's not going to be a significant decline, but there's not going to be a significant increase, either."

Davis Schmidt points out that Whitefish has seen unprecedented growth at the elementary level recently, which spurred the district to take a closer look at projections.

"Typically, enrollment goes down over the course of a school year," Davis Schmidt said. "But we actually had an increase of 30 kids at Muldown — that's 5 percent of the total enrollment."

She notes that Whitefish saw the largest enrollment increase valley-wide last school year, taking on an additional 100 students grades K-12.

"Is this the kind of growth we can anticipate ongoing or is it a roller-coaster that's not sustained over time?" Davis Schmidt said. "We needed a longterm [enrollment] outlook based on research, opposed to anecdotal beliefs about what was going on."

Looking at Muldown Elementary, enrollment in those grades is forecast to slightly decline beginning in 2019, falling from 648 students now to 606 in 2025.

High school enrollment, however, is expected to jump over the next 10 years by 18.8 percent. A peak is predicted in 2023 when 595 students are expected to be enrolled. Last school year there were 489 students enrolled at the high school.

The study suggests a main factor contributing to the forecast enrollment increase is a stable level of young families moving into the district. Most people moving here are adults between 25 and 39, and young children between newborn and 9 years old — young adults with children.

The local 18 to 24-year-old population, however, generally is moving away, going to college or taking jobs in more urban areas. This age group represents the largest of the district's out migration, which is expected to continue.

Another factor contributing to the enrollment forecasts are fertility rates in the district — the average number of births a woman will have in her lifetime. Whitefish has a fertility rate of 1.9 percent, which is lower than the 2.1 percent replacement level, the study notes.

These factors mean the district will rely on young families moving into the area to maintain enrollment levels.

Whitefish's housing market also contributes to enrollment. With limited new home construction in the district, the study forecasts that the rate and magnitude of existing home sales will become a dominant factor affecting the city's population and school enrollment.

The demographic analysis is a three-year process and forecasts could shift slightly as new information is unveiled, said Davis Schmidt.

"This is a first look," she said.

The Muldown Project Task Force will discuss the study at their next meeting Sept. 8 at 7 p.m. at Muldown.

"We'll be able to use this information and feel comfortable as we move forward," Davis Schmidt said

FROM WHITEFISH PILOT

FLATHEAD WAGE GROWTH SECOND HIGHEST IN STATE

August 03, 2016 at 11:36 am | By Daniel McKay

Wages in Flathead County grew faster than the state average in a strong year for the Montana economy in 2015, but one expert warns an economic slowdown could be on the horizon.

The Flathead's 9.3 percent wage growth was the second highest among the most populated counties in the state, behind only Gallatin County. Construction, visitor spending, health care and professional services all saw promising growth as well, Dr. Patrick Barkey, director of the Bureau of Business and Economic Research at the University of Montana said. With the economic uptick, people have started moving into the area again, he added.

"Flathead is now growing significantly faster than the state average — that's not news up here," he said Thursday during an economic update presentation at Hilton Garden Inn in Kalispell. The Montana Chamber Foundation hosted the event.

Statewide wage growth last year is promising as well, and could be caused by factors like workers spending more hours on the job or the mix of jobs shifting toward higher paying industries. Health care, public administration and financial and business services saw the largest jumps in wages. Housing construction in the state also grew at a modest 2 percent.

While lumber prices are nearing their five-year high, Barkey said the industry's situation is "clearly a cause for concern," making note of the recent closure of Weyerhaeuser mills in Columbia Falls. Yet, if other areas of the economy continue to grow, issues caused by a troubled lumber market can be offset, he said.

Not all areas of Montana's economy had a good year, however. Last year was a "disastrous" year for the coal industry, Barkey said, and Montana saw a 28.8 percent decrease in coal production. State revenues from coal production was down 9.3 percent. Similarly, oil production began a sharp decline in the first quarter of 2015, and state revenues from oil and gas dropped 53.2 percent last year. These industries were also exceptions to Montana's strong wage growth.

Following the strong year, Barkey said he's less optimistic about 2016. He called the status of the nation's economy "good but not great." Slow growth continues and the labor market is healthy, he said, but the U.S. might be hitting a peak.

"The business cycle, the ups and downs of the economy as it goes from recession to recovery — we're really reaching the peak of the business cycle right now," he said.

Barkey said that while construction, manufacturing and visitor spending grow, the impacts of declining energy industries lie ahead. Simply put, this year will not be as good as last year for Montana's economy, he said.

One area Barkey focuses on is gaps in the labor market that will need to be addressed in the future. Construction and health care workers are in short supply, and as of now there aren't enough available workers to fill those gaps.

In order to fill the roughly 500,000 construction positions needed to keep employment at the historic average, Barkey said nearly every available male worker aged 55 and younger would need to join the industry, which is impossible. To fill these gaps, construction employers will need to start bidding for available workers in other industries, but rising construction costs may hinder their ability to do so.

Similarly, Montana's growing population of adults aged 65 and older are projected to add $2.3 billion in health care spending by 2030, he said, and the increased number of people with insurance helps boost this trend. The obvious conclusion: Montana needs more health-care workers. Unfortunately, Barkey said the state's universities are producing about 1,200 health graduates a year, not enough to fill the state's projected need for 15,000 health-care jobs in the next decade.

The aging population poses a concern to the state's revenue from income tax as well. More people retiring will be earning less income, generating less income tax.

Barkey's presentation Thursday was the first of the 2016 Economic Update Series. Future dates and more information can be found at www.bber.umt.edu/events/EOS.asp.

Survey shows top priorities for Flathead job seekers

By KATHERYN HOUGHTON Daily Inter Lake | Posted: Wednesday, August 10, 2016 7:15 am

A newly completed statewide survey on Montana residents shows that in a time when businesses are desperate for employees, the Flathead Valley workforce is searching for value in work, not just pay.

LC Staffing, the state's largest talent acquisition agency, recently conducted the survey that probed job seekers' priorities as they search for work.

As expected, 85 percent of survey respondents listed wage as one of their three main considerations. But only 47 percent of those people said wage was their top deciding factor when selecting a job.

Roughly 57 percent stated wage was not the most important deciding factor. Instead, job seekers wrote that they expected their work to be challenging, have flexible hours, have a good environment and be part of a company that demonstrates appreciation for what they do.

LC Staffing Kalispell Branch Manager Janie Hunter said while the survey reinforced what the company had been hearing from job seekers, it gave tangible numbers to a shift in the workforce mindset.

As workforce demographics change between generations, people are no longer just looking for a stable job to survive, she said.

"As we are beginning to see millennials become more prominent in the workforce, as a generation, millennials are more directed toward finding meaningful work and making a difference as a whole, either in the community or even the world," Hunter said.

With the county's unemployment rate teetering between 4 and 5 percent, businesses have more pressure to sell themselves to future employees.

As of Monday, there were 965 jobs listed on the Kalispell Job Services website. In June, Kalispell jobs reached a record high when it hit 1,000 listings.

"When it comes to being able to find good, long-term employees, it comes down to businesses listening to what job seekers are looking for," Hunter said.

Of the 400 residents surveyed, 70 responded to the online form and of those, 66 percent lived in the Flathead Valley, according to LC Staffing.

Meaningful work was listed in the top three priorities by 50 percent of respondents. That statistic was closely followed by a desire for a well-organized company with a supervisor who invests in staff with work-related training, which scored nearly 49 percent.

Kristen Heck, president of LC Staffing, said competitive wages always will be a key factor in finding workers. She said the majority of Flathead Valley employers who are filling jobs are starting new hires around $12 per hour or more.

"This survey also clearly shows that many Montana job seekers recognize huge value in employer offerings that cannot be quantified with a dollar sign," Heck said.

Hunter said she tells her Kalispell clients that to draw in stable employees, they have to put into words how their organization is making a difference and describe to employees how they can be part of that mission.

Along with outlining a business mission, she said little things can show a worker they're appreciated. For example, she said one larger business began to offer free healthy snacks in the break room. A smaller business began providing their employees with bus passes.

"Businesses are having to find creative ways to make employees feel valued, and you can see that starting in Montana," Hunter said.

Reporter Katheryn Houghton may be reached at 758-4436 or by email at khoughton@dailyinterlake.com.

Michelle Howke

From: Chuck Stearns
Sent: Monday, August 15, 2016 8:16 AM
To: Michelle Howke
Subject: FW: Zoning text amendment

-----Original Message-----
From: Ryan [mailto:frielfactor@gmail.com]
Sent: Sunday, August 14, 2016 7:50 PM
To: Chuck Stearns <cstearns@cityofwhitefish.org>
Subject: Zoning text amendment

Chuck,

I apologize in advance for this being less formal than I would prefer. The Internet service here in Western Alaska has been less than desirable. I trust that you are well.

Mayor and Councilors,

I remember at times experiencing "duration-frustration" during my tenure on council with regard to the public comment section of the agenda. So I will not re-numerate the plethora of salient points in support of a zoning text amendment at your August 16th meeting. Please let this serve as my comment of support for Lakestream Fly Shop to be allowed to operate on Hwy 93.

Thank you for your time and service. It does not go unnoticed. I also remember thinking a ski or golf pass would be a nice thank you!

Respectfully,

Ryan Friel

Sent from my iPhone

Michelle Howke

From: brian@brianschott.com
Sent: Monday, August 15, 2016 1:20 PM
To: Michelle Howke
Subject: letter to council

Dear City Council,

Just a brief note to say I support the proposed zone change to allow recreation guides and outfitting businesses to operate in the WB2 zone as it seems to fit the intent of the zoning. I wonder if you could structure language to allow for "locally owned and operated" recreation guides and outfitters?

Thank you for all the hard work you do for Whitefish.

Brian Schott
708 Lupfer Ave.
406-261-6190

PO Box 771 • 35 4th Street West
citizens@flatheadcitizens.org

CITIZENS FOR A BETTER FLATHEAD
www.flatheadcitizens.org

Kalispell, Montana 59903
T: 406.756.8993 • F: 406.756.8991

To: Whitefish City Council

Re: PROPOSED ZONING TEXT AMENDMENT, EDWARD JUSTIN LAWRENCE TITLE 11, CHAPTER 2K: SECONDARY BUSINESS DISTRICT, TITLE 11, CHAPTER 9: DEFINTIONS, STAFF REPORT # WZTA 16-02

August 14, 2016

Citizens for a Better Flathead, having reviewed the staff report, and participated in the planning board hearing, and the August 1st City Council hearing offers the following comments and findings that support denial of this zone text change as proposed, and which also suggest additional considerations that should be acted on should you choose to move forward with the text change through additional changes and amendments. Given the clock ticking on the 90-day time limit for your decision and the scope/nature of the changes we see as necessary for a sound decision it seems clear that further amending this proposed zone change can not be done within the scope of the public notice for the proposed text change.

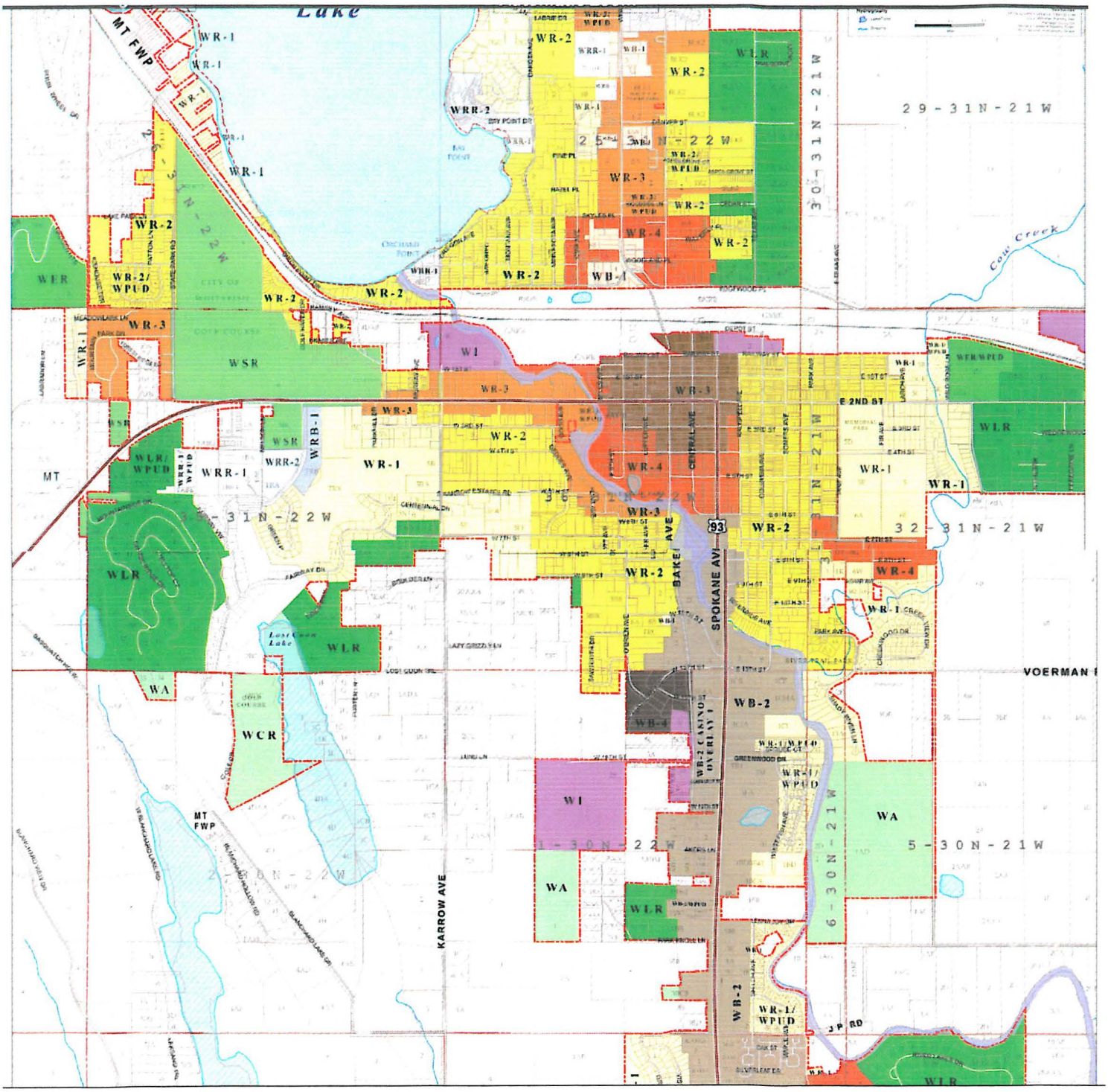
Finding #1: There are seven zones in Whitefish covering a significant area of the city where recreational guides and outfitters are currently allowed as either a permitted use or as a conditional use under Personal Services or where as under the category of retail sales and services they are also allowed. (See map included) These include:

- **WR-3 LOW DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT**, as a CUP. *Personal services. (Limited to Spokane Avenue, Central Avenue south of Third Street, Second Street West and Wisconsin Avenue south of Glenwood. See special provisions in section 11-3-30 of this title.) Outdoor display is limited to "C. With the exception of one such item, guides and outfitters cannot openly store equipment such as boats, bikes, rafts, and horse trailers. (Ord. 12-01, 1-17-2012)"
- **WR-4 HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT** as a CUP. *Personal services. (Limited to Spokane Avenue, Central Avenue south of Third Street, Baker Avenue between Fourth Street and Fifth Street, Second Street West and Wisconsin Avenue south of Glenwood. See special provisions in section 11-3-30 of this title.) Outdoor display is limited to "C. With the exception of one such item, guides and outfitters cannot openly store equipment such as boats, bikes, rafts, and horse trailers. (Ord. 12-01, 1-17-2012)"
- **WB-4 BUSINESS PARK DISTRICT** which allows for accessory retail or personal services, not exceeding five hundred (500) square feet of floor area, as a permitted use.
- **WBSD BUSINESS SERVICE DISTRICT**, which allows for Personal services with incidental retail sales as a permitted use.
- **WT-3 NEIGHBORHOOD MIXED USE TRANSITIONAL DISTRICT**, which allows for Personal Services with a CUP (street level only).

▶These are the only zones that include Personal Services and which by definition includes recreational guides and outfitters. Dave Taylor's memo, dated Aug. 15, on page 246 of the packet states that **"The WB-1 and WB-3 zones would still allow them** [recreational guides and outfitters—clarification added], **as they would fall under the very general "retail sales**

and services"." He goes on to say; "Note that the WB-1 does not allow outside display so it is unlikely an outfitter would want to locate there."

- **WB-1 LIMITED BUSINESS DISTRICT** which allows for as a permitted use, "* Retail sales and service (less than 4,000 square feet enclosed gross floor area per lot of record; no outside storage or display)."
- **WB-3 GENERAL BUSINESS DISTRICT**, which allows for as a permitted use "Retail sales and service, with the exception of "formula retail" (see definition in section 11-9-2 of this title)."



Finding # 2 The proposed new definition of Recreational Guides and Outfitters opens the door for a wide variety of recreational and sporting good type businesses to argue, as the applicant is for his business, Lakestream Outfitters, that they too should be allowed as a due process right to also locate in the WB-2 zoning district. The August 15th memo by the Planning Director and the proposed ordinance before you, which adopts this memo as a finding of fact, would further supports retail flight from the downtown retail zones by creating a new definition of retail. The memo, if adopted, establishes that a business need not be considered retail if only 49% of the floor area of the business is engaged in retail sales. These new definitions are not supported by any documented professional planning authorities, studies, the existing Whitefish Zoning Regulations, or state zoning laws. Adopting these definitions will likely open the door to increased retail flight from the downtown core area and current zones where recreational guides and outfitters and other recreational type businesses are currently allowed, and as such this zoning text amendment is not supported by the Whitefish Downtown Master Plan or the Whitefish Growth Policy.

The proposed definition and the proposed new 49% rule are so loose and broad as to allow many typical retail uses including sporting goods stores, bike shops, ski shops, snowmobile shops, paddle board shops, or more to argue they are not a "retail" business and should be allowed to locate outside the downtown core area. **If outdoor display and sale needs are the issue then conditional use provisions and criteria for such business needs in the downtown core area should be explored. See finding #5 for more background on this recommendation.** Finally, the term "trained or State licensed" is not well defined and can be determined to include state licensed teachers and others, while the term trained can include almost anyone, again creating a use so broadly defined that many business types offering a guide service could fall under this definition.

Finding #3: The Planning Office memo dated August 15th for this text amendment incorrectly concludes that if 49% or less of the floor space of a business is all that is devoted to retail uses, retail is considered a secondary or "accessory retail component" or not the principle use. Accessory retail is not a term defined in the Whitefish Zoning Code and it is only used in describing a single use in the WB-4 Business Park District. Rather the code says, "Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon." Furthermore, the memo incorrectly concludes that Recreational Guides and Outfitters could be considered a Professional Service and be permitted by right in the WB-2 zone. Professional Services in the Whitefish code are not only defined by professions that require a license. Rather the WFZR's definition clearly sets forth that professional services includes uses that do not include retail sales and services that do not require physical skill such as those found under personal services

In a search of numerous professional planning sites I could not find any confirmation of Mr. Taylor's assertion that "General planning interpretations are that if a use is less than 50% of the gross floor area and it is secondary but related to the main advertised activity, it is an ancillary use." Nor could I find any basis for his conclusion that 49% of the floor space of a hair salon could be devoted to hair and beauty products as an accessory use. Instead I found much lower limits for accessory uses[1] or codes that clearly defined what was an accessory use and in what districts that

[1] 12. "Retail, accessory" means the retail sales of various products (including food service) in a store or similar facility that

specific accessory use was allowed and in what districts it was not allowed. The Oxford Dictionary defines incidental as "Accompanying but not a major part of something" and the definition of personal services in the Whitefish Code seems in keeping with this when it says "Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon." Common sense suggests that 49% of the floor space is in no way an incidental use. Absence clear and well defined definitions for accessory retail or an incidental use and where they are to be applied, suggesting that anything less than 50% is ok, is arbitrary and problematic legally in this specific application or in general as an overall policy for Whitefish.

Nowhere does the definition of personal services reference an "ancillary" or "accessory retail component." Instead it clearly limits retail uses to incidental only and defines personal services as:

> "**11-9-2 PERSONAL SERVICES:** A use that provides a service to an individual customer designed to accommodate a specialized need, provide a convenience, or cater to a particular lifestyle. Such services **shall be those types that require mechanical skill or manual dexterity, as differentiated from mental disciplines** generally requiring licensing or certification such as those listed under professional services (see definition of Professional Services). Examples of personal services would include, but are not limited to: delivery and pick up, catering, event planning, **recreational guiding and outfitting**, personal training, tattoo, and personal spa and grooming services such as manicure, facial, hairstylists, and makeup consulting. **Personal services should not involve retail sales except on an incidental basis such as the selling of hair products at a salon." {Emphasis added}**
>
> "**11-9-2 PROFESSIONAL SERVICES:** Conduct of a service business which is commonly identified as a profession and which may be licensed by the state. Such services include engineers, architects, planners, surveyors, designers, lawyers, accountants, real estate brokers, insurance agents, dentists, physical therapists, massage therapists, chiropractors, or physicians. Additionally, accounting, journalism, research, editing, administration or analysis; the conduct of a business by salespersons, sales representatives or manufacturer's representatives, or the conduct of business by professionals is included. **Professional services do not include veterinarians, showrooms, manufacturing, repair, testing, retail sales, the storage, sale or delivery of goods located on the premises, or other occupations requiring physical skill such as those found under personal services (see definition of Personal Services)."**

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is located within a health care, hotel, office, or industrial complex. These uses include pharmacies, gift shops, and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes. This use category also includes retail associated with industrial uses for the products sold, distributed or manufactured on site. Such retail area shall not exceed twenty-five (25%) percent of the total square footage for each tenant space. http://www.codepublishing.com/CA/ElkGrove/html/ElkGrove23/ElkGrove2326.html

Finding #4: The Whitefish zoning code has long been based on a consistent standard of lists of business types that are allowed in one zone and not in another. The zone text change before you introduces a new standard that argues when retail sales are under 49% of a business activity that retail uses are only an ancillary use and the business may be classified as somehow non retail in nature. This new standard would allow other businesses to make the case that they should be allowed to locate in a zone that allows a use like professional services but not personal services because they do not have over 49% retail. Such a standard is not supported under the zoning framework that Whitefish has operated under for years and erodes the clarity and predictability on which zoning should be based to avoid legal challenges such as due process and arbitrary and capricious decision making.

By adopting as findings of fact, as the ordinance for this text amendment sets forth to include the August 15th and July 21st staff memo's and the staff report, you are setting what should be considered a new (and we would argue very problematic and arbitrary) standard for how the City bases decisions for zoning text changes or zone change requests.

The Whitefish Zoning Code contains no definition of Retail, or Retail Sales, or supplies, or equipment, on which to consistently base what percentage of a use is retail and what may be excluded as not retail. Absent standards for determining what is retail and what is not, it becomes arbitrary and next to impossible or hair splitting to arrive at a fair and consistent formula to establish the percentage of a business that is considered retail sales.

Additionally, by establishing a percent threshold for retail activity to "justify" allowing one more business type to locate in the WB-2, sets a precedent and opens the barn door for a other businesses to challenge you over due process and ask to be allowed to also relocate to the WB-2 zone or other districts based on the argument that they are not really retail.

Finding #5: The city has no standards for outdoor display of merchandise. Standards for the outdoor display of merchandise are common in many communities and as the proposed text amendment covers an important entrance corridor to Whitefish, these standards need to be in place prior to opening this corridor to additional uses. As this text amend proposed **"no limitation on the number of boats or similar equipment stored or displayed outside"** these standards should be in place or part of this text change process prior to further consideration of this text amendment.

Here is a sample of one town's outdoor display and storage standards as an example of the scope of issues that such policies can and should address.

http://www.codepublishing.com/CA/ElkGrove/html/ElkGrove23/ElkGrove2386.html

23.86.010 Purpose.

The purpose of this chapter is to regulate temporary and permanent outdoor sales, display, storage, and seating. The intent of these regulations is to limit outdoor uses except for specific circumstances where conditions can be met to ensure that such outdoor uses do not obstruct pedestrian or vehicle circulation or create the unsightly appearance of unrestricted clutter. [Ord. 26-2006 §3, eff. 8-11-2006]
23.86.020 Permit requirements.

A. Temporary Outdoor Uses. Temporary outdoor uses are permitted in nonresidential zoning districts, subject to the approval of a temporary use permit in compliance with the provisions of EGMC Section 23.16.050, Temporary use permit.

B. Permanent Outdoor Sales and Display Uses. Permanent outdoor sales and displays are permitted in commercial zoning districts, subject to zoning clearance authorization by the Development Services Director in compliance with the provisions of EGMC Section 23.16.020, Zoning clearance/plan check, and with the development and operational standards in this chapter.

C. Permanent Outdoor Storage and Service Uses. Permanent outdoor storage and service is permitted as specified by use classification in the allowed use tables of Division III of this title. If not part of the original development permit for the principal use, permanent outdoor storage and service uses may be permitted in nonresidential zoning districts, subject to design review approval in compliance with EGMC Section 23.16.080, Design review. All such uses shall be consistent with development and operational standards in this chapter.

D. Permanent and Seasonal Outdoor Seating Uses. If not part of the original development permit for the principal use, outdoor seating uses shall be permitted in nonresidential zoning districts subject to zoning clearance/plan check or design review, depending on the total number of outdoor seats. Zoning clearance/plan check is required for twelve (12) or fewer seats and design review is required for thirteen (13) or more seats. All such uses shall be consistent with the development and operational standards in this chapter. [Ord. 24-2015 §11 (Exh. I), eff. 2-12-2016; Ord. 16-2009 §3, eff. 9-25-2009; Ord. 26-2006 §3, eff. 8-11-2006]

23.86.030 Exemptions.

The following uses are exempt from the requirements of this section as specified below and are subject to compliance with all other provisions of this title:

A. Automobile Dealerships. Outdoor use associated with automobile dealerships shall be a permitted accessory use.

B. Outdoor Storage. Building materials for use on the same parcel or building site may be stored on the parcel or building site during the time that a valid building permit is in effect for construction on the premises.

C. Outdoor Uses. Outdoor uses in residential zoning districts consistent with the provisions in EGMC Chapter 23.58 EGMC, Parking, and EGMC Chapter 23.64 EGMC, Yard Measurements and Projections. [Ord. 28-2007 §3, eff. 10-26-2007; Ord. 26-2006 §3, eff. 8-11-2006]

23.86.040 Development and operational standards for permanent outdoor uses.

A. General Development and Operational Standards. Unless otherwise exempt, the following general development and operational standards shall apply to all permanent outdoor uses:

1. Owner Authorization Required. Property owner authorization shall be required for all permanent outdoor uses.

2. Location and Required Clearance. Permanent outdoor uses shall not be located within any public right-of-way, in designated parking areas or vehicle circulation areas, or within landscape planter areas. A minimum four (4' 0") foot wide path of travel shall be provided and maintained along all pedestrian walkways from the public right-of-way and/or parking lot to all public building entrances. No outdoor use may obstruct this required pedestrian clearance in any manner, regardless of the width of the sidewalk.

3. Signs. No additional business identification or advertising signs for the outdoor use may be permitted above the maximum allowable sign area for the corresponding business. All advertising on umbrellas or canopies shall count toward the total allowable sign area for the business.

4. Hours of Operation. Except as specifically identified in subsequent sections, hours of operation for outdoor uses shall coincide with the hours of operation for the corresponding business with which the outdoor use is granted.

5. Noise. Generally, the use of mechanically produced sound, amplified sound or live music shall be permitted in conformity with the City's noise standards.

6. Maintenance. All permanent outdoor uses shall be maintained free of garbage and other debris. Additional trash receptacles may be required for permanent outdoor uses.

B. Permanent Outdoor Sales and Displays. Unless otherwise exempt, the following development and operational standards apply to all permanent outdoor sales and display uses:

1. Associated Operations. Only those goods and materials associated with the existing on-site use may be stored, sold, or displayed.

2. Location. Permanent outdoor sales and displays shall not be located within any required yard in the corresponding zoning district on which it is located. Outdoor sales and displays shall be located in a designated area immediately abutting the associated building(s).

3. Maximum Area. Except as otherwise approved in conjunction with development permits, the area used for permanent outdoor sales and display of materials shall not exceed ten (10%) percent of the gross floor area of the corresponding commercial building.

4. Height of Displayed Materials. The outdoor display of merchandise shall not exceed a maximum height of six (6' 0") feet.

5. Screening Required. Outdoor sales areas larger than four hundred (400 ft2) square feet in size shall be enclosed with a solid fence or wall to screen views from public rights-of-way. Maximum height of enclosure shall be ten (10' 0") feet. The design of the fencing enclosure shall be compatible with the main building(s) and surrounding development.

C. Permanent Outdoor Storage. Unless otherwise exempt, the following development and operational standards apply to all permanent outdoor storage and associated service uses:

1. Location. Outdoor storage shall not be located in any required yard for the corresponding zoning district within which it is located. Outdoor storage for residential use may not be located in any front or street side yard unless entirely screened from view

of an abutting street by a solid screen (e.g., fence, wall, planting hedge) with a minimum six (6' 0") foot height in compliance with this title.

2. Maximum Area. Outdoor storage areas which exceed ten (10%) percent of the total enclosed floor area for the associated use shall be approved in conjunction with the primary business or development.

3. Enclosure/Screening. Outdoor storage areas for materials other than plants shall be entirely enclosed with a solid wall or fence to ensure stored materials are not visible from the public right-of-way (street). Material storage and screening shall not exceed a maximum height of fifteen (15' 0") feet and shall be designed compatible with the primary building for the corresponding business.

4. Parking. Parking for permanent storage use shall be provided consistent with the off-street parking requirements of EGMC Chapter 23.58 EGMC, Parking.

Under the WFZRs "The WB-2 district is intended to provide for those retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas and by outdoor commercial amusement or recreational activities. This district depends on proximity to highways or arterial streets and may be located in business corridors or islands. (Ord. 11-05, 5-2-2011)"

While the WB-2 district allows for "large displays" and "large storage" there are no definitive standards tied to these uses in this district, which is an important entrance corridor to the city. The city does have, as provided below, the odd standard for outdoor nighttime sales that identifies types of uses---which do not include recreational guides and outfitters---but has no standards for large displays, outdoor commercial sales, or large storage. Random standards for say lighting or other elements may possibility be found in other areas of the code, but such standards should be unified in one section to address uses allowed in the WB-2 district and the south Whitefish highway corridor.

11-9-2 DISPLAY LOT OR AREA: Outdoor areas **where active nighttime sales activity occurs.** To qualify as a display lot, one of the following specific uses must occur: automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, assembly lots, swap meets. **Uses not on this list must be approved as display lot uses by the planning director.**

Finding #6: Current Whitefish Zoning standards do not adequately address parking or landscaping standards for uses unique to Recreational Guides and Outfitters. There are no unique special conditions or standards for this specific use. Such standards should be in place prior to consideration of adding this use to the WB-2 zone.

The following questions are examples of the questions needed to be addressed to determine what additional parking and landscaping standards for Recreational Guides and Outfitters are needed (beyond the existing WB-2 Standards included below in italic to distinguish them) to ensure that design standards are in place for the quality design and development envisioned for a major corridor entrance to the City of Whitefish.

1. As the record reflects the applicant's recreational guide and outfitter business supports some 27 independent guides and outfitters who use his business as a base to pick up, drop off, meet with and secure supplies for their clients who also use the store's services. The applicant is requesting this zone text amendment because he wants to significantly expand his business and add outdoor sales and services. Vehicles accessing this business type include passenger cars, trucks, RV's and trucks and vehicles pulling recreational equipment from boats to rafts and other possible large-scale recreational equipment.

   - How many oversized parking spaces are needed to accommodate over size vehicles towing equipment?
   - How many loading and unloading spaces are needed?
   - How many regular parking spaces are needed to accommodate customers who park all day or even overnight during outfitting or guide trips?
   - How can it be made clear that off-site street parking for these parking functions is not allowed?
   - What triggers the CUP standards for multiple uses on the same lot for this type of business and their need to meet those existing standards?
   - Who is considered an employee---just retail staff or guides and outfitters as well for determining employee parking requirements?
   - Vehicle sales lots are exempt from the parking lot landscaping requirements but are still subject to the overall landscape requirements in chapter 4 of the code. What if any of a Recreational Guides and Outfitter business should be exempt from landscaping requirements and where should there perhaps be a need for greater for landscaping and screening?
   - Should a commercial parking lot in this corridor have to comply with the off street parking requirements that private lots have to?
   - Should leased off site parking be allowed to meet parking standards and if so what type of parking can occur there and what type of pedestrian and landscaping requirements need to be met when leased parking is used? How is the city protected if leased parking in the future is no longer available? How does leased parking further impact the existing lack of parking in the city?
   - What is the definition of recreational vehicles and should it include or be modified to include additional equipment that is part of a Recreational Guides and Outfitters business?
   - Is it reasonable to only base required parking on indoor gross floor area when significant retail sales can be generated from outdoor retail sales?
   - What other types of recreational equipment should be identified and covered in parking and landscaping standards for guide services other than hunting and fishing?

Current Whitefish Regulations

11-9-2 PARKING LOT, COMMERCIAL: A lot upon which cars, boats or recreational vehicles are parked or stored subject to remuneration.

11-9-2 PARKING LOT, PRIVATE: A lot upon which cars, boats or recreational vehicles are parked without charge and in conformance with off street parking requirements.

11-9-2 PARKING SPACE: A space within or without a building, exclusive of driveways, meeting the minimal requirements of this title, and used to temporarily park a motor vehicle, and having access to a public street or alley.

11-3-14 B. MULTIPLE USES ON SAME LOT; CONDITIONAL USE CRITERIA:
1. Total signage shall be limited to that permitted based on building frontage. A master sign plan shall be submitted showing the size, location, materials and design of any proposed signage with the application for conditional use permit.
2. Parking shall be provided according to the sum of the uses on the property. A generalized parking, drainage and landscaping plan shall be submitted with the application for conditional use permit to show that the necessary parking, drainage and landscaping can be accommodated on the property.
3. When the use requires the construction of multiple buildings, the site layout and building design shall ensure that lots or sublots meeting the requirements of subsection C of this section and the city subdivision regulations[5] can be created. All reservations that would be necessary for future roads and utilities in the event of subdivision shall be identified in the application. Development of these areas is not permitted.
4. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides of each building.
5. Uses which are generally compatible with one another shall be integrated by design to the degree of their compatibility and separated to the degree of their incompatibility.
6. A conditional use permit shall not be granted in cases where the proposed uses are unrelated and the conditional use permit process is being used as an alternative to subdivision. (Ord. 97-2, 10-20-1997; amd. Ord. 05-25, 11-21-2005)

11-6-4: OFF STREET PARKING DESIGN STANDARDS: C. One access shall be allowed per lot as they exist on the effective date of this title, or one access shall be allowed for each two hundred feet (200') of frontage. Minimum distance between accesses shall be one hundred feet (100') except for service stations where only two (2) accesses are allowed per lot with one frontage; a third access shall be allowed for the other street frontage on corner lots[1]. (Ord. A-407, 3-15-1982)

11-6-3-2: WB-1, WB-2, WB-4, WRB-1, WRB-2 AND WI DISTRICTS: C. Visitor, guest or customer drop off zones and parking shall be provided near visitor or customer entrances into buildings and shall be separated from all day employee parking. (Ord. A-407, 3-15-1982)

11-6-3-2: WB-1, WB-2, WB-4, WRB-1, WRB-2 AND WI DISTRICTS: D. Required parking will not be permitted on any street nor (except for single-family and duplex units) in a required front yard. (Ord. 96-2, 1-16-1996) E. Parking for boats and/or other recreational vehicles shall conform to the special provisions of section 11-3-32 of this title. (Ord. 09-05, 4-6-2009)

11-6-5: LANDSCAPING AND SCREENING: F. Vehicle sales lots are exempt from the parking lot landscaping requirements but are still subject to the overall landscape requirements in chapter 4 of this title. (Ord. A-407, 3-15-1982; amd. Ord. 00-13, 11-20-2000) (Does this include then boat and trailer sales?)
11-6-2: PARKING SPACE REQUIREMENTS:

	Retail or personal service stores	*1 space per 300 square feet of gross floor area*

11-3-32: RECREATIONAL VEHICLE STORAGE:
Commercial storage of recreational vehicles, including boats, shall comply with the following standards:
A. Open or enclosed storage areas shall meet primary setbacks of the underlying zone and in no case shall the front yard setback be less than twenty feet (20'). When the storage area is located adjacent to a residential district or use, the minimum setback shall be twenty feet (20').
B. Screening of open or enclosed storage areas shall meet the site obscuring fencing, subject to the requirements in subsection 11-3-11A of this chapter, and landscaping buffer requirements of section 11-4-8 of this title. Front yard fencing shall be set back a minimum of twenty feet (20').
C. Paving of storage areas shall only be required when the storage area, drive lanes and parking areas are five thousand (5,000) square feet or more. All entrances from a public or private street to the storage areas shall be paved to a depth of no less than forty feet (40') to ensure materials are not tracked onto streets. All unpaved parking areas shall be maintained in a dust free surface and meet the load requirements of the Whitefish fire marshal.
D. All enclosed storage facilities shall receive architectural review approval prior to submitting an application for a building permit. All enclosed facilities shall meet the building height limits in subsection 11-3-2B of this chapter for an accessory structure. (Ord. 09-05, 4-6-2009)

Finding # 7: The proposed zoning text amendment fails to address where unregulated large scale outdoor display, sales, and storage would be most appropriate within the WB-2 zoning district. Considering long time future grow of the downtown, such large scale outdoor display, sales, and storage if allowed in the northern end of the WB-2 zone would become an undesirable barrier to future growth of compact, pedestrian oriented retail growth from the downtown out in the future.

While the 2015 Downtown Master Plan documents that there is considerable area for retail expansion within the plan area, in time as the city grows there will come a time when the downtown core retail area will need to expand. Now is the time to plan to allow for this future growth by ensuring that uses such as those requiring large outdoor display areas do not hem in the potential for non-leap-frog growth by the downtown core retail uses and their reliance for success on a pedestrian oriented and compact retail pattern of development that does not allow for large outdoor displays and storage. Discussion at the 2011 Stakeholders meeting was significant enough on this topic to include in the final agreement recognition of the need for "a framework to establish a vision for the corridor, which includes consideration of the intention and purpose of the zone, market demand, land use, appropriate commercial activity, aesthetic considerations, traffic concerns and best practices of urban design, recognizing that there may be geographical differences within the WB-2 that may call for different solutions."

Finding # 8: As proposed this text amendment is not in the best interest of the overall plans for the city and community as a whole.[2]

[2] Please include our prior comments in this hearing process in your final decision as well.

While the applicant for the text amendment, the owner of the Lake and Stream Outfitters, and the public comment in support of the applicant's business at the recent public hearings, and even comment by planning board members themselves, has made it clear that this applicant is requesting legislation that would directly benefit the applicant's business and property in the district in which he has indicated he has a vest economic interest in, this can not be the basis for the city council action. **The legislative decision before the council should be focused on the best decision for the south Hwy 93 corridor WB-2 District and the overall plans for the city and community as a whole, not on the desires of an individual business.** It is important that the decision you make avoids the slippery slope of illegal spot zoning.

The burden of proof is on the applicant to demonstrate that the proposed text amendment is a need that can not be addressed in other more suitable ways such as the example raised earlier of looking at adopting regulations for outdoor display and storage that might accommodate these needs in site specific locations if certain conditions are met. Not all recreational guide and outfitter businesses need outdoor display, sales, or storage yet this applicant opens this use to all such businesses and fails to provide a factual basis for why this change is needed over all. The question must be asked if the applicant had bought property in another district where his business was not currently allowed would the council instead be asked to amend that district? And as noted in our prior comments there are numerous issues with the site at 669 Spokane where the applicant apparently from the hearing record has already become vested in a property where he wishes to move his business. Please consider our prior comments on this point.

Finding # 9: The City of Whitefish should review the application process for zoning text amendments and even growth policy amendments and require full disclosure of any vested interests the applicant might have in the requested amendment. Some planning jurisdictions have chosen to only accept requests for zoning text amendments or growth policy amendments once or twice a year and to prescreen such requests to limit staff and community time to only those proposals that are deemed of benefit and significance to the community as a whole, or a priority previously identified to implement an adopted growth policy. Such a policy would help the city to better avoid potential and difficult spot zoning or spot planning situations.

Glacier RESTAURANT Group

August 15, 2016

Dear Members of the Whitefish City Council,

My name is Brad Ridgeway, I am president of Glacier Restaurant Group, the company which owns and operates MacKenzie River Pizza Co., Ciao Mambo, Craggy Range Bar & Grill and Latitude 48. I am writing on behalf of Glacier Restaurant Group in support of Justin Lawrence's application for the text amendment to the Whitefish WB-2 zoning district to allow Outfitting and guiding companies as a permitted use.

As a company which employs (through its subsidiaries and affiliates) approximately 175 people in its Whitefish restaurants and an additional 20 people in its corporate offices located in Whitefish, Glacier Restaurant Group has a vested interest in the development of businesses within Whitefish. The WB-2 district is perfectly suited for outfitters and guides; the addition of this type of business to WB-2 would only enhance the 93 corridor entrance to Whitefish and would greatly benefit the Whitefish economy as a whole.

The continued healthy growth of Whitefish is dependent upon the intelligent and measured development of business opportunities beyond just Central Avenue and the Whitefish downtown core. A denial of this text amendment would strike a heavy blow to Whitefish as a whole if outfitters and guides have limited options to operate their business. The approval of this text amendment would be a significant step forward towards increasing the City's economic health and would ultimately benefit every business operating within the borders of Whitefish.

I urge you to vote to approve this text amendment.

Yours Truly,

Brad Ridgeway

MacKenzie River Pizza·Grill·Pub · Max & Erma's · Ciao Mambo a great Italian restaurant · Craggy Range bar & grill · Latitude 48°

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