



**CITY COUNCIL WORK SESSION
CITY COUNCIL CHAMBER CONFERENCE ROOM
MONDAY, APRIL 15, 2013
5:00 TO 7:00 PM**

1. Call to Order
2. 5:00 – 5:30 p.m. - Review and discuss aspects of a new franchise agreement with Northwestern Energy
3. 5:30 – 6:50 p.m. – Parking structure and parking options
4. 6:50 - Public Comments
5. Adjournment

ORDINANCE NO. A119

AN ORDINANCE GRANTING TO THE MONTANA POWER COMPANY, A CORPORATION, A FRANCHISE AND FIXING THE TERMS THEREOF UNDER WHICH SAID COMPANY MAY CONSTRUCT, EQUIP, LAY, MAINTAIN AND OPERATE PIPE LINES AND APPURTENANCES IN, UNDER, UPON, OVER AND ACROSS STREETS, AVENUES, ALLEYS, HIGHWAYS, BRIDGES, EASEMENTS AND OTHER PUBLIC PLACES IN THE CITY OF WHITEFISH, MONTANA, AND MAY TRANSPORT, DISTRIBUTE AND SELL GAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA:

Section 1. There is hereby granted to The Montana Power Company, a corporation, its successors and assigns (hereinafter called the "Grantee"), the right, privilege and franchise for the full period of fifty (50) years from the effective date hereof and thereafter until and unless otherwise provided by ordinance to construct, equip, lay, maintain and operate in, under, upon, over and across the streets, avenues, alleys, highways, bridges, easements and other public places in the City of Whitefish, County of Flathead, State of Montana, as now or hereafter constituted, mains, pipes, conduits, manholes, reducing and regulating stations and all other appurtenances and accessories for the purpose of transporting, conveying, distributing, supplying and selling natural gas or artificial gas, or a mixture of natural and artificial gas for light, heat, power and other purposes, at rates fixed and allowed by the Public Service Commission of Montana, and Grantee agrees to file with the Clerk of the City of Whitefish, the schedule of rates thus fixed and allowed.

Section 2. The Grantee shall extend its gas mains and pipes to such parts of said City as the consumption of gas shall justify.

Section 3. The Grantee, at all times during the existence of this franchise, shall use its best efforts to obtain and supply a continuous, sufficient and adequate quantity of gas for use by said City and its inhabitants, provided, however, that

Grantee shall in nowise be liable to said City or to its inhabitants because of the interruption or discontinuance of the supply of gas by causes beyond the reasonable control of Grantee.

Section 4. Grantee shall not discontinue the distribution of gas through its distributing system, or any portion thereof, for an unreasonable length of time for the purpose of making repairs and extensions, but Grantee shall not be liable to the City or to any consumers for damages caused by such temporary discontinuance or interruption of the delivery of gas, provided that such repairs and extensions are made with reasonable diligence.

Section 5. All work done in, under, upon, over and across the present and future streets, avenues, alleys, highways, bridges, easements and other public places in the City of Whitefish, Montana, by Grantee for the purpose of carrying out the provisions of this franchise shall be done and performed in a good and workmanlike manner. When any street, alley or other public place in said City is excavated or damaged by Grantee by reason of such work, the Grantee shall restore such street, alley or public place to its former condition as early as practicable.

If at any time a change in the grade or plan of any street, alley or public place shall be made by order of the proper City officials, the Grantee shall, without expense to the City of Whitefish, Montana, make such changes in the location of its pipes and facilities as the change of the grade or plan of the street, alley, or public place makes necessary, which said changes shall be made as soon as possible after said Grantee shall have received notice from the proper City official having the same in charge.

Section 6. Grantee shall hold the City of Whitefish harmless from all costs and damages which shall or may accrue to said City by reason of the neglect, default or misconduct of the

Grantee in connection with the exercise of its rights hereunder.

Section 7. Grantee is hereby given the right and authority to make assignments of this right, privilege or franchise, and its rights hereunder, all assignees to be bound to the same extent as the original Grantee.

Section 8. The City of Whitefish shall pass all ordinances necessary or suitable to protect the property and rights of said Grantee and to enable said Grantee to enforce any of its reasonable rules and regulations for the management, operation and control of the service hereunder, and shall pass any reasonable ordinance or ordinances that may be necessary or suitable in order fully to confirm to said Grantee the rights herein or hereby granted or intended so to be.

Section 9. Nothing in this ordinance contained shall be held or construed to grant any exclusive rights or privileges, but the City of Whitefish reserves to itself the right at any time to make such other grants or extend such other privileges to any other person or persons, company or corporation for the use of its streets, alleys or other public places, or any thereof, for the purposes in this ordinance expressed, or for any other valid purpose as the City Council may by ordinance from time to time determine.

Section 10. Failure on the part of Grantee to comply in any substantial respect with any of the provisions of this franchise shall be grounds for a forfeiture thereof, but no such forfeiture shall take effect if the reasonableness or the propriety thereof is protested by Grantee until and unless a court of competent jurisdiction (with right of appeal in either party) shall have found that said Grantee has failed to comply in a substantial respect with any of the provisions of this franchise, and Grantee shall have six (6) months after the final determination of said question to make good

the default before a forfeiture shall result, with the right in the City Council, at its discretion, to grant such additional time to the Grantee for compliance, as necessities in the case may require.

Section 11. This ordinance shall take effect and be in force from and after thirty (30) days after the final passage and approval hereof, provided Grantee shall file with the City Clerk of the City of Whitefish a written acceptance of this ordinance, but if such acceptance is not so filed, this ordinance shall be void.

Finally passed by the City Council of the City of Whitefish, Flathead County, Montana, and approved this 4th day of December, 1961.

Ray M. Duff
MAYOR

ATTEST:

Albert Zeman
CITY CLERK

I hereby certify that the within and foregoing is a full, true, correct and complete copy of Ordinance No. A 119, passed at the regular meeting of the City Council of the City of Whitefish, Montana, on the fourth day of December, 1961.

Albert Zeman
CITY CLERK

Subscribed and sworn to before me this 12th day of December, 1961.

James Robertson
Notary Public for the State of Montana
Residing at Whitefish, Montana
My Commission Expires July 31, 1963

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO NORTHWESTERN CORPORATION d/b/a/ NORTHWESTERN ENERGY A NON-EXCLUSIVE FRANCHISE AND FIXING THE TERMS THEREOF UNDER WHICH SAID COMPANY MAY CONSTRUCT, EQUIP, LAY, MAINTAIN AND OPERATE NATURAL GAS DELIVERY FACILITIES IN, UNDER, UPON, OVER AND ACROSS STREETS, AVENUES, ALLEYS, HIGHWAYS, BRIDGES, EASEMENTS AND OTHER PUBLIC PLACES IN THE CITY OF WHITEFISH, MONTANA, AND MAY DELIVER AND SELL NATURAL GAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA:

Section 1. There is hereby granted to NorthWestern Corporation d/b/a NorthWestern Energy, its successors, and assigns ("Franchisee"), the right, privilege, and franchise (collectively the "Franchise") under the terms contained herein to construct, equip, lay, maintain and operate in, under, upon, over and across the streets, avenues, alleys, highways, bridges, easements and other public places in the City of Whitefish, Montana, ("City"), as now or hereafter constituted, natural gas delivery facilities for the purposes of transporting, conveying, distributing, supplying and selling natural gas services for heat, power and other purposes. Such natural gas services shall be provided at rates fixed and allowed by the Montana Public Service Commission, and Franchisee agrees to make publicly available the schedules of rates thus fixed or allowed as required by the laws of Montana.

Section 2. Franchisee agrees to construct and maintain all natural gas delivery facilities according to current industry standards and in compliance with all applicable codes, rules, regulations, statutes, and orders of local, state, and federal agencies having jurisdiction in such matters.

Section 3. Franchisee shall extend its natural gas delivery facilities to such parts of the City as the provision of Franchisee's natural gas services shall justify.

Section 4. Franchisee, at all times during the existence of this Franchise, shall use its best efforts to obtain, deliver and supply a continuous, sufficient and adequate quantity of natural gas for use by said City and Franchisee's customers, provided, however, that Franchisee shall not be liable to said City or to Franchisee's customers because of the interruption or discontinuance of the supply of natural gas by causes beyond the reasonable control of Franchisee.

Section 5. Franchisee shall not discontinue the delivery of natural gas through its natural gas delivery facilities, or any portion thereof, for an unreasonable length of time for the purpose of making repairs and extensions, but Franchisee shall not be liable to the City or any of Franchisee's customers for damages caused by such temporary discontinuance or interruption of the delivery of natural gas, provided that such repairs and extensions are made with reasonable efforts.

Section 6. All work done in, under, upon, over, and across the present and future streets, avenues, alleys, highways, bridges, easements, and other public places in the City by

Franchisee for the purposes of carrying out the provisions of this Franchise shall be done and performed in a professional manner. When any street, alley, or other public place in said City is excavated or damaged by Franchisee by reason of such work, Franchisee shall restore such street, alley, or public place to its former condition as early as practicable.

If at any time a change in the grade or plan of any street, alley, or public place shall be made by order of the proper City officials, Franchisee shall, without expense to the City, make such changes in the location of its natural gas delivery facilities as the change of the grade or plan of the street, alley, or public place makes necessary, which said changes shall be made as soon as possible after said Franchisee shall have received notice from the proper City official having the charge of the same.

Section 7. Franchisee shall hold the City harmless from all costs and damages which shall or may accrue to said City by reason of the neglect, default, or misconduct of the Franchisee in connection with the exercise of its rights hereunder.

Section 8. Franchisee is hereby given the right and authority to make assignments of this Franchise, and its rights hereunder, provided all assignees agree to be bound to the same extent as the original Franchisee.

Section 9. Except as provided in this paragraph, failure on the part of Franchisee to comply in any substantial respect with any provision of this Franchise shall be grounds for forfeiture thereof. No forfeiture shall take effect unless either (1) Franchisee agrees to the forfeiture, or (2) a court of competent jurisdiction (with a right of appeal in either party) has ruled that Franchisee failed to comply in a substantial respect with any provision of this Franchise and Franchisee has not cured the failure found by the court within six (6) months after the court's final order. The City Council, in its discretion, may grant additional time to Franchisee to cure the failure as it deems reasonable.

Section 10. This ordinance shall take effect and be in force from and after thirty (30) days after the final passage and approval hereof, provided Franchisee shall file with the City Clerk a written acceptance of this ordinance within said thirty (30) day period, but if such acceptance is not so filed, this ordinance shall be void.

Section 11. This Franchise shall be hereby granted for an initial term of ten (10) years from and after the date of the final acceptance of this Ordinance by the Franchisee. Thereafter, this Franchise will automatically renew every ten (10) years for an additional term of ten (10) years, unless cancelled by either party by written notice to the other party, no less than five (5) years prior to the end of the then current term.

Finally passed by the City Council of the City of Whitefish, Montana, and approved this _____ day of _____, _____.

MAYOR

ATTEST:

CITY CLERK

I hereby certify that the within and foregoing is a full, true, correct and complete copy of Ordinance No. _____, passed at the regular meeting of the City Council of the City of Whitefish, Montana, on the _____ day of _____, ____.

CITY CLERK

Subscribed and sworn to before me this _____ day of _____, ____.

Notary Public for the State of _____

Residing at _____

My Commission expires _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO NORTHWESTERN CORPORATION d/b/a/ NORTHWESTERN ENERGY A NON-EXCLUSIVE FRANCHISE AND FIXING THE TERMS THEREOF UNDER WHICH SAID COMPANY MAY CONSTRUCT, EQUIP, LAY, MAINTAIN AND OPERATE NATURAL GAS DELIVERY FACILITIES IN, UNDER, UPON, OVER AND ACROSS STREETS, AVENUES, ALLEYS, HIGHWAYS, BRIDGES, EASEMENTS AND OTHER PUBLIC PLACES IN THE CITY OF WHITEFISH, MONTANA, AND MAY DELIVER AND SELL NATURAL GAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA:

Section 1. There is hereby granted to NorthWestern Corporation d/b/a NorthWestern Energy, its successors, and assigns ("Franchisee"), the right, privilege, and franchise (collectively the "Franchise") under the terms contained herein to construct, equip, lay, maintain and operate in, under, upon, over and across the streets, avenues, alleys, highways, bridges, easements and other public places in the City of Whitefish, Montana, ("City"), as now or hereafter constituted, natural gas delivery facilities for the purposes of transporting, conveying, distributing, supplying and selling natural gas services for heat, power and other purposes. Such natural gas services shall be provided at rates fixed and allowed by the Montana Public Service Commission, and Franchisee agrees to make publicly available the schedules of rates thus fixed or allowed as required by the laws of Montana.

Section 2. Franchisee agrees to construct and maintain all natural gas delivery facilities according to current industry standards and in compliance with all applicable codes, rules, regulations, statutes, and orders of local, state, and federal agencies having jurisdiction in such matters.

Section 3. Franchisee shall extend its natural gas delivery facilities to such parts of the City as the provision of Franchisee's natural gas services and Public Service Commission tariff's shall justify.

Section 4. Franchisee, at all times during the existence of this Franchise, shall use its best efforts to obtain, deliver and supply a continuous, sufficient and adequate quantity of natural gas for use by said City, its inhabitants, and Franchisee's customers, provided, however, that Franchisee shall not be liable to said City or to Franchisee's customers because of the interruption or discontinuance of the supply of natural gas by causes beyond the reasonable control of Franchisee.

Section 5. Franchisee shall not discontinue the delivery of natural gas through its natural gas delivery facilities, or any portion thereof, for an unreasonable length of time for the purpose of making repairs and extensions, but Franchisee shall not be liable to the City or any of Franchisee's customers for damages caused by such temporary discontinuance or interruption of the delivery of natural gas, provided that such repairs and extensions are made with reasonable efforts.

Section 6. All work done in, under, upon, over, and across the present and future streets, avenues, alleys, highways, bridges, easements, and other public places in the City by Franchisee for the purposes of carrying out the provisions of this Franchise shall be done and performed in a professional manner. When any street, alley, or other public place in said City is excavated or damaged by Franchisee by reason of such work, Franchisee shall restore such street, alley, or public place to its former condition as early as practicable. Franchisee agrees that it and/or its contractors shall not deposit mud and dirt on City streets and if deposited during construction, Franchisee and/or its contractors shall clean and sweep the street of such debris.

If at any time a change in the grade or plan of any street, alley, or public place shall be made by order of the proper City officials, Franchisee shall, without expense to the City, make such changes in the location of its natural gas delivery facilities as the change of the grade or plan of the street, alley, or public place makes necessary, which said changes shall be made as soon as possible after said Franchisee shall have received notice from the proper City official having the charge of the same.

Franchisee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance, to the extent that the provisions of the ordinance do not have the effect of limiting the benefits or expanding the obligations of the Franchisee that are granted by this Franchise. Neither party may unilaterally alter the material rights and obligations set forth in this Franchise. In the event of a conflict between any ordinance and this Franchise, the Franchise shall control, provided however that the Franchisee agrees that it is subject to the lawful exercise of the police power of the City.

Specifically, Franchisee agrees to submit applications for Excavation Permits to the City's Public Works Department and be billed for and pay the applicable Excavation Permit Fees and any street or sidewalk cutting fees.

~~Section 7. Franchisee shall hold the City harmless from all costs and damages which shall or may accrue to said City by reason of the neglect, default, or misconduct of the Franchisee in connection with the exercise of its rights hereunder.~~

To the fullest extent permitted by law, Franchisee shall fully indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Franchisee's delivery of service or performance of work under this franchise agreement.

Franchisee shall purchase and maintain insurance coverage on a primary-noncontributory basis, as set forth below. Franchisee shall provide the City a Certificate of Insurance and a copy of the additional insured policy endorsement listing City as an additional insured showing coverage for commercial General Liability Policy on a per occurrence claims form.

Franchisee shall maintain in full force and effect, at its own cost and expense, during the term of the Franchise, Commercial General Liability Insurance in the amount of \$1,000,000 combined single limit for bodily injury and property damage. Such insurance shall be noncancellable except upon thirty (30) days prior written notice to the Grantor.

Section 8. Franchisee shall pay to the City an annual franchise fee equaling \$0.10 per lineal foot for each lineal foot of plastic gas main and steel gas main in the City's right-of-way plus \$10.00 for each above ground facility contained in the City's right-of-way. For calendar year, 2013, Franchisee and City agree that this amount equals \$ _____ .00. One-fourth of the franchise fee payment shall be due quarterly and payable within ninety (90) days after the close of the preceding calendar quarter. Each payment shall be accompanied by a brief report prepared by a representative of the Franchisee showing the basis for the computation.

Franchisee and the City agree that such a franchise fee is appropriate as a regulatory fee for the following reasons:

1. Franchisee currently uses the City's right-of-way at no cost. The property taxes which the Franchisee pays are for provision of the general services of the City which the Franchisee receives as does every other business, not for the specific benefits and services which the Franchisee receives from its use of the right-of-way.
2. Natural gas mains and service lines present specific and special challenges for the City's Public Works Department such as:
 - a. The useable space for various public and private utilities in the public right-of-way is limited and natural gas lines present the highest risk of all these utilities when in conflict with City facilities;
 - b. Any excavation near a natural gas line progresses much more slowly and is more expensive due to the risk involved;
 - c. When a natural gas main or service line crosses another underground utility, the construction crew and excavator's work becomes extremely delicate and at times must even come to a halt while the gas line is relocated;
 - d. Our extensive work in the right-of-way and experience with "U-Dig" locate services is such that it is not uncommon for City crews or private contractors to hit and damage natural gas lines which have not been located accurately. This problem not only places workers, as well as citizens and property in the immediate vicinity, at great risk, but typically ties up emergency responders and their equipment to secure the area until the danger has passed;
 - e. The Public Works Department is constantly rebuilding roads and aging infrastructure throughout the community. Conflicts with natural gas mains often occur when road grades are lowered or when space is required for new water, sanitary sewer and storm sewer mains. These conflicts complicate the design process, delay the pace of construction and ultimately add time and expense to the project.
3. As a self-government power municipality with a charter form of government, the City has authority beyond a statutory municipality in being able to request and/or require payment of a franchise fee.
4. The City currently receives a franchise fee from other utilities using the public right-of-way including cable television services, the water utility, and the wastewater utility.

Section 8. Franchisee is hereby given the right and authority to make assignments of this Franchise, and its rights hereunder, provided all assignees agree to be bound to the same extent as the original Franchisee.

Section 9. Except as provided in this paragraph, failure on the part of Franchisee to comply in any substantial respect with any provision of this Franchise shall be grounds for forfeiture thereof. No forfeiture shall take effect unless either (1) Franchisee agrees to the forfeiture, or (2) a court of competent jurisdiction (with a right of appeal in either party) has ruled that Franchisee failed to comply in a substantial respect with any provision of this Franchise and Franchisee has not cured the failure found by the court within six (6) months after the court's final order. The City Council, in its discretion, may grant additional time to Franchisee to cure the failure as it deems reasonable.

Section 10. This ordinance shall take effect and be in force from and after thirty (30) days after the final passage and approval hereof, provided Franchisee shall file with the City Clerk a written acceptance of this ordinance within said thirty (30) day period, but if such acceptance is not so filed, this ordinance shall be void.

Section 11. This Franchise shall be hereby granted for an initial term of ten (10) years from and after the date of the final acceptance of this Ordinance by the Franchisee. Thereafter, this Franchise will automatically renew every ten (10) years for an additional term of ten (10) years, unless cancelled by either party by written notice to the other party, no less than five (5) years prior to the end of the then current term.

Finally passed by the City Council of the City of Whitefish, Montana, and approved this _____ day of _____, ____.

John Muhlfeld, MAYOR

ATTEST:

Necile Lorang, CITY CLERK

I hereby certify that the within and foregoing is a full, true, correct and complete copy of Ordinance No. _____, passed at the regular meeting of the City Council of the City of Whitefish, Montana, on the _____ day of _____, ____.

CITY CLERK

Subscribed and sworn to before me this _____ day of _____, ____.

|
Notary Public for the State of _____

Residing at _____

My Commission expires _____

DRAFT

NorthWestern Energy Feb 2013 Comments to the City of Whitefish markups.

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO NORTHWESTERN CORPORATION d/b/a/ NORTHWESTERN ENERGY A NON-EXCLUSIVE FRANCHISE AND FIXING THE TERMS THEREOF UNDER WHICH SAID COMPANY MAY CONSTRUCT, EQUIP, LAY, MAINTAIN AND OPERATE NATURAL GAS DELIVERY FACILITIES IN, UNDER, UPON, OVER AND ACROSS STREETS, AVENUES, ALLEYS, HIGHWAYS, BRIDGES, EASEMENTS AND OTHER PUBLIC PLACES IN THE CITY OF WHITEFISH, MONTANA, AND MAY DELIVER AND SELL NATURAL GAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA:

Section 1. There is hereby granted to NorthWestern Corporation d/b/a NorthWestern Energy, its successors, and assigns ("Franchisee"), the right, privilege, and franchise (collectively the "Franchise") under the terms contained herein to construct, equip, lay, maintain and operate in, under, upon, over and across the streets, avenues, alleys, highways, bridges, easements and other public places in the City of Whitefish, Montana, ("City"), as now or hereafter constituted, natural gas delivery facilities for the purposes of transporting, conveying, distributing, supplying and selling natural gas services for heat, power and other purposes. Such natural gas services shall be provided at rates fixed and allowed by the Montana Public Service Commission, and Franchisee agrees to make publicly available the schedules of rates thus fixed or allowed as required by the laws of Montana.

Section 2. Franchisee agrees to construct and maintain all natural gas delivery facilities according to current industry standards and in compliance with all applicable codes, rules, regulations, statutes, and orders of local, state, and federal agencies having jurisdiction in such matters.

Section 3. Franchisee shall extend its natural gas delivery facilities to such parts of the City as the provision of Franchisee's natural gas services ~~and Public Service Commission tariffs~~ shall justify. **This and any and all other requirements are already covered in Section 1 and 2, no need to single this one out.**

Section 4. Franchisee, at all times during the existence of this Franchise, shall use its best efforts to obtain, deliver and supply a continuous, sufficient and adequate quantity of natural gas for use by said City, ~~its inhabitants~~, and Franchisee's customers, provided, however, that Franchisee shall not be liable to said City or to Franchisee's customers because of the interruption or discontinuance of the supply of natural gas by causes beyond the reasonable control of Franchisee.

Section 5. Franchisee shall not discontinue the delivery of natural gas through its natural gas delivery facilities, or any portion thereof, for an unreasonable length of time for the purpose of making repairs and extensions, but Franchisee shall not be liable to the City or any of Franchisee's customers for damages caused by such temporary discontinuance or

interruption of the delivery of natural gas, provided that such repairs and extensions are made with reasonable efforts.

Section 6. All work done in, under, upon, over, and across the present and future streets, avenues, alleys, highways, bridges, easements, and other public places in the City by Franchisee for the purposes of carrying out the provisions of this Franchise shall be done and performed in a professional manner. When any street, alley, or other public place in said City is excavated or damaged by Franchisee by reason of such work, Franchisee shall restore such street, alley, or public place to its former condition as early as practicable. ~~Franchisee agrees that it and/or its contractors shall not deposit mud and dirt on City streets and if deposited during construction, Franchisee and/or its contractors shall clean and sweep the street of such debris.~~ **<---- this sentence covers this**

If at any time a change in the grade or plan of any street, alley, or public place shall be made by order of the proper City officials, Franchisee shall, without expense to the City, make such changes in the location of its natural gas delivery facilities as the change of the grade or plan of the street, alley, or public place makes necessary, which said changes shall be made as soon as possible after said Franchisee shall have received notice from the proper City official having the charge of the same.

~~Franchisee agrees to comply with the terms of any lawfully adopted generally applicable local ordinance, to the extent that the provisions of the ordinance do not have the effect of limiting the benefits or expanding the obligations of the Franchisee that are granted by this Franchise. Neither party may unilaterally alter the material rights and obligations set forth in this Franchise. In the event of a conflict between any ordinance and this Franchise, the Franchise shall control, provided however that the Franchisee agrees that it is subject to the lawful exercise of the police power of the City.~~ **As discussed above in the Section 3 note, this edit is also covered in Section 2**

~~Specifically, Franchisee agrees to submit applications for Excavation Permits to the City's Public Works Department and be billed for and pay the applicable Excavation Permit Fees and any street or sidewalk cutting fees.~~ **We are glad to work directly with the city to keep them up to speed on our evacuation needs in a timely fashion working directly with the City, but submitting applications is not very efficient. We will also have emergency situations where we may not be able wait to resolve the situation**

Section 7. Franchisee shall hold the City harmless from all costs and damages which shall or may accrue to said City by reason of the neglect, default, or misconduct of the Franchisee in connection with the exercise of its rights hereunder.

Section 8 - Franchisee shall maintain throughout the term of this Franchise general liability insurance in the minimum amount required by Franchisee's Risk Management Department to adequately insure and/or protect the legal liability of Franchisee with respect to the installation, operation and maintenance of the natural gas delivery facilities together with all the necessary and desirable appurtenances authorized herein to occupy the public rights-of-way or public utility easements. Such insurance will provide protection for bodily injury and property damage including, without limitation, contractual liability and legal liability for damages arising from collapse and underground incidents.

Franchisee shall file with the City, within thirty (30) days following the effective date of this Franchise, a Certificate of Insurance evidencing proof of said insurance required pursuant to this Section and thereafter upon request of the City.

The following edits are extremely broad and burdensome, therefore we prefer the original language and a new section for insurance that we are comfortable with as shown above. To the fullest extent permitted by law, Franchisee shall fully indemnify, defend, and save City, its agents, representatives, employees, and officers harmless from and against any and all claims, actions, costs, fees, losses, liabilities or damages of whatever kind or nature arising from or related to Franchisee's delivery of service or performance of work under this franchise agreement. As an example -- This section is extreme (see yellow highlight above this insert). NorthWestern is should not be expected to indemnify the City for things that may be beyond NorthWestern's control.

Franchisee shall purchase and maintain insurance coverage on a primary noncontributory basis, as set forth below. Bresnan shall provide the City a Certificate of Insurance and a copy of the additional insured policy endorsement listing City as an additional insured showing coverage for commercial General Liability Policy on a per occurrence claims form.

Franchisee shall maintain in full force and effect, at its own cost and expense, during the term of the Franchise, Commercial General Liability Insurance in the amount of \$1,000,000 combined single limit for bodily injury and property damage. Such insurance shall be noncancellable except upon thirty (30) days prior written notice to the Grantor. See NorthWestern Insurance Language inserted above

Franchise Fees

NorthWestern does not support or endorse the concept of Franchise Fees. Further, Montana Law and/or case law provide that there may only be limited circumstances where thes such fees may apply. NorthWestern does not believe Whitefish has met the burden necessary to establish a legal franchise fee. The following comments are offered assuming that the City believes it has the legal ability to impose such a fee on NorthWestern.

If the City were to impose such a fee on NorthWestern, NorthWestern's tariffs allow it to would turn around and recover these costs in the bills of its Whitefish customers only. These costs would only be unique to the Whitefish area and processed under an existing MPSC Rate Schedule to handle such costs to the extent they exist. These fees are another example of implementing a hidden tax in our customers' bills, where NorthWestern assumes the role of the tax collector for the City. If the City wishes to collect additional taxes for its citizens it

should do it directly, in an open and transparent process, and not bury it in this type of agreement or as a hidden tax on their utility bills.

At a recent MPSC Hearing on NorthWestern's Annual State Property Tax Rate True-up, the Commission expressed various levels of concern regarding NorthWestern's role as a hidden tax collector, including notifying our customers on a regular basis that their bills include a very high level of State Property tax recovery. NorthWestern is the largest tax-payer in Montana, with the highest tax rate in the State as well.

So if the City were to go down this path, we would continue to oppose such a fee and would also contact our Whitefish Natural Gas customers to inform them of the City's intent to impose such a fee, that we are opposed to its use assessment, and that we are simply passing it on on behalf of the City.

Section 8. Franchisee shall pay to the City an annual franchise fee equaling \$0.10 per lineal foot for each lineal foot of plastic gas main and steel gas main in the City's right-of-way plus \$10.00 for each above ground facility contained in the City's right-of-way. For calendar year, 2013, Franchisee and City agree that this amount equals \$.00. One-fourth of the franchise fee payment shall be due quarterly and payable within ninety (90) days after the close of the preceding calendar quarter. Each payment shall be accompanied by a brief report prepared by a representative of the Franchisee showing the basis for the computation.

Franchisee and the City agree that such a franchise fee is appropriate as a regulatory fee for the following reasons:

Franchisee currently uses the City's right-of-way at no cost. The property taxes which the Franchisee pays are for provision of the general services of the City which the Franchisee receives as does every other business, not for the specific benefits and services which the Franchisee receives from its use of the right-of-way.

Natural gas mains and service lines present specific and special challenges for the City's Public Works Department such as:

The useable space for various public and private utilities in the public right-of-way is limited and natural gas lines present the highest risk of all these utilities when in conflict with City facilities;

Any excavation near a natural gas line progresses much more slowly and is more expensive due to the risk involved;

When a natural gas main or service line crosses another underground utility, the construction crew and excavator's work becomes extremely delicate and at times must even come to a halt while the gas line is relocated;

Our extensive work in the right-of-way and experience with "U-Dig" locate services is such that it is not uncommon for City crews or private contractors to hit and damage natural gas lines which have not been

located accurately. This problem not only places workers, as well as citizens and property in the immediate vicinity, at great risk, but typically ties up emergency responders and their equipment to secure the area until the danger has passed;

The Public Works Department is constantly rebuilding roads and aging infrastructure throughout the community. Conflicts with natural gas mains often occur when road grades are lowered or when space is required for new water, sanitary sewer and storm sewer mains. These conflicts complicate the design process, delay the pace of construction and ultimately add time and expense to the project.

As a self-government power municipality with a charter form of government, the City has authority beyond a statutory municipality in being able to request and/or require payment of a franchise fee.

The City currently receives a franchise fee from other utilities using the public right-of-way including cable television services, the water utility, and the wastewater utility.

Section 89. Franchisee is hereby given the right and authority to make assignments of this Franchise, and its rights hereunder, provided all assignees agree to be bound to the same extent as the original Franchisee.

Section 910. Except as provided in this paragraph, failure on the part of Franchisee to comply in any substantial respect with any provision of this Franchise shall be grounds for forfeiture thereof. No forfeiture shall take effect unless either (1) Franchisee agrees to the forfeiture, or (2) a court of competent jurisdiction (with a right of appeal in either party) has ruled that Franchisee failed to comply in a substantial respect with any provision of this Franchise and Franchisee has not cured the failure found by the court within six (6) months after the court's final order. The City Council, in its discretion, may grant additional time to Franchisee to cure the failure as it deems reasonable.

Section 1011. This ordinance shall take effect and be in force from and after thirty (30) days after the final passage and approval hereof, provided Franchisee shall file with the City Clerk a written acceptance of this ordinance within said thirty (30) day period, but if such acceptance is not so filed, this ordinance shall be void.

Section 112. This Franchise shall be hereby granted for an initial term of ten (10) years from and after the date of the final acceptance of this Ordinance by the Franchisee. Thereafter, this Franchise will automatically renew every ten (10) years for an additional term of ten (10) years, unless cancelled by either party by written notice to the other party, no less than five (5) years prior to the end of the then current term.

Finally passed by the City Council of the City of Whitefish, Montana, and approved this _____ day of _____, _____.

John Muhlfield, MAYOR

ATTEST:

Necile Lorang, CITY CLERK

I hereby certify that the within and foregoing is a full, true, correct and complete copy of Ordinance No. _____, passed at the regular meeting of the City Council of the City of Whitefish, Montana, on the _____ day of _____, _____.

CITY CLERK

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public for the State of _____

Residing at _____

My Commission expires _____

MEMORANDUM

#2013-021



To: Mayor John Muhlfeld
City Councilors

From: Chuck Stearns, City Manager

Re: Work session on parking structures

Date: April 8, 2013

The City Council decided to hold a work session to discuss parking and parking structures on Monday, April 15th. Mayor Muhlfeld also asked me to gather up some of the more important documents and materials from the feasibility study to help the Council discuss the topic and to send out those materials in advance of the packet.

The documents in the packet are described below. After listing the documents, I will also start on a pros and cons table for City Hall with a parking structure versus City Hall with surface parking as that may help you distill your thoughts. This table is just a starting point, so please add your pros and cons to each table for the work session where we can tabulate all of them.

The documents in the packet are:

1. The original four sites which the Parking feasibility study was to review
2. The final matrix showing the costs and comparisons of the final options.
3. The prior matrix showing the costs and comparisons of previous options along with comparing costs, efficiencies and number of spaces with the prior Walker-Peccia design for a structure at 2nd and Spokane.
4. Kimley-Horn's review of 2008 parking demand study.
5. Kimley-Horn's list of the new parking paradigm.
6. Some of the architectural images for very conceptual City Hall and parking structure elevations.
7. Maintenance cost summary for a parking structure.
8. Parking structures in similar communities from both Kimley-Horn and Associates and Crandall – Arambula.
9. Surface parking development – rough cost estimate

Below is the table of pros and cons that I derived for the options of City Hall with a parking structure or City Hall with surface parking. Please feel free to add your own comments to each table and we can aggregate them at the April 15th work session.

City Hall with a parking structure

Pros	Cons
City Council's top choice if a parking structure is done	Is an expensive option – would use over \$9,000,000 of TIF for parking structure and City Hall if only TIF is used to fund it
Allows some economies of scale if both City Hall and parking structure are built at the same time	Parking structure and City Hall are actually separate buildings because of fire walls, so economies of scale may not be so important.
Could allow one architect to design exterior appearance of both for good integration	Attaching City Hall to a parking structure limits the architectural creativity and possibly the aesthetics of the design
If a parking structure is going to be built before the Tax Increment Financing district sunsets in 2020, this may be best opportunity.	Some people believe that a parking structure is not needed
Provides additional parking over City Hall needs of 172 – 193 spaces for close-in parking for Central Avenue merchants	Some people do not believe that the mass and scale of a parking structure is appropriate for Whitefish
Additional spaces for Central Avenue would be needed if a boutique hotel were to be developed on City lot at 3 rd and Central	Some people have an aversion to parking structures. Making it “granny friendly”, well lit, and safe would help offset this aversion.
Studies by Crandall – Arambula, Walker Parking Consultants, and then Kimley –Horn and Associates demonstrated need for additional parking for continued redevelopment of Central Avenue	Would add to some traffic congestion at the egress point on 1 st Street at certain times
Follows the current development trend in downtown of building up (going vertical) rather than building out (sprawl)	Some perceive that the mass and scale of a parking structure would be too much, too large
Could provide additional needed parking for Railway District	Would add somewhere between \$100,000 to \$150,000 in annual maintenance costs
Parking spaces for City Hall employees and customers is available for Central Avenue customer use on weekends and many nights.	
Probably provides some incentive for Whitefish Frontiers LLC to develop their five lots at the NW corner of 1 st and Central	
Might spur additional redevelopment in the downtown core	
Provides some useful parking for events at O'Shaughnessy Center and Depot Park	

City Hall with surface parking

Pros	Cons
Allows for more creativity and probably an improved aesthetic for appearance of City Hall	Doesn't solve the perceived or actual downtown parking problem. Would only add maybe 20 spots over City Hall use.
Does not add to the massing and scale in relation to the surrounding buildings	Commits this half block to City Hall with surface parking – no ability to change mind and do a parking structure on the site in the near future
Surface parking spaces for City Hall employees and customers are generally available for surrounding merchant use on weekends and most nights	If a parking structure is not done, then City Council will need to formulate a use for un-programmed Tax Increment Funds before 2020
Would add probably 20 spots to the overall parking inventory	Rather than building up with parking, might require building out (sprawl) for parking
Might be part of a strategy to increase parking space through surface parking lots rather than a parking structure	
Could still allow for a similar parking structure on the City lot at 2 nd and Spokane or north of the O'Shaughnessy Center	

EXECUTIVE SUMMARY

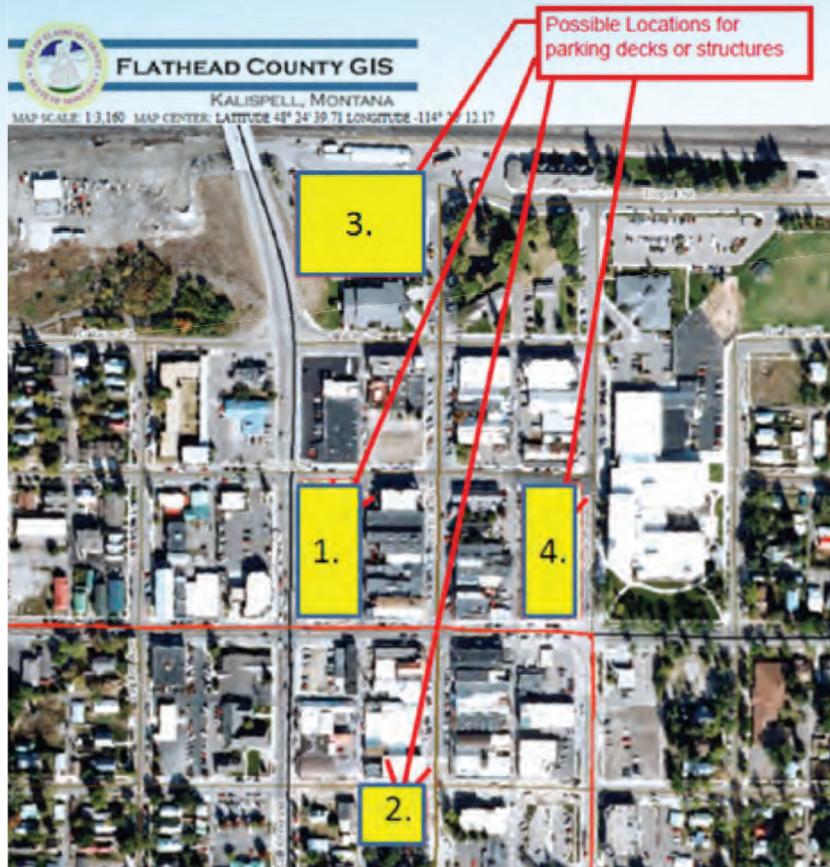
PARKING STRUCTURE FEASIBILITY AND CONCEPT DESIGN STUDY

City of Whitefish, MT



PROJECT OVERVIEW/SCOPE

- ▶ Evaluate Four Potential Parking Garage Sites
 - » 2nd and Baker St. (Current City Hall Site) (1)
 - » 4th and Baker (2)
 - » BNSF Site (3)
 - » 2nd and Spokane (4)
- ▶ Preliminary Site Assessment & Parking Study Refresh
- ▶ Surveying and Geotechnical Assessment
- ▶ Preliminary Design Concepts for Preferred Sites
- ▶ Concept Design Re nement
 - » Traffic Impact Analysis
- ▶ Draft and Final Reports



PARKING STRUCTURE

FEASIBILITY AND CONCEPT DESIGN STUDY FOR

City of Whitefish, Montana



PROJECT SUMMARY

CURRENT PARKING ADEQUACY

- Core downtown parking utilization currently ranges from 70% – 94%
- The Walker Parking Consultant's study estimated a current parking deficit of over 200 spaces growing to over 700 spaces if the development associated with the downtown master plan is realized.

SURFACE PARKING AS AN ALTERNATIVE?

- Surface parking contributes to sprawl, not to a compact and walkable downtown
- Surface parking locations are too far for retail customers to walk
- The cost of developing surface parking options is nearly as expensive as structured parking (estimated at over \$6,000,000 for four surface lots).

PARKING AS A STRATEGIC INVESTMENT

- Identification of structured parking as part of the downtown master plan was the right planning process and a smart recommendation
- Creating bookended parking assets on 2nd Avenue and Baker and 2nd Avenue and Spokane supports a strong retail core for years to come and provides infrastructure capacity to accommodate future growth
- A garage on the 2nd Avenue and Baker site is an effective strategy to stimulate further interest in a potential hotel or mixed use development on 1st St. and Central Ave.
- This feasibility study put you on the right trajectory to achieve new supply before parking becomes truly problematic. Garage at 2nd Avenue and Baker is an effective strategy to stimulate further interest in development west of Baker Avenue.

P Core downtown parking utilization currently ranges from **70%-94%**

POSITIVE ASPECTS OF STRUCTURED PARKING

Technical Summary



BUILDING UPON YOUR STRENGTHS

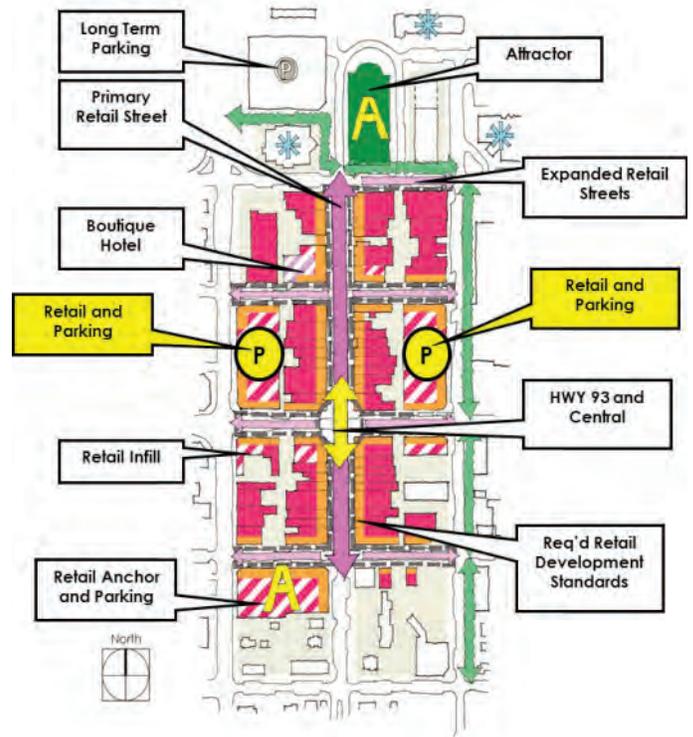
- White sh has a near ideal retail shopping district
- To achieve it's full potential structured parking is needed
- To do nothing may retard growth, opportunity and growth of the local tax base.

YOU HAVE BEEN PROPERLY PLANNING FOR PARKING IN CONJUNCTION WITH A LARGER DOWNTOWN MASTER PLAN

- Supports the town's core strengths
- You have established funding mechanisms that have produced the capacity to make your strategic investments financially attainable

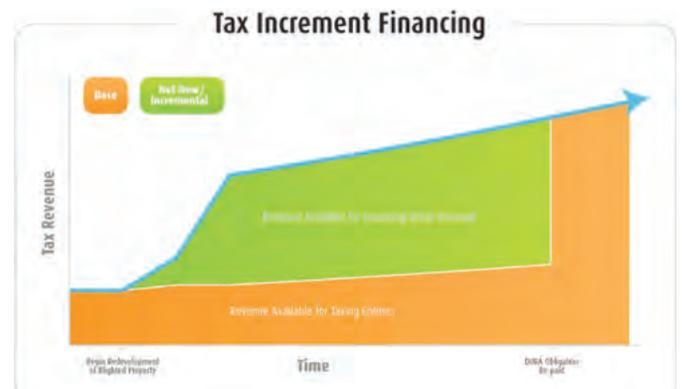
YOU HAVE A UNIQUE OPPORTUNITY TO LEVERAGE TWO MAJOR PROJECTS FOR THE BENEFIT OF THE COMMUNITY

- Combining the garage and new City Hall projects can potentially enhance efficiencies and save money
- With smart planning and quality architectural design White sh can achieve smart, managed growth and preserve it's unique character and quality of life.



YOU HAVE THE FUNDING SOURCE AND THE CAPITAL ASSETS TO ACHIEVE THE PLAN

- Reinvestment of the TIF funds to provide infrastructure for the TIF district is an important principle which should be encouraged.
- Follows a community based plan/vision



PARKING STRUCTURE DATA SUMMARY



PARKING STRUCTURE COSTS - LOCALLY

- 2012 Cost Data – (Northwest MT)
- Hard Costs Projections – can vary by region, as well as with market timing
- Current Northwest, MT Projections – for a Parking Structure are:

P \$15k - \$20k/space
Average stand-alone garage (\$48.62/sf) (open, base level architectural treatments)

P \$20k - \$25k/space
Partially below grade garage

P \$28k - \$35k/space
Below grade, below another building

Parking Efficiency Impact



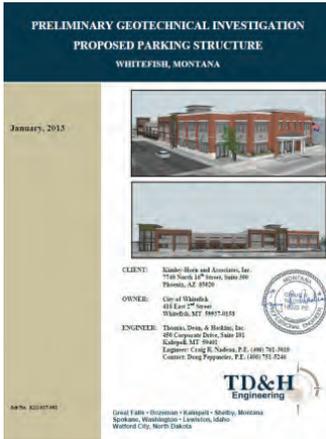
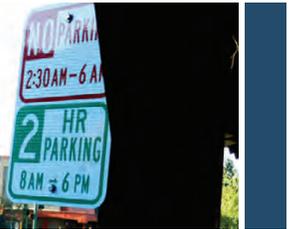
PARKING STRUCTURE COST FACTORS

Parking Structure Cost / Space is impacted by:

- Parking Efficiency (SF / Space)
- Open vs Non-open Parking Structures
- Above grade vs below grade (below grade is typically 50% to 100% more depending on number of levels below grade)
- Size of Structure or Footprint (Larger structures benefit by efficiencies with stair/elevators, SF / space, etc.)
- Type of Structure (Precast vs Cast-in-Place)
- Level of Service (Higher LOS results in higher \$/space)
- Fire Protection / Ventilation Requirements
- Architectural Façade treatments
- Integration with Mixed-Use vs. Stand-Alone

City	Location Factor	2012 Projected Costs \$/SF			
		Index=	2011	Missoula 2012	88.2 192.8
Atlanta	90.2		\$46.78		\$47.49
Baltimore	93.1		\$49.17		\$48.36
Chicago	114.9		\$62.23		\$49.60
Cleveland	99.5		\$52.94		\$48.72
Dallas	85.4		\$45.35		\$48.63
Denver	95		\$49.91		\$48.11
Detroit	103.2		\$54.59		\$48.44
Houston	88.3		\$46.09		\$47.80
Kansas City, Mo	102.1		\$54.53		\$48.91
Los Angeles	108.3		\$56.92		\$48.13
Miami	90.3		\$47.63		\$48.30
Minneapolis	109.8		\$59.74		\$49.82
New York City	130.7		\$70.62		\$49.48
Philadelphia	113.2		\$60.69		\$49.09
Phoenix	89		\$46.99		\$48.35
Pittsburgh	97.6		\$53.58		\$50.27
St. Louis	102.9		\$54.48		\$48.48
San Francisco	123.8		\$65.63		\$48.55
Seattle	103.9		\$55.76		\$49.14
Washington, D.C.	99.7		\$51.98		\$47.74
Winston/Salem, N.C.	76.5		\$40.14		\$48.05
National Average			\$53.72/SF		\$48.62/SF

DATA ANALYSIS SUMMARY OF KEY FINDINGS

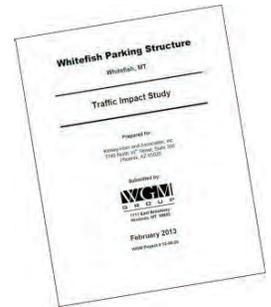


TRAFFIC IMPACT ANALYSIS - STUDIED INTERSECTIONS



The following intersections were identified for analysis in this study following consultation with the City public works department:

- 2nd Street and Central Avenue
- 2nd Street and Baker Avenue
- 1st Street and Central Avenue
- 1st Street and Baker Avenue
- 1st Street and Parking Structure Access



GEOTECHNICAL INVESTIGATION

- Native clay soils to approx. 110-ft
- Foundation Alternatives

Conventional Spread Footings with Ground Improvements

- » Rammed Aggregate Piers
- » High ground water – require casings
- » Vibration during installation – settlement of adjacent structures

Mat Foundation

- » High risk of excessive foundation settlement

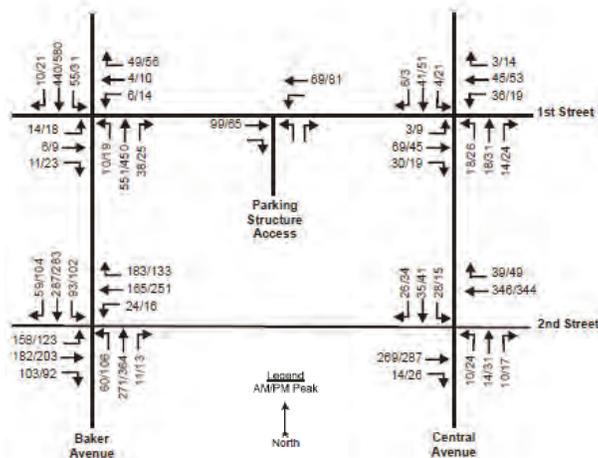
Deep Foundation - Recommended

- » End bearing driven piles at 120-ft to 150-ft depth

The parking structure traffic will not adversely impact traffic operations at the study intersections, except on the side-street approaches of 1st Street to Baker Avenue.

The projected westbound approach to Baker Avenue on First Street at the PM peak could experience LOS F, (52.4 second delays). It currently operates at a LOS D (28.0 second delays).

- The report points out that this estimate may be “overstated” because it is based 2015 traffic estimates during the peak Summer season and due to the fact that traffic driving to current parking locations was not deducted from the intersection before the parking structure was added.



The recommended approach to addressing the impacts at the 1st Street and Baker Avenue location is Equilibration and possibly an added turn lane

- No initial modification is recommended to see if the traffic projection is indeed overstated or if “Equilibration” will resolve any modest service level issues.
- If adjustments are deemed needed, the creation of an added right turn lane is recommended. This would result in a loss of several parking spaces along the north side of 1st Street and would improve intersection performance.

FINAL GARAGE DESIGN OPTIONS - TWO PRIMARY ALTERNATIVES

Note: All options comply with current city code and height restrictions.

ALTERNATIVE #1a

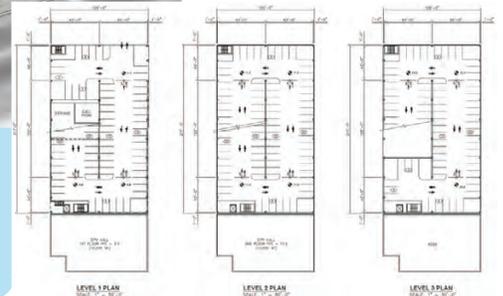
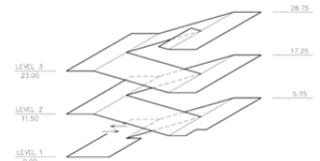
2 Story City Hall along 2nd Street



PARKING TABULATION

LEVEL	SPACES	AREA
1	81	28,917
2	81	27,342
3	54	21,051
TOTAL	216	77,310

PARKING EFFICIENCY = 358 SQ FT/SPACE



alt
1a

ALT #1a: 2 STORY CITY HALL ALONG 2ND STREET

- » 2-Story City Hall (~ 10,000 SF per floor)
- » Garage and City Hall buildings are separate structures

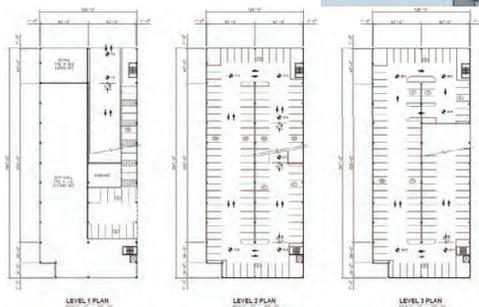
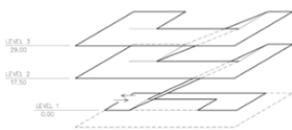
PARKING TABULATION

LEVEL	SPACES	AREA
1	43	18,000
2	114	37,022
3	76	27,336
TOTAL	233	82,358

PARKING EFFICIENCY = 353 SQ FT/SPACE

ALTERNATIVE #2

1 Story City Hall along Baker Avenue



alt
2

ALT #2: 1 STORY CITY HALL ALONG BAKER AVENUE

- » 1-Story City Hall (~ 17,500 SF)
- » Includes optional ground-level retail space at corner of Baker Avenue and 1st Street.

FINAL GARAGE DESIGN OPTIONS - TWO ALTERNATIVES

Note: All options comply with current city code and height restrictions.

ALTERNATIVE # 1a1

2 Story City Hall along 2nd Street with a third floor for City Hall Council Chambers



PARKING TABULATION

LEVEL	SPACES	AREA
1	81	28,917
2	81	27,342
3	54	21,051
TOTAL	216	77,310

PARKING EFFICIENCY = 358 SQ FT/SPACE

ALT #1a1: 2 STORY CITY HALL ALONG 2ND STREET WITH 3RD FLOOR COUNCIL CHAMBERS

- » 2-Story City Hall (~ 7,600 SF per floor) with a slightly smaller footprint
- » Alt. #1a1 includes City Hall Council Chambers on a 3rd floor

alt
1a1



ALT #2a: 1 STORY CITY HALL ALONG BAKER AVENUE WITH 2ND FLOOR COUNCIL CHAMBERS

- » 1-Story City Hall (~ 16,800 SF)
- » 1-Story City Hall with 2nd Floor Council Chambers and Retail along 2nd Street

alt
2a



PARKING TABULATION

LEVEL	SPACES	AREA
1	81	28,917
2	81	27,342
3	54	21,051
TOTAL	216	77,310

PARKING EFFICIENCY = 358 SQ FT/SPACE

ALTERNATIVE # 2A

1 Story City Hall along Baker Avenue with City Hall Council Chambers located on the 2nd Level along First Street looking North





REVIEW OF GARAGE OPTIONS COMPARISON MATRIX

Key Metrics

- Total # of spaces
- Total square footage
- Estimated Construction cost
- Estimated Project cost
- Garage efficiency (Sq. ft./space)
- City Hall Layout cost

PARKING GARAGE ALTERNATIVES COMPARISON MATRIX	SITE / GARAGE LAYOUT ALTERNATIVES			
	2nd and Baker			
	1-A	1-A-1	2	2-A
Significant Design Features	Both bays sloping 4.6%	Both bays sloping 4.3%; 3rd Floor Council Chambers	One bay sloping 5.5%; express entry ramp 8.0%	One bay sloping 5.5%; express entry ramp 8.0%; 2nd Floor Council Chambers
Total Number of Spaces	216	226	233	212
Number of Levels	2F + 1	2F + 1	2F + 0.5	2.5F + 0.5
Parking Garage Footprint	217-ft x 126-ft	226-ft x 126-ft	297-ft x 126-ft	297-ft x 126-ft
Square Feet - Slab-on-Grade	24,192	25,830	15,813	15,813
Square Feet - Framed	53,118	53,970	66,545	60,749
Square Feet	77,310	79,800	82,358	76,562
Sq. Ft. Per Car	358	353	353	361
Total Estimated Construction Cost	\$4,917,000	\$5,071,000	\$5,533,000	\$5,293,000
Total Estimated Construction Cost per Space	\$22,764	\$22,438	\$23,747	\$24,967
Total Estimated Project Cost	\$5,757,000	\$5,920,000	\$6,410,000	\$6,155,000
Total Estimated Project Cost per Space	\$26,652.78	\$26,194.69	\$27,510.73	\$29,033.02
Existing Surface Parking Loss	(40)	(40)	(40)	(40)
Net Space Gain	176	186	193	172
Total Estimated Construction Cost per Net Space Gain	\$27,938	\$27,263	\$28,668	\$30,773
Max Ramp Slope (Parking)	4.6%	4.3%	6.0%	6.0%
% of Flat Parking (includes slopes 2.5% and less)	38%	40%	76%	75%
Zoning Height Restrictions	below	below	below	below
Top Level of Parking FFE	28.75	28.75	29.00	29.00
Top Level of Parking Parapet Elevation	32.25	32.25	32.50	32.50

F = indicates Framed ▲ F + 1 = indicates Framed Plus Slab-on-Grade Level

PARKING GARAGE ALTERNATIVES COMPARISON MATRIX	SITE / GARAGE LAYOUT ALTERNATIVES							Robert Peccia and Associates Design	Robert Peccia and Associates Design with City Hall
	2nd and Baker								
	1-A	1-A-OH	1-B	1-B-OH	1-C	1-C-OH	2		
Significant Design Features	Both bays sloping 4.5%	Both bays sloping 4.5%	Baker bay sloping 3.4%; alley bay sloping 5.8%	Baker bay sloping 3.4%; alley bay sloping 5.8%	Alley bay sloping 5.5%; Baker bay flat; jump ramp	Alley bay sloping 5.5%; Baker bay flat; jump ramp	both bays sloping at 4.5%		
Total Number of Spaces	217	252	217	252	191	264	223	218	194
Number of Levels	2F + 1	2.5F + 1	2F + 1	2.5F + 1	1.5F + 1	2.5F + 1	2F+0.5	2F+1	2F+1
Parking Garage Footprint	217-ft x 126-ft	217-ft x 126-ft	217-ft x 126-ft	217-ft x 126-ft	217-ft x 126-ft	217-ft x 126-ft	297-ft x 126-ft	240-ft x 130-ft	218-ft x 130-ft
Square Feet - Slab-on-Grade	24192	24192	24192	24192	24444	24444	9356		
Square Feet - Framed	52284	65955	52284	65955	44541	71883	70815		
Square Feet	76476	90147	76476	90147	68985	96327	80171	84233	75785
Sq. Ft. Per Car	352	358	352	358	361	365	360	386	391
Cost per Sq. Ft. Slab-on-Grade	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
Cost per Sq. Ft. Framed	\$65	\$65	\$65	\$65	\$65	\$65	\$65	\$65	\$65
Total Estimated Construction Cost	\$4,608,060	\$5,496,675	\$4,608,060	\$5,496,675	\$4,117,365	\$5,894,595	\$5,070,775	\$5,222,446	\$4,698,670
Total Estimated Construction Cost per Space	\$21,235	\$21,812	\$21,235	\$21,812	\$21,557	\$22,328	\$22,739	\$23,956.17	\$24,219.95
Existing Surface Parking Loss	(40)	(40)	(40)	(40)	(40)	(40)	(40)	(40)	(40)
Net Space Gain	177	212	177	212	151	224	183	178	154
Total Estimated Construction Cost per Net Space Gain	\$26,034	\$25,928	\$26,034	\$25,928	\$27,267	\$26,315	\$27,709	\$29,340	\$30,511
Max Ramp Slope (Parking)	4.6%	4.6%	5.8%	5.8%	5.5%	5.5%	6.0%	5.8%	5.8%
% of Flat Parking (includes slopes 2.5% and less)	38%	36%	38%	36%	47%	43%	70%	83%	less than 50%
Zoning Height Restrictions	below	exceeds	below	exceeds	below	exceeds	below	below	below
Top Level of Parking FFE	26.75	34.50	30.25	34.50	23.00	34.50	29.00	26.75	26.75
Top Level of Parking Parapet Elevation	30.25	38.00	33.75	38.00	26.50	38.00	32.50	30.25	30.25



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

2008 Parking Supply/Demand Study Update

Kimley-Horn and Associates, Inc. (KHA) is currently contracted with the City of Whitefish (City) to explore several options for parking garage development within the downtown area. KHA and the City agreed that it would be prudent to review and update the “Parking Demand & Preliminary Financial Analysis” report developed by Walker Parking Consultants (WPC) in April 2008. This letter report summarizes our review of the 2008 study and focuses on three primary elements. These key elements include:

- A confirmation of the on-street parking inventory and an update of occupancy data for current conditions
- A critical assessment of the “peak month seasonal adjustment factor” used in the WPC report
- A review of accessible parking based on a recent inquiry from a local citizen.

Parking Inventory and Occupancy

As part of the August 2012 project kick-off meeting trip to Whitefish, MT, KHA staff collected on-street parking inventory and occupancy data within the retail core area, which is defined in the 2008 report as the two block width of downtown centered on Central Avenue, extending south to Fourth Street and extending north to Depot Street.

Figure 2: Retail Core Sub-Area and Time Limited Parking Zones



1) The Retail Core Sub-Area is shown in purple. Time-limited parking zones are indicated in orange. Most of the time-limited parking within the downtown is 2hr with the exception of a few small 20-min or 15-min zones.

Source: Walker Parking Consultants 2008





PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

The following tables provide inventory and occupancy data for on-street spaces from the April 2008 study and the data collected by **KHA** in August 2012. Note that not every parking space was counted as part of the updated data collection; instead focus was put on the block faces within the retail core area to obtain general comparisons from 2008 to 2012.

2008 Report Parking Inventory and Occupancy			
Block No.	2008 Inventory	2008 Occupancy	
1	23	9	39%
2	59	30	51%
8	34	18	53%
9	58	29	50%
13	39	31	79%
14	42	29	69%
18	48	35	73%
19	39	25	64%
24	29	17	59%
25	15	17	113%
Total	386	240	62%

KHA 2012 Parking Inventory and Occupancy			
Block No.	2012 Inventory	2012 Occupancy	
1	23	6	26%
2	59	34	58%
8	31	26	84%
9	56	39	70%
13	34	28	82%
14	41	34	83%
18	40	28	70%
19	32	30	94%
24	43	16	37%
25	19	6	32%
Total	378	247	65%

In general, there was a small decrease in supply (8 spaces) due to spaces being taken out of service and slight increase in demand (from 62% to 65%).



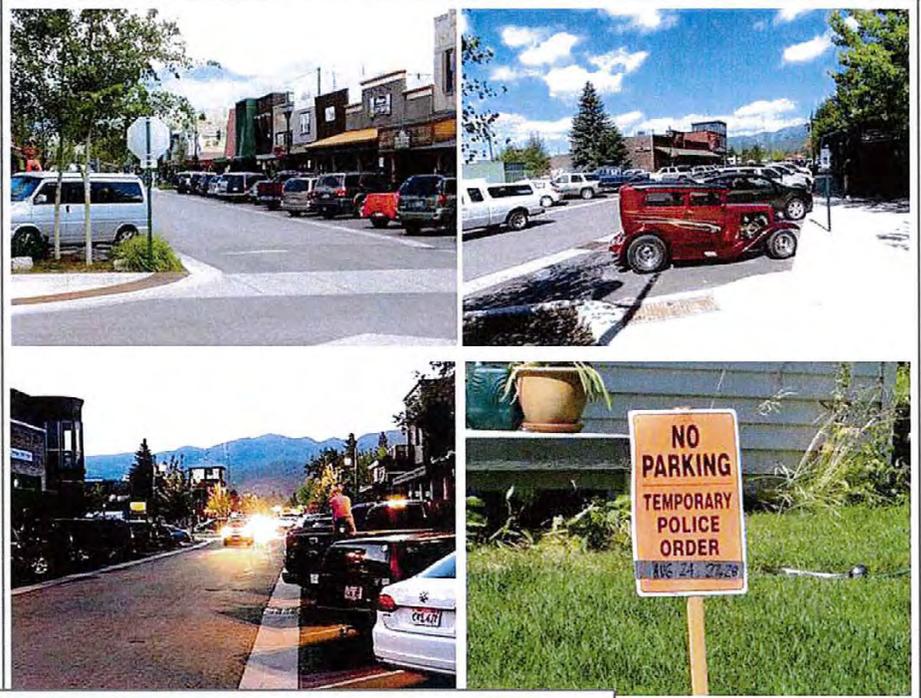
Kimley-Horn
and Associates, Inc.



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

The 2008 study collected parking occupancy every three hours on a typical weekday and weekend. This 2012 “update” only represents an “occupancy snapshot” taken between 1:00 PM and 3:00 PM on Thursday August 23rd, 2012. However, it does confirm that the general demand conditions have not changed significantly from the original study.



As part of this 2012 effort, every off-street parking area was not specifically counted, however off-street lots were observed and based on photo documentation the demand appeared to be consistent with the findings of the 2008 study.



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Peak Month Seasonal Adjustment Factor

The 2008 study utilized a planning approach referred to in the industry as a “design day adjustment factor - or in their lexicon, a “peak month seasonal adjustment factor”. This factor is intended to take into account the difference between the month in which occupancy data was collected and the actual peak parking demand month based on historical fluxuations due to seasonal demand differences. We endorse and support the use of this concept. However, questions were raised about the fact that the 2008 study used traffic data collected in 2006 from US Route 2 (1.5 miles north of Columbia Falls Heights, i.e., not directly related to Downtown Whitefish) as the basis for their peak month seasonal adjustment factor. The result was an adjusted increase in parking demand of 37%, representing the increase in parking demand from the month data was collected (June) to the peak parking demand month (July). While the increase in peak demand based on traffic volumes is credible, some in the community thought that a more downtown specific metric might be more appropriate.

In discussions with the City and others, a review of the resort tax report data was identified as a potential option upon which the peak month seasonal adjustment factor might be based. The resort tax report data documents taxes paid throughout the year on a monthly basis by category, including lodging, bars & restaurants, and retail, which might better track with downtown monthly parking demand. However, if visitors to downtown did not make purchases during these visits then the parking demand would be under represented by this data.

The following tables show Resort Tax Report data and associated monthly adjustments.

Annual Resort Tax Report Data	
Year	Total Tax
FY 2008	\$ 1,722,581
FY 2009	\$ 1,746,436
FY 2010	\$ 1,593,041
FY 2011	\$ 1,711,629
FY 2012	\$ 1,830,063



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Monthly Resort Tax Report Data		
Month	Total Tax	% Increase
June 2010	\$ 193,804	
July 2010	\$ 237,047	22%
June 2011	\$ 187,215	
June 2011	\$ 247,621	32%

The tables above provide annual Resort Tax Report data for FY2008 through FY2012, as well as specific monthly revenues in June and July for FY2010 and FY2011. Only the months of June and July are presented because the previously completed 2008 parking study documented parking data collected in June and projected an increase to a peak month of July, by a factor of 37%. Furthermore, the specific months of June and July were only provided for FY2010 and FY2011 within the Resort Tax data.

Given the above resort tax data that was available, the recommended Peak Month Seasonal Adjustment Factor is 32%. Rather than recommending an average of the presented monthly adjustment percentages (27%, with is the average of 22% and 32%), the 22% increase from June 2010 to July 2010 is excluded as the annual Resort Tax total for that year is atypically low based on the years before and after that year. Therefore, the June to July increase of 32% in 2011 is recommended as a defensible metric for estimating the relative increase between the 2 months.

Other Issues

Through the public outreach process related to this project we received a call from a local citizen with mobility impairments expressing some concerns about accessible parking issues. We assured her that we would be considering accessibility issues carefully as it related to our scope of services in development parking structure options. In addition, we reviewed the amount of accessible parking currently provided as documented in the 2008 study and found it to meet ADA and local code requirements. However, meeting code does not always translate into meeting the actual demand. KHA will provide the City with a process we have developed for measuring and monitoring accessible parking spaces on an on-going basis in order to identify any potential demands that may exist beyond code requirements.



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Summary

This document updates the parking inventory and occupancy within the retail core area of Downtown Whitefish from the 2008 study and concludes that the basic parking supply and demand conditions remain consistent with a slight increase in documented on-street occupancy.

A critical review of the “peak month seasonal adjustment factor” assessed the potential impact on the study’s recommendations if the traffic data approach used in the 2008 study was replaced with an analysis based on Resort Tax data provided by the City. This approach resulted in a lower seasonal adjustment; however, the bottom line is that even if the lower seasonal adjustment factor were utilized the overall study recommendations supporting the need for additional parking are still valid in our opinion. The key factor that needs to be kept in mind is the need to provide adequate and convenient parking infrastructure to support the current and projected retail and commercial core of the downtown.



How is the Parking Paradigm Shifting?

Eight Key Areas

1. Embracing Innovation
2. Leveraging Technology
3. Improved Planning
4. Advancing Program Branding, Marketing & Communications
5. Community Partnering
6. Reinventing the Urban Environment
7. Creating Sustainable Programs
8. Enhancing the EXPERIENCE!



Alternate 1A - Aerial

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



Alternate 1A - Street View @ Second Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013

MMW



Alternate 1A - First Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013

MMW



Alternate 1A-1 - Aerial

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 M M W



Alternate 1A-1 - Street View @ Second Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 MMW



Alternate 1A-1 - First Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013

MMW



Alternate 2 - Aerial

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 MMW



Alternate 2 - Street View @ Second Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



Alternate 2 - First Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



Alternate 2A - Aerial

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 MMW



Alternate 2A - Street View @ Second Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



Alternate 2A - First Street & Baker Ave

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013

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Alternate 1 NW - 2nd Street & Baker Ave.

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 MMW



Alternate 1 NW - Street View @ Second Street

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 MMW

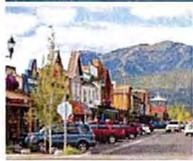


Alternate 2 - City Hall Entrance @ Baker Avenue

WHITEFISH PARKING STRUCTURE & CITY HALL FEASIBILITY STUDY
SECOND STREET & BAKER AVE



MAR 4, 2013 M M W



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Estimated Parking Garage Operations and Maintenance Cost Ranges

Operations and maintenance expenses can vary greatly from one location to another due to (but not limited to) the following factors:

- How the facility is operated
- Maintenance levels
- Expense requirements
- Levels of utilization
- Equipment utilized
- Environment

The following table illustrates this variability in operating costs:

Location:	Facility #1	Facility #2	Facility #3	Facility #4
Method of Operation:	Standard Cashier	Standard Cashier	Standard Cashier	Standard Cashier
Number of Parking Spaces:	903	744	495	413
Total Operating Costs:	\$416,400	\$519,100	\$361,800	\$349,400
Cost per Space:	\$461	\$698	\$731	\$846

Note: Standard cashier refers to traditional exit cashiering, with no automated equipment.

Operations

Includes items such as:

- Labor
- Maintenance
- Utilities
- Misc. Expenses
- Management Fee/Overhead
- Insurance
- Marketing

Industry sources generally place the range of parking garage operating expenses in the range of \$375 - \$700/space/year.

It is also recommended that a maintenance reserve fund be created to address future structural and maintenance expenses that are natural for this type of facility. Maintenance items covered by this fund generally include items such as:

- Concrete cracks/spalls
- Expansion Joints
- Caulk joints
- Paint



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

The amount recommended for maintenance reserve set-asides vary by the age of the facilities. The table below provides some general guidelines:

<u>Age of Deck</u>	<u>Cost</u>
0-10 years	\$75-\$200/space/year
10-20 years	\$300-\$400/space/year
20+ years	\$500/space/year

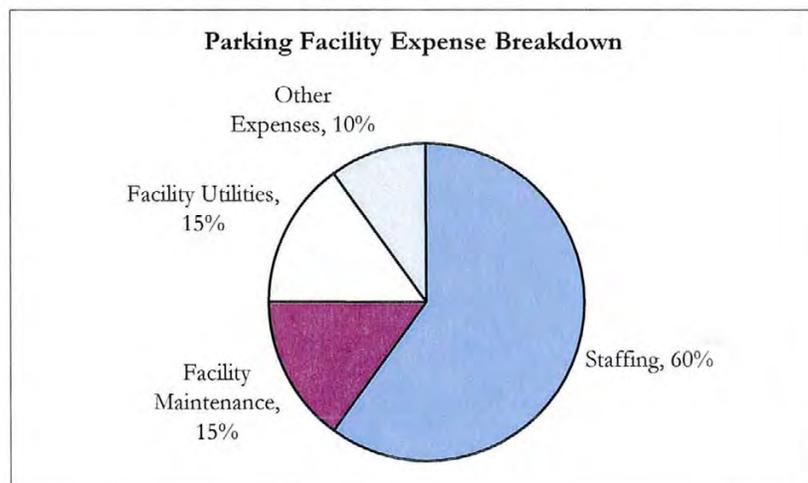
Expenses by Major Category

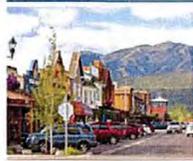
The table below breaks down typical parking garage operating expenses by major categories:

Expense Item	Expense Range (per space)
Labor	\$230 - \$350
Maintenance	\$30 - \$100
Utilities	\$50 - \$100
Other Expenses	\$40 - \$60
Management Fee/Overhead	\$25 - \$50
Insurance	\$7 - \$25
Marketing	\$5 - \$7
Total Range	\$387 - \$692

Note: Assumes traditional exit cashier facility. Does not include security.

Maintenance costs are identified in the \$30 - \$100 annual cost per space range or approximately 15% of annual operating expense costs.





PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Structural System Maintenance Comparison

Parking garage maintenance costs can also vary by the type of structural system used. The following table compares relative differences in maintenance between the two predominant parking garage structural systems in use today precast concrete and cast-in-place-posttensioned concrete. This is not an all-inclusive estimate of maintenance costs. The information below only is meant to illustrate the potential differences between structural systems.

Structural System Maintenance Comparison									
Maintenance Items		Precast			Cast in Place, Post-Tensioned			Diff	
		Quantity	Total Cost	\$/car/Year	Quantity	Total Cost	\$/car/Year		
		No Cars	750		No Cars	750			
		No Lvl's	5		No Lvl's	5			
		Length	380		Length	380			
		Width	120		Width	120			
		Efficiency	304		Efficiency	304			
Unit Price	Time	Quantity	Total Cost	\$/car/Year	Quantity	Total Cost	\$/car/Year	\$/car/Yr	
floor joint sealants	\$4.50 lf 6	34,800	\$156,600.00	\$34.80	6,000	\$27,000.00	\$6.00	\$28.80	
architectural sealants	\$3.50 lf 10	1,000	\$3,500.00	\$0.47	1,000	\$3,500.00	\$0.47	\$0.00	
expansion joints	\$85.00 lf 10	600	\$51,000.00	\$6.80	600	\$51,000.00	\$6.80	\$0.00	
penetrating sealer	\$1.00 sf 5	45,600	\$45,600.00	\$12.16	45,600	\$45,600.00	\$12.16	\$0.00	
traffic coating	\$3.50 sf 10	5,000	\$17,500.00	\$2.33	5,000	\$17,500.00	\$2.33	\$0.00	
slab patching	\$35.00 sf 15	570	\$19,950.00	\$1.77	2,280	\$79,800.00	\$7.09	(\$5.32)	
beam and column patching	\$30.00 sf 15	114	\$3,420.00	\$0.30	570	\$17,100.00	\$1.52	(\$1.22)	
rot and seal cracks	\$4.50 lf 10	200	\$900.00	\$0.12	1,000	\$4,500.00	\$0.60	(\$0.48)	
replace bearing pads	\$75.00 ea 20	317	\$23,750.00	\$1.58	0	\$0.00	\$0.00	\$1.58	
rehab connections	\$25.00 ea 20	127	\$3,166.67	\$0.21	0	\$0.00	\$0.00	\$0.21	
added drains & piping	\$2,000.00 ea 20	10	\$20,000.00	\$1.33	10	\$20,000.00	\$1.33	\$0.00	
maintain lighting	\$65.00 ea 1	338	\$21,955.56	\$29.27	268	\$17,435.29	\$23.25	\$6.03	
misc	\$0.25 sf 1	228,000	\$57,000.00	\$76.00	228,000	\$57,000.00	\$76.00	\$0.00	
			\$424,342.22	\$167.16		\$340,435.29	\$137.55	\$29.61	
								21.5%	

Assumptions:

- 1) The intent of the above information is to compare relative differences in maintenance between structural systems.
- 2) This is NOT an all-inclusive maintenance cost. The above only represents potential differences between structural systems.
- 3) Other maintenance items which are anticipated to be relatively equivalent between systems are not listed.
- 4) Both structural systems are detailed and constructed in accordance with ACI 302
- 5) Precast is based on factory-topped DT's

Double Tee Width	12 ft
Precast Slab Patching	0.25% of floor area
CIP Slab Patching	1.00% of floor area
Precast Beam and Column Patching	0.05% of floor area
CIP Beam and Column Patching	0.25% of floor area
Bearing Pads	25.00% of DT stems
Rehab Connections	10.00% of DTs
Precast Lighting	675 sf per fixture
CIP Lighting	850 sf per fixture



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

A question was raised at the third City Council work session as to whether there are other communities the size of Whitefish that have invested in parking structures. We promised to look into this question.

A limited internet survey quickly revealed at least four such communities. These included:

- Aspen, Colorado – Which has a permanent resident population of 6,658 (as of the 2010 census)
- Traverse City, Michigan – Population 14,674 (as of the 2010 census)
- LaGrange, IL – Population 15,608 (as of the 2010 census)
- Greencastle, IN – Population 10,326 (as of the 2010 census)

All of these small communities considered the investment in structured parking to be part of larger economic development strategy. A little background on each example is provided below:

Traverse City, MI

Traverse City is a city in the U.S. state of Michigan. It is the county seat of Grand Traverse County, although a small portion extends into Leelanau County. It is the largest city in the 21-county Northern Michigan region. The population was 14,674 at the 2010 census, with 143,372 in the Traverse City micropolitan area.

Traverse City actually has three parking structures including two newer structures developed as components of larger mixed-use projects.

The site located on 314 East Front Street in Traverse City has been transformed into a four-story retail and office building complete with a publicly owned and operated \$8 million parking deck built by the DDA. The taxable value has appreciated by 900% since 2001 and the entire project has created more than 70 jobs.

The private investment for this project was over \$10 million, with the brownfield plan projected to be completed in 2026. A conservative estimate would reveal that the increase in tax revenues is substantial. As this project is located within the DDA TIF Plan, the state school tax and the Traverse Bay Intermediate School District (TBISD) will recognize the increase in tax base at the end





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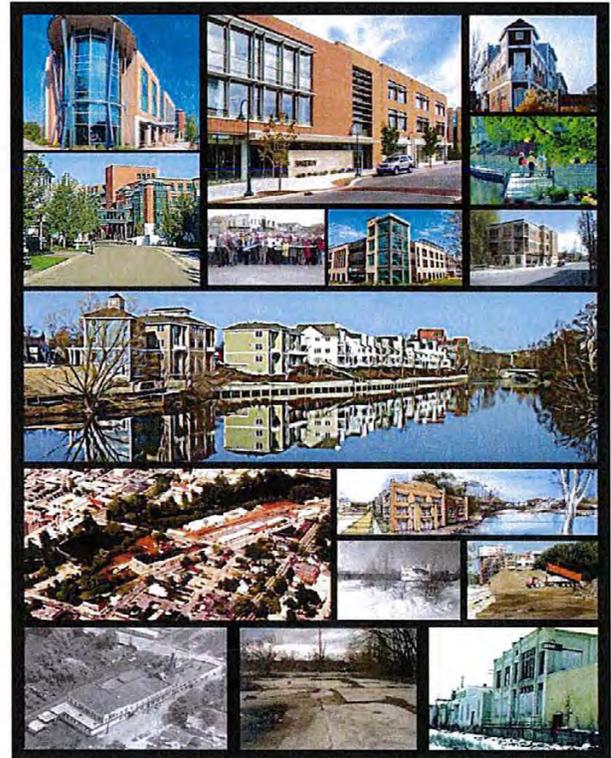
Feasibility and Concept Design Study for City of Whitefish, Montana

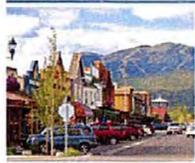
of the brownfield financial plan. The direct benefit to the TBISD is clear, 1999 the TBISD received \$1,579.91 in yearly taxes. In 2026, the projected yearly taxes for TBISD are \$21,011.

In a second project, working with Hagerty Insurance, the Downtown Development Authority, and the Brownfield Authority we were able to amend the Brownfield plan for Rivers Edge to utilize tax capture from Hagerty's planned investment to construct a public parking deck that meet not only Hagerty's employee parking needs but also downtown's parking needs. The \$7.9 million, 522-space, four-level structure opened in August 2010, and was the first LEED certified parking deck in Michigan.

The planning process is tightly tied to economic development (*focused on growth*) which, at least for the DDA, appears to be the primary concern. They rightly acknowledge the success over the past 15 years of developing the downtown and how the DDA's Tax Increment Financing (TIF) & Development Plan includes walkability as one of its missions.

The mission, *Enhance the pedestrian experience* calls for street furniture, pedestrian bridges over the Boardman, a tunnel under Grandview, eliminating the 'experience of walking by parking lots' and other *enhancements*. The other three missions are: *Protect downtown's small town character, Make better use of the land, and Maintain historic buildings*. This is largely accomplished by capturing tax dollars generated through new development before the money goes to the city's general fund.





PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Aspen Colorado

Aspen is a town, city, and ski resort community in Pitkin County, Colorado, United States. It is the county seat of Pitkin County and is in a remote area of the Rocky Mountains' Sawatch Range, along the Roaring Fork River at an elevation just below 8,000 feet (2,400 m) above sea level on the Western Slope, 11 miles (18 km) west of the Continental Divide. As of the 2010 census, there were 6,658 permanent residents.

Much like Whitefish, the population in Aspen swells during both the summer and winter peak seasons due to tourism. The garage in Aspen was developed to address the needs of Aspen's main shopping and dining areas. These areas are analogous to Whitefish's Central Avenue – a compact and walkable shopping district. The parking investment is not a function of overall community population, but rather serving the specialized retail parking needs of concentrated retail district.

The screenshot shows the website for the City of Aspen & Pitkin County. The main navigation bar includes links for Home, Sitemap, Map of the Valley, Contact Us, and Login. Below this are tabs for Dept Lists, Exploring the Valley, Doing Business, Living in the Valley, and What's New?. The breadcrumb trail reads: Home » Dept Lists » All Departments » Parking » Public Parking Garage. The page title is "Public Parking Garage". A sidebar on the left lists various parking categories such as Bicycle, Scooter, Motorcycle, Commuter Parking, Core & Residential Mans, Event Parking, Handicapped Parking, How to Use Pay Stations, Impound & Towed, Off-Season Parking, Parking in Downtown Core, Parking in Residential Area, Parking Rates, Pay by Phone, Public Parking Garage, Service & Construction, Ticket Disputes, Ticket payment options, and FAQ. The main content area is titled "Rio Grande Parking Garage" and features a photograph of the parking structure. Below the photo, the text describes the facility: "The Rio Grande Parking Plaza provides convenient covered parking a short walk from Aspen's main shopping and dining areas at 427 Rio Grande Place." It provides directions: "From Main street, turn North on Mill Street and travel one block. Turn East on Rio Grande Place and we are located on the South side of the street." It also states: "The parking facility operates 24 hours per day, seven days a week. For information please call (970) 920-6430." A list of rates is provided: "\$1.50 per Hour", "\$15.00 Daily Maximum", "\$50.00 10-Visit pass*", "\$200.00 Monthly pass*", and "\$15.00 Lost Ticket fee". A note says "*available for purchase during booth hours". Other details include "Garage Clearance 7 feet-2 inches" and "Vehicle storage not available. Motorcycles and trailers prohibited".



PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

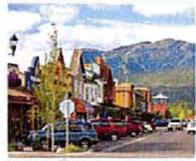
La Grange, IL

La Grange, a suburb of Chicago, is a village in Cook County, in the U.S. state of Illinois. The population was 15,608 at the 2000 census.

While most of the parking in the Village of La Grange is still surface lot parking, the core area needed additional parking capacity to serve the needs of the retail needs that had developed in the vicinity of Village Hall area.

The driver for this investment was again related to providing “shopper friendly” parking to support the concentration of retail uses that developed along with the Village Hall restoration project.





PARKING STRUCTURE

Feasibility and Concept Design Study for City of Whitefish, Montana

Greencastle, IN

Greencastle is a city in Greencastle Township, Putnam County, Indiana, United States, and the county seat of Putnam County. The population was 10,326 at the 2010 census. It is located near Interstate 70 between Terre Haute and Indianapolis in the west-central portion of the state.

Officials expect work to start next year on a nearly \$3.6 million parking garage near a small central Indiana city's courthouse square. Plans are for the two-story, 150-space parking garage in downtown Greencastle to be built on a spot that now includes a surface parking lot and a vacant lot a block from the Putnam County Courthouse and a few blocks from the main entrance to DePauw University's campus.

The Banner Graphic reports that about \$3.3 million for the project is coming from a state and federal grant and \$300,000 from the Greencastle Redevelopment Commission. The image below is a architect's rendering of the proposed project.



Parking Structures & Successful Retail Streets

January 30, 2013

CRANDALL ARAMBULA
www.ca-city.com

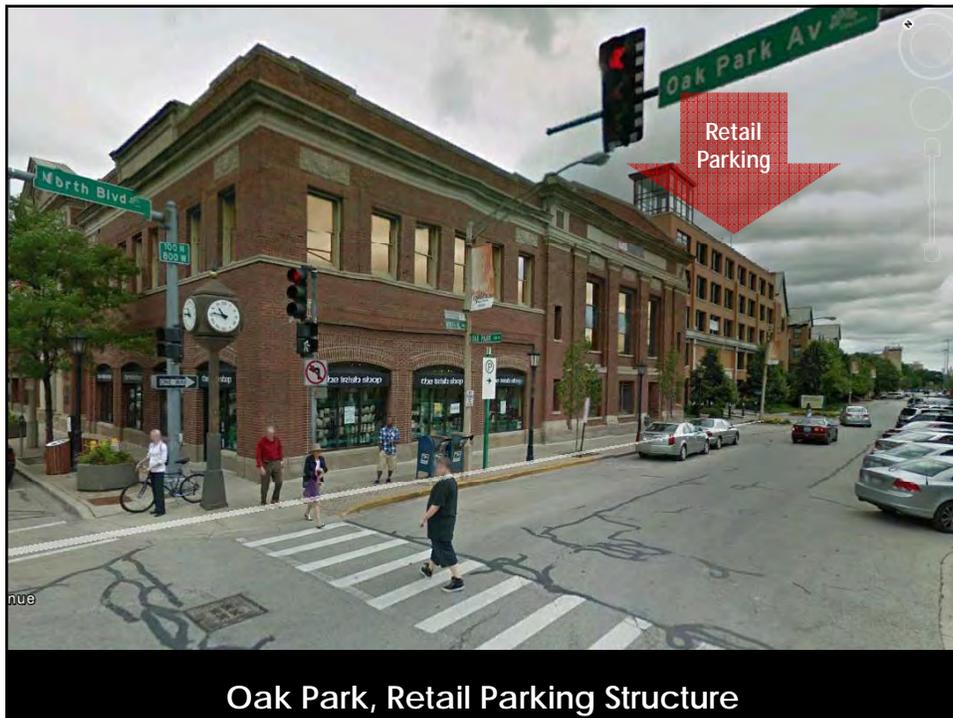








Oak Park, Illinois, Historic Shopping District



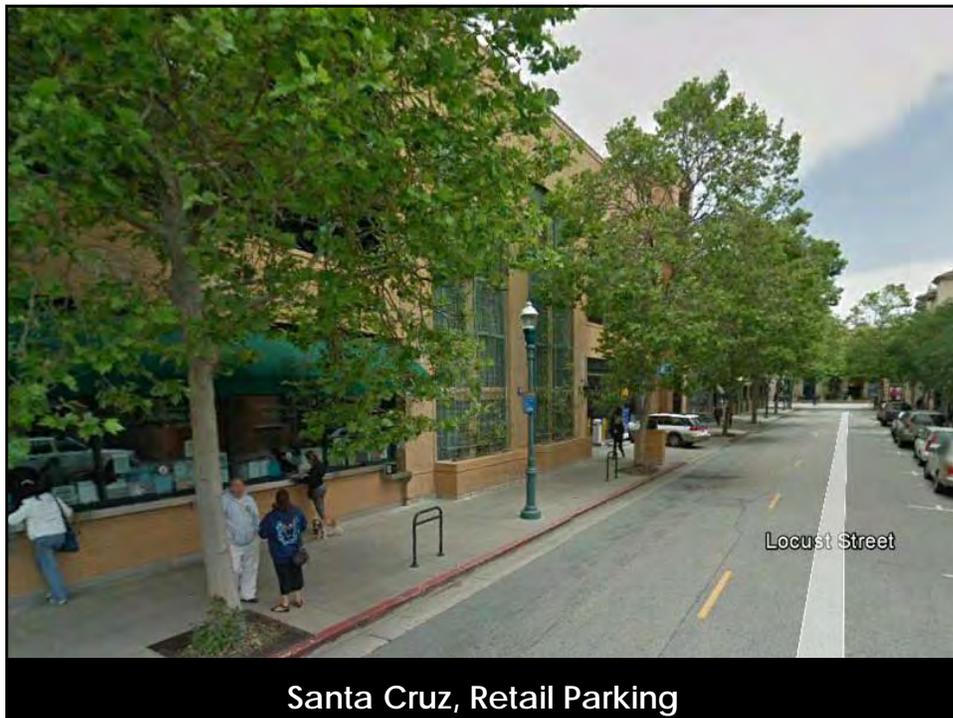
Oak Park, Retail Parking Structure

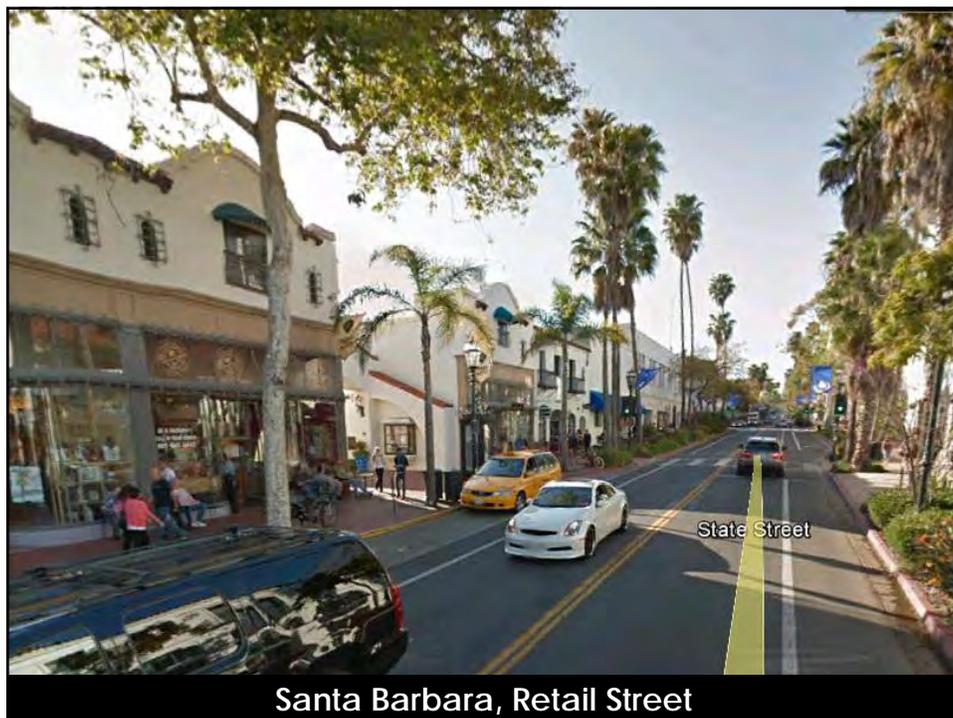


Santa Cruz, California



Santa Cruz, Retail Street









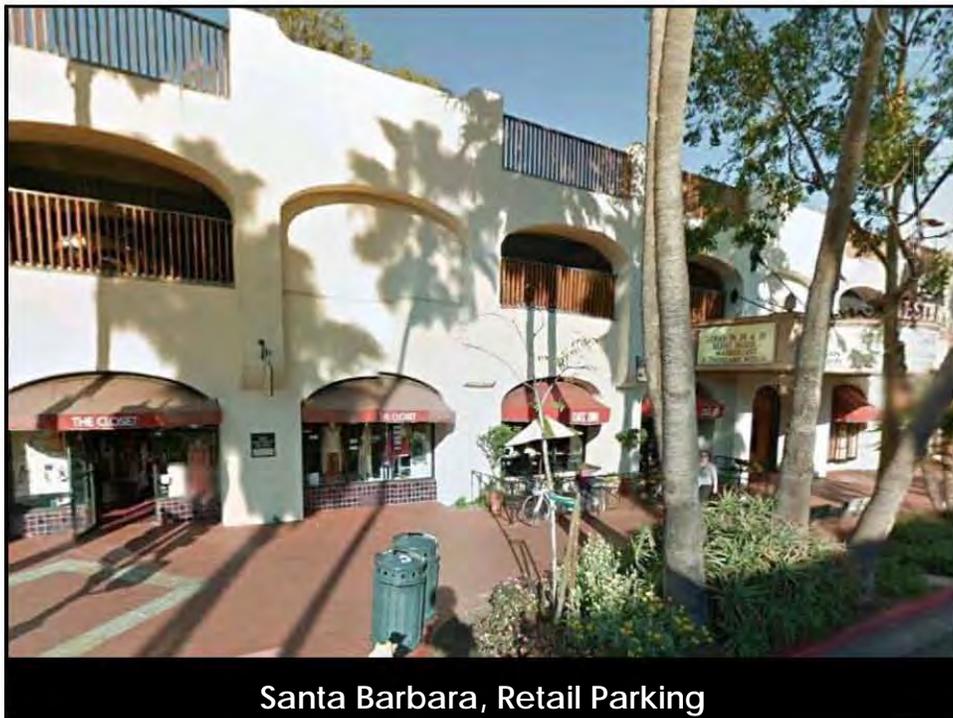
Santa Barbara, Retail Parking



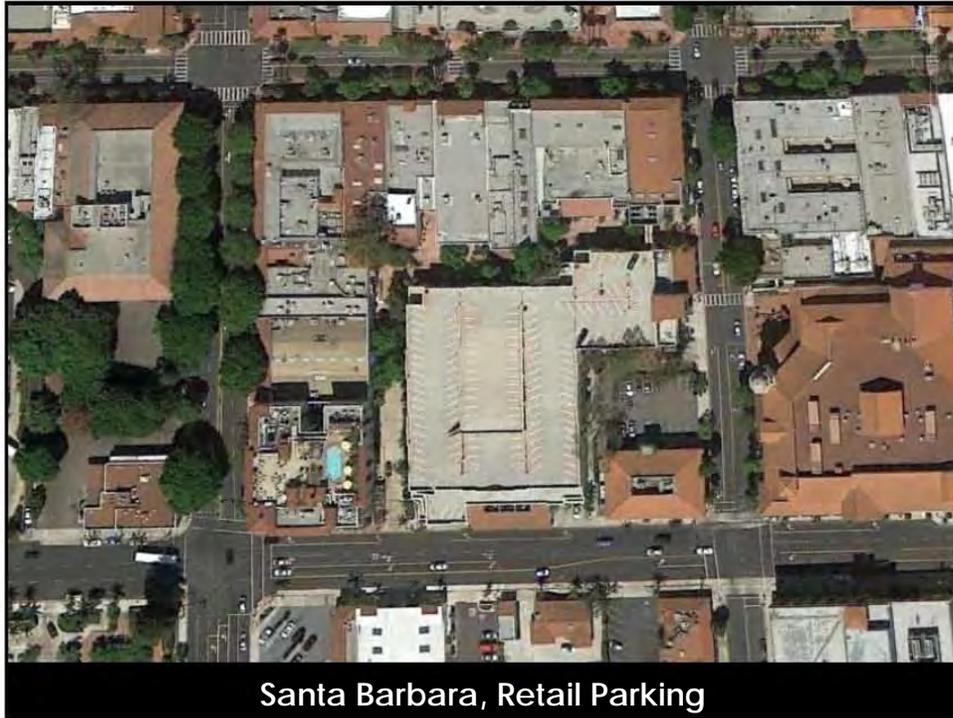
Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking

Site	Lot Numbers	Dimensions	Area	Actual or Estimated Acquisition cost	Source of Information	Acquisition Cost per Sq. Ft	Actual or estimated Construction Cost		# of Spaces	Actual or Estimated Construction Cost/space	Total Cost	Total Cost per space
Existing Surface Lot at 2nd and Spokane - Block 35	1-12	300 X 130	39,000	\$1,463,000	actual	\$37.51	\$468,800	actual	82	\$5,717	\$1,931,800	\$23,559
Block 46 - SW portion only - existing gravel lot - Tract 2	Lots 19-25	175 X 130	22,750	\$1,592,500	estimate	\$70.00	\$273,467	estimate	47.83	\$5,717	\$1,865,967	\$39,010
Across from City Hall - Block 44	22-24	80 X 109	8,720	\$845,000	listing	\$96.90	\$104,819	estimate	18.33	\$5,717	\$949,819	\$51,805
JCCS/Calvary Church - Block 60 ***	13-24	300 X 130	39,000	\$1,940,000	2011 Options	\$49.74	\$468,800	estimate	82.00	\$5,717	\$2,408,800	\$29,376
Episcopal Church site - 2nd and O'Brien - Block 38	15-19 & S 1/2 of 20	100 X 109 plus 37.5 X 130	15,775	\$750,000	owner	\$47.54	\$189,624	estimate	33.17	\$5,717	\$939,624	\$28,329
Totals									181.34		\$6,164,209	\$33,993

*** Doesn't include any estimate of demolition costs

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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, April 15, 2013, at **7:10 p.m.** at City Hall, 402 East Second Street.

Ordinance numbers start with 13-04. Resolution numbers start with 13-04.

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) PRESENTATIONS
- 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)
- 5) COMMUNICATIONS FROM VOLUNTEER BOARDS
 - a) Annual review and consideration of approval for Whitefish Convention and Visitor Bureau marketing plan and lodging tax budget for FY14 (p. 85)
- 6) CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)
 - a) Minutes from the April 1, 2013 Council regular session (p. 106)
- 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 of an application from Whitefish Mountain Resort, on behalf of Winter Sports Inc., for a variance to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision. The property can be described as Lots 19-28, Northern Lights West, Phase 2 in S3, T31N, R22W (p. 114)
- 8) COMMUNICATIONS FROM PLANNING AND BUILDING DIRECTOR
 - a) Consideration of approving a consultant contract for the Whitefish Hwy 93 West Corridor Plan project (p. 132)

9) COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 145)
- b) Other items arising between April 10th and April 15th
- c) Resolution No. 13-___; A Resolution establishing annual goals for the City (p. 148)
- d) Third Quarter Financial Report – Assistant City Manager/Finance Director (p. 152)

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Standing budget item
- b) Selection of an elected official to serve on the Stormwater Improvement Project engineering selection committee
- c) Email from Douglas Chadwick on sign code (p. 160)
- d) Email from Nancy Nei on sign code (p. 162)

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



April 10, 2013

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

Mayor Muhlfeld and City Councilors:

Monday, April 15, 2013 City Council Agenda Report

There will be a work session beginning at 5:00 p.m. on a franchise agreement with Northwestern Energy followed by a work session on parking structures and options. We will provide food.

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

CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

- a) Minutes from the April 1, 2013 Council regular session (p. 106)

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

This item is an administrative 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) Consideration of an application from Whitefish Mountain Resort, on behalf of Winter Sports Inc., for a variance to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision. The property can be described as Lots 19-28, Northern Lights West, Phase 2 in S3, T31N, R22W (p. 114)

From Senior Planner Wendy Compton-Ring's transmittal memo:

Summary of Requested Action: WSI is requesting a variance to §12-3-11I(2)(a) of the Subdivision Regulations in order to extend the Subdivision Improvement Agreement for Northern Lights West, Phase 2 a second time for 24 months. The

property is zoned BMRR (Big Mountain Resort Residential). The Whitefish Growth Policy designates this property as “Planned Resort”.

Planning Board Action: The Whitefish City-County Planning Board met on March 21, 2013 and considered the request. Following the hearing, the Planning Board unanimously recommended approval of the above referenced variance with two (2) conditions as contained in the staff report and adopted the staff report as findings of fact.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced variance with two (2) conditions set forth in the attached staff report.

RECOMMENDATION: Staff respectfully recommends the City Council, after considering the staff recommendation, the Planning Board recommendation, and testimony at the public hearing, approve a variance to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision with two conditions and with the findings of fact in the staff report.

This item is a quasi-judicial matter.

COMMUNICATIONS FROM PLANNING AND BUILDING DIRECTOR

- a) Consideration of approving a consultant contract for the Whitefish Hwy 93 West Corridor Plan project (p. 132)

From Planning and Building Director Dave Taylor’s staff report:

The City Council authorized staff to pursue Request for Proposals (RFP) for a Highway 93 West Corridor Plan at the January 22nd meeting.

We had four responses to the RFP. Proposals were received from Applied Communications, WGM Group, Design Workshop, and CTA. A selection committee comprised of Mayor Muhlfeld, John Wilson, Wendy Compton-Ring, and Dave Taylor ranked all four proposals on a scale of 1-100. They also interviewed all four firms on March 25 and ranked the interview presentations on a scale of 1-100.

Three of the four reviewers ranked Applied Communications, LLC first, while the other had them a close second. It is the recommendation of the selection committee to award a contract for the Highway 93 West Corridor Plan to Applied Communications, LLC. Applied Communications, LLC, which is made up of professional planners Kathleen McMahon and Robert Horne, will team up with GSBS Richman as well as Geodata Services for this project. The majority of the selection committee felt that they had the strongest proposal. As a local firm, they have the most flexibility to attend steering committee and other meetings, have a great

familiarity with Whitefish and our adopted long range plans, as well as the necessary experience for a successful project. The interview committee also unanimously felt their proposal for evaluating the economic performance of the district was the strongest of all the applicants. They were also tied for least expensive proposal at \$50,000 and can complete the project within a 22 week timeline, slightly less than six months.

WGM Group came in a close second, and, as the firm doing the project design for the Highway 93 West Highway Improvement project, they also had a strong proposal and the planning experience to do a good job with the plan. Their proposed cost estimate was slightly higher at \$54,185. They also proposed to complete the project within six months.

Highlights of the winning proposal, including timelines and budgetary information, are attached to this memo in the packet.

Our relative scoring on a 2-200 basis and the combined totals are shown below:

Interviewer:	<i>Applied Communications</i>	<i>WGM Group</i>	<i>Design Workshop</i>	<i>CTA Group</i>
Dave Taylor	183	185	183	152
Wendy Compton Ring	183	169	169	144
Mayor Muhlfield	180	178	166	152
John Wilson	163	161	157	147
Total (800 max)	709	693	675	595

The contract, which will be negotiated after council approval, will not exceed \$50,000. \$25,000 will be paid for out of the Planning Department budget, and \$25,000 will be paid for out of TIF funds.

RECOMMENDATION: Staff respectfully recommends the City Council award a contract for the Highway 93 West Corridor Plan to Applied Communications, LLC in the amount of \$50,000.

This item is a legislative matter.

COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 145)
- b) Other items arising between April 10th and April 15th
- c) Resolution No. 13-___; A Resolution establishing annual goals for the City (p. 148)

Since 1999, the Mayor and City Council have met in annual retreats or work sessions with the City Manager to discuss and establish short and long term goals. These goals are important in order to prepare the annual budget and work plan for the subsequent fiscal year.

Mayor Muhlfeld and City Council members, met in a work session on April 1, 2013 with the City Manager, Assistant City Manager/Finance Director, and Department Directors to review and set priorities among the choices for goals. In that work session, the Mayor and City Council established seven short term goals, three long term goals, five on-going goals, and seven additional goals generated by and for the city's staff.

Until the budget is established, it is difficult to quantify the cost of resources for these goals. Most of the initial costs incurred for the goals will be city staff time to research, evaluate, and make recommendations on options for the Mayor and City Council. Ultimately, many of these projects involve capital and operating budgets to implement. As options are presented to the Mayor and City Council in the future, these options will typically have cost estimates prepared at that time.

RECOMMENDATION: City staff respectfully recommends that the City Council approve the resolution establishing short and long term goals.

This item is a legislative matter.

- d) Third Quarter Financial Report – Assistant City Manager/Finance Director (p. 152)

Rich Knapp has a full third quarter financial report in the packet. While the financial condition generally continues to improve, there are a few areas of concern that we are watching.

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Standing budget item
- b) Selection of an elected official to serve on the Stormwater Improvement Project engineering selection committee
- c) Email from Douglas Chadwick on sign code (p. 160)
- d) Email from Nancy Nei on sign code (p. 162)

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

Sincerely,



Chuck Stearns
City Manager

"Cheat Sheet" for Robert's Rules

Motion	In Order When Another has the Floor?	Second Required?	Debatable?	Amendable?	Vote Required for Adoption	Can be reconsidered?
Main Motion	N	Y	Y	Y	Majority unless other spec'd by Bylaws	Y
Adjournment	N	Y	N	Y	Majority	N
Recess (no question before the body)	N	Y	N	Y	Majority	N
Recess (question before the body)	N	Y	Y	Y	Majority	N
Accept Report	N	Y	Y	Y	Majority	Y
Amend Pending Motion	N	Y	If motion to be amended is debatable	Y	Majority	Y
Amend an Amendment of Pending Motion	N	Y	See above	N	Majority	Y
Change from Agenda to Take a Matter out of Order	N	Y	N	N	Two-thirds	N
Limit Debate Previous Question / Question	N	Y	N	Y	Two-thirds	Yes, but not if vote taken on pending motion.
Limit Debate or extend limits for duration of meeting	N	Y	Y	Y	Two-thirds	Y
Division of Assembly (Roll Call)	Y	N	N	N	Demand by a single member compels division	N
Division of Ques/ Motion	N	Y	N	Y	Majority	N
Point of Information	Y	N	N	N	Vote is not taken	N
Point of Order / Procedure	Y	N	N	N	Vote is not taken	N
Lay on Table	N	Y	N	N	Majority	N
Take from Table	N	Y	N	N	Majority	N
Suspend the Rules as applied to rules of order or, take motion out of order	N	Y	N	N	Two-thirds	N
Refer (Commit)	N	Y	Y	N	Majority	Neg. vote only

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WHITEFISH

• MONTANA •

CONVENTION & VISITORS BUREAU

April 9, 2013

Whitefish City Council
P.O. Box 158
Whitefish, Montana 59937

Dear Mayor Muhlfield and City Council,

I am pleased to present the Whitefish Convention and Visitors Bureau Fiscal Year 2014 Marketing Plan and Public Bed Tax Budget. This document must be presented to the State of Montana Office of Tourism by May 6, 2013 for approval by the Tourism Advisory Council. In order to receive vital Lodging Facility Use Tax Funds (Bed Tax), we need City Council to approve the WCVB FY 14 Public Budget at the April 15, 2013 meeting.

The tourism industry in Whitefish has had a very successful year. Resort Tax collections are up nearly 10.2% over last year. The Whitefish Bed Tax Collections were up 9% over last year. The ski season ended on a bit of a warm note but we were able to produce record skier visits and resort revenue thanks to many factors- snow, Canadian visitors, Amtrak promotions, and targeted, effective marketing of Whitefish.

The WCVB Board of Directors will be in attendance at the April 15 board meeting. At that time we will present some of the advertising and public relations highlights from the past year so you can see the types of smart and creative campaigns we have produced to bring those high-value, low impact geotourists to our town.

For your edification, we have included a draft FY 14 Private Membership Funds Budget. With the increased collections we are receiving, we may adjust that budget upward prior to the July 1st starting date.

Thank you for your consideration of this important issue. I will be available to answer questions during the council meeting.

Sincerely,



Nick Polombus
Chair, WCVB

WHITEFISH MONTANA

WHITEFISH CONVENTION & VISITORS BUREAU

FY 14 MARKETING PLAN

July 1, 2013 to June 30, 2014

PO Box 4232

Whitefish, Montana 59937

www.EXPLOREWHITEFISH.com

phone 1.406-862-3390

contact: Jan Metzmaker, *Executive Director*

jmetzmaker@explorewhitefish.com

FY 14 MARKETING PLAN EXECUTIVE SUMMARY

Whitefish, Montana is an authentic mountain town located in the northern Rockies, home to some of the world's most beautiful mountains and spectacular, unspoiled nature. Just 25-miles from Glacier National Park, Whitefish offers close access to the hanging valleys and emerald peaks of this World Heritage Site. More than 75% of our visitors come during the summer months. This seasonality presents problems for the many small businesses dependent upon non-resident travelers. As a result, we spend a vast majority of our marketing budget on promoting the winter and shoulder seasons.

The big influx of over 2 million Glacier National Park visitors annually allows Whitefish to offer excellent dining, vast lodging options, and exceptional recreational opportunities. Having a viable, robust Main Street is very attractive to our visitors. We are also home to Whitefish Mountain Resort, offering 3,000 acres of great skiing, abundant snow and incredible views of Glacier National Park.

Whitefish aligns perfectly with the Montana Brand pillars. In all our ads and collateral we serve up beautiful high resolution photos of the scenic beauty, our pristine lake and the incredible nature that surrounds us. Photos of our iconic downtown are an important part of all our collateral. Visitors are very attracted to our downtown and it is the main economic driver for the town. In addition, we try to counter the preconceived notions that Montana is remote and does not have adequate facilities by showcasing the beautiful lodging and incredible dining that can be found here. Exhilaration by day and comfort by night truly defines us.

We have fully embraced the geo-traveler concept and feel that the 55 million potential visitors who fit this profile are our customers. They enjoy our authentic town, like to immerse themselves in the local culture such as the Downtown Farmers Market, professional equity theatre or arts festivals. These visitors are tech-savvy, active, spend more money and stay longer. They are generally older and can travel during the shoulder seasons when we have capacity and need visitors. Research from the ITRR substantiates this investment in attracting the geo-traveler.

Whitefish is the biggest Amtrak stop on the Empire Builder between Minneapolis and Seattle. As a result, we do a great deal of co-op marketing with Amtrak. Seattle, Portland, Minneapolis and Chicago are our main regional markets due to direct flights and Amtrak connections. Whitefish Mountain Resort is our most important marketing partner. There is an inverse relationship with them. In summer, if the town does well, the ski resort gets the overflow. In winter, if the ski resort does well, the town benefits. The recent addition of attractions at the resort has increased their summer offerings.

Public Bed Tax Funds account for 18% of our total budget. Because we feel the MTOT Joint Venture Co-ops are so well researched and tested, we put about 61% of our total Public Budget and 14% of our Private funds into the Joint Venture offerings. They have performed very well for us. We do not use Public funds for our Website, Meetings, Groups, Public Relations program or Visitor Information Fulfillment. See "Public Bed Tax and Public Member Funds Percentages" on page 3.

We measure our effectiveness in several ways. The Whitefish Resort Tax is a great indicator of how businesses are performing. A total of 2% is levied on hotel rooms, restaurants and many retail items. We also compare the WCVB Tourism Promotion Assessment year to year. This is a voluntary 1% fee that local restaurants, rental car agencies, and lodging facilities place on each guest check. If the visitor does not want to pay, they can decline. The TPA accounts for most of our Private funding. We also offer memberships to businesses located in town. And, of course we track various

metrics: click through rates, unique visits and subscribers to our website, travel guide requests, page views, etc. Digital media buys are also tracked.

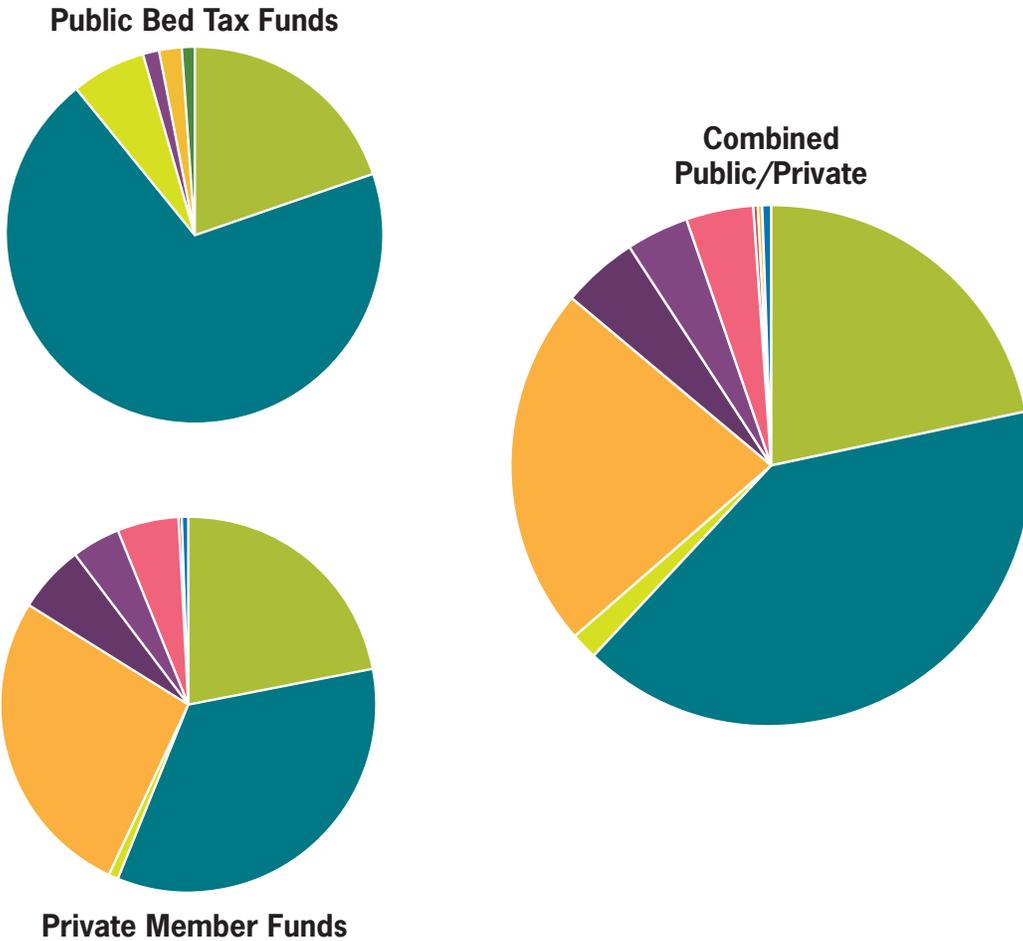
Our Public Relations Program has been incredibly effective. Travel writers, press trips, social media and various promotions bring a very desirable return on investment. Because we have an experienced, talented PR duo, we are able to host many A List writers, TV shows and radio personalities.

We utilize many sources for our research that validates our marketing plan. The non-resident data collected by ITRR is an invaluable tool for determining where our customers come from, what they do, how much they spend, what they like and do not like. We also use data from the US Travel Association for broad industry indicators. In addition, the information provided by MTOT regarding the effectiveness of campaigns, ad awareness, likelihood to travel, etc also determines which co-op advertising opportunities we participate.

The WCVB is very pleased with the progress we have made in the past few years. Our 2012 Resort Tax collections were up 10% over the previous year. The Resort Tax is a good indicator of the state of the economy because the 2% tax is collected on lodging, restaurants, bars and retail sales. The 2012 Resort Tax collections were up 16% over the past 3 year average. Our shoulder season efforts are also showing great success. The January- March 2011 Resort Tax collections were up 11% over the 3 year average. September/October were up 28% over the same time period and the July/August collections were up 10%. State Bed Tax collections were up 9% in 2012. Much of our success we attribute to the Montana Brand supported by well thought out MTOT campaigns.

PUBLIC BED TAX AND PRIVATE MEMBER FUNDS PERCENTAGES

The pie charts below reflect the percentages of the budget that each spending category represents for the Public Bed Tax Funds, Private Member Funds, and the Combined Public/Private Funds.



CATEGORIES	PUBLIC BED TAX FUNDS	PRIVATE MEMBER FUNDS	COMBINED PUBLIC/PRIVATE
Administration	20%	22.1%	21.8%
Consumer Advertising	70%	34%	40.3%
Photography	6.40%	.70%	1.7%
Publicity	0%	27%	22.4%
Website	0%	5.7%	4.7%
Meetings and Conventions	1.40%	4.4%	3.9%
Visitor Information Services	0%	5.1%	4.2%
Marketing Plan Development	0%	.40%	.34%
TAC/Governor's Conference	1.90%	0%	.34%
Voices of MT Tourism	0%	.34%	.28%
SuperHost	1%	0%	0%

1. PURPOSE OF THE WHITEFISH MARKETING PLAN

The purpose of the Whitefish CVB Marketing Plan is to enhance the economy of Whitefish by emphasizing its desirability as a travel and recreation destination to visitors who appreciate and respect the character of the place. Our mission is to build a high level of visibility and increase our name recognition as a premier year-round mountain resort town. Established by the City of Whitefish, the WCVB is the officially designated organization charged with tourism promotion and marketing of Whitefish. The organization also provides critical support for visitor information services, travel infrastructure development, market research and public relations.

2. STRENGTHS AND CHALLENGES OF WHITEFISH RELATIVE TO OTHER DESTINATION MOUNTAIN TOWNS

MARKET STRENGTHS

- **Whitefish aligns perfectly with the three Montana Brand platform statements:**
 1. More spectacular unspoiled nature than anywhere else in the lower 48.
 2. Vibrant and charming small towns that serve as gateways to our natural wonders.
 3. Breathtaking experiences by day and relaxing hospitality at night.
- **Proximity to Glacier National Park** — Travel forecasts have predicted an increase in U.S. travelers expressing an interest in visiting a U.S. national park. In addition, the significant name recognition that Glacier National Park holds among North American and international travelers provides an advantage to “putting Whitefish on the map” for potential visitors.
- **Central Avenue Whitefish and the alluring character of the town’s built structures** — Research indicates that visitors are attracted to the character and scale of Whitefish, especially the town’s Central Avenue district. These are attributes that form the foundation of the town’s appeal to visitors who stay in, or around the community, eat at the town’s various restaurants, and shop at local stores.
- **Access to recreational activities** — A wide variety of recreational opportunities in and around Whitefish is a major draw for visitors. These include Whitefish Lake, Whitefish Mountain Resort, as well as the trails, rivers and scenic roadways in and around Glacier National Park.

PRIMARY PURSUITS THAT DRAW VISITORS:

- Four season activities in and around Glacier National Park
- Water sports on Whitefish Lake
- Skiing or snowboarding at Whitefish Mountain Resort
- Fishing
- Scenic driving and wildlife viewing
- Golf at Whitefish Lake Golf Course
- Sporting events and tournaments
- Photography
- Mountain biking and cycling

ADDITIONAL ACTIVITIES:

- Hiking
- Cross country skiing
- Birding
- Snowcat skiing
- Horseback riding
- Dog sledding
- Whitewater rafting
- Canoeing and kayaking
- Ice skating and hockey
- Snowmobiling
- Whitefish Mountain Resort activities (Walk in the Treetops, zip lines, aerial adventure park and alpine slide)

COMMUNITY STRENGTHS (IN NO PARTICULAR ORDER)

- **High Quality Amenities** — Diverse and exceptional amenities that exceed the norm for a town of our size.
- **Cultural Arts and Entertainment** — A variety of performing arts venues, professional Equity Theatre, galleries and live music options provide additional support and attraction for potential visitors.
- **Friendly and Welcoming Community** — Visitors frequently express that their visit is enhanced by the friendly and welcoming attitudes of local residents and the front line employees at Whitefish shops, restaurants and lodging businesses.
- **Amtrak Train Service to Whitefish** — Amtrak train service to Whitefish from Seattle, Portland, Minneapolis, Chicago and other key northern plains and Midwestern cities distinguishes Whitefish in the marketplace and provides a unique access opportunity for visitors.
- **Major Commercial Airport Within 11 Miles** — Proximity of Glacier Park International Airport makes Whitefish one of the closest North American mountain towns to a major commercial airport.
- **Dining** — Whitefish offers diverse and unique quality dining and nightlife.
- **Community Events** — Winter Carnival, Skijoring, Farmers' Market, First Thursdays art gallery tours, Art Walks, Huckleberry Days, Oktoberfest and the Whitefish Winter Classic provide a Whitefish community experience.
- **High Quality Health Care** — North Valley Hospital is a regional medical tourism attraction and serves a high number of visitors and guests.
- **Wide Variety of Bicycling Opportunities** — The Whitefish Trail, developed trail system in town, biking on Whitefish Mountain Resort and Glacier National Park provide venues for all types of bicycling enthusiasts.

MARKET CHALLENGES (IN NO PARTICULAR ORDER)

- **Limited Transportation Infrastructure** — Public transportation options and visitor infrastructure services in and around Whitefish are fewer than those provided at competitor destinations.
- **Uncertain Weather** — Fire, low snow levels and other natural crises affect travel patterns and willingness to travel.

- **Market Perception** — Research performed by the Montana Office of Tourism in key destination markets reveals that Montana is perceived to offer lower quality amenities and services to visitors. While Montanans are perceived as being friendly, it should be distinguished that this friendliness does not automatically translate into a guest's perception of a high level of service.
- **Recovering U.S. Economy** — Uncertainty affects intent and ability to travel.
- **Lack of Competitive Pricing for Air Access and Limited Seats** — When compared to mountain communities with which Whitefish competes for destination visitors, airline seats to Whitefish are limited, with fewer flights, limited markets and are priced considerably higher. (See Appendix)
- **Highly Seasonal Visitation Patterns** — Visitation patterns to Whitefish are highly seasonal with the majority of visitation occurring during the high demand months of July and August. This seasonality impacts the operating effectiveness of Whitefish businesses that must accommodate highly volatile demand swings.

3. GOALS (IN NO PARTICULAR ORDER)

- A. Establish our identity and presence in the marketplace as a unique destination.
- B. Encourage destination visitation from the key and national markets.
- C. Showcase special events to encourage visitation from regional drive markets during shoulder seasons.
- D. Aggressively showcase Whitefish's varied winter sports opportunities.
- E. Entice Glacier National Park visitors to spend a few extra days in Whitefish because of all of Whitefish's "natural," cultural, and culinary advantages.
- F. Improve shoulder seasons with golf, fly fishing, bicycling, water sports, performing arts, culinary experiences, community events, fall foliage, birding, wildlife viewing, and horseback riding.
- G. Stimulate the publication of feature stories in national and regional magazines, major metropolitan newspapers, broadcast media, and new media.
- H. Encourage corporate retreats, medical tourism and sporting events. Improve meeting and convention market year-round.
- I. Increase visibility in the international market.
- J. Highlight Whitefish as a location to the film industry, outdoor commercial photo shoot locations.
- K. Gather information and statistics on Whitefish visitors for the purpose of marketing planning.
- L. Assist in the pursuit of new airline market to improve access, ease and affordability travel.
- M. Increase occupancy for lodging facilities.
- N. Support efforts to attract leisure groups with an added emphasis on community-wide groups.

4. MONTANA OFFICE OF TOURISM 2013-2017 STRATEGIC PLAN

The Whitefish Convention and Visitors Bureau supports the Montana Tourism and Recreation Strategic Plan 2013 – 2017.

5. MEASURABLE OBJECTIVES FOR FY 14

GENERAL OBJECTIVES

- Increase awareness of the brand among target market (see #6).
- Move Whitefish into the target audience's consideration set.
- Create a multi-faceted campaign that builds awareness to recruit potential first time visitors.
- Drive consideration and preference among repeat visitors through word of mouth referrals and sharing experiences.

THE FOLLOWING ARE THE KEY MEASURABLE OBJECTIVES FOR ACCOMPLISHMENT DURING FY 14:

- Grow Whitefish "opt-in" subscriber base by 10% of those who want to receive Whitefish travel information.
- Grow unique visits to www.ExploreWhitefish.com by 20% over previous year period.
- Increase overall resort tax collection rates by 8% at the average of last three years of collections. Build winter, autumn and spring season collection revenue.
- Grow January 1 through March 31 Whitefish Resort Tax collections by 10% over last 3 year average.
- Grow September 1 to October 31 resort tax collections by 10% over last 3 year average.
- Increase high season levels by 2% over last three years' Resort Tax average collections for July/August.
- Create database of all inquiries for direct mail.
- Conduct a completion survey or study, and/or social media poll.

Publicity/Public Relations

- Positive publicity placement in top 5 target markets.
- Publicity placement in 5 national markets.
- Equivalent editorial space greater than ten times ad value.
- Hosting 15 media members annually from target markets.

6. TARGET MARKETS

The WCVB targets geo-travelers. Geotourism is defined as tourism that sustains or enhances the geographic character of the place being visited including its environment, culture, heritage, landmarks and the well-being of its residents. Potential visitors will be targeted by geographic location, demographic characteristics, and values that distinguish a potential visitor as a "geotraveler" (as defined by research conducted by ITRR, the Travel Industry Association of America (TIA) and the National Geographic Society). Geotravelers are high-value, low impact visitors who appreciate the unique characteristics, eccentricities and natural values of the places they visit. They place high value on travel experiences that respect and support the local character of place, and are less likely to become discouraged in their travel experiences by travel distances/difficulties and vagaries of weather.

According to the ITRR study, *Statewide Vacationers to Montana: Are They Geotravelers**, the strong geotraveler spent the most money per day while traveling in Montana (\$141.79) followed by the moderate geotraveler (\$134.10) and the non-geotraveler vacationer spent (\$133.27). Visitors who agreed with the principles of geotourism spend more money per day while traveling in Montana than non-geotravelers. From a business perspective, businesses need to continue to market to geotravelers since they can provide a substantial amount of income.

**Nickerson, N.P., & Boyle, D. (2009) Statewide Vacationers to Montana: Are They Geotravelers? Missoula: Institute for Tourism and Recreation Research, The University of Montana.*

Geotravelers at a Glance:

Income: HHI of \$50,000+

Education: Bachelors' degree+

Age: 25-64

- A segment of the U.S. total travel market estimated to include over 55 million people.
- They seek authenticity in travel experiences.
- Seek out opportunities to experience businesses and activities that are locally unique.
- Travel is an important part of their "lifestyle" and they often combine learning with travel.
- Are more likely to be aware of their own impact, both environmental and community, on the places they are visiting.

Geotraveler Psychographics:

Values — Creative, curious, connected, engaged, adventurous, independent, mindful.

Source: Geotraveler Exploratory, December 2008.

Attitudes — Immerse yourself in the culture, go off the beaten trail, get out of your comfort zone, allow for spontaneity, take a risk, pay attention, go now.

Source: Geotraveler Exploratory 2008.

CORE GEOGRAPHIC MARKETS FOR FOCUS:

The WCVB will focus its attention during this fiscal period on potential visitors who match the Geotourism profile in the following geographic markets. It is possible that opportunities will arise in additional markets in partnership with other tourism organizations, such as the Montana Office of Tourism. In these instances, the WCVB may extend its efforts beyond these core focus markets.

- Seattle, Washington (Puget Sound Area)
- Minneapolis, Minnesota
- Chicagoland (Chicago core and northern suburbs to Madison, Wisconsin)
- Alberta including Calgary and other provinces
- Portland, Oregon

Prospective Markets:

- San Francisco/Oakland – due to competitive airfares.
- Salt Lake City – new MTOT warm season target market

7. WHERE OUT-OF STATE VISITORS PRIMARILY COME FROM

2012 ITRR non resident visitor surveys

- 10% Washington State (predominately west coast Puget Sound region)
- 7% California (no singular concentration)
- 7% Minnesota (predominately Minneapolis region)
- 6% Alberta (predominately southern Alberta and Calgary region)
- 5% Colorado

- 65%- Everywhere else in the U.S. and the world (without any regular pattern, who live further away in urban areas including Portland, Los Angeles, Phoenix, New York/ New Jersey, Chicago, Washington, DC, San Francisco and have an interest in national parks and wilderness).

Visitor Characteristics:

- Over 89% visited Glacier National Park
- 58% traveled as a pair (2 persons)
- Average group size was 2.36
- 34% have HHI (Household Income) above \$100,000
- 43% were Female
- 28% were first time visitors
- 45% were 55-64

Sources: ITRR: Flathead County-specific interviews | Web Analytics Reports

VALUE OF FLY-IN VS. DRIVE-IN CUSTOMER TYPES

Not all visitors are alike. The same is true of their economic impact to Whitefish. Research by the ITRR indicates that Whitefish visitors from locations more than 300 miles away, who typically travel via airlines, spend considerably more money per day than visitors who travel by car. A total of 25% flew on a portion of their trip to Flathead County.

FLY-IN VISITORS

- \$2,240 per trip average fly-in (excluding airfare)
- \$350 per day per party

DRIVE-IN VISITORS

- \$853 per trip average drive-in
- \$181 per day per party

Difference: \$1,387 in additional spending per fly-in visitor (Source: ITRR). Based on these metrics, the additional \$1,387 in additional average spending per fly-in visitor provides additional margin in the cost of customer acquisition.

TRAVEL OUTLOOK

There are some reasons to be optimistic that non-resident visitor numbers will increase in 2013, based on data from the US Travel Association.

Forecast for 2013

- Non-resident visitors will be up 2%.
- Total domestic visitors will set a new record in 2013.
- Domestic business travel will improve.

International Visitors are Back

- Spend more than \$1800 per visitor
- Stay longer
- Seek out national parks

According to the ITRR's (Institute for Tourism Recreation Research) Data

- 2012 Non-resident visitors to Montana were up 3% with a 15% increase in spending. Nearly 11 million visitors spent \$3.19 billion last year.
 - Montana air travel was up 7% in 2012.
 - 2012 Glacier National Park Visitation was up 17% in 2012.
 - State skier visits were up 9% in 2011.
 - 2012 Glacier Park International Airport Airline deboardings were up 7%.
 - 2012 Amtrak deboardings were up 16% in Whitefish, 17% state-wide.
 - Flathead County Non-Resident Visitor expenditures in 2012 were over \$213 million.
 - WF Mountain Resort reported that total skier visits were up 10%, based over a 4 year average.
-

8. MARKETING METHODS FOR STATE BED TAX FUNDS

The WCVB will utilize public bed tax funds for the purpose of marketing to the markets mentioned in Number 6 through the mediums listed below. Most Bed Tax funds will be leveraged through cooperative marketing arrangements with the Montana Office of Tourism, Glacier Country or other regional destination marketing organizations. The primary objective of Bed Tax Fund expenditures will be to create brand awareness for Whitefish.

- **Online** — Display pay-per impression advertising done as part of cooperative programs with MTOT, Glacier Country and other tourism organizations. The target cost/1000 (CPM) will be \$15.00.
- **Tracking** — Online ads will be referenced to a phantom URL for tracking of clicks originating from external ads. Clicks will be tracked once a visitor arrives at our website to measure the number of visitor inquiries (subscriptions).
- **Print** — WCVB will partner with the Montana Office of Tourism, Glacier Country and other tourism organizations in key publications. The list of potential publications is attached.
- **Direct Mail** — The WCVB is considering a direct mail program to further communicate with subscribers
- **Promotions** — The promotion program has provided many good partnering opportunities.

KEY AREAS OF WCVB ACTIVITY FOR FY 14

The Whitefish Convention and Visitors Bureau will undertake initiatives and activities in the following key areas during FY14. Tourism and visitation to Whitefish are critical to the economic health and vibrancy of Whitefish, Montana. Finding visitors who value what Whitefish offers is a critical component of efficient promotion. These efforts will help retain the character of place that we all value and which strengthens our community.

Advertising

The WCVB enters into paid advertising agreements in select key markets. These advertisements are in print (magazine, newspaper) media as well as online. The WCVB may also purchase broadcast (television or radio) time. When paid campaigns are initiated, the WCVB often seeks to partner with the state tourism promotion agency (Montana Office of Tourism), the regional tourism authority (Glacier Country) or a strategic additional partner (for instance, Amtrak or Whitefish Mountain Resort), in order to leverage the purchase and extend the investment.

Public Relations

The WCVB invests in public relations efforts to both encourage and enhance the coverage of Whitefish in major North American publications and media outlets. The WCVB engages in a contract with a public relations firm for the purpose of targeting select media to promote visitation to Whitefish to their audiences. These efforts include pitching story ideas, hosting “press trips,” distributing news releases and e-news, social media content, photography and videography needs, interview coordination, and fact checking. The PR firm also recruits (often working in conjunction with tourism partners) location photo shoots and television shoots, as well as coordinating trip giveaways/promotions in target markets with media sponsors. In the past year, the PR efforts of the WCVB have facilitated and enhanced major stories about Whitefish in such notable media outlets as San Francisco magazine, Skiing magazine, OntheSnow.com, Vogue magazine, National Geographic magazine, Powder magazine, Sunset magazine, ABC’s “The Bachelor” TV Show, Calgary Herald, Dallas Morning News and USA Today newspapers.

Social Media

The WCVB will use social media (Facebook, Twitter, You Tube) to create content about Whitefish that attracts attention and encourages social media users (both past and potential visitors) to share the content with their own social networks. Because this form of marketing is driven by networking, it results in earned media rather than paid media. Social media is easily accessible to anyone with internet access and this type of communication will foster brand awareness for Whitefish. It is a relatively inexpensive platform to support marketing campaigns, news releases, publicity, and promotions. WCVB has partnered with outdoor companies such as Native Eyewear and Teva on social media promotions to co-brand and co-network.

Website

The internet has become the primary source for travelers to get travel information and to plan their visits. In response to the significant role the internet plays in travel planning and booking, the WCVB has built and maintains a very powerful internet resource at www.ExploreWhitefish.com. The site provides significant information for prospective visitors, including photo and video galleries, a calendar of events, activities and detailed information about every member business. The website also serves as a key fulfillment resource for advertising and public relations efforts. Visitors to the site may also register to receive periodic email news about travel news and events in and around Whitefish. Currently, the E Newsletter subscriber database has over 33,000 people and the E Newsletter is sent to over 22,000 individuals who have signed up to receive updates and information about Whitefish.

A completely revised website will be deployed for the upcoming 2013 - 2014 Fiscal Year marketing plan period. This site will be developed using responsive web technologies which will allow the site presentation to be tailored to the viewing portal of the individual site user. This update will position Whitefish well for the future as the internet is increasingly accessed via mobile and tablet devices. In addition, a cutting-edge trip planning tool will be deployed. This new functionality and capacity will be made possible because of a successful technology grant from the Montana Office of Tourism.

Consumer and Travel Shows

The WCVB both coordinates and attends several ski shows in key markets and is considering attendance at consumer shows with a bicycling emphasis. These shows include a significant booth presence, staffing and collateral distribution. The WCVB also invites and coordinates the participation of its members at these shows in order to facilitate a larger Whitefish-branded “footprint” for show attendees.

MTOT opportunities

The MTOT occasionally offers unique marketing opportunities to its partners which are aggressively pursued by the WCVB. The MTOT assisted the WCVB with expanding our Portland Winter campaign and the WCVB continues to explore opportunities from attending the Outdoor Recreation Show with MTOT.

Visitor Information Services

The WCVB financially supports the Whitefish Visitor Information Center in cooperation with the Whitefish Chamber of Commerce. This visitor center hosts thousands of guests each year. The financial support of the WCVB allows the visitor center to remain open on key weekends and other holiday periods. The WCVB also provides funding for the fulfillment of free Visitor Travel Guides via U.S. mail, either from calls to our toll-free telephone number or requests from the explorewhitefish.com website. In addition, the WCVB operates the Visitor Information Center and video monitor at Glacier Park International Airport, Amtrak train depot, and new visitor kiosks in downtown Whitefish which are stocked with travel planners, maps and additional travel information. The WCVB received a VIC grant from MTOT and will be upgrading the Whitefish VIC.

Trade Partner Relations

The WCVB actively works to foster, enhance and support relationships with key trade partners, including State and regional tourism organizations, meeting planners, airlines, travel agencies, travel wholesalers and Amtrak. We also purchase qualified leads for specific email campaigns. The organization facilitates connections between member businesses and these trade partners, and also works to provide connectivity between individual businesses to assist in accommodating larger meeting and convention demands.

Specialty Marketing Programs and Sponsorships

As part of the overall marketing efforts for Whitefish, the WCVB engages in unique sponsorship and promotional initiatives that fall outside of our normal advertising/PR venues such as Amtrak Tim's Cascade Potato Chips in Seattle, trip giveaways with media partners in Calgary and Portland, working with retailers and manufacturers, and the 20% off Amtrak travel to Whitefish. We have leveraged our in-kind travel products from our members/partners (train tickets, lodging, dining, activities, spa, etc.) and minimal budget to reach a large audience of potential travelers/skiers in our target markets utilizing promotions instead of the high cost of traditional advertising. We also participated in an out-of-home saturation of Portland during ski season. The WCVB has also entered an athlete sponsorship agreement with Freestyle North American Junior Olympic Champion and Whitefish native Maggie Voisin to leverage Maggie's success with her hometown brand.

Collateral and Collateral Fulfillment

Beyond the internet, the WCVB provides important travel planning and visitor information in the form of a printed Travel Guide, fulfillment postcards and a visitor map. These items are provided to members for free distribution throughout the town, the Whitefish Visitor Information Center and Downtown Visitor Information Kiosks, the Glacier Park International Airport, Amtrak Depot, travel shows and regional visitor information centers. Whitefish also offers a mobile APP for visitors.

Accessibility to Whitefish

The WCVB will support efforts to improve ease and affordability of travel to Whitefish, including participating in community efforts to improve air service (and decrease ticket cost) to Glacier Park International Airport. We currently participate in a Flathead County-wide committee, AERO, committed to enhancing air service into Glacier Park International Airport. The WCVB will continue to work with Amtrak to continue the 20% off Amtrak discount for travel to Whitefish during the winter.

Legislative Oversight and Monitoring

The WCVB actively engages with state representatives, Montana Office of Tourism and other key stakeholders to educate the public on the value of tourism to the Whitefish economy, as well as providing input on the effect of potential legislation on tourism and tourism businesses. We support the Voices of Montana Tourism initiative.

State Compliance and Administration

The WCVB is funded through a combination of public Bed Tax funds collected locally at lodging properties, and private member funds. The WCVB provides state-required compliance for all activities that are funded by bed tax dollars, project application, completion reports, quarterly reports and audits. The WCVB facilitates public access at board meetings and compliance with Montana State open meeting laws.

APPENDIX

Sample air fare rates:

Expedia.com June 24-June 30, 2013 (cheapest fare available)

	2010	2011	2012	2013
Seattle (SEA) – Glacier Park Int'l (FCA)	\$283	\$275	\$296	\$258
Seattle – Jackson Hole (JAC)	\$385	\$492	\$622	\$564
Seattle – Bozeman: (BZN)	\$344	\$315	\$356	\$316
Seattle – Salt Lake City: (SLC)	\$213	\$354	\$272	\$284
Seattle – Reno: (RNO)	\$228	\$319	\$294	\$282
Minneapolis (MSP) – FCA	\$607	\$661	\$652	\$602
Minneapolis – Jackson Hole	\$372	\$510	\$481	\$558
Minneapolis – Bozeman	\$469	\$498	\$439	\$442
Minneapolis – SLC	\$463	\$433	\$429	\$446
Minneapolis – Reno	\$422	\$493	\$562	\$502
Chicago (CHI) – FCA	\$677	\$550	\$587	\$700
Chicago – Jackson Hole	\$384	\$484	\$595	\$556
Chicago – Bozeman	\$522	\$448	\$509	\$560
Chicago – SLC	\$321	\$435	\$436	\$416
Chicago – Reno	\$411	\$459	\$533	\$515
Chicago – Steamboat Springs: (SBS)	\$354	\$614	\$585	\$474
Denver (DEN) – FCA	\$408	\$538	\$505	\$465
Denver – Jackson Hole	\$268	\$395	\$446	\$432
Denver – Bozeman	\$272	\$297	\$334	\$352
Denver – Reno	\$282	\$314	\$334	\$363
San Francisco (SFO) – FCA				\$326
San Fran – Jackson Hole				\$573
San Fran – Bozeman				\$406
San Fran – SLC				\$380
San Fran – Reno				\$336
Allegiant Flight June 20 – 24				
San Fran – FCA				\$172

WHITEFISH MONTANA

WHITEFISH CONVENTION & VISITORS BUREAU

FY 14 CONSUMER AD LIST OF PUBLICATIONS

July 1, 2013 to June 30, 2014

THE WCVB MAY CHOOSE TO ADVERTISE IN THE FOLLOWING PUBLICATIONS:

Glacier Country Guide
Glacier Waterton Visitors Assoc. Map
Montana's Cultural Treasures
KCVB Travel Planner

Print Advertising:

Any Publications offered by the Montana Office of Tourism as a Co-op

Alberta Golf Publications	Mountain Bike Action Magazine
Amtrak Magazine	Mountain Flyer Magazine
Audubon	Mountain Living
Bicycle Times Magazine	National Geographic(any of their publications)
Bicycling Magazine	Northwest Magazines
Big Sky Journal	Northwest Travel Magazine
Budget Travel	Outside
Calgary Herald	Pink Bike Magazine
Calgary Sun	Portland Monthly Magazine
Canadian Cycling	Portland Oregonian
Chicago Tribune	Powder Magazine
Daily Inter Lake	Ready to Retire
Delta Inflight	Seattle Met Magazine
Empire Builder Magazine	Seattle Post Intelligencer
FFwd (weekly magazine in Calgary)	Seattle Times
Flathead Beacon	Seattle Weekly
Good Housekeeping	Skiing Magazine
Horizon Inflight	Ski Journal
Horse Trader	Ski Magazine
I.M. Cowgirl	Snow
Lethbridge Herald	Snowboard Journal
Lively Times	Spokesman Review
Meetings magazines	Trail Blazer
Small Market Meetings	Trail Rider
Smart Meetings	United Airlines Hemisphere
Association News	Western Horseman
Other inflight magazines	Whitefish Pilot
Missoula Independent/Headwall	Whitefish Review
Missoulia	XXC Magazine
Montana Magazine	

WHITEFISH MONTANA

WHITEFISH CONVENTION & VISITORS BUREAU

FY 14 CONSUMER ONLINE AD LIST

July 1, 2013 to June 30, 2014

THE WCVB MAY CHOOSE TO ADVERTISE ONLINE IN THE FOLLOWING SOURCES:

Any online co-op offered by the Montana Office of Tourism and the following:

audubon.com	onthesnow.com
away.com	oregonlive.net
backpacker.com	outside.com
bicycling.com	pinkbike.com
bicycletimes.com	portlandmonthly.com
biglines.com	portlandtribune.com
budgettravel.com	seatlepi.com
calgaryherald.com	skiing.com
calgarysun.com	skimag.com
chicagotribune.com	skinet.com
crownofthecontinent.net	snowboarding.com
cyclingmagazine.ca	snowseekers.ca
dirtragemag.com	startribune.com
facebook.com	suntimes.com
flickr.com	trazzler.com
freeskier.com	tripadvisor.com
google.com	twincities.com
matador.com	weather.com
mbaction.com	wildernet.com
mountainflyer.com	xxcmag.com
nationalgeographic.com	yahoo.com

Whitefish Convention & Visitor Bureau	
Fiscal Year 2014 - Annual Public Bed Tax Budget Overview	
	FY 14 PUBLIC Bed Tax Funds
Support	
Administration	
Rent/utilities	\$15,400
Consumer Advertising	
Joint Ventures MTOT)	\$46,850
Opportunity	\$500
Print	\$6,300
Meetings & Conventions	
DMAI/eMint	\$1,100
Photography	\$5,000
TAC Meetings	\$1,500
Superhost/Customer Service Training	\$350
TOTAL BUDGET REQUESTED	\$77,000
Budget Projections- at 100%	

Whitefish Convention & Visitors Bureau					
Fiscal Year 2014 - Annual Budget Overview					
	FY 14 PUBLIC Bed Tax Funds	FY 13 PUBLIC Bed Tax Funds	FY 14 PRIVATE Member Funds	FY 13 PRIVATE Member Funds	FY 14 Public / Private Combined Totals
Support					
Administration			\$68,000	\$68,000	
Rent/utilities	\$15,400	\$14,660			
Additional Staff			\$12,000	\$12,000	
SUBTOTAL	\$15,400		\$80,000		\$95,400
Consumer Advertising					
Joint Ventures-broadcast, print, online	\$46,850	\$43,890			
Opportunity	\$500	\$500	\$1,000		
Print	\$ 6,300	\$6,300			
Media Placement-broadcast, print, online			\$69,250	\$40,740	
Promotions			\$6,500	\$5,000	
Creative Ad Production			\$7,500	\$5,000	
Media Planning			\$3,500	\$2,500	
Printing of Collateral			\$10,000	\$10,000	
Collateral Design/Production			\$7,500	\$11,150	
Campaign Reporting/Meetings			\$5,000	\$6,350	
Research			\$2,500		
Consumer Shows			\$10,000	\$22,500	
SUBTOTAL	\$53,650		\$122,750		\$176,400
Photography	\$5,000	\$5,000	\$2,500		\$7,500
Publicity					
Media Relations			\$13,200	\$13,200	
Press Trips			\$31,640	\$31,640	
Website/Online MediaKit/B-roll			\$11,600	\$11,600	
Content and Social Media			\$10,960	\$10,960	
News Releases			\$1,280	\$1,280	
Database/Clipping			\$1,920	\$1,920	
Promotion Coordination			\$3,840	\$3,840	
Planning/Reporting/Meeting (Program)			\$6,080	\$6,080	
Opportunity			\$2,440		
Photography			\$3,440	\$3,440	
Expenses/Travel			\$11,600	\$11,600	
SUBTOTAL			\$98,000		\$98,000
Website					
Development			\$5,000	\$26,000	
Content			\$2,500		
Hosting/Maintenance/Support			\$3,400	\$3,400	
MTOT Technology Grant			\$10,000	\$20,000	
SUBTOTAL			\$20,900		\$20,900
Meetings & Conventions					
Advertising			\$10,800	\$10,800	
Meeting PR Development			\$2,500	\$2,500	
DMAI/eMint	\$1,100	\$1,100	\$2,500	\$2,500	
SUBTOTAL	\$1,100		\$15,800		\$16,900
Visitor Information Services					
Visitor Information Rack			\$800		
VIC Grant support			\$1,000		
Chamber VIC/Fulfillment			\$13,000	\$9,200	
Kiosks/Wayfinding			\$3,500		
SUBTOTAL			\$18,300		\$18,300
Marketing Plan Development			\$1,500	\$1,500	\$1,500
TAC Meetings	\$1,500	\$1,500			\$1,500
Voices of Tourism			\$1,250	\$2,500	\$1,250
Superhost/Customer Service Training	\$350	\$350			\$350
TOTALS FY 14	\$77,000	\$73,300	\$361,000	\$357,200	\$438,000
Budget Projections- at 100%					
FY 13 Increased Private Budget \$4,500					
FY 13 \$20,000 Technology Grant					
FY 14 \$10,000 Technology Grant					
FY 14 VIC Grant final number not known					

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WHITEFISH CITY COUNCIL MINUTES

April 1, 2013

7:10 P.M.

1. CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Mitchell, Hildner, Kahle and Hyatt. Councilors Sweeney and Anderson were absent. City Staff present were City Manager Stearns, City Clerk Lorang, City Attorney VanBuskirk, Assistant City Manager/Finance Director Knapp, Planning and Building Director Taylor, Public Works Director Wilson, Parks and Recreation Director Cozad, Police Chief Dial, and Fire Chief Kennelly. Approximately 7 people were in attendance.

2. PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Rebecca Norton to lead the audience in the 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)

John Sinrud, Executive Director of the Flathead Business and Industry Association at 118 Main Street, Kalispell, said they submitted a letter in regards to the sign code. He did some research and found the U.S. Sign Council who has done research on different signage on roads with difference speeds. He said someone from the organization would be willing to come up from Helena and work with the City on any sign amendments. He'd like to create a cooperative partnership to help provide information. He said the United States Sign Council may also have information that will help them with their planning.

Rebecca Norton, 530 Scott Avenue, said she likes the idea of a Corridor Study before they address signage. She said no one knows how long it will take to get the donut area issue resolved. She said she thinks Highway 93S should be a walking/biking area and there should be a lot more vegetation out there. She said it would be beneficial to the businesses if it looked a little more like the downtown corridor. She knows they're going to talk with the county, but she'd like to see the City work on a Corridor Study out there, too.

Ian Collins, 898 Blue Heron Drive, thanked the Councilors for their service. He spoke in support of the existing Sign Code. He said he doesn't think they'll ever be able to please everyone, but the Sign Code has worked to preserve and make Whitefish unique. He said it seems like this is being driven by the local car industry. He said cars and trucks display well from the Highway in his opinion. Most people don't want the visual pollution that signs and banners create. He cautioned against contacting the United States Sign Council because they work for the advancement of the sign industry. He said Whitefish should avoid sign standards that have been working their way across the United States because we don't want a generic look to Whitefish.

Mayre Flowers, Citizens for a Better Flathead, agreed with the points made by Rebecca Norton and Ian Collins. She said there is a good Sign Code in Whitefish and a lot of work and a lot of time went into creating it. She encouraged them to go forward with a Corridor Study before they make any Sign Ordinance changes. She was concerned about the request for a special committee with business owners and those directly involved with the Highway 93 South corridor. She said it is important for them to have input, but Whitefish is one community and the Sign Code affects all businesses and homeowners. She said education of the community is important. She said the Council has an obligation to let the public know about what the issues are before they make a decision on sign changes.

4. COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Hildner said the Bike/Ped Committee met and the bike lane striping is scheduled for May. The committee is continuing to review safe routes for pedestrian and bicycle traffic on the Hwy 93W Project. During Clean the Fish the committee will clean up the silt fence by the Rygg property. The committee discussed working with the Park Board on eliminating street paint for events and using markers instead. Councilor Hyatt said he hoped they read the letters from the Impact Fee committee members in support of the reduction of impact fees for smaller projects, an item on tonight's agenda. Mayor Muhlfeld said he and Councilor Hildner met with BNSF and Kennedy-Jenks about the river clean-up. This is the last round of river clean-up and they will have the trail open by July 1st. Councilor Mitchell asked and Councilor Hildner said the Clean the Fish project doesn't affect the BNSF clean-up.

5. CONSENT AGENDA-(The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

5a. Minutes from the March 18, 2013 Council special session (p. 17)

5b. Minutes from the March 18, 2013 Council regular session (p. 18)

5c. Consideration of approving application for Whitefish Lake Lakeshore Permit (#WLP-13-W02) for Installation of Dry Set Stone Steps; Gravel Pathway; Beach Gravel; and Low Voltage Pathway Lights at 2500 East Lakeshore Drive subject to 16 conditions (p. 27)

5d. Consideration of approving application for Whitefish Lake Lakeshore Permit (#WLP-13-W03) for Installation of Dry Set Walkway, Stepping Stones & Low Voltage Pathway Lighting at 422 Dakota Avenue subject to 13 conditions (p. 37)

5e. Consideration of approving application for Whitefish Lake Lakeshore Variance (#WLV-13-W04) for Replacement of Existing Stone Wall and Stone Steps; Rock Lined Swales; Application of Beach Gravel; installation of native plants and erosion control measures as a subset of the wall replacement and drainage reconfiguration; dock reconfiguration to reduce overall constructed area at 920 Birch Point Drive subject to 39 conditions (p. 46)

Councilor Kahle offered a motion, seconded by Councilor Hyatt, to approve the consent agenda. The motion passed unanimously.

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)

(none)

7. COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR**7a. Consideration of awarding a contract for the construction of Phase II of the 6th and Geddes Resort Tax street reconstruction project (p. 105)**

Public Works Director Wilson said the Public Works Department has opened construction bids for Phase II of the 6th and Geddes Street Reconstruction Project, involving street reconstruction and related utility improvements along Geddes, Jennings and Good Avenues between West 2nd and 5th Streets. Work is scheduled to begin on June 17th and continue through mid-August. Five bids were received with prices ranging from 15% below to 26% above the engineer's estimate of \$901,564. The low bid was submitted by LHC, Inc. of Kalispell, and staff recommends that a construction contract be awarded to LHC, Inc. of Kalispell in the amount of \$765,533. LHC was also the low bidder on Phase I of MDT's Whitefish West Reconstruction Project, which will go to construction this summer. Working with a single contractor on these two jobs in close proximity should benefit both the City and the State. Project costs will be paid out of the Resort Tax Fund which has a sufficient balance.

Councilor Mitchell said there was a healthy difference in the bids and Director Wilson said in this case he didn't think it was a cause for concern. Councilor Mitchell asked what is being done on Highway 93 West this year and Director Wilson said the contractor will start in mid-April with utility work, then the temporary bridge and in mid-to-late summer the heavy utility construction will begin. Councilor Mitchell said that because it is a major corridor they need to provide better information to the public. Director Wilson said MDT is in charge of this project so they will be in charge of press releases. Director Wilson said they will find out more at the pre-construction meeting scheduled for this week.

Councilor Hyatt asked and Director Wilson said LHC did three projects last summer—the overlay on Baker Avenue, the Second Street reconstruction, and a pump station on 6th Avenue.

Councilor Kahle offered a motion, seconded by Councilor Hyatt, to award a construction contract for Phase II of the 6th and Geddes Street Reconstruction Project to LHC, Inc. in the amount of \$765,533.12, adopting the staff report. The motion passed unanimously.

7b. Consideration of amendment #1 to the engineering contract with Anderson – Montgomery for the Wastewater System Improvements Project engineering design consultant agreement (p. 107)

Director Wilson said on October 15, 2012 the City Council approved a contract with Anderson Montgomery Consulting Engineers for the City's Wastewater Permitting and Facility Improvements Project. Staff is recommending Amendment No 1 to the consultant contract for engineering services to evaluate, recommend measures and prepare applications for grant funds to reduce clear water flowing into the wastewater collection and treatment system. As was discussed on October 15th, this is a complex, long term project that will involve many different aspects of planning, design, grant writing, permitting procedures and negotiations with the Department of Environmental Quality for several years into the future. Staff is pursuing TSEP and DNRC grants for this project.

The scope of work subject to this amendment includes project management evaluation of existing data, field work / data collection and grant writing with the goal of eliminating continuing

inflow and infiltration (I&I) of clear water into the wastewater collection system. This work and subsequent construction work to mitigate I&I are vital to the City's long range mission of upgrading the wastewater treatment plant. Continuing I&I is the source of huge seasonal increases in flows to the wastewater treatment plant; with unwanted clear water contributing up to 2.5 times the volume of base flows at certain times. This surge during spring snow melt and rainfall events has significant impacts on biological treatment processes, as well as the capacities and costs for facilities to treat higher flows. By reducing I&I, staff can stabilize the character of the influent to be treated and reduce future construction costs.

The Public Works Department has negotiated a fee not to exceed \$69,210 for the scope of services described above. The cost will be paid out of the Wastewater budget which has sufficient funds for work to be completed in FY 13. Although this work was not anticipated in the initial FY 13 Wastewater budget, the fund balance is adequate due to a generator project which is getting a late start. Staff will include funds for continuing I&I mitigation work in the FY 14 budget proposal.

Councilor Mitchell asked and Director Wilson said as part of this phase they will research all the past studies and help staff develop a monitoring plan. Staff is prepared with three portable, in-pipe recording flow meters to monitor conditions in various part of the collection system. This information will be critically important for preparing a sampling to address the areas that need work. Councilor Hildner asked and Director Wilson said the City owns two meters and rents one from the consultant. Mayor Muhlfeld said a few years ago they did I&I work and Director Wilson agreed and said it is all related to the current project.

Councilor Hildner offered a motion, seconded by Councilor Hyatt, to approve Amendment No. 1 for the Wastewater Permitting and Facility Improvements consultant contract in an amount not to exceed \$69,210, adopting the staff report. The motion passed unanimously.

7c. Consideration of revisions to the Rules And Regulations For The City Of Whitefish Water, Wastewater And Garbage Utility to reduce impact fees for small types of projects and to eliminate the requirement for separate water and sewer connections for accessory dwelling units (p. 115)

Director Wilson reported that staff is looking for input from the Council and whether they might want this issue to go to the Impact Fee committee. The City Council recently expressed concerns about water and sewer impact fees for small construction projects. The Public Works staff has evaluated utility impact fees and regulations regarding service connections and is recommending two changes that may reduce costs for small projects. Those recommendations are to 1) update the method of calculating minimum water and sewer impact fees and 2) amend the utility regulations to relax requirements for separate water and sewer services to separate structures.

The recommendation concerning impact fees has not been presented to the Impact Fee Advisory Committee, but staff can do so if the Council wishes. The means to implement these recommendations would be by resolution. If the Council so desires, staff can prepare resolutions for consideration at a future City Council meeting. Current City Code provides minimum water and sewer impact fees of \$1563 and \$1575, respectively, for projects with 20 or fewer fixture units. A home with 20 water and 14 sewer fixture units (as defined by the Uniform Plumbing Code) might typically have one full bathroom,

a kitchen sink, a dishwasher, a clothes washer, a mop/utility sink and two outside hose bibs. Currently, those same minimum fees would apply to a small business with a toilet and one sink.

Staff recommends replacing the current minimum water and sewer impact fees with unit fees of \$78.15 per water fixture unit and \$78.75 per sewer fixture unit. Under this proposal, the fee for 20 fixture units would match the current minimum, while the lower fee for small projects would better represent the impact to the water and sewer systems. Staff proposes amending Section 10-2-12 of the City Code as shown on Attachment A that was provided in the packet.

The Rules and Regulations for the Water and Wastewater Utility currently require that each separate structure must be serviced by separate water and sewer service lines. This provision is intended to enable prompt payment and accountability payments and maintenance on utility accounts under separate ownership. In certain instances, such as the provision of services for an accessory dwelling unit in addition to a primary residence on the same lot, accountability is ensured by common ownership and we recommend relaxing the requirement for separate services. The effect would be to reduce the cost of construction for certain small projects and avoid unnecessary excavation of City streets and alleys.

Staff recommends amending certain provisions of Title 8, Chapters 2 and 3 of the City Code, regarding Water and Wastewater Regulations, if the Council wishes to implement such a change. If the Council is supportive, staff will go through the regulations and come back with a Resolution for the Council to consider.

Councilor Mitchell asked about the fixture limit based on water line capacity. Director Wilson said if there is a large addition proposed then staff runs a calculation based on the size of the service line versus the number of fixtures. Councilor Hyatt asked about the 5/8 meter size—he thought the City had gotten rid of those, but Director Wilson said there are still a number of 5/8 meters in the system. Councilor Hyatt asked and Director Wilson said he doesn't deal with the rules every day, but he thinks 5/8 meters are still appropriate in some places. Director Wilson said they are talking about going away from two hook-ups to a single hook-up for two units on the same property. Councilor Hildner said when they have the same owner for a house and an accessory unit, the City doesn't have a good handle on what happens if the owner rents both units. Mayor Muhlfeld said one of the units needs to be occupied by the owner. Manager Stearns said the neighbors usually help them monitor that. The Council indicated a willingness to have this on a future agenda.

8. COMMUNICATIONS FROM CITY MANAGER

8a. Written report enclosed with the packet. Questions from Mayor or Council? (p. 121)

Mayor Muhlfeld said he won't be at the 5th Monday meeting in April. Councilor Mitchell talked about the bids for fire apparatus. He said he feels like they have solved the union issues with some departments, but they need to get salaries with the Fire Department resolved before they move forward on this. Councilor Mitchell talked about the capital expenditures on packet page 125 and Finance Director Knapp said the plan is to take on debt; he will do a more detailed report for the Council. Councilor Hyatt asked and Director Knapp said the Rural Fire Department was going to put in \$70,000 for the brush engine. Manager Stearns said the City will also take \$70,000 from the \$300,000 the RFD gave the City a few years ago to use for the water tender. Councilor Hildner said while he agreed that it

is important to get the contracts and wages met, he doesn't think it is related to capital purchases and he thinks they need to get the new equipment.

8b. Other items arising between March 27th and April 1st

Manager Stearns (in answer to Councilor Hildner's comment about prohibiting the use of paint to mark routes for special events on paths) said event paint is an issue and the City requires that the event sponsors use washable paint or chalk. Every event tends to blame others for residue. He said a deposit is an idea, but it may face some resistance. He said he would like to work on educating them some more.

8c. Consideration of a request from North Valley Food Bank to allow temporary parking on West 15th Street during their building construction (p. 128)

Manager Stearns said he received a request from the North Valley Food Bank requesting that they and contractors be allowed to park on West 15th Street during the construction of their building this spring, summer, and fall. Currently there is no parking on either side of West 15th Street, west of Baker Avenue. According to City Code, the City Council may, from time to time by motion, when it determines it advisable to do so, establish other and different limited parking areas within the City. He said he discussed this request with Department Directors on March 19th and it was the unanimous consensus that allowing parking on one side of West 15th Street (west of Baker Avenue) would not cause any traffic or emergency vehicle problems if construction did not extend into winter. Manager Stearns checked with Jerry Quinn, Board Chair for the Food Bank, and he confirmed that their construction should be done by December 1st. There will be a small labor cost to take down 2-3 existing No Parking signs and replace them with signs limiting no parking areas to the clear vision triangles at intersections.

Councilor Mitchell offered a motion, seconded by Councilor Kahle, to approve allowing temporary construction parking on the south side of West 15th Street (west of Baker Avenue) except in the clear vision triangles at intersections from May 15, 2013 to December 1, 2013 for the North Valley Food Bank construction project. The motion passed unanimously.

9. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

9a. Standing budget item - None.

9b. Letter from Greg Schaffer and Don Kaltschmidt of Don K Whitefish regarding the sign ordinance (p. 135)

9c. Letter from Richard DeJana, President and John Sinrud, Executive Director of the Flathead Business and Industry Association regarding the sign ordinance (p. 138)

9d. Email from Bart DePratu of DePratu Ford Whitefish regarding sign ordinance (p. 139)

Mayor Muhlfeld grouped the three letters about the Sign Ordinance. Councilor Mitchell said there will be a joint meeting with the Planning Board, so he thinks it needs to be advertised to let the public know. He thinks no one wants a lot of balloons and junk that he sees in larger towns, but they need to look at a few issues. He thanked the individuals for their letters. Manager Stearns said in the letter from Greg Schaffer and Don K he thinks they misunderstand aspects of the Sign Code. On pages 136 and 137 in the packet he addresses the limited discretion the City Manager has for allowing signs

for community-wide events. He has allowed them for flu shots, fundraisers and some special events. He said temporary signs are reviewed by the zoning administrator, Dave Taylor. He said the Sign Code is 39 pages long and the comments by Greg Shaffer and Don K only apply to one paragraph. He heard Mayre Flowers say that sometimes the Sign Code is changed incrementally without looking at the whole code and he is sympathetic to that concern, too. Mayor Muhlfeld said he is open to sitting down with the Planning Board. He said he feels that the Council has been open to variance requests and has been willing to address issues on a site specific basis. Councilor Mitchell agreed.

Mayor Muhlfeld said he met with folks up in West Glacier on protecting the North Fork Watershed. There is a Protection Act proposed regarding permanently withdrawing future mining, oil and gas drillings, and geothermal development on Federal Lands in the North Fork area. He said Congressman Steve Daines and Senators Baucus and Tester are all behind this bill. He thanked the Council for all of their work outside of the regularly scheduled meetings. He thanked Councilor Hildner for all the hard work he put into researching his water-way proposal. He said he met with residents of Birch Point, including Ryan Zinke and Doug Wise, to discuss the Skye Park Bridge, Veteran's Park and the emergency access needed to the Birch Point subdivision. He also met with staff to address some of the concerns and it will come before the Council in the future.

10. 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 8:10 p.m.

Mayor Muhlfeld

Jane Latus Emmert, Recording Secretary

Attest:

Necile Lorang, City Clerk

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PLANNING & BUILDING DEPARTMENT
510 Railway Street, PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



April 9, 2013

Mayor and City Council
City of Whitefish
PO Box 158
Whitefish MT 59937

RE: WSI; Northern Lights West, Phase 2 (WSV 13-01)

Honorable Mayor and Council:

Summary of Requested Action: WSI is requesting a variance to §12-3-11(2)(a) of the Subdivision Regulations in order to extend the Subdivision Improvement Agreement for Northern Lights West, Phase 2 a second time for 24 months. The property is zoned BMRR (Big Mountain Resort Residential). The Whitefish Growth Policy designates this property as “Planned Resort”.

Planning Board Action: The Whitefish City-County Planning Board met on March 21, 2013 and considered the request. Following the hearing, the Planning Board unanimously recommended approval of the above referenced variance with two (2) conditions as contained in the staff report and adopted the staff report as findings of fact.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced variance with two (2) conditions set forth in the attached staff report.

Public Hearing: The applicant spoke at the hearing in support of the application. The draft minutes for this item are attached as part of this packet.

This item has been placed on the agenda for your regularly scheduled meeting on April 15, 2013. Should Council have questions or need further information on this matter, please contact the Planning Board or the Planning & Building Department.

Respectfully,

A handwritten signature in cursive script that reads "Wendy Compton-Ring".

Wendy Compton-Ring, AICP
Senior Planner

Att: Exhibit A: Recommended Conditions of Approval
Draft Minutes of 3-21-13 Planning Board Meeting

Exhibits from 3-21-13 Staff Packet

1. Staff Report, 3-14-13
2. Adjacent Landowner Notice, 3-1-13
3. Advisory Agency Notice, 3-1-13

The following exhibits were submitted by the applicant:

4. Application for a Variance, 1-25-13

c: w/att Necile Lorang, City Clerk

c: w/o att Dan Graves, WSI, PO Box 1400 Whitefish, MT 59937

Exhibit A
Northern Lights West, Phase 2
WSV 13-01
Whitefish City-County Planning Board
Recommended Conditions of Approval
March 21, 2013

1. An updated Subdivision Improvement Agreement (SIA) with revised engineering estimates shall be submitted to the city for review and approval.
2. A revised letter of credit or other form of financial guarantee shall be submitted to the city in an amount of 125% of the SIA and shall have an expiration date of 30-days past the date of the SIA.

**WHITEFISH CITY PLANNING BOARD
MINUTES OF MEETING
MARCH 21, 2013**

**CALL TO ORDER AND
ROLL CALL**

The regular meeting of the Whitefish City-County Planning Board was called to order at 6:00 p.m. Board members present were Rick Blake, Ken Meckel, Zak Anderson, Chad Phillips, Ole Netteberg, Greg Gunderson, Mary Vail, and Dennis Konapatzke was present via telephone. Diane Smith was seated at 6:08 p.m. Planning Director Taylor and Senior Planner Compton-Ring represented the Whitefish Planning & Building Department. Approximately 65 people were in attendance.

APPROVAL OF MINUTES

Vail moved and Blake seconded to approve the City minutes of the February 21, 2013 Whitefish Planning Board as submitted. On a vote by acclamation the motion passed unanimously.

**PUBLIC ITEMS NOT ON
AGENDA**

Greg Shaffer, with Don K Chevrolet, represented the business and employees and businesses along Highway 93 South. He said they had a problem with the Temporary Sign Ordinance and it revealed the need to look at signs on Highway 93 South where the speed limit is 45 mph and the right-of-way is 40 feet. He said the Express Lube closed its doors and he was interviewing a man who said the Express Lubes in other towns are gaining business. Don K also offers oil changes and wanted to let people know that and it is difficult with the large setback. He said there is a lot of traffic that passes the businesses on the Highway 93 corridor. He said at the Council meeting he felt like there was support that they request a review of the 93 South corridor and what they are experiencing out there. It is a different environment out there. He is all for keeping downtown special, but when the speed limits change they should have something different. He said Don K has brought two major franchises from Kalispell into Whitefish. They get promos from those franchises all the time and they can't use most of their marketing material. He thinks the 93 S. corridor needs to be looked at. He suggested they put together a committee to work on this together. He would like to see a review of the Hwy. 93 corridor.

OLD BUSINESS

None.

**WHITEFISH MOUNTAIN
RESORT REQUEST**

Whitefish Mountain Resort, on behalf of Winter Sports Inc., is requesting a variance to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision.

STAFF REPORT WZV 13-01

Senior Planner Compton-Ring reported that WSI is requesting a variance to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision.

The property is zoned WBMRR (Big Mountain Resort Residential District). This subdivision is within the 2006 Big Mountain Neighborhood Plan and this area is designated for single family residential.

Background

Northern Lights West was approved by the Flathead County Commissioners on October 20, 2003. The project encompassed 102.7 acres and 28 single family lots. Phase 1 was finalized in 2007 and consisted of 18-lots. Phase 2 was finalized in 2008 and consisted of 10-lots. As part of the final plat application, WSI entered into a Subdivision Improvement Agreement (SIA) with the city to complete unfinished improvements including roads, water, sewer, drainage and other utilities. The SIA has been extended several times and is now set to expire on November 30, 2013.

City's Subdivision Regulations:

When a preliminary plat is ready to be finalized, an application for final plat is submitted to the Planning Department. The application includes a list of the conditions of approval and how these conditions are met. Often when a developer is prepared to go to final plat, not all the infrastructure or other improvements are installed. In these cases, as part of the final plat application, a financial guarantee along with a Subdivision Improvement Agreement (SIA) is submitted. The SIA is an itemized list of outstanding items with a cost estimate for the total project plus 25%.

The Subdivision Regulations permit an SIA to be valid for 24-months at the time of final plat. The developer may request one 24-month extension from the City Council in order to complete the improvements.

If a developer is unable to make the improvements, the city has the authority to cash out the letter of credit and make the improvements.

Staff placed a legal in the paper on March 6, 2013 and notified the adjacent land owners within 300-feet on March 1, 2013. As of the writing of this report no comments have been received.

Staff reviewed the criteria in the staff report as set forth in Section 12-2-5C of the City of Whitefish Subdivision Regulations.

1. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

The project is served by Big Mountain Water Company, Big Mountain Sewer District and private roads. There are no projects waiting to be served by the roads or utilities.

2. Due to the physical surroundings, shape or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner.

This criterion is not pertinent to this particular request.

3. Undue hardship is not based exclusively on a personal or financial hardship or any hardship that is self-imposed.

WSI, like the rest of the valley, has felt the effects of the recent recession. Instead of spending capital on more residential development, they have made the choice to spend resources on visitor services and would prefer, in the near-term, to invest in more visitor services. One could make the case that the choices WSI has made in the past has placed them in a position to be requesting a variance to further extend the Subdivision Improvement Agreement. However, one could also make the case that WSI prefers to use their resources strategically to get the most out of day visitor usage which may, in turn, promote interest in mountain real estate.

4. The variance will not cause a substantial increase in public costs.

The project is served by private infrastructure and an extension of the Subdivision Improvement Agreement will not affect the public.

5. The variance will not place the subdivision in nonconformance with any adopted zoning regulations, growth policy or other adopted policies or regulations.

The variance request is not to any design standards. The project layout and design are established and will not be changing with this request. The request in and of itself will not place the subdivision into any nonconformity.

There are several issues to consider with this request:

This project was approved 10-years ago by Flathead County before it was in the City's planning jurisdiction under different zoning and subdivision standards. WSI has requested a number of extensions on this project. At what point, is it time to simply require a plat to be vacated?

On the other hand, as a community, the success of the Mountain is an important aspect of our community. The Mountain has a number of employees and is a draw to our town in the wintertime and other times of the year. If the Mountain believes delaying the installation of infrastructure in order to focus on day users of the Mountain and the variance to extend the SIA 'does no harm' the City should

support that request.

Staff finds that the conditions for granting relief from the code set forth in Section 12-2-5C are met or are not pertinent. Staff recommended the Board adopt the findings contained in staff report WSV 13-01 and recommend to the Whitefish City Council that the variance for Northern Light West, Phase 2 be granted subject to two conditions.

1. An updated Subdivision Improvement Agreement (SIA) with revised engineering estimates shall be submitted to the city for review and approval.
2. A revised letter of credit or other form of financial guarantee shall be submitted to the city in an amount of 125% of the SIA and shall have an expiration date of 30-days past the date of the SIA.

Meckel asked and Planner Compton-Ring said there have not been any significant design changes.

PUBLIC HEARING

The public hearing was opened to those who wished to speak on the issue.

Dan Graves, Winter Sports, Inc. said this 10 lot subdivision is a vital asset to the resort and the delay is because of the economic climate. He said single family lot homes are the hardest hit. He said Phase 1 was 18 lots, approved in 2007 and they have only sold two of those lots so far. He said Elk Highlands adjoins them and is in similar situation. He said WSI has spent the last 10 years digging out of debt caused largely by real estate issues. He said they need to spend money on visitor amenities and upgrades. He said this land is still a valuable asset to the company. He said they have 500 employees who provide good quality service to their customers and they want to keep bringing in customers and be able to keep their employees.

PUBLIC HEARING

No one wished to speak and the public hearing was closed.

MOTION

Meckel moved and Vail seconded to adopt staff report WZV 13-01as findings-of-fact and recommend to the Whitefish City Council to approve the Whitefish Mountain Resort variance request to the Subdivision Regulations, §12-3-11I(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision, subject to the conditions in the staff report.

VOTE

The motion passed unanimously. (Scheduled for City Council on April 15, 2013.)

COMMUNITY INFILL

William MacDonald and Sean Averill, on behalf of Community Infill

**WINTER SPORTS INCORPORATED
VARIANCE REQUEST STAFF REPORT
WSV 13-01
March 14, 2013**

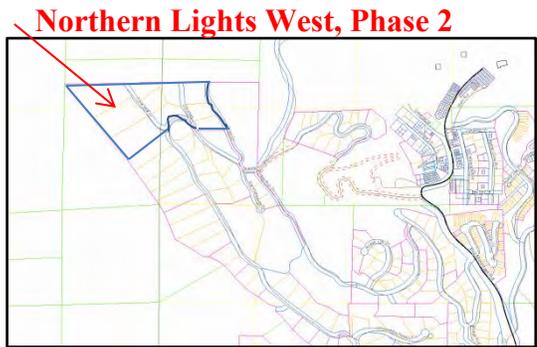
A report to the Whitefish City-County Planning Board and the Whitefish City Council regarding a request by Dan Graves on behalf of Winter Sports Inc. for a variance to §12-3-111(2)(a) to extend a Subdivision Improvement Agreement a second time for 24 months for Northern West Lights, Phase 2. A public hearing is scheduled before the Whitefish City-County Planning Board on March 21, 2013 at 6:00 p.m. A recommendation will be forwarded to the City Council for subsequent public hearing on April 15, 2013 at 7:10 p.m. Both hearings will be held in the Whitefish City Council Chambers at Whitefish City Hall.

A. OWNER:

Winter Sports Incorporated
Dan Graves
PO Box 1400
Whitefish, MT 59937

B. LOCATION OF PROPERTY:

Phase 2 of Northern Lights West is located off Northern Lights Drive. It can be described as Lots 19-28, Northern Lights West, Phase 2 in Section 3 Township 31 North Range 22 West.



C. ZONING:

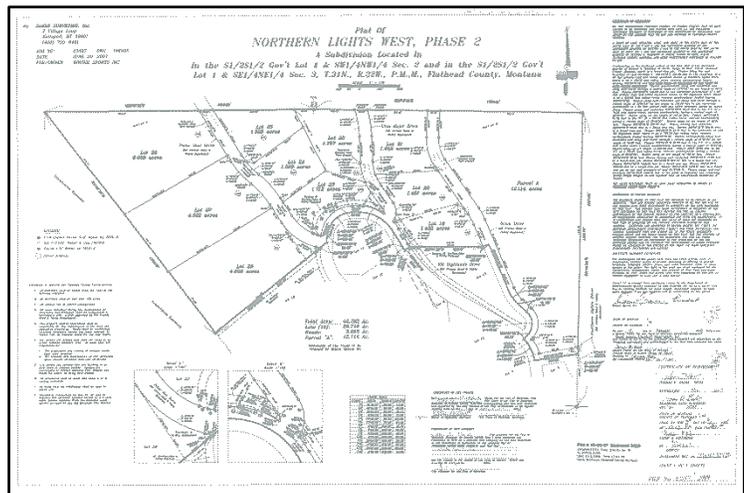
The property is zoned WBMRR (Big Mountain Resort Residential District). This subdivision is within the 2006 Big Mountain Neighborhood Plan and this area is designated for single family residential.

D. NATURE OF REQUEST:

WSI is requesting a variance to §12-3-111(2)(a) of the Subdivision Regulations in order to extend the Subdivision Improvement Agreement for Northern Lights West, Phase 2 a second time for 24 months.

Background

Northern Lights West was approved by the Flathead County Commissioners on October 20, 2003. The project encompassed 102.7 acres and 28 single family lots.



Phase 1 was finalized in 2007 and consisted of 18-lots. Phase 2 was finalized in 2008 and consisted of 10-lots. As part of the final plat application, WSI entered into a Subdivision Improvement Agreement (SIA) with the city to complete unfinished improvements including roads, water, sewer, drainage and other utilities. The SIA has been extended several times and is now set to expire on November 30, 2013.

Attached to this report, please find the written request from the applicant.

City's Subdivision Regulations:

When a preliminary plat is ready to be finalized, an application for final plat is submitted to the Planning Department. The application includes a list of the conditions of approval and how these conditions are met. Often when a developer is prepared to go to final plat, not all the infrastructure or other improvements are installed. In these cases, as part of the final plat application, a financial guarantee along with a Subdivision Improvement Agreement (SIA) is submitted. The SIA is an itemized list of outstanding items with a cost estimate for the total project plus 25%.

The Subdivision Regulations permit an SIA to be valid for 24-months at the time of final plat. The developer may request one 24-month extension from the City Council in order to complete the improvements.

If a developer is unable to make the improvements, the city has the authority to cash out the letter of credit and make the improvements.

E. PUBLIC NOTICE:

Staff placed a legal in the paper on March 6, 2013 and notified the adjacent land owners within 300-feet on March 1, 2013. As of the writing of this report no comments have been received.

F. EVALUATION OF THE REQUEST:

The criteria set forth in Section 12-2-5C of the City of Whitefish Subdivision Regulations for the review of variances states no variance shall be granted unless the Council finds the following conditions are met or the conditions are found to be not pertinent to the particular case:

- 1. The granting of the variance will not be detrimental to the public health, safety or general welfare or injurious to other adjoining properties.**

The project is served by Big Mountain Water Company, Big Mountain Sewer District and private roads. The private roads are extended to the northwest of the project boundary; however, there are no projects waiting to be served by the roads or utilities.

Finding 1: The granting of the variance to extend the Subdivision Improvement Agreement for an additional 24-months will not be detrimental to the public health, safety or general welfare or injurious to other adjoining properties.

2. **Due to the physical surroundings, shape or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner.**

Finding 2: This criterion is not pertinent to this particular request.

3. **Undue hardship is not based exclusively on a personal or financial hardship or any hardship that is self-imposed.**

WSI, like the rest of the valley, has felt the effects of the recent recession. Instead of spending capital on more residential development, they have made the choice to spend resources on visitor services and would prefer, in the near-term, to invest in more visitor services. One could make the case that the choices WSI has made in the past has placed them in a position to be requesting a variance to further extend the Subdivision Improvement Agreement. However, one could also make the case that WSI prefers to use their resources strategically to get the most out of day visitor usage which may, in turn, promote interest in mountain real estate.

Finding 3: The hardship is not based exclusively on a personal or financial hardship.

4. **The variance will not cause a substantial increase in public costs.**

Finding 4: The project is served by private infrastructure. An extension of the Subdivision Improvement Agreement will not affect the public.

5. **The variance will not place the subdivision in nonconformance with any adopted zoning regulations, growth policy or other adopted policies or regulations.**

The variance request is not to any design standards. The project layout and design are established and will not be changing with this request. The request in and of itself will not place the subdivision into any nonconformity.

Finding 5: The variance request will not place the subdivision in nonconformance with any adopted zoning regulations, growth policy or other adopted policies or regulations.

G. DISCUSSION

There are several issues to consider with this request:

This project was approved 10-years ago by Flathead County before it was in the City's planning jurisdiction under different zoning and subdivision standards. WSI has requested a number of extensions on this project. At what point, is it time to simply require a plat to be vacated?

On the other hand, as a community, the success of the Mountain is an important aspect of our community. The Mountain has a number of employees and is a draw to our town in the wintertime and other times of the year. If the Mountain believes delaying the installation of infrastructure in order to focus on day users of the Mountain and the variance to extend the SIA 'does no harm' the City should support that request.

H. ADDITIONAL FINDINGS OF FACT:

Finding 6: The property is located in the Whitefish planning jurisdiction and located off Northern Lights Drive.

Finding 7: The property is zoned WBMRR (Big Mountain Resort Residential District).

Finding 8: Flathead County Commissioners granted preliminary plat to WSI on October 20, 2003 for Northern Lights West. Phase 1 was finalized in 2007 and Phase 2 was finalized in 2008.

Finding 9: WSI entered into a Subdivision Improvement Agreement (SIA) with the City of Whitefish to complete outstanding infrastructure improvements including roads, water, sewer, drainage and other utilities. The SIA has been extended several times and is now set to expire on November 30, 2013.

Finding 10: The City received no opposition to the request from neighbors.

I. RECOMMENDATION

Staff finds that the conditions for granting relief from the code set forth in Section 12-2-5C are met or are not pertinent. Staff recommends the Board adopt the findings contained in staff report WSV 13-01 and recommend to the Whitefish City Council that the variance for Northern Light West, Phase 2 be **granted** subject to the following conditions:

1. An updated Subdivision Improvement Agreement (SIA) with revised engineering estimates shall be submitted to the city for review and approval.
2. A revised letter of credit or other form of financial guarantee shall be submitted to the city in an amount of 125% of the SIA and shall have an expiration date of 30-days past the date of the SIA.

Planning & Building Department
PO Box 158
510 Railway Street
Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



Public Notice of Proposed Land Use Action

The City of Whitefish would like to inform you that Whitefish Mountain Resort, on behalf of Winter Sports Inc., is requesting a variance to the Subdivision Regulations, §12-3-111(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision. Northern Lights West, Phase 2 is a 10-lot residential subdivision that received preliminary plat in 2003 from the Flathead County Commissioners and final plat from the City of Whitefish in 2008. The property is within the Big Mountain Neighborhood Plan and is zoned BMRR (Big Mountain Resort Residential). The property can be described as Lots 19-28, Northern Lights West, Phase 2 in S3, T31N, R22W.

You are welcome to provide comments on the project. Comments can be in written or email format. The City-County Planning Board will hold a public hearing for the proposed project request on:

Thursday, March 21, 2013

6:00 p.m.

**Whitefish City Council Chambers, City Hall
402 E. Second Street, Whitefish MT 59937**

The City-County Planning Board will make a recommendation to the City Council, who will then hold a public hearing and take final action on Monday, April 15, 2013 at 7:10 p.m., also in the Whitefish City Council Chambers.

On the back of this flyer is a site plan of the project. Additional information on this proposal can be obtained at the Whitefish Planning Department located at 510 Railway Street. The public is encouraged to comment on the above proposals and attend the hearings. Please send comments to the Whitefish Planning Department, PO Box 158, Whitefish, MT 59937, or by phone (406) 863-2410, fax (406) 863-2409 or email at wcompton-ring@cityofwhitefish.org. Comments received by the close of business on Monday, March 11, 2013, will be included in the packets to the Planning Board members. Comments received after the deadline will be summarized to the Planning Board members at the public hearing.

EXHIBIT

2

PLEASE SHARE THIS NOTICE WITH YOUR NEIGHBORS

*mailed
3.1.13*

Wendy Compton-Ring

From: Wendy Compton-Ring <wcompton-ring@cityofwhitefish.org>
Sent: Friday, March 01, 2013 8:50 AM
To: 'Anne Moran (asmoran@mt.gov)'; Ashley Keltner (a.keltner@flathead.coop); 'Ben DeVall'; Bill Dial (bdialw1@bresnan.net); 'BJ Grieve'; Cal Scott (cscott@flathead.mt.gov); Christina L Schroeder (christina.l.schroeder@usace.army.mil); 'Chuck Curry (ccurry@flathead.mt.gov)'; Columbia Falls Fire Department (cffire@centurytel.net); 'Dale Lauman (dlauman@flathead.mt.gov)'; 'Dave Lawrence (dlawrence@skiwhitefish.com)'; Dennis Oliver (doliver@mt.gov); 'Doug Schuch (douglas.schuch@bnsf.com)'; 'Eric Smith (eric.smith@northwestern.com)'; Gary Engman (gengman@mt.gov); Ginger Kauffman (gingerk@flatheadcd.org); 'James Freyholtz (jfreyholtz@mt.gov)'; 'John Wilson'; 'Judy Williams (juwilliams@mt.gov)'; Karen Reeves; 'Kate Cassidy (kcassidy@flathead.mt.gov)'; Kate Orozco (orozcok@wfps.k12.mt.us); 'Kuennen, Norman'; 'Lisa Timchak (latimchak@fs.fed.us)'; 'Lorch, Steve'; 'Lynn Zanto (lzanto@mt.gov)'; 'Marcia Sheffels (msheffels@flathead.mt.gov)'; 'Mark Baumler (mbaumler@mt.gov)'; 'Mark Deleray (mdeleray@mt.gov)'; North Valley Refuse (nvr@centurytel.net); 'Pamela Holmquist (pholmquist@flathead.mt.gov)'; 'Patti V (pattiv@flathead.mt.gov)'; 'Peter Steele (psteele@flathead.mt.gov)'; 'Pris, Jeremy'; 'Rita Hanson (for Whitefish Water & Sewer District)'; 'Steve Kilbreath (skilbreath@mt.gov)'; 'Steve Kvapil (steve.j.kvapil@usps.gov)'; 'Stickney, Nicole'; SueAnn Grogan (sgrogan@cityofwhitefish.org); 'Tom Kennelly'; Tony.Hirsch@Centurylink.com; 'Traci Sears '; Virgil Bench (vbench@cityofwhitefish.org); 'Whitefish Parks and Recreation'
Cc: David Taylor
Subject: March City-County Planning Board
Attachments: 3-2013_PB meeting.pdf

Attached please find the Whitefish City-County Planning Board notice for March.

Wendy Compton-Ring, AICP
Senior Planner
City of Whitefish
406-863-2418

EXHIBIT

3

PLANNING & BUILDING DEPARTMENT
PO Box 158
510 Railway Street
Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



Date: March 1, 2013

To: Advisory Agencies & Interested Parties

From: Whitefish Planning & Building Department

The regular meeting of the Whitefish City-County Planning Board will be held on Thursday, March 21, 2013 at 6:00 pm. During the meeting, the Board will hold public hearings on the items listed below. Upon receipt of the recommendation by the Planning Board, the Whitefish City Council will also hold subsequent public hearings on Monday, April 15, 2013. City Council meetings start at 7:10 pm. Planning Board and City Council meetings are held in the Whitefish City Council Chambers, Whitefish, Montana.

1. Whitefish Mountain Resort, on behalf of Winter Sports Inc., is requesting a variance to the Subdivision Regulations, §12-3-11(1), in order to obtain a 2-year extension to a Subdivision Improvement Agreement for Northern Light West, Phase 2 subdivision. The property can be described as Lots 19-28, Northern Lights West, Phase 2 in S3, T31N, R22W. (WFP 08-64) Compton-Ring
2. William MacDonald and Sean Averill, on behalf of Community Infill Partners llc, are requesting a zoning map amendment to change the zoning designation at 100 Wild Rose Lane from WR-1 (One-Family Residential District) to WR-2 (Two-Family Residential District) and 1500 E 2nd Street from WA (Agriculture District) to WER (Estate Residential District). These properties can be described as Tracts 1K, 1DA and 1D in S32 T31N R21W. (WZC 13-01) Compton-Ring
3. William MacDonald and Sean Averill, on behalf of Community Infill Partners llc, are requesting a residential Planned Unit Development overlay on 23.789 acres at 100 Wild Rose Lane and 1500 E 2nd Street (described as Tracts 1K, 1DA and 1D in S32 T31N R21W). The development will consist of 164 apartments, 9 condominiums and retaining the existing single family home on Wild Rose Lane. (WPUD 13-01) Compton-Ring

Documents pertaining to this agenda item is available for review at the Whitefish Planning & Building Department, 510 Railway Street during regular business hours. Inquiries are welcomed. Interested parties are invited to attend the hearing and make known their views and concerns. Comments in writing may be forwarded to the Whitefish Planning & Building Department at the above address prior to the hearing or via email: dtaylor@cityofwhitefish.org. For questions or further information regarding this proposal, phone 406-863-2410.



WHITEFISH

MOUNTAIN RESORT

01-23-13 11:11 AM 8030

January 23, 2013

Wendy Compton-Ring
Senior Planner
City of Whitefish
PO Box 158
Whitefish, MT 59937

Re: Extension of Subdivision Improvement Agreement for Northern Lights West - phase II

Dear Wendy,

As you know, the Northern Lights West (NLW) – phase II Final Plat was extended in 2011 until November 30, 2013. Winter Sports Inc. (WSI), dba Whitefish Mountain Resort, was most appreciative for that extension in light of the soft real estate market at the time, and recognized the City of Whitefish did not have to approve the extension.

Unfortunately, the real estate market for single family home lots has not rebounded much up “on the mountain”, and as a result I’d like to request a SUBDIVISION VARIANCE to the Final Plat extending the due date to November 30, 2015.

I offer up the following reasons for the request.

- 1) I don’t see that extending plat will have any detrimental impact to the public health, safety, or the general welfare of adjoining property owners.
- 2) The variance will not cause an increase in public costs because all of the roads are private and will not be maintained by the City of WF, but instead by Whitefish Mountain Resort. The water is serviced by Big Mountain Water Company, and the sewer by the Big Mountain Sewer District.
- 3) The variance will not place the subdivision in nonconformance with any adopted zoning regulations, growth policy or other adopted policies or regulations.
- 4) The financial impact of investing in the subdivision at this time would be an unwise business decision and poor use of capital funds for WSI.
 - a) The current real estate market on the mountain for single family home lots remains soft. WSI has sold only 2 lots since December 2007 in Northern Lights West - phase I. Currently, there are 8 lots remaining with 4 of these being prime lake view lots indicating the soft market. The subdivision infrastructure for phase 2 will cost about \$1.5 million to bring 10 more lots to the market where demand is already low.
 - b) WSI certainly has other priorities for spending cash. We are currently planning for two large expenditures: a new lift and trail system, potentially starting this summer 2013, along with an expansion to the Base Lodge. Both of these expenditures are to address

Subdivision Variance – NLW P2

EXHIBIT
Page 1

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crowding on high volume days, which have been steadily growing. We need to provide faster food service, more seating, spread skiers out over greater acreage, and reduce congestion at variance points on the mountain. These "growing pains" take precedent over a new subdivision in a lack-luster real estate market. If we don't address these soon, we could lose momentum in our growth, which is always difficult to restart.

- c) WSI was in a severe economic crisis in 2007 for a variety of reasons with one of these being attributed to spending vast amounts of money on real estate development. We spent the last 5 years "digging" the company out of this vast debt and certainly do not want to repeat the same mistakes when the marketplace is still soft.

Please understand that WSI's development land is vital to the shareholders' value. So, this delay is only a delay. I hope that staff and the city council will approve this SUBDIVISION VARIANCE for the Northern Lights West – phase II Final Plat until November 30, 2015. Enclosed please see a check for \$396 representing the fee for the variance.

I look forward to hearing from you.

Best regards,



Dan Graves
President
Winter Sports Inc.

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PLANNING & BUILDING DEPARTMENT
510 Railway Street
PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



To: Mayor John Muhlfeld
City Councilors

From: David Taylor, AICP, Planning and Building Director 

Re: Staff Report – Recommendation to award professional contract for Highway 93 West Corridor Planning to Applied Communications

Date: April 18, 2013

Introduction/History

The City Council authorized staff to pursue Request for Proposals (RFP) for a Highway 93 West Corridor Plan at the January 22nd meeting.

Current Report

We had four responses to the RFP. Proposals were received from Applied Communications, WGM Group, Design Workshop, and CTA. A selection committee comprised of Mayor Muhlfeld, John Wilson, Wendy Compton-Ring, and myself ranked all four proposals on a scale of 1-100. We also interviewed all four firms on March 25 and ranked the interview presentations on a scale of 1-100.

Three of the four reviewers ranked Applied Communications, LLC first, while the other had them a close second. It is the recommendation of the selection committee to award a contract for the Highway 93 West Corridor Plan to Applied Communications, LLC. Applied Communications, LLC, which is made up of professional planners Kathleen McMahon and Robert Horne, will team up with GSBS Richman as well as Geodata Services for this project. The majority of the selection committee felt that they had the strongest proposal. As a local firm, they have the most flexibility to attend steering committee and other meetings, have a great familiarity with Whitefish and our adopted long range plans, as well as the necessary experience for a successful project. The interview committee also unanimously felt their proposal for evaluating the economic performance of the district was the strongest of all the applicants. They were also tied for least

expensive proposal at \$50,000 and can complete the project within a 22 week timeline, slightly less than six months.

WGM Group came in a close second, and, as the firm doing the project design for the Highway 93 West Highway Improvement project, they also had a strong proposal and the planning experience to do a good job with the plan. Their proposed cost estimate was slightly higher at \$54,185. They also proposed to complete the project within six months.

Highlights of the winning proposal, including timelines and budgetary information, are attached to this memo.

Our relative scoring on a 2-200 basis and the combined totals are shown below:

Interviewer:	<i>Applied Communications</i>	<i>WGM Group</i>	<i>Design Workshop</i>	<i>CTA Group</i>
Dave Taylor	183	185	183	152
Wendy Compton Ring	183	169	169	144
Mayor Muhlfield	180	178	166	152
John Wilson	163	161	157	147
Total (800 max)	709	693	675	595

Financial Requirement

The contract, which will be negotiated after council approval, will be not to exceed \$50,000. \$25,000 will be paid for out of the Planning Department budget, and \$25,000 will paid for out of TIF funds.

Recommendation

Staff respectfully recommends the City Council award a contract for the Highway 93 West Corridor Plan to Applied Communications, LLC in the amount of \$50,000.

Exhibit A: Highway 93 West Corridor Plan Scope of Services

1. Conduct an inventory of existing conditions
 - a. Corridor boundaries
 - b. Existing land uses and current performance
 - c. Highway and street circulation systems
 - d. Patterns of land ownership
 - e. Development potential (based on existing lot size, zoning, accessibility)
 - f. Population distribution
 - g. Proposed/approved land uses
 - h. Parks, public uses, open spaces, cultural resources
 - i. Transit, bicycle and pedestrian routes
 - j. Topography and drainage
 - k. Existing access and utility easements, utility locations
 - l. List of Stakeholders
 - m. Boundaries of existing Tax Increment Financing (TIF) district
2. Facilitate a Project Steering Committee appointed by the city council made up of city staff, MDOT, elected officials, corridor business owners, property owners, and other stakeholders from the corridor.
3. Provide a vision of the future
 - a. Review existing MDT Highway 93 West redevelopment plans, 2010 Whitefish Urban Corridor Study 2009 Whitefish Transportation Plan, Downtown Master Plan, City trail projects, and other relevant documents
 - b. Conduct neighborhood meetings with neighborhood surveys, visioning, alternatives and consensus building sessions with stakeholders and then a follow up meeting presenting summary and draft plan
 - c. Develop Goals and Objectives of proposed plan /an image of what the plan hopes to achieve.
4. Establish a development policy
 - a. Review and revise existing Growth Policy Future Land Use designations
 - b. Determine appropriate mix of future uses for corridor while maintaining buffers for adjacent residential areas while complimenting uses downtown
 - c. Look at potential redevelopment opportunities for Idaho Timber site
 - d. Develop and produce corridor plan addressing land use, scale, transportation function and modes, noise, screening, landscaping, and urban design.
5. Identify implementation activities
 - a. Revisions of Growth Policy Future Land Use Maps
 - b. Changes to zoning code such as new mixed-use, neighborhood commercial, or resort suburban highway zoning district, possible sign code or ARC standards revisions
 - c. Look at possible new TIF district along western portion of corridor
 - d. Identify possible public projects and coordinate public investment

**Proposal and Cost Estimate
For Planning Services
Highway 93 West Corridor Plan**

**Applied Communications LLC
Whitefish, Montana**

**GSBS Richman
Salt Lake City, Utah**

**Geodata Services, Inc.
Missoula, Montana**

Submitted March 15, 2013





Applied Communications LLC
151 Wedgewood Ln.
Whitefish, MT 59937
(406) 863-9255
rhorne@appcom.net

Highway 93 West Selection Committee
P.O. Box 158
Whitefish, MT 59937

March 15, 2013

Re: proposal for planning services; Highway 93 West Corridor Plan

Dear Whitefish Officials:

On behalf of Applied Communications, GSBS Richman Consulting, and Geodata Services, I am extremely proud to present this proposal for planning services for the Highway 93 West Corridor Plan. We have put together a team with the skills, experience, and the commitment to see the Highway 93 West Corridor Plan through to a successful completion.

Applied Communications LLC will be the lead consultant for the team, and will be the primary client contact and project administrator. As you are aware, AppCom is based in Whitefish, and will be available for meetings, updates, and contacts with the media on very short notice. Kate McMahon founded Applied Communications in 1994, and the firm has always specialized in service to small communities and rural counties. Our clients are mostly in Montana and Idaho, but Kate has successfully conducted telecommunications projects in Washington, Colorado, Iowa, and Wisconsin. I joined Kate in 2007 so that we could provide better service to clients who have planning, economic development, and growth management needs.

Christine Richman of GSBS Richman will provide economic real estate market analyses to quantify the expected performance of the preferred land uses in the corridor. GSBS Richman design professionals will take the lead in recommending design standards and guidelines for the corridor so that land development will respond positively to the newly reconstructed street. Kate and I have known Christine for years, and have worked with her (as a member of Wikstom Economic & Planning Consultants) on the East Anaconda Reuse Plan and other components of Anaconda-Deer Lodge County's Superfund redevelopment efforts.

For many years, it has been our pleasure to associate with Ken Wall and his firm, Geodata Services of Missoula. Kate has teamed with Ken on telecommunications projects in Montana and North Dakota, and I teamed with him on the Choteau character based zoning code. We are confident in his firm's abilities, commitment, and motivation to provide mapping, spatial analysis, and GIS services for the Highway 93 West Corridor Plan.

We hope you are as excited as we are about the prospects for the Highway 93 West corridor, and we look forward to discussing our team's qualifications and project approach with you further at a face-to-face interview.

Respectfully submitted,

Robert Horne, Jr., AICP
Principal, Applied Communications LLC

Project Approach

There is a “sweet spot” in blending design considerations, economic opportunity, and community desires. Finding the appropriate balance demands a critical evaluation of current land use and market performance, an accurate assessment of market potential, and a comprehensive understanding of community desires. Our approach to the Highway 93 West Corridor Plan is to integrate community planning, market research, public finance, and design to provide you with a land use planning framework that harnesses market forces, maximizes your infrastructure investment, and maintains community character.

Phase I – What You Have

Our analysis builds on the decisions that have been made to date. At the outset of the project we will review the existing conditions along the corridor including:

- Infrastructure design decisions
- Economic performance of current land uses
- Zoning and planning regulations currently in place
- Existing development pressures

This phase will be completed in three tasks:

Task 1: Evaluating Current Economic Performance

GSBS Richman will complete an analysis of economic performance of the Highway 93 West corridor, to include retail performance and property utilization studies. We will compare retail performance to other segments of Highway 93 as well as comparable areas in other communities or along other highways. Property utilization studies compare the performance of real property improvements to the underlying value of the land.

Task duration – 2 weeks

Task cost - \$2,000

Task 2: Defining Design Opportunities

Reconstruction of Highway 93 West presents opportunities to establish better connections to the new street and produce a higher quality of design along the entire corridor. Done properly, refining the design of accesses and building entries will increase value for property owners and instill confidence in developers and investors. The project team will study the final reconstruction plans for Highway 93 West and develop a palette of design options and opportunities for presentation to the Steering Committee. With the Committee’s assistance, we will refine these opportunities and graphically render them for use in the community/stakeholder involvement task.

Task duration- 3 weeks

Task cost- \$3,000

Task 3: Land Use Inventory and Issue Identification

The project team will prepare existing land use maps of the corridor and will produce an analysis of land use and zoning issues. The inventory will include the elements identified in the RFP and will be based on existing data and maps provided by the client. The inventory will then be field verified and compared to the economic performance data generated in Task 1.

We will model build-out of the area under current zoning. Potential problems and issues associated with non-conformities and conditional uses will be identified through the model. Special attention will be paid to any uses allowed under current zoning that would have potentially adverse impacts on existing residential and any other low intensity uses in the corridor. GSBS Richman will project economic performance of this “Current Build-Out Scenario” to provide an understanding of the economic and land use impacts of current policies. The Steering Committee will review and modify the model as needed. The model and the scenario will serve as a guide for all future work. It will also be presented to the public and stakeholders in order to establish a general consensus on land use problems and issues early in the process.

Task duration- 3 weeks

Task cost- \$4,500

Phase II – What You Want

The next step is to create a common understanding of what the community wants for the corridor. This process includes a comprehensive understanding of what’s possible based on market and design opportunities. This phase will be completed in three tasks.

Task 4: Community Involvement

In addition to facilitating meetings of the Steering Committee, the project team will conduct at least four workshop/visioning session meetings for corridor stakeholders and the general public. In addition, we will set up a web site for meeting announcements, analyses, maps, issues under study, and general project updates. We will also deliver regular progress reports to the City Council and Planning Board.

Task duration- Ongoing throughout project

Task cost- \$6,000

Task 5: Land Use Recommendations

GSBS Richman will complete a market opportunities analysis that identifies future retail, office and service capacity for the corridor. The project team will prepare a report in which specific land uses for the corridor will be recommended. This report will include an analysis of market demand and absorption rates for the various uses recommended to ensure the uses proposed are realistic, supportable by the market, and capable of attracting development capital. This report

too will be presented to the Steering Committee for fine tuning, and then to the public and stakeholders for comment. In conjunction with this report, we will produce a preliminary land use map, also for review and refinement by the Steering Committee.

Task duration- 4 weeks

Task cost- \$5,500

Task 6: Redevelopment/Reuse of Idaho Timber Property

Within the context of demand in the entire corridor, the project team will provide a complete analysis of the opportunities, constraints, and overall feasibility of redeveloping or reusing the Idaho Timber Property at the north end of Karrow Ave. This analysis will include an assessment of any environmental issues and a series of recommendations to provide a smooth transition from any prospective new use to the established residential neighborhood that borders the property on the south.

Task duration- two weeks

Task cost- \$4,500

Phase III – How you Get There

Based upon the outcomes in the first two phases, we will work with the Steering Committee to develop a framework for transitioning the corridor consistent with the community vision, maintaining economic viability, and generating additional private investment in the corridor. This phase will be completed in four steps.

Task 7: Develop Design Recommendations

Taking the design opportunities identified in Task 2, the project team will refine design approaches for buildings/facades, landscaping, entry/access, pedestrian/bikeway circulation, and parking areas. All design recommendations will be illustrated, structured to take best advantage of the new streetscape, and tailored to the recommended land uses from Task 5.

Task duration- 4 weeks

Task cost- \$6,500

Task 8: Implementation Strategies

Working with the Steering Committee, the project team will develop a complete range of plan implementation strategies for the corridor. These will include, but will not necessarily be limited to revised zoning/overlay system, design standards and/or guidelines, additional public investment opportunities (parks, trail links, transportation enhancements, etc.), development/investment incentives, and tax increment financing.

Task duration- 3 weeks

Task cost- \$4,500

Task 9: Draft Neighborhood Plan Document

Taking the results and products from all previous tasks, the project team will produce the document that can be reviewed and eventually adopted as a neighborhood plan pursuant to Sec. 76-1-601, MCA. At a minimum, the neighborhood plan will contain:

- Existing land use map and issue analysis
- Illustrated design concepts to include all development components from Tasks 1 and 5
- Documentation of recommended uses and recommended future land use map
- Analysis and recommendations for the Idaho Timber property
- Forecasts of population and land absorption for non-residential uses
- Recommended regulatory framework including review processes and procedures
- Implementation strategies and options, including possible TIF and other public investment initiatives

Task duration- 4 weeks

Task cost- \$7,500

Task 10: Plan Adoption

The project team will work with City staff in scheduling and conducting public hearings required for adopting the corridor plan as a neighborhood plan component to the Whitefish Growth Policy. From work products created in previous tasks, the team will provide information and promotional materials for use by the City in public notices and announcements. Key project team members will be present at all meetings and hearings leading up to adoption, will make presentations as needed, and will address questions and comments. The team will also provide a summary of comments received for use by the City in documenting the adoption process.

Task duration- 4 to 5 weeks

Task cost- \$6,000



Budget and Invoicing

The proposed budget to perform all work described in this proposal is **\$50,000**. This figure includes all travel by members of the project team, miscellaneous supplies, overhead, and wireless charges. This figure does not include any costs to publish notices of meetings, hearings, and work sessions, nor to rent facilities in which to hold such gatherings. Any services or products desired by the client and not contained in the task by task Project Approach may be added by the client at a **blended rate of \$100 per hour**, or by contract amendment upon agreement of both parties.

Invoicing will be monthly and will be based upon the tasks and/or portions of tasks completed. In addition, invoices will provide of summary of meetings and work sessions held and products produced for that month.



Residents attend a Growth Policy visioning session for the Opportunity community in Anaconda-Deer Lodge County, Montana

Highway 93 West Project Timeline

	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14	Week 15	Week 16	Week 17	Week 18	Week 19	Week 20	Week 21	Week 22	
Task 1 – Evaluate Current Economic Performance	█	█																					
Task 2 – Defining Design Opportunities			█	█	█																		
Task 3 – Land Use Inventory/ Issue Identification				█	█	█																	
Task 4 – Community Involvement	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Task 5 – Land Use Recommendations						█	█	█															
Task 6 – Reuse of Idaho Timber Property										█	█												
Task 7 – Develop Design Recommendations											█	█	█	█									
Task 8 – Implementation Strategies												█	█	█									
Task 9 – Neighborhood Plan Draft															█	█	█	█	█	█			
Task 10 - Plan Adoption																					█	█	

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MANAGER REPORT

April 10, 2013



RESORT TAXES

Resort tax collections were up by 8% or \$11,056 in February compared to last year. This year's figure was \$142,849 which was the highest February in our history. For the year to date, we are at \$1,419,343 collected which is an increase of \$131,113 or 10.2% over the same period last year. A chart and graph of recent collections and monthly trends is attached in the packet.

CITY COUNCIL ELECTION IN FALL

Necile Lorang, City Clerk, informs me that the filing period for petitions to run for the City Council vacancies this fall opens April 29th and closes on June 27th. Either Necile or the County Elections Office has the required petitions and forms to file to run for City Council. The current terms of Chris Hyatt, Bill Kahle, and Phil Mitchell expire at the end of 2013.

MEETINGS

MDT Whitefish Hwy 93 West Project Pre-construction Meeting (4/3) – John Wilson, Randy Reynolds, and I attended the pre-construction meeting which the Montana Department of Transportation (MDT) held in Kalispell. LHC is the general contractor on the project and some utility work has already begun on the project. The contractor will start on the project on April 15th and there should be some public information in this week's newspaper. There are no official detours planned for the project and traffic will continue to use Hwy 93/2nd Street. There will be a temporary bridge installed south of the current 2nd Street Bridge over the Whitefish River. Fences will be used to direct pedestrians and bicyclists and keep them out of the construction zones. We reminded them of the Memorial Day parade on that route and they do not anticipate working on Memorial Day.

UPCOMING SPECIAL EVENTS

Clean the Fish – Saturday, April 20th – Glacier Bank 2nd Street Office

REMINDERS

April 29th - 5th Monday meeting with other jurisdictions. Details to be announced

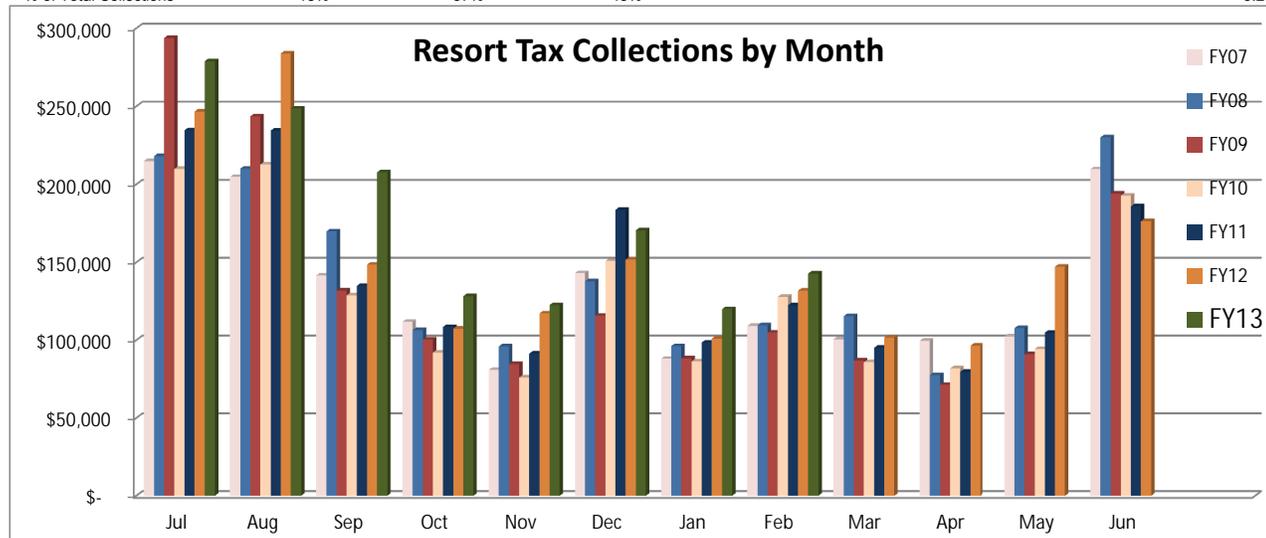
Respectfully submitted,

A handwritten signature in blue ink that reads "Chuck Stearns". The signature is written in a cursive, flowing style.

Chuck Stearns
City Manager

Resort Tax Report
Reported in the Month Businesses Paid Tax

Month/Year	Lodging	Bars & Restaurants		Retail	Collected	% Chng Mnth to Pr Yr Mnth	% Chng Quarter to Pr Yr Quarter	Interest	Total
		Restaurants	Restaurants						
Feb-08	11,028	45,009		53,481	109,519			3,321	112,840
Feb-09	13,224	44,273		47,402	104,898			9,922	114,820
Total FY09	\$ 269,389	\$ 587,889		\$ 749,573	\$ 1,606,851			\$ 139,585	\$ 1,746,436
FY08 vs FY09	-4.1%	-7.2%		-1.5%	-4.1%			TaxableSales FY09 \$	84,571,113
Feb-10	14,100	46,850		66,910	127,860			1,444	129,304
Mar-10	7,178	32,891		45,796	85,865			1,500	87,365
Total FY10	\$ 245,171	\$ 563,798		\$ 730,393	\$ 1,539,362			\$ 53,679	\$ 1,593,041
FY09 vs FY10	-9.0%	-4.1%		-2.6%	-4.2%			TaxableSales FY10 \$	81,019,064
Jan-11	8,686	40,117		49,679	98,482			1,276	99,758
Feb-11	15,283	51,605		55,478	122,365			1,151	123,516
Mar-11	12,010	40,790		42,246	95,046			1,363	96,409
Apr-11	7,571	35,595		36,466	79,633			1,407	81,040
Total FY11	\$ 274,688	\$ 651,321		\$ 747,615	\$ 1,673,624			\$ 38,004	\$ 1,711,629
FY10 vs FY11	12.0%	15.5%		2.4%	8.7%			TaxableSales FY11 \$	88,085,492
Jul-11	56,106	90,212		100,325	246,642			\$ 979	\$ 247,621
Aug-11	85,621	91,408		106,860	283,889			7,833	291,722
Sep-11	28,154	58,830		61,535	148,519			593	149,112
Oct-11	17,944	45,919		43,610	107,473			496	107,969
Nov-11	14,351	39,054		63,758	117,162			479	117,641
Dec-11	16,531	51,195		84,000	151,726			526	152,252
Jan-12	10,032	44,089		46,905	101,026			515	101,541
Feb-12	14,585	56,427		60,780	131,793			578	132,371
Total 8 Months	243,324	477,133		567,773	1,288,230				
Mar-12	11,008	42,952		47,682	101,643			557	102,200
Apr-12	9,353	39,367		47,657	96,377			610	96,987
May-12	15,461	51,207		80,526	147,194			6,993	154,187
Jun-12	35,584	68,403		72,472	176,460			625	177,085
Total FY12	\$ 558,055	\$ 1,156,195		\$ 1,383,883	\$ 3,098,134			\$ 20,785	\$ 1,830,688
FY11 vs FY12	103%	78%		85%	85%			TaxableSales FY12 \$	163,059,662
Jul-12	69,418	94,341		115,149	278,908			\$ 643	\$ 279,551
Aug-12	53,361	92,463		102,812	248,636			444	249,080
Sep-12	57,000	77,503		73,232	207,734			533	208,267
Oct-12	24,519	54,631		49,137	128,288			434	128,722
Nov-12	8,099	40,326		74,122	122,547			393	122,941
Dec-12	15,490	66,046		88,956	170,492			363	170,855
Jan-13	13,152	51,930		54,806	119,889				
Feb-13	18,023	55,180		69,645	142,849				
Total FY13	\$ 259,062	\$ 532,421		\$ 627,860	\$ 1,419,343			\$ 2,810	\$ 1,159,416
YTD vs Last Year	6.5%	11.6%		10.6%				TaxableSales FY13 \$	74,702,286
FY13 of Collections	18%	38%		44%				\$ 745,778	\$ 19,510,104
Grand Total	\$ 4,127,396	\$ 8,652,374		\$ 10,525,077	\$ 23,304,847				3.2% Average i since '96
% of Total Collections	18%	37%		45%					



Total Taxable Sales Since 1996	\$ 1,226,570,911
Total Collected	\$ 24,531,418
5% Admin	\$ 1,226,571
Public Portion	\$ 23,304,847

RESOLUTION NO. 13-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA,
ESTABLISHING ANNUAL GOALS FOR THE CITY.**

WHEREAS, the City Council of the City of Whitefish is committed to the continuing advancement and improvement of the community, City, and City services; and

WHEREAS, the City Council has adopted annual goals since 1999; and

WHEREAS, the City Council met in a work session with the City Manager on April 1, 2013 to establish short term, long term, and on-going goals for items needing more than two years to accomplish; and

WHEREAS, Exhibit "A", attached hereto, is a list of the above referenced goals which the Mayor, City Council, and City Manager established.

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

Section 1: The Whitefish City Council hereby approves the list of goals as provided in Exhibit A.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2013.

John M. Muhlfeld, Mayor

ATTEST:

Necile Lorang, City Clerk

ATTACHMENT A
 CITY OF WHITEFISH – MAYOR AND COUNCIL GOALS
 FY14
 PREPARED: April 1, 2013

Mayor/Council Short Term Goals (no particular order)	Mayor/Council Longer Term Goals (no particular order)	Mayor/Council Ongoing Goals (no particular order)	Staff Goals (no particular order)
Hwy 93 South Corridor Plan	Code Enforcement improvements	Economic Development – Public-Private Partnerships and targeted business assistance	MDT – Hwy 93 west project
Downtown Parking	Maintenance plans for parks, facilities, and buildings and Riverside Park protection and improvement for erosion	BNSF – cleanup of CECRA site and river, maintain good relationship on all issues	Parks Master Plans
City Hall planning	Whitefish River waterway development and improvement	Whitefish Trail - work with Whitefish Legacy Partners	Explore extent of waivers for utility contracts
Depot Park Phase II Redevelopment – including new restrooms at O’Shaughnessy Center		Water quality improvements and projects (AIS, water rights, City Beach, Stormwater pond improvements)	Long Term Financial Planning and Sustainability
Possible Amendments to sign code		Affordable Housing	Green Initiatives
New Cemetery development			Records Management/Imaging Phase II
Address Aquatic Invasive Species problem			Redesign City website

ATTACHMENT A
 CITY OF WHITEFISH – MAYOR AND COUNCIL GOALS
 FY13
 PREPARED: April 16, 2012

Mayor/Council Short Term Goals (no particular order)	Mayor/Council Longer Term Goals (no particular order)	Mayor/Council Ongoing Goals (no particular order)	Staff Goals (no particular order)
Hwy 93 South Corridor Plan	Economic Development including targeted businesses	Affordable Housing	MDT – Hwy 93 west project and downtown project
Downtown Parking	Code Enforcement improvements	BNSF – cleanup of CECRA site and river	Parks Master Plans
City Hall planning	Maintenance plans for parks, facilities, and buildings	Whitefish Trail, work with Whitefish Legacy Partners, and all trail improvements	Explore extent of waivers for utility contracts
Downtown restroom improvements	Municipal Court – resolve audit findings	Water quality improvements (City Beach, Stormwater pond improvements)	Long Term Financial Planning and Sustainability
BNSF – foster relationship, restore Railway District impacts	Watershed Protection – Intakes, Hydro plant, water rights, Whitefish Lake water quality	Budget/financial condition	Green Initiatives
Possible Amendments to sign code	Whitefish River waterway development and improvement	Economic Development – Public-Private Partnerships and targeted business assistance	Records Management/Imaging
New Cemetery development		Doughnut negotiations	
Depot Park Phase I Redevelopment			



MEMORANDUM

#2013-023

To: Mayor John Muhlfeld
City Councilors

From: Chuck Stearns, City Manager

Re: Staff Report – City Council Goals

Date: April 9, 2013

Introduction/History

Since 1999, the Mayor and City Council have met in annual retreats or work sessions with the City Manager to discuss and establish short and long term goals. These goals are important in order to prepare the annual budget and work plan for the subsequent fiscal year.

Current Report

Mayor Muhlfeld and City Council members, met in a work session on April 1, 2013 with the City Manager, Assistant City Manager/Finance Director, and Department Directors to review and set priorities among the choices for goals. In that work session, the Mayor and City Council established seven short term goals, three long term goals, five on-going goals, and seven additional goals generated by and for the city's staff.

Financial Requirement

Until the budget is established, it is difficult to quantify the cost of resources for these goals. Most of the initial costs incurred for the goals will be city staff time to research, evaluate, and make recommendations on options for the Mayor and City Council. Ultimately, many of these projects involve capital and operating budgets to implement. As options are presented to the Mayor and City Council in the future, these options will typically have cost estimates prepared at that time.

Recommendation

City staff respectfully recommends that the City Council approve the resolution establishing short and long term goals.

Staff Report



To: Mayor John Muhlfeld and City Councilors
 From: Rich Knapp, Assistant City Manager/Finance Director
 Date: April 9, 2013
 Re: Fiscal Year 2013 Third Quarter Financial Report

This first page is a summary the City’s financial status, the rest of the report is for more detail.

An analysis of available cash in property tax supported funds provides a quick and simple review of the city’s financial health. The following table lists FY13’s budgeted year-end cash in column (a), FY13’s Q3 actual cash column (b) and FY12’s Q3 actual cash column (c).

Property Tax Supported Funds				
	Budget June 30 2013 Cash	Actual Mar 31 2013 Cash	Actual Mar 31 2012 Cash	One Year Change
	a	b	c	(b-c)
General	\$566,605	\$710,396	\$397,152	\$313,244
Parks/Rec	\$2,863	(\$160,906)	(\$76,004)	(\$84,902)
Police	\$12,776	\$132,283	\$85,880	\$46,403
Library	\$18,095	\$1,605	(\$20,761)	\$22,366
Fire & Amb	\$283,943	\$418,614	\$525,665	(\$107,051)
Building	\$14,607	\$20,669	\$51,854	(\$31,185)
	\$898,889	\$1,122,660	\$963,785	\$158,875
		% increase in cash		16%

The total property tax supported funds’ cash increase from last Q3 was \$158k or 16%. Parks’ cash situation is much lower than last year due to capital purchases made early in the year and unexpected costs. Fire & Amb cash would be higher, but Medicare has not paid the City in four months due to a reevaluation. Building is an improvement over last year because revenues continue to exceed expenditures despite no General Fund loan. Also, only the first of three building permits for the high school project has been deposited—the second permit should be deposited this week

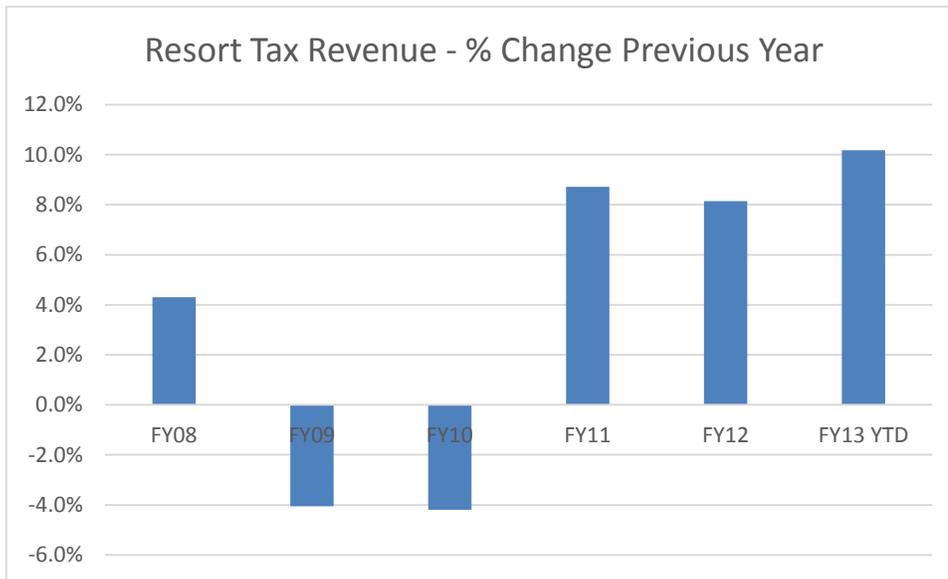
Fire union pay increases are not reflected in any of the numbers in this report. When the fire union settles, the city will back pay to July 1. Police retro pay is included in this report.

Financial Highlights

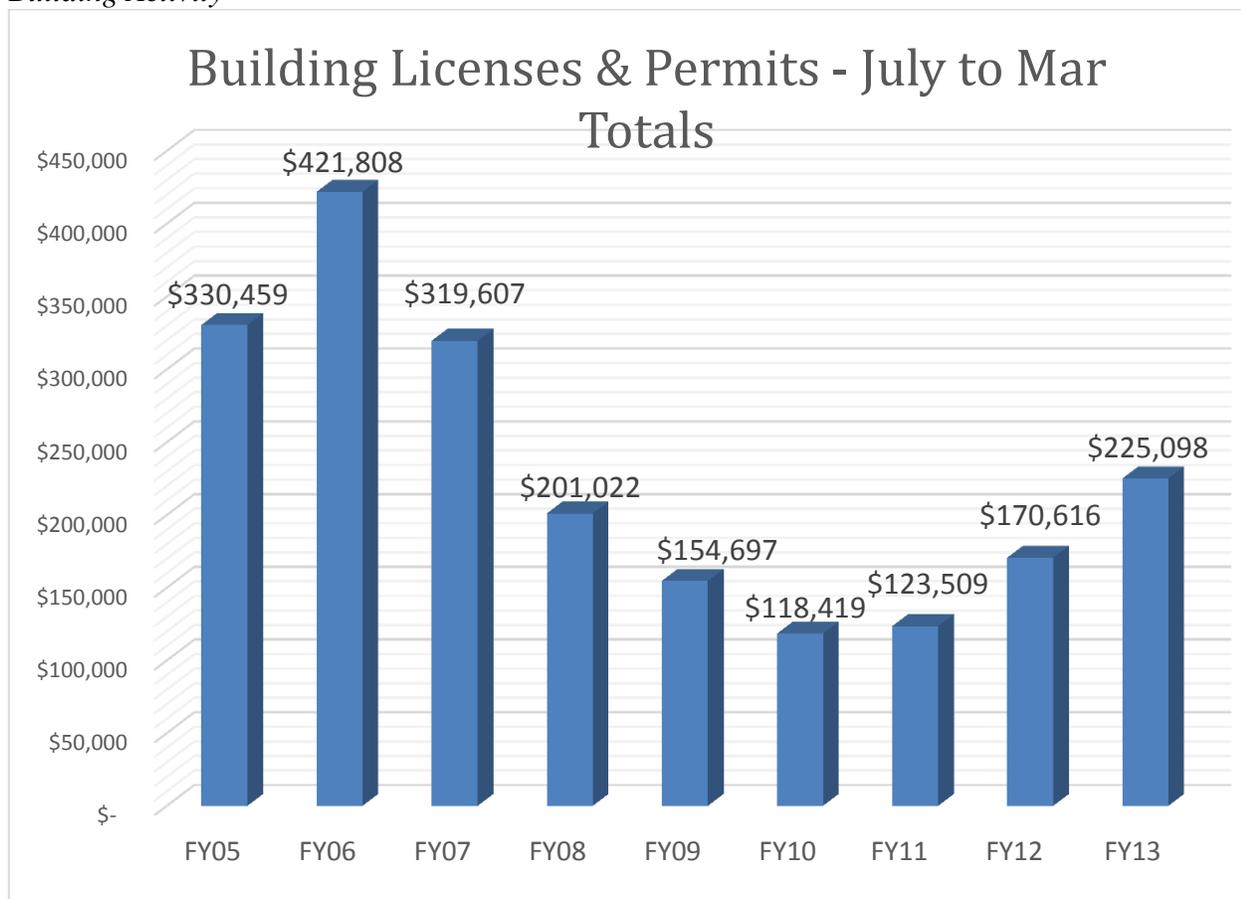
Building License and Permits revenue at ¾ of the year was the highest since FY2007 (see graph later). Ambulance Services Charges net write downs were about 18% higher than the previous two ¾ of the year. Water and Sewer Charges are 6% and 7% higher respectively, while water & sewer rates were increased by a smaller 2.5% in Oct ‘12. Planning related fees are collectively about 110% of budget. The city’s interest earnings are about 1/5 lower than even two years ago. Impact fees are more than double two years ago and will exceed budget projections. MDT’s US93 West project are mostly paid for and the City has begun paying back FEC with hydro generated electricity.

Economic Trends

Resort Tax- The graph below illustrates the trend in commerce within the city over the last five plus years.



Building Activity-



Significant Financial Events in FY 2013

Capital spending underway or mostly complete in Q3 include 6th and Geddes, donation for the Memorial Park ball fields, E. 2nd street engineering, Safe Routes to Schools, Ice Den improvements including 3 compressors, lawn mower for parks, a police vehicle, an edraulic cutter & spreader, close out of Hwy 93/2nd Street TIGER project (not done yet), Suncrest water system improvement, hydro-electric generation, US93 West, Baker Ave outfall reconstruction, Skye Park Bridge engineering, new doors at the ESC, and the wastewater clarifier energy improvement.

Major project spending in the first part of April include the \$1 million payment for the high school project.

The following discussion highlights the attached three spreadsheets.

General Fund Revenue (line 9 to 17)

Charges for Services (mostly planning & zoning fees) were 81% higher than last year and were already 110% of budget. Most of these charges relate to planning and zoning. Zone Plan Review fees were almost double last year. Planning fees were lower 3/4 of the year, but are now higher than last year. Lakeshore fees are four times more than last year and Architect Review fees are more than eight times more than last year. Variance revenue was four times more than last year, and Conditional Use Permits were more than double last year. Investment earnings a third less than last year.

General Fund Expenditures, Net Revenue, & Cash (line 21 to 45)

Total GF Expenditures are on track at 73% of budget.

GF cash balance was \$710,396 compared to \$107k on Mar 31, 2011 (see I45). The graph located on the GF numbers page shows GF cash history for the last five years. The city GF cash now closely matches FY 2009 levels and will probably end higher than that year. In addition, there will not be a negative cash balance in May.

Property Tax Supported Funds (line 47 to 51 for summary, p. 2 for detail)

Aggregate numbers for all property tax supported funds are found on line 47 through 51. The property tax supported funds' numbers are a sum of all the funds on the second sheet under "Property Tax Supported Funds." Line 50 and 51, summarized the total net gain/loss, and cash balance for the GF and all other property tax supported funds.

A key analysis is done by comparing net year end budgeted use of reserves (M47) to the net loss/gain actual (I47). The current budget anticipated decreasing cash reserves in Prop. Tax funds by \$195k at year end. At mid-year the net was a \$26k gain—a difference of \$221k.

The main reasons for the difference between budgeted and actual include:

- \$130k of expenditures from the purchase of Fire & Ambulance apparatus was budgeted but will not occur this fiscal year
- \$25k of salary increase back pay to fire union members
- \$37k for one quarterly payment of dispatch was not paid in Q3
- Several other one time projects and capital that have not started yet

Page 2 of the numbers

Park and Rec had a \$136k higher net loss than last year (K84). A net loss at ¾ of the year is expected, however it may be a little high. The fund had several capital expenditures in the beginning of the year that added to the increase over last year. Parks also had several unexpected expenditures, including a Grouse Mnt tennis court repair, an insurance claim, and a roof repair at the saddle club. Also, \$9k grant expense has not been reimbursed.

Library will probably have a negative balance in April and May (I91). This deficit could be avoided by building up the cash reserves to at least 20% of expenditures or \$40k, however cash reserves are slowly increasing.

Building Codes net gain is close to budget; however the budget anticipated a large permit from the high school that has not come in yet (L113).

Ambulance fee revenues net of medicare, rescue care, city discount, and bad debt were 18% higher than last year (L99). Ambulance Account Receivable balance was about \$120k larger than normal due to a reevaluation with Medicare. The A/R balance shows revenue recognized but cash has not been received. The city has not received a payment from medicare since November, therefore the cash is lower than it should be. Fire & Ambulance OT is 33% or \$39k less of what it was at this point last year (retro pay increases not factored).

Other Tax, Fee, & Assessment Supported Funds (p.2, line 121 to 148)

These funds found on the second half of the second spreadsheet, receive no general property tax support.

Resort tax revenue was higher than 2012 by 7% (I123). As planned, expenditures are higher than the last couple of years and the cash balance continues to decrease.

The payment to school of \$1 million from the TIF will occur in April, after this reporting period.

Enterprise Funds (p.3)

Water charges were 6% higher than last year (line 160) while sewer charges were 7% higher (line 174). The increase in rates in October 2012 was 2.5% for water and sewer. The additional increase in revenue is probably mostly due from water use.

The water capital expenditures (I166) of \$1,514,682 are from the hydro project, Suncrest booster, US93 W, and some new vehicles.

US93 West

Even though construction has not started, the city has paid for the majority of the cost for the US93 West project. The total water & sewer portion of the project was \$1,292,699—\$258k of this project has been paid for from impact fees. The sewer fund still owes \$400k, probably paid from wastewater cash instead of the originally planned debt. The TIF related expenses have also already been paid for.

Hydro Power

In early 2011, Flathead Electric pre-purchased \$400k of electricity to be generated from the city's hydro plant. The \$400k, along with a grant was used to reconstruct the hydro plant. In Sept 2012, the hydro plant started generating electricity and thereby began paying back the pre-purchase of power to FEC. As of Mar 31, the city owed FEC \$365,563. The city anticipates an increased payback as the first spring of hydro power is realized.

Quarterly Financial Analysis

City of Whitefish

Month End: 3/31/2013 75% of fiscal year complete

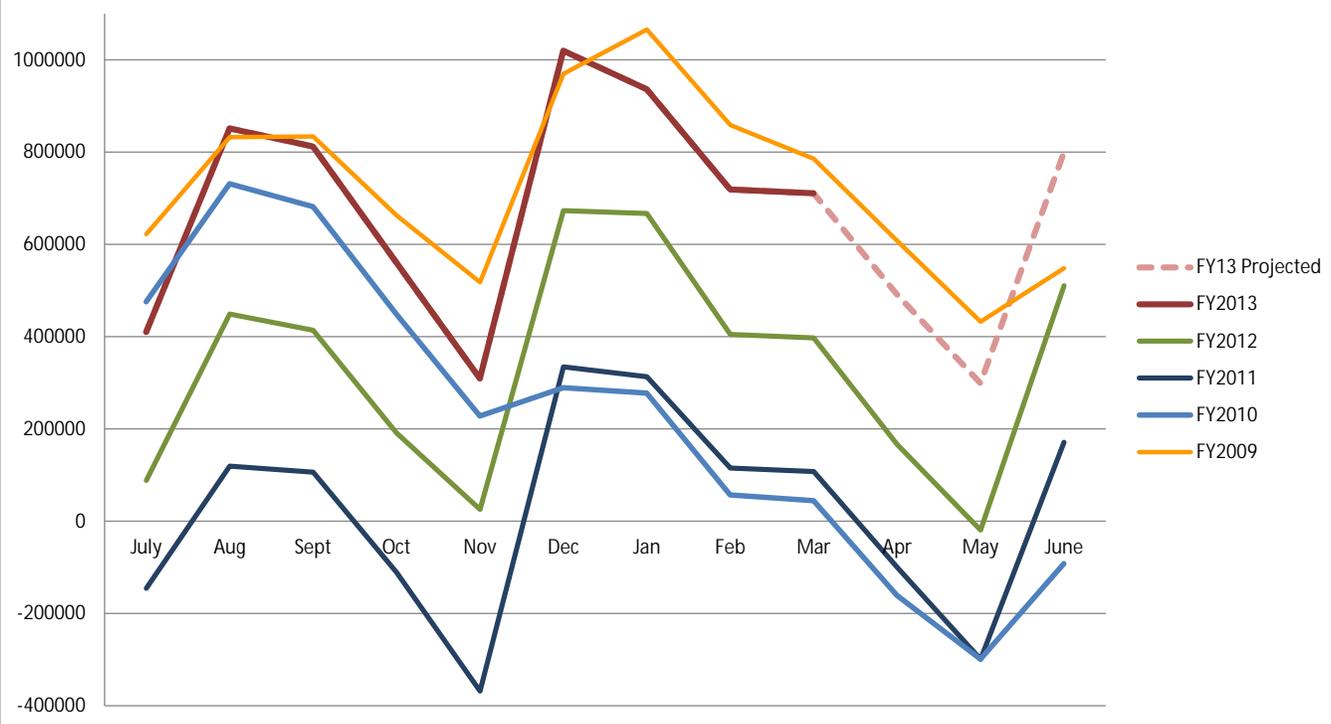
	YTD Mar 31, 2011		YTD Mar 31, 2012		YTD Mar 31, 2013		Chng Prev YR	% Chng Prev Yr
	Dollars	% of Budget	Dollars	% of Budget	Dollars	% of Budget		
General Fund Revenues								
Property Taxes	\$1,329,903	67%	\$1,337,201	73%	\$1,297,426	68%	(\$39,775)	-3%
Total Licenses and Permits	\$45,604	81%	\$43,160	76%	\$45,159	76%	\$1,999	5%
Intergovernmental Revenue	\$553,519	76%	\$551,085	75%	\$577,765	76%	\$26,680	5%
Charges for Services	\$95,309	67%	\$76,389	53%	\$137,905	110%	\$61,516	81%
Fines and Forfeitures	\$142,677	54%	\$193,820	90%	\$195,270	82%	\$1,450	1%
Miscellaneous	\$12,090	51%	\$11,366	36%	\$15,958	44%	\$4,591	40%
Investment Earnings	\$53,436	134%	\$30,909	88%	\$11,613	46%	(\$19,295)	-62%
Resort Tax & SID Revolving Transfer In	\$520,574	96%	\$553,708	100%	\$598,007	100%	\$44,299	8%
Total General Fund Revenues	\$2,753,113	73%	\$2,817,672	77%	\$2,883,103	77%	\$65,431	2%
General Fund Expenditures								
City Court	\$181,849	71%	\$191,784	67%	\$192,326	78%	\$542	0%
Prosecution Services	\$98,680	90%	\$72,442	75%	\$76,315	78%	\$3,874	5%
Administrative Services	\$50,370	74%	\$50,140	74%	\$50,186	70%	\$46	0%
Legal Services	\$12,967	73%	\$23,575	68%	\$24,402	68%	\$827	4%
Community Planning	\$169,219	69%	\$176,397	71%	\$193,280	64%	\$16,883	10%
Budgeted Interfund Loan (Building & Drug F)	\$76,867	75%	\$47,270	75%	\$0	0%	(\$47,270)	-100%
Transfer to Park Fund	\$305,538	75%	\$348,278	75%	\$354,000	75%	\$5,722	2%
Transfer to Law Enforcement Fund	\$1,297,670	75%	\$1,282,500	75%	\$1,346,250	75%	\$63,750	5%
Transfer to Fire & Amb Fund	\$0	0%	\$325,511	75%	\$370,946	75%	\$45,435	14%
Transfer to Library Fund	\$257,626	75%	\$25,027	75%	\$25,778	75%	\$751	3%
Total General Fund Expenditures	\$2,520,592	75%	\$2,591,345	74%	\$2,681,874	73%	\$90,529	3%
General Fund Revenues Less Expenditures	\$232,521		\$226,326		\$201,228		(\$25,098)	-11%
General Fund Operating Cash Balance	\$107,158		\$397,152		\$710,396		\$313,244	79%
Prop Tax Supported Funds (no General) Net	\$107,433		(\$51,662)		\$26,135		\$77,798	-151%
Prop Tax Supported Funds (no General) Cash	\$425,319		\$566,633		\$412,264		(\$154,369)	-27%
Total Gen & Prop Tax Supported Funds Net	\$339,954		\$174,664		\$227,364		\$52,700	30%
Total Gen & Prop Tax Supported Funds Cash	\$532,477		\$963,785		\$1,122,660		\$158,875	16%

year end
budgeted gain
\$60,504

yr end budgeted
use of reserves
(\$195,202)

yr end budgeted
use of reserves
(\$134,698)

GF Operating Cash Balance



	A	B	C	D	E	F	G	H	I	J	K	L	M
78			Mar 31, 2011			Mar 31, 2012			Mar 31, 2013				
79	Property Tax Supported Funds		Dollars	% of Budget		Dollars	% of Budget		Dollars	% of Budget	Chng Prev YR	% Chng Prev Yr	
80													
81	Parks and Rec Operating Cash Balance		(\$22,854)			(\$76,004)			(\$160,906)		(\$84,902)	112%	
82	Parks, Rec & Community Services Revenues		\$849,731	71%		\$844,814	65%		\$937,243	63%	\$92,428	11%	yr end budgeted
83	Parks, Rec & Community Services Exp.		\$872,951	73%		\$921,189	63%		\$1,081,389	73%	\$160,201	17%	gain
84	Revenues less Expenditures		(\$23,220)			(\$76,374)			(\$213,059)		(\$136,684)	179%	\$2,223
85													
86	Law Enforcement Operating Cash Balance		\$21,311			\$85,880			\$132,283		\$46,403	54%	
87	Law Enforcement Revenues		\$1,455,668	72%		\$1,387,653	74%		\$1,564,763	70%	\$177,110	13%	yr end budgeted
88	Law Enforcement Expenditures		\$1,435,044	73%		\$1,393,051	74%		\$1,502,212	67%	\$109,160	8%	use of reserves
89	Revenues less Expenditures		\$20,624			(\$5,398)			\$62,551		\$67,949	-1259%	(\$33,942)
90													
91	Library Operating Cash Balance					(\$20,761)			\$1,605		\$22,366	-108%	
92	Library Revenues					\$128,721	68%		\$133,420	64%	\$4,699		yr end budgeted
93	Library Expenditures					\$164,665	95%		\$136,793	68%	(\$27,872)	-17%	gain
94	Revenues less Expenditures					(\$35,944)			(\$3,372)		\$32,572	-91%	\$10,066
95													
96	Fire & Ambulance Cash Balance		\$484,002			\$525,665			\$418,614		(\$107,051)	-20%	
97	Fire & Ambulance Taxes, p&i		\$260,282	65%		\$338,030	65%		\$353,386	68%	\$15,356	5%	
98	Ambulance Services Revenue		\$625,446	77%		\$644,736	80%		\$724,300	85%	\$79,564	12%	
99	Ambulance Services Rev Net Write Downs		\$355,328			\$349,439			\$411,636		\$62,197	18%	
100	Fire & Ambulance Revenue		\$1,990,272	80%		\$1,756,606	78%		\$1,976,375	54%	\$219,768	13%	yr end budgeted
101	Fire & Ambulance Expenditures		\$1,822,953	74%		\$1,741,186	74%		\$1,889,671	49%	\$148,485	9%	use of reserves
102	Revenues less Expenditures		\$167,319			\$15,420			\$86,704		\$71,283	462%	(\$187,195)
103													
104	Building Codes Operating Cash Balance		(\$57,140)			\$51,854			\$20,669		(\$31,185)	-60%	
105	Payable to the General Fund		(\$431,572)			(\$460,977)			(\$460,977)			0%	
106	Budgeted Loan from General Fund		\$9,010	75%		\$47,270	75%		\$0		No Loan Needed		
109	License and Permits Revenues		\$123,510	62%		\$170,618	97%		\$225,677	72%	\$55,060	32%	
110	Building Codes Expenditures without C. Falls		\$168,874	75%		\$168,923	71%		\$199,492	70%	\$30,569	18%	
111	Columbia Falls Contract Revenues		\$14,167	29%		\$32,916	94%		\$26,175	101%	(\$6,741)	-20%	yr end budgeted
112	Columbia Falls Contract Expenditures		\$36,932	79%		\$31,267	87%		\$28,223	74%	(\$3,044)	-10%	gain
113	Revenues less Expenditures		(\$57,290)			\$50,634			\$24,399		(\$26,235)	-52%	\$13,646
114													
115	Total Property Tax Supported Funds (not including General Fund)												
116	Total Property Tax Supported Cash		\$425,319			\$566,633			\$412,264		(\$154,369)	-27%	
117	Total Property Tax Supported Revenue		\$4,444,187			\$4,368,619			\$4,863,915		\$495,296	11%	yr end budgeted
118	Total Property Tax Supported Expenditures		\$4,336,754			\$4,420,281			\$4,837,779		\$417,498	9%	use of reserves
119	Revenues less Expenditures		\$107,433			(\$51,662)			\$26,135		\$77,798	-151%	(\$195,202)
120													
121	Other Tax, Fee & Assessment Supported Funds												
122	Resort Tax Operating Cash Balance		\$2,606,112			\$2,216,307			\$1,891,156		(\$325,151)	-15%	
123	Resort Tax Collections		\$1,400,927	93%		\$1,487,450	87%		\$1,598,699	93%	\$111,249	7%	
124	Resort Tax Investment Earnings		\$33,459	112%		\$13,381	79%		\$4,230	28%	(\$9,151)	-68%	yr end budgeted
125	Resort Tax Expenditures and Transfers		\$1,385,270	53%		\$1,687,051	59%		\$2,134,754	73%	\$447,703	27%	use of reserves
126	Revenues less Expenditures		\$49,116			(\$186,221)			(\$531,826)		(\$345,605)	186%	(\$1,187,807)
127													
128	Street and Alley Operating Cash Balance		\$717,374			\$962,970			\$861,579		(\$101,391)	-11%	
129	Street and Alley Revenues		\$1,025,736	94%		\$938,657	71%		\$923,902	70%	(\$14,755)	-2%	yr end budgeted
130	Street and Alley Expenditures		\$900,934	63%		\$797,113	47%		\$942,166	58%	\$145,053	18%	use of reserves
131	Revenues less Expenditures		\$124,802			\$141,544			(\$18,264)		(\$159,808)	-113%	(\$346,776)
132													
133	Tax Increment Operating Cash Balance		\$1,043,435			\$1,443,601			\$2,092,239		\$648,638	45%	
134	Tax Increment Property Taxes, p&i		\$2,952,294	81%		\$2,901,427	72%		\$3,024,309	72%	\$122,882	4%	
135	Tax Increment Revenues		\$3,071,296	80%		\$3,000,096	72%		\$3,132,637	71%	\$132,541	4%	yr end budgeted
136	Tax Increment Expenditures & Transfers		\$2,559,950	80%		\$3,479,182	72%		\$3,114,179	49%	(\$365,003)	-10%	use of reserves
137	Revenues less Expenditures		\$511,346			(\$479,086)			\$18,458		\$497,544	-104%	(\$1,938,459)
138													
139	Impact Fee Collections - Revenues		\$43,494	89%		\$90,918	187%		\$104,165	83%	\$13,248	15%	
140													
141	Street Lighting #1 Operating Cash Balance		\$44,019			\$42,551			\$58,261		\$15,710	37%	
142	Street Lighting District #1 (Rsdntl) Revenues		\$53,517	81%		\$49,361	74%		\$50,987	77%	\$1,627	3%	yr end budgeted
143	Street Lighting District #1 (Rsdntl) Exp.		\$55,155	65%		\$54,092	63%		\$35,355	33%	(\$18,737)	-35%	use of reserves
144	Revenues less Expenditures		(\$1,638)			(\$4,731)			\$15,632		\$20,364	-430%	(\$40,033)
145													
146	Street Lighting #2 Operating Cash Balance		\$63,295			\$71,599			\$64,981		(\$6,618)	-9%	
147	Street Lighting District #4 (Cmmrcial) Revenues		\$49,113	86%		\$44,834	78%		\$42,648	74%	(\$2,186)	-5%	yr end budgeted
148	Street Lighting District #4 (Cmmrcial) Exp.		\$30,535	45%		\$34,595	50%		\$48,103	54%	\$13,508	39%	use of reserves
149	Revenues less Expenditures		\$18,578			\$10,239			(\$5,455)		(\$15,694)	-153%	(\$31,553)
150													
155													

	A	B	C	D	E	F	G	H	I	J	K	L	M
156			Mar 31, 2011			Mar 31, 2012			Mar 31, 2013				
157	Enterprise Funds		Dollars	% of Budget		Dollars	% of Budget		Dollars	% of Budget	Chng Prev YR	% Chng Prev Yr	
158													
159	Water Operating Cash Balance		\$957,051			\$1,655,968			\$1,022,824		(\$633,144)	-38%	
160	Water - Metered Water Sales		\$1,661,175	77%		\$1,783,952	83%		\$1,887,243	81%	\$103,292	6%	
161	Water - Operating Revenues		\$1,793,435	78%		\$1,962,784	86%		\$2,087,690	83%	\$124,905	6%	year end budget
162	Water - Operating Expenditures		\$1,045,657	66%		\$1,014,707	69%		\$958,714	60%	(\$55,993)	-6%	Net Opr. Rev
163	Operating Revenues less Expenditures		\$747,778			\$948,077			\$1,128,976		\$180,898	19%	\$946,156
164	Net Opr. Rev Required by Year End		\$740,841			\$740,841			\$684,000				
165													
166	Non Operating Revenue		\$4,962	248%		\$400,000	0%		\$204,937	20%	(\$195,063)	-49%	
167	Water Capital Expenditures		\$88,707	9%		\$157,066	12%		\$1,514,682	57%	\$1,357,616	864%	
168	Water Debt Service		\$295,709	53%		\$294,895	50%		\$304,360	45%	\$9,465	3%	
169													
170	Rate Increase History		No Increase			Oct '11 - 2%			Oct '12 - 2.5%				
171													
172													
173	Wastewater Operating Cash Balance		\$230,620			\$554,471			\$427,010		(\$127,461)	-23%	
174	Wastewater - Sewer Service Charges		\$1,365,012	83%		\$1,442,121	81%		\$1,543,924	81%	\$101,803	7%	
175	Wastewater - Operating Revenues		\$1,435,571	80%		\$1,539,587	82%		\$1,687,822	84%	\$148,235	10%	year end budget
176	Wastewater - Operating Expenditures		\$1,127,354	75%		\$1,037,727	69%		\$991,168	61%	(\$46,559)	-4%	Net Opr. Rev
177	Operating Revenues less Expenditures		\$308,218			\$501,860			\$696,654		\$194,794	39%	\$391,648
178	Net Opr. Rev Required by Year End		\$279,000			\$279,914			\$304,000				
179													
180	Non Operating Revenue		\$272,478	21%		\$1,436,240	80%		\$65,192	11%	(\$1,371,048)	-95%	
181	Wastewater Capital Expenditures		\$172,563	10%		\$1,266,937	71%		\$392,588	31%	(\$874,349)	-69%	
182	Wastewater Debt Service		\$85,924	62%		\$102,323	53%		\$110,954	50%	\$8,630	8%	
183													
184	Rate Increase History		May '10 - 11.7%			Oct '11 - 5%			Oct '12 - 2.5%				
185													
186													
187	Solid Waste Operating Cash Balance		(\$9,888)			\$31,327			\$69,684		\$38,357	122%	
188	Solid Waste Revenues		\$530,393	76%		\$545,325	76%		\$557,959	75%	\$12,635	2%	
189	Solid Waste Expenditures		\$461,309	67%		\$515,950	74%		\$527,261	71%	\$11,311	2%	
190	Revenues less Expenditures		\$69,084			\$29,375			\$30,699		\$1,324	5%	
191													
192	Rate Increase History		Apr '10 \$1.00			No Increase			No Increase				
193													
194													

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Chuck Stearns

From: Necile Lorang [nlorang@cityofwhitefish.org]
Sent: Tuesday, April 02, 2013 9:19 AM
To: cstearns@cityofwhitefish.org
Subject: Fw: Revision of Hwy 93 Sign Code

----- Original Message -----

From: "Douglas Chadwick" <chadwick@cyberport.net>
To: <nlorang@cityofwhitefish.org>
Cc: "Karen Reeves" <karen@flatheadcitizens.org>
Sent: Monday, April 01, 2013 5:12 PM
Subject: Revision of Hwy 93 Sign Code

Dear City Council Members:

I am not able to attend any meetings, as I will be out of town in the weeks to come, but I urge you NOT to revise the Whitefish Sign Code, and especially NOT to empower a group of self-interested business owners to have any special review powers or in any way pretend to speak for the citizens of Whitefish. This is our town, the special place that belongs to every citizen in the greater Whitefish area. The qualities of the Hwy 93 entrance to Whitefish that reflect the character of the community and the values held by the public-at-large are for all of us to decide.

Why a select group of business owners does not share those sensibilities is a mystery. Why they are continually pressing for changes that would transform a unique community into a generic mess of advertising distractions and urban-style clutter amid our peaceful, shining mountains is an equal mystery. Sure, we all know the answer has to do with the business owners' conviction that this will bring in more dollars and that doing so outweighs the quality of life enjoyed by the rest of the community, which identifies with Whitefish's special small-town charms instead. What I don't understand is why the business owners think they are entitled to try and serve themselves at the expense of the look and feel and general atmosphere of one of the nicest places to live anywhere in the world.

More signs! More business! More money! More growth! Without end! Buy Here! Special Sale! Low, Low Rates! Booyah! I thought that kind of heedless boosterism was not only badly outdated but widely recognized as inimical to the long-term economic success of unique resort town. Our home draws people seeking a place that doesn't look like every other place they've driven through or come from. Please, let's not give the business owners the right to start hanging out a Welcome to Clutterville or Hucksterville USA at the entrance to Whitefish. If you designate any group to review the Sign Code, why not choose a select body of citizens opposed to strip development blight? No, that wouldn't be democratic either, would it. The business owners are asking that their voices be given special weight. Let's just stick with democracy and say no. The council's role is make sure everyone around here is equally represented and Whitefish continues to draw people in by staying easy on the eyes and heart.

Sincerely,
Douglas Chadwick

Douglas H. Chadwick
230 Missy Lane
Whitefish, MT 59937
chadwick@cyberport.net
406-862-4351

Chuck Stearns

From: Necile Lorang [nlorang@cityofwhitefish.org]
Sent: Tuesday, April 02, 2013 12:00 PM
To: cstearns@cityofwhitefish.org
Subject: Fw: signs

----- Original Message -----

From: [Nancy Nei](#)
To: nlorang@cityofwhitefish.org
Sent: Tuesday, April 02, 2013 11:18 AM
Subject: signs

Please keep the most restrictive signage code you can. I was just comparing our wonderful (comparatively) sign- free entrances to those of the towns around us. Don't let it happen to Whitefish. Please fight on to protect our beautiful town and entrances to it.

Sincerely,
Nancy Nei
Whitefish