



**CITY COUNCIL SPECIAL SESSION
CITY COUNCIL CHAMBER CONFERENCE ROOM
MONDAY, MAY 20, 2013
4:45 TO 7:00 PM**

1. Call to Order

2. Interviews for applicants

4:50 – Allison Pomerantz – Library Board of Trustees, out of City in School District 44

5:00 – Carol Anderson – Ice Rink Advisory Committee – Open Skate Representative

5:10 – Donna Taylor – Ice Rink Advisory Committee – Member at Large – (Phone Call)

5:20 – Mark Van Everen – Ice Rink Advisory Committee – Member at Large

Interviewed on May 6th – Eric Matson – Ice Rink Advisory Committee – Member at Large

5:30 – Hunter Homes – Pedestrian & Bicycle Path Advisory Committee

5:40 – Mike Fitzgerald – Pedestrian & Bicycle Path Advisory Committee

5:50 – Charlie Campbell – Pedestrian & Bicycle Path Advisory Committee

6:00 – Pamela Barberis – Pedestrian & Bicycle Path Advisory Committee

6:10 – David Downing – Pedestrian & Bicycle Path Advisory Committee

Interviewed on May 6th – Michael Blubaugh – Pedestrian & Bicycle Path Advisory Committee and
the Convention & Visitors Bureau

6:20 – Nick Polumbus – Convention & Visitors Bureau (Whitefish Mountain Resort)

6:30 – Scott Ringer – Convention & Visitors Bureau (Large Lodging Properties)

6:40 – Jake Cook – Convention & Visitors Bureau

6:50 – Karen Witt – Convention & Visitors Bureau

3. Public Comment

4. Appointments – 4a is a Mayoral Appointment, 4b, 4c, 4d are Council Appointments

4a. Library Board of Trustees–1 position for out of City but in School District member (p. 26)

4b. Ice Rink Advisory Committee – 1 Open Skate Rep, 2 Members at Large (p. 29)

- Council confirmation of group recommendations for their representatives:

i) Whitefish Figure Skating Club – Gregg Esakoff

ii) Adult Hockey – Nolan Butkovich

4c. Pedestrian & Bicycle Path Advisory Committee – 2 positions (p. 33)

4d. Convention and Visitors Bureau Committee – 3 positions (p. 40)

Note - If time runs out before all appointments are made, remaining appointments can be made during the Regular Council Session – Agenda #11-d)

5. Adjourn

4:50pm

March 24, 2013

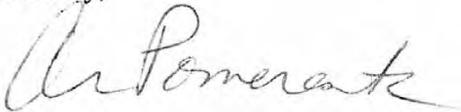
Dear Necile Lorang,

Please allow this letter to serve as my formal application renewal to serve another term on the Board of Trustees for the Whitefish Community Library after serving on the transition team and as an initial, two-year board member. I have thoroughly enjoyed the experience of assisting with the library's path to independence after being a branch of the Flathead system. The camaraderie of our five-person Board has also been a rewarding bi-product.

My initial interest in joining the WCL Board has not waned. New to Whitefish, I had hoped to become more actively involved in the community and was attracted to the library due my love of literature as a former middle school English teacher and as an avid reader. Since 2011, I have served as the Board's Secretary, responsible for creating and distributing meeting agendas and minutes. I have also volunteered to lead the public relations efforts by writing press releases and interacting with the media. I have become the WCL archivist, by organizing and storing all the files for historical purposes. In addition to the WCL Board, I am also the Secretary of the Plantation Pines Homeowners Association, a member of the 2012 Big Read committee with Carolyn Pittman and have recently been asked to interview for the Whitefish Community Theatre Board of Trustees. While I am taking time off from my teaching career to stay home with my two toddler daughters, I have been freelance writing for *406 Woman*, *FOCUS*, *Mamalode* and other local publications.

Thank you for your time and consideration. Please don't hesitate to contact me if you have additional questions.

Sincerely,



Alison Pomerantz
Whitefish Community Library
Secretary, Board of Trustees
406-314-4882
pomerantz.wcl@gmail.com

Necile Lorang

From: "Chuck Stearns" <cstearns@cityofwhitefish.org>
To: "Necile Lorang" <nlorang@cityofwhitefish.org>
Sent: Tuesday, May 14, 2013 12:59 PM
Subject: FW: Library Board Recommendation for Alison Pomerantz

From: Mike Collins [mailto:collins.wd@gmail.com]
Sent: Monday, May 13, 2013 9:49 PM
To: cstearns@cityofwhitefish.org; 'Muhlfeld, John'
Subject: Library Board Recommendation for Alison Pomerantz

John and Chuck,

On behalf of the Whitefish Library Board, we would like to recommend Alison Pomerantz for a second term to the Library Board.

Since our local board was formed, Alison has been a very active contributor to every aspect of Library Board responsibilities. She has been the Board member who has provided the Board, the City and the Public with both our meeting agendas and minutes. In addition she has provided all of us a broader perspective of what activities and events are being carried out by other libraries (around the US) and she is always seeking ways in which to improve our library offerings. She is well respected by her peers, she is a team player, and her insights are invaluable to the library as we continue to develop programs and services for our community. Whitefish would be blessed to have Alison as a Library Board Member for another term.

Thanks for your support and for listening,

Michael Collins

5:00 pm

Necile Lorang

City Clerk

Regarding: Ice Rink Advisory Committee letter of Feb.4,2013

Helo Necile,

I see my position on the Ice Rink Advisory Committee expires this year.

I would like to reapply for this position representing Public Skate on the committee.

I have been at the rink for so many years I am aware of all activites and enjoy teaching kids and others during public skate how to skate. It is very rewarding to me.

Thank you for your consideration.

Carol Anderson
P.O Box 2067
Whitefish, Mt. 59937

PS temporarily my computer is not working.

Sincerely,

Carol



5:10 pm
Phone Call

Andy Hergesheimer
Stumptown Ice Den
Whitefish, Montana 59937

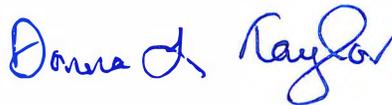
March 11, 2013

Dear Andy,

I am aware there is an opening on the Rink Advisory Committee, & would like to be considered for the 'member at large' position.

Thank you for your consideration of this matter.

Sincerely,



Donna L. Taylor
Box 1947
Whitefish, Mt. 59937
406.862.4804

255 Wilderness Lane

5:20pm received
4/26/13

April 26, 2013

4 Pine Ave.
Whitefish, MT 59337

City Clerk's Office
City of Whitefish
418 E. 2nd Street
Whitefish, MT 59937

To Whom It May Concern:

I am interested in serving on the Ice Rink Advisory Committee. I understand there is an open Member at Large, 2 year term position, and as a City resident with interest in seeing the Ice Rink continue as a thriving community asset, I would like to be considered for this City Volunteer Committee. I am a supporter of the adult and children's hockey programs, am a supporter of figure skating, am thankful we have a curling program, and have been interested to watch the Nationals Hockey Team become a reality.

Please accept this letter of interest to serve on the Ice Rink Advisory Committee. I believe the Stumptown Ice Rink is an incredible asset to our community and I'm interested to become involved to assure its' continued success.

Sincerely,



Mark Van Everen

Interviewed on 5-6-13

To Who it may concern,

While visiting city hall, I saw the flyer posted looking for Volunteers for the Park Board, Architectural Review Committee and the Ice Rink Advisory Committee. I feel it is very important to support the city that I have been living in for the past 12 years, and I am interested in Volunteering for a position in any one of these.

I take great pride in our city parks that give our children and ourselves a place to play and think it is only right to support our parks by volunteering my time to the park board.

I am a Builder here in whitefish and completely understand the need and responsibility of the Architectural Review Committee. I served on the Creekwood design review committee in the past and am willing to serve on The Whitefish Architectural review committee.

I am also interested in serving on the Ice Rink Advisory Committee. My daughter is a member of the Smooth Gliders, and I feel that the Ice Rink is one more reason that Whitefish stands out as a great place to raise a child.

I am very interested in Volunteering my time to any one of these. Please give me a call and let me know what I can do to help. I can be reached by phone at (406)862-6222 or by email at Eric@RedDogBuilders.com. I am excited to do my share in helping any one of these crucial parts of our community.

Thank you for your time. I look forward to talking to you.

Best,

Eric Matson
1023 Creekview Drive
Whitefish, MT.59937

Whitefish Figure Skating Club

PO Box 4593

Whitefish, MT 59937

406-407-8226

wfscdirector@hotmail.com

April 1, 2013

City of Whitefish Parks & Rec Department
Mountain Trails Ice Rink Advisory Committee
Stumptown Ice Den
715 Wisconsin Ave.
Whitefish, MT 59937
Phone: (406) 863-2477

Date: April 1st, 2013

Dear Whitefish Parks & Rec Department & Mountain Trails Rink Advisory Committee,

The Board of Directors of the Whitefish Figure Skating Club and Glacier Skate International Training Academy has nominated Gregg Esakoff to be our Rink Advisory Representative. As a Stumptown Ice Den user group since 1993, we feel Gregg is a key person for the growth of our Skating Club and the Stumptown Ice Den at Mountain Trails Park. He brings great knowledge, skills, and motivation to the Advisory Committee Team. We are looking forward to the new and exciting path our organization is taking which will benefit all areas of ice skating for kids and adults in the community.

Sincerely,



President
Carol Anderson

Esakoff - 810 Dakota Ave



Necile Lorang

From: "Necile Lorang" <nlorang@cityofwhitefish.org>
To: <nlorang@cityofwhitefish.org>
Sent: Tuesday, May 14, 2013 10:42 AM
Subject: Board positions
From: Andy Hergesheimer [mailto:ahergesheimer@cityofwhitefish.org]
Sent: Thursday, April 25, 2013 11:30 AM
To: 'Whitefish Parks and Recreation'
Subject: RE: Board positions

Karl,
The new adult hockey rep will be Nolan Butkovich. 475 Aspen Ct. Whitefish.

Andy

SECOND NOTICE

4-4-2013

5:40 pm



City of Whitefish, City Clerk's Office
418 E. 2nd Street, PO Box 158
Whitefish, Mt 59937
406-863-2400
nlorang@cityofwhitefish.org

February 12, 2013

Dear Mike Fitzgerald:

Your term on the Pedestrian & Bicycle Path Advisory Committee expires this year on 5-31-13.

As a matter of course, the City will also be advertising this position along with others also expiring at this time. The deadline to receive letters of application/and to receive your letter of interest if you want to reapply to serve another term, is April 26, 2013. Interviews with the Council will be scheduled for May, and June if necessary; I will call you to set up your specific interview time if you are re-applying. If you wish, you can complete the blank lines below and return this notice to me in place of a new letter of interest.

I have enclosed a copy of the ad we will be running.

If you are not planning to 're-up' for your position again, please let me know.

Thank you, and thank you for your service to the community of Whitefish!

Necile Lorang, CMC
Whitefish City Clerk

To Whitefish City Council:

I am interested in serving another term on the _____

Signature W 862-3111
H 862-7450
Daytime Phone #

5:50 pm
received
4/24/13

April 18, 2013

The City of Whitefish

Pedestrian & bicycle path advisory committee

I am a avid bike rider in the city of Whitefish and surrounding mountains. I ride most paths everyday though the seasons. I see and look at details of the paths as I ride in the changing environment.

My work background is building maintenance for 30 years.

I have lived at The Monterra in Whitefish for 3 years.

I want to be part of the Whitefish community and help upgrade the bike paths.

Charlie Campbell



406 730-2185

6002 St Moritz Drive Unit K Whitefish MT 59937

chucha@bresnan.net

Sandra Campbell

From: "Moroz, Chris" <morocl@uleth.ca>
Date: Saturday, April 20, 2013 2:00 PM
To: <chucha@bresnan.net>
Subject: Reference Letter for Charlie
April 20, 2013

Re: Charlie Campbell, Monterra Resident, Whitefish MT

To Whom It May Concern:

I have known Charlie Campbell for over 2 years and have no doubt in my mind that he is not only an avid skier and cyclist but also a caring and involved Monterra and Whitefish community member. Charlie is very insightful and has the ability to always look at the big picture when issues or concerns arise.

I would highly recommend Charlie as a member for a committee or focus group due to his demeanor, calmness and ability to see all sides to an issue. If you would like to speak with me in person, please call my cell at 403-795-1559, I would be happy to talk with you.

Jeff Moroz

President Monterra HOA

Whitefish Montana

To Whom It May Concern:

In my opinion I would highly endorse Charlie Campbell as a member of the bicycle pathway committee. I have never seen him on any other form of transportation in the town of Whitefish, other than a bicycle. My duties as the Parks Foreman has introduced me to various residents in town, and Charlie seems to be a perfect fit for this position.

CHUCK ARSENEAU
Parks foreman
City of whitefish
carseneau@cityofwhitefish.org.

A handwritten signature in cursive script that reads "Chuck Arsenau".

4-17-13

6:00 pm

April 7, 2013

To Whom It May Concern:

I would like to express my interest in serving on the Pedestrian and Bicycle Path Advisory Committee. My family lives in the City Beach neighborhood and often uses walking or bicycle riding as our primary mode of transportation. We enjoy the current bicycle paths and I would like to see those maintained and expanded. I am also interested in helping to designate a safe route for schoolchildren to ride their bikes to school.

I have resided at 233 Montana Ave for 8 years.

Thank you very much.

Pamela Barberis

Pamela Barberis
233 Montana Ave
Whitefish, MT 59937
406-871-0223

6:10 pm
received
4/26/13

TO WHOM IT MAY CONCERN

I AM WRITING TO EXPRESS MY INTEREST IN SERVING ON THE PEDESTRIAN & BICYCLE PATH ADVISORY COMMITTEE.

I take 95% of my trips around town by bike and occasionally walking. More often than not I have my daughter in tow behind me. I regularly comment on how non-vehicular travel could be easier and feel I should take some action rather than just talking about it. I believe I would be a positive and proactive member of the committee. I have participated in the organization of BikeFish and would like to see Whitefish become more pedestrian and bike friendly.

Sincerely,
David Downing

119 MILL AVE, WHITEFISH, MT 59937

dave@snowman-x.com, 970.948.0024

Interviewed 5-6-13

MICHAEL THOMAS BLUBAUGH

5009 River Lakes Parkway

Whitefish, Montana 59937

Cell: (706) 970-9335

Office: (406) 863-3905

March 17, 2013

Whitefish City Clerk
P.O. Box 158
Whitefish, MT 59937

To whom it may concern:

Please accept this letter as an expression of interest in serving on one or more of the following City of Whitefish volunteer committees, listed in order of relative interest:

Whitefish Convention and Visitor Bureau Committee
Architectural Review Committee
Pedestrian & Bicycle Path Advisory Committee

I'm attaching a copy of my resume as a means of introduction and as an indication of the skill-set I can offer the City of Whitefish.

I will look forward to the opportunity to meet for the purpose of discussing these opportunities in further detail and for providing additional background on myself as necessary.

I'll look forward to hearing from you in the coming months.

With regards,



MICHAEL T. BLUBAUGH

BUSINESS DEVELOPMENT & FINANCIAL MANAGEMENT

5009 River Lakes Parkway
Whitefish, MT 59937
(706) 970-9335
mblubaugh88@gmail.net

EXECUTIVE PROFILE

Executive Leadership

High performance executive with extensive financial and general management experience.

Vision, Strategy & Execution

Consistent success in maximizing performance—driving growth and revenues, capturing market share, improving profits, and enhancing value. Mentored, motivated, and lead high-performance business, sales, marketing, product management, technology, and development teams. Value proposition includes:

General Management

Operations Management

P&L

Effective and wholly accountable in high-profile executive roles.

Startup, Turnaround, Change Management

Overcoming complex business challenges and making high-stakes decisions within fast-paced, high-pressure environments using experience-backed judgment, innovation, strong work ethic, and irreproachable integrity.

Mergers & Acquisitions

Respected as motivational, lead-by-example manager, change agent, and a proponent of empowerment and accountability.

Process & Performance Improvement

Visionary thinker with broad perspective and entrepreneurial drive.

Team Building & Leadership

Key contributor to enterprise-level planning and decision-making. Valued advisor and requested consultant to board members, investors, and top-tier executives. Strong problem-solving skills with balanced powers of reasoning and objective analysis of the facts.

Administration

Relationship Management

Internal Relations

Well-documented track record for outstanding performance in a variety of fast track environments.

Customer Relations

Experience includes banking, retail and wholesale sales, inventory distribution, residential and commercial real estate development, construction and property management; professional services, light manufacturing, and electric utilities.

CHRONOLOGY

WHITEFISH CREDIT UNION – Whitefish, MT

2010-Current

SENIOR VICE PRESIDENT & CHIEF FINANCIAL OFFICER

Executive responsibility for accounting, finance, information technology, marketing, electronic funds transfer, facilities, project planning, and product development for Montana's largest credit union with total assets exceeding \$1.2 billion. Reengineered all aspects of departments under management umbrella; hired key personnel within the accounting and information technology departments; outsourced key functions of the credit union; served on the MBL Loan Committee.

Select accomplishments:

- Oversaw the core operating system conversion to Symitar.
- Developed a new and more comprehensive descriptive chart of accounts and developed an entirely new comprehensive monthly reporting deck for management and Board of Directors.
- Assumed responsibility for \$460 million investment portfolio from third party portfolio managers saving over \$150,000 in annual management fees; developed three new broker relationships; and developed and implemented a new comprehensive investment strategy, tripling the portfolio yield and creating dependable cash flows without increasing risk profile.
- Improved annual budgeting discipline by decentralizing budget process, emphasizing zero based budget discipline, aligning budgets with Board and management strategic initiatives, adding computerized budgeting tools, and implementing monthly budget variance reviews with managers.

- Rewrote and implemented new comprehensive ALCO, Investment, and Liquidity Policies; developed relationship with third party Asset/Liability partner and outsourced preparation of quarterly reports.
- Hired Chief Information Officer and reengineered Technology Department including realignment of personnel job responsibilities; enhancing off-site critical equipment redundancy; development of third party relationships for patch management and network security; and rewrote and consolidated IT Policies and procedural manuals.
- Reengineered Marketing department, including development of partnership with 3rd party Marketing Agency; modified corporate donation practices; increased community involvement and exposure through such initiatives as a Junior Board of Directors.

UNITED CENTRAL BANK – Garland, TX

2009

EXECUTIVE VICE PRESIDENT & CHIEF FINANCIAL OFFICER

Heavily recruited over a five month period to help guide this \$2.7 billion community bank through needed enhancements within the accounting, finance, and treasury functions. Initial responsibilities focused on the consolidation of a newly acquired \$1.7 billion community bank, development of system wide operating budgets, development of branch profitability reporting, development of liquidity policies and procedures, FDICIA implementation, and management of the relationship with a newly engaged audit firm. Relationship terminated following the discovery of significant accounting irregularities.

CHATUGE BANK SHARES, INC./BANK OF HIAWASSEE – Hiawassee, GA

2005-2009

EXECUTIVE VICE PRESIDENT & CHIEF FINANCIAL OFFICER; CHIEF OPERATING OFFICER

Turned an undercapitalized, underperforming, poorly organized community bank into a high performance, profitable operation with \$450M in total assets. Developed and implemented a range of effective strategic planning, financial management, and capital acquisition solutions. Hired, developed, and mentored key managers and line personnel. Revitalized the bank's focus on customer service and overall staff accountability. Improved financial reporting accuracy, consistency, and frequency. Established and held staff accountable for a variety of new policies.

Select accomplishments:

- Transformed the bank, in 30 months, into a high performance bank with key performance ratios consistently ranking between the 72nd and 83rd percentile compared to the bank's National Peer Group. Key performance ratios include ROA, ROE, net interest spread, net interest margin, and efficiency.
- Built first class accounting, finance, and operations teams. Completely overhauled every aspect of financial reporting. Developed department specific operating and efficiency metrics and reports
- Reengineered deposit and loan operations and consolidated management of both areas resulting in increased efficiency and profitability.
- Initiated key service improvements to re-establish the bank's standing in the community and restore customer confidence.
- Issued \$8M in Trust Preferred Securities. Issued bank's first private placement memorandum in one hundred years raising \$5M in capital.
- Managed several construction projects including a new branch and a state-of-the-art operations center. Developed a new prototype for a customer service center designed to serve primarily as a deposit origination and customer service center.
- Established formerly non-existent spending accountabilities, including development of budgets, engaging managers in the budget process, implementing spending controls, and conducting monthly budget/variance meetings with managers.

UNITED NATIONAL CORPORATION / FIRST PREMIER BANK – Sioux Falls, SD

1998-2004

VICE PRESIDENT & CHIEF FINANCIAL OFFICER; SECRETARY

Managed all aspects of strategic business planning, financial management, information security, human resources, and policy development of the core bank and emerging lines of businesses for a \$1B non-traditional community bank. Emerging lines of businesses included subprime credit cards, ATM Funding, ACH origination, lock box, and medical equipment leasing. Directed financial management and

strategic business planning activities; directed human resource initiatives for nearly 2,500 employees working in four call centers and 13 branches.

Select accomplishments:

- Directed the development of strategic business plans that helped enable the Bank to grow from \$286 million to \$890 million in total assets in six years.
- Recognized by the ABA Banking Journal as the number one performing S-Corp financial institution in the country with assets under \$1B in 2001 and 2002 and over \$1B in 2003
- Ranked nationally as the 32nd largest ACH originator and 18th largest issuer of VISA and MasterCard credit card products, with over 3 million customers nationwide.
- Directly responsible for developing and managing the ATM Funding business; grew to over \$40 million in funding covering 1600 ATM's and 84 major US cities.
- Issued the bank's first ever Trust Preferred Securities, raising \$8M; assisted in the Bank's first ever Securitization of Subprime Credit Card Receivables with a total face value of \$108M.
- Managed a \$292M investment portfolio, achieving a perfect portfolio rating in the third and fourth quarters of 2001 based on an evaluation performed by Vining Sparks; consistently earned superior ratings.

BRIGHT NATIONAL BANK – Flora, IN

1995-1998

SR. VICE PRESIDENT, CHIEF FINANCIAL OFFICER, CHIEF OPERATING OFFICER

Directed all accounting, operations, retail management, human resources, and marketing functions of a \$350M community bank. Managed and administered fiscal record keeping. Administered internal and external financial and regulatory reporting. Developed and maintained automated accounting systems. Developed, implemented, and executed long-term strategic plans to grow market share, achieve measured and profitable growth, and penetrate new markets.

Select accomplishments:

- Opened two new branches in Lafayette, Indiana, the bank's first venture outside of a small community and into a major metropolitan area.
- Developed, introduced, and managed a sales culture at all branch locations. Introduced weekly and monthly calling programs. Implemented incentive programs for branch managers, tellers, and customer service representatives. Held monthly branch manager meetings to jointly discuss successes and opportunities; develop best practices for calling programs

FIFTH THIRD BANK OF SOUTHEASTERN INDIANA – Greensburg, IN

1993-1995

VICE PRESIDENT, CHIEF FINANCIAL OFFICER, SECRETARY

Heavily recruited to direct and manage the conversion of this newly acquired \$550M subsidiary and direct all ongoing strategic business planning, financial management and reporting, and investment activities. Managed financial reporting, budgets, forecasting, balance sheet management, investment portfolio management; participated in corporate strategic planning sessions on a quarterly basis. Set rates for all loan and deposit products.

Select accomplishments:

- Offered the recommendation which ultimately led to the consolidation of this bank with a sister bank located in Indianapolis, IN.

PRIOR

CHIEF OPERATING OFFICER - FURNITURE OUTLETS USA, Sioux Falls, SD

Contracted to develop the newly created COO position for a privately held, full service, promotional to midrange furniture chain, operating 26 stores in four states. Directed and coordinated a full range of operational activities including accounting and finance, technology, human resources, facilities management, customer service, and inventory distribution. Developed a company wide department specific operating and efficiency measures and completed the start-up of a new 135,000 sq. ft. distribution facility.

CPA, CORPORATE FINANCIAL CONSULTANT, Columbus, OH

Partnered with retired Chief Financial Officer of Wendy's International, Inc. and Trans World Airlines to provide complete suite of financial services to small and emerging businesses. Principal services included short and long term strategic planning; analytical review of proposed divestitures, mergers, and acquisitions; and reorganization and turnaround services. Principal client base included retail, transportation, automotive, printing, and professional services.

CO-OWNER/GENERAL MANAGER – HOMEFIELD ADVANTAGE, Columbus, OH

Retail and direct sales of sporting goods equipment and apparel with emphasis on direct sales to primary and secondary schools, small colleges and universities, and intramural leagues in a four state area. Built business from ground up on a part time basis, with annual sales of \$850K by end of fourth year with no debt.

VP CORPORATE FINANCE, DIRECTOR – CARDINAL LODGING GROUP, INC., Columbus, OH

Limited service motel development and property management company with 220 motels in 21 states.

SMALL BUSINESS SPECIALIST – DELOITTE & TOUCHE, LLP – Columbus, OH

Industry specialization included real estate development, construction, and property management, light manufacturing, retail, and assisted living retirement communities.

EDUCATION & CREDENTIALS

BS, Business Administration, Accounting Major – Franklin University, Columbus, OH

Graduate School of Banking – University of Colorado, Boulder, CO

Certified Public Accountant

AFFILIATIONS

Safe Systems, Inc. – Customer Advisory Counsel

Annual Legends Sports Clinics – Co-Founder, Co-Chair

Legends for Kids Youth Foundation – Co-Founder

Junior Achievement Instructor – Personal Economics

Sioux Falls Community Development Corporation – Board of Directors

South Dakota Rural Enterprise, Inc. – Board of Directors

Academy of Finance – Advisory Board

Wellmark Blue Cross and Blue Shield – Customer Advisory Council

Sioux Empire Baseball Association – Board Member

American Legion Baseball Association – Board Member

6:20 pm

Necile Lorang

From: "Necile Lorang" <nlorang@cityofwhitefish.org>
To: <nlorang@cityofwhitefish.org>
Sent: Tuesday, April 02, 2013 4:29 PM
Subject: Fw: Whitefish Convention and Visitors Bureau Board

From: Nick Polumbus [<mailto:nickp@skiwhitefish.com>]
Sent: Monday, March 04, 2013 4:17 PM
To: 'nlorang@cityofwhitefish.com'
Subject: Whitefish Convention and Visitors Bureau Board

Necile, I received your letter about my term on the WCVB board expiring in May. I would like to be considered for this position again. Is this email acceptable as my application to "re-up"?

Please let me know.

Thanks.

--Nick

Nick Polumbus
Director of Marketing and Sales
Whitefish Mountain Resort - on Big Mountain since 1947
PO Box 1400 • Whitefish, Montana • 59937
www.skiwhitefish.com
e | nickp@skiwhitefish.com
p | 406.862.1955

c | 406.212.3568
f | 406.862.2955

<image001.jpg>

6:30 pm

Necile Lorang

From: "Scott Ringer" <scott@lodgeatwhitefishlake.com>
To: "Necile Lorang" <nlorang@cityofwhitefish.org>
Sent: Friday, March 15, 2013 10:35 AM
Subject: Whitefish CVB
Hi Necile,

Per your letter, my term expires this year.

YES, I would like to put my name in the ring for consideration once again.

Let me know if there is any else you need

Thanks

Scott

Scott Ringer

CFO/Homeowner Association Liaison

The Lodge at Whitefish Lake
1380 Wisconsin Avenue
Whitefish, MT 59937
c: 406-871-0393

www.lodgeatwhitefishlake.com



"MONTANA'S ONLY 4-DIAMOND RESORT"

6:40 pm

JAKE COOK

- v 630 Woodside Lane
- v Whitefish, MT 59937
- v Jaker_59937@yahoo.com
- v 406.885.3650

April 1, 2013

City of Whitefish
PO Box 158
Whitefish, MT 59937

City council and Staff,

I am writing this to notify the City of Whitefish that I would like to continue serving on the Whitefish Convention and Visitor's Bureau for another term. I have enjoyed my initial short term and would like to continue serving on this committee. My intention is to continue to learn and contribute ideas that will help the CVB to successfully promote Whitefish tourism and economic development.

Sincerely,



Robert H. Cook Jr. (Jake)

City Clerk
City of Whitefish
P.O. Box 158
Whitefish, Montana 59937

4/25/13

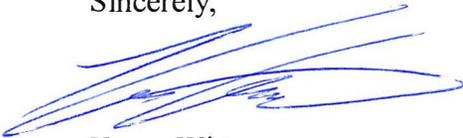
RE: Whitefish Convention and Visitor Bureau Committee

This letter is to express interest in serving as a board member for the Whitefish Convention and Visitor Bureau Committee. I am currently the Director of Strategic Operations and Business Development for NxGen, whose office is located at 940 Spokane Avenue, Suite 5, here in Whitefish.

Previously, I was the Market President with US Bank in Kalispell and was responsible for both commercial and retail operations in the Flathead Valley. I am currently the Treasurer for Montana West Economic Development, a board member for the Revolving Loan fund for the City of Kalispell, and sit on the board of directors for the Kalispell noon Rotary club. Helping to support and nurture business in the valley is important to me and I believe I can make a valuable contribution to this committee.

Should you need any further information, please feel free to contact me at my office. My direct line is 730-7003. Thank you.

Sincerely,



Karen Witt

PO Box 1455 ♦ Whitefish, Montana 59937

NXGEN is a registered Member Service Provider of USBank
In Association with Bank of America, N.A., Charlotte, NC

LIBRARY BOARD OF TRUSTEES – ORD 10-19, 5 YEAR TERMS, (Second Wednesday of the Month – 7:00 pm)

MAYORAL APPOINTMENTS

Chair: Michael Collins	PO Box 4026, WF	862-0652, 250-2536	6/30/2014
Vice Chair: Anne Shaw Moran	PO Box 4472, WF	862-7342	6/30/2016
Secretary: Alison Pomerantz	342 Plantation Dr, Kalispell	314-4882, 617-803-9697	6/30/2013, In School District, out of City
Treasurer: Mary L. Vail	PO Box 515, WF	862-3562	6/30/2015
Marge Fisher	750 W. 2 nd St. – Suite G, WF	862-1233	6/30/2017

WHITEFISH COMMUNITY LIBRARY BOARD OF TRUSTEES

2-14-1: BOARD OF TRUSTEES ESTABLISHED:

There is hereby established a board of trustees to be called the "Whitefish Community Library board of trustees", hereinafter referred to as the board of trustees. (Ord. 10-19, 12-6-2010)

2-14-2: PURPOSE, POWERS, PROCESSES, AND DUTIES:

As provided by Montana law, the board of trustees shall have exclusive control of the expenditure of the public library fund, construction or lease of library buildings, and the operation and care of the library. The board of trustees shall have the powers and duties currently provided in Montana Code Annotated, section 22-1-309, as amended:

- A. Adopt bylaws and rules for its own transaction of business and for the government of the library, not inconsistent with law;
- B. Establish and locate a central public library and may establish branches thereof at such places as are deemed necessary;
- C. Have the power to contract, including the right to contract with regions, counties, cities, school districts, educational institutions, the state library, and other libraries, to give and receive library service, through the boards of such regions, counties, and cities and the district school boards, and to pay out or receive funds to pay costs of such contracts;
- D. Have the power to acquire, by purchase, devise, lease or otherwise, and to own and hold real and personal property in the name of the city or county or both, as the case may be, for the use and purposes of the library and to sell, exchange or otherwise dispose of property real or personal, when no longer required by the library and to insure the real and personal property of the library;
- E. Pay necessary expenses of trustees of the library staff when on business of the library;
- F. Prepare an annual budget, indicating what support and maintenance of the public library will be required from public funds, for submission to the appropriate agency of the governing body. A separate budget request shall be submitted for new construction or for capital improvement of existing library property;
- G. Make an annual report to the governing body of the city or county on the condition and operation of the library, including a financial statement. The trustees shall also provide for the keeping of such records as shall be required by the Montana state library in its request for an annual report from the public libraries and shall submit such an annual report to the state library;
- H. Have the power to accept gifts, grants, donations, devises, or bequests of property, real or personal, from whatever source and to expend or hold, work, and improve the same for the specific purpose of the gift, grant, donation, devise, or bequest. These gifts, grants, donations, devises, and bequests shall be kept separate from regular library funds and are not subject to reversion at the end of the fiscal year; and
- I. Exercise such other powers, not inconsistent with law, necessary for the effective use and management of the library. (Ord. 10-19, 12-6-2010)

2-14-3: MEMBERSHIP:

The board of trustees shall have five (5) trustees. Trustees shall be appointed by the mayor with the advice and consent of the city council. Four (4) trustees shall reside within the boundaries of the city of Whitefish and one trustee shall reside within the boundaries of the current school district 44 but outside the boundaries of the city of Whitefish. Trustees shall receive no compensation. (Ord. 10-19, 12-6-2010)

2-14-4: TERMS OF TRUSTEES:

Trustee terms shall be for five (5) years, although initially the appointments must be made for one, two (2), three (3), four (4), and five (5) year terms. Annually thereafter, trustees must be appointed before July 1 of each year, in the same manner as the original appointments for a five (5) year term, a trustee to take the place of the retiring trustee. Trustees may not serve more than two (2) full terms in succession. (Ord. 10-19, 12-6-2010)

2-14-5: VACANCY:

Any vacancy on the board of trustees shall be filled for the unexpired term in the same manner as the original appointment. (Ord. 10-19, 12-6-2010)

2-14-6: ORGANIZATION:

At its first meeting after the initial appointment of the board of trustees, and thereafter at its first meeting after July 1 of each year, the trustees shall meet and elect a presiding officer and other officers that they consider necessary for one year terms. (Ord. 10-19, 12-6-2010)

ICE RINK ADVISORY COMMITTEE – WCC 2-6-1 - Two-year terms, meet 1st Tuesday/monthly

(*Minimum of 6 Whitefish City Limit Residents required)

7:00 pm - Council Conference Room

Position #

Term Expiration Date

1.	*Frank Sweeney, Councilor	PO Box 158	863-4848 (O)	May 31, 2014
2.	*Carol Anderson, Open Skating Rep.	PO Box 2067	862-7699	May 31, 2013
3.	*Sarah Lundstrom, Adult Hockey	421 W. 7 th St, WF	871-3706	May 31, 2013
4.	*Jennifer Boye, Figure Skating Assn.	1040 E. 2 nd St., WF	862-6524	May 31, 2013
5.	*Josh Steele, Glacier Hockey Assn.	115 Pine Ave, WF		May 31, 2014
6.	*Member at Large			May 31, 2012
7.	*Brad Ridgeway, Park Board Representative	911 Wisconsin Ave, Suite 103	570-6779	May 31, 2014
8.	*Jeanne Swope, Curling Club Representative	1 Fairway Dr.		May 31, 2014
9.	Member at Large			May 31, 2013

MOUNTAIN TRAILS ICE RINK ADVISORY COMMITTEE

2-6-1: COMMITTEE ESTABLISHED:

There is hereby established a Mountain Trails Ice Rink advisory committee for the city, hereinafter referred to as the committee. (Ord. 02-09, 4-1-2002)

2-6-2: PURPOSE, POWERS AND DUTIES:

The purpose and duties of the committee are to provide input, advice and recommendations to the city council, park board of commissioners and city staff on matters of pertinence and interest related to the Mountain Trails Ice Rink, including associated buildings and grounds. Such input, advice and recommendations may include matters related to operations, maintenance and facility alterations related to ice skating activities. The committee shall report its input, advice and recommendations primarily to the park board of commissioners and city staff. The committee shall act in an advisory capacity only. Nothing in this chapter shall be construed to provide the committee with the power to authorize or prohibit city projects and programs, the use of public funds or to authorize privately funded projects on public property. (Ord. 02-09, 4-1-2002)

2-6-3: MEMBERSHIP:

A. Appointment; Compensation: The committee shall have nine (9) members. Members shall be appointed by the city council. Not less than six (6) members shall reside within the corporate limits of the city. Three (3) members may reside within the Whitefish planning jurisdictional boundary. Members shall have maintained residency within specified boundary requirements for one year prior to appointment to the committee. The city council shall appoint members according to the following representation categories: one member who is also the mayor or a city councilor; one member who is also a member of the park board of commissioners; one member representative of the patrons who use the ice rink during open skating periods and not affiliated with any of the other skating, hockey or curling groups with a designated committee member; one member recommended by the adult hockey group; one member recommended by the Whitefish Figure Skating Association; one member recommended by the Glacier Hockey Association; one member recommended by the Curling Club; and two (2) members who shall be public members at large and not affiliated with any of the other skating, hockey or curling groups with a designated committee member. The city clerk shall make appropriate notation of a member's representation category on the official committee roster. Committee members shall receive no compensation. Contracted consultants and city staff shall not serve as members, but may assist and participate in the facilitation of committee business.

B. Terms; Positions: Committee terms shall be two (2) years. There are hereby created positions numbered 1 through 9 inclusive of the members of the committee. The initial terms for members serving pursuant to this chapter shall begin upon appointment and terminate on the date specified below for each position:

<u>Position Number</u>	<u>Position Specification</u>	<u>Initial Expiration Date</u>
1	Mayor or councilor	May 31, 2003
2	Open skating rep.	May 31, 2003
3	Adult hockey	May 31, 2003
4	Figure skating assn.	May 31, 2003
5	Glacier Hockey Assn.	May 31, 2004
6	Public member at large	May 31, 2004
7	Park board	May 31, 2004
8	Curling Club rep.	May 31, 2014
9	Public member at large	May 31, 2013

Thereafter members appointed to each position shall serve for two (2) year terms; the first of such terms beginning on June 1 of the year in which the initial term for the position expires. At the discretion of the city council, members may be appointed for more than one term. (Ord. 12-08, 6-4-2012)

C. Removal Of Member: A member may be removed from the committee by majority vote of the city council for cause upon written charges and after a public hearing. Wilful disregard of this chapter and the rules of procedures of the committee, or absences from three (3) consecutive meetings, including regular and special meetings, or absences from more than fifty percent (50%) of such meetings held during the calendar year, shall constitute cause for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his inability to attend a specific meeting shall notify the chair or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.

D. Vacancy: Pursuant to subsections A and B of this section, any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. The city council may appoint members of the city council to temporarily fill vacant positions on the committee. (Ord. 02-09, 4-1-2002)

2-6-4: ORGANIZATION:

At its first meeting after June 1 of each year, the committee shall elect a chair, vice chair and

secretary for the next twelve (12) month period. Upon the absence of the chair, the vice chair shall serve as chair pro tem. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chair, vice chair or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 02-09, 4-1-2002)

2-6-5: MEETINGS, RULES AND REGULATIONS:

Five (5) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business before the committee. The concurring vote of a simple majority of members present shall be necessary to decide any question or matter before the committee. The committee shall adopt rules of procedure for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. Meetings of the committee shall be held at least once every three (3) months or at the call of the chair or the parks and recreation director, and at such other times as the committee may determine. All meetings shall be open to the public. (Ord. 12-08, 6-4-2012)

2-6-6: STAFF SUPERVISION:

The committee shall have no supervisory control and shall not direct city staff in the performance of their official duties. Pursuant to the city charter, all authority to appoint, suspend and remove employees is reserved to the city manager. (Ord. 02-09, 4-1-2002)

2-6-7: EXPENDITURES:

The committee shall have no authority to make any expenditures on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds. (Ord. 02-09, 4-1-2002)

PEDESTRIAN & BICYCLE PATH ADVISORY COMMITTEE – WCC 2-8-1

**Two-year terms, 1st Monday/month
@ 8:00 AM Council Conference Room**

(Minimum of 4 Whitefish City Limit residents required)

Ordinance 11-08 Temporary Amendment allowing 8th member – (Ordinance 11-08 is attached)

Position #				Term Expiration Date
1.	*Richard Hildner, Councilor	PO Box 158	862-2831	May 31, 2014
2.	*Mike Fitzgerald, Member at Large	412 Lupfer Avenue	862-7426 862-9977 (W)	May 31, 2013
3.	John Phelps, Extra-territorial Member at Large	615 Monegan Road	862-3333	May 31, 2014
4.	*Doug Reed, Resort Tax Representative	Whitefish Lake Golf Club Restaurant, PO Box 1719	862-5285	May 31, 2013
5.	*Jim DeHerrera, Member at Large	339 Fairway Drive	407-730-2424	May 31, 2014
6.	* Rob Brunk, Park Board Representative,	130 E. 4 th St,	862-6466, 862-6858	May 31, 2014
7.	*Hunter Homes, Member at Large (233 Woodland Pl)	PO Box 194	314-1417	May 31, 2013
8.	Positions Expires as called out in Ordinance 11-08			May 31, 2013
Easement Negotiation Delegation - WCC 2-8-8				
City Manager Stearns	PO Box 158, WF		863-2406 (W) 863-2419 (F)	City Manager
Doug Adams	214 Rusty Spur Trail, WF			

ORDINANCE NO. 11-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, TEMPORARILY AMENDING CITY CODE TITLE 2, CHAPTER 8, REGARDING THE PEDESTRIAN AND BICYCLE PATH ADVISORY COMMITTEE, TO ALLOW AN ADDITIONAL COMMITTEE MEMBER.

WHEREAS, pursuant to Ordinance No. 02-11, adopted on April 1, 2002, the City Council established the five-member Pedestrian and Bicycle Path Advisory Committee; and

WHEREAS, on July 7, 2003, the City Council adopted Ordinance No. 03-18, which amended Ordinance No. 02-11, to add two additional members to the Committee and to allow the Committee to participate in fundraising; and

WHEREAS, on December 5, 2005, the City Council adopted Ordinance No. 05-30, which amended Ordinance No. 03-18 to formally establish the "Fish Trails Coordinators" as part of the Pedestrian and Bicycle Path Advisory Committee; and

WHEREAS, Ordinance No. 05-30 has been codified as Title 2, Chapter 8, of the Whitefish City Code; and

WHEREAS, City Code Section 2-8-3 provides that the Committee shall have seven (7) members; and

WHEREAS, the City Council desires to appoint an eighth member to the Pedestrian and Bicycle Path Advisory Committee, on a temporary basis.

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

Section 1: The first sentence of City Code Section 2-8-3(A) is hereby amended, on a temporary basis only, to provide as follows:

The committee shall have ~~seven-(7)~~ **eight (8)** members.

Section 2: Consistent with the amendment set forth above, there shall be five (5) Public Members-at-Large until one of the five appointed by the Council resigns or is not reappointed to a subsequent term. Upon such resignation or lack of reappointment, then the membership of the Committee shall automatically and immediately return to seven (7), without the need for further Council action.

Section 3: As a temporary measure that will expire, this Ordinance shall not be codified.

Section 4: All other provisions of Title 2, Chapter 8, shall remain unmodified.

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

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS 20TH DAY OF JUNE, 2011.



MICHAEL JENSON, MAYOR

ATTEST:



Neclie Lorang, City Clerk

PEDESTRIAN AND BICYCLE PATH ADVISORY COMMITTEE

2-8-1: STANDING COMMITTEE ESTABLISHED:

There is hereby established a pedestrian and bicycle path advisory committee (hereinafter "committee"). (Ord. 05-30, 12-5-2005)

2-8-2: PURPOSE, POWERS, PROCESSES AND DUTIES:

The purpose and duties of the committee are to provide advice and recommendations to the city council, park board of commissioners, pedestrian and bicycle path easement negotiators¹ (hereinafter "easement negotiators") and city staff on matters of pertinence and interest related to the development of pedestrian and bicycle trails pursuant to the Whitefish pedestrian and bicycle path master plan. The committee shall report its advice and recommendations primarily to the park board of commissioners and the easement negotiators. The committee shall act in an advisory capacity only. Nothing in this chapter shall be construed to provide the committee with the power to authorize or prohibit the use of public funds. The committee shall be entitled to conduct fundraising activities and expend any funds raised for purposes related to the city's pedestrian and bicycle paths. In conducting fundraising activities, the committee shall not be entitled to incur indebtedness that could be charged against the city. (Ord. 05-30, 12-5-2005)

2-8-3: MEMBERSHIP:

A. Appointment; Compensation: The committee shall have seven (7) members. Members shall be appointed by the city council. Not less than four (4) members shall reside within the corporate limits of the city. Three (3) members may reside within the Whitefish planning jurisdictional boundary. Members shall have maintained residency within specified boundary requirements for one year prior to appointment to the committee. The city council shall appoint members according to the following representation categories: one member who is also the mayor or a city councilor; one member who is also a member of the park board of commissioners; one member who is also a member of the resort tax monitoring committee; and four (4) members who are citizen members at large. The city manager shall serve on the committee in an ex officio capacity. The city clerk shall make appropriate notation of a member's representation category on the official committee roster. Committee members shall receive no compensation. Contracted consultants and city staff, except as otherwise provided for by the city manager, shall not serve as members, but may assist and participate in the facilitation of committee business.

B. Terms; Positions: Committee terms shall be two (2) years. There are hereby created positions numbered 1 through 7 inclusive of the members of the committee. The term for members serving pursuant to this chapter terminate on the date specified below for each position:

<u>Position Number</u>	<u>Representation Category</u>	<u>Expiration Date</u>
1	Mayor or councilor	May 31, 2007

2	Member at large	May 31, 2007
3	Member at large	May 31, 2007
4	Resort tax committee	May 31, 2006
5	Member at large	May 31, 2006
6	Park board	May 31, 2006
7	Member at large	May 31, 2006

Thereafter members appointed to each position shall serve for two (2) year terms; the first of such terms beginning on June 1 of the year in which the term for the position expires. At the discretion of the city council, members may be appointed for more than one term.

C. **Removal Of Member:** A member may be removed from the committee by majority vote of the city council for cause upon written charges and after a public hearing. Wilful disregard of this chapter and the rules of procedures of the committee, or absences from three (3) consecutive meetings, including regular and special meetings, or absences from more than fifty percent (50%) of such meetings held during the calendar year, shall constitute cause for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the chairperson or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.

D. **Vacancy:** Pursuant to subsections A and B of this section, any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. The city council may appoint members of the city council to temporarily fill vacant positions on the committee. (Ord. 05-30, 12-5-2005)

2-8-4: ORGANIZATION:

The committee, at its first meeting after June 1 of each year, the committee shall elect a chairperson, vice chairperson and secretary for the next twelve (12) month period. Upon the absence of the chairperson, the vice chairperson shall serve as chairperson pro tem. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chairperson, vice chairperson or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 05-30, 12-5-2005)

2-8-5: MEETINGS; RULES AND REGULATIONS:

Four (4) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business before the committee. The concurring vote of a simple majority of members present shall be necessary to decide any question or matter before the committee. The committee shall adopt rules of procedure for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. Meetings of the committee shall be held at least once every three (3) months or at the call of the chairperson or the easement negotiators, and at such other times as the committee may determine. All meetings shall be open to the public. (Ord. 05-30, 12-5-2005)

2-8-6: STAFF SUPERVISION:

The committee shall have no supervisory control and shall not direct city staff in the performance of their official duties. (Ord. 05-30, 12-5-2005)

2-8-7: NO EXPENDITURES AUTHORIZED:

The committee shall have not have authority to make any expenditures on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds. (Ord. 05-30, 12-5-2005)

2-8-8: EASEMENT NEGOTIATORS:

- A. Negotiators Established: There are hereby established two (2) appointive positions to be known as the pedestrian and bicycle path easement negotiators (hereinafter "negotiators").
- B. Purpose, Powers And Duties: The purpose and duties of the negotiators are to represent the city in easement negotiations related to the development of pedestrian and bicycle trails pursuant to the Whitefish pedestrian and bicycle path master plan. The negotiators shall be the only individuals authorized to represent the city in trail easement negotiations. All agreements developed between the negotiators and property owners shall require approval by the city council to gain acceptance by the city.
- C. Membership: The city council shall appoint two (2) negotiators and designate a lead negotiator from among the two (2) appointments. Except for city employees, negotiators shall receive no compensation. Negotiators shall serve indefinite terms at the pleasure and discretion of the city council. Negotiators serving on the effective date of this chapter shall, within the discretion of the city council, continue in their respective positions.
- D. Lead Negotiator: The lead negotiator shall decide plans, methods used, offers tendered and concessions made in negotiating easement agreements. The lead negotiator is authorized to include other individuals in negotiation meetings if, in his discretion, such individuals would be helpful in developing an easement agreement. (Ord. 02-12, 4-1-2002)

2-8-9: FISH TRAILS COORDINATORS:

There is hereby established the positions within the committee of "Fish Trails coordinators". There shall be three (3) Fish Trails coordinators appointed by the committee from among its members or from the two (2) easement negotiators (established by ordinance 02-12). Committee members and easement negotiators may serve as Fish Trails coordinators only so long as they remain members of the committee or appointed as easement negotiators. The terms for Fish Trails coordinators shall terminate on the date specified for each position.

<u>Position Number</u>	<u>Expiration Date</u>
1	May 31, 2006
2	May 31, 2006
3	May 31, 2006

Thereafter Fish Trails coordinators shall serve one year terms, the first of such terms beginning on June 1 of the year in which the term for the position expires. Coordinators may be appointed for more than one term. The parks and recreation director shall serve as an ex officio Fish Trails coordinator.

The Fish Trails coordinators shall endeavor to promote awareness of and enthusiasm for the Whitefish trails system. The Fish Trails coordinators shall, with the assistance of volunteers, be responsible for the following matters, and for any other matters that the committee assigns that are consistent with this chapter:

- A. Maintenance of the Fish Trails website;
- B. Publishing of the Fish Trails newsletter;
- C. Organizing events related to the city's trails system;
- D. Handling public relations for Fish Trails events and the city's trails system;
- E. Attracting and increasing Fish Trails membership as a method of fundraising;
- F. Attracting and directing volunteers to assist with various Fish Trails projects and activities; and
- G. Conducting fundraising efforts.

Fish Trails Coordinators may be removed, and vacancies may be filled, by the committee. Fish Trails coordinators shall make decisions by majority vote. Fish Trails coordinators shall be primarily advisory to the committee, and shall obtain committee approval of projects that it undertakes. All meetings shall be open to the public. The coordinators shall not make expenditures or disburse funds on behalf of the city. (Ord.

WHITEFISH CONVENTION AND VISITOR BUREAU COMMITTEE – WCC 2-12-1 3 YEAR TERMS**(Meetings/second Monday every other month (even months); Rocky Mountain Lodge at 3 pm)**

1	Rhonda Fitzgerald (Small Lodging Properties)	862-3440	412 Lupfer Avenue	May 31, 2015
2	Erica Coffman (Restaurant/Bar)	249-4035	121 W. 2 nd Street	May 31, 2015
3	Zak Anderson (Whitefish Lake Golf Course)	250-5256	122 Dakota Avenue	May 31, 2015
4	Bruce Haller (Dollar Rental Car)	892-0009 (W)	121 Idaho Avenue	May 31, 2014
5	Luke Walrath Alpine Theatre Project	862-9050 (W)	PO Box 1959, WF	May 31, 2014
6	Scott Ringer (Large Lodging Properties)	863-4000	General Manager, The Lodge at Whitefish Lake, 1380 Wisconsin Ave, WF	May 31, 2013
7	Nick Polumbus (Whitefish Mountain Resort)	862-1955	Director of Marketing & Sales Whitefish Mountain Resort, PO Box 1400 WF	May 31, 2013
8	Barb Brant (Retail)	249-3484	1658 E 2 nd Street	May 31, 2014
9	Jake Cook	885-3650	630 Woodside Lane	May 31, 2013

CONVENTION AND VISITOR BUREAU COMMITTEE

2-12-1: STANDING COMMITTEE ESTABLISHED:

There is hereby established a standing committee to be called the "Whitefish convention and visitor bureau committee", hereinafter referred to as the committee. (Ord. 06-05, 3-20-2006)

2-12-2: PURPOSE, POWERS, PROCESSES AND DUTIES:

The purpose and duties of the committee are:

- A. To be the designated nonprofit convention and visitors' bureau for the city of Whitefish;
- B. To develop an annual marketing plan and budget for each fiscal year, which annual marketing plan and budget will be presented to the Whitefish city council for approval;
- C. To submit the annual marketing plan approved by the Whitefish city council to the Montana tourism advisory council and receive approval by the tourism advisory council of such annual marketing plan;
- D. To contract with the Montana department of commerce to receive lodging tax revenues earmarked for tourism promotion and disbursed pursuant to section 15-65-121, Montana Code Annotated;
- E. To implement the annual marketing plan referenced above, and use the proceeds distributed by the Montana department of commerce pursuant to the budget approved by the Whitefish city council;
- F. To comply with all of the provisions contained under the category "eligible organizations" in the "Regulations And Procedures For Regional/CVB Tourism Organizations Use Of Lodging Facility Use Tax Revenue" promulgated by the Montana department of commerce;
- G. To provide recommendations and advice to the Whitefish city council, as appropriate, regarding tourism promotion;
- H. To solicit nonvoting members residing in or owning a business located in the city of Whitefish zoning jurisdiction, if the committee determines it to be in the best interests of the committee and in the best interests of tourism promotion; such members may be required by the committee to pay an annual fee for membership;
- I. To conduct such additional activities with regard to tourism promotion as are determined by the committee to be in the best interests of the committee and of the city of Whitefish; and (Ord. 06-05, 3-20-2006)
- J. To create a new classification of members, to be called "lodging associate members", which would have the following characteristics:
 - 1. The associate member must have a Whitefish street address (including 59937 zip code) and a Whitefish telephone number.
 - 2. The associate member must provide a significant activity, experience or service that is not already provided in the Whitefish zoning jurisdiction, as determined annually by the board of the WCVB.
 - 3. The associate member must agree to all obligations and duties applicable to regular members of the WCVB.
 - 4. The associate member must be nominated by a convention and visitor bureau standing city committee member (board member of the WCVB) and be approved by a majority of the standing city committee (board of the WCVB).

Associate members cannot participate in the nomination or recommendation of board positions, nor can they serve on the board. Otherwise, however, they will have the same rights as other members. (Ord. 07-23, 7-16-2007)

Nothing in this chapter shall be construed to provide the committee with the power to authorize the use of public funds other than those funds specifically identified in the committee's annual budget and approved by the Whitefish city council. The committee shall be entitled to conduct fundraising activities, including charging a membership fee, and expend any funds raised for purposes related to tourism promotion. In conducting fundraising activities, the committee shall not be entitled to incur indebtedness that could be charged against the city. (Ord. 06-05, 3-20-2006)

2-12-3: MEMBERSHIP:

A. Appointment; Compensation: The committee shall have up to nine (9) members. Members shall be appointed by the city council. All members shall reside in the city of Whitefish zoning jurisdiction. The city council shall endeavor to appoint members who represent one of the following business categories, and that have broad experience in and a current understanding of the following types of businesses:

- Finance
- Large lodging properties
- Restaurant and bar business
- Retail businesses
- Small lodging properties
- Transportation business
- Whitefish golf course
- Whitefish Mountain Resort

The city clerk shall make a notation of a member's representation category to facilitate appointment to categories not represented. However, the city council shall be entitled to appoint those individuals that it determines most qualified, regardless of representation category. The city council may appoint one of its members to serve as an ex officio (nonvoting) member of the committee. Committee members shall receive no compensation.

B. Terms Of Members: Committee terms shall be for three (3) years, although several of the terms of the initial appointees may be slightly longer than three (3) years. There are hereby created positions numbered 1 through 9 inclusive of the members of the committee. Three (3) of the initial appointees shall serve three (3) year terms. Two (2) of the initial appointees shall serve two (2) year terms. Two (2) of the initial appointees shall serve one year terms. Terms shall be assigned to the initial appointees randomly.

<u>Position Number</u>	<u>Position Specification</u>	<u>Initial Expiration Date</u>
1	Member	May 31, 2009
2	Member	May 31, 2009
3	Member	May 31, 2009
4	Member	May 31, 2008
5	Member	May 31, 2008
6	Member	May 31, 2007
7	Member	May 31, 2007
8	Member	May 31, 2014
9	Member	May 31, 2013

Thereafter members appointed to each position shall serve for three (3) year terms; the terms beginning on June 1 of the year in which the term for the position expires. At the discretion of the city council, members may be appointed for more than one term. (Ord. 12-10, 7-2-2012)

C. Removal Of Member: A member may be removed from the committee by majority vote of the city council for cause upon written charges and after a public hearing. Wilful disregard of this chapter and the rules of procedure or bylaws of the committee, or absences from three (3) consecutive meetings, including regular and special meetings, or absences from more than fifty percent (50%) of such meetings held during the calendar year, shall constitute cause for removal. Circumstances of the absences shall be considered by the city council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the chairperson or secretary of the committee at least twenty four (24) hours prior to any scheduled meeting.

D. Vacancy: Any vacancy on the committee shall be filled by the city council acting in a regular or special session for the unexpired term of the position wherein the vacancy exists. The city council may appoint members of the city council to temporarily fill vacant positions on the committee. (Ord. 06-05, 3-20-2006)

2-12-4: ORGANIZATION:

At its first meeting after the initial appointment of committee members, and thereafter at its first meeting after June 1 of each year, the committee shall elect officers, including a chairperson (also known as the president), vice chairperson (also known as the vice president), treasurer and secretary for the next twelve (12) month period. Upon the absence of the chairperson, the vice

chairperson shall serve as chairperson pro tem. If the secretary is absent from a specific meeting, the attending members shall elect a secretary pro tem for the meeting. If a vacancy occurs in the chairperson, vice chairperson, treasurer or secretary positions, the committee shall elect a member to fill the vacancy at the next meeting. The secretary need not be a member of the committee and shall keep an accurate record of all committee proceedings. (Ord. 06-05, 3-20-2006)

2-12-5: MEETINGS, RULES AND REGULATIONS:

Five (5) members of the committee shall constitute a quorum. Not less than a quorum of the committee may transact any business before the committee. The concurring vote of a simple majority of members present shall be necessary to decide any question or matter before the committee. The committee shall adopt bylaws for the conduct of meetings consistent with statutes, the city charter, ordinances and resolutions. Meetings of the committee shall be held at least once every other month or at the call of the chairperson, and at such other times as the committee may determine. All meetings shall be open to the public. (Ord. 12-10, 7-2-2012)

2-12-6: STAFF SUPERVISION:

The committee shall have no supervisory control and shall not direct city staff in the performance of their official duties. (Ord. 06-05, 3-20-2006)

2-12-7: EXPENDITURES:

Other than those funds specifically identified in the committee's annual budget and expenditure of which has been approved by the Whitefish city council, the committee shall have no authority to make any expenditure on behalf of the city or disburse any funds provided by the city or to obligate the city for any funds. (Ord. 06-05, 3-20-2006)

2-12-8: COMMITTEE AS BOARD OF DIRECTORS:

The committee shall serve as the board of directors of the Whitefish Convention And Visitor Bureau, Inc., a Montana nonprofit corporation (the "nonprofit corporation"). The officers of the committee shall serve in the same capacity as officers of the nonprofit corporation. The articles of incorporation of the nonprofit corporation shall be amended, as necessary and appropriate, to conform to the terms of this chapter, and shall further provide that such articles of incorporation shall not be further amended without approval of the Whitefish city council. The committee, acting as board of directors of the nonprofit corporation, shall adopt bylaws that conform to the terms of this chapter and to the amended articles of incorporation, and thereafter such bylaws shall not be amended without approval of the Whitefish city council. The committee, acting as board of directors of the nonprofit corporation, may provide that that nonprofit corporation may have members, and may solicit dues or other contributions from such members; provided, however, that all of such members shall be nonvoting members, and shall not be able to elect or remove members of the board of directors, or amend the articles of incorporation or bylaws of the nonprofit corporation. (Ord. 06-05, 3-20-2006)

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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, May 20, 2013, at **7:10 p.m.** at City Hall, 402 East Second Street.

Ordinance numbers start with 13-06. Resolution numbers start with 13-09.

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) PRESENTATIONS
 - a) Presentation by Eric Wenem, Montana Fish, Wildlife, and Parks regarding bear issues in the City and prevention measures
- 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
- 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 May 6, 2013 Council special session (p. 58)
 - b) Minutes from the May 6, 2013 Council regular session (p. 59)
 - c) Ordinance No. 13-04; An Ordinance approving a zone change for property identified as 1830 and 1840 Baker Avenue (Second Reading) (p. 78)
 - d) Ordinance No. 13-05; An Ordinance adopting amendments to the City's Impact Fee Ordinance to reduce impact fees for small projects (Second Reading) (p. 84)
- 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) Resolution No. 13-___; A Resolution vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana) (p. 90)
 - b) Consideration of proceeding with design for a new City Hall with an attached parking structure versus a new City Hall with surface parking, other parking structures in downtown Whitefish, and other parking options such as surface parking lots (p. 103)

- 8) COMMUNICATIONS FROM FIRE DEPARTMENT DIRECTOR
 - a) Contract awards for fire apparatus and ambulance (three motions) (p. 171)

- 9) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR
 - a) Contract award for construction of Dodger Lane (p. 187)

- 10) COMMUNICATIONS FROM CITY MANAGER
 - a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 192)
 - b) Other items arising between May 15th and May 20th

- 11) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS
 - a) Standing budget item
 - b) Letter from State Library stating that Whitefish Community Library Director Joey Kositsky has become a state certified Library Administrator (p. 210)
 - c) Resolution No. 13-___; A Resolution establishing the Highway 93 West Corridor Plan Steering Committee (p. 211)
 - d) Appointments to Committees and Boards that were not made at tonight's Special Session before the meeting

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



The following Principles for Civil Dialogue are adopted on 2/20/2007 for use by the City Council and by all boards, committees and personnel of the City of Whitefish:

- We provide a safe environment where individual perspectives are respected, heard, and acknowledged.
- We are responsible for respectful and courteous dialogue and participation.
- We respect diverse opinions as a means to find solutions based on common ground.
- We encourage and value broad community participation.
- We encourage creative approaches to engage public participation.
- We value informed decision-making and take personal responsibility to educate and be educated.
- We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem-solving.
- We acknowledge, consider and respect the natural tensions created by collaboration, change and transition.
- We follow the rules and guidelines established for each meeting.

Adopted by Resolution 07-09
February 20, 2007

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May 15, 2013

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

Mayor Muhlfeld and City Councilors:

Monday, May 20, 2013 City Council Agenda Report

There will be a special session beginning at 4:45 p.m. for interviews for various board and committee positions. 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 May 6, 2013 Council special session (p. 58)
- b) Minutes from the May 6, 2013 Council regular session (p. 59)
- c) Ordinance No. 13-04; An Ordinance approving a zone change for property identified as 1830 and 1840 Baker Avenue (Second Reading) (p. 78)
- d) Ordinance No. 13-05; An Ordinance adopting amendments to the City's Impact Fee Ordinance to reduce impact fees for small projects (Second Reading) (p. 84)

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

Items a and b are administrative items. Item c is quasi-judicial matter and item D is a legislative matter.

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

- a) Resolution No. 13-___; A Resolution vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana) (p. 90)

At the May 6, 2013 meeting, the City Council passed a Resolution of Intention to consider the vacation and abandonment of this remainder portion of Scott Avenue just north of West 9th Street. In doing so, they set a public hearing for May 20th on the vacation and abandonment. Some additional history is below.

In 2002, at the petition and request of property owners adjacent to Scott Avenue between 8th and 9th Streets, the City vacated and abandoned the northern 180 feet of Scott Avenue between 8th and 9th Streets. Part of the intent of this 2002 street vacation was to permit Rob Pero to re-subdivide and develop some lots he owned adjacent to Scott Street into the O'Brien Meadows subdivision. In return for that replatting, Mr. Pero dedicated an additional 30 feet of O'Brien Avenue to the City.

However, as you can see from the map attached to this memo, the entire length of Scott Avenue between 8th and 9th Streets was not vacated. The southern 75 feet of Scott Avenue between 8th and 9th Streets was not vacated at the time and remains the property of the City of Whitefish.

Last summer, an adjacent property owner, Dorothy Kvigne, contacted me wanting to know if we would vacate the remaining portion of Scott Avenue. After talking with City staff, we could find no reason to retain that remainder parcel in City ownership given that the northern portion of Scott Avenue was previously vacated. We felt that the entire length of Scott Avenue between 8th and 9th Streets should have been vacated in 2002.

However, we felt that we should try to obtain the additional 30 feet of right-of-way (R-O-W) from the owners of Lot 6 of the South Whitefish Addition (renamed Lot A in the attached draft plat in the packet) so as to have a unified width of R-O-W on O'Brien Avenue between 8th and 9th Streets.

Therefore, I began discussions with the owners of Lot 6 of the South Whitefish Addition as the same owners own both parcels of land (see attached letter in packet). They agreed that the vacation of the back portion of their Lot 6 would improve their property and they also agreed to dedicate the equivalent 30 foot wide parcel of O'Brien Avenue to the City in exchange for the vacation. However, once we had the property surveyed with stakes, they realized how far the 30 feet of R-O-W on O'Brien Avenue would come into their property. We therefore agreed to consult with them in the future about any plans to bury utilities or otherwise improve that 30 foot portion of O'Brien Avenue R-O-W for as long as they owned the lot. We also extended that consultation to them on their residence which is Lot 4 of O'Brien Meadows, adjacent to and north of Lot 6 of the South Whitefish Addition. That consultation is contained in a plat note on the plat. The staking remains on the property if you decide to drive by the lot at the NW corner of 9th Street and O'Brien Avenue.

All of the property owners adjacent to this proposed vacation of 75 feet of Scott Avenue have agreed to the vacation and have petitioned the City to do the vacation.

These petitions are contained in the packet. Moreover, the owners of Lot 6 of South Whitefish Addition (renamed Lot A in the attached draft plat in the packet) have agreed to dedicate 30' of land along O'Brien Avenue in exchange for our vacating the 60 feet width of Scott Avenue. In any street vacation, one half of the width goes to each adjacent property owner, so the owner of Lot 6 will gain the exact amount of land at the back of their lot for what they are giving up in the front of their lot along O'Brien Avenue.

Mary VanBuskirk has prepared a Resolution for this vacation of Scott Avenue and that Resolution is in your packet.

City staff agreed to bear all costs for the amended plat for this street vacation because of the additional R-O-W that we gain along O'Brien Avenue where it is more useful to the City than the dead-end R-O-W of the South 75 feet of Scott Avenue. The estimate cost of preparing, surveying, and recording is approximately \$2,000. The surveying and preparation of the amended plat cost \$1,700 by itself.

RECOMMENDATION: Staff respectfully recommends the City Council approve Resolution No. 13-___; A Resolution vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana)

This item is a legislative matter.

- b) Consideration of proceeding with design for a new City Hall with an attached parking structure versus a new City Hall with surface parking, other parking structures in downtown Whitefish, and other parking options such as surface parking lots (p. 103)

The City Council held work session to discuss parking and parking structures on Monday, April 15th and scheduled a public hearing on the topics for May 20th.

The documents in the packet are described below. After listing the documents, I prepared for the work session 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. New information after the April 15th work session is highlighted in yellow.

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. A picture of a brand new parking structure in downtown Jackson, WY that I took last week.
10. Executive Summary from 2008 Walker Parking Consultants Parking Demand study.
11. Surface parking development – rough cost estimate
12. Email on the cost per space to construct the parking lot at 2nd and Spokane. On that sheet, we added the information on cost to acquire all of the lots at the 2nd and Spokane parking lot as that information was requested by a Council member.
13. A staff report from Wendy Compton-Ring on payment in lieu of providing parking programs in other communities.
14. Email from Bonnie Leahy regarding parking structures.
15. Email from Ian Collins regarding parking structures.

In the packet is a table of pros and cons that I derived for the options of City Hall with a parking structure or City Hall with surface parking to help the City Council with their decision.

RECOMMENDATION: Staff recommends the City Council, after considering the Parking Structure Feasibility Study, public testimony, and other information, decide on whether City Hall should be built with a parking structure or with surface parking. There are subsequent decisions to be made depending on which of these two fundamental decisions are made. After considering all of the information, the City Manager recommends proceeding to design City Hall with a parking structure.

The Mayor and City Council can delay the decision if they feel additional information needs to be gathered. However, I feel that this City Council, having gathered extensive information, needs to make a decision this year.

This item is a legislative matter.

COMMUNICATIONS FROM FIRE DEPARTMENT DIRECTOR

- a) Contract awards for fire apparatus and ambulance (three motions) (p. 171)

On Friday, April 26th, we opened bids on four pieces of Fire and Ambulance equipment – a fire pumper, an ambulance, a brush fire truck, and a water tender. There was only one bidder for each piece of equipment despite sending out the bid packets to a number of vendors and manufacturers.

Fire Chief Tom Kennelly has analyzed the bids and their pricing. He is recommending that we proceed to award the contracts for the fire pumper truck and the ambulance because their pricing is under what he estimated the equipment would cost and is within our budgeted amounts. He is also recommending that we reject the bids for the brush truck and water tender, revise the specifications, and re-bid those two items. He has a full staff report and other documents in the packet.

RECOMMENDATION: (THREE MOTIONS)

1. Staff recommends authorizing of entering into a contract with General Fire Apparatus of Spokane, WA to purchase one Type 1 1,500 gpm Rosenbauer, LLC fire apparatus for up to \$495,112.
2. Staff recommends authorizing of entering into a contract to purchase one Type 1 ambulance from Braun NW for \$155,597.
3. Staff has recommended to the City Manager that the bids for the Tender and Brush Truck be rejected. Staff will revise the specifications for these vehicles to bring them in line with projected budgeted financial resources available, at which time we propose to again issue a request for bids from various manufacturers.

These items are legislative matters.

COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR

- a) Contract award for construction of Dodger Lane (p. 187)

From Public Works Director John Wilson's staff report:

The Public Works Department opened bids for the Dodger Lane Construction Project on May 10th. This memo is to recommend the City Council award a construction contract to the low bidder, Schellinger Construction, in the amount of \$229,794.

This project was discussed at the February 4th City Council meeting and Public Works was directed to proceed with design. In the short term, the new street will provide continued access for the Armory Road and East 2nd Street neighborhoods during the East 2nd Street Reconstruction Project in 2014. Water main looping and improved traffic circulation will continue to provide benefits into the future.

The scope of work involves new construction of a previously undeveloped portion of Dodger Lane between Wedgewood Lane and the short section of Veteran's Way north of Armory Road. Other elements include a new water main to provide looping between Armory Road and East 2nd Street, storm drainage improvements, a bike path along the new road section and utility services for new restrooms in Armory Park.

Five bids were received from local contractors, with 4 bids below and 1 bid above the engineer's estimate of \$327,312. The second lowest bid was within 13% of the low bid, support the case for \$229,794 as a reliable number.

Work is scheduled to begin on June 24th and be completed by the end of July.

This project involves new infrastructure and, as such, is not eligible for Resort Tax infrastructure funds. Elements of the project include the new roadway, a new water main, storm drainage facilities and parks amenities, such as a new roadside bicycle/pedestrian path and utility services for the new Armory Park restrooms. We propose to divide these construction costs accordingly, based on the contractor's bid prices, as follows:

Street	114,490
Water	63,743
Stormwater	19,501
Parks	<u>32,060</u>
Total	\$229,794

These costs would be incurred in the coming fiscal year and adequate funds are included in the FY14 Preliminary Budget.

RECOMMENDATION: Staff respectfully recommends the City Council award a contract for the Dodger Lane Construction Project to Schellinger Construction in the amount of \$229,794.

This item is a legislative matter.

COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 192)
- b) Other items arising between May 15th and May 20th

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

- a) Standing budget item
- b) Letter from State Library stating that Whitefish Community Library Director Joey Kositsky has become a state certified Library Administrator (p. 210)
- c) Resolution No. 13-___; A Resolution establishing the Highway 93 West Corridor Plan Steering Committee (p. 211)
- d) Appointments to Committees and Boards that were not made at tonight's Special Session before the meeting

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 CITY COUNCIL MINUTES

MAY 6, 2013

SPECIAL SESSION, 4:45 TO 7:00 PM

1. Call to Order

Mayor Muhlfeld called the meeting to order. Councilors present were Mitchell, Sweeney, Anderson, Hildner, and Kahle. Councilor Hyatt was absent. City Staff present were City Manager Stearns, City Clerk Lorang, and City Attorney VanBuskirk at 5:30 p.m.

2. Interviews for Ad-Hoc City Hall Steering Committee

The Mayor and Council conducted interviews with Heidi Van Everen, Jim Deherrera, Ray Boksich, Doug Wise and Terri Dunn for Park Board. Eric Matson was also interviewed for his application for the Park Board along with his interest in serving also on the Architectural Review Committee and the Ice Rink Advisory Committee. Michael Blubaugh was interviewed for his interest in the Architectural Review Committee, the Pedestrian/Bike Path Advisory Committee and the Whitefish Convention & Visitor's Bureau. Ross Doty and Trek Stephens were interviewed for the Police Commission. And Trek Stephens, Chris Schustrom and Duane Reisch were interviewed for the Resort Tax Monitoring Committee. Duane Reisch was also interviewed for his interest in serving on the Architectural Review Committee; along with interviews with Ian Collins and Kathryn Skemp for the Architectural Review Committee.

3. Appointments

Mayor Muhlfeld appointed Ross Doty for another term on the Police Commission and the Council concurred. Mayor Muhlfeld appointed Doug Wise and Terri Dunn each for another term on the Park Board and the Council concurred. Mayor Muhlfeld appointed Jim DeHerrera to the Park Board and the Council concurred.

Councilor Kahle offered a motion, seconded by Councilor Hildner, to reappoint Trek Stephens and Chris Schustrom, each for another term on the Resort Tax Monitoring Committee. The motion passed with four (4) aye votes and one (1) no vote; Councilor Mitchell voting in the negative.

Councilor Mitchell offered a motion to appoint Kathryn Skemp, Michael Blubaugh and Duane Reisch to the Architectural Review Committee. The motion died for lack of a second.

Councilor Anderson offered a motion, seconded by Councilor Kahle, to appoint Duane Reisch and Kathryn Skemp to the Architectural Review Committee; and to reappoint Ian Collins to the Architectural Review Committee for another term. The motion passed unanimously.

4. Adjournment

Mayor Muhlfeld adjourned the Special Session at 7:03 p.m.

Mayor Muhlfeld

Attest:

WHITEFISH CITY COUNCIL MINUTES

May 6, 2013

7:10 P.M.

1. CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Mitchell, Sweeney, Anderson, Hildner, Kahle and Hyatt. 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 Utilities Supervisor Acton, Parks and Recreation Director Cozad, Police Chief Dial, and Fire Chief Kennelly. Approximately 19 people were in attendance.

2. PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Ken Stein 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)

Rebecca Norton, 530 Scott Avenue, expressed concern that the City Council failed to adopt the recommendations of the Ethics Committee that was formed several years ago, in which there would have been an independent 3-person panel to review any ethics concerns. She would like the Council to discuss the decision by Councilors Hyatt, Kahle and Mitchell in voting against the City's panel that recommended the planning firm for the Highway 93 North project. Four applicants submitted applications and were interviewed by the City's two planners, the Building Director and the Mayor. All four of these people are intimately involved in the daily operations and growth of our City, and have been for many years. They all elected to have the top applicant do the work to plan the Highway 93 corridor. The Council had two Councilors absent at the time of the decision and Councilors Hyatt, Kahle and Mitchell elected to turn down the recommendation of the hiring committee and go with the second recommendation, which cost the taxpayers an additional \$4000. No other rationale was given for this decision except that the company had done previous work for the City. She said she spoke with the Building Director and asked how often the recommendations of a vetted bid process were not honored by the Council and this has only happened one other time. In the past, if the Council decided not to award a contract they re-opened the bidding process. She said she found this decision, which will greatly impact the City's future, to be "arbitrary and capricious." She questioned why the taxpayers should have to pay \$4000 more. She asked the Council to consider whether the decision was legal and ethical, and if not, the vote should re-occur with a full Council.

Mayor Muhlfeld said the action was legal. The only time they need a vote of four is when they are dealing with ordinances. He said hiring comes to the Council as a recommendation and the Council has the right to approve or deny the staff recommendations.

Ian Collins, 898 Heron Drive, thanked the Council for the Master Plan update. He said about 60 people from the community attended. He hoped they would consider keeping Crandall & Arambula involved to further flesh out the details of the proposals they made. He said when the Highway 93/Second Street project came as a result of the TIGER grant, the City was able to go to the table with

May 6, 2013

the MDOT with a plan that worked for the commercial core and met their needs as well. He said the Baker Avenue is a project that is coming. He doesn't see that the City has a shovel-ready plan like they did on Highway 93. He said there is a Safe Routes to School grant that will give them a pedestrian crossing, but they should have it pedestrian friendly like the intersection at Second Street and Highway 93.

Anne Shaw-Moran, 432 W. Third Street, thanked them for taking steps for the Highway 93 Neighborhood Plan. She said a coordinated planning event has benefits for everyone. She recommended that they take into account the mix-use possibilities. She said there is concern that the current make-up of the committee needs to include more neighbors and landowners. She said there are 44 properties, 6 of which are in professional or commercial use. She said buy-in from neighbors is crucial. She recommended a more balanced committee make-up. She said an industrial commercial entity (Idaho Timber) is proposed to have a specific seat on the committee. She suggested they also offer a seat to other non-contiguous properties. She said including the neighbors will help facilitate acceptance by the neighbors. Meaningful representation is important and will reduce discord. She thanked them for their consideration.

Susan Prilliman, 334 West 3rd Street, agreed with Anne Shaw Moran. She read a letter from Joel Toller, a neighbor. He thanked them for their service. He said he owns a property on W. 3rd that will be their retirement home. They like the quiet neighborhood and have concerns about the growth on 2nd Street. He asked them to have a balanced steering committee that includes people who live in close proximity to the development. He had concerns about the median scheduled in front of the Plaza office building and said it wasn't a good option for their clients. He said the Council's decisions would affect their quiet neighborhood. He said he was willing to serve on the Steering Committee. Susan Prilliman said she was also concerned about the recommended make-up of the committee. She said residential uses are the primary uses in this neighborhood and they need representation and a voice. She recommended at least 50% of the committee should be made up of residential owners. She also had concerns about the layout and wanted W. 4th Street included in the plan.

Mayre Flowers, Citizens for a Better Flathead, agreed with the previous two speakers. She said it is important that corridor planning look at the entrances into town. It is important to the community as a whole and she recommended that they include more members-at-large and from the WB-3 District. She said it is important to have varied viewpoints. She also had concerns about the boundaries and felt the W. 4th Street area should be included. She recommended evening meetings so the public can participate. She spoke about Rebecca Norton's concerns about the Councilor's vote on this project. She said if the Council is not going to accept a recommendation they should have 2/3 of the Council agree on that, especially if it is going to cost the public more money. She said it was important that they honor the public process.

Rhonda Fitzgerald, 412 Lupfer Avenue, agreed with Ian Collins that they need to take the Downtown plan and work with MDOT on the plan for Baker Avenue. They need the details and the drawings so they can work with MDOT. She said good planning netted them a large grant for the Highway 93 project and she hoped they could do something similar on Baker Avenue.

4. COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Hildner said that five Bike/Ped Path Committee members met and removed the silt fence from the ReMax office to the Baker Avenue bridge during "Clean the Fish." He said the Skye

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Park Bridge easement project is going well and the next step will be to meet with landowners who are affected. Dodger Lane will be constructed this summer. The Committee voted to request the City to complete the bike lane and pedestrian crossings markings by June 1, 2013. They also voted to recommend that the Second Street project-developer be required to construct a 5-foot wide sidewalk with a 5-foot boulevard according to City Standards. (Councilor Hildner pointed out he abstained from that vote because it will likely be coming before this Council). The Committee voted to recommend an 11-foot shared bike/pedestrian path on both sides of Highway 93 in lieu of the current design between 2nd & 8th (or 13th) Streets. They also voted to ask that City funds be budgeted for an ADA-compliant path from the new Hwy 93 West bridge to Miles Avenue; that documentation needs to be in place. His final comment was that Doug Adams is continuing to work on easement acquisition from the Stumptown Inn and Char Rygg to complete the path along that section of the river.

Councilor Mitchell said they planted trees out at the Sports Park and he thanked all those who were involved, especially Parks Director Cozad. Director Cozad said the money came from a DNRC grant as an Arbor Day Grant. He said the Tree Committee walked the Highway 93 W. project to discuss trees along that road.

Councilor Mitchell said they met with the two other cities and the County Commissioners and he doesn't understand the 9-1-1 capital costs and how they can fund it fairly. He said he learned a lot at the meeting.

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 April 15, 2013 Council regular session (p. 47)

5b. Consideration of approving application for Whitefish Lake Lakeshore Permit (#WLP-13-W09) to add an "L" Wing to dock; add EZ Port to Dock; install Shore Station with Canopy; Replace Wooden Stairs with Stone Steps install Dry Set Walkway, Stepping Stones & Low Voltage Pathway Lighting at 980 Packrat Lane subject to 28 conditions (p. 56)

5c. Consideration of approving application for Whitefish Lake Lakeshore Variance (#WLV-13-W06) to place Naturalized Riprap (exceeding stone size and no filter fabric), amended Revegetation Plan and Maintenance Plan for care of plants, addition of 28 square feet (4' x 7') to existing Stone Steps at East Lakeshore Beach Club subject to 34 conditions (p. 73)

Councilor Mitchell 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)

6a. Consideration of an application from PMT Properties LLC ("Tupelo Grille") for a Conditional Use Permit to operate a bar/lounge at 17 Central Avenue. The subject property is zoned WB-3 (General Business District) and will operate as a restaurant which serves wine, beer and liquor. The restaurant currently serves wine and beer only. The property is legally described as Lots 16 and 17, Block 28, Whitefish Townsite, in Section 36, Township 31N, Range 22W, P.M.M., Flathead County, Montana (p. 112)

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Planning and Building Director Taylor reported that this item is a request by Bill Hileman, Jr. on behalf of PMT Properties LLC and Southern Cross, Inc., for a conditional use permit to expand from a cabaret-type beer and wine license to a full bar/lounge at Tupelo Grille, 17 Central Avenue. The property is zoned WB-3, General Business District. A conditional use permit is required due to the transfer of an existing all beverage license from the former Sherwood Bar. Staff recommended approval.

The Whitefish City-County Planning Board met on April 18, 2013 and considered the request. Following the hearing, the Planning Board unanimously recommended approval of the above referenced conditional use permit with two (2) conditions as contained in the staff report and adopted the staff report as findings of fact. The applicant spoke at the public hearing and asked if they had any questions. Rhonda Fitzgerald, 412 Lupfer, spoke in favor of the project. Rebecca Norton, 530 Scott Avenue, spoke in favor of the project. Councilor Hildner asked if there would be a change in hours and Director Taylor said he could ask the applicant. Mayor Muhlfeld asked and Director Taylor said some communities have different standards on this issue. This process is consistent throughout the City's regulations. Councilor Mitchell asked and Director Taylor said it costs \$1980 to go through the CUP process.

Mayor Muhlfeld opened the public hearing.

William Hileman represented the applicants. He said that Missy Carlos, an owner, was also present. They thanked staff for their report and found them very professional to work with. He didn't have anything to add to their report and asked if the Council had any questions. Councilor Hildner asked if they would extend their hours of operation and Mr. Hileman said they are not planning to do that at this time.

Mayor Muhlfeld closed the public hearing.

Councilor Hyatt offered a motion, seconded by Councilor Kahle, to approve an application from PMT Properties LLC ("Tupelo Grille") for a Conditional Use Permit to operate a bar/lounge at 17 Central Avenue, subject to the conditions as recommended, and approve the findings of fact in Staff Report WCUP 13-02, including Exhibit A. The motion passed unanimously.

6b. Ordinance No. 13-04; An Ordinance approving a zone change for property identified as 1830 and 1840 Baker Avenue (First Reading) (p. 130)

Director Taylor reported on a request by Eric Mulcahy on behalf of Elaine Edwards and 1840 Baker LLC to amend the Whitefish zoning jurisdiction map from WI (Industrial and Warehousing) to WI/WB-2-SC (Industrial and Warehousing/Secondary Business with a Statement of Conditions) on two lots comprised of 1.870 acres of property addressed as 1830 and 1840 Baker Avenue. It is the site of the old Master Plumbing business. They are asking to amend the zoning to fit the uses they would like to have and there are "Conditional Zoning" provisions in the Code. They want to have some professional offices, furniture manufacturing/sales and perhaps auto detailing and sales. Rather than re-zone the property to WB-2, which is the same as the adjacent property, they are looking to keep industrial zoning and add some secondary business district uses.

As part of the Statement of Conditions, the property owner is asking for the following uses from the WB-2 zone to be permitted:

- Antique stores and auction barns
- Automobile and boat sales, parts, repair and service (automobile and boat service is already permitted in the WI zone)

- Furniture and floor covering stores
- Grocery stores
- Laundry and dry cleaning
- Machinery and equipment sales, rental, and repair
- Medical clinic and related therapeutic health services
- Restaurant

Under Conditionally permitted uses, the following would be added:

- Buildings greater than 15,000 square feet

The front yard setback would be 20' as required in the WB-2 District, while the side and rear yard setbacks would remain 5' as required in the WI district (no side or rear setbacks are required in the WB-2).

They are also proposing to voluntarily remove the following allowed WI permitted uses:

- Boat and recreational vehicle storage
- Building supply outlets
- Contractor's yards
- Heavy equipment service
- Nurseries and landscaping materials, retail and wholesale
- Public utility buildings and storage yards
- Publically owned or operated buildings, uses, or recreational facilities
- Railroad yards
- Research laboratories and institutions

They are proposing to voluntarily remove the following conditionally permitted WI uses:

- Automobile and boat sales (added as permitted use per WB-2)
- Automobile wrecking yards
- Heavy equipment sales and rentals
- Heavy industrial manufacturing, fabricating, and processing
- Outdoor amusements
- Petroleum products, wholesale
- Sexually oriented businesses
- Tire retreading and recapping

The following uses would remain permitted as per the WI zone:

- Automobile sales and service
- Janitorial services
- Light industrial manufacturing, fabricating, processing, repairing, packing, or storage facilities
- Office space (less than 10,000 sq. ft.)
- Parcel delivery services
- Petroleum products, retail
- Tire sales

The following use from the WI would remain conditionally permitted:

- Microbreweries

The property formerly had an operating plumbing business as well as commercial retail sales of plumbing supplies and fixtures within the existing building. The new owner wishes to utilize that building as a multi-tenant mixed use facility, including professional offices, which could be done under the existing zoning up to 10,000 sq. ft., as well as furniture manufacturing and sales and other options. The larger of the two lots is currently vacant, but several future commercial buildings are planned. One building would potentially house a specialty food market and deli; another would have mixed uses,

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including high end automotive restoration and sales (indoors). The applicant is proposing to include several other uses permitted in the WB-2 to provide more flexibility for future tenants. Most of the uses being proposed are currently available in the neighborhood along Baker Avenue. No retail is being proposed that would potentially compete with the downtown WB-3 zoning district, nor are the WB-2 uses proposed completely reliant on highway frontage, large outdoor display areas, etc., as per the intent of the WB-2.

With this creative zoning technique the applicant has flexibility by giving up and or getting additional zoning rites as agreed upon by this process. He said the pool for industrial property is limited, so staff supports the request to keep that in this proposal. There were no comments from neighboring business owners. The applicant could have done a PUD, but there is a requirement to add something for the public and none of that is feasible in an industrially zoned property. Staff recommends approval. The request is reviewed in accordance with the Whitefish Zoning Regulations based on statute criteria on the purposes of zoning:

1. Conformity to the Growth Policy

11-7-11-D-3 has different standards for conditional zoning with regard to Growth Policy conformity in relation to standard zoning map amendments.

The city council, while reviewing the compatibility of the rezoning request with the considerations of subsection E1 of this section, shall consider compatibility of allowed uses and the performance of the conditional restrictions along with the intent of the underlying future land use shown for the parcel in the city-county growth policy maps rather than strict adherence to growth policy land use designations such as commercial and residential.

The Whitefish City-County Growth Policy Land Use Map designates the subject properties as Planned Industrial. An abbreviated description is as follows:

- For vital industries with low impacts to residential neighborhoods
- Centers of employment with less traffic from standard commercial, not dependent on drive by traffic for clientele
- Consistent with WB-4 and WI zones

The proposed zoning classification generally conforms to the Planned Industrial Residential designation as defined in Chapter 3 (page 66) of the Whitefish City-County Growth Policy in that the proposed use will provide for commercial and light industrial businesses with less traffic than standard commercial and the Statement of Conditions will limit the allowed uses to those most compatible with adjacent uses. The performance of the district will be compatible with the future land use designation.

The Whitefish City-County Planning Board met on April 18, 2013 and considered the request. Following the hearing, the Planning Board unanimously recommended approval of the above referenced rezone request and adopted the staff report as findings of fact.

Councilor Mitchell asked and Director Taylor said the applicants gave up some of the uses to gain some they wanted. He said the City used this for the Whitefish Motel a few years ago. He said it is typically used where two zoning areas abut each other. He said this applicant has the more intense use rights, but they are willing to give up some of the other uses they could have. Manager Stearns asked

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about page 139 about buildings greater than 15,000 square feet. He wondered if this was an attempt to get a larger than 15,000 square foot building in this zone. Director Taylor said it isn't limited in the Industrial Zone, but the applicant isn't asking for anything that large. Mayor Muhlfeld asked about signage and Director Taylor said the signage applies to the highway district, so it wouldn't change. Mayor Muhlfeld asked about automotive and boat sales and grocery stores. He said when they went through the WB-2 and WB-3 zone issues in past years it was because those businesses needed large display areas. He questioned whether this met the intent of the WB-3. Director Taylor said this is a blend of WB-2 and Industrial. He agreed that they need big parking for a grocery store, but this applicant is proposing a specialty meat store. Mayor Muhlfeld asked about the automobile and boat sales and Director Taylor said they are already in the code for Industrial as conditionally permitted uses and they will have to meet the parking standards. Director Taylor said the applicant is planning to sell parts, mostly, and all that activity will be indoors. Mayor Muhlfeld said they are going from conditional to permitted uses. Councilor Hildner said if they can have boat sales then they will also have boat storage. He said they would have the ability to store boats with their blue shrink-wrapped covers for winter storage. Director Taylor said in the industrial zone they are allowed to store boats. He said the applicant left it in at his recommendation, but they might be willing to remove it. He said all of their sales will be indoors. The goal of this code is to let the Council work with the applicant.

Mayor Muhlfeld opened the public hearing.

Eric Mulcahy, with Sands Surveying, represented the owners. He said Director Taylor did an excellent job with the staff report. He said South Baker Avenue is already a mix of uses. It is WB-2 on one side and W-I on the other side. He said it is also an area that hasn't seen a lot of investment. A lot of the buildings have deteriorated and these folks intend to invest in this area. Their uses don't necessarily fit specifically into the WB-2 or W-I. They want to do small furniture manufacturing and restoration of old, historical vehicles. He said they removed the auto storage and boat storage and RV storage with the conditional zoning so they wouldn't see a parking lot with old cars or blue tarps. The other business they would like to create is a small, specialty grocery and deli. They had removed boats, but boats and autos are tied throughout the code, so they left it the way it was. They are willing to remove boats from their request.

Councilor Anderson said one of the uses they were willing to remove was research labs or institutions and he wondered why. Mulcahy said the applicant has to give something up and they don't intend to have labs or anything that involves heavy industrial. He said they could keep it if that was what the Council desired. Councilor Anderson said he would like to see it included.

Mayor Muhlfeld closed the public hearing.

Councilor Anderson offered a motion, seconded by Councilor Hyatt, to approve Ordinance 13-04, approving a zone change for property identified as 1830 and 1840 Baker Avenue (First Reading) including the findings of fact, Staff Report WZC 13-02, including Exhibit A – Statement of Conditions, and adding back in the use of 'Research laboratories and institutions'.

Councilor Hildner asked what type of institutions he was envisioning and Councilor Anderson said he thought research labs and institutions are the same thing, though the institution might have an educational element to it.

The motion passed unanimously.

6c. Ordinance No. 13-05; An Ordinance adopting amendments to the City's Impact Fee Ordinance to reduce impact fees for small projects (First Reading) (p. 168)

Public Works Utilities Supervisor Acton reported that on April 1, 2013 the City Council considered a staff proposal to reduce impact fees for small construction projects by amending Section 10-2-12 of the City Code. Staff recommends adoption of the attached ordinance to that effect. A Notice of Public Hearing has been advertised. The intended purpose of this ordinance is to reduce water and wastewater impact fees for projects involving fewer than 20 fixture units. Acton said they reviewed the Whitefish Municipal Code and rules and regulations to see what could expedite small projects like coffee kiosks and small construction projects with low water demands (i.e. single bathroom).

The recommended action would not require any additional expenditure, although it would result in slightly lower revenues from water and wastewater impact fees. While the reduction in annual fees is difficult to predict, staff estimates that it would be less than \$10,000 per year for each fund.

Councilor Mitchell asked and Utilities Supervisor Acton said it could be \$10,000 if construction really picked up, but right now it is minimal. Councilor Mitchell said the property has to stay with one owner and Supervisor Acton agreed, but said that was included in item 6d. on the agenda.

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

Councilor Kahle offered a motion, seconded by Councilor Hyatt, to approve Ordinance 13-05 adopting amendments to the City's Impact Fee Ordinance to reduce impact fees for small projects (First Reading). The motion passed unanimously.

6d. Resolution No. 13-05; A Resolution amending Rule X and Rule XI of the Rules and Regulations for the City of Whitefish Water, Wastewater and Garbage Utilities and repeal of Title 8, Chapter 3, Section 2 of the City Code to enable common water service connections and sewer service connections for multiple structures in certain instances (p. 181)

Utilities Supervisor Acton reported that on April 1, 2013 the City Council considered a staff proposal to amend the Rules and Regulations for the City of Whitefish Water, Wastewater and Garbage Utilities to relax the requirements for separate service connections to separate buildings as a means of reducing costs for utility customers in certain instances. The intended purpose of this resolution is to relax current requirements for separate water and sewer service connections for each separate building or structure, and thereby reduce costs for projects when such multiple structures are under single ownership and located on property which cannot be further subdivided.

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

Councilor Hildner offered a motion, seconded by Councilor Kahle, to adopt Resolution 13-05 amending Rule X and Rule XI of the Rules and Regulations for the City of Whitefish Water, Wastewater and Garbage Utilities and repeal of Title 8, Chapter 3, Section 2 of the City Code to

enable common water service connections and sewer service connections for multiple structures in certain instances. The motion passed unanimously.

7. COMMUNICATIONS FROM PARKS AND RECREATION DIRECTOR

7a. Resolution No. 13-06; A Resolution approving an agreement that permits the Glacier Hockey Association, Inc., to construct additional locker rooms at the Stumptown Ice Den (p. 188)

Parks and Recreation Director Cozad said that the goal is to enhance the facilities at the Stumptown Ice Den. He said the Glacier Hockey Association, Inc. has the funds in hand and this is an excellent public/private partnership to build two locker rooms in a 32x32 space. This facility gets a lot of use and the locker rooms are needed.

Councilor Kahle asked if the total rink footprint will increase and Director Cozad said it will expand to the south. Councilor Mitchell asked and Director Cozad said the City will provide \$7500 from the Parks budget. Councilor Mitchell asked how the City avoids any liability and City Attorney VanBuskirk said their agreement states there will be no encumbrances or liens placed on the property so we are protected by the contract. Councilor Hildner asked if it will cause a conflict with ice time use and Director Cozad said there is a limited capacity in this facility and the hockey team knows it. Councilor Sweeney said there is a 10% contingency before the contractor can proceed, so that protects the City. Councilor Hyatt said the Park Board has discussed this for a couple of years and they are very excited that this is moving forward.

Councilor Kahle offered a motion, seconded by Councilor Anderson, to adopt Resolution 13-06 approving an agreement that permits the Glacier Hockey Association, Inc., to construct additional locker rooms at the Stumptown Ice Den.

Mayor Muhlfeld thanked the anonymous donor and Murray Craven for his work on this project.

The motion passed unanimously.

8. COMMUNICATIONS FROM CITY MANAGER

8a. Written report enclosed with the packet. Questions from Mayor or Council? (p. 197)

Councilor Sweeney asked if they were going to have a podcast as well as an audio file and Manager Stearns said people can download the audio file and listen to it like a podcast. Councilor Kahle thanked Karin Hilding for all of her work on the Safe Routes to School projects. Councilor Hyatt asked and Manager Stearns said this will be the final grant for Safe Routes to School. It was a special funding project in the old transportation act. He said it will be combined under the CTEP program and they will have to go for a competitive grant for trails from now on. Councilor Kahle recognized that the library had received the 2013 Excellent Library Service Award from the Montana State Library Commission. He said it was something the new library could be proud of.

8b. Other items arising between May 1st and May 6th - None.

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8c. Resolution No. 13-07; A Resolution declaring it to be the intention to vacate and abandon a portion of Scott Avenue and to widen a portion of O'Brien Avenue, lying between 8th Street and 9th Street of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T.31 N., R. 22 W., P.M.M.) (p. 201)

Manager Stearns said that in 2002, at the petition and request of property owners adjacent to Scott Avenue between 8th and 9th Streets, the City vacated and abandoned the northern 180 feet of Scott Avenue between 8th and 9th Streets. Part of the intent of this 2002 street vacation was to permit Rob Pero to re-subdivide and develop some lots he owned adjacent to Scott Street into the O'Brien Meadows subdivision. In return for that re-platting, Mr. Pero dedicated an additional 30 feet of O'Brien Avenue to the City.

However, the entire length of Scott Avenue between 8th and 9th Streets was not vacated. The southern 75 feet of Scott Avenue between 8th and 9th Streets was not vacated at the time and remains the property of the City of Whitefish.

Last summer, an adjacent property owner, Dorothy Kvigne, contacted the City wanting to know if the City would vacate the remaining portion of Scott Avenue. After talking with City staff, there seems to be no reason to retain that remainder parcel in City ownership given that the northern portion of Scott Avenue was previously vacated. Staff felt that the entire length of Scott Avenue between 8th and 9th Streets should have been vacated in 2002.

Staff felt that the City should try to obtain the additional 30 feet of right-of-way (R-O-W) from the owners of Lot 6 of the South Whitefish Addition (renamed Lot A in the attached draft plat in the packet) so as to have a unified width of R-O-W on O'Brien Avenue between 8th and 9th Streets.

Manager Stearns began discussions with the owners of Lot 6 of the South Whitefish Addition (see attached letter in packet). They agreed that the vacation of the back portion of their Lot 6 would improve their property and they also agreed to dedicate the equivalent 30 foot wide parcel of O'Brien Avenue to the City in exchange for the vacation. However, once the City had the property surveyed with stakes, the owners realized how far the 30 feet of R-O-W on O'Brien Avenue would come into their property. Staff therefore agreed to consult with them in the future about any plans to bury utilities or otherwise improve that 30-foot portion of O'Brien Avenue R-O-W for as long as they owned the lot. Staff also extended that consultation to them on their residence which is Lot 4 of O'Brien Meadows, adjacent to and north of Lot 6 of the South Whitefish Addition. That consultation is contained in a plat note on the plat. The staking remains on the property if the Councils decide to drive by the lot at the NW corner of 9th Street and O'Brien Avenue.

All of the property owners adjacent to this proposed vacation of 75 feet of Scott Avenue have agreed to the vacation and have petitioned the City to do the vacation. These petitions are contained in the packet. Moreover, the owners of Lot 6 of South Whitefish Addition (renamed Lot A in the attached draft plat in the packet) have agreed to dedicate 30' of land along O'Brien Avenue in exchange for the City vacating the 60 feet width of Scott Avenue. In any street vacation, one half of the width goes to each adjacent property owner, so the owner of Lot 6 will gain the exact amount of land at the back of their lot for what they are giving up in the front of their lot along O'Brien Avenue.

He said that Attorney VanBuskirk has prepared a Revised Resolution of Intention to start the process for this vacation of Scott Avenue and that Resolution has been distributed to the Council. City

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Attorney VanBuskirk said in Section 2 it says the information will be published twice in the Whitefish Pilot. If the City Council adopts the Resolution of Intention, as staff is recommending, then there will be a public hearing on May 20th on this proposed street vacation and amended plat.

City staff agreed to bear all costs for the amended plat for this street vacation because of the additional R-O-W that the City will gain along O'Brien Avenue where it is more useful to the City than the dead-end R-O-W of the South 75 feet of Scott Avenue. The estimate cost of preparing, surveying, and recording is approximately \$2,000. The surveying and preparation of the amended plat cost \$1,700 by itself.

Councilor Mitchell asked and Manager Stearns said the road narrows down on 7th street due to a tree that encroaches. He said they will eventually have to widen O'Brien because it is not a safe intersection. Councilor Hildner discussed the need for bike trails and Manager Stearns said he hasn't seen any plans for that.

Councilor Kahle offered a motion, seconded by Councilor Hyatt, to approve the amended Resolution No. 13-07; A Resolution declaring it to be the intention to vacate and abandon a portion of Scott Avenue and to widen a portion of O'Brien Avenue, lying between 8th Street and 9th Street of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T.31 N., R. 22 W., P.M.M.) The motion passed unanimously.

8d. Resolution No. 13-08; A Resolution declaring certain property to be unneeded and obsolete, and authorizing the disposal of such property – O'Shaughnessy Center seating (p. 212)

Manager Stearns said the Whitefish Theatre Company (WTC) is embarking on a fundraising and capital improvement project at the O'Shaughnessy Center. Ultimately this project will involve a remodeled entry area and an expansion of rehearsal space on the south side of the O'Shaughnessy Center. The first phase of the project for this summer is to replace the seating on the main floor of the O'Shaughnessy Center. Because the existing seating is a fixture in the building, according to our lease, that property belongs to the City of Whitefish. Manager Stearns said they have to do a resolution to declare that property as surplus and the WTC will need to hold a public auction to sell the old seats. The City has no financial obligation related to the sale of the old seating or for the purchase of the new seating.

Councilor Hildner offered a motion, seconded by Councilor Sweeney, to approve Resolution No. 13-08; A Resolution declaring certain property to be unneeded and obsolete, and authorizing the disposal of such property – O'Shaughnessy Center seating. The motion passed unanimously.

Mayor Muhlfeld called a 10-minute recess from 8:35 to 8:45 p.m.

8e. Consideration of a request from Bruce Boody representing Orlan Sorensen for commitment of Tax Increment Funds for sewer line relocation and sidewalk and parking infrastructure associated with his proposed boutique hotel on Block 46 (p. 215)

Manager Stearns said that Orlan Sorensen, a local resident and owner of Landmark Builders, is under contract to purchase Block 46 in Whitefish, which is where the City has a lease for a temporary

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parking lot at 3rd Street and Spokane Avenue, across the street from Third Street Market. Mr. Sorensen has talked with the Mayor and some Council members individually about his proposal to develop a boutique hotel on that block. He and his consultant, Bruce Boody, have talked with staff on several occasions about the need to abandon and relocate the sewer line which runs underneath the property. They have also talked with and are beginning the process for the necessary Planning and Building Department approvals. They have also talked with Manager Stearns about the potential for asking the City Council to use Tax Increment Funds to pay for the cost of relocating the sewer line under Block 46 and for sidewalk, parking, and street amenities in the Right-of-Way (ROW) surrounding Block 46. Bruce Boody, on behalf of the owner and developer, Orlan Sorensen, has submitted a letter requesting the Tax Increment Financing (TIF) Fund assistance for the costs of the sewer line relocation and the sidewalk, parking, and street trees and amenities for the four blocks of street surrounding Block 46. The letter and the accompanying exhibits are attached in the packet.

Manager Stearns said other than the building permit stimulus project several years ago where the City used TIF funds to pay for the impact fees of new building permits in the TIF district for one building season, the City of Whitefish has typically not directly assisted specific, individual development projects. Rather, the City of Whitefish has typically done public projects that benefit a large number of people and properties such as street projects, parking projects, trail projects, the land and infrastructure for the Library, O'Shaughnessy Center, and the WAVE, the Emergency Services Center, etc. However, most cities do use Tax Increment Funds to provide associated infrastructure costs and development necessary to enable a specific development project to go forward. Often the test and justification for such economic development assistance is use of the "but for" doctrine, whereby, "but for" the assistance, the project would not go forward. He said it is common to upgrade infrastructure to help a project go forward. The hotel could not be built over the sewer line, so it would be a much different project if the alley had to remain.

As shown in the letter from Bruce Boody in the packet, Mr. Sorensen is requesting that the City commit \$514,245 of tax increment funds for the sewer line relocation and the sidewalk, landscaping, and parking improvements on the four blocks of street surrounding Block 46. He said the proposal requests angled parking on Kalispell Avenue and on Third Street adjacent to Block 46. As shown in a letter from Robert Peccia and Associates in the packet, if contamination is found when we dig in 3rd Street near Spokane (as we found when we did the Downtown Street Improvements Project on 3rd Street), that would add another \$29,100 to this cost estimate for a total of \$543,345.

The developer, Mr. Sorensen, has indicated that the cost estimates for the boutique hotel that he will build are estimated at \$10,000,000 for the building and \$1,900,000 for personal property – FFE (furniture, fixtures, and equipment). As shown in a spreadsheet in the packet that Manager Stearns prepared, this improvement would normally result in new tax increment funds of approximately \$155,000 per year until the TIF District expires in 2020 or a total of \$930,000 (the spreadsheet shows \$157,035 per year, but the City does not get TIF on the 6 mills for property tax levies for the statewide University system). Thus, in normal economic development analysis, our investment of up to \$543,345 would be repaid within 3.5 years.

However, Mr. Sorensen has indicated that he plans to apply for tax incentives allowed in State law under Section 15-24-1401 et. seq. (descriptions in packet). Mr. Sorensen says he received such tax incentives for new and expanding industries for hotels he building in Shelby and Sidney. It is Manager Stearns' understanding that Flathead County and the City of Columbia Falls have typically approved such tax incentives, but staff could not find any evidence of the City of Whitefish having ever been

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approached for or considered such incentives. When Manager Stearns worked for the City of Missoula (1984-1994), the City of Missoula often approved such tax incentives.

In discussions with Mr. Sorensen last week, he indicated that, if the City Council approves using TIF for some of the infrastructure associated with his project, he would **not** come to the City Council for tax incentives. However, he did indicate that he would likely apply to Flathead County for the property tax incentives. Under state law, when an applicant applies to either the city or the county for the tax incentives, if approved by either the City or County, the incentives extend to the mills levied by that jurisdiction (city and/or county) and the school district. Thus, if Mr. Sorensen applies to Flathead County for the property tax incentives, if granted, the incentives will apply to the mills levied by Flathead County and Whitefish School District #44.

If tax incentives are pursued and approved by Flathead County, the tax increment revenues that the City would receive from the project are reduced from \$930,000 to \$580,687 (as shown in cell R-44 of the spreadsheet). Thus the \$543,345 of possible cost for the sewer line, street, and sidewalk improvements would use 94% of the project TIF revenues the City would receive from the project.

It is very important for the City Council to consider carefully how much of the TIF funds to commit to the infrastructure associated with this project as this decision will be a precedent and future private projects might request the same proportion of assistance. However, the sewer line relocation is the type of assistance that TIF exists for – to remove or relocate infrastructure that needs to be improved. It is very similar to the improvements done in the Downtown Street Improvements projects on Central Avenue.

There are a number of aspects, issues, and policy implications associated with this request. Staff would want to be sure that the City's commitment of Tax Increment Funds is only done if the project gets all its approvals and begins construction. On the other hand, it is difficult for the developer to begin construction on the project until the sewer line is relocated and abandoned. Thus, Manager Stearns thinks that the City Council should discuss and debate the level of TIF investment for infrastructure they want to provide in conjunction with the Boutique Hotel project and then authorize Manager Stearns to begin negotiations with the developer on a Development Agreement which binds both parties to their respective investments.

Councilor Mitchell asked and Director Taylor said it is zoned WB-3, and one quarter of the block is WB-4. Councilor Mitchell asked and Manager Stearns said there are about 72 parking spots on site. Councilor Mitchell asked and Director Taylor said WB-3 doesn't require parking. Mayor Muhlfeld said the applicant is also proposing angled parking on two streets. Councilor Anderson said Bruce Boody's letter focused on TIF funds as well as Resort Tax money. Manager Stearns said TIF funds are used for infrastructure to help projects move forward. He said Resort Tax money has an 8+ year queue already lined out, so he focused on the TIF funds for this project. He said it is their legal prerogative to use Resort Tax money, but it will delay other projects. Councilor Hyatt asked about the 19 angled parking spots and Manager Stearns said the sidewalk will come a little into their property. Bruce Boody said the parking comes 2-3 feet into the property. Councilor Mitchell asked about the use of TIF funds downtown and Manager Stearns said the TIF funds were used for the parking lot at Second and Spokane, but Resort Tax was used for downtown improvements.

Councilor Mitchell asked and Orlan Sorensen, 101 Washington Avenue, said there would be approximately 30 employees. Councilor Mitchell asked and Mr. Sorensen said they would take up the

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whole block. He said they are creating 13 more spots by using the angled on-street parking. He said there will be \$180,000 more in Resort Tax money so he thought it would be good to use that source, but it is tied up 8+ years out. He said removing and relocating the old sewer line will solve sewer and run-off issues. Mayor Muhlfeld asked and Mr. Sorensen said the anticipated Resort Tax income would be \$80,000 in non-accommodations money. He said it is a calculated estimate of the number of guests and the money spent in the community. Mayor Muhlfeld said he met with the downtown planning consultants and they had concerns about the angled parking for pedestrian flow. Mr. Sorensen said he thought the idea was contradictory. They want to encourage more parking, but they don't like the angled parking. He said there is angled parking downtown and the City needs more parking. Councilor Anderson asked about the new revenue to the Resort Tax Fund and Mr. Sorensen said it was an annual projection. Councilor Anderson said if they used the Resort Tax money the projects might not be delayed more than 12 months because this is new money into the fund. Councilor Anderson asked and Mr. Sorensen said they hope to be operational by June 2014. Councilor Hyatt said there is \$580,000 coming in from this project and they are asking for \$544,000. He said that without this project, what do they have coming into the TIF. Manager Stearns said they are putting almost 100% back into the infrastructure for the project. They usually want some net revenue to the City. He said the Resort Tax money could be the blue sky. Manager Stearns said if they did the street and sidewalk improvements out of the Resort Tax, the City would have to do the work. He said they would delay things a little bit due to the cash flow. He said next spring they would spend \$350,000+ and they wouldn't get that back for two years. He said he wasn't sure if that would affect the Second Street project. The policy question is whether they want the street project paid out of Resort Tax. He said in his opinion TIF is where they should do economic development. Councilor Hyatt asked if they use the TIF money can they tie up the money unless the project is completed. Manager Stearns said the City would do the sewer lines, but the street and sidewalk work is still to be determined. He said the City usually does the infrastructure improvements in the right-of-way. He said some of the sidewalk and angled parking is on their property. He said they can put any conditions on the use of the money that they want. He said they would condition any assistance on the project going vertical. He said they could argue that they need to get the sewer line out from under this property anyway. Mayor Muhlfeld said the main reason they used Resort Tax revenue on the infrastructure downtown, is because the downtown association paid the majority of the money into the Resort Tax funds. He agreed with Manager Stearns that it made sense to use TIF funds for this project.

Councilor Hildner said the Bike/Ped committee wanted to avoid the two-way bike path on the sidewalk and would rather see 11-foot sidewalks along Spokane Avenue. He asked and Bruce Boody said this project has the curb and gutter, a 2 foot buffer and then a 10-foot wide, 2-way bike lane and then a 4-foot planter. Behind that planter and adjacent to the building there would also be a 10-foot sidewalk and awnings like Central Avenue. Councilor Hildner said he is uncertain about what projects it might preclude if they use TIF funds. Manager Stearns said they are only considering committing new TIF revenues to this project and he wasn't sure if that would delay some other projects. Manager Stearns said they could borrow for an upcoming TIF project. He said two weeks from now the Council will get the new TIF fund flow report. He said they would take the future revenues from this project and pour it into infrastructure for this project which could make some of the TIF money tight for a few years. Councilor Anderson asked about the 70% occupancy estimate and Mr. Sorensen said it is usually 95% occupancy in the summer and about 40% during the slow seasons. He said this project is creating a market by building a classy hotel. They will also cater to corporate businesses. Councilor Kahle asked and Mr. Sorensen said there will be 80 rooms and some will have kitchen suites. There will be retail space along Spokane Avenue and room for a bar and restaurant. He said there is an outdoor café area, too. Councilor Kahle asked if it will be a motel franchise chain and Mr. Sorensen said he is involved

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with a group that has 8 hotels across Montana. He chose not to go with a franchise this time, so he could design it to fit Whitefish better. Councilor Anderson said it is close to Central School and he questioned whether a bar could be allowed and Mr. Sorensen said they checked the regulations with City Attorney VanBuskirk and Attorney Bill Hileman and their location for a bar is legal.

Manager Stearns said Crandall and Arambula had comments about the angled parking. They feel it extends the parking lot and the visual affect of the parking lot into the public right-of-way. He said there is an additional cost to the angled parking, so it would decrease the City's cost if they only allowed parallel parking. He said he knows they are trying to offset the loss of parking spaces on the existing lot. He said they are meeting tomorrow with the ARC committee; so far they haven't seen any elevations for the property. Since they are considering providing financial assistance that will make this project happen the Council might want more input into the architectural elements. He said ARC is limited to what it can control and change. Manager Stearns said the risk is that once it is approved and built and if the City has helped make it happen then people could come forward and complain. He thought it was good for the Council to look at the elevations, because people will expect that the Council had some involvement in it.

Councilor Sweeney said he hesitates to get involved because there is the ARC review and it is pretty detailed. He said it might be more of a burden than the Council wants to take on. Mayor Muhlfeld said he doesn't think the intent is to have the Council micro-manage the design process. He thought representation by the Council on the ARC, or having it come back before the Council would be prudent. Councilor Kahle said he doesn't want to micro-manage, but it would be a public/private partnership and he thought it would be good if they were involved. Councilor Hyatt said he doesn't want to hold up the project. Councilor Kahle said they might have to establish a new protocol because this is a new project. Mr. Sorensen said they would be more than welcome to attend the ARC. He said they do have some time constraints to get this done before winter. Mayor Muhlfeld said they could still have that review process and not hold him up. Councilor Anderson asked and Manager Stearns talked about the 94% return. He said the TIF ends in 2020. Manager Stearns said the project would use 94% of the money it generates. Councilor Anderson asked and Manager Stearns said financing of projects may require some cash flow constraints. Councilor Anderson asked if it would take about a 2-year return if they took money from both funds and Manager Stearns agreed. Mr. Sorensen said the only figures they included were the figures from the hotel rentals.

Councilor Anderson said he doesn't want to wait 7 years for a return on the investment. Manager Stearns said there are several aspects that would go into drafting a development agreement—the source of funds, the amount of funds, perspectives on the angled parking and architectural involvement. Councilor Hyatt said the City needs parking and this development is going to provide parking. It is not the only angled parking they have, so he is in favor of more angled parking here and Councilor Kahle agreed. He said the angled parking is fine because it is on the two quieter streets. Councilor Mitchell said he supported angled parking. He serves on the ARC committee and they could give the elevations to the Councilors to review. He said the ARC Committee reviews things carefully and has a diverse make-up. Councilor Mitchell said the utilities have to be done through the City, not the developer. He thought it should come from the TIF funds. Councilor Sweeney said it was all Resort Tax money for the downtown project. Councilor Mitchell said he is amazed at having the developer provide 72 parking spots and he thanked the developer. His preference is to take \$543,239 out of the TIF funds. Councilor Anderson said because of the staggering of the development it might take 30 months before it becomes a positive figure. Councilor Kahle asked and Manager Stearns said if Mr. Sorensen goes to the County for a property tax incentive benefit then they will have a tighter time frame;

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he can't apply for that from the county until he has a building permit; so it wouldn't happen in this tax year. It wouldn't benefit the taxes until two years from now. Councilor Kahle asked and Manager Stearns said the County typically approves these types of requests. Councilor Kahle asked what would happen if they said no to the TIF and said yes to assistance with taxes. Manager Stearns said the upfront capital assistance is much more important to him than tax breaks down the road. He said Column F on page 233 shows the value of the City tax reductions. Councilor Kahle asked if the project is contingent upon support from the county and Mr. Sorensen said the projects in Sidney and Shelby have been very well supported because it brings new business into town.

Councilor Hildner said Kalispell Avenue is probably a bike-way for kids so he has some concerns about angled parking there. Manager Stearns said it would help to take one item at a time. Attorney VanBuskirk said there is an important zoning decision to make first before the City commits any TIF money. Mayor Muhlfeld said Manager Stearns is looking to get approval for an agreement so he wanted to review specific items. Mayor Muhlfeld asked if the Council is supportive of providing capital for the parking and street amenities and the Council indicated support for the TIF funding mechanism. Councilor Sweeney supported funding from TIF and Resort Tax. Councilor Kahle said he would like to explore the possibility of both funds. He doesn't want to delay Resort Tax projects. Councilor Hyatt said he was concerned that if they split it in half then the sidewalks wouldn't be done in a timely manner. Mayor Muhlfeld asked about angled parking and some of the Councilors agreed with the concept; Councilor Hildner was in opposition. Councilor Hyatt said the kids always ride on the sidewalk. Mayor Muhlfeld asked about the funding request for \$543,000, plus or minus. Councilor Anderson said there need to be milestones to make sure the money goes to a finished project. He generally agreed with Mr. Boody's breakdown. Mayor Muhlfeld asked about input for the design standards and Councilor Kahle said one of the Councilors sits on the ARC committee and if they get that input before the next meeting then it will be a good start. Councilor Sweeney said it is a very preliminary meeting with ARC. Councilor Sweeney said they have had other good projects come before them and a number of those projects don't start and he thinks it needs to be part of their agreement. Councilor Mitchell agreed, but there is already a sewer problem under this property at the church anyway. Manager Stearns said it would make the project tougher to develop. He said they ought to consider pulling it back out from under this property. He said that could be a different decision if this project doesn't go. Manager Stearns said if the boutique hotel development goes forward, the next steps would be the development agreement, and then the applicant would pull the building permit and start digging. He said the applicant will probably have to do certain things for the DEQ standards, too.

9. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

9a. Standing budget item - None.

9b. Consideration of letter from Megan Olson regarding request to operate an ice cream truck on various city streets and in various neighborhoods during spring and summer months (p. 237)

Councilor Kahle invited Megan Olson to speak. She said she wants to have an old-fashioned ice cream truck in Whitefish. She said she won't compete with the businesses in Whitefish. Councilor Hildner asked if this is subject to the resort tax and Manager Stearns said it is, and a business license is required. Councilor Anderson asked and Manager Stearns said the Council is authorized by Code Section 6-2-1:A to allow ice cream wagons in certain neighborhoods. Manager Stearns said Director Cozad said he has concerns about the Dog Park, Smith Park and the City Beach where concession stands currently operate. Councilor Hyatt said he thinks it is a great idea.

Councilor Mitchell said it should only be allowed at Smith Fields with their permission, so he'd like to have Smith Fields taken off and add in The Lakes Development. Councilor Anderson said those fundraising concessions for organizations so he wouldn't want her business to compete. He said they could condition it so it wasn't operated when the concessions are being operated at Smith fields and City Beach.

Councilor Hyatt offered a motion, seconded by Councilor Kahle, to approve operating an ice cream truck on the streets she listed, adding the Lakes Development and Smith's fields with permission, conditioning it so it isn't operated when the concessions are being operated at Smith fields and City Beach. The motion passed unanimously.

9c. Email from Lyndsay Schott of 708 Lupfer Avenue regarding increased traffic on 7th Street from Hwy 93 construction (p. 241)

Mayor Muhlfeld said he thinks staff has been dealing with it to the best of their ability. Police Chief Dial said from April 15th until today they have run 47 extra patrols along Karrow Avenue. The Judge said it will be a straight conviction because folks are avoiding a construction zone. He said maybe in the future the Council should provide extra money for enforcement. Councilor Sweeney said he commutes that way and the increased traffic is amazing. Chief Dial said he does surveys in an unmarked vehicle and only 3% are actually speeding and they get tickets.

9d. Email from Doug Adams regarding maintenance of the landscaping on Hwy 93 S. (pg 242)

Councilor Hildner said they need to explore the possibility to get the funding they need to keep this infrastructure beautiful.

9e. Letter from Robert Horne regarding selection of consultant for Hwy 93 West Corridor Plan (p. 244) No discussion.

9f. Letter from Doug Wise and Janice Moore regarding a request for a quiet zone railroad crossing at Birch Point Drive (p. 245)

Mayor Muhlfeld said back in 2007 the City contracted with Railroads Control Limited to evaluate 3 public crossings to determine how to make quiet crossing zones. The crossings on East Second Street and State Park Road are now quiet zones. A lot of the electrical and signaling was already in place; and the road configuration at these two crossings made the quiet zones more feasible and affordable to the parties involved. The folks at Birch Point have asked for a quiet crossing before and they are asking again. He said Doug Wise and Ryan Zinke have contacted him about the safety issue at Birch Point, too, due to the added elements of the Veteran's Peace Park and the Skye Park Bridge project. He said there is a letter from the Birch Point residents asking for support in looking at the feasibility of creating a quiet zone. In the past it has been a combination of MDOT, City and BNSF funds, sometimes, with a SID; the funding is yet to be determined. He said Ryan Zinke has volunteered to discuss the project with BNSF when he goes to Texas next month. Mayor Muhlfeld said he would like to draft a letter indicating the City's support of studying the feasibility of establishing a quiet zone. The Councilors all showed support.

9g. Discussion of options for dealing with Aquatic Invasive Species (p. 246)

Mayor Muhlfeld said this is very timely with summer arriving. Zebra shell mussels were found on boats that were intended to work in Whitefish Lake and in the river. He said this issue didn't get too much more support from the legislative session. He said Mike Koopal prepared a conceptual management plan. The Council authorized \$40,000 toward AIS efforts and Mr. Koopal is requesting funding from the 2013 budget for seven (7) items in his plan as outline in the packet.

- 1 – Partner with Bureau of Reclamation (BOR) and Flathead Basin Commission for Hwy 2 Boat Inspection Station (\$20,000)
- 2 – Support Flathead Basin Commission Technical Consultant (\$5,000)
- 3 – Beaver Lake Eurasian Watermilfoil (EWM) Monitoring/Control (\$5,000)
- 4 – Early AIS Plant Detection Monitoring of Nearby Lakes (\$5,000)
- 5 – Environmental DNA Analysis (\$5,000)
- 6 – City Beach AIS Inspection Program (Additional cost to the City could come from increasing staff hours at City Beach and a potential increase to Police Department operations)
- 7 – Yellow Flag Iris (the report says that the City Public Works Department is spraying the Yellow Flag Iris in the fall before the first frost for at least three years).

Mayor Muhlfeld asked the Council to take a pro-active step to provide early detection and control of AIS levels. Councilor Kahle said he thinks they should pursue all 5 options. He said none are as effective as Option 6 for protecting Whitefish Lake. He would like to see vessels inspected before they go into the lake. He said they could perhaps increase the boat launch fees to offset the cost of an inspector. He'd also like to see buy-in from other stakeholders around the lake.

Councilor Kahle offered a motion, seconded by Councilor Hildner, to approve \$40,000 for the AIS prevention by the Whitefish Lake Institute, as outlined in the packet, contingent upon the station on Hwy 2 (Item No. 1) opening.

Councilor Mitchell said he wants to know the cost of Option 6. Director Cozad said they will cover the boat launch by adding hours from 8 a.m. to noon so there will be additional cost. Councilor Kahle said he thinks option 6 needs to be pursued. Councilor Mitchell wants reports so they know whether they are using their money wisely. Councilor Hyatt said the Police Chief is expected to be involved and Chief Dial said he was not aware of it. Mayor Muhlfeld said there are inspections coming at the Clearwater Junction and at the Roosville border crossing.

The motion passed unanimously.

9h. Discussion with Planning Director regarding composition of Hwy 93 West Corridor Plan steering committee (p. 248)

Director Taylor said they are creating the plan with the WGM Group. He said they came up with a list of representatives that includes the public, MDOT, Idaho Timber, and representatives of residential and commercial properties. Councilor Mitchell said he would like 2 residential owners and to remove one member-at-large. Director Taylor said the scope is limited to those adjacent to the highway or one street over. They included 3rd Street because those homes are all on septic, but not 4th Street because it is out of range from the corridor. Councilor Sweeney said the Corridor Study is going to affect the residents of the neighborhoods up to 7th Street. He said they may want to include people from a broader expanse. Director Taylor said he wasn't sure how many applicants they would get. Councilor Kahle said he thought they should add a second residential member without removing the member-at-large.

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Councilor Anderson said he is balancing representation versus an unwieldy committee. He said two residents would be good and he thinks they need representation from the WB-3 zone, too. Councilor Hildner said they need to address the idea that one member is adjacent to the study area. He would like someone who has nothing to do with the property or businesses along there. Councilor Mitchell said he disagreed with that idea because that person has no stake in that neighborhood. Councilor Mitchell said he heard the residential property owners say they didn't feel like they had enough say. Councilor Sweeney said he would like to keep the at-large member. Mayor Muhlfeld suggested adding someone from the WB-3 area and having 11 members.

Councilor Anderson offered a motion, seconded by Councilor Sweeney, to add one owner-residential property owner, to keep the one at-large committee member and to add one from the WB-3 district.

Councilor Hildner said he would like one more open position.

The motion passed 5-1 with Councilor Mitchell voting in opposition.

9i. Appointments to Committees and Boards that were not made at tonight's Special Session before the meeting. Appointments were all made during the Special Session.

Councilor Comments:

Councilor Hildner said MDOT may be open to eliminating medians on Highway 93. He said it is a safety island for people trying to cross the highway. Councilor Anderson said he recently started a new legal office and handles work for Mike Goguen's interests and that might mean he has to abstain from a vote now and then. Councilor Mitchell said he went to the Master Plan meeting with Crandall and Arambula and they would like the Park Board to look at how to get Farmer's Market off the road. He asked and Manager Stearns said in 2007 the architect estimated the cost for City Hall at \$175-185 per foot. Right now in the TIF pro-forma it is at \$4.8 million for City Hall. The estimated increase is an additional 4% each year from that date. Councilor Mitchell said the Highway 93 construction is going well and LHC has done a good job of getting people through and he thanked them. Mayor Muhlfeld said Attorney VanBuskirk's contract needs to be renewed. Councilor's Kahle and Hyatt have agreed to work on that contract. Mayor Muhlfeld said he went to the Free Flow project fundraiser for the High School and the students came out for the fundraiser; he thinks they raised about \$1600. He thanked Erick Schattle and the Whitefish Lake Lodge working together to raise money for new GIS equipment. Councilor Hildner said he attended a seminar on Open Space opportunities and would share information with them 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 10:50 p.m.

Mayor Muhlfeld

Jane Latus Emmert, Recording Secretary
Attest:

Necile Lorang, City Clerk

ORDINANCE NO. 13-04

An Ordinance of the City Council of the City of Whitefish, Montana, approving a zone change for property identified as 1830 Baker Avenue and 1840 Baker Avenue.

WHEREAS, Elaine Edwards and 1840 Baker, LLC applied to the Whitefish Planning and Building Department for a zone change for their properties identified as 1830 and 1840 Baker Avenue, which properties include the former site of Master Plumbing; and

WHEREAS, the applicants requested a change from the existing WI (Industrial and Warehousing) to WI/WB-2-SC (Industrial and Warehousing/Secondary Business) with a proposed offer of restrictive conditions; and

WHEREAS, in response to such application, the Whitefish Planning and Building Department prepared Zone Change Report WZC-13-02, dated April 18, 2013, which analyzed the proposed zone change and recommended in favor of it; and

WHEREAS, at a lawfully noticed public hearing on April 18, 2013, the Whitefish City-County Planning Board received an oral report from Planning staff, reviewed Zone Change Report WZC-13-02 and the proposed offer of restrictive conditions, invited public comment, and thereafter voted to recommend in favor of the proposed zone change; and

WHEREAS, at a lawfully noticed public hearing on May 6, 2013, the Whitefish City Council received an oral report from Planning Staff, reviewed Zone Change Report WZC-13-02 and the proposed offer of restrictive conditions, and took public comment, and thereafter voted to approve the zone change with the amended restrictive conditions, attached as Exhibit "A"; and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to approve the zone change with the amended restrictive conditions; and

WHEREAS, the proposed zone change will meet the criteria contained in § 11-7-11(D) of the Whitefish City Code.

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

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

Section 2: Zone Change Report WZC-13-02, together with a letter of transmittal dated May 6, 2013, from the City Planning and Building Department to the Whitefish City Council, are hereby adopted as Findings of Fact

Section 3: The properties identified as 1830 and 1840 Baker Avenue, and legally described as Assessors Tracts 6BGA and 6BK, Section 1, Township 30 North, Range 22

West, Whitefish, Flathead County, Montana, which were previously zoned WI (Industrial and Warehousing), are hereby rezoned to WI/WB-2-SC (Industrial and Warehousing/Secondary Business), subject to the restrictive conditions, Exhibit "A". The City Attorney is authorized and directed to prepare the Statement of Conditions according to §11-7-12(D)(5) of the Whitefish City Code, and in an appropriate contractual form for recording with the Flathead County Clerk and Recorder.

Section 4: The Zoning Administrator is hereby authorized and directed to amend the official zoning map to conform to the terms of this Ordinance.

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

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

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

John M. Muhlfeld, Mayor

ATTEST:

Necile Lorang, City Clerk

EXHIBIT A

CONDITIONAL ZONING STATEMENT OF CONDITIONS

Ordinance No. 13-04

We, Elaine Edwards and 1940 Baker, LLC, owners of parcels of land described in Exhibit A-1 and located in S1-T30N-R22W, also known as 1840 Baker Avenue and 1830 Baker Avenue, Whitefish, Flathead County, Montana, hereby voluntarily consent to the following Statement of Conditions as part of rezoning our property to Industrial and Warehouse/Secondary Business District (WI/WB-2/SC):

1. The subject parcels shall be subject to the development requirements of the WI Zone for yard setbacks, height limitations, minimum lot width, and minimum lot size, with the exception of the following:

Minimum Yard Spaces:

Front:	20'
Side:	5'
Rear:	5'

2. In addition to the following uses and conditional uses as amended in the WI zone, the subject parcels may be developed for the following principal uses from the WB-2:

WI Amended

Permitted Uses

- Automobile sales and service
- ~~Boat and recreation vehicle storage~~
- ~~Building supply outlets~~
- ~~Contractors' yards~~
- ~~Heavy equipment service~~
- Janitorial Services
- Light industrial manufacturing, fabricating, processing, repairing, packing, or storage facilities.
- ~~Nurseries and landscaping materials: retail and wholesale~~
- Office space (Less than 10,000 square feet)
- Parcel delivery service
- Petroleum products: retail
- ~~Public Utility facilities and storage yards~~
- ~~Publicly owned or operated buildings, uses or recreational facilities~~
- ~~Railroad Yards~~
- Research laboratories and institutions
- Tire sales

Conditionally Permitted Uses

- ~~Automobile and boat sales~~
- ~~Automobile wrecking yards~~
- ~~Heavy equipment sales and rentals~~
- ~~Heavy industrial manufacturing, fabricating and processing~~
- Microbreweries
- ~~Outdoor amusements~~
- ~~Petroleum products, wholesale~~

- ~~Sexually oriented businesses, as defined in section 11-9-2 of this title~~
- ~~Tire retreading and recapping~~

WB-2 Added

Permitted Uses

- Antique stores and auction barns
- Automobile and boat sales, parts, repair and service
- Furniture and floor covering stores
- Grocery stores
- Laundry and dry cleaning
- Machinery and equipment sales, rental and repair
- Medical Clinic
- Restaurant

Conditionally Permitted Uses

- Buildings greater than 15,000 square feet

3. Sign's shall be approved under the regulations for the Highway District.
4. The site shall be subject parking and landscaping regulations of the Whitefish Zoning Ordinance

The aforementioned conditions are part of rezoning the property and apply to the land, including all successors in title, interest, and assignees. We understand that if any agreed to conditions are transgressed, it becomes a violation of the City of Whitefish Zoning Ordinance.

DATED this _____ day of _____, 2013.

1840 BAKER, LLC

By: _____
 Printed Name: _____
 Its: _____

 Elaine Edwards

STATE OF MONTANA)
 : ss
 County of Flathead)

On this _____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared _____, known to me to be the _____ of 1840 BAKER, LLC, that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of 1840 BAKER, LLC, for the uses and purposes therein mentoned, and on oath stated that he / she was authorized to execute said instrument on behalf of 1840 BAKER, LLC.

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

(SEAL)

Notary Public for the State of Montana

[print or type name of Notary]

Residing in _____

My Commission expires: _____

STATE OF MONTANA)
 : ss
County of Flathead)

On this _____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared ELAINE EDWARDS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Notary Public for the State of Montana

[print or type name of Notary]

Residing in _____

My Commission expires: _____

EXHIBIT A-1

Legal Description of Property Rezoned

Tract 1:

A Tract of land in the Southwest Quarter of the Northwest Quarter of Section 1, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana, Described as follows:
Commencing at the northeast corner of the southwest quarter of the northwest quarter of Said Section 1; thence
South 00°10' west and along the easterly boundary line of said southwest quarter of the northwest quarter, a distance of 382.5 feet to a point; thence
North 89°50' west and parallel to the northerly boundary line of said southwest quarter of the northwest quarter, a distance of 393.6 feet to a true point of beginning of the tract of land herein being described; thence
North 89°50' west, a distance of 206.4 feet to a point; thence
North 02°36' east, a distance of 100.00 feet to a point; thence
South 89°50' east, a distance of 206.4 feet to a point; thence
South 02°36' west, a distance of 100.00 feet to a point of beginning.

Tract 2:

That portion of the southwest quarter northeast quarter of Section 1, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana, Known as:
Parcel B of Certificate of Survey No. 18334.

ORDINANCE NO. 13-05

An Ordinance of the City Council of the City of Whitefish, Montana, adopting amendments to the City's Impact Fee Ordinance.

WHEREAS, pursuant to Ordinance No. 07-25, adopted by the City Council on August 6, 2007, the City implemented several different types of impact fees on new construction and/or development within the City limits; and

WHEREAS, after the City's Impact Fee Ordinance was in effect and the City had acquired some experience in its application, City staff identified amendments that it recommended would be in the best interests of the City to adopt; and

WHEREAS, City staff prepared certain amendments to the Impact Fee Ordinance to reduce water and wastewater impact fees for small projects, as shown in Exhibit "A"; and

WHEREAS, notice of a public hearing at which the proposed amendments would be considered by the City Council was published in conformity with Section 7-6-4013, MCA; and

WHEREAS, at a public hearing held by the City Council on May 6, 2013, the Whitefish City Council received and considered oral and written reports by City staff, received public input, and considered the proposed amendments; and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to adopt the proposed amendments to the City's Impact Fee Ordinance;

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

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

Section 2: The City Council adopts a further Finding that the amendments to the Impact Fee Ordinance adopted herein are reasonable, equitable, and in full compliance with state law and the City's charter.

Section 3: The amendments to the City's Impact Fee Ordinance as shown on Exhibit "A", attached hereto and incorporated herein by reference, are hereby adopted. All amendments to the City's Impact Fee Ordinance are shown on Exhibit "A". Language that has been stricken is shown interlined and language that has been added is shown underlined.

Section 4: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent

jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 5: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

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

John M. Muhlfeld, Mayor

ATTEST:

Necile Lorang, Clerk

EXHIBIT "A"

Title 10, Chapter 2
IMPACT FEES

10-2-10: COMPONENT OF BUDGET:

- A. Pursuant to and consistent with section 7-6-1602(1)(k), Montana Code Annotated, **the City's Capital Improvement Program is the component of the City's budget that:**
1. Schedules construction of public facility capital improvements to serve projected growth;
 2. Projects costs of the capital improvements;
 3. Allocates collected impact fees for construction of the capital improvements; and
 4. Covers at least a five (5) year period and is reviewed and updated at least every two (2) years.
- B. The annual update of the Capital Improvement Program does not require an update of impact fee calculations unless a project is removed that was used as the basis for calculating impact fees.

10-2-11: REVIEW: Pursuant to and consistent with the requirements of section 7-6-1602(4), Montana Code Annotated, the documentation and impact fee rates may be reviewed and adjusted by the council as it deems necessary and appropriate, but at least once every five (5) years. On an annual basis the city manager or his or her designee shall calculate and present to the City Council for its consideration proposed changes in the amount of all impact fees set forth in Section 10-2-12, based on the amount that the construction cost index published by Engineering News Record has changed for the most recent twelve (12) month period prior to the date of the adjustment. The Council may adopt new impact fee amounts by resolution, after a public hearing, according to Section 7-6-4013, MCA.

10-2-12: IMPACT FEE RATES:

- A. The impact fee rates in this section are generated from the formulas for calculating impact fees set forth in the "Impact Fees for the Water, Wastewater, and Stormwater Utility Systems" dated July 2007, and "Rate Study for Impact Fees for Paved Trails, Park Maintenance Building, Emergency Services Building and City Hall" dated July 7, 2007, which are incorporated herein by reference. Except as otherwise provided for, exemptions in section 10-2-3 of this chapter, credits in section 10-2-4 of this chapter, and independent fee calculations in

section 10-2-14 of this chapter, all new development in the City will be charged the impact fee applicable to the type of development:

- B. The impact fee rate for paved trails shall initially be four hundred twenty one dollars (\$421.00) per dwelling unit. Future fee adjustments shall be by City Council resolution.
- C. The impact fee rate for park maintenance building shall initially be twenty eight dollars (\$28.00) per dwelling unit. Future fee adjustments shall be by City Council resolution.
- D. The impact fee rates for emergency services building shall initially be seven hundred seventy five dollars (\$775.00) per dwelling unit and thirty eight cents (\$0.38) per square foot of non-residential development. Future fee adjustments shall be by City Council resolution.
- E. The impact fee rates for city hall shall initially be seven hundred thirty four dollars (\$734.00) per dwelling unit and thirty six (\$0.36) per square foot of non-residential development. Future fee adjustments shall be by City Council resolution.
- F. The impact fee rate for water ~~initially~~ shall be:

Meter Size	Current Weighting Factor	Base Impact Fee	Base Number of Fixture Units	Additional Cost Per Fixture Unit Above Base
5/8"	1.00	\$1,563.00 <u>\$0.00</u>	0	<u>\$78.15</u>
3/4"	1.00	1,563.00	21	\$52.10
1"	1.50	2,345.00	36	52.10
1 1/2"	2.50	3,908.00	66	33.98
2"	5.00	7,815.00	181	26.05
3"	8.00	12,504.00	361	24.87
4"	15.00	23,445.00	801	15.63
6"	25.00	39,075.00	1801	13.96

Future fee adjustments shall be by City Council resolution.

G. The impact fee rate for wastewater (sewer) shall ~~initially~~ be:

Meter Size	Current Weighting Factor	Base Impact Fee	Base Number of Fixture Units	Additional Cost Per Fixture Unit Above Base
5/8"	1.00	\$1,575.00 \$0.00	0	<u>\$78.75</u>
3/4"	1.00	1,575.00	21	\$52.55
1"	1.50	2,363.00	36	52.52
1 1/2"	2.50	3,939.00	66	34.22
2"	5.00	7,874.00	181	26.26
3"	8.00	12,601.00	361	25.06
4"	15.00	23,628.00	801	15.75
6"	25.00	39,375.00	1801	14.06

Future fee adjustments shall be by City Council resolution.

H. The impact fee rate for stormwater shall initially be calculated and applied as follows:

Type of Development	Number of ERUs	Impact Fee
Single-family residential	1.0	\$200.00
Condo (per unit)	1.0	200.00
Duplex	1.8	360.00
Other development	Divide impervious area by 2,400 to determine ERUs	

Future fee adjustments shall be by City Council resolution.

10-2-13: ADMINISTRATIVE FEES: Pursuant to and consistent with the requirements of section 7-6-1601(5)(a), Montana Code Annotated, all development permits subject to the impact fees pursuant to section 10-2-2 of this chapter, or as subsequently adjusted by City Council resolution, shall pay an administrative fee in addition to the impact fee rates in section 10-2-12 of this chapter, in an amount equal to five percent (5%) of the amount of the impact fees.

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RESOLUTION NO. 13-___

A Resolution of the City Council of the City of Whitefish, Montana, vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana).

WHEREAS, by Section 7-14-4101, MCA, the City of Whitefish has the authority to establish, widen and abandon streets following the procedure provided in Section 7-14-4114, MCA; and

WHEREAS, the property owners of 830 O'Brien Avenue, the South 75 feet of Block 6, First Addition to South Whitefish, SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Whitefish, Montana, filed a petition to vacate and abandon a portion of Scott Avenue and consented to the widening of O'Brien Avenue; and

WHEREAS, the property owner of 334 West 9th Street, the South 180 feet of Block 5, First Addition to South Whitefish, Section 36, T. 31 N., R. 22 W., P.M.M., Whitefish, Montana, filed a petition to vacate and abandon a portion of Scott Avenue; and

WHEREAS, at the May 6, 2013 City Council meeting, the Whitefish City Council adopted Resolution No. 13-07, declaring its intention to abandon a portion of Scott Avenue lying between West 8th Street and West 9th Street, which will revert to and combine with the adjacent private properties, in accordance with Section 70-16-202, MCA, and to widen a portion of O'Brien Avenue, lying between West 8th Street and West 9th Street as depicted on the Amended Plat of the South 75 feet of Block 6, First Addition to South Whitefish, attached as Exhibit "A";

WHEREAS, notice of the proposed abandonment was published in the *Whitefish Pilot* as provided by law; and

WHEREAS, at a lawfully noticed public hearing on May 20, 2013, the Whitefish City Council received an oral report and reviewed staff report #2013-024, invited public comment and thereafter voted to approve the abandonment of a portion of Scott Avenue and widening of a portion of O'Brien Avenue; and

WHEREAS, the City Council believes that the reasons for vacation the portion of Scott Avenue and widening of O'Brien Avenue are good and valid; and

WHEREAS, the City Council makes the vacation conditional upon the filing of the Amended Plat of the South 75 feet of Block 6, First Addition to South Whitefish and the filing of the executed quitclaim deed to the City to widen O'Brien Avenue thirty (30) feet

from Lot A as depicted on the Amended Plat of the South 75 feet of Block 6, First Addition to South Whitefish.

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

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

Section 2: The City of Whitefish hereby abandons the South seventy-five (75) feet of Scott Avenue lying between West 8th Street and West 9th Street, and as a condition for the vacation, the City accepts the additional South 75 feet to widen a portion of O'Brien Avenue, all as depicted on the amended plat attached as Exhibit "A".

Section 3: The City Manager is authorized to execute all documents necessary to abandon a portion of Scott Avenue and widen a portion of O'Brien Avenue.

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

John M. Muhlfeld, Mayor

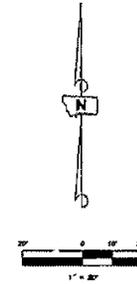
ATTEST:

Necile Lorang, City Clerk

Owners: Cristin L. Mills / Durand J. Beaugher
 Date: 11/07/12
 Job# 12-089 City of Whitefish
 For: Chuck Stearns

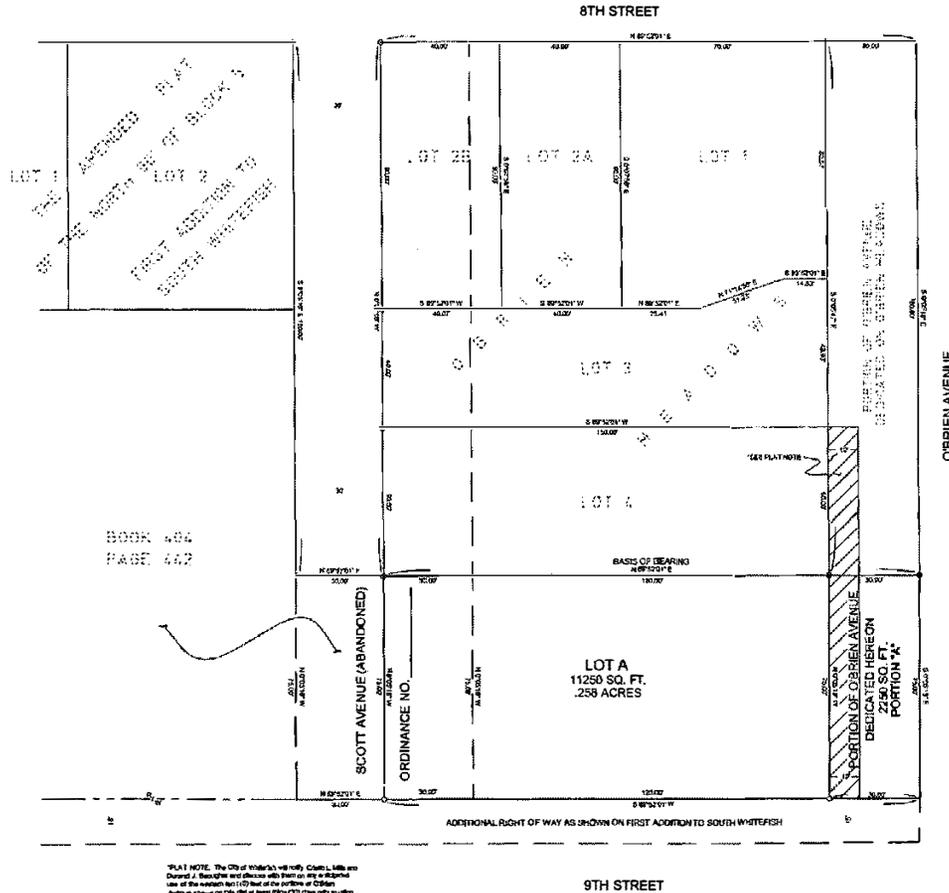
F & H LAND SURVEYING, INC.
 144 Second Street East
 P.O. Box 114
 Whitefish, MT 59937
 406-862-2386

**AMENDED PLAT OF
 THE SOUTH 75 FEET OF BLOCK 6,
 FIRST ADDITION TO SOUTH WHITEFISH
 A SUBDIVISION
 IN SW1/4 OF SECTION 36, T.31N., R.22W., P.M.,M.
 FLATHEAD COUNTY, MONTANA**



NOTE:

- Shows lot corner of Block 6 and other blocks
- Shows lot corner of Block 6
- Shows lot corner of Block 6
- Shows lot corner of Block 6



LOT 1
 LOT 2
 LOT 3
 LOT 4
 LOT A
 THE AMENDED PLAT
 OF THE SOUTH 75 FEET OF BLOCK 6,
 FIRST ADDITION TO
 SOUTH WHITEFISH

BOOK 484
 PAGE 442

PLAT NOTE: The City of Whitefish will verify Cristin L. Mills and Durand J. Beaugher and discuss with them on any re-allocated use of the section 36(1) part of the portion of Obrien Avenue shown on this plat at least 180 days after the plat is filed and another 180 days in advance. The agreement to verify applies retroactively to the lot (1) lot corner of Block 6 to Lot A of this subdivision. The agreement to verify is not applicable to other lots. This agreement to verify is not applicable to other lots. Lot A or Lot 4 once either Cristin L. Mills or Durand J. Beaugher no longer own the respective lot.

PURPOSE OF SURVEY: CREATION OF RIGHT-OF-WAY

CERTIFICATE OF COMMENT

We, Cristin L. Mills and Durand J. Beaugher, being the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and plotted into lots as shown by the plat and Certificate of Survey hereunto indicated, the following described tract of land, to-wit:

That portion of the Southwest one-quarter (SW1/4) of Section eleven (36), Township Thirty-one North (T.31N.), Range Twenty-two West (R.22W.), Principal Meridian, Montana, Flathead County, Montana, described as follows:

The South 75 feet of Block 6, First Addition to South Whitefish, a map or plat of which is on file with the Clerk and Recorder's Office, Flathead County, Montana. Now to be known and designated as Amended Plat of the South 75 feet of Block 6, First Addition to South Whitefish.

We, Cristin L. Mills and Durand J. Beaugher, the undersigned property owners, do hereby certify that the purpose for this division of land is to create a parcel for agricultural or utility sites. A subsequent change in the use of the land to a residential, commercial or industrial use is subject to the requirements of this chapter, pursuant to 76-3-201 (1) (b), M.C.A.

We further certify that Portion "A" is excluded from subdivision review by the Department of Environmental Quality pursuant to M.C.A. 76-4-125(2)(a) as the subdivision is created for agricultural or utility sites. A subsequent change in the use of the land to a residential, commercial, or industrial use is subject to the requirements of Title 76.

We further certify that Lot A is excluded from subdivision review by the Department of Environmental Quality pursuant to M.C.A. 76-4-125(2)(a) as a subdivision of an original tract created by segregating a parcel from the tract for purposes of transfer because the remainder is served by a public or private water supply system approved before January 1, 1997 pursuant to local regulations or M.C.A. Title 76, Chapter 4.

Cristin L. Mills _____
 Durand J. Beaugher _____

STATE OF MONTANA)
 County of Flathead) SS

On this _____ day of _____, 20____, before me, the undersigned a Notary Public for the State of Montana, personally appeared Cristin L. Mills and Durand J. Beaugher, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same in the places aforesaid, I hereunto set my hand and official seal of said office, this _____ day of _____, 20____.

Notary Public for the State of Montana _____
 Printed Name: _____
 Residing at: _____ Montana
 My Commission expires: _____

CERTIFICATE OF SURVEY

Surveyed by: _____
 Registered No. _____
 APPROVED: _____
 STATE OF MONTANA
 County of Flathead SS
 Filed on this _____ day of _____, 20____
 A.D. 20____ at _____ o'clock P.M.
 Clerk and Recorder _____
 My _____
 My Commission expires _____
 INSTRUMENT REG. NO. _____
 SHEET 1 of 3 SHEETS

EXHIBIT "A"

MEMORANDUM

#2013-028



To: Mayor John Muhlfeld
City Councilors

From: Chuck Stearns, City Manager

Re: Staff Report – Resolution No. 13-___; A Resolution vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana)

Date: May 15, 2013

Introduction/History

At the May 6, 2013 meeting, the City Council passed a Resolution of Intention to consider the vacation and abandonment of this remainder portion of Scott Avenue just north of West 9th Street. In doing so, they set a public hearing for May 20th on the vacation and abandonment. Some additional history is below.

In 2002, at the petition and request of property owners adjacent to Scott Avenue between 8th and 9th Streets, the City vacated and abandoned the northern 180 feet of Scott Avenue between 8th and 9th Streets. Part of the intent of this 2002 street vacation was to permit Rob Pero to re-subdivide and develop some lots he owned adjacent to Scott Street into the O'Brien Meadows subdivision. In return for that re-platting, Mr. Pero dedicated an additional 30 feet of O'Brien Avenue to the City.

However, as you can see from the map attached to this memo, the entire length of Scott Avenue between 8th and 9th Streets was not vacated. The southern 75 feet of Scott Avenue between 8th and 9th Streets was not vacated at the time and remains the property of the City of Whitefish.

Last summer, an adjacent property owner, Dorothy Kvigne, contacted me wanting to know if we would vacate the remaining portion of Scott Avenue. After talking with City staff, we could find no reason to retain that remainder parcel in City ownership given that the northern portion of Scott Avenue was previously vacated. We felt that the entire length of Scott Avenue between 8th and 9th Streets should have been vacated in 2002.

However, we felt that we should try to obtain the additional 30 feet of right-of-way (R-O-W) from the owners of Lot 6 of the South Whitefish Addition (renamed Lot A in the attached draft

plat in the packet) so as to have a unified width of R-O-W on O'Brien Avenue between 8th and 9th Streets.

Therefore, I began discussions with the owners of Lot 6 of the South Whitefish Addition as the same owners own both parcels of land (see attached letter in packet). They agreed that the vacation of the back portion of their Lot 6 would improve their property and they also agreed to dedicate the equivalent 30 foot wide parcel of O'Brien Avenue to the City in exchange for the vacation. However, once we had the property surveyed with stakes, they realized how far the 30 feet of R-O-W on O'Brien Avenue would come into their property. We therefore agreed to consult with them in the future about any plans to bury utilities or otherwise improve that 30 foot portion of O'Brien Avenue R-O-W for as long as they owned the lot. We also extended that consultation to them on their residence which is Lot 4 of O'Brien Meadows, adjacent to and north of Lot 6 of the South Whitefish Addition. That consultation is contained in a plat note on the plat. The staking remains on the property if you decide to drive by the lot at the NW corner of 9th Street and O'Brien Avenue.

All of the property owners adjacent to this proposed vacation of 75 feet of Scott Avenue have agreed to the vacation and have petitioned the City to do the vacation. These petitions are contained in the packet. Moreover, the owners of Lot 6 of South Whitefish Addition (renamed Lot A in the attached draft plat in the packet) have agreed to dedicate 30' of land along O'Brien Avenue in exchange for our vacating the 60 feet width of Scott Avenue. In any street vacation, one half of the width goes to each adjacent property owner, so the owner of Lot 6 will gain the exact amount of land at the back of their lot for what they are giving up in the front of their lot along O'Brien Avenue.

Current Report

Mary VanBuskirk has prepared a Resolution for this vacation of Scott Avenue and that Resolution is in your packet.

Financial Requirement

City staff agreed to bear all costs for the amended plat for this street vacation because of the additional R-O-W that we gain along O'Brien Avenue where it is more useful to the City than the dead-end R-O-W of the South 75 feet of Scott Avenue. The estimate cost of preparing, surveying, and recording is approximately \$2,000. The surveying and preparation of the amended plat cost \$1,700 by itself.

Recommendation

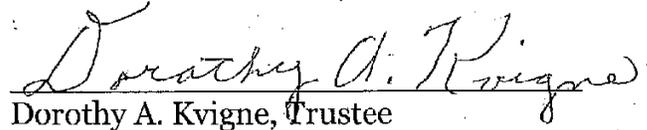
Staff respectfully recommends the City Council approve Resolution No. 13-___; A Resolution vacating the South seventy-five (75) feet of Scott Avenue, lying between West 8th Street and West 9th Street, and widening the South seventy-five (75) feet of O'Brien Avenue, lying between

West 8th Street and West 9th Street, of Block 6, First Addition to South Whitefish, the City of Whitefish (SW1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Flathead County, Montana)

PETITION TO VACATE AND ABANDON
A PORTION OF SCOTT AVENUE

The undersigned property owner, Dorothy A. Kvigne, Trustees of The Kermit and Dorothy Kvigne Revocable Trust, P.O. Box 202, Whitefish Montana, with a current address of 334 W. 9th Street, Whitefish, MT 59937, and legal description of The South 180 feet of Block 5, of First Addition to South Whitefish, Section 36, T. 31 N., R. 22 W., P.M.M., Whitefish, Montana, does hereby respectfully petition the City Council of the City of Whitefish, to consider vacating and abandoning the south seventy-five (75) feet of Scott Avenue lying between 8th Street and 9th Street, as shown on the attached exhibit.

Petitioner Dorothy A. Kvigne, as Trustee of The Kermit and Dorothy Kvigne Revocable Trust.


Dorothy A. Kvigne, Trustee

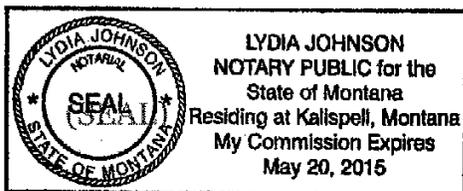
STATE OF MONTANA)

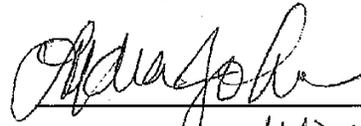
:SS

County of Flathead)

On this 19th day of April, 2013^{Pub}, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared DOROTHY A. KVIGNE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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




Printed Name: LYDIA JOHNSON
Notary Public for the State of MT
Residing at Kalispell
My commission expires: 5.20.15

**PETITION TO VACATE AND ABANDON
A PORTION OF SCOTT AVENUE AND CONSENT TO THE
WIDENING OF O'BRIEN AVENUE**

The undersigned property owners, Cristin L. Mills and Durand J. Beougher, with a current address of 830 O'Brien Avenue, Whitefish, MT 59937, with a legal description of Lots 4 and A, of Block 6, First Addition to South Whitefish, SW 1/4 of Section 36, T. 31 N., R. 22 W., P.M.M., Whitefish, Montana, hereby respectfully petition the City Council of the City of Whitefish, to consider vacating and abandoning the south seventy-five (75) feet of Scott Avenue lying between 8th Street and 9th Street, as shown on the attached exhibit. As a condition to the vacation, the undersigned owners consent and agree to the widening of O'Brien Avenue by the addition of ten (10) feet from Lot 4 and the addition of thirty (30) feet from Lot A.

Petitioner's signatures:

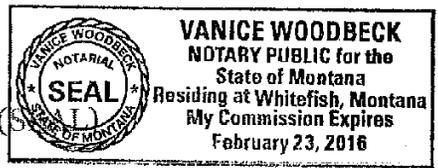
Cristin L. Mills
Cristin L. Mills

Durand J. Beougher
Durand J. Beougher

STATE OF MONTANA)
 :SS
County of Flathead)

On this 24 day of April, ²⁰¹³~~2012~~, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared CRISTIN L. MILLS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



Vanice Woodbeck
Printed Name: _____
Notary Public for the State of _____
Residing at _____

My commission expires: _____

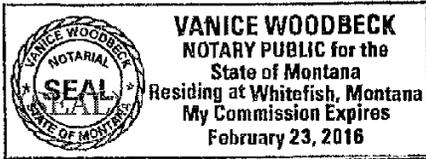
STATE OF MONTANA)

:SS

County of Flathead)

On this 24 day of April, ²⁰¹³~~2012~~, before me, the undersigned, a Notary Public in and for the state aforesaid, personally appeared DURAND J. BEOUGHER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Vanice Woodbeck

Printed Name: _____

Notary Public for the State of _____

Residing at _____

My commission expires: _____



August 15, 2012
Letter #2012-106

Durand J. Beougher
Christin L. Mills
830 O'Brien Avenue
Whitefish, MT 59937

Dear Mr. Beougher and Ms. Mills:

We have received a request from Dorothy Kvigne of 334 West 9th Street for the City to vacate and abandon a portion of Scott Street right-of-way (ROW) which is behind your recently acquired property at 320 West 9th Street. The northern 2/3rd's of the Scott Street ROW in this block was abandoned in 2002 to accommodate the platting of the O'Brien Meadows subdivision. I am enclosing a map showing the City's property, your property, and the Kvigne property in this area.

If we were to abandon and vacate the 60 foot wide portion of Scott Street behind your property, by law, 1/2 of the width or 30 feet would go to Mrs. Kvigne and 1/2 would go to your property. We would like to propose that, in exchange for the 30 feet of Scott Street ROW which you would gain, you would agree to a boundary adjustment to give the City an equal amount of land or 30 feet on the front or eastern end of your property. This land is already under the existing street and we own the same 30 feet in O'Brien Avenue alongside O'Brien Meadows.

If you were to agree to this exchange, the City would pay for all surveying, boundary adjustment, and document preparation and recording costs. Please consider this proposal and review the enclosed map. Please call me at 406-863-2406 to ask questions or discuss this proposal. I am very willing to meet you at the site and talk about the details of the parcels. Thank you for considering this request as we believe it will just clean up the existing street boundaries so they match legal property description boundaries and you would still have the same amount of land.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Stearns".

Chuck Stearns

City Manager

cstearns@cityofwhitefish.org

enclosures

cc: John Wilson, Public Works Director

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MEMORANDUM

#2013-021



To: Mayor John Muhlfeld
City Councilors

From: Chuck Stearns, City Manager

Re: Public hearing on proceeding with design for a new City Hall with an attached parking structure versus a new City Hall with surface parking, other parking structures in downtown Whitefish, and other parking options such as surface parking lots

Date: May 15, 2013

The City Council held work session to discuss parking and parking structures on Monday, April 15th and scheduled a public hearing on the topics for May 20th.

The documents in the packet are described below. After listing the documents, I prepared for the work session 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. New information after the April 15th work session is highlighted in yellow.

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. A picture of a brand new parking structure in downtown Jackson, WY that I took last week.
10. Executive Summary from 2008 Walker Parking Consultants Parking Demand study.
11. Surface parking development – rough cost estimate

12. Email on the cost per space to construct the parking lot at 2nd and Spokane. On that sheet, we added the information on cost to acquire all of the lots at the 2nd and Spokane parking lot as that information was requested by a Council member.
13. A staff report from Wendy Compton-Ring on payment in lieu of providing parking programs in other communities.
14. Email from Bonnie Leahy regarding parking structures.
15. Email from Ian Collins regarding parking structures.

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.

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; it is too large.
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)	
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

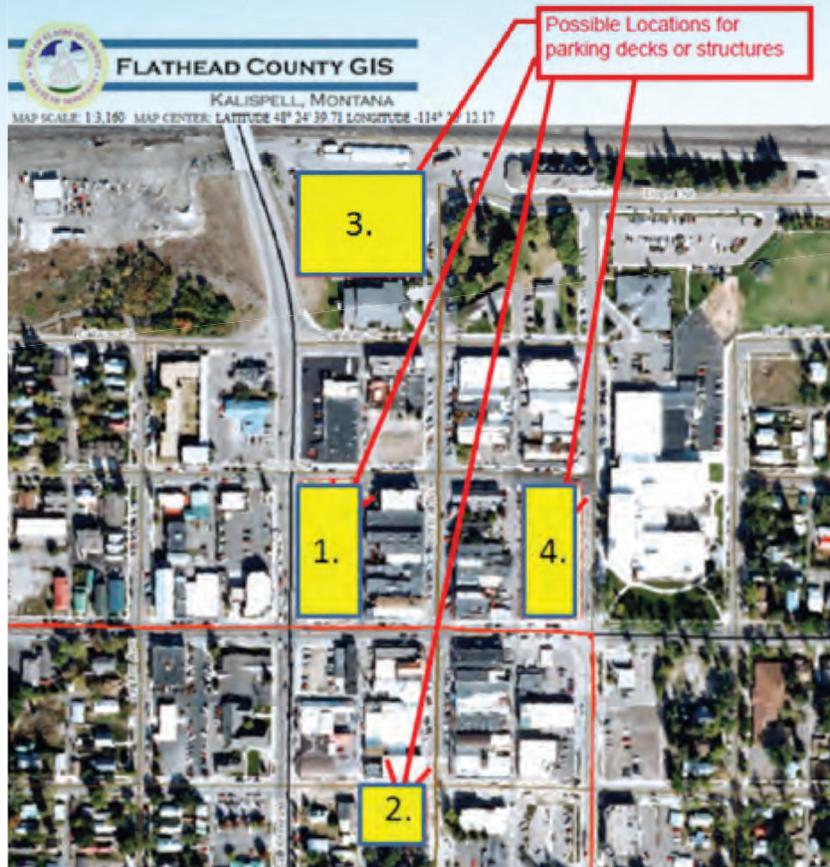
PARKING STRUCTURE FEASIBILITY AND CONCEPT DESIGN STUDY

City of Whitefish, MT



PROJECT OVERVIEW/SCOPE

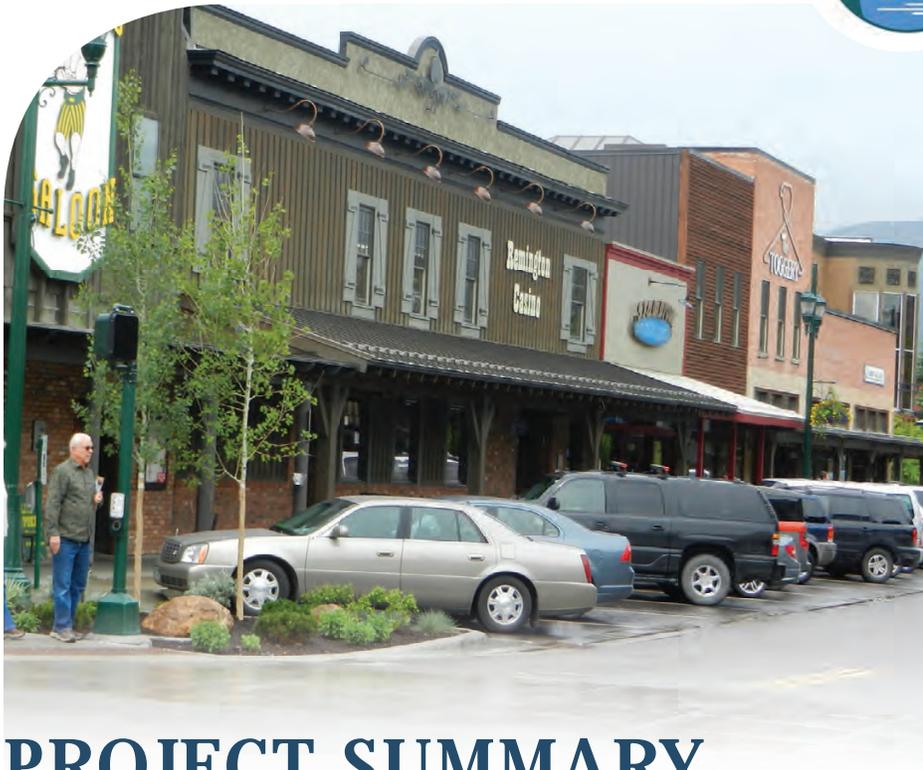
- ▶ Evaluate Four Potential Parking Garage Sites
 - » 2nd and Baker St. (Current City Hall Site) (1)
 - » 4th and Baker (2)
 - » BNSF Site (3)
 - » 2nd and Spokane (4)
- ▶ Preliminary Site Assessment & Parking Study Refresh
- ▶ Surveying and Geotechnical Assessment
- ▶ Preliminary Design Concepts for 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

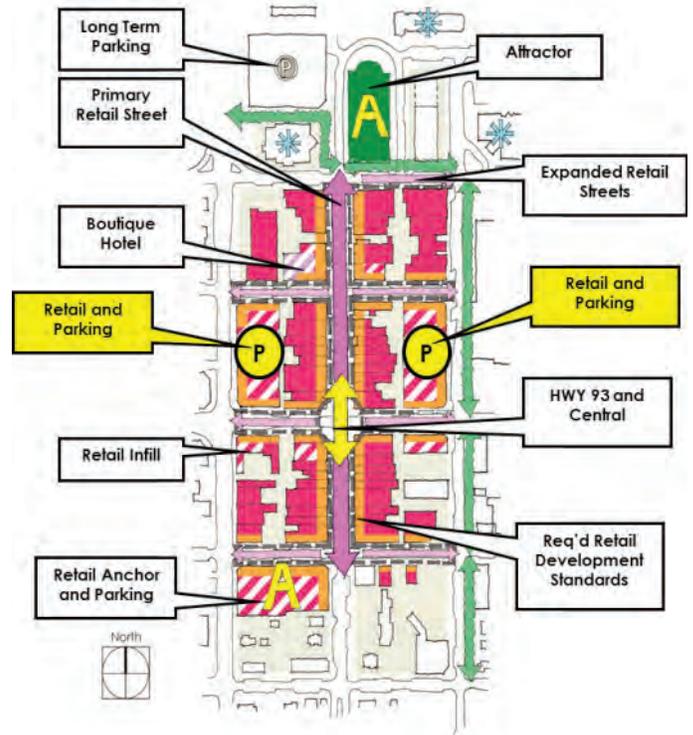
- White sh has a near ideal retail shopping district
- To achieve it's full potential structured parking is needed
- To do nothing may retard growth, opportunity and growth of the local tax base.

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.

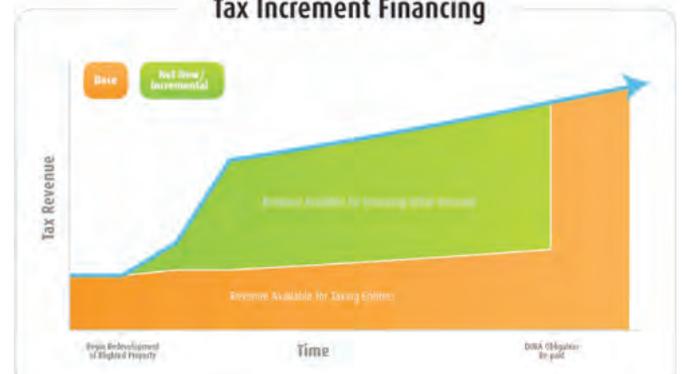


YOU HAVE THE FUNDING SOURCE AND THE CAPITAL ASSETS TO ACHIEVE THE PLAN

- 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



Tax Increment Financing



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



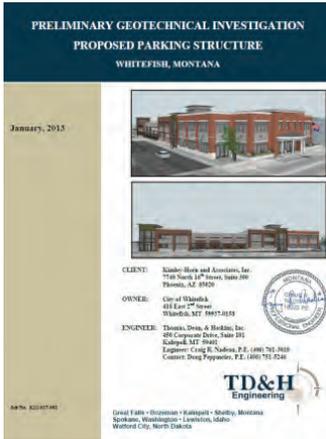
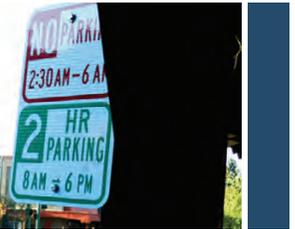
PARKING STRUCTURE COST FACTORS

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	Index	2012 Projected Costs \$/SF	
			2011	Missoula 88.2
Atlanta	90.2	185.7	\$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

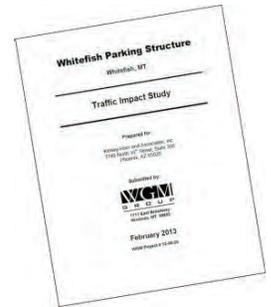


TRAFFIC IMPACT ANALYSIS - STUDIED INTERSECTIONS



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

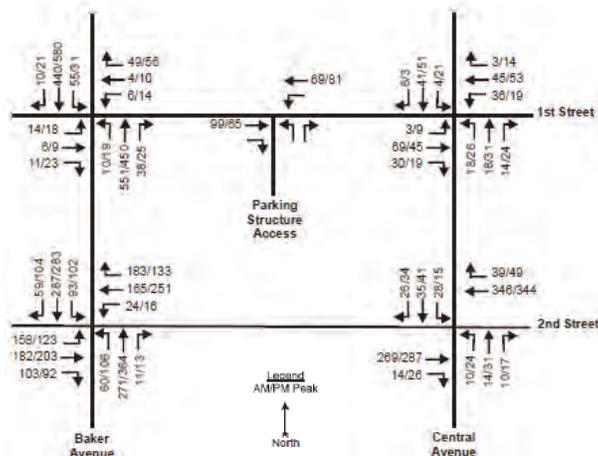
Deep Foundation - Recommended

- » 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

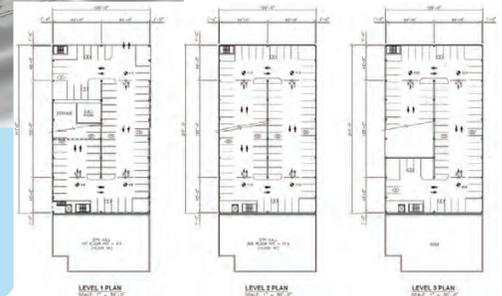
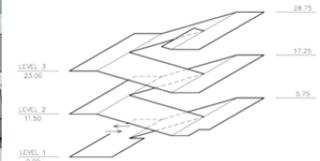
2 Story City Hall along 2nd Street



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

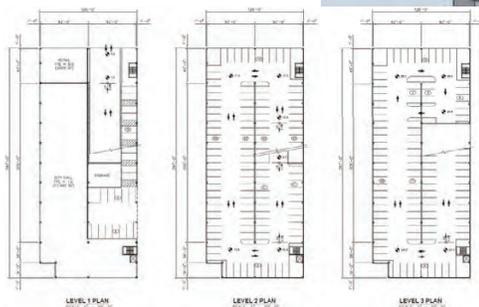
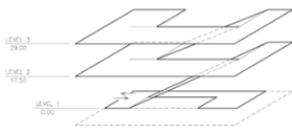
PARKING TABULATION

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

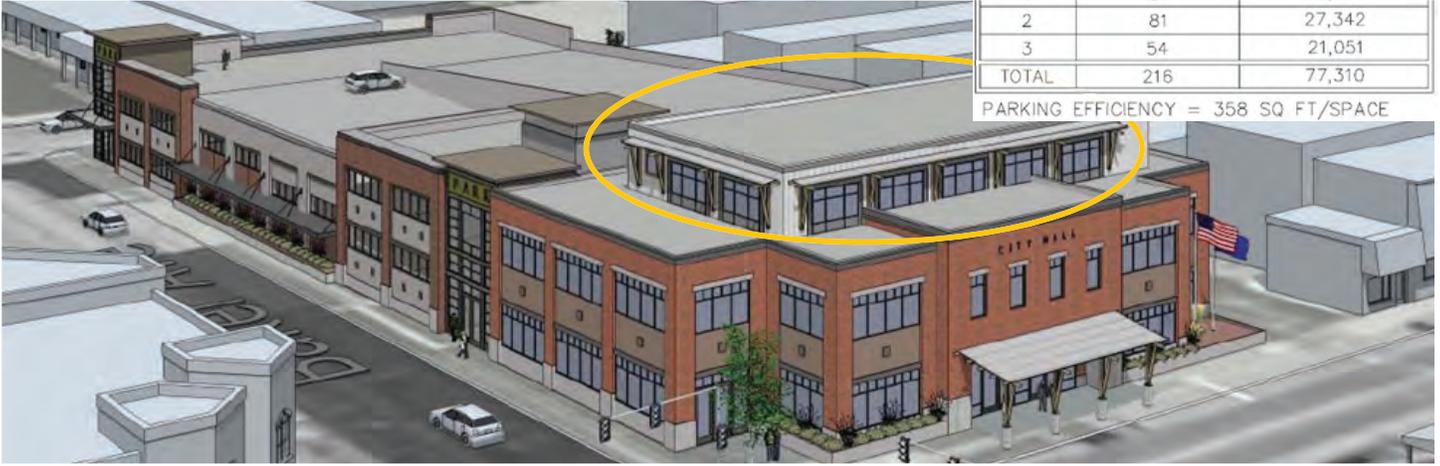
- » 1-Story City Hall (~ 17,500 SF)
- » Includes optional ground-level retail space at corner of Baker Avenue and 1st Street.

FINAL GAUGE DESIGN PTINS - TW ALTE NATIES

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

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



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.

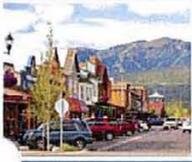
Figure 2: Retail Core Sub-Area and Time Limited Parking Zones



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 30-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%).

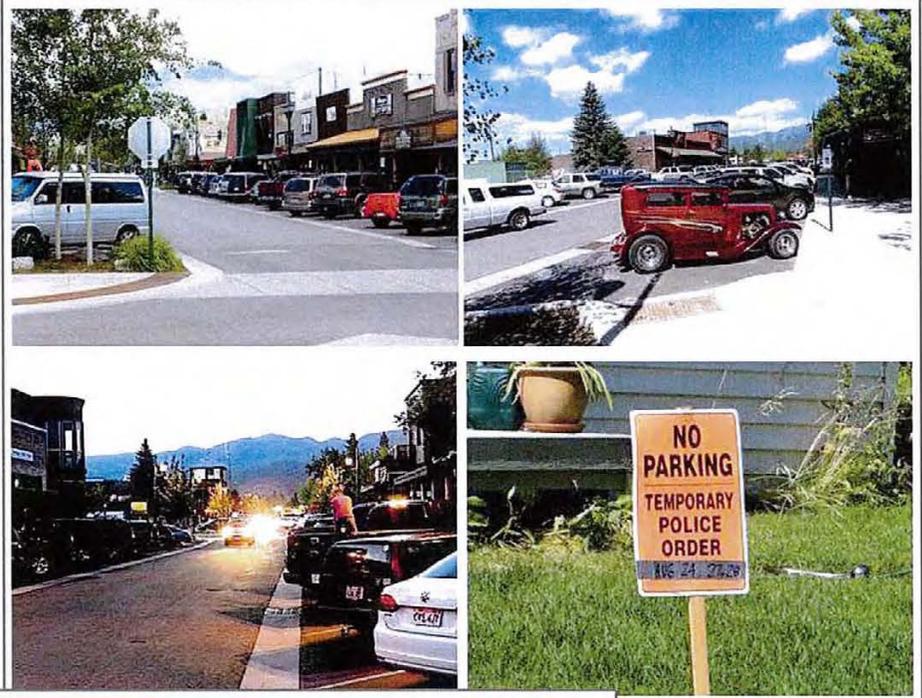




PARKING STRUCTURE

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



MAR 4, 2013

M M W



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



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

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



MAR 4, 2013

M M W



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 M M W



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

MMW



Alternate 1 NW - 2nd Street & Baker Ave.

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



MAR 4, 2013 M M W



Alternate 1 NW - Street View @ Second Street

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



MAR 4, 2013 M M W



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

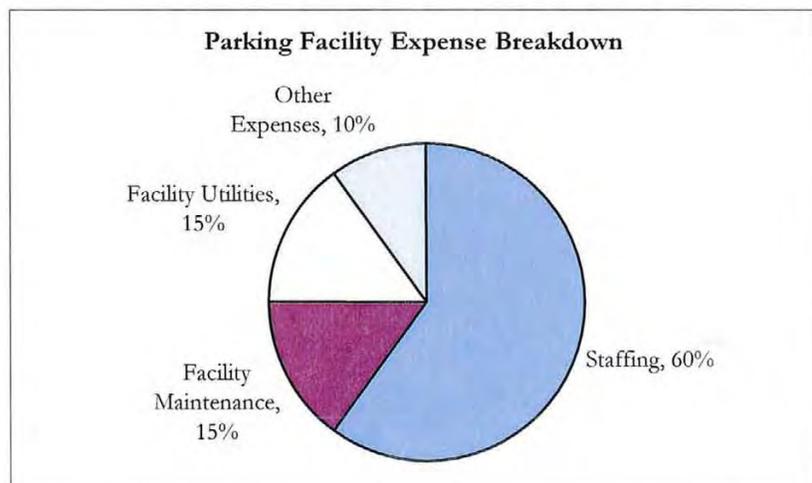
Expenses by Major Category

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										
		Precast			Cast in Place, Post-Tensioned					
Maintenance Items		Quantity	Total Cost	\$/car/Year	Quantity	Total Cost	\$/car/Year	Diff		
	Unit Price	Time								
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





PARKING STRUCTURE

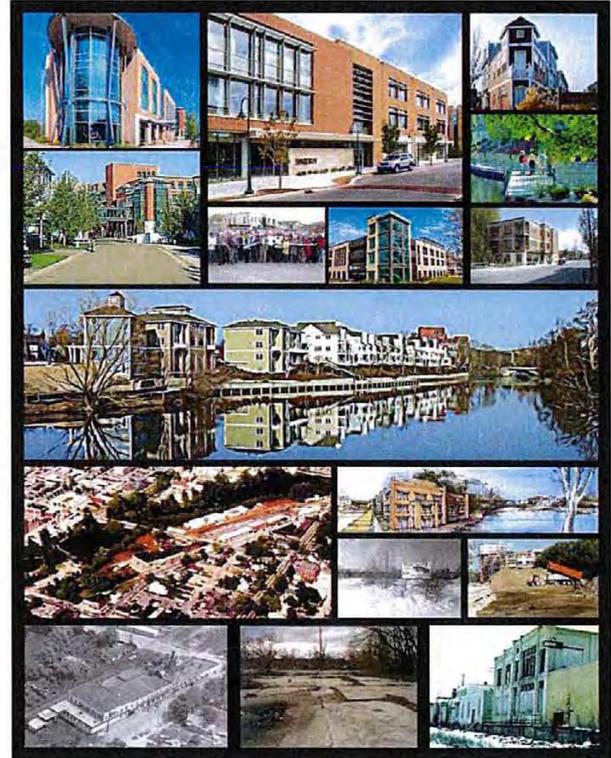
Feasibility and Concept Design Study for City of Whitefish, Montana

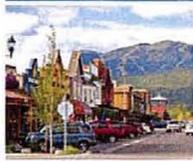
of the brownfield financial plan. The direct benefit to the TBISD is clear, 1999 the TBISD received \$1,579.91 in yearly taxes. In 2026, the projected yearly taxes for TBISD are \$21,011.

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 buttons 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 Maps, 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 plaza. Below the photo, 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 includes 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." Operating hours are listed as 24 hours per day, seven days a week. Rates include \$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 states "*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

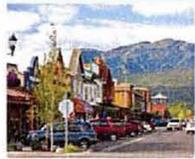
La Grange, IL

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.



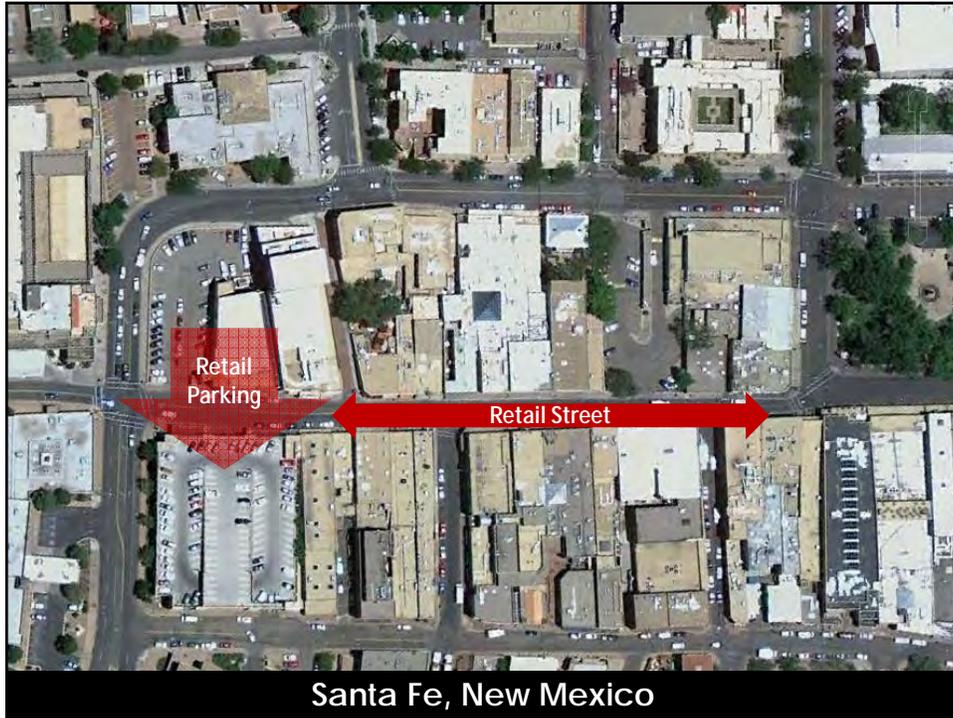
Parking Structures & Successful Retail Streets

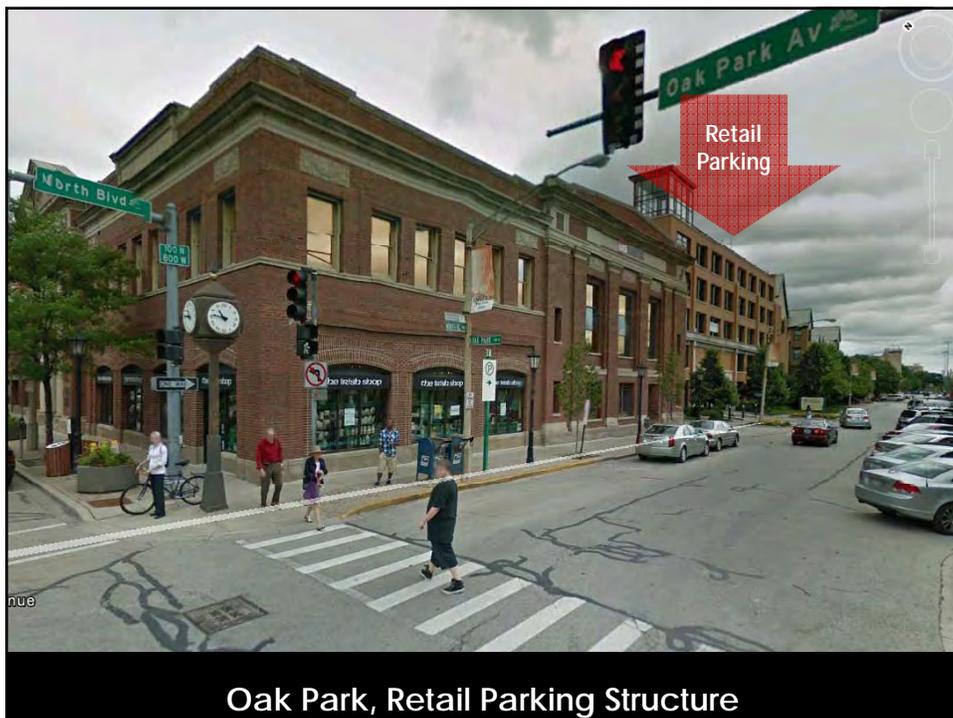
January 30, 2013

CRANDALL ARAMBULA
www.ca-city.com

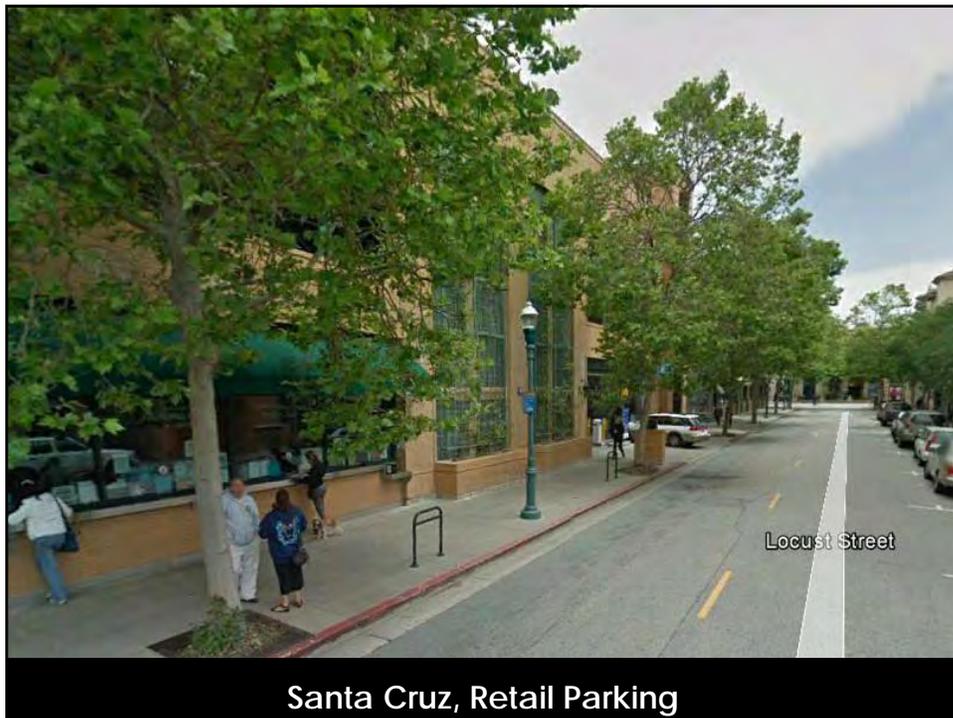






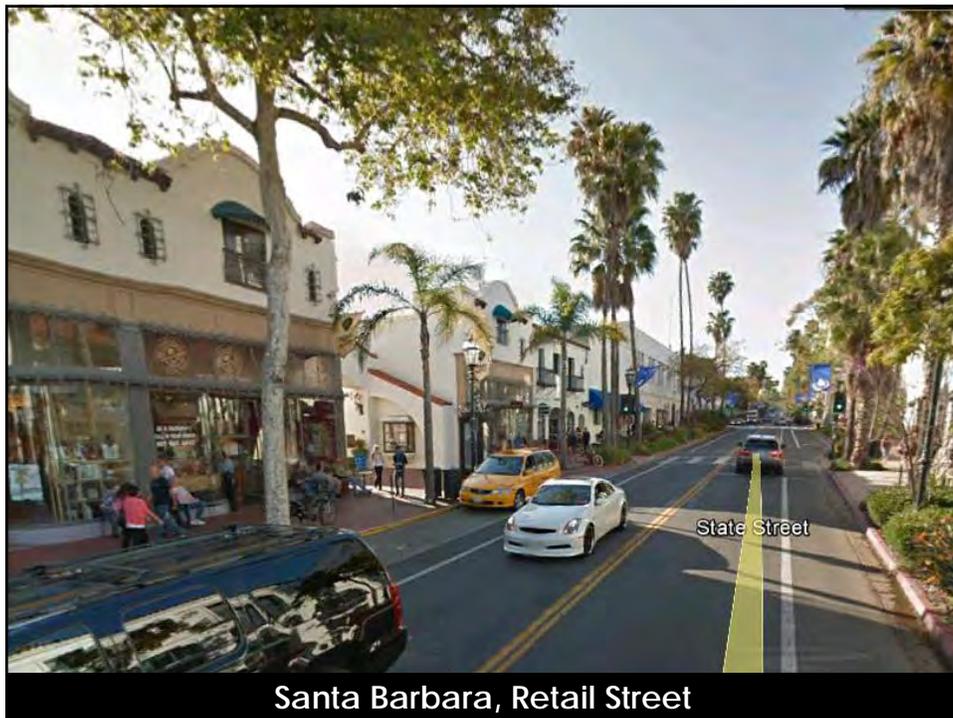








Santa Barbara, California



Santa Barbara, Retail Street





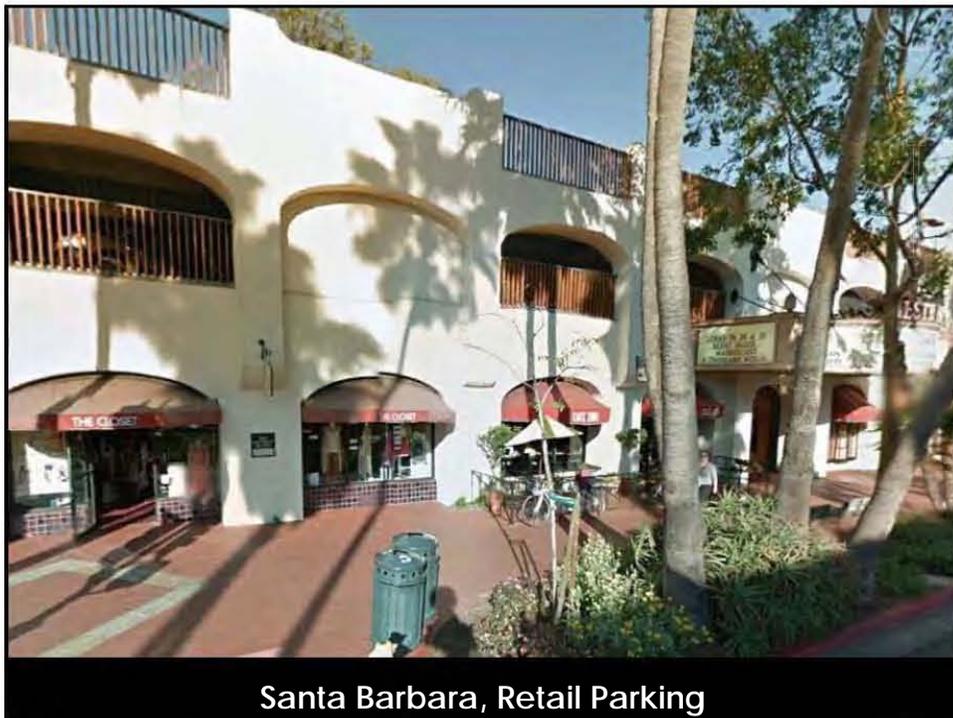
Santa Barbara, Retail Parking



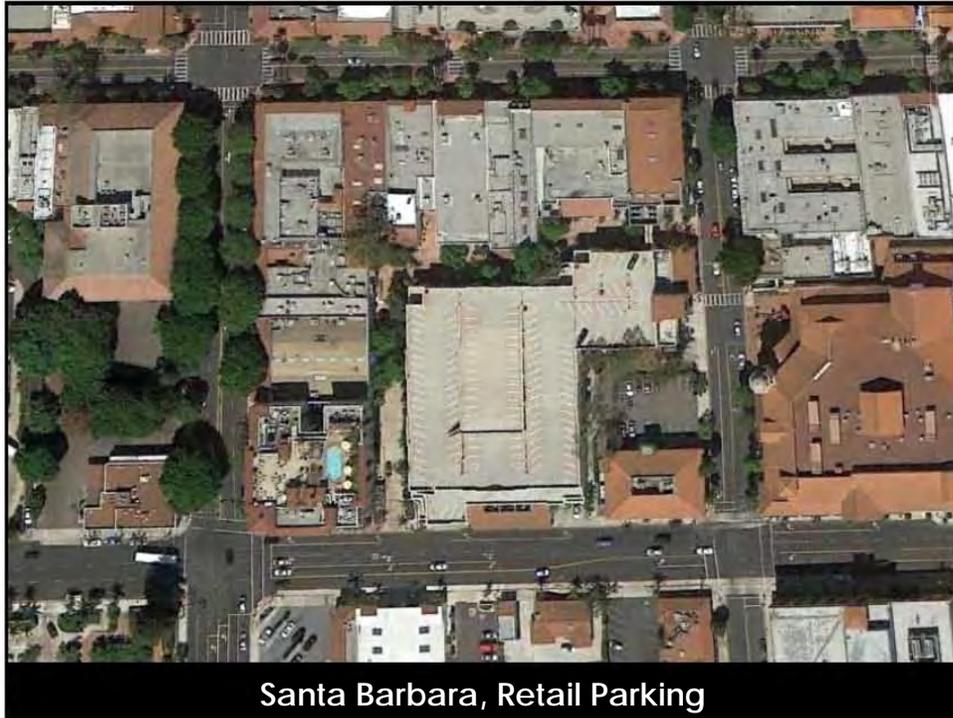
Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking



Santa Barbara, Retail Parking





WALKER
PARKING CONSULTANTS

PARKING DEMAND & PRELIMINARY
FINANCIAL ANALYSIS

CITY OF WHITEFISH
MONTANA

Prepared for:
Robert Peccia & Associates

April 21, 2008





EXECUTIVE SUMMARY

In 2007, Walker Parking Consultants ("Walker") was hired by Robert Peccia and Associates to conduct a parking study for a 26-block area in downtown Whitefish, Montana. Within the study area, a 10-block sub section was identified as the "Core Retail Sub-Area" containing retail-supportive parking resources, including several public lots and time limited on-street parking for visitors.

Inventory and Occupancy Findings

Based on our parking inventory and occupancy analysis, Walker concludes that the downtown study area as a whole likely operates at a surplus of several hundred spaces at the peak hour. However, analysis of the Retail Core Sub-Area shows a small deficit of roughly 17 spaces at the peak hour (1 pm) during the peak tourism season. July is projected as the peak month. Minor shortages are also projected for peak Saturdays (at 1 pm) during the month of July.

In addition to the peak month parking shortages, Walker determined that many of the blocks within the Retail Core Sub-Area likely experience localized shortages either during the day or on evenings and weekends (due to bar and restaurant traffic). These shortages can often lead to an increased perception that there is a parking problem.

Likely, the downtown would benefit from the addition of at least one visible centralized parking resource for visitors – such as a larger surface lot or public garage. Walker also recommends that some of the public spaces within the Retail Core Sub-Area be made available for slightly longer (3-4 hour) retail and restaurant visits.

Parking Garage Options

In an earlier analysis, Walker evaluated several possible options to construct a public parking garage. The Second and Spokane site was rated the highest of three possible locations due to its proximity to the core businesses along Central Ave. and also the visibility of this location for visitors arriving to the downtown.

Based on the supply/demand analysis, Walker concluded that the proposed 218-space garage would be sufficient to accommodate immediate parking needs for the Retail Core Sub-Area. Other considerations for this site included:

- Replacement for the surface parking spaces displaced by the new garage (80 stalls for Lots D and E),



APRIL 21, 2008

PROJECT # 23-7123.01

- 65 spaces to accommodate the planned 17,040 sf of new retail/office space on this block,
- Parking for 50 school employees at this location, and
- Additional public stalls for longer-term visitor parking (3-4 hours) and to address overflow parking needs from Central Ave.

Parking revenue sources for the garage are still being discussed at this time. One possibility would be to charge for monthly permits in the structure. For our financial analysis, Walker assumes that a rate of \$50 per permit would be appropriate, since the garage would offer covered parking and is in a prime location.

Assuming only monthly permit revenues and standard operating costs, Walker concludes that the garage will operate at a deficit of roughly \$40,000 to \$45,000 per year. This operating deficit does not include any debt service on initial construction cost for the garage (and also excludes any longer-term major structural repairs that are not part of the standard maintenance costs).

Master Plan

The proposed garage at Second and Spokane would help to address some of the immediate parking needs for the downtown but would probably not provide much surplus parking for additional improvements projected in the 2006 Whitefish Downtown Business District Master Plan (prepared by Crandall Arambula PC).

According to the master plan document, future projects may include a total of 140,000 sf of new retail space, 175,000 of renovated/redeveloped existing retail space, and 334 residential units. According to Walker's analysis, these projects could increase parking demand for the downtown by another 600 spaces in addition to what is planned for the Second and Spokane site.

Walker recommends identifying future garage sites based on the specific location and density for future projects. Additional parking resources may be a possibility for the O'Shaughnessy Lot and/or a site at the southern end of the Central Ave. retail corridor.

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

Chuck Stearns

From: Chuck Stearns [cstearns@cityofwhitefish.org]
Sent: Thursday, February 09, 2012 3:41 PM
To: 'Bill Kahle'; 'Chris Hyatt'; 'Frank Sweeney'; 'John Anderson'; 'Muhlfeld, John'; 'Phil Mitchell'; 'Richard Hildner'
Cc: 'Rich Knapp'; 'John Wilson'; 'Necile Lorang'
Subject: Parking background information
Attachments: Parking Structure.staff reports and minutes.2008.pdf

Mayor Muhlfeld and City Council Members: (cc: Rich Knapp, John Wilson, Necile Lorang)

At the last City Council meeting, I said I would compile and send you the background information on the parking issue and the parking structure proposal from 2008. There is one document attached and one larger document that you can download via the You Send It download link below. The documents are:

1. Attached – the attachment contains staff reports and City Council minutes from the various meetings in 2008 where the proposed parking structure was discussed. There are bookmarks to guide you to the various sections.
2. The download link below will provide access to the 2008 Walker Parking Consultants study called “Parking Demand & Preliminary Financial Analysis” done in the City of Whitefish. This study is a very thorough look at the parking demand and supply throughout the downtown area from 2008. Everyone should read this study carefully as it remains the best resource for local data rather than the perceptions that abound.

The parking structure proposed would have been 218 parking spaces and the engineer’s estimate of cost for architectural, engineering, and construction was \$5,092,740 in 2008 or \$23,361 per space. In the attached pdf, there is a bookmark for this cost estimate.

For your information, the surface parking lot that we built at 2nd and Spokane cost \$468,800 for 82 spaces or \$5,717 per space.

This information should give you good background prior to the February 21st work session on TIF priorities and a subsequent work session on parking. If you would prefer that we print out a copy of either the attachment or the download for you, please let me know. Thanks.

Chuck Stearns
City Manager
City of Whitefish
P.O. Box 158
418 East 2nd Street
Whitefish, MT 59937-0158
Telephone - 406-863-2406
Fax - 406-863-2419
Cell -
cstearns@cityofwhitefish.org



From: cstearns@cityofwhitefish.org [mailto:delivery@yousendit.com]
Sent: Thursday, February 09, 2012 3:26 PM
To: cstearns@cityofwhitefish.org
Subject: Walker Parking Consultant study

Delivery provided by YouSendIt



cstearns@cityofwhitefish.org
has sent you a file

Subject: Walker Parking Consultant study



Walker Parking Consultants.2008.Parking
demand study.pdf
Size: 22.15 MB
Expires: February 16, 2012 14:25 PST



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



May 14, 2013

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and City Councilors:

Parking Fee in Lieu Report

Introduction/History

At the April 15, 2013 Council Worksession on the parking garage, Council requested information about charging a fee in lieu of parking in order to facilitate some of the financial aspects of a parking structure.

Staff was directed to look over building permits in the recent past within the WB-3 zoning district to determine square footage added and the possible dollars generated using the per space rate for surface parking based on the parking lot at E 2nd Street and Spokane Avenue.

The numbers below do not include minor additions to existing buildings nor do they include change in use (for example converting a residential structure to a commercial use, which happens often in the Railway District). These numbers are only new buildings.

Current Report

Since 2003, 89,788 square feet has been added to the WB-3 district. The uses include a combination of professional office space, personal services and retail space. Some of the new buildings have included parking, but most have not. Staff calculates the total parking need at 297 spaces for the new 89,788 square feet.¹

According to the city manager, the E 2nd Street and Spokane Avenue parking lot had a cost of \$5,717 per space (2009 dollars). If this per space had been assessed to the 297 spaces, the city would have generated \$1,697,949 (2009 dollars) toward parking.

What are Other Communities Doing?

A planner in McCall, ID conducted a survey of a few mountain resort towns in Idaho, Colorado, Utah, Wyoming and Montana on downtown parking in the spring of 2012. After completing the survey, she shared her results. Topics covered included base parking requirements for retail, off-site parking allowances, opportunities for parking reduction and fee in lieu of parking.

The following is a summary of findings:

¹ 36,158 s.f. professional office + 10,504 s.f. financial institution + 2, 832 s.f. personal services + 19,864 s.f. food and beverage establishment + 20,430 s.f. retail – 53 spaces provided on-site for some of the projects = 297 spaces needed

- The most common standard for retail is 1 space per 1,000 square feet, where the Whitefish requirement is 1 space for 300 square feet. (NOTE: no parking is required in the WB-3) Coeur d'Alene has a maximum and minimum parking standard for the downtown.
- Most communities permit one to fulfill their parking requirements off-site, but within a certain radius that range from 300 to 1,000-feet.
- Required off-street parking may be reduced under certain circumstances; for example, when a shared parking agreement is in place, if employees use alternative modes of transportation, if bicycle facilities are provided or in exchange for frontage improvements in the city right-of-way. In Ketchum, all lots that are 5,500 square feet or less receive a credit of four parking spaces toward their off-street parking requirement. This might be something to consider, as many of the lots in downtown Whitefish are small and narrow making it difficult to develop on-site parking.
- The fee in lieu of providing the parking ranges from a low of \$5,000 to a high of \$31,000 (Ketchum, ID) per space. In Jackson, WY, the first five spaces are charged at a rate of \$8,500 then any additional spaces are charged at \$17,000. Durango, CO charges \$13,500 per space, but 75% of the required off-street parking needs to be provided on-site. In Coeur d'Alene, the more parking required, the less that one can exchange for a fee in lieu of providing the parking.
- Some communities require parking to be brought up to standards with a change in use and some do not.

It's interesting to note that Whitefish was the only community surveyed that didn't have some sort of downtown parking strategy. Every community in this survey required parking, offered reductions and had a fee in lieu of parking.

One final note, the planner in McCall was doing the parking survey because they were not having much luck with only a fee in lieu of parking strategy. Property values were at a rate that it was cheaper for a developer to buy a neighboring lot and construct a parking lot than to pay the fee (\$20,000 per space in 2012). The effect of this was creating a sprawling downtown development pattern with the dead spaces of parking lots instead of a compact, walkable downtown.

Recommendation

It appears there are many ways to address parking from requiring some parking on-site to requiring a fee in lieu of parking to some combination thereof. There are some cautionary tales of policy creating a less than appealing downtowns, as well.

Sincerely,



Wendy Compton-Ring, AICP
Senior Planner

Chuck Stearns

From: Necile Lorang [nlorang@cityofwhitefish.org]
Sent: Monday, April 15, 2013 10:00 AM
To: cstearns@cityofwhitefish.org
Subject: Fw: Parking structure

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

From: "Bonnie" <mtmax1@montanasky.com>
To: "Necile Lorang" <nlorang@cityofwhitefish.org>
Sent: Monday, April 15, 2013 9:52 AM
Subject: Parking structure

Necile I know it's late, but could you please get this to the councilors for tonight's meeting? Thank you!

Councilors,

I apologize for the late email, I had planned on attending tonight's meeting but cannot.

I wish you'd think long and hard before you make a decision on a parking garage, and placement of city hall. An awful lot of TIF funds have been used on the downtown area, much of this was done against the will of the majority of local citizens, and most of it was done at the will of the Heart of Whitefish. It's been my understanding that TIF funds were to bring more properties into the tax base. I'd like to know how much of the TIF funds spent so far have brought anything into the tax base. You have shown preference to the downtown area, and in the process almost completely ignored the rest of the city. You've been promising to help property owners on Hwy 93 for years, yet you've done nothing to help them, and much to limit what they can do. You've been listening to a small group of people, all of whom have a vested interest in the downtown. I suggest the Heart of Whitefish is biased, and ethically should have very little sway over TIF funds, city funds, or you councilors. City funds appear to have become Santa's gab bag for the Heart of Whitefish, while the rest of us apparently get coal.

The parking garage should not be a concern for the tax paying citizens of Whitefish. The downtown stores are not there to provide for the locals, they are there for the tourists. How many locals actually do the bulk of their shopping in downtown Whitefish? Why should we pay for parking? Does the city pay for parking lots on Hwy 93? On Wisconsin? Anywhere else within city limits? It is not your responsibility to provide parking downtown, just as it isn't in other parts of town. If a parking garage is needed, and I see no need for one, then the downtown merchants and the Heart of Whitefish need to buy such a structure. As most people I know, I don't often shop downtown, but when I do it is very rare, very very rare that I cannot find a parking space. For a town that wants to become more Green, I cannot believe you'd put in a parking garage so folks don't have to walk two blocks to shop downtown.

To put city hall downtown would be wrong too. Why should it be right downtown? This is one case where parking is an issue. If folks have to

stop at city hall to pay a bill and be on their way, there is a parking problem. People don't go to city hall so they can also go shopping downtown, they go to city hall to do business and leave. They need quick access to parking, and that cannot be found downtown. City hall takes up valuable real estate that should be used for more retail downtown. You want all retail downtown, not on Hwy 93, so make room for them. There are better options for location. The Mountain West building is perfect, the old JCCS building would have enough space, both offer all the parking needed. Both options would clear up loads of space for more retail downtown, and maybe even some for the locals. And if the town grows as expected the downtown area will grow to meet those areas. What you propose for parking and city hall is not what is best for the majority of Whitefish, though it would benefit the Heart of Whitefish and their holdings quite a lot.

Bonnie Leahy

Chuck Stearns

From: Ian Collins [ianbcollins@gmail.com]
Sent: Monday, April 15, 2013 1:34 PM
To: Stearns, Chuck
Subject: Fwd: Parking workshop tonight
Attachments: homedepottowalmart.JPG

FYI Chuck, I sent this to the Mayor and Councilors today. I think your staff report was well composed and I hope they make a decision to proceed.

Thanks, Ian

----- Forwarded message -----

From: Ian Collins <ianbcollins@gmail.com>
Date: Mon, Apr 15, 2013 at 12:24 PM
Subject: Parking workshop tonight
To: John Muhlfield <jmuhlfield@riverdesigngroup.net>

Dear Mayor & Councilors:

I know you all are busy today, but I wanted to give you my thoughts on tonight's parking workshop. I have heard a lot of concern about cost and poor soils with respect to building a parking structure. In my opinion, neither of these issues will get better with time. You are at a decision point and I think you need to have the confidence to invest in parking in downtown. There will be risk and you might be criticized for the decision- mainly by people with no factual information- but it is the right choice for downtown.

You will not be able to point to existing communities that have taken the same plunge and gotten it right because there are no communities like Whitefish. You guys will be trailblazing. Whitefish is unique because of our size; we have a core population of year-round inhabitants and a booming tourist industry during parts of the year. We also have a vibrant compact downtown, that hasn't been impacted by sprawl development. Some people want the public to falsely believe that this is a choice between Whitefish investing in the 'real' community or becoming a tourist trap. But I think you all would agree that this dichotomy does not exist; that is why Whitefish is unique and lovable because we have a core community AND lots of tourists. We all would not live here otherwise.

I think the risk you face investing in structured parking is more perceived risk than actual risk. Crandall Arambula has been telling the council for years that this is the direction we need to go. And more recently Kimley Horn has given us definitive feedback that structured parking on the City's downtown properties is the way to go. I also believe that the City does not have the financial risk, which some have been lead to believe. Where else are we going to invest TIF funds in a way that is going to produce an economic return by stimulating new development and subsequently the tax base? Land acquisition and a pedestrian bridge will not do this.

If the city does not make this investment, will development on our potential infill sites even happen? I do not think so. When the City was discussing the Second & Spokane structure, I sent the council a letter outlining how they might envision the projected \$7-8 of private investment for every dollar of public expenditure if you built the structure. In the letter, I showed how there was 108,000 SF of vacant property within 250 feet of the structure, which is the maximum viable travel distance for shopper-friendly parking. This land could sustain (conservatively) 140,000 SF of new development, which would generate \$24 million in new construction investment and a need for +/- 300 parking spaces.

This was several years ago. More recently, I worked with the planning department and property owners to put together a spreadsheet of new development and remodels. New development square footage totaled 40,500 SF (Casey's, Sawbuck Do Jang, Coopers, SM Bradford, Toggery), and over \$8,000,000 of investment. But how much new parking did it generate? In my estimate approximately 10-12 spaces, rather than the 80 spaces it probably should have generated, based on an industry standard of 2 spaces/ 1,000 SF of commercial/office/ retail space.

I am not advocating for a parking 'free ride' for developers of new property. I also don't think we should make excessive regulation to mandate on-site parking for new developments as it would limit development land area and create sub-standard, mostly private parking spaces. Instead, the City needs to commit to investing in parking, but also needs to simultaneously commit to generating alternative revenue streams to pay for parking maintenance and future parking investments.

If you look at the numbers from the recent past, we have already missed a big opportunity. For example, in your council packet from 3/19/12 p. 73, you were given a spreadsheet of downtown parking in-lieu fees for new development in comparable communities. The fees ranged from a high of \$31,000/ space in Ketchum, Idaho, to \$10,000/ space in Sandpoint; in between, Crested Butte & Durango (\$13,000), and McCall, Idaho (\$20,000). I spoke with a planner from Ketchum today, and their fee is now \$38,500/ space!

If Whitefish had a comparable fee structure in place, we would have generated between \$710,000 and \$2.7 million. Properties in the downtown are 'in play' and the City can't afford to miss this revenue opportunity any longer; commit to long-term parking solutions AND new revenue streams to offset maintenance and future investment.

There is no other alternative strategy for long-term parking in downtown, which will generate new investment on infill properties and strengthen our commercial core. Construction costs will not go down and our native soil will not go away. Additional surface parking is also not the answer; surface lots are unattractive, take up valuable development inventory, and most lots are at the periphery and will not generate shopper-friendly parking. There is also no alternative project for investing TIF funds, which will generate a comparable return of private investment.

Here is some food for thought, an aerial image of the area from Home Depot to Costco to Walmart in Kalispell, with thousands of surface parking spaces. We are bucking this national trend toward sprawl and the homogenization of commercial development, but this is what Whitefish has to compete with. I hope you will have the confidence to heed the advice of your professional consultants and move ahead and invest in structured parking in the downtown.

Thanks for your time!

Ian Collins

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May 20, 2013

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and Councilors:

Recommendation to Authorize the Purchase of a Type 1, 1,500 gpm Fire Pumper

Introduction/History

The Fire Department currently operates two (2) Type 1 pumpers. These units were purchased in 1994 and 1997 by the Whitefish Rural Fire Service Area and donated to the City. As discussed in the FY13 Capital Project Budget workshop on Fire/Ambulance vehicle replacement both of these units exceed NFPA Standard 1901 with regards to maximum service life expectancy for front line fire apparatus of 10 to 12 years. The approved FY13 budget included a financial provision to replace one of these units during FY 13.

The process of the researching and preparation of vehicle's proposed specifications was not completed until March of this year. At that time, the Fire Department advertised for bids for manufacture of a Type 1 1,500 gpm pumper. In addition to advertising, the bid specifications were mailed to the 8 major manufacturers of fire apparatus (Exhibit A). Only one manufacturer, Rosenbauer, chose to submit a proposal and price quote. The \$495,112 bid was \$29,888 below our projected cost of \$525,000.

Current Report

Rosenbauer's submittal was carefully compared with the published pumper specifications and found to be compliant in all aspects. Rosenbauer is the World's largest producer of firefighting vehicles and is an integrated single source manufacturer that provides the engineering, design, manufacturing process, installation, finish, and service for the complete fire apparatus. Highlights of the proposed apparatus include:

- State of the art safety systems for crew protection.
- 4 wheel drive.
- Cummins ISL9-400 diesel engine.
- Idle reduction system, a "green" solution for fire apparatus.
- 1,500 gallon per minute pump with CAFS (compressed air foam system).
- 750 gallon water tank.
- Ability to carry over 2,500 feet of fire hose.

Financial Requirement

Funds for this purchase were allocated in the FY13 budget and carried over into the FY 14 proposed budget. We are proposing the use of \$70,000 cash towards the purchase with the remaining \$425,112 to be financed over 15 years with a Montana Intercap Loan. The current Intercap Loan interest rate is fixed at 1% through February 15, 2014. As a point of information, the Montana Intercap Loan Program lists an average annual interest rate from 1987 to current of 4.411%. For planning purposes we have utilized a 2% interest rate which calculates to an annual payment of \$33,542.27. With an agreement between the City and the Whitefish Rural Fire Service Area board to split the cost, the resulting City annual payment will be \$16,542.27 with the Whitefish Rural Fire Service Area contributing another \$16,542.27. Total interest paid over the life of the loan will be approximately \$127,533.60 or \$8,502.24 per year.

Recommendation

Staff recommends authorizing of entering into a contract with General Fire Apparatus of Spokane, WA to purchase one Type 1 1,500 gpm Rosenbauer, LLC fire apparatus for up to \$495,112.

Tom Kennelly
Fire Chief

Manufacturers of Fire Apparatus

American LaFrance	Summerville, SC
E-One	Ocala, FL
Ferrara	Holden, LA
KME	Nesquehoning, PA
Pierce	Appleton, WI
Rosenbauer	Lyons, SD
Smeal	Snyder, NE
Spartan	Brandon, SD

ROSENBAUER CUSTOM SIDE MOUNT PUMPER



■ Custom Side Mount Pumper

- 1500 GPM Pump
- 1000 Gallon Poly Tank
- Foam System
- 10 kW Hydraulic Generator



Full depth, full height side compartment with roof compartment.



Black thermal coated control panel with color-coded controls.

BID OPENING AND TABULATION SHEET
 CITY OF WHITEFISH
 FIRE PUMPER

Attendance: See attached sheet

BID OPENING: Friday, April 26, 2013 at 3:00 p.m.

Bidder: <u>Pierce mfg Inc</u>	Bidder: <u>General Fire App</u>	Bidder: <u>Moline</u>	Bidder: _____	Bidder: _____
Address: <u>PO Box 2017</u> <u>Appleton, WI 54912</u>	Address: <u>3904 E Trent Ave</u> <u>Spokane, WA 99202</u>	Address: _____	Address: _____	Address: _____

Bid Bond?	<u>did not bid</u>	<u>Yes - 10% of Bid with P/A</u>	<u>did not bid</u>	_____	_____
Apparatus Body Price as Proposed	\$ _____	\$ <u>292,659.00</u>	\$ _____	\$ _____	\$ _____
Chassis Price As Proposed	\$ _____	\$ <u>202,453.00</u>	\$ _____	\$ _____	\$ _____
Total Cost of Fire Apparatus	\$ _____	\$ <u>495,112.00</u>	\$ _____	\$ _____	\$ _____
Delivery Date or Days from Contract Award	_____	<u>325 days</u>	_____	_____	_____

Other Costs	Included?		Included?		Included?		Included?		Included?	
Inspection Trip for 2 People	_____	\$ _____	<u>Yes</u>	\$ <u>2400.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Chassis Prepayment - Yes or No and Cost	_____	\$ _____	<u>No</u>	\$ <u>-7,700.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Miscellaneous Equipment Package - Included and cost	_____	\$ _____	<u>Yes</u>	\$ <u>14,700.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Performance Bond to be provided - yes or no and cost	_____	\$ _____	<u>Yes</u>	\$ <u>2400.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Products Liability Insurance - included yes or no and cost	_____	\$ _____	<u>Yes</u>	\$ <u>included</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Total Cost of all items	_____	\$ _____		\$ _____	_____	\$ _____	_____	\$ _____	_____	\$ _____



May 20, 2013

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and Councilors:

Recommendation to Authorize the Purchase of a Type 1, Ambulance

Introduction/History

The Fire Department currently operates four (4) Type 1 ambulances. These units were purchased in 1992, 1999, 2003, and 2009. As discussed in the FY13 Capital Project Budget workshop on Fire/Ambulance vehicle replacement, the three oldest units exceed NFPA Standard 1917 with regards to the maximum service life expectancy for ambulances of 7 to 10 years. The approved FY13 budget included a financial provision to replace the oldest of these units during FY 13.

The process of the researching and preparation of vehicle's proposed specifications was not completed until March of this year. At that time, the Fire Department advertised for bids for manufacture of a Type 1 ambulance. In addition to advertising, the bid specifications were mailed to the 6 major manufacturers of ambulances (Exhibit A). Only one manufacturer, Braun NW, chose to submit a proposal and price quote. The \$155,597 bid was \$597 above our projected cost of \$155,000.

Current Report

Braun NW's submittal was carefully compared with the published ambulance specifications and found to be compliant in all aspects. Braun NW, located in Chehalis, Washington, is a family own company with over 25 years of ambulance construction experience. They are an integrated single source manufacturer that provides the engineering, design, manufacturing process, installation, finish, and service for the complete ambulance. Highlights of the proposed ambulance include:

- State of the art safety systems for patient and crew protection.
- Dodge 3500 SLT, 4 x 4, with ambulance preparation package.
- 6.7 liter Cummins diesel.
- LED lighting throughout to maximize vehicle alternator life.

Financial Requirement

Funds for this purchase were allocated in the FY13 budget and carried over into the FY 14 proposed budget. We are proposing that the total bid price of \$155, 597 be financed over 7 years with a Montana Intercap Loan. The current Intercap Loan interest rate is fixed at 1% through February 15, 2014. As a point of information, the Montana Intercap Loan Program lists an average annual interest rate from 1987 to current of 4.411%. For planning purposes we have utilized a 2% interest rate which calculates to an annual payment of 24,041.60. Total interest to be paid over the life of the loan will be approximately \$21,783.58 or \$3,111.94 per year.

Recommendation

Staff recommends authorizing of entering into a contract to purchase one Type 1 ambulance from Braun NW for \$155,597.

Tom Kennelly
Fire Chief

Manufacturers of Ambulances

Braun Northwest	Chehalis, WA
Horton	Grove City, OH
Life Line	Summer, IA
McCoy Miller/Marque	Elkhart, IN
Road Rescue	Winter Park, FL
Wheeled Coach	Orlando, FL



BID OPENING AND TABULATION SHEET
 CITY OF WHITEFISH
 FIRE AMBULANCE

Attendance: See attached sheet

BID OPENING: Friday, April 26, 2013 at 3:00 p.m.

Bidder: Sawtooth Emergency Vehicles Bidder: Braun Northwest Bidder: _____ Bidder: _____
 Address: 7805 Pinto Dr. Shepherd, MT 59079 Address: 150 N. Star Dr Inc Chehalis, WA 98532 Address: (North Star Dr) Address: _____

Bid Bond? did not bid yes 10% of bid with P/A _____ _____ _____
 Apparatus Body Price as Proposed \$ _____ \$ 118,252.00 \$ _____ \$ _____
 Chassis Price As Proposed \$ _____ \$ 37,345.00 \$ _____ \$ _____
 Total Cost of Fire Apparatus \$ _____ \$ 155,597.00 \$ _____ \$ _____
 Delivery Date or Days from Contract Award _____ 200 days _____ _____

Other Costs	Included?		Included?		Included?		Included?		Included?	
Inspection Trip for 2 People	_____	\$ _____	<u>Yes</u>	\$ <u>1300.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Chassis Prepayment - Yes or No and Cost	_____	\$ _____	<u>No</u>	\$ <u>N/A</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Miscellaneous Equipment Package - Included and cost	_____	\$ _____	<u>Yes</u>	\$ <u>4,925.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Performance Bond to be provided - yes or no and cost	_____	\$ _____	<u>Yes</u>	\$ <u>1,650.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Products Liability Insurance - included yes or no and cost	_____	\$ _____	<u>Yes</u>	\$ <u>N/A</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
			<u>Optional</u>	<u>OPTICOM System</u>	<u>\$ 4,925.00</u>					
Total Cost of all items	_____	\$ _____		\$ _____	_____	\$ _____	_____	\$ _____	_____	\$ _____



May 20, 2013

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and Councilors:

Recommendation to Rebid the 3,000 gallon Tender and Type 6 Brush Truck

Introduction/History

The approved FY13 budget included a financial provision to replace the department's 1982, 2000 gallon Tender and its 1978, Brush truck during FY 13.

The process of the researching and preparation of vehicles' proposed specifications was not completed until March of this year. At that time, the Fire Department advertised for bids for manufacture of these two vehicles. In addition to advertising, the bid specifications were mailed to the 8 major manufacturers of Tenders and 6 manufactures of Brush Trucks (Exhibit A). Only one manufacturer, Rosenbauer, chose to submit a proposal for Tender and also placed a bid to manufacture the Brush Truck.

Current Report

Rosenbauer's bid for the manufacture to our specifications of a 3,000 gallon Tender totaled \$344,603. This amount is \$69,603 over the FY 13 budget of \$275,000. Their bid for the manufacture of a Brush Truck meeting our specifications was \$208,045 or \$43,045 over the FY 13 budget of \$165,000.

Financial Requirement

The financial resources for the purchase these vehicles were allocated in the FY13 budget and carried over into the FY 14 proposed budget in the amounts of \$275,000 for the Tender and \$165,000 for the Bruch Truck.

Recommendation

Staff has recommended to the City Manager that the bids for the Tender and Brush Truck be rejected. Staff will revise the specifications for these vehicles to bring them in line with projected budgeted financial resources available, at which time we propose to again issue a request for bids from various manufacturers.

Tom Kennelly
Fire Chief

Exhibit A

Manufacturers of Fire Apparatus (Pumpers and Tenders)

American LaFrance	Summerville, SC
E-One	Ocala, FL
Ferrara	Holden, LA
KME	Nesquehoning, PA
Pierce	Appleton, WI
Rosenbauer	Lyons, SD
Smeal	Snyder, NE
Spartan	Brandon, SD

Manufacturers of Type 6 Brush Trucks

Blanchat Mfg	Harper, KS
Boise Mobile Equipment	Boise, ID
Danko Equipment	Snyder, NE
General Fire	Spokane, WA
Summit Fire Apparatus	Edgewood, KY
Unruh Fire/Rescue	Sedgwick, KS

BID OPENING AND TABULATION SHEET
 CITY OF WHITEFISH
FIRE BRUSH TRUCK

Attendance: See attached sheet

BID OPENING: Friday, April 26, 2013 at 3:00 p.m.

Bidder: General Fire App
 Address: 3904 E Trent Ave
Spokane, WA 99202

Bidder: Moline Inc
 Address: dba Big Sky Fire
207 W Jahnke St
Lewistown, MT 59457

Bidder: _____
 Address: _____

Bidder: _____
 Address: _____

Bidder: _____
 Address: _____

Bid Bond?

Photo Copy - 10% of Bid
with P/A

did not bid

Apparatus Body Price as Proposed

\$ 162,713.00

\$ _____

\$ _____

\$ _____

\$ _____

Chassis Price As Proposed

\$ 45,332.00

\$ _____

\$ _____

\$ _____

\$ _____

Total Cost of Fire Apparatus

\$ 208,045.00

\$ _____

\$ _____

\$ _____

\$ _____

Delivery Date or Days from Contract Award

270 days

Other Costs

Included?

Included?

Included?

Included?

Included?

Inspection Trip for 2 People

Yes \$ 3,000.00

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Chassis Prepayment - Yes or No and Cost

Yes \$ -1840.00

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Miscellaneous Equipment Package - Included and cost

No \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Performance Bond to be provided - yes or no and cost

Yes \$ 1,000.00

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Products Liability Insurance - included yes or no and cost

Yes \$ N/A

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Cost of all items

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

BID OPENING AND TABULATION SHEET
 CITY OF WHITEFISH
 FIRE WATER TENDER

Attendance: See attached sheet

BID OPENING: Friday, April 26, 2013 at 3:00 p.m.

Bidder: <u>Pierce mfg</u>	Bidder: <u>General Fire App</u>	Bidder: <u>Moline, Inc</u>	Bidder: _____	Bidder: _____
Address: <u>PO Box 72017</u>	Address: <u>3904 E Trent Ave</u>	Address: <u>dba Big Sky Fire</u>	Address: _____	Address: _____
<u>Appleton, WI 54912</u>	<u>Spokane, WA 99202</u>	<u>207 W Janeaux St</u>	_____	_____
		<u>Lewistown, MT 59457</u>		

Bid Bond?	<u>did not bid</u>	<u>yes 10% of Bid with P/A</u>	<u>did not bid</u>	_____	_____
Apparatus Body Price as Proposed	\$ _____	\$ <u>222,571.00</u>	\$ _____	\$ _____	\$ _____
Chassis Price As Proposed	\$ _____	\$ <u>122,032.00</u>	\$ _____	\$ _____	\$ _____
Total Cost of Fire Apparatus	\$ _____	\$ <u>344,603.00</u>	\$ _____	\$ _____	\$ _____
Delivery Date or Days from Contract Award	_____	<u>295 days</u>	_____	_____	_____

Other Costs	Included?		Included?		Included?		Included?		Included?	
Inspection Trip for 2 People	_____	\$ _____	<u>yes</u>	\$ <u>2400.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Chassis Prepayment - Yes or No and Cost	_____	\$ _____	<u>yes</u>	\$ <u>-4600.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Miscellaneous Equipment Package - Included and cost	_____	\$ _____	<u>yes</u>	\$ <u>10,000.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Performance Bond to be provided - yes or no and cost	_____	\$ _____	<u>yes</u>	\$ <u>1700.00</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Products Liability Insurance - included yes or no and cost	_____	\$ _____	<u>yes</u>	\$ <u>Included</u>	_____	\$ _____	_____	\$ _____	_____	\$ _____
Total Cost of all items	_____	\$ _____		\$ _____	_____	\$ _____	_____	\$ _____	_____	\$ _____

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May 13, 2013

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and Councilors

Recommendation to Award a Contract for the Dodger Lane Construction Project

Introduction/History

The Public Works Department opened bids for the Dodger Lane Construction Project on May 10th. This memo is to recommend the City Council award a construction contract to the low bidder, Schellinger Construction, in the amount of \$229,794.

This project was discussed at the February 4th City Council meeting and Public Works was directed to proceed with design. In the short term, the new street will provide continued access for the Armory Road and East 2nd Street neighborhoods during the East 2nd Street Reconstruction Project in 2014. Water main looping and improved traffic circulation will continue to provide benefits into the future.

Current Report

The scope of work involves new construction of a previously undeveloped portion of Dodger Lane between Wedgewood Lane and the short section of Veteran's Way north of Armory Road. Other elements include a new water main to provide looping between Armory Road and East 2nd Street, storm drainage improvements, a bike path along the new road section and utility services for new restrooms in Armory Park.

Five bids were received from local contractors, with 4 bids below and 1 bid above the engineer's estimate of \$327,312. The second lowest bid was within 13% of the low bid, support the case for \$229,794 as a reliable number.

Work is scheduled to begin on June 24th and be completed by the end of July.

Financial Requirement

This project involves new infrastructure and, as such, is not eligible for Resort Tax infrastructure funds. Elements of the project include the new roadway, a new water main, storm drainage facilities and parks amenities, such as a new roadside bicycle/pedestrian path and utility services for the new Armory Park restrooms. We propose to divide these construction costs accordingly, based on the contractor's bid prices, as follows:

Street	114,490
Water	63,743
Stormwater	19,501
Parks	<u>32,060</u>
Total	\$229,794

These costs would be incurred in the coming fiscal year and adequate funds are included in the FY14 Preliminary Budget.

Recommendation

We respectfully recommend the City Council award a contract for the Dodger Lane Construction Project to Schellinger Construction in the amount of \$229,794.

Sincerely,



John C. Wilson
Public Works Director





SUMMARY OF BIDS
DODGER LANE CONSTRUCTION PROJECT
WHITEFISH, MT

Bid Opening Date / Time / Location:
 May 10, 2013 @ 11:30 am
 City Hall, Whitefish, Montana

	Acknowledged Addendum No. 1	Acknowledged Addendum No. 2	Bid Bond	MT Contractors Registration No.	BASE BID	Apparent Low Bidder
Engineer's Estimate	n/a	n/a	n/a	n/a	\$327,312.00	
NCC Neumann	Yes	Yes	Yes	Yes	316,356 ⁰⁰	
LHC Inc.	Yes	Yes	Yes	Yes	285,250 ⁰¹	
Sandry Const	Yes	Yes	Yes	Yes	259,188 ⁰⁰	
Schelling Const	Yes	Yes	Yes	Yes	229,794 ⁰⁰	X
Knife River	Yes	Yes	Yes	Yes	346,464 ⁵⁰	

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MANAGER REPORT

May 15, 2013



WAYFINDING SIGNS UPDATE

Mild Fence has begun installing the foundations for the decorative posts for the wayfinding signs, but we are still waiting for delivery of the breakaway nuts that go on the foundations. I picked up all but five of the Wayfinding Signs in Billings this past Monday on my way back from a conference in Jackson, WY. Given that the truck I drove would not carry all of the signs, Epcon graciously let me borrow an enclosed trailer for hauling the signs. As soon as the breakaway nuts are delivered, the posts and signs can go up quickly.

ISO RATING FOR FIRE PROTECTION AND FIRE INSURANCE RATES

We recently received our new and update Insurance Services Office (ISO) rating for our fire protection class. The ISO evaluates every fire department in the nation every few years and then assigns them a public protection classification which is used to set property and fire insurance rates for properties in cities and rural areas. We will remain a Class 4 rating which is what we were before. The Whitefish Fire Service Area (WFSA) goes from a 4/8B rating to a 6/10 rating which is a downgrade because of a lack of volunteer fire stations in some of the developing areas surrounding Whitefish. The cover letter and some summary pages from their document are included in the packet. Maintaining the 4 Classification should mean no change to property and fire insurance rates inside the City, but insurance rates will increase outside the City in the WFSA.

RESORT TAXES

Resort tax collections for March were up by \$24,077 or 24% compared to March of 2012 which is a very strong increase. For the year to date, collections have increased by \$151,130 or 10.9% over the same nine month period last year. A table and graphic showing recent trends is in the packet.

WHITEFISH WEST PROJECT

The Montana Department of Transportation has established a webcam for the project and it is located at <http://www.montanadotwebcams.com/silver.htm> .

You need to click on the Whitefish picture on the right hand side of the webpage in order to access the Whitefish project camera.

LETTER AWARDING THE CITY A RRGL GRANT FOR A NUTRIENT TRADING PROJECT

We received a letter from the Montana Department of Natural Resources last week indicating that our application for a RRGL grant of \$100,000 for a nutrient trading project at our Wastewater Treatment Plant was funded by the 2013 Legislature and signed by Governor Bullock. A copy of the letter is in the packet with this report.

The grant will fund an engineering study and evaluation of establishing a nutrient trading program for our wastewater treatment plant which is acceptable to the State. Examples of possible nutrient trading options are:

- Doing erosion control projects to reduce sedimentation into the Whitefish River
- Accepting sludge hauling into our wastewater treatment plant
- Connecting more septic systems onto our central wastewater treatment system
- Other ways to diminish non-point water pollution sources for the Whitefish River and Flathead Lake

All of the areas studies would be to reduce nitrogen, phosphorus, and ammonia concentrations in the Whitefish River and Flathead Lake. For implementing any nutrient trading program, we would expect to receive reductions or credits for our upcoming wastewater discharge permit from the State.

MEETINGS

GOSCMA (5/8-5/10) - I attended the annual Great Open Spaces City Manager Association (GOSCMA) meeting in Jackson, WY last week. GOSCMA is a regional group of the International City Managers Association for North and South Dakota, Montana, Wyoming, and Idaho. A copy of the agenda is attached. The best session was on the Jackson Hole air service program where business throughout the area provide annual funding for airline minimum revenue guaranties in order to increase airline flights to the area. Whitefish was awarded the hosting of the 2015 GOSCMA meeting – usually 20 – 40 City Managers attend this annual, regional meeting.

UPCOMING SPECIAL EVENTS

Tuesday, May 28th – first downtown farmers’ market at Depot Park

Tuesday, May 28th at 6:00 p.m. – Budget work session in Council Conference Room

REMINDERS

Monday, May 27th – Memorial Day holiday – City Hall closed

Respectfully submitted,

A handwritten signature in blue ink that reads "Chuck Stearns". The signature is written in a cursive style with a large initial 'C'.

Chuck Stearns
City Manager



4 B Eves Drive, Suite 200
P.O. Box 961
Marlton, NJ 08053-3112

t 856.985.5600
f 856.810.9065

April 29, 2013

Mr. Chuck Stearns, City Manager
City of Whitefish
P.O. Box 158
Whitefish, MT 59937

RE: Whitefish and Whitefish FD FPSA, Flathead County, MT
Public Protection Classification: 4, 4/10
Prior Public Protection Classification: 4
Effective Date: August 1, 2013

Dear City Manager Stearns:

We wish to thank you, Fire Chief J. Thomas Kennelly, Water Superintendent Greg Action and others for your cooperation during our recent Public Protection Classification (PPC™) survey. Insurance Services Office (ISO®) has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

Enclosed is a summary of the ISO analysis of your fire suppression services. If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting, and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.



AIR WORLDWIDE

XACTWARE

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial, and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

Thomas Geibel

Thomas Geibel, CFPS

Email: tgeibel@iso.com

Office: (312) 206-4186

Fax: (856) 985-2511

Encl.

cc: Chief J. Thomas Kennelly, Fire Chief, City of Whitefish
Mr. Greg Action, Water Superintendent, City of Whitefish
Mr. Calvin Beringer, Communications Director, Flathead 911 Emergency
Mr. Duddley Mahler, President, Whitefish FD
Mr. Mark Musinger, Water Operator, Iron Horse
Mr. Mark Musinger, Water Operator, Lion Mountain
Mr. Mark Musinger, Water Operator, Happy Valley Water
File

Background Information

Introduction

ISO collects and evaluates information from communities in the United States on their structure fire suppression capabilities. The data is analyzed using our Fire Suppression Rating Schedule (FSRS™) and then a Public Protection Classification (PPC™) number is assigned to the community. The surveys are conducted whenever it appears that there is a possibility of a classification change. As such, the PPC program provides important, up-to-date information about fire protection services throughout the country.

The Fire Suppression Rating Schedule (FSRS) recognizes fire protection features only as they relate to suppression of first alarm structure fires. In many communities, fire suppression may be only a small part of the fire department's overall responsibility. ISO recognizes the dynamic and comprehensive duties of a community's fire service, and understands the complex decisions a community must make in planning and delivering emergency services. However, in developing a community's Public Protection Classification, only features related to reducing property losses from structural fires are evaluated. Multiple alarms, simultaneous incidents and life safety are not considered in this evaluation. The PPC program evaluates the fire protection for small to average size buildings. Specific properties with a Needed Fire Flow in excess of 3,500 gpm are evaluated separately and assigned an individual classification.

A community's investment in fire mitigation is a proven and reliable predictor of future fire losses. Statistical data on insurance losses bears out the relationship between excellent fire protection – as measured by the PPC program – and low fire losses. So, insurance companies use PPC information for marketing, underwriting, and to help establish fair premiums for homeowners and commercial fire insurance. In general, the price of fire insurance in a community with a good PPC is substantially lower than in a community with a poor PPC, assuming all other factors are equal.

ISO is an independent company that serves insurance companies, communities, fire departments, insurance regulators, and others by providing information about risk. ISO's expert staff collects information about municipal fire suppression efforts in communities throughout the United States. In each of those communities, ISO analyzes the relevant data and assigns a Public Protection Classification – a number from 1 to 10. Class 1 represents an exemplary fire suppression program, and Class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.

ISO's PPC program evaluates communities according to a uniform set of criteria, incorporating nationally recognized standards developed by the National Fire Protection Association and the American Water Works Association. A community's PPC depends on:

- **Needed Fire Flows**, which are representative building locations used to determine the theoretical amount of water necessary for fire suppression purposes.
- **Receiving and Handling Fire Alarms**, including telephone systems, telephone lines, staffing, and dispatching systems.
- **Fire Department**, including equipment, staffing, training, and geographic distribution of fire companies.
- **Water Supply**, including condition and maintenance of hydrants, alternative water supply operations, and a careful evaluation of the amount of available water compared with the amount needed to suppress fires up to 3,500 gpm.

Data Collection and Analysis

ISO has evaluated and classified over 48,000 fire protection areas across the United States using its Fire Suppression Rating Schedule (FSRS). A combination of meetings between trained ISO field representatives and the dispatch center coordinator, community fire official, and water superintendent is used in conjunction with a comprehensive questionnaire to collect the data necessary to determine the PPC number. In order for a community to obtain a classification better than a Class 9, three elements of fire suppression features are reviewed. These three elements are Receiving and Handling Fire Alarms, Fire Department and Water Supply.

A review of the **Receiving and Handling Fire Alarms** fire alarm and communication system accounts for 10% of the total classification. The review focuses on the community's facilities and support for handling and dispatching fire alarms. This section is weighted at **10 points**, as follows:

- Telephone Service 2 points
- Number of Needed Operators 3 points
- Dispatch Circuits 5 points

A review of the **Fire Department** accounts for 50% of the total classification. ISO focuses on a fire department's first alarm response and initial attack to minimize potential loss. In this section, ISO reviews such items as engine companies, ladder or service companies, distribution of fire stations and fire companies, equipment carried on apparatus, pumping capacity, reserve apparatus, department personnel, and training. The fire department section is weighted at **50 points**, as follows:

- Engine Companies 10 points
- Reserve Pumpers 1 point
- Pumper Capacity 5 points
- Ladder/Service Companies 5 points
- Reserve Ladder/Service Trucks 1 point
- Distribution of Companies 4 points
- Company Personnel 15 points
- Training 9 points

A review of the **Water Supply** system accounts for 40% of the total classification. ISO reviews the water supply a community uses to determine the adequacy for fire suppression purposes. Hydrant size, type, and installation is also considered, as well as the inspection frequency and condition of fire hydrants. The water supply system is weighted at **40 points**, as follows:

- Credit for Supply System 35 points
- Hydrant Size, Type & Installation 2 points
- Inspection/Condition of Hydrants 3 points

There is one additional factor considered in calculating the final score – **Divergence**.

Even the best fire department will be less than fully effective if it has an inadequate water supply. Similarly, even a superior water supply will be less than fully effective if the fire department lacks the equipment or personnel to use the water. The FSRs score is subject to modification by a divergence factor, which recognizes disparity between the effectiveness of the fire department and the water supply.

The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores. The factor is introduced in the final equation.

Public Protection Classification Number

The PPC number assigned to the community will depend on the community's score on a 100-point scale:

PPC	Points
1	90.00 or more
2	80.00 to 89.99
3	70.00 to 79.99
4	60.00 to 69.99
5	50.00 to 59.99
6	40.00 to 49.99
7	30.00 to 39.99
8	20.00 to 29.99
9	10.00 to 19.99
10	0.00 to 9.99

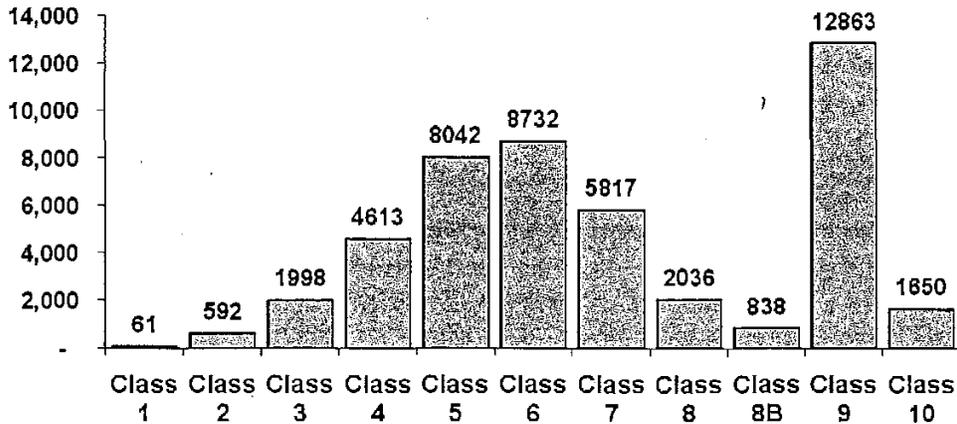
The classification numbers are interpreted as follows:

- Class 1 through (and including) Class 8 represents a fire suppression system that includes an FSRs creditable dispatch center, fire department, and water supply.
- Class 8B is a special classification that recognizes a superior level of fire protection in otherwise Class 9 areas. It is designed to represent a fire protection delivery system that is superior except for a lack of a water supply system capable of the minimum FSRs fire flow criteria of 250 gpm for 2 hours.
- Class 9 is a fire suppression system that includes a creditable dispatch center, fire department but no FSRs creditable water supply.
- Class 10 does not meet minimum FSRs criteria for recognition.

Distribution of Public Protection Classification Numbers

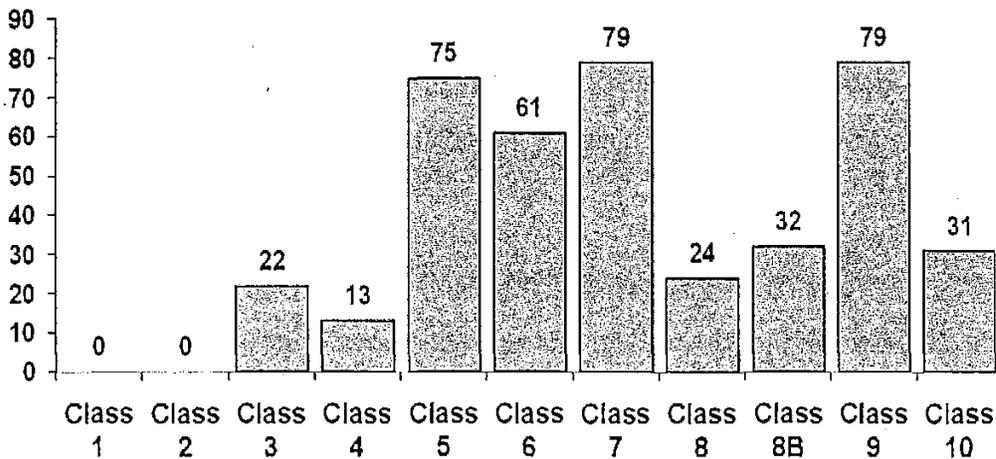
The 2011 published countrywide distribution of communities by the Public Protection Classification number is as follows:

Countrywide



The 2011 published statewide distribution of communities by the Public Protection Classification number is as follows:

Montana



Assistance

The PPC program offers help to communities, fire departments and other public officials as they plan for, budget, and justify improvements. ISO is also available to assist in the understanding of the details of this evaluation.

ISO Public Protection representatives can be reached by telephone at (800) 444-4554. The technical specialists at this telephone number have access to the details of this evaluation and can effectively speak with you about your PPC questions. What's more, we can be reached via the internet at www.isomitigation.com/talk/.

We also have a website dedicated to our Community Hazard Mitigation Classification programs at www.isomitigation.com. Here, fire chiefs, building code officials, community leaders and other interested citizens can access a wealth of data describing the criteria used in evaluating how cities and towns are protecting residents from fire and other natural hazards. This website will allow you to learn more about ISO's Public Protection Classification program. The website provides important background information, insights about the PPC grading processes and technical documents. ISO is also pleased to offer Fire Chiefs Online — a special secured website with information and features that can help improve your ISO Public Protection Classification, including a list of the Needed Fire Flows for all the commercial occupancies ISO has on file for your community. Visitors to the site can download information, see statistical results and also contact ISO for assistance.

In addition, on-line access to the Fire Suppression Rating Schedule and its commentaries is available to registered customers for a fee. However, fire chiefs and community chief administrative officials are given access privileges to this information without charge.

To become a registered fire chief or community chief administrative official, register at www.isomitigation.com.

Classification Details

Public Protection Classification

ISO concluded its review of the fire suppression features being provided for/by Whitefish and Whitefish FD FPSA. The resulting community classification is **Class 4/10**.

If the classification is a single class, the classification applies to properties with a Needed Fire Flow of 3,500 gpm or less in the community. If the classification is a split class (e.g., 6/9), the following applies:

- The first class (e.g., "6" in a 6/9) applies to properties within 5 road miles of a recognized fire station and within 1,000 feet of a fire hydrant or alternate water supply.
- Class 8B or class 9 applies to properties beyond 1,000 feet of a fire hydrant but within 5 road miles of a recognized fire station.
- Alternative Water Supply: The first class (e.g., "6" in a 6/10) applies to properties within 5 road miles of a recognized fire station with no hydrant distance requirement.
- Class 10 applies to properties over 5 road miles of a recognized fire station.
- Specific properties with a Needed Fire Flow in excess of 3,500 gpm are evaluated separately and assigned an individual classification.

Summary Evaluation Analysis

The following points represent the analysis of the application of the criteria outlined in the FSRS of four topics– Receiving and Handling Fire Alarms, Fire Department, Water Supply, and the Divergence factor for Whitefish and Whitefish FD FPSA:

FSRS Feature	Earned Credit	Credit Available
Receiving and Handling Fire Alarms		
414. Credit for Telephone Service	2.00	2
422. Credit for Operators	3.00	3
432. Credit for Dispatch Circuits	3.00	5
440. Credit for Receiving and Handling Fire Alarms	8.00	10
Fire Department		
513. Credit for Engine Companies	8.92	10
523. Credit for Reserve Pumpers	0.57	1
532. Credit for Pumper Capacity	5.00	5
549. Credit for Ladder Service	1.66	5
553. Credit for Reserve Ladder and Service Trucks	0.20	1
561. Credit for Distribution	1.19	4
571. Credit for Company Personnel	3.89	15
580. Credit for Training	6.39	9
590. Credit for Fire Department	27.82	50
Water Supply		
616. Credit for Supply System	31.24	35
621. Credit for Hydrants	1.98	2
631. Credit for Inspection and Condition	0.68	3
640. Credit for Water Supply	33.90	40
Divergence	-5.82	--
Total Credit	63.90	100

General Information

To determine the Total Credit, the points for Receiving and Handling Fire Alarms, Fire Department and Water Supply are added together and the Divergence factor is applied. To establish the points for each category, FSRs items labeled as "Credit for..." are totaled. These particular items are intermediate values. Usually these intermediate values are based upon a 100-point scale, but they can be different. The ratios between the actual points scored in each of these sub-items and the points available for full credit are then multiplied by the points available for the sub-item.

For instance, Item 414 "Credit for Telephone Service (CTS)" is valued at 2 points. To determine the credit earned, the totals for Item 411 "Review of Telephone Lines (TL)", Item 412 "Review of Telephone Directory (TD)", and Item 413 "Review of Recording Device (RD)" are summed. In Item 411, up to 60 points can accrue; Item 412 has a combined value of 20 points; and 20 points are available for Item 413. The sum of these three Items is divided by 100 and then multiplied by the 2 point weight in Item 414 to determine the final score for "Credit for Telephone Service (CTS)".

The formula for Item 414 "Credit for Telephone Service (CTS)" looks like this:

$$CTS = \frac{TS}{100} \times 2$$

Where $TS = TL + TD + RD$

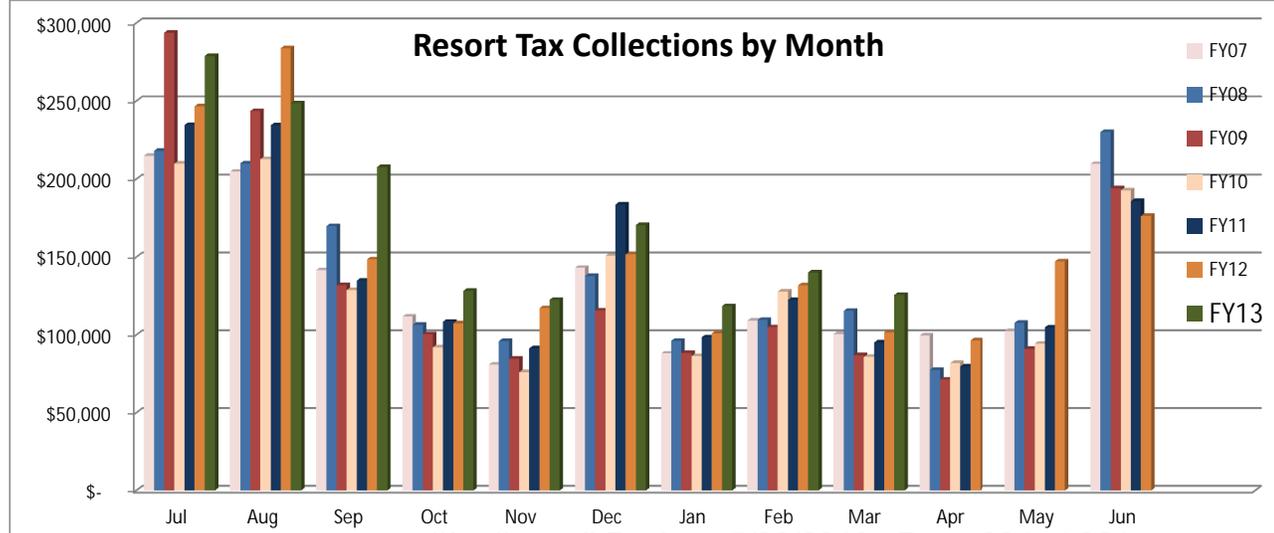
Detailed Evaluation Analysis

On the following pages are the details of the evaluation of each category for Whitefish and Whitefish FD FPSA. These details relate only to the fire insurance classification for this jurisdiction. They are not for property loss prevention or life safety purposes and no life safety or property loss recommendations are made.

At the end of the detailed analysis the relative class is indicated. The relative class represents the classification each category would have achieved if the individual score was translated into a 100-point scale instead of the points available for that category.

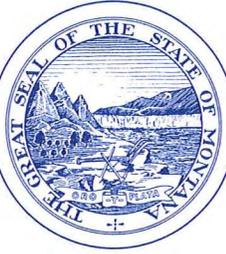
Resort Tax Report
Reported in the Month Businesses Paid Tax

Month/Year	Lodging	Bars & Restaurants		Retail	Collected	% Chng Mnth to Pr Yr Mnth	% Chng Quarter to Pr Yr Quarter	Interest	Total
		Restaurants	Restaurants						
Mar-08	17,572	48,029		49,807	115,408			2,989	118,398
Mar-09	10,473	39,270		37,117	86,860	-25%	-12.7%	1,447	88,306
Jan-10	6,901	39,401		40,031	86,333	-2%		3,120	89,452
Feb-10	14,100	46,850		66,910	127,860	22%		1,444	129,304
Mar-10	7,178	32,891		45,796	85,865	-1%	7.1%	1,500	87,365
Total FY10	\$ 245,171	\$ 563,798		\$ 730,393	\$ 1,539,362	Compared to Prv Yr		\$ 53,679	\$ 1,593,041
FY09 vs FY10	-9.0%	-4.1%		-2.6%	-4.2%	or	-4.2%	TaxableSalesFY10	\$ 81,019,064
						\$	(67,489)		
Jan-11	8,686	40,117		49,679	98,482	14%		1,276	99,758
Feb-11	15,283	51,605		55,478	122,365	-4%		1,151	123,516
Mar-11	12,010	40,790		42,246	95,046	11%	5.3%	1,363	96,409
Apr-11	7,571	35,595		36,466	79,633	-3%		1,407	81,040
May-11	12,083	47,608		45,096	104,788	11%		1,386	106,174
Jun-11	27,106	60,935		97,797	185,838	-4%	0.3%	1,377	187,215
Total FY11	\$ 274,688	\$ 651,321		\$ 747,615	\$ 1,673,624	Compared to Prv Yr		\$ 38,004	\$ 1,711,629
FY10 vs FY11	12.0%	15.5%		2.4%	8.7%	or	8.7%	TaxableSalesFY11	\$ 88,085,492
						\$	134,262		
Jul-11	56,106	90,212		100,325	246,642	5%		\$ 979	\$ 247,621
Aug-11	85,621	91,408		106,860	283,889	21%		7,833	291,722
Sep-11	28,154	58,830		61,535	148,519	10%	12.4%	593	149,112
Oct-11	17,944	45,919		43,610	107,473	-1%		496	107,969
Nov-11	14,351	39,054		63,758	117,162	28%		479	117,641
Dec-11	16,531	51,195		84,000	151,726	-17%	-1.9%	526	152,252
Jan-12	10,032	44,089		46,905	101,026	3%		515	101,541
Feb-12	14,585	56,427		60,780	131,793	8%		578	132,371
Mar-12	11,008	42,952		47,682	101,643	7%	5.9%	557	102,200
Total 8 Months	243,324	477,133		567,773	1,389,873				
Apr-12	9,353	39,367		47,657	96,377	21%		610	96,987
May-12	15,461	51,207		80,526	147,194	40%		6,993	154,187
Jun-12	35,584	68,403		72,472	176,460	-5%	13.4%	625	177,085
Total FY12	\$ 314,731	\$ 679,063		\$ 816,110	\$ 1,809,903	Compared to Prv Yr		\$ 20,785	\$ 1,830,688
FY11 vs FY12	15%	4%		9%	8%	or	8.1%	TaxableSalesFY12	\$ 95,258,076
						\$	136,279		
Jul-12	69,418	94,341		115,149	278,908	13%		\$ 643	\$ 279,551
Aug-12	53,361	92,463		102,812	248,636	-12%		444	249,080
Sep-12	57,000	77,503		73,232	207,734	40%	8.3%	533	208,267
Oct-12	24,519	54,631		49,137	128,288	19%		434	128,722
Nov-12	8,099	40,326		74,122	122,547	5%		393	122,941
Dec-12	15,490	66,046		88,956	170,492	12%	11.9%	363	170,855
Jan-13	13,152	51,930		53,396	118,478	17%		413	118,891
Feb-13	18,023	55,180		66,995	140,198	6%			
Mar-13	16,171	56,231		53,318	125,720	24%	14.9%		
Total FY13	\$ 275,233	\$ 588,652		\$ 677,117	\$ 1,541,003	YTD Compared to Last Year		\$ 3,223	\$ 1,278,307
YTD vs Last Year	8.2%	13.2%		10.0%		or	10.9%	TaxableSalesFY13	\$ 81,105,408
FY13 % of Collections	18%	38%		44%		\$	151,130		
Grand Total	\$ 3,900,243	\$ 8,231,473		\$ 10,006,561	\$ 22,138,276			\$ 746,191	\$ 19,510,104
% of Total Collections	18%	37%		45%					3.4% Average i since '96



Total Taxable Sales Since 1996	\$ 1,165,172,447
Total Collected	\$ 23,303,449
5% Admin	\$ 1,165,172
Public Portion	\$ 22,138,276

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



STEVE BULLOCK, GOVERNOR

1625 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE: (406) 444-2074
FAX: (406) 444-2684

May 8, 2013

PO BOX 201601
HELENA, MONTANA 59620-1601

Charles Stearns
City of Whitefish
418 E Second Street
Whitefish, MT 59937

RE: Whitefish Nutrient Reduction Plan

Dear Charles:

Congratulations! We are pleased to announce that House Bill 6 from the 63rd legislative session was recently signed by the Governor and your project was awarded funding for a Renewable Resource Grant. The Legislature appropriated \$8.9 million for renewable resource grants in House Bill 6 and as a result we will be able to fund 90 projects. Enclosed is a ranked list illustrating the funded projects.

Prior to beginning any work that would be reimbursed with grant funds, a grant agreement between you, the project sponsor and the Department of Natural Resources and Conservation must be prepared and agreed upon by both parties. A grant manager from DNRC will be assigned in the next few weeks and you will be contacted by them. The grant manager will request an updated scope of work, budget and time line for the contract to be negotiated.

We look forward to working with you on your project. Please feel free to contact me at 444-6839 if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Pam".

Pam Smith
Program Manager, RRGL

Cc: Karin Hilding File
418 E Second Street
Whitefish, MT 59937

DIRECTOR'S
OFFICE
(406) 444-2074

CONSERVATION & RESOURCE
DIVISION
(406) 444-6667

RESERVED WATER RIGHTS
COMPACT COMMISSION
(406) 444-6841

OIL & GAS
DIVISION
(406) 444-6675

TRUST LAND MANAGEMENT
DIVISION
(406) 444-2074

2012 RRGL Grant Applications - ranked by Total Score

Rank	Title	Amount Recommended	Cumulative
1	Racetrack Water Users Association: Water Efficiency and	\$100,000	\$100,000
2	South Wind Water and Sewer District Improvements	\$100,000	\$200,000
3	Craig Wastewater System Improvements	\$100,000	\$300,000
4	Forsyth Wastewater System Improvements	\$100,000	\$400,000
5	Clark Fork Diversion Rehabilitation Project	\$100,000	\$500,000
6	Swamp Creek Siphon Project	\$100,000	\$600,000
7	Miles City Wastewater System Improvements, Phase 2	\$100,000	\$700,000
8	Alberton Wastewater Project	\$100,000	\$800,000
9	Richland County- Savage Wastewater System Improvem	\$100,000	\$900,000
10	Dawson County-West Glendive Wastewater System Imp	\$100,000	\$1,000,000
11	Fort Benton Wastewater System Improvements	\$100,000	\$1,100,000
12	Belt Wastewater System Improvements	\$100,000	\$1,200,000
13	Vaughn Wastewater System Improvements	\$100,000	\$1,300,000
14	Dodson South Canal Head Gate Replacement Project	\$100,000	\$1,400,000
15	Park County Fairgrounds Wastewater System Improvem	\$100,000	\$1,500,000
16	BRID Siphon 1 - Phase 4 Improvements Project	\$100,000	\$1,600,000
17	Cut Bank Wastewater System Improvements	\$100,000	\$1,700,000
18	Ward Irrigation District Lost Horse Creek/Ward Canal Im	\$100,000	\$1,800,000
19	Glendive Wastewater System Improvements	\$100,000	\$1,900,000
20	Harlowton Wastewater System Improvements	\$100,000	\$2,000,000
21	Lockwood ID Intake Canal Headgate Replacement Projec	\$100,000	\$2,100,000
22	Pioneer Ditch Company Irrigation Diversion Rehabilitat	\$100,000	\$2,200,000
23	Glen Lake Irrigation District Rolling Hills Section of the M	\$100,000	\$2,300,000
24	Beaver Creek Dam Outlet Works Rehabilitation	\$98,321	\$2,398,321
25	Winnett Wastewater	\$100,000	\$2,498,321
26	East Fork Rock Creek Main Canal Lining Project	\$99,939	\$2,598,260
27	Boulder Wastewater System Improvements	\$100,000	\$2,698,260
28	White Sulphur Springs Wastewater Improvements Proje	\$100,000	\$2,798,260
29	Helena Valley ID Pump Automation Project	\$100,000	\$2,898,260
30	Buffalo Rapids 1 Lateral 20.6 Conversion Project	\$100,000	\$2,998,260
31	City of Whitefish Nutrient Reduction Plan	\$100,000	\$3,098,260
32	Fort Peck Tribes Phase 2 Lateral L-2M Rehabilitation Pro	\$100,000	\$3,198,260
33	Bigfork Stormwater Project-Phase IV	\$100,000	\$3,298,260
34	Three Forks Wastewater System Improvements	\$100,000	\$3,398,260
35	Libby Flower Creek Dam Water System Improvements	\$100,000	\$3,498,260
36	Frenchtown Irrigation District: Main Canal Lining Project	\$99,978	\$3,598,238
37	Replacement Headgates for the Deadman's Basin Supply	\$100,000	\$3,698,238
38	Cooney Dam Outlet Canal Weir Replacement and Autom	\$100,000	\$3,798,238
39	Kohrs and Manning Ditch Company Infrastructure Impro	\$100,000	\$3,898,238
40	Aquatic Invasive Species Prevention Project,Aquatic Inva	\$100,000	\$3,998,238
41	Dutton Water System Improvements	\$100,000	\$4,098,238
42	Fairfield Wastewater System Improvements	\$100,000	\$4,198,238
43	Buffalo Rapids 2 Terry Pump Station Discharge Line	\$100,000	\$4,298,238
44	Choteau Wastewater System Improvements, Phase 2	\$100,000	\$4,398,238
45	Daly Ditches Irrigation District Preservation and Conserv	\$100,000	\$4,498,238
46	Toston ID Toston Canal Rehabilitation Project	\$100,000	\$4,598,238
47	Darlington Creek Enhancement Project at Cobblestone F	\$100,000	\$4,698,238
48	Missoula Conservation District Orchard Homes Ditch Co	\$100,000	\$4,798,238
49	Missoula Irrigation District Water Conservation Project	\$100,000	\$4,898,238
50	Valier Wastewater System Improvements	\$100,000	\$4,998,238
51	Ft Belknap Main Canal A Underdrain Rehabilitation Proj	\$100,000	\$5,098,238
52	Bozeman Creek at Bogert Park Enhancement Project	\$100,000	\$5,198,238
53	Hamilton Wastewater System Improvements, Phase 2	\$100,000	\$5,298,238
54	Lodge Grass Wastewater System Improvements	\$100,000	\$5,398,238
55	Pondera County Canal and Reservoir Companay KB2 Can	\$100,000	\$5,498,238
56	Manhattan Water System Improvements	\$100,000	\$5,598,238
57	Muddy Creek Wastewater and Erosion Reduction	\$100,000	\$5,698,238
58	An Algae Bioremediation System for Acidic Industrial Wa	\$99,882	\$5,798,120
59	Black Eagle Wastewater System Improvements	\$99,407	\$5,897,527
60	Stevensville Wastewater System Improvements, Phase 2	\$100,000	\$5,997,527
61	City of Havre Wastewater System Improvements	\$100,000	\$6,097,527
62	Elk Meadows Ranchettes County Water District Water S	\$100,000	\$6,197,527
63	Cascade Water System Improvements	\$100,000	\$6,297,527
64	Moore Wastewater System Improvements	\$100,000	\$6,397,527
65	Big Timber Creek Channel Stabilization Project - Phase II	\$100,000	\$6,497,527
66	Roundup Water System Improvements	\$100,000	\$6,597,527

2012 RRGL Grant Applications - ranked by Total Score

Rank	Title	Amount Recommended	Cumulative
67	CMR Range Monitoring Pilot Project	\$99,994	\$6,697,521
68	Jefferson Canal Headgate Improvements, Jefferson Cana	\$100,000	\$6,797,521
69	Phillipsburg Water System Improvements	\$100,000	\$6,897,521
70	Phase 2, Groundwater Surface Water Interaction@Phase	\$100,000	\$6,997,521
71	Sunny Hills WSD Water System Improvements	\$100,000	\$7,097,521
72	Drummond Wastewater System Improvements	\$100,000	\$7,197,521
73	Evaluating the Influence of Irrigation on Groundwater Q	\$100,000	\$7,297,521
74	Joliet Wastewater System Improvements	\$100,000	\$7,397,521
75	Malta Water System Improvements	\$100,000	\$7,497,521
76	Grayling Creek Stream and Riparian Restoration and Par	\$75,000	\$7,572,521
77	East Brewer Irrigation Check Structure Rehabilitation an	\$100,000	\$7,672,521
78	Moore's Creek Culvert Replacement	\$100,000	\$7,772,521
79	2012 Infill Drilling and Piezometer Installation Project: E	\$95,580	\$7,868,101
80	Hamilton Water System Improvements, Well 5	\$100,000	\$7,968,101
81	Plevna Water System Improvements	\$100,000	\$8,068,101
82	Assessing the Groundwater Resources of the Bedrock Ad	\$100,000	\$8,168,101
83	Greycliff Reach Yellowstone River Stabilization Project, G	\$100,000	\$8,268,101
84	EmKayan WSD Water System Improvements, Phase 2	\$100,000	\$8,368,101
85	Chinook Water System Improvements	\$100,000	\$8,468,101
86	Eureka Water Treatment Improvement Project	\$100,000	\$8,568,101
87	Big Springs Ditch Water Conservation and Spawning Be	\$100,000	\$8,668,101
88	Pinesdale Water System Improvements	\$100,000	\$8,768,101
89	Big Pipestone Creek Remediation	\$99,531	\$8,867,632
90	Fort Shaw ID A-System Modification	\$100,000	\$8,967,632
	TOTAL	\$8,967,632	

2013 ANNUAL GOSCOMA CONFERENCE – JACKSON, WYOMING



Jackson Town Square

Wednesday May 8th

12:00 – 1:30 – Registration

1:30 – 2:00 – Welcome

Steve Golnar, GOSCOMA President

2:00 – 2:45 - Keynote Speaker

Mark Newcomb
Ski Mountaineer and Modern-Day Explorer

Break

3:00 – 4:15 Educational Session 1

Social Media: Connecting Citizens & Leaders
Rose Caiazzo, Steve Foster, Keith Gingery & Charlotte Reynolds

4:30 – 5:30 Social Hour

Wort Hotel – Silver Dollar Bar

5:45 – Dinner

Q Roadhouse
2550 Moose-Wilson Road
Transportation Provided

Thursday May 9th

8:00 – 8:45 – Breakfast & ICMA Update

Chris Anderson, ICMA VP, Mountain Plains Region; City Administrator, Central City, Nebraska

9:00 – 10:30 – Educational Session 2

Dave Childs, ICMA Senior Advisor to GOSCOMA
Leadership in the Next 100 Years – Looking Forward As We Near ICMA's 100th Anniversary

Break

10:45 – 12:00 - Educational Session 3

Dave Childs
Leadership in the Next 100 Years – It Won't Be Us, So How Do We Use Succession Planning To Help Us

12:15 – 2:30 – Lunch & Museum Tour

National Museum of Wildlife Art
Rising Sage Café
Transportation Provided

3:00 – 4:15 – Educational Session 4

Shelley Simonton
Jackson Hole Energy Sustainability Project

5:00 – 7:00 – Dinner

Snake River Brewery
265 South Millward

7:00 – 9:00 - Bowling

Elks Club
270 West Broadway

Friday May 10th

8:00 – 8:45 – Breakfast & ICMA Update

Chris Anderson & Dave Childs
ICMA Credentialing Program

9:00 – 10:00 Educational Session 5

Karl Cooper
Jackson Hole Air

10:15 – 11:15 – GOSCOMA Business Meeting

Welcome to GOSCOMA's Annual Spring Conference in Jackson, Wyoming. Our meetings and lodging will be at the historic Wort Hotel. We have several events scheduled in Jackson during the three day conference but welcome you to extend your stay and enjoy the surrounding amenities.

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PO Box 201800 1515 East 6th Avenue Helena, MT 59620 (406) 444-3115

April 25, 2013

Whitefish City Council
Nine Spokane Avenue
Whitefish, MT 59937

Dear Council Members,

It is a pleasure to let you know that Whitefish Library Director, Joey Kositsky has successfully fulfilled all requirements of the Montana Certification Program for Library Directors, Staff, and Trustees. Joey has been awarded a Library Administrator Track certificate.

This achievement demonstrates commitment to continued learning and dedication to serving the community. Joey's certificate extends through March of 2017.

It is at Joey's request that I am notifying you of this certification award.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stapp". The signature is written in a cursive style.

Jennie Stapp
State Librarian

RESOLUTION NO. 13-____

A Resolution of the City Council of the City of Whitefish, Montana, establishing the Highway 93 West Corridor Plan Steering Committee.

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

Section 1: There is hereby established the Highway 93 West Corridor Plan Steering Committee (the "Committee").

Section 2: The general purpose of the Committee will be to serve as the primary sounding board to work through the planning process with the consultant and members of the public to establish a development policy for the Highway 93 West Corridor study district.

Section 3: The Committee will consist of eleven (11) individuals appointed by the City Council with representation as follows: Two (2) City Council members, one (1) Whitefish City-County Planning Board City representative, one (1) Whitefish City County Planning Board City or County representative, one (1) business owner in the corridor representing resort or recreation interests; one (1) business owner representing commercial or professional interests; two (2) residential owner-occupied property owners; one (1) residential investment or multifamily property owner, one (1) "at large" community member; and one (1) WB-3 (General Business) member. City staff may be appointed as ex officio members. The Committee members shall select a Chairperson from the members of the Committee. The Committee shall appoint one member as Secretary of the Committee, who shall keep minutes of all meetings and submit them to the City Clerk. Six (6) members shall constitute a quorum. The Committee shall meet as often as necessary to accomplish its general purpose, as described above. The Committee shall cease to exist as provided in Section 4.

Section 4: The Committee shall begin its deliberations as soon as practical after creation of the Committee. The Committee shall meet for two hours at a time on at least six occasions, with the dates and times to be determined by the Planning Consultant, WGM Group. The Committee shall be disbanded as of January 1, 2014, or earlier if the City Council completes its consideration of the Committee's report prior to that date.

Section 5: A member of the Committee may be removed by the City Council, after a hearing for misconduct or nonperformance of duty. Absences from three (3) consecutive meetings, including regular and special work sessions, or absences from more than fifty percent (50%) of such meetings held during the calendar year shall constitute grounds for removal. The circumstances of the absences shall be considered by the City Council prior to removal. Any person who knows in advance of his or her inability to attend a specific meeting shall notify the Chairperson of the Committee at least twenty-four (24) hours prior to any scheduled meeting.

Section 6: Any vacancy occurring on the Committee shall be filled in the same

manner that the initial position was filled.

Section 7: The Committee shall not have authority to make any expenditure on behalf of the City or disburse any funds provided by the City or to obligate the City for any funds.

Section 8: The Committee shall have no authority to direct City staff with respect to any matter, but may request information and assistance from City staff.

Section 9: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

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

John M. Muhlfeld, Mayor

ATTEST:

Necile Lorang, City Clerk

Dave & Chuck:

I did a search from my minutes index and also of past minutes and found the following on Selecting Steering Committee Members: The Lighting Committee on this page, Growth Policy update Steering Committee on page 3, State Lands Steering Committee on page 5, Ad Hoc Downtown Infrastructure Committee on page 6, Critical Area Advisory Board on page 7 – Let me know if you want to search-out anything else in more detail - Necile.

Lighting Committee

11-1-04 – Regular Session

6e. Resolution 04-58; Establishing an Ad Hoc Lighting Standards Committee.

Attorney Phelps said at the last meeting Council asked staff to draft a resolution to create an Ad Hoc Lighting committee. He said it is a 7 member committee very similar to the Architectural Review Committee. He said he wasn't sure if the Council intended to have this resolution only apply to new businesses or to also apply to existing businesses. Mayor Feury said he thought that question would be decided by the committee.

Councilor Coughlin offered a motion, seconded by Councilor Phillips-Sullivan, to approve Resolution 04-58; Establishing an Ad Hoc Lighting Standards Committee.

Councilor Muri asked if this was unchartered grounds and Planner Mulcahy said there are many communities who have worked on this issue. Councilor Adams and Councilor Coughlin said they would like to be on the committee.

The motion passed on a 5-1 vote with Councilor Garberg voting in opposition.

1-3-2005 – Special Session

b) Ad Hoc Lighting Standards Committee

Applicant Turner Askew was interviewed.

The Council deferred action until the committee vacancies are advertised again and there is a full slate of applicants for a full committee.

2-22-2005 – Special Session

3. INTERVIEWS/APPOINTMENTS TO COMMITTEES

a) Ad Hoc Lighting Standards Committee

Don Kaltschmidt was present for an interview. Turner Askew had been previously interviewed on January 3, 2005, and Lisa Jones cancelled her interview as she was out of town but expressed her continued interest in serving on this committee. Councilor Coughlin expressed her interest in serving as Council representative to this committee.

Councilor Garberg offered a motion, seconded by Councilor Adams, to appoint Councilor Coughlin, Don Kaltschmidt, Lisa Jones and Turner Askew to serve on the Ad Hoc Lighting Standards Committee. The motion passed unanimously.

City Staff will advertise for the vacancies still left on the committee. Due to the difficulty in getting applications; Staff will also bring back an amendment to Resolution 04-58 giving Council flexibility in filling positions and to expand the timeframe of the Committee.

.....and, **appoint Jan Metzmaker to the Ad Hoc Lighting Standards Committee. The motion passed unanimously.**

1-7-2005 – Regular Meeting**4. CONSENT AGENDA****4c. Resolution 05-06; Amending appointment requirements for the ad Hoc Lighting Standards Committee.****RESOLUTION NO. 05- 06****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, AMENDING RESOLUTION NO. 04-58, WHICH CREATED AN AD HOC LIGHTING STANDARDS COMMITTEE.**

WHEREAS, on November 1, 2004, the Whitefish City Council adopted Resolution No. 04-58, which established an Ad Hoc Lighting Standards Committee to advise the City Council with respect to lighting standards; and

WHEREAS, the City Council has determined that it will be in the best interests of the City, and its inhabitants, to amend Resolution No. 04-58, in several particulars; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

A. Resolution No. 04-58 is hereby amended in its entirety to provide as follows. Language that has been deleted is crossed out, and language that has been added is shown in bold type:

Section 1: There is hereby established an Ad Hoc Lighting Standards Committee (the "Ad Hoc Committee") which is charged with the mission of drafting a set of detailed and comprehensive exterior lighting standards for presentation to the Whitefish City-County Planning Board and the Whitefish City Council.

Section 2: The Ad Hoc Committee shall consist of seven (7) members, who shall be appointed by the City Council, and who shall serve at the pleasure of the City Council.

Two (2) members shall be design professionals (architects, architectural designers, engineers or landscape architects) practicing in the Whitefish area. One (1) member shall be a City Council member. One (1) member shall be a member of the Whitefish City-County Planning Board. Two (2) members shall be from the public and shall reside or operate a business within the Whitefish Zoning Jurisdiction. One (1) member shall be a member of the Tri City **City's** Planning Office staff. **If the City Council is unable to fill all of the previously described positions on the Ad Hoc Committee, then the City Council shall be entitled to fill such positions with members of the public who reside or operate a business within the Whitefish Zoning Jurisdiction.** Four (4) members shall constitute a quorum of the Ad Hoc Committee. The Ad Hoc Committee members shall elect a Chair and a Vice-Chair. The Ad Hoc Committee shall meet as often as necessary to accomplish its primary mission, as described herein.

Section 3: The primary mission of the Ad Hoc Committee shall be to review options, gather public input, and draft a set of detailed and comprehensive exterior lighting standards for presentation to the Whitefish City-County Planning Board and to the Whitefish City Council. The standards to be considered by the Ad Hoc Committee shall apply to all existing and future exterior lighting within the City's Zoning Jurisdiction. The Ad Hoc Committee shall have no independent authority to commit or spend City funds.

Section 4: The Ad Hoc Committee shall complete its deliberations and drafting of proposed lighting standards by March 30 **May 31**, 2005, so that the Ad Hoc Committee's recommendations may be considered by the Whitefish City-County Planning Board at its **June** 2005 meeting. Thereafter, the Ad Hoc Committee shall continue to work with and advise the Whitefish City-County Planning Board and the

Whitefish City Council until the Whitefish City Council has given final approval to a set of detailed and comprehensive exterior lighting standards, at which time the Ad Hoc Committee shall cease to exist.

Section 5: The Ad Hoc Committee shall make regular reports of its progress to the Whitefish City Manager.

Section 6: The Ad Hoc Committee shall be subject to and shall at all times comply with Ordinance No. 01-06, which governs ad hoc committees, and which was adopted by the Whitefish City Council on February 20, 2001.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 7TH DAY OF MARCH 2005.

ANDY FEURY, MAYOR

ATTEST:

Necile Lorang, City Clerk

5-16-2005 – Regular Session

5. CONSENT AGENDA

d) Resolution 05-09; Allowing more time for Ad Hoc Lighting Committee.

6-6-2005 – Regular Session

11. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

Councilor Coughlin was interested in what Chief Dial and Chief Sipe felt about the consolidated 911 Center but they had already left the meeting. She would like a light meter for the lighting committee.

Councilor Coughlin offered a motion, seconded by Councilor Adams, to authorize the City to purchase a light meter. The motion passed unanimously.

10-5-2005 – Regular Session – report from Planning:

Code Work

9. Lighting Standards- Take recommendations from Lighting Committee and draft code language; 3 months to complete.

11-7-2005 – Regular Session

Councilor Coughlin said there is a Lighting Committee made of Councilor Coughlin, Councilor Adams, Planning and Building Director Bob Horne and people from the community. They will have a public hearing soon and she invited people to be involved in the process. The goal is to provide safe lighting but protect dark night skies. The meetings will be held November 14 and 28th.

Growth Policy update Steering Committee

10-3-2005 - Special Session

2. DISCUSSION WITH THE WHITEFISH CITY-COUNTY PLANNING BOARD ON PLANNING PROJECT PRIORITIES

Planning and Building Director Horne presented these prepared priorities and asked for discussion, questions or additions:

**Whitefish Planning & Building Department
Planning Board and Staff Priorities
Long Range Planning**

1. Growth Policy Update- Begin immediately; select Steering Committee and update resource document (consultant suggested); 12-14 months to complete.

10-3-2005 – Regular Session

6b) Resolution 05-45; Establishing an Ad Hoc Growth Policy Steering Committee. Councilor Phillips-Sullivan offered a motion, seconded by Councilor Coughlin, to adopt the staff report as findings of fact, and approve Resolution 05-45; Establishing an Ad Hoc Growth

Policy Steering Committee.

4. Mayor Feury said they hoped this can be done without interviewing because it takes 16 people and the interviewing process would be quite time consuming. Manager Marks said they have a full slate of standing committee positions to appoint so there is not time to schedule interviews. He suggested that the Council individually read the applications and call applicants with any questions. Council will then confer and make their selections during a regular session.

1-3-2006 – Regular Session

2. WHITEFISH CITY-COUNTY GROWTH POLICY STEERING COMMITTEE SELECTION

Director Horne reported he had gone through a similar process in Great Falls in 1997-1999. They had a 17-member steering committee which is what he is anticipating this committee to be. He said there will be two representatives from the Planning Board, one from City Council, and members from the public with interest and expertise in planning for growth and development. He said he will put more notices out to FVCC and the High School to see if there is any interest from students. This committee will be researching and drafting the plan and public hearings will be held for input and response. He would like to get the organization of the committee started so the process can go forward in January 2006. The application letters were discussed as well as the petition received against the recommendation for planning board representatives. The Councilors agreed to support the recommendation from the planning board for members Dennis Bee and John Wagner to serve on this committee. One of the applicant letters seemed to be more from a representative of a company rather than as an interested citizen; and Director Horne pointed out that person could be brought in to any of the sessions as a forestry expert or when discussions pertain to interests of the company. In addition, the applicant didn't give any information of his own residence so the Council didn't know if he lived within the Growth Policy area.

Councilor Coughlin offered a motion, seconded by Councilor Phillips-Sullivan, to replace Paul McKenzie, as he seemed more a representative of a business, and consider Judy Hessellund and Mary Person. The motion passed with 4 aye votes and one no vote.

Councilor Garberg voted no.

Councilor Garberg offered a motion, seconded by Councilor Coughlin, to approve eleven names from this list of applicants. The motion passed with 4 aye votes and one no vote.

Councilor Garberg voted no.

After discussion, Council selected the following to serve on the Committee: Judy Hessellund, Mary Person, Todd Olson, Bill Kahle, George Gardner, Fred Jones, Gina Barker, Don Kaltschmidt, Dru Jackman, Julie Perchy and Jeff Weyh. Those not appointed were Paul McKenzie, Kevin Holliday, Steve Boone, Stephen Jackman and Peter Lev.

▪ **Growth Policy Steering Committee**

Councilor Woodruff offered a motion, seconded by Councilor Phillips-Sullivan, to appoint

Counselor Palmer. The motion passed unanimously.

1-17-2006 – Regular Meeting

Councilor Palmer said he is on the Growth Policy Steering Committee and it is a great group of people with a wide variety of ages, skills and different longevity in Whitefish. The public meetings will run interspersed with the Steering Committee meetings.

State Lands Steering Committee

10-17-2005

6b. Approving a memorandum of understanding establishing a public-private partnership to support application processes concerning the Whitefish Area State Trust Land Neighborhood Plan.

Attorney Phelps said this does not need to be a Resolution, it can be handled as a memorandum. He said it is very general since this is a first time process for everyone. Flathead Gateway was formed to work on issues like the State Lands. City staff and Council are pulled in many directions and the Flathead Gateway folks are very focused on this. This creates a steering committee of two City Council members and two members from Flathead Gateway and they will create a committee of people from the community. Flathead Gateway will be responsible for all fundraising. This will start the process out and as they feel their way; staff may come back with amendments to help define the process down the road.

Councilor Coughlin offered a motion, seconded by Councilor Phillips-Sullivan, to adopt the memorandum of understanding establishing a public-private partnership to support application processes concerning the Whitefish Area State Trust Land Neighborhood Plan.

Councilor Adams said the document states Steering Committee appointees “may” be members of the Council or staff. He wondered if it should say, "shall". Attorney Phelps said he didn't think it mattered.

The motion passed unanimously.

6c. Request for Council appointment of City representatives to the Whitefish Area State Trust Lands Public-Private Partnership Steering Committee.

Councilor Coughlin said she wanted to nominate Mayor Feury. Councilor Adams asked and Mayor Feury said this will address trails but also some of the broader issues in the Neighborhood Plan, like conservation easements and land sale areas. He said the Steering Committee will deal with those items more broadly. Councilor Adams said he is interested in being on the Steering Committee but his main interest will be the trails. He is going off the Council he didn't think it would be appropriate to appoint him. He wondered if anyone from the staff was interested. He said he would like to be on the trails committee and is excited to see these trails connect.

Councilor Phillips-Sullivan volunteered to be on the Steering Committee.

Councilor Coughlin offered a motion, seconded by Councilor Adams, to approve Council appointment of Mayor Feury and Councilor Phillips-Sullivan to the Whitefish Area State Trust Lands Public-Private Partnership Steering Committee. The motion passed unanimously.

1-17-2006 – Regular Session

Councilor Phillips-Sullivan said Tom Muri was the alternate on the Trails Committee and Councilor Palmer said he was willing to replace Muri and be the alternate for the Trails Steering Committee.

Councilor Phillips-Sullivan offered a motion, seconded by Councilor Coughlin, to appoint

Councilor Palmer as the alternate for the Trail Runs Through It Planning Committee. The motion passed unanimously.

5-6-2006 – Regular Session

Councilor Coughlin offered a motion, seconded by Councilor Phillips-Sullivan, to approve the application for A Trail Runs Through It to go to the DNRC. The motion passed unanimously.

Mayor Feury thanked the Steering Committee, the Planning Committee, and Kate McMahon for all of their efforts.

Ad Hoc Downtown Infrastructure Committee

6-18-2007 – Regular Session

6c) Resolution 07-25; Creating an Ad Hoc Downtown Infrastructure Improvements Committee.

Public Works Director Wilson reported that staff recently met with Robert Peccia and Associates (RPA) design team and George Crandall to start the design process for reconstruction of Central Avenue from Railway to 3rd Street, as well as construction of a parking facility at the corner of Spokane Avenue and 2nd Street. The group recommends the City Council appoint a Downtown Infrastructure Improvements Advisory Committee to support our consultant and help keep the design on track with community values. It is reasonable that the committee should build on the former Downtown Master Plan Committee with a few changes. Staff recommends: Chance Cooke, Architectural Review Committee, Interim Planning Director Compton-Ring, Deputy Mayor Cris Coughlin, Jill Evans, Member at Large/Whitefish Historical Society, Rhonda Fitzgerald, Member at Large, John Kramer, Member at Large, City Manager Marks, and Gary Stephens, Heart of Whitefish.

Councilor Woodruff offered a motion, seconded by Councilor Palmer, to approve Resolution 07-25; Creating an Ad Hoc Downtown Infrastructure Improvements Committee, and Committee Roster, as recommended by staff. The motion passed unanimously.

1-7-08 Regular Session

11. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

11a. Appointments of Council representatives to committees.

The following Councilors were appointed to committees:

Ad Hoc Downtown Infrastructure Improvement Advisory Committee—Palmer

RESOLUTION NO. 10- 02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, AMENDING RESOLUTION NO. 07-25, WHICH ESTABLISHED THE AD HOC DOWNTOWN INFRASTRUCTURE IMPROVEMENTS ADVISORY COMMITTEE.

WHEREAS, the City's Downtown Infrastructure Improvements Advisory Committee was created by Resolution No. 07-25, adopted by the Whitefish City Council on June 18, 2007; and

WHEREAS, the City Council desires to amend the provision regarding the appointment of members of the Downtown Infrastructure Improvements Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, AS FOLLOWS:

Section 1: Section 3 of Resolution No. 07-25 is hereby amended as shown below, with new language underlined and deleted language shown with strikethrough:

Section 3: MEMBERSHIP: The Committee shall consist of nine (9) regular members. The Deputy Mayor Either the Mayor or a City Councilor shall represent the City Council. The City Manager and the Director of the City Planning and Building Department shall represent City staff. Chance Cooke shall represent the Whitefish Architectural Review Committee. Gary Stephens shall represent the Heart of Whitefish. Bayard Dominick shall represent the Chamber of Commerce. Jill Evans shall represent the Whitefish Historical Society. The City Council hereby appoints John Kramer and Rhonda Fitzgerald to represent citizens-at-large. The Committee members shall select a Chairperson. The Committee shall meet as often as necessary to accomplish its mission, as described herein. The Committee shall cease to exist as provided in Section 7.

Section 2: This Resolution shall take effect immediately upon its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS DAY OF , 2010.

MICHAEL J.ESON, MAYOR

ATTEST:

Necile Lorang, City Clerk

Critical Area Advisory Board

3-19-2007 – Regular Session

6. COMMUNITY PLANNING AND DEVELOPMENT

a) Resolution 07-14; Establishing an Ad Hoc Critical Areas Advisory Committee.

City Manager Marks said the last several months have shown the importance of giving people some way to participate in this important and technical issue. He said his experience is that when an issue rises to this level of community interest, if the Council precludes others from participating, it will be a divisive situation and there won't be a complete airing of the issue. A consensus builds with the efforts of an ad hoc committee. He said he thought it would be a mistake to internalize the issue. He recommended that they adopt the attached resolution to develop an ordinance that protects our natural environment. Councilor Coughlin wondered where the funding would come for the consultant and Manager Marks said it would come from contingency funds for planning. He said he thinks this is a wise investment. Councilor Muhlfeld said he thought there was a line-item budget for critical areas they could use.

Councilor Coughlin offered a motion, seconded by Councilor Palmer, to approve Resolution 07-14; Establishing an Ad Hoc Critical Areas Advisory Committee as recommended in the Staff Report.

Councilor Coughlin said, having been through the Lighting Committee, she sees this as an important, valuable process. She said the committee's recommendation will go back to the Planning Board so they'll have another stab at it. Councilor Phillips-Sullivan asked and Frank Sweeney said he didn't want to be viewed as a representative of the Planning Board. However, he was concerned that the ad hoc process would not be as public. He was unsure how the process would be as an ad hoc committee because the committees don't appear to be as publicly opened. He wanted to see this as an open process so all stakeholders could share their concerns. He also didn't want to see the process extended any longer than necessary. Councilor Woodruff said she

attended the meetings and was impressed with the Planning Board's efforts on this, but she also supports the idea of an ad hoc committee. She thinks it is important that they hear the public on this issue. She thinks they will get a better product through this process. Councilor Palmer said he also attended the Planning Board work sessions and took notes he can pass on to the ad hoc committee. Mayor Feury said he thinks ad hoc committees are an important part of the City's communication process. He said they have had difficulties adopting an interim ordinance for this key issue, so he thinks a consultant with an ad hoc committee will be a great combination.

The motion passed unanimously.

Councilor Palmer asked and Attorney Phelps said they can appoint the two Council representatives to this new committee tonight.

Councilor Coughlin offered a motion, seconded by Councilor Woodruff, to appoint Councilors Muhlfeld and Palmer to the ad hoc committee. The motion passed unanimously.

4-2-2007 – Regular Meeting

Councilor Muhlfeld said the Whitefish Water Quality Advisory Committee met to review pertinent water quality issues in the community. At the meeting they appointed Chris Ruffato to serve on the Ad Hoc Critical Areas Advisory Committee and reviewed the Natural Resources portion of the Growth Policy and really liked it. He said Mike Koopel with the Whitefish Lake Institute gave an update of the study of petroleum based chemicals in the lake. The study revealed that the benzene levels were high. Two-stroke engines are the major cause of high benzene levels.

WHITEFISH CITY COUNCIL SPECIAL SESSION

MONDAY, APRIL 16, 2007

5:30 P.M.

1. CALL TO ORDER

Deputy Mayor Coughlin called the meeting to order. Councilors present were Phillips-Sullivan, Jacobson, Woodruff, Palmer, and Muhlfeld. City Staff present were City Manager Marks, City Clerk

Lorang, and Public Works Director Wilson.

2. COMMITTEE INTERVIEWS & APPOINTMENTS

a. Whitefish Police Commission, Mayoral Appointment, Council Ratification

1. Gerald Hanson

b. Ad Hoc Critical Areas Advisory Committee for a Developer, Realtor, & Citizen at Large

1. Greg Carter, Citizen at Large

2. Garcy J. Miesen, Citizen at Large,

3. Turner Askew, Realtor or Developer

4. Tim Grattan, Developer

5. Alan Elm, Realtor

6. Richard S. Hildner, Citizen at Large

7. Chris Ruffato, Whitefish Water Quality Advisory Committee representative

Interviews were conducted; neither Richard Hildner nor Matt Daniels could attend tonight's session but had submitted letters of interest to serve on the committee's as listed. During the interviews for the Ad Hoc Critical Areas Advisory Committee; Council asked Greg Carter, Turner Askew and Tim Grattan if they would be willing to serve in one of the other positions if they fit and they all said they would.

Councilor Woodruff offered a motion, seconded by Councilor Jacobson, to appoint Chris

Ruffato as representative of the Whitefish Water Quality Advisory Committee and Richard Hildner as the Citizen at Large to the Ad Hoc Critical Advisory Committee. The motion passed with five aye votes and one no vote, Councilor Palmer voted no.

Councilor Palmer offered a motion, seconded by Councilor Muhlfeld, to appoint Alan Elm in the Realtor position on the Ad Hoc Critical Advisory Committee. The motion passed unanimously.

Councilor Muhlfeld offered a motion, seconded by Councilor Woodruff, to appoint Greg Carter to the Developer position on the Ad Hoc Critical Advisory Committee. The motion passed unanimously.

3. ADJOURNMENT