

## Fire season is top story of 2007

**Posted: Thursday, January 3, 2008 12:00 am**

Controversial stormwater ordinance a close second

Half a decade of drought and the hottest July on record added up to extreme fire danger in the state's forests this summer.

By early July, several large fires were burning on the Rocky Front, and state initial-attack crews were chasing down grass fires across the Flathead. Stage 1 fire restrictions went into effect on July 23.

Four days later, a plume of smoke about 14 miles west of Tally Lake announced the start of the lightning-caused Brush Creek Fire. Residences in Star Meadows and along Good Creek were soon evacuated.

On July 29, lightning ignited the Skyland Fire up by Marias Pass. Fanned by strong winds, the fire quickly grew, closing U.S. Highway 2.

More and more fires were on the map by early August, with dry forest fuels spread before their path. By then, some officials were saying the 2007 fire season would pass the 2000 and 2003 seasons as the worst since 1910.

The Chippy Creek Fire, which started near Hot Springs and headed north to Hubbard Reservoir, grew to nearly 100,000 acres, surpassing the 2001 Moose Fire as the second largest fire in Northwest Montana history, right behind the 1929 Half Moon Fire.

By the time cold and wet weather ended the fire season, a total of 1,871 fires had burned 811,598 acres in Montana — including 400,000 acres in Northwest Montana.

Stormy ordinance

The city's proposed critical areas ordinance has been kicking around for more than a year and a half and is actually in force through an interim urgency measure. The urgency ordinance was renewed for a third time at the city council's Sept. 18 meeting and expires in March.

On June 28, William and Theodora Walton won a unanimous jury verdict in their lawsuit claiming the city unfairly denied them the right to build a home on a steep portion of their property overlooking Whitefish Lake.

The jury awarded the Waltons \$300,000 in damages. Earlier in May, Frazier Appraisal Services had concluded that the Waltons' \$4 million property was worth only \$650,000 after the urgency's ban on building on steep slopes was taken into account.

In August, the city council approved a resolution that supported the urgency ordinance and clarified the city's position in the Walton lawsuit. That action set off a howl of protest by the ordinance's opponents just in time for the city council elections.

By mid-September, Tim Grattan and Pat Fox came forward as the men behind a mailer distributed under the name Sensible Land Use that attacked the city's critical areas ordinance. Grattan told the council he wanted to "stir the pot," but the councilors took a dim view of the mailer's anonymity and accuracy.

"It's OK to stir the pot, but it needs to be fact-based," mayor Cris Coughlin told Grattan.

The city-county planning board took over the arduous task of drafting the critical areas ordinance. About \$150,000 was spent on consultants, and board members were soon mired in technical jargon ranging from geotechnical and hydrological analysis to lawyers questioning what was reasonable in the "reasonable-use exemption."

Finally, on Dec. 20, tired of chasing their own tails for months on end, the planning board passed on the draft ordinance to the city council.

#### Whitefish Mountain Resort

This was a big year for Big Mountain, beginning with a reverse stock split that basically eliminated local ownership and ending with great snow conditions at the reorganized ski resort.

The infusion of new money meant completion of the Base Lodge started in 2006. Chairlift plans were announced in the spring, but the historic Rocky Mountain Chalet and its Hellroaring Saloon was in the way of the Chair 2 realignment. The saloon stayed and Chair 2 shifted a hundred feet or so west.

Then in June, Winter Sports Inc. announced a name change just in time for its 60th anniversary celebration. The mountain retained its geographical moniker, but the ski area became Whitefish Mountain Resort.

That wasn't all — \$9.7 million was spent straightening the hairpins on the top half of Big Mountain Road, and a Pacific Ocean climate shift in August spelled the end of a five-year El Nino drought. A rock-hard base was in place across the mountain by opening day, and the powder snow has been coming down ever since.

#### Hospital moves

North Valley Hospital began operating at its new location near Smith Fields on March 22, about seven years after hospital administrators agreed it was time to leave the 36-year-old building at Spokane and 13th Street.

Ground-breaking for the new hospital took place on May 12, 2005, and The Aspen Group, of Phoenix, Ariz., offered the hospital \$6.4 million for the old 13-acre hospital site.

In January, North Valley Hospital threatened to sue the city if it lost \$500,000 in the sale of the former hospital site. The city's transportation plan calls for extending 13th Street over the river, through the old hospital site.

The move went without a hitch, and locals have praised the design and operation of the new hospital.

#### City character

In an attempt to defend the look and feel of Whitefish, the city and some of its residents took on box stores, high-rises and billboard signs.

The biggest battle by far was over the Safeway remodeling project. The grocery store company wanted to build a 52,578-square-foot building that included the former Ben Franklin store, but the city's Architectural Review Committee wanted the store to face both Baker Avenue and the U.S. Highway 93 strip.

The city approved new box-store regulations just before the project went to the city council, and the council's concerns over Safeway's plans grew to include Starbucks, roof lines and elevated sidewalks in the parking lot.

The council's split vote on June 4 left the Safeway project in limbo. While councilor Nick Palmer criticized "fake" and "theatrical" design elements and said the council should have final say, many residents thought the councilors had gone too far.

About 50 people showed up on June 18 to support the grocery store. Councilors heard some more discussion, amended and added several conditions, and then voted unanimously in favor of the project.

The city then turned its attention to high-rise buildings — that is, buildings more than three stories tall. Developers behind the Great Northern Ventures' Block 46 project, across from Whitefish Middle School, met with stakeholders and residents in an attempt to sway the public to the idea of fourth-story penthouses.

The high-rise controversy sprung up again at the former Truby's pizza joint site, where International Capital Partners planned to build The Offices At Cobblestone. However, Portland-based planning consultants Crandall Arambula, the people the city hired to draft its Downtown Master Plan, advised against the idea, and there the issue lingers for now.

While planners drafted neighborhood character into the city's new growth policy, city workers

went out to the former Greenwood Trailer Court and tore down a billboard sign that city attorney John Phelps claimed was illegal.

In Sight Advertising principal Roger Nastase claimed his company held a state sign permit previously held by Dennis Rasmussen, the trailer court owner. The city had sued Nastase's earlier company, Montana Media, back in the mid-1990s, and Phelps said he was surprised to learn Nastase was involved with the trailer court sign.

North Valley Hospital's sign on U.S. Highway 93 also became a bone of contention when the public learned in November the hospital had never obtained a city permit.

Vocal supporters of the city's strict sign ordinance opposed the height and size of the new sign, which was already under construction. Swayed by the public safety argument, the council granted the hospital's after-the-fact variance.

#### City election

Councilor Velvet Phillips-Sullivan announced in May she would not run for re-election, and Andy Feury, citing business in China, stepped down as mayor of Whitefish in August.

Three mayoral candidates and seven council candidates lined up for the city's first-ever all-mail election. Former mayor Mike Jenson decisively won the mayoral race, while incumbent John Muhlfeld and newcomer Ryan Friel easily won council seats.

Former councilor Turner Askew and planning board chairman Martin McGrew tied for the third council seat after several recounts. The council will choose the winner at its first meeting Jan. 7.

Two days after Christmas, Common Sense in Whitefish Government, a political action committee started by Rick Blake, announced it had information proving Muhlfeld was not a resident of Whitefish. That matter will likely be taken up at the Jan. 7 meeting.

#### Bill Foley's impact

Bill Foley, Winter Sports Inc.'s major stockholder and the CEO of Fidelity National Financial, a Fortune 500 company, raised a few eyebrows after he spent some of his money in the Flathead this year.

While development on his high-end Rock Creek project took shape in the Flint Range above the state prison in Deer Lodge, Foley announced a major restaurant merger here in March.

Glacier Restaurant Group LLC joined three downtown Whitefish restaurants with a successful statewide pizza chain, creating the largest restaurant business to originate in Montana.

The new corporation included Mambo Italiano, Craggy Range, Cornerhouse Grill and the MacKenzie River Pizza chain. Construction soon began on additional Mambos across the Pacific

Northwest.

Five months later, Foley purchased Edwards Jet Center at Glacier Park International Airport from a native Montana mogul, Cliff Edwards. In September, Edwards offered the city about \$3.3 million for City Hall, an offer the city turned down, according to city manager Gary Marks.

Whether Foley was targeted for his wealth or because he was blamed for buying out Big Mountain's local stockholders and changing the ski resort's name, a wave of vandalism hit the ski resort, lingering even after opening day, Dec. 8.

In July, vandals used black spraypaint to cover the words "Whitefish Mountain Resort" and pink spraypaint to write the words "Big Mtn" and "X-Foley-ate The Fish" on the ski resort's sign at the bottom of Big Mountain Road. Other signs on Big Mountain have either disappeared or been vandalized.

But many locals have praised Foley for the big changes at Big Mountain — he's credited with lining up more than \$20 million in skier improvements while keeping ticket prices low.

#### Antique regulations

State regulators stirred up two hornets nests this year in Whitefish, enforcing laws that critics felt belonged in the dust bin of history.

Antique-store owners Ron and Eila Turner were taken by surprise in February when three state gambling-control agents showed up at the Cowboy Cabin on Wisconsin Avenue and seized what they claimed were illegal gambling devices.

With several white knights going to bat for them in the state legislature, the law was rewritten and the historical roulette wheels and gambling tables were returned to the Turners by May.

State regulators next turned their sights on illegal barber poles. The Montana State Board of Barbers and Cosmetologists told business-owner Melissa Franklin she could not display anything resembling a barber pole at the Clip Joint until she got a barber license.

The same legislators who helped the Turners offered Franklin assistance, but the legislature won't be in session again until 2009. In the meantime, the Clip Joint's barber pole is covered with a black shroud.

#### Protecting water

The city stepped up enforcement of lakeshore protection regulations in an effort to protect Whitefish Lake. While a civil action against Jim and Denise Archer lingered in district court from 2006, the city brought criminal charges in August against Robert Mobley, who owns properties in the Iron Horse subdivision and the Barkley Tracts.

City judge Bradley Johnson approved a search warrant for Mobley's property on July 24 to gather evidence for the criminal charges. The city claims Mobley violated his lakeshore permit by building a retaining wall inside the lakeshore protection zone.

In August, Whitefish Lake Institute director Mike Koopal reported on pollution in both Whitefish Lake and Whitefish River. Benzene levels in the lake near City Beach and State Park exceeded federal drinking water standards, he said, and boat-launching sites were the leading culprits.

Meanwhile, the state continued to monitor river pollution thought to originate from the Town Pump gas station. While the state figured out a plan to prevent further contamination, the city council considered banning motor boats from the river.

Acknowledging they may have acted too hastily, the council later agreed to withdraw the petition after several river-users complained about the ban.

A plan by the Averills to save the Wisconsin wetlands across from the Lodge At Whitefish Lake drew praise from neighbors, the planning board and the city council. The site had been a lightning rod for concerned environmentalists, especially after Aspen, Colo.-based developer Bob Bowden proposed the Boardwalk project two years ago.

The Averills could benefit by moving the spa in their lodge to a new building across Wisconsin Avenue that will provide thirty 750-square-foot hotel rooms and possibly a skybridge linking the two buildings.

#### Middle school auditorium

The deep percussion rumble of Whitefish High School's drumline resonated outside of Whitefish Middle School on Oct. 11 welcoming the public to the grand opening of the school's rebuilt \$5.3 million auditorium.

Civic leaders and school officials joined forces to MC a gala event that included student bands, chorale and orchestral pieces, and excerpts from high school stage and debate performances.

A first-class performing arts facility, the auditorium seats about 470 people, compared to roughly 300 in the O'Shaughnessy Center's theater-in-the-round — and "there's not a bad seat in the house," fundraising co-chairman John Kramer proclaimed.

The Glacier Symphony and Chorale and the Alpine Theatre Project will use the facility, but student activities will always come first.

About \$1.1 million of the \$5.3 million price tag still needed to be raised. Kramer and fellow fundraisers Richard and Carol Atkinson put up personal property to cover the debt.