

## WEST YELLOWSTONE TOWN COUNCIL

### Work Session

July 6, 2010

COUNCIL MEMBERS PRESENT: Mayor Pierre Martineau, Tom Nesbitt, Mary Phillips, Jerry Johnson, Brad Schmier

OTHERS PRESENT: Operations Manager Jamie Greene, Public Services Superintendent Bill Fogarty, Chief of Police Gordon Berger, Finance Director Lanie Gospodarek, Hebgen Basin Fire District Chair Robert Godwin, Hebgen Basin Fire District Fire Chief Scott Waldron

The meeting was held at 7:30 AM in the Povah Community Center.

#### Public Comment Period

Johnson asks why is the Highway Patrol Officer pulling people over in the city limits? He says that he has observed this multiple times and doesn't think it is appropriate or necessary. Phillips says she was asked recently why they don't allow parking on the south side of Yellowstone Avenue. She says that they are always looking for parking spaces and why aren't they opening up space like that, especially for larger rigs like campers and trailers. She says maybe they should talk about that at a work session.

#### DISCUSSION

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- A) The first topic on the agenda is a discussion of the use of the Emergency Services Building. The Town has received a letter from the Hebgen Basin Fire District (HBFD) concerning future use of the building. Robert Godwin, Chair for HBFD, explains that they are facing some legal issues concerning their use of the building and need to make some changes. He says that their offices are not compliant with ADA (Americans with Disabilities Act) because they are on the second floor and they have some issues with the employees union contract pertaining to adequate living space. Godwin says that the Search & Rescue function needs a space and they have indicated that the County will provide funds for renovations. He says that if they do spend County money on the building it must be repaid should the Town take back possession of the entire building. Godwin says that they really just want to be prepared so they can plan ahead. He says that they can overcome these issues if they have to, but they would like to know what the Town plans to do before they make any renovations. Fire Chief Scott Waldron explains that they have had some issues with training taking place in the same room that is used as living quarters for the paid staff. Waldron says that they also need to make more space for at least one more fire engine in the building. He says that Search & Rescue has indicated that they would like to build on one or two bays for vehicle storage. Nesbitt says that if the Town failed to find a pre-existing building and opted to do something on its own that would take at least one to two years. He asks if that would be acceptable? Godwin answers that if the Town could guarantee that they would be out of the building within two years, they would do what they could to get by during that time.. He says they could set up temporary office space on the ground floor or something of that nature. Johnson asks why the interlocal agreement cuts off after five years and isn't renewable. Godwin says that is something that they would like to address with the Town and says they would like to modify the interlocal agreement on that point. He says that they are quite satisfied with how the operation of the fire district is going. They expect to receive a new Insurance Safety Organization (ISO) rating this fall and he is fairly sure that everyone will be pleased with the results of that rating as it affects property insurance. Johnson says he has always envisioned that all of the Town's offices will function out of the same location. He says that would be extremely difficult to accomplish in two years, even if they started tomorrow. Godwin agrees that from his experience, projects take a long time. Mayor Martineau asks if anyone else has questions for Godwin or Waldron. Schmier asks who is actually responsible for the fire hydrants. Godwin indicates that the Town owns the hydrants and is therefore responsible for maintaining them. Fogarty clarifies that the fire department does regularly flush the hydrants. Waldron says that they do but the maintenance is the Town's responsibility. Godwin says that they should probably schedule a joint meeting between the District's board and the Council to work out some modifications to the existing agreement. Schmier asks how much adding on do they think they need to do to the building. Godwin says that they think they need to add

on at least one more bay. He says storing the ladder truck is an issue but they could move some things around inside the building, too. Greene asks if the Council if they have any specific direction for the staff at this point. Johnson says that the lease with HBFD needs to be addressed and a joint meeting would be beneficial.

- B) The Council discusses the proposal from Rob Klatt to purchase The Real Estate Agency property. Johnson says that he thinks the actual property would be sufficient but the building wouldn't provide anything other than space for the Town Offices. He says he thinks that if they purchased it they wouldn't be doing anything except purchasing a \$350,000 tear-down project. Schmier, Nesbitt, and Martineau agree with Johnson.
- C) The Council discusses other proposals for office space. Martineau says that they took a look at the building last week owned by Jerry Schmier at 15 Madison Avenue. Greene says that his initial impression of the building is quite favorable. He says that he actually used to work out of the building. He says they could consider contracting an architect to help them figure out any modifications they should make. The majority of the Council indicates that they are interested in pursuing the purchase. Johnson says he thinks the next step in the process is to have the staff take a tour of the building and give some feedback to the Council. Nesbitt says that he hasn't actually been in the building recently, but assumes that since the rest of the Council is interested in it that he would be too. He says he will make an effort to walk through it with the staff. Johnson asks if anyone knows how many parking spaces are available behind the building. Fogarty answers that he is pretty sure there are twelve spaces. There is brief discussion about setting a time limit for parking in front of the building and a handicap space should the Town actually purchase the building.
- D) The agenda for the evening meeting is discussed, no action is taken.

The meeting is adjourned. (8:15 AM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**July 1, 2010**

COUNCIL MEMBERS PRESENT: Mayor Pierre Martineau, Tom Nesbitt, Mary Phillips, Brad Schmier, and Jerry Johnson

OTHERS PRESENT: Operations Manager Jamie Greene, Town Attorney Jim McKenna, Public Services Superintendent Bill Fogarty, Chief of Police Gordon Berger

The meeting is called to order by Mayor Pierre Martineau at 7:00 PM in the West Yellowstone Courtroom.

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

**Public Comment Period**

Johnson says, as he mentioned this morning, that they seem to have a lot of "gung-ho" law enforcement mutual aid. He says it is a good thing that they have mutual aid available. Berger says that they did have a lot of people in town this weekend. Phillips says there is a lot of traffic going down Highway 20 right now, she counted 77 cars backed up in the construction line just outside of town. Johnson says that the traffic to get into the Park was backed up all the way to the Corner Conoco (Highway 20/Highway 191 intersection) today. Cynthia Knapp says that the trees on Canyon Street look really nice but some of the branches need to be cut back because they hang out into the walking lane too far. Fogarty says that in reference to the recreation conference that will be here this fall, they seem to have a bidding war for new playground equipment going on and it seems to be working in our favor. They were also contacted by a recreation magazine that would like to highlight our parks. Berger says that he was informed by a resident recently that the roots for the new trees on Canyon Street will expand in about six years and come up through the sidewalks.

**ACTION TAKEN**

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- 1) Motion carried to pay the claims which total \$51,081.05. (Nesbitt, Phillips)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the June 15, 2010 Work Session, June 15, 2010 Town Council Meeting, June 22, 2010 Budget Work Session, and June 29, 2010 Budget Work Session. (Phillips, Nesbitt)
- 3) Motion carried to approve the business license for Geyser Street Properties with a 15-minute parking limit for the wild-game processing on one side of the alley. (Phillips, Nesbitt) Schmier is opposed.
- 4) Motion carried to approve the business license application for Integrity Contractor Services LLC. (Phillips, Nesbitt)
- 5) Motion carried to approve Ordinance No. 251, an Interim Emergency Ordinance imposing a moratorium on the opening, operation or licensing of any establishments that grow, sell or distribute medical marijuana, directing the study of new proposed ordinances to regulate such establishments, and imposing restrictions on the use of medical marijuana. (Phillips, Nesbitt)
- 6) Motion carried to approve the Application to Maintain an Encroachment made by Lava Creek to place a picnic table on the interior park of Block 10 and set up ropes for drying life vests. (Nesbitt, Phillips)
- 7) Motion carried to amend the previous motion to approve the Application to Maintain an Encroachment made by Lava Creek to include the conditions that the ropes are a minimum of 7' high, the Town is named as additionally insured, the grounds are maintained, and the picnic table is open to the public. (Johnson, Nesbitt)

- 8) Motion carried to approve the Application to Maintain an Encroachment made by David & Helene Righenour to use the interior park of Block 11 for temporary storage of old lumber building materials with the condition that the interior park is cleaned up by October 15, 2010. (Johnson, Phillips)
- 9) Motion carried appoint Brock Kelley to the Tourism Business Improvement District (TBID) Board of Trustees for a four-year term. (Nesbitt, Phillips)
- 10) Motion carried to appoint Brad Schmier as the Council Representative on the Downtown Improvement District Project Advisory Board. (Phillips, Johnson)
- 11) Motion carried to approve the first reading of Ordinance No. 252, Adoption by Reference of the International Fire Code, 2009 Edition. (Johnson, Phillips)

### **Public Meeting, Medical Marijuana Interim Ordinance**

Shane Roos comments that he thinks medical marijuana is not good for our community. He says that he thinks calling it “medical” is an excuse and he thinks that people that actually use it for medical uses can drive to Ennis or Bozeman to get it. He says he recently towed a guy that grows it in Colorado who was here to distribute it. The guy actually had 4 pounds of it in the saddle bags of the motorcycle he was towing. He says he doesn’t want to see any more drugs in our community than they already have. Greene reads a form letter from Cheryl A. DeStrooper Loeffler, a local medical marijuana patient who supports the medical marijuana law. Mayor Pierre Martineau reads a letter than appeared recently in the Bozeman Chronicle by Kathryn Hetherington who was appalled to observe a group of “youth” liberally smoking marijuana in Bozeman. She suggests in her letter that they better hurry and finish the new jail because they will need it. Fogarty says that he thinks they can adequately address the issue before it becomes a problem in West Yellowstone. Cynthia Knapp says that she thinks it is wise to address medical marijuana here in West Yellowstone before it becomes a problem. She says that many people expect the legislature to address it in its session next January but she thinks that is not soon enough and they need to handle it in West Yellowstone before then.

### **DISCUSSION**

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- 1) Council Member Nesbitt points out that the annual software maintenance support fee for the cemetery program should actually come out of the cemetery fund. Town Clerk Liz Roos indicates she will fix that.
- 3) Fogarty explains that he did not allow the parking spot on the site plan behind the shed because it is not accessible, but there are still six parking spaces available. He says there is space between the rental house for a parking spot. Johnson clarifies that there is sufficient parking on-site. He says that during the school year when people are dropping off wild game, that area can get somewhat congested. He suggests they consider a 15-minute parking zone on one-side of the alley. Nesbitt asks if that condition is anywhere else in town. He says that he wants to make sure they are being fair to the property owners. Fogarty says that he doesn’t think they have the same situation anywhere else in town. Shane Roos points out that there are a lot of other delivery companies in town that aren’t under that kind of restriction. He says that he thinks this is singling him out and if they are going to enforce this they should enforce it on all the delivery trucks as well. Schmier points out that they allow parking at the movie theater in the alley but how is that okay but not at this property. He says that if they are going to allow people to park in the alley for two hours to go to the movie, they shouldn’t be limiting the parking at the Roos residence to 15-minutes. Johnson says this may be the first time they’ve considered a license where it is already congested. Roos also points out that Frank Martin and Jeff Hungerford have been operating this business for twenty years and they shouldn’t be enforcing something new just because he is doing it now. Johnson says that now that they are getting a business license the Town is opening itself up to the knowledge of what is going on. Roos points out that they allow angle parking along Bullwinkles West on Parkway C which is without question the most congested area in town. He emphasizes

that if they are going to enforce a 15-minute parking restriction in front of his property that they should do it in all the alleys.

- 5) Greene reads the Interim Emergency Ordinance out loud. Johnson says that he thinks this is the prudent thing to do. He says that the State of Montana did a poor job of writing this law. He says that the majority of the voters in the state passed this law for the benefit of the minority, but now they have to protect the majority from themselves. Nesbitt says that if they follow the example of most of the other cities in the state, they will not prohibit the sale of medical marijuana but regulate the industry. He says that he believes that only one city in the state has actually prohibited it. Greene explains that the City of Great Falls did prohibit it but there has already been a lawsuit filed against the prohibition. Berger says that they are fortunate they have not had any business licenses come before them for medical marijuana and now they have 90 days to work out an ordinance to regulate it. He says that its hard to grow it here and the real problem comes from out of state suppliers who ship it in to local care-givers.
- 8) Johnson says that the Rightenours hauled a lot of stuff away from the property today. Greene explains that he did take a look at Policy 10 today, which addresses use of interior parklands. He says that policy was amended in 2006 and no longer specifically addresses storage of construction materials.
- 9) Greene explains that Glen Loomis withdrew his name from consideration today and was thrilled that Brock Kelley was willing to serve on the board.
- 10) Martineau requests that they set up a meeting for the members of the DID for this Friday, July 9, 2010 at 9 AM for the purpose of reorganizing the board.
- 11) Phillips expresses concern about the responsibility of propane tank owners to provide underground utility notifications. She says that if they don't have a contract with the utility notification service, they won't do it. The group discusses at length how to address the issue and prevent accidental line cutting. Fogarty says he will do some research to see if they can provide some more information to the Council before the next reading.
  - A) Public Services Report: Public Services Superintendent Bill Fogarty reports that they have issued two building permits recently, one to Buckaroo Bills and the other to Yellowstone Cabins. Both establishments have sufficient parking. Buckaroo Bills is expanding their dining area and Yellowstone Cabins is building a garage with a residence on top. He says he is expecting a couple sets of plans in the not too distant future for some other building projects. He reports that they have been working on dust control in the alleys, Canyon Street Enhancement Project, and 4<sup>th</sup> of July activities. Fogarty also reports that he looked at the parking requirements for Geyser Street Properties and it requires six parking spaces. Six parking spaces are available on-site taking into account the setbacks.
  - B) Advisory Board Reports: Mayor Pierre Martineau reads an email from Randy Roberson of the Sign Ordinance Review Committee. Roberson indicates that they intend to have a final draft ready by the end of July and then they will distribute it to the public for feedback. Nesbitt says that he doesn't want to say this isn't being addressed in a timely matter yet, but he is concerned that the ordinance they passed isn't being enforced. He says he is aware of several new signs in town this summer. Fogarty says that all the signs he is aware of have obtained permits and are in compliance, but he is not certain that everything that has gone up this season is legal. He says he has been trying to catch the new oil change guy to talk to him about his sign but he hasn't been able to catch him open. Nesbitt says he just wants all new signs owners to come in to get a permit before they go up.
  - C) Operations Manager's Report: Operations Manager Jamie Greene reports that himself, Jim McKenna, Gordon Berger, and Bill Fogarty will start working on a comprehensive

ordinance to address medical marijuana in the next week. Work on the Canyon Street project continues and ought to be finished sometime this week or next week. Greene reports that he has had meetings with both the USFS and the Smokejumpers since the last meeting. The Smokejumpers have not raised the money necessary to pay for the move of the buildings from the USFS Administrative Site but their efforts continue. He says he expects they will want to update the Council at the July 20 meeting. Greene says he talked to Dick Dyer about the timing of the lift station project today. He said that once the plans and specs for the project are done, they are submitted to DEQ for review and approval. Once they know that DEQ is satisfied they can go out for bids. Dyer is anticipating opening bids and starting construction in August, finishing in November. Greene says he wanted to make sure that the Council was aware that the Tri-State Recreation, Parks & Trails Conference will take place here in West Yellowstone this fall, October 6-9, 2010. He says they can expect recreational professionals from Montana, Wyoming and Idaho to be in town that week. The next budget work session is scheduled for July 13 at 5:30 PM. Greene says he did try to track down Brent from Fall River today but wasn't able to get in touch with him. Greene says that Neil Courtis has added his name to the lawsuit for on-call compensation during his time as a police officer in West Yellowstone. He says Courtis actually filed a separate lawsuit and the attorneys need to figure out the simplest way to address the lawsuits.

Motion carried to adjourn at 8:30 PM. (Johnson, Phillips)

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Mayor

ATTEST:

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Town Clerk

## WEST YELLOWSTONE TOWN COUNCIL

### Work Session

July 13, 2010

COUNCIL MEMBERS PRESENT: Mayor Pierre Martineau, Tom Nesbitt, Mary Phillips, Jerry Johnson, Brad Schmier

OTHERS PRESENT: Operations Manager Jamie Greene, Public Services Superintendent Bill Fogarty, Chief of Police Gordon Berger, Finance Director Lanie Gospodarek, Social Services Director Jack Dittmann

The meeting was held at 5:30 PM in the Povah Community Center.

#### **Public Comment Period**

No public comment is received. Mayor Martineau suggests that the Department Heads and Council Member Nesbitt make some time to go over and look at the building at 15 Madison as potential office space.

#### **DISCUSSION**

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The purpose of the meeting is to discuss the FY 2011 municipal budget. Operations Manager Jamie Greene directs the group to the General Fund and points out the adjustments that have been made since the General Fund was last discussed. He says that most of the changes they have made are relatively minor and they have adjusted the numbers up and down slightly as necessary. He points out that they realized they had two years worth of fireworks donations budgeted and only needed one. The union contract requires a salary survey update mid-way through the contract which is during this fiscal year, but they feel they can accomplish this themselves and therefore reduced that budget from \$20,000 to \$10,000. He points out that they added \$30,000 to the legal fees budget to defend the Conlon et al case. He points out additions for abandoned trailer disposal, cement work around the bear statue on South Canyon, maintenance for the linear path through the Madison Addition. Martineau asks if the Social Services Assistant has been budgeted at 30 hours per week. Greene answers that it has and explains that a 30-hour employee is still considered part-time and therefore does not require an amendment to the staffing plan. Martineau asks about the possibility of increasing that position to 40 hours per week. The group discusses the possibility. Dittmann says that his original request was for 40 hours but they have gone back and forth between 30 and 40. Dittmann describes some of the individual circumstances they are currently dealing with in the Social Services Office that include collecting a VA pension, Medicaid applications, Food Bank, and managing the Union Pacific Dining Lodge. Phillips asks if all the functions they are performing in that office are the responsibility of the Town. Schmier asks if the County should be providing those services. Dittmann says that if they don't assist people with these needs, they eventually will become a drain on the community and the town. Phillips asks if these same functions are already being provided by the County, can they get some help from the County? Johnson asks how much more would a full-time employee cost? Gospodarek explains that as a part-time employee, that person currently gets half the benefits that a full-time employee receives. Nesbitt says he would like to see the food bank and community help fund go back to community and no longer be the responsibility of the Town. Martineau says its easy to sit here and say the County should take over this responsibility, but Dittmann and Arnado have to take care of these people every day. Funding for the Social Services Assistant position is left at 30 hours per week.

Greene directs the group to the Enterprise Funds and briefly highlights changes made to the water and sewer funds. He points out an additional \$25,000 for tablet chlorination in the water fund. Greene says that Dyer is still working on recommendations that pertain to the rates they charge for water and sewer services. Nesbitt asks if the sewer project is going to cause a cash-flow problem and how do they legally handle that. Gospodarek explains that they should have enough money to pay for the project, but they have determined that it is legal to lend money from one fund to another.

The Capital Improvement Budget is the next item of discussion. Greene explains that the revenue side of this budget is going to fluctuate based on what they put in the expenditure side. Greene says that he is hoping to get some specific guidance from the Council this evening as to what they want in the capital improvement budget this year. Greene briefly describes the

projects that are currently included in the list of expenditures including a pole barn for Public Services equipment storage at the lagoon for \$6500. He says they have budgeted \$150,000 for the windows at the UPDL to match the \$65,000 grant the Yellowstone Historic Center has received for that project, which is approximately only half of what it will cost. Greene says because of the Saving Americas Treasures grant that was received a couple of years ago for the UPDL, they are under obligation to adhere to the Historic Structures Report that was prepared by Jim McDonald of A & E Architects at the time. Greene says that Fogarty has been pursuing some alternate restoration ideas through Marvin Windows, but they still need more information. Nesbitt says that if they only have enough to fund half the project, then are they really just setting it aside until they have enough to pay for the entire project. Greene says that they are anticipating getting a final estimate from McDonald in the near future and then they will know where they are. Greene says they have budgeted for a new police vehicle and the first lease payment on a second. He also explains that they are adding \$10,000 to the general purpose machinery line for the eventual purchase of a new snow blower or grader, which will bring the fund balance to \$50,000. Greene says they have allocated \$400,000 to put up streetlights along 6 blocks of Madison Avenue and \$30,000 for new playground equipment. Nesbitt asks how much money will be carried over at the end of the year if they complete all these projects. Gospodarek explains that there will only be \$234 in that fund. Greene explains that the carryover in the general fund should end up being about \$181,000. He says they have discussed previously establishing a reserve, which should be in the general fund. Nesbitt says he is just trying to figure out if they have enough money to pay for everything they have budgeted. He says that what they need to discuss is whether they are comfortable spending \$400,000 on streetlights and \$150,000 on windows for the UPDL. He says that if they proceed with purchasing a building for a town hall or even building one, they don't have any money to start with. Phillips says she does not want to spend any money on streetlights until they get an answer from Fall River about meter charges on streetlights. Johnson asks some questions about the proposed pole barn for the lagoon and points out that prices for tin and wafer-board are quite reasonable now. Fogarty says that they were planning to purchase a kit and put the structure up themselves. They briefly discuss different structures that would serve their purposes at the lagoon and they debate whether \$6500 is enough. The group agrees that they need to do some more research on how much an appropriate structure would cost.

Nesbitt asks should they reduce the amount budgeted for streetlights so they can fund a down-payment on a town hall. Johnson says that he has thought about this and talked to several people about this recently. He says that he thinks they should build a new town hall and suggests they put together a 15-year plan. He suggests they lease some space for five years that would house their most dire needs which would be getting the court and social services out of the UPDL and moving the town offices out of the ESB. He says that they could put together a multi-phase plan and hopefully at the end of 15 years they would have a town hall/complex that housed all the offices. He also adds that if they are going to buy one of the buildings they have looked at, then they should buy the one that can be resold. Nesbitt agrees that the best solution is to build a town hall, but questions whether they will be able to accomplish all that if they spread it out. The group discusses the concept of building a municipal complex over 15 years in multiple phases. Greene says that their immediate need is to get out of the Fire Department. He says that moving Social Services and the Court could be determined as they go. He says they could work on a plan for constructing a new town hall and possibly leave those two departments where they are until it is built. Nesbitt says he would like to see a budget for rent or a down-payment on a building for town offices as well as budget for plans to construct a town hall. Johnson summarizes that they need to determine whether they are considering buying the building at 15 Madison, leasing all or half of it, or leasing another building. Fogarty says that he agrees they need an administrative space that is appropriate to run the town and also points out that time is ticking away with the resort tax and if the town doesn't do something, it may be difficult to renew the tax again in 15 years. Johnson says that what they need to do is enter into a long-term lease with the Fire Department so they can go to the County for funding. Greene clarifies that what they are doing is looking to enter into a 1 to 5 year lease for office space while they work on a long-term solution. Martineau asks Johnson and Nesbitt to clarify what they are suggesting. Nesbitt says that their first point is that they need to build a new town hall rather than purchase an existing building. He says they need to move the town offices into a leased space while they

work on plans to build a town hall. He says they need to budget money this year to start the design and construction process. Schmier asks about the 80 acres that they have been waiting years for and what will they do if that opportunity finally presents itself. Phillips says that they will go to the bank and get a loan. Johnson says he wants to invite Bob Denney to a meeting before October to ensure he knows the town is still interested in that 80 acres. Schmier says that the town has made plans before but not followed through. He says they moved the town offices into the ESB almost 20 years ago on a "temporary" basis. Martineau clarifies that their goal at the end of five years is to have a building that houses 2 or 3 departments. Greene says that what he is hearing they should budget for 3 blocks of streetlights (\$150,000) pending resolution on the streetlight charges, and then budget for leasing new space for the town offices, architectural fees and possibly a down payment. Phillips says that it doesn't make sense to her to move out of a building they own to rent something else. She says that it makes more sense to buy a new building rather than just rent. Martineau says that if they bought the building at 15 Madison, they could put down \$100,000 and the rent they collect from the Fire Department should offset their payments. The group debates at length buying versus leasing a building, whether they should move just the town offices or the court and social services as well. Phillips reiterates that she thinks it is much wiser to purchase rather than lease a building. Schmier agrees that buying a building outweighs leasing since they can't be sure how long it will take to build a new town hall. Johnson says he would prefer leasing and he doesn't think any of the suggested buildings are resellable right now in this economy. He does admit that they have some options as to how many departments they would actually move into the building. Martineau agrees that he would prefer to purchase rather than lease. The group ultimately agrees that they are not interested in purchasing the Salon West building and therefore the only building under consideration is Jerry Schmier's building at 15 Madison. Johnson says that interest rates are at all-time lows and its cheaper to borrow money now than it is to spend money they have. Gospodarek says that InterCap's interest rate is 1.9% this year. Greene clarifies that what he is hearing is they should budget \$150,000 for three blocks of streetlights, and devote the other \$250,000 to architectural services for a town hall and possibly a down payment. Alternatively they could put in all the streetlights and put \$50,000 into the RT bond fund which could be used for a down payment on a building or resort tax project. Johnson asks if streetlights are honestly a priority for the majority of this council. He says that \$400,000 is a lot of money to spend and they really aren't hearing from that many people that really want streetlights. Nesbitt says that he thinks they need to do at least three blocks of streetlights. Johnson says he hears more about the alleys than streetlights and thinks that is a higher priority. The group debates the merits of streetlights versus alley improvements. Schmier says its tough to justify to spending \$400,000 for streetlights on one street. After further discussion, Greene says it sounds like the council wants to allocate \$150,000 for streetlights on three blocks of Madison, \$150,000 for alley improvements, and \$100,000 for leasing/purchasing a town hall and architectural services for a new town hall. Schmier says that if they are getting to the point where they are going to actually pave the interior parks, then perhaps they should contact those adjacent property owners and give them fair warning to do any improvements to their buried utilities. Fogarty says that he thinks they should consider alternatives to asphalt for those interior parks that would make it easier to access those buried utilities.

The meeting is adjourned. (8:15 PM)

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Mayor

ATTEST:

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Town Clerk



WEST YELLOWSTONE TOWN COUNCIL

**Work Session**

**July 20, 2010**

COUNCIL MEMBERS PRESENT: Mayor Pierre Martineau, Tom Nesbitt, Mary Phillips, Jerry Johnson, Brad Schmier

OTHERS PRESENT: Operations Manager Jamie Greene, Public Services Superintendent Bill Fogarty, Chief of Police Gordon Berger, Finance Director Lanie Gospodarek

The meeting was held at 7:30 AM in the Povah Community Center.

**Public Comment Period**

No public comment is received.

**DISCUSSION**

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- A) Clyde Seely addresses the group about the Historical Walking Tour as proposed by the West Yellowstone Economic Development (WYED). The Yellowstone Historic Center (YHC) has started the development of the tour, but WYED would like to expand what has already been started. Seely explains that they would like to print and distribute a detailed map that highlights 21 historic locations throughout town. He explains that they would like to erect new signs at each location and mark the trail using a template of grizzly paw prints that would be painted on the sidewalks between each location. Seely shows the group examples of the signs, the map, and grizzly paw prints. Seely says the water tower is one of the historic places on the map that they would like to highlight. He says they understand it is still in the midst of daily operations of the Town, but they would like to sign the landmark from the vicinity of the medical clinic. Seely says that they would also like to see the Union Pacific Dining Lodge (UPDL) open to the public on a daily basis as well as the generator building. He suggests they unlock certain portions of the buildings and cord them off for public viewing each day. He adds that they do realize the generator building will require some significant clean-up. He says they feel the true grandeur of the UPDL is to view the Mammoth room from the mouth of the Firehole room. Seely also expands on the history of West Yellowstone as it relates to fire. He says that they would like to tie the history of the multiple fires in town to the fires in Yellowstone which resulted in rebirth. Greene clarifies that all they are asking for from the Town is permission to put up the signs and paint the paw prints on the sidewalks. Johnson suggests rather than painting the paw prints they remove a section of the concrete and replace with an impression. Seely says that is a good idea and asks if the Town would help fund that? The group discusses the proposal in general and some of the specific details they would need to address to enable this project. Nesbitt expresses some concern about the encroachment permit that WYED has applied for which is on the agenda this evening. He says the application is fairly broad and he would like to ensure that Public Services at least approves each specific location before the signs are put up on Town property.
- B) Mark Petroni addresses the Town Council on behalf of the National Smokejumper Center (NSC) about the movement of the US Forest Service buildings from the current Administrative Site at the corner of Dunraven and Highway 20 to Dunbar Park. Petroni explains that the Forest Service has agreed to fund the movement of the buildings. He says that the Town has to sign to accept the buildings from the Forest Service and the NSC is raising money to establish the foundations and basements for the buildings. Greene says that they also have a MOU on the agenda this evening between the Town and the NSC. Nesbitt asks how the NSC is doing with fund-raising. Petroni answers that they have enough to move at least one of the buildings this fall. He says they need approximately \$150,000 to build foundations and basements under each building. He says that if they can't raise that much money, then they will scale back to slab foundations and possibly just one basement. David Robinson, a member of the NSC board, points out that this project along with the walking tour will certainly enhance visitor experiences in Town.
- C) The agenda for the evening meeting is discussed, no action is taken.

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The meeting is adjourned. (8:15 AM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**July 20, 2010**

COUNCIL MEMBERS PRESENT: Mayor Pierre Martineau, Tom Nesbitt, Brad Schmier, and Jerry Johnson

OTHERS PRESENT: Operations Manager Jamie Greene

The meeting is called to order by Mayor Pierre Martineau at 7:00 PM in the Povah Community Center.

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

**Public Comment Period**

Judge Katie Brandis introduces herself to the Town Council and invites the Council Members to visit court any Thursday or contact her with questions.

**ACTION TAKEN**

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- 1) Motion carried to pay the claims which total \$78,068.70. (Johnson, Nesbitt)
- 2) Motion carried to approve the Consent Agenda which include the minutes of the July 6, 2010 Work Session and July 6, 2010 Town Council Meeting. (Nesbitt, Schmier)
- 3) Motion carried to approve the new business license application for Yellowstone ATV. (Johnson, Nesbitt)
- 4) Motion carried to approve the Application to Maintain an Encroachment made by the West Yellowstone Economic Development Council to erect signs and paint grizzly bear paw prints on public property as part of the Historic Walking Tour, contingent upon getting approval for each sign placement on public property from town staff. (Nesbitt, Johnson)
- 5) Motion carried to approve the Memorandum of Understanding with the National Smokejumper Center. (Johnson, Nesbitt)
- 6) Motion carried to accept the Administrative Site buildings located at the corner of Dunraven and Highway 20 from the US Forest Service and authorize Greene authorized to sign to Report of Transfer or other Disposition or Construction of Property form. (Nesbitt, Schmier)
- 7) Motion carried to accept the recommendations from the Marketing and Promotions Fund Advisory Board to award \$5783.80 to the Western Heritage Art Center for the Yellowgrass Folk Festival and \$9500 to Black Mountain Productions for the 2010 Summer Music in the Park. (Johnson, Schmier)
- 8) Motion carried to approve Ordinance No. 252 on the second reading, an ordinance adopting the International Fire Code, 2009 Edition, as promulgated by the Montana Department of Justice, State Fire Marshal's Office, by reference. (Johnson, Nesbitt)
- 9) Motion carried to accept the recommendation from Finance Director Lanie Gospodarek to renew the audit contract with Junkermier, Clark, Campanella, Stevens, PC (JCCS) for a term of three years. (Nesbitt, Johnson)

**Presentation: Gallatin County Park and Trails Comprehensive Plan**

Mike Harris, Parks and Conservation Coordinator of the Gallatin County Planning Department, addresses the Town Council and distributes copies of the Draft Gallatin County Park and Trails Comprehensive Plan. He highlights the four most requested trail routes for the West Yellowstone area. He says the plan doesn't include maps of actual facilities that are planned for this area such as skateparks because they don't know where such facilities should be located. He explains that they use a trail classification system to differentiate types of trails and those definitions are included in the plan. Recreation Coordinator Kate Wilson explains that she has a complete copy of the plan available in her office.

**DISCUSSION**

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- 4) Clyde Seely explains that on behalf of the West Yellowstone Economic Development Council, he made a presentation to the Council this morning pertaining to the Historic Walking Tour signs and improvements they would like to make throughout town. Johnson requests that the staff keep the Council informed once all the sign locations are worked out. The group discusses whether this application includes the painting of the paw prints on the sidewalk and adds that to the application.
  - 5) Johnson says that Phillips expressed concerns to him about ensuring that all the details have been worked out before the buildings become the property of the Town. Greene says he shares that concern but is comfortable with this MOU.
- A) Public Services Report: Public Services Superintendent Bill Fogarty reports that they have issued a new sign permit for the Exxon station, conducted a parking review for Yellowstone ATV and now have a revised parking plan draw to scale, they have been looking at some lift stations in Idaho that were engineered by Dyer, provided assistance to the Air Force in preparing for the Blue Angels, been working with Rob Davies of the Forest Service on the water line and loop trail plan, are reviewing plans for a new home in Madison Addition and West Fork Apartments, put together a fuel rotation plan. He says the parking signs for interior parks are done, the parking bumpers have arrived, and they plan to install them over the next couple of weeks. Martineau asks about the new welcome signs. Greene says that those signs should be installed by the end of next week. Schmier asks if the pavers are going to put brick pavers back in around the new trees on Canyon Street. Fogarty says he isn't sure what happened there as he thought they were going to be replaced after the trees were planted. Greene says he was also under that impression and will look into that. Martineau says that he's heard concerns that the flower bed perennials are being trampled. Fogarty says they have a walk-through with the contractor and engineer scheduled for later this week and they will bring up some of these concerns.
- B) Advisory Board Reports: Mayor Martineau reports that Council Member Brad Schmier agreed today to take over the leadership of the Downtown Improvement District Advisory Board.
- C) Operations Manager's Report: Operations Manager Jamie Greene reports that the only unfinished items related to the Canyon Street Enhancement project are the installation of benches and "Welcome" signs. According to Dick Dyer, the benches should be installed this Thursday and the "Welcome" signs should be installed toward the end of next week. Greene says that he and the Fire Chief have initiated a review of the inter-local agreement and will be developing a longer term agreement over the next month or so. Greene says that Fund number 7002 of the municipal budget, the Fireman's Disability and Pension, contains \$374,058.14. Greene says that over the course of the last year, the Finance Director has been researching the future of that fund. He says they are still working on the final details but it appears that the guidelines for the West Yellowstone Fireman's Relief Association specify that the money in the fund was to be used solely for disability, there are no outstanding disability claims against the fund; and the Articles of Incorporation for the Fire Department Relief Association stat that "in case of dissolution or final liquidation of this corporation, all assets shall be distributable to the Town of

West Yellowstone...” The Local Government Services Bureau has advised us that since the Town no longer has a fire department, the Council should pass a resolution dissolving the Relief Association and transfer the balance of fund 7002 into the general fund. Greene says they will be working with Jim McKenna to finalize the resolution of dissolution over the next two weeks. Greene says he has finished the initial draft of a medical marijuana ordinance and McKenna will review it during the next few weeks. He says he expects to do a public hearing and first reading on August 17<sup>th</sup>. Greene says the staff and he will begin to draft a revision to the parking ordinance based on the Planning Board’s input. He says they will plan a work session on the subject in the next month or so. Greene explains that last week, he called Jane Ruchman, Acting District Ranger of the local Forest Service office, to ask if she could give him an update on the progress that the USFS had made on the 80 acres. Ruchman called him back and told him that Bob Dennee, Lands Specialist for the USFS, was under the impression that the Town was not in a position to purchase the 80 acres at this time. Greene says that when Lauren Turner, the previous District Ranger, relayed the same information on two separate occasions in the last year, he assured her that the Town did have the financial resources to proceed with the transaction. Greene says that he sent Dennee an email this morning clarifying the Town’s position and each Council Member was copied on that email. Greene says he has revised the Capital Improvement Plan (CIP) and plans to present it for adoption along with the FY 2011 budget. Greene says that he followed up on the actual location of the Yellowstone Foundation’s Bus Barn and it is currently planned to be located 45 feet from the west wall of the Emergency Services Building (ESB) and 15 feet from the eastern edge of the property that the Town has dedicated to the new medical center. To guarantee the most flexibility, Greene says he will instruct the WY Foundation to move the bus barn location 15 feet to the west. Greene says he contacted both Rob Klatt and Andie Withner about office space for rent, lease or purchase last week. Both indicated that they would think about what was out there and get back to him soon.

**CORRESPONDENCE**

Dated July 14, 2010, Doug Schmier writes Operations Manager Jamie Greene and the Town Council on behalf of West Yellowstone Search & Rescue to request the possibility of adding two additional bays to the west end of the Emergency Services Building at 400 Yellowstone Avenue.

The meeting is adjourned at 8:00 PM. (Schmier, Martineau)

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Mayor

ATTEST:

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Town Clerk