

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
July 2, 2013

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, and Doc Stewart, Pierre Martineau, and Tom Cherhoniak

OTHERS PRESENT: Social Services Director Jack Dittmann, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Gordon Berger

The meeting is called to order by Mayor Jerry Johnson 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.

ACTION TAKEN

- 1) Motion carried to pay the claims, which total \$27,704.13. (Stewart, Martineau)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the June 18, 2013 Town Council Meeting and the June 25, 2013 Work Session. (Stewart, Martineau)
- 3) Motion carried to table the new business license application for Geoff Richards pending a parking plan and relevant health permits. (Martineau, Cherhoniak)
- 4) Motion carried to table the new business license application for Roadside Smokehouse & BBQ to table for further review by the building department. (Stewart, Schmier)
- 5) Motion carried to table the business license relocation and parking review for Utah Transportation, LC. (Stewart, Cherhoniak)
- 6) Motion carried to approve the Application for Outside Amplification Permit made by Wild West Yellowstone Rodeo through August 31, 2013 between the hours of 1 PM and 7 PM. (Martineau, Schmier) Stewart is opposed.
- 7) Motion carried to approve the Application to Maintain an Encroachment made by Fremont Communications to install a fiber optic line in the public right of way from the Fall River Office on Madison to the corner of Geysers and Yellowstone in order to serve the new Town Hall. (Stewart, Martineau)
- 8) Motion carried to approve the request from the Holiday Inn to block of a portion of the interior park of Block 25 during the Yellowstone Rod Run, August 1-4, 2013. (Stewart, Cherhoniak)

Council Comments-Cherhoniak says that if they want to schedule the next budget meeting earlier in the day, he thinks he can accommodate that. Stewart recognizes Council Member Pierre Martineau as this is his last meeting on the Council before he is appointed to the County Commission. Mayor Johnson also thanks Martineau for his time and commitment to the Town and the community, which he knows will not end.

Public Comment- Chief of Police Gordon Berger recognizes Officer Mike Gavagan for his recent act of heroism in the line of duty. Gavagan saved a local girl's life recently when he was the first to respond when the girl's heart stopped. Gavagan administered CPR until paramedics arrived and the child was air-lifted to Salt Lake City. The child has made a full recovery. Chief Berger presents Gavagan with a letter of commendation and a plaque to the applause of a full room of friends, family, and fellow employees. Mayor Johnson also recognizes and congratulates Gavagan for his act. Chief Waldron seconds Johnson's comments and points out that Gavagan became certified in CPR on his own time and suggests that the Town consider training all of the police and even public works employees in CPR. He says that fishing and

snowmobile guides currently have more stringent emergency response training requirements than police officers.

Presentation: Deputy Town Clerk Mandy Munger displays the new Town website. She briefly describes the new features and information that is now available on the site.

DISCUSSION

6) The Council discusses the request from the Wild West Yellowstone Rodeo for outside amplification to advertise the rodeo that is held outside of town by loudspeaker projected from a car throughout town. The Council debates whether the projected sound can actually be understood and if they should include conditions that address the decibel level and clarity, but do not attach any conditions to the permit.

A) **Advisory Board Reports:** Guay reports that the Healthcare Services Advisory Board met last week and elected Kyle Goltz to be the chair. She reports that the board met but did not have a full quorum and therefore did not take a vote, but the majority of those present recommended that the Council fund the request to fund the Community Health Partners medical clinic in the amount of \$75,000 for FY 2014.

Council Member Schmier reports that the Downtown Improvement District Advisory Board met last week and reviewed the condition of the blue holiday lights they put up in the downtown area last winter. They also discussed the proposed pavilion or shelter as well as relocating the bear statue in Grizzly Park.

B) **Operations Manager's Report: Town Hall Project** – Dick Anderson has achieved substantial completion in accordance with the contract. Staff has been researching options for computer, internet and phone services. Morrison Maierle provided a quote of nearly \$18,000 to install a new server, firewall, network, etc. Consultation with a local computer consultant and the architect both confirm that this type of system is probably more than we need at this time. I have reduced the budget request for this item from \$20,000 to \$5,000. **Police Patrol Officer Recruitment** – Completed. Please see me if you would like more information about the hiring process used in this case. **Website** – The new Town website is up and running. Staff will make a presentation at the Council meeting this evening. **UPDL Window Replacement Project** – Still waiting on a bid from the contractor on the Firehole Room windows. **Tot Lot Installation and Sandbox Improvements** – Completed. **Street Striping** – Crews have laid down 75 gallons of curb paint within the last week. **In-Establishment Sewage Degreaser Program** – Staff is continuing to install degreaser pumps in food service locations. We will provide the degreaser to the businesses free of charge in order to prevent grease buildup problems in our sewer lines and treatment plant. The degreaser is removing grease from the lines and bringing it down to the treatment plant which is causing some odor issues. Crews are using fire hoses to break up the grease. **Septic Dump Station at Wastewater Treatment Plant** – Dick Dyer is overseeing Saurey Construction's work at the plant. **Water Leak at the Museum** – Crews are repairing a major water line leak at the Museum Building. **Water Valve Replacement/Repair along Canyon Street** – Water valves that were installed to provide for street tree watering have been breaking. Crews are removing the valve boxes, replacing valves and reinstalling the boxes at a higher elevation. **Capital Improvement Plan and Budget** – Budget prep is well underway. The preliminary budget for FY-14 is provided in the Council packet and is available for public comment. **Housing Meeting in Missoula** – David Magistrelli from Habitat for Humanity has arranged a meeting in Missoula on Monday, July 8 to discuss affordable housing development.

Council Member Martineau comments that the tot lot at the playground in the city park is great and he's really glad they got it installed. He also commends Rick McCord and the Public Works employees for all the street and curb striping around town, it looks great.

Johnson recognizes Chief Berger and the officers for the efforts they have made recently to walk around in the downtown area and establish a presence.

- C) Operations Manager Becky Guay explains that they are required by law to present the FY 2014 preliminary budget. She says that they have a copy of the preliminary budget here tonight and will email the current document to the Council before the budget work session next week. Guay reports that after all the basic operations are funded and transfers are made, there will be approximately \$292,000 left for the Council to determine how to allocate to other projects and requests.
- D) The Council discusses the proposed configuration for the Council Room/Courtroom. Schmier questions where the staff and clerk will sit during the meetings and how the configuration they currently use will be relocated to the new room. After lengthy discussion, the Council indicates they are not satisfied with the proposed configuration and would like Public Services Superintendent James Patterson to review it when he returns from vacation.

FYI/CORRESPONDENCE

Dated June 25, 2013, Town Council Member Pierre Martineau writes to resign from the Town Council as he has been appointed to the Gallatin County Commission, effective July 14, 2013. Board Chairman Hebgen Basin Fire District Robert Godwin writes to open the discussion with the Town about the future use of the space in Fire Station 1 that is currently occupied by the Town Offices. Dated June 20, 2013, Community Development and Operations Director Buck Taylor writes to thank the Town and specifically the Public Services Department for the completion of the paving project at the medical clinic.

The meeting is adjourned. (9:15 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
July 16, 2013

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, and Doc Stewart, and Tom Cherhoniak

OTHERS PRESENT: Operations Manager Becky Guay, Social Services Director Jack Dittmann, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Gordon Berger

The meeting is called to order by Mayor Jerry Johnson 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.

ACTION TAKEN

- 1) Motion carried to pay the claims, which total \$247,007.96. (Stewart, Cherhoniak)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the July 2, 2013 Town Council Meeting and the July 9, 2013 Town Council Work Session. (Stewart, Schmier)
- 3) Motion carried to approve the amended business license for Yellowstone Cabins. (Stewart, Schmier)
- 4) Motion carried to table the business license for Utah Transportation, LC pending a legal opinion. (Cherhoniak, Schmier)
- 5) Motion carried to approve the business license for Gibbon Lodging, contingent upon compliance with all State and County regulations. (Stewart, Cherhoniak)
- 6) Motion carried to waive the resort tax bond for Gibbon Lodging based on a satisfactory payment history by Geoff Richards for his other business. (Stewart, Schmier)
- 7) Motion carried to approve the new business license application for Roadside Smokehouse & BBQ, contingent upon applicable licensing by the State and County. (Stewart, Cherhoniak) Schmier is opposed.
- 8) Motion carried to deny the request to waive the resort tax bond for Ira Mulholland for Roadside Smokehouse & BBQ based on his status as a disabled veteran. (Stewart, Schmier)
- 9) Motion carried to approve the Marketing and Promotions Fund Award Recommendation to award Klondike Dreams \$10,500. (Stewart, Schmier)
- 10) Motion carried to direct the staff to start the process to fill the vacant Town Council position by appointment. (Stewart, Cherhoniak)
- 11) Motion carried to appoint Brad Schmier to serve as Deputy Mayor for the remainder of 2013. (Johnson, Cherhoniak) Schmier is sworn in as Deputy Mayor by Town Clerk Elizabeth Roos.
- 12) Motion carried to appoint Brad Schmier to the Parks and Recreation Advisory Board. (Stewart, Cherhoniak)
- 13) Motion carried to appoint Blaize Stewart to the Planning Board. (Schmier, Cherhoniak)

- 14) Motion carried to appoint Public Services Superintendent James Patterson to the Hebgen Basin Solid Waste District Board. (Stewart, Johnson)
- 15) Motion carried to appoint Operations Manager Becky Guay to represent the Town on the Community Assessment Action Team and for the Chamber of Commerce. (Cherhoniak, Stewart)
- 16) Motion carried to authorize the staff to release the Request for Proposals for Legal Services. (Stewart, Schmier)

Council Comments

Schmier says that he has received some complaints about high vehicle speed on Highway 20. Berger responds that he was measuring speeds on the highway this morning and the average speed is about 31 mph. He says he's clocked speeds as high as 56 mph on that stretch, even though the limit is 25 mph. He says they have written many tickets and warnings and the only other thing they could do is put up larger signs. There is brief discussion about borrowing an electronic speed reader from another agency so people will realize how fast they are going.

Johnson says that on the 4th of July, there were rumors that entrance to the park was closed because the park was at capacity. Traffic in town was backed up down both highways, nearly to the city limits. He says that he spoke to some NPS Officials and learned that the backup of traffic was due to the Fill-the-Boot campaign by the Fire Department and a bison jam.

Public Comment Period

No public comment is received.

DISCUSSION

- 1) Stewart asks clarification questions about multiple claims but no changes are made.
- 2) Town Clerk Liz Roos points out that they caught an inaccurate statement in the work session minutes earlier today, which will be removed.
- 3) The Council discusses the business license application/parking review for Yellowstone Cabins. The owners are removing one of the RV spots and replacing it with a new cabin.
- 4) The Council discusses the site plan for Utah Transportation Group, LC. The use of the property at 530 Highway 20 has been proposed to be changed to include nightly rentals and a taxi business. Public Services Superintendent James Patterson indicates that the parking is adequate but his only concern is the width of the driveway on the north side of the property. State law defines a roadway as having a minimum of 24' but the driveway is only 20' wide. The Council discusses the property at length and considers obtaining a legal opinion.
- 8) The Council discusses the request to waive the resort tax bond based on the status of the applicant as a disabled vet, but agrees that is an unrelated fact to his tax payment requirements.
- 9) Mayor Johnson explains that Charlotte Mooney came to the MAP Fund Board meeting and made an excellent presentation. The application covers three races that are growing and the Council agrees they hope this type of event grows in West Yellowstone.
- 11) The Council discusses the various boards and positions that were formerly held by Council Member Pierre Martineau, who recently resigned and was appointed to the County Commission.

- 15) There is discussion about whether it is appropriate to have two Council Members on the same advisory board. Schmier points out that both he and Cherhoniak are on the Downtwon Improvement District and offers to resign and allow Cherhoniak to assume the position of Town Council representative. The Council accepts his resignation and the staff indicates that they will advertise for another individual to complete the board.
- A) **Advisory Board Reports:** No Advisory Board reports are presented but Mayor Johnson points out that the new Fall River propane tank was placed today on Block 25 and Lot 6.
- B) **Operations Manager's Report:** Operations Manager Becky Guay reports on current issues: **Town Hall Project – Town crews have been preparing the parking** lot for paving, which should be completed tomorrow. The architect has submitted a landscape plan which is attached to this report. Town crews are planning on completing most of the landscaping work, however, we may wish to contract for automatic sprinkler installation. James has reviewed the set up plans for the Council Chamber/Courtroom and believes that the layout proposed by the architect can be basically accomplished with a minimum of furniture moving required. Installation of the fiber optic line is anticipated by next week. **UPDL Window Replacement Project –** The Bid from AV Construction for the Firehole Room windows is \$56,500. Staff has asked the architect, Dennis Johnson, to request bids from other contractors. **Street Striping –** On-going. **Dispatch/Law Enforcement Center Parking Lot Paving –** The parking lot was paved today. **Septic Dump Station at Wastewater Treatment Plant –** Dick Dyer is overseeing Saurey Construction's work at the plant. **Water Leak at the Museum –** Crews have completed repairs on a major water leak at the Museum. **Capital Improvement Plan and Budget –** Preparation of the Budget and CIP are nearly complete. **Social Services –** Jack will be on vacation until August 5. Kathy will be having shoulder surgery on July 23 and is not expected to return for two weeks. Administrative personnel will staff Social Services on a shortened schedule from July 23 – July 26. Volunteer staff will operate the food bank and other SS functions from July 29 – August 2. **Audit Firm Selection –** The Town Council recently approved a three year agreement with JCCS to provide audit services to the Town. We were notified that 23 employees of the 27 total JCCS staff in the Bozeman office have left the firm and formed their own company. The two CPAs that perform our audit are among those who have joined the new firm. The Town will be faced with the decision of whether to stay with JCCS or sign a new agreement with the new firm. Both firms have agreed to honor the terms of the JCCS agreement with the Town. Lanie and I are researching our options and will bring a recommendation to the Council at your next regular meeting. **Litter and Garbage Issues –** We have invited Betty Richey to attend the department head meeting on July 18. **Skating Rink –** James has confirmed with the developer of Yellowstone Aerial Adventures that the skating rink will need to be moved this fall. **Parkway Drainage Improvements –** Town Engineer Dick Dyer has nearly completed the specifications and bid package for this project. We intend to seek permission to bid from the Council at your next meeting.

Guay adds that the Town's personnel manual does allow all employees to attend and get certified for CPR at the Town's expense. It was suggested at a previous meeting that some of our police officers were not trained in CPR but they have all participated in CPR compression only training in the past year. She also adds that with the resignation of Council Member Pierre Martineau, they also need to appoint a new Deputy Mayor.

The meeting is adjourned. (8:30 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

July 23, 2013

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, and Doc Stewart, and Tom Cherhoniak

OTHERS PRESENT: Operations Manager Becky Guay, Social Services Director Jack Dittmann, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Gordon Berger, G.L. Scott

The meeting is called to order by Mayor Jerry Johnson 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

No public comment is received.

Mayor Johnson opens the meeting and asks Town Operations Manager, Becky Guay, to summarize what is currently included in the FY 2013-2014 budget. Guay explains that since the last meeting, they have revised the budget to include all of the special and project requests from advisory boards and community groups at some level except for the picnic pavilion proposed by the Downtown Improvement District. Finance Director Lanie Gospodarek explains that they will still have approximately \$96,000 left to allocate. Johnson suggests they discuss the two items that appear to have the most questions, the donation to Community Health Partners and the pavilion. CHP initially requested a risk share of up to \$75,000 and then increased it to \$100,000. Stewart says he has actually heard several positive comments about CHP's services recently and thinks they should actually work on marketing and promotions. Schmier says they should take the entity out of it and just consider, if the Town can afford it, whether the Town should subsidize healthcare. He suggests setting criteria and any organization that qualifies can apply for the money. Stewart says he thinks it is also important to make sure the community knows that the town already subsidizes healthcare by supporting the EMS/Fire Department at over \$500,000 per year. Guay says that right now, CHP appears to be their only option, but perhaps in the future they should release a Request for Proposals (RFP) that includes the subsidy from the Town. The Council discusses releasing an RFP and the RFP that was released three years ago when CHP applied. Johnson says they probably need to give CHP some security that they are not going to just give them the money this year and then release another RFP. He says that perhaps they should come to an agreement with CHP to operate as long as the current agreement works and release an RFP if and when it isn't working anymore. Johnson says the original request was for \$75,000 and he never heard a reason as to why the request was increased to \$100,000. The remainder of the Council indicates that they are comfortable with including a risk share of up to \$75,000 in the budget. The Council discusses the picnic pavilion that has been proposed by the Downtown Improvement District that would be located on public property between the Museum and McDonalds, off of South Canyon. Johnson says he doesn't think this is the best use of that amount of money. Cherhoniak says he thinks this is a good project, even though as a member of the board he originally did not support it. He says they have also discussed relocating the bear that is in the middle of South Canyon to that area. Schmier questions whether the proposed location is the best choice for the pavilion and the group discusses the effect it will have on the area. Johnson says they could include the pavilion in the budget, knowing it really won't get done this year. They could have the structure built over the winter but in the meantime, the Town can work with the Parks and Recreation Board on their plan for Pioneer Park. Schmier suggests improving the walking path and lighting that connects Grizzly Park to Old Town. Berger describes the pattern of people that move between the hotels in Grizzly Park and the historical district. Schmier also points out that there is no real access to the "parking" behind the Union Pacific Dining Lodge. He points out that only the locals know there is a parking area back there, but most have to cross a sidewalk or parking lot to get there. Johnson says that considering all the development on Yellowstone between Geysers and Faithful,

they should extend Obsidian east to Faithful Street. Patterson says he has talked to Engineer Dick Dyer about that and expects they will extend Obsidian when they re-do the streets in a couple years. Johnson says they have also previously discussed building a stage in Pioneer Park in order to encourage more "Music in the Park" events. He says they should probably wait to see the plan from the Parks & Recreation Advisory Board, but perhaps should think about a couple ideas that they can work into the plan. Stewart says he would really like to see a stage or amphitheater in the park. Johnson says that it seems like they are taking care of health and safety right now, so perhaps it is time to work on projects that benefit the community. Guay adds that they have the capital improvement plan that is taking care of most of the necessities and they are at a point where they are ready to fund projects that are "nice to have." The group discusses the alley drainage project and the Council agrees that they would like to finish that project. Guay says they have budgeted \$316,500 to complete nine of the alleys in the interior of the blocks. Two blocks have been completed and they will be halfway done with the project as 11 of the 22 blocks will be complete. Schmier asks about the drain that always freezes on Electric and Alley A and questions whether they can address that one when they do that alley. Patterson explains that there is not a belly in that pipe, but it tends to freeze before it completely drains, which causes the problem. He says that regardless, they would have to tear up the street.

Schmier and Stewart ask a couple questions about revenue. Gospodarek explains how property tax collections are estimated and how they estimate what they will collect through resort tax. She also briefly describes how the revenue for the Marketing and Promotions Fund, Cemetery, and Gas Tax revenue is estimated. Taxation in general is also discussed.

The meeting is adjourned. (8:15 PM)

Mayor

ATTEST:

Town Clerk