

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 1, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado

The meeting is called to order by Mayor Brad Schmier at 7:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

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 approve the purchase order #6702 to Traffic Safety Warehouse to purchase and deliver a radar speed trailer for \$6289.00. (Forsythe, Parker)
- 2) Motion carried to approve the claims which total \$28,481.01. (Johnson, Costello)
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the August 18, 2015 Town Council Meeting and the August 25, 2015 Work Session. (Forsythe, Johnson)
- 4) Motion carried to table the amended plat from Marc and SJ Sheppard until it has been reviewed by the Planning Board. (Johnson, Costello)
- 5) Motion carried to propose a 1-year extension of the building lease and health care services agreement with CHP from 1/1/16 through 12/31/16, after consultation with the Town Attorney. (Johnson, Costello)
- 6) Motion carried to award the bid to Morgan Pavement for the Asphalt Slurry Seal Surfacing project at \$138,215 and inquire and determine how much more yardage can be finished within the budget of \$185,000. (Johnson, Parker)
- 7) Motion carried to table the staffing plan amendment. (Johnson, Costello)

Public Comment Period

Tom Cherhoniak asks for updates from the Town Attorney on the various lawsuits the Town is facing. Mayor Schmier notes his comment but explains that they cannot comment on the details of pending litigation.

Council Comments

Council Member Parker says there was a lot of discussion at the last work session about the water supply and excess of sewer wastewater. He suggests that as they approach the purchase and development of the 80 acres from the Forest Service that they consider bringing in an expert in economic development that may guide them as they work through the zoning and development of the 80 acres.

Mayor Schmier thanks the Council and staff for their extra efforts and asks the Council to consider appointing an interim Operations Manager as they work through the next four months, which is the minimum amount of time they expect it will take to hire a new Town Operations Manager. He says that he is heading into a busier time of year and he is not sure he can keep up with all the responsibilities in addition to his own business.

Patterson asks the Council to think about the roof on the Town Hall. He says that Dick Anderson Construction has essentially done everything they can do to eliminate the leaking. Dick Anderson has identified and fixed all the problems that they can and it is now a design issue. He says he has requested a meeting between the Town, Dick Anderson, and the architect Dale Nelson. He says he knows that Nelson is going to maintain that the building was designed to have a metal roof and that was changed to save money. Patterson recommends doing something before winter so they don't have water running down the walls again in the spring. Forsythe suggests installing a "cold roof," not removing the shingles but putting 1 x 4s and a metal roof over the top. He also points out that they could just do the north side of the building.

Deputy Mayor Jerry Johnson asks everyone to remember Byllie Nash, a former dispatcher that worked for the Town nearly 30 years. Nash passed away last week after a long battle with cancer.

DISCUSSION

- 4) Mayor Schmier explains that they have a request from Marc and SJ Sheppard to subdivide Lot 8 of Block 2 into three separate lots. The east side of the property faces Hayden, but the owners wish to subdivide the west side of the lot into two more lots. Lot 8B would not have access to the street or alley and the Council discusses whether it is appropriate to allow a subdivision of a lot that does not have access to a public street or roadway. Costello says that he researched this issue and according to the subdivision regulations, all lots must have access to a public street or roadway. He says that he also contacted the Town Attorney, who agreed and recommended the plat be put before the Planning Board.
- 5) Mayor Schmier explains that the next item on the agenda is the Guy Hanson Memorial Clinic Lease & Health Care Services Agreement. He explains that the current lease with Community Health Partners requires either party to give 120 days notice. He points out that this lease expires December 31, 2015 and he thinks the Town should consider asking CHP to extend the lease and continue to provide service as they work through the RFP process. He says that regardless of how long that process takes, they don't want to risk not having a provider in Town. The Council considers how to handle the issue and possible outcomes if CHP is not the successful respondent to the RFP process. They also consider asking CHP to sign a one-year lease with the 120-day termination clause.
- 6) Mayor Schmier explains that they received three competitive bids for the Asphalt Slurry Seal Surfacing project. Morgan Pavement of Clearfield, Utah is the apparent low bidder with a bid of \$138,215.00. Morgan Pavement is a reputable company and their bid was significantly under budget. Patterson explains that they have \$185,000 in the budget so they will actually be able to do more streets than they originally anticipated.
- 7) Mayor Schmier explains that there has been discussion for several years about amending the staffing plan, specifically in the Public Services Department. The original plan was developed by previous Operations Manager Jamie Greene. The intent was to organize the department more efficiently and divide responsibilities. Deputy Mayor Jerry Johnson explains that the biggest change is the elimination of the Deputy Public Services Superintendent position and creating a Compliance Officer position. The proposed plan also eliminates on the Operator positions and creates a Lead Operator position. Johnson explains that they have discussed the plan with the Town Attorney and MPEA Union Representative. He says that if this plan is approved, they do recommend delaying implementation until September 20, 2015 in order to give the employees the opportunity to comment. The Council asks multiple questions about how the new plan would be implemented and how it would affect current employees. Kurtis Holtzen asks if the intent is to change the title of the Parks & Facilities Technician to Facilities Technician and whether there is a difference in the job description and whether the job will be opened up for applications. After discussion, the Council agrees they need to seek clarification on the issue. Town Clerk Liz Roos asks if making these changes will have a

net increase or decrease on the budget. The Council and staff estimate that the new plan will eventually cost the Town less, but current employee status and pay must be considered at this time.

- A) **Advisory Board Reports:** Council Member Cole Parker announces that the Health Care Services Advisory Board is meeting here at the Town Hall tomorrow at 12 noon.
- B) **Operations Manager/Department Head Reports:** Public Services Superintendent James Patterson explains that they are preparing to pour the pad for the ice skating rink later this week. They are also focusing on general maintenance around Town. The Council and Patterson discuss whether the metal posts and chains that outline the perimeter of the park should be reinstalled after the rink is poured. Patterson says that it is generally the opinion of the Parks & Recreation Board that they should not put the posts back, but there are arguments on both sides of the issue including safety, clearing snow, and prohibiting cars from driving in the park. He also reports that the water supply is holding up and the Railroad Well is not turning on nearly as often. Finance Director Lanie Gospodarek reports that they are putting together information for the rate review for Town Engineer Dick Dyer, preparing for resort tax audits, the counterclaim for the Playmill Theater, and the state budget report. Social Services Director Kathi Arnado reports that she expects to meet with the selected candidate for the Social Services Assistant tomorrow, one of the freezers failed over the weekend, and is working with Habitat for Humanity to provide a home for a local family. Chief of Police Scott Newell reports that they have had a lot of law enforcement activity over the last week, assisted Federal Marshals in arresting a fugitive, accident response, and preparing for police officer interviews next week. He explains they initially selected 7 applicants to interview plus two alternates, but all of the out-of-state applicants have dropped and they will only interview five applicants.
- C) Mayor Schmier says the final item of discussion is Mobile Food Trucks, at the request of Deputy Mayor Johnson. Johnson says they had an interesting application and discussion of this topic earlier this summer, but he believes it will come back before the Council by next year. He says the Council needs to consider and decide whether they want to allow mobile food vendors and what sort of requirements should be implemented. The Council discusses the topic and considers whether they should ask the public for input, but does not decide how to proceed.

The meeting is adjourned. (9:15 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Special Meeting
September 8, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Town Attorney Jane Mersen, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Social Services Director Kathi Arnado, Jeremy Weber-Editor, West Yellowstone News, Richard & Teri Gibson, Tashara Pond, Marysue Costello-Executive Director for the WY Chamber of Commerce, Helene Rightenour, WYSEF Representatives Drew Barney, Moira Dow, Melissa Alder, Pierre Martineau, Maren Aurand – YHC Director, Arnie Siegel-Yellowstone Foundation Representative

The meeting is called to order by Mayor Brad Schmier at 6:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period & Council Comments

Richard Gibson reminds the Council that this Thursday, they are scheduled to conduct oral boards (interviews) this Thursday, September 10. They are going to interview five candidates. He also states that in order to retain peace officers, they need to ensure that they pay adequately and says that they currently pay approximately \$4/hour less than any other police department in the area.

WORK SESSION

Mayor Schmier announces that they are meeting tonight to discuss resort tax exemptions, specifically as it pertains to non-profit groups. A new resort tax ordinance was adopted by the Town in May that requires all entities, regardless of tax status to collect the tax. Arnie Siegel asks for clarification between a donation and a fee for a service or a good. Town Attorney Jane Mersen explains that the resort tax is essentially an excise tax and a fee that is collected for something like a chili feed is a donation. West Yellowstone Ski Education Foundation (WYSEF) Director Moira Dow questions whether a fee for participate in a ski race is a donation and Siegel asks for clarification about a bus ticket. Drew Barney asks if it is legal to change who is being taxed, pointing out that the resort tax has not been applied to charitable organizations in the past. Mersen responds that she does believe the changes made to the ordinance are legal and have been imposed on other resort tax districts and areas in the state. She explains that non-profit status exempts the entity from state and/or federal income tax. Barney says that when WYSEF operates fall camp, they collect a fee or donation to cover the expenses and then donate to WYSEF. He illustrates with examples from other events he has participated in other communities. The group considers the difference between charitable donations and fees. Barney argues that the Council does not have the authority to change the ordinance without a vote of the people, but Mersen explains that authority is clearly granted to the Town Council in MCA 7-5-1505. Costello says that he has given this issue a lot of thought, taking into consideration that when they consider non-profit entities they must also consider entities such as the Grizzly & Wolf Discovery Center and the Museum, which collect the tax. Costello says that he believes the resort tax ordinance they are currently under is appropriate. Mersen clarifies that the tax status of the entity does not determine whether they must collect the tax and does not exempt them from collecting the tax on the sale of a taxable good or service. Siegel debates the original intent of the ordinance and the role of charitable organizations. Johnson points out that they cannot just exempt 501c3 organizations because entities such as the Grizzly & Wolf Discovery Center and the Museum (Operated by the Yellowstone Historic Center) do collect the tax on admissions and gift shop sales. Schmier asks Mersen what their options are, whether it is necessary to amend the ordinance or use another approach. Mersen explains a couple different approaches they could use to consider or allow certain exemptions. She says that they would most likely need to clarify it in the ordinance, not just through a policy or resolution. Schmier suggests the Council consider granting exemptions on a case by case basis, where an entity would apply to be exempted for a specific event. Dow asks the Council to also consider whether an event is held on Town property or inside the Town limits. Johnson says they should also consider whether they should be able to apply for marketing and promotions money from the Town for an event that isn't held on property in Town. Forsythe says he doesn't understand what the problem is with charging another 3% if it is all going back into the community anyway.

Siegel disagrees but says that the collecting and reporting of the tax is a burden on the entity. Melissa Alder says that at this point, they have already advertised the pricing for all their events this year and asks that they consider allowing them time to build that 3% into their pricing structure in the future.

7:00 PM Public Hearing-FY 2016 Municipal Budget

Mayor Schmier opens the hearing. The hearing was advertised in the September 4, 2015 edition of the West Yellowstone News and the edition of the Bozeman Daily Chronicle. No public comment is received.

ACTION TAKEN

- 1) Motion carried to approve Resolution No. 669, a resolution to establish the mill levy for FY 2016. (Johnson, Costello)
- 2) Motion carried to approve Resolution No. 670, a resolution that adopts the FY 2016 municipal budget, FY 2016 Capital Improvement Plan, and the FY 2016 budget for the Tourism Business Improvement District. (Costello, Parker) Forsythe is opposed.

DISCUSSION

- 1) Costello asks if they are levying more or less mills this year. Gospodarek says she does not have that specific information, but she is quite confident that number has gone down because the value of the mills went up slightly.
- 2) Council Member Forsythe says that in his business, he has always looked at things two ways: if it is good for the community and if it is profitable. He says that he has been working with the Yellowstone West Medical Center for nearly ten years with the intention of improving medical services in West Yellowstone. He summarizes some events of the past couple of years and refers to the recent front-page story in the local newspaper as inappropriate and poorly-timed which alleged that Bozeman Deaconess has supported Community health Partners, which he says is not true. Johnson disagrees with Forsythe's comments. Forsythe says he has a hard time understanding why the Town has to give Community Health Partners \$75,000 to provide health care services in the community.

The meeting is adjourned. (9:40 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting & Work Session
September 15, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado

The meeting is called to order by Mayor Brad Schmier at 7:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

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 approve Purchase Order #6730 to Woody Smith Ford to purchase a 2015 Ford F-350 pickup with a flatbed and plow for \$40,297.00. (Johnson, Costello)
- 2) Motion carried to approve the claims which total \$185,279.27. (Johnson, Forsythe) Forsythe abstains from #41319.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the September 1, 2015 Town Council Meeting and September 8, 2015 Town Council Work Session. (Costello, Parker)
- 4) Motion carried to approve the request to subdivide the plat with the conditions that the face of the plat shows access for utilities and access to Lot 8B with no obligation by the Town to maintain that access. (JJ, Forsythe) Schmier is opposed, motion passes.
- 5) Motion carried to approve the amended Staffing Plan dated September 15, 2015. (Johnson, Parker)
- 6) Motion carried to approve the amended plat for Block 1, Lot 4 of the B-3 District as requested by the Barnes family. (Costello, Forsythe)
- 7) Motion carried to approve the recommendation from the Marketing and Promotions Fund Award Recommendation to award \$3250 to the 2016 Hebgen Lake Ice Fishing Tournament. (Forsythe, Costello)
- 8) Motion carried to table the Town Engineering Agreement. (Schmier, Forsythe)

Public Comment Period

No public comment is received.

Council Comments

Johnson mentions that long-time resident Irv Etzel passed away recently and should be remembered. Schmier thanks the staff for all of their extra efforts in the absence of an Operations Manager.

DISCUSSION

- A) **Advisory Board Reports:** Council Member Parker reports that the Health Care Advisory Board is meeting here at the Town Hall tomorrow at 12 Noon. He says they are making good progress on the Request for Proposals process. Town Clerk Liz Roos says that the Study Commission is meeting Thursday, September 17, 2015 at 7 PM.

- B) **Operations Manager's Report:** Acting Operations Manager and Mayor Brad Schmier says that they have agreed to do the finalist selection for Operations Manager by electronic means or Skype. They do need to select a date for that meeting, which will be discussed later this evening. He reports that they have been in correspondence with Gallatin County about the Interlocal Agreement from 2008 for 911 Services. Town Attorney Jane Mersen has sent a letter to Jim Doar, the County Administrator, alleging that the county has underpaid the Town by \$442,725 for the years 2008-2015, according to the agreement and they are waiting for a response. A letter is also being sent to the Montana Department of Commerce requesting an extension for the CDBG contract until December 2015 as the project did not get started until February 2015. The original expiration date is October 2015. The Police Commission did conduct oral interviews on September 10 and has selected two candidates to move forward with through the hiring process.

Patterson says that they are getting ready to pour the concrete for the ice skating rink and expect to pour next Monday-Tuesday. Patterson says the slurry seal project has been delayed until next week due to the rain. He says that he has a meeting set up next Wednesday, September 23 with Dick Anderson and Architect Dale Nelson to discuss the Town Hall building issues. He says they have poured the cement for the light poles at the ice skating rink and installed the poles but they will probably wait until spring to pour the new parking lot. Gospodarek says the Finance Department is preparing for resort tax audits, the annual budget report, updates on the Playmill litigation, second notices for people that did not respond to the sewer inventory requests from last year, and preparing for year-end closing entries. Kathi Arnado introduces Leah Sherman, the new Social Services Assistant. Sherman is starting work tomorrow. Arnado says she has been working with Habitat for Humanity and helping local families through the qualification process. She says that a local family will get a house in the West Yellowstone area. Chief Newell thanks Johnson and Gospodarek for their assistance with the negotiations process with the Police Unit earlier today. Newell also briefly describes a very bad accident last Sunday, just over Targhee Pass in Idaho where a Sheriff's Deputy and Island park resident were injured by another vehicle and life-flighted. They are in stable but critical condition. Newell says they actually had four life-flights that evening, which explains the many sirens. Gospodarek also reports that VISTA volunteer Kirstin Goldstein delivered the bound Preliminary Architectural Report (PAR) for the housing study.

- 4) Mayor Schmier explains that the proposed subdivision for Block 21, Lot 8 of Old Town, owned by Marc and SJ Shepherd, was tabled at the previous meeting and referred to the Planning Board for a recommendation. Council Member Parker explains that the Planning Board did review the proposal and after extensive discussion, approved the proposal. Since that meeting, the Town Attorney has issued a memo with the opinion that the proposal does not comply with the subdivision regulations. Costello points out that the opinion from the attorney was received this morning and suggests that the Planning Board consider meeting again on the topic and taking the attorney's opinion into account. SJ Sheppard addresses the Council and argues that the business license they have for the RV sites on the west side of the property already allows access to their property from the interior park. She quotes other sections of the West Yellowstone Municipal Code that references access through an interior park to private property. Sheppard disagrees with the points made by Mersen in her memo and says that it is misleading and believes that they are in compliance with the code and subdivision regulations. She also refers to other sections of the code and argues that there are multiple other instances in West Yellowstone where access is allowed to private property through an interior park, both residential and commercial property. The Council considers the proposal and whether they may be liable if there comes a time when someone cannot access the lot. Schmier suggests referring the proposal back to the Planning Board to consider along with the memo from Mersen. Sheppard emphasizes that the Planning Board considered all of these points and ultimately recommended approval. Patterson says the Board did consider the same points but agrees that it is open

to interpretation. He says they decided that Article III (A) (5) of the subdivision regulations, which require access to a public or private street or road does not mean the property must have frontage on a street or road. The Council debates and considers the issue at length with input from Sheppard and Patterson. Costello says that the Sheppards are making a compelling argument, but how will they handle the next request of this nature. Patterson says that he thinks they should pass an ordinance that requires a minimum lot size for all lots in town. Johnson says he does not think they can deny this request based on the laws that are in place. Forsythe says that some of the laws are so old, they just can't be interpreted correctly. Schmier points out that these are the laws that are on the books now. Johnson says he just wants to make sure the Town is protected from being obligated to provide access to this property. The Council considers possible conditions for the plat. Johnson makes a motion, seconded by Forsythe, to approve the subdivision on the conditions that the face of the plat shows utility access for lot 8B and legal physical access to the property without legal obligation by the Town to provide that access. After discussion, Forsythe withdraws his second, motion dies for a lack of a second.

- 5) Parker asks about the status of the court clerk and points out that previously we had a full-time court clerk and a much lighter caseload. However, now they have a half-time court clerk and a considerably heavier caseload due to changes in the Police Department. He questions whether it is appropriate to make this a part-time position. Gospodarek explains that is a discussion they are having with the Judge at this time, recognizing that they only budgeted for a half-time employee but that may not be sufficient. The Council acknowledges that they may have to amend the staffing plan again in the future and amend the budget.
- 6) The Council discusses the proposed amended plat and specifically considers the utility easements. Ryan Barker of Forsgren Associates explains that the utility easements are available for when the property is developed.
- 8) Mayor Schmier recommends that the table the Town Engineering Agreement with the Dyer Group as Town Engineer Dick Dyer has not had ample opportunity to review the proposed agreement.

The meeting is adjourned. (9:00 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Council Meeting
September 29, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Jerry Johnson

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Jeremy Weber-Editor, West Yellowstone News

Ramona Stubblefield, Bill Hanson-Think One, Julie Cerenzia-Open Window Consulting, Head Dispatcher Brenda Martin, HRDC Representatives Tracy Menez and Austin Rector, SJ Sheppard, Officer Anthony Kearney, Tom Cherhoniak, WY Chamber of Commerce Executive Director, Norma Salinas, Patti Hostetter, David Magistrelli-Habitat for Humanity, Arnie Siegel, Pierre Martineau, Brian Watson, Helene Rightenour, Julie Hannaford, Sandi Pepler, Tara Ross, Officer Neil Courtis, Matthew Lovingier, Boy Scout Troop #683, Randy Wakefield, Deputy Sheriff Matt Stubblefield

The meeting is called to order by Mayor Brad Schmier at 6:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

WORK SESSION

Mayor Schmier calls the meeting to order and explains that this meeting was scheduled to present a housing plan that has been put together by Kirsten Goldstein, an Americorps VISTA that has been working with a team to prepare a Preliminary Architectural Report (PAR) through a grant from the Montana Department of Commerce CDBG (Community Development Block Grant). The \$30,000 grant was awarded to the Town and was matched by the Town at \$10,000. Goldstein distributes a copy of the PAR and explains that they addressed three primary housing issues including a lack of affordable housing, the condition of available rental housing, and Julie Cerenzia of Open Window Consulting presents the results of a six week study they did on housing issues in West Yellowstone. She describes three segments of housing: single family homes, rental housing, and vacation homes/second homes. She also describes points of consideration including year-round housing availability, commuter workers, and peak season demand. She explains that housing preferences in the area are not well defined and the fact that the summer season is so short is a considerable obstacle. She does suggest that just increasing the number of housing units would relieve the lack of supply in all the housing segments.

Bill Hanson of ThinkOne presents the Preliminary Architectural Report that has been prepared by his firm. He explains that they were tasked with working with the design committee to determine where the greatest housing need is and how to target that need. He says that they came to the conclusion that the greatest need in the community is year-round housing for core residents such as young professionals and young families. He says that they did identify a large parcel that is on the market that could be developed to provide 24 multi-family units, 2-bedroom units of approximately 1500 square feet, utilizing a community land trust model. They estimate that the total cost of such a development would be \$7.8 million to build all 24 units and the cost per unit would be about \$280,000.

Goldstein addresses the Council and presents multiple strategies to address housing issues including increasing and preserving the supply of affordable housing. She describes a community land trust model which essentially removes the cost of the land from the purchase price and is held in a trust. She explains that the land is leased to the homeowner on a 99-year lease, which is renewed every time the home sells. She says that there are multiple models for a community land trust which are designed to keep the units affordable and prohibit turning them into vacation homes. Tracy Menez of the Human Resource Development Council (HRDC) explains that they do anticipate a shortfall or "philanthropic gap" of approximately \$850,000 on the entire project. Goldstein emphasizes that their primary plan is to build those 24 housing units over the next three years. The Town would be asked to participate through reduced infrastructure and permitting costs. The Council asks various questions about the estimated costs to develop the parcel, implementation, and how to ensure that the units would actually sell. Other recommended action items of the plan include increasing assistance and education to partners and potential homebuyers, build rental housing, repair existing affordable homes,

housing assistance programs, review of current land use regulations, creation of affordable housing in the soon-to-be purchased 80 acres, consideration of a Tax Increment Finance (TIF) district to encourage investment, work toward legislative approval for an additional 1% increase in resort tax to fund affordable housing, housing condition study, a blight ordinance, and measure progress and update the housing plan as market conditions change.

Johnson asks what is the next step in this process. Menez explains that they will continue to talk to the landowners and believe they are close to negotiating a MOU which will allow them to seek funding and recruit potential homebuyers. She says they are very encouraged by the seller who is patient and willing to work with HRDC through this very complicated process. Mayor Schmier says he is very excited about this proposal and is encouraged to see all these entities working together. Arnie Siegel says that he has observed the change in the economy in West Yellowstone and believes that addressing the housing problems will make a significant difference in the future. He suggests that when the 80 acres is acquired, much more than 10% of the property should be set aside for housing. Goldstein briefly describes the timeline for the final adoption of the needs assessment and plan.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6672 to purchase six new Tasers for the Police Department from Proforce Law Enforcement for \$7360.05. (Johnson, Costello)
- 2) Motion carried to approve the claims, which total \$64,922.81. (Forsythe, Johnson)
Johnson abstains from #41379. Forsythe abstains from #41356.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the September 15, 2015 Town Council Meeting. (Johnson, Costello)
- 4) Motion carried to table the Town Engineering Agreement. (Costello, Johnson)
- 5) Motion carried to approve the Library Services Contract with Gallatin County for FY 2016. (Forsythe, Costello)

Public Comment Period

Brian Watson of the Alpine Motel addresses the Council and requests the consideration of an ordinance that prohibits the flying of drones in the city limits. He describes problems he is having with his neighbor that flies his unit over his private property and the street. The drone has a camera on it and it is a nuisance and problem.

Council Comments

No comments are received.

DISCUSSION

- A) **Operations Manager/Department Head Reports:** Acting Operations Manager and Mayor Brad Schmier reports that Community Health Partners has verbally agreed to extend the services agreement and lease through 2016. The Health Services Advisory board is working on the RFP, meeting tomorrow. He reports that they have received the draft Purchase agreement for the US Forest Service 80 acres and the attachments. It has been reviewed by the Town Attorney and Town Engineer, who expressed minor concerns but they are working through that process. They are still waiting on the results of the appraisal of the sewer lagoon. Schmier announces that Matthew Lovingier and Sabrah VanLeeuwen have successfully completed the recruitment process for police patrol officer and Lovingier will be sworn in this evening. VanLeeuwen is going to transfer from dispatch to the police department in October. He also mentions that it is Homecoming Week next week and asks the Council to volunteer to assist the police department with tossing footballs during the parade as he will be out of town. Mayor

Schmier then swears in Matthew Lovingier as a Police Patrol Officer for the Town of West Yellowstone.

Public Services Superintendent James Patterson reports that the Planning Board met last week and discussed how to proceed with amending and updating the subdivision regulations. He says that they discussed an ordinance that would stipulate how lots may be subdivided. He also reports that Kirk of Dick Anderson Construction has proposed to install two thermostatic fans in the attic of this building to control the temperature for a cost of \$3400. He says that architect Dale Nelson is not accepting any responsibility for the problem and Dick Anderson Construction has already invested over \$20,000 in the problem, so the assumption at this point is that this would be at the Town's expense. The Council asks various questions about the roof and why this solution did not come forward until now. Patterson says that he and Schmier have already given permission to go ahead and install the fans. Schmier says that he thinks that if they take their recommendation then they will be able to fall back on that if it does not work, but Nelson assured them at the meeting that this will work. Patterson also reports that Morgan Pavement has finished the paving for this season and has offered to enter into an agreement to finish the rest of the Town at the same unit price next year. He also reports that the concrete for the ice rink is finished and they have noticed that a lot of people are using it to skateboard. The group discusses the need for "use at your own risk" signs and agrees they need to contact the Town's insurance provider to determine what is appropriate. He says they are also blowing out all the sprinkler systems to prepare for winter. Finance Director Lanie Gospodarek reports that the annual budget report has been completed and submitted. They are still working on the sewer inventory and identifying issues with the billing system. They have received the timeline for the litigation with the Playmill, which is expected to last through next summer. They are going to conduct resort tax audits during the first week of November and the Playmill will be audited again for 2014. Other in progress activities include the agreement with Hebgen Basin Fire and the funding for the 911 system from the County. Social Services Director Kathi Arnado is on vacation this week. Chief of Police Scott Newell reports that call volume in his department is still quite active. Lovingier will start this week and VanLeeuwen will start in a couple weeks. He is also working on union negotiations and the 911 funding. Representatives from the Gallatin County 911 center are coming down to meet with him and Head Dispatcher Brenda Martin next week.

- 4) Mayor Schmier says that the agreement with Town Engineer Dick Dyer was tabled at the last meeting because Dyer was not given enough time before the meeting to review the agreement. He did speak to Dyer last week who indicated he would try to get to it but he has not responded on this topic.

The meeting is adjourned. (8:30 PM)

Mayor

ATTEST:

Town Clerk