

# Town of West Yellowstone

Tuesday, September 6, 2016

West Yellowstone Town Hall, 440 Yellowstone Avenue

**TOWN COUNCIL MEETING**

**7:00 PM**

Pledge of Allegiance

Purchase Orders: **#6734 to RDO Equipment for \$188,679**  
**2010 Used John Deere Motor Grader + Snow Attachments**  
**#6735 to RDO Equipment for \$20,000**  
**V-Plow for loader**  
**#6677 to Billion Dodge for \$62,768**  
**(2) Dodge 1500 SSV Crew Cab 4 x 4 Police Vehicle Pickups**

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **August 16, 2016 Work Session & Town Council Meeting ∞**  
**August 23, 2016 Work Session**

Business License Applications ∞

- Madison Plaza

Advisory Board Report(s)

Town Manager & Department Head Reports

**Comment Period**

- **Public Comment**
- **Council Comments**

**Public Hearings:** **CDBG Program Application, Public Housing Project**  
**Ordinance No. 261, Adoption of 2012 International Fire Code**  
**Ordinance No. 262, Prohibition against storage or parking of personal property**  
**or vehicles on public property**  
**Variance Request, Building Height, 107 Grizzly Avenue, Kelly Midwest Ventures**

## NEW BUSINESS

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Ordinance No. 261, Adoption of 2012 International Fire Code, 1 <sup>st</sup> Reading	Discussion/Action ∞
Ordinance No. 262, Prohibition against storage or parking of personal property or vehicles on public property	Discussion/Action ∞
Variance Request, Building Height, 107 Grizzly Avenue, Kelly Midwest Ventures	Discussion/Action ∞
Amended Plat of Lots 16A, Block 13, Madison Addition, Petroni	Discussion/Action ∞
Correspondence/FYI/Meeting Reminders	



**Policy No. 16 (Abbreviated)**  
**Policy on Public Hearings and Conduct at Public Meetings**

Public Hearing/Public Meeting

A public hearing is a formal opportunity for citizens to give their views to the Town Council for consideration in its decision making process on a specific issue. At a minimum, a public hearing shall provide for submission of both oral and written testimony for and against the action or matter at issue.

Oral Communication

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to Town Council on matters of concern. Accordingly, Town Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the presiding officer.
- Public comments related to non-agenda items will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing. Public comments specifically related to an agenda item will be heard immediately prior to the Council taking up the item for deliberation.
- Speakers must state their name for the record.
- Any citizen requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes unless prior approval by the presiding officer.
- If a representative is elected to speak for a group, the presiding officer may approve an increased time allotment.
- If a response from the Council or Board is requested by the speaker and cannot be made verbally at the Council or Board meeting, the speaker's concerns should be addressed in writing within two weeks.
- Personal attacks made publicly toward any citizen, council member, or town employees are not allowed. Citizens are encouraged to bring their complaints regarding employee performance through the supervisory chain of command.

Any member of the public interrupting Town Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing Town Council, shall be deemed to have disrupted a public meeting and, at the direction of the presiding officer, shall be removed from the meeting room by Police Department personnel or other agent designated by Town Council or Operations Manager.

General Town Council Meeting Information

- Regular Town Council meetings are held at 7:00 PM on the first and third Tuesdays of each month at the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.
- Presently, informal Town Council work sessions are held at 12 Noon on Tuesdays and occasionally on other mornings and evenings. Work sessions also take place at the Town Hall located at 440 Yellowstone Avenue.
- The schedule for Town Council meetings and work sessions is detailed on an agenda. The agenda is a list of business items to be considered at a meeting. Copies of agendas are available at the entrance to the meeting room.
- Agendas are published at least 48 hours prior to Town Council meetings and work sessions. Agendas are posted at the Town Offices and at the Post Office. In addition, agendas and packets are available online at the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com). Questions about the agenda may be directed to the Town Clerk at 646-7795.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com).

P.O. BOX 1570

# TOWN OF WEST YELLOWSTONE MONTANA

PHONE: 406-646-7795  
FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER

4000-436200-941 *ly*

Date *6-30-2016*

Ship Via

Order No. **006734**

Department

*Public Services*

TO: *RDO Equipment*

ADDRESS: *257 Laura Louise Ln  
Bozeman, MT 59718*

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
1	<i>John Deere 772 G USED</i>

Estimated Cost \$ *188,679.<sup>00</sup>*

Authorized By

Requested By:

*[Signature]*

VENDOR COPY - White OFFICE COPY - Canary

# Grounds for a John Deere six-wheel-drive grader.

John Deere tandem-drive graders are plenty productive. But if you want to improve your ground game even more, choose a six-wheel-drive configuration. Putting their entire weight and all six tires to work, their job-proven dual-path hydrostatic drive boosts productivity in all kinds of work. And enables them to accomplish almost everything easier and with fewer passes than their conventional counterparts.



1. Steering system automatically adjusts the speed of the outside front tire while increasing pull to provide full-power turns.
2. If traction and speed are what you need, choose either of the two larger models and get six-wheel drive through 7th gear and 18 mph.
3. Power is nothing without control. On our six-wheel-drive graders, the front wheels engage smoothly and in sync with the rear tandems — making them highly adept at finishing.

From blue-topping to heavy dirt work, G-Series six-wheel-drive graders are more productive in all kinds of applications.

Exclusive horsepower-management system balances the demand between the front and rear wheels, delivering smooth six-wheel power.

Six-wheel drive enables these graders to work across steep slopes, carry big loads through corners, and direct the front wheels while ditching without spinning out.



P.O. BOX 1570

# TOWN OF WEST YELLOWSTONE MONTANA

PHONE: 406-646-7795  
FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER 4000-430200-940 lg

Date 8-31-16

Ship Via

Order No. **006735**

Department Public Services

TO: RDO Equipment

ADDRESS: 257 Laura Louise Ln.  
Bozeman, MT 59718

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
1	✓ Plow for equipment

Estimated Cost \$ 20,000<sup>00</sup>

Authorized By \_\_\_\_\_

Requested By: [Signature]

VENDOR COPY - White OFFICE COPY - Canary

P.O. BOX 1570

# TOWN OF WEST YELLOWSTONE MONTANA

PHONE: 406-646-7795  
FAX: 406-646-7511

info@townofwestyellowstone.com

## PURCHASE ORDER

Date

Ship Via

Order No.

006677

Department

4000-420110-944

TO: Billion Dodge      Attn George Bob Galiger

ADDRESS: 355 Automotive Avenue

Bozeman MT 59718-7508

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
2	Dodge 1500 SSV Crew Cab 4x4 \$ 31,384 <sup>00</sup>

Authorized By



Estimated Cost \$

62,768<sup>00</sup>

Requested By:

Scott Newell

VENDOR COPY - White OFFICE COPY - Canary

City of West Yellowstone

BILLION DODGE-CHRYSLER JEEP  
355 AUTOMOTIVE AVE  
BOZEMAN, MT 597187508

Configuration Preview

Date Printed: 2016-08-30 11:58 AM  
Estimated Ship Date:

VIN:  
VON:

Quantity: 1  
Status: BA - Pending order  
FAN 1: 001LX STATE OF MONTANA  
FAN 2:  
Client Code:  
Bid Number: TB7075  
PO Number:

Sold to:  
BILLION DODGE-CHRYSLER JEEP (68141)  
355 AUTOMOTIVE AVE  
BOZEMAN, MT 597187508

Ship to:  
BILLION DODGE-CHRYSLER JEEP (68141)  
355 AUTOMOTIVE AVE  
BOZEMAN, MT 597187508

Vehicle: 2017 1500 SSV CREW CAB 4X4 (DS6T98)

	Sales Code	Description	MSRP(USD)
Model:	DS6T98	1500 SSV CREW CAB 4X4	39,975
Package:	25D	Customer Preferred Package 25D	0
	EZH	5.7L V8 HEMI MDS VVT Engine	0
	DG1	6-Spd Automatic 65RFE Transmission	0
Paint/Seat/Trim:	PW7	Bright White Clear Coat	0
	APA	Monotone Paint	0
	*D5	Cloth Front/Vinyl Rear Seats	0
	-X8	Black/Diesel Gray	0
Options:	YEP	Manuf Statement of Origin	0
	XB9	RamBox Cargo Management System	1,295
	XAC	ParkView(TM) Rear Back-up Camera	395
	RA2	Uconnect 5.0	660
	NHK	Engine Block Heater	95
	GFA	Rear Window Defroster	195
	DSA	Anti-Spin Differential Rear Axle	395
	4DH	Prepaid Holdback	0
	ADB	Protection Group	225
	4ES	Delivery Allowance Credit	0
	TXN	LT265/70R17E OWL On/Off Road Tires	250
	MAF	Fleet Purchase Incentive	0
	5N6	Easy Order	0
	4FM	Fleet Option Editor	0
	4FT	Fleet Sales Order	0
	174	Zone 74-Denver	0
	4EA	Sold Vehicle	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0
Bid Number:	TB7075	Government Incentives	0
Discounts:	YGE	5 Additional Gallons of Gas	0
Destination Fees:			1,195

Total Price: 44,680

Order Type: Fleet  
Scheduling Priority: 1-Sold Order  
Customer Name:  
Customer Address: USA

PSP Month/Week:  
Build Priority:

Serial # 30,904  
480  
31,384

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
42321	09/01/16	2575 WY Tourism Business Improvement August 2016 Collections		63,302.09 63,302.09		TBID	2102 411800	540	101000
42325	159831 08/15/16	2852 Fremont Communications fiber optic, Town Hall		300.00 300.00		TWNHAL	1000 411250	345	101000
42326	24378 08/16/16	146 Morrison-Maierle, Inc WY Network Maint.		376.50 52.50		TWNHAL	1000 410510	356	101000
	24356 08/11/16	WY Hosted Antivirus		324.00		TWNHAL	1000 410510	356	101000
42328	08/22/16	42 Fall River Electric UPDH 4212041 elec service		9,258.78 345.92		UPDH	1000 411252	341	101000
	08/22/16	POLICE 4212008 elec service		214.18		POLICE	1000 411258	341	101000
	08/22/16	shop 4212018 elec service		73.69		STREET	1000 430200	341	101000
	08/22/16	ANIMAL 4212029 elec serv		47.08		ANIMAL	1000 440600	341	101000
	08/22/16	PARK 4212032 Elec ser		67.06		PARK	1000 411253	341	101000
	08/22/16	PARK 2901001 elec serv		40.56		PARK	1000 411253	341	101000
	08/22/16	CLORINATOR 4212030 elec serv		41.90		WATER	5210 430500	341	101000
	08/22/16	MAD ADD WATER 4212017		48.36		WATER	5210 430500	341	101000
	08/22/16	PUMP 4212005 elec serv		1,223.97		WATER	5210 430500	341	101000
	08/22/16	SEWER LIFT STATION 4212006		352.95		SEWER	5310 430600	341	101000
	08/22/16	SEWER PLANT 4212007 elec ser		1,492.89		SEWER	5310 430600	341	101000
	08/22/16	MAD SEWER LIFT 4212014 elec		93.43		SEWER	5310 430600	341	101000
	08/22/16	SEWER TREAT SERV 4212046 ele		2,718.48		SEWER	5310 430600	341	101000
	08/22/16	library 23 dunraven 4212054		186.28		LIBRY	1000 411259	341	101000
	08/22/16	povah comm ctr 4212001		227.24		POVAH	1000 411255	341	101000
	08/22/16	unmetered lights 4212004		1,451.25		STLITE	1000 430263	341	101000
	08/22/16	Town Hall 4212009		481.24		TWNHAL	1000 411250	341	101000
	08/22/16	Ice Rink 421010		53.26		PARKS	1000 411253	341	101000
	08/22/16	Hayden/Grouse Well 4212015		38.93		WATER	5210 430500	341	101000
	08/22/16	Water Well/Elec Sub St 4212031		60.11		WATER	5210 430500	341	101000
42334	08/19/16	2813 Century Link DSL Povah, 646-7982		2,585.91 47.00		POVAH	1000 411255	345	101000
	08/19/16	DLS Police 646-0231		62.00		POLICE	1000 420100	345	101000
	08/19/16	DSL Pub Serv Office 646-7949		62.00		BLDINS	1000 430200	345	101000
	08/19/16	Sewer Treat 646-9027		34.54		STREET	5310 430600	345	101000
	08/19/16	Sewer lift 646-5141		34.60		SEWER	5310 430600	345	101000
	08/19/16	PCC Elevator 646-7481		34.54		POVAH	1000 411255	345	101000
	08/19/16	Centrex Finance - 20%		224.08		FINADM	1000 410510	345	101000
	08/19/16	Centrex, Police-20%		224.08		POLICE	1000 420100	345	101000
	08/19/16	Centrex, Soc Ser -10%		112.04		SOCSER	1000 450135	345	101000
	08/19/16	Centrex, Court - 10%		112.04		COURT	1000 410360	345	101000
	08/19/16	Centrex, Public Services - 20%		224.08		STREET	1000 430200	345	101000
	08/19/16	Centrex, PCC - 10%		112.04		POVAH	1000 411255	345	101000
	08/19/16	Centrex, Lib		112.06		LIB	2220 460100	345	101000

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TOWN OF WEST YELLOWSTONE  
Claim Approval List  
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\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	08/19/16	E911 Viper 646-5170		98.32		E911	2850 420750	345	101000
	08/19/16	E911 255-9710		998.90		E911	2850 420750	345	101000
	08/19/16	E911 255-9712		24.51		E911	2850 420750	345	101000
	08/19/16	Alarm Lines, 646-5185		69.08		TWNHAL	1000 411250	345	101000
42335		1514 Verizon Wireless		946.14					
		9 Smartphones							
		7 regular phones							
		4 laptops							
	08/20/16	640-0108, Police		33.36		SOCSE	1000 420100	345	101000
	08/20/16	640-1103, Operator		32.27		STREET	1000 430200	345	101000
	08/20/16	640-1438, SS Director		32.27		SOCSE	1000 450135	345	101000
	08/20/16	640-1460, Library Dir, SP		62.27		LIBRAR	2220 460100	345	101000
	08/20/16	640-1461, Facilities Tech, SP		62.37		WATER	5210 430500	345	101000
	08/20/16	640-1462, Operator, SP		62.37		WATER	5210 430500	345	101000
	08/20/16	640-1463, Deputy PSS, SP		62.37		SEWER	5310 430600	345	101000
	08/20/16	640-1472, Ops Mgr, SP		62.37		ADMIN	1000 410210	345	101000
	08/20/16	640-1676, Rec Coord, SP		62.37		REC	1000 460440	345	101000
	08/20/16	640-1754, COP, SP		62.37		POLICE	1000 420100	345	101000
	08/20/16	640-1755, Police		32.37		POLICE	1000 420100	345	101000
	08/20/16	640-1756, Police		32.37		POLICE	1000 420100	345	101000
	08/20/16	640-1757, Police		32.37		POLICE	1000 420100	345	101000
	08/20/16	640-1758, Police, SP		62.37		POLICE	1000 420100	345	101000
	08/20/16	640-1759, Police		32.37		POLICE	1000 420100	345	101000
	08/20/16	640-7547, Facilities Tech		32.37		PARKS	1000 460430	345	101000
	08/20/16	640-9074, PSS, SP		61.20		SEWER	5310 430600	345	101000
	08/20/16	COP laptop		46.31		POLICE	1000 420100	345	101000
	08/20/16	683 laptop		40.01		POLICE	1000 420100	345	101000
	08/20/16	Officer laptop		40.01			1000 420100	345	101000
42336		95 Energy West-Montana		755.84					
	08/19/16	nat gas 210361788 updl		228.45		UPDH	1000 411252	344	101000
	08/29/16	nat gas 210360293 Police		22.76		POLBLD	1000 411258	344	101000
	08/29/16	nat gas 210361746 Pub Services		57.18		STREET	1000 430200	344	101000
	08/30/16	nat gas 210361811 old firehall		18.00		PARK	1000 460430	344	101000
	08/30/16	nat gas 210363966 old bld ins		18.00		STREET	1000 430200	344	101000
	08/29/16	nat gas 210360540 library		20.37		LIBBLD	1000 411259	344	101000
	08/29/16	nat gas 210364599 Povah		183.66		POVAH	1000 411255	344	101000
	08/29/16	nat gas 210361697 Iris Lift St		27.50		PUBSVC	1000 430200	344	101000
	08/29/16	nat gas 210365425 Twn Hall		154.79		TWNHAL	1000 411250	344	101000
	08/29/16	nat gas 210361655 Mad Add Sewe		25.13		SEWER	5310 430600	344	101000

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\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
42337		951 Barnes & Noble		748.79					
	3304644	08/08/16 WY Library Book Purchase	Library	152.49			2220 460100	215	101000
	3304724	08/08/16 WY Library Book Purchase	Library	59.12			2220 460100	215	101000
	3304725	08/08/16 WY Library Book Purchase	Library	116.44			2220 460100	215	101000
	3311540	08/18/16 WY Library Book Purchase	Library	65.99			2220 460100	215	101000
	3313372	08/22/16 WY Library Book Purchase	Library	164.31			2220 460100	215	101000
	3313521	08/22/16 WY Library Book Purchase	Library	54.27			2220 460100	215	101000
	3313928	08/22/16 WY Library Book Purchase	Library	136.17			2220 460100	215	101000
42338		2099 Quick Print of West Yellowstone		101.10					
	00009135	08/26/16 Copy Services		66.60		LIB	2220 460100	357	101000
	00009122	08/19/16 Copy Services		34.50		LIB	2220 460100	215	101000
42339		674 Karst Stage		2,700.00					
	101595	08/03/16 Bus Service to Three Forks, MT		675.00		SUMREC	1000 460449	319	101000
	101598	08/25/16 Bus Service to Virginia City,		675.00		SUMREC	1000 460449	319	101000
	101599	08/15/16 Bus Service to Cliff & Wade		675.00		SUMREC	1000 460449	319	101000
	101600	08/22/16 Bus Service to Gallatin Gatewa		675.00		SUMREC	1000 460449	319	101000
42340		73 Westmart Building Center		1,809.66					
	08/27/16	Street Buildings		90.76		STREET	1000 430200	366	101000
	08/27/16	Street Supplies		285.80		STREET	1000 430200	220	101000
	08/27/16	Sewer Supplies		31.69		SEWER	5310 430600	220	101000
	08/27/16	Water		5.05		WATER	5210 430500	220	101000
	08/27/16	Police Building		10.64		PD	1000 411258	366	101000
	08/27/16	UPDL		69.73		UPDL	1000 411252	220	101000
	08/27/16	Town Hall		41.77		OFFICE	1000 411250	366	101000
	08/27/16	Povah		32.87		POVAH	1000 411255	220	101000
	08/27/16	Parks Grounds		678.25		PARKS	1000 460430	365	101000
	08/27/16	Park Supplies		233.16		PARKS	1000 460430	220	101000
	08/27/16	Park Buildings		224.08		PARKS	1000 460430	366	101000
	08/27/16	Cemetery		31.81		CEMETA	2240 430900	220	101000
	08/27/16	Clinic		40.83		CLINIC	1000 411251	366	101000
	08/27/16	Social Services		6.64		SS	1000 450135	220	101000
	08/27/16	Chamber Building		26.58		CHAMB	1000 411257	220	101000

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TOWN OF WEST YELLOWSTONE  
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\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
42341		75 Montana League Cities/Towns		419.43					
	WY06302016	06/01/16 Membership Dues		419.43		DUES	1000 410100	335	101000
42343		2818 Avtec, Inc. (Scoutcare)		1,500.00					
	29837	08/25/16 Scoutcare, Software Maint		1,500.00		PD	1000 420160	398	101000
42344		2952 DIS Technolgies		595.00					
	30124	08/24/16 Monthly Managed Services		595.00		PD	1000 420160	398	101000
42345		2969 Assoc. of Public Treasures of		145.00					
	104621	08/01/16 Membership Dues for Lanie		145.00		DUES	1000 410510	335	101000
42346		1235 Yellowstone Rental & Sports		100.00					
	23909	08/08/16 1 used diamond cut blade		100.00		PW	1000 430200	220	101000
42347		1954 W Yellowstone Public Library		350.00					
	52416	07/08/16 Buffalo Chip Chuck		350.00		MAP	2101 410130	398	101000
42348		2586 Waxie Sanitary Supply		3,137.60					
	76169741	08/19/16 Waxie Sanitary Supply		3,137.60		PW	1000 460430	220	101000
42349		471 Northwest Pipe Fittings, Inc.		158.84					
	1682735	08/15/16 Pipe Supplies		158.84		WATER	5210 430590	251	101000
42350		2635 Jake's Automotive and Tire		381.87					
	13029	08/17/16 crankshaft sensor work		190.07		PW	1000 430200	220	101000
	13026	08/17/16 Tires		191.80		PW	1000 430200	220	101000
42351		2908 Frontline Ag Solutions, LLC		70.50					
	386018	08/23/16 V-Belt		70.50		PW	1000 460430	220	101000
42352		1454 Bozeman Chronicle/Big Sky		233.00					
	1401816	03/04/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1404816	03/11/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1404816	03/18/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1404816	03/25/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1498324	08/12/16 Public Notice		63.00		LEGAL	1000 410210	327	101000
	1497511	08/05/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1500301	08/12/16 Library Happenings		20.00		WYDIS	2220 460100	398	101000
	1404376	08/19/16 Library Happenings		25.00		WYDIS	2220 460100	398	101000
	1507528	08/26/16 Library Happenings		25.00		WYDIS	2220 460100	398	101000



09/02/16  
17:28:52

TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 9/16

Page: 6 of 8  
Report ID: AP100

\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
42362		2925 Daniel Sabolsky		180.38					
	08/31/16	Meeting in Bozeman		140.40		DAN	1000 410210	370	101000
	08/31/16	Two Boxes of Pens		39.98		DAN	1000 410210	220	101000
42363		1031 Murdoch's Ranch & Home Supply		299.99					
	08/23/16	Camera Kit		299.99		PW	5210 430500	220	101000
42364		2898 TransUnion Risk and Alternative		25.00					
	08/01/16	Data Solutions		25.00		PD	1000 420100	220	101000
42365		2971 Creative Eduventures, LLC.		300.00					
	08/04/16	Virginia & Nevada City Tour		300.00		SUMREC	1000 460449	871	101000
42366		1331 West Yellowstone Foundation		80.00					
	08/31/16	CHF Bus Vouchers		80.00		SS	7010 450135	370	101000
42367		1372 MONTANA SUPREME COURT		550.00					
	08/15/16	training regis, Parker		250.00		COURT	1000 410360	370	101000
	08/15/16	training regis, Brandis		300.00		COURT	1000 410360	370	101000
42368		2903 Kerry Parker		46.80					
	09/02/16	reimb travel, BZN		46.80		COURT	1000 410360	370	101000
42369		2658 Delfino Salinas		60.00					
	08/19/16	interpretor fees		60.00		COURT	1000 410360	394	101000
42370		999999 RICHARD JENSEN		50.00					
	08/19/16	bond exonerated		50.00		COURT	7469 212401		101000
42371		999999 KEVIN HERNANDEZ		50.00					
	08/19/16	bond exonerated		50.00		COURT	7469 212401		101000
42372		2905 OC Rugged Laptops		1,593.00					
	2811 07/22/16	1 panasonic toughbook		1,593.00		POLICE	1000 420100	212	101000
42373		2823 STAPLES Credit Plan		386.10					
	08/12/16	office supplies		142.21		DISPAT	1000 420160	220	101000
	08/12/16	office supplies		243.89		SOCSEK	1000 450135	220	101000
42374		2875 GNG		15,000.00					
	32836521 08/23/16	crack sealing, hot rubber		15,000.00*		GASTAX	2820 430200	367	101000

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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
42375			118 Bozeman Ford	13,830.05					
	52900	08/10/16 repairs	08 Ford F350	5,524.41		STREET	1000 430200	361	101000
	53532	08/23/16 repairs	11 Ford Expedition, PD	8,305.64		STREET	1000 430200	361	101000
		# of Claims	45	Total:	128,339.57				

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Fund/Account	Amount
1000 General Fund	
101000 CASH	\$35,925.62
2101 Marketing & Promotions (MAP)	
101000 CASH	\$350.00
2102 TBID (Tourism Business Improvement	
101000 CASH	\$63,302.09
2220 Library	
101000 CASH	\$1,984.92
2240 Cemetery	
101000 CASH	\$31.81
2820 Gas Tax Apportionment	
101000 CASH	\$15,000.00
2850 911 Emergency	
101000 CASH	\$1,121.73
5210 Water Operating Fund	
101000 CASH	\$2,001.89
5310 Sewer Operating Fund	
101000 CASH	\$7,661.21
7010 Social Services/Help Fund	
101000 CASH	\$860.30
7469 City Court - Judge Brandis	
101000 CASH	\$100.00
Total:	\$128,339.57

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**August 16, 2016**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Pierre Martineau, Cole Parker, Greg Forsythe

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Assistant Superintendent David Arnado, West Yellowstone Police Chief Scott Newell, Social Services Director Kathi Arnado, West Yellowstone News Editor Jeremy Weber, Richard & Teri Gibson, Multiple representatives from local Fire and Law Enforcement Agencies, Bob Patzke, Helene Rightenour, Terry Marsden, Lingtao Zhang, Jennifer Jordan, Grant Jackson, other community members.

The meeting is called to order by Mayor Jerry Johnson at 6:30 PM in the 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.

**WORK SESSION**

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Mayor Johnson calls the Work Session to order to go over the 2016-2017 Municipal Budget. Finance Director Lanie Gospodarek hands out the cash reserve worksheet and Mayor Johnson asks if there are any updates since the last time they discussed the worksheet. Mayor Johnson then asks if anyone on the council has any questions, about any changes or additions implemented in the last 2 weeks. Councilman Schmier asks to go over any changes. Town Manager Sabolsky adds that they have considered recommendations to look at financing a grader. He talked to Intercap and First Security. We could get 1.5% financing and First Security would require a \$350.00 fee, Intercap does not require a fee. He says they would like to pursue this whether it is financed over a period of time or if other options may be looked at. We left \$40,000.00 in that we may use as a down or payment and would like to get add on equipment for various seasonal use. We are also looking at using the \$60,000 we have for the building of a Pavilion and a small shed with an office to be built at the Sewer Lagoon to store equipment and paperwork related to Sewer Lagoon operations said David Arnado. If these are financed, then 3 more projects can be implemented because the cost to finance is minimal. Intercap offered a variable rate and First Security offered a fixed rate. Councilman Forsythe asked if it requires \$50,000 down and Sabolsky answers that yes or that can be applied to the first payment, depending how the loan is structured. Schmier asked if the grader is financed, how much money would that free up. Sabolsky answers that it would free up \$130,000.00 and Gospodarek adds it would be around \$140,000.00. Sabolsky met with all of the Department Heads and they have agreed that the best use of the Capital Funds has been achieved. Schmier asked about the Generator Plant and Sabolsky suggests that it will be part of a future defloridization plant so it isn't being looked at currently. This is a 2-million-dollar plan that is in the Capital Improvement plan. Councilman Parker asked if we will be keeping the old grader and Sabolsky said yes. Mayor Johnson asked if there were any other changes. Gospodarek adds that \$8000.00 has been added for safety equipment.

Mayor Johnson inquires about meters on the Forest Service property and states that didn't we decide to have individual meters instead of one large meter. Lanie clarifies that she did put money in the budget to cover individual meters not one large meter. It was a recommendation from staff to get better readings and would be less expensive to go with individual meters as opposed to one large meter. Mayor Johnson asked council if they had any further questions that hadn't been covered or clarified. All Council Members were satisfied with the budget as written. The work session is adjourned at 6:45 PM. Mayor Johnson asks for a 15-minute break before starting the Town Council Meeting at 7:00 PM.

### **ACTION TAKEN**

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- 1) Mayor Johnson announces that Claims total \$208,876. 64 (Martineau, Parker) Schmier abstainers from claim #.
- 2) Mayor Johnson moves on to the Consent Agenda dated August 2, 2016 Work Session & Town Council Meeting. (Martineau, Schmier)
- 3) Motion carried to approve the business license for Swan Cleaners. (Forsythe, Martineau)
- 4) Motion carried to approve the new business license for Body Works, LLC. (Martineau, Schmier)
- 5) Motion carried to approve Mike Bryers to the Library Board. (Forsythe, Parker)
- 6) Motion carried to approve the lease for CHP. (Martineau, Forsythe)
- 7) Motion carried to approve Parking Plan for 220 Boundary Street. (Martineau, Forsythe)
- 8) Motion carried to approve Resolution #668, a resolution determine the amount of taxes and setting the mill levy for FY 2017. (Schmier, Martineau)
- 9) Motion carried approve Resolution #689, a resolution to adopt the FY 2017 Municipal Budget and Capital Improvement Plan. (Martineau, Parker)

### **Public Comment Period**

Mayor Johnson introduces Fred Jones who will give a report on the status of the fires outside of town. Fred reports the yesterday at around 4:30 there was smoke in Yellowstone National Park (YNP) by the Duck Creek area. It is about two tenths of a mile inside the park and took off quickly. Smoke jumpers hiked into the area assisted by the Forest Service. 2 helicopters and planes were on scene obtaining water from Hebgan Lake. Last night ended with around 100 acres involved. This morning 20 more people came Keith said the fire is now about a mile long and is holding south of Cougar Creek. They are doing a lot of saw work to work the fire back into the park. It is currently 350 to 400 acres. Mayor Johnson asks if the road to the Landfill is still open. Fred assures that it is. Additional resources are coming in. Hotshots are coming in under park service management but Forest Service are assisting them. Trying to move it toward Marble fire which stands at 5000 acres. Shane Grube said Hebgan Basin Fire District met with various agencies to coordinate a plan to make sure that the fire continues to move into the park and not toward Duck Creek and Forest Service Land. They have a plan if the fire starts to move toward 287 and Horse butte. The Sheriff's Department said they will assist the Forest Service and other agencies to assist with traffic control of people stopping to take pictures or, if necessary, to warn or evacuate anyone who may be in danger. They are now doing boat patrol so planes have clear access to the lake. Parker asked if they know the origins of the fire. The Sheriff's Department said that it is under investigation and they will report findings of whether it was lightning or human caused. They will do all they can to secure too old 88 scar. They can use retardant on the fires but will avoid this use near Cougar Creek because of riparian life. Here they will use only water if possible. They are using the old airport for their camp. Park has ordered a Public Information Officer (PIO) for just the Boundary Fire. Mayor Johnson asks that they keep up their good communication with the Town. Weather is supposed to cooperate and Mike Wilson of the Park Service met with the PIO who said the Buffalo Complex fire is 350 acres, Fawn Fire is at 1000 acres but all are in monitor status and are doing point protection on some of the structures in the Park. Schmier asks how do we get information on the Maple and Boundary Fires. NCWeb website can give that info to anyone. Hebgan Lake Ranger District will be ever present for information given in a timely manner. They will relay info about smoke and how it isn't affecting tourism. Marysue will send out info on a daily basis that can be downloaded for the chamber website. Mayor Johnson thanks everyone for coming and asks for questions from the public.

### **Council Comments**

Forsythe asks about the roof on the Town Hall and questions if this should go under council comments. Sabolsky adds that he and James have been in dialogue with a company, he believes is called HBAC and the contractor. One will participate but will not eat the whole cost. Sabolsky believes this needs to go all the way back to the architect but they believe they have no responsibility. There are some preliminary numbers to include moving the duct work to the basement. Mayor Johnson asks when did we find out that the current daycare center wasn't going to work for affordable housing. Sabolsky said Pierre and he walked through last week with Stahly Engineering and found out that the garages in the back wouldn't work for apartments and that the foundation wouldn't support the weight and would have to be torn out. Wind shear would be an issue also. Mayor Johnson wants assurance that in the future, we work with engineering firms that will be able to provide solid information before we get too far into a process only to find out it isn't feasible. Councilman Martineau addresses the council about the Little Geysers Daycare Center. He says that they owe the CDBG program about \$15000.00 and in light of their recent difficulties he asks that the Town waive this. Mayor Johnson said it needed to be placed on as an Action item. Councilman Forsythe said daycare and the fires should be the Towns priority right now.

### **Public Hearing: Final Municipal Budget, FY 2017**

Mayor Johnson opens the public hearing on the Final Budget 2016-2017. We do an overview of what we are going to do in 2017 for projects, what our budget is and what our operating budget is for the Town. We passed a Resolution that adopts the mill levy and adopts the Budget and we break that out by General Funds, Special Revenue Funds, Debt Services Funds, Capital Improvement Funds. The General Funds are what are used to run the Town. We expect revenue totals of \$4,245,000. With expenditures of \$4,790,000 that is in addition to the \$300,000 in revenue is in addition to the \$1.5 million held over from the previous year more than cover our expenditures. Special revenues are all of the funds for things like the Library, 911 the community garden are all Special Revenues and we are expecting revenues of \$4.6 million and expenditures of \$7 million. And again there are fund balances that will roll over and are added to the revenues and that is what covers those expenditures. The Debt services fund are only from our General Obligation bond adopted by a vote of the people that covers the Povah Center, our Library purchase and the Save Americas Treasures grant that paid for the windows of the UPDL. We are in the process of refunding that debt service that is currently at a 4% interest rate. We are working with a local bank for a 2.19% interest rate so we will save some money there. The Capital Improvement funds are extensive this year and council has worked with staff and has an extensive list of purchased this year. Our funds are at \$899,000.00 and improvements total \$987,000.00. Most is funded by Resort Tax and the difference is rolled over from the previous year. The Enterprise Funds are the Water and Sewer funds and can only go to these by state law and should support themselves. We just implemented an increase in these funds in anticipation of major projects to our water and sewer systems. The only other funds we have are a Trust Fund the Help Fund that is administered by our Social Services Department. Mayor Johnson asks Sabolsky if he has anything to add. Sabolsky says our priority is the police department is in need of new patrol vehicles, improvements to parks, historic structures, sewer and water lines, and future needs that we are currently saving for. He says they plan to maximize energy savings, street repairs, staffing issues, volleyball court, pavilion, grader, and maintain the existing one, amphitheater, with help from a private citizen. We have moved things out that can wait in order to concentrate on immediate needs. Maybe contract out some work in order to free up staff for ongoing projects. We need to put the public dollars to work for the Public. No public comments are received.

### **DISCUSSION**

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- 3) Mayor Johnson moves on to two Business Licenses. Mayor Johnson asks about Swan Cleaners and that it should only be a simple change of ownership. Gospodarek informs him that the previous owner didn't account for the rental units on his Business License and that the new owners wished to change the apartment in the cleaners its self to an office. These changes triggered a parking plan review that needed to be approved by Public Works.

- 4) Tidal Movements Body Works, LLC is the next Business License on the agenda. Ashley Nachtagal is moving into Madison Crossing (the old Altius) No fee license because she is licensed by the state. No change in use so there is no parking plan review.
- 5) Mayor Johnson explains that they have two great candidates, Mike Bryers who put his application in in April and a longtime resident and Janae Van Lueween who sent her application in Monday. Van Leeuwen has been a longtime resident also. Forsythe asks if there is only room for 1 Board member and Mayor Johnson said yes. They will be replacing Rocky Hermanson. Mayor Johnson asks that we formally thank all who applied to the Board but Mike has more library experience. That they were two great applicants. He wishes that formal letters of thanks be sent to both candidates.
- 6) The Health Board met and looked over the lease. They wanted to change the wording to give a separate address for the apartment. Direction Buck Taylor was worried about the apartment not being included in the lease. They want the apartment spelled out to be included in the lease. And there was some discussion about the amount attached for rent. To have a legal contract it needed to be a dollar amount. They would like a once a year payment of \$1200.00.
- 7) There needs to be a change to angle the parking the opposite direction than what is drawn on the plan the Council has. Teri Gibson says there are 10 total parking spaces required for remodel. One spot is going away unless they angle the parking. The egress will be to the alley. There are concerns that people will back out to Boundary. Then they will get 1 more parking spot with angling or 10 on property. David will enforce this when they get the Town the correct plan. Li said he would like to use his parking plan as a president for future growth. If someone wants to expand or remodel they should try to provide enough spaces on their own property unless it isn't possible then and only, then can you buy parking in lieu of.
- 8) Resolution # 688 to set the 2016-2017 mill levy. Mayor Johnson reads the Resolution. Schmier asks what does this mean? Gospodarek adds, there is a slight increase in mills. There is a value assessed to each mill. Those mills are assessed against the property so we have a particular amount of revenue that is for the General Fund. That is done for every town in the state. In most communities, that is where the bulk of their money comes from. And you get your information on the taxable value of the property in your town than there is a formula worksheet that assigns a value to each mill. The GO bond component is the vote that was done by the people that funds various projects and the 49 mills is a fixed number of mills that is assessed each year until the debt is paid. The value has gone up because the taxable valuation has gone up the number of mills has gone up. The number we are assessing is 1.2 more than last year. Our mill value is now 5332 Dollars per mill. And that number of mills is coming from the county. The county sets the mill levy but the council has to set the number of mills by resolution.
- 9) Resolution # 689 Adopting the 2016-2017 Budget and Capital Improvement Plan. Mayor Johnson reads the Resolution. Forsythe adds that in the 3 years he has been on the council this is the first year that they have been able to fund all of the projects called for in the Budget and that there is no deficit. Mayor Johnson adds that they were able to do a Budget without chopping too many projects.
- A) **Advisory Board Reports** Parker states that the Health Care Advisory Board met last Thursday to discuss the lease for CHP that will be discussed and approved later in the meeting. Mayor Johnson then asks if there are any other Advisory Board Reports. Teri Gibson said yes and said Planning met August 8<sup>th</sup> to discuss the Boundary Employee Housing request. They asked that the parking be moved to the North side but the parking plan has the parking spaces angled in the wrong direction. The Board asked that the parking be angled so that they come in on the alley and exit onto Boundary Street. Chipper met and redid the plan so they now have one more parking space.

- B) **Town Manager Report:** Water and Sewer Issues: Met with Jennifer D. Madgic, Regional Director for Senator Jon Testor regarding possible grant funding for our wastewater and water issues. There is a possibility of receiving funding through the Army Corp. of Engineer's program. WYED Consulting Contract – Housing & Public Input Project: HRDC has purchased a lot in the Madison Addition and are planning on constructing either a four or six plex. They have asked the City for assistance with the project. They will be approaching the Town Council about waiving the tap fees to lower the overall cost of the project. This cost savings will be passed on to the consumers. This project may have to be put "on hold" since the moratorium has passed. Status: In-progress. I have been working with Habitat for Humanity on the CDBG grant to develop housing in West Yellowstone. Habitat is making progress on the grant, but the daycare building cannot be used for a large scale housing project. Therefore, Habitat is looking to construct duplexes if property can be located. One possible location could be the Town's property between the Povah Center and Iris Street. Once constructed, these duplexes will be placed in either a housing authority or in a housing trust. Status: In progress. Northern Rocky Mountain Economic Development District (Northern): Northern hosted a meeting with Greg Gianforte to discuss issues facing the Gallatin Valley. This opportunity allowed me to meet other leaders from the region and present West Yellowstone issues to candidate for governor. I had a chance to interact with the Mayor of Ennis. Northern assisted the Town in submitting a grant to the State of Montana (Tourism). The grant requested \$100,000 for the construction of a restroom facility along Canyon Street. It would require a match of \$50,000 by the Town. In the Town's CIP budget, the Town budgeted \$100,000. So if we receive the grant, the Town can re-allocate the remaining \$50,000. Status: In-progress. The staff of Northern has offered to assist potential operators of a day-care prepare a business plan and provide them technical assistance once they are in operation. Status: In progress. Mobile Food Vendors: Last month, the mobile food vendor regulations were approved by Town council. I have been working on the application for a mobile food vendor permit. Status: In progress. Payroll System: The Town purchased the Black Mountain payroll software and entered into a maintenance agreement that includes the iCloud capabilities. Some modifications have been made to the process to eliminate any future issues. Status: Completed. Growth Policy: The Planning Board has been working on the update to the Town's Growth Policy. I have been cross-referencing the draft of the growth policy and the Montana Municipal Code to ensure all mandated requirements are met. In order to develop a new zoning code and subdivision regulations, the scope of the growth policy may need to be expanded beyond what can be done in house. In addition, most consultants will not undertake the updating of the zoning and subdivision regulations without drafting our growth policy. By having the growth policy expanded, the Town can undertake the planning for the 80 acres within that document. Status: In-progress. 80 Acre Property: Recently, the Forest Service discovered that the Route 20 easement was not in the transaction documents. The Town had to sign an amendment to purchase agreement to address this issue. All the documents are at the Forest Service's regional office. Status: In progress. Refinance of GO Bonds: Ms. Gospodarek and Cynthia Weed, our bond counsel, have already started the refinancing process with First Security. Ms. Gospodarek is attempting to get better terms with the bank. Status: In progress. CHP Contract: Our legal counsel reviewed the existing contract and some changes were made. The Town and CHP finished the Attachments for the contract which included a scope of services and the building lease. Last week, CHP's scope of services was reviewed by the Health Care Advisor Board. Their corrections were added to the documents and are on this week's council agenda. Status: In progress. Grader RFP: If approved by Council, staff would like to finance the grader. The interest rates (2.19% or less) are extremely low thus allowing the Town to complete three other items on the Capital Improvement Plan: backhoe plow, park pavilion, and wastewater storage shed. Status: In progress. Town Logo and Signs: River Dragon Designs has developed a new logo for the Town and it was approved by council. River Dragon Designs is testing how the logo will look on patches and other smaller items. The signs for Town Hall have been ordered. Status: In progress. Water Conservation Ordinance: Due to the shortage of potable water, the Town has started the research to draft a water conservation ordinance. We also researching

incentives to encourage water conservation. This week, I am meeting with a water conservation consultant utilized by the City of Bozeman. Status: In-progress.  
Department Head Evaluations: I have James Patterson's evaluation completed and will be forwarding it to the Mayor and Deputy Mayor for their review. I have asked the Department Heads to complete their evaluations of their staff within the next couple of weeks. The Police Department has an on-going evaluation system built into their standard operating procedures. Therefore, the Police Department will be exempt from this schedule. Status: In-progress. Planning, Development, and GIS: In order to prepare the Town for the future, we need to update the Growth Policy, Zoning Code, Subdivision Regulations, and the Parking Ordinance. So, I have been meeting with consulting firms to gather information about their companies and the services they provide. Once the budget is approved, then the Town retain some firms to revamp these documents. Status: In-progress.

Town Related Items:

- Met with Habitat for Humanity (2).
- Attended the Planning Advisory Board meeting.
- Met with Wendy Swenson, Marketing Director for the Chamber.
- Met with Buck Taylor.
- Met with Jennifer Madgic, from Senator Testor's Office.
- Met with Evan Mathews, Energy West.

Public Events Attended:

- Attended Chamber after Hours.
- Attended Mountain Man Event.
- Attended Meet & Greet with Greg Gianforte.

Mayor Johnson asks David Arnado of Public Work if he has anything to add. David states that James will be out of Town at Safety Training until Friday and we are weed spraying in the Madison Addition and Public Works is trying to finish up in the Park. Mayor Johnson asks if they are spraying in public areas. David said they are spraying in the Madison Addition and some of the Parkways. Mayor Johnson asks for any questions for David. Mayor Johnson asks Finance Director Lanie Gospodarek to report she now has the budget done and the Budget Report is due to the State by the end of September. We are going ahead with the GEO Bond refunding with the bank and bond council. RT audits are the next thing to be done in September/ October then the year end labor management report and audit. Mayor Johnson asks for any questions for Lanie. Mayor Johnson asks Chief Scott Newell for his report. Scott says that he has been working with various agencies on the Fires in and around the National Park. He has had a lot of people come up to him on the street and thank him for his service. One even paid for his Blizzard at the Dairy Queen today. He says they are down to 3 patrol vehicles. 2 vendors are coming August 31 to demonstrate a new joint 911 systems. They are in a RFP for a new CAD system and he would like to thank the Sheriff's Office, MHP, Dept. of Livestock, and Idaho Falls Police for helping on Aug 3 with a stabbing incident. With sheer luck everything turned out well. Mayor Johnson thanks Scott for keeping him in the loop regarding the current fire situation. Social Services Director Kathi Arnado says that Leah is at training in Bozeman with James and that they would pick up a Food Bank Order when they return. The CPR training went really well and that the Fire Department did a great job.

### **CORRESPONDENCE**

People from the Rod Run were very thankful of the Mayor's Choice. Another correspondence received was from Chris Burke about Habitat for Humanity regarding the Fires and what is going on with those. There was a correspondence form a man who was cited for sleeping in the new parking lot. He disagreed with the citation and asked the Mayor to dismiss it. Mayor Johnson forwarded the letter to Chief Newell so he could inform the writer of the process to have a citation dismissed. Scott has been doing a good job of getting back with all of the people with concerns. Mayor Johnson believes the no overnight parking/camping signs are coming, hopefully this week. There will be a Work Session with the Planning Board August 23, 2016, at 6:00PM. Mayor Johnson would also like to schedule a meeting with Arnie Siegel. Sabolsky

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Town Council Meeting  
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would like to schedule a meeting with Habitat for Humanity and invite Dave Magistrelli to talk about the grant and where it is in the process. There will be a couple of Public Hearings for Habitat for Humanity and the CDBG grant application. They will also have a Public Hearing on Signage on Public Property and the Fire Code. They would like to have these on September 6<sup>th</sup> also.

The meeting is adjourned. (8:45 PM)

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Mayor

ATTEST:

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Deputy Town Clerk

## WEST YELLOWSTONE TOWN COUNCIL

### **Work Session August 23, 2016**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Pierre Martineau, Greg Forsythe, Cole Parker

OTHERS PRESENT: Town Manager Dan Sabolsky, Public Services Superintendent James Patterson, WY News Editor Jeremy Weber

PLANNING BOARD MEMBERS PRESENT: Chipper Smith, SJ Sheppard, Teri Gibson, Bill Howell, Cole Parker

The meeting is called to order by Mayor Jerry Johnson at 6 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

#### **Public Comment Period**

No public comments are received.

#### **DISCUSSION**

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Mayor Johnson calls the meeting to order and explains that the first topic of discussion is the Community Development Block Grant application to the State of Montana. Dave Magistrelli of Habitat for Humanity explains that the grant was submitted by the deadline, which was 5 PM yesterday, August 22, 2016. He distributes a fact sheet that summarizes that the application they submitted was for \$450,000 to build two duplexes for a total of four units. The Town is the grant applicant and Habitat will be the developer. The proposed housing units will be operated by a non-profit organization. The housing will be open to anyone earning "80% or less of the AMI as required by the CDBG program," which is basically anyone earning \$50,000 or less per year. He says that they will hold two public hearings in September, as required by the grant. The project will create at least one part-time position for the collection of rent, screening applications, oversee property management, etc. The proposed site for the duplexes is at the corner of Iris and Obsidian, which is Town property. Magistrelli also presents a cost estimate for the entire project that was prepared by Think One architects to be \$1,129,894. He says that they believe the estimate is high and that they can accomplish the project for less and points out some areas that the costs could be reduced such as concrete walkways and landscaping. The Council members asks questions about the site that was selected for the grant application and whether that is an appropriate location considering it is in the historic railroad right of way. Town Manager Dan Sabolsky says that to submit the application, they needed a site but if a different site is identified later on, they can change it. Mayor Johnson suggests they do a little more research and brainstorming and consider alternate locations for the project. He suggests involving community members with historical knowledge about that area. The group discusses details about the project such as what to put in the hearing notices and managing the project. The Council directs Sabolsky to work with staff and a couple Planning Board and Council Members to select a couple different locations for consideration. Chipper Smith says he is meeting with the Yellowstone Historic District Board tomorrow morning and he will mention this proposal, but he does not think it will be well received. Martineau, Smith, Patterson, Sabolsky, and Magistrelli agree to meet tomorrow, Wednesday, August 24, at 2 PM to discuss the issue here at the Town Hall.

The next portion of the meeting is a discussion with the Planning Board on multiple topics. The Planning Board has prepared a list of topics they wish to discuss with the Council. Mayor Johnson first points out that they do have a noxious weeds ordinance in the municipal code. He also explains that the ordinance pertaining to cash in lieu payments for parking was updated in 2010 so that such funds will be kept in a general parking fund and not be block specific. Prior to the adoption of that ordinance in 2010, all funds that were collected must be block specific. Town Clerk Liz Roos explains that the Town's legal counsel at the time was of the opinion that the money that had already been collected must be reserved to be spent in on parking for the block that it was collected. The Planning Board has asked the Council to consider whether the cash in lieu process should be discontinued. Chipper Smith says that it bothers him that new hotels are being designed with inadequate parking because it is cheaper to purchase cash in lieu parking spaces than it is to provide the parking. SJ Sheppard says that as an architect, she is

seeing developers that are designing their projects with the intention of buying all of their parking spaces or designing to provide just the 80%. Johnson questions whether they really have a parking problem. Sheppard says it may not be a big problem yet but they think it will become a problem. Smith says that the only place he thinks it really is a problem is around the Playmill Theater on Madison Avenue in the evenings. He says that causes the patrons to spread out over a couple blocks. Johnson points out that the businesses that those patrons have to walk by to get to the Playmill may not actually consider it a problem. Smith agrees but also points out that the grocery store across from the Playmill probably does think it is a problem. The group debates the issue and considers possible solutions including increasing the cost per space to purchase parking, eliminating the option to purchase parking, or limiting it to just remodels of existing properties. Mayor Johnson suggests that the Planning Board make a recommendation to the Council regarding the cash in lieu for parking process.

Gibson asks the Council to discuss how the Planning Board is managed. She explains that there is not a clear process when it comes to reviewing project applications. The board members explain that they are not sure what action they are expected to take when reviewing applications. Gibson suggests a checklist of items that will be checked by the staff and then another checklist that will be reviewed by the Planning Board. Sabolsky says that he would like to establish a process with the building department and then to the Planning Board.

The meeting is adjourned. (8:00 PM)

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Mayor

ATTEST:

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Town Clerk

# Town of West Yellowstone Business License Application

Business Name: Madison Plaza  
 Applicant: Madison Plaza, LLC  
 Contact Person: Jay Thrift  
 Mailing Address: PO Box 468, West Yellowstone, MT 59758  
 Physical Address of Business: 326 Madison  
 Phone Number: 406-640-1747 Fax Number: \_\_\_\_\_  
 Email Address: madisonplazawy@gmail.com Website: \_\_\_\_\_

Signature of Property Owner of Record: \_\_\_\_\_

Subdivision: \_\_\_\_\_  
 Block: 25 Lot: 324

Zoning District, please mark one:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> B-3 Central Business District (Old Town) | <input type="checkbox"/> PUD Planned Unit Development (Grizzly Park)            |
| <input type="checkbox"/> B-4 Expanded Business District (Grizzly Park)       | <input type="checkbox"/> Residential Districts, Home Occupations Only (Mad Add) |
| <input type="checkbox"/> E-2 Entertainment District (Grizzly Park)           |   |
| <input type="checkbox"/> New Business  | <input type="checkbox"/> Transfer of Ownership                                  |
| <input type="checkbox"/> Change of Location                                  | <input type="checkbox"/> Name Change  |

- Is this business licensed by the State of Montana?  Yes  No
- Appropriate City/County/Health Dept approvals (if applicable)  Yes  No (please attach)
- If this business is located in Grizzly Park, has the business been approved by the Grizzly Park Architectural Committee (GPAC)?  Yes  No

**Type of Business** Please explain in detail the following: number of units, seating capacity, etc. Contractors should list trailers and equipment and where these items will be stored.

We have converted two residential units to vacation rentals. They will be residential in the winter, vacation rental in the summer.

Already has one unit licensed, total of 3 nightly units  
12 apartments - monthly  
1 mobile home  
1 RV site

Business License Fee: \$ 99-  
 Resort Tax Bond: \$ \_\_\_\_\_

[Signature]  
 Signature of Applicant

Total Amount Due: \$ 99-

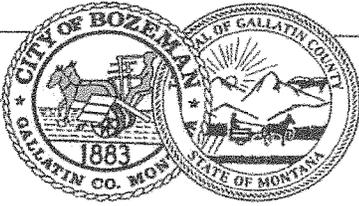
Signature of Applicant  
5/24/2014  
 Date

**FOR OFFICE USE ONLY**

Date Approved by Town Council: \_\_\_\_\_

Date \_\_\_\_\_ Check # \_\_\_\_\_ Amount \$ \_\_\_\_\_ License # \_\_\_\_\_

SCN \_\_\_\_\_ BLP \_\_\_\_\_ STX \_\_\_\_\_ BLC \_\_\_\_\_ RDX \_\_\_\_\_



## Gallatin City-County Health Department

www.healthygallatin.org

(406) 582-3100 • Fax (406) 582-3112

406-582-3120 • Fax: 406-582-3128

August 19, 2016

William Clark house  
PO Box 468  
West Yellowstone, MT 59758

RE: Plan Review for the William Clark Lower Unit house located at 322 Madison Plaza West Yellowstone, Montana.

The plans appear to be in conformance with Title 37, Chapter 111, Subchapter 1, Administrative Rules of Montana for Hotels, Motels, Tourist Homes, Retirement Homes, Rooming houses and Boarding Houses and are thus approved.

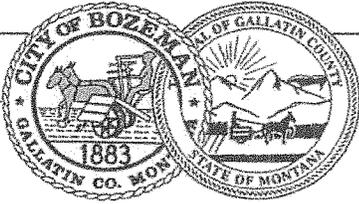
Please send the license fee of \$40.00 made out to (MDPHHS) to GCCHD at the above address By September 19th 2016. Once received GCCHD will approve the application and the facility is authorized to operate. An inspection will be scheduled during the next inspection cycle to verify that facility is operating within requirements.

Approval of these plans and specifications by the GCCHD does not indicate compliance with any other federal, state, or local code, law or regulation that may be required. Enclosed find a list of building and fire codes that you are required to adhere to. Please note any deviations to the plan approved herein must be approved by the GCCHD.

If I may be of assistance or should you have any questions, please contact me at 582-3120.

Dustin Schreiner R.S.  
Environmental Health Specialist  
GCCHD

C: File



[www.healthygallatin.org](http://www.healthygallatin.org)

## Gallatin City-County Health Department

**Human Services**  
215 W. Mendenhall, Rm 117  
Bozeman, MT 59715-3478  
(406) 582-3100 • Fax (406) 582-3112

**Environmental Health Services**  
215 W. Mendenhall, Rm 108  
Bozeman, MT 59715-3478  
406-582-3120 • Fax: 406-582-3128

August 19, 2016

Marshall House  
PO Box 468  
West Yellowstone, MT 59758

RE: Plan Review for the Marshall House located at 334 Madison Plaza West Yellowstone, Montana.

The plans appear to be in conformance with Title 37, Chapter 111, Subchapter 1, Administrative Rules of Montana for Hotels, Motels, Tourist Homes, Retirement Homes, Rooming houses and Boarding Houses and are thus approved.

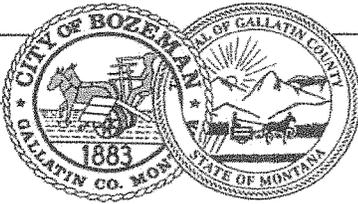
Please send the license fee of \$40.00 made out to (MDPHHS) to GCCHD at the above address By September 19th 2016. Once received GCCHD will approve the application and the facility is authorized to operate. An inspection will be scheduled during the next inspection cycle to verify that facility is operating within requirements.

Approval of these plans and specifications by the GCCHD does not indicate compliance with any other federal, state, or local code, law or regulation that may be required. Enclosed find a list of building and fire codes that you are required to adhere to. Please note any deviations to the plan approved herein must be approved by the GCCHD.

If I may be of assistance or should you have any questions, please contact me at 582-3120.

Dustin Schreiner R.S.  
Environmental Health Specialist  
GCCHD

C: File



www.healthygallatin.org

## Gallatin City-County Health Department

**Human Services**  
215 W. Mendenhall, Rm 117  
Bozeman, MT 59715-3478  
(406) 582-3100 • Fax (406) 582-3112

**Environmental Health Services**  
215 W. Mendenhall, Rm 108  
Bozeman, MT 59715-3478  
406-582-3120 • Fax: 406-582-3128

August 19, 2016

Meriwether Lewis House  
PO Box 468  
West Yellowstone, MT 59758

RE: Plan Review for the Meriwether Lewis House Upper Unit house located at 322 Madison Plaza West Yellowstone, Montana.

The plans appear to be in conformance with Title 37, Chapter 111, Subchapter 1, Administrative Rules of Montana for Hotels, Motels, Tourist Homes, Retirement Homes, Rooming houses and Boarding Houses and are thus approved.

Please send the license fee of \$40.00 made out to (MDPHHS) to GCCHD at the above address By September 19th 2016. Once received GCCHD will approve the application and the facility is authorized to operate. An inspection will be scheduled during the next inspection cycle to verify that facility is operating within requirements.

Approval of these plans and specifications by the GCCHD does not indicate compliance with any other federal, state, or local code, law or regulation that may be required. Enclosed find a list of building and fire codes that you are required to adhere to. Please note any deviations to the plan approved herein must be approved by the GCCHD.

If I may be of assistance or should you have any questions, please contact me at 582-3120.

Dustin Schreiner R.S.  
Environmental Health Specialist  
GCCHD

C: File

# Public Hearing

## CDBG Program Application

**NOTICE IS HEREBY GIVEN** that the West Yellowstone Town Council will conduct a public hearing as part of the regularly scheduled Council meetings on Tuesday, September 6, 2016 in the Town Hall at 440 Yellowstone Avenue, West Yellowstone, Montana. The purpose of this hearing is to receive public comments on the Town's needs in the areas of community development, public facilities, housing and economic development, including the needs of low and moderate income persons. The Town Council will also seek the views of citizens on the activities that should be undertaken and their relative priority. The Town of West Yellowstone has applied for funding from the Montana Community Development Block Grant (CDBG) Program (federal funding administered by the Montana Department of Commerce) and other state and federal funding sources to deal with local housing, public facilities and other community needs. The Town Council would like comments or suggestions from local citizens regarding needs and the type of projects which should be considered. Specifically, the Town is considering a public housing project in conjunction with Habitat for Humanity at one of multiple possible sites in West Yellowstone, Montana. The proposed project is to build two duplexes for a total of four housing units, three 2-bedroom units and one 3-bedroom unit.

All interested persons will have an opportunity to express their opinions regarding projects. Testimony may be given orally at the hearing or submitted in writing to the Town Hall at 440 Yellowstone Avenue or by mail to PO Box 1570, West Yellowstone MT 59758. Comments may also be submitted by email to Town Clerk Elizabeth Roos at [eroos@townofwestyellowstone.com](mailto:eroos@townofwestyellowstone.com).

Anyone who would like further information, or who would like to submit comments, should contact Daniel Sabolsky, Town Manager, at 646-7795 or by email to [dsabolsky@townofwestyellowstone.com](mailto:dsabolsky@townofwestyellowstone.com).

Elizabeth Roos  
Town Clerk



August 23, 2016

Dan Sabolsky, Town Manager  
Town of West Yellowstone  
PO Box 1570  
West Yellowstone, MT 59758

Dear Mr. Sabolsky:

May this letter serve to offer strong support of the Town of West Yellowstone to apply, in concert with Habitat for Humanity of the Gallatin Valley, to apply for a CDBG grant to develop affordable housing units for lower income wage-earners.

As the sole primary healthcare provider in West Yellowstone, Community Health Partners (CHP) is acutely aware of the need for this housing. Safe and affordable housing is a health issue as when we live in substandard housing, our health status declines both as individuals and as communities. West Yellowstone suffers from a chronically poor housing stock for its working class population. Much is provided in trailers that are not built for the harsh winters and simply have not been maintained by landlords. This can lead to fire and life safety codes not being met and invite vermin and other unsafe problems while rents for these housing units outpace the ability of many to afford them.

In addition, it is difficult to attract staff to support our operations when housing is such a barrier to relocation. In our industry, we require credentialed staff members who typically are not available locally, so recruiting from outside the area is essential. The first question that I am asked by locals is "where will your new staff person live?"

CHP is encouraged by the collaborative effort underway to address the critical affordable housing crisis in West Yellowstone and we stand ready to assist in any way possible.

Sincerely yours,

Buck Taylor, MPH  
Director, Community Development and Operations

CHP – LIVINGSTON • 406-222-1111 126 South Main, Livingston, MT 59047	CHP – BOZEMAN • 406-585-1360 214 East Mendenhall, Bozeman, MT 59715	CHP – BELGRADE • 406-922-0820 19 East Main, Belgrade, MT 59714	CHP – WEST YELLOWSTONE • 406-646-9441 P.O. Box 1101 • West Yellowstone, MT 59758
CHP LIVINGSTON DENTAL PRACTICE • 406-922-0881 112 West Lewis, Livingston, MT 59047	CHP BOZEMAN DENTAL PRACTICE • 406-585-8701 120 North 19th, Bozeman, MT 59718		LEARNING PARTNERS • 406-823-6356 112 West Lewis, Livingston, MT 59047



311 West Main Room 311 Bozeman, MT 59715 PH: 406-577-2541 FAX 866-847-8033

August 25, 2016

Mr. Daniel Sabolsky  
City Manager  
Town of West Yellowstone  
PO Box 1570  
West Yellowstone, MT 59758

Re: Letter of support for the Town of WY CDBG housing application

Dear Mr. Sabolsky,

Please be advised that the NRMEDD fully supports the Town's application for CDBG housing funds. The project is aligned with the Comprehensive Economic Development Strategy (CEDs) and goal number 7 which specifically prioritizes development of work-force housing in West Yellowstone. The NRMEDD CEDs, including the stated priority, can be reviewed at [www.NRMEDD.org/ceds/](http://www.NRMEDD.org/ceds/)

The NRMEDD directed a VISTA worker for the years 2015 and 2016 to coordinate with HRDC and to direct the work of studying and planning for the Town's housing needs. It was clear from the dozens of community meetings, hundreds of volunteer hours and significant materials gathered that housing is the primary obstacle to sustaining the local economy.

You have our continued commitment to serve the Town and support its endeavors to address this important need.

Sincerely,

A handwritten signature in black ink, appearing to read "RSJ", is written over a faint, circular embossed seal or watermark.

Rob Gilmore, Executive Director  
Northern Rocky Mountain Economic Development District

*"Serving Gallatin and Park Counties of Southwest Montana"*



A RESOURCE FOR HEALTHY LIVING FROM THE  
GALLATIN CITY-COUNTY HEALTH DEPARTMENT

HEALTHY LIVING SERVICES • 406.582.3100, [hs@gallatin.mt.gov](mailto:hs@gallatin.mt.gov)  
ENVIRONMENTAL HEALTH • 406.582.3120, [ehs@gallatin.mt.gov](mailto:ehs@gallatin.mt.gov)  
WIC • 406.582.3115, [wic@gallatin.mt.gov](mailto:wic@gallatin.mt.gov)

[healthygallatin.org](http://healthygallatin.org)

August 30, 2016

Matt Kelley, MPH  
Health Officer  
Gallatin City-County Health Department  
215 W Mendenhall  
Bozeman, MT 59715

To whom it may concern,

Please accept this letter of support by the Town of West Yellowstone for community development block grant funding to create new affordable housing in or near West Yellowstone. As director of the lead public health agency in Gallatin County, MT, I can attest to the extreme need for affordable housing throughout the county, and particularly in West Yellowstone.

The lack of affordable housing has become one of the most pressing public health and safety factors affecting our community. There is a severe shortage of housing available and affordable for low- and middle-income persons. The most recent census data for Gallatin County provides ample evidence of this trend. While the overall population of Gallatin County has grown by 12% since 2010 (to just over 100,000 people) the amount of housing stock in the county has grown by only about 8 percent, exacerbating an already significant problem. Even worse, much new housing is built for higher-income homes or vacation rentals that are neither practical or affordable for most persons.

As the lead public health agency in Gallatin County, Gallatin City-County Health Department (GCCHD) works with an array of organizations to address pressing health issues. In one recent project, GCCHD collaborated with Montana State University and a local non-profit to perform a health impact assessment of an affordable housing complex that is now being renovated. My department also maintain close ties with the city leaders in West Yellowstone and we would be happy to work with them to apply lessons learned from our health impact assessment on the project in West Yellowstone.

If you have any other concerns or questions, please do not hesitate to contact me at 406-582-3100.

Best regards,

  
Matt Kelley, MPH  
Health Officer

215 W. MENDENHALL, BOZEMAN MT 59715



# PUBLIC HEARING

## Ordinance 261-Adoption of 2012 Int'l Fire Code

## Ordinance 262-Prohibition against storage or parking of personal property or vehicles on public property

NOTICE IS HEREBY GIVEN that the Town Council of the Town of West Yellowstone will conduct a Public Hearing **September 6, 2016** regarding Ordinances 261 and 262. Ordinance No. 261 amends Section 15.04.130 of the West Yellowstone Municipal Code by adopting the 2012 International Fire Code. Ordinance 262 amends Sections 9.08 and 10.08 of the West Yellowstone Municipal Code and makes it unlawful to store or personal property or vehicles of any type or kind, sleep, or camp on public property within the Town, including parks, unless signed otherwise.

Complete copies of the ordinances are available at the Town Hall, 440 Yellowstone Avenue, West Yellowstone, MT or by email at [eroos@townofwestyellowstone.com](mailto:eroos@townofwestyellowstone.com). The proposed ordinance is also posted on the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com). The public hearing will be held during the regular Town Council Meeting which begins at 7:00 PM on September 6, 2016. The meeting will take place in the Town Hall, 440 Yellowstone Avenue in West Yellowstone, MT, at which time oral testimony will be taken from the public. Written testimony may be submitted until 5:00 PM on the date of the hearing to the Town Clerk at the Town Hall, by mail to P.O. Box 1570, West Yellowstone, MT 59758, or by email to [eroos@townofwestyellowstone.com](mailto:eroos@townofwestyellowstone.com). For further information contact the Town Offices, 646-7795.

Elizabeth Roos  
Town Clerk

**From:** [Sasha Jevtich](#)  
**To:** [Elizabeth Roos](#)  
**Subject:** Re: Ordinance 262  
**Date:** Tuesday, August 30, 2016 2:15:05 PM

---

thank you

Please pass along my comments:

My wife and I are all for sleeping bans and camping bans in town. We also support keeping the town tidy and junk free. Ordinance 262 seems to be written very broadly though.

Our main concerns with Ordinance 262 is twofold:

1.

"store personal property or vehicles of any type or kind on any public property within the Town"

To my reading, this is a broad statement and can be interpreted to ban parking on public streets, something we regularly do. Not allowing public street parking would unfairly effect renters in town.

2.

"Parking of vehicles, trailers, campers, motorcycles, etc., shall only be allowed on public property in accordance with the official signs attendant to each property. "

What are the plans for the signs to actually say or enforce? Nothing is shown in the writing as far as I can tell.

Cheers,  
Sasha

[sasha@yellowstonenatureconnection.org](mailto:sasha@yellowstonenatureconnection.org)

-----  
Alexsander "Sasha" Jevtich  
Senior Interpretive Associate  
<https://www.facebook.com/YellowstoneNatureConnection>  
<http://yellowstonenatureconnection.org>

-----  
Yellowstone Nature Connection  
PO Box 264  
10 Yellowstone Ave.  
West Yellowstone, MT 59758

-----  
406-646-7557 Office (May-September)  
703-505-0853 Cell and off-season

**Yellowstone Nature  
Connection**



On Aug 30, 2016, at 12:03 PM, Elizabeth Roos  
<[eroos@townofwestyellowstone.com](mailto:eroos@townofwestyellowstone.com)> wrote:

Hello Sasha,

The proposed ordinance is posted on the home page of our website and a copy is also attached. Feel free to email me your comments about the proposed ordinance and I will make sure they are shared with the Town Council.

Thank you for taking interest,  
Liz Roos, Town Clerk

---

**From:** Sasha Jevtich [<mailto:sasha@yellowstonenatureconnection.org>]  
**Sent:** Tuesday, August 30, 2016 11:35 AM  
**To:** [eroos@townofwestyellowstone.com](mailto:eroos@townofwestyellowstone.com)  
**Subject:** Ordinance 262

Hi there,

I saw the notice for Ordinance 262 but can't find the proposed wording on the town's website. Could you please email me a copy?

I am concerned about a possible parking ban on city streets. Where else would seasonal residents park?

Cheers,  
Sasha

[sasha@yellowstonenatureconnection.org](mailto:sasha@yellowstonenatureconnection.org)

-----  
Alexsander "Sasha" Jevtich  
Senior Interpretive Associate  
<https://www.facebook.com/YellowstoneNatureConnection>  
<http://yellowstonenatureconnection.org>  
-----

Yellowstone Nature Connection  
PO Box 264  
10 Yellowstone Ave.  
West Yellowstone, MT 59758  
-----

406-646-7557 Office (May-September)  
703-505-0853 Cell and off-season

<image001.jpg>

<262.Public Property.pdf>

**PUBLIC HEARING**  
**Variance Request, Building Height**  
**107 Grizzly Avenue, Kelly Midwest Ventures LP**

NOTICE IS HEREBY GIVEN that the West Yellowstone Town Council serving as the Board of Adjustments will conduct a Public Hearing **Tuesday, September 6, 2016** in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana. The purpose of the public hearing will be to consider a variance request from Section 17.04.070 of the West Yellowstone Municipal Code made by Kelly Midwest Ventures Limited Partnerhsip. The property is located in the B-4, Expanded Business District, of the Grizzly Park Subdivision. The request is to allow a variance to the maximum building height limit of 35 feet. The applicant is requesting permission to build a 3-story hotel with a total building height of 40 feet at the roof line.

The public hearing will be held during the regular Town Council Meeting which begins at 7:00 PM. The meeting will take place in the West Yellowstone Town Hall, in West Yellowstone, MT, at which time oral testimony will be taken from the public. Written testimony may be submitted until 5:00 PM on the date of the hearing to the Town Clerk at the Town Offices, 440 Yellowstone Avenue, by mail to PO Box 1570, West Yellowstone, MT 59758, or by email to [info@townofwestyellowstone.com](mailto:info@townofwestyellowstone.com). For further information contact the Town Offices, 646-7795.

Elizabeth Roos  
Town Clerk

**ORDINANCE No. 260**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE AMENDING THE WEST YELLOWSTONE MUNICIPAL CODE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE, AMENDING SECTION 15.04.130.**

WHEREAS, the Town Council of the Town of West Yellowstone believes that regulating businesses and the construction of buildings to comply with the most recent version of the International Fire Code is in the best interests of the health, safety and welfare of the citizens of West Yellowstone; and

WHEREAS, the Montana Department of Justice, through Mont. Admin.R. 23.12.601 adopted the 2012 Edition of the International Fire Code with certain modifications which the Town also adopts:

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of West Yellowstone that the following amendment be made to the municipal code of the Town of West Yellowstone, effectively amending Section 15.04.130 in its entirety as set out in the attached **Exhibit A**.

**REPEALER:** All ordinances and parts of ordinances in conflict with provisions of this ordinance, except as provided above, are hereby amended or repealed.

**EFFECTIVE DATE:** This ordinance shall be in full force and effect thirty (30) days after final adoption by the Town Council of the Town of West Yellowstone.

**SEVERABILITY:** If any portion of this ordinance or the application therefore to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which may be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are declared to be severable.

PASSED BY the Town Council and approved by the Mayor of the Town of West Yellowstone, Montana, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor  
Jerry Johnson

ATTEST:

\_\_\_\_\_  
Town Clerk/Treasurer  
Elizabeth Roos

**ORDINANCE No. 262**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE AMENDING THE WEST YELLOWSTONE TOWN CODE TO PROVIDE RESTRICTIONS ON THE USE OF PUBLICLY OWNED PROPERTY.**

WHEREAS, the Town Council of the Town of West Yellowstone believes that protecting its publicly owned property safe and free from unlawfully placed and unsightly accumulation of items in the best interests of the health, safety and welfare of the citizens of West Yellowstone; and

WHEREAS, The Town Council has the authority pursuant to Sections 7-14-4102; 4105; 4106; 4121, and 7-5-4101, MCA; and Section 9.08.070, 10.08.020; 12.04.020 and 030, West Yellowstone Municipal Code, (“WYMC”) to protect and regulate the Town owned property; and

WHEREAS, it is the desire of the Town Council to enact an ordinance which gives the Town Manager the control and authority to place official signs restricting parking on or storing items on such publicly owned property; and

WHEREAS, the public streets and areas within the Town should be readily accessible and available to residents and the public at large for use consistent with the public area’s designated purpose. The Town Council finds that the use of these areas for camping or storage of personal property interferes with the rights of others to use the areas for the purposes for which those areas were intended. The Town seeks to maintain the public property within the Town in a clean and accessible condition; and

WHEREAS, the Town Council considered this ordinance at a regular meeting of the council on \_\_\_\_\_, 2016 and at a public hearing on \_\_\_\_\_, all duly noticed as required by law; and

WHEREAS; the Town Council heard public comment about the proposed ordinance and finds that it is in the best interests of the Town to protect its publicly owned property, in part, by the ordinance set out below.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of West Yellowstone that the following amendment be made to the municipal code of the Town of West Yellowstone, effectively amending Sections 9.08 and 10.08 WYMC as follows:

**Section 1:**

9.08.080 Public Property- No obstacles or items of any kind shall be placed on any

property owned by the Town, including all properties identified as parks. Parking of vehicles, trailers, campers, motorcycles, etc., shall only be allowed on public property in accordance with the official signs attendant to each property.

“Official sign” is any sign authorized and placed by the Town Manager or authorized designee. The Town Manager has the discretion to place official signs on Town owned property and rights of way in order to protect and preserve such property.

“Public Property” means any publicly owned property in the Town, including any of the following: public parks, interior parks, public alleyways, public parking lots, public passageways, trails or rights of way, publicly owned or maintained landscaped areas or green belts, sidewalks, curbs, or any other Town owned properties located within the Town.

“Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

It is unlawful for any person to sleep, camp or store personal property or vehicles of any type or kind on any public property within the Town. There shall be no storage of junk, construction materials, garbage, or any items or materials that do not belong to the Town, on any property owned by the Town.

No camping shall be allowed on public property unless specifically posted that camping is allowed. Camping means to place, erect, maintain, pitch or occupy any public property for purposes of sleeping or staying.

Violation of this chapter constitutes a municipal infraction that is subject to the provisions of Sections 7-1-4150 through 7-1-4152, MCA.

**Section 2:**

10.08.020 H. No obstacles or items of any kind shall be placed on any property owned by the Town, including all properties identified as parks. Parking of vehicles, trailers, campers, motorcycles, etc., shall only be allowed on public property in accordance with the official signs attendant to each property.

**Section 3: REPEALER:** All ordinances and parts of ordinances in conflict with provisions of this ordinance, except as provided above, are hereby amended or repealed.

**Section 4: EFFECTIVE DATE:** This ordinance shall be in full force and effect thirty (30) days after final adoption by the Town Council of the Town of West Yellowstone.

**Section 5: SEVERABILITY:** If any portion of this ordinance or the application therefore to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which may be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are declared to be severable.

PASSED BY the Town Council and approved by the Mayor of the Town of West  
Yellowstone, Montana, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk/Treasurer

DRAFT

# REQUEST FOR VARIANCE

Town of West Yellowstone  
Gallatin County, Montana

DATE: August 11, 2016

APPLICANT: Kelly Midwest Ventures Limited partnership

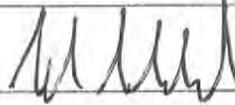
ADDRESS: 3205 W. Sencore Drive, Sioux Falls, SD 57107

107 Grizzly Avenue

PHONE: 605-965-1440

INTEREST IN PROPERTY: Owner

OWNER OF RECORD'S SIGNATURE: \_\_\_\_\_



## 1. LEGAL DESCRIPTION:

Subdivision: Grizzly Park

Block: 2

Lot: 6

Zoning District Number: B4

2. Section, Part, and Paragraph of the Zoning Ordinance that you are applying for a variance from: ~~47.04.070 height~~ 17.23.060 ER

3. Request for Variance is related to:

Yard \_\_\_\_\_

Height 40' 0"

(Mark All that Apply)

Use \_\_\_\_\_

Parking \_\_\_\_\_

Other \_\_\_\_\_

4. Please state specifically the change(s) proposed and the reason(s) such changes are necessary Build a 3 story hotel with a 4/12 pitch roof.

The total building height at the roof line would be

40' 0". This is slightly lower than the existing

Kelly Inn or Clubhouse Inn which are adjacent to

proposed property. Mean roof height would be 35'-0"

5. Application Fee: \$75.00

Paid 8/11/16

Date \$75.00



Signature of Applicant

8/11/16

DATE

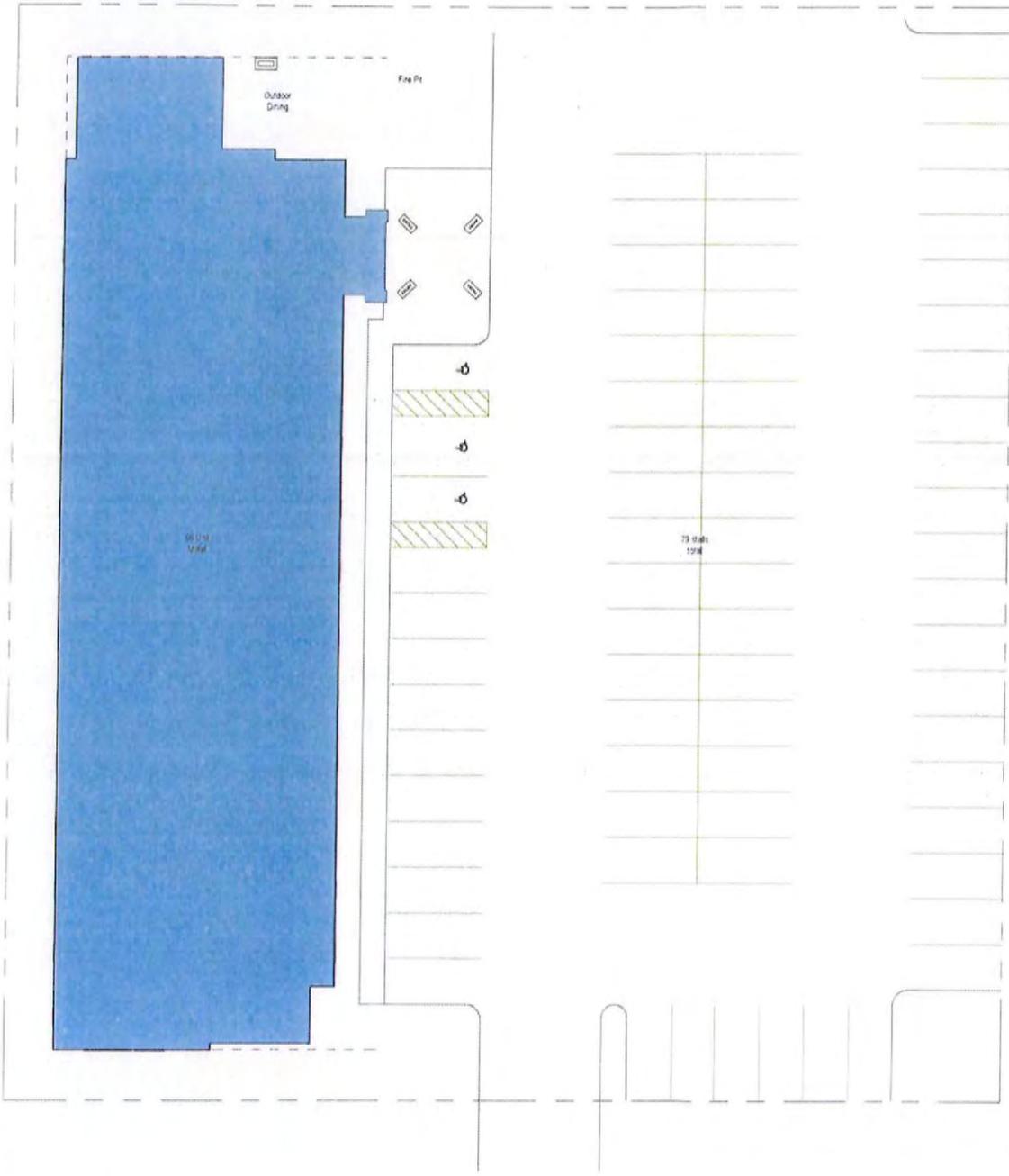
For Office Use Only:

DECISION BY TOWN COUNCIL

Approved Disapproved

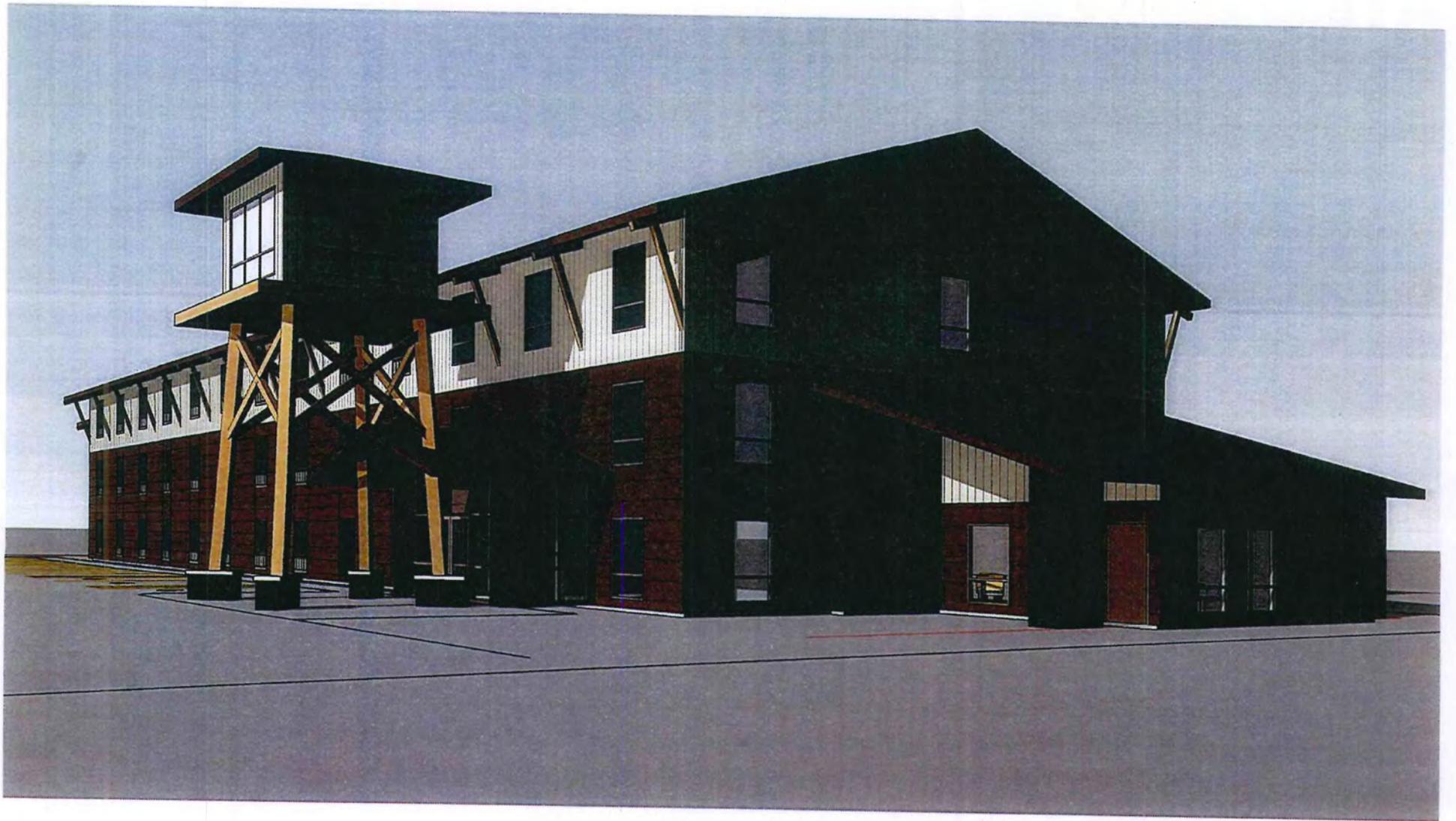
\_\_\_\_\_  
Mayor/Operations Manager

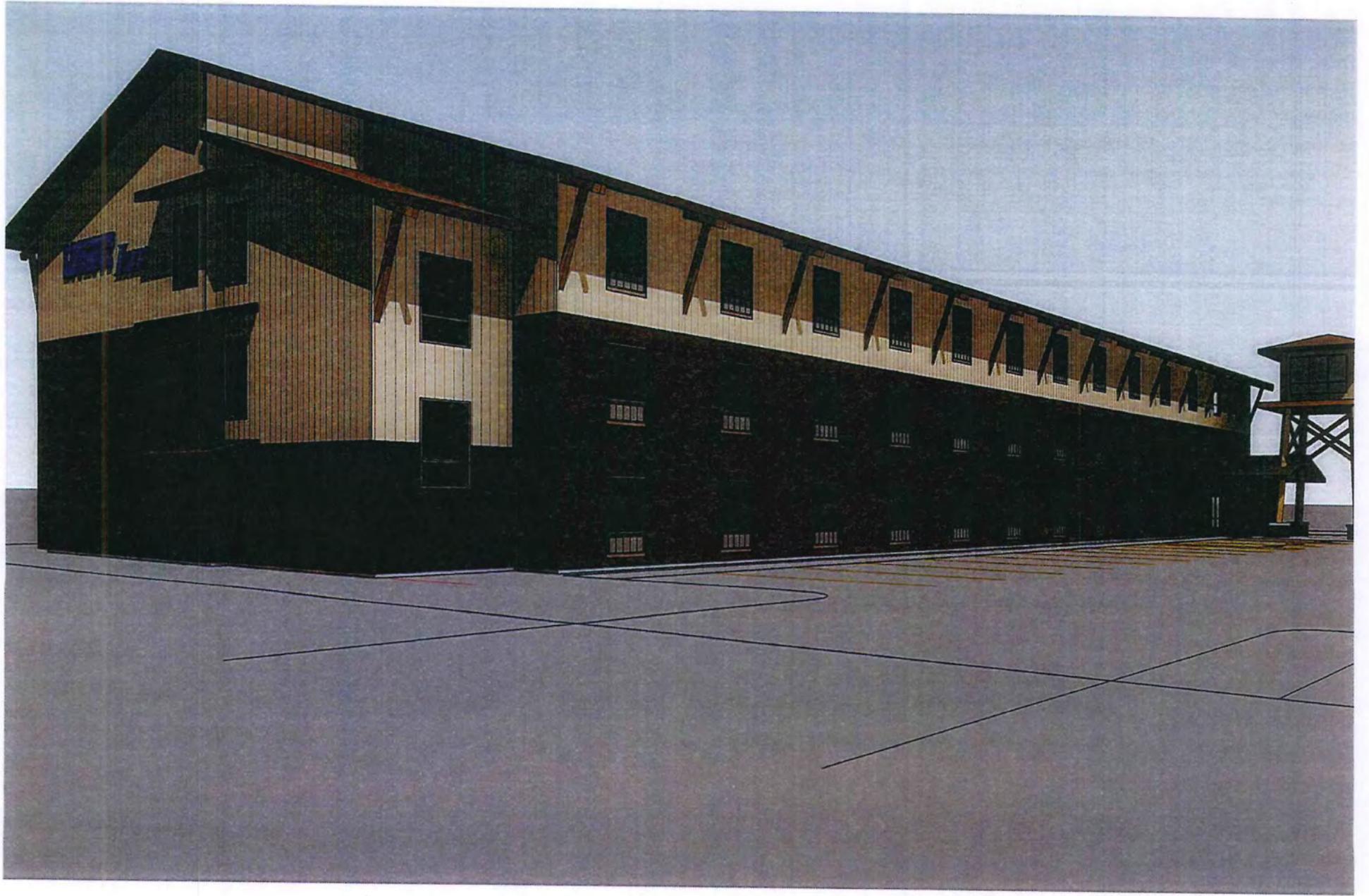
\_\_\_\_\_  
DATE



Site Plan

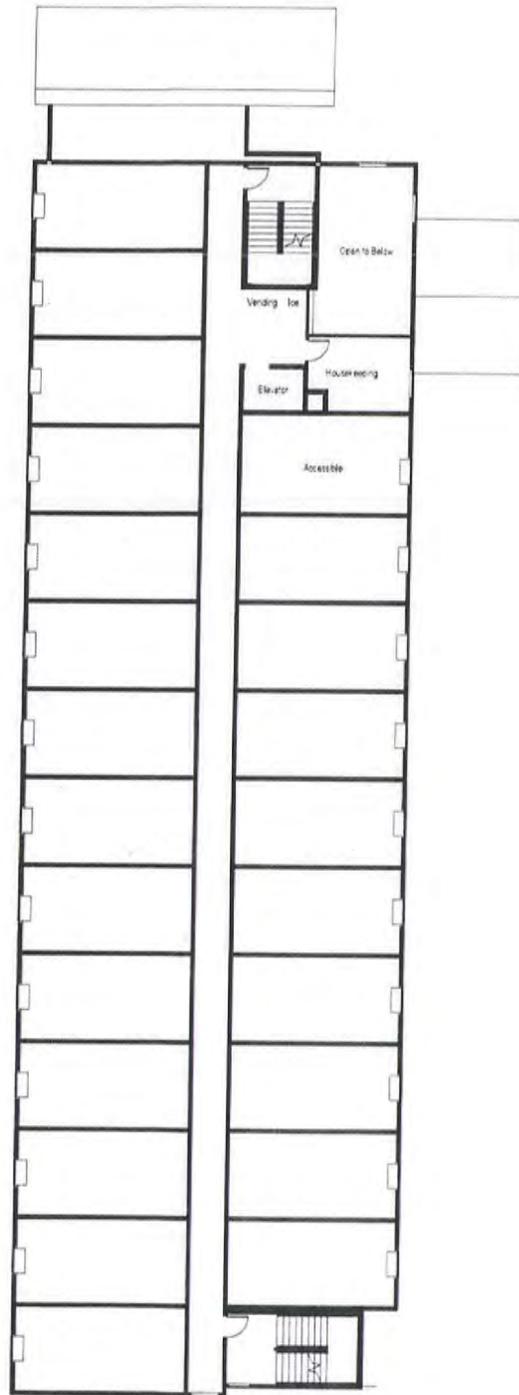






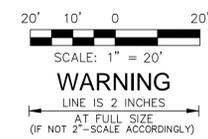


First Floor



Second Floor

**AMENDED PLAT OF LOTS 16A, BLOCK 13 OF  
SUBDIVISION PLAT OF THE MADISON ADDITION**  
LOCATED IN THE NW 1/4 OF SECTION 27, TOWNSHIP 13 SOUTH,  
RANGE 5 EAST, P.M.M., GALLATIN COUNTY, MONTANA



**CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW**  
THE AMENDED PLAT OF LOT 14 AND 15, BLOCK 13, OF A SUBDIVISION PLAT OF THE MADISON ADDITION, GALLATIN COUNTY, MONTANA, IS WITHIN THE TOWN OF WEST YELLOWSTONE AND WITHIN THE PLANNING AREA OF THE TOWN OF WEST YELLOWSTONE GROWTH POLICY WHICH WAS ADOPTED PURSUANT TO SECTION 79-1-601 ET. SEQ., M.C.A., AND CAN BE PROVIDED WITH ADEQUATE WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES. THEREFORE, UNDER THE PROVISIONS OF SECTION 76-4-125(2)(D), M.C.A., THE SUBDIVISION IS EXCLUDED FROM THE REQUIREMENT FOR MONTANA DEPARTMENT OF ENVIRONMENTAL REVIEW.

MAYOR - TOWN OF WEST YELLOWSTONE \_\_\_\_\_ DATE \_\_\_\_\_  
CLERK - TOWN OF WEST YELLOWSTONE \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF FINAL PLAT**

THE COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE SUBDIVISION PLAT AND, HAVING FOUND THE SAME TO CONFORM TO LAW, APPROVES IT, AND HEREBY ACCEPTS THE DEDICATION TO PUBLIC USE OF ANY AND ALL LANDS SHOWN ON THIS PLAT AS BEING DEDICATED TO SUCH USE.

MAYOR - TOWN OF WEST YELLOWSTONE \_\_\_\_\_ DATE \_\_\_\_\_  
CLERK - TOWN OF WEST YELLOWSTONE \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF CLERK AND RECORDER**

I, \_\_\_\_\_, THE CLERK AND RECORDER OF GALLATIN COUNTY, MONTANA, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_ AND RECORDED AS AMENDED PLAN NO. \_\_\_\_\_ RECORDS OF THE CLERK AND RECORDER, GALLATIN COUNTY, MONTANA.

DOCUMENT NUMBER \_\_\_\_\_  
CLERK & RECORDER OF GALLATIN COUNTY \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

I, \_\_\_\_\_, TREASURER OF GALLATIN COUNTY, MONTANA, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLANT OF CERTIFICATE OF SURVEY HAS BEEN DULY EXAMINED AND THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE LAND TO BE SUBDIVIDED HAVE BEEN PAID.

TREASURER OF GALLATIN COUNTY \_\_\_\_\_ DATE \_\_\_\_\_

**CERTIFICATE OF CONSENT**

WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, AND PLATTED INTO LOTS, AND BLOCKS, ROADS AND ALLEYS, AND OTHER DIVISIONS AND DEDICATIONS, AS SHOWN BY THIS PLAT HEREUNTO INCLUDED, THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

**LEGAL DESCRIPTION**

**LOT 16B**  
SITUATED IN THE STATE OF MONTANA, COUNTY OF GALLATIN, BEING PART OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 5 EAST, OF P.M.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR WITH A PLASTIC CAP, MARKING THE SOUTHEAST CORNER OF LOT 17 OF BLOCK 13 OF A SUBDIVISION PLAT OF THE MADISON ADDITION, AND THE POINT OF BEGINNING;  
THENCE NORTH 00°53'16" EAST, A DISTANCE OF 130.00 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE SOUTH 89°19'53" EAST, A DISTANCE OF 71.00 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE SOUTH 00°53'16" WEST, A DISTANCE OF 130.00 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE NORTH 89°19'53" WEST, A DISTANCE OF 71.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.21 ACRES OF LAND, MORE OR LESS.

**LOT 16C**  
SITUATED IN THE STATE OF MONTANA, COUNTY OF GALLATIN, BEING PART OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 5 EAST, OF P.M.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR WITH A PLASTIC CAP, MARKING THE NORTH EAST CORNER OF LOT 1 OF BLOCK 13 OF A SUBDIVISION PLAT OF THE MADISON ADDITION, AND THE POINT OF BEGINNING;  
THENCE SOUTH 89°19'53" EAST, A DISTANCE OF 90.90 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE SOUTH 00°53'16" WEST, A DISTANCE OF 98.17 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE NORTH 89°19'53" WEST, A DISTANCE OF 90.90 FEET TO A FOUND REBAR WITH A PLASTIC CAP;  
THENCE NORTH 00°53'16" EAST, A DISTANCE OF 98.17 FEET TO THE POINT OF BEGINNING, CONTAINING 0.20 ACRES OF LAND, MORE OR LESS.

THE ABOVE DESCRIPTIONS WAS PREPARED BY FORSCREN ASSOCIATES, UNDER THE DIRECT SUPERVISION OF JEFFREY M. ROWE, PLS 20215 IN JULY 2016, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

THE ABOVE DESCRIBED TRACTS OF LAND IS TO BE KNOWN AND DESIGNATED AS "AMENDED PLAT OF LOT 16C AND 16B, BLOCK 13, OF A SUBDIVISION PLAT OF THE MADISON ADDITION, TOWN OF WEST YELLOWSTONE, GALLATIN COUNTY, MONTANA.

**CERTIFICATE OF EXEMPTION (AGGREGATION OF LOTS)**

WE CERTIFY THAT THE PURPOSE OF THIS SURVEY IS TO AGGREGATE LOTS WITHIN A PLATTED SUBDIVISION, THEREFORE THIS SURVEY IS EXEMPT FROM REVIEW AS A SUBDIVISION PURSUANT TO SECTION 76-3-207(1)(F), M.C.A.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

IN WITNESS WHEREOF, WE HERETO SUBSCRIBE OUR NAMES:

BY: \_\_\_\_\_  
MARK A. PETRONI

STATE OF \_\_\_\_\_ )  
                                  )SS  
COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, MARK A. PETRONI, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE ABOVE INSTRUMENT, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

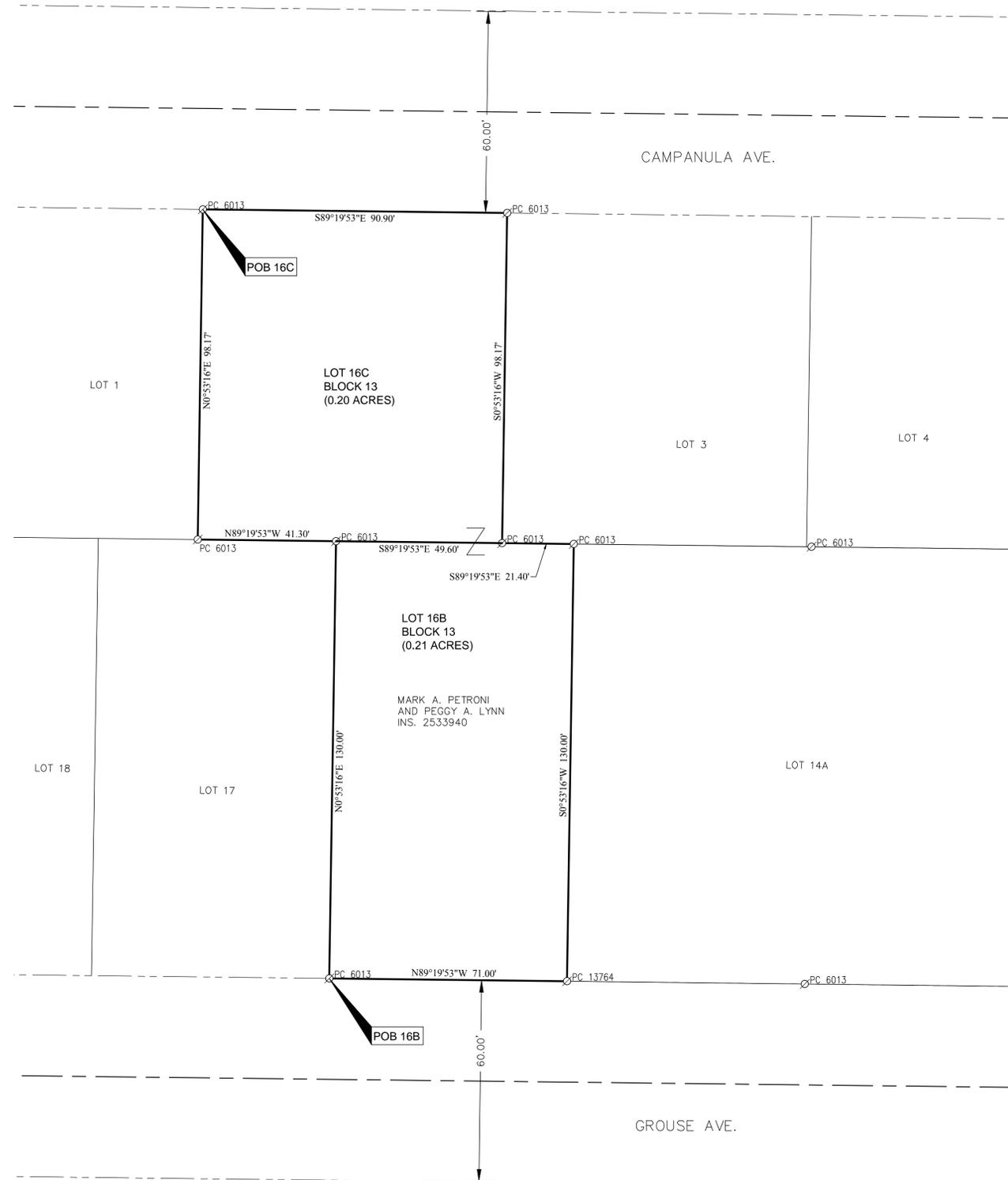
NOTARY PUBLIC  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

BY: \_\_\_\_\_  
PEGGY A. LYNN

STATE OF \_\_\_\_\_ )  
                                  )SS  
COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, PEGGY A. LYNN, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE ABOVE INSTRUMENT, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_



**NOTES:**

BEARINGS ARE BASED ON MONTANA STATE PLANES COORDINATE GRID NORTH.  
UTILITY EASEMENTS DO NOT CHANGE WITH THIS AMENDED PLAT AND ARE NOT SHOWN.

THESE LOTS WAS ORIGINALLY CREATED AT LOT 2 AND LOT 16 OF THE MADISON ADDITION TO THE TOWN OF WEST YELLOWSTONE. IN 2011 THESE TWO LOTS WERE AMENDED TO BE ONE LOT 16A IN RECORD NUMBER 2384492 PLAT J-120-M.

THIS SURVEY WAS COMPLETED FOR MARK PETRONI AND TO SPLIT THE TWO LOTS BACK INTO THE ORIGINAL LOT LINES AND CREATE THE 2 LOTS ORIGINALLY CREATED IN THE MADISON ADDITION TO THE TOWN OF WEST YELLOWSTONE.

**SURVEYOR'S CERTIFICATE**

I, THE UNDERSIGNED, JEFFREY M. ROWE, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT: I HAVE PERFORMED THIS SURVEY SHOWN ON THE ATTACHED AMENDED PLAT OF LOT 14 AND 15, BLOCK 13, OF A SUBDIVISION PLAT OF THE MADISON ADDITION AND PLATTED THE SAME AS SHOWN ON THE ACCOMPANYING PLAT AND AS DESCRIBED IN ACCORDANCE WITH THE PROVISIONS OF THE MONTANA SUBDIVISION AND PLATTING ACT, SECTION 76-3-101 THROUGH 76-3-625, M.C.A. AND THE TOWN OF WEST YELLOWSTONE SUBDIVISION REGULATIONS. THIS AMENDED PLAT WAS MADE IN MAY 2016, THAT SAID AMENDED PLAT IS TRUE AND COMPLETE AS SHOWN AND THAT THE MONUMENTS FOUND AND SET ARE OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN THEREON.

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

JEFFREY M. ROWE #20215



**LEGEND**

- ⊙PC REBAR W/PLASTIC CAP FOUND
- RIGHT OF WAY
- PROPOSED PROPERTY LINE

**AMENDED PLAT of LOT 16A, BLOCK 13, OF  
A SUBDIVISION PLAT OF THE MADISON  
ADDITION**

SEC. 27, T. 13 S, R 5 E, P.M.M.

	Job No.:	01-16-0914
	Date:	8-12-16
	Drawn By:	JRB
	Checked By:	JMR