

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
December 6, 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 Superintendent James Patterson, Social Services Director Kathi Arnado

Jeremy Weber-West Yellowstone Star, Helene Rightenour, Richard & Teri Gibson, Ryan Barker-Forsgren Associates, Louise Cochrane, Marysue Costello-WY Chamber of Commerce, Tom Cherhoniak, Garrett Ostler, Randy Wakefield-Fall River Electric, Caitlyn Johnson-Yellowstone Historic Center, Glen Loomis, Dave DeGrandpre and Matthew Rohrbach-Land Solutions, LLC, Frank Gaddis

The meeting is called to order by Deputy Mayor Brad Schmier at 5:30 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

Deputy Mayor Brad Schmier calls the meeting to order. Town Manager Dan Sabolsky explains that the Little Rangers Learning Center has run into a couple issues and was not prepared to make a presentation tonight. Their goal is to open the center the first Monday in January. He says that he is going to do what he can to help them move the applications along quicker. Forsythe says he has been approached by Arnie Siegel, Vice-Chair of the organization, as well as Bruce McPherson, the Chair, about providing land and financial support to get a permanent solution in place. He says they have looked at modular buildings and are hoping the Town will be able to assist with funding. He says that he believes that this issue is very important to the Town and they will need to be a part of the solution. Social Services Director Kathi Arnado explains the efforts and planning that the group is working on to launch the center.

The next item of discussion is updating the current resort tax ordinance. Sabolsky reminds the Council that they discussed these revisions last spring, but due to pending litigation at the time they did not proceed with adopting the revisions. The Council discusses the proposed revisions, specifically the language that provides an avenue for an event to be exempted from collecting resort tax. The new language provides seven criteria of which three must be met to be exempted from collecting the tax. The Council also briefly discusses specific items that should be included in the section that specifies what sales are subject to the tax.

Sabolsky explains that he has met with representatives from the Big Sky Resort Area about lobbying the legislature to increase the resort tax limit from 3% to 4%. Big Sky has hired a lobbyist and is looking for support for their initiative to increase the tax by 1% to be used exclusively for workforce housing. Sabolsky presents multiple other options the town could pursue including introducing legislation to be used exclusively for historic preservation, legislation for community development to include housing, historic preservation, medical facilities, day care, and infrastructure, legislation that would allow the increase to be used for items already permitted by the current resort tax law. The Montana League of Cities and Towns (MLCT) and many of their members are seeking authority of up to 3% to be available to all communities, regardless of their size. Glen Loomis shares insight from the last legislative session where the proposed legislation to increase the tax by 1% for workforce housing and historic preservation was defeated by a tie vote. Sabolsky explains that he will participate in a conference call next week with the other resort tax communities. After further discussion, the Council indicates that they favor the option of pursuing legislation to increase the taxing authority to 4% for resort tax communities under the same regulations that exist in state law.

ACTION TAKEN

- 1) Motion carried to approve the Treasurer's Report and Securities Report, dated November 30, 2016. (Forsythe, Martineau)
- 2) Motion carried to approve the claims, which total \$36,288.65. (Martineau, Parker)
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the November 18, 2016 Town Council Meeting. (Martineau, Schmier)
- 4) Motion carried to approve the Application to Maintain an Encroachment, Application for Outside Amplification, and Special Event Permit for the Christmas Stroll on December 10, 2016. (Parker, Martineau)
- 5) Motion carried to approve Resolution No. 692, a surplus property resolution authorizing the disposal of a 2008 Ford Crown Victoria police car and a 2010 Ford Crown Victoria police car with a salvaged title. (Martineau, Parker)
- 6) Motion carries to approve the update of the Employee Personnel Policy Manual. (Forsythe, Martineau)
- 7) Motion carried to authorize the Town Manager and Land Solutions, LLC to move forward with applying for grants through the Big Sky Trust Fund Grant, Montana Office of Tourism & Business Development and authorize funding the match. (Forsythe, Schmier)

Public Comment Period

West Yellowstone Chamber of Commerce Executive Director thanks all the Town departments for their assistance preparing for and putting on the ski events over the last two weeks.

Council Comments

Council Member Brad Sabolsky thanks Dan and whoever else has been involved for arranging more parking areas through the Forest Service for winter visitors. Mayor Johnson thanks everyone for their support and concern as he has worked through some health issues recently.

DISCUSSION

- 6) Sabolsky says that the Employee Personnel Policy Manual desperately needs to be updated. He says that to move forward with that project, he says they will need to get additional assistance from the Town attorneys and MMIA. He says that he just wants to make the Council aware that this will likely incur additional costs to the Town.
- 7) Sabolsky explains that they have the opportunity to apply for a Big Sky Trust Fund Grant from the Montana Office of Tourism & Business Development. He says that they can apply for up to 50% of the cost to update the zoning, subdivision regulations, and growth policy, which they have already contracted to do through Land Solutions, LLC.
- A) **Advisory Board Reports:** Council Member Parker announces that the Health Care Services Advisory Board is meeting tomorrow at noon. Teri Gibson says that the Planning Board met today with representatives from Land Solutions, LLC to discuss the Growth Policy, zoning, and subdivision regulations.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports on current issues: **West Yellowstone Star:** The Town is still assisting the two owners in getting familiar with the community. The Star has indicated they would like to apply for \$20,000 from the Town's revolving loan program. Town staff is still waiting for the necessary documentation to complete their loan application. Status: In-progress.
Planning, Housing, & Development: In October, the Town entered into a contract with Land Solutions to update the Growth Policy, Zoning Code, and Subdivision regulations. This project will take up to two years to complete. In addition, the Town entered into a contract with Land Solutions to develop a plan for the 80 Acres. Land Solutions has been

reviewing all the Town's current planning documents and developing a list of issues that need to be addressed in the updated versions. Ms. Roos has been doing a great job responding to information requests coming from our consultants. Land Solutions has been contacting key stakeholders in the community to introduce themselves and provide a summary of the planning process. They are having a "kick-off" of the planning process on December 7th at the Povah Center. While in West, they will be meeting with key stakeholders such as the Planning Advisory Board, the Chamber, and WYED. In addition, Town staff members will be meeting with them. Status: In-progress. **Habitat's Housing Project:** The Town/Habitat for Humanity grant application was not approved. The State awarded \$1.05 million in grant funds to three applicants. Habitat and the Town (Pierre) meet with the State to review the scoring of our past grant submittal and get recommendations for our next application. Habitat is looking into other sources of funding for the project. Status: In-progress. **Golf Cart Legislation:** I have drafted the legislation for the use of golf carts within Town limits. There are a number of communities that already have a similar type of regulations. Therefore, I used their ordinances to draft our legislation. The draft regulations/legislation were already forwarded to our legal counsel for review. Corrections, based on comments from our legal counsel, have been made. The legislation is on this week's Council Agenda. Status: In-progress. **Public Property Signage:** The legislation passed in September. Now the difficult part starts, the enforcement of the new regulations. Staff will be meeting after the new year to develop an action plan to implement the new regulations. Status: In-progress. **80 Acre Property:** The Town has signed the quit claim deed for the 80 acres. On Nov. 17th, the Forest Service signed the deed for the transaction and recorded it. Therefore, the Town owns the 80 acres. However, we are still waiting for our copy of the recorded deed. The recorded deed will be presented to the Town Council at a future meeting. Status: In progress. **Winter Sports Parking Lot:** Based on encouragement of the Chamber and snow related businesses, the Town has developed a temporary winter sports parking lot on the newly acquired 80 acres. It is the desire of the Forest Service, the Chamber, and Town staff to locate a permanent lot somewhere adjacent to Town. The interested parties will be meeting soon to start planning the project. Status: In progress. **Town Logo and Signs:** River Dragon Designs has developed a new logo for the Town and it was approved by council. Recently, the new signs were installed by Town staff. The address decals have been ordered and will be installed on the building in the new year. Status: In progress. **Day Care:** The Day Care group continues to meet frequently to develop a non-profit organization to operate a day care. They have established a Board and have drafted an action plan to move the process forward. They are exploring both temporary and permanent locations for the day care. A temporary location has been approved at the Community Protestant Church. Bruce McPherson, board president of the learning center group, will give a short presentation at the upcoming council meeting on the day care situation. Status: In progress. **Amphitheater:** The group working on the amphitheater project has not met recently. The group has a completed conceptual design and is waiting on some cost estimates for the project. The potential donors need to get an estimate of the costs to determine the size and terms of their donation. Soon, we are hoping to move the project forward by getting council approval, starting the plans, and setting up the financing. Status: In progress. **Television District:** Mr. Martineau has worked with a contractor to make some of the immediate repairs needed at the facility. In addition, Mr. Martineau has got some cost estimates for the digital upgrade of the facility. The County Commissioners and Mr. Martineau have been recruiting new Board members before undertaking any further action regarding the upgrades. Status: On-going. **GIS:** Stahly Engineering has completed gathering data for the GIS system. They are in the process of creating the "system." Three GIS handheld units have been purchased and are ready for the software installation. In addition, they have surveyed four interior parks along Canyon Street. The data gathered was provided to ThinkOne to plan for the Canyon Street restrooms and paving of these interior lots. On Monday, we received, from ThinkOne, some drawings with tentative locations for the restrooms. Status: In progress.

Town Related Items:

- Conducted Interviews for the open Police Officer position.
- Attended meeting with the Town of Ennis and Big Sky Resort Tax District.
- Met with the West Yellowstone Star (4).
- Met with Day-Care Group (2).
- Met with Arnie Siegel (5).

- Attended the Snowplowing meeting.
- Met with Clean Cities about an Electric Car Charging Station.
- Met with Forsgren Engineering.
- Met with Land Solutions (3).
- Researched the Idaho Falls Fountain.
- Met with Prospera Business Network.
- Met with Rob Gilmore of Northern Rocky Mountain Economic Development District.
- Worked with Think One Architects on locations and site plans for Canyon Street Restrooms.
- Met with Stahly Engineering & Associates about GIS system.
- Met with the Chamber – Mary Sue Costello.

Public Events Attended:

- Attended the Craft show.
- Attended the Cross-Country Ski Event.
- Attended the Biathlon event.
- Attended presentation by Tom Murphy.
- Watched the Dodgeball Tournament.

Public Services Superintendent James Patterson says that they are plowing a lot of snow and the new crew is working together well. He reports that he met recently with Tom Osborne, the engineer that is studying the sewer system and water system. He and Town Engineer Dick Dyer will meet with him again in early January with the anticipation of being able to drill a well next spring. Chief of Police Scott Newell reports that Officer Kearney slipped and fell over the weekend and dislocated his shoulder, so he has been covering his shifts. He says they received four responses to the CAD RMS system and will entertain presentations from the responders in the near future. The new pickups for the Police Department will be delivered to the dealership in January. He reports that they are going through the background review process for the new police officer now and anticipate swearing him in as an officer in early January. Finance Director Lanie Gospodarek reports that they installed a new phone system today and everything is going well so far. The same company, Blackfoot Communications, has also connected all of the Town buildings to fiber, which will greatly improve efficiency and communication speeds. She says that she has also been busy working on the Annual Financial Report and training our new Deputy Town Clerk, Lisa Johnson. Social Services Director Kathi Arnado reports on counseling opportunities in the community, distribution of 66 turkey baskets to families in the community, the Christmas Star program to collect Christmas presents for children in the community, traffic with unemployment filings and food bank visits.

- C) Mayor Johnson says the draft golf cart ordinance was provided in the packet and asks for comments. Chief Newell suggests adding definitions for the word “driver” and making any violations a civil infraction rather than a misdemeanor. Johnson asks why they would not be allowed between sunset and sunrise if they are equipped with lights and reflectors and suggests removing that requirement. They also discuss changing the language in the definition of “golf cart” but agree that since it comes from Montana Code not to change it. The Council and members of the public discuss the proposed ordinance and make minor changes. Sabolsky says he will bring it back for first reading by the Council in January.
- D) Town Manager Dan Sabolsky explains that dispatcher Nansi Cisneros has notified the Town that she intends to retire in April. Head Dispatcher Brenda Martin is also expecting a baby in April so they are asking for permission to hire a new dispatcher so they are trained and ready to work independently before April. He says that considering that they have been down a police officer since July, they do not foresee a problem with the budget. Johnson says those are very good reasons but questions whether they need to check with the union or amend the staffing plan. Sabolsky says that he did discuss this with the union and they had no issues with it. Newell says that he discussed it with the attorney who said as long as they had Cisneros’ resignation letter, there should be no problems. The Council indicates that they are comfortable with the proposal.

The meeting is adjourned. (9:15 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
December 21, 2016

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Social Services Director Kathi Arnado

The meeting is called to order by Deputy Mayor Brad Schmier at 7:00 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.

Public Comment Period

No public comment is received.

Council Comments

Council Member Parker recalls some issues they had a year ago pertaining to calling out public services employees for snow removal which resulted in filing a grievance. Sabolsky explains that just this week they had a conference call with the Town Attorney as well as the union and believe they have things worked out so they don't have any problems this year. Council Member Forsythe mentions that the next regularly scheduled meeting is January 3, 2017, which is the meeting where they will elect the Mayor for the year. He says that the school had to reschedule a basketball game for that same date due to inclement weather last week. He asks the Council to consider moving that meeting to the following evening, Wednesday, January 4, 2017.

Public Hearing: Conditional Use Application, Little Rangers Learning Center (Temp Use)

Deputy Mayor Brad Schmier opens the hearing and explains that they have received an application from the Little Rangers Learning Center to operate from the Community Protestant Church through August 31, 2017. The hearing was advertised in the December 9 and December 16, 2016 editions of the West Yellowstone Star. Neighboring property owners were also notified. Teri Gibson encourages the Council to approve the application. Bron Hansen, a resident of the Madison Addition, says he supports the application but suggests they consider the corner the church is on and possible signage warning people to slow down.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$168,991.34. (Forsythe, Martineau)
- 2) Motion carried to approve the Request for Conditional Use made by the Little Rangers Learning Center to operate a temporary childcare facility at 505 N Electric Street, known as the Community Protestant Church contingent upon proper licensing by the State of Montana and effective through August 31, 2017. (Forsythe, Martineau)
- 3) Motion carried to approve the new business license for Little Rangers Learning Center to operate a childcare and learning center at 505 N Electric Street. (Forsythe, Martineau)

DISCUSSION

- 2) Bruce McPherson speaks on behalf of the Little Rangers Learning Center. He explains that there are currently no public childcare options available in West Yellowstone. Both businesses that were operating in the past year have closed. McPherson explains that he and the Pre-K Program Teacher, Katie Ostberg, saw what was coming and started working on this a few months ago. He says that he has not personally been involved with child care since his daughter was young, 32 years ago. But he also wrote a book many years ago about the economic and social impacts of group child care. He also started the Pre-K program that currently operates out of the Library at no charge. He explains that

they formed a board and in the last two months they have obtained all the necessary approvals save one to be a licensed child care/learning center. The church has agreed to allow the center to operate from the church through August 31, 2016. He says that they have faced multiple obstacles including the fact that they have to install a \$26,000 fire suppression system in the building, which they obtained a loan for just today. They were hoping to open the center on January 3, 2017 but they are not sure they will make that date. They plan to install the fire suppression system next week and have worked out and the center will assume the liability of the loan.

The meeting is adjourned. (8:00 PM)

Mayor

ATTEST:

Town Clerk