

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**June 7, 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, Chief of Police Scott Newell, Teri & Richard Gibson, Helene Righenour, Head Dispatcher Brenda Martin, Tom Cherhoniak, Randy Wakefield-Fall River Electric, John Greve

The meeting is called to order by Mayor Jerry Johnson at 5:30 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

**WORK SESSION-5:30 PM**

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Mayor Johnson calls the meeting to order and explains the purpose of the meeting is to discuss the Special Revenue Funds in the FY 2017 budget. Finance Director Lanie Gospodarek first describes the Resort Tax fund and explains that they always plan to collect more tax than they actually expect so that they will not have to return excess funds to property owners. She briefly describes the expenses that come directly out of the resort tax fund including auditing, revenue bond payments for the Town Hall and purchase of the 80 acres, and 2.5 million that is transferred into the general fund. Money is also transferred to other funds like the capital fund for street construction and for other capital projects. Gospodarek describes the Marketing and Promotions (MAP) Fund and explains that they anticipate collecting \$82,000 for that fund this year and the fund currently has approximately \$112,000. She explains that when money goes into a fund, it stays there and carries over into the next year if it is not spent. She also describes the Tourism Business Improvement District (TBID) fund, which essentially holds the money until it is forwarded to the TBID. The Town retains 3% of what is collected up to \$10,000 annually to offset the cost of administering the fund. Gospodarek briefly describes the off street parking fund, teen center fund, and volleyball court-which contains money donated to build an outdoor volleyball court. She quickly moves through the funds for the community garden and recreation program scholarships. The Library fund includes revenue from property tax, Gallatin County, and donations and then contributions from the Town. She says that in the past, Library Director Bruce McPherson has been able to raise enough money to cover the extension programs, which include the Pre-K and Language instruction classes. The Council discusses the difficulty McPherson has had this last year raising enough money to fund the programs and wonders whether they need to plan to supplement those programs. The Council asks Gospodarek to work with McPherson to get a better estimate of how much money he thinks he can raise and how much the Town may need to contribute. Gospodarek also briefly describes the cemetery and drug forfeiture funds, which funds are not very active. The CDBG fund has money for economic development or creation of low to middle income jobs and has a fund balance of approximately \$73,000. Businesses and other entities can apply for low interest loans from this fund. The Cemetery Perpetual Care fund is a small fund for maintaining the cemetery. Gas Tax money is collected by the State and a portion is forwarded to the Town. The money can be spent on road and street projects as well as 25% of capital purchases. Gospodarek explains the 911 fund and then the Victims Assistance fund. The Victims Assistance fund is now administered by the County and the remainder of this fund is from previous collections. Once this fund is spent down, they will eliminate it. There is brief discussion about how this money can be used.

### 7:00 PM-Town Council Meeting

#### ACTION TAKEN

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- 1) Motion carried to approve Purchase Order #6246 to OSS Law Enforcement Advisors to initiate putting together a Police Department Policy and Procedure Manual for the Police, Dispatch and Jail. (Martineau, Parker)
- 2) Motion carried to approve the claims, which total \$259,556.00. (Martineau, Forsythe) Schmier abstains from #42075 to Jerry's Enterprises, Forsythe abstains from #42095 to Westmart Building Center.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the May 16, 2016 Town Council meeting and May 31, 2016 Town Council Work Session. (Martineau, Schmier)
- 4) Motion carried to approve the new business license application for L & L Site Services, Inc. to offer commercial and residential garbage service hauling. (Martineau, Forsythe)
- 5) Motion carried to approve Resolution No. 681, Financing of the 80 Acres of US Forest Service land through First Security Bank in the amount of \$1,425,000. (Forsythe, Martineau)
- 6) Motion carried to approve the Application for Outside Amplification Permit for the Wild West Yellowstone Rodeo Car. (Martineau, Schmier) Parker is opposed.
- 7) Motion carried to approve Ordinance No. 259 on the second reading. (Forsythe, Martineau) Johnson and Parker are opposed.
- 8) Motion carried to approve Ordinance No. 260, an ordinance authorizing the sale of bulk water, as amended. (Martineau, Forsythe)
- 9) Motion carried to approve Resolution No. 678, a resolution establishing the rates for bulk water sales. (Martineau, Parker)
- 10) Motion carried to table Resolution No. 680, a budget amendment resolution. (Martineau, Parker)
- 11) Motion carried to approve Resolution No. 682, a resolution writing off the final ambulance accounts held by the Town. (Schmier, Martineau)
- 12) Motion carried to accept the recommended changes from the Marketing and Promotions (MAP) Advisory Board to the MAP Fund Policies & Procedures, MAP Fund Application, and MAP Fund Advanced Funding Request. (Schmier, Parker)
- 13) Motion carried to authorize Mayor Johnson to appoint Teri Gibson to the West Yellowstone Planning Board as the Gallatin County designee. (Martineau, Parker) Forsythe abstains.
- 14) Motion carried to reappoint Chipper Smith to the Planning Board as the out of town representative. (Schmier, Parker)

**Public Comment Period:** Teri Gibson says that during the Town clean up event, she and another couple cleaned up at the old airport and were appalled at the amount of dog poop in that area as well as a massive amount of zip ties left over from the snowmobile expo. She recommends installing at least four dog poop disposal stations in that area.

**Council Comments:** Pierre Martineau says that Habitat for Humanity would like to schedule a work session with the Council to discuss purchasing a building on Yellowstone to convert it into housing. Parker says there was previous discussion about revitalizing the Downtown Improvement District and questions what happened to that. Johnson says that he thinks that group was thrust on the Town and he thinks it needs to be led by the merchants, not the Town. Schmier encourages the Council to take some time to drive up and down the alleys and says there is a lot of abuse of public property and they need to address it. He suggests utilizing the encroachment process or consider leasing the property.

**Public Hearings:** Ordinance No. 259, Mobile Food Vendors, Ordinance No. 260, Bulk Water Sales, and Resolution No. 680, Amend the FY 2016 Municipal Budget. Mayor Johnson reads the hearing notice. The hearing was advertised in the Bozeman Chronicle and the June 3, 2016 edition of the West Yellowstone News. No public comment is received on Ordinance No. 259, Mobile Food Vendors. No public comment is received on Ordinance No. 260. Town Manager Dan Sabolsky points out that they did add a clause to the ordinance that allows the Town to refuse to sell water if the supply is not adequate. Regarding Resolution No. 680, Budget Amendments, Tom Cherhoniak asks about the drug forfeiture fund. Chief Newell explains that they purchased storage lockers for drug forfeitures that cost more than was budgeted in that fund.

- 1) Chief Newell explains that this project took some research to find a company that was willing to prepare a manual for a Montana department and will help them keep up to date on new threats and current issues in law enforcement. Once the manual is in place they will update it annually.
- 5) Mayor Johnson introduces Cynthia Weed, bond counsel for the Town from K & L Gates for the loan from First Security Bank for the purchase of the 80 acres of US Forest Service land adjacent to the Town. Weed explains some of the details surrounding the loan, including the fixed interest rate of 2.19%. The note is secured by the resort tax revenue, there is no security interest on the land.
- 6) Georgia McMillan of the Wild West Yellowstone Rodeo explains that they will only operate the car on days that the rodeo operates. The Council members agree that the McMillans have been very considerate and willing to adjust their operation as not to be a nuisance. Chief Newell says they have received no complaints about the car at the police department. Forsythe says that they need to follow up on the business that walks around town singing and performing on public property and determine what type of permit should be required.
- 7) Mayor Johnson reads Ordinance No. 259 aloud. Parker asks why is there no public seating allowed even though they are on private property. Schmier says that is just one part of the ordinance that ensures the mobile vendor does not become a permanent vendor. Forsythe says the Fire Department favors passing the ordinance as to give them a way to enforce fire codes. Johnson says he opposes this ordinance because it over-legislates the use of private property. He says that there are establishments in town that open early and close early, why can't they lease their property to a mobile food vendor to operate when they are closed. The Council debates the intent of the ordinance at length. Randy Wakefield of Fall River Electric clarifies that if they are contacted to set up a meter for a mobile food vendor, under this ordinance that would not be permitted. Johnson agrees and points out that the intent is that the vehicle is entirely mobile.
- 9) The Council debates the proposed rates in the resolution. After extensive discussion, the Council agrees to change the water use rate to \$10 for the first 1000 gallons and then \$1 per 1000 gallons after that.
- 10) Gospodarek explains that she has discovered an error in the resolution and recommends tabling until the next meeting.

- 11) Mayor Johnson explains that the remaining ambulance accounts have all been turned over to collections and deemed uncollectible. The statute of limitations is seven years but they have decided to write them off now and close out the ambulance accounts.
  - 12) Johnson says that over the years, the board has realized that there have been needed changes to these documents to make running the fund more efficient.
- A) **Advisory Board Reports:** Public Services Superintendent James Patterson reports that the Planning Board met last week and discussed current policies. Forsythe says the Parks & Recreation Board attempted to meet today but there were not enough board members available so they did not meet. Pierre Martineau says he attended an HRDC meeting last week but Town Manager Dan Sabolsky will cover that in his report.
- B) **Town Manager & Advisory Board Reports:** Town Manager Daniel Sabolsky reports on current issues: **Water and Sewer Issues:** Ordinances for the rate increases were approved on May 3, 2016. There was an ordinance and a resolution for bulk water rates on the agenda for the last meeting. There were some modifications that were made to the resolution pertaining to fees and charges. They are on the agenda for the upcoming meeting. Status: On-going. **WYED Consulting Contract – Housing & Public Input Project:** HRDC was going to apply for federal and state grants in the Spring for the Electric Housing Project. It has come to my attention the project may be put on hold. This price of the land is too high to make the project feasible. 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. I received a copy of the Exploratory Smart Growth Plan from WYED. It is the public input document on the 80 acres prepared by Kirsten Goldstein. This document was forwarded to Council to get their input and comments. Status: In progress. **Mobile Food Vendors:** A draft of the mobile food vendor regulations was sent to the Town’s legal counsel for review. A work session was held on May 17 to further discuss the Mobile Food Vendor regulations. There was some revisions made as a result of the work session. The Second reading of the ordinance will occur on June 7<sup>th</sup>. Status: In progress. **Payroll System:** The Town purchased the Black Mountain payroll software and entered into a maintenance agreement that includes the iCloud capabilities. The Finance Department completed numerous training sessions on the software. Ms. Roos has started entering data into the new system. Black Mountain has been working with the Town staff to prepare the system for the iCloud capabilities. The Finance will be hosting payroll training sessions on June 8<sup>th</sup> for Town staff. Status: In-progress. **Growth Policy:** The Planning Board has been working on the update to the Town’s Growth Policy. The final draft was sent to the Town’s legal counsel for review. She has completed her review of the document and will be forwarding the changes. I have received some comments and changes from Council and the general public that need to also be made. It is anticipated the final draft will be placed on the agenda in June. Status: In-progress. **Police/Dispatcher/ 911 Training:** The Town is part of an RFP with Gallatin County for 911 stations. On this week’s agenda, we have a requesting the first payment to hire OSS to rewrite the Department’s policy manuals. Once they receive their first payment, then they will start working on the manuals. Status: In-progress. **80 Acre Financing:** The Town signed the Conditional Commitment Letter with First Security Bank for the financing of the 80 acres. The Town has signed a contract with Ms. Cynthia Weed, of K & L Gates, to assist the Town with drafting the necessary documents to assign a portion of the Resort Tax to service the debt with First Security. Ms. Gospodarek has been working with First Security Bank on finalizing the documentation to complete the transaction. The final drafts of the documents have been completed and they will be on this week’s Council Agenda. Status: In progress. **Refinance of GO Bonds:** The Town signed the Conditional Commitment Letter with First Security Bank for the re-financing of the general obligation bonds. The Town has signed a contract with Ms. Cynthia Weed, of K & L Gates, to assist the Town with drafting the necessary documents to refinance the general obligation bonds at a lower interest rate. This transaction will be

completed after the purchase of the 80 acres has been completed. Since the 80-acre transaction will be completed soon, we will be proceeding with the refinance of the GO bonds. Status: In progress. **Organizational Development:** Two management initiatives have been started: 1) Performance Management (10 Webinars) from MMIA and 2) The Leadership Challenge - training being provided by Montana State. The initiatives are going well. We are in the process of working with MSU to develop a plan to provide leadership training to all departments and staff members. **CHP Contract:** A meeting was held with Buck Taylor of CHP. The existing contract was reviewed and proposed changes were established. Copies of the existing agreements with CHP were forwarded to our legal counsel. The Town has updated the documents to reflect the proposal submitted by CHP and the Town's requests. The most recent draft of the contract was sent to our legal counsel. Status: In progress. **Grader RFP:** Mr. Patterson and myself have prepared the RFP packet to acquire a used grader for the Town. The documents have been reviewed by our legal counsel. Changes were made and the RFP was distributed to regional vendors. The deadline for the bids will be extended to ensure that it was properly advertised and all responsible bidders had a chance to respond. Status: In progress. **Town Logo and Signs:** River Dragon Designs has developed a new logo for the Town. After some revisions, we have a final version. The logo was sent to Town Council for their review. In addition, they assisted us with the design of signs for the Town Hall, Police Station, and Social Services. Preliminary sign designs were also sent out to members of Council for their review. It is hoped that the signs can be ordered soon. Status: In progress.

**Town Related Items:**

- Met with Gallatin County Habitat for Humanity.
- Met with Northern Rockies Economic Development Council (1).
- Attended a Chamber Board Meeting.
- Attended a community meeting regarding Pre-School issues.
- Talked with DEQ about complaint.
- Met with Shane Grube, Hebgen Basin Fire District and Chief Newell about the Fire Code.
- Attended the Quarterly Union-Management meeting.
- Attended the Town-Union Grievance Arbitrator.

**Public Events Attended:**

- Attended Chamber of Commerce Social.
- Worked at the Town Clean Up Day.
- Community West Outreach meeting.

Public Services Superintendent James Patterson reports that Recreation Coordinator Brandy Holland had to go to Alabama due to an unexpected death in the family. She will return this Friday. He says that they have started working on the street lights and replacing all the bulbs that are burnt out. He says his biggest concern at this point is water supply. He says that they are running the well up to 16 hours a day and he thinks they should run an article in the newspaper encouraging residents to conserve water and consider a moratorium on building. He says the spring has not started producing as they hoped. He thinks they should also consider turning on the wells in the Madison Addition, which will require having those wells tested first. He explains that the holding tank on the south plateau has not filled completely since the end of April. He says the flow is under a million gallons per day where they used to run closer to three million gallons per day. Finance Director Lanie Gospodarek reports that they are working on the budget and end of year reporting. Chief of Police Scott Newell reports that calls in town are up, they've starting installing the new computer system, and he's working on an interdepartmental and anonymous survey that will be compiled by Social Services Assistant Leah Sherman before being shared. Mayor Johnson mentions that Town Manager Dan Sabolsky has almost completed six months of employment and the Council needs to evaluate him.

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The meeting is adjourned. (9:30 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**June 21, 2016**

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

OTHERS PRESENT: Town Manager Dan Sabolsky by speakerphone, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott, Helene Righenour, Rich & Teri Gibson, Ryan Barker-Forsgren Associations, Travis Watt, Randy Wakefield-Fall River Electric, Marysue Costello-WY Chamber of Commerce

The meeting is called to order by Mayor Jerry Johnson 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.

**ACTION TAKEN**

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- 1) Motion carried to approve the claims, which total \$118,964.97. (Martineau, Schmier)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the June 7, 2016 Work Session & Town Council Meeting. (Martineau, Parker)
- 3) Motion carried to approve Resolution No. 680, a resolution to amend the FY 2016 Municipal Budget. (Martineau, Parker)
- 4) Motion carried to approve Resolution No. 683, a resolution to adopt the FY 2017 Preliminary Budget. (Parker, Martineau)
- 5) Motion carried to approve the Application to Maintain an Encroachment made by BJ Olson on behalf of Yellowstone Cabins to put a fence across town property to block the view of a "junk yard" on the adjacent lot. (Parker, Martineau) Martineau is in favor, the remainder of the Council is opposed, motion fails.
- 6) Motion carried to accept the recommendation from the Marketing and Promotions Fund Advisory Board to award the WY Library Foundation \$350 for the 4<sup>th</sup> Annual Buffalo Chip Chuck. (Forsythe, Martineau)
- 7) Motion carried to approve the lot aggregation for Madison Addition Block 6, Lots 6 and 7, made by Tim and Nancy Heideman. (Martineau, Parker)
- 8) Motion carried to approve Resolution No. 684, a resolution canceling two outstanding warrants for a total of \$15.00. (Martineau, Parker)
- 9) Motion carried to approve the Outside Amplification Permit for Music in the Park, 2016 Series between the hours of 3 PM and 10 PM on July 2-4 and August 5-6, 2016. (Forsythe, Martineau)
- 10) Motion carried to approve the Outside Amplification Permit for the Yellowstone Rod Run for August 5-6, 2016 between the hours of 10 AM and 10 PM, made by the West Yellowstone Events Association. (Martineau, Parker)
- 11) Motion carried to approve Resolution No. 685, a resolution exempting the concert area of Pioneer Park from the prohibition of public drinking for the 2016 Music in the Park Series, effective one hour before and one hour following the concerts on July 2-4 and August 5-6, 2016. (Parker, Martineau)

- 12) Motion carried to approve Resolution No. 686, a resolution exempting Pioneer Park from the prohibition of public drinking during the Yellowstone Rod Run, August 5-6, 2016 between the hours of 10:30 AM and 10:30 PM. (Forsythe, Schmier)

#### **Public Comment Period**

Helene Righenour speaks to the Council about the upcoming memorial service for Officer Patrick Kramer. She says that she thinks the Town has not done enough to honor Officer Kramer, who was killed in the line of duty responding to a call. She says that they planted a tree at the police department but it was demolished. She thinks that the Town should make a tribute to him to remember his service.

#### **Council Comments**

Council Member Parker refers to the concerns about water shortage and says that the recent article in the paper raised a lot of questions but no solutions. He suggests some steps the business community could take such as asking restaurant patrons if they want water to drink before serving it or reducing laundry by the hotels. Parker also points out that Heath Hansen is doing a great job for the Public Services Department and shares an example of how he observed Hansen taking extra time grading the alleys. Council Member Schmier says that he would like the Town and perhaps Dick Dyer to look into the location of their stop signs as he believes they are not placed correctly. He says that he thinks they also need to ensure the stop signs can be seen and are not blocked by tree branches. Mayor Johnson says that he would like them to consider putting up a fence along the south side of the public property along Yellowstone Avenue from Electric Street to Faithful Street. Parker asks for a map that could be posted in the Town Council meeting room so when they are discussing locations they could actually see them on a map. The staff indicates they will work on that. Rich Gibson suggests putting stop signs in the center of the bigger intersections.

#### **Public Hearings: Resolution No. 680, Amend FY 2016 Municipal Budget Resolution No. 683, FY 2017 Preliminary Municipal Budget**

Mayor Johnson reads the hearing notice for Resolution No. 680. No public comment is received. Mayor Johnson reads the hearing notice for Resolution 683. Finance Director Lanie Gospodarek explains that this process is just so the Town will have a budget in place and it will be replaced by the final budget that will be adopted in August.

#### **DISCUSSION**

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- 1) Council Member Parker inquires about the claim to Freeheel & Wheel to tune up a bike for the Police Department. Chief Newell explains that they are tuning up a bike the Town has had for several years with the intention of doing some patrols on bike.
- 5) The Council discusses the application and agrees that they understand why she wants to put up the fence. They discuss the details of the property and the adjacent property and whether allowing the fence is appropriate, acknowledging that an encroachment could last forever. Public Services Superintendent James Patterson and Chief Newell indicate that they will work on the issue, pointing out that they did cite the property owner with the junk last year.
- 7) Parker clarifies that this action is allowed because they are building a house across two lots and making two lots into one.
- 12) The Council discusses the expanded hours for the event and possible impact on the park. They consider if it is wise to allow the open container for that many hours and how that will be policed. Schmier encourages the organizers of the event to do their own police work to relieve the burden on the Town.

- A) **Advisory Board Reports:** Council Member Parker reports that the Planning Board met and mainly discussed parking. They would like to schedule a meeting with the Council to discuss their ideas in depth.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky is present at the meeting via speaker phone. He reports that he is presently almost halfway across the country as he is moving his family from Sabolsky, Ohio to West Yellowstone. Public Services Superintendent James Patterson reports that they are going to pave the parking lot at the city park on Monday. He says they are flushing the wells in the Madison Addition, which required them to hook up power to the wells. He says the fluoride levels are lower than expected. He also reports that they have cut back on watering the grass around town and saved nearly 1.7 million gallons in usage since this time last year. He says that he and Town Engineer Dick Dyer are exploring the options they have for drilling another well, which will require permission from DEQ. He says that if they can get the two wells in the Madison Addition on line, they should be in good shape to get through the summer season. He says that the fluoride levels are still above what is acceptable so DEQ requires that they run a notice in the newspaper. Forsythe says that he'd like to state that they have been watching this problem and addressing it for the last two years and he wants that to be known. He also asks Patterson how they know what the fluoride levels in the wells are. Patterson says they have the water test results from those wells from six years ago, the last time they were used. Chief of Police Scott Newell reports that the summer call volume is about where they expect it to be. He also reports that Officer Patrick Kramer's ashes will be interred at the veteran's cemetery by Laurel next week and anyone from West Yellowstone is welcome to attend. He mentions that they are also having trouble with the police car that Neil Courtis has been driving. Mayor Johnson mentions a kind letter they recently received recognizing Officer Van Leeuwen's actions with a child. Finance Director Lanie Gospodarek reports that they are preparing for the end of the year, to sign the closing documents for the purchase of the 80 acres, and installing the new payroll software.
- C) Mayor Johnson explains that they have a draft resolution that was prepared by the Town Attorney to issue a moratorium on connections to the Town's fresh water supply system. Mayor Johnson reads the draft resolution. He suggests that they consider whether new building would be allowed if it is replacing an old building, should residential connections be exempted, and a sunset or expiration date for the resolution. Patterson says that regardless of whether they are able to bring the Madison Addition wells online, they really only have enough water to maintain what they have. He says they really cannot allow another hotel to come in. The Council discusses the issue at length. Forsythe says that he thinks that if they institute the moratorium, they will end up with lawsuits regardless. He worries about people that have purchased lots with the intention of building a home and not allowing them to build at this point. Patterson says that he thinks the Council needs to move quickly on this and pass it. Teri Gibson agrees but says that she thinks they should not limit residential building. Mayor Johnson encourages the Council to email their thoughts on this issue to the Town Manager so they can schedule a work session to discuss it in depth.

#### **FYI/CORRESPONDENCE**

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Mayor Johnson reads a memo from Finance Director Lanie Gospodarek expressing her intention to accept the position of head volleyball coach. He also refers to an email from Jeanie Cardon expressing concern about the water supply issues and steps the Town can take to reduce consumption.

The meeting is adjourned. (9:05 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**June 28, 2016**

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

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

The meeting is called to order by Mayor Jerry Johnson at 5:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

**Public Comment Period & Council Comments**

No comments are received. Mayor Johnson mentions that they forgot to open the bathrooms at Pioneer Park this weekend and there was an event in the park. The situation was quickly rectified but he asks the weekend staff for the police department double check that. Public Services Superintendent James Patterson indicates that he will have his weekend cleaner check on that as well.

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- 1) Motion carried to approve the claims, which total \$42,357.47. (Schmier, Martineau)
  - 1) Finance Director Lanie Gospodarek explains that although it was budgeted, they did not ever make the contribution to the Chamber for the 2015 fireworks show. The claims list tonight includes that \$4000 contribution for 2015 as well as \$4000 for 2016.
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- A) Mayor Johnson explains that the first item of discussion this evening is the proposed moratorium on new construction until the water situation improves. He says that at the last meeting, he asked the other Council members to email their thoughts on the subject to Town Manager Dan Sabolsky. However, Sabolsky has only been back in town for a couple days and did not receive any comments. Mayor Johnson says that he spoke with Town Attorney Jane Mersen over the weekend regarding a couple possibilities such as only placing a moratorium on connections over a certain size. Mersen suggested allowing new construction with their own wells as long as they complied with all the regulations of a public water source. Public Services Superintendent James Patterson explains some statistics prepared by himself and Town Engineer Dick Dyer. The average peak demand is 1.22 million gallons per day and the combination of the spring and railroad well are putting out approximately 1.29 to 1.33 million gallons per day in the last couple of weeks. The average demand last year for July-August was 1.3 million gallons per day. Patterson explains that the annual water usage over the last couple years has been between 175 million and 195 million gallons. Before that, annual usage was almost 30% less. Parker asks if there is a correlation between new hotels and the increase in water use over the last couple of years. Patterson says he thinks there are just more people coming to town. The Council considers how long a moratorium would have to be in place. Patterson says that on Thursday, he, Dyer, and Sabolsky are going to go meet with DNRC to discuss getting permission to drill a new well. Patterson says they do have water rights that they are not using. If DNRC will allow them to transfer the water rights, the process of developing a new well may be much simpler. He also explains that the two wells they turned on in the Madison Addition last week have been tested and they hope to have those results by the end of the week. If the tests are acceptable, they will turn those wells on right away. He also mentions that he has a meeting set up with Delaware North next week to discuss what they can do to reduce water use. The Council and Patterson discuss the water situation at length. Schmier asks if they can legislate reduced water use or offer incentives and coupons for the installation of low flow devices. Parker says he thinks they need to proceed with the moratorium but his bigger concern is the lack of an adequate water source, more than conservation approaches. Schmier says he also thinks they need to put a moratorium in place and is concerned about the drop in water supply from the spring. Schmier says he also thinks they should exempt single family homes from the moratorium. Forsythe questions whether they can

allow the construction of single family homes but nothing else. Johnson says that the attorney did not like that idea before the previous meeting, but said they can allow that if they have the data to support it. He also says that Mersen said they can also consider instituting impact fees so the current users of the system do not have to support new connections and they could bank that money for future improvements. He suggests a five-year moratorium with a requirement that the Council review the resolution annually. Sabolsky recommends that if they do exempt single family homes that they require water conservation devices in that new construction. He says he also had a meeting with a motel owner that wants to tear down an older section and rebuild but with possibly more rooms. He says that he thinks they need to restrict and mandate low flow devices in such a situation. The Council debates whether they need to apply the moratorium to multi-family housing. The group also discusses how long it will take to drill a new well and get all the associated approvals. The Council agrees and directs Sabolsky to work with the attorney, engineer, and Patterson to prepare a resolution to implement a moratorium for the next Town Council meeting. Terry Marsden says that they need to make sure the existing hotels make conservation efforts. He says that the residential customers are not the ones that are making the difference. He says that need to be prepared to address this problem for years to come.

- B) The Council discusses the Capital Improvement Plan for the upcoming budget. They discuss the projects that have been completed in the past year and what needs to be included in the upcoming budget. They discuss the curb-stop replacement project, which comes out of the water fund and rather than purchasing a large meter for the Forest Service compound, they purchase meters for the individual buildings. They discuss the slurry seal process for surfacing the streets, which is the approach they took this year rather than repaving. They agree to fund the slurry seal from the street fund. They also plan to fund annual sidewalk maintenance at \$40,000 and allocating \$50,000 to change the street lights to LED. They briefly discuss handrails for the UPDL, which need to be re-budgeted and rehabilitating the UPDL Generator Building, which was completed. Patterson explains that the Yellowstone Historic Center put up a see-through wall in that building so people can view the generator and they can post information. The group considers the volleyball court for Pioneer Park and its location. Mayor Johnson recommends delaying the court until FY 2017 until a final location can be chosen. The sander and electronic speed sign was purchased. The discuss surfacing the town portion of the Frontier Trail, which circles around the Town. Patterson indicates he will figure out a solid number for that project. Mayor Johnson asks the Council Members if there are any projects they want to see accomplished. Forsythe says he would like to see some improvements made to the linear trail through the Madison Addition. The Council agrees that trail is starting to degrade. Parker asks if the parking lines around Town are being repainted and points out that Boundary Street is in need. Forsythe says he recommends replacing two police vehicles. Martineau says he would like to see them put a public restroom in one of the interior parks between Canyon Street and Dunraven. He also suggests putting magnesium chloride down in that interior park. Schmier says he would like to see progress towards a permanent stage or amphitheater in Pioneer Park. The Town has been in discussion with a potential donor who would like to see that accomplished. Johnson says he would like to a well-lit trail between the downtown area and Grizzly Park in the next couple of years. He also wants to see the stage built. The Council discusses the toilet vault for the tennis courts and agrees to leave it on the plan but do not decide when to proceed. They discuss the bids they received recently for a used road grader. The bids for a used grader were approximately \$170,000. They briefly discuss leasing a grader. They agree to delay the new grass between Yellowstone and Obsidian due to the water shortage. The Council discusses future projects such as removing the Madison Addition water tank and ultimately agrees to take it off the list. They also talk about relocating the Grizzly Park bear sculpture. After discussion, the recommendation is to pour concrete around the bear in its current location to suppress the noxious weeds. Forsythe recommends installing a hole to place the annual Christmas tree next to the sculpture. They consider putting money aside for construction of a pole barn at the lagoon for equipment storage, plow attachment for backhoe, replacing vehicles,

planning for a new sewer plant. They agree to start setting aside \$100,000 per year in the sewer fund for the eventual sewer plant. Forsythe recommends setting aside \$50,000 from the sale of the fire station to start the planning and design of a fluoride system. They discuss paving Obsidian street from Geysers to Faithful. Schmier points out that they have never put the curb and gutter on the south side of Yellowstone from Geysers to Iris and suggests planning for that. The Council discusses creating a fund for the Historic Center and agrees to put \$50,000 aside for that now, taking into account they may not be able to start that this year. They discuss a picnic pavilion and putting a cover over the existing basketball court as the hoops are being moved to the skating rink. They discuss the amphitheater again and Patterson explains that they have been working with the donor and the architect who is going to prepare a conceptual drawing. They move this project to FY 2018 until further notice. Mayor Johnson encourages the Council to review everything they discussed this evening so they can move forward at the next meeting.

The meeting is adjourned. (8:25 PM)

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Mayor

ATTEST:

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Town Clerk