

WEST YELLOWSTONE TOWN COUNCIL  
Town Council Meeting & Work Session  
May 3, 2016

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

OTHERS PRESENT: Public Services Superintendent James Patterson, Town Engineer Dick Dyer, WY News Editor Jeremy Weber, Helene Righenour, Richard & Teri Gibson, Officers Sabrah Van Leeuwen, Matt Lovingier, Anthony Kearney, and Michael Staton, Ryan Barker-Forsgren Associates, Chris Burke, Assistant Public Services Superintendent David Arnado, Fire Chief Shane Grube, Randy Wakefield-Fall River Electric, Bill Howell, WY School Board Members Jason Howell and John Gospodarek, Clyde Seely, Marysue Costello-WY Chamber of Commerce Executive Director, John Greve

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

Portions of the meeting are being recorded.

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

### **WORK SESSION**

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Deputy Mayor Brad Schmier calls the meeting to order and invites Town Engineer Dick Dyer to present his information about connection and impact fees. Dyer explains that a connection charge means the actual cost of connecting a property to a public utility system. An impact fee is a charge imposed upon development by a governmental entity as part of the approval process to provide the additional service capacity that is required by the development. He explains that impact fees are regulated by Montana state code, which involves rigid structure and precise requirements. Dyer explains that the current connection fee that is charged in West Yellowstone is actually a combination of the two as it is a connection charge plus a fee to replace the committed capacity at a future date. Dyer elaborates on the methodology of how the current connection fees are calculated. The Council discusses the history of how the current connection fees were established and meter sizes were selected in the past. Dyer says he believes the fees that are being charged currently are adequate for supporting the system and future projects inside the existing Town. Town Manager Dan Sabolsky points out that impact fees can also include impacts on other municipal services such as police or fire protection. Bill Howell asks if resort tax funds can be used to offset the cost of the utility systems. Dyer responds that resort tax funds are authorized to be used for infrastructure, but the Council is the guardian of the resort tax funds and that is a decision that must be made by the Council. Sabolsky asks Dyer if raising the rates as proposed will even cover all the costs that are coming. Dyer says that the proposed rate structure will cover the debt service for the needs of the system. Bill Howell emphasizes that when the resort tax was initially adopted, the primary purpose was to support the infrastructure in Town and they should use resort tax funds to keep the rates low.

Schmier says that the second topic to be discussed this evening is bulk water sales. Dyer explains that this situation occurs when a contractor comes to the Town and needs to purchase a large amount of water. Patterson explains that he has ordered a meter that can be attached to a fire hydrant to measure the amount of water. Schmier asks that if a set amount of resort tax, like \$100,000, was used to subsidize the water and/or sewer funds, would that reduce the rates and would a rate increase even be necessary. Sabolsky recommends that those funds actually be added to the money that will be generated by the rate increase. He says that they need to be proactive rather than reactive and ensure they have a solid system. He says the proposal is to replace five blocks of line that have been scoped and they don't actually know what other improvements need to be made. Bill Howell disagrees and says their system is very stable and they should just work on five blocks per year. Regarding the bulk water sales, Dyer recommends establishing a process for distribution of bulk water sales. He also recommends establishing a fee schedule for bulk water sales. After brief discussion, Sabolsky says the staff will prepare a separate resolution to establish a fee schedule for bulk water sales.

### **ACTION TAKEN**

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- 1) Motion carried to approve the claims, which total \$52,819.78. (Martineau, Parker)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the April 19, 2016 Town Council Meeting. (Martineau, Parker)
- 3) Motion carried to approve the Business License Application for Obsidian RV Rentals made by Angel Vega. (Martineau, Parker)
- 4) Motion carried to approve the Business License Application for Peppler Tile made by Bob Peppler. (Forsythe, Martineau)
- 5) Motion carried to approve the request from the school to install necessary dry wells on the school property, work towards supplying the school with \$68,640 for the installation of a water main, and approve the street cut for the water main on Geyser Street on the condition that the school will repave the cut on Geyser Street after the installation of the main. (Forsythe, Martineau)
- 6) Motion carried to approve Resolution No. 676, a resolution increasing the water rates charged to customers of the water system in the Town of West Yellowstone. (Martineau, Forsythe) Schmier is opposed.
- 7) Motion carried to approve Resolution No. 677, a resolution increasing the sewer rates charged to customers of the sewer system in the Town of West Yellowstone. (Martineau, Parker)
- 8) Motion carried to approve the recommendation from the Marketing and Promotions Fund Advisory Board to award \$15,000 to Black Mountain Productions for 2016 Music in the Park Series and \$10,000 for WY Chamber of Commerce Visitor Information Center staffing during 2016 summer season. (Martineau, Forsythe) Parker is opposed.
- 9) Motion carried to table first reading of Ordinance No. 259, Mobile Food Vendors. (Martineau, Parker)
- 10) Motion carried to approve the revised Department Head Placement and Advancement, Section 05-10 of the Personnel Policy Manual. (Forsythe, Martineau)
- 11) Motion carried to amend the staffing plan to include one additional full-time equipment operator employee and one additional seasonal part-time laborer and proceed with increasing the hours for the Social services Assistant to full-time employment status. (Forsythe, Parker)
- 12) Motion carried to appoint Trent Redfield to the Library Board of Trustees for a term of five years. (Parker, Martineau)
- 13) Motion carried to appoint Audria Butler to the TBID Board of Trustees to represent large hotels for term of four years. (Parker, Martineau)

### **Public Comment Period**

Richard Gibson addresses the Council regarding the proposed water and sewer rate increases and supports what has been proposed. He says they need to be prepared for what is to come.

### **Council Comments**

Cole Parker says that he enjoys participating on the Planning Board and they have had discussions about protecting the appearance of the Town. He says they have also been discussing changing the cash in lieu for parking system and raising the price. He also suggests the Council consider improved parking signage. He also mentions that the newspaper has run some articles in both English and Spanish recently, but there was a letter last week in opposition to that practice. He encourages the editor to continue to run articles in Spanish as there is a large population in Town that speaks only Spanish. Pierre Martineau asks if there is a density issue in the B-3 zone, but Patterson answers that there is not. He also says that he thinks it is time to get rid of the old fire station in Pioneer Park and suggests replacing the building with a gazebo. Martineau also says he would like to revitalize the Downtown Improvement District Advisory Board. After discussion, the staff indicates they will send out the resolution that established the board and they can discuss the role of that board going forward, advertise, and appoint citizens to the board. Brad Schmier thanks all that have supported them over the past couple years for the betterment of the community. Greg Forsythe asks about the suggestion to take the resort tax increase back to the legislature. Sabolsky indicates that he will be talking to people from other resort tax communities while he is in Billings for the rest of the week.

### **DISCUSSION**

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- 1) Forsythe asks for clarification on the legal bill to Kasting, Kauffman & Mersen. Forsythe abstains from #41999, Schmier abstains from #42002.
  
- 5) Jason Howell and John Gospodarek, WY School Board Members, address the Council to discuss aspects of the current expansion project at the school. Howell explains that they are first requesting permission to install dry wells on the school property to allow for drainage and eliminate standing water on the school property. He also says that they are requesting financial assistance to install a new water main down Geyser Street and in a "U" shape back out to Alley D in order to supply adequate fire protection for the entire school and adjacent properties. They will need to actually cut Geyser Street and repave over the water main. The new addition to the school will have sprinklers but the existing structure does not. The overall size of the school needs more fire hydrants closer to the school and adjacent properties in case of a fire. The estimated cost of the water main is \$68,640. Forsythe asks where the money would come from, Sabolsky responds that it would either come from resort tax or reserves in the water fund. Howell explains that the school is sharing the cost in the request and will cover all the insurance and bonding of the contractor as well as repaving Geyser Street. Forsythe says that he tends to favor any request that benefits the kids in the community and would support the request. The Council discusses the dry wells request, which are typically not allowed. Town Engineer Dick Dyer agreed in previous discussions to the proposal to install the dry wells. Howell also mentions that there is some free firewood at the school right now that anyone is welcome to take.
  
- 6) Deputy Mayor Brad Schmier reads Resolution No. 676, a resolution increasing the water rates charged to customers of the water system in the Town of West Yellowstone. Bill Howell restates his comments from earlier and encourages the Town to use some of the resort tax to support the system and avoid raising rates. Teri Gibson says that she supports the proposed rates increase.
  
- 7) Deputy Mayor Schmier reads the resolution out loud. Bill Howell restates his opposition to the rates increases.
  
- 8) Parker explains that he is opposed to spending Town funds on staffing at the Visitor Information Center. He says that if they are going to see as many as 6 million visitors to the Town this year, there should be a way to recoup those costs from the visitors without coming to the Town. Schmier points out that the money comes from resort tax, which primarily comes from visitors.

- 9) Mobile Food Vendors. Forsythe suggests allowing the vendors but also limiting it to one vehicle per owner and adding the authority to revoke the permit and keep the resort tax bond if the regulations are not followed. Parker says that he thinks the vendors should be allowed on public property in specific areas and cites examples of other cities that allow it. Howell asks if vendors would be required to collect resort tax, and the answer is yes. Fire Chief Shane Grube requests that approval by the Fire Department be required for licensing. Forsythe says he disagrees with the suggestion to allow mobile food trucks on public property. The Council also discusses parking requirements.
  - 10) The Council discusses the proposed plan. Sabolsky explains that he has met with the Department Heads to put together this plan and they have all agreed to the proposed plan.
  - 11) Sabolsky explains that they have been working on a revised staffing plan for Public Services. A draft of the proposed realignment of the department is included in the packet. Sabolsky says that it will take some time to revise the job descriptions and finalize all the reorganization details. In the meantime, Sabolsky explains that he is asking at this time for the authorization to hire one full time employee to the staffing plan and adding another seasonal full time employee. Martineau questions if the proposed increase in staffing is even adequate. Sabolsky also explains that due to a recent inspection by the Montana Division of OSHA, they need to work on safety manuals, updating the employee manual, and other human resources issues. He says that he would like to increase the hours of the Social Services Assistant to full time to meet those needs.
- A) **Advisory Board Reports:** Council Member Parker reports that the Planning Board met two weeks ago and reviewed parking plans for two businesses but they did not make a recommendation due to a lack of information. Town Manager Dan Sabolsky reports that they met with the Parks & Recreation Board last week and discussed a lot of ideas and plans for the upcoming year.
- B) **Town Manager & Department Head Reports:** Deputy Mayor Brad Schmier first administers the oath of office for Michael Staton, the newest police officer for the Town of West Yellowstone. Town Manager Dan Sabolsky reports on current issues: **Water and Sewer Issues:** Funds generated by water and sewer rate adjustments will be utilized for upgrades to the existing systems whether the town develops the 80 acres or not. Two public hearings are set for April 19, 2016 and May 3, 2016. Notification was provided to all water/sewer customers of the public hearing for April 19, 2016. An ordinance for the rate increases will be on the May 3, 2016 agenda. On the May 3<sup>rd</sup> meeting, there will be a work session on tap fees for commercial projects. In addition, there may also be discussion of impact fees. Status: On-going. **WYED Consulting Contract – Housing & Public Input Project:** NRDC has asked that the Town to consider adopting the Affordable Housing Plan. I have sent a copy of the Plan to council members for their review and comments. I met with HRDC, in Bozeman, to discuss the housing plan and the Electric Housing Project. HRDC is going to apply for federal and state grants in the Spring for the Electric Housing Project. If grant funding is received, it is hoped that the project can start in 2017. HRDC has purchased a lot in the Madison Addition and are planning on constructing a four-plex. They have asked the City for assistance with the project. 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. I will be forwarding a copy 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. Ms. Mersen made some wording changes and made a suggestion to add a mechanism to revoke the mobile food vendor permit. The regulations are on the May 3<sup>rd</sup> Council Agenda. Status: In progress. **Grizzly Internet:** I met with Mr. Pond, of Safelink, regarding the assignment of the lease and the bonding requirements. Mr. Pond provided an update on the installation of the fiber throughout Town. Safelink will be providing a copy of the bond and the assignment soon. Status: Pending. **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 their first training 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. 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. I have received some comments and changes from Council and the general public that need to be made. It is anticipated the final draft will be placed on the agenda in June. Status: In-progress. **Police/Dispatcher/ 911 Training:** At the last council meeting, the Town approved the hiring of DIS Technology to provide hardware for 911. In addition, we are part of an RFP with Gallatin County for 911 stations. We have been interviewing companies to rewrite the Department's policy manuals. The selection of a contractor shall be happening soon. The Chief, Ms. Gospodarek, and myself met to determine the future expenditures for the department. 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. A preliminary draft of the documents has been completed. 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. Status: In progress. **School Expansion Project:** Talked with Jason Howell regarding the school project. They have finished reviewing and analyzing the bids on the school project. From preliminary numbers, it appears that the school district may need some assistance from the Town. The school has submitted a letter of request for consideration at the May 3, 2016 Council meeting. 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. **Department Head Placement and Advancement:** (Also known as Section 05-10 of the Employee Manual). Met with the Department Heads regarding this section and reworked the document. A copy was forwarded to all Department Heads for their comments and revisions. Once completed, the document was forwarded to the Town's legal counsel and Town council. The legal review has been completed and it has been placed on the May 3<sup>rd</sup> agenda. Status: In progress.

**Town Related Items:**

- Met with the WYED Board.
- Met with Northern Rockies Economic Development Council (2).
- Attended the Recreation Advisory Board.
- Attended Planning Advisory Board meeting.
- Attended a meeting with the National Park Fisheries Management Team.
- Met with management team from HRDC.
- Attended Gallatin County Local Government Forum with Councilman Martineau.
- Talked with Gallatin County Health Department.
- Meet with Jim Doar, County Administrator.
- Met with Safelink.
- Met with Shane Grube, Hebgen Basin Fire District.
- Met with Don Seifert, Gallatin County Commissioner.
- Met with Big Sky GIS.

Public Services Superintendent James Patterson reports that they have swept all the streets and sidewalks but will continue on that throughout the summers. They put out all the public trash cans today and are still working on the bathroom at the police department. They have also repair the ADA compliant doors at the library. Patterson

also reports that they will install a new major water meter in a concrete vault on the edge of Town in the next couple of weeks. Social Services Director Kathi Arnado reports on increased numbers in her department and the showing of a movie called "Waste No Food." She says that their new approach to distributing food which allows patrons to select the food they want is proving to reduce waste and taking food that won't get used. Chief of Police Scott Newell expresses appreciation for Public Works and the new bathroom at the police department. He also says their computer system is barely tied together and they are anxiously preparing for the new system that was approved at the last meeting. He also mentions a taser class the officers participated in recently as well as other upcoming specialized training opportunities.

The meeting is adjourned. (10:00 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**May 17, 2016**

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

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott newell, Social Services Director Kathi Arnado, WY News Editor Jeremy Weber, WY Chamber representatives Wendy Swenson, Marysue Costello and Jan Stoddard, Richard & Teri Gibson, Helene Rightenour, Ryan Barker-Forsgren Associates, Fire Chief Shane Grube, David Wilkinson, Kimberly Baird, Samantha Smith, Ramona Stubblefield, Tom Cherhoniak

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the West Yellowstone Town Hall

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 Schmier calls meeting to order and explains that the purpose of this meeting is to discuss the proposed ordinance for regulating mobile food vendors (MFV). The first reading of the ordinance was tabled at the last meeting to allow the council another opportunity to consider the proposed regulations. The ordinance as written does not allow mobile food trucks on public property. The Council considers allowing the trucks on public property and the possible effects of that. They discuss regulations for allowing them on private property. Martineau says that he discussed the idea of allowing them on public property with a couple restaurant owners in town who were definitely not in favor of allowing them on public property. He says they were not opposed to the vehicles operating on private property. The proposed ordinance includes new regulations such as limited hours of operation, moving the vehicle every day, and insurance. The Council discusses the impacts of adopting the new ordinance but also consider whether the ordinances that are in effect provide enough regulation. The Council considers whether it is appropriate to dictate what can be sold on private property. Johnson asks who will enforce the regulations. Parker suggests the code enforcement officer, but it is pointed out that they do not have a code enforcement officer on the staffing plan. Johnson suggests they go through the ordinance and consider which regulations should be included and which should not. The Council considers changing the language that limits the hours they MFVs can operate and the language that outlines how waste must be disposed. They consider what permits to require and discuss the provision that requires MFVs to be at least 100 feet from any restaurant or outdoor dining area. After further discussion, they agree to change the allowed hours of operation to 6 AM to 12 midnight and require every MFV to move at least once every 24 hours. Forsythe also asks about adding the authority to revoke the permit if they do not comply with all the regulations.

7:20 PM

**ACTION TAKEN**

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- 1) Motion carried to approve Purchase Order #6733 to the Montana Department of Transportation to match a grant for a sweeper in the amount of \$39,312.35. (Martineau, Forsythe)
- 2) Motion carried to accept the Treasurer's Report dated May 12, 2015 and Securities Report dated May 11, 2016. (Martineau, Schmier)
- 3) Motion carried to pay the claims, which total \$144,533.94. (Forsythe, Martineau)

- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the May 3, 2016 Town Council meeting as amended. (Parker, Martineau)
- 5) Motion carried to approve the new business license application for Yellowstone Sightseeing LLC to operate sightseeing tours from the location of 439 Yellowstone and an office at 225 Yellowstone made by Roman Mata and Serghei Plesco. (Martineau, Schmier)
- 6) Motion carried to approve the new business license application for Teton Physician Services to operate from an office at 239 Firehole made by Samantha Smith. (Schmier, Martineau)
- 7) Motion carried to approve the business license transfer for Rovar LLC dba Budget Rent A Car at 635 Yellowstone Avenue. (Martineau, Parker) Schmier abstains.
- 8) Motion carried to approve the business license change of use for Geyser Street Properties to convert two residential rentals to nightly/weekly rentals made by Shane and Liz Roos. (Martineau, Forsythe) Schmier is opposed.
- 9) Motion carried to waive the resort tax bond for Geyser Street Properties based on a satisfactory payment history with another business. (Schmier, Martineau)
- 10) Motion carried to approve the new business for Yellowscones at 101 S Canyon Street made by Kristine and David Wilkinson. (Martineau, Schmier)
- 11) Motion carried to approve the new business license for Doggie Business-A Local Dog Walking Service, made by Kimberly Baird (Forsythe, Martineau)
- 12) Motion carried to approve the first reading of Ordinance No. 259, an ordinance regulating mobile food vendors in the Town of West Yellowstone as amended. (Forsythe, Parker) Johnson is opposed.
- 13) Motion carried to approve the first reading of Ordinance No. 260, an ordinance authorizing the sale of bulk water to the general public. (Forsythe, Schmier)
- 14) Motion carried to table Resolution No. 678, a resolution establishing the fees to sell bulk water. (Forsythe, Martineau)
- 15) Motion carried to approve Resolution No. 679, a resolution writing off uncollectible ambulance accounts. (Schmier, Martineau)
- 16) Motion carried to approve the Banking Repurchase Agreement with First Security Bank for one-year. (Parker, Forsythe)
- 17) Motion carried to appoint Sara Mauer to the TBID Board of Trustees for a term of four years. (Forsythe, Martineau)

#### **Public Comment Period**

Jan Stoddard says that the Yellowstone Country Region is an organization that promotes tourism and marketing of the Yellowstone region. Stoddard says she was appointed by the Town Council five years ago and has been asked to serve another three year term. She says she is willing to do that as long as the Town Council supports her on that board. The Council indicates that they fully support Stoddard in that position. Johnson says that that representative used to report back to the Council on an annual basis and asks if that will continue. Stoddard says that she would be happy to do that but suggests they wait until the new budget is adopted so she can report on what they are working on.

### **Council Comments**

Council Member Greg Forsythe says that since Mayor Johnson couldn't be at the previous meeting, has asked the clerk to pass on his sentiments that he was opposed to the increase in water and sewer rates. He says that in the future, he would appreciate it from any council member that if they can't make a meeting and wish to share their opinion that they send an email or contact the other council members and explain why.

Martineau says that he talked to several business owners this morning and learned that there is a strong sentiment among the business owners that there is no place for visitors to go to the bathroom between the Chamber of Commerce building and the city park. He says there are multiple businesses that have signs on the door indicating that they do not have public restrooms. He thinks that the Council should strongly consider building a public bathroom facility in one of the interior parks in that two-block stretch. Marysue Costello, WY Chamber of Commerce Executive Director encourages the Council to consider what size of bathroom would be needed and also that it must be cleaned regularly.

### **Presentation: WY Chamber of Commerce/CVB Marketing Plan & Budget for FY 2017**

Wendy Swenson, WY Chamber of Commerce Marketing Director reports on the marketing plan for the WY Chamber marketing committee for the upcoming year. She explains that marketing of our area is funded by lodging tax, the Chamber, the Tourism Business Improvement District (TBID), the Marketing and Promotions (MAP) Fund, and the West Yellowstone Economic Development (WYED). They expanded their marketing on social media this past year by launching an Instagram site. She explains that in the past year they saw significant increases in the lodging tax and resort tax. She says that their research indicates significant growth in visitation to the area last year with a 21.4% increase in visitors to the West Gate of Yellowstone National Park. She explains measurable objectives that they hope to accomplish during the next year and describes the target markets. She also outlines how the budget set for the upcoming year and they anticipate a total of \$259,500 that will be spent on administration and marketing. Following the presentation, the Council asks questions about marketing approaches for younger visitors. Forsythe asks the Chamber to meet with the Town Manager by mid-September to share ideas as to how to alleviate traffic congestion and what the Town can do to help the businesses succeed.

### **DISCUSSION**

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- 1) Gospodarek explains that this is a budgeted item but they under estimated the Town's match by approximately \$9000, which will have to come from other parts of the budget. Patterson says that the full cost of the sweeper is \$256,000 but the Town only has to pay \$39,312.35.
- 7) Johnson adds that the fees for the new license shall be clarified prior to being issued.
- 12) Johnson says that he thinks they already have everything they need in their ordinance to regulate MFVs and they don't need to over-regulate, so he will vote against the first reading. He says they may need something to regulate them during special events, and if they really don't like them they should just prohibit them altogether. Martineau asks Town Clerk what she thinks about the ordinance. Roos says that she thinks the ordinance is so complicated that no one will every get a permit, so if they don't want them then they should just prohibit them. Fire Chief Shane Grube says that he thinks this ordinance is necessary as it will give the Fire Department a way to regulate such businesses because mobile vendors are not covered under the fire code. Schmier and Martineau agree that that the ordinance is necessary to regulate the industry. Parker and Forsythe also agree.
- 13) Mayor Johnson reads Ordinance No. 260, an ordinance allowing the sale of bulk water to the general public. Parker asks who actually purchases bulk water. Roos answers that contractors and even the FAA purchase water from the town, but it is not a very common occurrence.

- 14) The Council discusses the proposed cost in the resolution of \$200.00 per day to rent the meter plus \$10.00 per 1000 gallons. Patterson says the meter rental fee should actually be \$200.00 per month. They consider how to charge one-time contractors and how to handle possible damage to the meter, which cost \$4000. They agree to table the resolution until they can determine appropriate fees to charge.
  - 16) Finance Director Lanie Gospodarek explains that the Town's operating account and a money market account at First Security Bank. She explains that the FDIC only secures funds up to \$250,000 but they have an agreement with FSB to pledge securities up to \$750,000 and establish a daily interest rate.
  - 17) Johnson says that they have two applicants for the seat on the TBID board to represent small motels. Sara Mauer of the Evergreen Motel and Garrett Ostler of the Madison Hotel have applied for the seat. He says that Mauer has attended several meetings in the past, although Ostler has attended at least one.
- A) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports on current issues. **Water and Sewer Issues:** Ordinances for the rate increases were approved on May 3, 2016. At the May 3<sup>rd</sup> meeting, there was a work session on tap fees and impact fees. Mr. Dyer explained that the Town's fees were "in-line" based on his calculations. It was determined that the Town needed to develop regulations for bulk water sales. There is an ordinance and a resolution on the agenda for the next meeting. Status: On-going. **WYED Consulting Contract – Housing & Public Input Project:** I met with HRDC, in Bozeman, to discuss the housing plan and the Electric Housing Project. HRDC is going to apply for federal and state grants in the Spring for the Electric Housing Project. If grant funding is received, it is hoped that the project can start in 2017. HRDC would like the Town to participate by providing the infrastructure to the site. HRDC has purchased a lot in the Madison Addition and are planning on constructing a four-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. Ms. Mersen made some wording changes and made a suggestion to add a mechanism to revoke the mobile food vendor permit. At the May 3<sup>rd</sup> Council meeting, the mobile food vendors ordinance was tabled. A work session will be held on May 17 to have additional discussion on the matter. Status: In progress. **Grizzly Internet:** Mr. Pond, of Safelink, provided signed copies of the assignment of lease and a copy of the bond required by the Town. They also applied for a Work in the Public Way permit. Status: Completed. **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 Cloud capabilities. 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. We have been interviewing companies to rewrite the Department's policy manuals. The selection of a contractor shall be happening soon. 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. Three drafts of the documents have been completed and we hope to have the resolution on the June 7<sup>th</sup> 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. 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. **Department Head Placement and Advancement:** (Also known as Section 05-10 of the Employee Manual). Met with the Department Heads regarding this section and reworked the document. A copy was forwarded to all Department Heads for their comments and revisions. Once completed, the document was forwarded to the Town's legal counsel and Town council. The legal review was completed. The document was approved at the May 3<sup>rd</sup> meeting. Status: Completed. **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. 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 will be made and the RFP will be distributed to regional vendors. This will provide the necessary information for the upcoming budgetary process. Status: In progress.

**Town Related Items:**

- Met with the WYED Board.
- Met with Northern Rockies Economic Development Council (1).
- Attended a Chamber Board Meeting.
- Attend MML and MMIA Legislative Luncheon.
- Attended Clerk's Institute.
- Talked with DEQ about complaint.
- Met with Jo Stevens about day care issues.
- Met with Shane Grube, Hebgen Basin Fire District and Chief Newell about the Fire Code.

**Public Events Attended:**

- West Yellowstone Historic Center Opening Event.

Public Services Superintendent James Patterson reports that they are preparing to pave the parking lot in Pioneer Park and questions if the sidewalk along Highway 20 is the Town's responsibility or the responsibility of the State. Mayor Johnson indicates that the sidewalk is actually the State's but to get it repaired, we should probably repair it now and ask the State to reimburse the Town. Patterson indicates he will look into that and explains that they have \$40,000 set aside for sidewalks that hasn't been spent this year. He also reports that the remodeling at the Police Station should be complete tomorrow. Finance Director Lanie Gospodarek reports on training her office attended in Billings. She says that Deputy Town Clerk Sheri Holtzen graduated from the Municipal Institute and will now start working on her certification from IIMC. She says they are also working on the financing for the 80 acres, assisting with seasonal hires, resort tax issues, year-end closing, and short and long term investments. She also explains that they will start working on the budget for next year in June. Social Services Director Kathi Arnado reports that they have been able to reduce the pounds of food they distribute per person by allowing people to select the food they want. She also mentions some upcoming meetings and trainings that she and Social Services Assistant Leah Sherman are attending soon. She mentions meetings she has attended with other groups including Community West Outreach and Helping Hands.

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Mayor

ATTEST:

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Town Clerk

## WEST YELLOWSTONE TOWN COUNCIL

### Work Session

May 31, 2016

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Finance Director Lanie Gospodarek, Chief of Police Scott Newell, Public Services Superintendent James Patterson, Helene Righenour, Richard & Teri Gibson

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 comment is received.

#### Council Comments

Cole Parker says that he read an article in the newspaper this past summer where Yellowstone National Park had suggested they may have to limit or cap the number of summer visitors that are allowed into the park. Parker says he strongly disagrees with that idea and is concerned about the effect that could have on the economy. Forsythe says that he noted an article also in the Bozeman Chronicle about food truck regulations. Johnson mentions the success of the high school track team last week at the Class C State Track Meet where the girls team broke several records and took third place. Schmier and Martineau credit the staff for the success of the Town Clean Up event and says that even though the weather was rainy, the weeklong event made a noticeable improvement. There is brief discussion about the State's parking area on the north side of Town and replacing the sidewalk along Highway 20.

#### DISCUSSION

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The purpose of the meeting is to discuss the general fund budget for FY 2017. Finance Director Lanie Gospodarek explains that in recent years, the manager put a lot of capital purchases in the general fund rather than the capital fund. They have reverted to the way they did it in the past by putting capital purchases in the capital fund. She also explains that they budgeted a 3% increase to employee salaries across the board, except for the police which is covered by a different bargaining agreement. Mayor Johnson asks if the new staffing plan has been accounted for. Gospodarek responds that it has and explains that they added an additional full-time equipment operator, seasonal laborer, and increased the hours for the Social Services Assistant to full-time by creating a new budget titled Personnel Services where ¼ of her time is budgeted. Gospodarek describes the Legislative Services budget and Administration. The Council asks questions about the miscellaneous funding in legislative, which includes a fireworks donation to the Chamber, donation to the Community Bus and \$6000 of requests that they expect but have not yet received. In the Administration budget, they discuss membership fees with the Montana Infrastructure Group and Northern Rocky Mountain Economic Development Corporation. They also look at the substantial increase in travel and training costs. Sabolsky explains that they have budgeted for some employee safety and team building training from MMIA and the MSU Local Government Center. In the Court and Finance Administration budgets, most expenses are relatively the same. They are exploring what it would cost to make the court a "court of record" and have put \$10,000 in the budget at this time. Sabolsky explains that the trial held this year was immediately appealed and therefore will receive a new trial since we are not a legal court of record. He has asked the Town Attorney to compare the benefits and costs of becoming a court of record. Gospodarek points out the new Personnel Services budget to fund ¼ of the salary for the Social Services Assistant. The Planning and Research Services budget includes a total of \$35,000 for planning and preparation of the 80 acres. The group discusses Research and Engineering Fees for an architectural drawing of an amphitheater in Pioneer Park. Sabolsky explains that they have a donor that is interested in making a donation to building that structure and they have budgeted \$3000 for SJ Shepherd to develop drawings. They discuss the budget for Legal Services. Last year, they budgeted \$100,000 and have currently spent \$107,000. They have budgeted \$135,000. Johnson suggests increasing that budget to \$150,000 considering potential lawsuits. There is brief discussion about a sign for the Town Hall, air conditioning for the clinic building, and staining the exterior of the Povah Community Center. The Council

discusses the renovations at the police station. Forsythe inquires whether they can account for the amount of employee labor is spent on a particular project. Parker questions whether they should use employees for construction projects, but Gospodarek points out that they have two Facilities Technician positions, which job descriptions include carpentry. The group discusses how to account for such labor. The group discusses the budget for the Police department and Gospodarek explains that they have consolidated the Police and Police Administration budgets into one budget for the whole department. They move on to the Building Inspection budget and Gospodarek explains that they have increased the percentage of the salary and benefits for the Deputy Public Services Superintendent have been moved into this budget. They discuss the Road & Street Budget and it is explained that they have budgeted for all small vehicles in the 361 line and maintenance of the large vehicles in the 369 budget. All vehicles, including police vehicles, will be budgeted from this budget. Gospodarek briefly describes the Sidewalk, Street Lighting, Animal, and Social Services budgets. The Recreation budgets are discussed. Johnson asks the staff to check with MMIA before purchasing and installing the small climbing wall at the park. Gospodarek briefly describes debt service, financing of the grader that is planned for purchase in FY 2017, \$100,000 risk share for the Community Health Partners and a transfer out for support of the Library-but that number has not been determined yet. The staff answers various questions about the general fund and discusses scheduling upcoming meetings.

The meeting is adjourned. (7:55 PM)

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Mayor

ATTEST:

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Town Clerk