

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**October 3, 2016**

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, 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 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 Purchase Order #6737 to the Montana State Local Government Center for an on-site leadership training program for the Council and staff for \$10,617.12. (Parker, Schmier)
- 2) Motion carried to approve the claims, which total \$42,282.49. (Schmier, Martineau)
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the September 20, 2016 Work Session and Town Council meeting. (Parker, Martineau)
- 4) Motion carried to approve the business license application for Midwest Communications Technologies dba Black Box Network Services. (Martineau, Schmier) Parker is opposed. Motion passes with a majority.
- 5) Motion carried to approve the new business license application for the West Yellowstone Star. (Schmier, Parker) Martineau abstains.
- 6) Motion carried to reconsider the recommendation to accept the proposal from Century Link and Zuercher from Sept 20, 2016 based on new information from Chief of Police. (Schmier, Martineau) See Motion #12 , Sept. 20, 2016.
- 7) Motion carried to accept the recommendation from Chief of Police Scott Newell to accept the proposal from CenturyLink to upgrade the 911 System as was approved at the September 20, 2016 Town Council Meeting. (Schmier, Martineau)
- 8) Motion carried to reopen the Request for Proposals for a CAD/RMS system for the West Yellowstone Police Department a length of time to be determined by administration. (Schmier, Martineau)
- 9) Motion carried to approve the request from Daniel Logan Mauer on behalf of Hadley's Motel & Cabins, Inc. to waive the resort tax bond. (Martineau, Parker)
- 10) Motion carried to approve the request from Yellowstone Wildlife Cabins to waive the resort tax penalty request for the May 2016 and July 2016 remittances. (Martineau, Schmier) Johnson, Martineau, and Parker are opposed, motion fails.
- 11) Motion carried to approve the request from HBFD to install a French drain in between the Search and Rescue building and Fire Station 1 towards the south end of the property to alleviate a significant water problem. (Martineau, Parker)
- 12) Motion carried to appoint Maggie Anderson and Kim Wakefield to the West Yellowstone Revolving Loan Fund Committee. (Parker, Martineau)

**Public Comment Period**

No public comment is received.

**Council Comments**

Mayor Johnson mentions that long-time resident, Maggie Merriman, passed away this weekend. She was a well-known pioneer for women in the fly-fishing industry. Mayor Johnson says he will not be available for the next couple of meetings but he would like to comment on the use of public property for housing. He says he feels strongly that housing should be put in the right place. He says that he has only talked to one or two people that actually favor using an interior park for housing and they should preserve that space. He says that they have faced housing problems for many years and they have finally taken the step to buy the 80 acres and he thinks they should make sure housing goes with other housing. He says there are two multi-family lots for sale in the Madison Addition and that would be a much better fit. He also questions how the rent money and support of the Habitat for Humanity project would be handled and thinks they should be inspected more closely.

**DISCUSSION**

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- 4) Town Clerk Liz Roos explains that they have attempted to contact the applicant by phone and by email but have not received a response. She says that she did spot a utility truck in town that bore the business name. Johnson says he has concerns about approving it without knowing exactly what the business does.
- 5) Parker asks for an explanation of the parking plan. Public Services Superintendent James Patterson explains that the plan that was submitted with the application is the original plan that was approved by the Council about two years ago. He says that the plan actually provided 1.5 more spaces than was required at the time, which is exactly what the newspaper business needs so therefore he recommends approval.
- 6) Chief of Police Scott Newell explains that at the previous meeting, the Council approved their recommendation to award the Computer Aided Dispatch/Records Management System (CAD/RMS) to Zuercher. However, after closer inspection they determined that the maintenance fees for the proposal were much higher than they felt was appropriate. Newell says that they would like to reopen the RFP and solicit additional bids. Johnson asks if the company was ever notified that they were awarded the bid but Newell says no. Johnson asks if the RFP requires that they award to the lowest responsible bidder. Sabolsky says that it contained language that allows the Town to accept or reject all bids so they should be fine, but says he will check with the Town attorney.
- 8) Johnson clarifies that they are reopening the process because of additional information that was received by the committee following the award.
- 10) Mayor Johnson explains that the next item on the agenda is a request from Cynthia Knapp for a waiver of resort tax penalties on behalf of Yellowstone Wildlife Cabins. Johnson invites Cynthia Knapp to address the Council and explain her request. Knapp states that she received a letter from the Town alleging that she was delinquent in paying her resort tax for July. Knapp disagrees with the \$50 late fee she has been assessed for the payment that is unfounded and claims that she dropped her payment in the dropbox prior to 5 PM on June 29, 2016. Additionally, Knapp claims that the Town lost her payment that was remitted in August. The Council asks Knapp various questions and reviews a memo prepared by Finance Director Lanie Gospodarek. Schmier says that considering the fact that there is no way to prove what actually happened, he is willing to err on the side of the business. Johnson disagrees and says that they have multiple checks and balances in place and multiple employees that disagree with what Knapp has claimed. Teri Gibson says that considering the circumstances, she suggests that they split the difference and the Town waive one penalty and the business owner pay one penalty.

- 11) Mayor Johnson explains that Hebgen Basin Fire District is requesting permission to install a French drain in between the Search and Rescue Building and Fire Station 1 towards the south end of the property to alleviate the standing water in that area. Sabolsky explains that he and Public Services Superintendent James Patterson find the request acceptable. Fire Chief Shane Grube explains that eventually, when Obsidian Avenue is extended through that area, they anticipate connecting to the storm drain system. The staff acknowledges that although Town Engineer Dick Dyer does not usually favor French drains, he finds this proposal acceptable.
- A) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky explains that the local daycare group is making progress towards establishing a non-profit organization and board to oversee the organization. They have purchased some equipment from a daycare that closed in Three Forks and are evaluating locations. He also reports that new signs have been put up on the Town Hall and they will add the physical address soon. He received a status update from Anna Callahan of the US Forest Service who expects to finalize the sale of the 80 acres to the Town by the end of the month. He also reports on the Yellowstone Historic Center meeting he attended this morning. He also mentions that he has met with some planning firms to assist the Town with the development of the 80 acres and hopes to have a recommendation for the Council in the near future. He says they are working on putting together a proclamation for October 22 in memory of Officer Patrick Kramer. He says they have conceptual drawings for the amphitheater for the city park and are seeking bid estimates for building the structure. He also asks the Council for feedback on the Cycle Yellowstone Special Event Permit. The Council briefly discusses the application and recommends making the applicant aware of plans for improvements in the park that may take up some of the space in the park.

Social Services Director Kathi Arnado reports that they saw 84% more people through her office this month than last year but are distributing less food. She says that they were able to match the grant from Town Pump to purchase food for the food bank. They also met with the Job Service Director recently and learned about programs to provide job outreach and skills training for job applicants. She also mentions that she is sitting on the board for the Yellowstone Foundation, the newly formed daycare board, and working towards establishing a domestic abuse outreach in West Yellowstone. Chief of Police Scott Newell reports that September was a wild month with a lot of eventful calls. He commends Officer VanLeeuwen for being first on the scene for an unresponsive 11-month old and initiated CPR. The baby responded and they were able to lifeflight it to Bozeman for further treatment. Public Services Superintendent James Patterson reports on progress on the roof on the Town Hall by Dick Anderson Construction. They have replaced the damaged shingles, installed fans, and already installed new vents in the floors. They are blowing out sprinklers for the winter and working on cleaning up some of the buildings. The new grader is ready and they expect it to be delivered next week. Finance Director Lanie Gospodarek reports that they are preparing for the departure of Deputy Clerk Sheri Holtzen. They just released the job announcement and will accept applications through October 24, 2016. She is also working on refunding the General Obligation bond and resort tax audits are scheduled for next week. She will also start on the Annual Financial Report. She also mentions that resort tax collections for September (August commerce) was up substantially to over \$841,000 for the month. Mayor Johnson says that he thinks the Town should continue to encourage the County to repair the television receiver on Horse Butte, which provides free television to residents in this area. He says that the County collects a tax and has already collected over \$100,000 through that tax and should fix it. Martineau says he has only been able to find eight people that use the service and the County doesn't know why they should spend \$100,000 to provide service for 8 people. Johnson says they have already been taxed for it and it should be repaired and more people would use it if it worked.

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**  
**October 18, 2016**

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Helene Rightenour, Richard & Teri Gibson, Nansi Cisneros, Robert Lee, Gallatin County Attorney Marty Lambert, Gallatin County Administrator Jim Door, Officers Anthony Kearney, Sabrah Van Leeuwen, Matthew Lovingier, and Neil Courtis, Fire Chief Shane Grube, Head Dispatcher Brenda Martine, Gallatin County Commissioner Don Seibert, Randy Wakefield, Yellowstone Historic Center Manager Kaitlin Johnson, John Greve, Tom Cherhoniak, Bob Patzke,

The meeting is called to order by Deputy Mayor Brad Schmier 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 \$421,457.04. (Martineau, Forsythe) Forsythe abstains from #42451 to Westmart Building Center.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the October 3, 2016 Town Council Meeting. (Martineau, Forsythe)
- 3) Motion carried to confirm the appointment of Sabrah Van Leeuwen as a police officer for the Town of West Yellowstone. (Forsythe, Martineau)
- 4) Motion carried to accept the proclamation which honors Patrick Kramer, Police Officer of West Yellowstone, Montana and proclaiming October 22, 2016 as Officer Patrick Kramer Day. (Martineau, Forsythe)
- 5) Motion carried to approve the updates to the Gallatin County Emergency Management Plan. (Forsythe, Martineau)
- 6) Motion carried to approve the proposal from Stahly Engineering to implement a GIS of Town infrastructure to inventory and organize critical data. (Martineau, Forsythe)
- 7) Motion carried to approve the consulting agreement with Land Solutions, LLC for updates to the Growth Policy, Subdivision Regulations, and Zoning Code. (Martineau, Forsythe)
- 8) Motion carried to approve the consulting agreement with Land Solutions, LLC to conduct preliminary planning for the 80 acres. (Forsythe, Martineau)
- 9) Motion carried to approve the revised Marketing and Promotions Fund Application. (Forsythe, Martineau)
- 10) Motion carried to approve Resolution No. 690, a resolution providing for the issuance of a General Obligation Refunding Bond in the principal amount of \$1,043,000 to refund the existing general obligation bond and pay for costs of issuance through First Security Bank. (Martineau, Forsythe)

### **Public Comment Period**

#### **Gallatin County Law & Justice Center Presentation**

Jim Doar, Gallatin County Administrator, addresses the Council and audience regarding the proposed bond to build a new Law & Justice Center in Bozeman. He explains that the bond is on the ballot this fall to build two new buildings to accommodate growth of the community. He explains that the population of Gallatin County has doubled since the current building was renovated in 1979, which was previously a Catholic High School. Captain Arlyn Greydanus of the Gallatin County Sheriff Department explains that they have a serious need to process evidence. The current center lacks security to protect patrons and employees. He explains that they currently have to walk inmates over from the detention center to the courtrooms but often come into contact with victims and witnesses in the general public area. He says they also have a problem with the location of the victim services office adjacent to a jury trial room. He also explains that the proposed center will improve communication and interaction between departments and entities such as Haven House (domestic abuse), child and family services, and victim advocacy services. Door explains that the current building does not meet current building codes, have enough space, no fire sprinkler protection. Don Seibert, Gallatin County Commissioner, explains that they are asking the voters of Gallatin County to approve a 68 million dollar bond to finance the project. The City of Bozeman is requesting approval of an additional mill levy for the project because much of the building will be shared between the City and the County. Residents that live outside of Bozeman will only vote on the County bond. He says that the projected cost is \$20.33 per \$100,000 of taxable value. Teri Gibson asks if the new building will be big enough for the population to double again in the next 25 years. Door says that it is and they have left space to expand between the two buildings. Grant Jackson asks what will they do with the existing buildings. Door says that the Police Department will maintain some of the space in their current building but the rest will be shared with the Fire Department. They do not expect to continue to use the current Law & Justice Center. Chief Newell says that he has found Gallatin County and Bozeman Police to be very helpful and supportive of their department. Robert Lee introduces himself as a representative of an independent group called "Friends of Law & Justice." He says that public officials cannot advocate for a bond, but as an independent group they can. He says they formed their group with the purpose of getting the bond passed the first time. He says that the proposed center will save both County residents and Bozeman residents in the long run because of the combined space. Gallatin County Attorney Marty Lambert also encourages everyone to vote in favor of the Law & Justice Center. He says that the building barely qualifies as having handicapped access and now is a great opportunity to expand and build.

No other public comments are received.

### **Council Comments**

Deputy Mayor Schmier reports that Mayor Johnson had heart surgery last week and is recovering in Missoula but encourages all to keep him in their thoughts.

### **DISCUSSION**

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- 3) Deputy Mayor Schmier reads a letter from Fire Chief Shane Grube commending Sabrah Van Leeuwen for her quick response to an unresponsive child recently. Schmier recognizes Van Leeuwen and states that she is an asset to the department and thanks her for her service.
- 4) Deputy Mayor Brad Schmier reads a proclamation honoring Patrick Kramer, a deceased West Yellowstone Police Officer, and proclaiming October 22, 2016 as Patrick Kramer Day.

- 5) Patrick Lonergan, Gallatin County Emergency Services, addresses the Council regarding the update of the Gallatin County Emergency Management Plan. He briefly summarizes the updates and asks the Council to accept it. The Council thanks Lonergan for his assistance this past summer during the fires that were close to West Yellowstone. Sabolsky says that he has reviewed the updates to the plan as has the Fire Chief and Police Chief and they recommend approval.
- 6) Town Manager Dan Sabolsky describes the proposed geographic information system (GIS) of Town infrastructure which will enable the Town staff to locate buried infrastructure precisely and public land boundaries to survey grade. He says they solicited two proposals for this project and he would like to recommend they accept the proposal from Stahly Engineering & Associates for an estimated cost of \$12,000-\$16,500.
- 7-8) Sabolsky explains that he has met with multiple planning firms seeking assistance with the Growth Policy, Subdivision Regulations, and Zoning updates. He says that he specifically was looking for a planning firm, not an engineering firm that offers planning services. He says that they anticipate being able to complete the three projects within two years. He also recommends using Land Solutions, LLC to conduct preliminary planning of the 80 acres. Dave DeGrandpre of Land Solutions, LLC addresses the Council and describes the services his company can provide. DeGrandpre says they primarily work with cities and counties to develop plans and regulations to shape community growth. He also explains that obtaining grant funding for planning and market analysis is possible through the CDBG program and they have had a lot of success applying for such grants. Sabolsky explains that they have budgeted \$55,000 for these services this year, but anticipate spreading the cost over two budget years. Teri Gibson says that she thinks this is a good time to embark on these projects and it is long overdue. Commissioner Seibert says that the County has a great grants department and offers assistance through that department on these projects. Sabolsky adds that Town Attorney Jane Mersen has reviewed the consulting agreements for both projects.
- 9) Town Manager Dan Sabolsky explains that he has reviewed the revised application and agrees with all of the recommended changes. He says that it clarifies the process and informs applicants that their event may be subject to resort tax, which was requested by the Town staff.
- 10) Sabolsky explains that Resolution No. 690 is a resolution that provides for the refunding of the General Obligation Bond (GO Bond) through First Security Bank, an action that will save the taxpayers approximately \$77,000. Finance Director Lanie Gospodarek explains that the original GO Bond partially funded the building of the Povah Center, purchase of the Library building, and the window replacement project at the Union Pacific Dining Lodge.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that they are working with ThinkOne to find suitable locations for restrooms in the downtown area. The CDBG Grant that was applied for through Habitat for Humanity to build affordable housing was unsuccessful. He and Martineau met with some Gallatin County Commissioners about converting the existing television system from analog to digital. They would like to schedule a public meeting in West Yellowstone to discuss the issue and explore options. He also mentions the training that will be provided by the Montana Local Government Center on November 1-2, 2016. Public Services Superintendent James Patterson says they are preparing for winter and picking up garbage cans from the downtown area. Chief of Police Scott Newell says that they received 8 applications for Police Officer position, there is a 911 Advisory Board meeting tomorrow, and Dispatcher Nansi Cisneros has advised them that she plans to retire in the spring. Social Services Director Kathi Arnado reports that her office has been busy and she is grateful that Social Services Assistant Leah Sherman has returned from vacation. She says that

unemployment filings have increased and they are also taking over helping people with the Affordable Care Act as the clinic does not have a person to provide that service at this time. Finance Director Lanie Gospodarek reports that they put together the new General Obligation Bond refunding resolution last week and conducted resort tax audits.

**CORRESPONDENCE**

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Dated October 18, 2016, the Town sends a letter to the US Department of Transportation in support of the SkyWest Airlines Essential Air Service Proposal for West Yellowstone, Montana.

The meeting is adjourned. (8:55 PM)

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Mayor

ATTEST:

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Town Clerk