

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 6, 2016

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, David Magistrelli-Habitat for Humanity, Richard & Teri Gibson, Monika Rogers, Randy Wakefield, Patti Hostetter, Andie Withner, SJ Sheppard, Shane Grube-Fire Chief, Terry Marsden, multiple other community members

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

- 1) Motion carried to approve the Purchase Order #6734 to EDO Equipment for \$188,679 to purchase a 2010 John Deere Motor Grade with snow attachment, Purchase Order #6735 to RDO Equipment for \$20,000 to purchase a V-plow for the loader, and Purchase Order #6677 to Billion Dodge for \$62,768 to purchase two Dodge 1500 SSV Crew Cab 4 x 4 Police vehicle pickups. (Martineau, Parker)
- 2) Motion carried to approve the claims, which total \$128,339.57. (Martineau, Schmier) Forsythe abstains from #42340.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the August 16, 2016 Work Session and Town Council Meeting and August 23, 2016 Work Session, as amended. (Parker, Martineau)
- 4) Motion carried to approve the business license change for Madison Plaza to convert one monthly unit into a nightly rental. (Forsythe, Martineau)
- 5) Motion carried to approve the 1st reading of Ordinance 261, an ordinance adopting the 2012 International Fire Code. (Parker, Martineau)
- 6) Motion carried to approve the 1st reading of Ordinance 262, an ordinance authorizing the Town Manager to post signs prohibiting parking and storage of vehicles and personal property on public property and enforce such violations. (Parker, Martineau)
- 7) Motion carried to table the Request for Variance made by Kelly Midwest Ventures to design and plan to build a 3-story hotel with a mean height of 35' in the Grizzly Park Subdivision. (Parker, Martineau)
- 8) Motion carried to approve the request to subdivide Lot 16A of Block 13 in the Madison Addition to two lots along the original lot lines contingent upon research by the staff to determine that this action does not violate any regulations. (Forsythe, Martineau)

Public Comment Period

Cynthia Knapp, part owner of Yellowstone Wildlife Cabins addresses the Council regarding her request for the Council to waive resort tax penalties. She distributes copies of multiple letters and says that she anticipates being on the agenda at the next meeting.

Council Comments

Cole Parker mentions that he recently met a gentleman from Anaconda that designed the original sewer lagoon. He says that it was designed to accommodate 5000 people in the summer and 500

people in the winter. He also mentions that long-time resident, Jack Coffin, passed away this weekend. His services will be at the LDS Church on Friday at 11 AM.

Public Hearing: CDBG Program Application, Public Housing Project

David Magistrelli of Habitat for Humanity addresses the Council and audience to describe the grant application that has been submitted to the Montana Community Development Block Grant program for \$450,000 to build housing for low to moderate wage earners. Magistrelli presents the proposal to develop four housing units on town owned property. Three units would be 2-bedroom units and one would be a 3-bedroom unit. He says that they are proposing four possible locations to build the units. Three of the locations are in the interior park of three blocks along Alley D. The other location is at the corner of Yellowstone and Iris on the south side of Yellowstone. Randy Wakefield points out that there isn't power to the location on Yellowstone and Iris. SJ Sheppard expresses concerns about the proposed location on Yellowstone and Iris and says it would be out of character to put residential use in that area. Richard Gibson says he thinks that property hasn't been used for anything except parking stuff and thinks they should just use it. Sheppard points out that all of the use in the historical area are public use and it would not be appropriate to designate part of it as residential. Teri Gibson says she favors putting the project on one of the lots along Alley D. Mayor Johnson expresses concerns about those interior parks because they are heavily used for snow storage. Sabolsky explains that the first option presented, the north side of Alley D between Hayden and Iris, was probably the most logical. He says that the least amount of snow is stored in that interior park. Schmier says that he agrees the identified properties are not heavily used. Parker says that he thinks they should talk to the adjacent property owners before identifying a location. Andie Withner thanks the Council for addressing this problem. She says that this has been a long time coming and housing is a real problem in this community. Teri Gibson questions whether the project fits better on one lot more than the others and suggests considering future expansion. Mayor Johnson explains that they received letters of support for the project from Community Health Partners, Northern Rocky Mountain Economic Development District and the Gallatin County Health Officer Matt Kelley. They also received an email from local resident Lee Sloan who strongly recommended against the Town being a landlord. Sloan said that private business should address the housing problem.

Public Hearing: Ordinance No. 261-Adoption of the 2012 International Fire Code

Town Manager Dan Sabolsky explains that the Town enforces the Fire Code and it is necessary to update the code identified in the West Yellowstone Municipal Code to the 2012 International Fire Code. SJ Sheppard asks if adoption of this ordinance will require all structures to update to the 2012 code. Fire Chief Shane Grube says that buildings must only comply to the code they were built under unless they make substantial changes or upgrades and then must comply with the current code. Grube says that the Fire Department will inspect and recommend changes to bring a property into compliance. If they have trouble, the Town will issue a municipal infraction based on the recommendation of the Fire Department.

Public Hearing: Ordinance No. 262-Prohibition against storage or parking of personal property or vehicles on public property

Mayor Johnson reads the proposed ordinance. Teri and Richard Gibson support the ordinance and say it will clean up the alley ways. SJ Sheppard says that she supports the effort to clean up town, but feels that the language in the ordinance is loose and broad. She says that parking in general throughout Town should be considered. She says that this ordinance leaves the discretion up to one individual and doesn't consider situations where housing units or motels just don't have enough parking. She recommends passing an ordinance that is more specific to junk vehicles and abandoned property. Sasha Jevtich says they are seasonal residents that completely support cleaning up the town but worry about losing the privilege to park their vehicle on a public street. Teri Gibson says that the intent of this ordinance is to clean up the areas of town that are being abused. SJ Sheppard says she doesn't think the Town Manager would actually do this, but this ordinance could be interpreted to give him the authority to post signs to prohibit no parking signs anywhere in Town.

Public Hearing: Variance Request, Building Height, 107 Grizzly Avenue, Kelly Midwest Ventures

Mayor Johnson explains that Kelly Midwest Ventures has applied for a variance to build a 3-story hotel with a total building height at the roof line of 40'. The mean roof height would be 35'. SJ Sheppard says that the way the Town code is written, buildings with a mean height of 35' are allowed in that zone, which would mean the building wouldn't need a variance. Sheppard also says that height is not really a hardship and probably shouldn't be considered as basis for approval of a variance. Joseph Rogers, Operations Manager for Yellowstone Park Hotel and Explorer Cabins, adjacent properties, submitted a letter and is present to encourage the Council to require the project to conform with the current zoning and not grant a variance.

DISCUSSION

- 1) Forsythe asks how much of the grader purchase is being financed. Finance Director Lanie Gospodarek responds that they are financing \$140,000. Forsythe asks what are they doing with the old grader. Town Manager Dan Sabolsky answers that they are going to keep it and Forsythe inquires why. Patterson says that it will still be a good backup machine and they can do a lot more with two graders. Schmier asks Chief Newell to explain the decision to purchase pickups for police vehicles. Newell says that the pickups were very competitively priced and they believe they will hold up longer. He also points out that police vehicles are commonly passed on to the Public Services and pickups are more useful. He also explains that the trucks will come equipped with side boxes and they are only going to install half cages in the rear seat, which will provide more space for storage.
- 6) The Council considers the language in the proposed ordinance and whether they need to work on the language in the ordinance. Schmier says that if the ordinance doesn't work, then they can always change it. Sabolsky says this ordinance will allow them to deal with problem issues around town in a more expedient manner. He says that as the Town Manager, he already has the authority to erect signs but this will give them the tools to enforce violations. Johnson says that perhaps this ordinance should not address parking but storage and over use. Sabolsky says that they will have to look at each interior park individually and tailor the approved uses based on the use of each park.
- 7) The Council discusses whether the requested variance is even required. Sabolsky recommends tabling the request until they can review the plans and determine whether it is necessary.
- 8) The Council considers whether subdividing the lots is permitted by the zoning. The two lots have been previously aggregated and the current owner wishes to subdivide the lots along the original lot lines. One of the lots currently has an accessory building that the owner intends to convert into housing.
- A) **Advisory Board Reports:** Teri Gibson reports that the Planning Board is meeting next Monday at 1 PM. Martineau reports that the Community West Outreach has been working towards bringing a second mental health provider to West on a consistent basis and recently succeeded. They will now have two mental health providers in town twice a month.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports on current issues. Public Services Superintendent James Patterson reports that they are meeting with Dick Anderson Construction and Architect Dale Nelson tomorrow at 11 AM to discuss what to do about the roof on the Town Hall. They are working on making the intersections ADA compliant and finishing up things for the season. He also mentions that the Park Service has asked to borrow a couple dump trucks for a couple days to haul of trees that have been cut to establish a fire barrier. He explains that he donated the use of the trucks considering that they lend the Town trucks to haul snow during the winter. Chief Newell reports that they opened the application period to hire a

new police officer. He says the fire in the Park has taken up a lot of their time over the past month and they are trying to get back to normal. He also reports on the status of several vehicles. Finance Director Lanie Gospodarek reports that now that the budget has been adopted, she is working on submitting the annual budget report, financing for the grader, refunding the General Obligation bond, preparing for resort tax audits, and preparing for the annual financial audit. Social Services Director Kathi Arnado reports that she has been looking for fund-raising opportunities and grants over the past couple of months. She also talks about increasing funds to support the food bank. She mentions that last month they had 72 families visit the food bank, 60% of which were local. She says that 176 students out of 250 are on the free or reduced lunch program at the school. She is pursuing alternate funding opportunities and specifically a grant from Town Pump stores.

CORRESPONDENCE

Mayor Johnson says that he recently received a letter from Bryan Case of Fall River Electric. Case is asking for support installing the Hooper Springs Transmission line that would hopefully alleviate any power loss in the future. The letter is being signed by multiple Mayors from southeast Idaho and will be sent to the governors in both states.

The meeting is adjourned. (11:05 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 6, 2016

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Town Attorney Jane Mersen

The meeting is called to order by Mayor Jerry Johnson at 12:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period & Council Comments

No comments are received.

Mayor Johnson closes the meeting and adjourns into executive session based on the finding that the merits of privacy in this matter, a lawsuit with a private entity, outweigh the demands of public disclosure.

The meeting is opened to the public, 12:55 PM.

Motion carried to accept the recommendation from the Town Attorney and Town Manager to accept the settlement agreement with Salad Days Productions/Playmill Theater. (Martineau, Schmier)

The meeting is adjourned. (1:00 PM)

Mayor

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 20, 2016

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Public Services Superintendent James Patterson, Chief of Police Scott Newell, West Yellowstone Star Editor Jeremy Weber, Habitat for Humanity Director David Magistrelli, Richard & Teri Gibson, Fire Chief Shane Grube, Officers Anthony Kearney, Neil Courtis, Mike Lovingier, Sabrah Van Leeuwen, Helene Righenour, Ryan Linhardt, Richard Bartlett, Glen Loomis, YHC Representatives Kathryn McKee and Caitlyn Johnson, Randy Wakefield, Shane Roos, Jeff Schoenhard, Jamie McCray, Casey McCray, Tom Cherhoniak

The meeting is called to order by Mayor Jerry Johnson at 5:00 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.

WORK SESSION

Mayor Johnson calls the meeting to order and explains that the purpose of the meeting is to discuss goal setting with Town Manager Dan Sabolsky. The Council reviews the minutes from the meeting on January 12, 2016, which was held shortly after Sabolsky started his employment with the Town. Multiple projects have already been addressed including raising the water rates, health care RFP, sewer lagoon lease, and the 911 Funding Agreement with Gallatin County. Ongoing projects include the acquisition of the 80 acres from the Forest Service, the Personnel Policy Manual, updating Town Policies, job descriptions, and housing. The Council discusses new and continuing priorities for the Town Manager. Greg Forsythe says they should pursue drilling a new well to ensure adequate water supply. Public Services Superintendent James Patterson says that they have initiated the paperwork to drill a new well, but expect that process to take some time. That process will go in hand with building a fluoridation plant. The Council inquires about the need to build a sewer plant for the 80 acres. Patterson says that they are hoping that Montana DEQ will allow them to expand their current lagoon using IP Beds, but if that is not approved they will have to build a sewer treatment plant. They estimate that a sewer treatment plant will cost \$16-\$20 million. There is brief discussion about where they would build a sewer treatment plant. Forsythe says his priorities are the water and then sewer system. Johnson says that he thinks the employee personnel manual, policies, and review of the current ordinances are a priority. Martineau says that he thinks housing should be a top priority. Forsythe asks if they should be working on permanent housing or summer housing? Martineau says he thinks they should first focus on year round housing. They discuss the fact that HRDC has purchased some empty lots to build a 4-plex on Washburn Circle in the Madison Addition. They also discuss the project on Electric Street where a building foundation was poured nearly 10 years ago. At one point, there were negotiations to purchase that property by HRDC/Habitat for Humanity but that proposition did not work out. The Council advises Sabolsky to not spend a lot of time trying to find out what the private property owner intends to do with his property. Forsythe says another priority should be increasing the resort tax. The group discusses the approach they should take through the state legislature. They have been invited to meet with representatives from Big Sky in October, which has set aside money to hire a lobbyist. The Council agrees that resort tax should be a top priority. Forsythe says that planning for the development of the 80 acres should be a big priority as well. He says that if they will actually own that land in 4-6 weeks, they need to start moving forward on that. Johnson says that in reference to housing, there are eight new units being planned for between the Town and HRDC. He suggests that they focus on summer seasonal housing. The Council considers whether increasing permanent housing will alleviate the seasonal housing crunch. The Council also discusses whether daycare should be a priority for the Town. They debate the extent of the problem and how the Town can contribute to the solution. Sabolsky says that his intent is to stay involved and assist, but does not think the Town should take over the daycare. He says they can

facilitate and help those that want to operate it get a business plan put together and establish a non-profit. Forsythe says another topic they should discuss is moving tourist traffic through the Town. Chief Newell says that traffic flow this year was much better than last. He says that District Ranger Tara Ross implemented some new procedures, including moving the pre-paid entrance lane to the left side and keeping it open most of the time. Forsythe says that they should also consider expanding Public Works. He says there is an endless list of projects for the Town to do but they can't do it without staff. The department is currently down 3 employees. Patterson says that at this point, he would be thrilled to just fill those three vacancies.

The Council breaks at 6:20 PM until the Council Meeting at 7 PM.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6736 to DSS Big Bear to purchase equipment packages for 2 Dodge pickups for \$37,000. (Forsythe, Martineau)
- 2) Motion carried to approve the claims, which total \$308, 392.74. (Parker, Martineau) Schmier abstains from #42386 to Jerry's Enterprises.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the September 6, 2016 Town Council meeting. (Parker, Martineau)
- 4) Motion carried to approve the business license application for Midwest Communications Technologies Inc., dba Black Box Network Services. (Schmier, Martineau) See next motion.
- 5) Secondary motion to table the business license application for Midwest Communicatons Technologies Inc., dba Black Box Network Services due to lack of information. (Martineau, Parker)
- 6) Motion carried to approve the business license name change for USA Park Tours LLC, contingent upon the removal of the travel trailer to bring the parking plan into compliance. (Schmier, Martineau) Forsythe is opposed.
- 7) Motion carried to deny the variance request made by Kelly Midwest Ventures Limited partnership, based on the determination that the variance is not required if built according to the submitted plans. (Forsythe, Martineau)
- 8) Motion carried to confirm the appointment of Matthew Lovingier as a police officer for the West Yellowstone Police Department. (Forsythe, Martineau)
- 9) Motion carried to approve the Application to Maintain an Encroachment made by the Loomis Family Limited Partnerhsip/Days Inn to utilize the interior park of Block 18 to temporarily stage construction materials next to the north wing of the Days Inn until Memorial Day 2017. (Forsythe, Martineau)
- 10) Motion carried to approve Ordinance No. 261, an ordinance adopting the 2012 Edition of the International Fire Code, on its second reading. (Martineau, Parker)
- 11) Motion carried to approve Ordinance No. 262 (Forsythe, Parker) Johnson and Schmier are opposed, ordinance passes.
- 12) Motion carried to accept the recommendation from Chief of Police Scott Newell to accept the proposal from CenturyLink to upgrade the 911 System and Zuercher to install a Computer Aided Dispatch/Records Management System. (Parker, Martineau)

- 13) Motion carried to accept the proposal from Dick Anderson Construction to install attic fans and relocate HVAC duct in the Town Hall in the anticipation of eliminating the roof leak problems. (Forsythe, Parker)
- 14) Motion carried to approve a lease agreement with Ride Solutions to use of a portion of the 80 acres of Forest Service land under the same conditions as their existing special use permit effective until 11/14/17. (Schmier, Martineau)

Public Comment Period

Helene Righenour says that next month is the 10-year anniversary of the death of Officer Patrick Kramer. She says the Kramer family will be here next month and it would be nice if there was a sign that his life was important. Chief Newell says that they did contact the Highway Department about dedicating a portion of highway to Kramer. They also discuss putting up a permanent plaque in the police department.

Glen Loomis introduces Caitlyn Johnson, who has recently been hired as the Yellowstone Historic Center manager. He also introduces Kathryn McKee as the collections manager for the YHC.

Council Comments

Brad Schmier asks if it is possible for the Town to dedicate a day in remembrance of Patrick Kramer, Sabolsky says he will look into that. Chief Grube explains that they are working on planting a new tree by the pavilion at the police department in his memory. Patterson says that he has already ordered the tree and talked to Todd Barta about running the electric to that spot so they can put blue lights on the tree.

Public Hearing: CDBG Program Application, Public Housing Project

David Magistrelli of Habitat for Humanity explains that this is the second public hearing for building low-income housing units on one of three interior park lots along Alley D. Magistrelli displays multiple layouts that show how the units could be situated on the interior park lots. Magistrelli explains that they have applied for a CDBG grant to build four housing units for \$450,000. The units would be managed by a non-profit housing authority, made up of two town council members, a business person, a local citizen, and a representative from Habitat for Humanity. He says that the units would be available to persons making 80% or less of the Area Median Income (AMI), which is currently \$37,000. Glen Loomis asks who would be the landowner for the property and Magistrelli responds that it would be the Town. Jamie McCray says that she has significant concerns about this proposal. She says that she is an adjacent property owner to the lot located between Iris and Hayden. She says that they currently plow their snow onto the Forest Service property that is being purchased by the Town. When that property is developed, they will have to plow all of their snow to the interior park, which is already congested with snow storage from other property owners. She says that she also has a problem with the Town going into business to compete with one of her own businesses, which is providing low income housing units. She says the Town is considering an ordinance tonight that protects the interior parks and here they are talking about developing them. Shane Roos inquires about a section of right away north of the interior park of Block 2. He suggests that may be a more appropriate place to put the housing where it doesn't negatively affect adjacent property owners, because they do rely on that space to store snow. He also suggests purchasing property that is properly zoned for multi-family housing. McCray adds that the purchase of the 80 acres was supposed to provide an area for housing. Bob Patzke asks how the income limits are established and how they determine who actually gets to live in the units? First come first served? Lowest income wins? Magistrelli says that there is a fair housing vetting process to determine who qualifies first. He also asks what protects the taxpayers from paying to support the units. Magistrelli says that the proposed operating and maintenance costs are covered by the projected rents. He says that he is not at all comfortable with the Town having any financial ties to the project. Sabolsky adds that the property would be held in a separate non-profit organization. McCray clarifies that the Town would no longer own the property, which then means they could eventually sell the property. She says that for her low-income property, she is having to raise the rents just to cover the tax increases for the school addition and water/sewer

rates increase. She questions whether they are having to pay for those increases as well as other expenses including building permits. She also points out that snow removal costs a lot. She says that if this development goes well, they will probably move on to the next block and eventually there will be no place to store snow on Alley D. Richard Gibson says that what he is hearing is “not in my backyard.” He says that business owners are not paying their people enough. They need a place to start and this is a good place to start. He says that if they want to hold the property down by Iris and Yellowstone for pie in the sky development someday, that is fine, but the alleyways are different and they shouldn’t buy property if they already own some. Mayor Johnson closes the hearing at 8:10 PM.

- 6) The Council discusses the parking plan submitted by Sessel Sagorin for USA Park Tours LLC, a business name change from Utah Transportation. Patterson explains that this plan is only acceptable if they remove the travel trailer that is on the property by this Friday. Johnson also notes that since they have 10 nightly units on the property, they should be collecting TBID as well.
- 7) Town Manager Dan Sabolsky says that after reviewing the schematic drawings, they determined that the mean height for the proposed building is 32’ 2” and therefore less than the limit of 35’ so the variance is not necessary.
- 9) Mayor Johnson reads the encroachment application. Sabolsky explains that he recommends approval as this is a major upgrade for the hotel and allowing them to use the interior park for staging will hopefully enable them to complete the project by spring. Glen Loomis says they are already two days ahead of schedule and anticipate finishing by Memorial Day. The Council requests that Loomis be considerate of the neighbors and make sure they are not interfering with snow storage.
- 10) Fire Chief Grube explains that this ordinance updates the Town’s ordinances from the 2009 to 2012 International Fire Code and addresses the fact that the fire department is no longer under the Town of West Yellowstone.
- 11) Mayor Johnson reads the header for Ordinance No. 262 and asks staff for a recommendation. Sabolsky says that he recommends approval of the ordinance. Schmier asks about language in Section 1 and what does it mean if there are no signs on the property. Sabolsky says that if it isn’t signed otherwise, than parking would be allowed. Johnson asks how they will approach all the pieces of public property. Sabolsky says they will evaluate each piece of property individually but methodically move through town using a structured system to address each park. Johnson says that several years ago, the town went to court with a property owner over parking of vehicles on public property. He says that the town prevailed, but the judge ruled that we cannot require one property owner to move their vehicles without requiring everyone. Johnson says that he thinks the problem is not parking but storage. Forsythe says that he thinks this ordinance is a start and if they have trouble enforcing it they can revisit it. Schmier says that people are afraid that they won’t be able to park their cars where they have been parking for years even though they move it regularly. Cole Parker says that if they have a policy, they don’t have to enforce it. However, if they don’t have a policy they can’t enforce anything. He says he thinks this is a fine thing and they may have to work through some bugs in the long run. Martineau says that he thinks this is a good start and it’s a small enough town to work through issues. Chief Newell says that he likes the fact that this ordinance defines that things must be signed appropriately, but they will only be able to enforce as much as they can in a day. He says that the most difficult part of enforcement will be knowing if there are encroachments, easements, or variances on specific pieces of property. Sabolsky says that when they get the GIS system installed, they will be able to log that information and make access easier. Mayor Johnson asks for public comment. Glen Loomis suggests that rather than just addressing parking they change it to “long-term parking.” He says that daily parking has never been an issue, but when a vehicle is left for months at a time. Jamie McCray says that there are portions of the ordinance that are arbitrary and open to interpretation. She says she doesn’t have anything on public

property, but does not like the arbitrary language. She says that they have a new Town Manager who may enforce everything to the letter of the law rather than the intent. She says she would like to see an ordinance but the language should be tightened up. Teri Gibson says the Town should make an effort to inform residents how the ordinance will be implemented. Bob Patzke suggests incorporating the language from Policy 10 into the ordinance so it is easier to understand. Shane Roos says that he has been through litigation on this subject. He says he thinks this is going to open up a lot of room for litigation. He suggests that a work trailer may be just as important to someone's business as a propane tank. He says that as he understands it, they have enough ordinances for all of it, but just not enough time to enforce it. He suggests using the police to enforce the laws they have before passing another ordinance. Mayor Johnson says he supports the intent of this ordinance, but recommends a kinder and gentler method and actually talking to property owners. Sabolsky says the intent is to talk to residents and work with the residents. Johnson says that this summer alone, he has allowed 12 different people to camp on his personal property because the town was full. He asks if that is their intent to run people off if there isn't enough room.

- 12) Chief of Police Scott Newell explains that they have received proposals for replacing the 911 Response System and establishing a Computer Aided Dispatch/Records Management System (CAD/RMS). He says they combined their RFP with Gallatin County. They are going to recommend making the same selection as Gallatin County by selecting CenturyLink who has a representative here in West Yellowstone. He says that they are going to recommend accepting the proposal from Zuercher for the CAD/RMS system. Both systems will meet their needs and the responses came in within budget.
 - 13) The Council discusses the proposal from Dick Anderson Construction to install attic fans and HVAC Duct Relocation. It is DAC's opinion that this approach will correct the problem. DAC is willing to split the cost of the HVAC Duct Relocation with the Town, which would cost the town approximately \$14,639.00. The attic fans would cost an additional \$7,277.00. Parker asks if they have ever determined the root of the problem. Patterson says that the problem is the location of a vent in the room on the northeast side of the building that should have been put in the basement. Installation of a cold roof would cost over \$100,000, although there is no guarantee this will fix the problem and they may eventually need to install a cold roof. Johnson and Schmier express disappointment in the architect for the building, Dale Nelson, and in his failure to participate in the remedy. Johnson says they are going to look into legal options against Nelson. Forsythe says he was on the school board when the new school was built and they faced a similar problem. He says holding an architect liable is extremely difficult and they'll probably accomplish nothing. Schmier says he truly appreciates DAC's willingness to work with the Town on this problem until it is resolved.
 - 14) Johnson explains that Ride Solutions, Inc. has leased a portion of the property that is being purchased by the Town for several years for tire testing. Sabolsky recommends approval of the lease for 1/3 the amount they were paying to the Forest Service, which is \$455.40. Johnson suggests also including the legal fees they will incur drafting the lease. Chief Grube speaks favorably of Ride Solutions and mentions that they annually provide a driving course for law enforcement for icy and snowy conditions.
- A) **Advisory Board Reports:** Fire Chief Shane Grube reports that they attempted to have a 911 Advisory Board meeting yesterday, but they did not have a quorum present. He says that the board members have reviewed the responses to the 911 and CAD/RMS systems, and individually agree but since they could not meet they could not put together a formal recommendation.
 - B) **Town Manager's Report:** Sabolsky explains that the 2016 Gallatin County Emergency Management Plan will be forwarded to the Council and then presented on the agenda for the October 18, 2016 meeting. He says he has met with 5 engineering firms that are interested in responding to an RFP for a GIS System. He says they would like to include

a hand held device in the RFP. He says the WY Foundation has raised \$15,000 to assist with starting a non-profit to run a new daycare in West Yellowstone. NRMED is willing to help establish a non-profit entity to run the facility. He says that he, Gospodarek, and Roos have met multiple times with Blackfoot Communications to put in a new phone system that runs on fiber optic lines as well as provide high speed internet to all of the Town buildings. Finance Director Lanie Gospodarek is working on a contract with auditors for resort tax auditors. The new signs for the Town Hall are ready to be put up. The new West Yellowstone Star is preparing to release a new edition next week and moved into their new office in the WYED building on Highway 20. Public Services Superintendent says his office has been busy and they found a water leak in the flow line going into the water holding tank. He estimates they have been losing 20,000 to 30,000 gallons per day but hope to have it fixed tomorrow. They put up new signs in the new parking lot at the city park that say no overnight parking or camping. He says he is going to talk to Marysue at the Chamber about putting signs up in that lot as well as by the medical clinic.

CORRESPONDENCE

Dated September 20, 2016, Chris Burke emails in favor of the Town participating in housing projects and development.

The meeting is adjourned. (9:35 PM)

Mayor

ATTEST:

Town Clerk