

Town of West Yellowstone

Tuesday, April 17, 2018

West Yellowstone Town Hall, 440 Yellowstone Avenue

TOWN COUNCIL WORK SESSION

6:00 PM

Business License Ordinance Revisions

Discussion ∞

- Ordinance
- Fee Resolution
- Event Permit

TOWN COUNCIL MEETING

7:00 PM

Legal Services Presentation, Jane Mersen

Pledge of Allegiance

Purchase Orders

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **Minutes of March 20, 2018 Town Council Meeting** ∞

Minutes of April 3, 2018 Town Council Meeting ∞

Business License Applications ∞

Advisory Board Report(s)

Town Manager & Department Head Reports

Comment Period

- **Public Comment**
- **Council Comments**

Presentation: WY Chamber of Commerce Marketing Presentation, Wendy Swenson

UNFINISHED BUSINESS

Ordinance No. 266, 2nd Reading, Regulations in the Madison Addition

Discussion/Action ∞

NEW BUSINESS

WY TBID Board of Trustees Appointment, Hotel Industry at Large, Brock Kelley

Discussion/Action ∞

Legal Services RFP Process

Discussion ∞

Municipal Judge Position

Discussion ∞

West Yellowstone Schools/Fall River Electric Project

Discussion/Action ∞

Correspondence/FYI/Meeting Reminders ∞



Policy No. 16 (Abbreviated)
Policy on Public Hearings and Conduct at Public Meetings

Public Hearing/Public Meeting

A public hearing is a formal opportunity for citizens to give their views to the Town Council for consideration in its decision making process on a specific issue. At a minimum, a public hearing shall provide for submission of both oral and written testimony for and against the action or matter at issue.

Oral Communication

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to Town Council on matters of concern. Accordingly, Town Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the presiding officer.
- Public comments related to non-agenda items will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing. Public comments specifically related to an agenda item will be heard immediately prior to the Council taking up the item for deliberation.
- Speakers must state their name for the record.
- Any citizen requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes unless prior approval by the presiding officer.
- If a representative is elected to speak for a group, the presiding officer may approve an increased time allotment.
- If a response from the Council or Board is requested by the speaker and cannot be made verbally at the Council or Board meeting, the speaker's concerns should be addressed in writing within two weeks.
- Personal attacks made publicly toward any citizen, council member, or town employees are not allowed. Citizens are encouraged to bring their complaints regarding employee performance through the supervisory chain of command.

Any member of the public interrupting Town Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing Town Council, shall be deemed to have disrupted a public meeting and, at the direction of the presiding officer, shall be removed from the meeting room by Police Department personnel or other agent designated by Town Council or Operations Manager.

General Town Council Meeting Information

- Regular Town Council meetings are held at 7:00 PM on the first and third Tuesdays of each month at the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.
- Presently, informal Town Council work sessions are held at 12 Noon on Tuesdays and occasionally on other mornings and evenings. Work sessions also take place at the Town Hall located at 440 Yellowstone Avenue.
- The schedule for Town Council meetings and work sessions is detailed on an agenda. The agenda is a list of business items to be considered at a meeting. Copies of agendas are available at the entrance to the meeting room.
- Agendas are published at least 48 hours prior to Town Council meetings and work sessions. Agendas are posted at the Town Offices and at the Post Office. In addition, agendas and packets are available online at the Town's website: www.townofwestyellowstone.com. Questions about the agenda may be directed to the Town Clerk at 646-7795.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: www.townofwestyellowstone.com.

5.04.010 Definitions.

For purposes of this chapter, the following definitions apply:

- A. "Business" means every trade, occupation, profession, vocation, enterprise, nonprofit enterprise, establishment, or activity that is conducted for private profit or benefit and that is not specifically exempted by state law or this chapter. "Business" also includes the lease or rental of commercial facilities or buildings and the rental of rooms or suites in a lodging facility. "Business" ~~excludes and~~ **includes** the lease or rental of residential facilities, such as single-family homes, apartments, mobile homes, or condominiums, ~~for a term of thirty days or more, whether nightly or long-term except where there is only 1 residential rental unit on the same property as the property owner's residence, for a term of thirty days or more.~~ "Business" also excludes a single residential rental of any type and temporary or short-term fund-raising activities conducted by a church, school or by a nonprofit civic, fraternal organization or **individual under the age of 18.**
- B. "Lodging facility" means a residential or commercial building that contains individual sleeping rooms or suites and that provides overnight lodging for compensation ~~to the general public~~ for periods less than thirty days. "Lodging facility" includes a hotel, motel, resort, dormitory, inn, condominium, dude ranch, guest ranch, hostel, public lodging house, time share, bed and breakfast facility, **home or vacation rental.** "Lodging facility" also includes any campground, recreational vehicle or trailer park, or similar facility.
- C. **"Location" means an address on a specific lot which is a parcel or plot of land shown as an individual unit of ownership of the most recent plat or other record of subdivision.**
- D. "Wholesale merchant" means any person or entity engaged in the business of selling inventory to retailers or otherwise selling for the purpose of resale by another person or entity. (Ord. 220 §1, 2006)

5.04.020 Business license required.

No person, corporation or other entity shall conduct, transact or engage in business of any kind within the ~~€~~**T**own before first submitting an application, **appropriate fee, parking plan, required fire and health inspection documentation** and obtaining approval for a business license. Failure to obtain a business license prior to operating a business in the corporate limits of the ~~€~~**T**own constitutes a violation of this ~~€~~**C**hapter. (Ord. 220 §2, 2006)

Multiple residential rental units located on different parcels around town may be listed on 1 (one) business license. Parking plans for each location must be submitted with the business license application and reviewed for approval be approved by the Planning Advisory Board and/or Town Council. All nightly/vacation rentals must have a separate business license even if they are on the same parcel or under the same ownership as a residential rental.

5.04.030 Application procedure.

A. Every person, corporation, or other entity applying for a business license under this chapter is subject to regulation, inspection, control, and supervision under the general police power of the Town. ~~and any business that has not been previously licensed under this Chapter is~~ may be subject to a waiting period of ten up to 21 business days before the license is approved or denied.

B. Upon receipt of ~~an~~ completed application including; the business license fee, parking plan and applicable fire code and health department approvals for a new business license, the Town Clerk shall refer the application to appropriate employees of the Town for the purpose of any investigation and inspection of the proposed business. Business license applications must contain all information prescribed or required by the ~~town clerk~~ Town and must include a site plan delineating parking for the business or certification of parking in-lieu payment. Business license applications must be signed by both the business owner and, if different, the owner of the real property on which the business will operate. The Town Clerk shall ~~review the results of any~~ refer investigations to appropriate staff and ~~shall make a recommendation to the Council~~ review for inclusion in the Town Council packet. Completed business license applications shall be approved or denied by the Town Council as part of the consent agenda at the next regularly scheduled Town Council meeting unless more time is required to present the application to the Planning Advisory Board needs additional time to review the parking plan.

C. If one party seeks to transfer a business license to another party and the exact nature and location of the business remains the same, then the Town Clerk, upon payment of the required fee, and an internal review of a current parking plan shall transfer the business license. ~~without further investigation or review. However, if the party seeking to transfer a business license to another party is delinquent on the obligation to report or pay resort tax under Chapter 3.12 for any business owned by the transferring party, the town clerk may~~ shall not transfer the business license until all delinquent resort tax, interest, and applicable penalties are paid in full or payment arrangements have been made with the Town. ~~However, if the party seeking to transfer a business license to another party is delinquent on the obligation to report or pay resort tax under Chapter 3.12 for any business owned by the transferring party, the Town Clerk shall not transfer the business license until all~~

delinquent resort tax, interest, and applicable penalties are paid in full or payment arrangements have been made with the Town.

D. In lieu of a standard business license, an applicant may seek a short-term business license that is reviewed and approved by the ~~Town Clerk or other applicable administrative staff~~ Finance Department. A short-term business license ~~would be~~ is valid for ten (10) calendar days only. All applicable permits and licenses required by other agencies, such as a food purveyor's license from the Gallatin County Health Department or approval from the Grizzly Park Architectural Committee, must be in effect at time of application. The applicant must also provide a site plan for parking review. Fees for the short-term business license and resort tax bond shall ~~be as follows~~ set by resolution:

1. ~~Business license fee: \$25.00~~ 50.00

2. ~~Resort Tax Bond: \$250.00, returned upon remittance of resort tax for 10 day license period~~

~~D.E.~~ In lieu of a standard business license, an applicant may seek a contractor's service business license that is reviewed and approved by the Town Clerk alone. A contractor's business license is available may be obtained through administrative approval for ~~to any contractor or subcontractor who works exclusively on construction projects involving the improvement of real property who does not maintain an office or permanent residence in West Yellowstone~~. A business for contracted services that does not maintain an office or permanent residence in West Yellowstone, and whose business is not required to provide parking spaces ~~or a resort tax bond~~ and that are required to collect resort tax may obtain a business license that is reviewed and approved by the ~~Town Clerk alone~~ Finance Department. ~~or a resort tax bond~~. Except as modified in this subsection, a contractor's ~~this~~ business license is subject to all other provisions in this Chapter concerning a standard business license.

F. Contracted service businesses located in town, that do not have a parking requirement, can be administratively ~~approved by the Finance Department~~.

~~E.FG.~~ The Town Council may not approve an application for a new business license sought by a person, corporation, or other entity that owns or operates a separate or unrelated business within the ~~Town~~ where the separate business is delinquent on its obligations to report or pay resort tax under Chapter 3.12. (Ord. 233 §1, 2007; Ord. 232 §1, 2007; Ord. 220 §3, 2006)

5.04.040 License issued on annual basis.

The Town ~~only~~ issues business licenses on an annual basis ~~and no seasonal licenses are available~~ **with the exception of short term licenses**. The license period is effective from June 1st to May 31st of the following year. Businesses may **renew or** purchase a business license from the Town between March 1st and June 4~~st~~ **30th** for the following license year. ~~Proration will not be applied to any business license~~ **The Town does not prorate business license fees** (Ord. 220 §4, 2006)

5.04.050 Fee schedule.

The Town Council shall by resolution set the fee schedule for business licenses, transfers of business licenses, and related ~~matters~~ **fees**. (Ord. 220 §5, 2006)

5.04.060 Resort tax bonds.

- A. If an applicant for a business license intends to sell any goods or **provide** services that are subject to the Town's resort tax pursuant to Chapter 3.12, then a resort tax bond ~~in the sum of five hundred dollars~~ **in an amount set by resolution** must accompany the business license application. The resort tax bond shall be executed by a surety company licensed to do business in Montana. In lieu of a surety bond, the applicant may submit a cash bond of equal ~~amount~~ **value**.
- B. The bond must be approved by the Town Clerk and must be conditioned upon the applicant's ~~undertaking to collect~~ **collection** and ~~remit~~ **remittance of** the Town resort tax in accordance with all requirements of Chapter 3.12. The resort tax bond must remain in full force and effect ~~for a term of fifteen months from the issuance date of a business license~~ **until four (4) months from the end of the first, completed full business license year**.
- C. When an existing business that is subject to resort tax collection pursuant to Chapter 3.12 changes ownership, the new owner must provide a resort tax bond to the Town Clerk ~~in the sum of five hundred dollars~~ in the same manner set forth ~~in this section~~ **above**.
- D. If a business fails to collect, report, and remit the resort tax or otherwise violates the provisions of Chapter 3.12, the Town shall have a right of action on the bond ~~in town court~~ for recovery of any unpaid resort tax, as well as interest, civil penalties and attorney's fees allowed by ordinance or state law. The Town may require a business to post a new or additional resort tax bond ~~in the amount of five hundred dollars~~ if the business fails to timely remit resort tax payments for more than two consecutive months or for any three months in a twelve-month period. The Town may not renew a business license ~~for any business~~ that has unpaid resort tax outstanding ~~when~~ **at the time a** business licenses must be renewed.

E. After a business has collected and remitted the resort tax in accordance with all provisions of Chapter 3.12 for the first licensing period of business operation, the business owner must notify the Town Clerk who shall then return the resort tax bond to the business four (4) months after the expiration of the original business license. Any failure to remit resort tax during the initial issuance of a Town business license shall constitute grounds to retain the bond. (Ord 220 §6 2006)

5.04.065 Expositions and outdoor sales.

A. Notwithstanding the other provisions of this Chapter, any person engaged in the business of conducting an exposition, exhibit or sale of any merchandise or product, including artifacts and art objects, at an outdoor exposition or sale, or at an indoor exposition or bazaar, where two or more persons are gathered together for such purpose shall pay a business license fee ~~as follows:~~ **as set by resolution.**

~~B. Applicants for expositions shall pay:~~

- ~~1. Fifty dollars per vendor that does not already hold a business license in the town of West Yellowstone;~~
- ~~or 2. Two hundred fifty dollars for the entire event.~~

GB. The applicant shall:

1. ~~Submit an application for an exposition, exhibit or sale of any merchandise or product, including artifacts and art objects, at an outdoor exposition or sale, or at an indoor exposition or bazaar~~ at least ~~four weeks~~ **30 calendar days** prior to the event. Application forms shall be obtained from the ~~town offices~~ **Finance Department**. Exposition licenses shall be issued by the ~~Town Clerk~~ **Finance Department** after consultation with the Police Department, the Fire Department, the Public Services Department, ~~the Finance Department~~ and the ~~operations~~ **Town Manager**. It is recommended ~~that~~ the entity or person organizing or sponsoring the exposition start the licensing process at ~~least four weeks~~ **thirty (30) calendar days** in advance. ~~when time permits.~~ If the submittal is received by ~~town officials~~ **Town** at least ~~four weeks~~ **thirty (30) calendar days** in advance of the event, the application may be circulated through intra-departmental mail. However, if it is received less than ~~four weeks~~ **30 calendar days** prior to the event, the applicant shall be responsible for going individually to the Police, Fire, ~~and~~ **and** Public Services, ~~Finance~~ departments to obtain any necessary approval. Completing those approvals, the applicant must return the application to the ~~Town Clerk~~ **Finance Department** for review at least five (5) business days before the beginning of the event. The request is then forwarded to the ~~operations~~ **Town Manager** for final consideration. It is unlawful to conduct an exposition regulated by this Chapter without a license.

2. Post a ~~one thousand five hundred (1,500) dollar~~ resort tax bond **an amount of which will be set by resolution**. The resort tax bond shall be executed by a surety company licensed to do business in Montana. In lieu of a surety bond, the applicant may submit a cash bond of equal ~~amount~~ **value**. If an applicant fails to collect, report, and remit the resort tax ~~or otherwise violates the provisions of Chapter 3.12, by the twentieth of the month following the event,~~ **in accordance with the provisions of Chapter 3.12**, the Town shall have a right of action on the bond ~~in town court~~ for recovery of any unpaid resort tax, as well as interest, civil penalties and attorney's fees allowed by ordinance or state law. After ~~an applicant has collected and remitted the resort tax in accordance with all provisions of Chapter 3.12~~ **have been met**, the applicant must notify the Town Clerk, who shall then return the resort tax bond to the applicant within ninety (90) **calendar** days.

3. Notify each participant in writing, prior to accepting any application or approving participation in the exposition, bazaar, exhibit or sale, that the participant is responsible for submitting the following on or before the twentieth day of the month following the **event to receive the administrative fee and no later than the last day of the month to avoid a penalty**:

- a. A completed Town of West Yellowstone resort tax form; and
- b. A check payable to the Town of West Yellowstone for the three percent resort tax required under the guidelines as specified by Chapter 3.12 of this code.

4. Acquire and keep on file **the** names, addresses and phone numbers of all participants **and further, collect and remit, from each vendor, the completed resort tax form and payment due.**

~~DC. The provisions of this Section shall not be deemed to prohibit the sale of merchandise from and upon private property locations properly licensed to do business within the town as a permanent business when such displays of merchandise are sold from or upon the regularly licensed permanent business premises of the person or organization offering the merchandise, goods or wares for sale. Nor shall~~ The provisions of this Section ~~be deemed~~ **do does not** to require additional licenses for merchants or vendors participating in such events when all of the participants are regularly licensed under other provisions of this Chapter, ~~nor to~~ events sponsored by nonprofit organizations where the merchandise is non-business-related personal property sold by individuals not regularly engaged on a full-time or part-time basis in the business of selling, manufacturing or distributing such merchandise **are not required to obtain a business license.**

D. Applicants ~~have the right to~~ may file an appeal to the Town Council for a reduction or waiver of license fees and bond requirements.

5.04.070 Interstate commerce.

Nothing contained in this Chapter is intended to operate so as to interfere with the power of the Congress of the United States to regulate commerce between states. (Ord. 220 §7, 2006) ~~Businesses from other states that~~

5.04.080 Unlawful activities not licensed.

This Chapter may not be construed to allow licensing of any business or activity that is prohibited by any law of the United States, the State of Montana or the Town. **It is unlawful for any person or entity to sell merchandise, goods, or services of any kind, or solicit orders for merchandise, goods, or services, on any street, alley, sidewalk or other public place in the †Town, except as permitted in Section 5.20.030.** (Ord. 220 §8, 2006)

5.04.090 Business license revocation.

The Town may revoke a business license under the following circumstances:

- A. Failure to report or remit resort tax by payment deadlines **detailed** in Section 3.12.060;
- B. The violation of any provision of Chapter 3.12 concerning resort tax;
- ~~C. The violation of any provision of Chapter 3.12 concerning resort tax by a separate or unrelated business within the Town that is owned or operated by the same person, corporation, or entity;~~
- D. The violation of any provision of this Chapter concerning business licenses;
- E. Misrepresentation of ownership, nature of business, or any material fact on a business license application;
- F. The violation by the business of any other provision of the West Yellowstone Municipal Code. (Ord. 233 §2, 2007; Ord. 220 §9, 2006)

5.04.100 License revocation procedure.

- A. A business license may be revoked for any violation of this Chapter, including those specified in Section 5.04.090. A business license may be revoked either by order of the ~~city~~-Town Judge or by an administrative order by the ~~operations~~ Town Manager.
- B. If the ~~operations~~ Town Manager determines that the Town has valid grounds to revoke a business license, ~~he~~ the Town Manager must notify the business in writing of these grounds at least ten (10)-calendar business days before ~~he~~ issuing an administrative order revoking a business license. The notice must also inform the business that it has ten (10) calendar business days from the date of the notice to provide the Town with any

documents or information contesting the stated grounds for revocation. After reviewing all pertinent documents and information, including any submittal by the business contesting the stated grounds, the ~~operations~~ **Town** Manager may issue an administrative order revoking a business license if ~~he~~ determines that the business has committed any violation of this Chapter, including those specified in Section 5.04.090.

C. A business may appeal an administrative order by the ~~operations~~ **Town** Manager revoking its business license by filing a written notice of appeal with the Town Clerk within ten **calendar** days after the date of the administrative order. The administrative order of revocation is stayed during any appeal to the Business License Review Board. The Business License Review Board shall consist of the Finance ~~administrator~~ Director (or designee), the Mayor (or designee) and a member of the Town Council other than the Mayor. The Business License Review Board ~~must shall~~ **will** conduct an investigation of the circumstances resulting in the administrative order to revoke the business license within ~~a reasonable time 14 calendar days.~~ **(15) business days**. The business may present any relevant evidence contesting the administrative order of revocation by the ~~operations~~ **Town** Manager as part of the investigation.

D. After hearing and reviewing all relevant evidence, the Business License Review Board may uphold, overturn, or modify the administrative order of revocation by the ~~operations~~ **Town** Manager. **Add penalties or reinstatement fee** (Ord. 223 §1, 2007; Ord. 220 §10, 2006)

5.04.110 Violations--Penalties.

Violation of this Chapter is a municipal infraction subject to the provisions of Sections 7-1-4150 through 7-1-4152, MCA. In addition to any civil penalty ordered by virtue of a municipal infraction, the Town Judge may enter a civil judgment against the defendant for the amount of the license found due and unpaid and may issue an order revoking a defendant's business license. (Ord. 220 §11, 2006)

RESOLUTION ____

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE SETTING BUSINESS LICENSE FEES

WHEREAS the Town of West Yellowstone requires that all businesses operating within the corporate limits of the town must obtain a town business license, and

WHEREAS the business license provides Town of West Yellowstone with an effective and efficient means of tracking business activities ~~in town~~ and determining the names and locations of businesses collecting resort tax, and

WHEREAS the business license application allows Town of West Yellowstone to review the parking impact of various businesses within the town, and

WHEREAS the Town Council of the Town of West Yellowstone seeks to capture the administrative costs associated with the issuance and monitoring of business licenses, and

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of West Yellowstone, County of Gallatin, in the State of Montana establishes the following business license fees:

- A. The basic business license fee for all business, unless otherwise stated herein, or provided by law, shall be the sum of fifty (50) dollars;
- B. Any business license may be transferred for a twenty-five (25) dollar fee ~~unless the transfer takes place at the beginning of a new business license year;~~
- C. Hotels and motels: the basic fee plus three (3) dollars ~~per for each additional~~ unit
- D. ~~Nightly or Long-term rentals of~~ condominiums, house rentals, rooming houses, apartments, time share units, residential motels, ~~vacation rentals,~~ and mobile home parks: the basic fee plus three (3) dollars ~~per for each additional~~-unit;
- E. Campgrounds and recreational vehicle parks: the basic fee plus one (1) dollar ~~per for each additional~~-unit;
- F. ~~Establishment licenses for all purpose beverages: the basic fee plus two hundred fifty dollars;~~
- G. ~~F.~~ Bars, taverns and lounges serving/selling alcoholic beverages: the basic fee plus all-purpose beverage license of two hundred fifty (250) dollars;
- H. ~~G.~~ Beer and wine license: fifty (50) dollars;
- I. ~~H.~~ Supermarkets: one hundred (100) dollars;
- J. ~~I.~~ Restaurants: under fifty seats, fifty (50) dollars; over fifty seats, one hundred (100) dollars;

- K. ~~J.~~ Rental equipment establishments: the basic fee plus one (1) dollar ~~per~~ **for each additional** unit: snowmobiles, motor bikes, recreational vehicles, mini bikes, and cars. Bicycle rentals are basic fee only;
- L. ~~K.~~ Wholesalers and freight delivery companies not based in West Yellowstone: basic fee;
- M. ~~L.~~ Contractors: ~~the~~ basic fee;
- N. ~~All single purpose businesses such as gift shops, cable TV, barber shops: the basic fee;~~
- O. ~~M.~~ Multi business license: Multiple businesses under single ownership at a single address: basic fee plus twenty-five (25) dollars for each additional business;
~~N.~~ Banks: one hundred (100) dollars;
- P. ~~O.~~ Communications companies including but not limited to telephone companies, cable television providers, satellite television providers and internet service providers: one hundred (100) dollars;
- Q. ~~P.~~ Daycare centers: ~~the~~ basic fee;
- R. ~~Q.~~ Commercial space rentals such as business space or storage rentals: the basic fee;
- S. ~~Realtors: basic fee~~
- T. ~~R.~~ Short Term business license: basic fee
- U. ~~S.~~ Events:
 - a. Event Fee: Twenty-five (25) dollars plus twenty-five (25) dollars per vendor
 - b. ~~Vendor Fee: Twenty-five (25) dollars~~
- V. ~~Occupations licensed by the State of Montana such as but not limited to hairdressers, barbers, chiropractors, veterinarians, certified public accountants, master plumbers, master electricians, licensed massage therapists, fishing or hunting guides, and other occupations listed on the Secretary of State’s website: a no-fee license. License applications must still be submitted for parking plan approval if applicable.~~
- W. ~~Employee housing not deducted or collected for: no license required~~

PASSED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF WEST YELLOWSTONE THIS _____ DAY OF _____ 2018.

Mayor

Council Member

Council Member

Council Member

Council Member

ATTEST:

Town Clerk

EXPOSITION LICENSE & SPECIAL EVENT PERMIT APPLICATION

Town of West Yellowstone
Gallatin County, Montana

Event: _____
Sponsor Organization: _____
Sponsor Address: _____
Contact Person: _____
Contact Phone: _____ Fax: _____
E-mail Address: _____
Date(s) of Event: _____
Location of Event: _____

- A. **Event Detail:** Use the attached sheet to describe the event in detail and any special accommodations required from the Town.
- B. **Site Plan:** Detail the physical layout of the event on the attached site plan and return with the application. Provide as much detail and measurements as possible.
- C. **Liability Insurance:** If the event is taking place on public property, please provide a copy of the event's liability insurance naming the Town of West Yellowstone as additionally insured. Liability insurance coverage shall be in the minimum amounts of \$750,000 per claimant/\$1,500,000 per occurrence and include alcohol liability, if applicable. The Town Manager may grant exception to these limits based on general public health, safety and welfare associated with the request for exception, as well as the liability risk and the applicant's ability to pay.
- D. **Vendor List:** If the event includes vendors, provide a list of the names and addresses of all participating vendors 14 calendar days in advance.
- E. **Fees:** The basic fee for an event is \$25. Events that include vendors shall also pay \$25 per vendor that does not already hold a business license in the Town of West Yellowstone.
- F. **Resort Tax:** The sponsor of exposition events must post a \$1500 bond in accordance with Chapter 3.12 of the West Yellowstone Municipal Code (www.codepublishing/MT/WestYellowstone.html). The sponsor and vendors must collect 3% on all resort tax applicable sales and remit to the Town by the 20th of the month after the month of the event. All sales, including entrance and participation fees, are subject to resort tax. Please review Chapter 3.12 of the WYMC for further information, including possible exemptions. The bond will be returned within 90 calendar days of remittance of the resort tax.
- G. **Alcohol Consumption:** Public drinking and public display of alcoholic beverages must conform with Section 9.12.020 of the West Yellowstone Municipal Code. The public place where the event will be held must be specifically exempted by resolution of the Town Council before alcoholic beverages may be allowed. Please attach a separate letter addressed to the West Yellowstone Town Council to make this request.
- H. **Sound:** Amplified sound may be allowed by obtaining an additional non-fee special permit from the Town Council, in accordance with Section 8.16.020 of the West Yellowstone Municipal Code. If applicable, please attach the Outside Amplification Permit Application.

Event Fee: \$ _____
Resort Tax Bond: \$ _____
(if required)
Vendor(s) Fee: \$ _____
Total Due: \$ _____

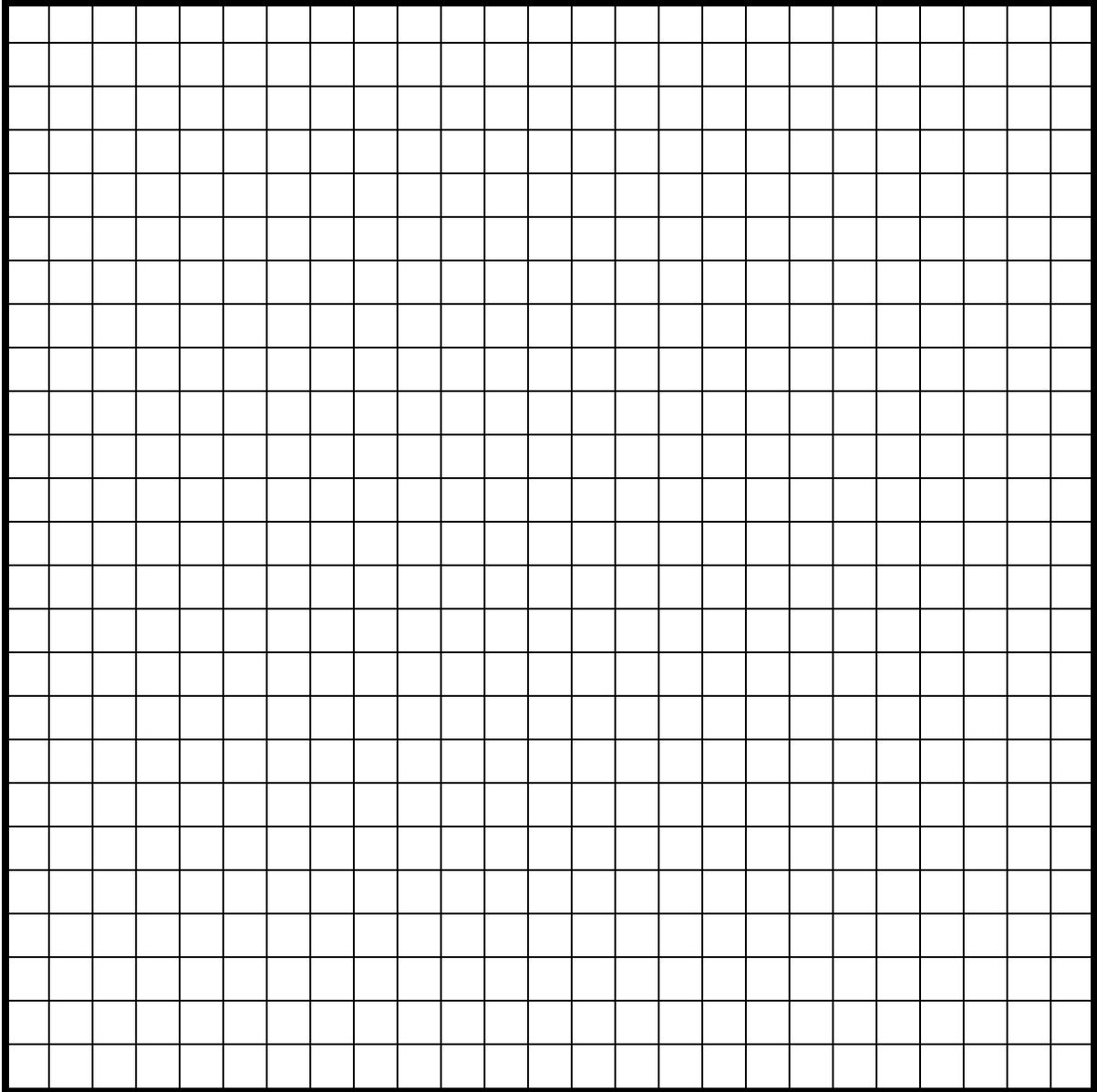
Signature of Applicant

Date

Date Received by the Town: _____

SITE PLAN

Event: _____



Please indicate direction

VENDING AND SALES

Complete this section if the event includes sales of any kind.

Event: _____ Date(s) _____

Attach additional sheets as necessary.

Primary Sponsor: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

Vendor Name: _____

Contact Person: _____

Address: _____

Phone: _____

Type of sales: _____

Resort Tax applicable: YES NO

FOR OFFICE USE ONLY

Department	Initials	Date	Comments
Pub Services			
Fire			
Police			
Finance			
Administration			

Notes/Conditions: _____

Approved

Denied

Town Clerk

Date

ATTACHMENTS

Liability Insurance	_____ Yes	_____ No	_____ Waived
Outside Amplification Permit	_____ Yes	_____ No	_____ NA
Encroachment Application	_____ Yes	_____ No	_____ NA
Open Container Resolution	_____ Yes	_____ No	_____ NA
Resort Tax Bond	_____ Paid	_____ Surety	_____ NA

04/13/18
12:07:12

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/18

Page: 1 of 7
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
44285	2575 WY Tourism Business Improvement 04/01/18 March 2018 collections	16,727.39 16,727.39		TBID	2102 411800	540	101000
44286	2551 Thyssenkrupp Elevator Corp 3003825766 04/01/18 elevator maint-Povah	429.12 429.12		POVAH	1000 411255	350	101000
44292	2088 Town West Yellowstone	684.93					
	04/01/18 utility chrgs, Chamber, 895	38.44		BLDGS	1000 411257	340	101000
	04/01/18 utility chrgs, UPDL, 892	63.31		BLDGS	1000 411252	340	101000
	04/01/18 utility chrgs, PS Shops, 884	29.19		BLDGS	1000 411253	340	101000
	04/01/18 utility chrgs. Povah Ctr, 887	58.25		BLDGS	1000 411255	340	101000
	04/01/18 utility chrgs, Police Dept, 886	37.67		BLDGS	1000 411258	340	101000
	04/01/18 utility chrgs, City Park, 885	308.03		BLDGS	1000 411253	340	101000
	04/01/18 utility chrgs, Library, 891	29.47		LIBBLD	1000 411259	340	101000
	04/01/18 utility chrgs, Lift #1, 903	12.64		SEWER	5310 430600	340	101000
	04/01/18 utility chrgs, Twn Hall, 921	107.93		TWNHAL	1000 411250	340	101000
44293	2558 Hebgen Basin Fire District	52,834.91					
	04/20/18 April 2018	45,501.58		FIRE	1000 420400	357	101000
	04/20/18 April 2018	7,333.33		FIRE	1000 420471	140	101000
44294	95 Energy West-Montana	2,057.13					
	04/28/18 nat gas 210361788 updl	195.90		UPDH	1000 411252	344	101000
	04/28/18 nat gas 210360293 Police	28.50		POLBLD	1000 411258	344	101000
	04/28/18 nat gas 210361746 Pub Services	424.56		STREET	1000 430200	344	101000
	04/28/18 nat gas 210361811 old firehall	162.84		PARK	1000 460430	344	101000
	04/28/18 nat gas 210363966 old bld ins	81.06		STREET	1000 430200	344	101000
	04/28/18 nat gas 210360540 library	180.38		LIBBLD	1000 411259	344	101000
	04/28/18 nat gas 210364599 Povah	422.49		POVAH	1000 411255	344	101000
	04/28/18 nat gas 210361697 Iris Lift St	41.32		PUBSVC	1000 430200	344	101000
	04/28/18 nat gas 210365425 Twn Hall	481.08		TWNHAL	1000 411250	344	101000
	04/28/18 nat gas 210361655 Mad Add Sewe	39.00		SEWER	5310 430600	344	101000
44295	42 Fall River Electric	9,796.85					
	04/20/18 UPDH 4212041 elec service	883.98		UPDH	1000 411252	341	101000
	04/20/18 POLICE 4212008 elec service	346.49		POLICE	1000 411258	341	101000
	04/20/18 shop 4212018 elec service	465.84		STREET	1000 430200	341	101000
	04/20/18 ANIMAL 4212029 elec serv	251.36		ANIMAL	1000 440600	341	101000
	04/20/18 PARK 4212032 Elec ser	314.11*		PARK	1000 411253	341	101000
	04/20/18 PARK, old firehouse 2901001 e	439.85*		PARK	1000 411253	341	101000
	04/20/18 CLORINATOR 4212030 elec serv	103.81		WATER	5210 430500	341	101000
	04/20/18 MADADD H2O Tower 4212017	48.54		WATER	5210 430500	341	101000
	04/20/18 RR Well 4212005 elec serv	229.53		WATER	5210 430500	341	101000
	04/20/18 SEWER LIFT STATION 4212006	190.91		SEWER	5310 430600	341	101000

04/13/18
12:07:12

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/18

Page: 2 of 7
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	04/20/18	SEWER PLANT 4212007 elec ser		1,381.28		SEWER	5310 430600	341	101000
	04/20/18	MAD SEWER LIFT 4212014 elec		164.36		SEWER	5310 430600	341	101000
	04/20/18	SEWER TREAT SERV 4212046 ele		2,594.55		SEWER	5310 430600	341	101000
	04/20/18	library 23 dunraven 4212054		126.51		LIBRY	1000 411259	341	101000
	04/20/18	povah comm ctr 4212001		223.55		POVAH	1000 411255	341	101000
	04/20/18	unmetered lights 4212004		1,451.25		STLITE	1000 430263	341	101000
	04/20/18	Town Hall 4212009		431.06		TWNHAL	1000 411250	341	101000
	04/20/18	Ice Rink 421010		63.27*		PARKS	1000 411253	341	101000
	04/20/18	Hayden/Grouse Well 4212015		44.00		WATER	5210 430500	341	101000
	04/20/18	Electric Well 4212031		42.60		WATER	5210 430500	341	101000
44296		2853 Two Seasons Recycling		500.00					
	20177968	03/31/18 monthly recycling		500.00		PARKS	1000 460430	534	101000
44329		171 Montana Food Bank Network		315.00					
	AOR-11866-	02/15/18 Food for food bank		32.00		SOCSRV	7010 450135	220	101000
	AOR-12330-	03/22/18 Food for food bank		192.00		SOCSRV	7010 450135	220	101000
	AOR-12332-	03/29/18 Food for food bank		16.00		SOCSRV	7010 450135	220	101000
	AIV-0616	04/01/18 Annual Dues		75.00*		SOCSRV	7010 450135	335	101000
44330		951 Barnes & Noble		83.51					
	3636559	03/27/18 Library books		83.51		LIBRAR	2220 460100	215	101000
44331		2898 TransUnion Risk and Alternative		50.40					
	04/01/18	background checks		50.40		POLICE	1000 420100	220	101000
44332		40 Jerry's Enterprises		19.59					
	10191036	03/27/18 mouse replacement		19.59*		FINADM	1000 410510	220	101000
44333		2991 West Yellowstone Star		499.54					
	2480	03/31/18 display ad		421.54		ADMIN	1000 410210	327	101000
	2480	03/31/18 display ad, Easter		78.00		WATER	1000 410210	327	101000
44334		1454 Bozeman Chronicle/Big Sky		84.00					
	1739135	03/19/18 bid invite, well drilling		84.00		WATER	5210 430500	327	101000
44335		2377 Kathleen Brandis		205.39					
	04/03/18	spring conf. travel reimbursem		205.39		COURT	1000 410360	370	101000
44336		2942 New York Times		198.90					
	03/25/18	new york times subscription		198.90		LIBRAR	2220 460100	215	101000

04/13/18
12:07:12

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/18

Page: 3 of 7
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
44337	40 Jerry's Enterprises 02142018-1 02/16/18 gas voucher	25.00 25.00			7010 450135	231	101000
44338	3037 White Buffalo 04032018/1 04/03/18 comm help lodging	56.00 56.00			7010 450135	370	101000
44339	2507 Silvertip Pharmacy 03272018-1 03/06/18 comm help prescription aid	18.35 18.35*			7010 450135	358	101000
44340	2546 Century Link QCC 04/22/18 long distance charges 646-7600	11.25 11.25*			1000 420160	345	101000
44341	2813 Century Link 03/28/18 646-7949	62.00 62.00			1000 430200	345	101000
44343	2673 First Bankcard 414697 01/18/18 US Postm, airport deed restric 632316 01/16/18 US Postm, Markov cert letter 01/11/18 Norton, Parks & Rec 1499182018 03/06/18 Microsoft, Office professi 01/04/18 Credit for returned Boxu balls	318.68 47.50 6.10 64.99 399.99 -199.90			1000 410510 1000 410510 1000 460440 1000 410510 1000 460440	311 311 216 216 220	101000 101000 101000 101000 101000
44344	2673 First Bankcard 348361A 02/26/18 Hampton Inn -- Lovingier conf 12829 03/03/18 Alcopro, Dry Gas Standard 10080390 03/03/18 Galls, Drug Testing Supplies 98389 03/15/18 Billion Dodge, maintenance 378472897 03/27/18 MSU, threat assess conferen	881.20 307.74 223.54 115.97 58.95 175.00			1000 420100 1000 420100 1000 420100 1000 430200 1000 420100	370 220 220 220 380	101000 101000 101000 101000 101000
44345	725 Swan Cleaners 7840 04/01/18 laundry, prisoners	88.00 88.00*			1000 420230	390	101000
44346	2952 DIS Technologies 33196 04/05/18 monthly managed service	595.00 595.00			1000 420160	398	101000
44347	2621 MDT 153 04/10/18 Lagoon Lease 2018	30,000.00 30,000.00			5310 430600	532	101000
44348	2788 Sabrah L. Van Leeuwen 04/04/18 Travel reimbursement, training	72.00 72.00			1000 420100	370	101000

04/13/18
12:07:12

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/18

Page: 4 of 7
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
44349	3115 Spiffy Biffy 04/10/18 portable toilets, Eclipse, Aug	425.00 425.00		ADMIN	1000 410210	870	101000
44350	2977 Staples Credit Plan 2056495291 04/05/18 Business license paper 203867670 03/14/18 Office supplies, court 203867670 03/14/18 Storage boxes 203851763 03/14/18 SD Memory card	155.36 25.22* 90.16 25.99* 13.99		FINADM COURT FINADM COURT	1000 410510 1000 410360 1000 410510 1000 410360	220 220 220 220	101000 101000 101000 101000
44352	2964 CITI CARDS 03/08/18 Gallatin Co Clerk, plat 03/08/18 Days Inn, BZN 03/09/18 Book Peddler, gift cert 03/10/18 Adobe Acrobat, software upgrad 03/13/18 Amazon, flowers for KA 03/14/18 Natl Rec supplies 03/21/18 USPS postage 03/21/18 USPS postage 03/23/18 Gov Conf Regis, C. Burke 03/23/18 Gov Conf Regis, Martineau 03/23/18 Gov Conf Regis, Sabolsky 03/26/18 Kirby Built, kiosk 04/03/18 WW Pizza, supplies 03/23/18 Housing Conf regis, Burke 03/28/18 Nat'l Recreation, refund	3,487.93 2.00 433.39 50.00 199.00* 43.31 34.17 12.35 12.35 200.00 125.00 125.00 1,873.20 74.16 325.00 -21.00		PLAN DISPAT REC FINADM LEGIS REC POLICE STREET LEGIS LEGIS ADMIN REC LEGIS LEGIS REC	1000 411000 1000 420160 1000 460440 1000 410510 1000 410100 1000 460440 1000 420100 1000 430200 1000 410100 1000 410100 1000 410210 1000 460440 1000 410100 1000 410100 1000 460440	354 370 220 220 220 220 311 220 380 380 380 212 220 380 220	101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000
44353	379 Energy Laboratories, Inc 146439 04/05/18 WO B18031683	377.00 377.00*		WATER	5210 430500	357	101000
44354	2121 Pacific Steel & Recycling 6373248 03/14/18 Street Building supplies	37.14 37.14		STREET	1000 430200	366	101000
44355	2788 Sabrah L. Van Leeuwen reimburse auto supply walmart 04/05/18 wiper blades for 08 ford	25.08 25.08		STREET	1000 430200	220	101000
44357	266 Utilities Underground Location 8035321 03/31/18 excavation notice	1.57 1.57*		WATER	5210 430500	357	101000

04/13/18
12:07:12

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/18

Page: 6 of 7
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	03/26/18	Mountain Hardwoods		793.00		UPDH	4000 460460	920	101000
	03/02/18	Interest		47.52			1000 420531	870	101000
44368		2421 NAPA Auto Parts		371.56					
	1020stmt	03/31/18 parts and supplies		371.56		STREET	1000 430200	220	101000
44369		151 Gallatin County WY TS/Compost		66.50					
	03/31/18	March statemebt of hshld waste		66.50		PARKS	1000 460430	534	101000
44370		533 Market Place		173.11					
	03/31/18	Gift Certificates		150.00		LEGIS	1000 410100	220	101000
	03/31/18	supplies		20.53		RECREA	1000 460440	220	101000
	03/31/18	supplies		2.58*		WATER	5210 430500	357	101000
		# of Claims	46	Total:	132,270.39				

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
March 20, 2018

COUNCIL MEMBERS PRESENT: Brad Schmier, Jerry Johnson, Pierre Martineau, Chris Burke, Greg Forsythe

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Yellowstone Star Reporter Dustin Jones, Richard & Teri Gibson, Bob Lindstrom, Carrie Pope, Udo Freund, Grant Jackson, Shelley Theimer, Randy Wakefield-Fall River Electric, Dave DeGrandpre-Land Solutions

The meeting is called to order by Mayor Brad Schmier at 7:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$77,951.79. (Forsythe, Martineau) Burke abstains from #44250, Schmier abstains from #44272
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the March 6, 2018 Town Council Meeting. (Martineau, Burke)
- 3) Motion carried to approve the first reading of Ordinance No. 266, an ordinance that regulates tourist rentals, workforce housing and living in recreational vehicles in the Madison Addition. (Johnson, Forsythe)
- 4) Motion carried to reappoint Bob Logar and Michael Hansen as Urban Supervisors representing West Yellowstone on the Gallatin Conservation District and invite them to attend a Town Council meeting to describe their purpose. (Johnson, Burke)
- 5) Motion carried to authorize Town Manager Dan Sabolsky to write and submit a grant to the West Yellowstone Foundation for \$2500 to purchase defibrillators for Town buildings and police vehicles. (Johnson, Forsythe)

Public Comment Period

No public comment is received.

Council Comments

Martineau announces that on April 21, 2018, the Baptist Church will host a free barbeque. He says that this year marks the 110th anniversary for the community. Brad Schmier asks everyone to keep Norma Martin in their thoughts, Norma is currently in the hospital. Mayor Schmier requests an update on the projects that are one the Capital Improvement District this year.

DISCUSSION

- 1) Johnson points out that they paid over \$200 for tipping fees for the last two weeks as well as \$500 for recycling. He says there are recycling bins at the transfer station and thinks they have the manpower to transport the recycling themselves. Forsythe asks for clarification about the data plans for the police laptops, a possible duplicate charge on the First Bankcard bill as well as a late fee charge. The Council suggests looking into online payments for the credit cards to avoid future late fees.

- 3) Mayor Schmier explains that although they have already approved the first reading of Ordinance No. 266, they have made some changes and felt that it would be appropriate to have another first reading of the ordinance. Sabolsky points out all the changes that have been made in the current draft. The ordinance addresses the Madison Addition regarding tourist rentals, workforce housing and living in recreational vehicles. He also acknowledges a letter from Boone & Karlberg, P.C. they received today that opposes portions of the ordinance. Grant Jackson, President of the Board of Directors for the Madison Addition, addresses the Council in support of the ordinance. He says that they have now received 153 responses in favor of the ordinance by property owners in the Madison Addition. They have received 37 responses that are opposed to the ordinance for a response rate of approximately 75%.
- 5) Sabolsky explains that they wish to apply for a grant from the West Yellowstone Foundation for the purpose of purchasing defibrillators for all the Town buildings and police vehicles. He says that the entire cost will probably be close to \$17,000 and they intend to apply for \$2500 from the Foundation. They have also received a \$10,000 donation towards the project.
- A) **Advisory Board Reports:** Town Manager Dan Sabolsky reports that the Safety Committee met last week and minutes from that meeting were emailed out to the Council. He says they are going to work on sharing more meeting information with the Council.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that MPEA is reviewing the Collective Bargaining Agreements that the Town presented and he hopes to hear back from them by the end of the week. He also reports on a group that met this week to discuss use and maintenance of the ice rink. He says that he is meeting tomorrow in Bozeman with ThinkTank to discuss the study of the 80 acres. He points out the lease for the Siegel Learning Center is on the agenda tonight but it should be just for discussion, no action tonight. They are still on track to open the center in May or June. He reports that they have received a few more responses to the survey about the summer recreation program, but they are still disappointed in the response rate. He reports that they are pursuing a grant through Yellowstone Park to address traffic issues, signage, congestion, safety, restrooms, etc. They are working on the business license ordinance and process and intend to present it to the Council soon. He says the Safety Committee is making progress but they still had an incident last week when employees did not follow protocol. Earlier today, Patterson, Dave DeGrandpre and himself met with Hibernation Station about a potential housing project as well as with Big Sky Anglers interest in building a lodge and HRDC to discuss a housing project. The Council members ask questions about some of the projects and bid openings for the water well drilling and associated improvements later this week.

Public Services Superintendent James Patterson reports that the bids for cleaning and rehabilitating the IP beds will be let soon after the well projects. He says they are working on the restrooms and bar at the Union Pacific Dining Lodge and that is going well. He says his guys are doing well. He says the spring flow was high last fall but they haven't evaluated it this spring yet. Martineau asks if the Town has the water supply to support the proposed aquatic center. Patterson says that they would probably only fill the pools once or twice a year, so only at those times would be it a significant impact. He says that their chlorinator is ready to run and they will have to run it for 14 days. They will only run it at a .2 ppm residual and most people will not even notice it. He also notes that Tim Heideman's crew is doing very well on the Siegel Learning Center and working well. Forsythe asks about the roof leaks in the Town Hall last week. Patterson says that the roof did leak again and believes they need to remove the rain gutters from the north side of the building.

Finance Director Lanie Gospodarek reports on conducting employee evaluations, working on payroll, department budgeting, and financing for the Siegel Learning Center. She says that First Security Bank has been purchased by Glacier Bank but they are fortunate that they already have the financing planned out.

- C) Sabolsky explains that the packet for this meeting included a copy of the lease for the Siegel Learning Center to Little Rangers Learning Center, Inc. He says that the board for Little Rangers is reviewing the lease and he requests that the Council let him know if they have any comments or concerns. He says they also need to determine what the lease payment will be per year. Johnson points out a couple issues in the lease that need to be addressed or corrected before approval. The Council agrees to schedule a work session prior to the next Town Council to discuss the lease.
- D) Sabolsky reports that he, Council Member Forsythe and Chief Newell visited the three law firms that responded to the Legal Services RFP. They wish to invite Griffith & Cummings and then Chris Gray to present to the Council at the April 3, 2018 meeting. Kasting, Kaufman & Mersen (current representation) will present on April 17, 2018.
- E) Mayor Schmier says that they need to plan to evaluate Town Manager Dan Sabolsky, which they have traditionally done in the spring of each year. The Council discusses the process. Sabolsky says he will start on the self-evaluation portion of the contract and they can plan to do the actual evaluation after the second meeting in April. Johnson says he will forward blank copies of the evaluation form to the Council this week.

CORRESPONDENCE

Dated March 20, 2018, John M. Newman of Boone & Karlberg P.C. writes to express concern and opposition to Ordinance No. 266. Dated March 20, 2018, Bob Lindstrom writes to suggest changing the approach to the proposed West Yellowstone Community Aquatic Swim Center.

The meeting is adjourned. (9:00 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
April 3, 2018

COUNCIL MEMBERS PRESENT: Brad Schmier, Jerry Johnson, Pierre Martineau, Chris Burke, 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

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

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Schmier calls the meeting to order and explains the purpose of the work session is to discuss the lease of the Siegel Learning Center to the Little Rangers Learning Center (LRLC). Town Manager Dan Sabolsky explains that they reviewed the leases they have currently with other entities. He explains that they lease several town owned buildings to other entities, which range from \$1.00 to \$100.00 per year with the exception of leasing the clinic building to Community Health Partners for \$100.00 per month. Bruce McPherson is present on behalf of Little Rangers Learning Center. McPherson indicates that the center cannot afford to pay very much rent. He suggests paying only \$1 per year or that they pay \$100 a month but the money is set aside for scholarships. He says their current budget is finite because they can legally only allow 37 children in the center and bring in teachers in accordingly. He says the center currently has outstanding debt of \$40,000 because they had to purchase a fire suppression system for the church and to cover shortage that was needed to make payroll. He says that their operating budget has been balanced for the last three months and they are preparing to launch a fund raising campaign and hope to raise \$10,000 to \$20,000. He says he does not expect that they will ever run at a profit, but as a non-profit do not expect to. He points out that they have not anticipated paying much rent and hopes that any excess will be used to grant scholarships to families that cannot afford to come. He says they are doing the best they can to pay the teachers fairly so they don't lose them. He says they participate in every state program they can to get services and food and low or no cost. Mayor Schmier says that it has already been proven that the Town is committed to the program through the donation of the land and funding of the building. Sabolsky explains that the lessee will be responsible for all interior maintenance and utilities, unless it is a major system failure. The Town will be responsible for the exterior and snow removal. Johnson suggests charging \$120 per year for rent and challenges LRLC to set aside \$100/month for scholarships. The Council discusses Johnson's proposal and how to implement that. Forsythe agrees with Johnson's proposal and points out that although they charge \$100/year for the clinic they give the clinic between \$75,000 and \$100,000 a year to operate. The Council also requests that the annual rent payment is paid once a year by July 1. McPherson also mentions that the Governor will be here later this month and will participate in a ribbon cutting ceremony at the Siegel Learning Center. He encourages the Council to be aware and participate in the activities that will take place while he is here.

Town Council Meeting
6:00 PM
Legal Services Presentations

Griffith & Cummings, PLLC

Mindie Cummings and Alanah Griffith introduce themselves as practicing attorneys based in Big Sky, Montana. They explain that they have 30 years of combined legal experience in the areas most pertinent to West Yellowstone. She says they are detailed and diplomatic negotiators,

strong litigators and have strong communication abilities. She says that they are located close to West Yellowstone and are experienced in both sides of Gallatin County's governmental operations. Cummings explains that she currently sits on the Gallatin County Planning Commission. Cummings also explains that they understand that the Town wants to be a priority client and are prepared to respond to that. They understand that growth management and economic development are major issues. In March, they met with Town Manager Dan Sabolsky, Police Chief Scott Newell and Council Member Forsythe. At that meeting they also discussed coordination with Federal and State Agencies, affordable housing, human resources, infrastructure, access to County Government and sustainability. Cummings elaborates on each topic that was discussed at the meeting and outlines progressive steps they can take. Griffith describes her experience litigating both civil and criminal cases. Schmier asks if they represent or previously represented other towns in Montana. Griffith responds that they have not, but have much relevant experience and have worked on both sides of issues that involve municipalities. Cummings adds that she was in-house counsel for the Big Sky homeowners association, the largest association in the state although Big Sky is not incorporated. Griffith says that she has reviewed Ordinance No. 266 (regulations in the Madison Addition) that is on the Town's agenda tonight and would recommend some changes. She says that this is a hot topic in the state right now and they deal with it frequently. Johnson asks the attorneys to define affordable housing. Cummings responds that the term affordable housing is a context based term. She says that it is based on the current need and sometimes really means attainable housing or targets a particular sector. They indicate that they will bill the town by the hour and use of their associate attorney will be at a reduced rate for misdemeanor and minor issues. Forsythe asks Newell about the discussion they had about not requiring the attorney to be present at all court proceedings. Newell says they did talk about that and how they don't necessarily need the attorney present at initial appearances. Griffith and Cummings agree that they can easily work with that and possibly just appear by Skype.

Gray Law Office

Chris Gray introduces himself and explains that he has a degree in Biology from the University of California and a law degree from Gonzaga in Spokane, WA. He obtained his law degree in 1991 and has lived in Gallatin County since 1995. He has extensive experience working with governments and currently represents the Central Valley Fire District and Gallatin County. He is also very experienced as a prosecutor. He mentions specific experiences that include drafting legislation including ordinances and resolutions, subdivision and zoning regulations, employer and employee issues on a daily basis, negotiated contracts and agreements, construction projects, disputes, in-house legal offices, extensive experience advising County Commissioners on planning and zoning issues, create employee and internal policies, defend suits against governments, financing and bonding of projects, solid waste issues. Gray describes his approach to advising governments as straight forward where the facts are presented, pros and cons, and how to proceed. He says he always remembers that the client is really the taxpayers. He says that one of the biggest problems he has observed over the years is "off the cuff" legal advice. He feels strongly that they should always take the time to do things right. Gray says that his firm is just one person and he opened in 2016 after working for Gallatin County for 15 years. He says he doesn't have direct staff but does hire other attorneys on a project or contract basis. He has associates he works with, especially with criminal law experience, when he needs additional help. He explains that he prefers to work with clients on a flat fee basis, which is a newer way to approach legal services but he thinks it encourages responsible and better service. He says that the Town would be an "anchor client" meaning it would be a priority. He says he would be an attorney that is cost effective and responsible. Forsythe clarifies that the flat fee would include all other use of associate attorneys for a flat fee. Johnson asks what the fee would be and he answers \$8500 per month and would include attendance at one council meeting per month and all travel expenses. Johnson asks about his experience with collective bargaining or union negotiations. He says that he has but only associated collaterally because the county attorney's office is not involved in union negotiations. Johnson also asks about membership with the MMIA. Gray says that he has worked with MACO (Montana Association of Counties) extensively, a very similar entity, and believes he would also be able to work with MMIA.

The Council adjourns for a ten minute recess at 6:50 PM.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$63,306.14. (Martineau, Burke)
- 2) Motion carried to table Ordinance No. 266. (Forsythe, Johnson)
- 3) Motion carried to accept and award the West Yellowstone Production Well Drilling to O'Keefe Drilling for \$146,802 and award the Water System Improvements project to Montana Underground for \$409,830. (Forsythe, Martineau)
- 4) Motion carried to approve the lease for the Siegel Learning Center to the Little Rangers Learning Center Board of Directors for \$120.00. (Martineau, Burke) Forsythe abstains.
- 5) Motion carried to accept the recommendation from the Planning Board to approve the parking and site plan dated March 1, 2018 from Big Sky Anglers for a lodging facility and allow retail space as determined by available parking spaces. (Schmier, Forsythe)

Public Comment Period

No public comment is received.

Council Comments

Schmier calls attention to the updated Capital Improvement Plan (CIP) and the highlighting to indicate which projects have been completed, are underway, or have been post poned. Chris Burke reports that he attended a Made in Montana tradeshow in Helena and there was an attendance of over 7000 people at the show. Martineau reports that he attended meetings in Bozeman that focused on homelessness and Medicare cutbacks. He says that HRDC is moving forward with a "tiny homes" project that they hope will help with the homelessness issue. Several of the OPA (Office of Public Assistance) offices across the state have closed and are causing problems.

DISCUSSION

- 1) Forsythe abstains from #44318. Burke abstains from #44308. Schmier says that he asked Finance Director Lanie Gospodarek to explain some of the overages on the phone bills. Gospodarek responded by email but also explains that the overages are a combination of switching phone service from CenturyLink to Blackfoot and delayed billing.
- 2) Mayor Schmier explains that the next item on the agenda is the 2nd Reading of Ordinance No. 266 and he recommends tabling the ordinance. Jamie ?? of Boone & Karlberg, P.C. addresses the Council on behalf of their client Ridgetop Properties, Inc. and West Development, LLC. He says he has talked extensively with the Town's counsel, Jane Mersen, about revisions to the ordinance but noted that those revisions have not been made. He says that he would be happy to work with the Town to make the ordinance more acceptable but also asks if the Town intends to table the ordinance that they let them know. He says that his client's main concern at this time is that the ordinance is ambiguous. His client owns two large parcels in the Madison Addition and is reluctant to proceed with development until that is determined. Forsythe suggests that Jane Mersen let him know if they intend to table the ordinance again at the next meeting.
- 3) Mayor Schmier reports that they released the received bids for two projects associated with drilling the new water well for the Town. Schmier asks Town Engineer Dick Dyer to present an overview of the bids and recommendation. Dyer explains that they received four bids for the production well. He says that they did prepare the engineer's estimate and release it prior to releasing the bid. He says the apparent low bidder is O'Keefe Drilling of Butte, MT. He says he has worked with the bidder previously and they have excellent references as well as all the proper equipment. He recommends awarding the bid to O'Keefe Drilling. He says they received six bids for the Water System

Improvements project and the apparent low bidder is Montana Underground of Helena. Montana Underground has done multiple projects in West Yellowstone and proved to be a reputable company. He points out that their bid is significantly less than the other bids that were received, but is close to the engineer's estimate. Dyer says he has had multiple discussions with the owner and they are comfortable that they can complete the project as bid. He says that although they have worked with the company before, he still checked references and recommends awarding the bid to Montana Underground. Dyer explains that the combined cost of both projects is \$556,000 and there will be additional cost of running power. He says they have an established budget of \$650,000 which included \$500,000 for the well and \$150,000 for fluoride treatment. He says the fluoride level in the test well was 3 ppm, which is below the maximum contaminant level of 4 ppm and they do not believe defluoridation will be required. He recommends using the \$150,000 that was set aside for fluoride treatment for the project. He encourages the Council to move forward and award the projects to the low bidders. Forsythe asks questions about the specs for the project, why the well house will cost so much, and if the project can be completed on their time schedule. Schmier clarifies that the time schedule presented on March 18, 2018 that they are still waiting for DEQ approval. Dyer says that he was in Helena last Friday but was unable to get many answers. Dyer says that O'Keefe hopes to start drilling on April 16, 2018 and expect it will take 2 weeks to complete the drill. They are anticipating starting construction of the well house and pipeline in mid-May and completion in July. The Council discusses with Dyer and Randy Wakefield of Fall River Electric the additional cost of running power to the well house. Wakefield says that considering they intend to develop the 80 in the near future they should prepare to run enough power and a transformer. He says he cannot give them an accurate estimate at this time by Dyer says based on similar projects that it should cost between \$20,000 and \$30,000. Forsythe requests that all change orders be sent directly to Patterson and/or Sabolsky who can keep the Council informed about the progress of the project. Johnson also asks about ensuring that the noise from the generator is managed as quiet as possible.

- 4) Sabolsky explains that at the work session, the Council agreed to set the lease amount at \$120.00 per year.
 - 5) Sabolsky explains that the Planning Board has reviewed the plans for the Big Sky Angler Lodge in Grizzly Park. He says that the Planning Board has recommended approval of the plan with the stipulation of no retail. The Public Services Department and Fire Department have approved the plan. Town Engineer Dick Dyer has some concerns about the 11' driveway and some water and drainage issues that don't pertain to the site plan. Sabolsky says that the plan has 3 extra spaces that could be used for limited retail, but the Planning Board had concerns about allowing retail that would overwhelm the area with customers. The Council discusses the recommendation to approve the site plan and whether retail should be addressed. The development has obtained a permanent easement from the neighboring property (Povah Family) to provide fire and parking access. Questions have also been raised about where snow will be stored if the lodge is open during the winter. Dyer points out that there is a town-owned utility easement on the north edge of the property that they should consider. He also says that he has concerns about the 11' driveway that provides access to parking on the east side of the property.
- A) **Advisory Board Reports:** Teri Gibson reports on behalf of the Planning Board. She says that they met on March 28, 2018 and discussed the Big Sky Anglers project to build a lodging facility in Grizzly Park.
 - B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that Social Services Director Kathi Arnado has returned to work after being out for surgery. The ballots have been released to the employees to vote on the collective bargaining agreements. He says that the department heads and himself are working to complete all performance evaluations. He says they have released the job announcements for the Seasonal Laborers and Summer Recreation Counselors. He says he has met with representatives from the proposed Aquatic Center. He says he is also

looking into how the Povah Center is being rented and accounted for. He says they are also looking into land use application fees and anticipate updating those as we update the subdivision regulations. He says they have the final draft of the business license ordinance and would like to schedule a work session. He says that it looks like they are not going to be able to borrow dump trucks from Yellowstone National Park in the winter going forward. He says they are going to look in purchasing more trucks, leasing trucks, or maybe purchasing trucks and leasing them to YNP during the summer. He also says that they did set up new email addresses for the Planning Board but had to promptly delete them because the email system crashed.

Police Chief Scott Newell reports that they had a lot of domestic issues last week during spring break. They got their live scan fingerprint system installed and working. He also reports that YNP District Ranger Tara Ross has accepted another position with the park service and they expect to hire a new district ranger.

Finance Director Lanie Gospodarek thanks Deputy Clerk Lisa Johnson for covering the office last week during spring break. They are preparing for the budget season, business license renewals. Resort tax collections were up last month and she is preparing to release a request for proposals for auditing services.

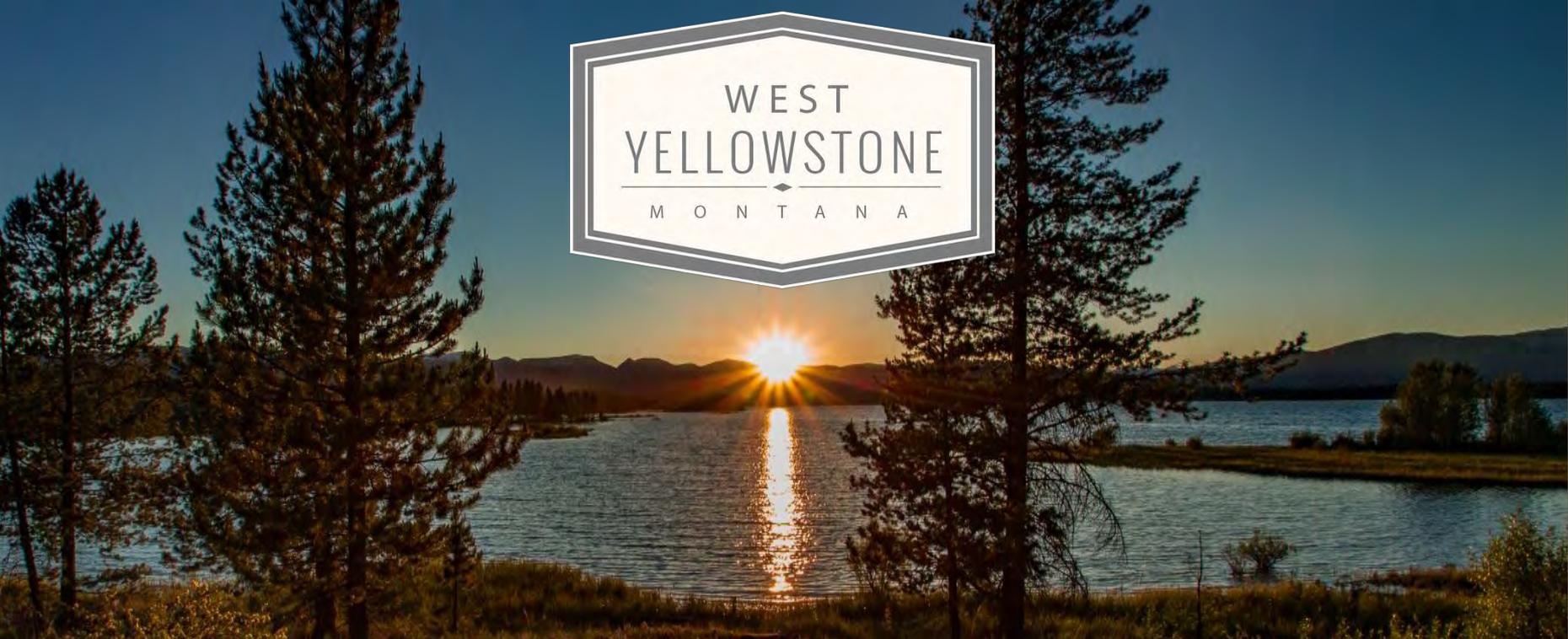
- C) Town Manager Dan Sabolsky explains that the terms on the **Planning Board** are going to expire in the near future. He says that there has been some debate about whether members of the board can reside outside of the town limits. He says that from reading the code and discussing it with the attorney, they feel that all of the board members should be residents of the town because the town has no jurisdiction outside the limits. He is still seeking clarification about the one member to be designated by the County and whether that individual must live inside the Town limits. He says that he get solid answers to that question before they proceed as five seats on the board are expiring in the next two months.

The meeting is adjourned. (9:00 PM)

Mayor

ATTEST:

Town Clerk



West Yellowstone Chamber/CVB Marketing Committee
FY18 Report & FY 19 Preview



West Yellowstone Chamber/CVB

Lodging Tax Collections = Marketing

About the Chamber Marketing Committee:

- Funded by state lodging tax which requires following all MOTBD rules & regulations
- Director of Marketing is local
- Create and implement annual marketing plan & budget
- Interacts with other committees, organizations and directly with TBID
- Assess and change as needed throughout the year

Strategic Goals:

- Attract visitors by communicating an image consistent with our long-term vision as a vacation destination and one that places high value on existing assets, amenities, and natural resources of the region.
- Continue to expand our marketing effectiveness by joining our efforts with those of marketing partners. Incorporate the Montana brand pillars and initiatives whenever possible.
- Continue to target our market as accurately as possible to assure funding is used to reach an audience that asks for information, travels to West Yellowstone, and spends significant dollars.



West Yellowstone Chamber/CVB

Lodging Tax Collections

How the Bed/Lodging Tax Amount is Determined (EXAMPLE)

Total West Yellowstone Accommodations Tax @ 7% from
1/01/2017 – 12/31/2017 = **\$2,429,032**

Of that amount, nearly half (43%) goes to the Montana General Fund.

Of the balance:

- * Approximately \$55,000.00 goes to offset state employee travel
- * Approximately \$30,000.00 from West's share is dedicated to the MT Heritage Commission (Nevada/Virginia cities)
- * 77.5%** dedicated to Travel Promo Unit (22.5% of that funding is equally divided between Yellowstone Country Tourism Region and West Yellowstone)

Estimated FY18 funds (@ 95%) = \$255,000.00

2017 Collections:

1/1 - 3/31 = \$126,575 (+14%)
4/1 - 6/30 = \$715,643 (+5%)
7/1 - 9/30 = \$1,391,969 (+5%)
10/1 - 12/31 = \$194,845 (+1%)

Total: \$2,429,032 (+5%)

**Estimated FY19 Funds
(@95%) = \$266,950**

*** Travel Montana is statutorily mandated to share this among:*

MT Historical Society for roadside historical signs and sites; University System for travel & recreation research; Fish, Wildlife & Parks for maintenance of facilities in State Parks, the Region, West Yellowstone and Travel Montana uses the balance.



Annual Marketing Plan

- **Target Markets:**

- Demographic – right
- Geographic –
 - Regional = ID, MT, UT, WA, CO, ND, SD, WY
 - National = JV with YC & MOTBD
 - International = UT Loop – Germany, UK, China IPW (MOTBD)

- **Message:**

- Unique activities/events & authentic experiences, unspoiled natural beauty – access to YNP
- “Heart of”

Family Travelers

- Large & growing segment
- Married with children under 18
- High outdoor activity interest
- Higher incomes
- Tend to stay longer & spend more
- Visit both warm and winter seasons

International

- Continued growth for many years to come
- Seeing more independent travelers & small groups
- Higher spending

Active Mature

- 55+ age group
- Shoulder season visitors
- Still want to do high priority activities outside of YNP – hiking, wildlife watching, biking



2017-18 Review

General:

- 2% increase (from July 2017 - June 2018) in West Yellowstone Resort Tax Collections over the previous year (July 2016 - June 2017).
 - **At time of report: 2.79% increase**
- 1% increase in occupied room nights (from July 2017 - June 2018) over the previous year (July 2016 - June 2017) as reported by West Yellowstone TBID collections.
 - **At time of report: Est. 2-3% increase**
- 0.5% increase in recreational visitors using the west entrance to Yellowstone Park over a 5-year rolling average of west entrance visitation as reported by the National Park Service.
 - **At time of report: 5%**

Website:

- 10% increase (from July 2017 - June 2018) over the prior year (July 2016 - June 2017) for online campaign landing page as entry point.
 - **At time of report: 11.37% increase**
- 2% increase in mobile traffic (from July 2017 - June 2018) over the prior year (July 2016 - June 2017).
 - **At time of report: 3% increase**

Social Media:

- 6% increase in social media followers (from July 2017 - June 2018) over the prior year (July 2016 - June 2017).
 - **Result (at time of report) 13.5% increase:**
 - **Twitter = 6% increase** **Facebook = 10% increase**
 - **Instagram = 36% increase** **Pinterest – 2% increase**





Research & Stats

- Online & mobile campaigns result in higher click thru rates than industry average (up to 4.4%)
- Email campaigns avg. 35+% open rates, 15% CTR (Over 26,000 qualified subscribers)
- Website traffic continues to increase with campaigns in top ten referrals & landing pages.
- Social media is continuously increasing, engagement is high. (Over 80k – Combined Platforms)
- Participation in events from targeted areas including Idaho, Utah, Wyoming and MT
- Lodging Tax Collections for 2017 are up 5% statewide. West Yellowstone collections for 2017 increased +5% over 2016 at \$2,429,032 through 4th Qtr.

Visitor Stats:

- Yellowstone Park - 4,116,525 recreational visitors (3.3% decrease from 2016*)
- West Gate - 1,742,887 recreational visitors (7% decrease from 2016*)
- WY Visitor Center recorded double digit gains in the number of visitors over 2016 plus additional email/phone communications & guide/information requests
- VIC = 53% use internet for trip planning, 5% use social media, 5% mobile apps, and once here 30% used Visitor Information Center
- Visitor Breakout = 68% are repeat visitors, 15% first-time and 72% plan to return within 2 years
- Top five activities include scenic drives, wildlife, photography, day hiking, RV/camping
- Top 5 States: Washington, Idaho, Colorado, California, Utah



“Heart of” Campaign



The of Nordic Skiing

DON'T MISS THESE EVENTS:
 Yellowstone Ski Festival
 Nov 21-25, 2017
 Rendezvous Ski Race
 March 3, 2018

West Yellowstone, Montana

Glide through snow covered pines, discover **Yellowstone National Park**. Take a day to go to nearby **downhill resorts** or relax with **friends and family**.

For more event details: SkiRunBikeMT.com | For lodging & activities: DestinationYellowstone.com

SUPPORT. BUSINESS.

The of Yellowstone

West Yellowstone • Montana

The closest entrance to Yellowstone's Old Faithful geyser and other attractions, West Yellowstone boasts year-round family fun, lodging and dining.

Montana
 Bozeman
 Big Sky
 West Yellowstone
 Grand Targhee
 Idaho
 Wyoming

destinationyellowstone.com

The of Fly Fishing

West Yellowstone • Montana

The of Snowmobiling

Whether on a getaway with friends or making memories with family, West Yellowstone, MT has over 400 miles of groomed trails with breathtaking scenic backdrops, and access to some of the best backcountry riding in the world.

West Yellowstone • Montana
www.destinationyellowstone.com



FY18 Fall Campaigns

Digital, Email, Social

TWIN FALLS, ID - DIGITAL

- 73,500 Impressions
- 276 Clicks
- 0.38 % CTR
- Reveal ad – 1.1% CTR

FALL DISPLAY/MOBILE/SOCIAL MEDIA – WENDT

- September and October placement targeting Salt Lake City, Southeast Idaho, and Boise
- Sitrib.com & Targeted Ads - 852,357 impressions, .12% CTR, \$4.08 Cost Per Click
- Facebook campaign = 137,987 impressions, 36,641 actions, and 215 direct clicks to the website = 1.03% CTR

OUTDOORS NW EMAIL BLAST

- 12,191 opt-in subscribers, 13% open rate, 2% click through.

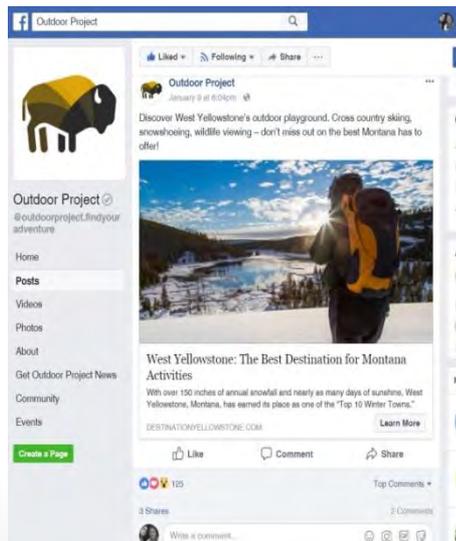
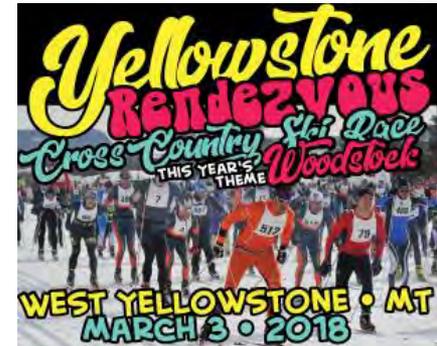




FY18 Winter Campaigns

Winter Destination & Events

- Mix of Print, Digital, Eblast, PR
- Regional & National
- ONW Email, Am Snowmobiler, Snowgoer Emails, Midwest Snowmobile Pkg, National Ski Pubs & Websites, Ice Fishing print & digital
- Outdoor Project – Wendt
 - Utah – banners, take over ads, e-newsletter & Facebook post
 - 242,785 impressions, 652 clicks
 - .27% CTR & cost \$2.95/click





FY18 Spring Campaigns

- **Visitusaparks.com**
 - Info & pics on website
 - Influencer story
 - Social media posts/ads
- **Adventure Outdoors Magazine**
 - FP Inside Back Cover
 - FP Editorial
 - Social Media & Digital
- **Horizon Travel & Lifestyle – April Issue**
 - California 2018 edition inserted into the *WALL STREET JOURNAL* on April 12th, 2018 (226,000 readers from 100,000 subscribers)
 - Complimentary 120 x 5 second commercial spots to run on the ABC (Good Morning America) Screen in Times Square, NY from April 2nd to 8th 2018. (10,000,000 impressions per month)
 - Complimentary 10,800 x 5 second commercial spots to run on the 10 screens in Toronto's PATH system from April 1st to April 30th 2018. (3,000,000 impressions per month)
- **Regional Warm Season Publications & Email Blasts – ID, UT, NW**



WEST YELLOWSTONE, MONTANA The Heart of Yellowstone

The town of West Yellowstone, located just outside of the West Entrance to Yellowstone National Park, is a year-round, family-friendly destination. Nestled among majestic mountain peaks, and surrounded by natural scenic wonder, the town is rich in history and activities. West Yellowstone is situated away from some of Yellowstone's favorite attractions including Old Faithful and the Grand Canyon of Yellowstone. Just through September, fly directly into the airport (WYS) just two miles north of town.

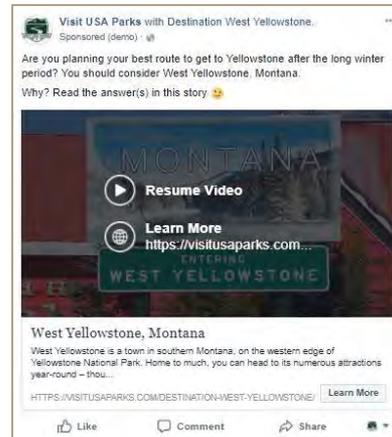
West Yellowstone receives an average of 160" of snow in winter. Visitors can enjoy over 50 kilometers of groomed Nordic ski trails, 400+ miles of groomed snowmobile trails, ice fishing and sled dog rides. They can also take a guided snowcoach or snowmobile tour into Yellowstone National Park.

Highlights include The Grizzly and Wolf Discovery Center, Yellowstone Historic Center, Historic Walking Tour, Yellowstone Giant Screen Theatre, Earthquake Lake Visitor Center and Yellowstone Aerial Adventures. Families can enjoy a variety of dining options or stroll through the many retail establishments.

Known for blue-ribbon trout streams and access to hundreds of miles of hiking and biking trails in the surrounding National Forests, outdoor adventures await. Halibut and Quake Lakes offer great fishing and several marinas on the lake offer boat rentals. There are endless wildlife watching opportunities, as well as photography and scenic drives.

No matter the season that brings you to West Yellowstone, there is something to offer for everyone!

For more information, visit DestinationYellowstone.com.





FY18 Joint Ventures

LiveIntent – eNewsletter 728x90

Joint Ventures:

- MOTBD**

- LiveIntent – digital winter
- Roots Rated – blog content & social media
- Visa Vue – nonresident & international spending
- Family Fun Insert – ad + editorial

- Yellowstone Country** (all shared with TBID)

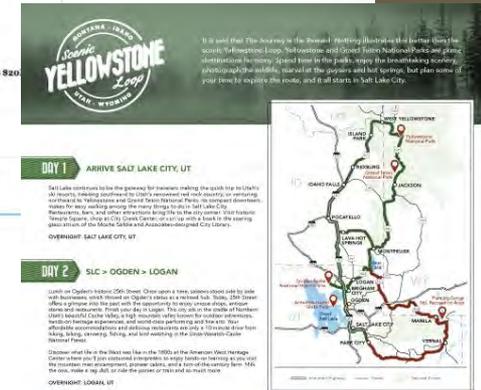
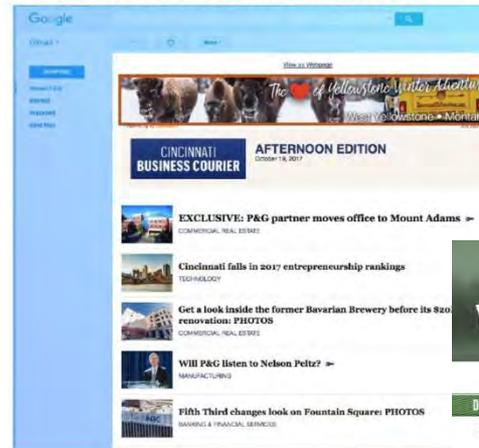
- TripAdvisor – est. 293,000 impressions/yr
- Combined Winter Co-op (snowmobile/ski, landing page on YC website, content feature in TX Monthly) over 1 million circ.
- Better Homes & Gardens April: landing page on YC website, quarter page in combined spread – 914,000 circulation
- Advanced Audient Targeting Spring Digital – geo-targeted -700k est. impressions

- Utah Yellowstone Loop – continued**

- Hosted Journalists
- Online campaigns
- Travel Shows
- Markets: Germany, France, China, Canada, UK, Australia

- TBID:**

- Attended Morris Murdock Travel Show (Jan in UT) Cross-season
- Content Management System (Canto)
- Misc ad buys like MT Parent, Bozeman Magazine





2017-18 Budget Detail (YTD)

Income	Forecast
WYM estimate bed tax revenue: (95% of estimated collection)	\$250,000.00

Unspent funds + additional
revenue from FY17 = approx.
\$185,000

- Under budget for website refresh and other segments
- We don't know extra revenue and rollover until annual audit which was in Dec.
 - We are moving FY18 audit up to July or August to have better idea

Line Item/Method	Budget	Expenses YTD
Administration (up to 20% of estimated new revenue)	\$50,000.00	\$12,410.00
MARKETING SUPPORT		
TAC Meetings/Gov. Conf/Partner Meetings	\$3,000.00	\$1,108.31
Marketing/PR Position (includes training and travel)	\$52,500.00	\$36,650.37
Fullfillment: Guide Distribution	\$6,500.00	\$3,544.06
Opportunity Marketing (up to 10% of estimated new revenue)	\$15,800.00	0
VIC Staffing/Support	\$27,000.00	\$3,655.25
Educational Outreach (i.e. workshops)	\$2,500.00	0
Crisis Communication	\$100.00	0
CONSUMER MARKETING		
Website (WYCC & Subsites)	\$50,000.00	\$11,911.74
Joint Ventures (MTOTBD, YC and Community)	\$24,750.00	\$28,749.83
Print Advertising – Newspaper, Magazine, Specialty Publications	\$55,000.00	\$23,033.85
Online Advertising – Mobile, Websites, SEM, Adwords	\$65,000.00	\$21,604.89
Social Media – Contest, Paid Ads, Development	\$15,000.00	\$2,899.28
Electronic Advertising – Eblasts, Enewsletters	\$22,500.00	\$2,617.00
Radio/TV	\$100.00	0
Printed Materials – Maps, Calendars, Posters, Flyers	\$4,500.00	\$2,709.15
Publicity (FAM/Press Tours)	\$15,000.00	\$3,799.64
Photo/Video Library – Paid, Contest	\$25,050.00	\$6,217.00
Consumer Shows	\$15,000.00	\$4,630.07
TOTAL	\$435,000.00	\$165,540.44



FY19 Budget Preview

INCOME		
WYM estimate bed tax revenue: (95% of estimated collection)	\$267,000.00	
WYM estimated funds not expended from FY15	\$75,000.00	
WYM estimated additional earnings beyond estimate above	\$0.00	
Total	\$342,000.00	
Administration (up to 20% of estimated new revenue)	\$53,400.00	
MARKETING SUPPORT	Bed Tax	Non-Bed Tax*
TAC Meetings/Gov. Conf/Partner Meetings	\$3,000.00	
Marketing/PR Position (includes training and travel)	\$53,000.00	
Fullfillment: Guide Distribution	\$5,000.00	
Opportunity Marketing (up to 10% of estimated new revenue)	\$3,000.00	
VIC Staffing/Support	\$25,000.00	Y
Educational Outreach (i.e. workshops)	\$2,000.00	
Crisis Communication	\$100.00	



FY19 Budget Preview

CONSUMER MARKETING	Bed Tax	Non-Bed Tax*
Website (WYCC & Subsites)	\$40,000.00	
Joint Ventures (MTOTBD, YC and Community)	\$20,000.00	Y
Print Advertising – Newspaper, Magazine, Specialty Publications	\$35,000.00	Y
Online Advertising – Mobile, Websites, SEM, Adwords	\$47,400.00	Y
Social Media – Contest, Paid Ads, Development	\$10,000.00	Y
Electronic Advertising – Eblasts, Enewsletters	\$10,000.00	Y
Radio/TV	\$100.00	Y
Printed Materials – Maps, Calendars, Posters, Flyers	\$7,500.00	Y
Publicity (FAM/Press Tours)	\$7,500.00	Y
Photo/Video Library – Paid, Contest	\$15,000.00	Y
Consumer Shows	\$5,000.00	Y
TOTAL	\$342,000.00	

*Non-bed tax funds come from a combination of local TBID, WYED, WYSEF, Foundation; grants; private business support and sponsorships for events.

- Winter Marketing includes Destination & Events - Nordic Ski, Snowmobile, Ice Fishing, Sled Dog, Kids’N’Snow, YNP
- Warm & Shoulder Season includes Destination & Events like Concerts, Holidays, YNP, Outdoor Recreation

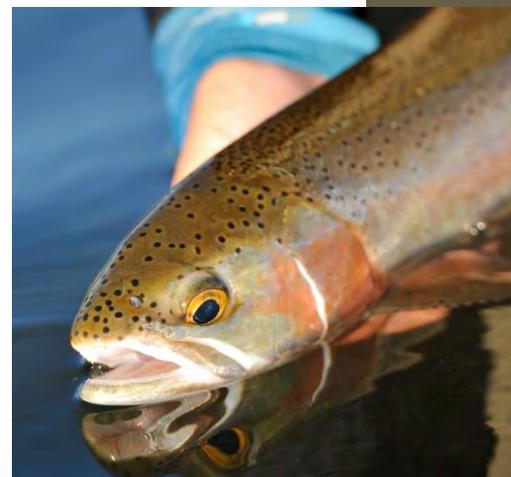


What's in Store?

FY18:

- **Continue to build fresh content for website (Main & Subsites)**
 - Blogs / Video / Images
- **Continue to position West Yellowstone as Year-Round, Family-Friendly & Diverse Destination**
 - Market - Shoulder Season, Multi-Activity Winter & The Closest YNP Gate to Old Faithful
 - Methods – Print/Online & Shows – MOTBD Joint Ventures
- **Maintain and Increase Partnerships**
 - Utah YNP Loop
 - Yellowstone Country Region
 - Private/Public
 - National/International – Networking/Education

- **New/High Priority Projects:**
 - Text Communication Tool
 - Consumer/Travel Shows
 - Selfie Stations – User Generated Content



ORDINANCE 266

Whereas, tourist rentals, workforce housing, and persons living in recreational vehicles in residential neighborhoods bring transients, traffic, create potential safety issues and could negatively impact surrounding property values in the Madison Addition; and

Whereas, short-term tourist rentals are occurring in West Yellowstone as the result of internet-based brokerages or other agencies listing available dwellings and facilitating rental reservations; and

Whereas, these arrangements are typically not rentals or leases that convey a real property interest and the exclusive right to possession but instead are permission to use a home (or a portion of it) for a short time, without the exclusive right to possession for a minimum of thirty (30) days occupancy, which makes them in essence a transient occupancy hotel or motel booking; and

Whereas, the demand for short-term tourist rental units has resulted in long-term rental units being withdrawn from the market; and

Whereas, long-term single-family residential units are being converted to workforce housing units; and

Whereas, unregulated use of tourist rentals creates unauthorized use of Town facilities, creates risk to the nearby residents by not knowing who is staying in the neighborhood; and

Whereas, such unregulated use further creates risk to the users of such rentals as the Town has received complaints from several users that the rental they secured was not as promised; and

Whereas, the Town Council of the Town of West Yellowstone finds it is necessary for the health, safety and welfare of the citizens of the Town of West Yellowstone that the Town should regulate tourist rentals, workforce housing, and living in recreational vehicles within the residential neighborhood known as the Madison Addition, and

SECTION 1:

PURPOSE: This Section regulates tourist homes, living in recreational vehicles, and workforce housing within the Madison Addition to minimize the potential negative impacts on this residential neighborhood.

SECTION 2:

DEFINITIONS:

Apartment: a habitable room or suite of two or more habitable rooms meeting the requirements of the International Building Code, located in an apartment building or used for residential purposes in non-residential buildings located within non-residential districts. Efficiency units

shall qualify as an apartment under this definition.

Bed and Breakfast: means a private, owner or manager occupied residence that is used as a private residence but in which: 1) breakfast is served and is included in the charge for a guest room; and 2) the number of daily guests served does not exceed 18. Section 50-51-102 (1), MCA.

Guest House: An attached or detached accessory building used to house guests of the occupants of the principal building, and which is never rented or offered for rent. Any guest house containing separate cooking facilities shall be considered a separate dwelling unit.

Hotel/Motel: includes 1) a building or structure kept, used, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, or public lodging house; and 2) a place where sleeping accommodations are furnished for a fee to transient guests, with or without meals. Section 50-51-102 (6) MCA, WYMC 5.16.030, WYMC 17.04.450,

Household: a person living alone, or any of the following groups living together as a single non-profit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities: 1) any number of people related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship; 2) not more than four unrelated people; or 3) two unrelated people and any children related to either of them; 4) Household does not include: a) any society, club, fraternity, sorority, association, lodge, combine, federation, coterie, cooperative housing or like organization; b) any group of individuals whose association is temporary or seasonal in nature; or any group of individuals who are in a group living arrangement as a result of criminal offenses. WYMC 17.04.150

Municipal Infraction - Civil Offense: a municipal infraction is a civil offense punishable by a civil penalty of not more than \$300 for each violation or if the infraction is a repeat offense, a civil penalty not to exceed \$500 for each repeat violation. Section 7-1-4150, MCA.

Person: means one individual.

Recreational Vehicle: a vehicular-type portable structure without permanent foundation, which is built on a single chassis; which is designed to be self-propelled or permanently towable by another motor vehicle; primarily designed as temporary living accommodations for recreational, camping, and travel use including, but not limited to, boats, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Rooming-house or boardinghouse: means buildings in which separate sleeping rooms are rented that provide sleeping accommodations for three or more persons on a weekly, semimonthly, monthly, or permanent basis, whether or not meals or central kitchens are provided but without separated cooking facilities or kitchens within each room, and whose occupants do not need professional nursing or personal-care services provided by the facility. WYMC 17.04.450.

Tourist Home: means a private home or condominium that is not occupied by an owner or manager and that is rented, leased, or furnished in its entirety to transient guests on a daily or

weekly basis. Section 50-51-102 (12), MCA. Also, for Town proposes, known as a short-term, vacation, or nightly rentals.

“Transient guest” means a guest for only a brief stay, such as the traveling public. Section 50-51-102 (13), MCA. Any stay under thirty (30) days shall be considered a transient guest.

“Workforce housing” means affordable housing for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace.

SECTION 3:

MADISON ADDITION AREA:

This regulation is to prohibit Tourist Home rentals, workforce housing, and living in recreational vehicles ONLY within the residential neighborhood known as the Madison Addition. See attached map.

SECTION 4:

TOURIST HOME RENTALS:

Tourist Home rental are strictly prohibited within the area defined as the Madison Addition. The Town will periodically monitor various websites and other media that specialize in these types of rental properties. Any property owner or their authorized agent advertising properties for tourist home rentals, within the Madison Addition, on these sites is in violation of this Ordinance.

SECTION 5:

LONG TERM RENTAL OR WORKFORCE HOUSING:

Long term rental housing is only permitted in the Madison Addition if there are not more than 4 unrelated adults in any one household. See the definition of household listed above in Section 2. Any household used for rental housing must comply with the following conditions:

- 1) The dwelling unit must contain at least one bedroom and one bathroom.
- 2) It must meet all Health and Fire Department regulations.
- 3) Must meet the Town’s parking regulations.
- 4) The Owner of the residence shall apply to the Town for a permit to allow the residence to be used as workforce housing. The fee for the permit shall be set by resolution and the permit must be renewed annually. Any permits for workforce housing granted by the Town may be revoked upon notice to the Owner of written complaints being filed regarding the residence.
- 5) If such a complaint is received, the Town Manager will investigate the complaint and report its findings to the Town Council. The Town Council shall set the matter for a hearing, if one is requested by the property owner. The Town Council shall hear evidence and make a decision on whether the complaint is accurate and of sufficient grounds to revoke the permit.

SECTION 6:

RECREATIONAL VEHICLES:

Living in Recreational Vehicles is strictly prohibited in the Madison Addition. Sewer connections to Recreational Vehicles are prohibited. Water connections are allowed to refill freshwater tanks and then must be disconnected. Electricity can be connected to maintain batteries, provide for refrigeration during loading while preparing for departure, or unloading upon return, and heat only during below freezing temperatures not to exceed five days in any fourteen (14) consecutive day period.

During the construction of a primary residence in the Madison Addition, living temporarily in a Recreational Vehicle may be permitted if approval is granted by both the Town Council and the Madison Addition Homeowners' Association. Approval of Council may be revoked for violation of any federal, state, and local regulations and may not exceed seven (7) months in length. This approval shall only be granted once per homeowner or parcel.

SECTION 7:

RESIDENTIAL USES:

Only single-family residential dwellings are permitted in the Madison Addition except in R-3 and R4 Zoning Districts. Prohibited uses in Madison Addition's R-1 and R-2 Districts include rooming or boarding houses, apartments, duplexes, bed and breakfasts, guest houses, and Tourist Homes.

In R-3 Districts, single-family dwellings up to four family residential dwelling units are permitted. Uses in R-3, R-4 include efficiency units and apartments. Uses including rooming or boarding houses, bed and breakfasts, guest houses, Tourist Homes, and other like uses are prohibited in the Madison Addition R-3 and R-4 Zoning Districts.

SECTION 8:

VIOLATION & PENALTY:

Any violation(s) of this Ordinance will be considered a municipal infraction by the Town of West Yellowstone, in accordance with Section 1.12.020 WYMC.

PASSED BY the Town Council and approved by the Mayor of the Town of West Yellowstone, Montana, this ____ day of _____, 2018.

Brad Schmier, Mayor/Councilman

Greg Forsythe, Deputy Mayor/Councilman

Pierre Martineau, Councilman

Jerry Johnson, Councilman

Chris Burke, Councilman

ATTEST:

Elizabeth Roos
Town Clerk



March 15, 2018

To: To All Interested Parties:

This is a written notification that Brock Kelley wishes to renew his 4 year Term with the, West Yellowstone Tourism Business Improvement District board position At- Large Hotel Representative. Brock Kelley will continue duties and representation as Officer of WYTBID. Term will end March 31, 2022.

If there are any questions or concerns regarding this matter please feel free to contact me at: (406) 640-0069.

Regards,

Kristy Coffin

TBID Administrator

A handwritten signature in black ink that reads "Brock L. Kelley". The signature is written over a horizontal line.

Brock Kelley At-Large Representative

A handwritten date "3/15/18" written in black ink over a horizontal line.

Date:

TBID Board of Trustees

NAME	APPOINTED	EXPIRES	LENGTH
Jeff Schoenhard, Chair 50-100	4/4/17	3/31/21	4 Years
Jerry Johnson 10-49	4/4/17	3/31/21	4 Years
Daniel Reger 100+	5/3/16	3/31/20	4 Years
Sara Mauer 10-49 Rooms	5/17/16	5/17/20	4 Years
Jeremy Roberson 50-100 Rooms	4/19/11	3/31/19	4 Years
John Stallings At Large	4/5/11	3/31/19	4 Years
Brock Kelley At Large	3/4/14	3/31/18	4 Year

* 4/4/17-Daniel Reger appointed to replace Audria Butler on behalf of Delaware North, will complete Butler's unexpired term

* Terms are 4-year, some initial terms were shorter in order to provide for staggered terms

* Kristy Coffin was hired as the TBID Administrator. (10-18-12)

Updated 4/5/17 er

Chapter 2.08 CITY JUDGE

Sections:

[2.08.010 Office established.](#)

[2.08.020 Selection--Term of office.](#)

[2.08.030 Qualifications.](#)

[2.08.040 Powers, duties and hours.](#)

[2.08.050 Compensation and expenses.](#)

[2.08.060 Deposit of funds.](#)

[2.08.070 Filling of vacancy.](#)

2.08.010 Office established.

There is established the office of city judge for the town. (Ord. 141 (part), 1990)

2.08.020 Selection--Term of office.

A. The person holding the office of city judge shall be nominated, and with the consent of the town council, appointed by the mayor of the town. The town shall advertise for the position, shall state the qualifications and shall make the appointment as set forth in this chapter.

B. The city judge shall hold office for a term of four years. A city judge shall continue to hold office until the qualification of a successor. (Ord. 141 (part), 1990)

2.08.030 Qualifications.

A. At the time of appointment, the city judge shall, before entering upon the duties of the office, take the constitutional oath of office, which must be filed with the town clerk.

B. Before the town clerk may file the oath, the appointed city judge must satisfy the clerk that the appointee is either:

1. An attorney at law authorized to practice law in the state of Montana;
2. A person who has held the office of justice of the peace or city judge within the preceding five years; or
3. A person who has completed the orientation course of study held under the direction of the Supreme Court or has been excused by the Supreme Court. If a person is appointed after the course is offered, the appointee must agree to take the course at the next offering, and upon failure to do so, will be disqualified.

C. The city judge must be a resident of Gallatin County, Montana; and

D. The city judge must maintain residency within the county during the term of office. (Ord. 141 (part), 1990)

2.08.040 Powers, duties and hours.

A. The city judge shall have those powers and duties as are provided by state law.

B. The normal hours of city court shall be set by resolution of the town council. (Ord. 141 (part), 1990)

2.08.050 Compensation and expenses.

The annual salary of the judge shall be established by the town council by majority vote by ordinance or resolution. In addition to the salary the city judge shall receive actual and necessary travel expenses incurred in performing official duties as provided by state law. The position of city judge being less than forty hours per week, the office of city judge will not be entitled to nor subject to any requirements of overtime compensation pay. Neither shall the office be subject to the specific provisions of the statutes regarding vacation and sick leave. It is declared by this chapter that the city judge shall be allowed eight days of paid vacation annually, but such leave shall not accrue; that is, the annual leave cannot be carried over for use in a subsequent year. The city judge shall not be entitled to receive any compensation for the loss of such annual leave whether occasioned by failure to take time off, by resignation, by recall or by failure to be reappointed. For purposes of participation in the town's group health insurance program, this position shall be considered one-half time. (Ord. 199, 1998; Ord. 141 (part), 1990)

2.08.060 Deposit of funds.

A. All moneys, from whatever source, collected under the jurisdiction of the city judge shall be deposited and managed in accordance with the applicable statutes of the state of Montana.

B. So long as the rules of the Montana Supreme Court or the statutes of the state of Montana do not require otherwise, all such moneys shall be deposited daily with the financial administrator of the town as directed by the director of finance of the town.

C. In order to establish appropriate control money deposited temporarily for bonds, appearance bonds, etc., there is created a trust fund into which all such money shall be placed. Upon final disposition of any matter to which such a deposit pertains, such money shall immediately be disbursed from the trust fund of the financial administrator of the town as directed by the city judge under the mandates of the statutes of the state of Montana. (Ord. 141 (part), 1990)

2.08.070 Filling of vacancy.

Should a vacancy occur in the office of city judge, the position shall be filled for the remainder of the term using the same method of selection as set forth in subsection A of Section [2.08.020](#). (Ord. 141 (part), 1990)



West Yellowstone High School students need your help

They are raising funds to construct solar panels and a wind turbine in order to provide educational opportunities in the field of distributed energy generation.

Bonneville Environmental Foundation and Fall River Electric have joined together to help.

We're nearly a third of the way to our \$35,000 goal. Would you consider making a \$5, \$10 or \$25 donation to assist in this effort?

Your donation will help fund installation of these units, as well as a real-time display, student education materials and additional teacher training. Visit www.crowdrise.com/o/en/campaign/west-yellowstone-high-school to make your donation.

Help us raise funds for high school distributed energy education





Proposal

Fall River Rural Electric would like to partner with local schools in our service territory to help educate youth about clean, renewable energy options. Businesses and utilities nationwide face a changing energy landscape—including growing customer demand for renewable energy options that are accessible, affordable and local. It is our hope to give local students a head start understanding and using these emerging technologies.

Project Scope

The scope of the projects may vary depending on the desire of the school, the site locations, and the amount of money generated to help fund the projects. It is our hope to be able to provide each participating school with the following equipment:

- 2.4 kW ground mounted solar panel installation
- 2.4 kW wind turbine
- Energy Monitoring System with real time power and energy data

Other possibilities for project:

- Battery storage
- Electric vehicle charging station
- Additional panels for solar array

Funding

It is our hope to raise enough money to cover most of the cost of the project. We intend to engage local communities in a fund-raising effort as well as pursue available grants in both the energy and education sectors. It is possible that if the desired scope of the project exceeds the available funds generated through other efforts, that the schools may be asked to help with project financing.

Construction

Fall River will assist you in writing and submitting project proposals and in determining the desired specifications for your project. Each participant will be allowed to select the contractor of their choice to complete the project. Fall River will assist in project management and work with your staff to ensure that the project is completed according to your desired specifications.

Contacts

Bryan Case

General Manager/CEO

Email: bryan.case@fallriverelectric.com

Phone: 208.652.7001

Brand Hathaway

Manager, Member Services

Email: brand.hathaway@fallriverelectric.com

Phone: 208.652.7031

Brent Gamett

Engineering Service Representative - Ashton

Email: brent.gamett@fallriverelectric.com

Phone: 208.652.7058

Randy Wakefield

Engineering Service Representative – West Yellowstone

Email: randy.wakefield@fallriverelectric.com

Phone: 208.652.7112

Wendi Celino

Engineering Service Representative - Driggs

Email: wendi.celino@fallriverelectric.com

Phone: 208.652.7110

Fall River Rural Electric

1150 N 3400 E

Ashton, ID 83420