

# Town of West Yellowstone

WEDNESDAY, August 22, 2018

West Yellowstone Town Hall, 440 Yellowstone Avenue

**TOWN COUNCIL MEETING**

**7:00 PM**

Pledge of Allegiance

Purchase Orders

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **Minutes of August 7, 2018 Town Council Meeting** ∞

Business License Applications

Advisory Board Report(s)

Town Manager & Department Head Reports

**Comment Period**

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

**Public Hearing: FY 2019 Municipal Budget**

## NEW BUSINESS

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Resolution No. 714, FY 2019 Mill Levy	Discussion/Action ∞
Resolution No. 715, Adopt FY 2019 Budget, Capital Improvement Plan, TBID Budget	Discussion/Action ∞
Resolution No. 716, Support Legislation to Increase Resort Tax by 1%	Discussion/Action ∞
Building & Zoning Fees Ordinance, 1 <sup>st</sup> Reading	Discussion/Action ∞
Building & Zoning Fees Resolution	Discussion ∞
Town Manager Contract Amendment	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](http://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](http://www.townofwestyellowstone.com).

08/17/18  
17:56:34

TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 8/18

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
44686	2845 Kastig, Kauffman & Mersen, PC	7,603.63					
	08/05/18 legal services	7,505.00		LEGAL	1000 411100	352	101000
	08/05/18 postage/copies	3.40		LEGAL	1000 411100	870	101000
	08/05/18 phone/fax	0.00		LEGAL	1000 411100	345	101000
	08/05/18 travel	95.23		LEGAL	1000 411100	373	101000
44687	1089 Gallatin County Treasurer	1,629.00					
	july 2018 08/29/18 Tech surcharge	550.00		COURT	7458 212200		101000
	july 2018 08/29/18 MLEA	570.00		COURT	7467 212200		101000
	july 2018 08/29/18 Public Defender	150.00		COURT	7468 212200		101000
	july 2018 08/29/18 Victims Assistance	359.00		COURT	7699 212200		101000
44691	2853 Two Seasons Recycling	500.00					
	2018121 07/31/18 monthly recycling	500.00		PARKS	1000 460430	534	101000
44696	2789 WEX Bank	4,060.46					
	08/01/18 07 Ford Expedition 6-54563A	64.42		SS	1000 450135	231	101000
	08/01/18 06 Dodge Durango 6-1374	183.39		PUBSER	1000 430200	231	101000
	08/01/18 17 Dodge Ram #1	239.39		POLICE	1000 420100	231	101000
	08/01/18 17 Dodge Ram #2	158.76		POLICE	1000 420100	231	101000
	08/01/18 10 Ford Expedition 6-000046	331.03		POLICE	1000 420100	231	101000
	08/01/18 11 Ford Expedition 6-21425A	26.40		POLICE	1000 420100	231	101000
	08/01/18 10 JD Backhoe	0.00		STREET	1000 430200	231	101000
	08/01/18 77 Int'l Dumptruck	114.48		STREET	1000 430200	231	101000
	08/01/18 Snow Blower	0.00		STREET	1000 430200	231	101000
	08/01/18 YNP #1	0.00		STREET	1000 430200	231	101000
	08/01/18 140 G Grader	0.00		STREET	1000 430200	231	101000
	08/01/18 CAT 936 Loader	0.00		STREET	1000 430200	231	101000
	08/01/18 91 Ford 6-582	105.02		STREET	1000 430200	231	101000
	08/01/18 15 Sweeper	279.37		STREET	1000 430200	231	101000
	08/01/18 97 Athey Sweeper	0.00		STREET	1000 430200	231	101000
	08/01/18 14 Water Truck	139.58		STREET	1000 430200	231	101000
	08/01/18 00 Freightliner Dump 6-60700A	0.00		STREET	1000 430200	231	101000
	08/01/18 2010 JD 772 Grader	139.58		POLICE	1000 420100	231	101000
	08/01/18 02 Freightliner Dump 6-54564A	0.00		STREET	1000 430200	231	101000
	08/01/18 08 Ford Pickup 6-1450	343.05		STREET	1000 430200	231	101000
	08/01/18 08 GMC Pickup 6-1484	336.89		STREET	1000 430200	231	101000
	08/01/18 08 CAT 938H Loader	106.91		STREET	1000 430200	231	101000
	08/01/18 08 904B MiniLoader	253.90		STREET	1000 430200	231	101000
	08/01/18 93 Dodge 6-2010	0.00		STREET	1000 430200	231	101000
	08/01/18 YNP Truck #2	0.00		STREET	1000 430200	231	101000
	08/01/18 08 Ford Escape (multi-use)	0.00		DISPAT	1000 420160	370	101000
	08/01/18 14 Police Interceptor	244.03		POLICE	1000 420100	231	101000
	08/01/18 15 Ford F-250	424.63		STREET	1000 430200	231	101000

08/17/18  
17:56:34

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Page: 2 of 7  
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	08/01/18	18 Dodge Ram-PW		212.93		STREET	1000 430200	231	101000
	08/01/18	18 Dodge Ram-Police		356.70		POLICE	1000 420100	231	101000
44697		2558 Hebgen Basin Fire District		53,517.41					
	08/01/18	July 2018		46,184.08		FIRE	1000 420400	357	101000
	08/01/18	employee grant August 2018		7,333.33		FIRE	1000 420471	140	101000
44760		2992 Lisa Johnson		307.52					
	08/17/18	reimb travel, Lewiston		307.52		PERS	1000 410800	380	101000
44761		2994 Joshawa Van Leeuwen		177.00					
	08/17/18	reimb meals, Lewistown trainin		177.00		STREET	1000 430200	370	101000
44762		2903 Kerry Parker		201.92					
	08/15/18	reimb travel, Helena conf		201.92		COURT	1000 410360	370	101000
44763		547 WY Chamber of Commerce		2,225.52					
	KNS 2018-1	08/13/18 MAP Kids n Snow 2017-2018		2,225.52		MAP	2101 410130	398	101000
44764		99906 Secretary of State		25.00					
	08/17/18	notary fee, Leonel Sosa Jimene		25.00		DISPAT	1000 420160	335	101000
44765		1372 MONTANA SUPREME COURT		250.00					
	08/14/18	COLJ conf regis, K. Parker		250.00		COURT	1000 410360	335	101000
44766		2851 Amatics CPA Group		63.00					
	50742 07/31/18	consulting		63.00		FINADM	1000 410510	356	101000
44767		3141 DTI Trucks		122,900.00					
	11514D 08/14/18	2001 Freightliner dumptruck		61,450.00		STREET	4000 430200	940	101000
	11513D 08/14/18	2001 Freightliner dumptruck		61,450.00		STREET	4000 430200	940	101000
44768		999999 MICHAEL A SHULTS		250.00					
	08/03/18	refund bond, TK-110-2018-388		250.00		COURT	7469 212401		101000
44769		999999 JOSE PACHECO		30.00					
	08/03/18	court interpretor 1 hour		30.00		COURT	1000 410360	394	101000
44770		999999 CORY RICE		350.00					
	08/06/18	refund deposit, Povah Center		350.00		POVAH	2210 214001		101000

08/17/18  
17:56:34

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Page: 3 of 7  
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44771	65 T & E	162.46					
	42CS043462 08/07/18 parts	24.42		STREET	1000 430200	220	101000
	42CS043462 08/07/18 parts	138.04		STREET	1000 430200	369	101000
44772	1061 Lane and Associates	412.73					
	6269 08/06/18 drug testing	412.73		ADMIN	1000 410210	356	101000
44773	2914 NRMEDD	1,800.00					
	492a 08/13/18 growth policy development	750.00		PLAN	1000 411000	357	101000
	492a 08/13/18 80 acre concept	1,050.00		PLAN	1000 411000	398	101000
44774	2401 Yellowstone Weed Management	2,722.50					
	07/25/18 weed spraying	2,722.50		PARKS	1000 460430	357	101000
44775	2788 Sabrah L. Van Leeuwen	118.00					
	08/09/18 reimb travel, Billings	118.00		POLICE	1000 420100	370	101000
44776	3142 Unified Distribution	433.00					
	R234E 07/19/18 toner	433.00			2220 460100	220	101000
44777	2264 MORNING GLORY COFFEE & TEA	33.75					
	36216 07/30/18 supplies	33.75		DISPAT	1000 420160	220	101000
44778	135 Food Roundup	53.84					
	08/01/18 supplies	17.29		REC	1000 460440	220	101000
	08/01/18 supplies	36.55		DISPAT	1000 460440	220	101000
44779	254 Firehole Fill Up/Economart	99.39					
	171325 07/12/18 diesel fuel	99.39		STREET	1000 430200	231	101000
44780	3067 Dude & Roundup Motel	112.00					
	080318-01 08/04/18 help fund room	112.00		HELP	7010 450135	370	101000
44781	2952 DIS Technologies	595.00					
	33820 08/05/18 monthly managed service-police	595.00		DISPAT	1000 420160	398	101000
44782	1934 Brenda Martin	428.00					
	08/14/18 reimb travel, Las Vegas	428.00		911	2850 420750	370	101000

08/17/18  
17:56:34

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44783	2875 GNG 876532 08/05/18 police dept parking lot resurf	4,997.30 4,997.30		POLICE	1000 411258	365	101000
44784	2991 West Yellowstone Star 07/19/18 adv boards ads 07/26/18 utility rates ad 07/26/18 utility rates ad	273.00 91.00 91.00 91.00		ADMIN ADMIN	1000 410210 1000 410210 1000 410210	327 327	101000 101000 101000
44785	3143 Century Link 07/28/18 PW broadband	62.00 62.00		STREET	1000 430200	345	101000
44786	471 Northwest Pipe Fittings, Inc. 112290 08/01/18 system maint Arb n Sight	1,220.00 1,220.00		WATER	5210 430500	357	101000
44787	764 General Distributing Co. 664759 07/31/18 compressed O2	51.46 51.46		STREET	1000 430200	220	101000
44788	2099 Quick Print of West Yellowstone 4050 07/02/18 shipping water samples 4275 07/18/18 shipping water samples 10591 07/26/18 Yellowstone Cntry Inn plans 10604 07/25/18 ink for shop 10605 07/26/18 ink for shop 10464 08/03/18 Wagon Wheel plans 10651 07/31/18 Business cards Johnson 10613 07/31/18 Court Bond Schedule	485.22 68.03 39.11 149.97 35.99 107.97 27.00 43.95 13.20		WATER WATER BLDINS STREET STREET BLDINS ADMIN COURT	5210 430500 5210 430500 1000 420531 1000 430200 1000 430200 1000 420531 1000 410210 1000 410360	357 357 220 220 220 220 220 321	101000 101000 101000 101000 101000 101000 101000 101000
44789	151 Gallatin County WY TS/Compost 07/31/18 transfer station charges July	1,272.05 1,272.05		PARKS	1000 460430	534	101000
44790	1311 Teton Communications 10348 08/18/18 volume knob + shipping	32.60 32.60		POLICE	1000 420100	362	101000
44791	3101 Advanced Pump & Equipment 8025 06/26/18 chlorine bld serv call	866.24 866.24		WATER	5210 430550	357	101000
44792	2800 RDO Equipment Co. P37733 08/03/18 parks	25.04 25.04		STREET	1000 430200	220	101000

08/17/18  
17:56:34

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Page: 5 of 7  
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44793	3144 Action Lighting, Inc. 415286 08/03/18 lights	595.42 595.42		PARKS	1000 460430	220	101000
44794	3116 R & R Lock and Key, LLC 1735 08/01/18 UPDL locks keys 1735 08/01/18 Clinic keys 1735 08/01/18 Town hall keys 1735 08/01/18 Parks locks keys	2,780.00 1,125.00 250.00 355.00 1,050.00*		UPDL CLINIC TWNHAL PARKS	1000 411252 1000 411251 1000 411250 1000 460430	366 366 366 366	101000 101000 101000 101000
44795	674 Karst Stage 113174 07/30/18 AA 7/25/18 Mesa Falls 113173 07/23/18 AA 7/18/18 Heise 113172 07/23/18 AA 7/11/18 Rocky Creek	2,130.00 710.00 710.00 710.00		SUMREC SUMREC SUMREC	1000 460449 1000 460449 1000 460449	319 319 319	101000 101000 101000
44796	2507 Silvertip Pharmacy 062218-01 06/22/18 Rx 070918-04 07/09/18 Rx 070618-01 07/06/18 Rx	43.06 28.00 3.90 11.16		HELP HELP HELP	7010 450135 7010 450135 7010 450135	358 358 358	101000 101000 101000
44797	E 2673 First Bankcard 08/17/18 Patterson charges	3,138.86 3,138.86*		STREET	1000 411250	220	101000
44798	E 2673 First Bankcard 08/17/18 Newell charges	2,045.23 2,045.23		POLICE	1000 420100	220	101000
44799	E 2673 First Bankcard 08/17/18 Gospodarek charges	1,641.54 1,641.54		FINADM	1000 410510	220	101000
44800	E 2964 CITI CARDS 07/12/18 USPS 07/31/18 MT Sec State 08/02/18 Gallatin Co. Mad Add Covenants 08/05/18 Amazon.com, chairs 07/18/18 Amazon.com, supplies	804.11 9.85 2.00 23.00 731.94 37.32		FINADM FINADM FINADM TWNHAL ADMIN	1000 410510 1000 410510 1000 410510 1000 411250 1000 410210	311 870 870 366 220	101000 101000 101000 101000 101000
# of Claims		46	Total:	223,524.26			
Total Electronic Claims		7,629.74	Total Non-Electronic Claims	215894.52			





WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**August 7, 2018**

COUNCIL MEMBERS PRESENT: Jerry Johnson, Brad Schmier, 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 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

**WORK SESSION**

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Mayor Schmier calls the meeting to order. The topic of the work session is to discuss planning for the 80 acres on the western border of the Town. The property was purchased by the Town from the Forest Service last year. Schmier introduces Erik Nelson of Think Tank Development Group in Bozeman. Think Tank has been contracted by the Northern Economic Development to prepare a planning report for the new 80 acres. He explains that their intent is to prepare a plan that reaches the greatest social, economic and environmental potential to facilitate a high quality of life for residents and a growing economy. He points out existing conditions and challenges including limitations on commercial growth, non-existing manufacturing sector, and limited supply of buildable property which equates to high housing costs. He briefly describes development strategies that can be implemented to maximize growth. Nelson displays a conceptual map that illustrates a way to develop the property as a mixture of industrial, residential, public use, and commercial. He explains that they should consider specific guidelines for the gateway district, which is the entry to the Town. Nelson's plan extends the existing streets into the new parcels and has multiple access points to the Forest Service. John Costello points out that all of the acreage on the plan is bordered by streets, which eliminates any private property touching Forest Service. He points out that in the interest of returns, property that borders the Forest Service is very valuable. Marysue Costello says that there have been many discussions in the past about involving the public in the planning process and encourages the Council to do that. Nelson explains that if he was approaching this as a developer, he would break the parcels into five minor subdivisions, which would then be broken down into blocks and lots. He briefly discusses zoning strategies and specifically calls attention to the 9 acres on the north side of Highway 20. He says that the residential density would be higher than what is allowed in the Madison Addition at this time in order to encourage affordability. The Council discusses the next steps in the process and how or when to involve the public. The Council agrees that the initial plan is a great place to start. Johnson asks Nelson to make recommendations about zoning and density. Burke says that they need to really define the zoning so there are no questions. Nelson explains that the mixed use industrial/residential area is a zoning that they don't currently have in West Yellowstone but has worked well in other places. Nelson says that there are many tools they can use to incentivize development as they work through this process.

**ACTION TAKEN**

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- 1) Motion carried to approve Purchase Order #6760 to DTI Trucks to purchase two 2001 Freightliner FLD112 Dump Trucks for a total of \$124,500. (Martineau, Burke)
- 2) Motion carried to approve the Purchase Order #6761 to The Third Element to purchase a backup PSAP generator for the 911 Center for \$83,855. (Martineau, Burke)
- 3) Motion carried to approve the claims, which total \$472,924.57. (Forsythe, Martineau) Forsythe abstains from #44743 to Westmart Building Center.

- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the July 16, 2018 Town Council Meeting and July 24, 2018 Town Council Work Session. (Johnson, Forsythe)
- 5) Motion carried to approve the business licenses applications for Madison Plaza LLC, one license for 7 nightly rentals and one license for 8 long term rentals and one long term RV spot. (Johnson, Burke)
- 6) Motion carried to appoint Grant Jackson, Ken Davis and Rocky Hermanson to the Cemetery Board for a term of two years. (Forsythe, Martineau)
- 7) Motion carried to reappoint Doc Decontour to the Police Commission for a term of five years. (Forsythe, Martineau)
- 8) Motion carried to approve the site plan for the Phase 1 of the Wagon Wheel Hotel at 608 Gibbon with the condition of complying with all requirements made by the Town Engineer, Fire Department and State Building and Health Departments. (Burke, Forsythe)
- 9) Motion carried to approve the site plan for the Yellowstone Country Inn at 234 Firehole with the condition of purchasing 8 parking spaces for \$1200 each, complying with all requirements made by the Town Engineer, Fire Department, and State Building and Health Departments. (Forsythe, Martineau)
- 10) Motion carried to approve the current employment contract for Town Manager Dan Sabolsky with the following conditions: extension of contract through January 10, 2023, increase his compensation by 3% retroactive to 7/1/17, increase compensation by 4% retroactive to 7/1/18, an automobile allowance of \$185/month effective July 2018, extend the time period to use accumulated excess hours until 12/31/19 not to be extended again, and allow Sabolsky to cash out up to two weeks of paid vacation leave every fiscal year. (Forsythe, Martineau)

#### **Public Comment Period**

Randy Wakefield of Fall River Electric reports that the Member Appreciation event will be September 6. He also reports that the wind/solar project that the Town contributed to will be here at the West Yellowstone School. He says of the three communities, West Yellowstone raised the most money for the project.

Bill Howell mentions the National Geographic Yellowstone Live series that is streaming on TV this week is absorbing almost all the available bandwidth in the area and may be causing some of the internet and email issues they are experiencing.

#### **Council Comments**

Chris Burke says he attended the Yellowstone Historic Center event a few weeks ago and encourages everyone to support the center. He says that National Geographic is posting on Facebook throughout the day as part of the Yellowstone Live series and it is creating a lot of good publicity for the community.

Johnson mentions that Wayne Hermanson passed away last week as well as "Tiny" Roberson and encourages everyone to keep both families in their thoughts.

Schmier says that in response to the recent HRDC issue, he believes they should address the zoning on Washburn Circle and consider changing the zoning. Sabolsky says that residents of Washburn Circle have already contacted him and expressed interest in changing the zoning.

## DISCUSSION

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- 6) Schmier explains that there will still be one vacancy on the Cemetery Board. He says he has also reviewed the cemetery regulations in the municipal code and says he is going to work on ensuring that the board fulfills its responsibilities.
- 8) Sabolsky explains that the Development Review Group and the Planning Board have reviewed and approved the parking/site plan for the Wagon Wheel Hotel at 608 Gibbon Avenue. The project, when completed, will require 32 parking spaces and the plan provides 32 spaces.
- 9) The Council discusses the site plan for the Yellowstone Country Inn at 234 Firehole. Sabolsky reports that this project has been reviewed by the Development Review Group and Planning Board. The project requires 61 parking spaces and can only provide 53. They are requesting approval to purchase 8 spaces, which will allow them to provide over 80% of their parking on-site.
- A) **Advisory Board Reports:** Teri Gibson reports to the Council on behalf of the **Planning Board**. Gibson reports that at the last meeting, they reviewed the parking for the Yellowstone Country Inn and discussed the new RV spots at the Buffalo Crossing RV Park.

Rich Gibson reports on behalf of the **Police Commission** meeting last week. They discussed recruiting a new police officer and planned another meeting for the 21<sup>st</sup> of August.

- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that he has worked through the first draft of the revised zoning code and it is a good start. He has started reviewing the subdivision regulations. Sabolsky says that HRDC is looking at other options to develop the property on Washburn Circle. The grant they were awarded to fund the planning process by ThinkTank has been extended for six months. He has had some conversations with the Forest Service about storing snow on Forest Service property that was positive. He says that Forsgren & Associates has evaluated our IP Beds at the lagoon and has made some recommendations to improve safety and function at the lagoon. Three applications were received for the Judge position, but only two are eligible. They have received a full application for the Moonrise Development project in the Madison Addition. Funds are being raised to improve the casting pond behind the Union Pacific Dining Lodge. He says they are working on multiple job descriptions including the 911 Communications Manager-which has been ruled as not eligible to be in the union. He is also working on job descriptions for the Recreation Coordinator and Deputy Public Services Superintendent, a Water/Sewer Operator and possibly a mechanic. Johnson asks about a plan for bathroom at the tennis courts. Sabolsky responds that they do have a plan for a one-seat bathroom that was originally developed for the downtown area but that they could build at that location.

Town Engineer Dick Dyer addresses the Council regarding the new water well. He says that the well was approved yesterday by DEQ and the project is proceeding. He says that DEQ was concerned about use of the IP beds at the lagoon that have been there for many years but were not in service. He says that DEQ had questions about the well, which were thoroughly answered, and they have been allowed to start the project. He says they can give the contractor direction to start. He says that there are some outstanding questions about water rights concerning the flow at the South Fork. He says they could transfer water rights from Whiskey Springs or one of the wells to ensure they have enough for the new well. He explains that DNRC could have objections to the affected flow, but he believes that the water rights issue could be mitigated. Sabolsky explains that when they met with DNRC, they did not anticipate any issues transferring the water rights, but there is a chance that there could be an objection during the comment period. Forsythe says that he thinks they should proceed with the project. He says that hopefully

everything will go smoothly and they will be able to use the well by spring. Forsythe says he would like to move ahead and get the building built and lay the pipe. He says that according to Patterson, they have not even used the Railroad Well this summer. He says they should consider scheduling a meeting to lift the water moratorium. Burke says he is not confident that they have the information they need to lift the moratorium and feels that the records are messy. Sabolsky says he recommends they take the risk to proceed with the project. They have businesses that are investing in this Town and have good indication that they can work through all of this. The Council agrees and encourages the staff to proceed. Dyer also explains that the lagoons are properly treating the wastewater. He explains that they did receive the discharge permit from DEQ and have moved forward with bringing the other IP beds into service. He says that there are some issues at the lagoon that needs to be addressed, but there is nothing imminent or anything that is threatening our current permit. Burke says that he was at the lagoon last Friday and believes there are bigger problems. Sabolsky asks Dyer to explain why there was water spilling over the liner at the lagoon last Friday. Dyer says that he didn't say there weren't any issues. Sabolsky asks when was the last time Dyer was at the lagoon. Dyer says he was there this evening and a few months ago. Johnson points out that Dyer is the engineer and not the operator. He says that they have staff and a Town Manager that should be responsible to noting problems and notifying Dyer.

Patterson adds that he and Council Member Forsythe looked at Christmas decorations in Bozeman last week and picked out some lights to put on the street light poles that should last much longer than they have in the past. Finance Director Lanie Gospodarek reports that the office has been very busy with closing out the fiscal year, finishing up the budget, and they are hoping to hire another person in the new future. Social Services Director Kathi Arnado reports that they are working on an apprenticeship program through the school and the Job Service to encourage youth in Montana to stay in the state. She says they are also working on a program to encourage women to excel. She credits Dewey Dumsday for being an integral part of the apprenticeship program. Forsythe adds that Dumsday actually contacted Briggs & Stratton and obtained 13 small engines for the high school kids to work on. Officer Anthony Kearney reports in place of Chief Newell. He reports that Officer Matthew Lovingier has resigned and has taken a job with Coeur d Alene, Idaho police department. He reports that the Rod Run this weekend went well, they are planning for the new generator, Officer VanLeeuwen is in Billings taking mass shooter preparedness training, there was a minor burglary last weekend and typical summertime activity.

- C) Schmier explains that the appointment for the current judge will expire at the end the year. Sabolsky says that when they put out the legal services RFP, they put together a committee to interview and review the candidates. He says they could follow that process again or they could just interview the applicants at the council meeting. Schmier asks first if they are satisfied with having two only two applicants. The Council discusses putting it back out, but note that they did advertise for six weeks the first time. After further discussion, they agree to schedule to meet with both applicants at a work session in September. Whoever is appointed will need to attend training in November.

#### **CORRESPONDENCE**

Dated July 24, 2018, Melissa Alder, Jack Hart and Rachel Spence send letters in support of a bathroom facility at the tennis courts.

9:25 PM – The Council adjourns into Executive Session to discuss the Town Manager's Employment Contract. Notes will be taken during the Executive Session by Council Member Chris Burke.

10:35 PM – The Council reconvenes into open session. See Motion #10.

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Mayor

ATTEST:

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## NOTICE OF PUBLIC HEARING

The Town Council of the Town of West Yellowstone will hold a formal budget hearing for the fiscal year 2018-2019 budget. Said hearing will be held during the regular Town Council meeting, Wednesday, August 22<sup>nd</sup> 2018, which begins at 7:00 PM, The hearing will be held in the Town Hall Council Chambers, located at 440 Yellowstone Avenue.

The public hearing will review revenue sources, maintenance, operation, capital projects, debt service payments and equipment purchases for the General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, and the Enterprise Funds for Fiscal year 2018-2019. The Public is invited to attend and any taxpayer or resident may be heard, for or against, any portion of the proposed budget.

The proposed final budget is available for public review at the Town Offices, located at 440 Yellowstone Avenue, West Yellowstone, Montana. Personnel at the Town Offices can be reached at 406-646-7795

The West Yellowstone Town Council will consider adoption of the proposed fiscal year 2018-2019 budget resolution and set the mill levy during a regular meeting of the Town Council on Wednesday August 22<sup>nd</sup>, 2018 held at 7:00 PM at the Town Hall Council Chambers, located at 440 Yellowstone Avenue, West Yellowstone, Montana. The Public is invited to attend.

# RESOLUTION NO. 714

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, IN THE COUNTY OF GALLATIN AND STATE OF MONTANA, DETERMINING THE AMOUNT OF TOWN TAXES AND ASSESSMENTS FOR ALL PURPOSES, GENERAL, AND SPECIAL, TO BE LEVIED AND ASSESSED ON TAXABLE PROPERTY IN THE TOWN OF WEST YELLOWSTONE, STATE OF MONTANA, AND LEVYING AND ASSESSING SUCH TAXES, FOR THE FISCAL YEAR ENDING JUNE 30, 2019.

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONANA:

Section 1. That pursuant to the provisions of Title 7, Chapter 6, and Chapter 12, MCA, as amended, there is hereby levied and assessed on the taxable per Centrum of the assessed value of the taxable property of the town of West Yellowstone, State of Montana, as fixed and found by the Board of County Commissioners of Gallatin County, Montana, sitting as a County Board of Equalization, for the current fiscal year ending June 30, 2019 a tax of:

61.50 MILLS AS ALL PURPOSE LEVY

29 MILLS GENERAL OBLIGATION BOND ASSESSMENT

To be assessed on all property and improvements in West Yellowstone, Montana including property otherwise exempt from real property taxes.

**FOR A TOTAL MILL LEVY OF 90.50**

Section 2. That if any part of the determinations, assessments and levies herein and hereby made shall be declared invalid, unconstitutional, or against the law, the validity of any other part of this Resolution shall not be hereby affected.

Section 3. That, pursuant to the provisions of Title 7, Chapter 6, Section 4407 MCA, and Title 7, Chapter 12, Section 4184, MCA, as amended the Town Clerk is directed to at once certify and transmit to the County Clerk & Recorder of Gallatin County, Montana, a copy of this Resolution for the collection of the taxes herein and hereby levied, by the County Treasurer as in Chapter 6 MCA, provided.

Section 4. That pursuant to the provisions of Title 7, Section 6, 4233 MCA the Town Clerk is directed to at once certify and transmit to the Montana Dept of Commerce, in Helena, Montana, a copy of this Resolution.

PASSED AND ADOPTED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR OF THE TOWN OF WEST YELLOWSTONE, MONTANA, THIS 22nd DAY OF AUGUST 2018.

\_\_\_\_\_  
Mayor Brad Schmier

\_\_\_\_\_  
Council Member Greg Forsythe

\_\_\_\_\_  
Council Member Pierre Martineau

\_\_\_\_\_  
Council Member Chris Burke

\_\_\_\_\_  
Council Member Jerry Johnson

\_\_\_\_\_  
ATTEST  
Town Clerk

STATE OF MONTANA )

)  
) ss:  
)  
)

COUNTY OF GALLATIN

I, Elizabeth Roos, do hereby certify that I am the duly appointed qualified and acting Town Clerk of the Town of West Yellowstone, state of Montana, that as such Town Clerk, I have in my custody and am the keeper of records and minutes of the proceedings of said Town Council, that the above foregoing is a full, true, and correct, and complete copy of said Town Council's Resolution # 714, fixing, determining, assessing, and levying taxes for the said Town of West Yellowstone, for the fiscal year of said Town of West Yellowstone commencing on the first day of July 2018 and ending on the 30th day of June 2019 as the same is on record and on file in my office as such Town Clerk, and was passed and adopted by the said Town Council on the 22nd day of August, 2018, and as approved by the Mayor of said Town of West Yellowstone on the 22nd day of August 2018.

This certificate is made pursuant to the direction of said Council contained in Section 3 of said Resolution, and pursuant to the provisions of Title 7, Chapter 6, Section 4407, MCA, and as further directed by Section 4 of said Resolution and Title 7 Chapter 6, Section 4233, MCA and Title 7 Chapter 12 Section 4181, MCA.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the Town of West Yellowstone, Montana, this 22nd day of August, 2018.

\_\_\_\_\_  
Town Clerk Elizabeth Roos

# RESOLUTION NO. 715

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, IN THE COUNTY OF GALLATIN AND STATE OF MONTANA TO ADOPT THE BUDGET AND CAPITAL IMPROVEMENT PLAN FOR THE FISCAL YEAR 2018-2019.

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA:

1. That we adopt a general fund revenue budget in a total amount of \$4,200,662 and a General Fund expenditure budget in a total amount of \$5,917,229. The Town Court Judge wages are reflected in the general fund budget and will be hereby adopted in the general fund budget and will be adopted along with the adoption of Resolution #714.
2. That we fully fund an unassigned fund balance as reflected in account line 1000-500601 in the General Fund, that is equal to two times the average monthly General Fund expenditure for the previous fiscal year. During Fiscal Year 2018, the average monthly expenditure was \$309,723. The unassigned fund balance is \$619,447.
3. That we adopt special revenue funds, revenue budget in the amount of \$5,361,522 and special revenue funds expenditure budget in the amount of \$6,517,968.
4. That we adopt a debt service funds revenue budget in the amount of \$145,000 and a debt service funds expenditure budget in the amount of \$117,343.
5. That we adopt a Capital Improvement Program funds revenue budget in the amount of \$890,149. Capital Improvement Program funds expenditure budget in the amount of \$1,135,106. The capital improvement program funds are to be used for street and building maintenance, replacement and acquisition of equipment for the town, and construction, remodeling and improvement of town buildings and land or to be set aside for the future purchase thereof.
6. That we adopt water and sewer enterprise revenue budgets in the amount of \$1,679,587 and water and sewer enterprise expenditure budgets in the amount of \$2,062,040.
7. That a copy of said budget is attached hereto and by this reference made a part of the Resolution # 715.

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF WEST YELLOWSTONE, MONTANA:

1. That we adopt the budget and work plan of the Tourism Business Improvement District (TBID) as proposed by the TBID board for Fiscal Year 2018-19.
2. That a copy of said budget is attached hereto and by this reference made part of the Resolution #715

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF WEST YELLOWSTONE, MONTANA:

1. That we adopt the 2019-2023 Capital Improvement Plan for the Town of West Yellowstone for Fiscal Year 2019.
2. That a copy of said Capital Improvement Plan is attached hereto and by this reference made a part of the Resolution #715.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WEST  
YELLOWSTONE, MONTANA, THIS 22nd DAY OF AUGUST, 2018 AND APPROVED BY  
THE MAYOR OF THE TOWN OF WEST YELLOWSTONE.

\_\_\_\_\_  
Mayor Brad Schmier

\_\_\_\_\_  
Council Member Greg Forsythe

\_\_\_\_\_  
Council Member Pierre Martineau

\_\_\_\_\_  
Council Member Chris Burke

\_\_\_\_\_  
Council Member Jerry Johnson

ATTEST \_\_\_\_\_  
Town Clerk

# **RESOLUTION NO. 716**

## **A RESOLUTION TO SUPPORT POTENTIAL LEGISLATION AMENDING §7-6-1503 MONTANA CODE ANNOTATED, TO ALLOW MONTANA RESORT TAX COMMUNITIES TO LEVY, UPON ELECTION OF QUALIFIED VOTERS IN THE COMMUNITY OR DISTRICT, AN ADDITIONAL ONE PERCENT (1%) OF RESORT TAX TO FUND INFRASTRUCTURE SUPPORT AND HISTORIC PRESERVATION PROJECTS WITHIN THE JURISDICTION.**

WHEREAS, in 1985 the legislature of the State of Montana approved legislation to authorize certain resort communities and resort areas to levy a resort tax on certain goods and services which is codified in Montana Code Annotated §7-6-1501 et seq.; and

WHEREAS, in 1985 the qualified electors of the Town of West Yellowstone voted to authorize the Town to impose a resort tax in the amount of three percent (3%) for twenty years within the corporate boundary of the Town of West Yellowstone; and

WHEREAS, in 2002 the qualified electors of the Town of West Yellowstone voted to reauthorize the Town to impose a resort tax in the amount of three percent (3%) for an additional 20 years within the corporate boundary of the Town of West Yellowstone; and

WHEREAS, the Town of West Yellowstone uses revenue generated by the current resort tax levy to fund certain infrastructure improvements within its corporate boundary and to fund general operational costs of the Town; and

WHEREAS, the Town of West Yellowstone owns infrastructure to support tourist impacted activities within the corporate limits of the Town and needs to generate additional revenue to preserve, maintain, and improve infrastructure for this vital segment of our economy; and

WHEREAS, the Town of West Yellowstone owns properties and structures of historical significance within the corporate limits of the Town and wishes to generate revenue to preserve, maintain, improve, and promote these historical properties; and

WHEREAS, in order for the Town of West Yellowstone to continue to own, operate, maintain and repair its infrastructure, historical buildings and all other uses for which the resort tax was enacted, the legislature of the State of Montana must amend §7-6-1503 MCA in order to increase the resort tax amount by one percent (1%) in order to allow resort tax communities and resort tax areas to levy resort tax in an amount not to exceed four percent (4%).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, AS FOLLOWS:

The Town of West Yellowstone requests that the legislature of the State of Montana amend §7-6-1503 MCA as follows (*amendment shown in italicized text*):

**“7-6-1503. Limit on resort tax rate – goods and services subject to tax. (1)**  
The rate of the Resort Tax must be established by the election petition or resolution provided for in 7-6-1504, but the rate may not exceed *four percent (4%)*.

PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

\_\_\_\_\_  
TOWN CLERK

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WEST  
YELLOWSTONE AMENDING THE WEST YELLOWSTONE  
MUNICIPAL CODE TO ALLOW THE TOWN COUNCIL TO CHANGE  
REVIEW FEES BY RESOLUTION, AMENDING CHAPTER 17,  
SECTION 48.**

WHEREAS, the Town Council of the Town of West Yellowstone enacted a zoning code for the Town in 1982 that was in the best interests of the health, safety and welfare of the citizens of West Yellowstone; and

WHEREAS, the zoning code set out the requirement that no building or structure could be erected without a permit as required by the West Yellowstone Municipal Code, "WYMC"; and

WHEREAS, the WYMC set out the amount of fees, costs, charges and expenses for the review and issuance of such permits; and

WHEREAS, the schedule of fees has not been changed since 1992 and since that time costs, charges and expenses to the Town for the review of such permits has increased; and

WHEREAS, the Town Council believes it is in the best interests of the Town to allow for a more efficient manner of changing the fee schedule in the future and therefore determines that the fee schedule should be changed by resolution and not by ordinance; and

WHEREAS, the Town Council has the authority to set fees by resolution in accordance with §7-5-121, MCA;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of West Yellowstone that the following amendment be made to the WYMC of the Town of West Yellowstone, effectively amending Section 17.48.070 as follows:

**Section 1:**

- A. The Town Council shall establish a schedule of fees, charges, and expense and a collection procedure for building permits, land use and zoning permits, appeals and other matters pertaining to this title. The schedule of fees shall be set by Resolution of the Town Council and shall be posted in the Town Offices. The fee schedule shall only be changed by Resolution of the Town Council
- B. No permit, zone change, conditional use, or variance shall be issued unless or until such costs, charges, fees, or expenses listed on the fee schedule posted in the Town Offices

have been paid in full, nor shall any action be taken on proceedings, Town Council, or the Board of Adjustments, unless, or until, preliminary charges and fees have been paid in full.

**Section 2: REPEALER:** All ordinances and parts of ordinances in conflict with provisions of this ordinance, except as provided above, are hereby amended or repealed.

**Section 3: EFFECTIVE DATE:** This ordinance shall be in full force and effect thirty (30) days after final adoption by the Town Council of the Town of West Yellowstone.

**Section 4: SEVERABILITY:** If any portion of this ordinance or the application therefore to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which may be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are declared to be severable.

**PASSED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF WEST YELLOWSTONE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Brad Schmier, Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

\_\_\_\_\_  
Town Clerk

# RESOLUTION \_\_\_\_\_

## A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE SETTING BUILDING AND ZONING REVIEW FEES

WHEREAS the Town of West Yellowstone requires that property owners, or their duly authorized agents operating within the corporate limits of the Town, to obtain building and/or zoning permits for construction, reconstruction, change of use, land development, and other activities as outlined in WYMC 17.48.030, and

WHEREAS the building and zoning permitting process provides Town of West Yellowstone with an effective and efficient means of tracking development activities and ensuring the health, safety, and general welfare of the residents in the Town of West Yellowstone, and

WHEREAS the building and zoning permitting process requires the Town of West Yellowstone to review the impact of residential and commercial developments and/or change of land uses within the Town limits, and

WHEREAS, the Town recently enacted Ordinance No. \_\_\_\_ which provides that the Town shall determine the appropriate fee schedule for the review of such permits and that the fees shall be set by the Town by resolution; and

WHEREAS: The Town desires to recover the costs incurred in reviewing such permit applications as is necessary in accordance with Title 17, Chapter 48; and

WHEREAS the WYMC allows the Town to charge fees, costs and expenses for the review of building permits, land use permits, appeals and other matters pertaining to the zoning code:

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of West Yellowstone, County of Gallatin, in the State of Montana hereby establishes the following schedule of fees for the review of building permits, land use permits, subdivisions, appeals and other matters pertaining to the zoning code:

### Proposed Zoning Fees<sup>1</sup>

#### **Zoning Permit**

Residential	\$100.00
Commercial	\$350.00

#### **Conditional Use Permit**

PUD	\$300.00 + \$20.00 Per Unit
Mobile Home/RV Park	\$300.00 + \$10.00 Per Lot
All Others	\$300.00

#### **Variance**

Residential	\$300.00
Commercial	\$300.00

<b>Map Amendment</b>	\$300.00
<b>Text Amendment</b>	\$300.00
<b>Sign</b>	\$150.00

**Proposed Subdivision Fees<sup>1</sup>**

<b>Pre-application Review</b>	\$300.00
<b>Preliminary Minor</b>	\$450.00
<b>Preliminary Major</b>	\$600.00 + \$25.00 Lot
<b>Final Plat – Minor</b>	\$450.00
<b>Final Plat – Major</b>	\$600.00 + \$25.00 Lot

**Proposed Residential Building Inspection Fees\***

<b>Accessory Structures</b>	\$300.00
<b>Single Family</b>	\$1,500.00
<b>Multi-family</b> (Up to four units only)	\$1,500.00 plus \$300.00 per Unit

<sup>1</sup> Does not Include costs of outside consultants that conduct plan reviews, permit process coordination, inspections, and other related activities on behalf of the Town. The applicant reimburses the Town at actual costs as billed by the consultants.

\* Doesn't Include electrical or plumbing permits (State Issued) & water and sewer tap fees.

**PASSED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF WEST  
YELLOWSTONE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Brad Schmier, Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

\_\_\_\_\_  
Town Clerk



## **Commercial Site Plan Review**

- 1) Code Enforcement Officer (CEO) transmits a copy of the site plan and all relevant documents (see Commercial Site Plan checklist for list), including the zoning permit application, to the Town Engineer, Town Manager, Fire Chief of Hebgen Basin Fire District, Town Planning Consultant, Local Utility Companies, and the Superintendent of Public Works. These people make up the Development Review Group (hereinafter referred to as “DRG”).
- 2) Within five (5) business days, when possible, the Code Enforcement Officer will schedule a meeting with the (DRG). The meeting, when possible, will be held within ten (10) business days from the date of submission of a completed application. The applicant and/or his architect/engineer will be available by phone during the meeting to answer any questions the DRG may have.
- 3) The DRG will develop a detailed list of concerns, modifications, and questions within ten (10) business days of reviewing the application and site plan. A letter or email outlining these concerns will be sent to the applicant by the CEO. If the DRG approves the submitted site plan, it then moves to the Planning Advisory Board (See step #5).
- 4) Once any additional information required is received by the DRG, then another meeting will be held within ten (10) business days to continue the review. A site plan will not be submitted to the Planning Advisory Board without the approval of the DRG. Therefore, the DRG will repeat the above review process steps until the site plan receives their approval.
- 5) The Code Enforcement Officer will transmit the DRG-approved site plan to the Town Clerk. The Town Clerk will schedule a meeting with the Planning Advisory Board within ten (10) business days. The Town Clerk will coordinate the scheduling of the meeting, the public notification, and distribution of the site plan and materials.
- 6) The Planning Advisory Board will review the DRG-approved site plan and relevant materials. The applicant and/or their authorized representative will attend the meeting in person or via technology of the Town’s choice. The Planning Advisory Board can only provide a recommendation to the Town Council. Therefore, if the PAB provides a positive recommendation, it will be transmitted to the Town Manager along with any stipulations, conditions, or relevant documentation. If the PAB cannot provide a positive recommendation, the Code Enforcement Officer will provide written notification within five (5) business days, preferably via email, to the applicant. The applicant will have to continue to work with the PAB until their site plan receives a positive recommendation or Town staff transmits the site plan to Council with a negative recommendation.

- 7) The Town Manager will place the site plan with the PAB's recommendation on the Town Council's Agenda at the next regularly scheduled meeting. Council may take one of four actions:
  - a) Approve as presented;
  - b) Approve with conditions;
  - c) Deny; or
  - d) Table their decision until additional information is obtained.
- 8) The Town Manager will transmit the decision of Council to the Code Enforcement Officer. It is the Code Enforcement Officer's responsibility to notify the applicant of the decision and to issue a zoning permit if approval was obtained. A copy of the Zoning Permit will be sent to the State Building Inspection Department. The Code Enforcement Officer will work with the applicant to guide them through the rest of the process – including any required letters to DEQ, State Building permits, water and sewer hook-ups, and fire department inspections.
- 9) The Code Enforcement Officer will periodically contact the State to get update on the applicant's permits and inspections. Any updates will be provided to the DRG.



## **Zoning Permit Process**

1. Finance Department will receive all zoning applications whether commercial or residential.
2. A completed zoning application shall contain the following items:
  - a. Completed Application
  - b. Six copies of the site plans plus all documents must be provided in a digital format acceptable to the Town.
  - c. Application Fee (Residential \$70.00 and Commercial \$200.00)
  - d. Approval Letter from the Madison Addition Homeowner's Association or the Grizzly Park Architectural Committee if applicable and
  - e. If the applicant is not the owner of the property, then a notarized letter from the owner authorizing the application.
3. The Finance Department shall check to ensure that a completed application has been submitted by the applicant. The Zoning Application will be signed and dated by a member of the Finance Department staff certifying that a completed application was submitted.
4. The Finance Department will forward the zoning application packets to the Code Enforcement Officer and note the date of delivery on the application.
5. For commercial applications, which includes nightly rentals and apartments, refer to the document entitled Commercial Site Plan Review.
6. For residential applications, the Code Enforcement Officer will review these applications. If complete, the Code Enforcement Officer will issue the zoning permit. If not complete or not in conformance, the Code Enforcement Officer will work with the applicant to achieve compliance with all Town regulations and codes.
7. Once the zoning permit has been issued, the Code Enforcement Officer will coordinate issuance of residential building permits and inspections with the applicant. These permits can be obtained from the Code Compliance Officer and have their own fee schedules.
8. A copy of all submitted applications and materials will be retained and filed in the Code Enforcement Officer's office and the originals will be retained by the Finance Department.

**ADDENDUM TO EMPLOYMENT CONTRACT**

On November 17, 2015, the Town of West Yellowstone (“Town”), and Daniel Sabolsky (“Employee”) entered into an Employment Agreement, the (“Agreement”). Since the Agreement was executed, the parties have agreed to change, amend, and clarify certain terms of the Agreement and by this Addendum desire to memorialize those in writing.

Therefore, the Parties hereby agree to add the following terms in order to clarify two paragraphs of the Agreement:

- A. Paragraph 5 of the Agreement provides for termination of the Agreement by the Employee and allows the Employee to receive accrued vacation pay and the applicable portion of sick leave accumulation. The Parties hereby clarify this term to include that the applicable portion of sick leave is to be determined in accordance with the Town’s employment personnel policy that was in effect on November 17, 2015.
  
- B. Paragraph 9 of the Agreement provides for accrual of vacation and sick leave at the same rate as provided for Town employees in accordance with the Town personnel policy manual. The parties hereby clarify this term to include that the leave time accrual is to be determined in accordance with the personnel policy that was in effect on November 17, 2015. Further, the paragraph provides that “Certification of time provided by the Ohio Public Employees Retirement System will be accepted to determine sick and vacation leave accruals.” The parties hereby clarify this term to mean that as of the first day of employment of Employee by the Town, he had 25.013 years of public employment to be used in addition to time worked for the Town when calculating his sick leave and vacation leave payouts.

All other terms of the Agreement not otherwise clarified above, shall remain in full force and effect.

Dated this \_\_\_ day of \_\_\_\_\_, 2018.

EMPLOYEE

TOWN OF WEST YELLOWSTONE

\_\_\_\_\_  
Daniel Sabolsky

\_\_\_\_\_  
Brad Schmier: Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Roos  
Town Clerk