

Town of West Yellowstone

Tuesday, September 18, 2018

West Yellowstone Town Hall, 440 Yellowstone Avenue

TOWN COUNCIL WORK SESSION

6:00 PM

YNP Westgate Project, Small Business Administration Grant – Rob Gilmore

Discussion

TOWN COUNCIL MEETING

7:00 PM

Pledge of Allegiance

Purchase Orders

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **Minutes of September 5, 2018 Town Council Meeting** ∞

Business License Applications

Advisory Board Report(s)

Town Manager & Department Head Reports

Comment Period

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

UNFINISHED BUSINESS

Encroachment Application, Innovative Construction/Wagon Wheel Hotel

Discussion/Action ∞

NEW BUSINESS

YNP Westgate Project, Small Business Administration Grant

Discussion/Action ∞

City Judge Appointment

Discussion/Action ∞

Washburn Circle, Re-Zoning of lots on Outer Rim

Discussion ∞

Resolution No. 718, BARSAA Funds

Discussion/Action ∞

Resolution No. 719, Recreation Advisory Board Composition

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.

Glacier Bancorp, Inc.
49 Commons Loop
Kalispell, MT 59901
(406) 756-4200

REPURCHASE AGREEMENT CONFIRMATION

September 6, 2018

TOWN OF WEST YELLOWSTONE
PO BOX 1570
WEST YELLOWSTONE MT 59758

As principal, we confirm the following balance under your master repurchase agreement on file. This confirmation supersedes all prior dated confirmations. If this confirmation is not in accordance with your records, please contact your account officer immediately.

Customer Number	Trade Number	Settlement Date	Principal Balance	Maturity Date	Current Rate
xxxxxxxxxxx2900	684	09/06/2018	696,029.61	09/07/2018	1.7000%

The following security is sold under agreement to repurchase:

Security Description	CUSIP Number	Coupon Rate	Maturity Date	Par Value	Market Value	% Of Security
FNMA PL#AJ7715	3138E0SD2	3.000%	12/01/2026	2,449,000	717,038.99	9.070%

Funds held pursuant to the repurchase agreement are not deposits and are not insured by the FDIC

Treasurer's Report Aug. 2018

09/07/18
09:34:23

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 8/18

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Report ID: L160

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 General Fund						
101000 CASH	510,192.50	590,063.67	115.00	25,000.00	544,219.89	531,151.28
101100 Investments - CD's	225,082.66	866.60	0.00	0.00	0.00	225,949.26
101300 Investments - Money Market Accou	64,401.44	21.00	0.00	0.00	0.00	64,422.44
101500 Investment-STIP	930,631.11	7,402.20	0.00	0.00	0.00	938,033.31
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
103100 Town Office	50.00	0.00	0.00	0.00	0.00	50.00
103200 Petty Cash/WY Police Dept	50.00	0.00	0.00	0.00	0.00	50.00
103400 Petty Cash-Recreation	150.00	0.00	0.00	0.00	0.00	150.00
Total Fund	1,730,607.71	598,353.47	115.00	25,000.00	544,219.89	1,759,856.29
2100 Local Option Taxation-Resort Tax						
101000 CASH	2,811.28	922,637.71	0.00	568,761.00	78,176.10	278,511.89
101300 Investments - Money Market Accou	210,017.54	68.47	0.00	0.00	0.00	210,086.01
101500 Investment-STIP	324,459.32	0.00	0.00	0.00	0.00	324,459.32
102215 STIP Investment-Rev Bond current	198,086.16	342.92	0.00	150,412.96	0.00	48,016.12
102225 STIP Reserve Acct Town Hall 10%	149,842.35	259.40	0.00	0.00	0.00	150,101.75
Total Fund	885,216.65	923,308.50		719,173.96	78,176.10	1,011,175.09
2101 Marketing & Promotions (MAP)						
101000 CASH	26,163.32	16,250.00	0.00	0.00	4,725.52	37,687.80
101300 Investments - Money Market Accou	13,934.84	4.54	0.00	0.00	0.00	13,939.38
101500 Investment-STIP	132,515.12	0.00	0.00	0.00	0.00	132,515.12
Total Fund	172,613.28	16,254.54			4,725.52	184,142.30
2102 TBID (Tourism Business Improvement District)						
101000 CASH	53,310.13	49,583.00	0.00	1,200.00	54,212.23	47,480.90
2111 Off Street Parking						
101000 CASH	1,481.95	1.41	0.00	0.00	0.00	1,483.36
101500 Investment-STIP	111,189.14	192.49	0.00	0.00	0.00	111,381.63
Total Fund	112,671.09	193.90				112,864.99
2210 Parks & Recreation						
101000 CASH	1,550.00	0.00	0.00	0.00	350.00	1,200.00
2211 Parks/Rec Donations - Teen Center						
101000 CASH	1,565.50	1.49	0.00	0.00	0.00	1,566.99
2212 Parks - Volleyball Court						
101000 CASH	5,074.98	4.82	0.00	0.00	0.00	5,079.80
2213 Community Garden						
101000 CASH	794.81	0.74	0.00	0.00	16.14	779.41
2214 Rec. Program Scholarships						
101000 CASH	2,618.26	2.49	0.00	0.00	0.00	2,620.75
2220 Library						
101000 CASH	5,179.48	20,910.54	35.00	0.00	22,599.23	3,525.79
102130 Donations for Extension Svcs Lib	664.54	0.63	0.00	0.00	0.00	665.17
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
Total Fund	5,894.02	20,911.17	35.00		22,599.23	4,240.96
2240 Cemetery						
101000 CASH	3,258.23	383.45	0.00	0.00	0.00	3,641.68
101500 Investment-STIP	9,303.61	16.11	0.00	0.00	0.00	9,319.72
Total Fund	12,561.84	399.56				12,961.40

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 8/18

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
2390 Drug Forfeiture						
101000 CASH	694.36	0.00	0.00	0.00	0.00	694.36
2392 CDBG-Local Source						
101000 CASH	10,061.39	9.55	0.00	0.00	0.00	10,070.94
101300 Investments - Money Market Accou	40,189.76	13.10	0.00	0.00	0.00	40,202.86
101500 Investment-STIP	39,623.95	68.60	0.00	0.00	0.00	39,692.55
Total Fund	89,875.10	91.25				89,966.35
2701 Cemetery Perpetual Care (7050)						
101000 CASH	4,698.38	184.63	0.00	0.00	0.00	4,883.01
101500 Investment-STIP	36,992.91	64.04	0.00	0.00	0.00	37,056.95
Total Fund	41,691.29	248.67				41,939.96
2820 Gas Tax Apportionment						
101000 CASH	14,191.50	2,473.48	0.00	0.00	0.00	16,664.98
101300 Investments - Money Market Accou	26,087.28	8.50	0.00	0.00	0.00	26,095.78
101500 Investment-STIP	2,105.25	3.64	0.00	0.00	0.00	2,108.89
Total Fund	42,384.03	2,485.62				44,869.65
2850 911 Emergency						
101000 CASH	46,614.17	2,860.46	0.00	0.00	19,171.35	30,303.28
101300 Investments - Money Market Accou	22,162.24	7.23	0.00	0.00	0.00	22,169.47
101500 Investment-STIP	40,083.40	69.39	0.00	0.00	0.00	40,152.79
Total Fund	108,859.81	2,937.08			19,171.35	92,625.54
2917 Crime Victims Assistance						
101000 CASH	6,454.93	0.00	0.00	0.00	0.00	6,454.93
3050 GO Bond						
101000 CASH	60,849.96	3,224.12	0.00	0.00	55,629.55	8,444.53
101300 Investments - Money Market Accou	75,221.12	24.52	0.00	0.00	0.00	75,245.64
101500 Investment-STIP	72,243.64	125.07	0.00	0.00	0.00	72,368.71
Total Fund	208,314.72	3,373.71			55,629.55	156,058.88
4000 Capital Projects/Equipment						
101000 CASH	651.32	125,000.98	0.00	0.00	124,614.32	1,037.98
101300 Investments - Money Market Accou	32,988.20	10.76	0.00	0.00	0.00	32,998.96
101500 Investment-STIP	332,109.32	574.94	0.00	125,000.00	0.00	207,684.26
Total Fund	365,748.84	125,586.68		125,000.00	124,614.32	241,721.20
4060 Public Works Equipment Replacement						
101000 CASH	360.82	0.34	0.00	0.00	0.00	361.16
101300 Investments - Money Market Accou	21.02	0.01	0.00	0.00	0.00	21.03
101500 Investment-STIP	245.14	0.42	0.00	0.00	0.00	245.56
Total Fund	626.98	0.77				627.75
4070 Parkway Construction/Mtn						
101300 Investments - Money Market Accou	0.34	0.00	0.00	0.00	0.00	0.34
101500 Investment-STIP	7,010.29	12.14	0.00	0.00	0.00	7,022.43
Total Fund	7,010.63	12.14				7,022.77
4075 Street Construction /Maintenance						
101000 CASH	175,336.60	47.79	0.00	125,000.00	0.00	50,384.39
101300 Investments - Money Market Accou	13.70	0.00	0.00	0.00	0.00	13.70
101500 Investment-STIP	790,391.27	126,368.31	0.00	0.00	0.00	916,759.58
Total Fund	965,741.57	126,416.10		125,000.00		967,157.67

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 8/18

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
5210 Water Operating Fund						
101000 CASH	50,755.39	33,278.35	0.00	0.00	40,457.87	43,575.87
101300 Investments - Money Market Accou	0.38	0.00	0.00	0.00	0.00	0.38
102245 Replacement & Depreciation Ent.	140,022.81	242.41	0.00	0.00	0.00	140,265.22
Total Fund	190,778.58	33,520.76			40,457.87	183,841.47
5220 Water Replacement Depreciation Fund						
101000 CASH	602.40	5,003.52	0.00	0.00	1,897.50	3,708.42
101300 Investments - Money Market Accou	100,230.39	32.68	0.00	0.00	0.00	100,263.07
101500 Investment-STIP	212,643.43	368.13	0.00	5,000.00	0.00	208,011.56
Total Fund	313,476.22	5,404.33		5,000.00	1,897.50	311,983.05
5310 Sewer Operating Fund						
101000 CASH	133,615.29	43,835.16	1,745.74	0.00	41,942.75	137,253.44
101300 Investments - Money Market Accou	23,160.39	7.55	0.00	0.00	0.00	23,167.94
101500 Investment-STIP	697,878.33	1,208.16	0.00	0.00	0.00	699,086.49
101510 Mad Add Construction-STIP	62,285.75	107.83	0.00	0.00	0.00	62,393.58
102245 Replacement & Depreciation Ent.	133,784.39	231.61	0.00	0.00	0.00	134,016.00
Total Fund	1,050,724.15	45,390.31	1,745.74		41,942.75	1,055,917.45
5320 Sewer Replacement Depreciation Fund						
101000 CASH	9,719.18	9.23	0.00	0.00	0.00	9,728.41
101300 Investments - Money Market Accou	31,385.85	10.23	0.00	0.00	0.00	31,396.08
101500 Investment-STIP	583,279.43	1,009.77	0.00	0.00	0.00	584,289.20
Total Fund	624,384.46	1,029.23				625,413.69
7010 Social Services/Help Fund						
101000 CASH	24,518.48	302.79	0.00	0.00	7,642.23	17,179.04
101300 Investments - Money Market Accou	10,232.11	3.34	0.00	0.00	0.00	10,235.45
101500 Investment-STIP	20,482.33	35.46	0.00	0.00	0.00	20,517.79
Total Fund	55,232.92	341.59			7,642.23	47,932.28
7195 Court Collections Trust Acct						
101000 CASH	8,296.49	0.00	0.00	0.00	0.00	8,296.49
7458 Court Surcharge HB176						
101000 CASH	550.00	350.00	0.00	0.00	550.00	350.00
7467 MT Law Enforcement Academy (MLEA)						
101000 CASH	570.00	370.00	0.00	0.00	570.00	370.00
7468 Public Defender Fee						
101000 CASH	150.00	0.00	0.00	0.00	150.00	0.00
7469 City Court - Judge Brandis						
101000 CASH	11,780.00	8,880.00	0.00	7,045.00	855.00	12,760.00
7699 Victims Assistance Program						
101000 CASH	359.00	221.00	0.00	0.00	359.00	221.00
7910 Payroll Fund						
101000 CASH	-287.70	0.00	299,568.66	286,499.22	0.00	12,781.74
7930 Claims Fund						
101000 CASH	20,800.07	0.00	696,674.28	700,086.19	0.00	17,388.16
Totals	7,098,694.72	1,965,672.92	998,138.68	1,994,004.37	998,138.68	7,070,363.27

*** Transfers In and Transfers Out columns should match. There are a couple exceptions to this: 1) Canceled Electronic Checks and 2) Payroll Journal Vouchers that include local deductions set up with receipt accounting. Please see cash reconciliation procedure in manual or call for more details.

09/06/18
11:08:34

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/18

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Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
44872		3164 Custer Gallatin National Forest		1,320.00					
	2720 08/17/18	Spec Use HEB170001		440.00*		SEWER	5310 430600	335	101000
	2720 08/17/18	Spec Use HEB170005A		440.00		WATER	5210 430500	335	101000
	2720 08/17/18	Spec Use HEB170007		440.00		WATER	5210 430500	335	101000
		# of Claims	1	Total:	1,320.00				

09/06/18
11:08:34

TOWN OF WEST YELLOWSTONE
Fund Summary for Claims
For the Accounting Period: 9/18

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Report ID: AP110

Fund/Account	Amount
5210 Water Operating Fund	
101000 CASH	\$880.00
5310 Sewer Operating Fund	
101000 CASH	\$440.00
Total:	\$1,320.00

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj		Account	
44801	2575 WY Tourism Business Improvement	48,095.51							
09/01/18	August 2018	48,095.51		TBI D	2102 411800	540		101000	
44803	266 Utilities Underground Location	81.64							
8085327	08/31/18 excavation notifications	40.82		WATER	5210 430500	357		101000	
8085327	09/30/18 excavation notifications	40.82		SEWER	5310 430600	357		101000	
44805	1089 Gallatin County Treasurer	941.00							
July 2015	09/29/18 Tech surcharge	350.00		COURT	7458 212200			101000	
July 2015	09/29/18 MLEA	370.00		COURT	7467 212200			101000	
July 2015	09/29/18 Public Defender	0.00		COURT	7468 212200			101000	
July 2015	09/29/18 Victims Assistance	221.00		COURT	7699 212200			101000	
44806	2088 Town West Yellowstone	1,151.44							
09/01/18	utility chrgs, Chamber, 895	165.96		BLDGS	1000 411257	340		101000	
09/01/18	utility chrgs, UPDL, 892	72.30		BLDGS	1000 411252	340		101000	
09/01/18	utility chrgs, PS Shops, 884	32.18		BLDGS	1000 411253	340		101000	
09/01/18	utility chrgs. Povah Ctr, 887	122.39		BLDGS	1000 411255	340		101000	
09/01/18	utility chrgs, Police Dept, 886	41.24		BLDGS	1000 411258	340		101000	
09/01/18	utility chrgs, City Park, 885	498.30		BLDGS	1000 411253	340		101000	
09/01/18	utility chrgs, Library, 891	36.73		LI BBLD	1000 411259	340		101000	
09/01/18	utility chrgs, Lift #1, 903	13.90		SEWER	5310 430600	340		101000	
09/01/18	utility chrgs, Tw n Hall, 921	168.44		TWNHAL	1000 411250	340		101000	
44809	2853 Two Seasons Recycling	500.00							
2018191	08/31/18 monthly recycling	500.00		PARKS	1000 460430	534		101000	
44813	2789 WEX Bank	4,972.87							
09/01/18	07 Ford Expedition 6-54563A	80.75		SS	1000 450135	231		101000	
09/01/18	06 Dodge Durango 6-1374	107.24		PUBSER	1000 430200	231		101000	
09/01/18	17 Dodge Ram #1	298.26		POLICE	1000 420100	231		101000	
09/01/18	17 Dodge Ram #2	269.36		POLICE	1000 420100	231		101000	
09/01/18	10 Ford Expedition 6-000046	226.53		POLICE	1000 420100	231		101000	
09/01/18	11 Ford Expedition 6-21425A	0.00		POLICE	1000 420100	231		101000	
09/01/18	10 JD Backhoe	115.52		STREET	1000 430200	231		101000	
09/01/18	77 Int'l Dumptruck	0.00		STREET	1000 430200	231		101000	
09/01/18	Snow Blower	0.00		STREET	1000 430200	231		101000	
09/01/18	YNP #1	0.00		STREET	1000 430200	231		101000	
09/01/18	140 G Grader	142.15		STREET	1000 430200	231		101000	
09/01/18	CAT 936 Loader	109.61		STREET	1000 430200	231		101000	
09/01/18	91 Ford 6-582	0.00		STREET	1000 430200	231		101000	
09/01/18	15 Sweeper	14.80		STREET	1000 430200	231		101000	
09/01/18	97 Athey Sweeper	0.00		STREET	1000 430200	231		101000	
09/01/18	14 Water Truck	0.00		STREET	1000 430200	231		101000	

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash Account
	09/01/18 00	Freightliner Dump 6-60700A		0.00		STREET	1000		430200	231		101000
	09/01/18 2010	JD 772 Grader		271.61		POLICE	1000		420100	231		101000
	09/01/18 02	Freightliner Dump 6-54564A		149.69		STREET	1000		430200	231		101000
	09/01/18 08	Ford Pickup 6-1450		276.62		STREET	1000		430200	231		101000
	09/01/18 08	GMC Pickup 6-1484		287.18		STREET	1000		430200	231		101000
	09/01/18 08	CAT 938H Loader		908.12		STREET	1000		430200	231		101000
	09/01/18 08	904B Mini Loader		15.37		STREET	1000		430200	231		101000
	09/01/18 93	Dodge 6-2010		0.00		STREET	1000		430200	231		101000
	09/01/18	YNP Truck #2		0.00		STREET	1000		430200	231		101000
	09/01/18 08	Ford Escape (multi-use)		110.18		DI SPAT	1000		420160	370		101000
	09/01/18 14	Police Interceptor		199.40		POLICE	1000		430200	231		101000
	09/01/18 15	Ford F-250		483.36		STREET	1000		430200	231		101000
	09/01/18 18	Dodge Ram-PW		591.17		STREET	1000		430200	231		101000
	09/01/18	Tractor		67.11		STREET	1000		430200	231		101000
	09/01/18 18	Dodge Ram-Police		248.84		POLICE	1000		420100	231		101000
44814		2558 Hebgen Basin Fire District		53,517.41								
	09/01/18	July 2018		46,184.08		FIRE	1000		420400	357		101000
	09/01/18	employee grant July 2018		7,333.33		FIRE	1000		420471	140		101000
44874		2992 Lisa Johnson		44.53								
	petty cash											
	08/09/18	postage, certified		7.83		BLDG	1000		420531	311		101000
	01/25/18	postage, certified nightly ren		6.20		FI NADM	1000		410510	311		101000
	03/08/18	postage, certified nightly ren		6.20		FI NADM	1000		410510	311		101000
	01/26/18	postage, disc		2.66		POLICE	1000		420100	311		101000
	03/28/18	postage, certified		8.20		POLICE	1000		420100	311		101000
	03/26/18	postage, certified		3.20		POLICE	1000		420100	311		101000
	01/17/18	postage, letter		0.49		POLICE	1000		420100	311		101000
	07/18/18	laundry, social svcs		6.00		SOCSVC	1000		450135	220		101000
	09/07/18	postsage, package		3.75		SOCSRV	1000		450135	311		101000
44875		471 Northwest Pipe Fittings, Inc.		166.88								
	332530 09/10/18 1	1/2" meter flange kit		166.88		WATER	5210		430500	251		101000
44876		2998 Stahl Engineering & Associates,		1,140.00								
	2544-00518 09/06/18	GIS support, mapping		570.00		WATER	5210		430550	355		101000
	2544-00518 09/06/18	GIS support, mapping		570.00		SEWER	5310		430640	357		101000
44877		2937 CINTAS First Aid & Safety		49.73								
	5011710405 09/11/18	first aid supplies		49.73		JAIL	1000		420230	351		101000

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
44878	725 Swan Cleaners	84.00							
8139	09/07/18 jail laundry	84.00		JAIL	1000 420230	390		101000	
44879	2980 Montana Department of Labor &	31.00							
2013B01	LMT 09/07/18 boiler safety cert 2018	31.00		STREET	1000 430200	366		101000	
2013B01	LMTN000377								
44880	533 Market Place	103.80							
08/31/18	supplies	29.21		SUMREC	1000 460449	220		101000	
08/31/18	supplies	9.38		JAIL	1000 420230	220		101000	
08/31/18	supplies	3.87		STREET	1000 430200	220		101000	
08/31/18	supplies	23.93		LEGIS	1000 410100	220		101000	
08/31/18	supplies	37.41		SUMREC	1000 460449	220		101000	
44881	E 2964 CITI CARDS	506.12							
08/09/18	Bear Country, supplies	41.46		LEGIS	1000 410100	220		101000	
08/09/18	Freedom Paper, printer	122.00*		BLDINS	1000 420531	220		101000	
08/15/18	Heise Hot Springs, entrance	201.00		SUMREC	1000 460449	871		101000	
08/17/18	Pete's Pizza, supplies	78.56		SUMREC	1000 460449	220		101000	
08/25/18	Amazon, supplies	51.95		ADMIN	1000 410210	220		101000	
08/10/18	USPS, postage	11.15		SOCSER	1000 450135	311		101000	
44882	135 Food Roundup	64.58							
08/31/18	supplies	4.72		SUMREC	1000 460449	220		101000	
08/31/18	supplies	9.86		LEGIS	1000 410100	220		101000	
08/31/18	Xmas gift cert	50.00		LEGIS	1000 410100	220		101000	
44883	2854 Kenco Security and Technology	60.50							
1481146	09/04/18 alarm monitoring	60.50		TWNHAL	1000 411250	357		101000	
44884	E 2673 First Bankcard	7,693.25							
08/02/18	Traffix Devices	5,067.80		STREET	1000 430200	243		101000	
08/03/18	Costco-employee appreciation	161.10		LEGIS	1000 410100	220		101000	
08/08/18	Kotulas, park grill	1,196.42		PARKS	1000 460430	220		101000	
08/08/18	Amazon, phone cases x 6	65.64		STREET	1000 430200	220		101000	
08/14/18	M & M control serv, safety val	583.56*		SEWER	5310 430640	212		101000	
08/16/18	2M, controllers + cable	263.25		PARKS	4000 460430	944		101000	
08/22/18	Grainger, 02 meter	355.48		SEWER	5310 430600	220		101000	

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$					Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
44885	951 Barnes & Noble	762.85						
	3701569 08/01/18 books	282.97		LI BRAR	2220 460100	215	101000	
	3707892 08/14/18 books	63.20		LI BRAR	2220 460100	215	101000	
	3704600 08/08/18 books	120.87		LI BRAR	2220 460100	215	101000	
	3705503 08/09/18 books	58.00		LI BRAR	2220 460100	215	101000	
	3712906 08/23/18 books	95.14		LI BRAR	2220 460100	215	101000	
	3712907 08/23/18 books	69.92		LI BRAR	2220 460100	215	101000	
	3712941 08/23/18 books	72.75		LI BRAR	2220 460100	215	101000	
44886	1311 Teton Communications	334.00						
	10581 08/13/18 console repair	39.00*		DI SPAT	1000 420160	362	101000	
	10585 08/14/18 parts for repair	295.00*		POLICE	1000 420100	361	101000	
44887	1454 Bozeman Chronicle/Big Sky	546.18						
	1122879 08/22/18 budget posting	72.00		ADMIN	1000 410210	327	101000	
	1123244 08/30/18 officer vacancy posting	474.18		ADMIN	1000 410210	327	101000	
44888	2507 Silvertip Pharmacy	111.92						
	08132018 08/13/18 help fund prescription	20.55		SOCSR	7010 450135	358	101000	
	08222018 08/22/18 help fund prescription	6.70		SOCSR	7010 450135	358	101000	
	08232018 08/23/18 help fund prescription	71.27		SOCSR	7010 450135	358	101000	
	08282018 08/28/18 help fund prescription	13.40		SOCSR	7010 450135	358	101000	
44889	2167 Carpet Guyz	150.00						
	09/03/18 clean UP Dining Hall hallways	150.00		UPDL	1000 411252	366	101000	
44890	2375 OCLC NETLIBRARY	683.56						
	615283 07/31/18 group services contract	683.56		LI BRAR	2220 460100	398	101000	
44891	3142 Unified Distribution	433.00						
	R2345 08/27/18 toner	433.00		LI BRAR	2220 460100	220	101000	
44892	3143 Century Link	62.00						
	08/28/18 DSL public works	62.00		STREET	1000 430200	345	101000	
44893	151 Gallatin County WY TS/Compost	1,102.95						
	08/31/18 transfer station charges	1,102.95		PARKS	1000 460430	534	101000	
44894	764 General Distributing Co.	51.46						
	674421 08/31/18 compressed O2	51.46			1000 430200	220	101000	

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/18

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$		PO #	Fund Org Acct	Object Proj	Cash
Check	Invoice #/Inv Date/Description	Line \$						Account
44895	2586 Waxie Sanitary Supply	879.40						
77696839	08/31/18 supplies	879.40		PARKS	1000	460430	220	101000
44896	3049 Bridger Drilling Inc.	3,764.84						
2566	09/06/18 pressure switch, labor, servic	129.67		PARKS	1000	460430	361	101000
2564	09/06/18 parts, service, travel	3,635.17		PARKS	1000	460430	361	101000
44897	2099 Quick Print of West Yellowstone	223.49						
09/04/18	shippi ng, sampl es	56.09		WATER	5210	430500	357	101000
09/04/18	shippi ng, sampl es	51.43		STREET	4000	430200	940	101000
09/04/18	shippi ng, sampl es	115.97		SEWER	5310	430600	357	101000
44898	2898 TransUnion Risk and Al ternative	25.00						
09/01/18	background check	25.00		POLICE	1000	420100	398	101000
44899	547 WY Chamber of Commerce	3,087.29						
XP0-18-02	08/13/18 expo MAP fund reimbursement	3,087.29		MAP	2101	410130	398	101000
44900	2883 Rocky Mountain Truck Center	4,481.09						
R001041882	08/30/18 02 FRHT dump, rear springs	4,481.09		STREET	1000	430200	361	101000
44901	1934 Brenda Martin	29.14						
09/10/18	reimb petty cash, postage	29.14		DI SPAT	1000	420100	311	101000
44902	3006 KARLA SALINAS	350.00						
08/27/18	Povah deposit refund	350.00		POVAH	2210	214001		101000
44903	674 Karst Stage	710.00						
113177	08/23/18 trip to YNP	710.00		SUMREC	1000	460449	319	101000
44904	3166 Ponders County Justice Court	405.00						
09/05/18	pass thru TK-665-2017-7274	405.00		COURT	7469	213000		101000
44905	E 2673 First Bankcard	770.49						
08/01/18	IACP-membership Newell	175.00		POLICE	1000	420100	335	101000
08/01/18	Del ta Air, baggage fees	100.00*		911	2850	420750	370	101000
08/10/18	Venetian - credit	-14.48*		911	2850	420750	370	101000
08/14/18	Law Enforcement Systems	304.83		POLICE	1000	420100	220	101000
08/14/18	Microtel Bozeman, L. Sosa	165.79		DI SPAT	1000	420160	370	101000
08/22/18	Rosauers, meals	16.62		POLICE	1000	420100	370	101000
08/29/18	Best Burger, meals	22.73		POLICE	1000	420100	370	101000

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$		PO #	Fund Org Acct	Object Proj	Cash
Check	Invoice #/Inv Date/Description	Line \$						Account
44906	3066 Core & Main J351291 08/28/18 sidewalk improvment equipment	7,965.36 7,965.36			SI DEWK	2820 430262	365	101000
44907	1226 A-Core 288970 08/31/18 ADA approaches for sidewalk 288971 08/31/18 ADA approaches 288956 08/17/18 ADA approaches 288957 08/17/18 ADA approaches sawing	5,700.00 1,900.00 1,800.00 1,300.00 700.00			SI DEWK SI DEWK SI DEWK SI DEWK	2820 430262	365	101000 101000 101000 101000
44908	2421 NAPA Auto Parts 08/31/18 auto parts & equipment	570.50 570.50			STREET	1000 430200	220	101000
44909	2952 DIS Technologies 33853 08/29/18 monthly service, town hall 33906 09/05/18 monthly service, dispatch	1,135.00 540.00 595.00			IT ADM DI SPAT	1000 410580 1000 420160	355 398	101000 101000
44910	146 Morrison-Maierle, Inc 31508 08/30/18 data backup 31509 08/30/18 AntiVirus	92.00 65.00 27.00			FI NADM FI NADM	1000 410510 1000 410510	356	101000 101000
44911	2958 SHI International Corp B08764671 08/29/18 Adobe software	246.09 246.09			FI NADM	1000 410510	216	101000
44912	3165 Bob Gotshall 08/28/18 Weed management, sewer plant	408.75 408.75			SEWER	5310 430600	398	101000
44913	309 PJ's Plumbing & Heating W0-2968 08/31/18 urinal repair W0-2819 09/05/18 washer/dryer install	1,432.64 427.22 1,005.42			TWNHAL TWNHAL	1000 411250 1000 411250	366	101000 101000
44914	40 Jerry's Enterprises 10193744 08/03/18 computer supplies 70004376 08/03/18 HDMI cable 10194208 08/20/18 USB cable 10194265 08/22/18 AC adapter 4435 08/08/18 diesel	100.75 12.99 7.00 14.99* 27.93* 37.84			STREET STREET BLDGS BLDGS STREET	1000 430200 1000 430200 1000 420531 1000 420531 1000 430200	220	101000 101000 101000 101000 101000
44915	2937 CINTAS First Aid & Safety 5011161037 07/18/18 first aid supplies	252.14 252.14			STREET	1000 430200	220	101000

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
44916			40 Jerry's Enterprises	39.70					
	08272018	08/27/18 gas voucher help fund		14.70		SOCSRV	7010 450135	231	101000
	08082018	08/08/18 gas voucher help fund		25.00		SOCSRV	7010 450135	231	101000
44918			2617 Brad Schmier	226.04					
	09/14/18	travel, MLCT conf, Butte		226.04		LEGIS	1000 410100	370	101000
44920			3119 Chris Burke	226.04					
	09/14/18	travel, MLCT conf, Butte		226.04		LEGIS	1000 410100	370	101000
44921			1282 Elizabeth Roos	226.04					
	09/14/18	travel, MLCT conf, Butte		226.04		FI NADM	1000 410510	370	101000
44922			2992 Lisa Johnson	275.49					
	09/14/18	travel, MLCT conf, Butte		275.49		ADMIN	1000 410210	370	101000
44923			2991 West Yellowstone Star	469.40					
	09/14/18	4 annual subscriptions (39 x 4		156.00		ADMIN	1000 410210	335	101000
	08/31/18	Adv Bd ad x 3		273.00		ADMIN	1000 410210	327	101000
	08/31/18	help wanted, police		40.40		ADMIN	1000 410210	327	101000
44924			2875 GNG	10,000.00					
	382616-210	09/14/18 crack seal Iris, half Yell		10,000.00		GASTAX	2821 430200	367	101000
# of Claims				56	Total:	167,533.86			
Total Electronic Claims				8,969.86	Total Non-Electronic Claims	158564.00			

09/14/18
13:21:36

TOWN OF WEST YELLOWSTONE
Claim from Another Period Cancelled in this Period
For the Accounting Period: 9/18

Page: 8 of 9
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Cancelled in 9/18 ***									
*** Claim from another period (8/18) ***									
44774		2401 Yellowstone Weed Management		2,722.50					
vendor requested that check be made out to Bob Gotshall, doesn't have a bank account with business name - er									
		07/25/18 weed spraying		2,722.50		PARKS	1000 460430	357	101000
		# of Claims	1	Total:	2,722.50				

Fund/Account	Amount
1000 General Fund	
101000 CASH	\$82,913.70
2101 Marketing & Promotions (MAP)	
101000 CASH	\$3,087.29
2102 TBID (Tourism Business Improvement)	
101000 CASH	\$48,095.51
2210 Parks & Recreation	
101000 CASH	\$350.00
2220 Library	
101000 CASH	\$1,879.41
2820 Gas Tax Apportionment	
101000 CASH	\$13,665.36
2821 Gas Tax BARSAA Funds	
101000 CASH	\$10,000.00
2850 911 Emergency	
101000 CASH	\$85.52
4000 Capital Projects/Equipment	
101000 CASH	\$314.68
5210 Water Operating Fund	
101000 CASH	\$833.79
5310 Sewer Operating Fund	
101000 CASH	\$2,088.48
7010 Social Services/Help Fund	
101000 CASH	\$151.62
7458 Court Surcharge HB176	
101000 CASH	\$350.00
7467 MT Law Enforcement Academy (MLEA)	
101000 CASH	\$370.00
7468 Public Defender Fee	
101000 CASH	\$0.00
7469 City Court - Judge Brandis	
101000 CASH	\$405.00
7699 Victims Assistance Program	
101000 CASH	\$221.00
Total :	\$164,811.36

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 5, 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

Jeff Schoenhard, Randy Wakefield, Richard & Teri Gibson, Helene Rightenour, Cynthia Knapp, Leah Sherman, Moira Dow, Kerry Parking, Kathleen Brandis, Fire Chief Shane Grube, Greg Johnson, Pat Barnes, Darrin Hauck, Brian Benike, Kyle Burden, Bob Patzke, Liz Watt, Mike & Gayle Gavagan, Ken & Mary Davis, Shelley Johnson

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

Mayor Schmier calls the meeting to order and explains that the purpose of the meeting is to interview two applicants for the position of City Judge. The first applicant to be interviewed is sitting judge, Kathleen Brandis. Judge Brandis introduces herself and expresses her desire to continue to serve as the Judge as she has since 2007. She says that she feels like the court is operating well, she has had only two appeals and both were prior to becoming a court of record. She explains that she finished law school in the top of her class and has substantial courtroom experience. She says, generally speaking, she is a very ordinary person with a husband and two children. She also teaches part-time at Montana State University and mentions that she recently received a teaching award from MSU. Schmier asks why Brandis wants to be the judge. Brandis says that it is not an easy job, but she takes it seriously and thinks it is very important to be the third branch of government to uphold the law. She explains that they are a misdemeanor court or court of limited jurisdiction, which gives them an opportunity to rehabilitate and avoid going down the road toward felony convictions. Schmier asks about Brandis' qualifications, to which Brandis defers as her resume explains it in detail and she already covered it. Schmier asks about her strengths as a judge. Brandis answers that she always starts court on time. She holds attorneys to their word and avoids continuances, pointing out that they have a transient community and it is in their best interest to be efficient. Schmier asks about Brandis' weaknesses. She says she has many and admits that she is sympathetic to children and doesn't like it when a plea deal is reached for lessor punishment if a child was harmed during the crime. She says that the docket for this court has grown immensely and they have expanded to handle that. Schmier asks about the increase in juvenile crime. Brandis says that can be attributed to multiple factors but supports revitalizing the recidivism reduction task force in the community. She supports working with child offenders to reduce violations and defer convictions. Schmier asks about the composition of juries adequately reflects the community at large. Brandis answers that it is difficult in this community because of the transient nature of the workforce. She explains that the jury pool is no longer based on being registered to vote but based on drivers licenses, which provides for a broader rule. Schmier asks about the search and seizure statutes. Brandis answers that Montana has very strong privacy laws, which means a persons privacy rights outweigh federal privacy laws. Schmier asks about setting bail amounts and payment schedule. Brandis responds that they follow the recommended bail amounts as established across the state. She explains that they do set up time pay agreements and she doesn't worry about the amount they pay, but just that they make the payments that they agreed to make on time to avoid ending up back in court. Schmier asks if she ever wakes up at night and worries about whether she made the wrong decision in court. Brandis answers that she does wake up at night and her biggest regret was not becoming a court of record sooner. She explains that she was very annoyed after a jury trial when the jury came back with a guilty verdict and the defense

attorney already had the appeal prepared in his briefcase. Schmier asks if she is aware of any circumstances where she would need to excuse herself. Brandis explains that she does not live in West Yellowstone, which means she doesn't know anyone and doesn't know much about people that live here. She says there could be such situations and they are trained on such. Schmier asks about ruling on a case or violation that is not well versed. Brandis says that she does her homework and she is prepared for court. If she is unsure, she takes a recess to do some research and does not rule from the bench. Schmier asks how she would handle poor representation of a defendant. She says that absolutely happens, particularly with public defenders who haven't had time to meet with defendants. In that situation, she will call a recess to give the attorney time to meet and prepare with the defendant. Schmier asks what her vision for the future is of the court system. She says that she thinks they are running as a well-oiled machine, but their biggest challenge is going to be population growth and an expanded docket. She says that she has always been willing to expand the number of days per month that they hold court, but it remained the desire of the prosecutor and defense attorneys to just have court one day per month. She says that she thinks she is doing a great job and thanks the Council for the opportunity.

Rich Gibson addresses the Council and Schmier asks him to introduce himself. Gibson explains that he served in the army with an honorable discharge from 1972-1976. He started with the Auburn Police Department as an animal control officer in 1982 and has experience working as a police officer, narcotics investigator, police sergeant, taught drug recognition classes and various levels of police leadership. He was considered an expert in the areas of traffic investigations, search warrant procedures, drug recognition. He proposes to provide four to six court days per month to ease the impact on both departments. Gibson says they currently have a court of almost no consequence, says that sentences are very light. He says that as a retired police officer, he says he will not show favoritism to police officers. He thinks they should split the docket to separate criminal matters from others. He understands that there will be a training curve and he will attend training this fall. If appointed, he will attend other courts to gain knowledge. Schmier asks why Gibson wants to be the judge. Gibson says he sees a need and wants to give back to the community. Schmier asks what are his qualifications. Gibson says he has extensive law enforcement experience and has spent a lot of time sitting in court. Schmier asks what his greatest strength is. Gibson says his greatest strength would be understanding the law and understanding that it is fluid and changes over time. Schmier asks about weaknesses. Gibson says his weakness would be to see a violation as a violation and separate from the human condition. He says that in court, they should prosecute the violation not the offender. Schmier asks about high numbers of juvenile offenders. Gibson says that he believes there is a lack of community involvement. He says they need to get the community involved with juveniles outside of school and church activities. Schmier asks if he thinks the composition of juries is an adequate representation of the community. Gibson says the court system does as well as it can. Schmier asks what are the pros and cons of using the drivers license system to draw juries. Gibson says that it is a pro and a con that they have a pool of people to draw from, but they don't reach the people who are not part of that pool. Schmier asks about the distinction between the US government and Montana constitution regarding search and seizure rights. Gibson answers that Montana's constitution places an extra burden on the law enforcement officer. Schmier asks about setting bail amounts and payment schedules. Gibson says they need to set payment schedules based on needs and months on the calendar. He says bail amounts will depend on violence as part of the crime, previous criminal history, and individual circumstances. Schmier asks Gibson if he ever wakes up in the middle of the night thinking about a case or issue that he wishes he had handled differently. Gibson says that he has and describes a bank robbery case that involved a gun, which turned out to be the robbery of a person at a bank. He was the officer in charge, saw the perpetrator's vehicle leaving. He used his vehicle to barricade the perpetrators so they didn't escape and approached the car by himself even though he saw the gun, masks, and the bag of money. Schmier asks if there are any types of cases he would need to disqualify himself. Gibson says that if someone he was involved with personally, that could happen, but there are techniques that can be used to avoid being influenced. Schmier asks how Gibson how he deals with difficult people. Gibson says he tends to blunt and upfront, polite and assured. He says he would stop court if needed but believes that if you start with a professional attitude and respect then that will be returned and there will be no issue. Schmier asks how would he deal with an individual that represents themselves. Gibson says he would follow the law and make

sure they understood the proper steps. Schmier asks how would he handle areas of the law that is unfamiliar. Gibson says that prior to court, he would ask to see every citation and documentation to research before court. Schmier asks how Gibson would handle a defendant that is being poorly represented. Gibson says that he would meet with the attorneys and ensure they are prepared, but if he knew for sure that the attorney was not he would take the steps necessary to make sure they are fairly represented. Schmier asks about a need for more mandatory mediation and settlements. Gibson says that he supports mediation and settlements, but doesn't see a need for more mandatory requirements. Schmier asks about the changes he would advocate for as a judge. Gibson says he would like to see more court dates per month, he would like to see more business done at the beginning of the week so they are prepared by Friday and not need to work on things over the weekend. Schmier asks why the Council should select him as the judge. Gibson says the other candidate is a fine attorney. He says he sees this opportunity as a challenge. He says he lives in this community and will make himself available almost 24/7. He says he would like to advance the community's sense of law enforcement. Johnson asks if Gibson has sat in on our court prior to applying for this position. Gibson says that prior to applying he has, he has studied the MCA and done some studying about the requirements. Martineau asks if Gibson, after being in law enforcement for so long, would see this as an opportunity to get even. Gibson describes a previous experience where he related and bonded with individuals from a dangerous part of town and the law is a beautiful thing.

The work session is adjourned at 7:08 PM. The regular meeting begins at 7:15 PM.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$234,468.49. (Martineau, Burke) Burke abstains from #44864 to Morning Glory Coffee & Tea, Forsythe abstains from claim #44862 to Westmart Building Center.0+36-*
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the August 22, 2018 Town Council meeting with the correction of noting that Jerry Johnson was not present. (Martineau, Forsythe)
- 3) Motion carried to approve the second reading of Ordinance No. 267, an ordinance allowing the Town Council to change building and zoning fees by resolution. (Forsythe, Martineau)
- 4) Motion carried to adopt Resolution No. 717, a resolution that sets building and zoning review fees. (Martineau, Burke)
- 5) Motion carried to table the Application to Maintain an Encroachment made by Innovative Construction/Wagon Wheel Hotel to store construction materials on the interior park of Block 10. (Martineau, Burke) Johnson and Burke are opposed.
- 6) Motion carried to hire Buffalo Services LLC and Forsgren & Associates, Inc. to help the Town with water and wastewater issues for a one-year contract. (Martineau, Burke)
- 7) Motion carried to appoint Dustin Hojen to the Planning Board. (Burke, Martineau) Motion fails, Burke is in favor, Johnson, Schmier, Martineau and Forsythe are opposed.
- 8) Motion carried to appoint Bill Howell to the Planning Board. (Martineau, Johnson) Motion fails, Johnson and Martineau in favor, Schmier, Burke and Forsythe opposed.
- 9) Motion carried to appoint Rob Klatt to the Planning Board, through June 1, 2019. (Schmier, Burke) Motion passes, unanimous.

Public Comment Period

Kyle Burden addresses the Council pertaining to the zoning issue on Washburn Circle. He asks the Council to take care of that issue prior to considering any other applications for projects in that area.

Jeff Schoenhard addresses the Council regarding the building moratorium. He encourages the Council to address the moratorium and they would like to know if they can start taking reservations for next summer. He says that businesses are starting to wrap up for this year and planning for next year and they need to know what to expect.

Council Comments

Greg Forsythe asks for clarification about the process to change the zoning in the Madison Addition and whether the Homeowners Association has to approve it. Sabolsky explains that the property owners in that area could file an application to rezone that area, or it could be initiated by the Town Council.

Chris Burke acknowledges Melissa Alder for sitting on a Montana Outdoors board and her efforts to protect public lands.

Presentation: commUNITY West Outreach, Curfew Ordinance Proposal

Mike Gavagan addresses the Town Council on behalf of the commUNITY West Outreach to propose the consideration of a curfew ordinance. Gavagan explains that the draft ordinance was prepared after considerable input from local law enforcement. He says that they feel the ordinance is reasonable and will be effective. He says that curfews in general were originally designed to reduce crime. He says that today, curfew laws are designed to actually protect unsupervised or neglected children. He explains that under current law, there is nothing that prevents a minor child from being out in the middle of the night. A curfew ordinance would enable the law enforcement to return the child to their home and determine why the child is not at home or not being supervised. Gavagan shares multiple statistics and reasons to support the ordinance. Forsythe asks if the violation would be issued to the juvenile or the parents. Gavagan responds that the juvenile would be cited but as a juvenile and it would not ever show on their record as an adult. He explains that their purpose is to actually make contact with the child, take them to their home, and determine why they are on the street unsupervised in the middle of the night.

Public Hearing: Ordinance No. 267, Planning & Zoning Review Fees

Mayor Schmier calls the hearing to order. The hearing was noticed in the West Yellowstone Star and the Bozeman Daily Chronicle. Mayor Schmier summarizes the changes made in the ordinance. Town Manager Dan Sabolsky points out that the fee structure for building and zoning fees haven't changed since 1992. Forsythe says that he agrees with the changes that are being proposed. Cynthia Knapp asks how much are the fees going to go up? Sabolsky explains that the new fee structure will be set out by resolution, but will be based on the square footage of the home.

DISCUSSION

- 1) Forsythe asks about the bill for over \$12,000 to repair the 1977 International. Patterson responds that is the truck they obtained from the park service years ago and they use it to haul snow. Schmier asks about the large number of refunds for the summer recreation program. Sabolsky explains that a number of parents paid for the program up front but their kids did not attend as much as expected and therefore are due a refund.
- 5) Sabolsky explains that Patterson, Fire Chief Grube, and himself met with Talbot yesterday to discuss this request. They requested a map of the area he was asking to use but did not receive it prior to the meeting. Talbot indicated he needed to store the trusses and large beams specifically but would fence the area. Sabolsky recommends tabling the request until they have additional information. Schmier says that they had several issues this summer in interior park this summer and they discussed making sure everything was

cleaned up before approving a new permit. Sabolsky refers to an email from Heidi Hauck about a separate issue involving a transformer and Talbot was asked to address that issue before proceeding. Darrin Hauck complains about the transformer issue and the fact that they haven't been able to collect for the damages caused to their property. Hauck suggests that the Town cut a check to the Haucks to pay for the damages and withhold the money from a bond they should collect from Talbot. He also complains about having to stack snow because of the hole that was dug on the property. Cynthia Knapp also complains about damages to her property caused by the transformer issue and that she has not been reimbursed. She says that they dealt with 46 days of a cabin sitting on the interior park this summer which negatively affected her business.

- 6) Sabolsky explains that he would like to hire Buffalo Services, LLC and Forsgren & Associates, Inc. to assist and train our staff with the operation of the water and sewer systems, a process that will take approximately 2 to 3 years. He anticipates that Buffalo Services, LLC will spend about 20 hours a week working on this and they expect Forsgren & Associates, Inc. to spend about 20 hours a month. He expects Buffalo Services to cost around \$3000/month and Forsgren to cost \$2000/month for a total of \$60,000 per year. Schmier asks how Sabolsky arrived at these estimates and Sabolsky explains that he met with both firms to calculate their needs and how long it would take to get everything running smoothly. Schmier says that he doesn't think this has much to do with their relationship with the existing engineer, this is operation of the system, not engineering. Johnson asks why are they going to fill the vacancy created by Dan Hoskins departure if they are going to spend \$60,000 to operate the system by outside sources. He also asks why they need to hire both firms, points out that Greg Johnson of Buffalo Services, LLC has been involved with our system since it was built. He also asks if our Executive Assistant, Lisa Johnson, a part of Buffalo Services LLC? Sabolsky and Johnson answer that she is not. Johnson also asks if she has been consulted on the details of this proposal and Sabolsky assures that she has not. Forsythe asks if Buffalo Services is a licensed engineer, but Sabolsky explains he is a licensed water/wastewater operator. He asks why they need both firms, but Sabolsky explains that they need the engineering services from Forsgren and operation expertise from Johnson. Schmier asks Patterson for his input. Patterson says he has not been involved in any of the discussion and therefore cannot comment on the proposal. He admits that they had some issues this summer for various reasons, but they have got everything working well now. He knows why they got behind but he's not going to throw anyone under the bus. He has no issues with Greg Johnson or with Forsgren, but says that since this is a public works issue, he should have been included in these discussions. He doesn't dispute that they need some help, his staff is still very new and he is the only fully licensed operator that we have save Greg Johnson's wife, Lisa Johnson, but that isn't part of her duties for the Town. Patterson says that his biggest issue is they kind of skirted around Dick Dyer, their engineer. He says he would have liked to have been included in these discussions. Sabolsky counters that there were discussions held that included Patterson but due to other issues they proceeded with the plan. Schmier says he is very disappointed to hear that their Public Works Superintendent was not included in the discussions about this. Johnson clarifies that Burke, Martineau and Schmier were invited to observe the lagoon prior to the meeting in August. He asks Forsythe if he was invited, he indicates that he was but he was not available. Johnson asks why he wasn't invited and points out that he was in town and available. Cynthia Knapp suggests that they approve the contract contingent upon review and approval by the finance department and public works. Schmier thanks Knapp for her comment but points out that this is an emergency situation and they need to proceed.
- 7) Mayor Schmier explains that they have four candidates for the open position on the Planning Board. Town Clerk Liz Roos explains that she contacted the three candidates from the last recruitment that live in town and asked if they would like to be reconsidered to serve on the board. Bill Howell and Dustin Hojen responded that they would like to be reconsidered, but she did not hear back from Tim Daley. The other candidates are Rob Klatt and Brian Benike. Schmier references an email he sent to the other council

members expressing support for appointing Rob Klatt. Johnson makes a motion to appoint Brian Benike to the Planning Board, motion fails for a lack of a second. Burke makes a motion to appoint Dustin Hojen, seconded by Martineau. Motion fails, Burke is the only one in favor. Burke says he would like to see fresh ideas on this committee and points out that everyone that applied used a council member as a reference except Hojen. Johnson says that Rob Klatt has extensive education and experience in this field and does not think he will be beholden to anyone.

- A) **Advisory Board Reports:** Rich Gibson reports on behalf of the Police Commission. He reports that the commission met this week and reviewed the applicants for police officer. They received 12 applicants and narrowed it down to 5, which they will interview on September 12, 2018.
- B) **Town Manager & Department Head Reports:** **Town Manager** Dan Sabolsky reports that regarding the current building moratorium, they are going to monitor water flow and wastewater capacity over the next couple of weeks and then review the results and consider whether they can lift the moratorium. He reports that he met with Erik Nelson of ThinkTank last week about the plan for the 80 acres and specific easements. He also met with Jason Brey of the US Forest Service regarding winter sports access and utilizing the 80 acres in a productive way. He says they should be ready for a public work session to discuss planning and development of the 80 acres. He says that Land Solutions is working on subdivision regulations and revising the zoning code. He reports that Officer Anthony Kearney and himself have started doing research on fireworks and they will be seeking direction from the council about amending the current ordinance. Sabolsky says he received preliminary plans for a Hampton Inn that is planned to be built on the campground next to Two Top Snowmobile Rental. HRDC is revising their plan to build three housing units on Washburn Circle. The current plan only requests one relaxation of the zoning code. A \$50,000 grant has been awarded for the YNP Westgate Project, which requires a 1 to 1 match. The Town has committed to \$25,000 and they are seeking additional funds from the State of Montana and/or Yellowstone National Park. Johnson asks about the proposal to rezone or clarify the zoning of the outer rim on Washburn Circle. He says that he would like the Council to determine that prior to entertaining any new proposals that request relaxations. Sabolsky says that one of the property owners did request a zoning application but it has not yet been submitted. Johnson says that he would like the Council to address that before a new application is submitted. Johnson asks about the application from Moonrise and who have the plans been sent to. Sabolsky says they have been sent to agencies like the Fire Department, Forest Service, and school.

Public Services Superintendent James Patterson reports that they installed a new pump in the well in the park today. They are going to start work on the sprinkler system in the park next week. They are working on installing the ADA ramps at the intersections around town. The new dump trucks arrived this week. All but one of the ponds at the lagoon have been rehabilitated this year. Recreation Coordinator Brandy Holland and Lucas Peterson have been working on mowing and cleaning up town getting ready for winter. They are going to release the job announcement for a new equipment operator this week. Forsythe asks about starting the wellhouse and transmission line project and Patterson says they are going to start next week. Forsythe asks about the expanded fence at the park, Patterson says that he hasn't been able to get any other bids but the one vendor that gave him an estimate will be here next week to propose some other options.

Finance Director Lanie Gospodarek reports that the budget report is due at the end of October. She is working on a phone audit to determine whether they are being charged appropriately for what they need. She has turned in the job description to hire a new finance clerk. She did some mill levy research to determine why they can only levy what they are levying at this time. She says they will bring a new resolution to the council soon that will enable them to request and receive gas tax funds. The employee pool recently participated in a health screening for all employees.

Social Services Director Kathi Arnado reports that they are seeing a new trend of people coming in that are here for the winter. They are scheduling a women in the workplace seminar in October. She also reports that she has been invited by the State of Montana to testify before congress in Washington about the current farm bill.

Police Officer Anthony Kearney reports in place of Chief Scott Newell. He mentions that they are going to interview five applicants for police officer position next week. Labor Day weekend was very busy with lots of traffic stops and calls for service.

- C) Sabolsky explains that following the end of the Summer **Recreation Program** this summer, they had a meeting with Recreation Coordinator Brandy Holland to discuss the how the program went this summer, what should be improved, and parent feedback. He explains that she has been given multiple assignments to work on including starting the flag football and soccer programs, getting involved with other recreation programs in the community such as basketball, tennis and Kids n Snow. He also suggests expanding the Recreation Advisory board to include representatives from other activities as already mentioned. Forsythe asks if there is a procedure in place to remove someone from a board if they just aren't participating. Sabolsky says that they usually visit with that individual to determine whether they want to continue to serve on the board, but they could ask the Council to make that decision.

Mayor

ATTEST:

Town Clerk

APPLICATION TO MAINTAIN AN ENCROACHMENT

Town of West Yellowstone
Gallatin County, Montana

DATE: 8-30-18
APPLICANT: Chris Talbot / Innovative Construction
MAILING ADDRESS: PO BOX 1354 West Yellowstone
PHYSICAL ADDRESS: 440 GIBBON AVE.
PHONE: 801-916-6173
INTEREST IN PROPERTY: _____

OWNER OF RECORD'S SIGNATURE:  for KYOSE SHI

1. LEGAL DESCRIPTION:

Subdivision: Old TOWN
Block: 10 Lot: 123-7
Zoning District Number: B-3

2. Please describe specifically the construction and size of the proposed encroachment. On the reverse of this application, please provide a sketch of the proposed encroachment. city lot on Alley side From Alley to property line at wagon wheel Camp grounds.
Use is for staging const. materials & equipment etc. Ideally for duration of const. Project.
Willing to work with snow storage for neighbor's etc.


Signature of Applicant

8-30-18
Date

FOR OFFICE USE ONLY		
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	_____ Mayor/Operations Manager
		_____ Date

REQUEST FOR PROPOSALS

City Judge

Pursuant to Title 2, Chapter 8 of the West Yellowstone Municipal Code, the Town is accepting proposals for the position of City Judge for the Town of West Yellowstone's City Court of Record. The person holding the office of city judge shall be nominated and appointed by the Town Council.

The qualifications for appointment as the City Judge are as follows:

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 Montana 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.

The appointment is for four years.

Those interested in appointment as City Judge should submit a proposal describing qualifications, together with a resume or vita. Please submit appointment materials for consideration to the West Yellowstone Town Offices, 400 Yellowstone Avenue, PO Box 1570, West Yellowstone MT 59758 no later than **5:00 PM Friday, June 29, 2018**. An information packet for this appointment is available at the Town Offices, 400 Yellowstone Avenue, 646-7795, or by email at info@townofwestyellowstone.com.

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)

J-160-A

TRACT 8A OF AMENDED PLAT OF TRACTS 3,4,5,6,8 AND 9 AND PORTIONS OF BLOCK 17 AND 20 OF THE MADISON ADDITION SUBDIVISION

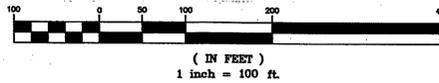
SITUATED IN THE SW1/4 OF SECTION 27, T.13S., R.5E., P.M.M., TOWN OF WEST YELLOWSTONE, GALLATIN COUNTY, MONTANA

FOR: MADISON ADDITION INVESTMENTS LIMITED PARTNERSHIP
BY: GASTON ENGINEERING AND SURVEYING

SCALE: 1" = 100'

MARCH 1996
BOZEMAN, MONTANA

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

NOTES

- = FOUND REBAR WITH CAP UNLESS OTHERWISE NOTED
- = SET 5/8" X 24" REBAR WITH CAP

BASIS OF BEARING

MID SECTION LINE OF SECTION 27 AS SHOWN ON PLAT OF MADISON ADDITION - BEARING IS N 00°15'43" W

AREA

GROSS AREA: 12.488 ACRES
ROAD AREA: 2.518 ACRES
LOT AREA: 9.970 ACRES (25 TOTAL LOTS)

BUILDING RESTRICTION NOTE

ALL LOTS IN BLOCK 23 ARE RESTRICTED TO DUPLEX LOTS ONLY

LOT ACCESS NOTE

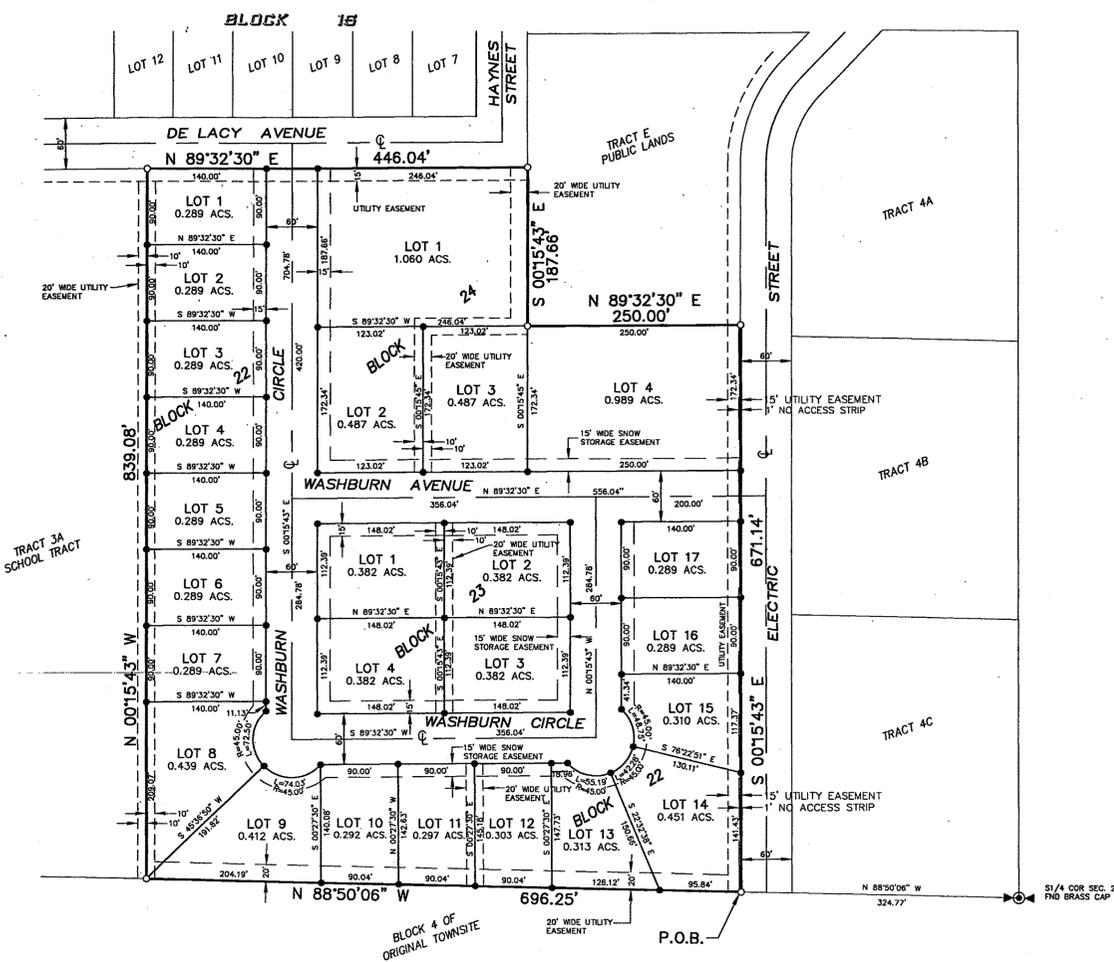
THERE SHALL BE A 1 FOOT NO ACCESS STRIP ON ALL LOTS WHICH ARE ABUTTING TO ELECTRIC STREET. ACCESS TO THOSE LOTS SHALL BE MADE ONLY THROUGH WASHBURN CIRCLE.

LOT ACCESS:

LEGAL AND PHYSICAL ACCESS IS PROVIDED BY ELECTRIC STREET ADJACENT TO THE PROPERTY ON THE WEST AND BY DE LACY AVENUE ADJACENT TO THE PROPERTY ON THE NORTH.

EASEMENT NOTE:

"THE UNDERSIGNED HEREBY GRANTS UNTO EACH AND EVERY PERSON OR FIRM, WHETHER PUBLIC OR PRIVATE, PROVIDING OR OFFERING TO PROVIDE TELEPHONE, ELECTRIC POWER, GAS, CABLE TELEVISION, WATER OR SEWER SERVICES TO THE PUBLIC, THE RIGHT TO THE JOINT USE OF AN EASEMENT, FOR THE CONSTRUCTION, MAINTENANCE, REPAIR AND REMOVAL OF THEIR LINES AND OTHER FACILITIES, IN, OVER, UNDER AND ACROSS EACH AREA DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT." TO HAVE AND HOLD FOREVER."



CERTIFICATE OF DEDICATION

We, the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and platted into lots, blocks, streets and alleys, as shown by this plat hereunto included, the following described tract of land, to wit:

DESCRIPTION

A Tract of land being Tract 8A of Amended Plat of Tracts 3,4,5,6,8, and 9 and Portions of Block 17 and 20 of Madison Addition Subdivision, situated in the SW1/4 of Section 27, T13S., R.5E., P.M.M., Town of West Yellowstone, Gallatin County, Montana, and being further described as follows:

Beginning at a point which bears N 88°50'06" W a distance of 324.77 feet from the S1/4 corner of Section 27, said point being on the north line of Block 4 of the original townsite; thence from said True Point of Beginning along said line N 88°50'06" W a distance of 696.25 feet to a point on the east line of Tract 3A of School Tract; thence along said line N 00°15'43" W a distance of 839.08 feet to a point on the south right-of-way line of De Lacy Avenue; thence along said line N 89°32'30" E a distance of 446.04 feet to a point on the west line of Tract E being Public Lands; thence along the west and south lines of said Tract E S 00°15'43" E a distance of 187.66 feet and N 89°32'30" E a distance of 250.00 feet to a point on the west right-of-way line of Electric Street; thence along said line S 00°15'43" E a distance of 671.14 feet to the True Point of Beginning. Said Tract being 12.488 acres along with and subject to any existing easements.

The above described tract of land is to be known and designated as "Amended Plat of Tract 8A of Amended Plat of Tracts 3,4,5,6,8 and 9 and Portions of Block 17 and 20 of Madison Addition Subdivision", Town of West Yellowstone, Gallatin County, Montana; and the lands included in all streets, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the Town of West Yellowstone for the public use and enjoyment.

Dated this 1st day of August, 1996.

Madison Addition Investments Limited Partnership

BY: John H. Costello
TITLE: General Partner

STATE OF MONTANA }
County of Gallatin } SS

On this 1st day of August, 1996, before me, a Notary Public in and for the State of Montana, personally appeared John H. Costello, known to me to be the "General Partner" of Madison Addition Investments Limited Partnership, the Limited Partnership that executed the foregoing and acknowledged to me that he executed the same for and on behalf of said Limited Partnership.

WITNESS my hand and seal, the day and year above first written.

Marion E. Egan
Notary Public for the State of MT
Residing at West Yellowstone
My Commission expires 11-13-98

CONSENT OF MORTGAGEES

We, the undersigned mortgagees, do hereby join in and consent to the described plat, releasing our respective liens, claims or encumbrances as to any portion of said lands now being platted into streets, avenues, parks, or other public uses and dedicated to the use of the public forever.

Dated this 1st day of August, 1996.

Security Bank of West Yellowstone

BY: Mike Polkowski
TITLE: President

STATE OF MONTANA }
County of Gallatin } SS

On this 1st day of August, 1996, before me, a Notary Public in and for the State of Montana, personally appeared Mike Polkowski, known to me to be the President of First Security Bank of West Yellowstone, the lending institution that executed the same for and on behalf of said institution.

WITNESS my hand and seal, the day and year above first written.

Kathleen D. Breachin
Notary Public for the State of MT
Residing at W. Yellowstone
My commission expires 11-27-98

CERTIFICATE OF SURVEYOR

I, the undersigned, Dennis L. Foreman, Professional Land Surveyor, do hereby certify that during February, 1996, I surveyed "Amended Plat of Tract 8A of Amended Plat of Tracts 3,4,5,6,8 and 9 and Portions of Block 17 and 20 of Madison Addition Subdivision" and platted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Section 76-3-101 through 76-3-614, and the Town of West Yellowstone Subdivision Regulations.

Dated this 31st day of July, 1996.

Dennis L. Foreman
Dennis L. Foreman
Registration #5606S



CERTIFICATE OF INSTALLATION OF IMPROVEMENTS

I, the undersigned, Gerald M. Gaston, do hereby certify that between April, 1996 and August, 1996, the required improvements were installed in accordance with the approved plans and specifications.

Dated this 31st day of July, 1996.



By: *Gerald M. Gaston*
Gerald M. Gaston
Registration # 3594 PE

CERTIFICATE OF LOCAL GOVERNING BODY

This subdivision known as "Amended Plat of Tract 8A of Amended Plat of Tracts 3,4,5,6,8 and 9 and Portions of Block 17 and 20 of Madison Addition Subdivision" is within the Town of West Yellowstone Master Plan Area and can be provided with municipal facilities for the supply of water and disposal of sewage and solid waste. Therefore under provisions of Section 76-4-124(1), this tract is not subject to sanitary restriction clearance.

Dated this 1st day of August, 1996.

Albert F. Brown
Mayor - Town of West Yellowstone

CERTIFICATE OF MAYOR AND TOWN COUNCIL

I, the Mayor of the Town of West Yellowstone, Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and has found the same to conform to law, approves it, and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use.

Dated this 1st day of August, 1996.

Albert F. Brown
Clerk - Town of West Yellowstone

Albert F. Brown
Mayor - Town of West Yellowstone

CERTIFICATE OF COUNTY TREASURER

I, Stan Hughes, Treasurer of Gallatin County, Montana, do hereby certify that the accompanying plat or Certificate of Survey has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be divided have been paid.

Dated this 31st day of July, 1996.

Stan Hughes
Treasurer of Gallatin County

329231

CERTIFICATE OF CLERK AND RECORDER

I, *Shelley M. Chaney*, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 11:00 o'clock (a.m. or p.m.) this 2nd day of August, 1996, and recorded in Book 5 of Plats on Page 160-A, Records of the Clerk and Recorder, Gallatin County, Montana.

Dated this 2nd day of August, 1996.

BY: *Shelley M. Chaney*
Clerk & Recorder



Application & Petition for Zoning Amendment or Zone Change

<p>Town of West Yellowstone 406-646-7795</p> <p>440 Yellowstone Avenue PO Box 1570 West Yellowstone, MT 59758</p>	<p>Administrative Use Only</p> <p>Date: _____ Accepted by: _____</p> <p>Fee: \$ _____ Cash/Check #: _____</p>
--	--

Submit this application and all required information to the Town Offices.

Fees shall be paid according to the current fee schedule – contact Town Offices for fee information.

1. APPLICANT(S)/OWNER(S) OF RECORD [owner of land or building, or person(s) authorized to represent the entity that is the owner of record, and to whom copies of all correspondence are to be sent]:

Name: _____

Mailing Address: _____

City/State/Zip: _____ Phone: _____

Email: _____

2. AGENT/REPRESENTATIVE [list all agents to whom copies of all correspondence are to be sent]:

Name: _____

Mailing Address: _____

City/State/Zip: _____ Phone: _____

Email: _____

3. LEGAL DESCRIPTION OF PROPERTY: [the land or building that the petition is applicable to for this property owner/applicant]:

Street Address: _____ Section: _____ Township: _____ Range: _____

Subdivision/Survey: _____ Lot/Tract: _____ Block: _____

Assessor’s Number or Geocode: _____ Lot Size: _____ Acres/Square Feet (circle)

4. PROPOSAL:

Is this a reclassification/zone change, a text amendment, or both?

Reclassification/Zone Change Text Amendment Both

Other - If Other, please explain: _____

Would the reclassification or amendment apply to just the applicant’s property, an entire district, multiple districts, or the entire Town? Please explain: _____

5. ANNEXATION: Does this application include a proposal to annex additional land into the corporate limits of the Town of West Yellowstone? Yes No

-If yes, has an annexation petition also been submitted? Yes No

6. ATTACHMENTS: Please attach the following:

- Vicinity map showing location of the property prompting this petition.
- For text amendments, the proposed modifications to applicable sections of the Zoning Ordinance in underline/strikethrough format (underlined = new language; ~~strikethrough~~ = deleted language).
- If applicable, a detailed drawing showing existing and proposed features pertinent to the petition.
- Narrative report addressing the following criteria for municipal zoning (State Law: 76-2-304, Montana Code Annotated):
 1. How would the zone change or amended regulations accord to the Town of West Yellowstone Growth Policy?
 2. How would the zone change or amended regulations secure safety from fire and other dangers?
 3. How would the zone change or amended regulations promote public health, public safety, and the general welfare of the Town?
 4. How would the zone change or amended regulations facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements?
 5. How would the zone change or amended regulations reasonably provide adequate light and air?
 6. How would the zone change or amended regulations effect motorized and nonmotorized transportation systems?
 7. How would the zone change or amended regulations promote compatible urban growth?
 8. Explain the character of the applicable existing and/or proposed district and its peculiar suitability for the particular uses allowed in the district.
 9. How would the zone change or amended regulations conserve the value of buildings and encourage the most appropriate use of land throughout the jurisdictional area of the Town of West Yellowstone?

I hereby certify that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. The signing of this application signifies permission for the Town of West Yellowstone officials and representatives to visit the property during the review.

Applicant/Property Owner Signature

Date

Applicant/Property Owner Signature

Date

Attach additional signature pages if necessary

RESOLUTION NO. 718

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS

WHEREAS, the Bridge and Road Safety and Accountability Account created by HB 473 requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, a description of the projects to be funded (or the money used to match federal funds) are detailed in Appendix A [*attach project list*]; and,

WHEREAS, the local match for the allocated funds has been budgeted from [*list source of funds from which matching funds are being provided*].

THEREFORE, NOW BE IT RESOLVED THAT:

1. Town of West Yellowstone requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified in Appendix A.
2. That Daniel Sabolsky, the Town Manager of the Town of West Yellowstone is hereby empowered and authorized to execute such further documents as may be necessary to facilitate the distribution of said funds.

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

Mayor

Council Member

Council Member

Council Member

Council Member

ATTEST:

Clerk of the Town of West Yellowstone

RESOLUTION No. 719

A RESOLUTION OF THE WEST YELLOWSTONE TOWN COUNCIL EXPANDING THE PARKS & RECREATION ADVISORY BOARD

WHEREAS, the Charter for the Town of West Yellowstone grants power to the Mayor to appoint, with the consent of the Town Council, boards, commissions, or committees as the Council deems necessary; and

WHEREAS, these bodies shall serve at the pleasure of the Council and exercise only those powers granted them by the Council through specific resolution or ordinance; and

WHEREAS, the Town Council desires to expand the Parks & Recreation Advisory Board for the purpose of providing premier parks and recreation services that enhance the quality of life for residents and add value to regional visitor experiences.

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

1. The Mayor, with the approval of the Town Council, shall appoint an additional four members to the Parks & Recreation Advisory Board for a total board membership of nine.
2. The membership of the board shall include one representative from the Town Council and eight members from the community at large.
3. Each board member shall be appointed by the mayor, subject to the consent of the town council, for a term of four years. In order to provide for staggered terms, two of the new board appointments shall be for terms of four years and two of the new board appointments shall be for terms of three years.
4. The Parks & Recreation Advisory Board shall be charged with the following mission:

To advise the West Yellowstone Town Council and Staff regarding park and recreation policies, facilities, programs, maintenance, development, funding, and other needs of the community.
5. The Parks & Recreation Advisory Board shall operate under the following guidelines:
 - A. The Parks & Recreation Advisory Board shall be subject to the open meeting laws in the State of Montana. All meetings shall be properly noticed to the public.

- B. The Parks & Recreation Advisory Board shall adopt an organizational structure and establish by-laws and regulations for conducting business.
- C. The Parks & Recreation Advisory Board shall report on its activities to the Town Council on at least a quarterly basis at a regularly scheduled Town Council Meeting.
- D. The Parks & Recreation Advisory Board is advisory in nature and has no authority to seek funds or obligate Town funds or resources without prior authorization from the Town Council or appropriate Town Staff.

**PASSED AND ADOPTED BY THE TOWN COUNCIL AND APPROVED BY THE
MAYOR FOR THE TOWN OF WEST YELLOWSTONE
THIS ____ DAY OF _____, 2018.**

Brad Schmier
Council Member/Mayor

Pierre Martineau
Council Member

Jerry Johnson
Council Member

ATTEST:

Greg Forsythe
Council Member

Chris Burke
Council Member

Elizabeth Roos
Town Clerk

Morgan Pavement
 Remit to: PO Box 190
 Clearfield, UT 84089
 625 S. Main Street
 Clearfield, UT 84015



Phone: (801) 544-5947
 Fax: (801) 416-8061
 MorganPavement.com

Mastic Asphalt Treatment-Excavation & Grading-Asphalt Paving-Patching-Sealcoat-Slurry-Crackseal-Striping-Consulting

To:	CITY OF WEST YELLOWSTONE	Contact:	James Patterson
Address:	440 YELLOWSTONE AVENUE WEST YELLOWSTONE AVENUE, MT 59758	Phone:	(406) 646-7795
Project Name:	2017 WEST YELLOWSTONE SLURRY SEAL PROJECT	Bid Number:	
Project Location:	Madison Avenue, West Yellowstone, MT	Bid Date:	4/10/2017

Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Mobilization	1.00	LS	\$16,000.000	\$16,000.000
<i>Slurry Seal Type III</i>	95,400.00	SY	\$1.665	\$158,841.000
Clean Entire Surface Free Of Dirt And Debris Apply 1 Course Of Type III Slurry Seal				

Total Bid Price: \$174,841.000

Notes:

- Any deviation from these specifications and/or terms shall be by written mutual agreement. Payment for extra work and allowances for omission shall be fixed in advance in writing on demand by either party. No verbal agreement or understanding shall be binding
- In the event of dispute between Morgan Pavement and Buyer, the parties agree to arbitration through the American Arbitration Association.
- Unless specified otherwise, the Buyer assumes responsibility for traffic control and any barricading necessary, as well as assuring traffic is not permitted on the new surface until material is set.
- Temperature is a factor in the ability to apply certain asphalt products and obtain adhesion. In order for warranty to apply, temperatures must fall within certain parameters for that specific scope of work. Please call to verify the temperature parameters of the proposed work.
- Please turn off all sprinklers and remove obstructions(i.e. dumpsters or cars) from work site prior to performance of work. Morgan Pavement will not be held liable for areas that are wet or blocked on the day that the crews arrive. If it is necessary to return to touch up areas so affected, there will be additional charges.
- If this contract contains unit prices, job will be measured and billed upon completion at unit prices listed on contract.
- Morgan Pavement assumes no risk or liability of undisclosed or unforeseen conditions of the project site, including but not limited to hazardous waste, unstable or saturated subgrade, underground utilities, water table issues.
- Exclusions unless noted on scope of work: Bonds, fees, permits, material or compaction testing, traffic control and/or barricades, prime coat, soil sterilant, subgrade stabilization, concrete, sawcutting, earthwork, engineering, survey, construction staking, third party billing fees
- Morgan Pavment will not guarantee drainage on grades with 1% or less slope or on overlays.
- Both Parties agree that Morgan Pavement is not liable for any damage of underground piping, wiring, conduit which are not visible to crews on the property that could not be located by utility locator service. (i.e. blue stakes)
- This contract shall be governed by the laws of the state in which the work is performed
- During delivery of material and to gain access to work area with equipment, owner agrees and understands that loaded trucks and heavy equipment can cause damage to concrete, landscaping, sprinkler systems, and other items on property designated for delivery and therefore specifically agree to hold Morgan Pavement or its agents harmless for any damage by movement of the delivery vehicle or equipment while accessing or egressing the location the owner has designated for delivery and for work to be performed.
- Price is valid for 30 days from date of proposal
- Due to the volatility of the oil industry, this bid will fluctuate with oil prices. Therefore this may adjust with any increase or decrease in oil/material prices.

Payment Terms:

Payment is due at completion of project without any retention being withheld, Invoices are subject to 2% interest per month beginning 30 days following the due date. In the event it becomes necessary for Morgan Pavement to file suit to collect any money due, hereunder or for breach thereof, the owner agrees to pay in addition to the amount due, all costs of enforcement including reasonable attorney fees.

Morgan Pavement
 Remit to: PO Box 190
 Clearfield, UT 84089
 625 S. Main Street
 Clearfield, UT 84015



Phone: (801) 544-5947
 Fax: (801) 416-8061
 MorganPavement.com

Mastic Asphalt Treatment-Excavation & Grading-Asphalt Paving-Patching-Sealcoat-Slurry-Crackseal-Striping-Consulting

To: CITY OF WEST YELLOWSTONE	Contact: James Patterson
Address: 440 YELLOWSTONE AVENUE WEST YELLOWSTONE AVENUE, MT 59758	Phone: (406) 646-7795
Project Name: 2017 WEST YELLOWSTONE SLURRY SEAL PROJECT	Bid Number:
Project Location: Madison Avenue, West Yellowstone, MT	Bid Date: 4/10/2017

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Morgan Pavement</p> <p>Authorized Signature: _____</p> <p>Estimator: CARTER HANSON (801) 837-0916 chanson@morganpavement.com</p>
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