

Town of West Yellowstone

Thursday, April 4, 2019

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 March 19, 2019 Town Council Meeting** ∞

Business License Applications ∞

- Legacy West, nightly rental

Advisory Board Report(s)

Town Manager & Department Head Reports

- Swearing in of Officer Brian Maehrer

Comment Period

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

UNFINISHED BUSINESS

80 Acres Conceptual Plan, Think Tank Design Group

Discussion/Action ∞

Encroachment Application, Hamilton Construction Company (Tabled 3/19/19)

Discussion/Action ∞

NEW BUSINESS

Week of the Young Child Proclamation

Discussion/Action ∞

Earth Day Proclamation

Discussion/Action ∞

Short-Term Wastewater Treatment Plant Upgrades Project

Discussion/Action ∞

- Update by Forsgren Associates
- Forsgren Contract
- Award Bids, Evaporators for Sewer Lagoon

Curfew Ordinance

Discussion ∞

Resolution No. 725, Revise the FY 2019 Budget

Discussion/Action ∞

Resolution No. 726, Pioneer Park Pavilion Reservation Fees

Discussion/Action ∞

Correspondence/FYI/Meeting Reminders

- Letter-Ken Davis, West Yellowstone Cemetery Board Chair
- Letter-Lewis S. Robinson, Robinson Interests of Montana, Inc.

If viewing the agenda electronically, click the "∞" symbol to link to the associated documentation in the Town Council Packet.



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.

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TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 4/19

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Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
45486		2575 WY Tourism Business Improvement		7,782.31					
	04/01/19	March 2019 collections		7,782.31		TBID	2102 411800	540	101000
45489		1273 Montana Security and		61.50					
	37005 04/17/19	monitoring UPDL		61.50		UPDL	1000 411252	357	101000
45490		2845 Kasting, Kauffman & Mersen, PC		2,965.72					
	04/05/19	legal services		2,945.00		LEGAL	1000 411100	352	101000
	04/05/19	postage/copies		20.72		LEGAL	1000 411100	870	101000
	04/05/19	phone/fax		0.00		LEGAL	1000 411100	345	101000
	04/05/19	travel		0.00		LEGAL	1000 411100	373	101000
45492		2088 Town West Yellowstone		747.55					
	04/01/19	utility chrgs, Chamber, 895		45.84*		BLDGS	1000 411257	340	101000
	04/01/19	utility chrgs, UPDL, 892		69.64		BLDGS	1000 411252	340	101000
	04/01/19	utility chrgs, PS Shops, 884		32.07		BLDGS	1000 411253	340	101000
	04/01/19	utility chrgs. Povah Ctr, 887		66.36		BLDGS	1000 411255	340	101000
	04/01/19	utility chrgs, Police Dept, 886		40.99		BLDGS	1000 411258	340	101000
	04/01/19	utility chrgs, City Park, 885		327.94		BLDGS	1000 411253	340	101000
	04/01/19	utility chrgs, Library, 891		32.04		LIBBLD	1000 411259	340	101000
	04/01/19	utility chrgs, Lift #1, 903		13.89		SEWER	5310 430600	340	101000
	04/01/19	utility chrgs, Twn Hall, 921		118.78		TWNHAL	1000 411250	340	101000
45494		42 Fall River Electric		7,648.62					
	04/20/19	UPDH 4212041 elec service		685.65		UPDH	1000 411252	341	101000
	04/20/19	POLICE 4212008 elec service		365.86		POLICE	1000 411258	341	101000
	04/20/19	shop 4212018 elec service		291.75		STREET	1000 430200	341	101000
	04/20/19	ANIMAL 4212029 elec serv		244.77		ANIMAL	1000 440600	341	101000
	04/20/19	PARK 4212032 Elec ser		240.64		PARK	1000 411253	341	101000
	04/20/19	PARK, old firehouse 2901001 e		428.46		PARK	1000 411253	341	101000
	04/20/19	CLORINATOR 4212030 elec serv		84.88		WATER	5210 430500	341	101000
	04/20/19	MADADD H2O Tower 4212017		50.75		WATER	5210 430500	341	101000
	04/20/19	RR Well 4212005 elec serv		234.19		WATER	5210 430500	341	101000
	04/20/19	SEWER LIFT STATION 4212006		242.01		SEWER	5310 430600	341	101000
	04/20/19	SEWER PLANT 4212007 elec ser		1,240.57		SEWER	5310 430600	341	101000
	04/20/19	MAD SEWER LIFT 4212014 elec		205.35		SEWER	5310 430600	341	101000
	04/20/19	SEWER TREAT SERV 4212046 ele		774.78		SEWER	5310 430600	341	101000
	04/20/19	library 23 dunraven 4212054		121.85		LIBRY	1000 411259	341	101000
	04/20/19	povah comm ctr 4212001		281.52		POVAH	1000 411255	341	101000
	04/20/19	unmetered lights 4212004		1,451.25		STLITE	1000 430263	341	101000
	04/20/19	Town Hall 4212009		561.46		TWNHAL	1000 411250	341	101000
	04/20/19	Ice Rink 421010		57.62		PARKS	1000 411253	341	101000
	04/20/19	Hayden/Grouse Well 4212015		42.37		WATER	5210 430500	341	101000
	04/20/19	Electric Well 4212031		42.89		WATER	5210 430500	341	101000

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TOWN OF WEST YELLOWSTONE
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For the Accounting Period: 4/19

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Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
45496	2813 Century Link	1,535.68					
	04/19/19 DSL Pub Serv Office 646-7949	0.00		BLDINS	1000 430200	345	101000
	04/19/19 Police 646-7600	334.55		POLICE	1000 420160	345	101000
	04/19/19 E911 Viper 646-5170	98.84		E911	2850 420750	345	101000
	04/19/19 E911 255-9710	999.42		E911	2850 420750	345	101000
	04/19/19 E911 255-9712	24.77		E911	2850 420750	345	101000
	04/19/19 Alarm Lines, 646-5185	78.10		TWNHAL	1000 411250	345	101000
45498	1514 Verizon Wireless	1,357.13					
	18 Smartphones						
	1 regular phones						
	5 laptops						
	04/20/19 640-0108, Police	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-0121 Laptop	40.01		STREET	1000 420100	345	101000
	04/20/19 640-0141 Street SP	59.41		STREET	1000 430200	345	101000
	04/20/19 640-0159 Street SP	59.41		STREET	1000 430200	345	101000
	04/20/19 640-1103, Operator SP	59.41		STREET	1000 430200	345	101000
	04/20/19 640-1438, SS Director	28.30		SOCSESR	1000 450135	345	101000
	04/20/19 640-1460, Library Dir, SP	59.41		LIBRAR	2220 460100	345	101000
	04/20/19 640-1461, Street, SP	59.41		WATER	5210 430500	345	101000
	04/20/19 640-1462, Operator, SP	59.41		WATER	5210 430500	345	101000
	04/20/19 640-1463, Deputy PSS, SP	59.41		SEWER	5310 430600	345	101000
	04/20/19 640-1472, Ops Mgr, SP	59.41		ADMIN	1000 410210	345	101000
	04/20/19 640-1676, Rec Coor, SP	59.41		REC	1000 460440	345	101000
	04/20/19 640-1754, COP, SP	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-1755, Police	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-1756, Police	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-1757, Police	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-1758, Police, SP	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-1759, Police	59.41		POLICE	1000 420100	345	101000
	04/20/19 640-7547, Street SP	59.41		PARKS	1000 460430	345	101000
	04/20/19 640-9074, PSS, SP	59.41		SEWER	5310 430600	345	101000
	04/20/19 683 laptop	40.01		POLICE	1000 420100	345	101000
	04/20/19 COP laptop	40.01		POLICE	1000 420100	345	101000
	04/20/19 686 laptop	40.01		POLICE	1000 420100	345	101000
	04/20/19 681 laptop	40.01		POLICE	1000 420100	345	101000
	04/20/19 640-2354 Executive Assistant	59.40		FINADM	1000 410210	345	101000
45503	2852 Blackfoot Communications	2,038.44					
	04/15/19 602-4908, povah center	0.00		POVAH	1000 411255	345	101000
	04/15/19 646-5106, fax soc svc	40.53		SOCSESR	1000 450135	345	101000
	04/15/19 646-5119, police station	40.53		POLICE	1000 420160	345	101000
	04/15/19 646-5141, sewer plant alarm	40.53		SEWER	5310 430600	345	101000
	04/15/19 646-5185, town hall alarm	40.53		TWNHAL	1000 411250	345	101000

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	04/15/19	646-7311,	social services	70.54		SOCSRV	1000 450135	345	101000
	04/15/19	646-7481,	povah elevator	40.53		POVAH	1000 411255	345	101000
	04/15/19	646-7511,	town hall fax	40.53		TWNHAL	1000 411250	345	101000
	04/15/19	646-7609,	public works	25.65		PUBSVC	1000 430200	345	101000
	04/15/19	646-7650,	police station fax	40.53		POLICE	1000 420160	345	101000
	04/15/19	646-7715,	povah center	31.85		POVAH	1000 411255	345	101000
	04/15/19	646-7795,	town hall	272.99		TWNHAL	1000 411250	345	101000
	04/15/19	646-7845,	court clerk	26.92		COURT	1000 410360	345	101000
	04/15/19	646-9017,	library	41.85		LIBRAR	2220 460100	345	101000
	04/15/19	646-9027,	sewer plant alarm	40.53		SEWER	5310 430600	345	101000
	04/15/19	ethernet,	library	300.92		LIBRAR	2220 460100	345	101000
	04/15/19	ethernet,	povah center	310.00		POVAH	1000 411255	345	101000
	04/15/19	ethernet,	police station	350.00		POLICE	1000 411258	345	101000
	04/15/19	ethernet,	town hall	272.00		TWNHAL	1000 411250	345	101000
	04/15/19	602-4909,	town hall judge	11.48		COURT	1000 410360	345	101000
45505		99922	Melanie Gospodarek	90.80					
	03/28/19	travel reimburse -	Boz trainin	90.80		FINADM	1000 410510	370	101000
45506		2514	Kathi Arnado	123.56					
	03/22/19	travel reimburse	Poc. training	123.56		SOCSRV	1000 450135	370	101000
45507		3195	Marlys Carter	350.00					
	03/07/19	Povah cleaning	dep refund	350.00		POVAH	2210 214001		101000
45508		2264	MORNING GLORY COFFEE & TEA	33.75					
	826266 02/28/19	coffee for	dispatch	33.75		DISPAT	1000 420230	220	101000
45509		2894	Brannon & Brannon Psychological	400.00					
	03/14/19	pre-employment	screening	400.00*		DISPAT	1000 420100	351	101000
45510		2942	New York Times	198.90					
	02/24/19	monthly	subscription	198.90		LIBRAR	2220 460100	215	101000
45511		1992	Big Sky Journal	30.00					
	03/11/19	1 year	subscription	30.00		LIBRAR	2220 460100	215	101000
45512		3196	Dr. John P. Fraunces	165.00					
	03/15/19	pre-employment	evaluation	165.00*		POLICE	1000 420100	351	101000

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45513		2977 Staples Credit Plan		404.71					
	2248809351	02/22/19 office supplies		404.71*		SOCSR	1000 450135	220	101000
45514		3197 Hector H. Mascorro Rios		50.00					
	03/20/19	exon. bond TK-110-2018-335		50.00		COURT	7469 212401		101000
45515		3020 COLJ Conference Registration -		300.00					
	03/20/19	conf. registration Gibson		300.00		COURT	1000 410360	335	101000
45516		3190 Lee Powell		120.00					
	03/20/19	restitution EK-110-2018-402		120.00		COURT	7469 212401		101000
45517		3008 Liz Roos		52.16					
	03/18/19	recording fees reimburse		29.50		ENGIN	1000 411040	354	101000
	03/18/19	registration police veh reimbu		22.66		POLICE	1000 430200	870	101000
45518		3198 HydroSolutions, Inc.		2,373.47					
	36982	02/28/19 Water Rights review/evaluation		2,373.47		WATER	5220 430530	939	101000
45519		2455 Tri State Excavating, LLC		5,023.20					
	7117	03/02/19 snow removal w/ dump truck		5,023.20		STREEE	1000 430200	398	101000
	t								
45521		3199 406 Fire Training llc		350.00					
	0138	03/15/19 Confined Space Training		350.00		STREET	1000 430200	380	101000
45522		375 Black Mountain		100.00					
	24347	03/22/19 Cass certification of mailings		50.00*		WATER	5210 430570	355	101000
	24347	03/22/19 Cass certification of mailings		50.00		SEWER	5310 430670	355	101000
45523		171 Montana Food Bank Network		550.16					
	3377984	03/28/19 Food bank supplies		550.16		SOCSR	7010 450135	220	101000
45524		1061 Lane and Associates		278.13					
	6854	03/25/19 Quarterly random drug testing		278.13		ADMIN	1000 410210	356	101000
45525		3189 Skijor West		1,500.00					
	04/01/19	refund of RT Bond		1,500.00		GENFND	1000 214000		101000

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45526	2537 Balco Uniform Co., Inc. 53134 03/28/19 uniform jacket	118.42 118.42		POLICE	1000 420100	226	101000
45527	2 Forsgren Associates P.A. 119061 02/25/19 monthly contract payment 119061 02/25/19 monthly contract payment	2,000.00 1,000.00 1,000.00		WATER SEWER	5210 430500 5310 430600	354 354	101000 101000
45528	3004 Partsmaster 23396070 03/14/19 hose protectors	222.66 222.66		STREET	1000 430200	220	101000
45529	65 T & E 189926 03/20/19 936E Repair, steering control 189927 03/20/19 938H Repair, oil pressure sens	4,071.18 2,281.84* 1,789.34*		STREET STREET	1000 430200 1000 430200	369 369	101000 101000
45530	3200 Yellowstone Log Chinking 20 03/19/19 Town Hall Roof shoveling 20 03/19/19 UP Dining Hall Roof shoveling 24 03/31/19 CHP Roof shoveling 24 03/31/19 Museum Roof shoveling	2,800.00 900.00 1,150.00 400.00* 350.00		TWNHAL UPDL CHP MUSEUM	1000 411250 1000 411252 1000 411251 1000 411252	357 357 357 357	101000 101000 101000 101000
45531	2800 RDO Equipment Co. P40993 03/29/19 Lock P40958 09/27/19 Towel dispenser	248.80 140.98 107.82		STREET STREET	1000 430200 1000 430200	220 220	101000 101000
45532	73 Westmart Building Center 03/27/19 Street Buildings 03/27/19 Police Building 03/27/19 Street Supplies 03/27/19 UPDL Supplies 03/27/19 Library 03/27/19 Town Hall 03/27/19 Povah Center 03/27/19 Parks Supplies 03/27/19 Chamber 03/27/19 Job 2 H2O supplies 03/27/19 Job 2 Sewer Supplies	1,006.51 71.67 563.19 15.19 12.96 33.71* 71.48 19.44 54.92 49.36 24.69 89.90		STREET POLICE STREET UPDL LIBRAR TWNHAL POVAH PARKS CHAMB WATER SEWER	1000 430200 1000 411258 1000 430200 1000 411252 2220 460100 1000 411250 1000 411255 1000 460430 1000 411257 5210 430500 5310 430600	366 920 220 220 220 366 220 220 220 220 220	101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000
45533	E 2673 First Bankcard 02/06/19 replace windshield 2010 expedi 02/19/19 prisoner supplies 02/20/19 package mailed quickprint 02/12/19 applie itunes refund	483.81 456.21 9.08 28.51 -9.99		POLICE PRISNR POLICE	1000 430200 1000 420230 1000 420100 1000 420100	361 220 321 220	101000 101000 101000 101000
CI	4						

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45534		03/19/19 PW accident, plow replacement	3201 Douglas Guenzel	300.00 300.00			1000 430200	361	101000
45535		05/18/19 bond premium	1622 CNA Surety	1,000.00 1,000.00		FINADM	1000 410510	520	101000
45536		03/25/19 travel advance Court Conf.	3177 Richard L. Gibson	260.23 260.23		COURT	1000 410360	370	101000
45537		04/01/19 Restitution Saul tk-2018-552	73 Westmart Building Center	20.00 20.00		COURT	7469 212401		101000
45538		02/07/19 Translation, Initial appearanc	3202 Pilar Collins	300.00 195.00		COURT	1000 410360	394	101000
		03/19/19 Translation, Court trial		105.00		COURT	1000 410360	394	101000
45539		03/03/19 Moonrise development review	2993 Land Solutions, LLC	6,575.03 4,638.75*		PLANNG	1000 411000	398	101000
		03/25/19 Moonrise development review		1,936.28*		PLANNG	1000 411000	398	101000
		# of Claims	42	Total:	56,037.43				
				Total Electronic Claims	483.81	Total Non-Electronic Claims		55553.62	

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TOWN OF WEST YELLOWSTONE
Claims on Hold
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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
45497		04/23/19 Pub Works DSL, Jan/Feb	3143 Century Link	132.00					
				132.00		STREET	1000 430200	345	101000
			# of Claims	42	Total:				132.00

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session
March 19, 2019

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Public Services Superintendent James Patterson, Finance Director Lanie Gospodarek, Social Services Director Kathi Arnado, Chief of Police Scott Newell

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to accept the Treasurer's and Securities Reports dated March 11, 2019. (Martineau, Burke)
- 2) Motion carried to approve the claims, which total \$100,835.55. (Johnson, Martineau)
- 3) Motion carried to approve the claim which totals \$9896.95. (Martineau, Burke)
- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the March 5, 2019 Town Council Meeting, as amended. (Martineau, Burke)
- 5) Motion carried to approve the Request for Variance to allow the spacing between four RV sites at the northwest corner of the parcel from the required 20 feet between the sites to 16 feet, 8 inches. (Johnson, Martineau)
- 6) Motion carried to table the Application to Maintain an Encroachment made by Hamilton Construction Company pending more information. (Burke, Johnson)
- 7) Motion carried to accept the recommendation from the Marketing and Promotions Fund Advisory Board to award \$17,000 to the Music in the Park 2019 series. (Forsythe, Burke)
- 8) Motion carried approve and fund the short-term wastewater treatment plant upgrades project up to \$547,000 as proposed by administrative staff, including purchase orders #6373 to isiWest and #6374 to Aeration Works. (Johnson, Forsythe)
- 9) Motion carried to approve the engineering contracts with Forsgren Associates Inc. including the Base Engineering Contract, Wastewater Facility & Wastewater Collection System Facility Plan Studies (Task 1) and Water Modeling (Task 2). (Forsythe, Burke)
- 10) Motion carried to approve Resolution No. 724-Amended and the Outside Amplification Permit for the Skijoring Special Event rescheduled for March 23-24, 2019. (Burke, Forsythe)

Public Comment Period

Janet, General Manager for the Kelly Inn Properties, asks for a definitive date on when the moratorium will be lifted. She says they have a brand new hotel building that is ready to go and are very anxious to start renting rooms.

Council Comments

Mayor Schmier reports that the Green Up West Yellowstone Group met recently and are trying to get reestablished. He says that recycling is very difficult at this time since there is no downstream demand for recyclable products. He says that he would like to set up a recycling bin in the city limits, similar to the one out at the transfer station. The group would also like the Town Council to pass a proclamation to recognize Earth Day in April. Greg Forsythe mentions that they need to address the snow on the sidewalks issue before next winter. Chris Burke and Pierre Martineau agree that it needs to be addressed but it's a tough issue.

DISCUSSION

- 2) Schmier abstains from #45482 to Jerry's Enterprises for \$2336.30, Forsythe abstains from #45475 to Westmart Building Center for \$1,110.75.
- 4) Schmier notes that Greg Forsythe's name was omitted from the listing at the top of the minutes. Roos also notes that Finance Director Lanie Gospodarek is listed twice.
- 5) Paul Jeppeson of Delaware North addresses the Council regarding the variance request for a reduction in spacing between RV sites on the property. This item was tabled at the previous meeting but now there is confusion about what is being requested through the variance and different maps that have been presented. Ultimately, they determine that the property is being partially brought into compliance but they wish to retain the reduced spacing between RVs on the north side of the property. The variance request is to allow 16'8" between RVs, but new maps presented this week reduce that spacing to as little as 10'. The Council expresses concerns about approving the variance while knowing that other RV developments in town have been held to the 20' spacing standard. Jeppeson clarifies that they would like the Council to vote on the original request as submitted, to allow a reduction in spacing between the RVs from 20' to 16'8". The Planning Board approved the original variance. Teri Gibson, member of the Planning Board and citizen, points out that the goal of the Planning Board is to bring properties into compliance.
- 6) The Council discusses an Application to Maintain an Encroachment made by Hamilton Construction Company of Springfield, Oregon. The request is to use town property to stage equipment and materials before entering Yellowstone National Park because they are only allowed to transport in and out of the Park at certain times of the day.
- 8) Town Manager Dan Sabolsky explains that this agenda item is to explain and fund the short-term wastewater treatment plant upgrades project. He explains that in order to proceed, they need to purchase algae control equipment, sludge profile, membrane replacement, and bid documents for evaporators and complete mix zone. Johnson notes that he read the requirement in the documents that everything must be paid for within 30 days of order, which would be in this fiscal year. Finance Director Lanie Gospodarek explains that they will need to do a budget amendment, but they do have the capability to complete this project. She explains that earlier this year they discussed delaying other projects including the fence at the lagoon, extending the sewer line at Electric Street, and the storage barn at the lagoon in order to fund this project which would free up approximately \$220,000 for this project. In addition, the Town has over \$1.2 million in the sewer replacement and depreciation fund. Johnson expresses concerns about delaying the other projects, especially considering that they have ample funding in the sewer replacement fund. Sabolsky says that the project may impact the other smaller projects and it would be better to delay them until the upgrades are completed. He says it will also benefit them to have more money available in the sewer replacement fund when they seek financing for the long-term upgrades.

- 9) Dave Noel of Forsgren Associates Inc. addresses the Council and explains that they have prepared a base contract for engineering services. He explains that each project will have a task order agreement associated with it that identifies a scope and fee. He says that they will develop an additional task for basic or general engineering services, too. Sabolsky explains that they do have a rate structure that he will send out to the Council and to expect a third task agreement at the next meeting for general engineering services.
- A) **Advisory Board Reports:** Teri Gibson reports on behalf of the **Planning Board**. She reports that the board met last week to review the variance request for the Delaware North/Hideaway RV Park as well as the Marsden Cabins. Town Manager Dan Sabolsky reports that the Recreation Advisory Board met and discussed the capital improvements that are in the current budget, discussed the tennis courts and a pickle ball options, and a restroom and drinking fountain at the courts. The terms for two of the members of the board have expired and have been posted. They also discussed waiving fees for the children of recreation employees but the considered multiple concerns. They also discussed the Recreation Coordinator position and expectations for the new employee.
- B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that the 1% resort tax increase infrastructure bill passed the Montana Senate today on the third reading with a vote of 33 to 16. The bill will now move on to the Montana House. He also reports on a meeting last week with representatives from the Yellowstone Airport about providing water and sewer services for the airport. He reports that they conducted six preliminary interviews for the Recreation Coordinator position and have one more scheduled tomorrow. They will do final interviews next week. The final plan for the 80 acres will be presented for adoption in April. The Safety Committee has had to cancel its last several meetings due to conflicts with snow removal but intends to meet in early April. Sabolsky shares an email from the water rights attorney that indicates that DNRC is in agreement that they can add the water rights for the new well to the existing Whiskey Springs permit. He says they are working through that process. He briefly mentions progress on the casting pond project and the Yellowstone National Park Westgate project. Mayor Schmier asks about progress on the proposed curfew ordinance and proposed fireworks ordinance. He also mentions that he met with one of the owners of the Electric Street property about possible development or sale of the property. Sabolsky say they are still working on both, but intend to bring the curfew ordinance before the Council in April and fireworks in late April or early May.

Finance Director Lanie Gospodarek reports on administrative activities and early budget preparations. **Social Services** Director Kathi Arnado reports on an upcoming Gallatin County food drive, attending training, the Week of the Child, and success helping a resident find stable housing. Chief of **Police** Scott Newell reports on hiring a new officer from Pennsylvania, Brian Maehrer, who will start April 1, 2019. He reports that they offered a full-time dispatch position but the applicant withdrew, so they are still recruiting to fill that position. He reports that the Holiday Inn was evacuated yesterday for a gas leak but it has been repaired and the building ventilated. He also reports that the snowmobile expo last weekend was fairly uneventful.

The meeting is adjourned. (9:45 PM)

Mayor

ATTEST:

Town Clerk

Town of West Yellowstone Business License Application

DA AH
3-14-19

Business Name: Legacy West
 Applicant: Brandi Kadlec - C Walker Foundation
 Contact Person: Brenel Kadlec
 Mailing Address: 3570 Aspen Loop Rd.
 Physical Address of Business: 230 Grizzly Park Ave
 Phone Number: 406 640 0243 Fax Number: _____
 Email Address: Brandi.Kadlec@gmail.com Website: _____

APPROVED DA

FOR CONSTRUCTION

DATE: 3-14-19

Signature of Property Owner of Record: John R Clark
 Subdivision: Old Town
 Block: 12 Lot: 4

Zoning District, please mark one:

- | | |
|--|---|
| <input checked="" type="checkbox"/> B-3 Central Business District (Old Town) | <input type="checkbox"/> PUD Planned Unit Development (Grizzly Park) |
| <input type="checkbox"/> B-4 Expanded Business District (Grizzly Park) | <input type="checkbox"/> Residential Districts, Home Occupations Only (Mad Add) |
| <input type="checkbox"/> E-2 Entertainment District (Grizzly Park) | |
| <input checked="" type="checkbox"/> New Business | <input type="checkbox"/> Transfer of Ownership |
| <input type="checkbox"/> Change of Location | <input type="checkbox"/> Name Change |

- Is this business licensed by the State of Montana? Yes No *
- Appropriate City/County/Health Dept approvals (if applicable) Yes No (please attach)
- If this business is located in Grizzly Park, has the business been approved by the Grizzly Park Architectural Committee (GPAC)? Yes No

Type of Business Please explain in detail the following: number of units, seating capacity, etc. Contractors should list trailers and equipment and where these items will be stored.

Property Management
* Paper Work Pending

Business License Fee: \$ 53⁰⁰
 Resort Tax Bond: \$ 500⁰⁰
 Total Amount Due: \$ 553⁰⁰

[Signature]
 Signature of Applicant
[Signature]
 Signature of Applicant
3-12-19
 Date

FOR OFFICE USE ONLY

Date Approved by Town Council: _____

Date _____	Check # _____	Amount \$ _____	License # _____
SCN _____	BLP _____	STX _____	BLC _____ RDX _____

OK DR 3-14

Site Plan

Business Name:

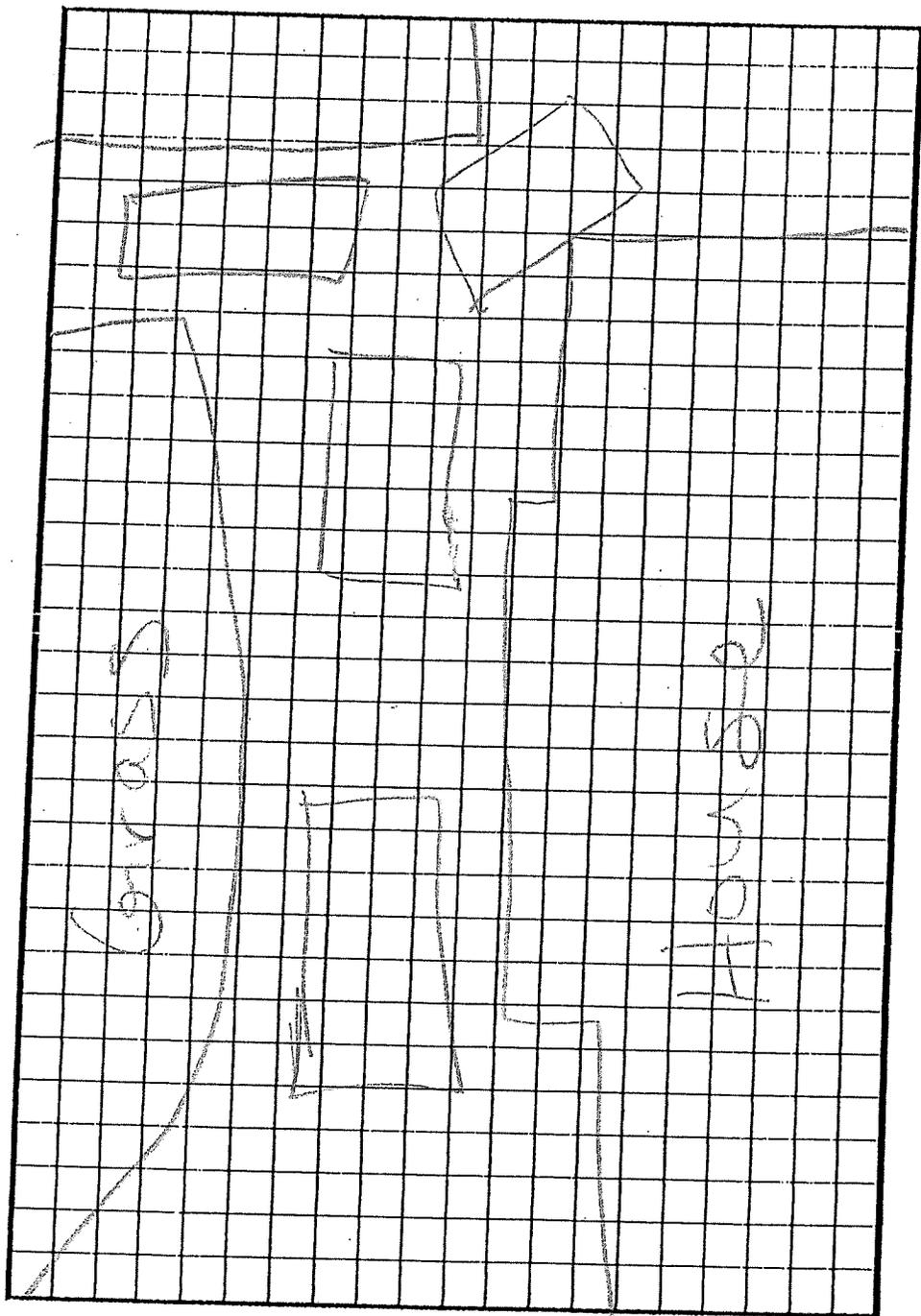
Business Owner:

Business Street Address:

Block:

Lot:

Subdivision:



Scale: 1 inch = 20 feet

Note: This grid represents a standard Town lot, 100 feet by 150 feet.

TOWN OF WEST YELLOWSTONE

**GREETINGS TO ALL FROM THE
STATE OF MONTANA AND
THE TOWN OF WEST YELLOWSTONE**

Be it known to all that on this date, **Brian Maehrer**,
took the following oath of office:

“I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States of America and the Constitution of the State of Montana, and the Charter of the Town of West Yellowstone, and that I will discharge the duties of my office with fidelity (so help me God).”

Let it be recognized to all that on this date, **Brian Maehrer**, by taking this oath of office was duly sworn in as a Peace Officer for the Town of West Yellowstone and the State of Montana.

Mayor Brad Schmier
Town of West Yellowstone

Date





THINKTANK
DESIGN GROUP inc.

80 ACRE EXPANSION PLANNING REPORT **"Creating A Place for All"**

Prepared for the Town of West Yellowstone



FUNDING FOR THIS REPORT WAS PROVIDED, IN PART, BY THE MONTANA DEPARTMENT OF COMMERCE, BSTF PROGRAM.



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BASIS OF REPORT

This report provides an outline of the development potential of 80 acres located on the western boundary of The Town of West Yellowstone (Town). The intent of the analysis is to ensure the property reaches its greatest social, economic, and environmental potential to facilitate a high quality of life for residents and contribute to a growing economy. The guiding principles for the 80 acres study are a high priority for residential use, providing opportunities to strengthen the local economy, and the planning for the future needs to the Town.

The site plan study and use matrix included in the report illustrate high level property divisions and relationships. Development strategies include proposed zoning for housing and small scale, light manufacturing; entryway corridor beautification; relocation of City Shops; redevelopment potential along Yellowstone Avenue; and diversification of commercial development for economic expansion.

EXISTING CONDITIONS & CHALLENGES

Although the Town of West Yellowstone is a primary tourism partner with the State of Montana, the Town's boundaries were established decades ago and are constrained by the surrounding public lands of both Yellowstone National Park and the Custer-Gallatin National Forest. With these fixed boundaries, the Town is completely land locked. While most towns can annex additional land to meet expanding housing, business, and destination visitor needs, this opportunity does not exist in West Yellowstone. This affects the Town in the following adverse ways:

- Commercial growth is limited to existing structures or the demolition and construction of new buildings.
- The Town's manufacturing sector is almost non-existent due to unavailable lands, and the shipping and transportation costs of raw materials and finished products.
- Because of the limited supply of affordable buildable property, land and housing costs are high, especially when considering household incomes. As of 2015, the median household income in West Yellowstone was 20% lower than in Montana and 39% lower than in Gallatin County.
- The lack of available affordable housing is a significant issue for West Yellowstone's seasonal summer workforce. Businesses are heavily reliant on a seasonal workforce, yet potential employees coming to work during the summer season are challenged to find rental housing. In some instances, employees are forced to live in campgrounds or camp illegally in nearby national forest land. (NRMEDD WY report, 2017)

MAXIMIZING DEVELOPMENT POTENTIAL: HIGHEST & BEST USE

In determining the highest and best use of the property, guiding principles were established from the Town's 2017 Growth Policy, as well as community input collected through a series of public meetings conducted by Land Solutions in 2016 / 2017 and a focus group discussion of business and community leaders conducted by Northern Rocky Mountain Economic Development District in December 2016. The

community driven goals which will support a high quality of life for residents are distilled into prioritizing residential use on the 80 acres, providing opportunities for strengthening a local, year-round economy, beautification, and planning for the future needs of the Town.



Prioritize Residential Use on 80 Acres

High Density Housing R-3: A solution to meet affordability demands, promote a range of housing choices, and preserve neighborhood livability.

In the R3 High Density Residential zone, multi-family residential units are appropriate and encouraged to create a denser urban form than the other residential zones. The zone also allows other housing options, such as multiple dwelling houses and single dwelling houses, and is generally applied to land surrounding centers where residents can readily access services.

Medium Density Housing R-4: A second strategy for providing workforce housing & market rate options.

The residential uses allowed in this district are very supportive of the goals of creating more affordable housing options. These range from town house style homes, manufactured homes (on permanent foundations), inclusion of accessory dwelling units and apartments all of which often can be more affordable options for the community. The limited supportive commercial uses listed as permitted for this district include Day cares and home-based businesses with less than 2 employees. The district also provides for some unique conditional commercial uses such as grocery stores, medical / dental offices, and restaurants.

Open Space / Green Space: Creating recreational opportunities near medium and high-density housing.

Open space provides recreational areas for residents and helps to enhance the beauty and environmental quality of neighborhoods. The development scenarios provided in this report include street trees on all frontages with greater tree density on residential streets. A neighborhood public park within the 80-acre development will provide open space near the medium and high-density housing. In addition to the 80 acres development, boulevard trees and landscaping along the Town's entrance on Highway 80 will add to the urban forest inventory.



Provide Opportunities for Strengthening the Local Economy

Mixed Use Industrial on 80 acres allows for light, low impact industrial that can accommodate housing on second and subsequent floors.

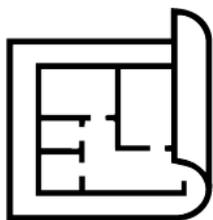
Zoning land for mixed use commercial / residential projects can provide a cluster of commercial uses and create a "town center" atmosphere for both new and old residents. Small-scale light manufacturing businesses that export



products and services on a regional and national level will bring more money into the community and state of Montana. This business diversification strategy can stabilize the economy during times of recession. The zoning recommended within this report (page 17) will provide for these opportunities in a targeted live / work area located on the northern end of the 80-acre expansion, along highway 80. To ensure the success of the new commercial development zone, we recommended that The Town of West Yellowstone, Northern Rocky Mountain Economic Development District, or other economic development partner employ a targeted businesses recruitment strategy to attract new businesses providing niche produces and specialized services concurrent with phased development.

Entryway Commercial That Highlights Town Sprit & Character.

The Town of West Yellowstone plays host to nearly two million destination visitors a year as a major gateway to Yellowstone National Park. This is a both a unique responsibility and an opportunity. By strategically developing an Entryway Corridor on the 80 acres bordering Highway 20, The Town can establish itself as both a world class adventure destination and a strong community with schools, parks, local citizens, and a charm that is worth stopping for. Design guidelines should emphasize creating a of sense of place by highlight the spirit and character with archways announcing arrival, way-finding signage, landscaping with boulevard trees, and public art. Commercial activity along the Town’s gateway should focus on beautification, cohesive architectural design, and public gathering spaces for locals and visitors.



Plan for the Future Needs of the Town of West Yellowstone

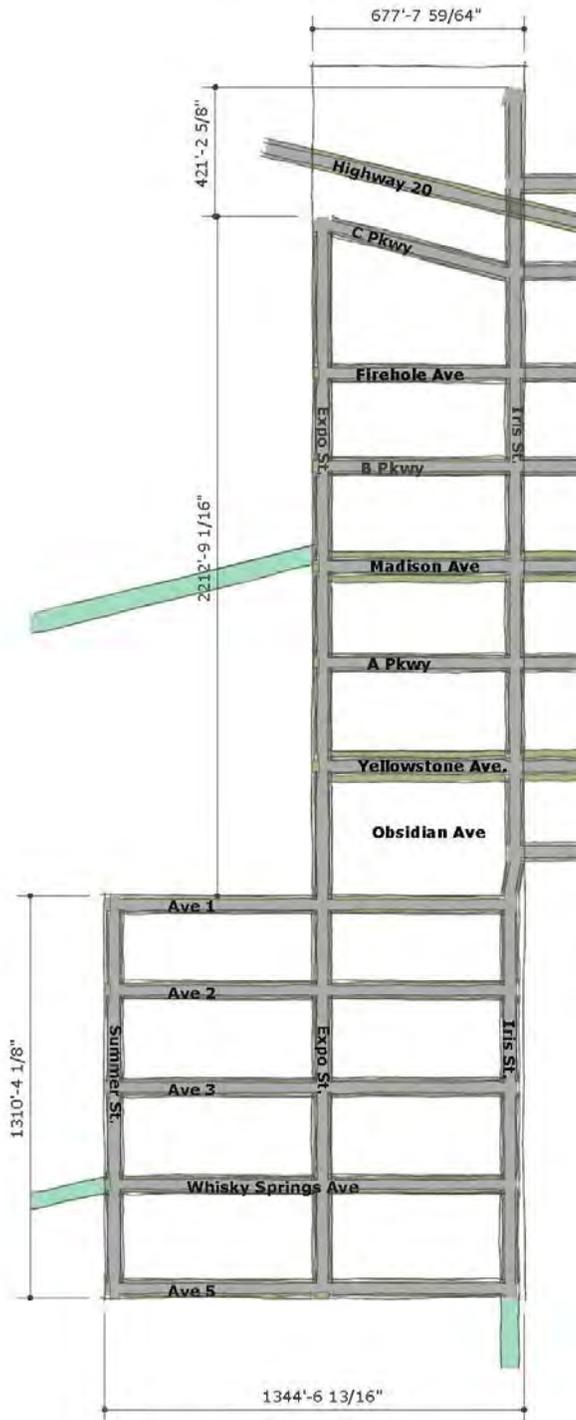
A portion of the 80 acres can be held by the Town to address future needs including public lands and institutions, city services, other municipal infrastructure, and open space / parks. Interviews with the West Yellowstone School Superintendent identified a potential need for a K5 school expansion which would require approximately 2 acres of property. Relocation of City Shops to the 80 acres is also consideration to open prime Yellowstone Avenue real estate for redevelopment.

SITE PLAN STUDY AND USE MATRIX: ADDRESSING COMMUNITY GOALS

To adequately address the communities’ stated goals, the following high-level Site Plans prioritize residential development with a cohesive mix of densities ranging from low to high. Mixed-use zoning allows for the development a year-round, light manufacturing industry while also increasing housing options. Tree lined streets seamlessly connect the 80 acres to the existing town street grid and residents

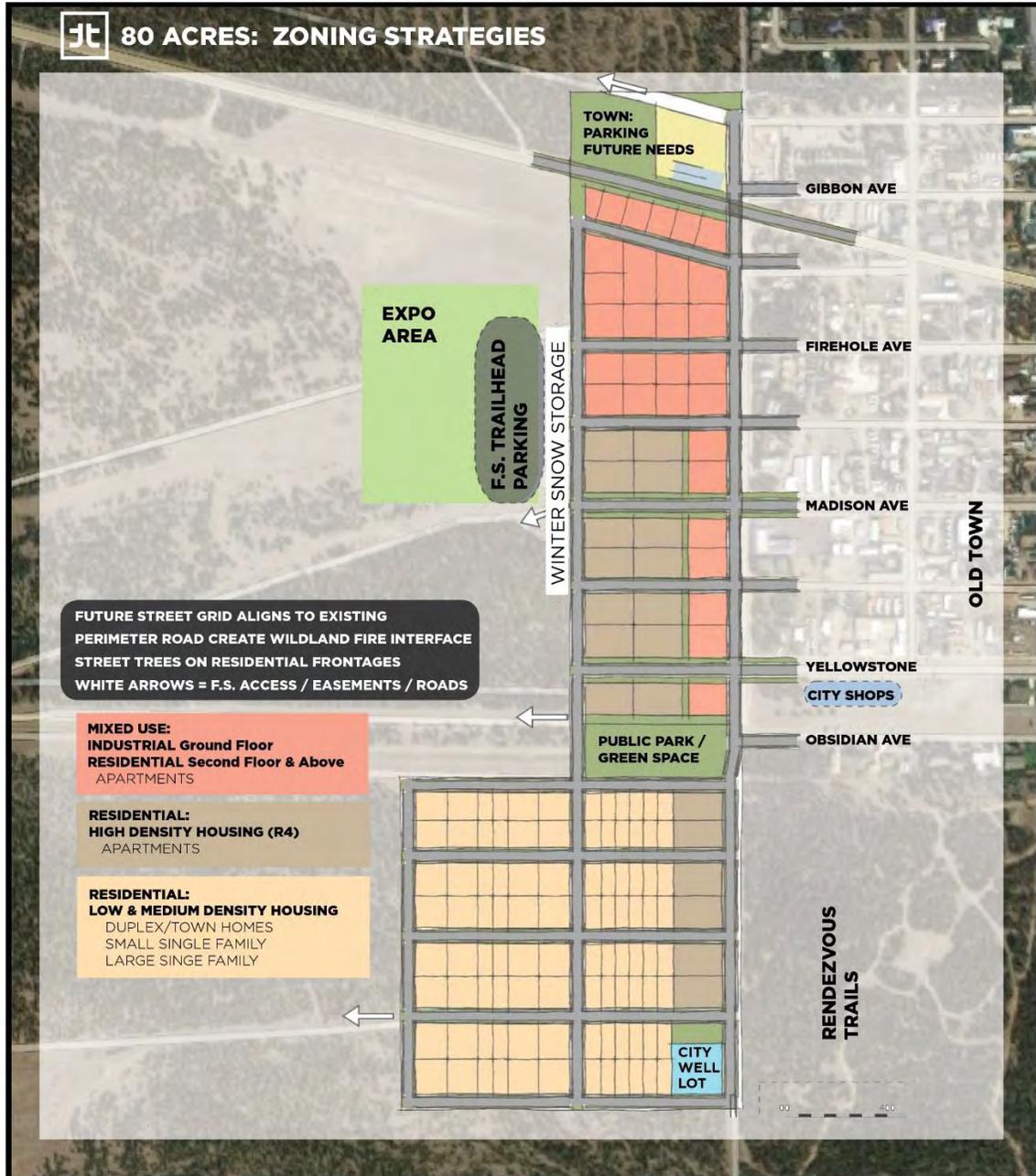


Initial Site Analysis Study: Street Connectivity (July 2018)

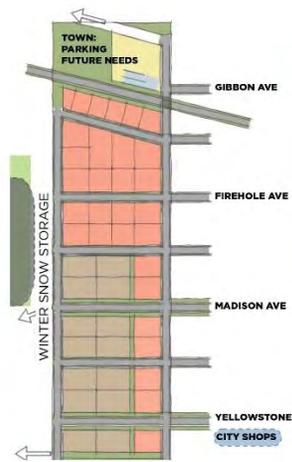




Early Site Plan (October 2018): The following site plan depicting zoning types was presented to the Town Council and Community for feedback in October 2018.



Early Site Plan – North-End Detail (October 2018): The following images further illustrate the proposed site plan zoning types; town entrance / entryway corridor potential; live/work benefits of mixed use commercial / light Industrial with housing above. An emphasis for creating and strengthening a distinctive identity of the Town as year-round community is recommended. These concepts were presented to the Town Council and Community for feedback in October 2018.



MIXED USE:
INDUSTRIAL Ground Floor
RESIDENTIAL Second Floor & Above
 APARTMENTS

RESIDENTIAL:
HIGH DENSITY HOUSING (R4)
 APARTMENTS

TOWN ENTRYWAY CORRIDOR
CREATING A SENSE OF PLACE:

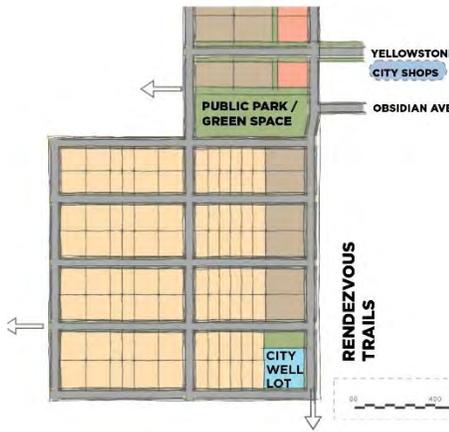
- TOWN AS COMMUNITY, NOT JUST A GATEWAY
- ARCHWAYS
- WAY-FINDING
- LANDSCAPING

COMMERCIAL/INDUSTRIAL
 HIGH DENSITY RESIDENTIAL
 LIVE / WORK
 FRONTAGE STREET TREES





Early Site Plan – South-End Detail (October 2018). The following images further illustrate the proposed site plan zoning types with a broad mix of housing types, and open space / green space areas. These concepts were presented to the Town Council and Community for feedback in October 2018.



**RESIDENTIAL:
HIGH DENSITY HOUSING (R4)**
APARTMENTS

**RESIDENTIAL:
LOW & MEDIUM DENSITY HOUSING**
DUPLEX/TOWN HOMES
SMALL SINGLE FAMILY
LARGE SINGLE FAMILY

- HIGH DENSITY:
APARTMENTS
- LOW DENSITY:
DUPLEX/TOWN HOMES
SMALL SINGLE FAMILY
LARGE SINGLE FAMILY
- FRONTAGE STREET TREES
- OPEN SPACE / GREEN SPACE





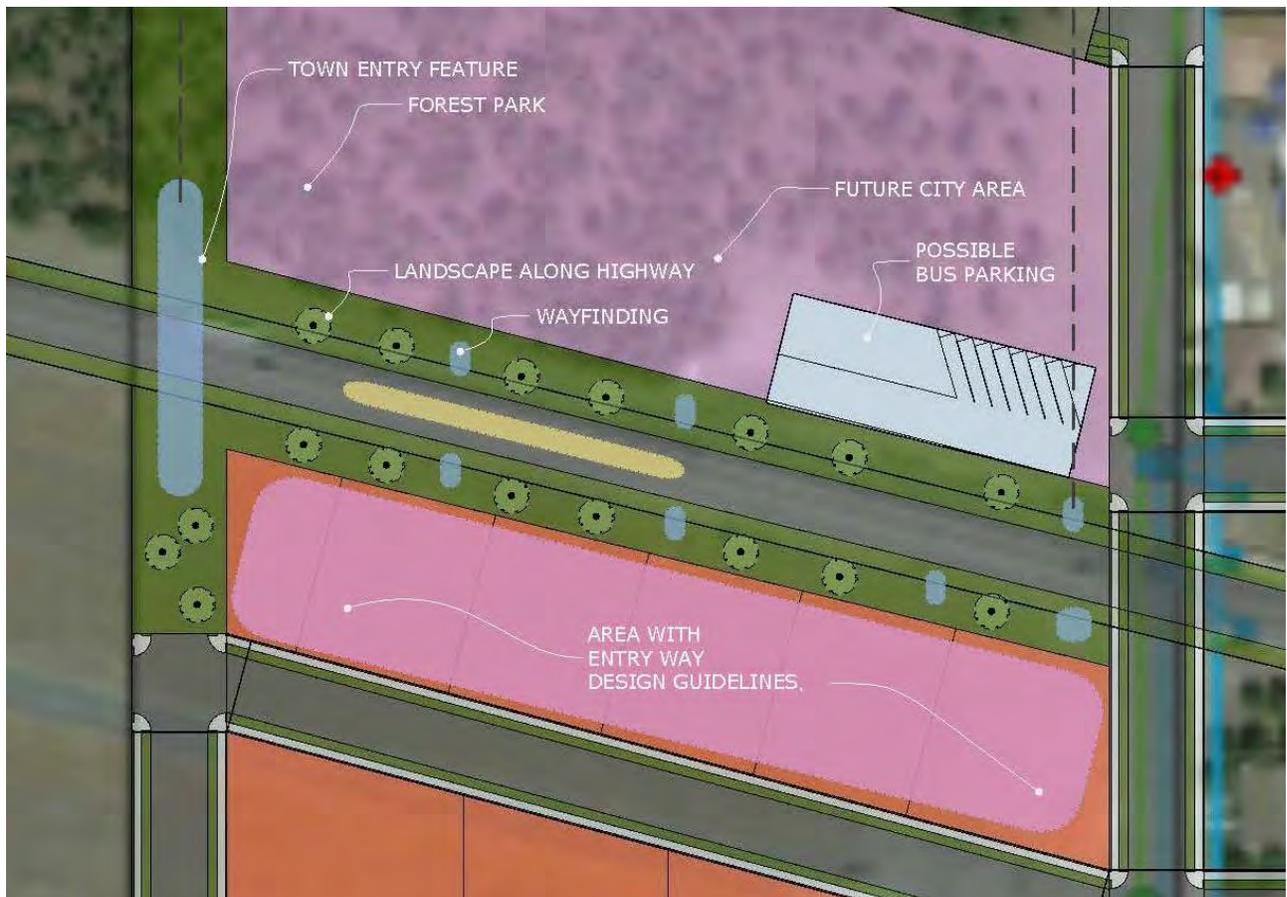
Final Site Plan - Overview (January 2019): The following site plan incorporates Town Council and community input to early site plans and illustrates the final zoning strategies recommend to address community goals. Three areas have been set aside for Town ownership to address parking and future needs (reference Block 1, 8, & 17 highlighted in purple). Three potential City Shops sites have been identified within the 80 acres and one has been identified on the western end of Yellowstone Avenue. The area dedicated to mixed-use commercial / residential has been reduced from prior site plan by one block.





Final Site Analysis Study – Entryway Corridor (January 2019):

The development of an Entryway Corridor on the 80 acres bordering Highway 20 provides an opportunity for the Town to establish itself as a strong community possessing a charm that people want to explore. Design guidelines should emphasize creating a sense of place by highlighting the spirit and character with a Town entryway feature announcing arrival, landscaping with boulevard trees, way-finding signage, public art, and large vehicle parking. Commercial activity along the Town's gateway should focus on beautification, cohesive architectural design, and public gathering spaces for locals and visitors to enjoy.





SITE DEVELOPMENT STRATEGIES

5 LOT MINOR SUBDIVISION

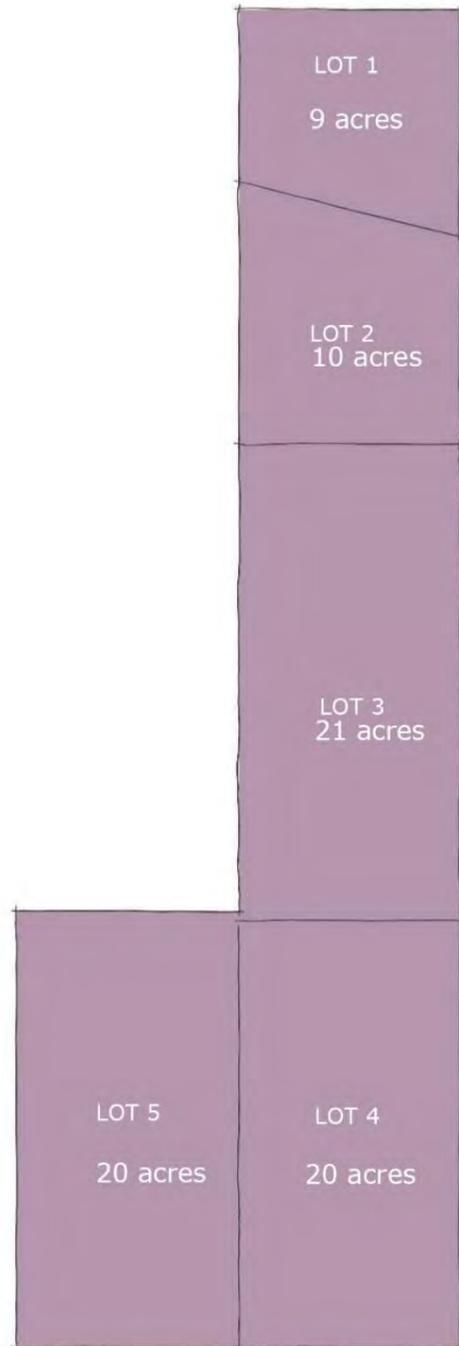
The creation of a simple 5 lot minor subdivision of the land requires minimal infrastructure improvements per state law and Town regulations. This strategy allows for the easy transfer of land if needed and provides the flexibility to proceed with phased development. Phasing the development also phases the cost, thereby reducing financial risk and increasing the feasibility of the project. By creating a 5 Lot Minor Subdivision, the Town will also be in a position respond to future conditions not known at this time. This strategy allows for the following:

Partnerships: Public and Private. The 5 lot minor approach will allow for public / private partnerships to be more readily negotiated and smaller parcels can be offered for development. The private sector will have an advantage in developing the property and marketing it in its final form. The Town will need to engage with any entity, public or private, to further the goals increasing housing and economic vitality for the community. Some of the options as mentioned are outlined below:

- Sale / Trade of portions of the 5 Lot minor
- Sale / Trade of Subdivided lots
- Predevelopment of sites

Restrictions Intact. The Town can place any and all necessary restrictions on the land or negotiate terms that will continue to achieve the community goals set forth for this land.

Sale / Retainage of Land. By offering a portion of the land for private development, future costs to develop the retained land can be reduced because the initial development burden will be covered in the first phases.



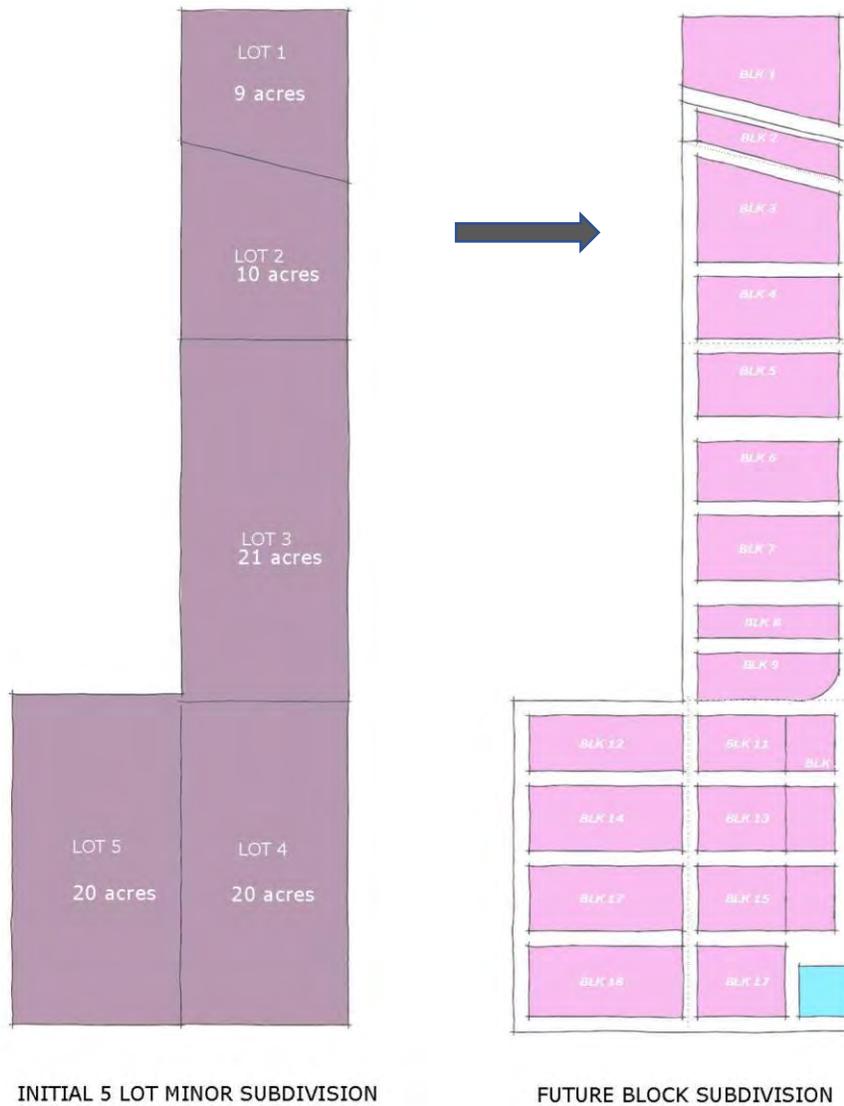
INITIAL 5 LOT MINOR SUBDIVISION



FUTURE BLOCK SUBDIVISION on all or portions of the 5 Lot Minor Subdivision

The Town of West Yellowstone can at any time elect to further subdivide any or all portions of the 5 lots into block subdivisions. By transferring the land as block subdivisions, the Town will have the ability to transfer smaller parcels giving it more control on the outcome. Smaller parcels may also be favorable to housing authorities looking to develop affordable, workforce housing.

Illustration of 5 Lot Minor Subdivision conversion to Future Block Subdivision.

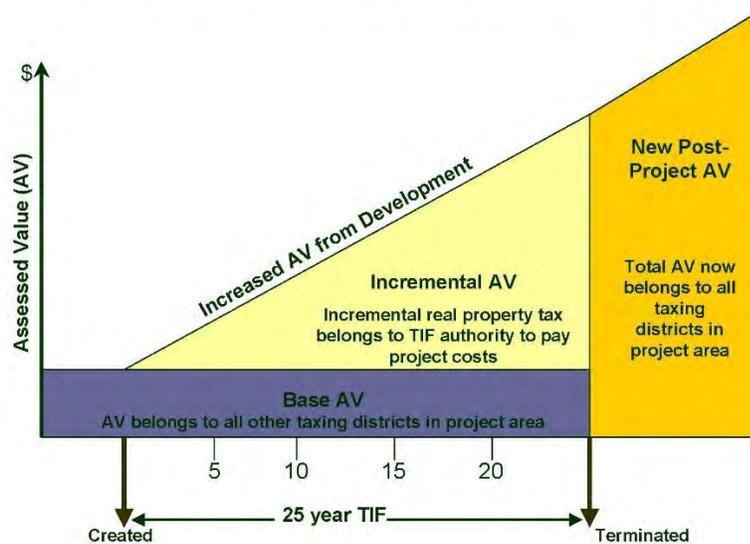


OTHER ENTITLEMENT ACTIONS OF BENEFIT

Creation of a TEDD (Targeted Economic Development District)

The creation of a TEDD (Targeted Economic Development District) is a powerful way to leverage future tax value by using tax increment financing for present day development needs. As an example, this may include the creation of roads or other infrastructure in exchange for the creation of secondary value-added industries located within a TEDD established on commercial portions of the 80 acres. These costs would be covered through the increased increment of future taxes.

Exhibit 1. TIF Assessed Value (AV) Over Project Life



There are many more benefits in pursuing the TEDD for all or portions of the 80 acres. For full details on Montana State Targeted Economic Development District laws please reference Montana Code Annotated 7-15-4279 via: https://leg.mt.gov/bills/mca/title_0070/chapter_0150/part_0420/section_0790/0070-0150-0420-0790.html.

Create a Request for Proposals (RFP) for Affordable Housing Developments

The Town should seek proposals from developers, non-profits, and housing authorities such as Habitat for Humanity or H.R.D.C to provide a broad range of affordable housing. Input from these entities early in the pre-planning stage can help to guide planning. Zoning alone is not enough to successfully tackle this complex issue so the Town should plan for active engagement with affordable housing partners.

Entryway guidelines

Several communities throughout the country use planning and zoning entryway guidelines. The expansion of the 80 acres extends the current entryway corridor into the Town so consideration of this



areas impact is very important. Residents and visitors alike take visual cues from what they see as they enter a town; these cues begin to tell the story of who the town is. In general, developing guidelines begin with questions like “What does the town want to see?”, “What does the community look like?” The guidelines are offered to develop a unified answer, a consensus of community leaders and constituents. They do not presume to dictate design solution but encourage the design process which has the potential to improve perception of an area.

Special Improvement District (SID).

A Special Improvement District is a common municipal tool used to include property owners in the funding of capital improvements. By sharing infrastructure costs over a broader base, costs incurred by developers can be reduced. Reduced costs can increase the financial feasibility of development, thereby making investment more attractive. Please see page 25 Special Improvement Districts for more details.

ZONING: RECOMMENDED

Title 17 zoning regulations for the Town offer several types of zoning that address the goals for the 80 acres. This report recommends pursuing the following:

R4 Zoning: Residential Mixed-Use High-Density District

The current draft of the zoning update describes the intent R-4 zone type as follows:

The intent of the R-4 Residential Mixed-Use High-Density District is to provide for high density residential development through a variety of housing types and limited supportive commercial uses to serve the varying needs of residents.

The residential uses allowed in this district are very supportive of the goals of creating more affordable housing options. These range from town house style homes, manufactured homes (on permanent foundations), inclusion of accessory dwelling units, and apartments, all of which can be more affordable options for the community.

The limited supportive commercial uses listed as permitted for this district include day cares and home-based businesses with less than 2 employees. The district also provides for some unique conditional uses, which require approval by the Town Council on a case by case basis. The uses include banks, restaurants, small scale retail, general commercial uses (max of 10,000 SF), pharmacies, medical offices, and grocery stores. Again, all these uses would need to be approved by the council on an individual basis.

R3 Zoning: Residential High-Density District

The current draft of the zoning update describes the intent R-3 zone type as follows:



The intent of the R-3 Residential High-Density District is to provide for high density residential development, and related uses, through a variety of housing types to serve the housing needs of residents.

The main distinction between R-3 and R-4 is that R-3 does not provide for any commercial mixed uses in the zone type. Both the R-3 and R-4 provide for higher density housing options as well as lower densities such as single-family homes. Densities can be moderated through the various lot sizes ultimately platted in a subdivision.

M1 Zoning: Light Manufacturing District

The current draft of the zoning update describes the intent M-1 zone type as follows:

The intent of the M-1 Light Manufacturing District is to provide for the community's needs for wholesale trade, storage, warehousing, light manufacturing and similar activities.

This district is being contemplated for the commercial portions of the site as indicated on the site plans. The goal for this zoning is to provide opportunities for diversification of the West Yellowstone economy with businesses producing niche products or specialized services, especially for export outside of Montana. Additionally, the goal is to have residential included as a theme for this mixed-use area so that lack of available housing is not a limiting factor to commercial expansion.

This zone type allows for apartments and townhouse dwellings to exist only above commercial and light industrial establishments. Commercial uses permitted in this zone type includes breweries, distilleries, and wineries; food and beverage processing and packaging; light manufacturing, assembly, and fabrication; public buildings and facilities; boat sales; vehicle rental; and wholesale and warehousing facilities. This district does not provide for any retail of any kind, short term rentals, restaurants, motels / hotels, offices, medical facilities, or health and fitness establishments.

The M-1 zone type is within the Town's zoning regulations, however it is not currently utilized or applied to any land in the community. Designation of an M-1 area within the 80 acres expansion would create a unique opportunity for diversifying the economy with niche products and specialized services businesses.

Proposed Code Modification

M-1: The current zone types indicated on the map would include M-1 which provides for small scale light manufacturing. The way the M-1 zone type is currently written does allow for some degree of residential above shop spaces or other commercial actives. We recommend the following emphasis and modifications:

1. A high emphasis on residential uses in this zone as it provides the housing to support commercial recruitment efforts and growth.
2. M-1 zone type to include other residential compatible commercial opportunities as are found in the R-4 district, such as home-based businesses, banks, community centers, grocery stores, medical and dental, clinics, and pharmacies.
3. M-1 zone type conditional provision for retail if attached to processing. For example, a distillery that wants to sell to the public.

R-4: We recommend that R-4 zone type be modified to include a conditional provision for RV / trailer home spaces.

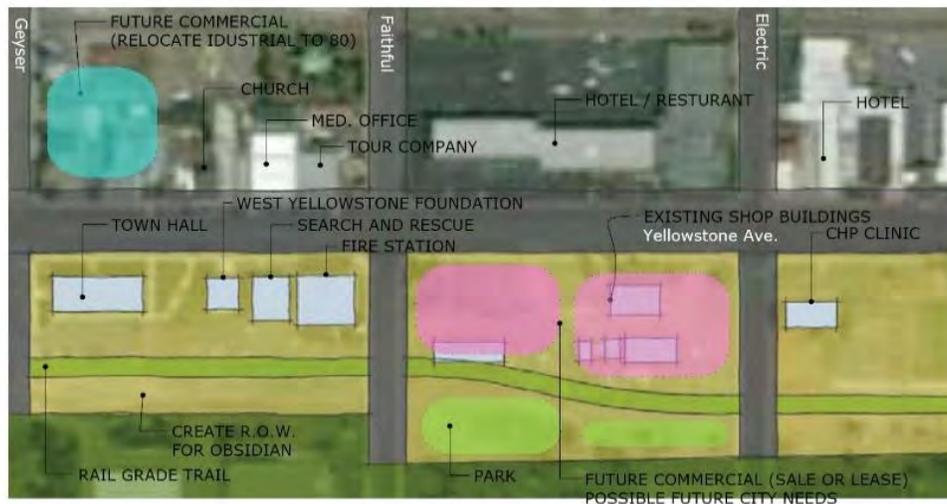
Summary of Zoning Recommendations

The goals for the 80-acre property are to create a broader base of housing for the community to include more apartments and smaller or attainable dwellings. Additionally, there is a need to provide opportunities to strengthen and diversify the economy with light manufacturing and specialized service commercial uses within this district. It is the recommendation of this report that classifying portions of the property as R-3, R-4, and M1 would yield the best outcome for the stated goals.

RELOCATION OF CITY SHOPS: A STRATEGY TO OPEN PRIME SITES FOR COMMERCIAL REDEVELOPEMENT

The Town Garage “City Shops” are currently located on Yellowstone Avenue in the heart of the Town’s commercial and historic center (See full inventory map, page 28). In order to open prime sites to commercial development, this report has identified four possible scenarios to consider for the relocation of the City Shops, each with potential benefits. In each case a final needs assessment from the Director of Public Works would need to be completed to evaluate the best location.

Current Yellowstone Avenue Inventory (partial map highlighting City Shops location)





Option 1: Relocating City Shops on the 80 acres central to the public park area. (Map block 8)

This option would allow for central and easy access for the shop vehicles. However, given it would be in a highly visible location it would need to be carefully designed to be harmonious with the surrounding character.

Option 2: Relocating City Shops on the 80 acres in South portion near well lot. (Map block 10)

This option takes the industrial facilities and places it in the more residential district of the property. This could create more conflict than where it is currently located.

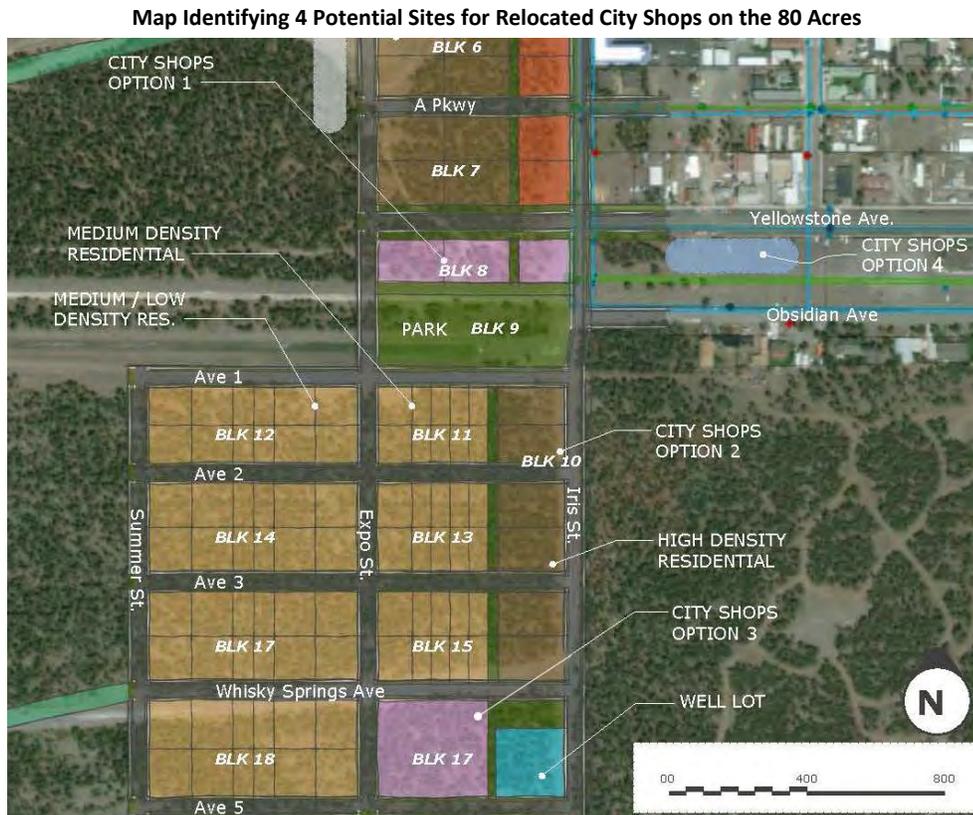
Option 3: Relocating City Shops on the 80 acres in South portion near well lot. (Map block 17)

Option 4: Relocating City Shops on west end of Yellowstone Avenue (between Iris & Hayden).

This option places the industrial City Shops facilities on Town owned storage property on the south side of Yellowstone Avenue, adjacent to the 80-acres expansion area. The north side of Yellowstone Avenue on this block contains industrial storage and excavating company.

Option 5: Keep the facility in its current location and make the needed improvements.

This option might be the best given the relocation might create further issues with surrounding properties. However, if the goal were to free up the valuable real estate along Yellowstone Avenue then relocation might be preferred.





12 STRATEGIES TO ENCOURAGE INFILL DEVELOPMENT

Infill development is the development of vacant lots or redevelopment of underutilized lots within the Town’s core areas. Infill development is an important goal for the Town of West Yellowstone because it has the potential to revitalize existing neighborhoods with services and amenities which create a cohesive and attractive sense of place for residents and destination visitors. Infill development can also be attractive to developers since existing infrastructure may be available to serve their projects. We recommend the following U.S. Office of Sustainable Communities Smart Growth Program strategies to encourage infill development within the Town of West Yellowstone.

The suggested twelve strategies below have been extracted, in part, from the 30 strategies outlined by the Smart Growth Program EPA 230-R-15-001 May 2015 report. For the full report visit www.epa.gov/smartgrowth/attracting-infill-development-distressed-communities.

1. Identify Priority Infill Development Areas

Concentrating investment in priority areas is more likely to produce the highest return on investment—either financially or in terms of visibility and catalyzing private investment. For example, one block with three new storefronts or nighttime establishments has a greater impact on perception compared to the same three new establishments spread among five blocks. These areas could have the best development potential, and targeted public and private investments could signal to the marketplace that something positive is happening. This, in turn, could strengthen market perceptions and foster further private investment. (EPA 230-R-15-00, 2015)

Key considerations include:

- To identify priority infill development areas, a community needs a vision for how it would like to grow and the change it would like to see.
- The type of development a community wants should be the easiest to permit. Developers should be able to build the desired infill products “by right,” without special exceptions or complex approval processes.
- Areas that are walkable, compact, and historically significant are often attractive and suitable for infill development.
- Publicly owned land can be used to reduce the cost of infill development and make it more financially feasible. The process of identifying priority infill areas should consider publicly owned land that might be used for this purpose.

2. Adopt Flexible Codes

In this report, “flexible codes” refers to building, zoning, and other development regulations that give developers more discretion to build a project that responds to current and changing economic conditions while still meeting local standards for safety and design. Some types of flexible codes include mixed-use zones, historic preservation and adaptive reuse districts, or expedited zoning review procedures for reuse of existing buildings. Codes that specify only exterior form and allow a broad range of uses can allow developers to respond to market demand for different uses. If demand increases for one use in the future, flexible zoning and building codes allow owners to change a building’s use with minimal permitting burdens. Rather

than trying to control every element of design, a local government can stipulate a few major objectives or design features it wants infill development to achieve and let the developer design a project that meets the objectives. This flexibility can be applied communitywide or to a specific area through an overlay zoning district. *(EPA 230-R-15-00, 2015)*

3. Adopt an Adaptive Reuse Ordinance

An adaptive reuse ordinance makes it easier to convert older, economically obsolete buildings to new uses, such as housing, by providing tailored zoning and code requirements that recognize the differences between reuse and new development. Local governments can apply an adaptive reuse ordinance in specific zones with concentrations of historic and underused buildings. By making it less costly to reuse an existing building, communities can increase jobs, housing options, and retail activity in existing and distressed neighborhoods.

As a first step, the local government can identify parking, density, design, and/or fire and safety standards that developers might have difficulty meeting when redeveloping a historic building and assess which of these standards might be relaxed for infill development. An adaptive reuse ordinance could, in certain zones, eliminate density restrictions, reduce the minimum housing unit size, waive parking requirements, and allow expedited development review. *(EPA 230-R-15-00, 2015)*

4. Offer Density Bonuses in Infill Locations

Density bonuses allow developers to build at a higher density than is allowed under the existing zoning code. This is typically allowed in exchange for a community benefit, such as a park or affordable housing.

A density bonus allows a developer to spread the cost of land and other predevelopment costs among more units or square feet. By adding square feet and/or housing units, the developer might be able to increase the return on investment from the project. Density bonuses are also important incentives for developers to provide community benefits, such as park space or other infrastructure that are often needed in infill areas. Therefore, density bonuses can bring both the benefits of more people living in the priority infill area and much needed community facilities and infrastructure to support existing residents and new development.

Density bonuses can be governed through the zoning code or applied during development review and approval. They can be effective in areas where the high cost of land is an obstacle to infill development. Local governments might want to assess the market conditions to determine if density bonuses will be appropriate and effective. In areas with weak demand for infill development, developers might not be able to price the finished product high enough to recoup the higher costs of building at higher densities. In these weaker infill markets, allowing greater density is not likely to be helpful. Once existing neighborhoods experience greater investment and development activity, density bonuses may become a more useful mechanism to encourage infill development and shape such development in a manner that helps meet the needs of new and existing neighborhood residents. *(EPA 230-R-15-00, 2015)*

5. Seek State and Regional Partners

Communities often lack the financial resources and staff to promote infill development. Partnerships with state and regional government agencies or institutions can help close these gaps.

State and regional partners often have resources that local governments can use to plan or prepare areas for infill. For example, the region's metropolitan planning organization can fund studies and infrastructure that set the stage for infill, and a state's housing agency might provide technical assistance or tax credits that help attract new development.

A local government can build relationships with state and regional partners by dedicating a staff person to infill development. Part of this person's responsibilities could include monitoring state and regional funding programs and policies while also developing relationships with key staff of agencies that can help the community get infill development. Local elected officials can also forge relationships with state staff and elected officials. These relationships help state government staff understand the local government's goals and vision. *(EPA 230-R-15-00, 2015)*

6. Explore Employer-Assisted Housing

Employer-assisted housing includes financial assistance or education offered by an employer to help its workers purchase homes. Housing finance company Fannie Mae describes employer-assisted housing as "an employee benefit that helps an employer achieve business goals while helping their employees with housing needs."

Employer-assisted housing supports an employer's interest in providing decent and affordable housing for its employees to attract and retain a skilled workforce. Employer-assisted housing programs can have the added benefit of stimulating weak-market areas by bringing new residents and new investment. In downtown areas, employer-assisted housing can help balance the number of jobs and homes.

A municipal government can establish its own employer-assisted housing program as a model for other employers in the area. The program could involve direct financial assistance to homebuyers or renters, or homebuyer counseling. With its newfound expertise, the local government can work with employers to establish their own programs, with a special emphasis on older neighborhoods and infill locations. Employers can often deduct the expense from their federal taxes. Additionally, in some states, employers receive a tax credit for their investment in employer-assisted housing. *(EPA 230-R-15-00, 2015)*

7. Create a Business Improvement District

A business improvement district (BID) is a defined area within which businesses pay an additional tax or special assessment to fund projects within the existing business area. Local governments can establish BIDs to raise additional property tax revenue and reinvest the funds into the district to improve the business climate. The additional revenue can go toward maintenance, marketing, cleaning, events, and moderate capital and streetscape improvements,

such as rebuilding sidewalks. These services go beyond the baseline services provided by the local government.

Private malls have advantages that public business districts lack. For instance, they provide shared parking, security, litter and graffiti cleanup, marketing, and capital improvements. The merchants share these expenses by paying their rent to the mall's owner. Business districts typically have fragmented land and building ownership, and, as a result, it is more difficult to pursue collective action that improves the entire district. BIDs can remedy this competitive disadvantage.

BIDs require state enabling legislation, and their organization and powers vary from state to state. BIDs are typically established through a vote by property owners in the defined district. In some states, the vote requires a supermajority of two-thirds or more before the BID is approved. Once approved, the property owners pay an additional increment on their property taxes that can be used only to benefit the district. BIDs are typically managed by an executive director and overseen by a board of property owners in the district. The board typically decides how to spend funds generated by the district.

BIDs can be used in any business district that includes several businesses and buildings under different ownership. However, they are especially useful for areas that are struggling to attract shops and investment due to poor collaboration among property owners or poor public perception. Often, communities establish them in downtowns. *(EPA 230-R-15-00, 2015)*

8. Initiate a Neighborhood Identity Campaign

A neighborhood identity campaign strengthens or establishes an area's identity by giving it a name and tying specific architecture, signage, public art, or public spaces to it.

Local governments can encourage development in older neighborhoods by promoting their distinctive characteristics. These strategies can improve residents' perceptions of an area, which can increase market demand for housing, commercial space, and offices.

Community identity can come from its historic or cultural roots; a specific facility or public place such as a park, cultural institution, or commercial district; or an architectural style or identity. Local governments, community groups, and residents can develop a community identity campaign to confirm a neighborhood's identity or rebrand it based on these attributes. Once the identity is established, the local government and community members can improve public awareness of distinctive neighborhoods through tools such as marketing materials, distinctive signs, a neighborhood website, or a neighborhood nickname. Neighborhoods can also undertake joint promotional activities with anchor institutions that have a stake in the neighborhood's health and perception. *(EPA 230-R-15-00, 2015)*

9. Enact a Property Tax Abatement Program for Infill Locations

Local governments use property tax abatement to waive property taxes on improvements such as a new or remodeled house for a fixed period of time.

Without a tax abatement policy, a property owner could receive a substantially higher tax bill after improving his or her property. Higher taxes resulting from property improvements are an economic disincentive to investment. Communities can attract investment in priority infill areas by reducing or eliminating property taxes on new investment. With a lower future tax obligation, the owner or developer can more easily afford to take on debt to make improvements or repurpose a property.

A popular tax abatement strategy is to hold the property taxes constant after an improvement, until reaching the time limit set by the local government. Cleveland and Philadelphia both manage tax abatement programs with 10- to 15-year abatement windows depending on the building type. The local government would need to establish rules for project eligibility, design, geographic coverage of the program, and transferring the abatement from one owner to another. Geographic coverage is an especially important consideration for local governments looking to attract development to a priority infill area. Cleveland and Philadelphia's programs cover their entire jurisdictions, while Portland, Oregon provides tax abatement in targeted development areas, such as around transit stations. Some cities also choose to attach design requirements. For example, under Cleveland's program, residential projects seeking tax abatement must meet the city's green building standards. However, applying too many conditions could defeat the purpose of helping the developer overcome the funding gap by increasing the costs. *(EPA 230-R-15-00, 2015)*

10. Implement a Land Value Tax

A land value tax is a type of property tax that imposes a higher rate on land than the improvements upon it. It can also refer to a property tax that applies only to the land.

A land value tax encourages development because the tax rate is based on the highest possible use of the property. Therefore, a land value tax makes it expensive to sit on land without developing it. It can also reduce the cost of development because property taxes will rise by only a nominal amount, or not at all, after the owner develops the property.

Most local governments will need state-enabling legislation to apply land value taxation. As of 2010, land value taxation was used widely only in Pennsylvania and authorized in two other states, Connecticut and Virginia. Local governments could study the experiences of other cities and towns, particularly in Pennsylvania, to understand what works, establish their own policies, and educate elected officials and the public about the policy. Land value taxation would most likely be applied throughout the taxing district and phased in over several years, with the rate for land increasing and the rate for improvements decreasing. Because land value taxation can make owning land more expensive, the Lincoln Institute of Land Policy recommends that communities with high land prices offer exemptions, credits, and varied rates to reduce the impact on land-rich but income-poor citizens. *(EPA 230-R-15-00, 2015)*

11. Create a Tax Increment Financing District

Tax increment financing (TIF) is similar to special assessment district financing (see below), but with an important distinction. Through TIF, local governments pay for infrastructure improvements with revenue that is generated by higher property values. Unlike special assessment districts, property owners in a TIF district do not pay a different property tax rate than the surrounding non-TIF areas. Rather, the local government pays the cost of infrastructure improvements upfront. The new infrastructure makes new development possible. The locality then uses the tax revenue generated by the new development to pay off the debt that it incurred to fund the infrastructure improvements in the first place.

TIF districts raise funds for infrastructure improvements from the property owners who are benefiting, reducing the upfront cost burden on the developer and local government. Local governments can use a TIF district to finance infrastructure in a distressed area that might not attract private investment without significant infrastructure improvements.

To establish a TIF district, the local government often must declare that an area is blighted or underdeveloped. The community then establishes the district boundary and dedicates any incremental tax revenues to economic development purposes, including construction of new infrastructure. The local government can issue bonds that are secured with the tax revenue growth. *(EPA 230-R-15-00, 2015)*

12. Create Special Assessment Districts

Local governments commonly use special tax assessments on a property to pay for infrastructure improvements that benefit the property. The special assessment is often applied to the properties in a district in proportion to their individual benefit from the improvements.

Infrastructure is expensive and a large burden to developers and local governments alike. Special assessments shift the infrastructure burden to the property owners who benefit from improvements. Developers are attracted to special assessment financing because the cost of infrastructure improvements is kept off the balance sheet for the overall development and thus does not hinder the developer's ability to obtain loans to finance the project.

While they are easy to establish for greenfield projects where the developer is often the only property owner, special assessment districts can be difficult to establish in infill areas with many property owners. Special assessment district financing can also be difficult to use in distressed communities with low property values. In these areas, borrowing against future property taxes might not yield enough funding to pay for infrastructure improvements. Because of these factors, distressed infill areas might first consider establishing a Tax Increment Financing District.

Financing tools such as special assessment districts are highly regulated by state governments, and the process for creating one will vary from state to state. It often requires several steps, including creating an infrastructure plan that lays out what the assessment revenue is buying and getting approval from the property owner or owners in the district. Often a supermajority of owners, such as two-thirds, must vote in favor of the special assessment. The infrastructure plan can be a useful marketing tool to generate support. Where multiple property owners are involved, the local government might want to find one property owner in the proposed district



to be a champion and help conduct outreach to build support. Once the local government approves the district, it can issue revenue bonds against the special assessment.

Local governments interested in special assessment financing might also analyze the borrowing capability of the proposed district relative to needed improvements. A key question to answer is whether the anticipated revenue will be sufficient. *(EPA 230-R-15-00, 2015)*

REDEVELOPMENT POTENTIAL OF PRIME COMMERCIAL SITES (YELLOWSTONE AVE)

Existing Conditions

Yellowstone Avenue is the primary access street for destination visitors to Yellowstone National Park and is host to several hospitality-oriented businesses. This commercial corridor is also home to most, if not all, the historic structures in the Town. On the east side, the historic Union Pacific Dining Lodge and YHC railroad museum attract and cater to both visitor and community member alike. Destination visitors seek places with authenticity and Yellowstone Avenue has a prime opportunity to define and provide this authenticity for the Town.

Yellowstone Avenue houses many of the Town's primary offices, providing important community facilities and services. Yellowstone Avenue will also align with the new 80-acre development and can serve as a strong connection to the new area of town. Given all these important features, the character and identity of Yellowstone Avenue is of the utmost importance to the Town and its identity. Strategic site redevelopment and in-fill development are encouraged to preserve and enhance this asset to the community.

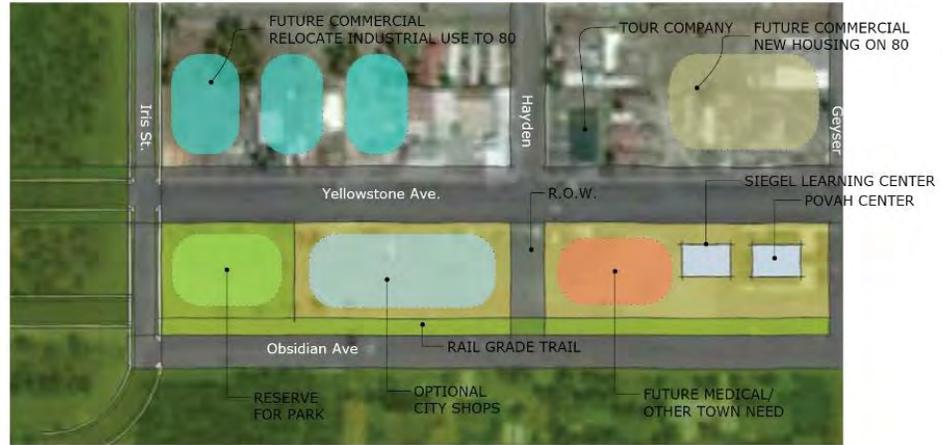
Land Supporting City Needs

The south side of Yellowstone Avenue currently contains the bulk of city services, however, several of these key commercial core sites could be used to invite development which would strengthen the identity for this historic area of town. The Town should strive to make efficient use of its current locations or consider relocating facilities so that more of the destination visitor focused amenities can locate to this stretch of Yellowstone Avenue. The map below highlights several areas where possible redevelopment can occur or be encouraged. Specifically, it would be advised, though not mandatory, to encourage more industrial uses to locate on the 80 acres, opening opportunity for more service-oriented businesses in the Town's commercial core.



Yellowstone Avenue: Current Inventory and Redevelopment Options (West End)

A



Yellowstone Avenue: Current Inventory and Redevelopment Options (Central)

B



Yellowstone Avenue: Current Inventory and Redevelopment Options (East End)





Yellowstone Avenue: Current Inventory





SUMMARY FINDINGS

“Creating A Place for All”

The newly acquired 80 acres presents a great opportunity for the Town to set new goals and develop solutions to community challenges. This land sets the stage for the future but can benefit the community today as well.

The overarching goal for the 80-acre property is to create a broader base of housing for the community to include more apartments, and smaller or attainable / affordable dwellings. Additionally, there is a need to diversify and expand West Yellowstone’s economy with non-tourism related industries which a portion of the 80-acres can address with mixed use, live / work developments. To address these goals, the final site plan utilizes a zoning mix of R-3 Residential High Density, R-4 Residential Mixed-Use High Density, and M-1 Light Manufacturing District. The M-1 zone type is within the Town’s zoning regulations, however it is not currently utilized or applied to any land in the community. Designation of an M-1 area within the 80 acres expansion would create a unique opportunity for diversifying the economy with niche products and specialized services businesses. We have proposed modifications to M-1 and R-4 zoning to further support the stated goals. Lastly, three areas have been designed for Town ownership within the 80 acres to address future needs, and entryway guidelines are recommended to strengthen the Town’s identity and first impression.

In addition to development on the 80 acres, the Town would be well served directing redevelopment on existing committed lands. Infill development is a preferred alternative to expanding the Town for the sake of expansion. This report has identified both public and private land holdings along Yellowstone Avenue that can be redeveloped into higher and better use. New commercial infill development can occur not only along key corridors such as Yellowstone Ave but also in undeveloped pockets throughout town. A targeted approach to infill development will lift property values and perceptions surrounding each new development while expanding commercial opportunities and creating a stronger community.

The Town of West Yellowstone is rich in community engagement and the recommendations provided within this report have been shared and revised following multiple Town Council presentations, as well as direct outreach from the Town via web, social media, and printed announcements.



ADDENDUM A: SUMMARY OF PUBLIC COMMENTS TO PROPOSED 80 ACRE SITE PLANS

Presented by THINKTANK Design Group at Public Town of West Yellowstone Meeting (October 9, 2018) / Site Plans Shared Via Town Website, Facebook, Fliers, Newspaper and Email

OVERALL PLAN:

- Plan is on the right path and strides ahead of everything seen to this point.
- Design standards should create attractive, cohesive standards. Log and stone facades favored.
- Consider reducing # of roads to lower infrastructure / maintenance cost & increase community continuity.

COMMERCIAL DEVELOPMENT IN 80 ACRES:

For:

- In favor of “cottage industry” scheme.
- Affordable commercial development can encourage year-round manufacturing business growth.
- Limit only to neighborhood bodega / coffee house. No hotels, restaurants, souvenir shops.

Against:

- Housing should be the priority.
- Commercial property is available in original townsite for expansion / light manufacturing.
- May pull existing businesses and customers away from historic district.
- Commercial development will increase property values, thereby reducing residential affordability.
- Light manufacturing would be unattractive town entrance (i.e. equipment rental, gravel pit).
- Area along Hwy 20 should be used for truck / trailer / RV parking in lieu of some commercial lots.

HOUSING:

- Current plan is on the right track with lots of permanent housing (no RV or temporary).
- Encouraged by proposed plan since affordable / safe housing is key to persons health status.
- In favor of mixed uses, w/emphasis on affordable permanent stick build, modern manufactured, tiny homes.
- Affordable lots for workforce housing should be priority. This opportunity may never occur again.
- Restrictions against short term rentals requested (VRBO, AirBnB, etc).
- Deed restrictions to allow for owners only & minimum of 6 months occupancy requested in R2 area.
- Lot sizes continuity needed within each area (larger lots grouped with similar).
- Land trust should be held by town to keep housing affordable.
- Town should be the developer to ensure goals are maintained and costs are minimized. Developers have different incentives (max ROI, time pressures, etc.)
- RV / Trailer home spaces should be available.
- Safe crosswalks / connection to schools across highway will be needed.

CITY SHOPS RELOCATION:

- City Shops should be less visible and located in less valuable area than the downtown business core.



- In-fill development of existing City Shops site could improve visual appearance and value of historic district.
- Proposed Yellowstone Avenue location.
 - FOR: Sight, smell, movement of City Shops equipment does not belong in residential area. Proposed site has somewhat industrial feel already with Tri State Excavation neighbor.
 - AGAINST: Prefer Town Parking Future Needs site fenced with trees site barriers on south & west

GATEWAY ARCH / ENTRANCE:

- Route 20 is major freight corridor and arch would have to accommodate all vehicles.
- In favor of boulevard trees along Route 20.
- Entrance should be inviting, attractive, but not pretentious.

OTHER:

- Parking and fueling area for large trucks / trailers / RV's is needed for Town.
- Long term summer RV park should be placed on Future Town Needs site until converted for future needs.
- Adequate off-street parking and snow storage needed.
- Will USFS allow proposed Trailhead parking and snow storage?

CALL FOR PUBLIC COMMENT

On Tuesday, October 9, 2018, the Town hosted a public meeting to gather feedback from the community about the proposed planning and development of the new 80 acres. A conceptual plan (attached) has been developed, which emphasizes multiple housing options as well as a mixed-use industrial area (housing and commerce in the same area, non-hospitality functions). There was a great turn out to the meeting and a lot of ideas and opinions were shared. For the next two weeks, the Town is encouraging comments and feedback on the conceptual plan. Please feel free to send your comments, suggestions, or criticisms to info@townofwestyellowstone.com or deliver them to the Town Hall at 440 Yellowstone Avenue, here in West Yellowstone. We would also be happy to answer questions or even arrange a meeting with the Town Manager. Our phone number is (406) 646-7795. Help us plan the next phase of our community.



ADDENDUM B: LAND SOLUTIONS PUBLIC MEETING INPUT REPORT, DECEMBER 2016



To: Dan Sabolsky and West Yellowstone Planning Advisory Board
From: Dave DeGrandpre and Matthew Rohrbach, Land Solutions and Erica Evans Mita, NRMEDD
Date: December 29th, 2016
Re: West Yellowstone Growth Policy Update Key Issues

Purpose

The purpose of this memo to provide a summary of key issues identified during the initial public engagement process for West Yellowstone’s Growth Policy Update. This is not a list of all of the issues identified to date but summarizes the major or key issues that will be critical to address in the coming months.

Background

In December of 2016 Land Solutions and Northern Rocky Mountain Economic Development District (NRMEDD) kicked off a key issues identification process for West Yellowstone’s Growth Policy Update. The process began with an economic focus group facilitated by NRMEDD. Following this, Land Solutions worked to identify key issues facing West Yellowstone by meeting with the West Yellowstone Planning Advisory Board, interviewing town staff and civic leaders, and holding a public meeting attended by 30 people. Below is a summary of the key issues identified during this process.

Summary of Key Issues

Water and Sewer Infrastructure

The ability of West Yellowstone to develop the newly acquired 80-acres and accommodate future development in town hinges on the Town’s ability to provide sufficient water and sewer capacity. A decrease in water at West Yellowstone’s primary water source, Whiskey Springs, has forced the Town to issue a moratorium on new commercial and multifamily water connections. West Yellowstone has plans to drill new well in the near future, though it is not expected to be fully operational until late 2017 or early 2018. In terms of sewer infrastructure, while West Yellowstone’s system of sewer mains has sufficient capacity, the sewer lagoon is nearing full capacity and is unable to accommodate development of the 80acres and anticipated hotel development. West Yellowstone is currently in the

process of developing a new sewer lagoon and is working through the process with the Montana Department of Environmental Quality.

Economy

Seasonal Economy

As a gateway to Yellowstone National Park, West Yellowstone's economy is reliant on tourism. In the past, when private snowmobiles were allowed in Yellowstone National Park, the summer and winter tourist seasons were relatively balanced. However, after Yellowstone National Park limited winter motorized access to snow coaches and guided snowmobile trips, the winter economy in West Yellowstone declined substantially. The change in winter access rules resulted in increased numbers of day trippers coming from Bozeman and Big Sky and fewer people staying in West Yellowstone for extended periods. As a result, many businesses in West Yellowstone close down during winter, which reduces services for potential winter travelers and residents alike. Consistency in businesses being open year-round (or at least for longer shoulder seasons) would help to attract more visitors and strengthen the economy.

Town Appearance

One sentiment that was echoed during the public engagement process was that West Yellowstone itself is not a destination: It is a pass-through or parking lot for Yellowstone National Park. Several people indicated that this was a result of West Yellowstone's appearance and that the Town needs to work on beautification, so visitors are encouraged to stop and stay awhile. Ideas centered around making Canyon Street and Yellowstone Avenue inviting places for people to walk, shop, and congregate, architectural design, and also creating gateways along the highways entering the Town. Another common theme was the need to increase the amount of landscaping in town, especially on parking lots abutting streets.

Economic Diversification

As the gateway to Yellowstone National Park, West Yellowstone's economy will likely continue to be driven by tourism. However, West Yellowstone's heavy reliance on tourism makes the local economy vulnerable to consumers' travel and spending habits. There is a need to diversify West Yellowstone's economy by enabling and attracting light industry and small manufacturing employers as well as attracting telecommuters. In order to attract these types of businesses and individuals, West Yellowstone needs to address several issues including affordable housing, availability of daycare and medical services, availability of high-speed internet, and the provision of land dedicated to light industry and manufacturing.

Housing

Housing Affordability and Availability

West Yellowstone has a lack of available rental and owner-occupied housing for both year-round residents and summer employees. Private developers are constrained in their ability to build additional

housing because the Town is surrounded by the Gallatin National Forest and Yellowstone National Park. Seasonal residents have also purchased homes that are only occupied for part of the year. Because of the limited supply of buildable land, land and housing costs in West Yellowstone are high.

Workforce Housing

The lack of available affordable housing mentioned above is a significant issue for West Yellowstone's seasonal summer workforce. Employees coming to work during the summer tourist season are challenged to find affordable rental housing. Several employers have stated they will not hire someone if the employee does not already have housing lined up. One problem lies with large seasonal employers, such as hotels, who do not provide housing for their employees. The lack of available workforce housing has made it difficult for employers to attract employees during the summer tourist season. Several employers, particularly the Delaware North Corporation, have taken to buying existing housing units for their employees. While this helps to house West Yellowstone's seasonal work force, it can also take housing units for year-round residents off the market. Also, there is little incentive for companies to keep employee housing well maintained and attractive.

Vacation Rentals

Being a gateway to Yellowstone National Park, West Yellowstone has long been home to nightly vacation rentals. With the rise of internet-based vacation rental services such as AirBnB and Vacation Rental by Owner (VRBO) however, it has become increasingly easy for landlords and homeowners to convert monthly rentals (or for sale housing) to nightly vacation rentals, where they can make increased profits. A search on AirBnB yields 140 vacation rentals in West Yellowstone with an average nightly rate of \$183. The result is that existing housing stock is effectively being taken off the market for seasonal employees and year-round residents. This situation further exacerbates issues surrounding housing affordability as vacation rental conversions decrease supply and thus drive up rents. In addition, it is unknown how many vacation rentals in West Yellowstone are paying West Yellowstone's resort and Tourism Business Improvement District taxes and Montana's lodging facility sales and use tax.

Zoning

With the exception of the Madison Addition, most of West Yellowstone is zoned some form of commercial. The Old Town area (zoned B-3 Central Business District) allows a variety of commercial and residential uses. What has transpired in this area is a mix of retail, general commercial, hotels, and residential dwellings. The result is an incongruent mix of land uses that, in certain areas, detracts from the appearance of West Yellowstone. One concern is that because the B-3 district allows such a wide variety of uses, there will be pressure on existing residential land uses to change to commercial where investment returns tend to be a higher, thus decreasing housing supply further. With regard to Old Town, public meeting attendees expressed interest in maintaining residential uses on the west side and keeping hotels and other commercial uses on the east side and along Yellowstone Avenue. Enforcement of zoning rules was also cited as a necessity as the Town moves forward.

80 Acres

West Yellowstone's recent acquisition of 80 acres to the west of Town presents a unique opportunity to address several of the issues noted above. Below is a list of the common themes echoed during the public engagement process with regard to how the 80-acres should be developed.

- Preserve open land for future development and unforeseen needs.
- Move municipal uses to the 80-acres thereby opening up Yellowstone Avenue for development.
- Provide for a range of housing options from single family homes to townhouses and apartments.
- For single family homes provide small lots to keep homes affordable and for efficient use of land.
- Ensure that affordable housing is provided. The need for a community land trust was mentioned several times. Under a community land trust, the land where a house sits is owned by a land trust (usually a non-profit) and the individual owns the structure. This provides for affordable owner-occupied housing by removing high land prices from the equation and also reduces speculative land purchases.
- Provide workforce housing opportunities, including, but not limited to, dormitories.
- Do not allow vacation rentals.
- Limit commercial development so as not to create competition with existing commercial areas.
- Dedicate a portion of the 80-acres to light industry and small manufacturing.
- Provide quality open spaces but do not dedicate too much land to open space.
- Provide trails and other opportunities to access adjacent National Forest Land.

ADDENDUM C: N.R.M.E.D.D ECONOMIC FOCUS SESSION REPORT, DECEMBER 2016
(Partial to include 80 acres discussion)



TRANSCRIPT FOR _TOWN OF WEST YELLOWSTONE ECONOMIC FOCUS SESSION

Date: Dec 1, 2016 Time: 11am to 2:30

Location: West Yellowstone Chamber of Commerce Conference Room

IS ACQUISITION OF THE 80 ACRES A GOOD THING? WHY? WHAT OPPORTUNITIES DOES IT PRESENT? WHAT CHALLENGES?



- Yes Votes: 6 *participant 1, 5, 7, 8, 9, 10*
- No Votes: 0 *(4 did not comment)*
- OPPORTUNITIES
 - Make town entrance beautiful along Hwy 20. **UNANIMOUS VOTE 10 PEOPLE.**
 - Opportunity to solve long term problems (ie controlled affordable housing). Should NOT be used to expand tourism / commercial development. *_participant 7*
 - Move Public Works and provide affordable housing. *_participant 8*
 - Increase housing and needed services. *_participant 10*
- CHALLENGES
 - Prevent big money from dictating outcome. Concern about town getting bought out. *_participant 5*
 - Prevent selling of affordable housing to highest bidder in future. *_participant 8*
 - Zoning restrictions to keep housing affordable (don't allow turn and burn of properties to highest bidder). *_participant 10*

WHAT IS THE TOWN'S RESPONSIBILITY TO DEVELOPING THE 80 ACRES?

- Make town entrance beautiful along Hwy 20. **UNANIMOUS VOTE 10 PEOPLE.**
- Town purchased therefore they should develop. *_participant 1*
- Plant trees in area, install high speed internet, and recruit small high-tech firms to bring higher paying / year-round jobs and younger families. *_participant 2*
- Focus on aesthetics because it is the main entry into town. *_participant 4*
- Town should not be landlords, develop a "smart plan", resist folding to higher bidder, need economic development experts to recruit year-round, cottage industries or research organizations that use park. Improve education opportunities. *_participant 5*
- Limit inflation of property value to ensure affordability. *_participant 7*
- Ensure well thought out corridor access for winter use (ie snow mobile, skiing) in Parcel "D". *_participant 7*
- To make improvements for community as a whole, not just for a few people. *_participant 8*
- Town should NOT be the developer. *_participant 9*
- Establish a community land trust. *_participant 10*
- Increase business diversity and year-round businesses. *_participant not disclosed.*

WHAT IS THE BEST USE(S) OF THE PROPERTY?



- Public / private partnerships for affordable housing via Community Land Trust. This takes value of land out of equation to make it available to low income owners. *_participant 1*
- Include some commercial, for example, light, craft manufacturers. Offer incentives businesses that create value added products for export outside of WY. *_participant 1*
- Increase trees. No on aquatic center. *_participant 2*
- Focus on recruiting youthful, internet, high-tech industries (if WY can get high speed internet). *_participant 2*
- Move public works to Northside and use existing PW area for improvement to historical area such as a health/fitness/medical center or museum. For example, the Cody museum complex is a draw to that town. Trends around country are focused on health. *_participant 3*
- Main entrance to town from Highway 20 must be beautiful. *_participant 4*
- Echoes others comments regarding affordable year-round housing and green space. Reminder that 80 acres is not a huge amount of land. *_participant 4*
- Land lease, provide year-round opportunities, increase grammar school system possibly. *_participant 5*
- Solve long term problems facing town. Phase development / infrastructure. Be thoughtful and don't rush. *_participant 7*
- Priority should be affordable workforce housing for year-round residents with controls that restrict access to highest bidders. This will open housing downtown for seasonal workers. *_participant 7*
- Light industry to diversify economy away from tourism. *_participant 7*
- North side of Highway 20 should be used as Public Works, this frees up land in inner city which should be changed to commercial property. *_participant 8*
- Affordable housing but restriction for year-round residents only. Need to also restrict sale to highest bidders, 2nd home owners, investment owners to keep this housing affordable in future. *_participant 8*
- Light industry to diversify economy with year-round jobs. *_participant 8*
- New health care clinic, move town hall to outskirts of the 80 acres. Potentially lease section to aquatic center. *_participant 8*
- Housing with focus on 1st time homeowners, and deed restricted. Potentially likes housing land trust idea. To reduce home costs, covenants should allow for smaller square footage homes (ie tiny home trend). Covenants at Madison Addition require larger homes. Phase infrastructure after mains are in so property can be budgeted and built in phases. (Benefit of phasing: to avoid overcommitting financially in short



- term). Town should NOT be the developer. However, plans must be economically viable for developer. *_participant 9*
- Include greenspace area for recreation, and emphasis on beautiful appearance from Highway 20. *_participant 9*
- Diversify housing to include multiple types: rentals, for purchase, dorms with central community area with kitchen for J1's. Implement zoning restrictions to prohibit short term rentals and avoid resale / lease that allow highest bidder to acquire property. *_participant 10*
- Focus on needed services such as health care. *_participant 10*

BECAUSE OF THE ACQUISITION, WHAT CHANGES CAN WE EXPECT REGARDING GROWTH, HOUSING, THE ECONOMY?

- More affordable housing will increase the number of families that stay. *_participant not disclosed.*
- Expecting more stability. *_participant not disclosed.*
- There needs to be education on what a community or municipal land trust is and how they operate. *_participant not disclosed.*

IS THE LOCAL ECONOMY TOO RELIANT ON TOURISM? YES, NO, WHAT TO DO ABOUT IT?

- Yes! vote = 10
- No vote = 0
- Increase family recreation activities.
- Make town a nicer place to live and visit (resort town).
- Recruit year-round light / craft manufacturing industry.
- Install high speed internet
 - Recruit small high-tech firms to bring higher paying / year-round jobs and younger families.
 - Recruit year-round telecommuter families.

HOW WOULD YOU RATE THE TOWN'S AESTHETICS?

Median Value = 3.0 Average Value = 3.33

Rating system: 1 = extremely unattractive 10 = beautiful.

<u>Rating</u>	<u># of votes (9 total votes)</u>
5	2 votes <i>_participants 1 & 7</i>
3.5	1 vote <i>_participant 9</i>
3	4 votes <i>_participants 2, 4, 6, & 10</i>
2.5	1 vote <i>_participant 5</i>



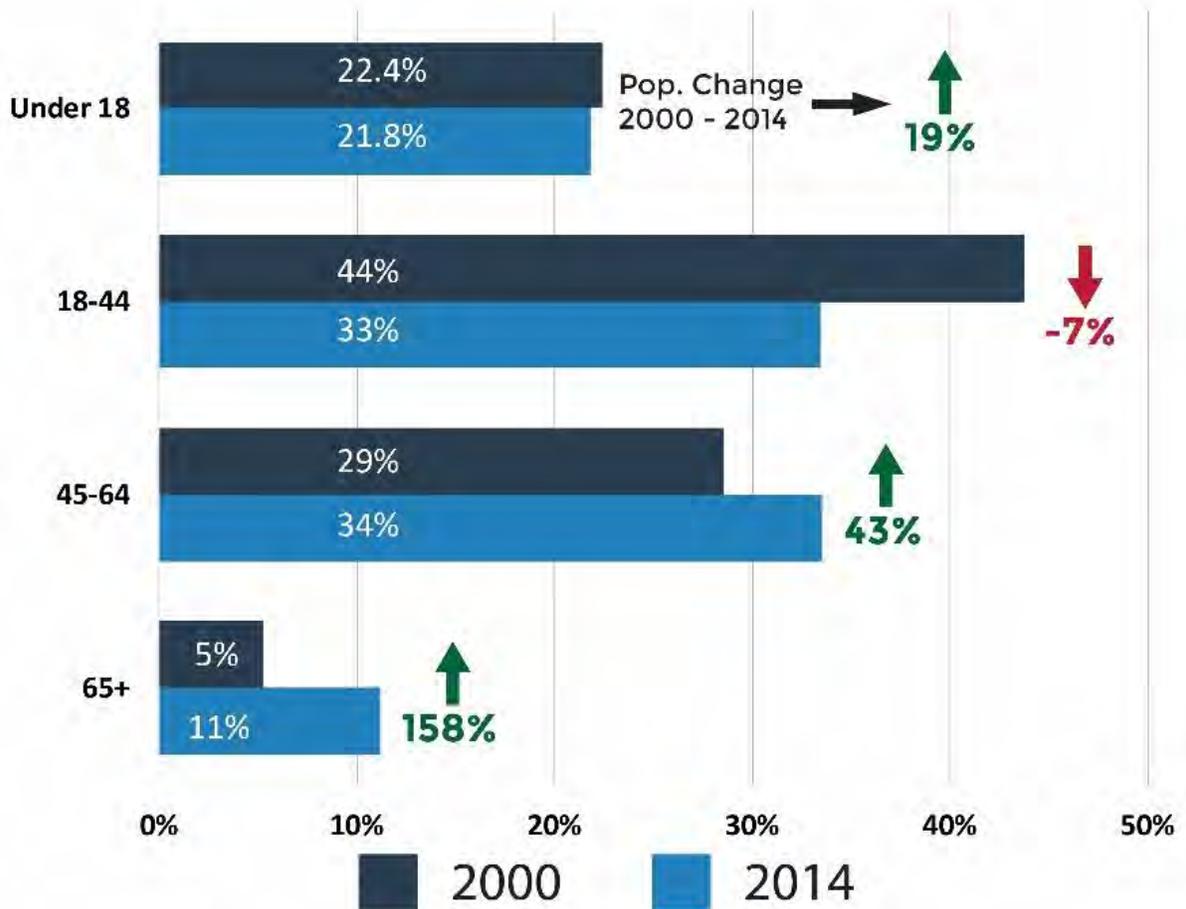
2 1 vote _participant 8

SHOULD THE TOWN DEVELOP ARCHITECTURAL STANDARDS TO KEEP NEW DEVELOPMENT IN TUNE WITH WY'S SENSE OF PLACE OR LET THE MARKET DECIDE WHAT IS ACCEPTABLE?

- Town to Develop Standards vote = 10
- Market to Decide vote = 0

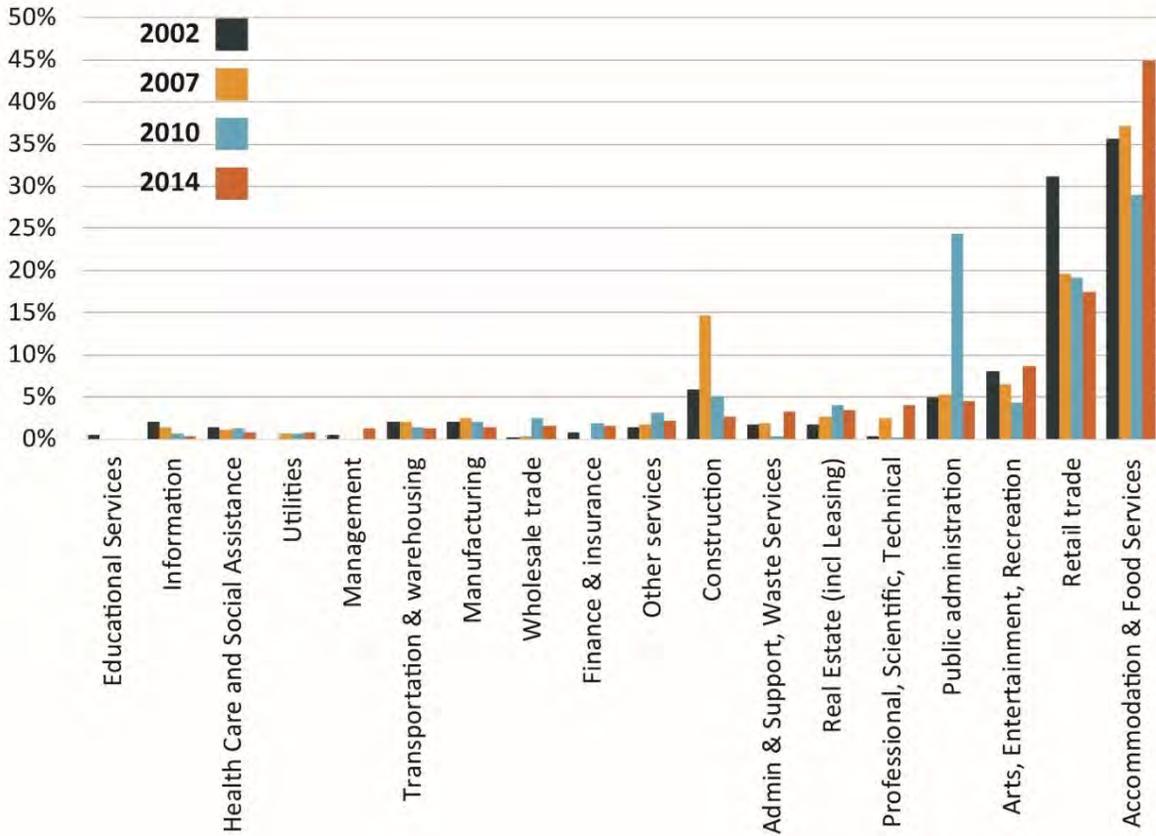
Age Distribution: % of Population Per Age Group

65+ more than doubled + a 43% Increase in those reaching retirement age within 20 years. Aging population may have different needs in terms of housing, mobility, and healthcare.



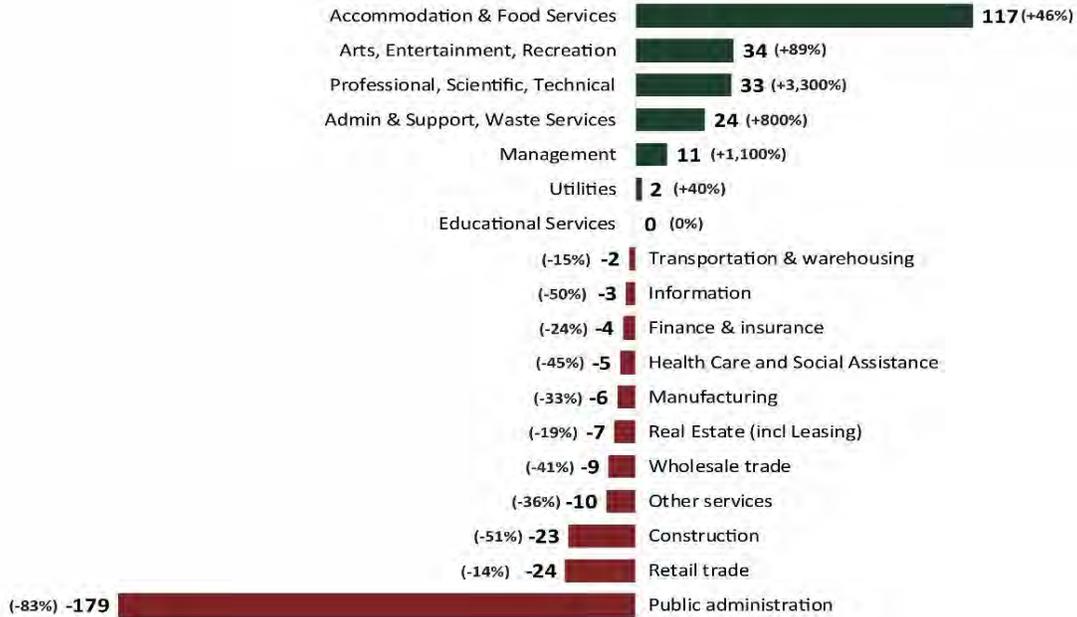


EMPLOYMENT: SHARE BY INDUSTRY



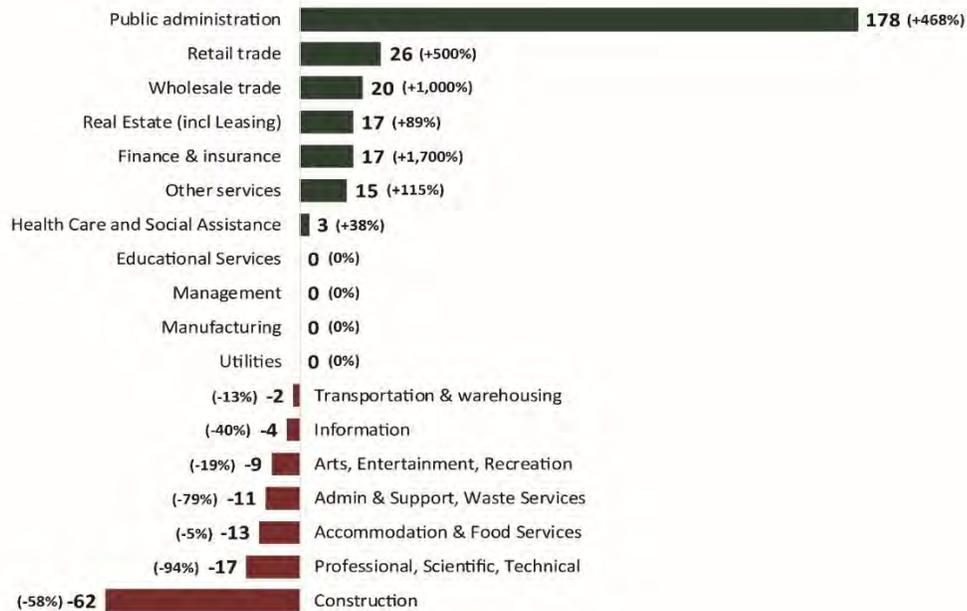


EMPLOYMENT CHANGE: BY INDUSTRY 2010 - 2014



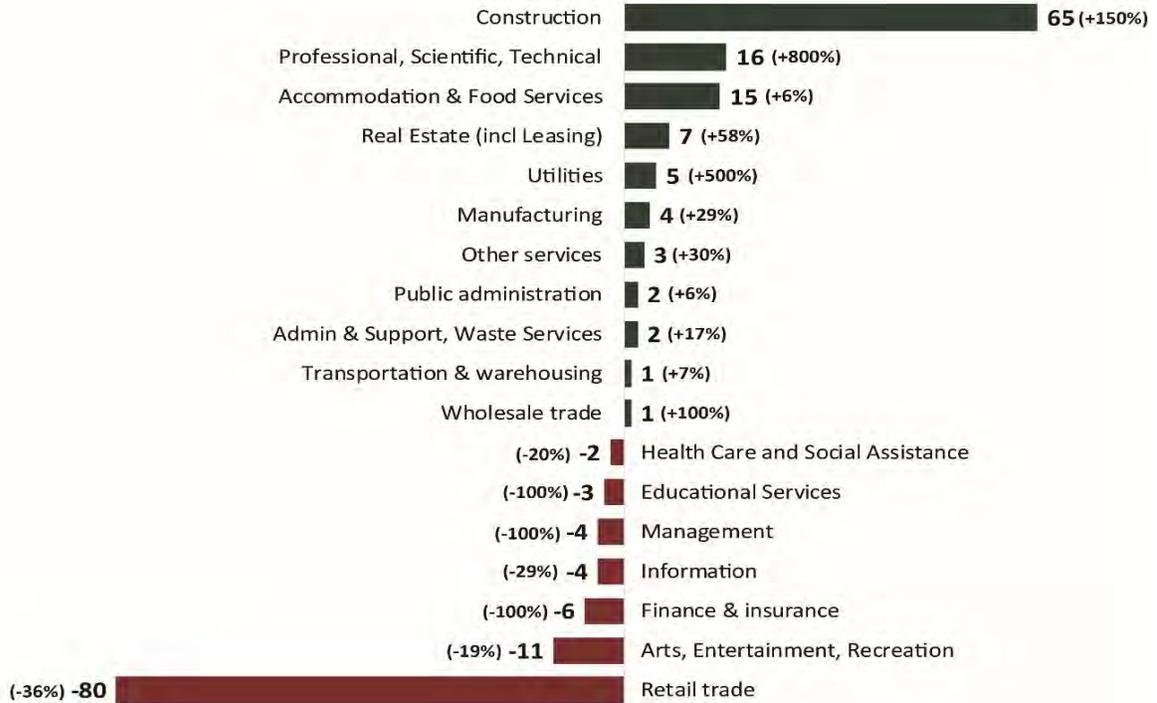
SOURCE FOR BOTH: U.S. CENSUS BUREAU, ONTHEMAP APPLICATION

EMPLOYMENT CHANGE: BY INDUSTRY 2007 - 2010





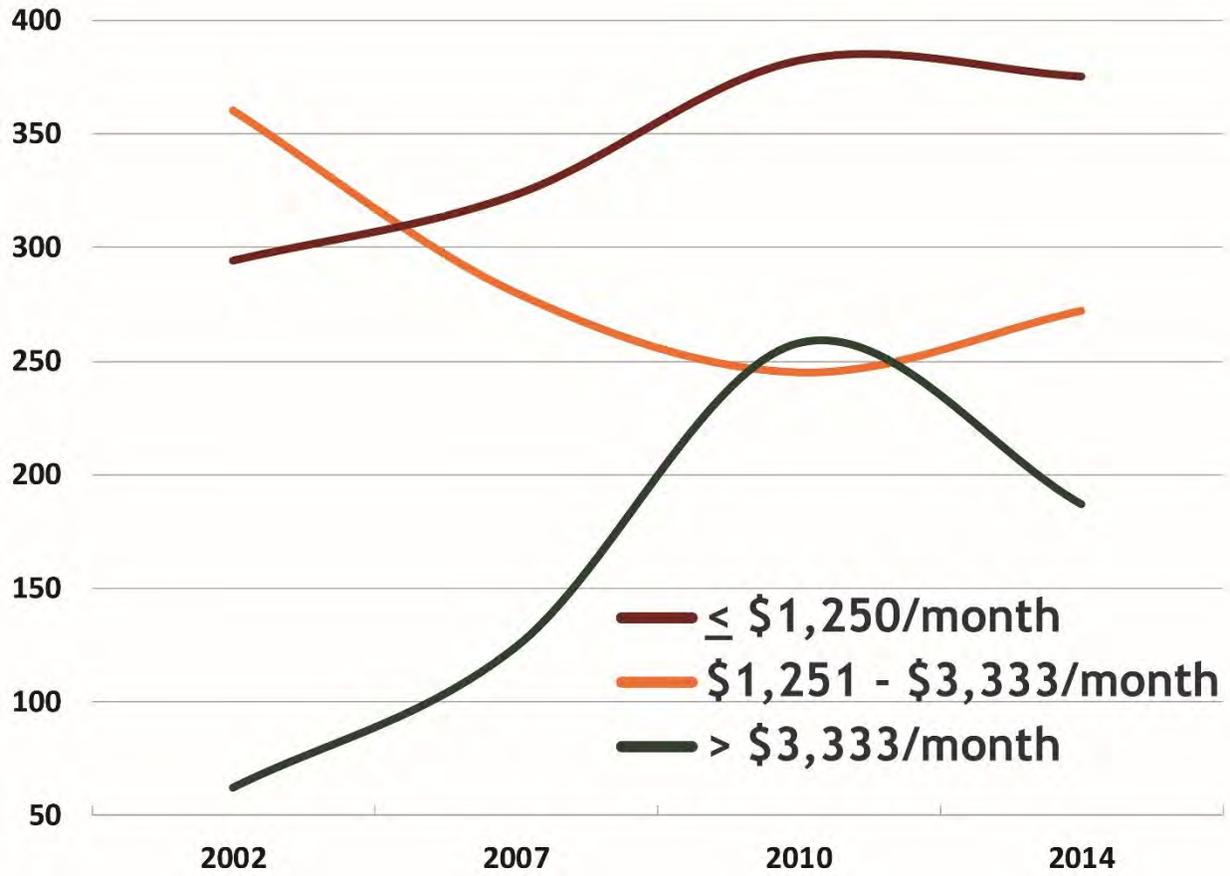
EMPLOYMENT CHANGE: BY INDUSTRY 2002 - 2007



SOURCE FOR BOTH: U.S. CENSUS BUREAU, ONTHEMAP APPLICATION



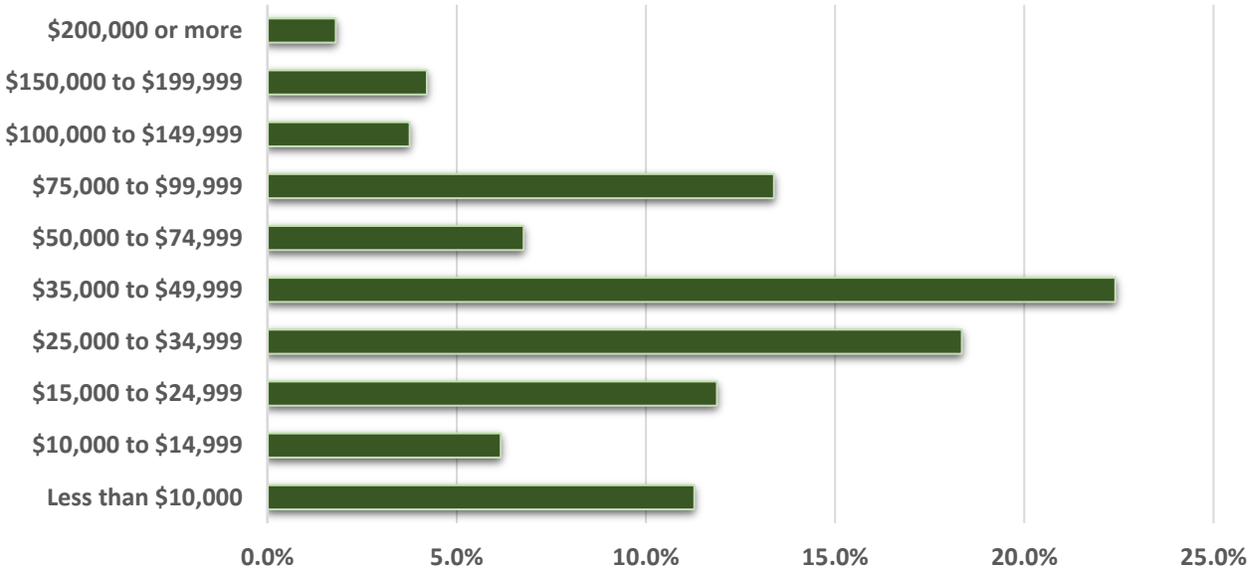
INCOME: EARNINGS BY PRIMARY JOBS 2002-2014





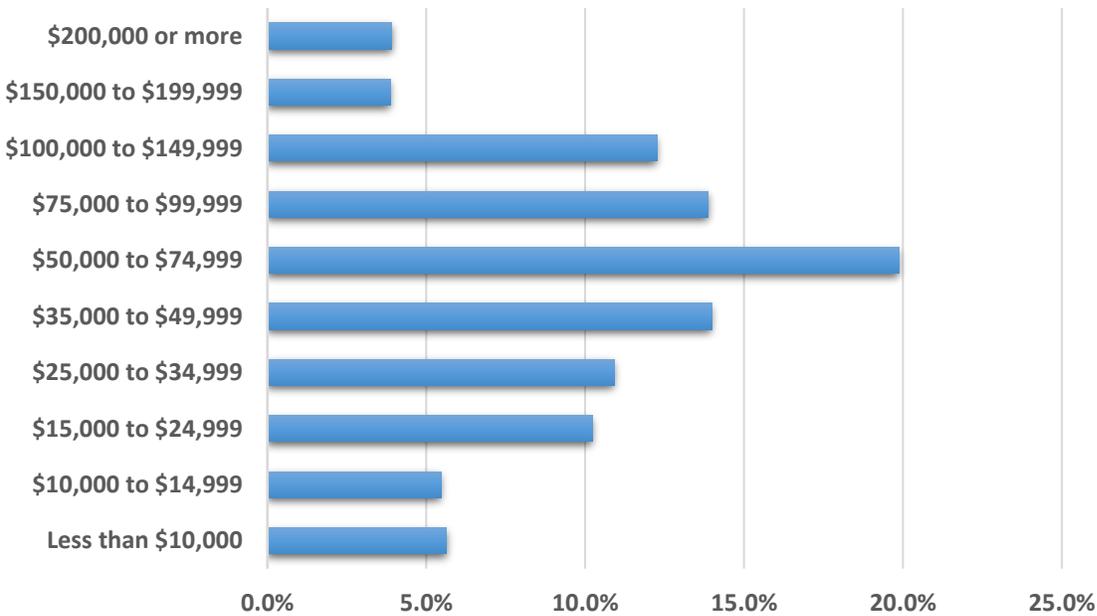
INCOME: DISTRIBUTION BY HOUSEHOLD 2014 WY

Nearly half of all of households (47.7%) have income below \$35K. 70% are below \$50K.



INCOME: DIST. BY HOUSEHOLD 2014 GALLATIN CO

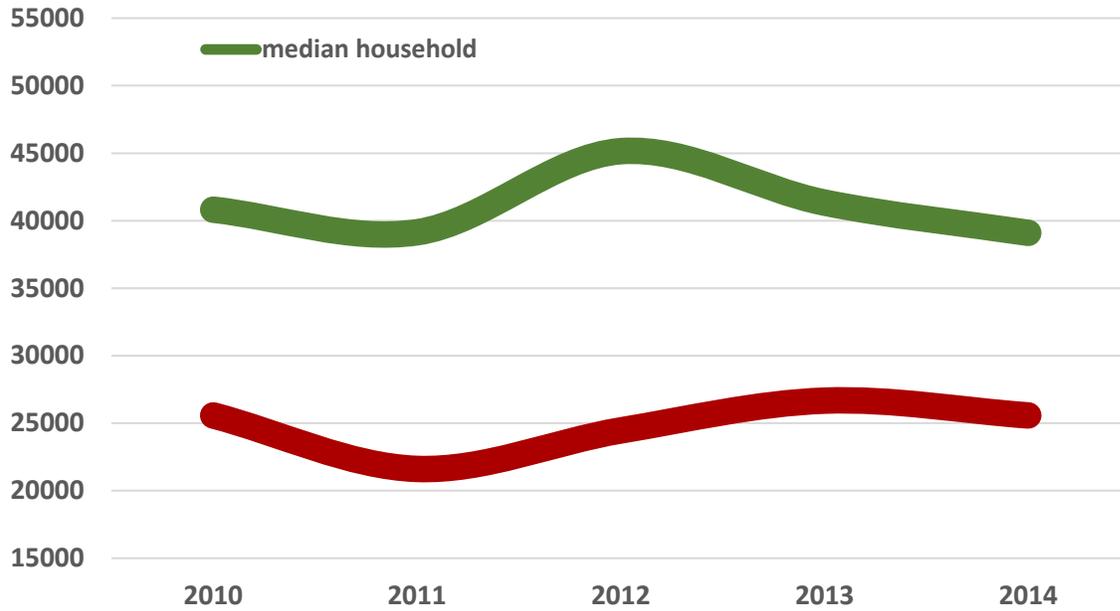
32% of all of households have income below \$35K. 46% are below \$50K



SOURCE: HEADWATERS ECONOMICS ECONOMIC PROFILE SYSTEM



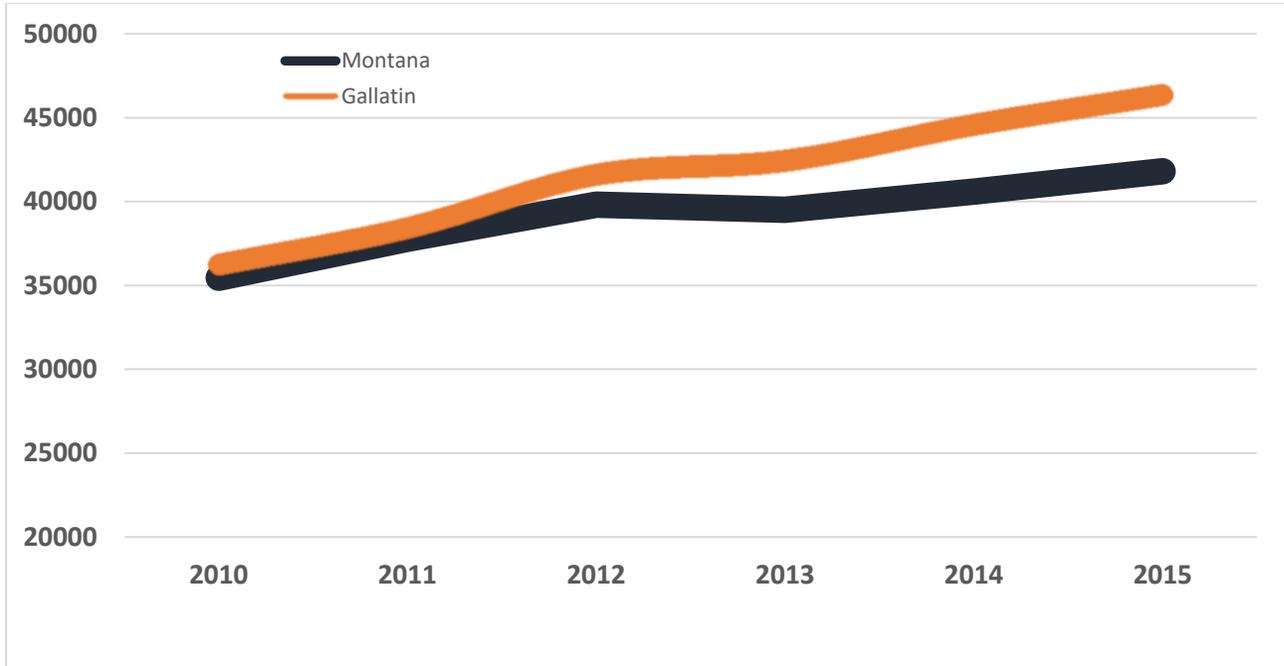
INCOME: CHANGE IN HOUSEHOLD & PER CAPITA WY



SOURCE: U.S. CENSUS BUREAU, 2010-2014 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES



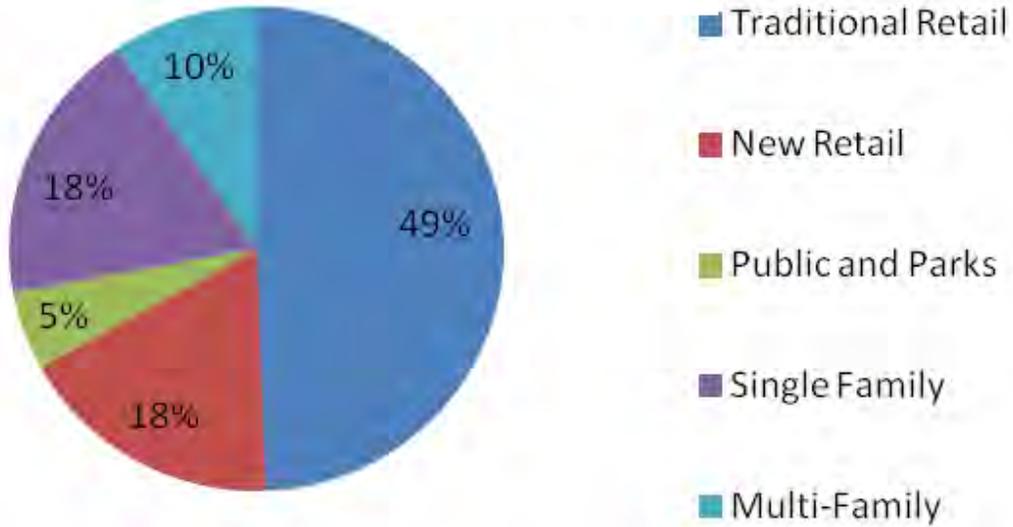
INCOME: CHANGE IN PER CAPITA GALLATIN CO & MT



BUREAU OF ECONOMIC ANALYSIS



LAND USE: RETAIL, HOUSING, PUBLIC SPACE / PARK

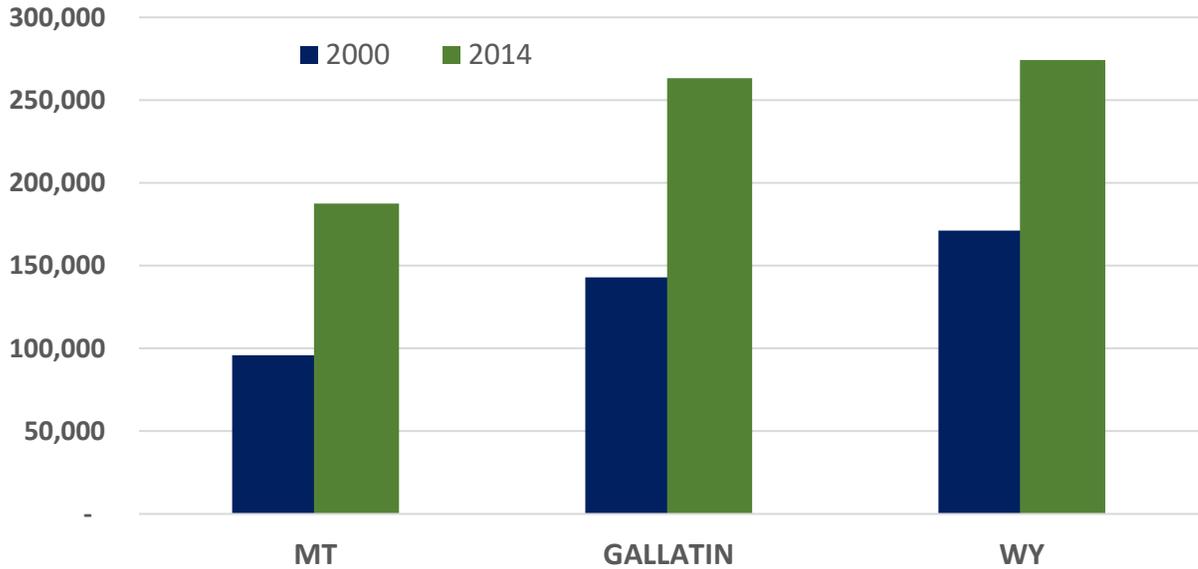


SOURCE: TOWN OF WEST YELLOWSTONE PLAT, MONTANA CADASTRAL FRAMEWORK, GALLATIN COUNTY GIS DEPARTMENT, MONTANA STATE LIBRARY VIA WORKFORCE HOUSING NEEDS ASSESSMENT AND HOUSING PLAN FOR THE TOWN OF WEST



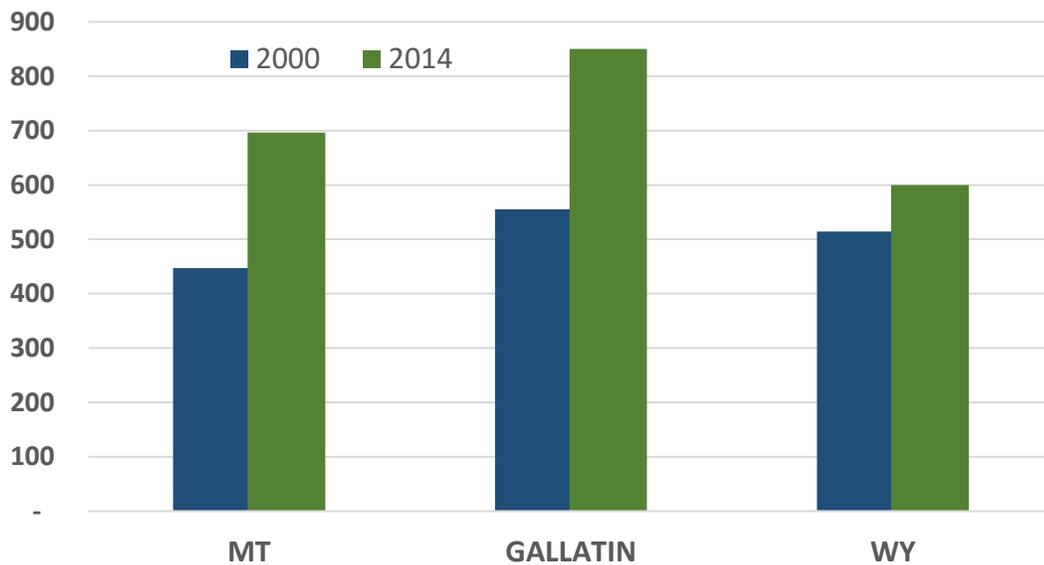
HOUSING: MEDIAN VALUE OWNER OCCUPIED

WY_2014 Median Value = \$274,200 (60% increase from 2000),
higher than both Gallatin Co (\$263,200) and Montana (\$187,600)



HOUSING: MEDIAN RENT

WY_2014 Median Rent = \$600 (17% increase since 2000),
slightly less than Montana at \$696 and substantially less than Gallatin County at \$850



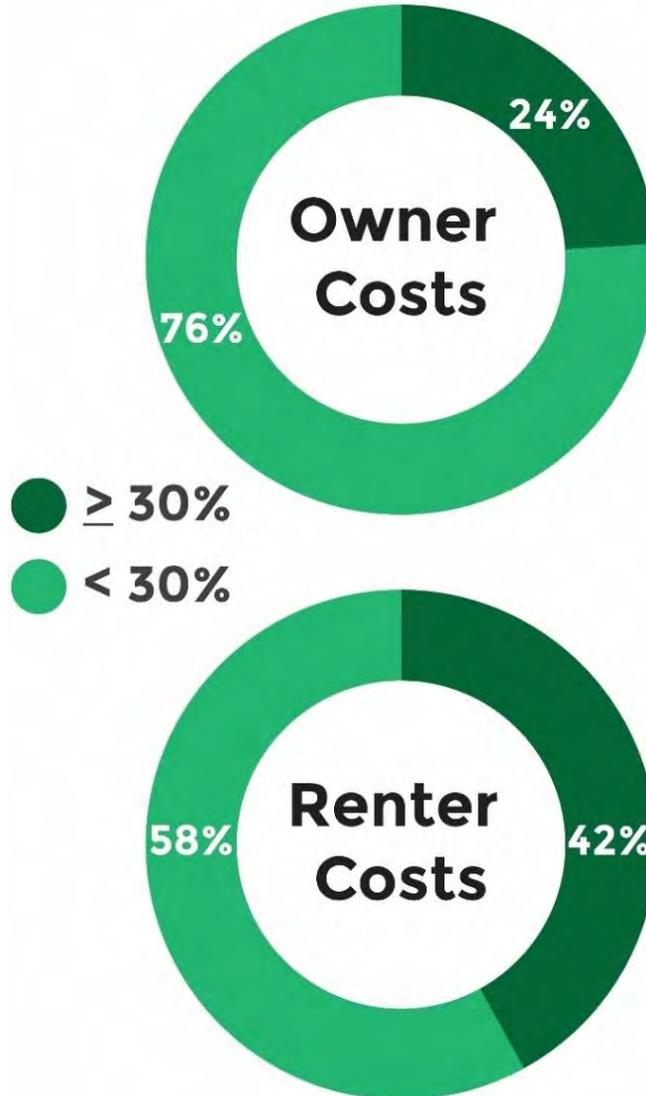


SOURCE: LAND PLANNING SOLUTIONS, LLC

HOUSING: % WITH HOUSING COST BURDEN

Looking at housing cost burden (paying more than 30% of household income on housing) provides a snapshot of housing affordability.

In 2014: estimated 24% of homeowners & 42% of renters had a housing cost burden.



APPLICATION TO MAINTAIN AN ENCROACHMENT

Town of West Yellowstone
Gallatin County, Montana

DATE: 3/13/19

APPLICANT: Hamilton Construction Company Lance Kilbride

ADDRESS: PO 659 Springfield, Oregon 97477

PHONE: 541-510-3197

INTEREST IN PROPERTY: Corner of S Iris St & Yellowstone Ave

OWNER OF RECORD'S SIGNATURE: _____

1. LEGAL DESCRIPTION:

Subdivision: West Yellowstone Original Plat

Block: 32

Lot: _____

Zoning District Number: West Yellowstone Original Plat, S34, T13 S, R05

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.

Hamilton is proposing to use the corner lot at S Iris St between Yellowstone Ave & Obsidian Ave as a staging area. We will be working in the National Park and would like to use this area to stage trailers and materials. We are only allowed to go in and out of the park at certain times of the day and would like to have a area that we are able to stage equipment and materials before entering the park. The plan would be to only park loaded trailers on the lot and not have to unload and reload trailers. At any one time there would be around five 53' trailers parked there. We would need about 3000ft² of area. We don't need to use the whole lot just need to use a small area of it. Our time frame would be from mid-May to October.



Signature of Applicant

3/13/19

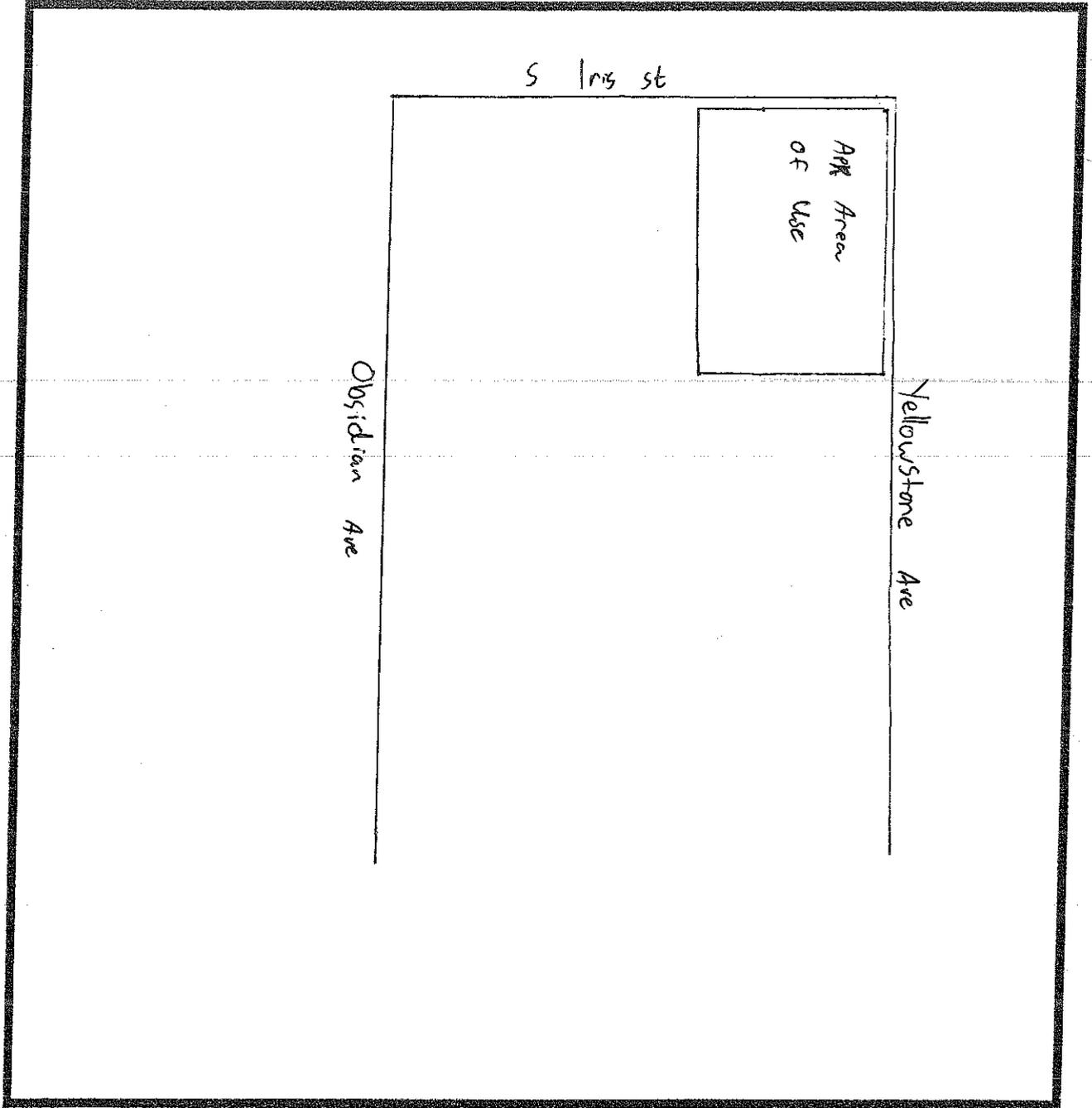
DATE

For Office Use Only:
DECISION BY TOWN COUNCIL

Approved Disapproved

Mayor/Operations Manager

DATE



PLEASE INDICATE DIRECTION



Official Proclamation

Declaring the week of April 7-13, 2019 as Week of the Young Child

WHEREAS, the Town of West Yellowstone, Community Health Partners' Parents As Teachers Program, West Yellowstone School, Little Rangers Learning Center and other local early childhood organizations, in conjunction with the National Association for the Education of Young children, are celebrating the National Week of the Young Child (April 7 - 13, 2019) and these organizations are working to improve early learning opportunities, crucial to the growth and development of young children, and to building better futures for everyone in West Yellowstone, Montana and

WHEREAS, promoting healthy, loving, secure parent-child relationships is fundamental to lifelong learning and behavioral habits, and promoting health and well-being through the use and support of Social Services, Adult Education, and Community Health Partnerships support physical and mental health of children, parents and adult family members and

WHEREAS, quality childcare is directly connected to the success of our community and the ability for West Yellowstone, Montana, to be a great place to raise children and

WHEREAS, early childhood professionals and others who make a difference in the lives of young children in West Yellowstone, Montana, deserve thanks and recognition and

WHEREAS, making sure children are ready to learn is a community endeavor that involves parents, childcare providers, policy makers, businesses, libraries and community agencies and

WHEREAS, West Yellowstone, Montana is dedicated to education and understands that early care and education are the keys to developing children who are more likely to finish school, attend college, to be kind and contributing members to their community, and stewards of their environment.

NOW, Therefore, Be It Resolved that we, the Town Council of the Town of West Yellowstone, do hereby proclaim the week of April 7 - 13, 2019 as "National Week of the Young Child" in the Town of West Yellowstone and encourage all citizens to work to make a good investment in early childhood education.

DATED this 4th day of April, 2019.

Brad Schmier, Mayor

Greg Forsythe, Deputy Mayor

Pierre Martineau

Jerry Johnson

Chris Burke

ATTEST: _____
Elizabeth Roos, Town Clerk



20 March 2019

Town of West Yellowstone

PO Box 1570

West Yellowstone Mt. 59758

RE: Adopting a new Earth Day Proclamation

Council Members

With the placement of the newly wrapped garbage and recycling receptacles coming in the summer of 2011 by the Public Works Department, the Green up West Yellowstone group felt it would be an appropriate time for the Town to make a statement on sustainability at the upcoming Earth Day Celebration. As a charter member of the Green up West Yellowstone group Chris Burke volunteered to draft a Proclamation that could be presented to the Town Council, it can also be used as a mission statement to help our community, through solid waste reduction, create and maintain a more sustainable environment. This Proclamation has been on display off and on at this event in the form of a 24"x 36" poster over the last seven years.

After recent discussions on concerns about our area recycling programs with several members of the Town Council I felt that the time has come to update the original Proclamation to be more in line with the vision of recycling as it now exists.

Fortunately for me, Brad Schmier had the interest and time to help with this project. With a few minor changes to the original Proclamation and the addition of signature lines I feel we were able to create a document that projects the importance of proper waste reduction and environmental accountability.

Enclosed is a copy of the original Proclamation and the new draft to compare and if necessary to edit for presentation at Earth Day 2019.

My goal would be to have the "signed" proclamation ready to enlarge and create a 24"x36" poster for display this week.

Thank you in advance for your support.

Gus Tureman

Town of West Yellowstone

EARTH DAY PROCLAMATION

Whereas, A sustainable environment is key to the health and success of our citizens and businesses creating a cleaner more efficient West Yellowstone, now and into the future.

Whereas, Waste reduction and efficient use of our natural and economic resources is critical to a sustainable way of life and whereas recycling is fundamental to waste reduction.

Whereas, Let it be known that the Town of West Yellowstone hereby encourages its residents, businesses and institutions to use

EARTH DAY

to celebrate the Earth, the Yellowstone Region and commit to recycling activities and practices, building a more sustainable community through solid waste reduction and economy for generations to come.

NOW THEREFORE LET IT BE KNOWN,
The Town of West Yellowstone, Montana, hereby acknowledges
April 22nd of each calendar year as Earth Day
in West Yellowstone for the purpose of supporting
Sustainable Community

Signed _____
Brad Schmier, Mayor

Signed _____
Greg Forsythe, Deputy Mayor

Signed _____
Jerry Johnson, City Council

Signed _____
Pierre Martineau, City Council

Signed _____
Chris Burke, City Council



BASE AGREEMENT
“TASK ORDER 3”

This Task Order pertains to the Base Agreement by and between Town of West Yellowstone, Montana (“Owner”), and Forsgren Associates, Inc. (“Engineer”), dated March 19, 2019, (“Base Agreement”). ENGINEER shall perform services related to Task Order 3 (“Project”) described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the Project described below.

PROJECT NUMBER:01-19-0046-300
PROJECT NAME:..... Task Order 3 – On Call Eng. Support

PART 1.0 PROJECT DESCRIPTION:

On call engineering support for miscellaneous tasks.

PART 2.0 SCOPE OF SERVICES

200 – Engineering Services

On call engineering support for miscellaneous tasks including subdivision reviews, operations support, general engineering assistance, and other similar tasks as requested by Town of West Yellowstone.

PART 3.0 ADDITIONAL SERVICES, NOT PART OF BASIC SERVICES:

Other services as requested by Owner throughout this project shall be performed upon agreement of the scope of services and issuance of a written notice to proceed. The Engineer shall be compensated for such services based on current hourly billing rates including overhead and profit or by other means as agreed in writing.

PART 4.0 OWNER’S RESPONSIBILITIES:

The Owner agrees to provide design criteria as appropriate, provide historical records, subdivision records, videos, documentation, previous designs, etc as required by the Engineer.

PART 5.0 PERIOD OF SERVICE:

Upon receipt of written authorization to proceed, Engineer agrees to perform the services according to the following schedule

The period of service will be determined on a task by task basis following execution of this Task Order.

It is understood the Engineer has limited control of the length of time for review by the Owner or other regulatory agency. If delays in the project are experienced due to review by the Owner or any regulatory agency, the Engineer will not be held responsible for those delays nor will the period of service apply to that time.

PART 6.0 SUBCONSULTANT’S COMPENSATION FOR SERVICES:

Compensation for ENGINEER'S services under this Agreement shall be Time and Material basis in accordance with the Rate Table provided in Exhibit A. Reimbursable expenses incurred in connection with such services shall be included in ENGINEER'S compensation. Additional scope tasks will be provided on a Time and Material basis in accordance with the Rate Table provided in the Base Contract and as directed by the Town of West Yellowstone.

Ordinary reimbursable expenses defined as local transportation, computer usage, copies, telephone, postage, shall be added to the time and materials tasks in the form of a \$5 per billed manhour and labeled a Reimbursable Project Expense.

Compensation terms are defined as follows:

Time and materials shall mean a rate extracted from the Title Code Rate Schedule for a specific labor category that includes direct labor cost, indirect labor cost, and profit.

Extra ordinary Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for travel, subconsultants, subcontractors, equipment rental, shipping and express, and other incurred expense.

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER'S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If changes in the specified dates for completion are attributable to the OWNER, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER'S compensation shall be equitably adjusted through negotiation by the OWNER and the ENGINEER.

IN WITNESS WHEREOF, the parties have executed this Task Order as of the day and year first written above.

FORSGREN ASSOCIATES, INC.
"FORSGREN"

TOWN OF WEST YELLOWSTONE, MT
"OWNER"

BY: Kevin Harris

BY: _____

NAME: KEVIN HARRIS

NAME: _____

TITLE: DIVISION MANAGER

TITLE: _____

DATE: 4/1/2019

DATE: _____



EXHIBIT A
TITLE CODE RATE SCHEDULE-2016
 01 REXBURG, IDAHO

STAFF TYPE	WORK CLASSIFICATION	HOURLY RATE	STAFF TYPE	WORK CLASSIFICATION	HOURLY RATE
110	Engineer/Scientist I Staff Engineer	\$90	430	Inspector III Senior Inspector	90
120	Engineer/Scientist II Project Engineer	110	440	Inspector IV Specialist Inspector	115
130	Engineer/Scientist III Project Manager/Engineer	130	450	Inspector V Supervising Inspector	130
140	Engineer/Scientist IV Project Manager	150	610	GIS/Planner I Assistant GIS Tech.	60
150	Engineer/Scientist V Division Manager	180	620	GIS/Planner II Project GIS Technician	75
160	Engineer/Scientist VI Principal Engineer	210	630	GIS/Planner III Senior GIS Technician	90
210	Engineering Technician. I Assistant Technician	60	640	GIS/Planner IV Specialist GIS Tech.	105
220	Engineering Technician. II Project Technician	75	650	GIS/Planner V Supervising GIS Tech	115
230	Engineering Technician III Senior Technician	90	710	Administrative I Receptionist	50
240	Engineering Technician IV Senior Technician	105	720	Administrative II Secretary	60
250	Engineering Technician V Supervising Technician	115	730	Administrative III Senior Secretary	75
260	Engineering Technician VI Supervising Technician	130	740	Administrative IV Office Manager	90
310	CAD Drafter I Drafter	60	910	Survey Technician I Rod Man	60
320	CAD Drafter II Senior Drafter	75	920	Survey Technician II Instrument Man	75
330	CAD Drafter III Designer	90	930	Survey Technician III Senior Surveyor	90
340	CAD Drafter IV Senior Designer	105	940	Surveyor IV Party Chief	105
340	CAD Drafter V CAD Manager	115	950	Surveyor V Survey Manager	115
410	Inspector I Assisting Inspector	60	960	Surveyor V Chief of Survey	130
420	Inspector II Project Inspector	75	970	2-Man Survey Crew	190

- Hourly rates may change at the start of each calendar year or other times as negotiated with client. FA01-01/16
- Rates are fully-loaded with direct labor, overhead and profit
- Expert Witness Testimony and Preparation will be charged at a rate of \$500.00 per hour.
- Reimbursable are charged at cost plus 15%
- Subconsultants are charged at cost plus 15%
- Related Project Fee (RPF) of \$5.00 will be included per each direct labor hour to cover the costs of in-house reproduction services (including graphics, photocopying, and color printing), cell phone charges, long-distance calls, facsimiles, postage, overnight services, and CAD/computer and software usage.

**EXHIBIT A
REIMBURSABLE EXPENSE SCHEDULE**

No.	Expense Category	Expense Item	Rate	Mark-Up
901	Airline Travel/Transportation		Cost Plus	10%
902	Meals/Per Diem/Business Mtgs.		\$40 per day	N/A
903	Printing/Reproduction	8-1/2 x 11 black & white copies	\$0.10 per copy	N/A
	Printing/Reproduction	8-1/2 x 11 color copies	\$1.00 per copy	N/A
	Printing/Reproduction	11 x 17 black & white copies	\$0.25 per copy	N/A
	Printing/Reproduction	11 x 17 color copies	\$2.00 per copy	N/A
	Printing/Reproduction	22 x 34 plots/blueprints on bond	\$5.00 per copy	N/A
	Printing/Reproduction	22 x 34 plots on mylar	\$25 per copy	N/A
904	Communication/Telephone		Cost Plus	10%
905	Postage/Shipping		Cost Plus	10%
906	Office Supplies		Cost Plus	10%
907	Drafting Supplies		Cost Plus	10%
908	Field Supplies		Cost Plus	10%
909	Lab Supplies		Cost Plus	10%
910	Equipment Lease	GPS Unit	\$250 per day	N/A
	Equipment Lease	GPS Path Finder	\$150 per day	N/A
	Equipment Lease	Field Vehicle (on site)	\$60 per day	N/A
	Equipment Lease	Troxler Nuclear Density Gauge	\$50 per day	N/A
	Equipment Lease	ISCO Automatic Sampler	\$25 per day	N/A
	Equipment Lease	Flowmeter	\$25 per day	N/A
911	Auto Mileage		\$0.60 per mile	N/A
912	Equipment Maintenance		As Agreed	N/A
913	Miscellaneous Costs		As Agreed	N/A
914	Office Rent		As Agreed	N/A
915	Hotel & Lodging		Cost Plus	10%
916	Gas		Cost Plus	10%
917	Material Testing Lab Work		Cost Plus	10%
918	Aerial Photography		Cost Plus	10%
919	Other O&H Costs		As Agreed	N/A
920	Outside Consultants		Cost Plus	15%
921	Computer Time		Cost Plus	10%
922	Reimbursable Project Expenses	Phone, copies, postage, etc	\$5/manhour	NA

Expense rates may change at the start of each calendar year or other times as negotiated with client. FA 01-01/15

Ordinance #(To Be Assigned)

Section One:

No minor under the age of sixteen (16) years shall loiter, idle, wander, stroll, or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places, public buildings, places of amusement and of entertainment, vacant lots or other unsupervised places or premises, between the hours of 12:00 a.m. (midnight) and 5:00 a.m. of any day, within the corporate limits of the Town. The provisions of this Section shall not apply to any such minor who is involved in any of the activities set out in Section Two. Each and every violation of the provisions of this Section shall constitute separate municipal infractions and may be punishable as such.

Section Two:

The following activities shall be exempt from the curfew requirements of this Section where the minor is:

1. Accompanied by their parent, guardian, or any other person eighteen (18) years of age or older who is authorized by the parent or guardian as the caretaker for the minor;
2. On an errand, without any detour or stop, at the direction of the parent, guardian or caretaker;
3. In a vehicle traveling through or around Town without a substantial detour or stop;
4. Engaged in a certain employment activity, or going to or from employment, without any detour or stop;
5. Involved in an emergency;
6. In attendance at an official school, religious, or other recreational activity sponsored by the Town, school, civic organization, or another similar entity that takes responsibility for the minor and is supervised by adults, or going to or from such an activity, without any detour or stop.

Section Three:

It shall be deemed a violation for any parent, guardian, or other adult person having the care, custody, or control of a minor under the age of sixteen (16) years to allow or permit such minor, either expressly or by neglect, to loiter, idle, wander, stroll, or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or other unsupervised places, between the hours of 12:00 a.m. (midnight) and 5:00 a.m. of any day, except as provided in Section Two. In any prosecution under this Section, it shall not constitute a defense thereto that the parent, guardian or other adult person having the care, custody, or control of any such minor did not have knowledge that such minor did loiter, idle, wander, stroll, or play in or

upon any of the places specified in this Section at any time between the hours herein specified.

Section Four:

Any minor violating the provisions of Section One shall be dealt with in accordance with and pursuant to the provisions of MCA 41-5-101 et seq., and the Interstate Compact on Juveniles (MCA 41-6-101 et seq.).

Any parent, guardian or other adult person having the care, custody or control of a minor violating any of the provisions of Section One shall be deemed guilty of a municipal infraction, and upon conviction thereof in the city court, may be fined as subject to the provisions of MCA 7-1-4150 through 7-1-4152.

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

Brad Schmier, Mayor

Council Member

Council Member

Council Member

Council Member

ATTEST:

Town Clerk



Resolution No. 725

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE, MONTANA, TO REVISE THE 2018-2019 FISCAL BUDGET

WHEREAS, the Town of West Yellowstone is required to reflect changes to its budget by resolution and;

WHEREAS, it is in the interest of the Town to make wastewater treatment short-term upgrades and;

WHEREAS, the Town Council has approved an appropriation in the Sewer Replacement and Depreciation Fund (5320) that will exceed budgeted appropriations and;

WHEREAS, there are sufficient operating funds in the Sewer Replacement and Depreciation Fund against which to pay for additional expenditures in the fund and;

WHEREAS, in accordance with 7-6-4005 of the Montana Code Annotated, a local government may not make a disbursement or an expenditure in excess of the total appropriations for a fund.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of West Yellowstone, County of Gallatin, State of Montana, that the fiscal year 2018-2019 Sewer Replacement and Depreciation Fund expenditure budget line item (5320-430640-934) be amended to reflect an expenditure of five hundred and forty-seven thousand dollars (\$547,000.00).

**PASSED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF WEST YELLOWSTONE
THIS 4TH DAY OF APRIL, 2019.**

Brad Schmier, Mayor

Greg Forsythe, Deputy Mayor

Pierre Martineau

Jerry Johnson

Chris Burke

ATTEST: _____
Elizabeth Roos, Town Clerk



RESOLUTION NUMBER 726

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE SETTING PIONEER PARK RESERVATION FEES

WHEREAS, The Town of West Yellowstone owns a pavilion located on the south side of Pioneer Park on Firehole Avenue, and;

WHEREAS, the Town of West Yellowstone requires that residents and non-residents apply to obtain a permit to reserve the use of the pavilion, and;

WHEREAS, the permitting process provides the Town of West Yellowstone with an effective and efficient means of tracking the use of the pavilion and ensuring the health, safety, and general welfare of the users of Pioneer Park, and;

WHEREAS, the reservation process requires the Town of West Yellowstone to review the use of the pavilion and to reduce conflicts between different groups utilizing the same facilities, 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 MCA; and;

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 reservation of and permit to use the Pavilion at Pioneer Park:

\$25.00 per block OR
\$50.00 all-day (resident)

\$35.00 per block OR
\$70.00 all-day (non-resident)

PASSED AND ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF WEST
YELLOWSTONE THIS _____ DAY OF _____, 2019.

Brad Schmier, Mayor

Greg Forsythe, Deputy Mayor

Jerry Johnson, Council Member

Pierre Martineau, Council Member

Chris Burke, Council Member

ATTEST:

Town Clerk





PIONEER PARK PAVILION RESERVATION

Application and Permit

The Town of West Yellowstone owns a pavilion located on the south side of Pioneer Park on Firehole Avenue (US Highway 20). The use of the premises is a privilege and an application is required to reserve the pavilion. The Town Council allows this use with the understanding that you will provide for a safe and clean event. The applicant is responsible for the activities and actions of everyone who attends the event. The Town may pursue civil and criminal penalties should you fail to maintain appropriate conduct and to keep the premises clean.

This permit may be revoked at any time, including during the event, if the event/function is in violation of Town ordinances or state statutes. The Police Department shall have the right to patrol the event area and to make investigative inquiry, if necessary.

In the event that the conditions of the permit are not met, you may be barred from further permits. **If alcohol will be consumed on the premises during the event, a resolution must be passed by the Town Council to allow for open containers in Pioneer Park. Requests for allowing alcohol use must be submitted to the Town thirty (30) calendar days prior to the event.**

In making this application you agree to all of the following conditions:

1. No alcohol will be served or in possession unless the open container ordinance is waived by the Town Council.
2. Provide for the orderly conduct of the event.
3. Hold the Town, its employees, and agents, harmless and indemnify it from all causes of action, claims, judgments, costs, attorney's fees, and forfeitures arising out of the conduct of the event.
4. Responsible for the immediate cleanup and restoration of the area upon which the event was conducted.



PIONEER PARK PAVILION RESERVATION

Policy and Fee Schedule for Facility Use

The pavilion at Pioneer Park is available to rent from May 15th to September 30th and is offered by reservation in two (2) time blocks: 8:00 a.m. – 2:00 p.m. or 2:30 p.m. – 10:00 p.m. Between October 1st and May 14th, the pavilion may be used on a first come, first served basis each day unless a Town-sponsored event is already scheduled during that weekend. You will be charged for each block of time reserved, at the following rates:

\$25.00 per block OR
\$50.00 all-day (resident)

\$35.00 per block OR
\$70.00 all-day (non-resident)

- The opening and closing dates of the rental season are weather dependent and may be adjusted as needed by the Town.
- **There will be no rental fee during the period between October 1st and May 14th.**
- The pavilion can be reserved a maximum of six (6) months in advance and must be reserved a minimum of two (2) business days in advance.
- A “resident” is defined as someone who has a residential address within the Hebgen Basin.
- **The Town, though the Town Manager, reserves the right to waive the fee schedule for community organizations, educational, or non-profit groups.**
- To check the availability of dates or for any questions, please call the Town Offices at 406-646-7795, email info@townofwestyellowstone.com, or come to the West Yellowstone Town Office (440 Yellowstone Ave.) in person during regular business hours. The reservation application and required fee payments may be completed in person or online at <http://www.townofwestyellowstone.com>.

NOTE: All park reservation fees are non-refundable and non-transferable.

TOWN OF WEST YELLOWSTONE

March 1, 2019

Mr. Dan Sabolsky
Town of West Yellowstone
P.O. Box 1570
West Yellowstone, MT. 59758

Dear Mr. Sabolsky:

The Board of Trustees of the West Yellowstone Cemetery have reviewed the current cemetery ordinance and are requesting some minor changes. We are requesting the following changes. *Changes appear in italics.*

12.28.280 (B) In keeping with the natural surroundings and environment all monuments shall not exceed the ground level in height. No *above ground* vaults, crypts or mausoleums shall be allowed. Adding the words *above ground*.

12.28.280 (D) (Last line) All monuments, headstones or markers shall be properly encased in a *6 inch concrete ring so that the dimensions specified above represent the finished size of the monument*. Clarifying the ring requirement and dimensions.

12.28.420 The board shall not enter into any contract involving the expenditure of any sum of money greater than *five thousand dollars* without having submitted such proposed contract to the *Town Manager* and obtained approval thereof. Reflects current spending authority and brings it in line with Town Manager.

12.28.430 (B) "All conveyances of any such lots shall be executed and acknowledged by the *Town manager* of the town and attested by the Town Clerk..." Changes the person acknowledging a conveyance from Mayor to Town Manager to make that process more user friendly.

It is the hope that the Council will adopt these modifications to the ordinance so they can be in effect by spring.

Also, you may recall we sent you a letter in December requesting the appointment of the Public Works Director to the position of Cemetery Superintendent and fixing a fee for grave openings and closings. We are inquiring as to the status of those requests.



Thanks, in advance for your consideration of these requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Davis". The signature is fluid and cursive, with the first name "Ken" and last name "Davis" clearly distinguishable.

Ken Davis, Chairman
West Yellowstone Cemetery Board.

Thursday, March 28, 2019

OPINION

Editor:

The purpose of my writing is to briefly discuss the current project in the Madison Addition, Moonrise Meadows, and to bring to your attention several relevant facts concerning this development. I have been following it online, in the West Yellowstone Star, as well as via several phone calls from a number of local residents. Consequently, and since my final move will be to one of my grave sites on Fir Ridge, I felt compelled to share my feelings about how this is being handled.

Simply put, it appears that most of the current objections are designed to delay/impede the implementation of the development.

While that's not unusual anywhere, or in West Yellowstone, it becomes unnecessary beyond a certain point, which you may be rapidly approaching.

From what I've read, the developer would like to get started as soon as he can, and as we all know, the building season in West is extremely short. I do not know Mr. Yeakey, but from what I read in the most recent public hearing minutes, he paid more for 21.82 acres than the Town paid for 80 acres. In addition, he's proposing to build only 180 condo units when the zoning and covenants allow him to build as many as 436! Consequently, the Town has the makings of a major potential problem with Mr. Yeakey, as was partially pointed out in the recent minutes - he could sue. In addition, and it wouldn't surprise me if he redrafted his application to the maximum number of units (436).

Now here's where it gets really interesting - and dangerous for the town. I've looked up some old info I had on the MadAd and found a copy of the original executed and recorded 12/09/1982 Development Agreement I had with the town, wherein it is very specific re: item No. 6 titled Residential Development. Therein it states: Developer agrees that the Zoning Plan is for residential development, and that the term "residential" specifically includes

units commonly known as "time-share" units.

I realize that short-term rentals have been a recent issue in the Madison Addition, as has time-share, but if you look at the worse-case scenario that could come into play, it goes something like this: Whole-owner time-share, via a warranty deed, is a legally viable instrument evidencing ownership of and in a "residential" property. If you turned 436 Condo units into 436 timeshare condos, the definition of which was signed off and recorded by a previous administration, you could sell 21,800 time-share weeks. According to a recent US News & World Report, an average time-share week in the USA goes for \$19,000/week. Would the town really want to be looking at the potential gross income loss of \$414,580,000 to the developer?

I don't think so, do you? The math is simple: $21.82 \text{ acres} \times 20 \text{ units/ac} \times 50 \text{ wks/unit} \times \$19,000/\text{wk} = \$414,580,000$.

Consequently, and after many years of development in and around West Yellowstone and having worked with a number of town councils, planning boards, et al, the best advice I can offer this council is to work with this developer forthwith so he can get well underway this year, not next.

If you don't, you may very well live to regret it. Besides, you've got a development of your own to do on the 80 acres, so you'll soon find out firsthand how much fun it really is to be a developer.

I sincerely hope all of you will live long enough to see your very own development to fruition.

In closing, I would respectfully request that this letter be made a part of the next town council meeting minutes.

Lewis S. Robinson, III
President & CEO Robinson Interests of Montana, Inc
Austin, TX