

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
January 4, 2017

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

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

Helene Rightenour, Gallatin County Officer Mike Gavagan, Richard & Teri Gibson, Tom Cherhoniak, Head Dispatcher Brenda Martin, Ryan Barker-Forsgren Associates, Marc Shepherd, Drew Barney, Fire Chief Shane Grube, Officers Matt Lovingier, Daniel Palmer, Sabrah Van Leeuwen, Anthony Kearney, Highway Patrol Officer Marcus Cook, Randy Wakefield-Fall River Electric, Moira Dow-WYSEF Director, Anna Callahan and Jason Brey-Custer Gallatin National Forest, Kaitlin Johnson-Yellowstone Historic Center, Jerry Schmier, Bob Patze, Frank Gaddis, Kevin Jermaine and Mike Schultz of the Big Sky Resort Tax District Board

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to nominate Jerry Johnson to as Mayor for the year 2017. (Schmier, Forsythe)
- 2) Motion carried to nominate Brad Schmier to serve as Deputy Mayor for 2017. (Forsythe, Martineau)
- 3) Motion carried to approve the claims, which total \$132,803.14. (Schmier, Martineau)
- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the December 6, 2016 Town Council meeting and the December 21, 2016 Town Council Meeting. (Martineau, Forsythe)
- 5) Motion carried to approve the new business license application for Ranger Lodging, made by Robbie and Debra Hermanson and to waive the resort tax bond based on a satisfactory payment history for their other business. (Martineau, Parker)
- 6) Motion carried to approve the new business license application for Spirit of the North Sled Dog Adventures (Martineau, Forsythe)
- 7) Motion carried to approve the new business license application for Spirit of the North Sled Dog Adventures with the condition that the license will expire May 31, 2017 and not be renewed under the same conditions. (Martineau, Forsythe) Johnson is opposed.
- 8) Motion carried to approve the resort tax bond waiver request for Angler's Rest made by Ron and Deborah Tomasetti based on a satisfactory payment history for their other business. (Parker, Forsythe)
- 9) Motion carried to approve the resort tax bond waiver request from DNC Parks & Resorts Yellowstone Adventures, Inc. for Rendezvous Snowmobile, Big Sky Car Rentals, Randy's Auto Repair, Buffalo Bus Touring. (Parker, Forsythe)
- 10) Motion carried to approve the first reading of Ordinance No. 263, an ordinance authorizing the operation of golf carts on the streets in West Yellowstone. (Schmier, Martineau)

- 11) Motion carried to approve the request from the Yellowstone Ski Festival to not be required to remit resort tax for the 2016 Ski Festival. (Parker, Forsythe)
- 12) Motion carried to table the State Resort Tax Legislation until the January 17, 2017 Town Council meeting. (Forsythe, Parker)
- 13) Motion carried to approve the first reading of Ordinance 264, Resort Tax. (Forsythe, Parker)
- 14) Motion carried to appoint John Greve and Kimberly Howell to the Marketing and Promotions Fund Advisory Board for three year terms. (Martineau, Parker)

Public Comment Period

Kevin Jermaine of the Big Sky Resort District addresses the Town Council and also introduces Mike Schultz, also of the Big Sky Resort District. He explains that they are here tonight seeking support from the Town on a bill to present to the state legislature that would enable them to raise the resort tax by 1%. He says that the biggest issue they are facing in Big Sky is the lack of workforce housing. He says they have worked on the language in the bill they originally presented to make it a little looser to allow use of the tax to "assist in providing workforce housing." He requests to work with members of the council and administration of the town to put together a bill that they can all support and present to the legislature.

Teri Gibson says that the Public Services department is doing a great job, she thinks they should have people working on the holidays and call people in if necessary. She says that not plowing for three days over Christmas weekend made it very difficult to get around. Patterson responds that they do not refuse to work on holidays, but he went out and checked the streets and they felt like everyone could still get around.

Council Comments

Council Member Martineau says that he would like to see an action item on the next agenda to work with Habitat for Humanity to build two new duplexes here in West Yellowstone. Council Member Schmier thanks the Public Services Department for their efforts keeping the streets clear and encourages them to work with the Police Department and communicate about current conditions.

Town Manager Daniel Sabolsky encourages everyone present to make efforts to get vehicles off the street when we have heavy snowfalls. He says it makes it much easier to plow effectively and safely if they had more cooperation.

DISCUSSION

- 6) The Council discusses the application from Spirit of the North Sled Dog Adventures. Town Manager Dan Sabolsky explains that this business operates primarily on the national forest but are starting their tours and parking their customers on the property recently purchased by the Town. He says the owners were not aware that the Town now owns that property. He recommends granting the license on a temporary basis so they can operate this season but that it is not renewed under the same conditions in the future.
- 9) The Council briefly discusses the parking impact created by these businesses on Yellowstone Avenue, specifically in front of the Town Hall. Sabolsky explains that they ordered signs today to direct traffic to leave spaces in front of the building and they have talked to the operators of the businesses about directing traffic to park at the Holiday Inn.
- 10) Sabolsky points out a minor change they need to make to the ordinance to clarify the penalties for violation of the ordinance.

- 11) Moira Dow, Director for the Yellowstone Ski Festival, explains that this event, held in November, is the primary financial support for the West Yellowstone School Nordic Ski Team, funds collected are used to maintain infrastructure of the Rendezvous Ski Trails, and entrance fees are capped by governing bodies.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky introduces Anna Callahan and Jason Brey of the Custer-Gallatin National Forest. Callahan presents the Town with the Quit Claim Deed for the purchase of the 80 acres on the west side of Town. Sabolsky also turns the time over to Fire Chief Shane Grube who briefly reports on the two house fires in West Yellowstone last week, one caused by a wood stove and the other by a gas explosion. He reports that the family members that were in the house with the gas explosion are all out of the hospital but suffered multiple injuries and severe burns, which will take a long time to recover from. Sabolsky also informs the Council that Finance Director Lanie Gospodarek has been elected to the MMIA Board of Directors. He briefly describes the benefits of her participation on the board and potential costs to the Town.

West Yellowstone Star: The Town is still assisting the two owners in getting familiar with the community. Jeremy Weber, the editor of the Star, has left the paper for another opportunity in Poulson, MT. The new editor is Abby Dennis and I have met with her and the owners regarding an article on the Town accomplishments over the last year. Status: In-progress. **Planning, Housing, & Development:** In October, the Town entered into a contract with Land Solutions to update the Growth Policy, Zoning Code, and Subdivision regulations. This project will take up to two years to complete. In addition, the Town entered into a contract with Land Solutions to develop and implement a plan for the 80 Acres. Land Solutions has been contacting key stakeholders in the community to introduce themselves and provide a summary of the planning process. They held a “kick-off” of the planning process on December 7th at the Povah Center. Approximately 30 community stakeholders were in attendance. While in West, they have met with key stakeholders such as the Planning Advisory Board, the Chamber, and WYED. In addition, Town staff members have met with them to discuss their Departmental issues and concerns. I have met with Land Solutions to discuss their progress on the projects and they provided me a brief summary of their initial findings from the one-on-one and public meetings. Status: In-progress. **Golf Cart Legislation:** I have drafted the legislation for the use of golf carts within Town limits. There are a number of communities that already have a similar type of regulations. Therefore, I used their ordinances to draft our legislation. The draft regulations/legislation were already forwarded to our legal counsel for review. Corrections, based on comments from our legal counsel, have been made. In December, Council had a discussion regarding the content and scope of the legislation. A revised draft of the ordinance is on this week’s agenda. Status: In-progress. **Public Property Signage:** The legislation passed in September. Now the difficult part starts, the enforcement of the new regulations. Staff will be meeting after the new year to develop an action plan to implement the new regulations. Signs will be posted in front of five parking spaces on Yellowstone Ave (in front of Town Hall) designating them for “Town Hall Visitors.” This will allow residents to park and access the building from the north-side of the Town Hall. Status: In-progress. **80 Acre Property:** The Town has signed the quit claim deed for the 80 acres. On Nov. 17th, the Forest Service signed the deed for the transaction and recorded it. Therefore, the Town owns the 80 acres. However, we are still waiting for our copy of the recorded deed. The recorded deed will be presented to the Town Council at a future meeting. Status: In progress. **Winter Sports Parking Lot:** Based on encouragement of the Chamber and snow related businesses, the Town has developed a temporary winter sports parking lot on the newly acquired 80 acres. The Town has received a great deal of positive feedback from the community. It is the desire of the Forest Service, the Chamber, and Town staff to locate a permanent lot adjacent to Town. The interested parties will be meeting soon to start planning the project. Status: In progress. **Town Logo and Signs:** River Dragon Designs has developed a new logo for the Town and it was approved by council. Recently, the new signs were installed by Town staff. The address decals have been

ordered and will be installed on the building in the new year. Status: In progress. **Day Care:** The Day Care group continues to meet frequently to develop a non-profit organization to operate a day care. They have established a Board and have drafted an action plan to move the process forward. A temporary location has been approved at the Community Protestant Church. In my last meeting with Bruce McPherson, board president of the learning center group, the center will be open in mid-January. They are still exploring options for a long-term solution for day-care issue. Status: In progress. **Amphitheater:** The entire group working on the amphitheater project has not met recently. The group has a completed conceptual design, but this initial design was way too costly to construct utilizing donations in conjunction with Town funds. Thus, the group will look at ways to reduce costs or utilize temporary structures to achieve the same desired venues. Status: In progress. **Television District:** Mr. Martineau has worked with a contractor to undertake some of the immediate repairs needed at the facility. In addition, Mr. Martineau has got some cost estimates for the digital upgrade of the facility. The County Commissioners and Mr. Martineau have been recruiting new Board members before undertaking any further action regarding the upgrades. I have been added to the Board so steps can be taken to upgrade the facilities. Status: On-going. **GIS:** Stahly Engineering has completed gathering data for the GIS system. They are in the process of creating the "system." Three GIS handheld units have been purchased and are ready for the software installation. In addition, they have surveyed four interior parks along Canyon Street. We have received, from ThinkOne, some drawings with tentative locations for the restrooms. These have been forwarded to James Patterson for his review. Status: In progress.

Town Related Items:

- Had a project update meeting with Land Solutions.
- Attended CD/RMS demonstrations at the Fire Station (1/2 day event).
- Met with the West Yellowstone Star and the new editor.
- Met with Day-Care Group (4).
- Met with Arnie Siegel (3).
- Conference call with MPEA Union and their legal counsel.
- Conference call with Salem Stanley.
- Met emergency crews at the trailer explosion.
- Met with Land Solutions (3).
- Attended 911 Advisory Board meeting.
- Conference call with SJ Shepard and ThinkOne.
- Met with Rob Gilmore of Northern Rocky Mountain Economic Development District.
- Worked with Think One Architects on locations and site plans for Canyon Street Restrooms.
- Met with Stahly Engineering & Associates about GIS system.
- Attended conference call with the Montana Resort Tax Communities.

Public Events Attended:

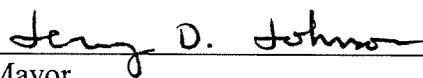
- Attended the Town Christmas Party.
- Volunteered at the Kids in Snow Event.
- Attended the Dog Sled Event.
- Attended Christmas Stroll
- Enjoyed the schools Christmas Concerts.
- Volunteered at the Saturday Open Skate.

Public Services Superintendent James Patterson reports that they have been cleaning up the corners and moving snow. He says his new crew is working together very well and they are getting ready for the snow they expect next week. Chief of **Police** Scott Newell reports on responding to the two fire scenes and all the reporting those incidents entail. He says the new pickup trucks have been delivered and are being outfitted with all the necessary equipment now. He also welcomes new officer Daniel Palmer, who will be on shift this week and then will start the Montana Police Officer training program next week. **Social Services** Director Kathi Arnado reports on the massive response from the

January 4, 2017
Town Council Meeting
Minutes, Page 5

community to assist the two families that lost their homes last week. She says it has been truly amazing to see the community rally to support these people. Mayor Johnson administers the Oath of Office for new police officer Daniel Palmer.

The meeting is adjourned. (8:40 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

January 11, 2017

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Chief of Police Scott Newell, Judge Kathleen Brandis and Town Attorney Jane Mersen are present by speakerphone

The meeting is called to order by Mayor Jerry Johnson at 7 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period

No public comment is received.

DISCUSSION

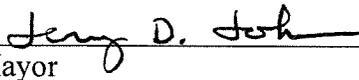
The first item of discussion for the work session is transitioning the city court to a Court of Record, which essentially means that everything this said during court proceeding is recorded and retained for a certain period of time. Attorney Jane Mersen previously prepared a memo describing the pros and cons of becoming a court of record. Judge Brandis briefly describes the benefits of making the transition as opposed to the costs. She explains that since they are not currently a court of record, anytime a ruling is appealed, the defendant is granted an entirely new trial in Gallatin County District Court. If they were to become a court of record, the proceedings of the trial that already occurred would be reviewed and an appeal would only be granted if the judge did some egregious. She says that after being the judge for nine years, they never had a case appealed until this past year when three decisions were appealed. After the most recent trial, the defense attorney pulled the appeal out of his briefcase right after the ruling. Chief Newell agrees and says it appears that trials that are held here are almost a dress rehearsal for district court, except they still cost a lot of time and money. Court Clerk Kerry Parker describes a quote they have obtained from Mark Mountaintes to install the equipment and software is \$5648.50 plus the cost of travel. Johnson asks Mersen if it appears to be a trend to appeal cases out of our court just because they are not a court of record. Mersen agrees as does Chief Newell. Chief Newell estimates that it probably costs the Town close to \$10,000 to try a case on appeal. Judge Brandis also points out that every trial has a human component including the stress and pressure on the witnesses and the jurors. She says it is unfortunate to have to disregard all those efforts and put them through it again. Schmier asks if most other courts are courts of record. Mersen says that all higher courts, such as district, justice, and federal courts are courts of record. Brandis says that municipal courts in Montana are not necessarily courts of record and there are some judges that really like the system and some that are scared of the requirements. Schmier asks if making this change will likely give more credibility to our court. Mersen agrees and Schmier says he thinks that is likely. The Council and Town Manager Dan Sabolsky ask multiple questions about the details of the transition. Johnson asks if they have budgeted this year for this or if they will have to put it in the next budget. Sabolsky says that they have budgeted for this is the current budget. Teri Gibson asks if this same system could be used to record Town Council meetings. Kerry Parker explains that they could, but they would need to also purchase some additional microphones when they install the system. In summary, Mersen and Brandis both support making the transition. Mayor Johnson thanks them for their time and indicates that they will let Mersen know if she needs to prepare the resolution to make the transition.

The next item of discussion is regarding the proposed Computer Aided Dispatch (CAD)/Records Management System (RMS). Fire Chief Shane Grube presents a power point presentation to illustrate the process they followed to review the responses they solicited for the system late last summer. Following presentations and demonstrations in December, E-Force was the vendor that was selected as the most user friendly and preferred system. They also checked references and contacted other police departments that are using the E-Force system. Chief Newell says that this system appears to be very easy to use and once it is installed, they will easily be able to map the location of all their emergency vehicles, officers, etc. He says the system integrates easily with smartphones to streamline law enforcement activities. Head Dispatcher Brenda Martin explains that they have had this system in place in Driggs, ID, for six years and have had very

good success and not had to replace any major equipment. Chief Newell says that they have over \$255,000 in the 911 Special Revenue Fund (2850). They would need to pass a budget amendment to spend that balance on this system. He says they will be approximately \$30,000 short to pay for the system in full in addition to the other expenditures they have committed to in that fund until they receive the second payment from Gallatin County for this fiscal year in June. The Council indicates that they agree with the proposal and recommend bringing the necessary budget amendment to the Council in the near future.

Town Manager Dan Sabolsky explains that they are going to meet with representatives from the Big Sky Resort District on Friday at 4 PM. Today they obtained a copy of the unofficial draft bill that Big Sky has put together and wishes to carry to the legislature. The Council reviews the proposed legislation and considers the language and probable interpretations. Sabolsky indicates he will make some calls to other resort communities to determine if they support this legislation or possible other recommendations.

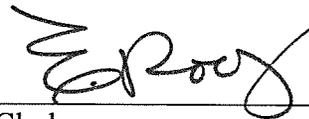
The meeting is adjourned. (8:10 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
January 17, 2017

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

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

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$39,520.76. (Martineau, Forsythe) Forsythe abstains from #42781, Schmier abstains from #42780 and #42797, Parker abstains from #42792.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the January 4, 2017 Town Council meeting and January 11, 2017 Town Council Work Session. (Martineau, Forsythe)
- 3) Motion carried to approve Ordinance No. 263, Golf Cart Regulations, on the second reading. (Parker, Forsythe)
- 4) Motion carried to approve Ordinance No. 264, Resort tax, on the second reading. (Parker, Martineau)
- 5) Motion carried to table the State Resort Tax Legislation. (Parker, Martineau)
- 6) Motion carried to approve the Marketing and Promotions Fund Award Recommendations from the MAP Fund Board to award \$7500 to the 2018 Snow Shoot (Held in 2017) and \$16,000 for the West Yellowstone Snowmobile Expo 2017, Power Sports, Race Event. (Parker, Martineau)

Public Comment Period

No public comment is received.

Council Comments

No council comments.

Public Hearing: Ordinance No. 263, Golf Cart Regulations, Ordinance No. 264, Resort Tax

Mayor Johnson calls the hearing to order. The hearing was advertised in the January 13, 2017 edition of the West Yellowstone Star and the January 7, 2017 edition of the Bozeman Daily Chronicle. Mayor Johnson reads the hearing notice and asks if there are any comments on Ordinance No. 263, golf cart regulations. No comments are received. Mayor Johnson asks if there are any comments on Ordinance No. 264, resort tax. No comments are received.

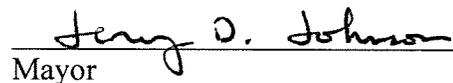
DISCUSSION

- 3) The Council discusses the ordinance. Schmier says he was asked if golf carts that are operated on the streets are required to have liability insurance, which he determined is required by the ordinance. The Council also briefly discusses whether golf carts are allowed on the highways that pass through town and it is determined that they are not. Joe Rogers, Operations Manager for the Yellowstone Explorer Cabins, says that the golf carts they use for housekeeping meet all the requirements save turn signals. He asks if hand signals are sufficient for providing turn signals. The Council says that the ordinance does require turn signals but there are kits available to retrofit a golf cart with turn signals that are fairly inexpensive.
- 4) The Council discusses the resort tax ordinance. Forsythe asks for clarification about the appeals section. Finance Director Lanie Gospodarek explains that section refers just to appealing assessed penalties. Sabolsky points out that there is another section that specifically addresses which entities/events are subject to the tax and the right to appeal a decision made by the Town Manager.
- 5) Town Manager Dan Sabolsky says that he has had multiple conversations with Kevin Jermaine of the Big Sky Resort Tax District about the language to put into the proposed legislation to present to the state legislature. The language presented by Big Sky would allow local voters to decide whether to increase the resort tax by 1% for “workforce housing and related needs and community development.” Jermaine called Sabolsky this evening and says that he has contacted Cooke City, St. Regis, Whitefish, Craig/Wolf Point, Virginia City and Red Lodge. He says that Whitefish, Craig, and Virginia City are willing to support the bill and he got positive responses from the other districts but are still waiting to hear from Red Lodge. The Council considers the issue and recommends that Sabolsky himself call each community and gauge their support for the proposal. The Council discusses the proposed language at length and whether it would meet the needs of the Town. They also question whether the legislature will even consider passing it as similar legislation failed two years ago. The senators from Gallatin County have indicated they will not support it unless both West Yellowstone and Big Sky support it.
 - A) **Advisory Board Reports:** Town Manager Dan Sabolsky says that they have made an effort to get a Parks and Recreation Board Meeting scheduled for February 8, 2017 as well as a Planning Board meeting that same day.
 - B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that he has initiated working on and updating the Employee Personnel Manual with assistance from Social Services Assistant Leah Sherman and Officer Anthony Kearney. He reports that they are also working on updating the Drug and Alcohol testing policy. He says that he has started reviewing the rental agreement with the YHC for the UPDL. He says they are also working on updating the Memorandum of Understanding with the Police Unit of MPEA to correct language referring to holiday pay. He says they are moving forward with the business license ordinance revisions. He says the Finance Department is preparing for the annual financial audit that will take place next week. Public Services Superintendent James Patterson says that they are focusing on widening the snow on the streets and blowing the snow back to improve visibility. They are also going to start clearing roofs on the Town buildings and maintaining the snow removal equipment. Finance Director Lanie Gospodarek says they are well prepared for the audit. The Annual Finance Report (AFR) has been submitted and accepted and she is working on a couple other required reports for the state. She also recognizes the employees in her department for their assistance and hard work. Social Services Director Kathi Arnado reports that they have received a lot of donations and food deliveries and appreciates the assistance from Recreation Coordinator Brandy Holland. She has also been working with the family that lost their home due to a gas explosion and they are trying to find them a permanent place to live. Martineau asks about the mental health counselors that have been coming to Town and Arnado indicates that is working out well. Chief of Police

Scott Newell reports that the police department just responded to call #100 for the new year. New officer Dan Palmer has made it for his first week at the police academy and is doing well. Officer Kearney is still on light duty but has a MRI scheduled for later this week to determine whether he needs surgery on his shoulder.

- C) Council Member Pierre Martineau says that affordable housing is still a big issue in this community. He says most recently, there has been concern about losing the Physicians Assistant at the health clinic because the house she was living in sold. He says that he thinks they should proceed with building some duplexes in one of the interior parks along Alley D using labor through Habitat for Humanity. The Council discusses the proposal at length. Johnson says that if they were going to build housing, he feels strongly that it should be built in residential areas and there are duplex zoned lots available in the Madison Addition. Martineau says the Town should budget \$450,000 to build them and not pass up the opportunity to complete the project with free land and free labor. Dave Magistrelli says that Habitat would be able to offer the labor, but the Town would have to provide space for the "caravaners" to camp or park while working on the project. Magistrelli suggests forming an advisory board to address the housing issue. He also offers to meet with Sabolsky and other interested parties to come up with possible solutions. Sabolsky says that Land Solutions LLC, through the process of working on the growth policy, will present such recommendations as part of their project. Richard Gibson recommends moving forward with some of these suggestions to improve housing. Schmier says that he would like to know what lots are available for purchase that are zoned appropriately. The Council directs Sabolsky to do some more research and report back.

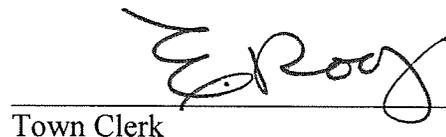
The meeting is adjourned. (9:07 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
February 7, 2017

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

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

Erin Benike and Vickie Barta-Little Rangers Learning Center, Kevin Germain and Mike Schultz-Big Sky Resort Tax Area Board of Trustees, Richard and Teri Gibson, Katie Ostberg, Monika and Joe Rogers, Bob Everest, Travis Watt, Tom Cherhoniak, Ken Davis, Glen Loomis, Tatiana Salinas, Marysue Costello, Shane Grube, John Greve, Paul and Anita Furtaw Randy Wakefield, Pat Barnes, Brenna and Dan Mauer, Kevin Germain and Mike Schultz-Big Sky Resort Tax Area

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

Portions of the meeting are being recorded.

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

WORK SESSION

- A) Mayor Johnson calls the work session to order, the first item of discussion is state resort tax legislation as proposed by the Big Sky Resort Tax Area District. Kevin Germain and Mike Schultz are present, both are Big Sky residents and members of the Big Sky Resort Tax Area Board of Directors. They are proposing legislation that will be presented to the state legislature that would allow increasing the resort tax rate from 3% to 4% for the purpose of building work force housing and community development. The latest copy of the proposed legislation was included in the Town Council's packet. Germain briefly introduces the bill and explains that increasing the tax would still require a vote of the community to be implemented, after it is approved by the legislature. Forsythe asks some questions about the bill and clarifies that the term "workforce housing" is listed first in the bill. He asks if they have a sponsor for the bill. Germain answers that they are still working on that. He explains that two years ago, the proposed bill passed the house but then died in the senate by a tie vote. He says the bill was carried by House Representative Kerry White, this time they want to introduce the bill by a senator. Forsythe asks more questions about the process and then points out that when the resort tax was originally instituted, the term "tourist impacted services" was used and he doesn't understand why they don't use that term now. Germain explains that the advice they have received from the lobbyist and attorneys in Helena, was to focus the bill on something specific so the legislature doesn't view it as a general tax. Forsythe says that if housing is the main reason listed in the bill for increasing the tax, he will not support it. Germain says he understands his position, but points out that housing is a huge problem all over the state and they feel like it is very important to include in the bill. Forsythe says that as he understands it, adding housing to the bill last time away is what caused it to fail. Schultz acknowledges that it is very difficult to put together a bill that meets the needs of both communities, but emphasizes that passage of this bill would help both communities. Schmier asks if they would consider rearranging the order of the words in the bill to make it more acceptable. Germain says that is a good idea, but says that they are now at the point where they have to put this bill before the legislature or they will miss the chance to submit it. The Council discusses the issue at length with Germain and Schultz. Johnson says he agrees with Forsythe in that if they earmark the money, they only hurt themselves. Ken Davis comments that the original resort tax legislation was written purposely vague. He also strongly advises that they do not call it a sales tax. He also understands the challenges that Big Sky is facing and recommends that anyone other than Big Sky carry this bill. He says that the public perception is that

Big Sky has plenty of tourists and therefore plenty of money. He says they should have Gardiner or Cooke City carry it. Glen Loomis says that the fewer words in the bill, the better. He says their only chance is if they present it as a way for their community to take care of their own problems. He also suggests presenting necessary projects that might convince committee members to just pass it. He says the more definitions they include, the harder it will be for the committee members to accept. He says they should just propose an increase of 1% for tourist impacted services. Schultz says that they understand the view the rest of the state has of Big Sky, but emphasizes that they are trying to help the people that do not have a lot of money. They have plenty of economic development, but no place for people to live. Germain thanks the Council for their time and asks them to carefully consider supporting the bill. He says that he thinks West Yellowstone has nothing to lose and much to gain if the bill passes.

- B) Vickie Barta addresses the Council on behalf of the Little Rangers Learning Center. She explains that the center received licensure on January 30, 2017 and opened as of February 1. After being open for just over a week, they reached full capacity yesterday. Fifty children are enrolled and they can handle 37 at a time. There is a waiting list for infant care. Barta explains that they opened in a temporary space in the Community Protestant Church but they can only remain in that space until the end of August. They have solicited donations in the amount of nearly \$250,000. They are asking the Town to consider donating land for a building. Considering the time constraints, they expect they will have to order a modular building, estimated to cost around \$500,000. One of the bigger donors so far has indicated that they would like to see the new center placed next to the library so the offerings of the library can be utilized by the learning center. Barta also shares some statistics that support the advantages of early education. Forsythe asks if the money that has already been secured are actual donations or just commitments. Barta says that they are commitments. Forsythe clarifies that the building would be owned by the Town and the Town would be responsible for the exterior of the building. Parker says that he understands that daycare is important, but says he doesn't agree with the proposed location. He doesn't think they should put the building on the interior park and suggests putting the building next to the school. Schmier points out that the vision is to put the new building next to the library to they can access the library amenities. Johnson says that they should do it right. He suggests putting up a modular building that is much more affordable, like \$50,000 to \$100,000 until they can build the right kind of a building in the right place. Sabolsky explains that the \$500,000 estimate was for a building that was specifically designed to accommodate a childcare center and included everything that is required for licensure. Johnson says that he thinks it is a big mistake to put the center in the middle of the downtown area in an interior park. He says that those interior parks are maxed out in the summer with parking and traffic. He suggests they consider the land next to the Povah center and questions whatever happened to the aquatic center and the land that was allocated for that. He asks how big of a building do they need. Sabolsky says that they estimate that they need 3000 square feet to operate correctly. The Council discusses the proposal and discuss the level of support the Town may have to devote to the project. Ken Davis says that he believes the day will come that Pre-K will be part of the school. He says that many states are already funding Pre-K programs in the schools and that Montana will eventually follow that course. The Council agrees that they should hold another work session to discuss all the options. Barta says that she recognizes that the Town wants it to be done correctly, not just thrown up anywhere it will fit. Sabolsky asks the Council if they have any concerns with him assisting the board to put together options and a business plan. The Council indicates that this project is good for the community and approve Sabolsky's assistance.

The work session is adjourned at 7:40 PM. The Town Council meeting starts at 7:50 PM.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$398,946.63. (Martineau, Schmier) Forsythe abstains from #82831 to Westmart Building Center.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the January 17, 2017 Town Council Meeting. (Forsythe, Martineau)
- 3) Motion carried to approve the new business license application for the Buffalo Jump Apartments to operate one nightly rental. (Martineau, Forsythe) Parker is opposed.
- 4) Motion carried to approve the new business license application for Barnes on Boundary to operate one vacation rental unit. (Forsythe, Martineau) Parker is opposed.
- 5) Motion carried to authorize Sabolsky to write a letter of support to the legislature to increase the resort tax authority for resort tax communities by 1%. (Forsythe, Parker)
- 6) Motion carried to reappoint Yessika Vega to the Library Board of Trustees for a five-year term. (Martineau, Parker)
- 7) Motion carried to reappoint Richard Gibson to the Police Commission for a term of four years. (Martineau, Parker)
- 8) Motion carried to approve Resolution No. 693, a resolution amending the moratorium on connections to the Town's fresh water supply system that was adopted by the Town on July 5, 2016, as written. (Forsythe, Martineau)
- 9) Motion carried to establish a Safety Committee composed of employee and employer representatives. (Martineau, Parker)
- 10) Motion carried to direct staff to prepare and present an ordinance to amend the West Yellowstone Municipal Code to authorize the police department and to provide for extended jurisdiction of the police department. (Martineau, Schmier)
- 11) Motion carried to authorize Sabolsky to proceed with contract negotiations with E-Force to install a CAD/RMS system in this fiscal year and prepare a purchase order for the next Town Council Meeting. (Forsythe, Martineau)

Public Comment Period

Tom Cherhoniak comments on the new signs that are in front of the Town Hall that read "Parking for Town Patrons Only" and mentions that is interesting as everyone is a town patron.

Council Comments

Mayor Johnson thanks Chief Newell and his staff for their quick response. He says his heart monitor recently sent out a 911 signal and he didn't even know it when Officer Van Leeuwen arrived. He also says that following the last council meeting, he checked with a local realtor and verified that there is a duplex lot available for sale in the Madison Addition.

- 3) Schmier asks why are they being charged for three years of licensing. Finance Director Lanie Gospodarek explains that they have been working with Neil Pringle of Ventures West to get this license set up as they have been operating the unit for some time. Parker says that he is going to vote against both of these business license applications because although he recognizes that nightly rentals are legal, every time they approve a nightly rental they are eliminating a place for someone to live.
- A) **Advisory Board Reports:** Parker mentions that the Planning Board is meeting tomorrow (February 8, 2017) at 4:30 PM. Sabolsky says the Parks & Recreation Board is meeting tomorrow at noon.

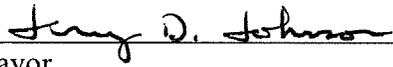
- B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that he has been working with legal counsel on multiple issues. He has also been working with ChemNet to reactivate the random drug and alcohol testing program. He says that he has been working with Personnel Assistant Leah Sherman and Officer Anthony Kearney on revising and updating the Employee Personnel Policy Manual for the last month and anticipate releasing the draft in the near future. He signed an agreement with the Forest Service for surveying of the 80 acres, anticipated cost of approximately \$9400. Land Solutions will hold another public meeting on March 3, 2017 to discuss the draft growth policy. He says that he has worked on updating the building moratorium resolution to address fire suppression connections and close some loopholes. They will conduct dispatcher interviews later this week and they have found a new computer specialist to assist with computer issues in town offices.

Public Services Superintendent James Patterson says they are running out of room to store snow in the interior parks. He cautions the Council to remember that before they consider utilizing the interior parks for other uses. He says they could easily receive two or three more feet before the winter is over, but they are very busy moving and plowing snow. One blower (the green one) is out of commission. They have shipped the parts to Denver for repair and hope to have them back next week. The backup blower, the orange one, is working well but he is hesitant to push it any more than necessary. He says the new grader is working very well, they have already put 400 hours on it. His crew is also working out very well. Patterson says that their permit to drill a new well has been approved, they are just working on working with DNRC to identify a location. Finance Director Lanie Gospodarek reports that they have completed the annual financial audit and annual financial report. She attended her first MMIA Board Meeting in Helena last week and learned a lot about health benefit pricing and updates from the Montana League of Cities and Towns. Chief of Police Scott Newell reports that the police department has been busy, several snowmobile accidents to address. The new Dodge pickups are being outfitted with police equipment. They are also proceeding with the installation of the new 911 system and participating in training. Social Services Director Kathi Arnado reports that their numbers were lower in January. She mentions the variety of services that are offered from their office and recent training opportunities.

- 5) Mayor Johnson explains that the next agenda item is whether the town will support the proposed resort tax bill as presented by representatives from Big Sky. Sabolsky says this item is for the council to decide whether to write a letter of support for the proposed bill. Martineau says that he thinks the Town has nothing to lose by supporting the bill. Schmier agrees and says that the bill isn't perfect but they can go with it. Forsythe says he would support sending a letter that says the Town supports a 1% increase for tourist impacted services. Johnson agrees with Forsythe and says they should send a very vague letter indicating support for increasing authority to tax to 4%.
- 8) Mayor Johnson reads Resolution No. 693, a resolution amending the moratorium on connections to the Town's fresh water supply system that was adopted July 5, 2016. Sabolsky explains that they realized the original resolution did not address increase in usage, just new connections. They also realized that connections for fire suppression are not addressed. Johnson asks that if an application was submitted prior to adoption of this resolution, are they "grand-fathered" under the original moratorium. Sabolsky says that they are. Forsythe asks if there are any applications in that situation and Sabolsky says that there is one and they are working with them on parking and a couple other issues. Schmier says that he does recall that the original intent was no increase in usage. Johnson says that he remembers the recommended language was to base it on line size.
- 9) Sabolsky explains that the Montana Safety Culture Act requires the Town, as an employer, to develop a Safety Committee for the purpose of reducing on-the-job injuries and illnesses. This will be an internal committee but they felt it was necessary to present it to the Council.

- 11) Sabolsky explains that they have solicited bids for a Computer Aided Dispatch/Records Management System (CAD/RMS) and are working on a contract with the preferred vendor, E-Force. He says that they have budgeted \$43,000 for this system in this budget year, but need to pay approximately \$90,000 to get it installed. He suggests using the money that was originally allocated for the restroom vault at the tennis courts (\$50,000) to initiate the project. Fire Chief Shane Grube explains that ISO is going to rate our area in early May and having a CAD/RMS system in place will help with that rating.

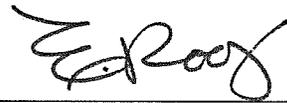
The meeting is adjourned. (9:20 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
February 21, 2017

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

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

Joe and Monika Rogers, Mark Walkup, Bruce McPherson-Librarian, Scott Clark, Tom Cherhoniak, Brenda Martin-Head Dispatcher, Travis Watt, Clyde Seely, Ryan Barker-Forsgren Associates, Richard and Teri Gibson, Vickie Barta, Katie Ostberg, Erin Benike, Arnie Siegel, Marysue Costello-WY Chamber of Commerce Executive Director, Angie & Bob Everest, Sarah Hanson, Gaye McBirnie, Carrie Taggart, Dan & Brenna Mauer, Tashina Smith, Moira Dow

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

Portions of the meeting are being recorded.

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

WORK SESSION

- A) Mayor Johnson calls the meeting to order. The topic of discussion for the work session is the Little Rangers Learning Center. Bruce McPherson explains that they are here to present the business plan for the Little Rangers Learning Center (LRLC). He first thanks the board for the LRLC for all their hard work to put this organization together as well as the staff of the center and the library. McPherson explains that their purpose is to explain how their organization is viable and reliable. They have filed for 501-(c)(3) status from the IRS and prepared a budget, projections, and long-term plans to make the center sustainable. He asks Vickie Barta to explain the business plan for the center. Barta says the business plan was distributed to the council earlier today and asks if they have any questions. Forsythe asks if the committed donations are part of their cost estimates. Barta says they are not. Martineau asks about employees. She says that they currently have six employees and anticipate needing nine when the center is at capacity. They briefly discuss numbers for the facility and the need to hire more staff in the summertime. Mark Walkup describes the budget they put together for the center. Forsythe asks if they will fund-raise to offset costs and he responds that they will. Johnson asks how the board feels about rent. Those present indicate that they hope not to pay rent. Johnson asks about the qualifications for the staff of the center. McPherson says that the focus of the center will be education. They plan to have a structured Pre-K program in place for 4 and 5 year old children. Kathi Arnado, Social Services Director, explains that she is on the board as a resident and not a representative of the Town. She says that they are working on scholarships for children at the center. Child Care Connections is a state program that she is familiar with and worked with the previous daycare business. This program is based on family income and also supplements food. At this time, 30% of the students are on this program. They are also looking into other programs from local foundations and employer-based programs. McPherson says that they absolutely will fund-raise to support the center. He says that over the course of five years, he raised almost \$100,000 for the existing Pre-K program. He says he has already been approached by people that are willing to donate to the program. McPherson introduces Arnie Siegel to discuss donations. He says that they have already raised approximately \$122,000 from members of the Povah family and himself. Of that money they have approximately \$88,000 left. He says that he and his wife, Steffi, are willing to commit between \$200,000 and \$250,000 more. He says they had other interested donors at the end of the year, but they had to back off due to needing the tax deduction. He says that there are a lot of possibilities for other donors and they have an outstanding loan for \$26,000. If they pay off the loan, they will still have \$262,000 and possibly as much as \$310,000. McPherson

says that they also want to request that any building that comes out of this shall be called "The Siegel Learning Center." McPherson moves on to describing the proposed modular building to set west of the Povah Center. The proposed building is approximately 5000 square feet with an outdoor play area. The building will support 60 to 70 children and total project cost is estimated to be \$872,000 to \$938,000. Johnson asks if the proposed building can be expanded. Sabolsky describes the design, which is essential six modular units put together. He says that they can expand the building but they determined that building it for 70 children rather than 60 is only another \$60,000. Sarah Hanson questions whether they actually need space for 70 children. She says they only have 37 enrolled now but they don't have 37 there are all times. McPherson asks Katie Ostberg to explain the enrollment numbers. She says that they have 37 enrolled and 12 on the waiting list. They have 28 students there full-time. She says they do anticipate numbers growing come summertime. Johnson asks if they would expect the Town to care for the building. McPherson says he thinks it would be similar to the arrangement with the library, where the Town owns and cares for the outside of the building and they care for the inside. Sabolsky answers questions about the design and exterior of the building. Arnie Siegel asks the Council to remember that without a child care center, this town could deteriorate. He says the community will either grow or die if they don't meet this need.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6738 to E-Force to purchase a Computer Aided Dispatch/Records Management System (CAD/RMS) for a total amount of \$138,670.65. (Martineau, Forsythe)
- 2) Motion carried to approve the claims, which total \$7511.00. (Forsythe, Martineau)
- 3) Motion carried to approve the claims, which total \$257,602.59. (Forsythe, Martineau)
- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the February 7, 2017 Town Council Work Session and Town Council Meeting. (Forsythe, Martineau)
- 5) Motion carried to approve the new business license application for 1872 Inn, Inc. to operate an 18-unit inn at 603 Yellowstone Avenue. (Forsythe, Martineau)
- 6) Motion carried to approve Resolution No. 694, a resolution of intent to commit to design and construct a learning center and designate real property for this purpose, as amended. (Forsythe, Martineau)
- 7) Motion carried to approve the permits and temporary closures of Iris and Madison, contingent upon approval of the permits by the Public Services, Fire, Police, and Administration departments. (Martineau, Forsythe)
- 8) Motion carried to approve the Outside Amplification Permit, contingent upon approval by affected town departments. (Forsythe, Martineau)
- 9) Motion carried to approve Resolution No. 695, a resolution lifting the open container ordinance during specific times during the 2017 Snowmobile Expo, as amended. (Martineau, Forsythe)
- 10) Motion carried to approve the first reading of Ordinance No. 265, an ordinance authorizing extended jurisdiction for the Police Department around West Yellowstone. (Martineau, Forsythe)

Presentation: Chief Scott Newell and Head Dispatcher Brenda Martin present the Dispatcher of the Year Award to David Rightenour.

Public Comment Period: Travis Watt addresses the Council regarding the Little Rangers Learning Center proposal. He cautions the Town about competing with private business. He says they should review financial statements and questions building a facility that is a quarter the size of the entire school system. He asks what the Town's commitments are to this project. He says he is against the Town deeding land for any type of business operation, whether for profit or non profit. He does, however, support a lease. He suggests a thoughtful approach to a long-term solution.

Council Comments: Brad Schmier says he is disappointed to hear that the amphitheater project has been stalled and is a big supporter of the Music in the Park activities. He says they should consider a short-term solution for that activity because they are wearing out the volunteers.

Greg Forsythe says he has heard from community members and would like Scott Clark to come back before the Council and report on where the aquatic center project is. He says that he has also heard from a couple residents who feel that it is more important to clear snow from the residential areas before the business areas. Patterson says that the last three times they have plowed they have done the Madison Addition first, but there is always someone that is unhappy.

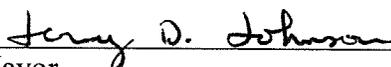
DISCUSSION

- A) **Advisory Board Reports:** Moira Dow reports that the Parks & Advisory Board met recently and discussed improving the green space by the Povah Center and making improvements in Pioneer Park. Sabolsky adds that they asked him to look into wages for recreation specialists such as the yoga teacher and martial arts teacher, since they don't receive other benefits perhaps their wages should be raised. They also discussed the summer recreation program and improving participation in fall sports. Teri Gibson reports that the Planning Board met and discussed the 1872 Inn project, lighting at the Days Inn, and access to the RV spots on the property on Gibbon that was recently purchased by the Kelly Inn.
- B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that he has been working on the Employee Personnel Policy manual with employees Leah Sherman and Anthony Kearney. He says they had a surprise visit from the DPHHS for an inspection. They did note some deficiencies but they were happy to report that they do have a safety committee in place. He reports that he sent out an email to the Council about applying for a TA grant, which could be used to fund the Frontier Trail. He says Stahly Engineering could help them write the grant and even if they are not successful, they could use that documentation to pursue grants in the future. He says they were recently contacted about allowing the installation of a cell phone tower on the east side of Boundary Street. The tower would be approximately 120' tall and they are doing more research on the proposal. He reports that he did send out the letter to our local legislators supporting an increase of the resort tax. He says he immediately received a response from Jedediah Hinkle who indicated he would not support the legislation. He reports that he did meet with a developer that wants to build a hotel this morning. He says he explained the current building moratorium and they are looking to purchase land. He also mentions the upcoming growth policy meeting with Land Solutions on March 1, 2017. Johnson says that a technician was in the area today looking at the television tower on Horse Butte. He says that he went up the tower along with Steve Keen and Quinn Roos who are learning how to maintain and repair the tower. Public Services Superintendent James Patterson reports that the blower motors should be back and repaired next week. He will come in tomorrow and clean up the streets and smooth out the slush. They are working on the restrooms at the Dining Lodge and have had to remove a lot of walls due to mold. Forsythe asks about the roof leak in the judge's office in the Town Hall. Patterson says they think the water is getting trapped in the vent and he has talked to Dick Anderson Construction about correcting that. Finance Director

Lanie Gospodarek reports that they have an audit conference coming up this week, all council members are invited to participate. They are working on the business license ordinance and budget amendments that need to be addressed before the end of the fiscal year. Police Chief Scott Newell says they are installing the new 911 system at the Police Department, which has been a big challenge. Dispatcher Nansi Cisneros is retiring March 14, 2017 and Jim Longworth has also announced that he will be leaving in mid-April. Officer Kearney made it through his surgery, Officer Daniel Palmer is half-way through training at MLEA and the new Dodge pickups will be here tomorrow. Social Services Director Kathi Arnado reports that the manager of the Southlake Apartments, Kim Hathaway, passed away and was found this morning, which was a sad and unexpected event.

- 6) Mayor Johnson reads Resolution No. 694, a resolution of intent to commit to design and construct a learning center and designate real property for this purpose. Sabolsky points out some minor language changes made to the resolution since it was sent out in the packet. The Council discusses whether including the amount of \$275,000 is appropriate. They also discuss the dimensions of the proposed building and whether they should designate the exact dimensions of the land. Sabolsky explains the building estimates but feels there are things that can be cut to reduce the project cost. Johnson asks what is the cost to the Town. Sabolsky says that these are all estimates, but it will probably be between \$500,000 and \$600,000. Schmier summarizes that they have concerns about land dimensions and final cost. Johnson asks Finance Director Lanie Gospodarek how would the Town pay for the project. Gospodarek responds that she hasn't been asked to pursue that, but suggests they would have to go through the capital improvement plan and make changes or obtain a loan. Sabolsky says that he talked to Maggie Anderson at First Security and she indicated that they could do a loan around 2.25%. The Council debates the capacity of the proposed center. Teri Gibson says that if they are going to spend the money to build the facility, they should spend the extra amount to support 70 kids. Richard Gibson says they should look to the future and realize that having a facility like this will attract families that are the future of our community. Bob Everest says that he supports using precise language so they know exactly what is going to happen going forward. He says he supports the center and encourages them to proceed. Martineau says he agrees that this is the future of the community, but also points out that they need places for people to live. Forsythe says he thinks the resolution should specify exactly what Little Rangers Learning Center actually is. Johnson says he would like to see a maximum amount in the resolution.
- 7) Travis Watt and Brad Delaney address the Council on behalf of the West Yellowstone Chamber of Commerce, Snowmobile Events Committee. Watt explains that this year they are proposing to stage snowmobile event from the west end of Town. They will not put up the tent behind the Holiday Inn, but intend to put the vendors along Iris Street between Madison and Firehole. The group discusses closing the street and still allowing access to private property on that street during the event.

The meeting is adjourned. (9:25 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
March 8, 2017

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

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

The meeting is called to order by Mayor Jerry Johnson at 6:30 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order at 6:30 PM and introduces Town Engineer, Dick Dyer, to give a public utilities update. Dyer reports that the paved streets are currently 29 years old and they typically expect a 30 year lifespan. He says the slurry seal completed last summer will mitigate the surfaces for another 4-5 years but deterioration will continue. The Town is setting aside funds to replace the streets, which they estimate will cost \$3.3 million.

Dyer explains that they have good storm drain coverage throughout Town. Disposal capacity is sufficient for present and foreseeable future needs, including the 80 acres. The pipeline capacity is presently sufficient and future capacity is preserved by requiring new developments to have on-site detention and limited rate of discharge.

Dyer explains that the sewer system treatment plant has present capacity of \$1.2 million gallons per day. Operationally, the infiltration/percolation (IP) beds are taxed at peak flows and expansion is recommended. The current system is "grand-fathered" by the Department of Environmental Quality (DEQ) and in order to expand, a groundwater discharge permit is needed. They have done extensive groundwater and effluent monitoring, sampling, and testing over the last two years to develop necessary data for the permit. They have also done extensive reporting on groundwater and nutrient loading to prepare to support an application for a discharge treated effluent to the groundwater system. There is concern for relatively high nitrogen loading that corresponds with peak seasonal flows and corresponding concentration of nitrogen in the groundwater. They are now ready to submit application after obtaining necessary data, developing an approach, and coordinating with DEQ. He says they anticipate obtaining the permit this summer and then submitting plans for IP bed expansion.

Dyer reports that Whiskey Springs has met all Town water supply demands since last September. He says that they received a lot of moisture in the fall and are maintaining a higher than normal snowpack. He says that other springs in the area appear to be recovering, which is a promising sign. He says the fluoride levels in the Railroad Well are now within EPA limits, so they have temporarily set aside fluoride treatment design and are focusing on a new well first to see what quality of water it will have. He says that they are in a "closed basin" meaning no new water rights can be granted. However, they have a 760 gallons per minute provisional permit in the Madison Addition, separate from the existing wells, that is potentially transferable to a new location. He says that after working with DNRC, they submitted application and obtained approval to re-open completion certificate to extend time of completion and allow application to change point of use. They are preparing application to change point of use to the 80 acres and will submit that by the end of the month. They anticipate approval by August. Pertaining to the new water well in the southwest corner of the 80 acres. They are hoping to obtain 500-600 GPM like the Railroad well, but there is no guarantee. They will start with a 6" x 200' deep test well to determine if there is sufficient water, supply, and quality. If all looks good, they will construct a 16" production well. The preliminary design for the test well is ready and they will solicit bids from well drillers by mid-April and hope to construct starting May 1. If insufficient quantity or

quality is found, they will determine new locations and drill additional test wells. He estimates that the test well will cost \$35,000, production well \$85,000, well house and pumps \$150,000, and 8" connecting pipeline \$85,000. Total cost is \$355,000, without additional test wells, and a full acre of ground required to allow proper setbacks.

ACTION TAKEN

- 1) Motion carried to approve the Treasurer's and Securities Report, dated March 2, 2017. (Martineau, Forsythe)
- 2) Motion carried to approve the claims, which total \$106,013.58. (Forsythe, Martineau) Forsythe abstains from #42963.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the February 21, 2017 Work Session and Town Council meeting. (Martineau, Schmier)
- 4) Motion carried to approve the request from Ventures West, Inc. to waive the resort tax bond for the Buffalo Jump Apartments. (Forsythe, Martineau)
- 5) Motion carried to approve the request from Brenna Mauer on behalf of 1872 Inn, Inc. to waive the resort tax bond for the 1872 Inn. (Martineau, Forsythe)
- 6) Motion carried to approve Ordinance No.265, Police Officer Arrest Jurisdiction, on the second reading. (Forsythe, Martineau)
- 7) Motion carried to approve the development agreement between the Town and WYF, as amended. (Johnson, Forsythe)
- 8) Motion carried to approve the Library Lease and Services Agreement, effective for five years with an option to renew for another five years. (Forsythe, Martineau)
- 9) Motion carried to approve the Storage Space Lease Agreement with the Yellowstone Historic Center to store property in the basement of the Library building at 23 N Dunraven, effective for five years. (Martineau, Forsythe)

Public Comment Period

Randy Wakefield asks who is West Development? Johnson responds that they are the owners of the foundations that are in the ground on Electric Street.

Council Comments

Martineau says that when they had the public meeting with Land Solutions last week, the number one concern was affordable employee housing. He says they still have an opportunity with Habitat for Humanity to build some housing and he thinks they would be remiss if they did not take advantage of that.

Public Hearing: Ordinance No. 265, Police Officer Arrest Jurisdiction

Mayor Johnson opens the hearing and explains that this ordinance is in accordance with state law and essentially allows officers to operate within five miles of the Town. The hearing was advertised in the February 24, 2017 and March 3, 2017 editions of the West Yellowstone Star.

DISCUSSION

- 7) Sabolsky explains that they have determined that they are not required to pass a resolution to enter into an architectural contract to construct the Little Rangers Learning Center as the West Yellowstone Foundation is going to pay for the architectural services. Sabolsky introduces Jon Wirth of Think One Architects to describe the project and next steps in the process. He refers to site diagrams that have been distributed to the Council. He says that the first thing they need to do is hire a Construction Manager At Risk and

they will solicit bids for that position. If all goes according to schedule, they will ask the Council to award the CMAR at the April 4, 2007 Town Council meeting. Wirth displays an updated conceptual drawing of the project to the Town Council. The Council discusses the positioning of the building and aspects of the modular building.

Sabolsky presents a final version of the Development Agreement between the Town and the West Yellowstone Foundation. The Council discusses the details of the transaction. Johnson questions why the funding from the West Yellowstone Foundation is now coming over the course of three years rather than while the project is being built, considering that the project is anticipated to be completed by August 31, 2017. The Council discusses the fact that the details were presented differently at the last meeting. Sabolsky briefly leaves the meeting to call Arnie Siegel as representative of the West Yellowstone Foundation. The Council briefly recesses until Sabolsky returns. Sabolsky explains that Siegel indicated that they would pay \$150,000 within the first 30 days and also pay for the architectural services up to \$56,000 as needed. The balance would be payable within three years.

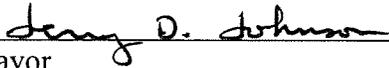
Sabolsky explains that they will release the ad for bids for the CMAR for the project. They will post the RFPs in the Bozeman Chronicle and West Yellowstone Star with bids being due March 27, 2017.

- 9) Kaitlyn Johnson explains that the Yellowstone Historic Center uses the office space in the basement of the library to process collections. She says it is their intent to move this activity to a new office in the UPDL, but they cannot do that yet so they need to renew this lease.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that Community Health Partners has requested \$75,000 risk share from the Town to support the medical clinic, which they will address at the next meeting. Sabolsky reports that they are preparing the application for a Transportation Alternatives grant for the Frontier Trail. There is no match required for the grant and they believe they have a good chance to be successful. The state resort tax legislation will go before the Montana Senate Tax Committee next week. Sabolsky asks the Council if they think he should go to Helena to support the legislation. The Council indicates they support Sabolsky in going to Helena for that reason. He summarizes that they are prepared to release the advertisement to solicit a Construction Manager At Risk for the learning center. Pending approval of everything tonight, they will go to the bank next week to discuss financing of the project. Sabolsky reports that he met with representatives from West Development about the project on Electric and Alley D. The developer paid connection fees, building permit, and water meter fee nearly ten years ago and they are consulting the attorney as to how that is affected by the building moratorium. He recently met with Don Perry about securing a movable stage for Pioneer Park. He says he has secured a donation in the amount of \$150,000 for the stage. They are making progress on revising the employee personnel manual. They are currently seeking to hire two dispatchers and a social services assistant. Land Solutions held a public meeting last week to discuss the growth policy and are making progress on the zoning and subdivision regulations. He also mentions upcoming work sessions and a retirement party for Nansi Cisneros and Jim Longworth. Public Services Superintendent James Patterson says that they have finished preparing for the Snowmobile Expo this weekend. He has obtained quotes for a stage that is mounted on a trailer, but it will take until at least until September to get one here. He is going to meet with another individual from the industry on Friday that will be here for the events this weekend. He briefly mentions the grant application for the Transportation Alternatives grant. He says they don't anticipate needed to plow anymore this season and they will try to maintain the snow on the streets until the season is over. He says they have torn apart the bathrooms at the Union Pacific Dining Lodge and are starting to rebuild them. Chief Newell reports that the 911 system is installed and they are getting started with E-Force to install by May 1, 2017. Social Services Director Kathi Arnado reports that traffic has been down from this time last year but they are still

March 8, 2017
Town Council Meeting
Minutes, Page 4

serving and assisting people with access to the food bank, filing unemployment, and other assistance programs. She distributes a brochure they have put together to put around town that outlines the programs and services they serve.

The meeting is adjourned. (9:15 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
March 21, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Richard & Teri Gibson, Monika Rogers, Scott and Deborah Clark, Hebgen Basin Fire District Chief Shane Grube, Assistant Fire Chief James Jessop, 2 Firefighter/EMTs

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

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order at 6:00 PM. The first item of discussion is regarding funding of the Hebgen Basin Fire Department. Chief Shane Grube presents statistics that reflect a national decline in volunteer firefighters. He also describes an increase in call volume and the challenges they face when responding to multiple calls at the same time. He explains that the District collects revenue from property tax, ambulance runs, and the Town. He says that they are here tonight to ask for an additional \$88,000 annually from the Town to support the district and hire an additional full-time employee. The Town supported HBFD in the amount of \$537,000 for FY 2017. He explains that since they renegotiated the agreement with the Town and purchased Fire Station 1 in 2015, they have struggled to cover costs. He says that their goal is to maintain the same level of service that they have always provided. He emphasizes that the majority of their calls are to tourists in the Town limits. He says that their only other option is to seek an additional mill levy through property tax to support the district. He says that as a property owner, he doesn't think it is right to ask the property owners to pay for a tourist created need. The Council asks multiple questions about the request from the Fire Department. Johnson clarifies that this is a budgetary request that they will have to act on during the budget process. Grube agrees but says he hopes to gain approval sooner than that so they could hire and train before the summer season. Sabolsky asks if the Council would like him to prepare an addendum to the agreement to be considered at the next meeting. Mayor Johnson indicates that he would like more time to consider the request and meet personally with Chief Grube. Parker agrees and points out that sometimes government has to say no. He says that they expect requests in the near future for additional vehicles, employees, and salaries and they have to say no to something.

Deborah Clark, Secretary for the West Yellowstone Community Aquatic Center Corporation, addresses the Council to present the progress on the proposed aquatic center. She says that since 2015, they have applied for multiple grants for the project. They received many positive responses, but were unsuccessful in obtaining any new funding. She says that they would like the Town to consider amending or passing a new resolution that is more specific to the land the Town is willing to provide so they can use it as a match for grants. She says that if there was a value assigned to the land and a length for the lease would be most helpful. She refers to the feasibility study that was conducted previously and the recommendations that came from it. She says it has been suggested that they conduct a new recreational survey to gauge public support. She also mentions an aquatic center in Colorado that they have followed that has been successful. In that area, they were able to devote half of a percent of the local sales and use tax to support the facility. Scott Clark says that the common response they saw from the grant applications was a lack of community or public support. Parker says he thinks it would be a good idea to conduct a recreational survey. Deborah Clark says that their next step will be to move forward with a survey and put together a steering committee to proceed with the project. Forsythe suggests contacting the Parks & Recreation Advisory Board for assistance, Moira Dow is the Chair. The Council thanks the Clarks for the efforts and asks them to keep them informed.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$115,742.95. (Martineau, Schmier)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the March 8, 2017 Work Session and Town Council Meeting. (Forsythe, Parker)
- 3) Motion carried to approve the amended staffing plan, dated March 16, 2017. (Schmier, Martineau)

Public Comment Period

Travis Watt, on behalf of the West Yellowstone Snowmobile Expo, thanks the Town and especially the Public Works, Police, and Fire Departments for their assistance during the event last weekend. They made a lot of changes this year and are hoping the final numbers reflect improvement.

Council Comments

Council Member Parker says that he has heard of some discussion about selling public land to a possible hotel developer. He expresses concerns about selling such land without going through all the proper steps to sell public property. Schmier asks if we have an ordinance that prohibits compression brakes in the town limits. Chief Newell responds that they do but it is unenforceable because it is overruled by state law that mandates they cannot limit a vehicle's braking capability. Schmier also asks if they can start clearing the sidewalks. Patterson says that they do plan to make sure they are clear before the season picks up in a few weeks. Johnson says he has been walking a lot and thinks the sidewalks are really in rough shape and it is time to do something about it.

Presentation: Transportation Alternatives Grant Application, Frontier Trail-Stahly Engineering Theren Thomsen and Nate Peressini of Stahly Engineering address the Town Council to describe the grant application and plans for the Frontier Trail. The match for the grant is 13.42%, estimated to cost a total of \$594,769.33. The engineers describe the exhibits that have been prepared and the surfacing of the trail. They explain that the cost estimates include room to provide things like historic lighting for the historic district portion of the trail. The Council asks questions about the proposed trail, which is a combination of asphalt surface, existing sidewalks, benches, lighting, etc. The grant application is due March 31, 2017. They are gathering letters of support this week and plan to submit the grant next week. Johnson clarifies that they would need supply \$80,000 as the match, but points out that that they can always turn it down if they have to. Sabolsky explains that they have already set aside \$20,000 for this trail, so they would need to come up with \$60,000. Sabolsky recommends moving forward with the grant, says it is a great opportunity to connect several walkways and improve their property. He points out that the MAP Fund returned \$25,000 to the Town for a public benefit project that could be added to the \$20,000 they already have. Citizen Moira Dow suggests including a maintenance plan in the grant application and being prepared to keep motorized vehicles off of the trail but consider snow plowing ramifications. She asks if the Forest Service has been consulted about their portion of the trail. Sabolsky says that they have received a letter of support from the local Forest Service and the YNP District Ranger has also indicated that they will send a letter.

DISCUSSION

- 3) Sabolsky describes the proposed changes to the staffing plan. He explains that they would like to change the Social Services Assistant to a full-time position in the Social Services Department rather than a portion of that person's pay coming from personnel services. They would like to increase the number of seasonal laborers from two to three. They are also recommending changing the title of Head Dispatcher to 911 Communication Center Manager. He says they would also like to look at giving this person a pay increase to compensate the additional responsibilities. Sabolsky and Newell

explain that the title Head Dispatcher is more like a shift supervisor and that person is responsible for a lot more including phone system installations and records management. He also says that they want to create a part-time dispatcher position for someone to fill in for vacations and leave. He says they have discussed recruiting trained dispatchers from places like Gallatin County to fill in on weekends, etc.

- A) **Advisory Board Reports:** Parks & Recreation Board Chair Moira Dow reports that the board met last week and discussed priorities for the upcoming season. She says that the board agreed that the top priority is resurfacing the ground at the Pioneer Park playground. They are working on putting together some options and costs that they will present during the budget process.

Council Member Martineau reports that the Community West Outreach met yesterday. He says that one of the mental health counselors is going on maternity leave soon and they are afraid she will not return to work after her leave, so they are looking into replacing her position with someone else.

Martineau also mentions that the West Yellowstone TV District Board is going to meet tomorrow about repairing and replacing the television repeater on Horse Butte.

- B) **Town Manager Report/Department Head Reports:** Town Manager Dan Sabolsky reports that the floor plan for the Little Rangers Learning Center has been completed and distributed. The advertisement for the Construction Manager for the project has been released and there has been some interest already. They have started exploring financing options for the center. He reports that they finished their second draft of the Employee Personnel Policy Manual today and are making significant progress. He reports that they have received six letters of support for the Transportation Alternatives Grant application to finish the Frontier Trail. They are looking at quotes and possibly purchasing a used stage for Pioneer Park. He says they are also looking into costs to put additional restrooms on Canyon Street. He says that they are working on the Court of Record transition and finalizing the budget for that project. He says that they met with West Development last week about building housing on Electric Street. He says the owners are interested in building 24 units and may ask for assistance with infrastructure costs. Sabolsky says their intent is to build twelve duplexes that will be affordable housing. They are recruiting for two dispatchers and the Social Services Assistant. So far they have received no applications for dispatcher but two for the Social Services Assistant position.

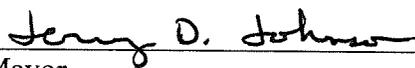
Public Services Superintendent James Patterson reports that they are picking up the new sweeper tomorrow and will start sweeping the streets. The green snow blower is repaired and back in service but now they don't need it to clear snow anymore this season. They are finishing the restrooms at the Union Pacific Dining Lodge and getting ready for the summer season. Finance Director Lanie Gospodarek reports that she and Deputy Town Clerk Lisa Johnson are taking a course from the Local Government Center on the Municipal Handbook, which has been very informative. They are still hoping to work on the business license ordinance and to discuss that at a work session before long. The banking services agreement will expire in the near future and she will prepare to put that out for bids soon. She is going to attend a quarterly MMIA board meeting in Helena on Friday. Police Chief Scott Newell reports that they have had an increase in calls and suicide threats since last week, but so far all has turned out well. He says that Officer Daniel Palmer will graduate from the Montana Law Enforcement Academy in a few weeks and they are looking forward to having him back here in West. Schmier asks how the new Police pickups are working out and Newell says they are great. Social Services Director Kathi Arnado announces that they received a \$2500 grant from First Security Bank for the food bank today. Leah Sherman has been helping Sabolsky work on the employee manual before she terminates at the end of the month and she misses her already, but wishes her well as she moves into her new career.

- C) Town Manager Dan Sabolsky reports that he appeared before the Senate Taxation Committee last week and it passed the committee today. Two amendments were made to the bill, the term "community development" was replaced with "related infrastructure." They expect the bill to hit the senate floor on Thursday. Sabolsky says they will proceed with sending the Town's letter of support to all fifty senators in the state.

Town Manager Evaluation

Mayor Johnson explains that each member of the Council evaluated Town Manager, Dan Sabolsky. He says that the general consensus on the Council has been that Sabolsky's performance is above average. He asks each Council Member to comment on his performance. Schmier says that he was only able to compare Sabolsky to managers that they have had previously and he is very pleased. Martineau says he is also pleased and notes that Sabolsky does not duck responsibility and takes things on head on. He is concerned about burn out and thinks Sabolsky needs an assistant to help him get everything done. Parker says that Sabolsky works well with the public and is easy to get in contact with. He says that he thinks it is important to remember that he works for the Council and not the other way around. He says that he thinks the Mayor or Deputy Mayor needs to maintain better contact or a daily briefing with the manager. Parker says it was difficult for him to evaluate Sabolsky because he doesn't have a lot of contact with him and suggests having the department heads evaluate him. He suggests weekly meetings and open communication with department heads. He also says he should lead by example and keep the interest of the town in front. Forsythe says Sabolsky has done quite a bit better than average as a town manager. He says they have had a lot of catching up to do since he was hired and he has done well. He encourages trust in the staff and trust in management. He says they should work on open communication. Forsythe says they should consider extending his contract as they have with previous managers. Johnson says he would like to see him spend more time in the office. He thinks that he has spent a lot of time traveling and getting to know people and other communities. He credits Sabolsky for working very hard and diving right into new projects and challenges. Martineau suggests they consider a pay increase. Sabolsky asks if there is anything he can do better. Schmier says he hasn't identified any area of weakness, but encourages him to keep the lines of communication open. He says that Sabolsky came in on the heels of a turbulent time so things have improved significantly. Martineau suggests considering a 3% raise now and the same increase in July when the other employees receive increases. Sabolsky says that he had only been here six months when other employees received their increases and requests that the Council consider a raise at this time. Forsythe suggests granting a raise retroactive to January 1, 2017 and adding one year onto his contract. Martineau agrees and says that they should also give him the same increase the other employees will receive on July 1, 2017. Johnson says that he thinks Dan has accomplished a lot of things this year that were already on the table and this year will prove what he can do on his own. The Council agrees to put the Town Manager's salary on the next meeting agenda.

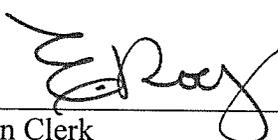
The meeting is adjourned. (9:30 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
April 4, 2017

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

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

The meeting is called to order by Deputy Mayor Brad Schmier at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

WORK SESSION

Deputy Mayor Brad Schmier opens the meeting and announces that the first topic of discussion is new bathrooms in the downtown area. He asks those present, who actually wants these new bathrooms? Sabolsky says that this was discussed during the budget process last summer and they allocated \$100,000 for the project. It is also on the capital plan. Sabolsky distributes plans and conceptual drawings that show four possible locations in interior parks in the downtown area. Parker suggests that rather than spending \$100,000 to build bathrooms, they contract with one of the businesses in the downtown area to make their bathrooms available to the public. Martineau says that many of the downtown merchants have expressed a need for more bathrooms, but Schmier says that he hasn't heard from a single business owner that feels it is important. He says that from the corner of Canyon and Madison, there are public bathrooms in either direction just over a block away. The group discusses whether installing new public bathrooms is necessary or if signage would solve the problem. Sabolsky points out that the Library building is also within a block of Canyon Street and they could direct traffic to that location. The Council debates if the bathrooms are really needed and other ways to alleviate the impact during the summer months. After lengthy discussion, the Council decides not to proceed with building new bathrooms. Schmier says that perhaps they should consider assisting a local business with making their existing bathroom more accessible to the public. Sabolsky says he can talk to the Chamber about noting the bathrooms at the Library on the summer map that is distributed throughout the town, work on putting up signs to direct people to the existing public bathrooms, and explore supporting a business that has bathrooms.

The next item of discussion is the acquisition of a portable stage for concerts and events during the summer months. The Council watches a brief video from Apex Stages that exhibits how a standard appearing trailer is converted to a stage that can be erected almost anywhere. Patterson explains that he has done some research and is fairly impressed with these mobile stages. He says that one person can set it up and they are water tight when folded down. He has explored purchasing a used one, but haven't been able to find one. The Council discusses managing the use of the stage and planning events. Don Perry has indicated that he is interested in staying involved in the Music in the Park events, but being in charge of putting up and taking down the stage has become too much. Patterson says if they ordered the stage today, it wouldn't be here until October, so they really should plan for next year. Sabolsky says that they have an interested donor that is willing to contribute to the project. He says that he can work on getting a final quote for purchasing a stage, a commitment from the donor, and including it as a budgeted item in the next budget.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$80,070.42. (Martineau, Forsythe)
Forsythe abstains from #43049.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the March 21, 2017 Work Session and Town Council Meeting. (Forsythe, Martineau)
- 3) Motion carried to approve the new business license application for Extreme Adventures at 604 Obsidian Avenue made by Viridiana Nunez. (Martineau, Parker)
- 4) Motion carried to approve the business license/parking plan for the Bears Den Apartments at 15 Electric Street to convert the previous movie theater space into four studio apartments. (Forsythe, Martineau)
- 5) Motion carried to re-appoint Jerry Johnson (10 to 49 rooms) and Jeff Schoenhard (50 to 100) to 4-year terms on the TBID and appoint Daniel Reger to fill the unexpired term that was previously held by Audria Butler (100+ rooms). (Forsythe, Martineau)
- 6) Motion carried to approve the funding of one employee of the Fire District in the amount of \$88,000 for the FY 2017-2018 budget cycle and modify the Interlocal Agreement during that year to establish funding of the District from the Town going forward. (Forsythe, Martineau)
- 7) Motion carried to adjust Town Manager Dan Sabolsky's salary by 3%, retroactive to January 1, 2017, and extend his current contract by two years. (Forsythe, Martineau)

Public Comment Period

No public comment is received.

Council Comments

Council Member Forsythe says a citizen approached him at his store and complained about storage of junk vehicles that have been on public property for years. Newell says that they towed three vehicles this week and have two more on the list. Martineau says that he attended a meeting in Bozeman regarding mental health, they are hoping to replace the counselor that was coming to West Yellowstone. He says that yesterday he ordered \$50,000 worth of equipment to upgrade the TV District and they hope to make those improvements as soon as the road to the tower is passable.

DISCUSSION

- 4) Sabolsky explains that they had the Town Engineer, Dick Dyer, review this plan and conduct a water use analysis. He concluded that there will not be an increase in water usage for the property and therefore this plan is in compliance with the existing building moratorium.
- 6) Fire Chief Shane Grube addresses the Town Council regarding the request from the Fire District to fund an additional staff person in the amount of \$88,000 annually and amend the existing Interlocal Agreement to reflect this change. Grube says they are in the middle of the hiring process and in order to hire and have someone trained by the summer season, they need a commitment from the Council now. He says that due to a loss of volunteers and increase in call volume, they are asking for an annual increase of \$88,000. Grube answers multiple questions from the Council and compares the operation of the Fire District to the Big Sky Fire District. Sabolsky says that this isn't a long-term solution and recommends approving the additional funding for one year until they can work out a revised funding solution. He says he thinks it will take up to a year to work that out. Schmier says that he is struggling with the fact that just 18 months ago, the Board for Fire District approved the current funding agreement and said it was adequate.

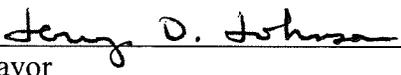
Grube contends that call volume has increased 25% since that agreement was signed. He says that he has talked to people at the gate to Yellowstone and at the transfer station and is confident that visitation to the town has increased by 25%, which is why they need to hire another staff person. Schmier says that Grube has told them that 74% of their calls are within the city limits, so he thinks the Town should only be asked to fund 74% of the new employee. Richard Gibson expresses support for funding the Fire Department. Teri Gibson also agrees with the proposal.

- 7) The Council discusses the salary for the Town Manager, Dan Sabolsky. Martineau proposes increasing his salary by 3%, akin to the increase most of the employees received as of July 1, 2016. The Council discusses the amount of increases received by Department Heads and collective bargaining units. Forsythe suggests increasing his salary by 3%, extending the term for two years, and giving Sabolsky the same increase the employees receive after the next round of negotiations. After further discussion, the Council agrees to consider that after all the negotiations are completed.
- A) **Advisory Board Reports:** Sabolsky reports that the Health Care Services Advisory Board met earlier this week and he delivers a short report on behalf of the board. Community Health Partners Director Buck Taylor reported that they have hired a certified x-ray technician and have conducted over 100 x-rays since October. They have filled the Parents as Teachers position and have a staff member in St. Louis this week for training in this area. They also have two staff members that are now certified to conduct DOT drug screenings and are preparing for summer.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports on updating the agreement with the Historical Center and progress on the bathrooms at the UPDL. They have made considerable progress on revising the employee handbook. The Montana Transportation Alternatives Grant was successfully submitted along with 12 letters of support. They are still recruiting for two dispatchers and the Social Services Assistant and have received multiple applications. They have started researching financing for the Little Rangers Learning Center. Regarding the Gordon Berger lawsuit, both sides are still researching and a motion has been filed to move the case to a substitute judge. Land Solutions continues to work on the Growth Policy and subdivision regulations. West Development is working on plans to build 48 duplex units on the property east of Electric Street and hopes to have drawings soon. Schmier asks about the state legislature progress. Sabolsky reports that Senate Bill 343, the bill that would have allowed increasing the resort tax to 4% for infrastructure failed on the third reading. The local option tax bill for all cities and towns also failed. There is another infrastructure bill that is still under consideration and a gas tax bill.

Public Services Superintendent James Patterson reports that they are going to start sweeping the streets tomorrow. They are ready for tile and new toilets at the Dining Lodge and hope to have the project completed by May 1, 2017. He says the water tank is full and the process to drill a new water well is underway and they hope to drill a test well in May. Finance Director Lanie Gospodarek reports that they are preparing for business licensing season, staff will attend training in early May, and preparing for budget amendments and the next budget. Social Services Director Kathi Arnado reports on traffic in the Social Services Office, assisting the fifth grade with a fundraising drive for the families that lost their homes to fires this winter, training, and upcoming interviews for the Social Services Assistant position. Chief of Police Scott Newell reports that they have had multiple confirmed sightings of a large grizzly bear in the area and inside the town limits. He says that their new officer, Daniel Palmer, graduated from the academy last week and has started field training. He will be working with Palmer on the night shift for the next month. The Law Enforcement Torch Run for Special Olympics is underway and scheduled for May 5, 2017.

- C) Sabolsky distributes conceptual drawings of the proposed Little Rangers Learning Center. He reports that they did not receive any proposals for the Request for Proposals for the center, which were due last week. He says that Bruce McPherson approached several local contractors and learned that the primary reason they did not respond was the pre-fab nature of the project. He says they were not confident in putting together a manufactured structure without knowing anything else about it. He says they are now planning to re-engineer and re-bid the project as a stick build. He says that this will definitely cost some time and additional engineering. He says that they have talked to two contractors that have indicated they will bid on the project if it is a stick build structure. Schmier confirms that the resolution passed by the Town was to contribute up to \$650,000 to the project. Sabolsky explains that he will keep the Council informed as they work through the details.
- D) As mentioned earlier, Sabolsky explains that the resort tax bill failed in the senate.

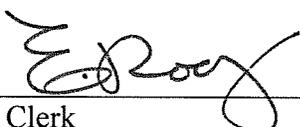
The meeting is adjourned. (8:45 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
April 18, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Richard & Teri Gibson, Chris Burke, Helene Rightenour, Travis Watt, Glenn & Taylor Hales, Randy Wakefield, Officer Dan Palmer

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$198,594.83. (Schmier, Martineau) Schmier abstains from #43067.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the April 4, 2017 Town Council Meeting. (Martineau, Forsythe)
- 3) Motion carried to approve the Business License Application for Lauren Anderson Lifestyle Photography. (Martineau, Forsythe)
- 4) Motion carried to approve the business license for Griffin Interests of West Yellowstone to convert two existing residential rentals to nightly rentals. (Martineau, Schmier) Parker is opposed.
- 5) Motion carried to approve the transfer of ownership for Bear Country Bakery to Ramona Stubblefield. (Schmier, Parker)
- 6) Motion carried to waive the resort tax bond for Ramona Stubblefield on behalf of Bear Country Bakery. (Martineau, Forsythe)
- 7) Motion carried to approve the Application to Maintain an Encroachment made by Westmart Building Center. (Martineau, Schmier) Forsythe abstains.
- 8) Motion carried to approve Resolution No. 696, a resolution amending the FY 2017 Municipal Budget. (Forsythe, Martineau)
- 9) Motion carried to approve Resolution No. 697, a resolution that exempts the concert area of Pioneer Park from the open container ordinance during the Music in the Park events during the summer of 2017. (Martineau, Forsythe)
- 10) Motion carried to approve the Outside Amplification Permit for the Music in the Park events during the summer of 2017. (Martineau, Parker)

Public Comment Period: Travis Watt addresses the Council on behalf of the Snowmobile Events Committee to report on the Snowmobile Expo for 2017. He says the event did experience a loss this year, they expect it to end up between \$8000 and \$9000. He explains that they reduced the budget significantly this year and there was a lot of changes. He says the committee will meet in a few weeks to decide what to do going forward. Dustin, newspaper editor, asks if there are plans to zone the 80 acres or if there will be covenants. Sabolsky responds that they will probably zone the property but may consider covenants, too. He explains that zoning is typically easier to enforce by the Town.

Council Comments

Council Member Schmier suggests that they meet and review the Capital Improvement Plan and mark off what has been completed and what they expect to still accomplish this year. Martineau says that new equipment for the Horse Butte TV tower has been ordered and they anticipate installing it in May as soon as the roads are open. He also announces that Arnie Siegel is meeting with representatives from Yellowstone Public Radio this Thursday to discuss broadcasting here in West Yellowstone. Parker says that it is time to start thinking about the annual Town Clean Up.

Public Hearing: Resolution No. 696, Budget Amendment for FY 2017

Mayor Johnson reads the resolution. The hearing was noticed in the April 7, 2017 and April 14, 2017 editions of the West Yellowstone Star. Finance Director Lanie Gospodarek explains that since they refunded the General Obligation Bond, they saved a considerable amount of money but were able to pay down the debt with money that was already in the fund. Since they spent more than they anticipated in the budget document, they needed to make this amendment.

DISCUSSION

- 4) Parker states that he doesn't think they have a housing issue, but they do have a zoning issue. Schmier says he hates seeing more housing turned into vacation rentals.

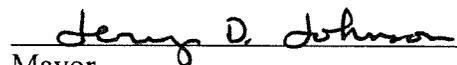
- 7) Greg Forsythe explains that although they have always been able to put the flower house on their own property, they are adding another structure this year and would like to be able to put them next to each other. He says there is an utility easement that the structure would sit on as well as another five feet on public property. Schmier says that he doesn't believe this request adversely affects anyone. Schmier asks if there are any insurance ramifications. Johnson says that Westmart should probably name the Town as additionally insured.

- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that Land Solutions has completed the first draft of the growth policy. They are about halfway through drafting the zoning regulations and started on the zoning code. Land Solutions is applying for funding for zoning/development of the 80 acres through the Big Sky Trust Fund. Sabolsky reports that MMIA has reviewed the proposed changes to the Employee Personnel Manual and made recommendations. He says that MMIA offers Employer Liability Coverage and has recommended making all the changes and getting approved by the Town unions and Town Council by the first of June, but they feel it will be very difficult to meet that deadline and they are seeking an extension. Sabolsky says they have hired one dispatcher and are working toward hiring another, they interviewed 8 people for the position in Social Services. They are also seeking three seasonal laborers, one full-time equipment operator, and recreation counselors. He reports on progress on finding a contractor for the Little Rangers Learning Center. The group working on the amphitheater is looking for ways to reduce the cost and utilize temporary structures. Sabolsky says that they have made progress on the GIS system and they will be showcasing it at an upcoming GIS conference here in West Yellowstone.

Public Services Superintendent James Patterson reports on a recent Parks & Recreation Board Meeting. He says they came up with several recommendations for improving the Town Park. The restroom improvements are complete, new tile and partitions. He says they are continuing to sweep the streets when its not raining and the new sweeper is working great. They will put the public trash cans out this week. He has also been working on getting bids for a portable stage and working with a company out of Montreal, Canada. Their stage could be pulled with a pickup truck and not require a semi truck. They also have an interested donor who will pay for a significant part of the project. He says they are on track to drill a test well in May to prepare for drilling a full water well this year. Right now, water supply is more than adequate due to low usage this time of year. Chief Scott Newell reports that Samantha Martinez started yesterday as a dispatcher. Anthony Kearney is still working in dispatch while he is recovering from

his shoulder surgery through June. Officer Dan Palmer is doing field training on night shifts. The E-Force system will be installed starting next week. He mentions some training they will do soon with both banks to be ready for robberies as well as other training opportunities. Finance Director Lanie Gospodarek reports on drafting the banking services RFP, she has put together the budget calendar for the next couple of months, they are working on review of the business license ordinance, working on financing for the daycare project. Social Services Director Kathi Arnado reports that they had 8 great candidates for the assistant position and are preparing to put out a hire letter tomorrow. She says that HRDC is coming down to do a community assessment in the near future and thanks Pierre Martineau for the badly needed shipment of coats this week. A lot of summer help has started to arrive and are not prepared for the current weather.

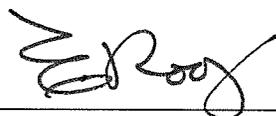
The meeting is adjourned. (8:20 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
May 2, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Public Services Supt. James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Don Perry, Moira Dow, Wendy Swenson, Marysue Costello, Richard & Teri Gibson, Fire Chief Shane Grube, Tim Daley, Erin Groth, Randy Wakefield, District Ranger Jason Brey, Editor Dustin Jones

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

Portions of the meeting are being recorded.

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

WORK SESSION

Deputy Mayor Brad Schmier calls the meeting to order and explains that the first topic of discussion is improvements to Pioneer Park. Public Services Superintendent James Patterson briefly describes a list of improvements they have in mind. He says that they would like to make these improvements using the funds that were originally allocated for the bathrooms, but they are not going to need to spend that on the downtown bathrooms this year. He names removing all the steel posts and chains around the park, re-siding the bathroom building, remove old well house structure and chain fence, remove the existing sand on the playground and replace it with a better surfacing sand, new sod around the play areas, paint the picnic areas, install the sand volleyball pit, replace the baseball backstop, and build a small pavilion over the existing basketball court. He says that they estimate these improvements will cost about \$50,000, which is half of what was budgeted for the downtown bathrooms. He says they also want to add some lights on Gibbon for the sledding hill. Sabolsky says that they have already redone the inside of the bathrooms at the park this year and they look great. Forsythe asks how much of the work will be contracted out. Patterson says they will contract out the pavilion and the backstop rebuild. He says his staff will tear out the old concrete and paint the picnic pavilions. Martineau says that the bathrooms in the park turned out very nicely and asks about the proposed fountain. Patterson says that they have looked at possible ideas for a fountain or water feature on the corner of the park and they have a donor that is willing to pay for it. Included in the packet are a couple of pictures of a similar fountain in Idaho Falls. There is brief discussion about tearing down or possibly restoring the building in the park. They also discuss a potential location for the volleyball pit in the Pioneer Park. Moira Dow says that she thinks working on the park should be a priority and says it gets a lot of use. Patterson says that they could consider removing three trees by the old firehall and expanding the parking lot. He says they could fit another 40 spaces in on that corner. Patterson says he will send the Council a list of the projects and costs. The Council discusses the proposed fountain. Sabolsky says it would take at least a year to design and plan for the fountain. Patterson says that once the tank for the fountain is full, the only water that is used is water that evaporates. Schmier agrees, but says that it would probably not reflect well on the town considering that they are still under a low water restriction and building moratorium. However, the Council agrees that the staff should research and plan for the fountain that they can install once the new water well is operating.

The next item of discussion is the purchase of a mobile event stage that would be used for events in Pioneer Park. Patterson explains that they have done a significant amount of research and decided that the 24' by 20' stage that is manufactured by Stageline. The preferred model is \$130,915 plus delivery and setup. The stage will be funded almost entirely by a \$150,000 donation from the West Yellowstone Foundation. Parker clarifies that purchasing this stage will replace the permanent amphitheater that was originally planned for Pioneer Park. The difference between the final cost of the stage and the donation will be used for banners, wraps, training and any other unanticipated costs of the project. Sabolsky explains that this stage can be delivered by June 1, 2017 and they will have 30 days after delivery to pay for it, which will roll over into the next fiscal year.

TOWN COUNCIL MEETING
7:00 PM

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6740 to Frontline AG Solutions to purchase a John Deere 5055E tractor for \$37,725. (Forsythe, Martineau)
- 2) Motion carried to approve the claims which total \$113,892.79. (Martineau, Forsythe)
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the April 18, 2017 Town Council Work Session and Meeting. (Forsythe, Parker)
- 4) Motion carried to approve the new business license application for Yellowstone Greens and Grounds made by Erin Groth to operate a retail and coffee service business. (Parker, Martineau)
- 5) Motion carried to reallocate \$100,000 from the restrooms project to improvements in Pioneer Park. (Parker, Forsythe)
- 6) Motion carried to approve the Development Agreement and Promissory Note for \$150,000 for the purpose purchasing a mobile event stage. (Forsythe, Parker)
- 7) Motion carried to approve Purchase Order #6739 to Stageline to purchase a mobile event stage for a cost of up to \$150,000. (Forsythe, Martineau)
- 8) Motion carried to approve the Automatic Aid Agreement between the Town and the Hebgen Basin Fire District for use of one water tender of 3500 gallon capacity for a period of ten years. (Forsythe, Parker)

Public Comment Period: Moira Dow asks if a date has been set for Town Clean Up. The staff responds that a date has not been set, they are waiting for the snow to melt. Teri Gibson points out that a broken down RV appeared west of the Povah Center already and says they should keep an eye on that lot.

Council Comments

Council Member Forsythe says he is seeking an app or assistance with basic Mandarin Chinese translations. Martineau says that CHP has found a new mental health counselor so they are able to offer that service again. Schmier says that he has noticed that the RV residents are starting to show up again and they need to be diligent and make sure they are parked legally on private property.

Presentation: Hebgen Lake Ranger District 2017 Activities & Projects

District Ranger Jason Brey addresses the Council to report on current issues facing the Hebgen Lake Ranger District. He says that they are waiting for a couple rulings on projects and land sales. He says they have plans to finish tree thinning projects and trail improvement. He says they are one year into a four year process to update the Forest Plan for Custer and Gallatin National Forests. He says it is a long process but very important. He says that when they go to a public comment phase, it is important that the community participates. He says that the plan may include language that would permit land exchanges or 3rd party purchases in the future. He says that the fire safety staff is fully staffed for the season. He says that they will conduct a boundary survey of the forest this year, he says that when forest land touches developed land is when they have their biggest problems with encroachments. He says they had a few areas last year that they had chronic problems with trash blowing onto the forest lands and they are going to try to address that this year. He says that they continually struggle with overflow from the National Park for campers. He says that they usually do have space, but they are farther out where people don't want to drive. He answers multiple questions from the Council about improving the Frontier Trail and access to roads prior to May 1 without risking citations.

DISCUSSION

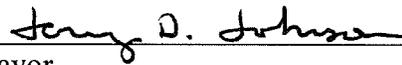
- 1) Schmier says that he asked some questions earlier today about the need to purchase this tractor. Patterson explains that the tractor is wearing out and doesn't have the power they need. The tractor they are proposing they buy is a 55 hp as opposed to the 33 hp they already have. The dealer will take the current tractor in on trade. They discussed paying for 80% of the tractor from the enterprise funds and 20% from the general fund. It will also be used to run the Zamboni on the ice in the winter. Patterson says the main use of the tractor will be at the sewer lagoon.
- 5) Sabolsky says that he is proposing that they reallocate the \$100,000 that was originally budgeted for restrooms in the downtown area for improvements in Pioneer Park.
- 6) Sabolsky explains that they have put together a Development Agreement and Promissory Note with the Yellowstone Foundation for a \$150,000 donation to the Town for the purpose of purchasing a mobile stage. Forsythe says that he would like to make sure that the \$75,000 that the town will have to front for the purchase comes from the money the town received from the sale of the Fire Station to Hebgen Basin Fire District. Sabolsky says that they can ensure that happens through the budget process.
- 8) Sabolsky explains that this agreement allows use of the Town's water truck for emergency fire suppression. He explains that this agreement will assist Hebgen Basin Fire District with maintaining their ISO rating, which affects property coverage premiums. Fire Chief Shane Grube explains that ISO is going to combine the rural rating with the rating for the Town, so use of the water tender will be beneficial for maintaining that rating.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that he worked on the draft of the growth policy over the last week. Land Solutions is also working on revising the subdivision regulations. The survey of the 80 acres is scheduled for completion in June, they are hoping to get it done as soon as possible because they need to drill the test wells very soon. Plans are being drawn for a stick built learning center and they hope to release them for bids by the end of May. He reports on the progress of the GIS system that has been recently installed. He has also been working on reactivating the drug and alcohol testing policy and where we can get random testing done in compliance with state law. He says that they have hired Irma Vazquez to be the Social Services Assistant, Ben Westphal as an equipment operator, and Samantha Martinez as a dispatcher. We are still seeking summer seasonal laborers, summer recreation counselors, and one more dispatcher. Sabolsky also reports that they have had multiple inquiries from a group that wants to offer helicopter tours from the local airport. He says that they have started to clear trees from the land on Electric Street with the intention of building one and two bedroom apartments. He also mentions that he will be out of the office next week except for Friday but he will be in the area.

Public Services Superintendent James Patterson reports that they are working on cleaning up the town for the spring. The restrooms at the UPDL are 90% complete and new carpet is going in soon as well as improvements to the kitchen. He says the building should be functional by the middle of the month. The bathrooms at Pioneer Park are complete. He says that the water tank is not filling as rapidly as they would like and the season hasn't picked up yet. He says they will flush all the wells soon to prepare for the season, but at this point it doesn't appear that they will have any more water than they had last year. He says the new sweeper is working very well and they are working on cleaning up all the dirt and debris from the streets and sidewalks. Chief of Police Scott Newell says that they are moving the radar trailer around to target speed zones. He says that they will be training next week on the Computer Aided Dispatch system. Officer Palmer finished phase one of field training and they anticipate getting Officer Kearney back to full duty by June. 911 Communications Director Brenda Martin did have her baby last Friday. He says they did security training at Yellowstone Basin Bank last week and will do the same at First Security next week. Social Services Director Kathi Arnado says that her

May 2, 2017
Town Council Work Session & Meeting
Minutes, Page 4

department is doing well. Irma Vazquez is starting this week as the Social Services Assistant. She says that housing is tight and they only housing they can refer now is job attached. The clothing bank is active and the food bank is also being accessed frequently.

The meeting is adjourned. (8:25 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
May 16, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Chief of Police Scott Newell, Social Services Director Kathi Arnado, WY News Editor Dustin Jones, WY Chamber Representatives Wendy Swenson and Marysue Costello, Helene Rightenour, Richard & Teri Gibson, Chris Burke, John Greve, Kaitlin Johnson, Randy Wakefield, Bob Patzke

The meeting is called to order by Mayor Jerry Johnson at 7:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana. Prior to starting the meeting, Mayor Johnson asks the group to observe a moment of silence in memory Broadwater County Sheriff Deputy Mason Moore, who was recently killed in action while performing a traffic stop near Three Forks, Montana.

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$90,936.33. (Martineau, Forsythe) Schmier abstains from #43124, Forsythe abstains from #43203, Parker abstains from #43205.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the May 2, 2017 Town Council Work Session and Meeting. (Martineau, Schmier)
- 3) Motion carried to accept the recommendation from the Marketing and Promotions Fund Advisory Board to award Black Mountain Productions \$15,500 for the 2017 summer series. (Martineau, Parker)

Public Comment Period

No public comment is received.

Council Comments

Council Member Parker says that the Town still has a problem with water and a building moratorium in place. He says that he says a report on TV this week from the Superintendent of Yellowstone Park that suggested multiple ways to control access to the park to relieve congestion. Parker says that he thinks it is very important that the Town stays abreast and involved in such decisions. Council Member Forsythe says that he attended the municipal training last week and was impressed to see representatives from our Town involved with the administration of the training. He says that he enjoyed the training and learned many new things.

Presentation: West Yellowstone Chamber Marketing Presentation for 2017-2018

WY Chamber of Commerce Executive Director Marysue Costello explains to the Council that when the lodging tax was instituted in 1986, the Town elected to have the funds managed by the Chamber. The purpose of this presentation is to report how those funds are spent to market West Yellowstone. Wendy Swenson addresses the Council and explains the complicated formula that the State follows to distribute the funds. In 2015, \$2,093,053 was collected in West Yellowstone and approximately \$207,077 was returned to the Chamber to use for marketing. Swenson describes the various marketing campaigns they participate in including print, digital, social media. They frequently combine efforts with other organizations such as the TBID and Yellowstone Country. Swenson describes current growth in tourism, both international and domestic. She also describes their objectives, budget, and goals.

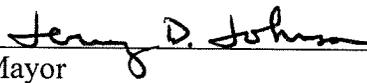
DISCUSSION

- A) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that a public hearing before the Planning Board on the proposed growth policy is scheduled for May 24, 2017. The US Forest Service is working on the land survey now as they understood that the Town needs to drill the test wells on the property as soon as possible. The first draft of plans for the Little Rangers Learning Center are complete and they anticipate advertising and releasing the plans for bid in June. Sabolsky says that they have the first draft of the revised drug and alcohol testing policies are now available, which he has been working on with attorney Bill Hansen. They have a quote to refinish the outside of the bathrooms and well house at the city park for \$38,000. They have another quote for the old fire station building but recommend holding off on that project and working on projects that are more immediate need. He says they did apply for a grant from the Big Sky Trust Fund but were unsuccessful. He says that the housing project on Electric has started removing trees but the permits have not been issued and there is still a lot of planning to do. He says they have been approached about the solar eclipse that will happen in August. He says there are some people that are very concerned about the event and the tourism impact. There is a meeting in Island Park in a few weeks that he is planning to attend along with the Chief of Police and Fire Chief.

Finance Director Lanie Gospodarek reports that she and her staff attended training last week in Billings. They are preparing to issue business licenses for the new year and catching up on what they missed last week. She says they are progressing on the new budget and financing for the Little Rangers Learning Center. They are also working on revising the business license ordinance. Police Chief Scott Newell reports that the legislature made multiple changes that will affect law enforcement and he is planning a training with his officers to introduce what has changes. He says they implemented the new Computer Aided Dispatch system last week and the technology is amazing. Social Services Director Kathi Arnado says that new laws have gone into effect to regulate how food in the food bank is handled. She says that having Irma Vazquez, who is bilingual, on staff has been huge and already allowed them to reach people they have never worked with before.

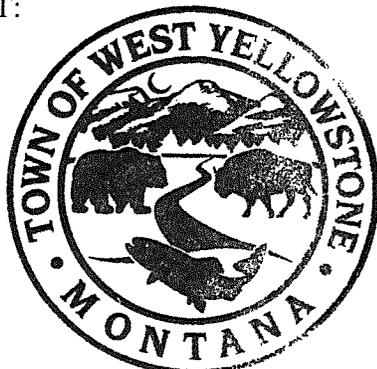
- B) Town Manager Dan Sabolsky presents the draft Drug-Free Workplace Policy and Workforce Drug and Alcohol Testing Policy. He says that the policies were drafted by attorney Bill Hanson and he intends to send them off to MMIA for approval prior to adoption. He says that these policies are required to qualify for grants and Chief Newell has agreed to conduct the training for supervisors to comply with the policies.

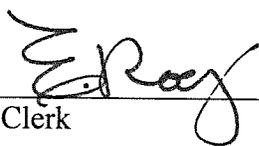
The meeting is adjourned. (8:30 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

May 23, 2017

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Finance Director Lanie Gospodarek, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Richard & Teri Gibson, Chris Burke

The meeting is called to order by Deputy Mayor Brad Schmier at 6 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period

No public comment is received.

DISCUSSION

Deputy Mayor Brad Schmier calls the meeting to order. The topic of discussion is the FY 2018 Municipal Budget, General Fund. Finance Director Lanie Gospodarek leads the discussion, starting with the Legislative Services budget, which includes costs associated with the Town Council and special requests such as fireworks funding and support for the Yellowstone Foundation bus. Town Council costs include replacing iPads, travel to training, and employee appreciation. They also discuss the Administration budget, which includes consultant services for grant writing and development agreements and real estate analysis of the 80 acres. The Court budget includes converting the court to a court of record. The Finance Administration budget includes salaries and wages for the staff of the Town Offices, codification of ordinances, software expenses and support, and computer maintenance. Personnel Services is a budget that was created last year to fund ¼ of the Social Services Assistant to do work on the employee manual and safety training. That person is no longer working for the town, but they still want to budget some money to cover costs associated with personnel documents and possible assistance from other employees. They briefly discuss planning and research services, engineering fees, and legal services. They discuss the budget for the Town Hall building and specifically discuss improvements that could be made in the basement such as emergency lighting and a way to separate the items that belong to the Town from the clothing bank items. They discuss the need for air conditioning units in the clinic building, estimated to cost \$22,000. The Council expresses concern about the cost considering it is only expected to treat two rooms in the building. The budget for the Union Pacific Dining Lodge is lower than the previous year because the Yellowstone Historic Center is scheduled to take responsibility for a portion of the utility costs this year. The group discusses needs and maintenance of the Trailhead Facility, Chamber Building, Police Building, and Library Building. The Police Department budget includes staffing, fuel, vehicle maintenance, technology upgrades, and training costs. Dispatch services are also covered and include technology maintenance and upgrades, staffing, and training. The Roads & Streets budget is discussed, which includes vehicle and equipment maintenance and operation, staffing, and dust control. There are separate budgets for storm drainage, sidewalks, and street lighting. They briefly discuss the Social Services, Parks, and Recreation budgets but note no significant changes from previous years. Gospodarek also explains that their fund reserve policy requires that they keep two months of operating expenses in reserve. She calculates this by averaging the previous twelve months. She also describes the debt service budgets, money that is set aside to pay off accrued leave for long-term employees, insurance, the risk share for Community Health Partners, and fund transfers.

The meeting is adjourned. (7:40 PM)

ATTEST:



Jerry D. Johnson
Mayor

[Signature]
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Work Session & Town Council Meeting
June 6, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, YHC Director Kaitlin Johnson, Garrett Everest, Pat Barnes

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order and explains that the purpose of the meeting is to discuss the special revenue funds for the FY 2018 budget. Finance Director Lanie Gospodarek explains that the special revenue funds are funds that are kept separate from all the other funds for specific purposes. She says that the revenue for each fund typically comes from specific sources and is only budgeted for that specific purpose, like 911 funding to operate the 911 emergency response system. She explains that the only exception to this is the Resort Tax fund, which the Council has the authority to transfer to other funds like the general fund or capital improvement fund. Gospodarek explains the transfers from resort tax that they are planning for including funding of the Siegel Learning Center, street project, and a payment to the alley reconstruction project.

The discussion proceeds to the Marketing and Promotions Fund, which is funded by a portion of the administrative fee that business owners used to retain. They also discuss the projected income for the Tourism Business Improvement District (TBID). Other special revenue funds discussed include Off Street Parking, Parks & Recreation Donations and building deposits, volleyball court, community garden, and recreation program funds. Gospodarek also describes the revenue sources that go into the Library Fund, including funding from Gallatin County, 7 mills from property tax, and other minor sources. The Library Director is planning a capital project this year and expects to fund it from a donation, which is also accounted for. Town Manager Dan Sabolsky points out that the amount that the Town has had to support the Library has increased substantially over the past couple years. It is pointed out that a large part of this increase is the proposal to increase the hours for the Library Clerk from ¾ time to full time and health benefits. Gospodarek describes other planned expenditures for the library, too. The cemetery fund and drug forfeiture fund are discussed. She also explains that the gas tax fund will differ this year due to the passage of House Bill 673. They will receive gas tax funds as in the past, but there will be an additional allocation that the Town may apply for if it provides a 5% match. They are expecting this additional allocation to be \$10,000 or \$11,000. They also review the 911 fund and crime victim assistance fund. Gospodarek explains that the 911 funds come from the state and the county to operate the system. The crime victims fund is not administered by Gallatin County but there is still a small balance in the fund that just needs to be spent when it is appropriate.

ACTION TAKEN

- 1) Motion carried to approve the claims, which totals \$160,469.32. (Martineau, Parker). Forsythe abstains from #43254. Schmier abstains from #40382.
- 2) Motion carried to approve the claims list, which totals \$145.00. (Parker, Schmier)

- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the May 16, 2017 Town Council Meeting and the May 23, 2017 Town Council Work Session. (Martineau, Forsythe)
- 4) Motion carried to approve the new business license for Horizon Travel/Yeti Aviation to operate a business offering helicopter tours in the West Yellowstone area. (Schmier, Martineau)
- 5) Motion carried to approve the new business license for West Yellowstone Adventure, Inc. to rent camping equipment, kayaks, retail goods, and take reservations for UTV rentals which will be stored outside the limits of the town. (Johnson, Martineau)
Forsythe and Schmier are opposed.
- 6) Motion carried to approve the new business license application for Triple Creek Realty to operate a business offering real estate sales. (Schmier, Parker)
- 7) Motion carried to approve the request to waive the resort tax bond for Western OutPost (formerly known as Silver Heels) based on a satisfactory payment history for the OutPost Restaurant. (Parker, Schmier)
- 8) Motion carried to approve the request to waive the resort tax bond for Western OutPost based on a satisfactory payment history by the owner for other businesses. (Parker, Forsythe)
- 9) Motion carried to approve the Application for Outside Amplification Permit from June 14 through August 26, 2017, between the hours of 12 Noon and 7 PM for the Wild West Yellowstone Rodeo to operate a "rodeo car" which drives on public streets announcing daily rodeo performances west of town. (Schmier, Forsythe) Parker is opposed.
- 10) Motion carried to approve the Application to Maintain an Encroachment made by Tal Partouch to pave a portion of the interior park of Block 23. (Forsythe, Martineau)
Motion fails unanimously.

Public Comment Period

Wiley Walter, General Manager of the White Buffalo, addresses the Council and expresses gratitude for multiple services that the Town provides. He says that they are having a parking issue because they were told several years ago that they could park tour buses next to the clinic. He says they were not warned when a sign went up recently and now he has to go to court to address a parking ticket for a bus. He says the sign is misleading and hard to see and asks for advice on where to park tour buses. The Council advises that the best solution is to park on their own property, but also suggests parking on one of the interior parks.

Council Comments

Deputy Mayor Brad Schmier comments that they had a great turn out to Community Clean Up and thanks everyone that participated. Sabolsky also thanks everyone who attended and participated in the Memorial Day program at Fir Ridge Cemetery. Council Member Parker asks about the marathon that is scheduled for this weekend. The staff explains that they have been in contact with the race organizers, but there are multiple details that still need to be worked out.

DISCUSSION

- 1) Johnson asks about the budget for the GIS project. Sabolsky explains that the original system was installed as budgeted, but they have added other layers and features which has caused it to go over budget. The project is currently \$13,000 over budget but they expect to get \$5000 back for the locating units that they are going to sell to another jurisdiction.

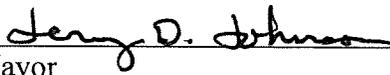
- 4) Sabolsky clarifies that he spoke to the operators of the business in Utah, and they indicated that they would not operate tours over the Town of West Yellowstone, mostly to the west of town.
- 5) The Council discusses the application and specifically the parking. Mark Jones explains that he has permission to store the UTVs outside of town at storage units, but the property owner has also given him permission to store and rent the UTVs from the property in town. After discussion, the group determines that there is not enough space on the property to store and rent the units in town.
- 9) Johnson asks if they have had any documented complaints about the car in the past. Chief Newell says that they did receive two complaints last year but they addressed it by asking the driver of the car to turn down the volume. Georgia McMillam says that she would be happy to respond to any concerns about the car and expresses difficulty getting the word out that their event is outside of town. She also says that they believe it encourages people to stay in West Yellowstone a little bit longer. Garrett Ostler of the Madison Hotel speaks in favor of the permit.
- 10) The Council discusses the request from West Yellowstone Apartments owner, Tal Partouch, to pave the interior park behind the apartment complex at 23 Hayden and remove four trees in Block 23. Johnson asks if the owner understands that he would have to pave it to town standards and install drainage. The Council discusses the request and acknowledges that they have allowed other property owners to pave portions of other interior parks. Parker says that he intends to vote against it because he also opposed the request from the Days Inn. Johnson agrees and says that they have been making significant efforts to clean up violations on public property. Randy Wakefield says that from a Fall River standpoint, they have electric lines in that area that would need to be put into conduit prior to any paving. Schmier says they have a water main across that section, too.
- A) **Advisory Board Reports:** Council Member Parker reports that the Planning Board held a public hearing on the proposed Growth Policy, but they did not vote on the document because there was not a quorum present. He says they had a few citizens attend the meeting and are planning another meeting with the full board and Public Services Superintendent to work through the document and make a recommendation to the Council. Patterson says that they have scheduled a meeting for June 19, 2017 at 12 noon to revisit and discuss the document.

Sabolsky reports that the Parks & Recreation Advisory Board met and discussed activities for pre-school aged children, a dog park, improvements to Pioneer Park, and a play area by the Siegel Learning Center.

- B) **Town Manager and Department Head Reports:** Town Manager Dan Sabolsky reports on the Planning Board hearing regarding the proposed Growth Policy. He says that the State has contacted them and they may still have a chance at getting a grant from the Big Sky Trust Fund for funding of development of the 80 acres. The south boundary of the 80 acres has been surveyed and the project is in process. They have received bids for test wells to drill a well in the 80 acres. The plans for the Siegel Learning Center have been released and are available online. Bids are due June 27, 2017. The mobile stage arrived today and they have received the first payment from the donor to pay for it. They have released the preliminary Drug and Alcohol Testing policy to the employees and union for comment as well as to MMIA. They hope to have it approved at the next meeting. He has also spent a significant amount of time working on the employee personnel policy manual, which they must complete by August 1, 2017. The trailer on Geysler Street, south of the school property, has been tagged and the owner has 30 days to remove it or the Town will remove it and assess the property owner.

Public Services Superintendent James Patterson reports that the new basketball standards are up on the ice rink. They have poured the footings and standards for the new pavilion in Pioneer Park and they're working on the sprinklers. The lagoon is cleaned up and operating well and they are going to drill test water wells tomorrow. The water levels from Whiskey Springs is on par with last year so far. Town Clean Up went very well and they had more participation than most years. They have been working on the Dining Lodge to prepare for the summer season. He says that the reallocated \$100,000 a few meetings back to spend on the park and they are planning to use that to redo the outside of the restrooms, redo the pump house building, replace the baseball backstop, clean the sand and add sand, install a light pole on Gibbon to light the snow hill, reface the old fire house. Johnson suggests some historical recognition for the old fire house as it has been there a very long time. Finance Director Lanie Gospodarek says her office has been busy renewing business licenses, preparing the budget, and end of fiscal year activities. Chief Newell says that traffic stops, arrests, and crime is up, summer is here. Social Services Director Kathi Arnado says that food bank traffic has slowed now that summer is here. Training for Social Services Assistant Velli Vazquez is going well. She says that traffic from Hispanics has definitely increased in their office since Velli started work since she is bilingual.

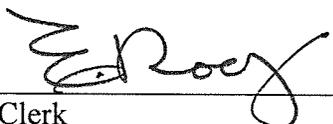
The meeting is adjourned. (9:15 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
June 20, 2017

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

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

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

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order and explains the topic of discussion is the Capital Improvement Plan for FY 2018. Town Manager Dan Sabolsky explains that the current draft of the plan includes the projects that the staff has prioritized for the upcoming year. Finance Director Lanie Gospodarek explains that all the money the Town has is held in funds. The money in specific funds is encumbered for specific purposes. The Council and staff discuss each project that is included in the plan for the next fiscal year. They discuss the purchase of a new police patrol vehicle, to be funded both by resort tax and money from the drug fund. They also discuss constructing a volleyball court in the city park and constructing additional infiltration ponds. They also intend to develop an interior park using magnesium chloride using resort tax and clean and camera the sewer lines in Grizzly Park. They intend to budget \$80,000 for sidewalk maintenance, completion of the curb stop replacement project, installing water meters at the USFS housing, converting all the street lights to LED bulbs, crack sealing the Madison Addition, and setting aside money to repave the streets. They also intend to set aside \$50,000 for a water and/or de-fluoridation plant. The portable stage has arrived and will be funded by a donation through from the West Yellowstone Foundation. Other projects include the completion of the new pavilion that has been started in Pioneer Park, \$10,000 to put towards surfacing the Frontier Trail, completing the remodel on the bathrooms in the city park, setting aside money for streetlights and eventually a new sewer plant. They also intend to set aside money to light the trail in Grizzly Park, purchase a utility pickup, \$150,000 for projects in the Historic District, and a new generator for Dispatch. They also discuss replacing the copier in the Town Hall but the staff explains that they will try to keep the current copier going but it is getting old and starting to make strange noises.

The Council discusses some of the projects in detail. Sabolsky explains that the staff spent considerable time working through the document and moving some purchases out a few years. Johnson says that he thinks they need to allocate more money for streetlights and light the old part of town. He says that he would like to see at least one of the walkways lit, which is really just customer service. He says he was encouraged to see that the allocation for the Yellowstone Historic District went up to \$150,000. Sabolsky distributes a capital plan proposed by the Yellowstone Historic Center (YHC) for FY 2018. The list includes multiple projects to improve and restore the Firehole Room and kitchen and then repairs and security at the Museum. Johnson says he would like to see them finish a project, such as the windows. Kaitlin Johnson says they would love to finish the windows, but the estimated cost is \$176,000. They also discuss replacing the sprinkler system in Pioneer Park. Patterson says that the park is very uneven in places and full of holes, he believes they should methodically replace the system and level the ground at the same time. Cole Parker says he would like to see closed circuit TVs or surveillance of the busy areas of downtown to discourage break ins and protect business owners. Johnson asks questions about putting down magnesium chloride in one of the interior parks. He says he has always favored paving the interior parks, but would like to see how the parks would hold up through an entire summer using mag chloride. He says he'd rather see them do an entire half of an interior park and then observe how it holds up. Patterson says they make mag chloride

in a pellet form, which he thinks may hold up longer than the liquid application. The Council asks if they need to cut anything from the plan at this point. Gospodarek says that at this point, they need to wait until after the end of the fiscal year to determine exactly where they are and if anything needs to be cut or delayed. The Council discusses prioritizing the projects. Schmier says that he thinks they need to prioritize infrastructure, such as water/sewer systems and streets. Patterson says they will drill the test well on Monday. They have marked the location out and are ready to drill. Johnson asks about the proposed learning center and whether that should be on the capital plan. Gospodarek and Sabolsky explain that they have planned for payments on the proposed building, assuming that they'll have to take out a revenue bond to guarantee the payments with resort tax.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6745 to DIS Technologies to purchase a server to host the Computer Aided Dispatch/Records Management System for \$5925.13. (Forsythe, Schmier)
- 2) Motion carried to approve the May 2017 Treasurer's & Securities Report. (Schmier, Forsythe)
- 3) Motion carried to approve the claims, which total \$232,862.83. (Forsythe, Schmier)
- 4) Motion carried to approve the minutes of the June 6, 2017 Town Council Work Session and Town Council Meeting. (Schmier, Forsythe)
- 5) Motion carried to table the Conditional Use Application for a Limited Services Campground as made by Kelly Midwest Ventures. (Forsythe, Parker)
- 6) Motion carried to approve Resolution No. 698, a resolution amending the FY 2016-2017 Budget. (Forsythe, Parker)
- 7) Motion carried to approve the Marketing and Promotions Fund Advisory Board recommendations to award \$5000 to the West Yellowstone Ski Education Foundation to purchase competition bibs, \$13,000 to the West Yellowstone Old Faithful Cycle Tour-20th Anniversary, and \$16,400 to the Yellowstone Ski Festival, Rendezvous Ski Trail improvements. (Parker, Forsythe)
- 8) Motion carried to Resolution 699, a resolution to cancel three municipal warrants totaling \$272.00. (Parker, Forsythe)

Public Comment Period

Dave Magistrelli of Habitat for Humanity invites everyone to attend an open house this Saturday at 103 Moose Drive to see the Habitat house they have built here and enjoy a BBQ. Teri Gibson asks if the Public Services Department is going to paint the yellow lines down the middle of the roads and also suggests more crosswalks in town. Moira Dow agrees and says that especially on Highway 20, it is very difficult to cross this time of year. Rich Lloyd reports a dumpster on Boundary Street that is uncovered and frequently emptied by birds and other animals and asks that be addressed.

Council Comments

Brad Schmier says that he has been elected to the Council for two terms and has once again put his name in to be considered this fall. Greg Forsythe says that he is still concerned about the service from Safelink but hopes that will improve. He says that he has concerns about fireworks being allowed in town and says that he thinks they have a great liability allowing fireworks. He credits the management staff for working through some stressful issues in recent weeks. He also expresses frustration and states that he thinks the Little Rangers Learning Center plans are way over-complicated and specs are way over-done. He says it will be difficult for any local contractors to bid on it and even the architect admitted that they just took the specs from another

building. Schmier also expresses concerns about fireworks and specifically how to handle the new 80 acres. Johnson says that about a year ago, they passed an ordinance about storage and signage in interior parks. He suggests that they give everyone one year to get all their stuff that is stored on public property moved, and then they start removing things. He says that he is talking specifically about things that are stored, not necessarily legally licensed vehicles that can easily be moved. He says that he knows that will not be popular, but asks that be on the next agenda, possibly a resolution of intent.

Public Hearing: Conditional Use, Limited Services Campground, Kelly Midwest Ventures
Mayor Johnson opens the hearing and explains that the staff still has some questions about the application. The hearing was advertised in the June 9 and June 16, 2017 editions of the West Yellowstone Star. Kelly Midwest Ventures has purchased 19 Gibbon and wishes to install a Limited Services Campground on the property to provide employee housing. Garrett Ostler of the Madison Hotel says that they have a similar area to provide housing and supports allowing it. Rich Lloyd asks if the campers will be rented nightly or long-term. Jeff Schoenhard of Kelly Midwest Ventures says that they will be for employee housing. Long term they intend to connect the RVs to the water and sewer system once the water moratorium is lifted. He says that this year they may not get all the dirt work and set up completed, so they would have to move any that are parked this year to dispose of waste and fill water. Rich Lloyd asks multiple questions about the number of people that will be living on the property, parking, and possible concerns about the effect on his property value next door. SJ Sheppard says that she does sit on the Planning Board but abstained from voting on this issue because she was hired by Kelly Midwest Ventures to review this plan. She says that Schoenhard has been diligent about going through this process and presented it to the Planning Board multiple times, where it was approved. Rich and Danna Lloyd express multiple concerns about the development. SJ Sheppard explains that the application does comply with the zoning and ordinances. She says they will also have to obtain a permit from the County to complete the project.

Public Hearing: FY 2017 Budget Amendment

Finance Director Lanie Gospodarek explains that they usually have to amend the budget annually because they expended more than the amount that was authorized in specific funds during the fiscal year. She explains that since they reallocated the money from the toilet vault at the tennis courts to the CAD/RMS 911 system, a budget amendment was necessary. She says that the Community Garden Fund also expended more than was necessary and therefore needed to be amended. Mayor Johnson reads the resolution. The hearing was advertised in the June 9 and June 16, 2017 editions of the West Yellowstone Star.

DISCUSSION

- 1) Newell explains that the project has come in under budget and the server that they have is not adequate to support the new system, they will still be under budget after it has been purchased.

- 3) Forsythe asks about the additional \$57,000 for the Fire Department and asks if that amount is the money that the shorted the Fire Department over the course of the year. Sabolsky says that is correct. He says that Addendum A of the agreement outlines the annual payments minus annual debt forgiveness to pay for the building. Forsythe asks how much money has the Town paid the Fire Department this year. Gospodarek explains that they budgeted \$480,950 because as was interpreted when it was signed, they were supposed to deduct the building payment from the payment for services. The Council debates the interpretation of the language in the addendum at length, with input from Town Manager Dan Sabolsky and Fire Chief Shane Grube and other members of the Hebgen Basin Board of Trustees. Johnson is adamant that the agreement that was approved by the Town Council was with the understanding that the Fire Department would pay for the building by subtracting the cost of the building from the payments from the Town to the Fire Department. Sabolsky says he has talked to the four people that worked on the agreement and discussed the issue with legal counsel. He says they all agreed that the intent was to pay for the building through debt forgiveness, achieved

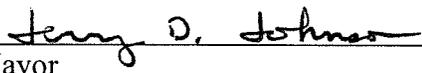
by the difference between what the Town would have paid under the old agreement and what the Town has to pay under the new agreement. Parker clarifies that the Town's attorney agreed with Sabolsky's interpretation. Sabolsky says that is correct. Parker says that they just gave the Fire Department \$88,000 to hire another staff member and questions which entity's interests are his priority. Schmier says that he signed the agreement and he is certain that the Fire District Board would not have agreed to something if they thought their funding would be cut that substantially. Johnson says that he thinks this is a much bigger issue than just putting it on the claims list. He says that he should have brought this before the Council before just making a decision to pay the Fire Department, an amount that is well over his spending authority. Sabolsky says that he thought it was a non-issue. Parker reiterates that town attorney Jane Mersen agrees with this interpretation? Sabolsky says that she could see both sides of the issue but ultimately agreed that paying the Fire Department the additional \$57,000 was appropriate.

- 5) Parker says that he applauds Schoenhard for trying to provide more housing. He also understands the concerns by the Lloyds about the impact on their property. Richard Gibson says that SJ Sheppard's membership on the Planning Board as well as being a contracted employee of Kelly Midwest Ventures is a conflict of interest. SJ Sheppard says that is why she made it clear multiple times that she abstained from voting on the issue.
- A) **Advisory Board Reports:** Council Member Parker says that the Planning Board met yesterday to discuss the draft Growth Policy. He says that the Planning Board did have a quorum at the meeting but they were still missing two members of the board, SJ Shepherd and Bill Howell, and still need to get comments from them.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky shares a letter from Safelink CEO, Jacob Larsen. Larsen explains that shortly after Safelink purchased Grizzly Internet, they experienced some significant growing pains. He says they are now fully staffed and are making progress towards finishing the full fiber optic build in Old Town and in the Madison Addition in 2017. Sabolsky reports on progress by Land Solutions on the Growth Plan. The survey of the 80 acres has been completed by the Forest Service. The Little Rangers Learning Center (Siegel Learning Center) plans have been released for bids, bids are due June 27, 2017. The mobile stage is here and they are working on banners and wraps for the stage. He says that there has been interest from other events to rent the stage, especially from Big Sky. They have also ordered lights for the stage and expect to have it ready by the 4th of July. The Drug and Alcohol Policy has been released to the union stewards and staff for comment. He says that he is continuing to work through the Employee Personnel Manual with Officer Anthony Kearney and making multiple calls to MMIA to ensure it complies. He says that the Summer Recreation Program is underway and they have been able to distribute multiple scholarships to local families due to an endowment from the Yellowstone Foundation. Parker asks about the paragraph on Sabolsky's report regarding hiring another person, possibly part or full time, to focus exclusively on cleaning and maintenance of buildings. He points out that they have two more employees in that department than they did last year. Sabolsky says that they have a lot of useful skills in that department and its unfortunate when they have to pull someone off a building or construction project to clean bathrooms. He says they are also looking at just contracting with a cleaning company to handle those tasks. Johnson asks about the housing project on Electric Street, noting that Sabolsky has met with the land owner. Sabolsky says he has plans to build middle income housing, duplexes and condos. Most will be for rent and possibly will be sold. He says that they understand the Town cannot guarantee water at this time.

Public Services Superintendent James Patterson says that his department has been busy cleaning up the town. They have specifically been painting the lines on the streets to maximize parking spaces and parking areas. Forsythe asks Patterson to talk to Newell about some specific areas that may not be painted the right colors. Schmier asks about

grading the interior parks, specifically in the downtown area. He also asks about water supply. Patterson says that right now, the well is running 16 to 18 hours a day and supply is about the same as last year. Finance Director Lanie Gospodarek reports on working on the budget, wrapping up the fiscal year, and establishing a collections process for the Summer Recreation program. Chief Newell reports on some unusual calls lately, including a kidnapping by a non-custodial parent from Oregon and traffic stops. He reports that his department is now fully staffed. Social Services Director Kathi Arnado reports that they are again seeking a grant from Town Pump that they can match to supply the food bank. She says that the job board this summer seems to be not as busy this year, which she attributes to fewer foreign workers in town this year. She says that changes they made to the operation of the food bank this year has saved a substantial amount of money and she credits previous employee Leah Sherman for her assistance on that. Arnado also reports on progress they have made helping Hispanic families, especially since new Social Services Assistant Velli Vazquez is bilingual.

The meeting is adjourned. (9:30 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
July 11, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Richard & Teri Gibson, Tom Cherhoniak, Jeff Schoenhard, Bob Patzke, Rich and Danna Lloyd, Fire Chief Shane Grube, Li Zhang, SJ Sheppard, Randy Wakefield, WY Chamber Director Marysue Costello, YHC Director Kaitlin Johnson

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order and explains that the purpose of the work session is to discuss the enterprise and capital funds of the FY 2018 budget. Finance Director Lanie Gospodarek explains that enterprise funds are set up to be supported by user fees. She explains that they have planned for expenses and capital expenditures in both the water and sewer funds. She points out that they have budgeted for water meters at the Yellowstone National Park housing complex. Council Member Schmier asks about budgeting funds for the water well they intend to drill this year. Gospodarek points out that \$500,000 is budgeted for the well project in the Water Depreciation Fund. They have also budgeted \$250,000 in the Sewer Operating Fund to construct a new Infiltration/Percolation (IP) bed, pending approval from the State. Gospodarek also describes the Social Services Help Fund, a trust and agency fund that is administered by the Social Services Department to help needy individuals.

Gospodarek directs the Council to the Capital Improvement Plan, which is funded through the Capital Funds in the budget. She points out updates to the plan since the last meeting when it was discussed. She explains that now that the fiscal year has ended and all the revenues have been collected, they have an additional \$680,000 that needs to be budgeted. Part of that money should be budgeted to ensure that they don't collect more tax than they estimated. Sabolsky cautions the Council against budgeting all of that money considering that they have some major water and sewer projects planned and they should be prepared in case any of those projects end up costing considerably more than anticipated. Public Services Superintendent James Patterson suggests moving the slurry seal project back into the FY 2018 budget and getting that project done this year while the prices are good. They briefly discuss the budget for the Siegel Learning Center, listed on the plan at \$1.2 million but the group determines it should only be \$900,000. Sabolsky explains that the Town has authorized spending \$650,000 and the West Yellowstone Foundation has committed to donating \$250,000 towards the project. Mayor Johnson suggests budgeting for streetlights and suggests lighting Madison Avenue. He says they have been putting up streetlights in Town since the 1980s and they should just finish something. He also thinks they need to complete and light walking paths from Grizzly Park to Old Town. He says they should make it customer friendly for people to walk from where all the hotels are to where the shops are. He also suggests a pilot program with flags at the intersections to make it easier to cross the streets. The Council discusses streetlights and use of LED lights. Currently, they have set aside \$150,000 for streetlights in this fiscal year. Johnson suggests increasing that to \$300,000 and having the engineer evaluate adding lights on Madison and/or Yellowstone. The group discusses increasing the lighting project to \$300,000 and moving the slurry seal project up to this year at \$181,000, which reduces the surplus to approximately \$350,000 that they can set aside for water and sewer needs. Sabolsky says he will also look into funding a path and lights from Grizzly Park to the downtown area. The Council agrees that regardless, they need to be prepared for unexpected costs to support their infrastructure.

ACTION TAKEN

- 1) Motion carried to approve the Purchase Orders, which include #6741 to Teton Communications Inc., to purchase the AvTec Console Upgrade for \$17,450, #6743 to eForce Software for \$45,670.65 for the balance of the CAD/RMS system, and #6746 to Pathway AV Integration for a Court of Record recording system for \$13,000. (Forsythe, Parker)
- 2) Motion carried to approve the claims, which total \$337,605.52. (Schmier, Martineau) Schmier abstains from #43372. It is noted that the vendor for claim #43376 needs to be changed from Beck Construction to CenturyLink. Schmier abstains from claim #43362.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the June 20, 2017 Town Council Work Session and Council Meeting with the correction that Pierre Martineau was not present at the meeting. (Martineau, Schmier)
- 4) Motion carried to approve the business license update for Madison Plaza change two apartments to nightly rentals to give them a total of ten apartments, one mobile home, one RV space, and five nightly rentals. (Martineau, Schmier) Parker is opposed.
- 5) Motion carried to approve the Conditional Use Application with the condition that a fence is built along the east and west property boundaries in accordance with the site plan dated July 11, 2017 and contingent upon obtaining all necessary state, fire, and county approvals. (Schmier, Parker) Martineau and Forsythe are opposed, passes by majority.
- 6) Motion carried to approve Resolution No. 700, a resolution adopting the preliminary budget for FY 2017-2018. (Parker, Martineau)
- 7) Motion carried to approve the Application for Outside Amplification Permit for Rod Run/Music in the Park events on August 4-5, 2017. (Parker, Martineau)
- 8) Motion carried to approve Resolution No. 701, a resolution exempting Pioneer Park from Section 9.12.020 of the West Yellowstone Municipal Code, Public Drinking Prohibited, August 4-5, 2017 during the Yellowstone Rod Run. (Forsythe, Parker)
- 9) Motion carried to reject all bids submitted for the Siegel Learning Center, received June 27, 2017 by the Town of West Yellowstone. (Parker, Martineau)
- 10) Motion carried to approve the Drug-Free Workplace Policy. (Parker, Martineau)
- 11) Motion carried to approve the Workforce Drug and Alcohol Testing Policy. (Parker, Martineau)
- 12) Motion carried to approve the revised Staffing Plan, Dated July 11, 2017. (Martineau, Parker)

Public Comment Period

Marysue Costello, WY Chamber of Commerce Executive Director, addresses the Council and meeting attendees and thanks everyone for the support and assistance during the 4th of July festivities. She also says that one of the goals of the Chamber is town clean up and beautification. She says that they support the Town's viewpoint and encourages the Town to continue to work towards making the Town a beautiful place to live. Teri Gibson comments that the exterior of the Fire Department is looking great and encourages other business owners to follow their example. She thanks Patterson for the infrastructure tour today and says that they learned a lot. She asks if it would be possible to set the traffic signals in town to turn at the same time to make traffic flow at the same time. SJ Sheppard recognizes the various town departments for communicating with each other, which is notable and not always common. She

also clarifies that her comment at the Planning Board meeting was to express frustration about the process by the Council, not necessarily a specific council member or action.

Council Comments

Martineau says that the person that is going to update the TV system on Horse Butte is coming the 19th of August. Forsythe says he has heard some comments about the difficulty young people and older people have crossing Highway 20. The group considers solutions such as a flashing light, flags, or other solutions to slowing down the traffic. Schmier asks if they have made any progress towards a compliance officer or someone to enforce ordinances.

DISCUSSION

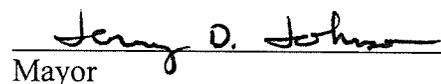
- 5) Sabolsky reports that the Planning Board met and reviewed the site plan for the Request for Conditional Use made by Kelly Midwest Ventures to establish a Limited Services Campground that includes five Recreational Vehicle (RV) spaces and a home that is being considered a duplex. One of the parking spaces in the garage is being converted to a bathroom/laundry facility. Sabolsky says that the laundry facility may need to be considered an accessory building. The total number of parking spaces required is 10 spaces. Since the Planning Board meeting, Fire Chief Shane Grube pointed out that there must be 10 feet between the house/duplex and the nearest RV and the plan only shows 6.80 feet. SJ Sheppard says that she did call the Montana State Building Code Division and inquired about the requirement to have ten feet between the RV and the house. She says that the Building Codes Division considers an RV a vehicle, so there is no requirement for a minimum amount of space. She says there is also no requirement for size for the RV spaces so they could reduce the width of two of the RV spaces and allow ten feet of separation, so it is really a non-issue. She also explains that since there are two separate entrances and exits to the house, that is why it is considered a duplex. Additionally, two of the RVs that will be parked on the back of the property do not have pop-out functions and will fit without trouble. She says that it is unfortunate that they have been working on this project since last fall and new issues seem to come up the day of the meeting every time it is up for consideration. Next door neighbor Danna Lloyd complains that the parking on the property is already a problem. She says there are 11 people living in the house and there are at least six cars parked around it and on the street. Teri Gibson says that the Planning Board did discuss that fact that the ordinance only requires four parking spaces but there are at least 11 driver's licenses in the house. The Lloyds express multiple concerns about the proposed use of the property. Sheppard points out that other than the 10' concern and accessory building concern that were brought up today, the Planning Board did discuss this application at length and ultimately approved it. Cole Parker agrees that the board talked about it at length and they need to focus on what is being applied for and make a decision. Fire Chief Shane Grube says that the Fire Department wasn't aware of the application until late last week. He says that 10' between structures is a standard width that that is why they requested that. He also says that if the home is being handled as an employee housing structure, it is really a boarding house and not a duplex. Parker says that they considered a similar property on Boundary Street recently and says that they need to make sure they are consistent. Martineau says that he has concerns about the number of people in the house and effect on the neighbors. Forsythe says he will not vote in favor of the application because of other properties in town that are not in compliance. Schmier cautions against voting against something that meets all the requirements just because they don't like it. Richard Gibson says that if this issue is ever litigated in the future, they are in a very bad spot because a member of the Planning Board is representing Kelly Midwest Ventures. Sheppard responds that she has made it very clear that she has recused herself from voting on the issue. Mayor Johnson asks Sabolsky for his recommendation. Sabolsky says that he does not want to make a recommendation on this item for various reasons. The group debates the issue at length. Parker says that he doesn't really like the plan, he'd rather see a new apartment complex, but if it meets the requirements he will vote in favor of it. Patterson agrees and says that it meets the requirements so there is really no reason not to approve it.

- 6) Mayor Johnson reads the Public Notice announcing the availability to the public of the FY 2017-2018 Municipal Budget. The notice was published in the June 30, 2017 and July 7, 2017 editions of the West Yellowstone Star. Mayor Johnson then reads Resolution No. 700.
 - 10) Sabolsky explains that in order to apply for any federal grants including the transportation grant that comes through the State, they need a Drug-Free Workplace Policy in place.
 - 11) Sabolsky clarifies that this policy will go into effect 60 days from the date of adoption and all new hires will be notified of the policy when hired. They will not be able to do any pre-employment drug screening during that 60 days.
 - 12) Sabolsky explains that this change will make the Library Clerk position a full-time position up from a $\frac{3}{4}$ time employee.
- A) **Advisory Board Reports:** Council Member Parker reports that the Planning Board met again with Land Solutions and they are waiting for another draft of the Growth Policy. Teri Gibson reports that the Planning Board did meet and discussed issues surrounding the redevelopment of the property at 19 Gibbon by Kelly Midwest Ventures and voted to approve the most recent site plan. She also reports that SJ Sheppard expressed frustration with the Council about the application from Kelly Midwest Ventures. They also discussed but tabled some other applications.
- B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports on progress with Land Solutions on the Growth Policy and revised Subdivision Regulations. He says a pilot well was drilled on the 80 acres and looks good so far, fireworks were not permitted on the land over the holiday but they know there was some abuse. The 4th of July fireworks and live music at the park on the new stage went very well. He says he heard a lot of compliments about the stage and events. They need more trash cans and bathroom access during the event and there was one incident with unruly individuals. They did discuss cleaning up the event sooner as a lot of trash was left behind. He says that they had a bid opening for the Siegel/Little Rangers Learning Center but all the bids were significantly over budget. They will have a work session this month to discuss the next step. The drug and alcohol testing policy is on the agenda for approval this evening and if it is approved, it will go into effect in 60 days. The employee manual is still in progress but he sent another draft to MMIA and legal counsel for review. He reports that they met with Yellowstone National park last week about access to the entrance to the park and traffic. They discussed grants that could be applied for to improve the entrance. Sabolsky says that he also has a letter from Easton Roos who is working on his Eagle Scout Project and would like to build a flag retirement pit at the Fir Ridge Cemetery. He says that the Cemetery Board is going to meet in the next couple weeks and they will invite Easton to attend the meeting to discuss his plans for the project. Martineau asks about union negotiations. Sabolsky says that they have opened negotiations with both units due to the revisions of the personnel manual. He says that they have received five grievances from an employee and he is working with legal counsel to work through those issues. Public Services Superintendent James Patterson reports that the well water shows slightly elevated fluoride levels but not high enough to require treatment. The pilot well that they drilled showed 220 gallons per minute with a small pump and they believe a full well could put out 800 gallons per minute. The Railroad Well puts out approximately 550 gallons per minute. He says the other water tests also looked good and they are optimistic that they will be able to drill a good well. They still need to wait for some more tests and get approval from DEQ to drill the public well. They have completed painting cubs and parking lanes, applied magnesium chloride to the alleys, and are preparing to replace sidewalks. He says that he hasn't put it in the budget yet, but suggests the Council consider whether they need more garbage cans in town. The Council discusses controlling trash around town and whether they should empty the cans twice a day, add more cans, put a dumpster at the park, or any other possible solutions to the problem. Patterson says he will work on the problem.

He also reports that he took candidates for Town Council on a tour of the Town's public infrastructure today. Finance Director Lanie Gospodarek reports on end of fiscal year entries and adjustments, new utility hardware, summer recreation accounting. Chief of Police Scott Newell reports that they got through the 4th of July with no major incidents, they did accept a resignation from a dispatcher and have opened the recruitment, Officer Kearney has a doctor appointment next week and they are hoping to have him back for active duty soon. He has been working on burglary investigations and met with Gallatin County today. Officer Lovingier is in training in Helena this week so Chief Newell is cover the night shift. Martineau says that he noticed they have had officers out on bicycles and thinks that is a good thing. Social Services Director Kathi Arnado reports that they have been working on transporting frozen foods safely. She says that volunteer participation has been good. Johnson asks about the Cadillac that is in the parking lot of the Town Hall that belonged to an individual that recently passed away. She explains that she is waiting for some paperwork from the brother of the deceased, but they are considering donating it to a family or selling it. Sabolsky says that he received a call recently from a person that would like to contribute \$50,000 to the endowment fund for the West Yellowstone Foundation to support the food bank. Arnado says that they feel if they can build that endowment fund up to \$100,000 then the food bank would be able to support itself.

- C) Sabolsky explains that at the last meeting, Mayor Johnson expressed interest in discussing storage of personal property on town property. He says that he was not concerned about motor vehicles as much as other personal property that is left for long periods of time. Sabolsky says that he just wants the Council to let them know how they want to proceed. Johnson suggested giving residents a year to remove all items and apply for encroachment permits when necessary. Forsythe says he thinks everyone is too busy in the summer and they should address it before next summer. The Council suggests getting the word out so residents know what is going to be enforced and what the deadlines will be. The group tentatively agrees to set a deadline of June 1, 2018 to address the problems.

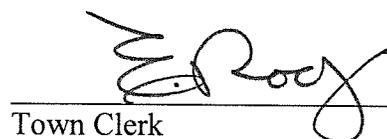
The meeting is adjourned. (10:30 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

July 18, 2017

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Finance Director Lanie Gospodarek

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

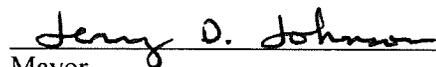
Public Comment Period

No public comment is received.

Mayor Johnson calls the meeting to order and explains that the purpose of the meeting is to discuss special funding requests for FY 2017-2018. He explains that it was determined earlier this week that the new Healthcare Services Agreement with Community Health Partners guarantees a risk share of up to \$100,000 annually, so CHP did not actually make a request for this meeting. Marysue Costello and Katrina Wiese of the West Yellowstone Chamber of Commerce address the Council about supportive funding for the Chamber. For FY 2016-2017, the Chamber requested and received \$20,458. All of that funding was used save \$1197.36 due to an unexpected extended maternity leave. Wiese explains that they are asking for funding for the upcoming year in the amount of \$29,000 based on substantial increase in traffic at the visitors center. They observed a 16% increase for FY 2016-2017 over FY 2015-2016. They have also decided not to request funding this year from the Marketing and Promotions (MAP) Fund as those funds should probably be saved for promotional activities. Costello and Wiese answer multiple questions about traffic at the Visitors Center and hours of operation. They explain that the month of May this year was unexpectedly busy and they struggled to keep up with lack of staffing. The Chamber is also requesting \$4000 to support the annual 4th of July fireworks show and after discussion they agree to increase it to \$5000. They have a request from the West Yellowstone Foundation for support for the community bus in the amount of \$15,000.

Sabolsky says that they have had inquiries about leasing out the new mobile stage. He says that they have a draft lease agreement and the proposed rates are \$1500 for the first night and \$750 for subsequent nights. He says that a town employee or another individual that has been trained on setup and operation would deliver the stage and supervise setup and take down. The group discusses the advantages and possible risks of leasing out the stage. Sabolsky estimates that they could rent it out five or six times a year and make a couple thousand dollars each time. The Council discusses multiple concerns about damage to the stage and the cost of employee time to move it and set it up somewhere else. The Council generally agrees that leasing it out is not in the best interest of the Town.

The meeting is adjourned. (7:00 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
July 25, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Chief of Police Scott Newell

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

Portions of the meeting are being recorded.

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

WORK SESSION

- A) Mayor Johnson calls the meeting to order and explains that the first item of discussion is the proposed Siegel Learning Center. Town Manager Dan Sabolsky explains that the project was released for bid but all the bids came in much higher than anticipated and the Council rejected those bids at the last meeting. Jon Wirth of ThinkOne addresses the Council to discuss other options for completing the project. He explains that they initially pursued a modular building for the center but received no bids for the project under those conditions. They re-drew the plans for a stick build project and bid it out again, which resulted in the high bids. Wirth says that they are now recommending pursuing the Construction Manager At Risk (CMAR) approach with pre-design for a site built building. He explains that this approach is popular with public entities and the Town will have a guaranteed price for the project. The Town Hall was built using this approach as is the wing at the local school that is currently under construction. He says another option they have discussed is hiring a developer to building the building on Town property and then purchasing or leasing it from the developer. Wirth explains that he talked to several of the bidders on the project to get an idea of why the bids came in so high. He says they cited multiple reasons including housing for their employees, bonding, labor costs, and materials. Forsythe asks Wirth why the bids came higher than ThinkOne expected. Wirth answers that their cost estimates were lower in several areas. Johnson says that he talked to the local contractor that bid as well as other local contractors and the common answer was the tight timeframe was too constricting. The building was expected to be up within six months and that was concerning. Sabolsky explains that other options include re-design of the project or hiring a developer to build the building. The group discusses multiple possibilities for reducing the cost but still completing the project in a timely manner. Schmier asks Wirth why the modular approach failed. Wirth says he is not certain, but it seems like modular companies tend to prefer small buildings like houses or large buildings like hotels. They discuss the short timeline restriction as a contributing factor. Sabolsky says that he would like to explore whether they can scale back the project, adjust the timeline, and look at seeking a developer and requesting bids at the same time. Bruce McPherson explains that the center has been based in the Community Church this summer. They have a waiting list for children between the ages of 1 and 2 based on licensing requirements, but they have not had as many children in the center as they initially expected. He says that he does think they could fit in a 4000 square foot building and would design it to accommodate more infants. He points out that they were told initially that cutting 1000 feet from the building would not save much money. He says that they have a capacity for 37 children and are averaging 24 children per day in the church. They are looking at changing their model to a for-profit approach to operating the center. McPherson says that they are operating the first STEM (Science, Technology, Electronics, Math) pre-school program west of the Mississippi and anticipates additional funding for that. He is very excited about this opportunity but acknowledges it does not handle the building problem. Wirth says that shaving off square footage would reduce the cost and suggests they also consider building the shell but leaving a portion unfinished. Forsythe asks Pastor Bob

Everest about the center remaining in the church. Everest says they are supportive of the center but admits it is inconvenient and the unknowns are concerning. Sabolsky recommends putting the project out for bid again with a more reasonable timeline, reducing the square footage to 4000, and also pursuing the developer option. The Council agrees with Sabolsky's recommendation and suggests bidding the project during the winter for construction next year. Everest agrees that having a plan for completion would be very helpful from the church's perspective. The Council encourages Wirth and Sabolsky to work on reducing the size of the building to get the price reduced to what they can afford. They briefly discuss how soon construction could begin next year and what can be built for \$950,000. The group agrees to work on the project and having a work session again soon to discuss progress.

- B) The Council discusses the revised Employee Personnel Policy Manual. Sabolsky explains that the Town's insurer, Montana Municipal Interlocal Authority (MMIA), is requiring an update of the manual to comply with current laws and regulations. The Town enjoys Employer Practices Liability Coverage from MMIA that is contingent upon approval of the manual. Sabolsky briefly describes the proposed changes that have been made to the manual with assistance from MMIA, the Town Attorney, Department Heads, and other employees. Sabolsky suggests they start at the beginning of the new document and compare the changes that have been made. Mayor Johnson leads the discussion and Sabolsky explains the reasoning behind the changes made. The group discusses changes to definitions, status classification, recruitment and selection procedures. The meeting runs out of Town and the Council agrees to schedule another work session in the near future to finish going through the manual. Sabolsky says that their goal is to have the Council adopt it by August 15, 2017.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6678 to Cross Match to purchase a live scan fingerprint system for \$7927.52 for the Police Department and #6748 to the Cat Rental Store to purchase a Safe-T-Shore box for \$7325.00 for the Public Services department. (Forsythe, Parker)
- 2) Motion carried to approve the claims, which total \$226,150.13. (Martineau, Schmier)
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the July 11, 2017 Town Council Meeting and July 18, 2017 Town Council Work Session. (Parker, Martineau)
- 4) Motion carried to approve the business license transfer for Park One Restaurant, LLC to operate a restaurant at 105 S Canyon Street at a seating capacity determined by the Fire Department and contingent upon Fire Department approval. (Martineau, Forsythe)
- 5) Motion carried to waive the resort tax bond for Park One Restaurant LLC. (Martineau, Parker)
- 6) Motion carried to approve the recommendation from the Marketing and Promotions Fund Advisory Board to award \$5000 to the Diamond P Ranch/Outlaw Regulators for the 2017 Cowboy mounted shootout. (Parker, Forsythe)
- 7) Motion carried to approve Resolution No. 702, a resolution establishing a city court of record for the Town of West Yellowstone. (Schmier, Parker)

Public Comment Period

Don Perry addresses the Town Council regarding Music in the Park events. He reports that the concert in the park last weekend went well. He says they were able to put up the most of the new banners. He says that they did have some content issues with their advertisers because they weren't able to show them on the screens as anticipated. He says there are some other options

they would like to add to the stage setup in the future. He asks the Council to reconsider renting out the stage to other communities. He says they had hoped to use the money generated by renting out the stage to pay volunteers, improve the stage and accessories, and raise money to improve the music program. He introduces Jeff Lord-Alge of Victor, ID who has been

involved in the music and concert industry in the region for many years. He explains that he has events every weekend in this region, ranging mostly from Big Sky to Helena, that would love to rent the stage. He speaks about insurance and encourages the Council to consider allowing it.

Council Comments

Council Member Parker says that a few weeks ago they voted on whether to allow the outside amplification of the rodeo car. He says that the drivers wear ear plugs and you can hear it a block away. He has noticed that they park the rodeo car overnight on public property. He says that since this permit was approved, he has noticed other businesses advertising on the streets and sidewalks and questions whether that is appropriate.

Council Member Greg Forsythe requests that they look at the ordinances that address use of recreational vehicles (RV)s. He has concerns about the number of RVs on any piece of property and being used as housing. Schmier adds that he observed an RV over the weekend that was parked on public property for three days and occupied.

Council Member Brad Schmier says that he attended the Heritage Celebration for the Yellowstone Historic Center this past weekend. He says that he was disappointed to see the lack of attendance by public officials and feels that they need to support the YHC and other such causes.

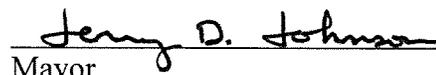
DISCUSSION

- 2) Schmier asks about the claim to ClearBlu Cleaning Service. The business is cleaning the bathrooms at Pioneer Park and the bathrooms at the Visitors Center on the weekends. Sabolsky says that they are testing this approach to determine if it is cost effective. He says they decided to give this a try rather than requiring existing employees to work weekends.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that Land Solutions LLC has prepared another draft of the Growth Policy, which will be reviewed by the Planning Board later this week. Sabolsky reports on research he has done for fundraising and grants to support the Siegel Learning Center. The new mobile stage was used again this past weekend and is working very well. Sabolsky says that the drug and alcohol policy has been adopted. He says that he is evaluating companies to conduct the testing. He asks for comments on the Employee Personnel Policy Manual as soon as possible. The Safety Committee is meeting later this week to organize and start working on policies and programs. Sabolsky says that they found some issues with the sewer line on Electric Street that would service the two undeveloped parcels on the east side. They have determined that the gaskets are not aligned properly and they are missing crossover lines. He says that staff is going to attempt to get these issues eliminated this fall. Sabolsky says that they anticipate starting the housing project next spring and expect to build 20 duplex units with a 1-bedroom unit and a 3-bedroom unit in each duplex. He introduces Pete Simon, the attorney for the project. Sabolsky says the completed project will have 20 duplex units and 40 condominium units when it is complete.

Finance Director Lanie Gospodarek reports that she is very close to finishing the budget for this year. She says that they have been reviewing the changes to the personnel manual and wrapping up business license renewals. Chief of Police Scott Newell reports on meetings he attended in Bozeman last week regarding changes made by the legislature to criminal law, drug task force, etc.

- C) Sabolsky explains that due to the fire inspection of the property at 19 Gibbon Avenue, new questions came up about the conditional use permit and development of the property. A conditional use permit was issued to Kelly Midwest Ventures at the July 11, 2017 Town Council Meeting. He explains that the house is most likely going to be reclassified as a rooming house rather than a duplex and therefore would require additional review. Jeff Schoenhard of Kelly Midwest Ventures describes the process he has been through to get to this point and expresses frustration about the roadblocks that keep coming up for this project. He explains that they are trying to provide employee housing in the area of town that it is permitted and only doing what is already being done all over town. He says that they are trying to follow the rules and do it the right way. Town Attorney Jane Mersen recommends that the Council not take any action at this time. She says that if the Fire Department or Building Department recommends revoking the permit, then it should be put back on the agenda.

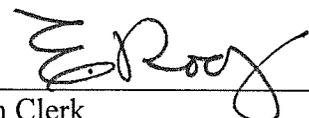
The meeting is adjourned. (9:00 PM)



Mayor

ATTEST:





Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
August 1, 2017

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

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

Richard and Teri Gibson, John Gospodarek, Don Perry, Jeff Lord-Alge, Marysue Costello, Wendy Swenson, Randy Wakefield, Denice Sabolsky

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

Portions of the meeting are being recorded.

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

WORK SESSION

- A) Mayor Johnson calls the meeting to order and explains that the first topic of discussion is the revised Employee Personnel Policy Manual. He explains that Town Manager Dan Sabolsky has tried to make it so the employee bargaining units and the personnel policy manual are in line. Sabolsky says that he has received input on the manual from MMIA (Montana Municipal Interlocal Authority), Bill Hanson and Jane Mersen of Kasting, Kaufman, and Mersen. Johnson asks the council members if there is anything in particular that they want to bring up. Parker asks about the work week as defined on page 49 and asks if that needs to be spelled out specifically. Sabolsky says that the bargaining agreements have the work week outlined the same way. Johnson brings up the possibility of changing the work week to Monday through Sunday instead of Sunday through Saturday. Parker asks if most of the Towns issues reside in Chapter VIII, Hours of Work and Overtime, but states that he is more comfortable with Department Heads being available to the public from 8 AM until 5 PM daily. Sabolsky says that the Public Services Department has been working a flexible schedule pretty successfully. The group discusses the excess hours section, leave hours that can be accrued by exempt employees for time worked over 40 hours in a week. Under the current manual, these hours can be accrued for any amount of time worked over 40 hours, but the new proposal is to require exempt employees to work 48 hours before accruing any excess hours. The Council considers whether Department Heads should be allowed to accrue excess hours. Sabolsky says that he thinks it would be appropriate if they only accrued excess hours after working a full 48 hours in a week. Johnson says that as long as he has been involved with the Town, management of excess hours has been a problem. He says that if the Department Head can't get their job done, then maybe the real problem is that they need more help. He says that there are all kinds of leave time that is not getting used because of the existence of excess hours. The group also discusses Bereavement Leave. Sabolsky explains that the current proposal is to reduce the number of paid days off from 5 days to 3 days. There is ample discussion about the proposed change and the group also considers limiting the number of days in a year. The group generally agrees to leave it at five days but limit use of the benefit to once per calendar year and to clarify that it means not to exceed 40 hours. The group discusses pregnancy, parental, and disability leave at length. Sabolsky says that since the Town has fewer than 50 employees, it is not subject to the Family Medical Leave Act. Sabolsky points out multiple changes and clarifications they have made to these sections. The group discusses excess hours again. Sabolsky explains that the current proposal is to require exempt employees to work 48 hours before accruing excess hours but allowing those employees to carry 80 hours rather than just 40. Sabolsky says that they should discuss personal leave, a type of leave that has been removed from the manual. He says that he has done a lot of research and determined that there is a wide range of approaches to this topic. He says that they

currently allow employees to use 40 hours of sick leave in a year as personal leave. Lisa Johnson, Deputy Clerk and Union Steward, suggests only allowing the use of personal leave if an employee has run out of vacation hours. The Council suggests leaving it out of the manual, acknowledging that it is allowed in the collective bargaining agreements. The group also discusses "floating holidays," which is the use of a holiday on another day if the employee is required to work on the holiday. The new language allows this as long as holiday leave is used within the same calendar year. If the holiday leave is not used it will be paid out on the 2nd paycheck in January. Gospodarek asks questions about the "Accumulation Cap" section that is new to the manual. She says she checked with the Wage & Hour division and questions whether capping the amount of vacation that can be accrued is legal. Sabolsky indicates that he will check with attorney Bill Hanson on that language. The group also briefly discusses scheduling and the ramifications of employees working 8 hour or 10 hour shifts. Mayor Johnson announces that they will have another work session on this topic next Wednesday, August 8, to hopefully work through the final draft.

- B) The next item of discussion is a final review of the FY 2017-2018 budget. Due to the time, the group agrees to delay that discussion until the work session next Tuesday, August 8, 2017.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$106,735.13. (Martineau, Parker)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the July 25, 2017 Town Council Meeting. (Parker, Martineau)
- 3) Motion carried to approve the Application for Outside Amplification Permit made by the owners of Rocky's Nut House at 629 Madison to allow live music outside of Rocky's on August 5, 2017 between the hours of 4 PM until 10 PM. (Schmier, Martineau)
- 4) Motion carried to rent the stage to Black Mountain Productions for three events on the condition that they cover the Town's deductibles, they pay the Town a minimum of \$1000 for each event, and provide insurance naming the Town as additionally insured as required by the rental agreement. (Forsythe, Martineau) Johnson is opposed, motion passes.

Public Comment Period

No public comment is received

Council Comments

Council Member Parker thanks multiple community members for donating their time to making the community a better place. He says that really does appreciate what they do. He says that since he sits on the Planning Board, he thinks that it really shouldn't take more than 20 minutes to discuss a project and if it does take longer, that problem should lie with the project owner.

ACTION TAKEN

- 3) Mayor Johnson describes the Outside Amplification Permit for Rocky's Block Party, scheduled for August 5, 2017 at 629 Madison. Sabolsky explains that they have already contacted the owners of the property and the manager and they have agreed to only play the music until 10 PM.
- 4) Marysue Costello addresses the Town Council regarding the use of the new portable stage. She expresses sincere appreciation for the Siegel Family and West Yellowstone Foundation for the donation that resulted in the new mobile stage. She says that she has participated in the group that was working towards acquiring this stage from the beginning. She says that renting the stage to other communities was always part of the

plan to work towards improving the music program and getting it to where it would pay for itself. Wendy Swenson also addresses the Council and expresses support for renting out the stage and the positive things that can come from this public-private partnership. She explains that as a result of their group thinking, they went ahead and had the stage wrapped to advertise West Yellowstone and their sponsors. She says they have worked with Jeff Lord-Alge to prepare to rent out the stage this summer. She asks the Council to honor the three dates that have already been scheduled for events in Bozeman. She says that is the right thing to do and it will give them a sample period to determine whether this is a smart thing to do. She says that once they work through these three events, they can work out any issues and arise, develop a complete breakdown of the costs, and staff time. Johnson asks questions about if the Town indicated that they would rent out the stage and points out that the Council did not. He also says that the Town says that the Town intended to purchase a stage this year, regardless of whether there was a donation or not. Schmier asks about the three events Costello mentioned that are in Bozeman. Jeff Lord-Alge says that the three events are for Bridger Brewing in Bozeman at the same location. He says that he has sold the event sponsor on using his personal stage, since it became apparent that the Town's stage may not be available. He says that he could have 20 different bookings to use the stage. He says that he has built in the costs of transportation and staffing to ensure the Town nets at least \$1000 per use. Schmier says that he met this week with Don Perry and discussed this topic at length. He says that it is unfortunate that a group of people planned to rent out this piece of equipment when they had no authority to do so. He questions what is actually being rented. He says they determined that it is not just a piece of equipment but will also include staff time. Don Perry says that for the test basis, he is certified and will volunteer to do it. He says that the goal is to be self-sufficient and for the stage to pay for all the associated costs. The group discusses multiple scenarios and details of renting out the stage. There is also discussion about use of the funds that would be generated by use of the stage. Patterson says that Arnie Siegel wanted it to go back into the WY Foundation. Sabolsky agrees, but says Siegel was advised that probably wouldn't happen. Lord-Alge says that this stage is very durable and most of the wear and tear that he sees on this kind of equipment is more from driving it long distances. He says that he does not think taking the stage to Bozeman will risk much damage at all. Johnson says that he thinks all the arguments they've heard tonight are valid if you're a private enterprise. He says that as a public entity, it is different. He says they have done all they could to get out of the rental business, which is why the Dining Lodge was turned over to the Yellowstone Historic Center. Johnson clarifies that if they send an employee to be the certified operator, that person is on duty during the entire event. Perry indicates that he is willing to be the on duty operator for these first three events. Johnson suggests only renting the stage to Lord-Alge and therefore he would be responsible for getting the stage to and from the events. The group discusses renting the stage only to Don Perry or Black Mountain Productions. Forsythe says he also rents out a lot of equipment and he thinks they should at least figure out these three events.

- A) **Advisory Board Reports:** Teri Gibson reports that the Planning Board met on July 27, 2017. She says they reviewed three items. The first was the plans for a new hotel on Grizzly Avenue and they reviewed the parking and approved it. They also reviewed a conditional use application for MT Metal Works made by Tanner Meitzel and approved that application. They also discussed the most recent draft of the Growth Policy and recommended a few changes. They are waiting for those changes to be made and the board will then vote on a resolution to approve the draft and forward it on to the Town Council.

Mayor Johnson reports that the Cemetery Board met last Thursday. The main topic of discussion was the Eagle Scout project that has been proposed by Easton Roos to construct a flag retirement pit. The board approved his request. He says they also discussed access to plots in the southeast corner of the cemetery. These plots can probably not be accessed with a backhoe without crossing over existing graves. He says

that Patterson is going to contact the owners of those plots and determine whether they intend to use them for cremains or may want to select different plots.

- B) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that the Safety Committee had their first meeting last week. They are going to start working on a safety manual and safety policy. They also discussed safety issues including use of ear buds on the job rather than ear protection. He says that he did discuss the Siegel Learning Center with the architect about scaling back the size of the project. He has also been talking to representatives of the WY Foundation to update them on the status of the project. He says that Town Attorney Jane Mersen is exploring the developer option. He says that they received a couple grievances that they responded to today. He says that the group of volunteers for use of the stage met today and are putting together a list of needs to make it more functional. The Growth Policy is making progress and they are hoping to have the final draft before the Council in August. He says that the Town did receive a Big Sky Development Trust Fund Grant in the amount of \$6995 and they will use this money to work on the planning of the 80 acres. Yellowstone National Park has asked the Town to look at the entrance to the park and possible grants they can pursue to improve that jointly. He reports that the Fire Department is inspecting the fire hydrants and there are some hydrants that need repair, and they may need to budget additional funds to repair them. He says they did get a rough set of plans for the Electric Street project and have asked for more detail.

Public Services Superintendent James Patterson says that he has been challenged by a community member about the water flow from Whiskey Springs. He reports that at one time, Whiskey Springs put out 3.6 million gallons per day. In 2007, it was putting out 3.4 million gallons per day. In recent years, it is putting out less than one million gallons per day. He says that they are working on the park in anticipation of the Rod Run next week. He says they will put the siding up on the restrooms later this week or early next week. The truss system for the pavilion will arrive next week. They have completed the curb painting and are preparing to pour new sidewalks that need to be replaced. He says that Morgan Pavement has started to stockpile material for the slurry seal project which will start in about 10 days. He says that Safelink has started re-started work on the fiber optic installation and they need to make sure all the insurance documents are in place.

Finance Director Lanie Gospodarek reports on finishing up the budget and Capital Improvement Plan, review of the Employee Personnel Policy Manual. She credits her staff for additional research on insurance needs.

Chief of Police Scott Newell reports that Officer Anthony Kearney has been given a clean bill of health and has returned to active duty. He says that there is a lot of excitement in southeast Idaho about the full eclipse in August. He says they are going to have a meeting next Tuesday at 10 AM at the Firehouse to discuss some of the ramifications of all the traffic down south. He says they know that the road to Sawtelle will be closed during the event. He understands that instead of there being one state trooper in Island Park during that week, there will be ten. Sabolsky adds that they are planning to mow the old airport area during the event.

Social Services Director says her office is doing well. They have seen an increase in numbers, particularly from members of the Hispanic population.

The meeting is adjourned. (9:30 PM)

ATTEST:



Jerry D. Johnson
Mayor

[Signature]
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL

Work Session

August 8, 2017

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

OTHERS PRESENT: Town Manager Dan Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Social Services Director Kathi Arnado, Richard & Teri Gibson, Helene Rightenour,

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Public Comment Period

No public comment is received.

Council Comments

Mayor Johnson expresses frustration about the lack of enforcement of regulations and specifically mentions sandwich board signs, banners, advertising on vehicles, clothing racks, height requirements for signs, "play at your own risk" signs at the new basketball courts in Pioneer Park, and camping on Town property. Officer Anthony Kearney mentions that they discovered a website that listed the lot west of the Povah Center as a location where people could camp for free for up to five days. He says they have contacted the operators of the website who have indicated they will correct the information. They have also done their best to let the public know that is not legal. Mayor Johnson also says that parked campers that encroach on public property are also a problem. The Council also discusses multiple complaints the Town has heard about a specific lodging establishment but acknowledges the limitations they have to deal with the operator. Forsythe says that he knows there are a lot of things that come up this time of year that they realize haven't got done, but acknowledges that the massive influx of people during the summer season it is difficult to get everything done and thinks the staff is doing a great job.

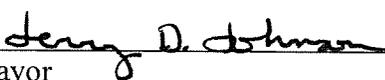
-
- A) The first item of discussion is the Employee Personnel Policy Manual. Town Manager Dan Sabolsky distributes the latest draft of the manual and points out recent changes. He explains that they have revised the language that pertains to vacation leave and the amount of time an employee has to use up hours in excess of what they are allowed to carry. The group also discusses pregnancy disability leave, scheduling, holiday pay, and disciplinary actions. The group discusses "excess hours" or Exempt Compensatory Time. This provision allows salaried employees such as Department Heads and the Town Manager, to bank hours worked in excess of 40 hours in a week. These hours can be used by the employee at a later date and are accrued on a one to one basis. Sabolsky explains that the current draft of the manual changes it so the employee must work 48 hours in a week before accruing excess hours. The Council debates whether the accrual of excess hours should be allowed at all. The Council asks multiple questions about how employee time is accounted for and verified. They also consider compensation for additional time worked by salaried employees. Schmier says that he thinks salaries can work against both the employee and the employer in certain situations. Forsythe suggests that any time accrued over 48 hours in a week is calculated at a ratio, such as 15 minutes for every hour worked over 48 hours. They discuss the liability created by excess hours and the indirect effect because employees do not use vacation time and always carry the maximum amount. Parker says he is not in favor of excess hours and says the policy should be removed. He says that they can revisit it in the future if necessary. The group briefly discusses the harassment policy and interview panel procedures. They discuss the procedure to follow if a grievance is filed against the Town Manager. The group agrees that such complaints should be director to the Town's legal counsel. The group discusses multiple other aspects of the manual and agree it is ready to schedule for adoption next week at the August 15, 2017 Town Council meeting.

- B) The Council discusses the FY 2017-2018 Budget. Finance Director Lanie Gospodarek explains that the budget document is essentially finished, but says there are a few changes to point out. She says that they did add \$50,000 to the sewer fund to pay for a sewer line repair on Electric Street. They briefly discuss procedure for getting projects done before the final budget is adopted. She also points out that they budgeted an additional \$25,000 to pay out holidays that are unused annually. She mentions some small additions such as cleaning services for the Chamber bathrooms on the weekends, computer replacement, and road assessment fee. She directs the Council to the Cash Reserve Worksheet, which illustrates the current status of all of the funds. Schmier asks if they budgeted anything for repairs to the new mobile stage. Gospodarek responds that they have not specifically budgeted for that, but explains that the stage is just considered a public works vehicle and maintenance will be paid from the same sources as maintenance on other vehicles. She says that there is still \$353,129.30 left in the Resort Tax Fund that has not been budgeted, but points out that they are required by Intercap to hold 10% of the value of the bond for the Town Hall, \$136,810, which leaves \$216,319.30 that has not been budgeted. Gospodarek briefly describes the status of all the other funds, noting that the water fund is the only fund that is slightly in the negative but they expect to recoup that amount with other savings in that fund. The group discusses whether to budget the \$216,319.30 or leave it as a cushion for unanticipated expenses. Patterson has prepared a list of other possible projects that could be done this year including new sprinklers for the field in Pioneer Park (\$40,000), resurfacing the old firehouse (\$75,000), purchase of a new Public Services truck to replace the 2008 Ford (\$38,000), expand the parking lot over to the old fire house (\$75,000) or install lights from the Kelly Inn to Yellowstone Avenue and the sidewalk to the Dining Lodge (\$24,000). Schmier asks about debt service and if they should just pay off current debt. Sabolsky recommends revisiting this list later in the year when they have a better idea of where they are financially. Forsythe asks if they will really be able to drill the well this fall because there seems to be a lot of interest in building as soon as the moratorium is lifted. Patterson says they anticipate drilling the well this fall, but he is not sure they will be able to get the building built until spring. The Council asks various questions about the budget and plans for the next year. The budget is scheduled for adoption next week, August 15, 2017.

The meeting is adjourned. (9:00 PM)

ATTEST:





Mayor



Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
August 15, 2017

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

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

WY Star Editor Dustin Jones, Richard and Teri Gibson, Helene Rightenour, Tanner Metizel, Denice Sabolsky, Bob Patkze, Moria Dow, Katrina Wiese, Marysue Costello, Fire Chief Shane Grube, Randy Wakefield, John Greve, Randy Wakefield

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve purchase order #6750 to Terrell's Office Machines to purchase a new copier/printer for \$10,500. (Parker, Schmier)
- 2) Motion carried to approve the claims, which total \$407,840.14. (Parker, Forsythe) Forsythe abstains from #43512, Schmier abstains from #43543.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the August 1, 2017 Town Council Meeting and August 8, 2017 Town Council Work Session. (Forsythe, Parker)
- 4) Motion carried to approve the new Business License application and Conditional Use Application for MT Metal Works. (Forsythe, Parker)
- 5) Motion carried to approve the Marketing and Promotions Fund Award Applications for the Yellowstone Rendezvous Race 2018 for \$4211.50 and Yellowstone Ski Festival Advertising for \$2500.00. (Parker, Schmier)
- 6) Motion carried to join Yellowstone National Park to acquire the biosphere designation by the United Nations as a World Heritage Site. (Johnson, Parker)
- 7) Motion carried to direct Town Manager Dan Sabolsky to send a letter to Montana Department of Transportation and request crosswalk lines and possibly flashing lights at the intersections of Highway 20 with Electric Street and Dunraven. (Schmier, Johnson)
- 8) Motion carried to approve the Employee Personnel Policy Manual dated August 15, 2017. (Forsythe, Parker) See next motion.
- 9) Motion carried to approve the Employee Personnel Policy Manual dated August 15, 2017, effective August 31, 2017. (Forsythe, Parker)
- 10) Motion carried to approve Resolution No. 703, a resolution setting the mill levy for FY 2017-2018 for the Town of West Yellowstone. (Forsythe, Parker)
- 11) Motion carried to approve Resolution No. 704, a resolution adopting the FY 2017-2018 municipal budget. (Parker, Forsythe)

- 12) Motion carried to approve Resolution No. 705, a resolution notifying the Gallatin Election Administrator of the Town's desire to conduct the 2017 City General Election by mail ballot. (Parker, Forsythe) See next motion.
- 13) Secondary motion carried to approve Resolution No. 705 but change the number of days prior to election that the ballots will be mailed to electors from 15 days to 25 days. (Parker, Forsythe)

Public Comment Period

Don Perry of Black Mountain Productions reports that they hooked up the stage to the Ford F-550 that is owned by Westmart on Wednesday evening. They determined right away that the hitch was very low to the ground and they ended up welding and bracing it up to make the trip to Bozeman. He says they made it to Bozeman without issue and observed the setup and use of the stage the next day. They returned to West the next day and learned a lot about use and operation of the stage. They are planning to reinforce the hitch on the truck to make sure it pulls safely.

Penny Freppon, a summer resident, introduces herself and explains that she was an educator for many years and a teacher/educator at the University of Cincinnati. A few weeks ago, she observed some t-shirts on the street that were very obscene and offensive. She says that she and her friend, a year round resident, have made complaints to the Police Department and the Town Manager. She asks the Council to review State and Local codes and encourages the Council to not allow such behavior. Sabolsky says he has a meeting scheduled later this week with the manager of the two stores that were mentioned.

Council Comments

Council Member Parker says that he met Wyoming congressman and had a good discussion about transportation into Yellowstone and the effect on neighboring properties.

Parker says he took a call from a realtor this week who indicated that there is a hotel developer that would like to purchase historic property to build a hotel. He says that he was very concerned about losing historic property to a developer. Johnson says that he and Sabolsky did meet with a hotel developer who did ask about some historic property, but he stated that it was his opinion that it was very unlikely that the Town would sell historic property.

Forsythe asks about the meeting between Johnson and Schmier and the potential new owner of the "Moonrise Property", the 21 acres at the northwest corner of the Madison Addition that is zoned R-4, medium density. Johnson and Schmier explain that they did explain that there is a need for entry and mid-level housing. Both council members indicate that the potential owner did not reveal what his specific plans were but asked a lot of questions about development standards, easements, green space, and even putting in a pond.

Johnson asks everyone to keep Roxy McLaughlin, Clyde Whitman, and Susan Whitesides in their thoughts and prayers as they are all facing significant health issues.

PUBLIC HEARINGS

MT Metal Works, 315 Geyser Street, Conditional Use Application

Mayor Johnson opens the hearing and reads the hearing notice. The applicant is applying to operate a small metal fabrication business at 315 Geyser Street. No public comments are received.

FY 2017-2018 Municipal Budget

Mayor Johnson opens the hearing and reads the hearing notice. Finance Director Lanie Gospodarek explains an error they discovered in the Parks budget and that they added \$5000 to the buildings line of that budget, and therefore made the necessary adjustments. No public comments are received.

DISCUSSION

- 4) Prior to making the motion to approve, Forsythe asks if it is correct to require a resort tax bond for this business considering that it is just labor. The group determines that the bond is not necessary. The group briefly discusses parking and agrees that the parking that is available complies with the code and is adequate.
- 6) Mayor Johnson explains that in June, he received a call from Yellowstone Park Superintendent Dan Wenk's office about whether our community would like to receive the official Biosphere designation. Johnson says he and multiple others participated in a conference call in July to gain more understanding of the designation. He says the benefit of the designation appears to be that it will be helpful on grant applications. He says that reporting is really the only requirement and they can withdraw. Yellowstone National Park received the designation in 1978. The purpose of the designation is promote conservation of nature and scientific research in the service of man.
- 7) Sabolsky explains that there has been a request to install a crosswalk at the intersections of Electric Street and then Dunraven with Highway 20. Chief Newell made the request to Montana Department of Transportation, which was fairly responsive. Forsythe suggests that they also look at Geyser, considering that is a major crossing for school children. Moira Dow also suggests looking at Hayden, which is also a main thoroughfare from the Madison Addition. Sabolsky says that when they met with DOT, they specifically discussed the intersections with Electric and Dunraven but they can bring up those other intersections.
- 8) Sabolsky says that the manual has been reviewed and approved by the Town Attorney and Montana Municipal Interlocal Authority (MMIA). Sabolsky recommends approving the manual but acknowledging that they can still make changes. He says that he would like to get through the collective bargaining process before revisiting it in case there is anything that needs to be changed. Forsythe says that as a private employer, he thinks it is unfortunate that they gave up the excess hours for salaried employees. He says that in the private sector, there are ways to reward employees that go above and beyond, but there is really no way to do that for government employees.
- 11) Mayor Johnson points out that they decided to drill a well rather than connect to a spring, so he questions whether planning for another tank is realistic and if it should be on the Capital Improvement Plan (CIP) with a date certain. Johnson also asks about the proposed Summer Recreation building that is on the CIP a few years out. The group briefly discusses the merits of building such a building but agrees it would be discussed in more detail before actually planning the project.
- A) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that the grant they applied for from the State of Montana for the Frontier Trail was unsuccessful. He met with the head of the regional Red Cross, which was looking for a place to erect an emergency shelter only in the case of an emergency. He says they would pay all utilities and costs and there is a simple agreement they will sign, but the Town always has the option of declining. He says that they are proceeding with redrawing the plans for the Little Rangers/Siegel Learning Center as well as releasing a Request for Proposal (RFP) for a developer to build the building. He attended a meeting with multiple public agencies about the solar eclipse that will occur on August 21, 2017. He says they have mowed the 80 acres west of town and plan to put a Town dumpster and port-a-potties on that area. He says they are trying not to over-react but not be caught unprepared. He says they know the hotel rooms in town are nearly sold out and all the campsites are sold. He says that the Safety Committee met last week and have already instituted some new policies such as prohibiting the use of ear buds by employees and reviewed a draft of a safety policy. He distributes a large-scale drawing of the proposed housing project for Electric Street. The developer has asked to transfer some of the connection fees that were paid previously for the neighboring lot to this project. He says

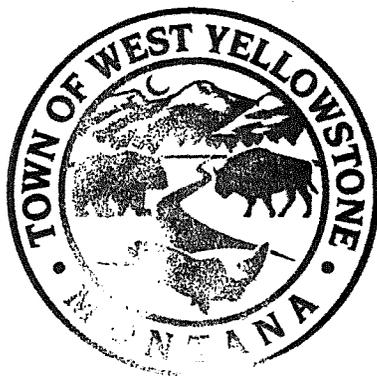
the Fire Department is also weighing in the plan to ensure emergency access is available. They will also prepare a development agreement between the Town and the developer. He responds to questions from the last meeting regarding water usage at the Days Inn. He says that he compared usage at the Days Inn from July 2016 to July 2017 and the property used 144,000 gallons less in 2017. He also mentions progress with Kelly housing project on Gibbon Avenue. He says that they anticipate having the new public water well online next summer in 2018. He says that Dyer is working on multiple issues for water and sewer capacity and they are moving forward.

Finance Director Lanie Gospodarek reports that they have been working on the final draft of the budget, reviewing the employee personnel policy manual, and handling increased traffic through the office. Kathi Arnado, Social Services Director, reports that their office is doing well. They picked up a large food order and had multiple volunteers to help unload it. She also mentions a domestic violence incident that they were involved with along with the police. Chief of Police Scott Newell reports on recent incidents, increased law enforcement that is scheduled by other agencies during the days surrounding the eclipse. He says that they are expecting issues with cell phone and internet service during to the eclipse because people will try to photograph, post, film and stream the event. Assistant Public Services Superintendent David Arnado reports that Superintendent James Patterson is out of town but the department has been working on water meter replacements, maintenance at the lagoon, and he has specifically been working on code enforcement.

- B) Town Manager Dan Sabolsky reports that the developer of the housing project on Electric Street is preparing to finalize their plans and submit plans to DEQ. He says that the Town will need to repair the sewer line and install two cross over lines to feed the property. The original plans for sewer lines in that area called for two 8" cross over lines but only one 4" line was installed. He says that the developer requested transferring some of the connection fees that were paid in 2007 for the adjacent condominium project that has not been completed to this project. Sabolsky says that he has consulted with the attorney on that request and she is going to do more research before making a recommendation. He says that the developer plans to build 24 duplexes and one 4-plex on the lot. They are starting the plans now but construction is not expected until next year. He says that duplexes are allowed under the current building moratorium, but they anticipate the moratorium will be lifted by the time they are ready to build. The group briefly discusses why the correct sewer lines were not installed originally and if there is anything they can do. A development agreement will be prepared for the project. Schmier says that he thought the original intent of the building moratorium was not to stifle any housing development as long as it wasn't for vacation rentals. The Council agrees but points out that 24 duplexes is a different matter. They agree that the development agreement will answer those questions.

The meeting is adjourned. (9:30 PM)

ATTEST:



Jerry O. Johnson
Mayor

E. Ray
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 6, 2017

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

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

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6752 to Big Sky Fence to purchase a chain link fence for the northwest corner of Pioneer Park for \$14,221 and #6753 to Billion Dodge to purchase a 2018 Dodge pickup 2500 SLT 4 x 4 for \$37,263. (Martineau, Forsythe)
- 2) Motion carried to approve the claims, which total \$335,239.14. (Schmier, Martineau) Forsythe abstains from #43167.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the August 15, 2017 Town Council Meeting. (Forsythe, Martineau)
- 4) Motion carried to table the business license applications for Blue Ribbon Bungalow and Markov Rentals. (Martineau, Parker)
- 5) Motion carried to approve the revised Workplace Drug and Alcohol Testing Policy, name the Town Manager as the designated employee representative and the policy will go into effect in 60 days. (Parker, Forsythe)

Public Comment Period

Fire Chief Shane Grube reports that they received the current report from ISO and they were able to maintain their ISO rating of 4. He says they have changed the way the rating is calculated and they are now considered to have a rating of 4 for the entire district. He says that people outside the town limits were previously rated at 7 so they are seeing a lower rating, which is a very good thing. He says that the installation of the new CAD system in dispatch and the water chute on the water tender helped them maintain that rating of 4. Forsythe asks if they remove the residency requirement for paid staff through the collective bargaining process, would that affect the ISO rating? Grube says that it could definitely affect that because they would no longer be able to count those staff members that move out of the district as on call or count them as responders to structure fires.

Council Comments

Council Member Pierre Martineau says that the new digital equipment for the television repeater on Horse Butte has been installed and they currently have two stations that are coming through. He says Direct TV is coming tomorrow and they hope to have four channels working by tomorrow night. He says that the one problem they are seeing is that people have analog antennas instead of digital.

Forsythe says that he looked at the Capital Plan and wonders if the streetlights they budgeted for Madison Avenue could be split between Madison and Yellowstone Avenues. The Council agrees that could be worked out. He also asks if any resort tax was collected from the bicycle tour that came through Town and spent the night in Pioneer Park. The Finance Department indicates it will look into it.

DISCUSSION

- 1) Public Services Superintendent James Patterson explains that this fence will hopefully keep balls and hockey pucks from ending up out in the street. Parker asks if the new pickup will be a plow truck. Patterson says they will not put a plow on this truck and they have retired the 1993 Dodge. Johnson asks if the fence is in the budget but it is not. He suggests paying for it with the money that was set aside for a gazebo in the park as this may be a more timely project. The Council agrees.

- 5) Town Manager Dan Sabolsky explains that they have reached an agreement with TR Lane to conduct workplace drug and alcohol testing onsite. Based on recommendations from TR Lane, they have made some revisions to the policy. Sabolsky describes the changes and definitions in the policy, which are highlighted in the policy in the packet. He explains that there needs to be a designated representative for the Town and that person will be notified if anyone fails a drug test and address the problem. He says that he will be the designated employee representative. He also says that once the policy is adopted, they will again put it out to the employees to review and it will go into effect in 60 days.

- A) **Advisory Board Reports:** Council Member Parker reports that the Health Services Advisory Board met last week and discussed the purpose of having quarterly meetings. Parker says that he explained it is to ensure that the current provider is complying with the terms of the contract. He says they also have a vacancy on the board, Jesse Wittmer is moving. Buck Taylor of Community Health Partners said that Bozeman Health is very interested in acquiring land and building a world class medical clinic here in West Yellowstone. Sabolsky adds that the board also advises on other medical issues such as mental health, new mother assistance and counseling. Teri Gibson says that the Planning Board is going to meet next Tuesday at 12 Noon.

- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports on progress on the Growth Plan. If the board adopts the current draft at their meeting next week, they will move on to a Town Council public hearing and adoption. He says they have released the ads for a CMAR and Developer approach to the Little Rangers Learning Center and have already had some inquiries. The revised Drug and Alcohol Workplace testing policy is on the agenda for adoption tonight. The Safety Committee has been meeting and addressing current safety needs. Town Engineer Dick Dyer is working with the engineers for the housing project on Electric Street. They are working on putting together a development agreement. Dyer is also going to apply for a permit from DEQ to to correct the sewer line/connections on Electric Street to serve this development. The first meeting with the unions took place last week. They will meet again on September 18 and discuss issues. Sabolsky says that last week he met with representatives from Yellowstone National Park to discuss grant opportunities. He says that last week he also met with the HR departments at the City of Bozeman and Gallatin County and got copies of job descriptions and pay scales. Schmier asks about the Little Rangers/Siegel Learning Center Project. He says that he thought this was not a Town project, that the town was just agreeing to provide funding, but now it seems like it is the Town's project. He says that it seems like Sabolsky is putting a lot of time into the project. Sabolsky says that the Town did take the lead to ensure that it was built according to Town standards and was bid legally. Schmier says that he is very concerned that the Town is going to end up running a daycare and he does not want that to happen. Johnson says that originally there were multiple representatives from Little Rangers that were involved in this project, but all those people have disappeared and the Town is

doing everything. Johnson asks if the Foundation is paying the architectural fees to ThinkOne to redraw the plans and rebid the project. Sabolsky says that is the plan but he has not seen any bills for some time. Johnson asks Sabolsky about the information he acquired from the City of Bozeman and Gallatin County. He points out that both entities are significantly larger than we are. Sabolsky agrees but says that he was actually more interested in job descriptions because some of our positions have evolved and added more responsibilities. He says that concerning pay scales, it appeared that the wages paid by the Town are very close to what is paid by Bozeman and Gallatin County. Johnson says that in the past, a council member has always participated in the bargaining process and asks the Council if they think that should happen this time. He says that he thinks that since the Council has to ultimately vote on the agreement, it would be beneficial to be a part of the process. Parker says that he thinks that would be a good thing and points out that Council Members sit on other advisory boards. Forsythe says that he thinks they hired a Town Manager to handle such issues and they don't need to participate. Schmier says that he can see both sides of the issue. Martineau says that he thinks Sabolsky can handle it. The Council informally decides not to include a Council Member on the negotiating team. Johnson asks about the development agreement with the Siemen Family for the Electric Street project. Sabolsky says that he has worked on an agreement that originally came from Dyer and Dyer will work on it some more this week. The Finance Department is working on revising the business license ordinance by the end of the month.

Public Services Superintendent James Patterson says that the new pavilion in Pioneer Park should be finished next week. He is getting some prices on replacing the sprinkler system in Pioneer Park. He says they finished up street striping today and the new curbs around town are almost down. He says the project got held up because the concrete hauler wouldn't deliver around the date of the solar eclipse. He says there are a few more sidewalks and ADA ramps that they need to fix but the main parts of town are finished. Johnson says that the slurry seal job in the Madison Addition looks really good and the contractor seemed to take some extra time to make it look good. Patterson says that due to coliforms in the water, they are going to have to chlorinate the water for the next ten days. They mailed notices out with the water bills to notify the public.

Finance Director Lanie Gospodarek reports that the staff of the Finance Department is going to meet on Friday to work on the business license ordinance. They have scheduled resort tax audits for the first week of October. They just mailed out the water notices with the monthly utility bills. She also reports that she attended an educational retreat from MMIA in May.

Social Services Director Kathi Arnado reports that her department is working well. She says they are starting to see a shift in employment needs. The game warden contacted them recently and they received half of a bison, which will be processed through the Montana Food Bank Network. She also mentions that they have had a lot of volunteers this week.

The meeting is adjourned. (9:00 PM)

ATTEST:



Jerry O. Johnson
Mayor

[Signature]
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
September 19, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, West Yellowstone Star Editor Dustin Jones, Helene Rightenour, Richard & Teri Gibson, Patricia Barnes, Randy Wakefield,

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the Purchase Orders, which include #6679 to JC Billion to purchase a 2018 Dodge Ram Pickup plus police outfitting from Dana Safety Supply for \$47,425 and #6755 to Barta Electric and Saurey Concrete to install light poles on Gibbon Avenue for \$11,964.20. (Martineau, Schmier)
- 2) Motion carried to approve the Treasurer's Report and Securities Report dated September 13, 2017. (Martineau, Schmier)
- 3) Motion carried to approve the claims, which total \$122,399.08. (Parker, Martineau) Schmier abstains from #43653 and #43645.
- 4) Motion carried to approve the Consent Agenda, which includes the minutes of the September 5, 2017 Town Council Meeting. (Parker, Schmier)
- 5) Motion carried to table Blue Ribbon Bungalow business license application. (Parker, Martineau)
- 6) Motion carried to approve the business license application for Markov Rentals (Parker, Johnson) See next motion.
- 7) Motion carried to approve the business license application for Markov Rentals, contingent upon verifying that the parking complies with the ordinance and the owners obtain the necessary health and safety permits. (Johnson, Martineau)
- 8) Motion carried to approve the recommendations from the Marketing and Promotions Fund Advisory Board to award \$17,750 to the 2018 Snowmobile Expo, Power Sports and Race Event, \$3500 to the 2018 Hebgen Lake ice Fishing Tournament, and \$5000 to the 2017-2018 Kids 'N' Snow Event Series. (Parker, Martineau)
- 9) Motion carried to approve Option #2 regarding use of accrued excess hours by exempt employees, which allows parties to use the time until the end of the year and then allow them to carry over unused hours until April 30, 2018 or the end of 2018 if not given ample opportunity to use the hours. (Parker, Martineau)

Public Comment Period

No public comment is received.

Council Comments

Council Member Brad Schmier reports that the West Yellowstone Foundation held the annual Happening fundraising event last Saturday, which was well attended. He says that the Town presented a plaque to Steffi Siegel recognizing her late husband, Arnie Siegel, for all the contributions and the impact he made in the community. Mayor Johnson says that he has heard a few comments about the chlorine in the water, so it is noticeable. He also mentions a family from his childhood in West Yellowstone, the Morrisons, who have all moved on but still consider West Yellowstone to be their home. Council Member Martineau reports that there should be three channels working now on the TV system, substantial progress.

DISCUSSION

- 9) Town Manager Dan Sabolsky explains that they need to agree on a method to phase out accrued excess hours for Exempt Employees. Sabolsky presents multiple options for the Council to consider and adds that the Town Attorney recommends allowing ample time for those employees to use up the time. The Council discusses the options and agrees to the option that allows the exempt employees until April 30, 2018 to use the accrued hours or the end of 2018 if not given ample opportunity to use the hours.
- A) **Advisory Board Reports:** Teri Gibson of the Planning Board reports that at their meeting last week, the Planning Board approved the current draft of the Growth Policy. The next step is to present the document to the Town Council for approval.
- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that Dave DeGrandpre of Land Solutions would like to meet with the Town Council in a work session on October 17 to present the final draft of the Growth Policy and answer questions. He says that they are working on the process they follow for the Building and Zoning procedures. The RFP and RFQs for the Little Rangers Learning Center/Siegel Learning Center are due September 21, 2017 at 4 PM. They will review the responses and anticipate presenting at the first meeting in October. The Safety Committee is working on the Safety Policy and hope to have it revised and ready for adoption in October. He reports that Town Engineer Dick Dyer has been reviewing the plans for the proposed Electric Street Project and has made some recommendations. Once they complete that they will work on the development agreement. The union stewards met with their representative this week and the stewards and Sabolsky are going to attend training offered by the Department of Labor next week. They have received two rental payments of \$1000 for renting the mobile stage to Black Mountain Productions. He says he has been contacted by another stage rental business out of Missoula that has accused the Town of unfairly competing with his business and was very unhappy with the procedure. Sabolsky says that he will turn the matter over to their attorney when she returns from vacation.

Public Services Superintendent James Patterson reports that they have to add chlorine to the water system for two more days and then it will take about a week to dissipate. He says the water samples have been good. Montana DEQ will be in town tomorrow. The permit for the sewer lagoon has been submitted but they have not heard anything back. The permit to drill the water well is under review by DEQ. Patterson says they are working on equipment in preparation for winter but expect the weather to clear next week. The pavilion in Pioneer Park is almost finished. They didn't budget for lights this year but they did put in the conduit to put the lighting in next year. Johnson says the organizers of the Kids n Snow events are already planning to use it during their events this winter and would like to have light in the structure.

Finance Director Lanie Gospodarek reports that the Finance Department is working on proposed revisions to the business license ordinance and intends to submit it to the Town Manager and then the Council by the end of September. She reports that all three members of the Finance Department are attending the Montana League of Cities and Towns Conference in Great Falls next week. She explains that at the last meeting they

discussed purchasing a chain link fence for Pioneer Park and to fund the project with the money for the gazebo. They since discovered that the gazebo is not funded this year so they will need to revisit that project in the spring. She also reports that they have been pursuing the Yellowstone Cycle Tour event for resort tax on registration fees for the event that was held in August.

Chief of Police Scott Newell reports that there is a bear moving around the Madison Addition and cautions everyone to be aware. He says the department has been very busy so far this month and they have actually has to use tasers on two individuals. One couple was camping at Bakers Hole and going into the park daily and stealing purses and wallets. They were identified and then apprehended. They have also dealt with a very intoxicated individual that used a gun as well as a rescue of a fisherman from the river well inside the park who blew out his knee.

Social Services Director Kathi Arnado reports that the Social Services Department has been very busy this summer. She mentions a workshop they attended last week offered by CHP to help clients move out of poverty. She mentions other trainings and progress in the foodbank.

The meeting is adjourned. (8:30 PM)

ATTEST:



Jerry D. Johnson

Mayor

[Signature]

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
October 3, 2017

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

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

Richard & Teri Gibson, Pat Barnes, Randy Wakefield, Cam & Kristy Coffin, Helene Rightenour, Monika Rogers, Shelley Johnson, Tom Cherhoniak, Tim Heideman, Drew Barney, Vickie Barta, Bruce McPherson, Melissa Alder, Bob Patzke, Denice Sabolsky, Toni Brey, Jo Stevens

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the meeting to order and explains the purpose of the work session is to discuss the bid results for the Little Rangers Learning Center/Siegel Learning. Town Manager Dan Sabolsky explains that they formed a committee of five individuals to review the proposals. The committee members included Vickie Barta, Public Services Superintendent James Patterson, Carrie Pope, Steffie Siegel, Assistant Fire Chief James Jessop. They received one response to the Construction Manager At Risk (CMAR) approach From Jackson Contractor Group and two developer proposals from Westmart Building Center, Inc. and Us Modular, Inc. Sabolsky says that the committee recommends accepting the developer proposal from Westmart. He says that before they discuss it any further, he says he would like to call the Town Attorney, Jane Mersen, to explain how they could proceed using Westmart as the developer. Westmart is owned by Town Council member Greg Forsythe and may be considered a conflict of interest. Attorney Jane Mersen is reached by phone and present at the meeting by speakerphone. Mersen explains that MCA 7-5-4109, Control of Conflict of Interest, provides a mechanism for the Town Council to publicly waive the conflict after having a public hearing. She explains that Council Member Forsythe may not participate in any of the decision making discussions or vote on the matter. Johnson asks if there are any examples of similar situations in Montana. Mersen cites an attorney general opinion on a matter in the City of Bozeman, but notes that it was issued prior to the update of this section of code. She also apologizes for not noting earlier that the waiver of the findings does require a public hearing. A public hearing requires two publications in the newspaper at least six days apart. The council concludes the call with Mersen and asks Sabolsky to describe the findings of the committee and recommendation. Sabolsky says that the committee determined that the proposal from Westmart was to build a significantly larger building than the competitors for \$955,000. Westmart's proposal also was to start construction immediately and have it ready by next summer whereas the competitors did not plan to start construction until next spring. Westmart also proposed using local contractors. The group discusses the approvals that are required to finalize the plans including the Child Care Licensing Division of the MT Department of Health and Human Services as well as the Fire Department. Johnson asks if the Town Engineer, Dick Dyer, has reviewed the plans. Sabolsky says that he has not yet but they will have him review the plans for water, sewer, and site plan development as the next part of the process. Schmier clarifies that the proposal to use the CMAR process would use the plans developed by ThinkOne but the proposals for the developer option could determine their own plans. Council Member Cole Parker says that he took a call this evening from a local business owner who asked some questions about the project. He says the business owner wanted to know if the project was over budget, which he said he couldn't answer at this time. He also asks who will own the building, Sabolsky responds that it will be the Town. He asks who will hire the employees, Sabolsky responds that the business will be operated by Little Rangers Learning Center, a 501(c)(3) entity. Parker asks about items such as insurance and

maintenance. Sabolsky responds that those are items that can be determined through the operation agreement. Tim Heideman asks questions about whether the law precludes the Council from making a decision or just the council member from voting on it. Johnson says that as he understood it, they must hold the public hearing to waive the finding prior to voting on the issue. Bruce McPherson asks if the Council can make a decision this evening but not vote on the issue until the next meeting. Johnson and the Council indicate they are not comfortable with that. Steffie Siegel asks if they could approve it contingent upon the results of the public hearing. Johnson says that they must consider the information that comes forward during the publication period and at the public hearing. The Council calls Attorney Jane Mersen again to clarify some of the questions that have come up. Mersen says that the Council could vote on the project tonight contingent upon the findings of the public hearing, but it would not save any time because they would have to consider the findings of the public hearing. Tim Heideman asks if the Town could dig a hole and pour concrete at their own risk. Mersen says that they could but the Council acknowledges that may not be a good approach. The council and meeting participants consider multiple scheduling and timing issues for planning the public hearing and awarding the project. Johnson summarizes that the Council is unable to vote tonight and that they must hold a public hearing to consider waiving the conflict of interest that would be created by awarding the project bid to Westmart.

ACTION TAKEN

- 1) Motion carried to approve the claims totaling \$32,931.96. (Martineau, Schmier)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the September 19, 2017 Town Council meeting. (Schmier, Parker) Forsythe abstains.
- 3) Motion carried to approve the Business License Application for Blue Ribbon Bungalow and purchase of five parking spaces for Block 1 Lot 4 for the purchase price of \$1200 per space to be paid over the next two years. (Forsythe, Martineau)
- 4) Motion carried to table the Siegel Learning Center project award until the next regular Town Council Meeting. (Parker, Martineau) Schmier and Martineau are opposed, motion fails. Forsythe abstains.
- 5) Motion carried to table the Siegel Learning Center project award until the special meeting that will be held after the public hearing that will be scheduled for 7 PM on Friday, October 13, 2017. (Martineau, Schmier) Johnson is opposed.
- 6) Motion carried to approve the grant to add a room to the north side of the Library. (Forsythe, Martineau)
- 7) Motion carried to exempt the resort tax on registration fees for the 2017 Greater Yellowstone Cycle Tour. (Forsythe, Parker) Martineau is opposed.

Public Comment Period

Tom Cherhoniak says that they have a very nice waterfall at Hibernation Station which requires very little maintenance, information that he just wanted to share with the Council.

Council Comments

Council Member Martineau says that last Thursday, they have four channels working from the TV District tower on Horse Butte. Mayor Johnson says that there was a lovely service and reception in memory of Roxanne McLaughlin White yesterday and she will be missed. He also reports that Lieutenant Governor Cooney for coffee tomorrow morning at 9:30 AM.

DISCUSSION

- 1) Parker asks about the claim to Blue Heron design. Johnson explains that claim is for the new pavilion in Pioneer Park, Dan Davenport's business. Schmier abstains from #43645 to Jerry's Enterprises.
- 3) Assistant Superintendent of Public Services David Arnado reports that he has reviewed the parking plan for Cam and Kristy Coffin at 305 Canyon Street. He explains that there are multiple businesses on the property creating different types of use. They have eight parking spaces on the property. The recommendation from the staff is to require the owners to purchase five spaces over two years to come into compliance with the current parking code. Sabolsky explains that they have plans to make some changes to the property going forward and purchasing the five spaces will allow them to update their property. He explains that by allowing them to use the Mixed and Shared use option in the ordinance, they
- 4) Mayor Johnson explains that the Project Award for the Siegel Learning Center is on the agenda for approval. However, since the agenda was released they have learned that since the preferred bid was submitted by a member of the Town Council, they must first hold a public hearing to consider waiving the conflict of interest as required by MCA 7-5-4109. Schmier says that he would like to move forward as quickly as they possibly can. The Council extensively discusses the timeline they must follow to hold the public hearing and vote on the project award. Martineau motions to table the award until October 16, 2017. The motion fails for lack of a second. Johnson points out that according to the development agreement and resolution that was passed by the Town Council, there is \$900,000 available for the project, \$250,000 from the West Yellowstone Foundation and \$650,000 from the Town, but the bid from Westmart came in at \$955,000. Sabolsky explains that the bid from Westmart included landscaping, lighting, and pavement. The bidder requested that they consider reducing or waiving connection fees. The Council and staff discuss where the other \$55,000 should come from. Johnson says that he thinks Little Rangers Learning Center should have some "skin in the game" and that money should come from somewhere else besides the Town coffers. He says that the Town is committing to \$650,000 plus providing the land. Bruce McPherson says that he has been working on fundraising for the project for several months. They have been awarded \$10,000 from United Way but they have already submitted multiple other grant applications. He says that he has been working hard at fundraising but it is difficult to raise money for a building and he cannot promise anything yet. Teri Gibson suggests that the Town front the money but recoup it from the daycare
- 6) McPherson briefly explains that he has raised over \$120,000 in grant funds in the time he has been at the library. Most of the money has gone to programs such as language classes and a Pre-K program.
- 7) Sabolsky explains that in response to questions raised by the Council about the Greater Yellowstone Cycle Tour, they contacted the organization about remitting resort tax on entrance fees for the event. They have had extensive dialogue with the organizers of the event and admit that the staff could have handled communication better. Forsythe says that although it is unfortunate that it turned out this way, he doesn't think they can go back after the event and collect the tax. The council agrees and discusses multiple ideas of how they can move forward and avoid such problems in the future.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that he and the union stewards attended a session last week on Interest Based Bargaining, an approach they have agreed to use through the negotiations process. He reports that Land Solutions will be here for the work session on October 17, 2017 to discuss and describe the new Growth Policy. He reports that he and Dick Dyer met with Mitch Siemen and his engineer about the housing project on Electric Street to work out details and possible deviations from the Town Code. They are working on the development agreement. He

says that they are also working on the building permit and zoning permit process and hope to have that ready by spring. He says that Clint Humphries of Ride Solutions contacted him about the lease to use the 80 acres property again this year. He says that he is working on his lease with the US Forest Service but they need to remove some trees and would like to use the Town Property again this winter. He also reports that they conducted nine interviews for dispatcher and did make a selection so they are working through the pre-employment screening process.

Public Services Superintendent James Patterson says they are still planning to drill the new water well this year, as soon as the permit is obtained, regardless of the weather. He says the water samples came back last Friday and all was good, they do not have to treat with chlorine any longer. He says he is getting a lot of questions about lifting the building moratorium but he just says that best case scenario is next August. He says Saurey poured some concrete intersections last week and they look great. He apologizes for the unexpected cost of the pavilion, but points out that the existing concrete was just not going to work and needed to be replaced. Finance Director Lanie Gospodarek reports that they are conducting Resort Tax Audits this week. She says that they all attended the Montana League of Cities & Towns conference last week and the annual budget report has been submitted. Social Services Director Kathi Arnado reports that they are starting on energy assistance applications for winter. They are also starting up the kid pack program to provide meals for kids on the weekends in under privileged families. She says that the State is cutting budgets 10% and they are anticipating trickle down to their office. Chief of Police Scott Newell reports that they had an exciting September that included using a taser on two suspects, a reported abduction, a car chase, and stolen vehicles.

CORRESPONDENCE

Mayor Johnson mentions letters/emails in support of the Little Rangers Learning Center/Siegel Learning Center from Buck Taylor-Community Health Partners, West Yellowstone School Superintendent Kevin Flanagan, West Yellowstone School Science Teacher Mary Wilson, WYED and Yellowstone Study Center, Kati Holtzman, Ethan Siegel, and Jeanine Shearing.

The meeting is adjourned. (9:15 PM)

ATTEST:



Jerry D. Johnson

Mayor

M. Roay

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
October 13, 2017

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Pierre Martineau, Cole Parker (Council Member Greg Forsythe is not present.)

OTHERS PRESENT: Town Manager Daniel Sabolsky, Town Attorney Jane Mersen, Social Services Director Kathi Arnado, Trish Barnes, Tom Cherhoniak, West Yellowstone News Editor Dustin Jones, Richard and Teri Gibson, Erin Benike, Norma Salinas, Tatiana Salinas and daughter, Katie Ostberg, Monika Rogers, Steffie Siegel, Whitney Madrigal, Bob Patzke, Udo & Janet Freund, Carrie Pope, Vickie Barta, Megan Crowley, Bruce McPherson, Jerry Schmier, Randy Roberson, Clyde Seely, John Costello, Toni Brey, Fire Chief Shane Grube, Denice Sabolsky, Bob Everest, Tim and Nancy Heideman, David Mayfield, Travis Watt, and multiple other members of the community

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

Public Comment Period

Mike Cameron, Jamie McBirnie and Carrie Egging of the Hebgen Basin Fire Department make a brief presentation about Operation Warm, a charity that raises money to provide new coats to any child in need in Montana. Employees of the Fire Department are making a sincere effort to raise money to support this cause and help children in the community. Multiple community members offer to make donations and it is decided to put a donation "boot" at the Town Hall as well as at Westmart Building Center.

Public Hearing: Waiver of Conflict of Interest for Council Member

Mayor Jerry Johnson calls the public hearing to order at 7:00 PM. Town Clerk Liz Roos reads the hearing notice and reports that the hearing was advertised in the October 5 and October 12, 2017 editions of the West Yellowstone Star, posted publicly at the Town Hall, US Post Office, online at the Town's website as well as on the Town's Facebook account. Mayor Johnson asks Town Attorney Jane Mersen to explain the purpose of the public hearing. Mersen explains that since Greg Forsythe is a member of the Town Council and bid on the Siegel Learning Center (Little Rangers) project, it is a conflict of interest for him to be the selected bidder. She says that MCA 7-8-4109 of Montana Code Annotated provides a way for the Council to waive the conflict of interest. She clarifies that the hearing is to give the public an opportunity to comment on the waiver of conflict of interest.

Bruce McPherson, Chair for the Little Rangers Board of Directors, reads a letter from teacher Whitney Madrigal expressing support and describing success with the children at the Little Rangers Learning Center. Erin Benike, board member and new mother of 7 month old twins, also expresses support for the center and reads a letter from Tarah Oldroyd, a teacher at the Little Rangers Learning Center.

Johnson reminds the group that the purpose of the Public Hearing is to comment on the conflict of interest. Later on the agenda, they will discuss the building for the center.

Kathi Arnado, Social Services Director and board member for Little Rangers, supports waiving the conflict of interest for Greg Forsythe stating that the benefits to the community will outweigh what he will earn from the project. Richard Gibson says that if the Council votes against the waiver, they are essentially voting against completing the project. Jerry Schmier says that Greg Forsythe is doing a good thing by essentially holding the cost down of the project and using a reputable local contractor to complete the project. Clyde Seely says he also supports waiving the conflict for Greg Forsythe to get the building built. Randy Roberson also encourages the Council to waive the conflict in order to be able to provide good childcare in our community. Bob Everest, Pastor for the Community Church, also supports the waiver of conflict. David Mayfield says that he also supports the waiver and use of a local contractor to build the building. Tom Cherhoniak says that he thinks this is a huge conflict of interest and that the Council should grant the waiver. Kent Houston, a retired teacher, says he sees no conflict of interest and they should listen to their community. Giselle Hansen says that taking her kids to the Learning

Center is a huge part of their life. She says she doesn't actually need it as a daycare and also thinks there is no conflict. Mayor Johnson reads letters of support for waiving the conflict of interest from Udo Freund, Ethan Siegel, Jennifer Reinsch, Carolyn and Bruce Fox, Clyde Seely, and Pat and Ginger Povah.

The hearing is closed at 7:35 PM

ACTION TAKEN

- 1) Motion carried to approve the waiver of conflict of interest based on the following findings: that the waiver of conflict provides a benefit to the learning center, the project has been put out for public bidding at least three times, that Greg Forsythe is a person of interest in the contract, and that the conflict does not outweigh the potential hardship to the project if the waiver is not approved. (Johnson, Schmier) Motion passes unanimously.
- 2) Motion carried to accept the recommendation from the committee to award the contract for the Siegel Learning Center (Little Rangers) to Westmart Building Center, Inc. (Martineau, Siegel) Motion passes unanimously.

DISCUSSION

- 1) Mayor Johnson explains it is now time for the Council to discuss the waiver of conflict of interest. Parker asks Town Attorney Jane Mersen if they are risking litigation by other bidders on the project if they grant this waiver. Mersen says that although she could never guarantee that someone won't sue the Town, she says that because of the transparency and public notice they are on solid ground to move forward. Schmier says that he has heard from no one that opposes waiving the conflict of interest. Martineau says he agrees with Schmier and also thinks that at \$955,000, they are getting a very good deal and will get a very nice building. Johnson says that he thinks there is a conflict of interest, but there are things they can do to make sure they handle that appropriately. He agrees that the public is in favor of the waiver and project. He says that Forsythe will not be able to vote on any issues that pertain to the project. He says that the motion will need to be carefully worded to ensure they meet the criteria for granting the waiver as outlined in MCA 7-5-4109.
- 2) Town Manager Dan Sabolsky explains that prior to the last Town Council meeting, they formed a committee to review the bids for the Sigel Learning Center (Little Rangers). The committee was composed of himself, James Patterson, Assistant Fire Chief James Jessop, Carrie Pope and Vickie Barta. Sabolsky outlines the bids that were received for the project and the cost comparison between the proposals. He reports that the recommendation from the committee is to award the contract for the project to the Westmart Building Center, Inc. Johnson asks Sabolsky to write up a formal recommendation from the committee. Johnson also reports that they have received a letter from the West Yellowstone Foundation that the additional \$55,000 has been raised to cover the shortfall from the budget. Johnson also requests that the plans for the building be sent to the Town's Engineer, Dick Dyer, for review. Schmier expresses concern about the lack of a sprinkler system in the building. Sabolsky explains that if there are enough doors, the building does meet building code. However, after discussion by the committee and board members, they have pledged to ensure that the funding is there to put a sprinkler system in the building. Schmier asks if they award the bid, when will they break ground. Tim Heideman says they will break ground at 7:30 AM tomorrow morning. Johnson notes that they have read letters of support for the project from Toni Brey, Jeanine Shearing, Jennifer Holyer, Buck Taylor-Community Health Partners, Whitney Madrigal, Louise Graham, Tarah Oldroyd, Clyde Seely, Pam Sveinson, Kevin Flanagan, Mary Wilson, and Kati Holtzman. Clyde Seely also states that they have a letter of support from the West Yellowstone Economic Development council.

October 13, 2017
Town Council Public Hearing & Special Meeting
Minutes, Page 3

The meeting is adjourned. (8:05 PM)

ATTEST:



Jerry D. Johnson
Mayor

M. Rooy
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
October 17, 2017

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

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Scott Newell, Social Services Director Kathi Arnado, Richard Gibson, Randy Roberson, Fire Chief Shane Grube, Jay Thrift, Denice Sabolsky

PLANNING BOARD MEMBERS PRESENT: Tim Daley, Teri Gibson, Chipper Smith, and Bill Howell

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

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Johnson calls the work session to order and explains that they are reviewing the current draft of the Growth Policy. He says they also have the resolution that was approved by the Planning Board to recommend approval by the Town Council. The resolution also includes an exhibit that outlines the changes made to the current draft. The Council takes a few minutes to review the final changes as approved by the Planning Board prior to passing the resolution. Dave DeGrandpre of Land Solutions, LLC is present at the meeting. Land Solutions has facilitated the process of preparing the new growth policy. DeGrandpre explains that a growth policy is a general document to guide the growth and development of the community. DeGrandpre explains that over the course of the last year, they have held multiple public meetings to determine the public support and thoughts of the community. He explains that they have worked extensively with the Planning Advisory Board to ultimately passed a resolution to approve it in September. He says that seven key issues were addressed in the document including housing, short term rentals, development of the 80 acres, Town appearance, zoning in Old Town, the economy, and water and sewer capacity. DeGrandpre says that a resolution of intention is on the agenda later tonight for approval. He says that typically they wait about 30 days after adopting the resolution of intention in order to collect any final comments and then put it on the Town Council agenda for final approval. Mayor Johnson asks Yellowstone Historic Center Board Member Chipper Smith about the YHC's perspective on the language about restoring historic structures. Smith explains that the YHC board is meeting tomorrow morning and they will discuss that. Sabolsky says that he will also be attending that meeting and will discuss the policy. The Council discusses some minor issues in the draft and asks some questions. Tim Daley says that he has some comments he would like to direct specifically to the Town Council by email. Council Member Forsythe asks what process did the Planning Board go through to get to this point? Chipper Smith explains that the Planning Board originally started by updating the 2006 Growth Policy. But then Land Solutions was contracted to help them get through the process. He says that although the original policy included other things, the new draft is definitely more professional and easier to use. DeGrandpre points out some of the changes and recommendations that were put into the plan regarding use and development of the 80 acres. DeGrandpre explains that there are no consequences for not following the guidelines in the policy, but he does recommend that land use decisions are made in accordance with the policy. If they are not, then they should update the Growth Policy, which is not difficult for the Council to do. Smith says that early on in the process, they seemed to get bogged down discussing the specific details of certain issues. He says that the current draft includes broader statements, which are more appropriate even in the sections that he doesn't agree with. Schmier asks for clarification about what changes were included as Exhibit A in the resolution from the Planning Board. DeGrandpre says that the changes that are attached to the resolution are all included in the current draft.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$180,310.86. (Parker, Forsythe) Schmier abstains from #43678, Forsythe abstains from #43788.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the October 3, 2017 Town Council Meeting. (Parker, Martineau) See next motion.
- 3) Secondary Motion carried to approve the minutes from the October 3, 2017 Town Council meeting, as amended (Martineau, Parker)
- 4) Motion carried to approve Resolution No. 706, a resolution of intention to adopt the 2017 Growth Policy. (Martineau, Parker)
- 5) Motion carried to approve the one-year lease with Ride Solutions, LLC to use a designated portion of the 80 acres for winter tire testing. (Parker, Martineau)
- 6) Motion carried to approve the development agreement between the Town of West Yellowstone and Westmart Building Center, Inc. (Martineau, Schmier) See next motion.
- 7) Motion carried to approve the development agreement, with the amendments to clarify that the building produced will be based on the plans and specs, how change orders will be handled, and a provision that would allow Westmart Building Center, Inc. to rent the land the building is on in the unlikely event that the Town does not purchase the building. (Martineau, Parker)

DISCUSSION

- 1) Forsythe asks about the claim to Blue Heron Enterprises to complete the pavilion, a project that has gone well over the budgeted amount. He asks where the money is coming from to cover that overage. He says that in the past it seems like the Council had to approve a budget amendment to approve spending that money. Finance Director Lanie Gospodarek explains that although they have spent more than anticipated on this project, the money to complete the project must come from other budgeted expenditures in that fund that may not be completed this year. Johnson asks about the claim to Buffalo Services LLC for water testing. Sabolsky answers that they had them do some water testing to check quality control.
- 2) Town Clerk Liz Roos explains that she amended the minutes to include the names of the individuals that served on the committee that recommended acceptance of the proposal from Westmart Building Center, Inc. to build the Siegel Learning Center.
- 4) Mayor Johnson explains that they discussed the Growth Policy at the work session earlier tonight. They will now wait at least 30 days before final adoption to receive any additional comments.
- 5) Town Manager Dan Sabolsky explains that Clint Humphries of Ride Solutions contacted the Town to see if he can lease the same property in the 80 acres that he used last year for winter tire testing. The lease this year is identical to the lease that was approved by the Council last year. Humphries has been able to extend the property he uses from the Forest Service but needs to remove trees before he can use it. Fire Chief Shane Grube says that he supports the Council approving the lease. He says that Humphries has always allowed emergency services to use his track for training and driving practice on ice and snow.

- 6) Sabolsky explains that he did make some minor changes to the developmental agreement with Westmart Building Center, Inc. for the construction of the Siegel Learning Center. Sabolsky points out the changes and corrections that were made since it was sent out in the Town Council packet. Schmier notes that the agreement stipulates that the project will be completed within nine months. Sabolsky says that the original plan was to complete the project in eight months but they added another month to give the builder a little room. Greg Forsythe, as a private citizen, requests that they clarify the sentence about what will be produced based on the bid. He also requests that they add an addendum or amendment that would allow the Town to make suggestions or change orders. They discuss a process to handle change orders and possible cost increases. Sabolsky says they will keep a log of any discussions or decisions and ensure that everything is signed off by the Town and builder/developer. They agree that if any changes are made that cost money, they must come before the Town Council. Forsythe says that he also would like to see language that in the unlikely event that the Town does not purchase the building as agreed, that he will have the option to lease the land for \$1 per year.
- A) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that he met last week with representatives from Yellowstone National Park (YNP) and Northern Rocky Mountain Development to discuss visitation and economic impacts as well as grant funding and long-term planning. YNP will attend the Town Council meeting on November 7, 2017. Sabolsky says that nightly rentals and housing are big topics right now and he believes they need to move forward with strengthening regulations for the Madison Addition. The Safety Committee is working to finalize the safety plan. Thomas Danehower from MMIA is coming in November to work with the committee to work on safety issues. Collective bargaining is underway and they are going to follow the interest based bargaining approach. Their first session will be November 20, 2017. The Electric street housing project is being planned and they anticipate having units ready by next August. Sabolsky says that they have told the developer not to expect to be able to connect to the water system until at least August 1, 2017.

Public Services Superintendent James Patterson reports that they expect to submit the permit to drill the new water well by the end of this week. Town Engineer Dick Dyer and Tom Osbourne from DEQ have been working to prepare the application. They are putting up the lights at Pioneer Park in preparation of skating and the sledding hill this winter. They are working on the snow equipment to prepare for winter and winterizing the dining lodge. Johnson also notes that they have picked up most of the garbage cans in the downtown area. Finance Director Lanie Gospodarek reports that they just finished up with the resort tax audits, preparing the Annual Financial Report, and other office tasks. Sabolsky reports that Chief Newell is working extra shifts this week so he did not require him to attend tonight and Social Services Director Kathi Arnado had a prior family commitment.

Public Comment Period

Helene Rightenour reminds the council that they are coming up on the anniversary of the death of Officer Patrick Kramer and his family typically shows up around the 24th of October to commemorate his death.

Dannia Lloyd addresses the Council regarding housing in West Yellowstone. She says she has been reading with interest all the comments by Town Council candidates in the newspaper about housing. She was offended by a comment by Mrs. Gibson at a previous meeting when she stated that they bought a house in the Madison Addition. She says that not everyone can live in the Madison Addition and the Council needs to represent everyone, not just those that live in the Madison Addition. Mrs. Lloyd says that they have lived here for 43 years and faced many hardships, both physically and financially. She thanks Greg Forsythe for his help and the people that bring in the rodeo. She says that they put out a donation jar this year and made them the recipients. She says that these large hotels need to provide housing and the Kelly Inn does own

land out in the Madison Addition. Instead, the corporation chose to buy a house next to their property and make it into housing. Now the sewer is backed up and they want to still install showers and laundry. She says that these companies need to provide housing that doesn't hurt other people.

Greg Forsythe, as a private citizen, reports that Westmart Building Center has obtained all the necessary building permits for the Siegel Learning Center. The plans have been approved by a licensed structural engineer as well as a licensed architect. He says that they submitted a bid to the Town for the project on September 20, 2017. He says that after they submitted the bids they learned that the sprinkler system was going to cost much more than expected and was not included in the original bid. They then learned from the Fire Department that if they put an exterior door in every room, they would be in compliance. He says that when the Council did not want to spend the additional \$55,000 that was over budget, Dan Sabolsky and Bruce McPherson were able to find donors to come up with those additional funds. Forsythe says that he has felt like there have been some roadblocks thrown up on this project that has made things much more difficult. He says that the Council voted for the project and he hopes they would support it. He says that if the Council members have questions or concerns, they should bring them to Dan so they can be addressed.

Town Clerk Liz Roos reports that the ballots of the West Yellowstone Town Council Election will be mailed tomorrow, October 18, 2017. A ballot box will be delivered to the Town Hall on Thursday and will remain here until election day, November 7, 2017. Ballots must be either received by the Election Office by November 7, 2017 or deposited in the ballot box by 8 PM on that day.

Council Comments

Mayor Jerry Johnson reports that long-time resident and prominent member of West Yellowstone, Cal Dunbar, passed away earlier today. Another long-time resident, volunteer policeman, Don Stanley, also passed away today. Forsythe echoes Johnson's comments and says that as far as he is concerned, Cal was "Mr. West Yellowstone."

CORRESPONDENCE

Mayor Johnson shares a note from Lieutenant Governor Mike Cooney thanking the Mayor and Town officials for meeting with him in West Yellowstone last week. Dated October 13, 2017, Ken Davis writes to express concerns about the increase in unlicensed nightly rentals in the Madison Addition.

The meeting is adjourned. (9:00 PM)

ATTEST:



Jerry D. Johnson
Mayor

Liz Roos
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
November 7, 2017

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Pierre Martineau

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

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$140,113.26. (Martineau, Schmier) Schmier abstains from claim #43868.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the October 13, 2017 Public Hearing & Special Town Council Meeting and the October 17, 2017 Town Council Agenda. (Schmier, Martineau)
- 3) Motion carried to waive the resort tax bond for Blue Ribbon Bungalow. (Schmier, Martineau)

Public Comment Period

Helen Rightenour addresses the Town Council as a former dispatcher and the mother of a current dispatcher. She says that the lack of heat in the dispatch area is still a problem and needs to be addressed. She says that to her knowledge, requests for turning up the heat have been denied and they actually have to turn on the oven and open the door as well as wrap up in blankets. Sabolsky says that he was unaware of the problem and will look into it tomorrow to ensure that they have what they need.

Council Comments

Johnson says that West Yellowstone lost one of its finer citizens on October 28, 2017, Clyde Whitman. Whitman was a captain in the Fire Department for many years and a life long resident. He also asks that everyone keep Peter Simon, Angela Search, Bonnie Cross and Tom Schaap in their thoughts. All are current or long-time residents of West Yellowstone and are battling health problems.

DISCUSSION

- A) **Town Manager's Report:** Town Manager Dan Sabolsky reports that they are working on the business license ordinance. He says that a local couple recently donated \$100,000 to the West Yellowstone Foundation. Some of that money will be used to purchase defibrillators for police vehicles, repairs at the Povah Community Center, a new swing set in Pioneer Park, repairs to the sign at the Povah Community Center, a kiosk and bike racks in the downtown area, and a freezer for the food bank. Hebgen Basin Fire Department, the Library, and Little Rangers Learning Center also received donations from this same family. Sabolsky reports that they are about to release the RFP for legal services, setting up the drug and alcohol testing procedures, and establishing a process for building and zoning permits. He also reports that he met with several representatives from the Madison Addition and are working toward new legislation that clarifies that nightly rentals are not allowed in the Madison Addition. He says that he will email the Council about some of these issues as they develop during the week.

November 7, 2017
Town Council Meeting
Minutes, Page 2

CORRESPONDENCE

Mayor Johnson mentions emails from Tim Daley and Randy Roberson concerning the Growth Policy.

The meeting is adjourned. (7:30 PM)

ATTEST:



Jerry D. Johnson
Mayor

E. Ray
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
November 21, 2017

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

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

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$125,655.04. (Parker, Forsythe)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the November 7, 2017 Town Council Meeting. (Schmier, Parker)
- 3) Motion carried to table the business license application for Four Winds Storage. (Parker, Schmier)
- 4) Motion carried to adopt the Growth Policy with the inclusion of the sentence "Zoning or design guidelines should be implemented to perpetuate the character and preservation of the historic district." in Objective 7.3, Action 7.3.1. (Forsythe, Parker)
- 5) Motion carried to approve the Exposition License for Mistletoe Magic to reduce the application fee to \$50.00 and waive the resort tax bond. (Parker, Forsythe)
- 6) Motion carried to approve the Application to Maintain an Encroachment to put up two banners and three fire barrels and conduct hayrides during the Christmas Stroll on December 9, 2017 as well as approve the Outside Amplification Permit for the event. (Parker, Forsythe)

Public Comment Period

No public comment is received.

Council Comments

Council Member Brad Schmier thanks Cole Parker for his service on the Town Council over the last four years. He also thanks everyone for their concerns and assistance when he had a recent accident with a dumpster lid. Mayor Johnson says that Council Member Martineau did fall yesterday getting into his car and taking an ambulance ride to Big Sky. The x-rays were inconclusive but he is home recovering. He also mentions that Tom Schaap recently passed away due to cancer, a long-term resident. Council Member Parker says that Emmett Moldenhauer, a West Yellowstone resident, joined the army and has been accepted and starting the training to become a green beret. Council Member Greg Forsythe asks if Safelink completed the fiber optic installation this fall. Sabolsky says they did not and he intends to follow up on that. He also asks questions about releasing a new RFP for legal services and engineer. Forsythe says they should consider hiring a full-time attorney. He says they may also want to look at that option for engineering services.

DISCUSSION

- 3) Forsythe makes a motion, seconded by Parker to approve the business license application for Four Winds Storage to include 8 RV sites, a bake shop, and a nightly rental contingent upon obtaining all the necessary permits. After further discussion by the Council, several questions are raised about water and sewer connections and health department approvals. Parker withdraws his second and the motion dies for lack of a second. A new motion is carried to table the application.

- 4) The Council discusses final adoption of the Growth Policy. Mayor Johnson mentions that they have received comments from Tim Daley, Randy Roberson, Jay Thrift regarding development of the B-3 zone and YHC Executive Director Kaitlin Johnson regarding preservation of the historic district. Forsythe asks what the real purpose is of the Growth Policy. Sabolsky explains it is a compilation of development guidelines that should reflect the recommendations from staff and the community. Sabolsky says that the policy can be updated as necessary but should be reviewed at least every five years. The Council clarifies that recommendations in the plan are just recommendations, but it makes good sense to establish them. Parker expresses concerns about the increase in hotels and that there are no protections for existing businesses. He says that they need to think about what they want this town to look like for their children and grandchildren. Mayor Johnson reads an email from Randy Roberson regarding the Growth Policy expressing concerns about the recommendation to require housing with new commercial developments. He disagrees with the commercial linkage stating the supply and demand are not always in sync. Tim Daley addresses the Town Council and points out multiple portions of the proposed policy that he believes conflict. He says that sentences that allege that a mixture of residential and commercial detract from the appearance of the town are untrue and insulting. He says that the development of the 80 acres should be only residential. He says the current zoning situation is simple and elegant and questions why they would change any of that. He encourages the Council to vote against approval tonight. He says that the Planning Board did reluctantly vote to approve the Growth Policy only to put it in front of the Town Council. Mayor Johnson reads an email from Jay Thrift in opposition to any changes to the zoning in the B-3 area. Teri Gibson addresses the Council and says that the current zoning ordinances conflict with each other and needs to be cleaned up. She also says that the proposal to require housing along with commercial developments should remain. She says that if any hotel that has employee housing is not using it, they certainly would rent it out nightly. Johnson says that he does have some concerns about the policy. He has concerns about future councils that may wish to waive connection fees for water and sewer services to support affordable housing, but they must remember that those systems cost money and they have to be funded somehow. He agrees with some of the points made by Daley. Forsythe says that he appreciates the time that everyone has put into this plan. He points out that there is nothing here that is set in stone and they need to move forward. He says there is no reason they cannot change things as they go and he is going to vote for the current draft. Schmier says that the new policy is well written and agrees that they can make changes as time goes on. He says that he hopes this policy doesn't just go on the shelf and get ignored for 8 to 10 years.

- 6) Public Services Superintendent Patterson says that he and Chief Newell are going to recommend an alternate route for the hayrides but they will work that out with the Chamber.

- A) **Advisory Board Reports:** Town Manager Dan Sabolsky explains that they are advertising to fill the vacancy on the Health Care Services Advisory Board. Parker says that he has been serving on that board as well as the Planning Board and they will need to appoint another Town Council member once his term ends at the end of the year. Johnson says that Barb Klesel is moving to Bozeman and is going to resign from the Marketing and Promotions Advisory Board.

- B) **Town Manager/Department Head Reports:** Town Manager Dan Sabolsky reports that they have prepared a survey about the summer recreation program to gather feedback from parents, with assistance from Recreation Coordinator Brandy Holland, Deputy Clerk Lisa Johnson and Assistant Librarian Monika Rogers. He reports that the Safety Committee has been meeting and working on the Safety Policy, with assistance from Thomas Danehower of MMIA. They are working on the plans for the new sewer line on Electric Street and anticipate plans for the Siemen Project by the end of the year. He is working with David Arnado on a building permit process that should streamline projects and permitting. He reports that the first draft of the nightly rentals ordinance is done and they are gathering comments and feedback from other professionals on that topic. He reports that they conducted a second round of interviews for a dispatcher today and it was promising and they hope to make an offer of employment. They have also made a conditional offer of employment for a part-time dispatcher.

Public Services Superintendent James Patterson says that there has been a lot of water in the last week and they are doing their best to keep the drains open and the water flowing. Chief Newell thanks Officer Courtis and VanLeeuwen for their efforts to connect and educate some of the younger kids at Little Rangers Center and the Halloween events. He says that he and Officer VanLeeuwen provided additional security at the MSU vs U of M football game in Bozeman on Saturday. He says they have had multiple accidents and slideoffs over the last couple weeks. Finance Director Lanie Gospodarek reports that her department has been working on the bargaining process, safety policy, distribution of the Employee Personnel Policy manual, the banking RFP, Christmas Party, and financing of the Siegel Learning Center. Social Services Director Kathi Arnado reports that the 5th grade class was in the building today to assist putting together the Thanksgiving Baskets for needy members of the community. She says that they received 55 turkeys from the Gallatin County Food Bank. She also mentions donation opportunities to support the food bank.

CORRESPONDENCE/FYI

- 2017 Yellowstone Ski Festival Special Event Application
- Dated November 14, 2017, Yellowstone National Park Superintendent Daniel Wenk writes to thank and confirm the Town's participation in the Yellowstone-Grand Teton Biosphere Reserve Area.

The meeting is adjourned. (9:00 PM)

ATTEST:



Jerry D. Johnson

Mayor

M. Roay

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
December 5, 2017

COUNCIL MEMBERS PRESENT: Deputy Mayor Brad Schmier, Pierre Martineau, Greg Forsythe

OTHERS PRESENT: Town Manager Daniel Sabolsky, Helene Rightenour, Richard and Teri Gibson, Tom Cherhoniak, Randy Roberson, Randy Wakefield-Fall River Electric, Dustin Jones-West Yellowstone Star

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$37,844.11. (Forsythe, Martineau) Forsythe abstains from claim #43146, Schmier abstains from claim #43950.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the November 21, 2017 Town Council Meeting. (Forsythe, Martineau)
- 3) Motion carried to table the business license application for Four Winds Storage. (Martineau, Schmier)
- 4) Motion carried to adopt Resolution No. 707, a resolution adopting the Growth Policy Update. (Martineau, Forsythe)

Public Comment Period

Greg Forsythe reports that the interior walls for the Siegel Learning Center are nearly complete and plumbing will start shortly. He says they are a little ahead of schedule and things are going well. He anticipates that the building will be finished by June 1, 2018. Sabolsky adds that they have received proposals from both local banks for financing of the project once the Town takes ownership.

Council Comments

Martineau thanks Forsythe for his efforts to put up the Town Christmas Tree on South Canyon and says it looks very nice. Schmier says that he is interested in filling the Town Council Member position on the Health Care Services Advisory Board.

DISCUSSION

- 4) Deputy Mayor Schmier reads Resolution No. 707 aloud. Randy Roberson comments that he is opposed to the "commercial linkage" component in the Growth Policy. He says that there is a lot of opposition to that component and he does not believe that it will help the housing situation in Town. He says it will create a burden on people who want to develop land in Old Town. He says that he has done a fair amount of research on the topic and considering zoning regulations such as setbacks, it will create a significant burden. He says that between the projects scheduled for Electric Street and the northwest corner of the Madison Addition, they will soon see improvements to the housing shortage. He says that the word on the street is that Old Town is not going to change and he has concerns about things that are being stated by Council Members and Council Member-Elect that are not right and then people don't attend meetings because they think there isn't an issue. He also commends the Council for taking the steps to get the Siegel Learning Center built. He says he thinks that is a great thing for the community. The Council debates the issue with Roberson, but points out this is an approach that is

recommended in the policy but is not a requirement at this point. Roberson thanks the Council for listening to his comments and also suggests they remove the word “affordable” from the housing section because that is a relative term.

- A) Town Manager Dan Sabolsky asks the Council to disregard the purchase order that was in the packet to purchase a new floor scrubber for the floor at the Union Pacific Dining Lodge. The Yellowstone Historic Center has found a used device that they intend to purchase instead.
- B) **Advisory Board Reports:** Sabolsky reports that the Health Care Services Advisory Board met last week and discussed traffic at Community Health Partners this summer and the Parents as Teachers Program. He says that Council Member Schmier has indicated that he is willing to take Cole Parker’s place on the Health Services Advisory Board in the new year. He says that the Parks & Recreation Advisory Board is trying to schedule a meeting in the near future.
- C) **Town Manager’s Report:** Town Manager Dan Sabolsky explains that he told the Department Heads they did not need to attend tonight due to the short agenda. He reports that the safety committee has been meeting and Monika Rogers from the Library has joined the committee. He says they are close to having a policy ready for adoption and may schedule a work session with the Council in January. He reports that the water line extension for the Electric Street Project has been completed. They are working with the developer on the road width of the plans and he is working on the Development Agreement. They will also have a work session on this project in the new year. He says that they are still working on the Building and Zoning Permitting process. He says they have worked through two drafts of a nightly rental ordinance and will also put this on the agenda for a work session in January. The Collective Bargaining process is underway. They are following the interest based bargaining approach. They are also working on a revised Business License Ordinance and hope to present that to the Council in January. The Recreation department is working on a survey about the summer recreation program that they hope to release it in January. Sabolsky reports that they have hired two dispatchers recently: Arrah LaBolle has been hired as a part-time dispatcher and Amanda Marquez has been hired as a full-time dispatcher. He also mentions that he has met with Town Council Elect Chris Burke a couple of times to help him get up to speed by January. He also mentions some communication with the builders of the new hotel that is being put up by the Kelly Inn because they did not follow the plans specified by the Town Engineer to connect to the water system correctly.
- D) Mayor Schmier points out that the current draft of the Safety Policy was included in the packet and asks the other Council Members to review it. The policy is on the agenda for just discussion this evening. Sabolsky says they would like to bring it to the Council for approval after the first of the year.

CORRESPONDENCE/FYI

Dated November 29, 2017, Snowmobile Event Coordinator Marge Wanner writes to explain the request to use a portion of the Old Airport for Ski-Doo snowmobile calibration during this week. This request was approved previously by the Town Staff. The Town Christmas Party is scheduled for December 15, 2017 at the Three Bear Restaurant.

The meeting is adjourned. (8:10 PM)

ATTEST:



Jerry O. Johnson
Mayor

[Signature]
Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
December 19, 2017

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

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

The meeting is called to order by Mayor Jerry Johnson at 1:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

ACTION TAKEN

- 1) Motion carried to approve the Claims, which total \$171,656.48. (Parker, Forsythe) Schmier abstains from claim #43972.
- 2) Motion carried to approve the confirmation of Police Officer Daniel Palmer. (Parker, Forsythe)

Public Comment Period

No public comment is received.

Council Comments

Forsythe wishes everyone a Merry Christmas and Happy New Year.

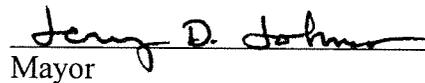
DISCUSSION

- 2) Chief Newell speaks in favor of Officer Palmer. He mentions that he graduated from the law enforcement academy this year, has proven to be an officer of integrity, and is also involved in the community-even coaching junior high football this fall.

The meeting is adjourned. (1:07 PM)

ATTEST:





Mayor



Town Clerk