

Town of West Yellowstone

Tuesday, February 21, 2023

West Yellowstone Town Hall, 440 Yellowstone Avenue

The Town Council work session/meeting will be conducted in person and virtually using ZOOM, connect at zoom.us or through the Zoom Cloud Meetings mobile app. Meeting ID: 893 834 1297.

WORK SESSION

5:30 PM

Mobile Food Vendor Regulations

Discussion

TOWN COUNCIL MEETING

7:00 PM

Pledge of Allegiance

Comment Period

- Public Comment
- Council Comments

Treasurer's & Securities Reports

Purchase Orders:

#6484 to Yellowstone Log Chinking, snow removal, \$5720.00

#6485 to JD's Specialty Services, replace compressor in truck #49, \$5859.81

#6532 to AquaPro, 14" wastewater flow meter, \$6044.00

Claims

Business License Applications: Westpark Reserve, Resort Tax Bond waiver request

Consent Agenda:

Minutes: **February 7, 2023 Town Council Meeting**

Town Manager & Staff Reports

Advisory Board Reports

ACTION ITEMS

Site Plan Review, 435 Parkway B, Griffith – Tabled 2/7/23

Discussion/Action

Adult Use Marijuana, citizen request for reconsideration of election, Jerry Johnson

Discussion/Action

Resolution No. 785, BaRSAA Funds

Discussion/Action

Update Business Entity Information, Madison Valley Bank

Discussion/Action

Advisory Board Appointments

Discussion/Action

- Business Improvement District, Marysue Costello
- Parks & Recreation Advisory Board, Brian Thompson

Correspondence/FYI/Meeting Reminder



Policy No. 16 (Abbreviated)

Policy on Public Hearings and Conduct at Public Meetings

Public Hearing/Public Meeting

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

Oral Communication

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

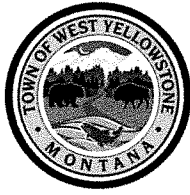
- No member of the public shall be heard until recognized by the presiding officer.
- Public comments related to non-agenda items will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing. Public comments specifically related to an agenda item will be heard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

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

General Town Council Meeting Information

- Regular Town Council meetings are held at 7:00 PM on the first and third Tuesdays of each month at the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.
- Presently, informal Town Council work sessions are held prior to regular Tuesday meetings and occasionally on other mornings and evenings. Work sessions also take place at the Town Hall located at 440 Yellowstone Avenue.
- The schedule for Town Council meetings and work sessions is detailed on an agenda. The agenda is a list of business items to be considered at a meeting. Copies of agendas are available at the entrance to the meeting room.
- Agendas are published at least 48 hours prior to Town Council meetings and work sessions. Agendas are posted at the Town Offices and at the Post Office. In addition, agendas and packets are available online at the Town's website: www.townofwestyellowstone.com. Questions about the agenda may be directed to the Town Clerk at (406) 646-7795 or eroos@townofwestyellowstone.com.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: www.townofwestyellowstone.com.





Memorandum

To: Mayor and Town Councilors
From: Dan Walker, Town Manager *DW*
Date: 2/14/23
Re: Food Truck Ordinance Thoughts for discussion

Below I have compiled a few bullet point that were discussed at the Planning Board Meeting in September 2022 or other issues that have been brought up through conversations with the Town Council and community members related to the Food Vendor Ordinance. The list is only meant as a starting point for discussion.

Since mobile food vendors do not pay property taxes and possibly other fees that brick and mortar shops typically must pay, and their ability to move around, I tend to lean towards regulating them in some fashion. However, as noted in the minutes from the Planning Commission, we should only regulate what we intend to enforce.

- Is there a need to move truck everyday (burdensome to owners)
- Need for access to restrooms (agreement with local property owners?)
- Limits on outdoor amplification (generator noise, music, etc.)
- Hours of operation
- Grey/wastewater disposal
- Setbacks and access for fire, safety, and ingress/egress
- Electricity access
- Reasonable seating
- Location restrictions
- Fees/paying fair share or similar to brick and mortar.

I have attached for your reference:

1. Chapter 5.30 Mobile Food Vendor Ordinance
2. Minutes from the 6/21/22 Town Council Meeting
3. Minutes from the 9/23/22 Planning Board Meeting
4. Examples of other Food Vendor Ordinances in Montana (for reference and discussion)

Chapter 5.30 MOBILE FOOD VENDORS

Sections:

5.30.010 Definitions.

5.30.020 Requirements.

5.30.010 Definitions.

"Mobile food vendor (MFV)" is a licensed, motorized vehicle or mobile food unit, including any readily movable wheeled cart or trailer, which is temporarily stored on a privately owned lot where food items and nonalcoholic beverages are sold to the general public. MFVs are permitted only in the B-3 zoning district. (Ord. 259 §1(1), 2016)

5.30.020 Requirements.

- A. All MFVs shall be located on privately owned property and must have written permission from the property owner to occupy the property.
- B. All facilities and equipment used by the vendor shall be portable and shall not be located permanently on the site.
- C. There shall be no customer seating.
- D. MFVs shall comply with all town parking regulations.
- E. All MFVs must be fully self-contained. No temporary or permanent water, sanitary sewer, storm draining, and/or electrical connections from the MFV to public or private utility systems. The MFV must have written permission from an owner of restroom facilities for employees to use such facilities during hours of operation.
- F. All areas within five feet of the food truck must be kept clean. Grease and liquid waste may not be disposed in tree wells, storm drains, and public sanitary sewer system or onto public streets.
- G. MFVs shall not operate between the hours of midnight and six a.m. During nonoperational hours, MFVs shall vacate the property on which they operate.
- H. MFVs shall not operate on public property or in public rights-of-way, public parking spaces, or driveways without written permission from the town. Further, MFVs shall not operate in fire lanes or within fifteen feet of a fire hydrant, fire escape, bus stop, loading zone, handicapped parking space or access

ramp. With town approval, MFVs may be incorporated into community wide events, special events, or private catering contracts.

I. All MFVs must obtain the following:

1. Mobile food vendor permit;
2. Town business license;
3. Must post a resort tax bond and shall be responsible for collecting such taxes on goods sold;
4. All applicable and necessary licenses from state and county agencies.

All licenses and permits must be displayed on the MFV.

J. MFVs that are part of a community event/special event shall meet the town of West Yellowstone's insurance requirements for special events. (Ord. 259 §1(2), 2016)

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
June 21, 2022

COUNCIL MEMBERS PRESENT: Travis Watt, Brian Benike, Lisa Griffith, Jeff McBirnie, and Jeff Mathews

OTHERS PRESENT: Town Manager Dan Walker, Finance Director Lanie Gospodarek, Public Services Superintendent Jon Simms, Town Attorney Jane Mersen by Zoom, Town Engineer Dave Noel, Gay McBirnie, Jan Neish-Island Park News, Shelley Johnson, Jordan Cooper, Sarit Sela, Jonathan and Ramon Rensendiz, Fire Chief Shane Grube, USFS District Ranger Jason Brey, Garrett Ostler, Michele DesRochers, KC Tanner, Jon Brown, multiple other community members

The meeting is called to order by Mayor Travis Watt at 5:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded. Due to the worldwide pandemic caused by COVID-19, the meeting is being broadcast over the internet using a program called Zoom.

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 Watt calls the meeting to order and explains that the purpose of the work session is to discuss the FY 2023 Budget, General Fund. Finance Director Lanie Gospodarek explains that the general fund is the portion of the budget that covers operations and maintenance. She explains that the fund is divided into accounts and is further organized by object codes for different uses. Gospodarek explains that the first unique issue in the budget is the compensation for the members of the Town Council. Town Council members are currently paid a salary equivalent to the Town's portion of a single employee's health insurance premium. Gospodarek explains that health insurance premiums actually went down, so council salaries will go down unless the council decides to address it. The Council reviews the budget for Administration and the Town Clerk. Mathews asks why the actual money spent on salaries dropped \$100,000 in FY 21-22 but is budgeted again. Gospodarek explains that the Executive Assistant position was not filled in 21-22 but is still on the staffing plan so it is still included in the budget. The group moves on to the City/Municipal Court budget. Griffith inquires about the salary paid to the City Judge and suggests that they consider paying a judge that is a licensed attorney at a higher rate than a judge that is not. The group discusses the budget as a whole and increases linked to health insurance premiums. The council reviews the budget for Finance Administration. Gospodarek points out that the biggest increase is a planned purchase for Cleargov Budget Book software and Capital module, which will enable them to produce a better annual report and capital plan. She explains that they are in the second year of a three-year auditing contract with Amatics, and they budget for an annual audit and assistance with the annual financial report. She briefly describes the IT Services budget, which includes \$20,000 for redesigning the webpage. They have budgeted for an election this fall, which will include the medical marijuana option on the ballot. She says that under Planning and Research Services, they budgeted for architectural and engineering services from Instrinsic Architecture, Fall Creek Planning and Forsgren Associates, Inc. Legal Services are budgeted at about the same amount each year, but the service fluctuates based on the needs of that year. She says that the next several account lines are building specific and include operating costs, utilities, cleaning for the Town Hall, clinic building, UPDL/Museum, Park buildings, Povah Center, Trailhead Building, Chamber Building, Police Station, etc. The Council discusses the budget for the Police Department and considers that salaries haven't dropped very much even though they were down three officers. Gospodarek explains that the remaining officers have worked a lot of overtime, they paid severance to the last Chief, and they pay Gallatin County for coverage, too. The Council requests that those types of charges be separated out from normal salaries and wages. McBirnie suggests increasing the fuel budget based on the significant increase in fuel costs this year. The Council also reviews the budget for the Communications Center/Dispatch. Gospodarek notes that they are down two employees in this department. The Care and Custody of Prisoners budget is not complete, but should be close to what has been budgeted in the past. They review the budget for Fire

Protection and Control as well as Rescue-EMS budgets. These budgets include the payments made to Hebgen Basin Fire District for services and funding of one employee. The group considers combining these budgets into one. The Building Inspections budget covers the cost of the Building Inspector and Code Enforcement as well as operating and training costs. The council considers the Road and Streets Budget and recommends increasing the line for fuel costs and contracted snow removal. They discuss street lighting and new pole installations on Electric Street. They briefly discuss animal control services, which appears to only include utilities for the animal pound building. The Social Services budget includes additional salary funding for a Director of Social Services, which they anticipate will come with a staffing plan review. The budget for the Parks department includes grounds maintenance, transfer station fees, etc. Salaries and wages have increased substantially and Gospodarek indicates she will look up more information on that issue and report back. Regarding the Recreation Programs, there are two budgets: one for year round recreation and the other for the Summer Recreation Program. She explains that debt service for the Siegel Learning Center and some Public Works equipment is also budgeted in the General Fund. The Fund Reserve police requires that they budget for two times the average monthly general fund expenditure as described in the Fund Balance Policy. Other Unallocated Costs provides for leave payouts for the two employees with the highest vacation and sick leave balances. Comprehensive liability insurance and the risk share for Community Health Partners and the new operator of the clinic are budgeted under the Risk Share. The Interfund Operating Transfers is a transfer from the General Fund to the Library budget to offset their budget less what the Library receives from the County and State. Mathews asks what portion of the budget goes to salaries. Walker responds that it is approximately 45%. He says that considering how difficult it has been to hire employees this past year, maybe they need to address wages. The group discusses alternate ways to address wages considering the current union contracts.

The work session is adjourned at 6:40 PM, regular meeting convenes at 7:00 PM.

COUNCIL COMMENTS

Jan Neish of the Island Park News expresses concern about a discussion during the work session. She says there was discussion about putting an item on the agenda and the advice given was that two or three council members should approach the Mayor or Town Manager and express that. Neish says she is concerned that would create a quorum and suggests that they email the Mayor separately in order to avoid that.

COUNCIL COMMENTS

Council Member Lisa Griffith mentions that Four Seasons Recycling has expanded the materials they will accept to include grocery bags and glass.

Mayor Watt says that there have been a lot of community support and action over the past week following the flooding and then closure of Yellowstone National Park. He says the community has really worked together to first empty the Park of visitors and then to come up with a system to control access. As most people already know, the lower loop will open tomorrow morning.

Public Hearing: FY 2023 Preliminary Municipal Budget

Mayor Watt reads the hearing notice, the hearing was advertised in the Bozeman Daily Chonicle, posted publicly, and posted online. The preliminary budget is available now and final adoption is anticipated August 16, 2022. No public comments are received.

ACTION TAKEN

- 1) Motion carried to approve the Treasurer's, Securities, and Quarterly Reports. (McBirnle, Benike)
- 2) Motion carried to approve the claims, which total \$225,266.12. (McBirnle, Mathews)

- 3) Motion carried to approve the minutes of the June 7, 2022 to include the following changes to the Council Comments section as follows: (Griffith, Benike)

Council Comments, June 7, 2022

She says that they pay their attorney a lot of money and she needs to do a much better job at making sure documents presented to us are free of typos and address concerns raised. She says she understands that the attorney's contract was extended last year without going through the RFP process, she doesn't think that is entirely legal and would like to review the contract and requests that the Town Manager ensure we are complying with legal requirements. She cites the sewer moratorium resolution at the last meeting as an example of lack of proofreading and clarity in the attorney's work product. She says that regarding out of town septage dumping in the lagoon, she understands that our Town Attorney believes that Jason Howsell's use without permits is a permitted existing use going forward because he had a business license, but it is unclear whether new septage haulers would be permitted to discharge into the system. Griffith says that she has asked the Town Manager multiple times to let her know what items are missing from Moonrise Meadow's application in order to process it. She says she has not been provided an answer and in response to that request she was given an information request form and is expected to pay for the information. She says she would like to see everyone work together in order to minimize litigation and serve the Town.

- 4) Motion carried to repeal Ordinance 259 effective immediately. (Griffith, Benike) Griffith is in favor, Watt, McBirnie, Mathews, and Benike are opposed.
- 5) Motion carried to suspend enforcement of West Yellowstone Municipal Code, Chapter 5.30.020, Section C and Section G of until November 1, 2022. (Mathews, McBirnie) See next motion.
- 6) Secondary motion carried to suspend enforcement of West Yellowstone Municipal Code Chapter 5.30.020, Section C and Section G of until November 1, 2022 and also suspend enforcement of Section E as it pertains to electrical connections for MFV to connect to public or private utility systems until November 1, 2022. (Mathews, McBirnie)
- 7) Motion carried to approve the Marketing and Promotions Award Recommendation for the 2022 Yellowstone Rod Run for \$10,000. (McBirnie, Benike)
- 8) Motion carried to approve the FY 2023 Preliminary Budget. (McBirnie, Benike)
- 9) Motion carried to approve the Library Lease and Library Services Agreement and authorize the Town Manager to sign for a term of five years with the ability to extend for five more years. (McBirnie, Benike)
- 10) Motion carried to approve the Service Agreement and Memorandum of Understanding Between the Town of West Yellowstone and the West Yellowstone Library Board of Trustees and authorize the staff to complete clause 4A regarding funding. (McBirnie, Griffith)

DISCUSSION

- 4) Mayor Watt explains that the next item on the agenda is customer seating for mobile food vendors. He explains that the code that regulates mobile food vendors was adopted in 2016 into Chapter 5.30 of the West Yellowstone Municipal Code. Walker explains that if the Council agrees to amend or change the ordinance, the new ordinance will require two readings at a council meeting and then a waiting period of 30 days. A motion is made by Griffith, seconded by Benike, to completely repeal Ordinance No. 259, the ordinance passed in 2016 to regular mobile food vendors. Benike clarifies that repealing the ordinance would eliminate all the regulations to apply to mobile food vendors. Mathews says that they need consider the spirit of the law versus the letter of the law. He

understands that seating is a necessary use and the intent is not to impact public thoroughfares. He is concerned that if they completely repeal the ordinance, they will have a stampede of trucks. He says that he believes a brick and mortar restaurant is better for the community. He says that he believes the Council can interpret the language to mean that the purpose of restricting seating was to negate the impact of the customers on public property. Griffith says that she doesn't think the Council should review these businesses on a case by case basis. She says that the ordinance also requires that the vendor move every day and she doesn't think that is necessary. Town Attorney Jane Mersen says that a repeal at this point might be a little rash. She says that the Council does have the authority to adopt a resolution suspending the enforcement of the ordinance or a specific section in order to study the issue and impacts of a repeal. Mayor Watt says that he agrees that they probably do need to revisit this ordinance. He cautions that repealing the ordinance completely may not fit as they want it to. McBirnie agrees that they should probably lighten some of the regulations and not repeal the ordinance yet, but then review it at the end of the season. The Council debates the issue at length.

Jordan Cooper of Eagles Store speaks on behalf of the Falafal Spot, a mobile food vendor on Canyon Street. He says that he disagrees with the idea that mobile food trucks don't pay enough fees or contribute to the economy. He says that that the food that they serve is difficult to eat while walking. He says they did add standing tables, which people do use. He mentions that they battle with the ravens every day. He says that their customers have often had very long days and need to sit. He says their customers do not stay long, they eat and move on. He encourages the Council to try out suspending the regulations for the summer. He says that moving the trailer every day is also very difficult because they have oil inside that is very hard to move. Jonathan Resendiz of Resendiz Taqueria addresses the Council and says he understand the regulations. He says that they have had very long lines and it is very difficult to explain why they can't offer seating and moving the trailer every single day. They have to unload all their product in order to move the trailer every day. They have been unable to open by noon in order to serve lunch because it just takes too long to clean their motel rooms, load all the food, and get set up in time for lunch. He says they knew what they were getting into and are not complaining, but would appreciate consideration of changing the rules. Garrett Ostler says that he is on the Business Improvement Advisory Board as well as the marketing committee for the Chamber of Commerce. He says the advisory board has been discussing the need for more seating for the public, which is opposite of what they are talking about tonight. He points out that grey water discharge into their home system is no different than connecting to the system. He says that moving the trailer every day is an unnecessary requirement. Phil Jones addresses the Council and says they should consider the fuel cost and impact of moving the trailer every day. Mayor Watt reads an email from Jackie LaFever in favor of lightening the regulations on mobile food vendors. Brad Schmier, former Council member, also writes to suggest restricted seating be allowed and also recommends lifting the requirement to move the trailer every day. A new motion and secondary motion are passed, effective immediately.

- 9) Librarian Michele DesRochers explains that the new lease includes the use of the room that was previously used for Pre-K, the room in the basement that is no longer used by the Yellowstone Historic Center, the addition of the community garden, and use of the vault in the basement by the Police Department.
- 10) Finance Director Lanie Gospodarek explains that MMIA has required that if employees of the library are considered Town employees, then they must follow the employment practices of the Town in order to qualify for Employment Practices Liability Coverage.
 - A) **Town Manager & Department Head Reports:** Town Manager Dan Walker thanks staff including Finance Director Lanie Gospodarek for her effort to get the budget together, Town Clerk Liz Roos for her efforts during the Chief of Police interviews, Town Council packets, emergency flooding updates, Debbie and Dianna from Social Services for their efforts to help displaced workers and assistance during the flooding

emergency, and Neil and Brenda from the Police Department during the emergency and the Chief of Police interviews. He reports that they conducted final interviews for Chief of Police last week. They did select a candidate but that candidate had to work out some things at home before accepting and has indicated that he will let them know by this Friday if he will accept the job. He reports that they were notified last week that they were not awarded a grant from the State CDBG Program for the wastewater treatment plant. This was a big disappointment, so they will have to adjust the proposed rates in order to secure enough funding for the project. More budget meetings are to come.

- B) **Advisory Board Reports:** Benike reports that Marketing and Promotions Fund Advisory Board met and recommendation is on the agenda tonight. Mathews reports that the Business Improvement Advisory Board met last week but he wasn't able to attend due to the Police Chief interviews but will review the notes. Griffith reports that the Health Care Services Advisory Board met last week and discussed the contract with Billings Clinic for operation of the clinic. She says that the board would like to be included in drafting of the contract in order to ensure that they don't have the same problems they had with CHP. Town Manager Dan Walker responded today and indicated that the board will not be included in the contract development. She says she was disappointed by that and feels that if they work together a better work product will be produced.
- C) Town Manager Dan Walker explains that that they have been trying to come to an agreement with Montana Department of Transportation, Aeronautics Division regarding a lease agreement for the sewer lagoon property. He says that when MDT finally returned the lease document, it included multiple provisions that were unacceptable including a termination clause and unreasonable lease rate. He says they initially offered a lease rate of \$10,000 annually with a 1.5% inflator. He says that between 2016 and 2022, the lease rate has increased from \$11,000 to \$43,000 annually. Walker says they are considering making a counter offer for less than the 40 acres they currently use. The lease that was returned to the Town totaled \$4.3 million in lease payments. Town Engineer Dave Noel displays maps that show the amount of land that is currently being used at the lagoon and shows that they could downsize the operation to 10 acres when the treatment plant is complete. Noel also explains that another option is partial containment of the site for the areas that will not be part of the treatment plant. DEQ would require them to clean up this area regardless. Noel estimates that it would be just under \$2 million to clean up the lagoons that won't be used for the new facility. Mathews calculates that it will cost \$2 million to clean up the site plus approximately \$500,000 in rent, but only if a termination clause is included. Noel says that another possible option is to leave the existing lagoon for the airport system. He says that cell C is in good condition and could serve the airport property for a very long time. He says the best solution may be to construct the new plant on USFS land west of the existing site. Noel says that a wastewater treatment facility is not a permitted use on forest service property, but purchase is possible. He says that USFS will likely asks why they don't build the facility on the existing site or on the 80 acres. Noel responds that it is not ideal to build a wastewater treatment facility in a residential area and the fact that MDT won't agree to a non-termination clause. He says an environmental impact would be required, which the Town may have to commission independently. He points out that moving the facility farther from town would reduce odors and it wouldn't be that difficult to extend the lines that already exist. Lastly, it is possible to build the plant on the 80 acres. He says they would need to design more security and safety measures and more efforts to reduce odors. Noel says he thinks they can get through the application process and submit it to the Forest Service in 90 days, but it is likely the whole process would take a year. He says the cost would be around \$45,000. Noel clarifies that if they do proceed with this approach, it is likely they would miss another construction season before the plant is built. Mathews says that the 80 acres are for the community and suggests that they just use that. He says if they wait on the Forest Service to work it out, it will take too long. Mathews asks what would it cost to move to the 80 acres. Noel says he would have to do some significant redesign, mostly to move lines to the new site. The biggest cost would be the addition of the solids

handling building, a mechanical dewatering facility, which substantially reduces odors. He points out that if they do that, they will be getting close to the \$4 million they are trying to save from MDT. Noel says a “middle” option would be to put the facility on the 80 acres and simultaneously apply to the USFS to put the IP Beds on purchased land. The Council discusses the options at length. Noel explains that everything is on hold until they determine the location of the plant. He says that DEQ won’t do the technical review without a specific location and the funding agencies won’t look at their applications, either. After lengthy discussion, the Council essentially agrees that if MDT won’t negotiate on the termination clause, then they should pursue the option of acquisition from the USFS. If they can’t work that out, they’ll have to move forward with moving the facility to the 80 acres. Garrett Ostler comments that he lived 30 years downwind from a treatment plant and strongly disagrees with building it in the 80 acres. Jason Brey addresses the Council and shares the timeline for the acquisition, which could take more than a year. It is possible that the site would be found to not be viable, but they would probably know that by the time they were halfway through the process.

A motion is carried to adjourn (Griffith, Benike). (10:25 PM)

Mayor

ATTEST:

Town Clerk

Planning Board Meeting

Minutes: September 23, 2022

Board Members in Attendance: Jon Simms, Chipper Smith, Keith Hendrickson, Jerry Johnson, Jeff Matthews, Brad Schier

Others in Attendance: Liz Roos, Dan Walker, Marty Matsen, Kyle Tanner, Tyler Steinway (via zoom)

Public Comment Period: N/A

Discussion Items & Findings: N/A

Unfinished Business: N/A

Approval of meeting minutes:

(Keith makes a motion to approve the minutes from last meeting, Jerry seconds the motion.)

New Business:

Review of the towns current zoning code, popular discussion items and evaluate recommendations made by Marty Matson with Fall Creek Planning.

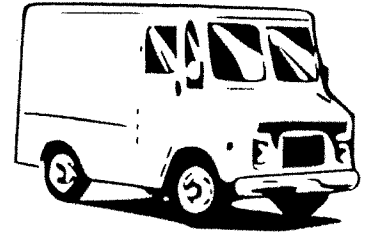
POPULAR DISCUSSION ITEMS:

- Marijuana Business Zoning
- Food Trucks
- Zone District Dimensional Standards
- Short Term Rentals
- Signage

RECOMMENDATIONS: (Marijuana) Marty will put together what a buffer map on GIS would look like. He'll also get more familiar with what the ballot language looks like.

RECOMMENDATIONS: (Food Trucks) We suspended restrictions on outdoor seating and the requirement for the vendor to vacate offsite daily. We'll revisit this on a later date to look at music and generator volume, placement and locations at private sites vs. public ROW. Marty urges the town to only put into code what we're going to enforce.

MOBILE VENDING



GENERAL

- Mobile vendor is any person that sells goods from a mobile vending unit
- Mobile vending units include motorized vehicles, sidewalk carts, trailers, and other mobile contraption offering goods for sale

LICENSES

- Citywide Mobile Vending Business License (required for all) - \$250
- Separate Downtown Business Improvement District endorsement - \$250
- Must present health department license and proof of liability insurance at time of application

PUBLIC PROPERTY

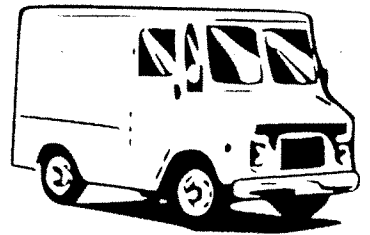
- Allowed in all commercial, industrial, and public zoning districts.
- **Prohibited** in most residential zoning districts, except R-O and REMU
- Allowed only on local streets, except portions of Mendenhall Street, Babcock Street, South Willson Avenue, North 7th Avenue, and Main Street
- Contact Parks and Recreation Department about vending in city parks
- Contact City Management about vending on other city property
- (Interactive Map for Possible Locations)
<http://www.bozeman.net/government/planning/business-licenses/mobile-vending>

PRIVATE PROPERTY

- Property owner's permission required
- Must continue to provide the minimum amount of required parking and circulation for the primary business
- May require site plan modification application
- Contact the Community Development Department for land use and application requirements

TIME

- Allowed between 6:00 a.m. and 11:00 p.m., or until 2:30 a.m. for commercial districts
- **Prohibited** from 10:00 a.m. to 9:00 p.m. on Main Street from Church Avenue to Grand Avenue



- Non-food retail are allowed between 2:00 p.m. and 9:00 p.m. on Main Street and Rouse Avenue immediately adjacent to Soroptimist Park

RULES

- May not block pedestrian or vehicular traffic
- Must sell directly to customers on the sidewalk
- Maximum length of 36', must include trash can and fire extinguisher
- Generators limited to a maximum 60 dBA rating
- May not place any tables, chairs, or other obstructions on public sidewalk
- May not park directly adjacent to any business downtown with sidewalk café seating or encroachment permit

EXCEPTIONS

- Special events, including residential districts. Permit from Public Works required, if operating on street.
- Caterers, itinerant vendors, transient merchants, ice cream trucks and other vehicles that stay in one place no longer than 15 minutes are not mobile vendors

Mobile Vending Business Licenses are revocable for failure to comply with the ordinance, revocation of health department license, misrepresentation to obtain license(s), and/or creation of nuisances or public safety threats.

RESOURCES

Business licensing: **Community Development, 406-582-2260**

Land use applications: **Community Development, 406-582-2260**

Parks: **Parks and Recreation, 406-582-2290**

Parking enforcement: **Parking, 406-582-2903**

Special events & public assembly permits: **Public Works, 406-582-2280**



Itinerant and Mobile Sales in the City of Missoula

If you are considering itinerant vendor sales in the City of Missoula, it is important to understand which City, County, State and Federal regulations may apply. Factors that will determine what Codes may apply and whether permits will be required include the location of vending, the type of vehicle or structure you vend out of, and the utility services used by the vending cart. This information sheet is meant to help guide you through what may apply to your specific vending operation.

LICENSING:

All itinerant vendors operating in the City of Missoula require an Itinerant Vendor Business License through Development Services.

License Type	Time Limit	Fees - Jan. 1, 2018 - Dec. 31, 2018
Itinerant Vendor: Annual	Good until May 31st of the license year.	\$125.00
Itinerant Vendor: Temporary	Good for 90 days after issuance.	\$105.00
Itinerant Vendor: Temporary	Good for one week after issuance.	\$83.00
Background Check (Required for ALL Itinerant Vendors): \$49.00		

LOCATION REQUIREMENTS:

Use this chart to determine where itinerant vending is allowed and what restrictions may apply:

Location of Vending Operation	Requirement
Vending in the Central Business District on the sidewalk.	Vending is permitted until 9:00 PM.
Vending in the Central Business District in the street.	Vending is permitted until 9:00 PM. Vendors using street parking spaces are required to obtain permission from the Parking Commission. Vendors must adhere to Engineering Location Requirements.
Vending in the Central Business District in a private parking lot.	Vending is permitted at all hours. Vendors must have permission from property owner. Vendors must adhere to Engineering Location Requirements.
Vending in the street or sidewalk anywhere outside of the Central Business District.	Vending is not permitted.
Vending in a private parking lot anywhere outside of the Central Business District.	Vending may be permitted in any property located in a non-residential zoning district. Permits may be required. Vendors must adhere to Engineering and Zoning
Vending in a City Park.	Vendors need to meet the MT State Statute of \$750,000/claim and \$1.5 million/occurrence and name the City as an Additionally Insured party.

Additional information on back.



Itinerant and Mobile Sales in the City of Missoula

PERMITTING AND OTHER REQUIREMENTS:

Use this chart to determine what other requirements may apply beyond receiving your Itinerant Vendor License.

What is involved with your proposed vending operation?	Requirements
Food Sales	Requires approval and licensure by Missoula County Health Department with few exceptions.
Fixed Vending Carts	Requires meeting Zoning, Building, and Engineering codes. Permitting Required.
Drive-through vending carts (mobile and fixed)	Requires meeting zoning and engineering requirements. Permitting required.
Electrical work	Electrical permits required.
Water service and sanitary sewer installed	Commercial plumbing permits and inspection required.
Propane Use	Requires approval from Fire Department.
Signs	Requires sign permits.
Sales in any City Parks (including Fort Missoula Park)	Requires approval and Concession Permit from City Parks and Recreation Department.

Food and Beverage Service

A license is required to serve foods and beverages with the exception of commercially pre-packaged, self-stable items. There are several license types available depending on one's method of service.

Mobile Food Truck or Trailer:

A mobile food truck or trailer is a fully-enclosed, self-contained unit. These mobiles may be designed so that they are self-sufficient and can operate independently, or they may be minimally designed and dependent on a commissary. Requirements for a mobile truck vary depending on the intended menu and the amount of preparation done on the unit. All mobiles, regardless of commissary usage, must have a hand sink with hot and cold running water, mounted fresh water and wastewater tanks, and equipment designed to adequately hold foods at required temperatures. In addition, they must have a servicing area where they can obtain water from a public water supply and properly dispose of wastewater.

Solid Fuel Cookers/Smokers:

Solid fuel used for cooking or smoking may be allowed depending on how the food is being prepared or served. Air Quality regulations may apply.

Pushcart Mobiles:

Pushcart mobiles are small, self-contained units that serve a limited menu (e.g. hot dogs). At minimum, pushcarts must have a hand sink with hot and cold running water and equipment designed to heat and/or hold food at required temperatures. A commissary kitchen is required for food preparation, storage, and dishwashing, as well as for obtaining water and disposing of wastewater.

Temporary Food Service (TFS):

TFS vendors serve limited menus at events. These vendors prepare foods in a commissary and then set-up under a tent or awning using minimal support for temperature control and hand washing. TFS licenses are good for 14 consecutive or 21 non-consecutive days at one event.

Large Group Permits:

If you plan to hold an event that may have 1,000 or more attendees, you need to contact the health department for a large group permit. This permit reviews safety and sanitation resources to ensure a healthy and safe event.

For more information, or to start the license application process, contact the Missoula City-County Health Department at 406-258-4755 or evhealth@co.missoula.mt.us.

City of Missoula: Development Services 435 Ryman St, Missoula, MT 59802 406-552-6121
Missoula County Health Department 301 W Alder St, Missoula, MT 59802 406-258-4755

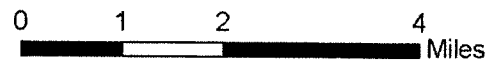
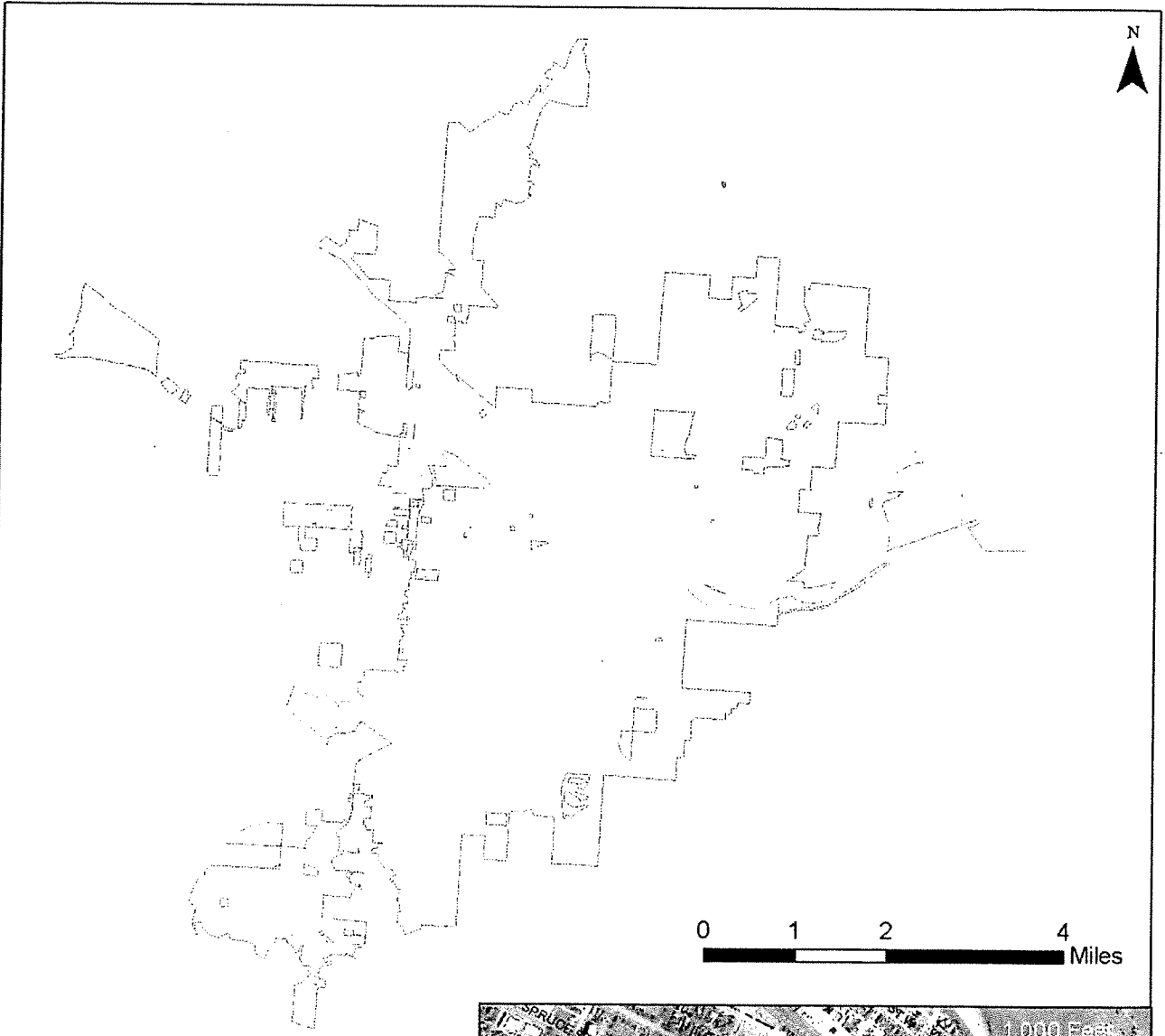




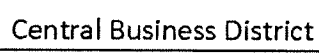
Itinerant and Mobile Sales in the City of Missoula

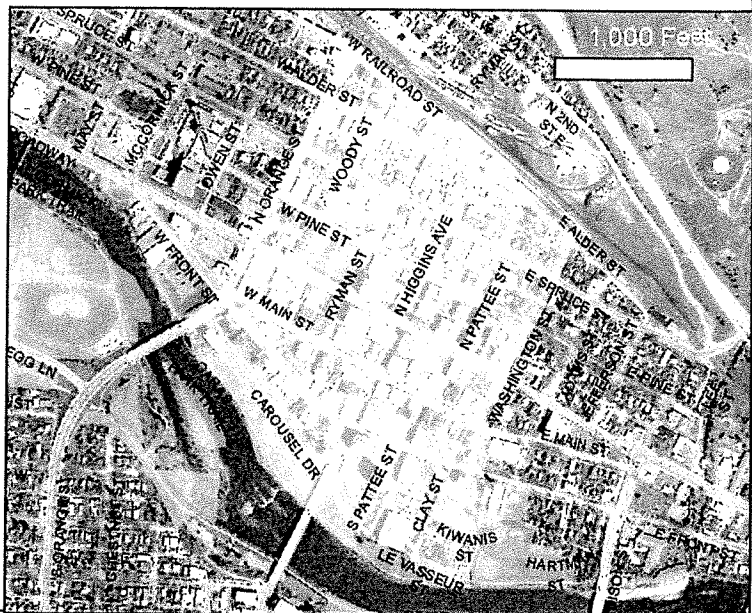
WHERE IN THE CITY OF MISSOULA IS ITINERANT VENDING PERMITTED:

Use this map to determine where itinerant vending is permitted and what requirements apply:

City of Missoula: Development Services 435 Ryman St, Missoula, MT 59802 406-552-6121
Missoula County Health Department 301 W Alder St, Missoula, MT 59802 406-258-4755



-  City Limits
-  City Parks
-  Central Business District



City Review for Food Vendor Permits:

Carefully review the city standards for a Food Vendor Permit.

Prior to submitting an application for a temporary food vendor, schedule a pre-application meeting with planning staff by calling 406-863-2410. Planning staff can walk you through the application requirements and review process.

Once the city receives a complete application with all the required submittals, city staff will place a legal notice in the paper and send a letter to all property owners and tenants within 150-feet of the proposed site.

At the end of the 14 day comment period, a 30-day or 12 month permit is issued by the zoning administrator. Permits can be renewed at the same rate if all conditions are complied with. Renewals do not require neighbor and newspaper notices. If a permit renewal is denied due to non-compliance with conditions of approval, a vendor may appeal that denial before the City Council. A hearing before the city council shall be scheduled and an additional fee charged. The decision of the council shall be final.

What is a vendor?

A food vendor is a self-contained unit or food cart located on private property selling food to the public. Currently food vendors are not permitted on public property with the exception of special events. A food vendor is required to obtain a permit from the city and a business license prior to starting the business.

A vendor is defined as a commercial use located within a temporary or semi-permanent building or structure that is less than 100 square feet. A vendor permit is not required for the Farmers' Market, the various summertime art festivals or other special events held throughout the year, however, other permissions are required.

A caterer serving food at a private function is not subject to the food vendor permitting requirements, but is required to have a city business license if business is being conducted in the city limits.

418 E 2nd Street
PO Box 158
Whitefish, MT 59937

Phone: 406-863-2410
Fax: 406-863-2409



Food Vendor Permits



City of Whitefish

Standards for Food Vendor Permits:

Location

- ✓ Permitted only in the WB-1, WB-2, WB-3 zoning districts
- ✓ Located wholly on private property
- ✓ Permission from the property owner is required and permission for restroom use nearby for employees

Hours of Operation

- ✓ No more than 7 hours per day
- ✓ The vendor shall be on the site no later than 3 AM

Site Standards

- ✓ Sales facility shall meet the underlying zoning setbacks, as well as those in Section 11-3-23(B)(3) and (B)(10)
- ✓ Site layout needs to consider customer queuing, parking locations/layout and traffic circulation, if necessary
- ✓ No seating or other customer service shall be provided on site
- ✓ No drive-thru facilities
- ✓ A trash receptacle shall be provided for customers and shall be emptied daily.
- ✓ The site shall be free of trash/litter and shall be cleaned at the end of each business day

Sales Facility

- ✓ Facility shall be portable. This standard is met if set-up and tear-down time does

not exceed 30 minutes.

- ✓ The sales facility shall always be attended and shall be removed at the end of each shift.
- ✓ Vendor must have building/cart physically inspected and approved by the City of Whitefish Building Official for health and safety prior to the start of business.
- ✓ The method of electricity shall meet the requirements of Section 11-3-23(B)(7). Check with the building department, as this may require an electrical permit.



is used.

Signage

- ✓ Provisions for water and sewer shall comply with the requirements of Section 11-3-23(B)(5) and (B)(6).
- ✓ A five-pound ABC Fire Extinguisher is required if a heating or cooking appliance is used.
- ✓ Signs shall comply with Section 11-5-6, and must be attached to cart and in no case shall exceed 20 square feet
- ✓ No sidewalk ('A' frame) or banners are permitted
- ✓ A separate sign permit is not required, but will be approved along with the Vendor Permit

Other Permits and Licenses Required

- ✓ City of Whitefish Business License
- ✓ Payment of Whitefish Resort Tax
- ✓ Flathead County Food Service Permit, along with all applicable laws, rules and regulations regarding food handling and preparation—including all requirements for mobile vendors
- ✓ City of Whitefish Electrical Permit, if needed

Other Requirements

- ✓ Proof of an insurance policy, issued by an insurance company licensed to do business in the state for:
 - Public liability insurance in an amount of not less than \$500,000 for injuries, including those resulting in death, resulting from any one occurrence, and on account of any one accident; and
 - Property damage insurance in an amount of not less than \$25,000 for damages on account of any one accident or occurrence

City of Whitefish

**418 E 2nd Street
PO Box 158
Whitefish, MT 59937**

**Phone: 406-863-2410
Fax: 406-863-2409**



CITY OF GREAT FALLS

PARK AND RECREATION DEPARTMENT

Policy Name:	Mobile Vending in Parks		
Section #:	Section Title:	Adopted:	2/1/2016
Approval Authority:	CITY CODE 9.3.10.010	Reviewed:	2/1/2016
Responsible Office:	PARK AND RECREATION	Revised:	N/A
Responsible Staff:	DIRECTOR OF PARK AND RECREATION	Signature:	

PURPOSE

To establish a policy and standard written procedures for the Department to manage and allow vending, concession sales, peddlers and mobile food unit sales in Great Falls Parks.

DEFINITIONS

Mobile Food Unit – is a food and beverage service establishment that is a vehicle mounted unit, either motorized or on a trailer, and readily movable without disassembling for transport to another location.

Food Cart – a food cart is a food and beverage service establishment that is a non-motorized vehicle self propelled by the operator.

Peddlers – a peddler will be defined as a mobile food vendor that travels from location to location only stopping to make sales of pre-packaged merchandise.

All units must be self contained. No utilities will be provided.

POLICY

The Park and Recreation Department will evaluate each request for vending in parks. Permits will be issued to vendors when they meet the following criteria:

General Requirements

1. All vendors must have proper licensing and comply with the State of Montana and Cascade City-County Health Department Guidelines.
2. All vendors must obtain a park vending permit from the Great Falls Park and Recreation Department.
3. The City reserves the right to deny access to parks based on safety issues and adequate parking.
4. No vendor can be in a park during a special event, tournament, parade, race or activity unless they are affiliated and have permission from the organizer. Vendors associated with the activity must still obtain all necessary permits to vend in the park.
5. "No" vending days in parks will be established on an annual basis and will be posted on the Park and Recreation web-page.
6. All vendors are required to remain in designated locations in specified parks.
7. Vendors will be allowed in parks on a first-come, first-served basis and may only vend during normal operating hours (dawn to dusk). Location(s) and schedule to be approved by Park and Recreation Director.
8. Vendors will only be allowed in the following parks
 - a. Gibson Park
 - b. Elks Riverside Park
 - c. Lions Park
 - d. Oddfellows Park
 - e. Broadwater Bay Park
 - f. Sight and Sound Park
 - g. Wadsworth Park (special events only)
 - h. Gallatin-Jaycee Park (outside of pool operating hours)
 - i. West Bank Park
9. Mobile Vending at all other parks is prohibited unless written permission is granted by the Park and Recreation Director for a special exemption of the policy.
10. In the event of damage by a vendor to parks or facilities, vendor may be liable for repair or restoration.
11. The items to be offered for sale at park locations shall include food and non-alcoholic beverages only. Park vendors are not authorized to sell services, merchandise or souvenirs without written permission from the Park and Recreation Director. Vendor to provide list of products to be sold. Items not listed will not be permitted.
12. Vendors must post in a conspicuous manner, a sign showing the price to be charged for all items to be sold.
13. Vendors shall dispense all beverages and liquids in cans or paper/plastic cups. No glass bottles or containers shall be served to customers in the park.
14. Mobile vending units shall not be parked stored or left overnight in any park location.

15. Vendors shall not block the passage of the public through a public area or interfere with access to ramps, curb cuts, or other conveniences for individuals with disabilities.
16. Vendors shall not leave their mobile vending unit unattended in a park at any time.
17. Vendors shall collect all litter and garbage generated in the operation of the business at the end of each business day and remove same from park. Vendors may not put refuse from the operation of their business in or beside any public trash container or in any drain along or in the streets or sidewalks.
18. Every park vendor shall indemnify and save harmless the City of Great Falls from all suits or actions brought against the City for or on account of any injuries or damages received or sustained by any party or parties by or from said vendor, his/her employees or agents, or by or on account of any act or omission of said vendor.

Insurance Requirements

Vendor shall purchase and maintain insurance coverage as set forth below. The insurance policy must name the City, (including its elected or appointed officers, officials, employees, or volunteers), as an additional insured and be written on a "primary—noncontributory basis. "Vendor will provide the City with applicable additional insured endorsement documentation. Each coverage shall be obtained from an insurance company that is duly licensed and authorized to transact insurance business and write insurance within the state of Montana, with a minimum of "A.M. Best Rating" of A-, VI, as will protect the Vendor, the various acts of subcontractors, the City and its officers, employees, agents, and representatives from claims for bodily injury and/or property damage which may arise from operations and completed operations under this Agreement. All insurance coverage shall remain in effect throughout the life of this Agreement. All insurance policies must contain a provision or endorsement that the coverage afforded will not be canceled, materially changed, or renewal refused until at least thirty (30) days prior written notice has been given to Vendor, City, and all other additional insureds to whom a certificate of insurance has been issued. All insurance documentation shall be in a form acceptable to the City.

Insurance Coverage at least in the following amounts is required:

- | | | |
|----|---|---|
| 1. | Commercial General Liability
(bodily injury and property damage) | \$1,000,000 per occurrence
\$2,000,000 aggregate |
| 2. | Products and Completed Operations | \$2,000,000 |
| 3. | Automobile Liability | \$1,000,000 combined single limit |
| 4. | Workers' Compensation | Not less than statutory limits |
| 5. | Employers' Liability | \$1,000,000 |

Procedures

Parties interested in vending in Great Falls parks will be directed to the City of Great Falls Park and Recreation Department to obtain a vending permit. The Park and Recreation Department staff will provide direction and assistance to vendors wishing to sell items in parks and ensure that each vending request meets the criteria outlined in this policy prior to issuing a vending permit. Vendors must complete the appropriate application and make payment prior to the permit being issued. Vendor must also provide a photo of vending unit/cart.

Duration

A park vending permit will be valid for the calendar year in which it is issued. All park vending permits will expire on December 31 of the same year. The City of Great Falls reserves the right to suspend or terminate park vending permits, without refund, if vendors are found to be not in compliance with any part of this policy.

Fees

Vending fees are established by Great Falls City Commission. Current fees are as follows:

- a. \$55 per day
- b. \$100 special event only fee
- c. \$750 per year

Kalispell Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Chapter 15 LICENSES							
Article 2 REQUIREMENTS							

[\[remove highlighting \]](#)

15-12 Vendors on the Public Way.

A. Definitions: When used in this Section 15-12, the following words, terms, and phrases, and their derivations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

GOODS, WARES, MERCHANDISE, SERVICES: Shall include, but not be limited to, fruits, vegetables, farm products or provisions, dairy products, fish, game, poultry, meat, plants, flowers, appliances, wearing apparel, jewelry, ornaments, artwork, cosmetics and beauty aids, health products, medicines, household needs or furnishings, food of any kind, whether or not for immediate consumption, confections or drinks, camps, training, fundraising, or any time the public or clients are invited to an event upon city property or right-of-way, sponsored by or put on by a group, organization or individual.

PUBLIC WAY: All areas legally open to public use such as public streets, sidewalks, roadways, highways, parkways, alleys, parks, as well as the areas surrounding and immediately adjacent to public buildings.

SPECIAL EVENT: Any occasion including, but not limited to, fairs, shows, parades, exhibitions, citywide celebrations, and festivals taking place within a specifically defined area of the City for a period of time not to exceed three (3) days.

VENDOR: Any person, traveling by foot, wagon, vehicle or any other type of conveyance from street to street carrying, conveying or transporting goods, wares or merchandise and offering and exposing them for sale, or making sales and delivering articles to purchasers; or who, without traveling from place to place, exhibits, displays, sells or offers for sale such products from a wagon, handcart, pushcart, motor vehicle, conveyance or from his or her person while on the public ways of the City of Kalispell. A "vendor" also includes any street vendor, hawker, huckster, itinerant merchant or transient vendor. This definition does not include a door to door peddler or solicitor.

B Permit Required: It shall be unlawful for any person to engage in the business of vending upon the public way unless he or she has first obtained a permit from the City of Kalispell parks department.

C. Application for Permit: The application for a vending permit shall contain all information relevant and necessary to determine whether a particular permit may be issued, including, but not limited to:

1. The applicant's full name, current address, telephone number and proof of identity;
2. A brief description of the nature, character and quality of goods, wares or merchandise to be offered for sale;
3. The specific location, if any, in which the vendor intends to conduct business;
4. If the applicant is employed the name and address of the person, firm, organization, company or corporation; another, the association;
5. If a motor vehicle is to be used, a description of the vehicle together with the motor vehicle registration number and permit number;
6. A complete listing of any other permits or permits issued to the applicant by the City within the five (5) years immediately preceding the date of the application;

7. A copy of applicant's insurance designating the City of Kalispell as an additional named insured for liability purposes at such limits as may be required by the City.

D. Health Inspection Certificate: Any application for a vending permit to engage in the sale of food or beverages shall also be referred to the Flathead County health department for approval and issuance of a State certificate of health inspection in addition to the regular vending permit. The applicant's equipment shall be subject to inspections by the health department at the time of application and at periodic intervals thereafter.

E. Issuance of Permit:

1. The applicant shall be notified in writing by the parks department director of the City's decision to issue or deny the vending permit not later than five (5) days after the applicant has filed a completed application with the department.

2. Each permit shall show the name and address of the permittee, the type of permit issued, the location of permitted use, the kind of goods to be sold, the amount of the permit fee, the date of issuance, the permit number, an identifying description of any vehicle or conveyance used by the permittee, a copy of their liability insurance designating the City of Kalispell as an additional insured, plus, where applicable, the motor vehicle registration number. Each permit shall also show the expiration date of the permit which is issued by the City.

F. Authorized Vending Zones: Except for special events, or otherwise authorized by this Code, vendors may only sell goods, wares or merchandise or services within the Kalispell City parks at those locations specifically allowed by the permit that is issued.

G. Special Events: Any vendor wishing to conduct business at a special event only shall apply to the City of Kalispell parks department for a temporary vending permit. Application for such a permit must be made at least ten (10) days prior to the beginning of the event for which the permit is sought. The permit shall be valid only for the duration of the special event. Any vendor to whom a temporary permit is granted shall be subject to the same operating regulations as all other vendors, except where otherwise specified.

H. Permit Fees: Any vendor granted a vending permit under this Section 15-12 shall pay an annual permit fee of fifty dollars (\$50.00). Fees for a special event permit shall be ten dollars (\$10.00) per event.

I. Removal of Vending Equipment: No vending station, conveyance or other item related to the operation of a vending business shall be located on any City sidewalk or other public way during nonvending hours. Nor shall any vehicle be parked, stored or left overnight other than in a lawful parking place.

J. Littering and Trash Removal:

1. Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending sites or locations clean and free of paper, peelings and refuse of any kind generated from the operation of their businesses. All trash or debris accumulating within twenty feet (20') of any vending stand shall be collected by the vendor and deposited in a trash container.

2. Persons engaged in food vending shall affix to their vending station, vehicle, pushcart or other conveyance a receptacle for litter that shall be maintained and emptied regularly and marked as being for litter.

K. Prohibited Conduct: No person authorized to engage in the business of vending under this Section 15-12 shall do any of the following:

1. Unduly obstruct pedestrian or motor vehicle traffic flow;

2. Obstruct traffic signals or regulatory signs;
3. Stop, stand or park any vehicle, pushcart or any other conveyance upon any street for the purpose of selling during the hours when parking, stopping and standing have been prohibited by signs or curb markings;
4. Leave any conveyance unattended at any time or store, park, or leave such conveyance in a public space overnight;
5. Use any conveyance that when fully loaded with merchandise, cannot be easily moved and maintained under control by the permittee, his or her employee, or an attendant;
6. Sound any device that produces a loud and raucous noise or operate any loudspeaker, public address system, radio, sound amplifier, or similar device to attract public attention;
7. Conduct his or her business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, create a nuisance, increase traffic congestion or delay, constitute a hazard to traffic, life or property, or obstruct adequate access to emergency and sanitation vehicles.

L. Penalties: The penalty for violating any provision of this Section 15-12 or any other applicable section of this Code shall be, in addition to any other sanctions provided, a fine not exceeding five hundred dollars (\$500.00) for each offense together with revocation or suspension of the vendor's permit or imprisonment not exceeding one hundred eighty (180) days, or both fine and imprisonment. Each violation shall be evidenced by a separate written notice presented at the time of citation for the offense. A hearing on each violation shall be required before any fines, suspensions or revocations can occur. Each day of violation shall be deemed a separate offense.

M. Suspension and Revocation of Permit.

1. In addition to the penalties contained in subsection L of this section, any permit issued under this Section 15-12 may be suspended or revoked for any of the following reasons:
 - a. Fraud, misrepresentation or knowingly false statement contained in the application for the permit;
 - b. Fraud, misrepresentation or knowingly false statement in the course of carrying on the business of vending;
 - c. Conducting the business of vending in any manner contrary to the conditions of the permit;
 - d. Conducting the business of vending in such a manner as to create a public nuisance, cause a breach of the peace, constitute a danger to the public health, safety, welfare or morals, or interfere with the rights of abutting property owners; or
 - e. Cancellation of Health Department authorization for a food or beverage vending unit due to uncorrected health or sanitation violations.
2. The Parks Director shall provide written notice of the suspension or revocation in a brief statement setting forth the complaint and the grounds for suspension or revocation. Such notice shall be mailed to the address shown on the permit holder's application by certified mail, return receipt requested.
3. If the City revokes a vending permit or permits, the fee already paid for the permit or permits shall be prorated. A person whose permit or permits has been revoked under this section may not apply for a new permit for a period of one year from the date that the revocation took effect. (Ord. 1455, 5-19-2003; amd. Ord. 1609, 6-4-2007)

P.O. BOX 1570

**TOWN OF WEST YELLOWSTONE
MONTANA**

PHONE: 406-646-7795

FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER

1000-411251-357

\$ 1,440.00

1000-411252-357

\$ 1,440.00

Date 2-16-23

Ship Via

1000-411250-357

\$ 2,880.00

Order No. 006484

Department

TO: Yellowstone Log Chinking

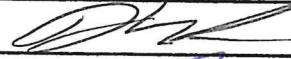
ADDRESS:

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

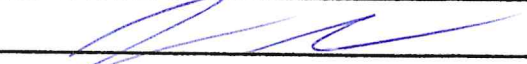
Quantity	Description
	<u>ROOF SNOW Removal: Town Hall, Clinic, OPDL</u>

Estimated Cost \$ 5,720.00

Authorized By



Requested By:



VENDOR COPY - White OFFICE COPY - Canary

P.O. BOX 1570

**TOWN OF WEST YELLOWSTONE
MONTANA**

PHONE: 406-646-7795

FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER

1000-430200-369

Date 2-16-23

Ship Via

Order No. 006485

Department PUBLIC WORKS

TO: JD-S Specialty Services

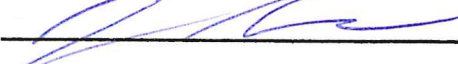
ADDRESS:

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
	Replace compressor on truck # 49

Estimated Cost \$ 5,859.81

Authorized By 

Requested By: 

VENDOR COPY - White OFFICE COPY - Canary

REPAIR ORDER

J.D.'s Specialty Services

West Service Center
622 Madison St. • P.O. Box 189
West Yellowstone, MT 59758
(406) 640-9097

3992

MATERIAL USED				
QTY.	PART NO.	DESCRIPTION	PRICE	WARRANTY YES / NO
1		Compressor	3543.81	
1		hose	178.00	
2		Gaskets	9.00	
1		Fuel Filter	60.00	
2		Vacuum caps	4.00	
10		ZIPTies	20.00	
			3814.81	
OUTSIDE REPAIRS				
BROUGHT FORWARD				
TOTAL PARTS				
QUAN.	ACCESSORY NO.	ACCESSORIES	PRICE	WARRANTY YES / NO
TOTAL ACCESSORIES				

NAME WYS Public Works		DATE 2/3	
ADDRESS #49 Dump Truck			
MAKE	TYPE OR MODEL	YEAR	RECEIVED A.M. P.M.
SERIAL NO.	ENGINE NO.	PROMISED A.M. P.M.	
ODOMETER	LICENSE NO.	TERMS	PHONE WHEN READY YES <input type="checkbox"/> NO <input type="checkbox"/>
ORDER WRITTEN BY		PHONE	

DSS	ISJ	LABOR CHARGE
	Lubrication <input type="checkbox"/>	
	Change Oil <input type="checkbox"/>	
	Change Oil Filter Cart. <input type="checkbox"/>	
	Change Trans. <input type="checkbox"/>	
	Change Diff. <input type="checkbox"/>	
	Pack Front Wheel Brgs. <input type="checkbox"/>	
	Adjust Brakes <input type="checkbox"/>	
	Rotate Tires <input type="checkbox"/>	
	Wash Polish <input type="checkbox"/>	
	State Inspection <input type="checkbox"/>	

OPER NO.	INSTRUCTIONS
	Air Leak Diag - Bad Compressor 175 -
	R&R Compressor 16hr Labor x 125.00 2000.00

You are entitled to a price estimate for the repairs you have authorized. The repair price may be less than the estimate, but will not exceed the estimate without permission. Your signature will indicate your estimate selection.
Teardown estimate - I understand that my car will be reassembled within _____ days of the date shown if I choose not to authorize the services recommended.

1. I request an estimate in writing before you begin repairs. _____
2. Please proceed with repairs, but call me before continuing if the price will exceed \$ _____
3. I do not want an estimate _____

I hereby authorize the above repair work to be done along with the necessary material, and hereby grant you and/or your employees permission to operate the car or truck herein described on the streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereto.

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL.	GAS, OIL & GREASE		PRICE
	GALS. GAS	@	
	QTS. OIL	@	
	LBS. GREASE	@	
TOTAL GAS, OIL & GREASE			

Method of Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Charge Labor: <input type="checkbox"/> Flat rate <input type="checkbox"/> Hourly <input type="checkbox"/> Both	TOTAL LABOR	2125 -
	TOTAL PARTS	3814.81
	ACCESSORIES	45.00
	GAS, OIL & GREASE	
	OUTSIDE REPAIRS	
STORAGE FEE (IF APPLICABLE)		
TAX		
TOTAL AMOUNT		5859.81

Repair Order

P.O. BOX 1570

**TOWN OF WEST YELLOWSTONE
MONTANA**

PHONE: 406-646-7795
FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER 5310 - 430600 - 220

Date 2-16-23

Ship Via

Order No. **006532**

Department PUBLIC WORKS


TO: AquaPro

ADDRESS:

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
<u>1</u>	<u>New 14" flow meter installed at ww plant.</u>

Estimated Cost \$ 6,044.⁰⁰

Authorized By 

Requested By: 

VENDOR COPY - White OFFICE COPY - Canary



AQUAPRO
A SIGA COMPANY

INVOICE

REMIT TO:
SIGA, LLC
PO BOX 246
LIVINGSTON, MT 59047
P: 406-333-2598
F: 406-333-2599
ACCOUNTING@SIGA-GROUP.COM

Invoice Date	Invoice #
11/11/2022	A22-155

Bill To
Town of West Yellowstone Attn: Elizabeth Roos PO Box 1570 West Yellowstone, MT 59758

Ship To
Town of West Yellowstone Attn: Jon Brown 440 Yellowstone Avenue West Yellowstone, MT 59758

P.O. Number	Terms	Rep	Order Date	Via	F.O.B.	Project
JB	Net 30	BLS	10/6/2022	Delivery	Factory	

Quantity	Item Code	Description	Price Each	Amount
1	DQ-G-LZ-R-S-AC-...	Badger 14" TFX-5000 Clamp-On Ultrasonic Meter	5,994.00	5,994.00
1	Freight	Safety CE, lg pipe, DTTL, Rem 110/220 VAC, STD, 15', 1/2 NPT, poly, w/Ethernet IP, gal/GPM, factory 3 pt	50.00	50.00

Thank you for your business.	Total	\$6,044.00
------------------------------	--------------	-------------------

Treasurer's Report January 2023

02/17/23
09:17:16

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 1/23

Page: 1 of 3
Report ID: L160

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 General Fund						
101000 CASH	860,422.41	112,765.95	0.00	0.00	381,507.46	591,680.90
101100 Investments - CD's	741,443.13	0.00	0.00	0.00	0.00	741,443.13
101500 Investment-STIP	1,314,806.25	4,729.52	0.00	0.00	0.00	1,319,535.77
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
103100 Town Office	50.00	0.00	0.00	0.00	0.00	50.00
103200 Petty Cash/WY Police Dept	50.00	0.00	0.00	0.00	0.00	50.00
Total Fund	2,916,821.79	117,495.47			381,507.46	2,652,809.80
2100 Local Option Taxation-Resort Tax						
101000 CASH	558,582.96	245,266.09	0.00	173,379.20	0.00	630,469.85
101500 Investment-STIP	1,292,319.35	4,648.63	0.00	0.00	0.00	1,296,967.98
102215 STIP Investment-Rev Bond	4,421.16	15.90	0.00	0.00	0.00	4,437.06
102225 STIP Reserve Acct Town Hall 10%	136,716.22	491.78	0.00	0.00	0.00	137,208.00
Total Fund	1,992,039.69	250,422.40		173,379.20		2,069,082.89
2101 Marketing & Promotions (MAP)						
101000 CASH	55,283.14	4,630.29	0.00	0.00	0.00	59,913.43
101500 Investment-STIP	257,464.32	926.13	0.00	0.00	0.00	258,390.45
Total Fund	312,747.46	5,556.42				318,303.88
2104 Additional 1%						
101000 CASH	1,012,767.66	61,803.61	0.00	0.00	0.00	1,074,571.27
101500 Investment-STIP	2,168,670.51	7,800.97	0.00	0.00	0.00	2,176,471.48
Total Fund	3,181,438.17	69,604.58				3,251,042.75
2111 Off Street Parking						
101000 CASH	10,915.69	11.34	0.00	0.00	0.00	10,927.03
101500 Investment-STIP	167,810.11	603.63	0.00	0.00	0.00	168,413.74
Total Fund	178,725.80	614.97				179,340.77
2210 Parks & Recreation						
101000 CASH	1,800.00	0.00	0.00	0.00	350.00	1,450.00
2211 Youth Program Donations						
101000 CASH	3,862.20	4.01	0.00	0.00	0.00	3,866.21
2212 Parks - Volleyball Court						
101000 CASH	5,183.44	5.38	0.00	0.00	0.00	5,188.82
2214 Rec. Program Scholarships						
101000 CASH	19,780.63	20.54	0.00	0.00	0.00	19,801.17
2220 Library						
101000 CASH	8,259.43	21.83	0.00	0.00	13,147.09	-4,865.83
2240 Cemetery						
101000 CASH	1,097.50	0.52	0.00	0.00	0.00	1,098.02
101500 Investment-STIP	10,905.27	39.23	0.00	0.00	0.00	10,944.50
Total Fund	12,002.77	39.75				12,042.52
2392 CDBG-Local Source						
101000 CASH	32,916.58	32.45	0.00	0.00	0.00	32,949.03
101500 Investment-STIP	42,062.94	151.31	0.00	0.00	0.00	42,214.25
Total Fund	74,979.52	183.76				75,163.28
2701 Cemetery Perpetual Care (7050)						
101000 CASH	7,342.98	7.31	0.00	0.00	0.00	7,350.29

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
101500 Investment-STIP	39,279.07	141.29	0.00	0.00	0.00	39,420.36
Total Fund	46,622.05	148.60				46,770.65
2820 Gas Tax Apportionment						
101000 CASH	-34,745.44	2,349.06	0.00	0.00	0.00	-32,396.38
101500 Investment-STIP	152,064.96	547.00	0.00	0.00	0.00	152,611.96
Total Fund	117,319.52	2,896.06				120,215.58
2821 Gas Tax BARSAA Funds						
101000 CASH	12,729.17	13.22	0.00	0.00	0.00	12,742.39
2850 911 Emergency						
101000 CASH	416.68	18.33	0.00	0.00	27,354.26	-26,919.25
101500 Investment-STIP	253,321.32	911.23	0.00	0.00	0.00	254,232.55
Total Fund	253,738.00	929.56			27,354.26	227,313.30
2917 Crime Victims Assistance						
101000 CASH	6,454.93	0.00	0.00	0.00	0.00	6,454.93
2992 ARPA Funds						
101000 CASH	52,669.97	0.00	0.00	0.00	0.00	52,669.97
101500 Investment-STIP	301,913.67	1,086.02	0.00	0.00	0.00	302,999.69
Total Fund	354,583.64	1,086.02				355,669.66
3050 GO Bond						
101000 CASH	5,773.38	5.08	0.00	0.00	0.00	5,778.46
101500 Investment-STIP	85,277.93	306.76	0.00	0.00	0.00	85,584.69
Total Fund	91,051.31	311.84				91,363.15
4000 Capital Projects/Equipment						
101000 CASH	-154,739.08	82.73	0.00	0.00	1,820.00	-156,476.35
101500 Investment-STIP	1,187,933.72	4,273.14	0.00	0.00	0.00	1,192,206.86
Total Fund	1,033,194.64	4,355.87			1,820.00	1,035,730.51
4030 80-acre Development						
101500 Investment-STIP	508,869.15	1,830.46	0.00	0.00	0.00	510,699.61
4060 Public Works Equipment Replacement						
101000 CASH	389.02	0.38	0.00	0.00	0.00	389.40
101500 Investment-STIP	260.31	0.94	0.00	0.00	0.00	261.25
Total Fund	649.33	1.32				650.65
4070 Parkway Construction/Mtn						
101000 CASH	0.34	0.00	0.00	0.00	0.00	0.34
101500 Investment-STIP	7,443.48	26.78	0.00	0.00	0.00	7,470.26
Total Fund	7,443.82	26.78				7,470.60
4075 Street Construction /Maintenance						
101000 CASH	30,253.67	15.35	0.00	0.00	0.00	30,269.02
101500 Investment-STIP	1,356,387.62	4,879.09	0.00	0.00	0.00	1,361,266.71
Total Fund	1,386,641.29	4,894.44				1,391,535.73
5210 Water Operating Fund						
101000 CASH	237,591.05	35,675.17	0.00	0.00	17,351.51	255,914.71
101500 Investment-STIP	457,994.51	1,647.46	0.00	0.00	0.00	459,641.97
102245 Replacement & Depreciation Ent.	24,086.22	86.64	0.00	0.00	0.00	24,172.86
Total Fund	719,671.78	37,409.27			17,351.51	739,729.54
5220 Water Replacement Depreciation Fund						

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 1/23

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
101000 CASH	19,787.35	92.71	0.00	0.00	0.00	19,880.06
101500 Investment-STIP	262,584.16	944.55	0.00	0.00	0.00	263,528.71
Total Fund	282,371.51	1,037.26				283,408.77
5310 Sewer Operating Fund						
101000 CASH	363,951.89	79,410.98	1,580.23	0.00	19,831.29	425,111.81
101500 Investment-STIP	457,218.44	1,644.67	0.00	0.00	0.00	458,863.11
Total Fund	821,170.33	81,055.65	1,580.23		19,831.29	883,974.92
5320 Sewer Replacement Depreciation Fund						
101000 CASH	131,462.94	336.39	0.00	0.00	150.00	131,649.33
101500 Investment-STIP	1,965,962.80	7,071.81	0.00	0.00	0.00	1,973,034.61
Total Fund	2,097,425.74	7,408.20			150.00	2,104,683.94
7010 Social Services/Help Fund						
101000 CASH	27,083.33	1,212.04	0.00	0.00	2,498.13	25,797.24
101500 Investment-STIP	122,712.61	441.41	0.00	0.00	0.00	123,154.02
Total Fund	149,795.94	1,653.45			2,498.13	148,951.26
7195 Court Collections Trust Acct						
101000 CASH	8,296.49	0.00	0.00	0.00	0.00	8,296.49
7202 TBID Agency Fund						
101000 CASH	10,595.69	9,421.89	0.00	281.31	8,765.89	10,970.38
7458 Court Surcharge HB176						
101000 CASH	80.00	60.00	0.00	0.00	0.00	140.00
7467 MT Law Enforcement Academy (MLEA)						
101000 CASH	80.00	60.00	0.00	0.00	0.00	140.00
7469 City Court - Judge Jent						
101000 CASH	7,174.50	1,945.00	0.00	1,347.50	1,415.00	6,357.00
7699 Victims Assistance Program						
101000 CASH	123.00	149.50	0.00	0.00	0.00	272.50
7910 Payroll Fund						
101000 CASH	14,865.77	0.00	232,445.76	244,437.27	0.00	2,874.26
7930 Claims Fund						
101000 CASH	181,269.07	0.00	240,164.64	358,059.36	0.00	63,374.35
Totals	16,819,857.57	600,663.50	474,190.63	777,504.64	474,190.63	16,643,016.43

*** Transfers In and Transfers Out columns should match, with the following exceptions:

- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

Fund	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
1000 General Fund	381,507.46	2,661,854.85	6,779,744.00	6,779,744.00	4,117,889.15	39 %
2100 Local Option Taxation-Resort Tax	106,898.00	3,129,210.89	7,312,028.00	7,312,028.00	4,182,817.11	43 %
2101 Marketing & Promotions (MAP)	0.00	53,482.69	125,000.00	125,000.00	71,517.31	43 %
2104 Additional 1%	0.00	0.00	2,500,000.00	2,500,000.00	2,500,000.00	0 %
2111 Off Street Parking	0.00	0.00	75,000.00	75,000.00	75,000.00	0 %
2211 Youth Program Donations	0.00	0.00	3,400.00	3,400.00	3,400.00	0 %
2212 Parks - Volleyball Court	0.00	0.00	5,150.00	5,150.00	5,150.00	0 %
2214 Rec. Program Scholarships	0.00	0.00	16,000.00	16,000.00	16,000.00	0 %
2220 Library	13,147.09	115,716.64	302,869.00	302,869.00	187,152.36	38 %
2240 Cemetery	0.00	1,452.00	9,205.00	9,205.00	7,753.00	16 %
2392 CDBG-Local Source	0.00	0.00	68,000.00	68,000.00	68,000.00	0 %
2820 Gas Tax Apportionment	0.00	94,024.80	259,126.00	259,126.00	165,101.20	36 %
2850 911 Emergency	27,354.26	35,597.64	226,100.00	226,100.00	190,502.36	16 %
2917 Crime Victims Assistance	0.00	0.00	6,454.00	6,454.00	6,454.00	0 %
2992 ARPA Funds	0.00	0.00	87,871.00	87,871.00	87,871.00	0 %
3050 GO Bond	0.00	374,214.59	455,065.00	455,065.00	80,850.41	82 %
4000 Capital Projects/Equipment	1,820.00	175,952.00	1,335,739.00	1,335,739.00	1,159,787.00	13 %
4030 80-acre Development	0.00	0.00	1,000,000.00	1,000,000.00	1,000,000.00	0 %
4060 Public Works Equipment Replacement	0.00	0.00	56,000.00	56,000.00	56,000.00	0 %
4075 Street Construction /Maintenance	0.00	18,025.50	1,445,000.00	1,445,000.00	1,426,974.50	1 %
5210 Water Operating Fund	15,771.28	102,919.97	1,011,188.00	1,011,188.00	908,268.03	10 %
5220 Water Replacement Depreciation Fund	0.00	0.00	425,000.00	425,000.00	425,000.00	0 %
5310 Sewer Operating Fund	19,831.29	160,193.78	1,426,736.00	1,426,736.00	1,266,542.22	11 %
5320 Sewer Replacement Depreciation Fund	150.00	27,894.25	7,675,400.00	7,675,400.00	7,647,505.75	0 %
7010 Social Services/Help Fund	2,498.13	21,186.73	29,185.00	29,185.00	7,998.27	73 %

02/17/23
10:09:31

TOWN OF WEST YELLOWSTONE
Statement of Expenditure - Budget vs. Actual Report
For the Accounting Period: 1 / 23

Page: 2 of 2
Report ID: B100F

Fund	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
7202 TBID Agency Fund	9,047.20	222,750.83	340,840.00	340,840.00	118,089.17	65 %
Grand Total:	578,024.71	7,194,477.16	32,976,100.00	32,976,100.00	25,781,622.84	22 %

TOWN OF WEST YELLOWSTONE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 1 / 23

Fund	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
1000 General Fund	117,495.47	3,369,867.58	4,797,079.00	1,427,211.42	70 %
2100 Local Option Taxation-Resort Tax	183,941.20	3,611,807.52	6,250,500.00	2,638,692.48	58 %
2101 Marketing & Promotions (MAP)	5,556.42	97,768.16	140,660.00	42,891.84	70 %
2104 Additional 1%	69,604.58	1,267,892.19	1,503,750.00	235,857.81	84 %
2111 Off Street Parking	614.97	8,313.03	3,300.00	-5,013.03	252 %
2211 Youth Program Donations	4.01	377.86	0.00	-377.86	** %
2212 Parks - Volleyball Court	5.38	25.24	0.00	-25.24	** %
2214 Rec. Program Scholarships	20.54	1,894.02	9,000.00	7,105.98	21 %
2220 Library	21.83	90,748.73	284,032.00	193,283.27	32 %
2240 Cemetery	39.75	1,127.00	675.00	-452.00	167 %
2392 CDBG-Local Source	183.76	4,335.46	5,750.00	1,414.54	75 %
2701 Cemetery Perpetual Care (7050)	148.60	1,268.03	0.00	-1,268.03	** %
2820 Gas Tax Apportionment	2,896.06	18,608.00	50,195.00	31,587.00	37 %
2821 Gas Tax BARSAA Funds	13.22	59.69	0.00	-59.69	** %
2850 911 Emergency	929.56	9,029.10	159,325.00	150,295.90	6 %
2992 ARPA Funds	1,086.02	2,801.21	0.00	-2,801.21	** %
3050 GO Bond	311.84	-17,838.49	50,000.00	67,838.49	-36 %
4000 Capital Projects/Equipment	4,355.87	24,285.07	130,350.00	106,064.93	19 %
4030 80-acre Development	1,830.46	10,220.11	500,000.00	489,779.89	2 %
4060 Public Works Equipment Replacement	1.32	7.03	55,382.00	55,374.97	0 %
4070 Parkway Construction/Mtn	26.78	149.48	0.00	-149.48	** %
4075 Street Construction /Maintenance	4,894.44	26,529.25	127,325.00	100,795.75	21 %
5210 Water Operating Fund	-6,356.79	273,873.22	448,322.00	174,448.78	61 %
5220 Water Replacement Depreciation Fund	1,037.26	4,854.39	210,500.00	205,645.61	2 %
5310 Sewer Operating Fund	7,605.30	451,033.72	789,150.00	338,116.28	57 %
5320 Sewer Replacement Depreciation Fund	7,408.20	39,295.39	6,154,389.00	6,115,093.61	1 %

02/17/23
10:09:16

TOWN OF WEST YELLOWSTONE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 1 / 23

Page: 2 of 2
Report ID: B110F

Fund	Received		Estimated Revenue	Revenue	%
	Current Month	Received YTD		To Be Received	Received
7010 Social Services/Help Fund	1,653.45	13,280.17	27,600.00	14,319.83	48 %
7202 TBID Agency Fund	9,421.89	196,241.74	325,400.00	129,158.26	60 %
Grand Total:	414,751.39	9,507,853.90	22,022,684.00	12,514,830.10	43 %

02/17/23
10:12:21

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 2/23

Page: 1 of 5
Report ID: AP100

For dates posted from 02/08/23 to 02/17/23, FSB - Operating account

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
49772		1089 Gallatin County Treasurer	552.50					
	01/31/23	Tech surcharge	140.00		COURT	7458 212200		101000
	01/31/23	MLEA	140.00		COURT	7467 212200		101000
	01/31/23	Public Defender	0.00		COURT	7468 212200		101000
	01/31/23	Victims Assistance	272.50		COURT	7699 212200		101000
49774		2851 Amatics CPA Group	15,000.00					
	71172 01/31/23	FY22 Audit	15,000.00*		AUDIT	1000 410530	353	101000
49776		2421 NAPA Auto Parts	1,750.32					
	01/31/23	Napa Supplies	965.25		STREET	1000 430200	220	101000
	01/31/23	Napa Fuel/Oil Supplies	247.08*		STREET	1000 430200	231	101000
	01/31/23	Napa Repair Supplies	382.92*		STREET	1000 430200	361	101000
	01/31/23	NAPA Equip Repair supplies -	155.07		STREET	1000 430200	369	101000
49777		2264 MORNING GLORY COFFEE & TEA	67.50					
	353823 01/28/23	Dispatch coffee Jan	33.75		DISP	1000 420160	220	101000
	353833 02/14/23	Dispatch coffee Feb	33.75		DISP	1000 420160	220	101000
49778		2575 WY Tourism Business Improvement	9,095.83					
	01/31/23	Collections in January	9,095.83		TBID	7202 411800	540	101000
49779		2952 DIS Technologies	823.00					
	10995 02/05/23	Monthly Managed IT	823.00		IT	1000 410580	355	101000
49780		E 2964 CITI CARDS	2,578.22					
	01/06/23	Zoom	149.90		IT	1000 410580	355	101000
	01/10/23	FR-Supplies for TC	22.40		LEGIS	1000 410100	220	101000
	01/10/23	FireholeBBQ TC	160.83		LEGIS	1000 410100	220	101000
	01/11/23	Amazon-file sorter	136.61		SOCSE	1000 450135	212	101000
	01/13/23	Amazon-desk calendar	24.98		ADMIN	1000 410210	220	101000
	01/17/23	MP --Supplies for TC	32.32		LEGIS	1000 410100	220	101000
	01/19/23	RunningBear TC	177.41		LEGIS	1000 410100	220	101000
	01/17/23	Wild West TC	109.55		LEGIS	1000 410100	220	101000
	01/24/23	Corner CenexTC	18.28		LEGIS	1000 410100	220	101000
	01/24/23	Amazon-REC Dept	185.53		RECRE	1000 460440	220	101000
	01/24/23	WildWest TC	146.87		LEGIS	1000 410100	220	101000
	01/26/23	Amazon-SecurityMirrorSocSer	56.90		SOCSE	1000 450135	212	101000
	01/31/23	Amazon-toiletseat coverersSocS	5.89		SOCSE	1000 450135	212	101000
	01/31/23	Amazon Help Supplies	108.57		HELP	7010 450135	220	101000
	02/01/23	Torgersons LLC EquipRepair	1,242.18		STREET	1000 430200	369	101000

02/17/23
10:12:21

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 2/23

Page: 2 of 5
Report ID: AP100

For dates posted from 02/08/23 to 02/17/23, FSB - Operating account

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
49782	E	2673 First Bankcard	2,211.05					
		01/04/23 EmergencyRsponsGudbk	4.60		STREET	1000 430200	220	101000
		01/09/23 Apple Storage 5GB	0.99		ADMIN	1000 410210	345	101000
		01/10/23 Credit Torgersons	-1,245.00		STREET	1000 430200	369	101000
		01/10/23 Winter Gloves	85.88		STREET	1000 430200	226	101000
		01/11/23 HeavyDutyindexPrybars	201.47*		STREET	1000 430200	361	101000
		01/10/23 Hilton-KTannerConferenc	682.41		BULDNG	1000 420531	370	101000
		01/11/23 KettleEmbroidSewerUniform	868.00*		SEWER	5310 430600	226	101000
		01/11/23 StonesMotors18Ram2500	182.03*		STREET	1000 430200	361	101000
		01/13/23 FEMAIncndntMngmntbook	16.65		STREET	1000 430200	220	101000
		01/12/23 WestgateAuto-Windshieldsreplcme	966.48*		STREET	1000 430200	361	101000
		01/14/23 Adobe subscription	14.99		ADMIN	1000 410210	345	101000
		01/19/23 ThreeBearLodgeScottWest	67.64		STREET	1000 430200	870	101000
		01/23/23 Amazon-Wall heater	222.53		PARKS	1000 460430	220	101000
		02/01/23 SlipperyOtter	142.38		SEWER	5310 430600	870	101000
49783	E	2673 First Bankcard	882.30					
		01/17/23 Blue Force Gear	292.30		POLICE	1000 420100	212	101000
		01/01/23 TransUnion-background checks	150.00		POLICE	1000 420100	220	101000
		01/12/23 Mesa TacticalShellcarrier	440.00		POLICE	1000 420100	212	101000
49788	E	2673 First Bankcard	365.91					
		01/05/23 AmerAssocofNotaries	25.00		FINADM	1000 410510	335	101000
		01/05/23 AmerAssocofNotaries	107.90		FINADM	1000 410510	335	101000
		01/06/23 Walmart Help-supplies	62.87		HELP	7010 450135	220	101000
		01/12/23 QuickprintSocSersupplie	90.50		SOCSE	1000 450135	220	101000
		01/20/23 USPS-additl postagePolice	0.48		POLICE	1000 420100	311	101000
		01/20/23 USPS- postage Court	5.44		COURT	1000 410360	311	101000
		02/01/23 GovFinanceOfficersAssoc	55.00		FINADM	1000 410510	380	101000
		02/01/23 USPS - Postage	2.46		ADMIN	1000 410210	311	101000
		02/01/23 USPS - Postage	16.26		COURT	1000 410360	311	101000
49789	E	2673 First Bankcard	286.76					
		01/04/23 Fischers Tech-copies	25.04		LIBRY	2220 460100	398	101000
		01/07/23 Zoom	155.52		LIBRY	2220 460100	398	101000
		01/14/23 .org Domain Renewal	21.17		ITLIBR	2220 460100	355	101000
		01/15/23 AmazonPrimeRenewal	14.99		LIBRY	2220 460100	398	101000
		01/24/23 BusinessPrints	15.04		LIBRY	2220 460100	220	101000
		01/24/23 MTLibraryAssocDues	55.00*		LIBRY	2220 460100	335	101000

02/17/23
10:12:21

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 2/23

Page: 3 of 5
Report ID: AP100

For dates posted from 02/08/23 to 02/17/23, FSB - Operating account

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
49790		2952 DIS Technologies	735.00					
	11103	02/05/23 Monthly IT	675.00		IT	1000 420160	398	101000
		02/05/23 Software Subscription	60.00		DSPTCH	1000 420160	216	101000
49793		2822 ClearBlu Business Services	4,580.00					
	1746	02/06/23 Town Hall	1,000.00		TWNHLL	1000 411250	357	101000
	1746	02/06/23 Library	400.00		LIBES	1000 411259	357	101000
	1746	02/06/23 Trailhead Bldng.	260.00		TRLHED	1000 411256	350	101000
	1746	02/06/23 Chamber Bldng.	1,400.00		CHAMB	1000 411257	357	101000
	1746	02/06/23 Park Bathrooms	800.00		PARKS	1000 411253	357	101000
	1746	02/06/23 Dispatch Building	585.00		DSPTCH	1000 411258	398	101000
	1751	02/06/23 Grease Trap Pump Out	135.00		FOVAH	1000 411255	350	101000
49796		2558 Hebgen Basin Fire District	55,849.00					
		02/01/23 February 2023	48,294.00		FIRE	1000 420400	357	101000
		02/01/23 employee grant February 2023	7,555.00		FIRE	1000 420400	140	101000
49799	E	2673 First Bankcard	1,829.00					
		01/06/23 Curtis	1,154.00		POLICE	1000 420100	212	101000
		01/11/23 LawEnforcementSemTrujillo	425.00		POLICE	1000 420100	380	101000
		01/18/23 Glock ProfessionalTrainingclas	250.00		POLICE	1000 420100	380	101000
49816		88 MT Dept Labor & Industry	157.05					
		2022fees 09/01/22 bldg fees & charges collecte	157.05*		BLDG	1000 420531	335	101000
49817		2 Forsgren Associates P.A.	14,580.00					
	123025	01/25/23 Task2022-02WWPermitrenewal	13,750.00		SEWER	5310 430600	354	101000
	123025	01/25/23 Task2022-03SFECalculator	830.00		SEWER	5310 430600	354	101000
49818		3390 Chet McLean, CPA, PC	6,715.00					
	2023-010	02/03/23 2023BudgetPrep'22Closing/AFR	6,715.00*		AUDIT	1000 410530	353	101000
49819		3268 Libdata	400.00					
	6073	02/03/23 YearlySupportfee	400.00		LIBRY	2220 460100	398	101000
49820		3243 Susan Swimley	471.75					
	12347	02/06/23 Moonrise Land use Issues	471.75		LEGAL	1000 411100	352	101000
49821		3314 Intrinsik Architecture	1,485.00					
	2023-0028	02/07/23 Zoning Code Review	1,485.00		PLANNG	1000 411000	354	101000

02/17/23
10:12:21

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 2/23

Page: 4 of 5
Report ID: AP100

For dates posted from 02/08/23 to 02/17/23, FSB - Operating account

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
49822		1864 Loomis Family Limited	188.49					
	12/23/22	Equipment fuel	188.49*		STREET	1000 430200	231	101000
49823		3391 TSC Corner Station, INC.	188.70					
	01/17/23	Equipment Fuel	188.70*		STREET	1000 430200	231	101000
49824		764 General Distributing Co.	68.88					
	1208516 01/31/23	Welding supplies	68.88*		STREET	1000 430200	231	101000
49825		2937 CINTAS First Aid & Safety	194.25					
	5145383099 02/16/23	FirstAid Supplies	194.25		STREET	1000 430200	220	101000
49826		2977 Staples Credit Plan	407.41					
	3216786171 01/27/23	Paper,Stickynotes,StenoPad	116.62		LIBRY	2220 460100	220	101000
	3217495111 01/28/23	Files,Paper,binder,clips	110.37		FINADM	1000 410510	220	101000
	3220612271 02/03/23	fastners,opticallogtech	158.94		DSPTCH	1000 420160	220	101000
	3223429411 02/08/23	Pens, supertabbookshelf	21.48		ADMIN	1000 410210	220	101000
49827		3350 Mid-American Research Chemical	101.58					
	0781750-IN 01/25/23	Liner 1 case	101.58		PARKS	1000 460430	220	101000
49828		2586 Waxie Sanitary Supply	569.13					
	81501866 02/10/23	WypallWorkhorseMFG3Cs	480.48*		POVAH	1000 411255	220	101000
	81390421 12/16/22	WaxieGreenSolsta243Neutral	88.65*		POVAH	1000 411255	220	101000
49829		3365 Joe Johnson Equipment	1,998.93					
	500092 02/06/23	Sweeper Repairs	1,998.93		STREET	1000 430200	369	101000
49830		3241 Bridger Analytical Lab	300.00					
	2302028 02/03/23 2/23	Testing coliform/E.coli	300.00		WATER	5210 430500	348	101000
49831		3315 IAS EnviroChem	1,130.00					
	2300755 02/15/23	SewerTesting	1,130.00		SEWER	5310 430600	348	101000
49832		1085 JD Speciality Services	85.00					
	3989 02/01/23	Thermostate Repair20Ram	85.00*		STREET	1000 430200	361	101000
49833		40 Jerry's Enterprises	733.88					
	012423-01 01/24/23	Fuel Voucher	50.00		HELP	7010 450135	231	101000
	01/30/23	Fleet Fuel	683.88*		STREET	1000 430200	231	101000

02/17/23
10:12:21

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 2/23

Page: 5 of 5
Report ID: AP100

For dates posted from 02/08/23 to 02/17/23, FSB - Operating account
* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account	
49834		533 Market Place	14.55						
	01/24/23	Help - batteries for food scal	14.55		HELP	7010 450135	220	101000	
49835		135 Food Roundup	253.75						
	01/10/23	Gift Cert	29.07		LEGIS	1000 410100	220	101000	
	01/28/23	Coffee Filters	7.56		DSPTCH	1000 420160	220	101000	
	01/25/23	PlowmanBrkfstRec	212.07		RECREA	1000 460440	220	101000	
	01/25/23	CookingClass Supplies	5.05		RECREA	1000 460440	220	101000	
49836		3037 White Buffalo Hotel	79.40						
	021423-01	02/14/23 Lodging Voucher	79.40		HELP	7010 450135	370	101000	
49837		3392 DELCO Western	3,802.50						
	23-0273	02/10/23 Field Service on Flow meters	3,802.50		SEWER	5310 430600	357	101000	
49838		1331 West Yellowstone Foundation	130.00						
	021323	02/13/23 Bus Voucher 7/22-1/23	130.00		HELP	7010 450135	370	101000	
49839		2099 Quick Print of West Yellowstone	6.75						
	17074	01/23/23 whiteposterboard 3	6.75*		WATER	5210 430500	220	101000	
		# of Claims	39	Total:					130,668.39
			Total Electronic Claims	8,153.24	Total Non-Electronic Claims	122515.15			

Received 2-13-23
ER



Town of West Yellowstone Business License Application

Business Name: Westpark Reserve
Applicant: Keith Johnson
Contact Person: Keith Johnson
Mailing Address: PO Box 944
Physical Address of Business: 120 Canyon St.
Phone Number: 406 640 5005 Fax Number: _____
Email Address: Keith.johnson22@gmail.com Website: _____

Signature of Property Owner of Record: Jerry D. Johnson

Subdivision: _____
Block: 16 Lot: 8 Suite 2

Zoning District, please mark one:

- B-3 Central Business District (Old Town)
- B-4 Expanded Business District (Grizzly Park)
- E-2 Entertainment District (Grizzly Park)
- PUD Planned Unit Development (Grizzly Park)
- Residential Districts, Home Occupations Only (Mad Add)
- New Business
- Change of Location
- Transfer of Ownership
- Name Change

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

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

Retail

Business License Fee: \$ 50.00
Resort Tax Bond: \$ _____

[Signature]
Signature of Applicant

Total Amount Due: \$ _____

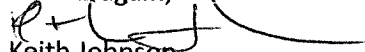
Signature of Applicant
2/13/23
Date

FOR OFFICE USE ONLY			
Date Approved: _____	<input type="checkbox"/> Town Council	<input type="checkbox"/> Administration	_____
Date _____	Check # _____	Amount \$ _____	License # _____
SCN _____	BLP _____	STX _____	RDX _____

To Whom it may concern,

In regards to the Town of West Yellowstone Business License Application for Westpark Reserve, I would like to ask you to consider waiving the Resort Tax Bond. I am requesting this because our business, Backcountry Adventures, is in good standing with Town. Thank you for your consideration.

Thanks again,



Keith Johnson

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
February 7, 2023

COUNCIL MEMBERS PRESENT: Travis Watt, Lisa Griffith, Jeff McBirnie by Zoom, and Jeff Mathews

OTHERS PRESENT: Town Manager Dan Walker, Finance Director Katie Thompson, Public Services Superintendent Jon Simms, Town Clerk Liz Roos, Town Attorney Jane Mersen by Zoom

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

Portions of the meeting are being recorded. The meeting is being broadcast over the internet using a program called Zoom.

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

Public Comment Period

No public comments are received.

Council Comments

No council comments are received.

WORK SESSION

Mayor Watt calls the meeting to order and explains that the topic for the work session is a waste water treatment plant alternative as proposed by Moonrise Partners, LLC. Town Engineer Dave Noel explains that they have received a report that presents an alternative to the mechanical plant the Town is preparing to build. Noel explains that when he received the proposed alternative, he contacted Jason Broome of Forsgren's Salt Lake City office. He says that Broome is qualified to review the alternative and has been doing waste water treatment for nearly 30 years. His expertise ranges from lagoons to mechanical treatment plants. Broome presents a slideshow that summarizes the Preliminary Engineering Report prepared by Forsgren in 2020 where various treatment options were evaluated, the Town then selected the preferred alternative of building a mechanical plant. Moonrise Partners, LLC has presented a report recommending an expanded lagoon system. The report was produced by Morrison Maierle, Inc., The Dyer Group, Nexom Technologies, Inc., and Triplepoint Environmental, LLC. Broome explains how a mechanical waste water treatment plant removes nitrogen from waste and how the proposed alternative lagoon system would remove the nitrogen. He explains in detail the detention time, loading rate, and efficiency of both types of systems. He explains that the cost presented in the report for the alternate process is only \$7-\$8 million, but he doesn't think it is sized properly, would meet design criteria, and does not include all the cells. Broome says that the realistic cost of expanding the lagoon would be similar to the mechanical treatment plant and construction time would also be similar. Mathews asks if Forsgren has built an Aeromod system before. Broome responds that they have, it is in Grants, NM. Noel adds that the Aeromod system is a proprietary process for activated sludge removal. He says that is not a new process, they have built multiple plants that use the same type of process, but only one using Aeromod as the vendor. Noel says the next step will be to conduct site tours with the staff of operating plants and they are continuing to work on securing the land to build the plant. Noel answers multiple questions about the process and why the decision was made to build a mechanical plant. The group discusses algae growth in the current lagoons and the nitrogen plume that is in the groundwater. Noel clarifies that they do not believe this proposal would save money and they would have to schedule the phasing of the project to continue to operate the current system and build a new one. The Council asks multiple questions about the proposal and the current plan to build a mechanical waste water treatment plant. The work session adjourns at 6:30 PM.

ACTION TAKEN

- 1) Motion carried to approve Purchase Order #6315 to Central Square Public Safety Suite for \$122,418.48, as amended to the correct amount. (Mathews, Griffith)
- 2) Motion carried to approve the payment of the claims, which total \$218,009.77. (Mathews, Griffith)
- 3) Motion carried to approve the minutes of the January 17, 2023 Town Work Session and the January 24, 2023 Town Council Meeting, as amended to correct the date. (Mathews, Griffith) Griffith is opposed, motion passes.
- 4) Motion carried to approve the \$95,000 risk share for Community Health Partners for the calendar year 2022. (Mathews, Griffith)
- 5) Motion carried to approve the request from the Yellowstone Rendezvous Ski Race for up to \$1000 to offset the increased cost of grooming the start of the race due to increased snow this year. (Mathews, Griffith) Watt is opposed, motion passes.
- 6) Motion carried to table the site plan until the submittal of a new plan with accurate parking spaces and numbering. (Mathews, McBirnie)
- 7) Motion carried to release a Request for Proposals (RFP) for Town Engineer and Town Attorney. (Griffith, McBirnie) See next motion.
- 8) Secondary motion carried to release a Request for Proposals (RFP) for legal services and extend the contract with Forsgren Associates for one year. (Watt, McBirnie) Mathews is opposed, motion passes.
- 9) Motion carried to approve the Town Priority Projects for 2023, as presented by Town Manager Dan Walker. (Mathews, Griffith)

DISCUSSION

- 1) Mayor Watt explains that the Town has budgeted \$120,000 for this project in this fiscal year, but the balance of the project will be rolled over and re-budgeted in the next fiscal year. Chief Gavagan comments that he has been working on putting this system together for several months and anticipate it will take about a year to implement. Annual costs will be approximately \$18,000/year and funded from the public safety mill levy.
- 4) Mayor Watt explains that the risk share agreement was for up to \$100,000 but they only requested \$95,000 because they were not open for the last two weeks of the calendar year.
- 5) Mayor Watt reads a letter of request from Yellowstone Rendezvous Ski Race for up to \$1000 to offset an anticipated increase in grooming this year. Watt says that he struggles with this type of request as it is not in the budget and he doesn't want to open that door. Mathews asks how they have supported the race in the past. Roos responds that they have supported the race through the Marketing and Promotions Fund or in-kind assistance by moving snow. Drew Barney explains that they are starting the race in the same location that they have for 35 years, but considerable snow has been pushed into that area and it will be more difficult to groom the area.
- 6) KC Tanner, Deputy Public Services Superintendent-Building Official and Code Compliance, presents a site plan for 435 Parkway B on behalf of Lisa Griffith. Tanner explains that the DRG and Planning Board approved the site plan with ten parking spaces. The submitted plan shows more than ten spaces but notations to remove some of the spaces. The applicant chose not to redraw and submit a new plan. Tanner says that

he amended the plan that was submitted but the numbering is not accurate. The Council discusses the proposed site plan and agrees that it is hard to read and requests that the applicant redraw and resubmit the site plan.

- 7-8) Mathews says that it appears the staff is generally satisfied with both the engineer and attorney. Griffith and McBirnie agree that it is best to know what options are available. Mayor Watt says that he thinks they are responsible for making the right decision for the community. He that releasing a RFP for legal services is appropriate at this time, but they are in the middle of a large project with Forsgren Associates and now would not be a good time to switch firms. Mathews points out that they are also involved in some important issues with the attorney.
- A) **Town Manager & Department Head Reports:** Town Manager Dan Walker reports that they have been monitoring bills that are being considered by the legislature during this session. He says that Representative Gillette and Senator Pat Flowers have been very good about reaching out when bills are introduced who may affect the Town. He reports that the public comment period for the FLAP Grant is open through February 19 and encourages participation. They have been receiving emails and inquiries about the Moonrise project, they do have a conference call scheduled tomorrow and anticipate scheduling a Planning Board meeting in the near future. There is a Housing Coalition meeting tomorrow evening at the Library at 6 PM. Mayor Watt asks about employment openings and advisory board openings. Walker reports that they are seeking two full-time dispatchers and three equipment operators for Public Services. Roos reports that they are seeking volunteers for the Cemetery Board of Trustees, Parks & Recreation Advisory Board, and Business Improvement District.
- B) **Advisory Board Reports:** Griffith reports that the Health Care Services Advisory Board met last Friday and discussed the transition to Billings Clinic and the Hospital District vote.

The meeting is adjourned at 8:05 PM. (Mathews, Griffith)

Mayor



ATTEST:

Town Clerk

Bi-Weekly Report

02/02/23 thru 02/16/23

02/02/23: Performed water /wastewater rounds. Plowed snow at water/wastewater facilities and around town. Collected water BAC-T samples and sent them to Bridger Labs. Collected effluent and influent wastewater samples and drove to IAS Labs.

02/03/23: Performed water /wastewater rounds. Worked on chlorinator and flowmeter on Well #4. Gathering paperwork for lead inventory. Plowed new snowfall. Repaired the fuel system on the 936 Cat. Repaired the shear pin on the big green snowblower.

02/06/23: Performed water /wastewater rounds. Changed oil and serviced backhoe. Checked collection systems by lifting manholes to see if there was any blockage.

02/07/23: Performed water /wastewater rounds. Checked collections systems for blockage. Sewer blockage was found on Ally D and Hayden St. Removed blockage.

02/08/23: Performed water /wastewater rounds. Collected from Well #3 and Whiskey Springs metal panels, arsenic, and fluoride samples and shipped them to Energy Labs.

02/09/23 thru 02/13/23: On vacation. Sam overlooked water/wastewater facilities while I was away.

02/14/23: Performed water /wastewater rounds. Water sample VOS and SOC samples were collected for State Waiver and shipped to Energy Labs. Adjusted lagoons. Sonic starts inspected and cleaned at lift stations Madison and Iris. Working on lead inventory.

02/15/23: Performed water /wastewater rounds. Welded and repaired dump trucks #49 and #112. Repaired plugged toilet at the Rendezvous Ski building.

02/16/23: Performed water /wastewater rounds. Collected water nitrate and nitrite samples and drove to IAS Labs.

If you have any questions, please contact me.

Thank you,

Jon Brown



FEBRUARY 17, 2023

TO: Town Manager Dan Walker, Town Council

FROM: Liz Roos, Town Clerk

SUBJECT: Town Clerk Report

- Researched and emailed attorney regarding outstanding connection fees for three commercial properties in Town
- Responded to permitting request from Verizon to upgrade tower and equipment at 135 Gibbon
- Agenda and Packet for February 21, 2023 Town Council Meeting
- District Basketball – Go Wolverines!



Police Department Weekly Report February 2 – February 15, 2022

Calls

195 Calls for service. Multiple crashes, slide-offs, traffic stops, search & rescues, school resource events, domestic disturbances, DUI's, alarms, illegal camping, trespassing, threats, thefts, welfare checks, harassment, citizen assists, parking, warrant arrests, etc. In other words, normal stuff for us.

Administrative

Trainings completed – Officers Stoneburner and Sosa have been at training all week in Bozeman for Crisis Intervention Training, finishing up Friday afternoon. Officer Trujillo is completed a two-day class this week on Background Investigations for law enforcement.

Trainings upcoming – Next Wednesday is our monthly firearms training. Prior to firearms, I have asked Gallatin County Victim's Advocate group to come in for a 1-hour training on the services they provide and how this county service works with law enforcement. We are recommended by the state and required by my policy to provide a victim's advocate referral form to their office and to the victim of any violent crime. These crimes include Partner & Family Member Assault, sex assaults, simple assault, traumatic vehicle accidents, etc. WYPD has been assigned a new advocate for our area and this seemed like a great time to reinforce the need to provide these services to victims in West and to make a personal connection for the officers with our assigned advocate.

Central Square project – Thanks to the council for approving this purchase at the last council meeting. This system has been ordered and the 12-month clock for integration has begun.

Spent the better part of two days in court this week. Positive results were achieved.

I Completed an online training that qualifies me to work with the Montana Department of Revenue – Liquor Division to conduct local compliance checks on all businesses in town that sell alcohol. The goal of these compliance checks is to keep our kids safe by cracking down on illegal alcohol sales to minors and secondary selling (adults purchasing alcohol for minors). We have had incidents reported to us of this happening, way more often than we thought. This has also been an issue regarding tobacco and tobacco related products (vaping). For clarification purposes, it is now illegal to smoke any tobacco or related product unless you are 21 years old. We have issued citations for this at the school and out in the public. We need to make sure that the local businesses are being a good partner in this effort to keep our kids safe.

I have worked with Town Manager Dan Walker on an evaluation form specific to the police officers. The criteria for evaluating a law enforcement officer requires some specific categories that the officer needs to be evaluated on. With Dan's help and guidance, we were able to incorporate these categories and some other important categories that speak to cultivating good community members, leaders and communicators. These categories help reinforce Dan's (and my) organizational philosophy. I have now begun the process of completing these evaluations for the officers.

End of Report

Mike Gavagan

Public Services Dept. Bi-Weekly Report: February 3rd through February 16th, 2023

Work performed

Snow removal, clean up snow storage areas and inner parkways throughout central business district, haul to snow yard. Sightline clearing at hazard intersections and snow yard, widen snow berm along alleyway corridors and roadways with rotary loader, haul away. Vehicle and equipment maintenance: compressor issues resolved on truck 49, weld tailgate and latch back together of truck 49, top of ram cylinder seal leaking as well. Install new seal kit for driver side angle ram to vee plow on 938, will need to replace steering cylinder, torque converter, oil temperature sensor and work lights on 938. Replace radiator cap, block hose and tubing on FL 80. Batteries replaced on yellow rotary loader, new alternator as well, replace side markers on western plow, replace blower motor on 08 Sierra, update wiper blades, lamp relay and temperature control thermostat on yellow snow rotary loader. Cylinder leak on truck 55, replace engine oil dipstick on truck 112, fix main hydraulic line on green rotary loader, starter solenoid going bad and needed replaced. Cutting header edge readjusted on Stewart Stevenson loader. Repack hubs on trailers. Reattach main discharge chute on green rotary loader after hardware failure. Trucks and equipment issues from being stored outside, not firing up due to cold temperatures. Replace plow parts and fix hydraulic leaks on both Henke plows. Service seized cylinders on dump trucks. Utility locates as they come through. Water meter and service valve requests as needed (Jon Brown and I will be coming up with a recommended termination date for these turn on/ off requests). Haul abandoned vehicles for the police department as needed. Continue replacing worn street signage, straightening posts. Respond to flag lowering notifications. Install additional temporary stop signs and no snowmobiling signs along Iris, Obsidian Street, and snow yard to help alleviate the dangers of sled collisions with pedestrians and other vehicles. Discovered an exposed 4' metal property pin along FS trail on the way to chlorine building, Jason Brey was made aware of the potential dangers and made quick work of resolving the issue. Cleaned up debris blowing out of triple bin roll off containers and Abitibi's at PW shop. SAS mainline sewage backup in Alley D at the Hayden Street interceptor, crew was able to break through without calling in the contractor. Sewer backup call at Rendezvous trailhead building. Call for sewage backup at visitor's center. Replaced drop kit, flushometer valves and sensors in women's room at the chamber building. Coordinate repairs to public drinking fountain at chamber building, replace seals. Continue cross training in operating rotary loader with the crew. Diagnose water line leak from hose bib in utility room at the dining lodge. Organize city park shop, get janitorial supplies needs and inventory list together in preparation for this spring. Replace cadet heaters as needed in facilities. Roof snow removal from weakened areas of the dining lodge roof, clinic building, and town hall. Povah center and little rangers building scheduled for February 17th and 18th. Helped the Forest service with trailway transitionary access from the towns streets. Open up emergency exits, secondary fire escape routes at city owned buildings. Exposed gas regulator vent at dining lodge with 904 loader after gas was noticed bleeding through the snow near west man door. The fire department was later called in after hours as smell was reported again and cleared the area. Fire department has been helping the public works crew greatly by clearing all the hydrants of snow around town.

Administrative

Meet with residents regarding snow removal issues. Fill in shifts on road grader, dump truck, wheel and rotary loaders, help crew with snow removal. Review parts needs with vendors on heavy equipment. Post public notice updates on town Facebook page to help give residents snow removal operational status. Discuss roof snow removal priorities with Yellowstone Log Chinking on city owned buildings. Continue to coordinate snow removal plans with Tri-State Excavating. Continue to coordinate cardboard dumpster service and scheduling requests with Peter Harned at Full Circle Recycling. Work with Tyler Liddiard and Mountain States Lighting on streetlighting upgrades along the highway. Received a secondary proposal for roadway sealing treatments throughout old town later this August. Start putting together the bid specifications and documents to get these two projects out to state bid. Confirm parts needs with Joe Johnson Equipment, Caterpillar, John Deere, Brandt Industries and Normont Equipment. Reach out to John Leroy at Owen Equipment in Salt Lake City on viable options for the town to help streamline our snow removal program. Discussed scheduling of snow gate installation for grader belly blade, moldboard with Cody Orden and Levi Meeks at RDO. Again, received an update from RDO on the town's newly leased equipment. Factory delivery date of March 30th for 624P wheel loader, factory completion date of June 25th on 772G Grader. Exploring options for a used Vactor truck, when the town has a major backup in any SAS mainline/ lift station and contractor is not available, or their equipment is down the town will run into problems. (Town staff continues to open problem areas at intersecting manholes where sanitary debris has potential of accumulating to help mitigate issues). Building issues at town hall: roof and wall leaks (looking into potential contractors for springtime remediations). Discuss surplus equipment options with Hunter Robinson at GovDeals.com to get rid of our filth. Attend Gallatin County's Solid Waste Board Meeting, February 16th (tipping fees will remain at \$126.00/ton). Explore options for the town's future water source holding tank, discuss possibilities with Henry Fischer at Preload Concrete Tanks. Explore signage update needs, gather inventory of signs that will need fixed, replaced this spring after the snow melt off. Stopped by Grey Wolf Hotel and left a message for their maintenance team to trim the evergreen near the Explorer Cabins, which is obscuring the stop sign along S. Canyon and Grizzly. Spoke with the City of Billings Road and Bridge Superintendent, to try and set a date to look at their 2017 snow dragon as an option for eliminating snow 'in place' throughout the town's inner snow parks. If any council member/s would like to see this unit in operation?? Let's set a date in the coming weeks to go see it in Billings. Meeting with Matt Kline from Rocky Mountain Economic Development District and subcommittee to discuss arising concerns and problems with economic development throughout Gallatin County. Discuss maintenance needs with Drew Barney for the upcoming Rendezvous Ski Race Event on March 4th. Discuss upcoming classes being offered by the town's recreation program with Vely (zumba, cooking, painting). Help brainstorm ways to encourage more participation. Gave a presentation to a group of kids at the public library on February 15th, covered fundamentals within public works snow removal operations, gave the kids a tour of the city's grader. Finished annual employee evaluations for KC, Shane, and Sam, will be handing out evaluations soon to Vely, Jon Brown, Bill "Mike" Warner, and Ricky Morales. Review the town's current GIS utility data program, followed up with ESRI's new point of contact Raed Aldbagh on options for incorporating field data edits into our current browser and possibly partnering with Civic Lanes or Pro West. Discuss cleaning operations at the Povah Center with Brandi Kadlec. Go over importance of water service requests, access dates for turning on & off curb stops with Jon Brown. Come up with utility termination request dates for the fall and spring. Set up a time to meet with Ed Geiger to look at options for

installation of security cameras in town. Coordinate deliver of casting pond benches with Big Sky Anglers and Premier Powder Coating. Get crews back to working on ice rink again. Forward zoning requests updates on proposed renovations to Verizon's cell tower at 135 Gibbon to zoning and get information requests back to Fullerton Engineering. Discuss easement and setback requirements with business owners and residents, clarify municipal codes. Schedule parts orders and updates to town's fleet. Place orders for necessary O&M supplies, follow up with vendors on supply chain issues. Coordinate with staff at Forsgren and Jon Brown to review best management practices for wastewater collection/ treatment facility and water distribution system. Investigate weir levels on cells A & B at lagoon. Coordinate monthly coliform/ bac- T samples with Jon Brown. Follow up on proposals for CIP projects. Conduct weekly COVID samples (results available on the Gallatin County Health Departments website). Review city policies, procedures, collective bargaining agreement, safety protocols and codified ordinances. Review city policies, procedures, collective bargaining agreement, safety protocols and codified ordinances. Evaluate 2022 budgetary needs, review purchase orders and submit weekly invoices. Enter timesheets and payroll for crew. Respond to WY pump status reports and dispatch to town as necessary. Ticket entry for 811's new "positive response" reporting software.

HIGHLIGHTS

WEEK OF FEBRUARY 3-15 2023

SOCIAL SERVICE OFFICE

- ♥ Several clients are using the computers for job search, unemployment and income tax filing.
- ♥ Food donations from various businesses and individuals in town
- ♥ Assisted five clients with applications for energy assistance
- ♥ We have a volunteer that is cleaning and organizing the Clothing Bank. Looks great in the basement
- ♥ The lobby food is being used by many
- ♥ Verifying client's food applications to be sure they are within the guidelines set by the MFBN
- ♥ Food boxes prepared for qualifying clients.
- ♥ One emergency box
- ♥ Voucher given out to a stranded individual
- ♥ Moms' are using the Diaper Depot
- ♥ Follow up on medical bills for a client
- ♥ Helping client with Montana Healthy Kids program
- ♥ Patty Peterson, Dianna and Debbi visited the new Clinic and presented them with a Welcome present.
- ♥ Updating the job board
- ♥ Dianna has traveled to Bozeman to pick up our food orders, Senior Food and school Kid Packs
- ♥ Three young men from the Netherlands use our showers

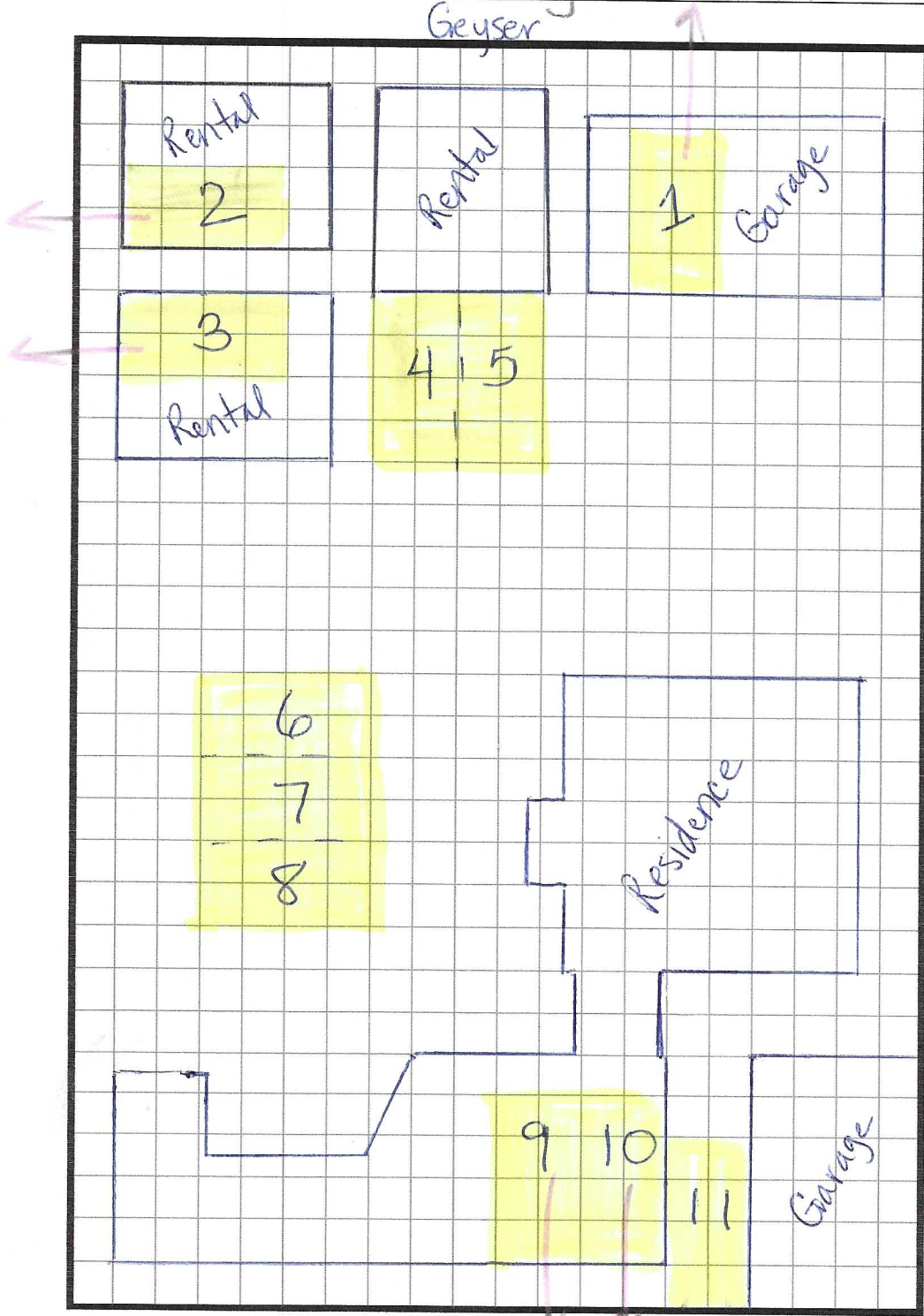


Week of 02.16.2023

- ❖ Completed reconciliations of bank accounts
- ❖ Went to training over the budget process and start working on the budget schedule for the next fiscal year.
- ❖ Worked on gathering more information for SFE calculators.
- ❖ Testified on HB430
- ❖ Worked on Resolution No 785 and Treasurer and Securities Report

Site Plan

Business Name: Lisa Griffith (TBD)
Business Owner: Lisa Griffith
Business Street Address: 435 B Parkway
Block: 19 Lot: 6 Subdivision: Original Townsite



yellow highlighting = parking spots
pink arrows = direction to exit garage parking spot

Scale: 1 inch = 20 feet

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

Dear Members of the Town Council,

I request that you hold another election, preferably this May, on the Adult Use Marijuana (AUM) issue.

In reviewing Title 16, Chapter 12 of the Montana Code, and Jane Merson's November 19, 2021 Memo to the Council, I think the Resolution that was provided to the voters in November 2022 was inconsistent with Montana law.

First, without any town action, adult use marijuana would be allowed in West Yellowstone, as the Gallatin County voters approved I-190.

As such, the Resolution asking voters to decide "For permitting" or "Against permitting" was inaccurate. It was already permitted.

In addition, MCA 16-12-301(7) allows municipalities within allowed counties to "prohibit" adult use through a local vote.

Finally an "interim" ordinance to prohibit can only be in effect until a vote to "prohibit" is held, or while the municipality is studying how to regulate AUM within its boundaries. The MCA does not contemplate or allow a town council to permanently prohibit AUM use within an allowed County.

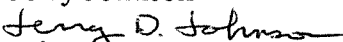
As such, the current validity of the Town's Prohibition Resolution of May 2022 is questionable.

I have attached the language that was provided to the Town voters last November. I ask that the Town hold another election, but replace the word "permitting" with "prohibiting."

This will also make the ballot language less confusing. I have spoken to many people who admit they did not know the effect of their vote because of the language.

Very Truly Yours,

Jerry Johnson


February 15, 2023

MEMORANDUM

TO: Dan Walker
FROM: Jane Mersen
RE: Marijuana laws
DATE: November 19, 2021

The Montana legislature passed HB 701, the Montana Marijuana Regulation and Taxation Act, following the I-190 affirmative vote to allow recreational marijuana, now commonly called “Adult Use” marijuana in Montana. HB 701 provided how and when marijuana businesses could be regulated and by whom. The types of marijuana businesses that are included are dispensary, cultivation, manufacture, medical dispensary, combined use licenses, testing labs and transportation.

The bill is codified, in part, at Title 16, Chapter 12, MCA. If a town is located within a county that voted to allow adult use, the law allows that Town to either prohibit any or all of the different types of marijuana businesses and or to regulate them. Gallatin County electors voted to allow adult use.

Regulation

If the Town desires to allow marijuana businesses, it should undertake a study to determine where such businesses could be located and what, if any restrictions should be placed on the business. Any regulations by the Town will be in addition to the restrictions provided by state law and the Department of Revenue rules. Further, if the Town allows such businesses, it could enact a local option tax to receive part of the tax revenue that DOR will collect. The Town could pass an interim zoning ordinance restricting any marijuana businesses from locating in Town until such time as the study is complete and the Town enacts the new zoning and business regulations.

Prohibition

If the Town Council wants to allow the voters to decide whether to prohibit such businesses, it must follow the process set out in Title 16, by putting a resolution prohibiting any or all of the marijuana business listed above from operating in the Town on a ballot and holding an election.

If the voters elect to prohibit such businesses, the Town may not allow any businesses that were included on the ballot within its limits. Note, the Town cannot stop licensed transporters from transporting marijuana through the Town.

If the ballot measure fails, then such businesses may operate within the Town and the Town should regulate them through zoning.

The Town Council may pass an interim zoning ordinance temporarily prohibiting such businesses while the matter is pending an election.

While the law becomes effective January 1, 2022, there is still a “transition’ period that is built into the DOR regulations. In January, the only business that can sell adult use marijuana are the dispensaries that were licensed by the Department on or before November 3, 2020 for medical marijuana. Therefore, the only business that could sell adult use marijuana in West Yellowstone is LPC West Yellowstone. The DOR will not accept any applications for new marijuana dispensaries, manufacturer or cultivation businesses, that are not former medical marijuana licensees, until July 1, 2023.

Montana Code Annotated 2021

TITLE 16. ALCOHOL, TOBACCO, AND MARIJUANA

CHAPTER 12. MARIJUANA REGULATION AND TAXATION

Part 3. Local Government and Law Enforcement Authority

Local Government Authority To Regulate -- Opt-In Requirement In Certain Counties -- Exemption For Existing Licensees

16-12-301. Local government authority to regulate -- opt-in requirement in certain counties -- exemption for existing licensees. (1) (a) Except as provided in subsection (1)(b), a marijuana business may not operate in a county in which the majority of voters voted against approval of Initiative Measure No. 190 in the November 3, 2020, general election until:

(i) the category or categories of license that the marijuana business seeks has or have been approved by the local jurisdiction where the marijuana business intends to operate as provided in subsection (3) or (4); and

(ii) the business is licensed by the department pursuant to this chapter.

(b) A former medical marijuana licensee that does not apply for licensure as an adult-use dispensary may operate in its existing premises in compliance with rules adopted by the department pursuant to **16-12-201(2)** notwithstanding a local jurisdiction's failure to take action pursuant to subsections (3) through (6).

(c) A former medical marijuana licensee that intends to apply for licensure as a cultivator, manufacturer, adult-use dispensary, or testing laboratory may operate in compliance with rules adopted by the department pursuant to **16-12-201(2)** notwithstanding a local jurisdiction's failure to take action pursuant to subsections (3) through (6), provided that the former marijuana licensee has remained in good standing with the department of public health and human services and the department.

(d) For the purpose of this section, the marijuana business categories that must be approved by a local jurisdiction under subsections (3) through (6) in a county in which the majority of voters voted against approval of Initiative Measure No. 190 in the November 3, 2020, general election before a business may operate are:

(i) cultivator;

(ii) manufacturer;

(iii) medical marijuana dispensary, except as provided in subsection (1)(b);

- (iv) adult-use dispensary;
- (v) combined-use marijuana licensee;
- (vi) testing laboratory; and
- (vii) marijuana transporter facility.

(e) Marijuana businesses located in counties in which the majority of voters voted to approve Initiative Measure No. 190 in the November 3, 2020, general election are not subject to the local government approval process under subsections (3) through (6).

(2) (a) To protect the public health, safety, or welfare, a local government may by ordinance or otherwise regulate a marijuana business that operates within the local government's jurisdictional area. The regulations may include but are not limited to inspections of licensed premises, including but not limited to indoor cultivation facilities, dispensaries, manufacturing facilities, and testing laboratories in order to ensure compliance with any public health, safety, and welfare requirements established by the department or the local government.

(b) A former medical marijuana licensee that does not apply for licensure as an adult-use dispensary is exempt from complying with any local governmental regulations that are adopted under this subsection after July 1, 2021, until its first license renewal date occurring after January 1, 2022, or the expiration of any grace period granted by the locality, whichever is later.

(3) An election regarding whether to approve any or all of the marijuana business categories listed in subsection (1)(d) to be located within a local jurisdiction may be requested by filing a petition in accordance with **7-5-131** through **7-5-135** and **7-5-137** by:

- (a) the qualified electors of a county; or
- (b) the qualified electors of a municipality.

(4) (a) An election held pursuant to this section must be called, conducted, counted, and canvassed in accordance with Title 13, chapter 1, part 4.

(b) An election pursuant to this section may be held in conjunction with a regular election of the governing body, general election, or a regular local or special election.

(5) If the qualified electors of a county vote to approve a type of marijuana business to be located in the jurisdiction, the governing body shall enter the approval into the records of the local government and notify the department of the election results.

(6) (a) If an election is held pursuant to this section in a county that contains within its limits a municipality of more than 5,000 persons according to the most recent federal decennial census:

(i) it is not necessary for the registered qualified electors in the municipality to file a separate petition asking for a separate or different vote on the question of whether to prohibit a category of marijuana business from being located in the municipality; and

(ii) the county shall conduct the election in a manner that separates the votes in the municipality from those in the remaining parts of the county.

(b) If a majority of the qualified electors in the county, including the qualified electors in the municipality, vote to approve a category of marijuana business to be located in the county, the county may allow that category of marijuana business to operate in the county.

(c) (i) If a majority of the qualified electors in the municipality vote to approve a category of marijuana business to be located in the municipality, the municipality may allow that type of marijuana business to operate in the municipality.

(ii) If a majority of the qualified electors in the municipality vote to prohibit a category of marijuana business from being located in the municipality, the municipality may not allow that type of marijuana business to operate in the municipality.

(d) Nothing contained in this subsection (6) prevents any municipality from having a separate election under the terms of this section.

(7) (a) A county or municipality that has voted to approve a category of marijuana business to be located in the jurisdiction or a county in which the majority of voters voted to approve Initiative Measure No. 190 in the November 3, 2020, general election may vote to prohibit the previously approved or allowed operations within the jurisdiction.

(b) A vote overturning the approval of a category of marijuana business or prohibiting the previously permitted operation of marijuana businesses is effective on the 90th day after the local election is held.

(8) A local government may not prohibit the transportation of marijuana within or through its jurisdiction on public roads by any person licensed to do so by the department or as otherwise allowed by this chapter.

History: En. Sec. 18, I.M. No. 190, approved Nov. 3, 2020; amd. Sec. 59, Ch. 576, L. 2021.

Created by LAWS

INSTRUCTIONS TO VOTERS

1. TO VOTE, COMPLETELY FILL IN (●) THE OVAL USING A BLUE OR BLACK PEN.
2. To write in a name, completely fill in the oval to the left of the line provided, and on the line provided print the name of the write-in candidate for whom you wish to vote.
3. DO NOT MAKE AN IDENTIFYING MARK, CROSS OUT, ERASE, OR USE CORRECTION FLUID. If you make a mistake or change your mind, exchange your ballot for a new one.

VOTE IN ALL COLUMNS

BALLOT ISSUES
(Continued)

TOWN OF WEST YELLOWSTONE
ORDINANCE TO PROHIBIT MARIJUANA
BUSINESSES
(VOTE IN ONE OVAL)

The Town Council for the Town of West Yellowstone has proposed an Ordinance to prohibit the types of marijuana businesses set out below, as allowed by §16-12-301(d), MCA, and in the Ordinance; and considered this Resolution on May 17, 2022, to submit this ballot to the electors of the Town of West Yellowstone.

The proposed ordinance would prohibit the following types of businesses: (i) Cultivator (ii) Manufacturer (iii) Medical marijuana dispensary (iv) Adult use dispensary (v) Testing laboratory; and (vi) Marijuana transporter facility. Shall the following marijuana businesses be permitted within the boundaries of the Town of West Yellowstone?

- FOR permitting the marijuana businesses identified as:
 - (i) Cultivator
 - (ii) Manufacturer
 - (iii) Medical marijuana dispensary
 - (iv) Adult use dispensary
 - (v) Testing laboratory; and
 - (vi) Marijuana transporter facility.

- AGAINST permitting the marijuana businesses identified as:
 - (i) Cultivator
 - (ii) Manufacturer
 - (iii) Medical marijuana dispensary
 - (iv) Adult use dispensary
 - (v) Testing laboratory; and
 - (vi) Marijuana transporter facility.

change to prohibiting

change to prohibiting

01. Enclosed ballot in...
02. Attached surfer...
HAVE YOU...

RESOLUTION NO. 785

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

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

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

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

WHEREAS, a citywide maintenance project will be completed; and

WHEREAS, the local match for the allocated funds has been budgeted from the city's capital projects street maintenance fund.

THEREFORE, NOW BE IT RESOLVED THAT:

1. The Town of West Yellowstone requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified as a citywide maintenance project.
2. That Kathryn Thompson, the Finance Director of the Town of West Yellowstone is hereby empowered and authorized to execute such further documents as may be necessary to facilitate the distribution of said funds.

**PASSED AND ADOPTED BY THE TOWN COUNCIL AND
APPROVED BY THE MAYOR FOR THE TOWN OF WEST
YELLOWSTONE THIS 21ST DAY OF FEBRUARY, 2023**

Travis Watt, Mayor

Jeff Mathews, Council Member

Jeff McBirnie, Council Member

Lisa Griffith, Council Member

Brian Benike, Council Member

ATTEST:

Elizabeth Roos, Town Clerk



Business Improvement Advisory Board

BOARD MEMBER	APPOINTED	EXPIRES	E-MAIL ADDRESS
Grant Evje *	10/19/21	10/18/23	grant.evje@gmail.com
Kelli Hart **	10/19/21	10/18/23	kelli@freeheelandwheel.com
Garrett Ostler *	10/19/21	10/18/24	garrett@madisonhotelmotel.com
Leah Sherman **	10/19/21	10/18/25	leahksherm@gmail.com
Jessica Piccone*** (completing Pauline Richardson's term)	4/5/22	10/18/25	jessapiccone@gmail.com
Carrie Coan***	10/18/22	10/18/26	ed@wyfmt.org

Jeff Mathews, Town Council – concurrent with term

jmathews@townofwestyellowstone.com

Staff Support – concurrent w/ employment

Jon Simms, Public Services Superintendent
Vely Vazquez, Recreation Coordinator

jsimms@townofwestyellowstone.com
ivazquez@townofwestyellowstone.com

Reorganized by the Town Council 10/19/21 via Resolution No. 764, 4-year terms.

**2 positions – business owners that own their business property*

***2 positions – business owners that lease their business property*

****2 positions – community at large*

Updated 10/20/21 er



Received
2/9/23

APPLICATION FOR BOARDS AND COMMITTEES

Name Marysue Costello Date 2/8/23

Address 617 Apollinaris Avenue

City West Yellowstone State MT Zip 59758

Phone (Home): _____ (Work): _____ (Cell/Other): 406-640-1945

E-Mail Address: marysuec43@gmail.com

Are you a resident of West Yellowstone? Yes Length of residency in West Yellowstone: 47 years

Board or Committee you are applying for: Business Improvement Advisory Board

Occupation: Basically retired. Work very part time as an administrative assistant

Employer: WestYellowstoneFoundation

Have you previously served on a County or City board? Yes

If so, which board, and for how long? West Yellowstone Marketing & Promotions / 12? 15? years

Past Memberships and Associations: West Yellowstone Chamber of Commerce, Montana Tourism Advisory Council, Leadership Montana.

Current Memberships and Associations: _____

Leadership Montana

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: Since arriving in West Yellowstone, I have been an active member of a number of committees and events, always with the idea of promoting a strong community!

What are your primary objectives for serving on this board? To see a vibrant and varied downtown for our community.

References (Individual or Organization):

Andie Withner Evje Phone: 406-209-3145

Steffi Seigel Phone: 406-585-3405/406-646-9019

Travis Watt Phone: 406-640-0393

Signature: Marysue Costello Date: 2/8/23

Please return this application to the Town Offices at 440 Yellowstone Avenue, PO Box 1570, West Yellowstone, MT, 59758, or by email to: info@townofwestyellowstone.com. Thank you in advance for your interest.

Parks & Recreation Advisory Board

BOARD MEMBER	APPOINTED	EXPIRES	E-MAIL ADDRESS
Neil Courtis	10/9/18	10/8/22	treadandcast@gmail.com
Rachel Spence	10/9/18	10/8/22	rachelaspence@hotmail.com
Ken Davis*	7/6/21	10/8/22	kdavi51@icloud.com
Jennifer Jordan	4/16/19	4/15/23	parksdept@outlook.com
Liz Watt	1/21/20	1/20/24	mtrealtor@wyyellowstone.com
Jessica Picone	3/16/21	3/15/25	jessapicone@gmail.com
Brandi Brown	10/19/21	10/18/25	bns174@msn.com
Lindsey Charlton	10/19/21	10/18/25	charlton5126@gmail.com
Brian Benike, Town Council – concurrent with term			bbenike@townofwestyellowstone.com
Staff Support – concurrent w/ employment			
Vely Vazquez, Recreation Coordinator			ivazquez@townofwestyellowstone.com

*Reorganized by the Town Council 2/1/11 via Resolution No. 591, 4-year terms.
Reorganized again 9/18/18, Resolution No. 719, 4 new positions added.*

* Ken Davis was appointed 7/6/21 to fill the remainder of Amy Freed’s term through 10/8/22

Updated 10/20/21 er



Received
2/15/23
AK

APPLICATION FOR BOARDS AND COMMITTEES

Name Brian Thompson Date 02/15/23

Address PO Box 2063

City West Yellowstone State MT Zip 59758

Phone (Home): _____ (Work): _____ (Cell/Other): 660-359-7444

E-Mail Address: clayshooterranger@gmail.com

Are you a resident of West Yellowstone? Yes Length of residency in West Yellowstone: 6.5 years

Board or Committee you are applying for: Parks & Recreation Advisory Board

Occupation: Natural Resources Specialist Supervisor

Employer: United States Department of Agriculture

Have you previously served on a County or City board? No

If so, which board, and for how long? N/A

Past Memberships and Associations: American Interpretation Association

Current Memberships and Associations: None

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: I have managed public lands, parks and campgrounds for 18 years.

What are your primary objectives for serving on this board? My primary objective for serving on this board is to serve the citizens of West Yellowstone. Being outdoors is and should be a big part of our lifestyles, I want to help others to feel comfortable and to enjoy the outdoors at least half as much as I do.

References (Individual or Organization):

<u>Jason Brey</u>	Phone: <u>307-250-4068</u>
<u>Ellen Butler</u>	Phone: <u>309-224-4633</u>
<u>Molly Moore</u>	Phone: <u>406-570-9278</u>

Signature:  Date: 02/15/2023

Please return this application to the Town Offices at 440 Yellowstone Avenue, PO Box 1570, West Yellowstone, MT, 59758, or by email to: info@townofwestyellowstone.com. Thank you in advance for your interest.



