

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND
March 3, 2015

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. March 3, 2015. Mayor Dave Duffy presided and the Councilmembers in attendance were: Jerry Alexander, Bud Callaham, Keith Gentzler, Mandy Horath, Jim Gill, Glenn Robertson, Michele Rideout, Marcus Sanchez and Dennis Koch. Also present were: City Attorney, Kent Richins; Chief of Police, Gabe Elliott; City Engineer Representative, Mike Donnell; Streets Supervisor, Jeff Taylor; Head Mechanic Aaron Honn and Clerk/Treasurer, Tracy Glanz.

There were ten (10) visitors present for this meeting of the City Council.

Makinzie McGonigal and Bella Kunz with Troop #1841 led the Council and visitors in the Pledge of Allegiance.

Mayor Duffy declared a quorum present and asked for review and approval of the agenda. Councilmember Gentzler asked that the agenda be amended to add the Council Work Session Agenda under Conduct of Business.

Motion: to approve the agenda as amended.

By: Councilmember Horath.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

The minutes of the February 17, 2015 regular meeting were approved as published.

Motion: to approve all vouchers and authorize payment for payroll, utility charges, refunds for City Services, recording fees, postage and other miscellaneous items, during the month of March, before normal City Council approval on the first Tuesday of April and approve the Consent Agenda with Warrant Register for period ending February 2015, Payroll Voucher for period ending February 18, 2015 and February 28, 2015; WARRANT REGISTER 2/28/2015 - \$522,957.80; PAYROLL 2/18/15 - \$48,064.14; PAYROLL 2/28/15 - \$3,692.03.

By: Councilmember Koch

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Emrie Jolley, Carson Balazi, and Kyle Parks presented information on plans for the Exercise Trail Project at Rotary Riverside Park with a proposal to begin this spring if possible. Discussion followed on how the project would be funded, if the project needed to go out for bid and the lighting. The City may be able to donate roto-milled material from the Airport, but the Airport would have to be compensated for it since it was paid for with federal dollars. It was mentioned that the city does have money in this year's budget for design work on the sprinkler system. City Attorney Richins asked who would own and maintain the equipment; Councilmember Gill stated that Rotary will be responsible for the equipment. Discussion continued about the need for a written agreement between the Rotary and the City and the possibility of inviting members from Rotary to the next meeting. The Council does support the project but needs additional information from the Rotary and an agreement in place. It was suggested that this issue be discussed at a council work session.

Tom Schmeltzer with the County requested permission to burn piles of tree limbs at the Fairgrounds, Chief Kocher has no problem with it and the burning will be coordinated with the Fire Department.

Motion: to allow Tom Schmeltzer to burn tree limbs at the fairgrounds.
By: Councilmember Gentzler.
Second by: Councilmember Callaham.
Vote: The motion passed unanimously.

The County needs to put in two new handicap bathrooms at the library and needs another sewer tap since they cannot use the existing tap for the new bathrooms. The County would like to keep the existing tap to accommodate two service lines. Tom Schmeltzer asked if the sewer tap could be waived on the project. Discussion followed about the cost of the tap and the possibility of setting precedence by waiving tap fees.

Motion: to waive the sewer tap fee for the County for a second tap at the Library.
By: Councilmember Callaham.
Second by: Councilmember Sanchez.
Vote: Members voting AYE: Gentzler, Rideout, Callaham, Sanchez, Gill; Members voting NAY: Alexander, Koch, Duffy, Robertson, Horath; Members ABSTAINING: None; the vote failed by a vote of 5-5-0.

Councilmember Sanchez asked for clarification on Board of Adjustment & Planning Commission (BAPC) review of the B2 and B3 zones. Discussion followed; City Attorney Richins will be drafting an ordinance to allow special exemptions in a B2 zone upon recommendation and guidance from the BAPC and the Master Plan Consultants.

Councilmember Gentzler asked if Building Official Ron Vanderpool could attend the next council work session meeting to discuss building requirements. Mayor Duffy stated that there has been a request to the state to visit municipalities and explain the 2015 code, but no date has been set yet. There may be issues with what can be written out of the 2015 code and what cannot and home rule may come into question; we do need clarification from the state. Discussion followed. A request was made to include members of the Worland Contractors Board (WCB) at the work session. Discussion continued about residents being concerned about how restrictive the building codes are. Clerk/Treasurer Glanz clarified that the Building Official only enforces the city code, if the council believes that the codes are too strict then the council should change them. City Attorney Richins supported the idea that the building code needs to guarantee that contractors are licensed and professional because we have had shoddy work done in the past. The City doesn't want to go backwards and allow outside contractors to do work without a license granted by the City. The council agreed by consensus that the Building Official and WCB representatives would be invited to attend the next council work session.

Mayor Duffy requested a donation of sick leave for an employee that has no sick leave; by policy that request needs to be approved by council. Discussion followed as to the need to review and update the current policy.

Motion: to approve the donation of sick days for an employee.
By: Councilmember Horath.
Second by: Councilmember Alexander.
Vote: The motion passed unanimously.

Tony Serna with Downhill Dreams stated that he had gotten approval from the Council to set up in Pioneer Square every Thursday through June, however, the building does not fit in the park with the low hanging tree limbs but fits nicely in the parking lot taking up two (2) parking spots. Mr. Serna asked for permission to set up in the parking lot instead of the park. Discussion followed about the need to keep the parking spaces open since we are trying to promote the park. The building is a pre-fabricated 8 x 12 cook house and will be operated from 10AM-9PM every Thursday through June to earn funds for a developing non-profit. Chief of Police Elliott asked if the city would incur any liability if there was an accident; City Attorney Richins stated that there is potential liability for the city and suggested it be moved to private land. The Council previously approved the use based on the idea that Downhill Dreams was non-profit; since it is a developing non-profit and a for profit business there may be different qualifications required. Discussion continued.

Motion: to cease operations of Downhill Dreams at Pioneer Square until further investigation and clarification on food preparation can be done.

By: Councilmember Horath.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Head Mechanic Aaron Honn reviewed the bids received for a Vac Trailer and recommended approval of the 2015 Ditch Witch FX60 Vac System since this is the only bid that met all the specifications. The bid is over budget by \$2,514.63; however, there is money in the equipment repair and maintenance line items (water and sewer) to cover the difference. Discussion followed. Streets Supervisor Jeff Taylor also recommended purchasing the new machine if we can come up with the money to pay for it and presented information on why the trailer is needed. City Attorney Richins asked that the record reflect that the lowest bidder had a material departure from the bid specifications.

Motion: to authorize Head Mechanic Aaron Honn to negotiate with the high bidder to purchase the Vac Trailer at the budgeted amount and failing that, to pay the full amount of the bid.

By: Councilmember Horath.

Second by: Councilmember Sanchez.

Vote: The motion passed unanimously.

The Council discussed setting up a council vacancy committee to determine how a vacancy would be handled. Discussion centered on the idea of the having the same set of questions for each candidate, a written ballot and process of elimination through written ballot. City Attorney Richins stated that first the vacancy would need to be advertised; interested parties given a chance to respond to the council and then nominations could be done either in private or public by ballot. Currently the only process that is required is by state statute, whereby the governing body shall appoint the person to fill the vacancy. City Attorney Richins will write up a procedure for review.

Streets Supervisor Jeff Taylor stated that the crew is "mopping up", filling potholes, keeping an eye on the multi-phase project and moving equipment for the auction this weekend. The garage door at Newell Sargent Park was damaged; estimates will be turned into the insurance company. The council thanked the city crew for removing snow right away the last time it snowed.

City Engineer Representative Mike Donnell reported that the multi-phase project has been underway for 16 days; the river bore is done but needs to be reamed out and upsized. There is 600 feet of pipe in, 200 feet of poly fused and the contractor is getting ready for pipe jacking under the highway. The City Engineer Representative was asked to look into the fencing (use of barbed wire) at the staging area.

Chief of Police Gabe Elliott stated the two (2) new officers will start work this month. Officer Dan Smith will start on March 13th; the plan is to bring them both to the next council meeting for introductions. Councilmember Sanchez thanked Chief of Police Elliot and stated that he did a good job with the presentation at the middle school dealing with drug problems.

Motion: to enter into executive session to talk about a possible employment offer and real estate purchase at 8:45 p.m.

By: Councilmember Horath.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Motion: to leave executive session at 9:07 p.m.

By: Councilmember Horath.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Motion: to offer Gene Cliame a part-time seasonal position.

By: Councilmember Callaham.

Second by: Councilmember Koch

Vote: The motion passed unanimously.

There being no further business to come before the Council, a motion was made to adjourn.

Motion: to adjourn the meeting at 9:08 p.m.

By: Councilmember Horath.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

David M. Duffy, Mayor

ATTEST:

Tracy A. Glanz, Clerk/Treasurer

