

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND, WYOMING
September 16, 2014

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on September 16, 2014. Mayor Dave Duffy presided and the Councilmembers in attendance were: Keith Gentzler, Bud Callaham, Jim Gill, Lisa Fernandez, Marcus Sanchez, Bob Nelsen, Dennis Koch and Michele Rideout. Also present were: Chief of Police, Gabe Elliott; City Attorney, Kent Richins; City Engineer Representative, Mike Donnell; Airport Manager/Superintendent of Public Works, Wayne Hill and Clerk/Treasurer Tracy Glanz. Councilmember Mandy Horath was absent.

There were six (6) visitors present for this meeting of the City Council.

Callista Day with Girl Scout Troop #1182 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.

Motion: to approve the agenda as presented.

By: Councilmember Callaham.

Second by: Councilmember Koch.

Vote: The motion passed unanimously.

Motion: to approve the minutes of the September 2, 2014 regular meeting as amended.

By: Councilmember Callaham.

Second by: Councilmember Nelsen.

Vote: The motion passed unanimously.

Mayor Duffy requested approval of the consent agenda.

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 September, before normal City Council approval on the first Tuesday of October and approve the Consent Agenda with Payroll Voucher for period ending August 31, 2014 and Council Work Session Minutes of September 8, 2014; PAYROLL 08/31/14 - \$60,209.22.

By: Councilmember Nelsen.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

City Attorney Kent Richins announced that it was the time and place to open bids for Hillcrest & Kiwanis Parks Irrigation Improvements. The Council may consider giving Airport Manager/Superintendent of Public Works Wayne Hill the authority to accept the lowest responsible bid due to time constraints.

COMPANY	Located In	BID
Contract Water Turf, Inc.	Buffalo, Wyoming	\$259,393.00
Turf Sprinkler Company	Sandy, Utah	\$235,990.00

City Attorney Richins announced that with an out of state bidder the in-state bidder would be granted 5% preference treatment. Councilmember Gill stated that he was disappointed that we did not have a local bidder. The Council needs to decide if after considerable review by Airport Manager/Superintendent of Public Works Hill, the bid could be awarded before the next council meeting due to time constraints. It was asked if the bids fell within the budgeted amount; the bids may be high as per Superintendent Hill. Discussion followed as to the ability to re-negotiate with the lowest bidder. City Attorney Richins stated that the city could reject both bids and put the project out for bid again.

Motion: to authorize Airport Manager/Superintendent of Public Works Hill to review the bids and award the bid before the next council meeting to the lowest responsible bidder with the ability to re-negotiate the bid.

By: Councilmember Callaham.

Second by: Councilmember Rideout.

Councilmembers were concerned about the time frame allowed to bid and the lateness of the bid process in the year. Discussion followed as to how long the project had been advertised. Airport Manager/Superintendent of Public Works Hill stated that there was local interest.

Vote: Members voting AYE: Callaham, Fernandez, Duffy, Rideout; Members voting NAY: Nelsen, Sanchez, Gentzler, Gill, Koch; Members ABSTAINING: None; the motion failed by a vote of 4-5-0.

City Attorney Richins stated that the options available would be to reject both bids and reconsider the project at a later date or to have the bids reviewed and one accepted at the next council meeting.

Motion: to reject both bids and re-bid the project.

By: Councilmember Callaham.

Second by: Councilmember Koch.

Discussion followed on allowing additional time to bid at least a full month or at least three (3) advertisements and the possibility of splitting up the project into two (2) separate bids.

Vote: Members voting AYE: Gentzler, Sanchez, Duffy, Koch, Nelsen, Callaham, Gill; Members voting NAY: Rideout, Fernandez; Members ABSTAINING: None; the motion passed by a vote of 7-2-0.

Council discussed the time frame needed to complete the project; the bid specs listed 120 days.

Mary Buchanan requested through discussion with the Mayor that the Council consider making TIPS Training mandatory for all liquor license holders. Chief of Police Gabe Elliott presented information on compliance checks done in 2013 and 2014; there was one (1) violation in 2013 and two (2) violations in 2014 out of thirty-three (33) total checks. It was recommended that the Municipal Court Judge be consulted about the possibility of incorporating TIPS Training in a judgment for those who have been charged and found guilty.

Discussion followed; the statistics don't reflect that we have a problem. A notice to the license holders could be sent notifying them of the opportunity for free TIPS training offered locally. City Attorney Richins stated that the Judge would be willing to incorporate the training on a case by case basis and recommended a motion by the Council.

Motion: to allow the Municipal Court Judge latitude to use TIPS training on a case by case basis. The city will not require mandatory TIPS training for liquor license holders but will recommend the training on a volunteer basis.

By: Councilmember Koch.

Second by: Councilmember Gill.

Vote: The motion passed unanimously.

The liquor license holders will be notified of the council decision by letter.

The Council considered changing the ordinance regarding chickens within the city limits; ordinances were presented from communities around the State including Powell, Cody, Sheridan, Casper, Laramie and Torrington. Mayor Duffy read aloud portions of a letter written by Cheri Bundren against changing the ordinance. Several Councilmembers had been contacted and the general consensus is to keep the ordinance as it is. Councilmember Sanchez questioned why the people opposed to changing the ordinance didn't attend the council meeting to voice their opinions. Discussion continued.

Motion: to retain the existing ordinance and not make additional allowances for chickens.

By: Councilmember Gentzler.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Greg Hammons sent a letter of resignation from the Visitor's Council; Mayor Duffy thanked him for his service and stated that the position would be advertised.

City Engineer Representative Mike Donnell explained a question that came up about the city's right to water the Golf Course with water from the Highland Hanover Canal which is owned by the Bureau of Reclamation (BREC). The BREC changed the definition of irrigation to include only agricultural irrigation not to grow other plants (i.e. grass) and indicated that the city would have to stop using the water on the Golf Course or pay additional costs for irrigation classified as Municipal & Industrial use amounting to \$40,000.00 per year or more. The city does have a letter of agreement from the Highland Hanover dated 1971 that agrees to deliver water to the City to irrigate the golf course (and other lands) and a letter stating that the Highland Hanover believes the city has a valid vested water right; these letters have been sent to the BREC. A final decision has not been reached yet.

City Attorney Richins presented Ordinance #817 for second reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, PERTAINING TO THE REGULATION OF SOLID WASTE AND MAINTENANCE OF PROPERTY BY REPEALING ARTICLE 1 AND ARTICLE 11 OF CHAPTER 11 OF THE WORLAND CITY CODE AND REPLACING SAID ARTICLES WITH EXHIBIT "A" ATTACHED

HERETO; AND BY AMENDING PORTIONS OF ARTICLE III. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

City Attorney Richins explained the change made to the ordinance since the last reading. The change pertains to non-resident use of refuse containers found in Section 11-2. Discussion followed.

Motion: to amend Ordinance #817 as presented.

By: Councilmember Gill.

Second by: Councilmember Callaham.

Vote: Members voting AYE: Rideout, Koch, Gill, Gentzler, Duffy, Fernandez, Callaham, Nelsen; Members voting NAY: Sanchez; Members ABSTAINING: None; the motion passed by a vote of 8-1-0.

Motion: to approve Ordinance #817 on second reading as amended.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: Members voting AYE: Rideout, Koch, Gill, Gentzler, Duffy, Fernandez, Callaham, Nelsen; Members voting NAY: Sanchez; Members ABSTAINING: None; the motion passed by a vote of 8-1-0.

City Engineer Representative Donnell announced that the Big Horn Regional Board meeting will be a week from tomorrow; the project to connect the new well is slightly behind schedule, in the opinion of BHR Project Director, John Joyce.

City Attorney Richins informed the council that he anticipates opening bids for a new hydraulic gate at the Airport on October 7th. This project is funded by federal, state and local funds.

Airport Manager/Superintendent of Public Works Hill reported that confirmation lights will be installed on the back side of the existing school zone lights. Councilmembers questioned what the city does with old vehicles and if they were used as a trade-in when buying new. Most of the vehicles will be auctioned off as they are not suitable for trade in. The bid specs for the park project will be submitted as soon as possible but will be amended to read that the project can be bid separately; some efficiency may be lost and the cost may go up for mobilization.

Chief of Police Elliott informed the council that the bid specs for two (2) new police cars have been provided to the City Attorney for review and the bid opening is scheduled for October 21st. The homecoming parade is scheduled for September 26th at 1PM. Chief of Police Elliott commended Ordinance Officer Andy Williams on the job he is doing for the city, stating that he received 1533 calls for service and issued 22 citations in one year. This reflects that he is working with residents and getting compliance through communication instead of citation. The Ordinance Officer is also working with the Chief and the City Attorney in updating ordinances. The governing body also commended Ordinance Officer Williams on the outstanding job he is doing, reflecting on how the job could support another Ordinance Officer if funding was available. Councilmember Gill asked if we could get additional funding through the Safe Routes

to School Program to pay for portable radar units; Chief of Police Elliott stated that he is working on getting these funded through a Highway Safety Grant next fiscal year.

Clerk/Treasurer Tracy Glanz requested approval of donation of sick days from employees for an employee at City Hall.

Motion: to allow the donation of one (1) day from city employees for an employee at City Hall.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Councilmember Nelsen asked when the Wayside Horn Project would start; construction is scheduled to start on the 24th of September with an estimated completion date of November 5th.

Councilmember Sanchez would like to see the city donate a truck or car to the auto class at the high school for educational purposes. City Attorney Richins stated that the city can donate property to another governmental entity. Councilmember Sanchez asked where the city is at with the temporary street closure with Schlumberger and asked that the council consider opening the street back up for public use. A vacation of the street has not been requested yet.

Councilmember Gentzler encouraged everyone to introduce themselves to the owners of the new lumber yard just outside the city limits and welcome them to the community.

Councilmember Gill shared a philosophy that a boll weevil is nothing more than a cotton picking worm.

Councilmember Koch would like to address the parking ordinance and change it to include signage for two (2) hour parking downtown; someone is parking a car (for sale) directly off of Big Horn Avenue. The issue will be added to the next council agenda.

There being no further business to come before the Council the meeting adjourned at 8:37 p.m.

David M. Duffy, Mayor

ATTEST:

Tracy A. Glanz, Clerk/Treasurer