

REGULAR MEETING OF THE CITY COUNCIL  
OF WORLAND  
May 17, 2016

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on May 17, 2016. Mayor Dave Duffy presided and the Councilmembers in attendance were: Jim Gill, Keith Gentzler, Mandy Horath, Bud Callaham, Loresa Brinkerhoff, Michele Rideout, Lisa Fernandez, Dennis Koch and Marcus Sanchez. Also present were: City Attorney, Kent Richins; Superintendent of Public Works, Brian Burky; Chief of Police, Gabe Elliott; Airport Manager, Lynn Murdoch; City Engineer Representative, Mike Donnell and Clerk/Treasurer, Tracy Glanz.

There were twelve (12) visitors present for this meeting of the City Council.

Haylee Giudice and Makinzie McGonigal of Girl Scout Troop #1841, and Ashanti Pedraza and Marley Downing of Cadet Troop #1251 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 requested that one (1) item be added to Conduct of Business.

Motion: to approve the agenda as amended.

By: Councilmember Koch.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Motion: to approve the minutes of the May 3, 2016 minutes as published.

By: Councilmember Callaham.

Second by: Councilmember Koch.

Vote: The motion passed unanimously.

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 May, before normal City Council approval on the first Tuesday of June and approve the Consent Agenda with Council Work Session Minutes of May 9, 2016; Payroll Vouchers for periods ending May 6, 2016, May 8, 2016 and May 13, 2016; PAYROLL 5/6/16 - \$1,191.33; PAYROLL 5/8/16 - \$62,385.35; PAYROLL 5/13/16 - \$3,196.93.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

The bid opening for the Worland Municipal Airport Snow Removal Equipment was held on May 12, 2015 at 2:15 p.m. at City Hall. The Engineer's estimate was \$510,000.00 and the lowest bid received was \$432,624.00 by Kodiak America, LLC of Burley, Idaho. GDA Engineers and Airport Manager Lynn Murdoch recommended approval of the bid as it met all the requirements. Discussion followed.

Motion: to approve the low bid of Kodiak America, LLC in the amount of \$432,624.00 for Snow Removal Equipment at Worland Municipal Airport.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Mayor Duffy read a Proclamation recognizing the merits of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars as Sandy Tibbs with the American Legion Auxiliary presented Buddy Poppies to everyone in attendance.

Attorney James Michel and Earl Bower representing Earl Bower Farms, Inc. (EBF) addressed the Council about the letter written by the City and sent to Dowell Schlumberger questioning the need for the temporary street closure to remain. Earl Bower Farms, Inc. as owner of the property adjacent to the street has a lease with the Dowell Schlumberger for another eight (8) years and requested that the street remained closed. EBF is concerned about maintaining the security on the premises because of the lab equipment and the chemicals stored there. "The operation of the facility hasn't changed since the street was closed; the strength of the oilfield and the number of trucks located on the property has." Attorney James Michel asked for a retraction of the letter as it is viewed as interfering or damaging to the existing lease stating that damages could be sought if a loss of lease payments was suffered by EBF. City Attorney Kent Richins stated that the City dealt with Dowell Schlumberger not EBF when it "temporarily" closed the street, which is why the letter was sent to them. EBF should have talked to the city before entering into another lease agreement since it is a public road. Representatives from EBF and the city met two (2) years ago to discuss a possible solution to the issue of the temporary street closure before EBF entered into another long term lease agreement; the issue was not resolved at that time. It is the city's position that the street shouldn't be closed for another eight (8) years under the Resolution issued in 2001 and that a long term solution needs to be agreed upon. The Council recognized the importance of Dowell Schlumberger to the community and the investment EBF has made; discussion followed. City Attorney Richins recommended that EBF attend a Board of Adjustment & Planning Commission meeting to try and come up with a permanent solution that will fit the needs of the City, EBF and Dowell Schlumberger. Janeen Capshaw, Executive Vice President of Wyoming Gas Company (WGC) stated that a main gas feed to Worland runs under the street and WGC would like to see the street opened up. WGC was allowed access as part of the original agreement but that only lasted about two (2) weeks. Since then, WGC personnel have been instructed to use lock cutters to enter the facility if need be. It was recommended that the Worland Fire District and Police Department be a part of the street closure discussions. Mayor Duffy thanked everyone for their input and stressed that the issue needs to be resolved possibly by vacating the street and relocation of utilities. Discussion followed.

Mayor Duffy asked that the Council consider creating policies to deal with street improvements for example when to use chip seal or GSB88, who is responsible for curb, gutter and sidewalk replacement and maintenance, and if an improvement district is needed. These issues need to be determined first either by a committee or as a council in order to put together a street project. Discussion followed on how an improvement district works and how it is paid for. City Attorney Richins stated that putting an improvement district together takes a lot of work and suggested that the city may want to take a straw poll of the residents first or hold a public meeting, as it requires a property assessment on those included in a district.

Motion: to establish a committee to look into policy creation for street improvements and the possibility of establishing an improvement district.

By: Councilmember Koch.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Councilmembers Rideout, Koch and Gentzler volunteered to be on the committee.

Culturefest organizers requested assistance and approval to provide alcohol on the premises with a roped off section surrounding the event and three (3) extra dumpsters for the event scheduled for June 4, 2016 at the Worland Community Center Complex. The request included the same approval for the Battle of the Bands Tripleplay Weekend on August 6, 2016. Discussion followed.

Motion: to approve the use and removal of dumpsters and alcohol use as long as the Culturefest committee works with the Superintendent of Public Works.

By: Councilmember Horath.

Second by: Councilmember Gill.

Vote: The motion passed unanimously.

Councilmember Horath requested that any action on the Battle of the Bands Tripleplay Weekend be tabled until the city has more information on the event; the Council agreed by consensus.

The items donated by local businesses for the WAM Convention in Cody should be collected and brought to City Hall by May 27, 2016.

The Golf Course Committee will meet Thursday, May 19<sup>th</sup> at 5:30 to discuss and review a draft of the long term contract with GoPlayGolf.

Clerk/Treasurer Glanz presented the Preliminary Budget and a Budget Summary for fiscal year 2016-2017 for first reading:

GENERAL FUND

Revenues	\$4,866,024.00
Estimated Cash on Hand	\$ 820,619.00
Expenditures	\$5,170,024.00
Cash Reserve	\$ 516,619.00
Total Budget	\$5,686,643.00

CAPITAL PROJECTS FUND

Revenues	\$1,087,819.00
Expenses	\$1,087,819.00
Total Budget	\$1,087,819.00

EXPENDABLE TRUST FUND

Revenues	\$ 2,470.00
Estimated Cash on Hand	\$ 347,530.00

Expenditures	\$ 350,000.00
Total Budget	\$ 350,000.00

AGENCY FUND

Revenues	\$ 15,500.00
Estimated Cash on Hand	\$ 45,500.00
Expenditures	\$ 61,000.00
Total Budget	\$ 61,000.00

WATER FUND

Revenues	\$1,866,670.00
Estimated Cash on Hand	\$ 425,892.00
Expenditures	\$2,292,562.00
Total Budget	\$2,292,562.00

SEWER FUND

Revenues	\$1,193,551.00
Estimated Cash on Hand	\$ 405,949.00
Expenditures	\$1,599,500.00
Total Budget	\$1,599,500.00

SANITATION FUND

Revenues	\$1,084,400.00
Estimated Cash on Hand	\$ 103,379.00
Expenditures	\$1,187,779.00
Total Budget	\$1,187,779.00

Councilmember Horath questioned the amounts reflected in the non-profit line items, since some of these entities receive a portion of the general purpose tax; discussion followed.

Motion: to approve the preliminary budget for fiscal year 2016-2017 on first reading.

By: Councilmember Koch.

Second by: Councilmember Sanchez.

Vote: Members voting AYE: Koch, Gentzler, Brinkerhoff, Sanchez, Callaham, Duffy, Gill, Rideout; Members voting NAY: Horath, Fernandez; Members ABSTAINING: None; the motion passed by a vote of 8-2-0.

City Attorney Richins presented Ordinance #835 for first reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, GRANTING A CABLE SYSTEM FRANCHISE TO CHARTER COMMUNICATIONS. SAID ORDINANCE REPEALS ORDINANCE NO. 787 IN ITS ENTIRETY AND REPLACES IT WITH THIS ORDINANCE. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

This ordinance is a renewal of the existing ordinance which expires in October, 2016 and includes a ten (10) year term with a franchise fee of 5%.

Motion: to approve Ordinance #835 on first reading.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: Members voting AYE: Koch, Gentzler, Brinkerhoff, Sanchez, Callaham, Duffy, Horath, Fernandez, Rideout; Members voting NAY: Gill; Members ABSTAINING: None; the motion passed by a vote of 9-1-0.

A Memorandum of Agreement by and between Washakie County and the City of Worland for the construction and continued maintenance of a sewer main at the Washakie County Fairgrounds was presented for approval. The following Resolution was presented:

Resolution #2016-1

WHEREAS, the governing body of the City of Worland has reviewed the Memorandum of Agreement for WASHAKIE COUNTY FAIRGROUNDS SEWER MAIN EXTENSION, and

WHEREAS, to enhance the health and general welfare of the residents of Washakie County, the governing body of the City of Worland desires to enter into said agreement with the Washakie County Board of Commissioners,

NOW, THEREFORE BE IT RESOLVED, the governing body of the City of Worland authorizes the Mayor to execute said agreement.

Signed this 17<sup>th</sup> day of May, 2016

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David M. Duffy, Mayor

ATTEST:

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Tracy A. Glanz, Clerk/Treasurer

Motion: to approve the Memorandum of Agreement with attached County Resolution #327 and City Resolution #2016-1 by and between Washakie County and the City of Worland.

By: Councilmember Callaham.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

Clerk/Treasurer Glanz requested approval on a proposal to provide IT Services to the City of Worland effective July 1, 2016 in the amount of \$12,150.00 for a one (1) year term. This amount is included in the proposed budget for fiscal year 2016-2017. Discussion followed.

Motion: to approve the recommended proposal to provide IT Services in the amount of \$12,150.00 for a one (1) year term.

By: Councilmember Callaham.

Second by: Councilmember Sanchez.

Vote: The motion passed unanimously.

Councilmember Gentzler informed the Council about a letter received by a resident from American Water Resources based out of New Hampshire selling insurance for the water line servicing the property owner. Councilmember Gentzler wanted residents to know that this company is not located in the State of Wyoming.

Airport Manager Lynn Murdoch commended Dan Haley and Wendy Baird on taking care of the FAA inspection at the Airport while she was gone. They did an excellent job and the airport passed with flying colors. The FAA has allocated \$300,000 in entitlement funds for Snow Removal Equipment (SRE) at the airport however, only \$268,755 is available to grant right now, the remaining \$31,245 will become available late this summer. The FAA is proposing issuing the grant now for the \$268,755 and amending the remaining funds into the grant when they become available. The Council approved by consensus to accept the grant monies available now and amend the grant when the rest of the funding is available.

Chief of Police Gabe Elliott expressed concern about the parking along the street that borders the canal on the south side of the Worland Community Center Complex (WCCC). The street is not very wide and was not meant for parking. Chief Elliot recommended that no parking signs be put up on both sides of the street from 12<sup>th</sup> Street to Grace Avenue.

Motion: to approve the placement of no parking signs on the south side of WCCC between 12<sup>th</sup> Street and Grace Avenue.

By: Councilmember Koch.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

Councilmembers requested a hard copy of the Comprehensive Master Plan for the City of Worland and asked Clerk/Treasurer Glanz to look into the cost of tablets to alleviate making paper copies of the council packet.

City Engineer Mike Donnell informed the Council that the Washakie Avenue Study is approaching the end. There will be a steering committee meeting on Thursday, May 26<sup>th</sup> at 3:00 p.m. at City Hall and an open house at WCCC from 5:30 to 7:00 p.m.

Superintendent of Public Works Brian Burky informed the Council that consultants will be inspecting the west water tank as there is minor concrete damage. The city crew is working on paving and patching. There will be Junior High School kids working in the city park on the last day of school. Superintendent Burky thanked the School District for helping out.

There being no further business to come before the Council, Mayor Duffy asked for a motion to adjourn.

Motion: to adjourn the meeting at 9:00 p.m.

By: Councilmember Horath.

Second by: Councilmember Callahan.

Vote: The motion passed unanimously.

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David M. Duffy, Mayor

ATTEST:

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Tracy A. Glanz, Clerk/Treasurer