

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND
August 16, 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 August 16, 2016. Mayor Dave Duffy presided and the Councilmembers in attendance were: Keith Gentzler, Bud Callaham, Mandy Horath, Dennis Koch, Lisa Fernandez, Michele Rideout, Jim Gill, Marcus Sanchez and Loresa Brinkerhoff. 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 Deputy Clerk, Norma Homan.

There were nine (9) visitors present for this meeting of the City Council.

Councilmember Dennis Koch 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.

By: Councilmember Callaham.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

The minutes of the August 2, 2016 regular meeting stand 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 August, before normal City Council approval on the first Tuesday of September and approve the Consent Agenda with the Council Work Session Minutes and Payroll Voucher for the period ending July 31, 2016; PAYROLL 7/31/16 - \$63,386.88.

By: Councilmember Koch.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Mayor Duffy announced that the Tobacco Prevention Group cancelled and will re-schedule at another time.

Amanda Heinemeyer with Public Health requested permission to use the parks, walking path and fishing pond to do a community challenge promoting "Screen Free Week" on September 12th-16th from 4:00 to 8:00 p.m. Participants will be going to different businesses and throughout the town collecting stickers to be turned in at Public Health for a prize.

Motion: to approve the use of City locations for Public Health's Screen Free Week.

By: Councilmember Gentzler.

Second By: Councilmember Callaham.

Vote: The motion passed unanimously.

Bruce Briggs with Rendezvous Bar requested approval for a parking lot party, the first annual "Thunder at the Vous and Pig Roast" a two (2) day event that will start Saturday,

September 10th, from 10:00 a.m. to 12:00 p.m. Mr. Briggs requested permission to close the alley from North 7th Street to Coburn Avenue and borrow city cones designating the closure. An agreement has been reached between Mr. Briggs and Pinnacle Bank President, Gill McEndree to use the Bank parking lot. Councilmembers voiced their concern about the time of the burnout competition at 8:00 p.m. due to the noise; the competition will be moved to an earlier time. Rendezvous will have extra staff to insure that no open containers are outside and everyone is 21 years or older.

Motion: to approve the "Thunder at the Vous & Pig Roast in the Rendezvous parking lot on September 10th and 11th, 2016.

By: Councilmember Fernandez.

Second By: Councilmember Gentzler.

Vote: The motion passed unanimously.

Mayor Duffy presented Resolution #2016-4:

A RESOLUTION WAIVING WORLAND CITY CODE REQUIREMENTS FOR
PROFESSIONAL SURVEYS WITH RESPECT TO FENCES AND CERTAIN BUILDING
PERMITS UNTIL SUCH TIME THAT AN ORDINANCE IS PASSED.

BE IT RESOLVED by the Governing Body of the City of Worland, Washakie County, Wyoming:

WHEREAS, on May 3, 2016, the Governing Body of the City of Worland passed, on third and final reading, Ordinance No. 834, establishing an assortment of new regulations within Chapter 24 of the Worland City Code entitled "Zoning;"

WHEREAS, in particular, a new regulation contained within Ordinance No. 834 establishes the requirement that real property owners, when constructing a fence or structure, are required to obtain a "**professional survey**" in certain situations;

WHEREAS, this new requirement has created some unintended consequences involving the expense of professional surveys essentially making it economically unfeasible to construct a fence and thereby hampering real property improvements;

WHEREAS, the Board of Adjustment and Planning Commission, and the Governing Body of the City of Worland, have heard from the public regarding this issue and both believe that it is in the best interests of the citizens of the City of Worland to immediately resolve to waive the professional survey requirement if certain conditions are met;

WHEREAS, this resolution does waive the professional survey requirement if certain conditions are met; however, it is the intentions of the Governing Body to forthwith present and pass an ordinance on three (3) readings changing the code to reflect the intentions of this Resolution;

WHEREAS, said Ordinance will also refer to an appeal process presently in the Code as well as disclaimer language for the purpose of protecting the City of Worland from liability associated with the status of lot lines when a professional survey is not required; and

WHEREAS, a real property owner who constructs a fence or structure in accordance with this Resolution without obtaining a professional survey, is thereby releasing and holding harmless the City of Worland from any and all liability associated with the location of such fence or structure.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Worland that, the waiver language contained within **EXHIBIT "A"** attached hereto and made a part hereof, shall be and is hereby immediately adopted and shall remain in effect until such time that an ordinance is presented and passed by the Governing Body permanently changing the Code.

IT IS HEREBY DECLARED that it is in the best interests of the citizens of the City of Worland to pass this Resolution and that the provisions contained herein shall remain in effect until the final passage of an ordinance and that a real property owner who constructs a fence or structure in accordance with this Resolution without obtaining a professional survey, is thereby releasing and holding harmless the City of Worland from any and all liability associated with the location of such fence or structure.

PASSED, APPROVED AND ADOPTED this **16TH** day of **AUGUST 2016**.

CITY OF WORLAND, WYOMING
A Municipal Corporation

By: _____
DAVID M. DUFFY - Mayor

ATTEST:

TRACY A. GLANZ - Clerk

Mayor Duffy informed Councilmembers that the Worland Board of Adjustment and Planning Commission (BAPC) along with Department Heads, Tracy Glanz, Mike Donnell, Building Official Nick Kruger, and Planning Advisor Ron Vanderpool worked together to make amendments to Chapter 24-10-3 Fences. BAPC Chairman Garrett Immesoete invited Councilmembers to attend future meetings to help answer any questions or concerns. Councilmember Fernandez and Horath asked that the Councilmembers be included in the email for the BAPC agenda.

Motion: To approve Resolution #2016-4.

By: Councilmember Gentzler.

Second By: Councilmember Callaham.

Vote: The motion passed unanimously.

Mayor Duffy appointed Jenn Rasmussen as the seventh member to the Board of Adjustment and Planning Commission (BAPC) adding that she is a great addition to the board since she has been attending meetings.

Motion: to approve the appointment of Jenn Rasmussen to the BAPC.

By: Councilmember Callaham.

Second By: Councilmember Fernandez.

Vote: The motion passed unanimously.

Mayor Duffy presented Ordinance #836 for second reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, REPEALING CHAPTER 12 OF THE WORLAND CITY CODE PERTAINING TO HEALTH AND SANITATION. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

It was noted that the ordinances under Chapter 12 are outdated and/or covered under different sections of the city code.

Motion: to approve Ordinance #836 on second reading.

By: Councilmember Gentzler.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

City Engineer Representative Mike Donnell informed the Council that he is going to attend the Big Horn Regional meeting on August 18, 2016 at 6:30 p.m. The Civil Engineer student from the University of Wyoming left on Friday. While he was here, he helped update city maps. City Engineer Representative Donnell will have available four new wall size maps for Sewer and Water lines, City Boundary and Zoning all with an aerial background.

Superintendent of Public Works Brian Burky informed the Council that they have accepted delivery of the new sewer camera. It will be very helpful as they evaluate different sewer problems throughout the town. The crew is still working on road repairs north of Big Horn Avenue and a meeting will be scheduled in early September to go over new playground ideas at Hillcrest Park with residents.

Rodica Johnson resident at 1416 Circle Road shared with the Councilmembers her concern after Building Inspector, Nick Kruger informed her of her house having the wrong roof and the front porch not being up to code. When she purchased this house, she thought she had bought the perfect house with no repairs. Ms. Johnson is a retired, single mom and cannot afford the repairs requested to bring the house up to code. Mayor Duffy will set up a meeting with the Building Official to go over details in regards to Ms. Johnson's residence.

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

Motion: to adjourn the meeting at 7:45 p.m.

By: Councilmember Callaham.

Second by: Councilmember Rideout.

Vote: The motion passed unanimously.

David M. Duffy, Mayor

ATTEST:

Norma Homan – Deputy Clerk