

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND
September 20, 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 September 20, 2016. Mayor Dave Duffy presided and the Councilmembers in attendance were: Michele Rideout, Lisa Fernandez, Keith Gentzler, Dennis Koch, Mandy Horath, Jim Gill, Bud Callaham, Loresa Brinkerhoff and Marcus Sanchez. Also present were: City Attorney, Kent Richins; Chief of Police, Gabe Elliott; Airport Manager, Lynn Murdoch; Superintendent of Public Works, Brian Burky; City Engineer Representative, Mike Donnell and Clerk/Treasurer, Tracy Glanz.

There were eleven (11) visitors present for this meeting of the City Council.

Girl Scout Troop members Pheobe Fowler, Sami Day and Callista Day 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 to amend the agenda to include the topic of Ordinance #834 under Conduct of Business.

Motion: to add Ordinance #834 to the agenda under Conduct of Business.

By: Councilmember Gentzler.

Second by: Councilmember Koch.

Vote: The motion passed unanimously.

Motion: to approve the agenda as amended.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

The minutes of the September 6, 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 September, before normal City Council approval on the first Tuesday of October and approve the Consent Agenda with Council Work Session Minutes of September 12, 2016 and Payroll Voucher for the period ending September 11, 2016; PAYROLL 9/11/16 - \$66,863.83.

By: Councilmember Callaham.

Second by: Councilmember Sanchez.

Vote: The motion passed unanimously.

Mayor Duffy mentioned that the Board of Adjustment & Planning Commission (BAPC) minutes are in the packet for review and thanked Deputy Clerk Homan for sending Councilmembers the agenda for the BAPC meetings.

Superintendent of Public Works Brian Burky reported that the meeting at Hillcrest Park went well with about 60 people in attendance. The residents in attendance at the meeting helped picked the playground equipment and the color; ADA accessibility was also part of the discussion. The equipment will be ordered this week and set up when weather allows. There was one piece

of equipment that was outside the budget but the city may be able to raise enough money to purchase it later. The residents volunteered to help with the set up and asked that the ice skating rink be put back in the park, the basketball courts fixed and requested additional shade. The existing playground equipment will be inspected to see if it can remain in the park.

The Street Committee made up of Councilmembers Rideout, Koch and Gentzler met and discussed options on how to rehabilitate curb, gutter and sidewalk around the city. The committee presented information on the costs involved in replacement and how much it could cost a resident based on a fifteen (15) year loan through the city. There was discussion about a local improvement district and the costs of doing a mail ballot since the local improvement district question is not on the current ballot. The next time the city could have a special election would be May 2017 and the city would have to pay an election judge in addition to creating a ballot; statutes dealing with a special election would need to be reviewed. Discussion continued about whether or not the city should pursue a local improvement district. The City would need to come up with solid costs that include an inflation factor. City Attorney Kent Richins stated there were two issues, residents could use our loan funding to replace their curb, gutter and sidewalk or we could initiate an improvement district, which would be quite a bit of work including engineering, project costs and assessments. If the residents turn down the district then the work would be all for naught. It would seem as though the low interest loan would be the best way to start. The current city program provides loans to residents for this type of replacement with a six (6) year, 2% interest loan. There was no recommendation at this time; the committee members were not confident an improvement district would work. There are quite a few variables to deal with including the ordinance that states that the property owner is responsible for curb, gutter and sidewalk replacement and the city would need a current list of property owners in a particular area. The city may need to set an example by installing or replacing curb, gutter and sidewalk in or around city parks. The city could request that residents do replacement on a volunteer basis with the city organizing the replacement so that the cost could be reduced and a contractor could do the work at the same time (create a volume of work).

The City was awarded a Daniels Fund Grant in the amount of \$55,000.00 for the Youth Field Sports Project or irrigation project at the Worland Community Center Complex. The total project will cost approximately \$150,000.00; it will be a nice improvement to the grounds and will save on time as the parks crew are watering the grounds by moving irrigation pipe on top of the ground.

Motion: to approve and authorize the Mayor to sign the Daniels Funds Contract.

By: Councilmember Gill.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Airport Manager Lynn Murdoch and Mayor Duffy met with GDA Engineers who are creating the Worland Airport Master Plan and who requested an update to the plan incurring additional costs. The master plan will have to be updated due to the recent loss of Essential Air Service (EAS) program eligibility. This will also include an update of the aviation forecast to reflect that Worland will no longer be a commercial service airport as of October 1, 2016. The Airport will be reclassified as a general aviation airport which will increase our match from 2.5% to 4% and the city will no longer receive Passenger Facility Charges. These changes will be significant and will need to be noted in the Airport Master Plan to ensure that the plan is valuable and useful, and will contain up to date information. The budget may have to be amended to account for the additional cost to the city of \$8,000.00.

Motion: to approve and authorize the Mayor to sign the Request for State Airport Aid to update the 2016 Airport Master Plan.

By: Councilmember Callaham.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

A copy of the final report for the Washakie Avenue Corridor Study initiated by the City of Worland and the Wyoming Department of Transportation (WYDOT) was provided for review. The study provides options to widen the street, create more room for Sage Creek flows and a possible walk/bike path. This is a large project that could be done in three (3) stages and funded by city funds, county funds, urban systems funds (WYDOT) and possibly FEMA funds. It may take a long time to get a funding package together.

Councilmember Gentzler stated that he has received several telephone calls and visited with several people about why residents are required to have two (2) permits for construction, one from the zoning department and one from the building department. In addition, the zoning portion of the ordinance, passed by the Council includes reference to a sexually oriented business. Building Official Kruger stated that those references are listed in the definitions section of the zoning code to prevent this type of business coming into town. The Council needs to have control over this type of business and did not have that control prior to this ordinance being passed. Councilmember Gentzler read the definition of the zoning coordinator indicating that this is why the residents are having to get two permits and stated that the council needs to fix this. The zoning permit application process indicates that residents have to get a zoning permit application if they do anything on their property. Building Official Kruger explained that the zoning permit application process is not a permit; it is a verification for property lines. It is the result of Council stating that the requirement for a property survey went too far. A resident indicated that he had to send information to Laramie and Councilmember Gentzler wanted to know why if we have a Building Official in Worland. Building Official Kruger stated that he is not the Zoning Coordinator and he cannot do both jobs; the Building and Zoning Codes are completely different. The document in question is a zoning process not a permit; the language can be changed on the document if it is confusing. Mayor Duffy stated that when the Council passed the resolution to correct the survey problem, the ordinance became a work in progress and the zoning and building departments needed a process to verify property lines. Clerk/Treasurer Glanz stated that no one is sending anything to Laramie, residents are bringing the information to City Hall and the information is routed accordingly. City Attorney Richins stated that this is the reason why he proposed the resolution instead of an ordinance because we needed to see how the amended process worked. "There is a lot of misinformation out there and someone came to the meeting who was not totally honest with the council. Our staff is being attacked on something that the council does not have the full information on. The ordinance and resolution can be revised." Councilmember Gentzler asked if the Council needed to attend the BAPC meeting since they have been given the power to draw up the ordinance. City Attorney Richins stated that the BAPC only recommends ordinances and the City Council has the authority to accept or not accept the recommendation. This ordinance was out for Council review for six (6) months. The re-write of the ordinance was available on the website on December 18, 2015 and it was passed on third reading on May 3, 2016. Clerk/Treasurer Glanz stated that the most current zoning application permit process is on the website and at the front desk for residents to pick up. It was clarified again that residents do not have to get two permits, but they have to go through the zoning application process. City Attorney Richins stated that we have laws in the code book and it is the

responsibility of the Department Heads and employees to enforce these laws but the council is criticizing these employees for enforcing the laws. "If the Council doesn't like a law then get rid of it." Councilmember Gill felt that the council should not be belittled for calling attention to the issue.

Airport Manager Murdoch informed the Council that the last flight for Great Lakes will be September 30, 2016 at 12:43 p.m. TSA will stay on for an additional thirty (30) days; however, TSA personnel will be traveling and not on site.

Chief of Police Gabe Elliott reminded the Council that the Homecoming Parade is this Friday at 1:30 p.m.; the construction will not interfere with the parade. A conditional offer has been made to fill the final open position on the department. The SLIB grant application for a new police vehicle has been sent in and could be awarded in January.

Clerk/Treasurer Glanz reminded everyone of the Council Work Session date change from October 10, 2016 to October 11, 2016 due to the Columbus Day Holiday and the BoardDocs training to be held on October 3, 2016 at 5:45 p.m.

Superintendent of Public Works Burky reported that the city crew has been working on crack/sealing and patching; the contractor will be in town on Monday, September 26th to seal parts of Robertson, Pulliam, Circle, Culbertson and Conant Streets. There will be an ad placed in the newspaper to notify residents in those areas. Superintendent of Public Works Burky will be meeting later this week with the UW Extension office about composting and they will look at the possibility of applying for a grant to increase the compost program at Newell Sargent Park. The city shop repairs are getting underway following an inspection by the Building Official; one building will need a new metal roof and the other building can be repaired with a membrane roof.

City Engineer Representative Mike Donnell reported that the eleven (11) month inspection on the multi-phase project is scheduled for September 30, 2016. There are quite a few items to look at during the inspection. The draft service permit was not discussed at the last Big Horn Regional (BHR) meeting; City Engineer Representative Donnell will meet with John Joyce about the permit.

Motion: to enter into executive session to discuss a personnel issue at 8:23 p.m.

By: Councilmember Koch.

Second by: Councilmember Callahan.

Vote: The motion passed unanimously.

Motion: to leave executive session at 8:40 p.m.

By: Councilmember Gentzler.

Second by: Councilmember Gill.

Vote: The motion passed unanimously.

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

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Motion: to adjourn the meeting at 8:40 p.m.

By: Councilmember Callahan.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

ATTEST:

David M. Duffy, Mayor

Tracy A. Glanz, Clerk/Treasurer