

REGULAR MEETING OF THE CITY COUNCIL  
OF WORLAND  
October 18, 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 October 18, 2016. Mayor Dave Duffy presided and the Councilmembers in attendance were: Jim Gill, Keith Gentzler, Bud Callaham, Mandy Horath, Lisa Fernandez, Loresa Brinkerhoff, Marcus Sanchez, Dennis Koch and Michele Rideout. Also present were: Chief of Police, Gabe Elliott; Superintendent of Public Works, Brian Burky; City Attorney, Kent Richins; City Engineer Representative, Mike Donnell; Airport Manager, Lynn Murdoch and Clerk/Treasurer, Tracy Glanz.

There were twenty-two (22) visitors present for this meeting of the City Council.

Girl Scout Troop #1029 members Kaelina Garcia, Sarah Tommerup, Leila Anderson, Justy Haux and Lexi Laster and Troop #1329 members Emma Cochrane, Mickayla Bower, Samantha Day and Elliana Michaelsen 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 Horath.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

The minutes of the October 4, 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 October, before normal City Council approval on the first Tuesday of November and approve the Consent Agenda with Council Work Session Minutes of October 11, 2016 and Payroll Voucher for the period ending October 9, 2016; PAYROLL 10/09/16 - \$65,767.90.

By: Councilmember Callaham.

Second by: Councilmember Koch.

Vote: The motion passed unanimously.

Christy Schneider with The Warehouse, Inc. requested approval to extend the hours of operation to 24 hours for retail liquor license holders on October 29, November 25 and December 31, 2016. Discussion followed.

Motion: to approve extending the hours of operation to 24 hours on October 29, November 25 and December 31, 2016.

By: Councilmember Koch.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

Mayor Duffy presented Resolution #2016-6:

RESOLUTION NO. 2016-6

AMENDING WORLAND CITY CODE ARTICLE III, SECTION 24-9-2: TABLE – ZONING  
DISTRICT REGULATIONS

A RESOLUTION AMENDING TABLE 24-9-2 BY DELETING TWO (2) TABLE ROW LINES THAT REFERENCE GYMNASIUMS AND BY ADDING A "P – USES PERMITTED BY RIGHT" IN THE TWO (2) TABLE ROWS REFERENCING FITNESS CENTERS/GYMS/SPORT CLUBS; SPECIFICALLY IN THE "LI-LIGHT INDUSTRIAL" COLUMN AND BY ADDING A "S – USES PERMITTED BY SPECIAL EXEMPTION" SPECIFICALLY IN THE "HI-HEAVY INDUSTRIAL" COLUMN.

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, Section 24-9: District Classifications of the Worland City Code authorizes the Governing Body to modify Table 24-9-2 through resolution as advised and recommended by the Worland Board of Adjustment and Planning Commission;

WHEREAS, The Worland Board of Adjustment and Planning Commission have heard from the public and believe it is in the best interest of the citizens and business owners to modify the table to reflect the deletion of Gymnasiums and adding the "P" in the Fitness Centers/Gyms/Sport Clubs rows under the "LI" column and a "S" under the "HI" column;

WHEREAS, the Worland Board of Adjustment and Planning Commission did move and approve to submit a formal recommendation to the Governing Body of the City of Worland, of which was delivered to the Mayor in letter form; and

WHEREAS, this resolution does provide for a friendlier approach to businesses seeking to locate or relocate within the City Corporate Boundaries;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Worland that these amendments to Table 24-9-2 contained within EXHIBIT "A" attached hereto and made part hereof, shall be and are hereby immediately adopted.

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 doing so provides opportunity for present and future business owners and the public in general.

PASSED, APPROVED AND ADOPTED this 18TH day of OCTOBER 2016.

CITY OF WORLAND, WYOMING  
A Municipal Corporation

By: \_\_\_\_\_  
DAVID M. DUFFY - Mayor

ATTEST:

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TRACY A. GLANZ - Clerk

Motion: to approve Resolution #2016-6.  
By: Councilmember Gill.  
Second by: Councilmember Callaham.  
Vote: The motion passed unanimously.

Mayor Duffy reminded Councilmembers about the WAM Region 3 meeting scheduled tomorrow at the Worland Community Center Complex from 4-6 p.m. Candidates from the Big Horn Basin will attend to answer questions about funding local government.

Mayor Duffy and City Attorney Kent Richins met with Bower Farms about the street closure on South 3<sup>rd</sup> Street and Coburn Avenue and toured the property currently leased by Schlumberger. The streets were "temporarily" closed by Resolution in December 2001 for security reasons as presented by Schlumberger. The city recently approached Bower Farms about opening the streets and removing the fence since the business is no longer viable. City Attorney Richins requested that the attorney for Bower Farms write a letter to the Council as to why they need the streets to remain closed and the fence to stay up, as the city believes the fence should come down and the streets open for public use. Discussion followed about the possibility of having a public hearing so that the public can speak on the issue and if the landowner would be responsible for property tax on a vacated street. City Attorney Richins recommended that Councilmembers meet with the landowner and tour the facility after receiving the letter.

The city, due to safety reasons, removed the glass from the windows and doors and boarded up the old Kirby Theater at 606 Big Horn Avenue. The plywood on the lower level of the building will be painted to match the plywood on the upper level when weather permits. Mayor Duffy questioned if the council would like to see a mural painted on the plywood since the building may be in its current condition for some time. The owner cannot be located and there is an IRS tax lien on the property as well as other liens. The city has spent over \$2,000.00 in cleaning up the property. Discussion followed about the structural integrity of the building and why the city cannot fix the building or demolish it. The cost to do either would be prohibitive and the city may never recover their costs because of the liens. The city will not pursue the idea of painting a mural on the plywood.

City Attorney Richins presented Ordinance #837 for first reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, SUPPLEMENTING CHAPTER 19 OF THE WORLAND CITY CODE PERTAINING TO STREETS AND SIDEWALKS BY ESTABLISHING THE RESPONSIBILITY OF THE CITY OF WORLAND TO PAY FOR THE COSTS OF REPLACING CERTAIN SIDEWALK, CURB AND GUTTER IMPROVEMENTS ON CERTAIN CORNERS OF CORNER LOTS WITHIN THE CITY. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

This ordinance will help residents as well as the city when replacing double gutters as the gutters are sometimes difficult to replace without replacing the corner sidewalk for proper drainage; all corners have to meet ADA regulations. It was noted that proper drainage will help to maintain the street. Discussion followed as to the time needed for notification of replacement and if there should be a limit on cost if the corner of a corner lot is replaced by the property

owner. City Engineer Representative Mike Donnell recommended that 72 hours should be enough notification for the city or the resident. The Council discussed problems with the city replacing the corner as per ADA regulations and the need for a survey to deal with obstructions such as trees, shrubs, fencing, etc. City Engineer Representative Donnell stated the city should not usually need a survey, but a survey might be needed in cases where more area behind the sidewalk is needed to meet ADA design; that could put part of the improvements onto private property so we may need to know where the property line is. It was the consensus of the Council that the ordinance needed additional information and/or corrections before considering first reading.

Chief of Police Gabe Elliott informed the Council that he received approval for a Highway Safety Grant; the grant amount is quite a bit lower than last year and equipment purchase is not allowed. This will affect the vehicle purchase because the city will have to cover the costs to equip the new vehicle.

City Attorney Richins stated that he will be presenting an ordinance to update the water code; it will be given to the Council in advance of the first reading.

City Engineer Representative Mike Donnell reported that the service permit with Big Horn Regional has been re-drafted and is under review. Survey work has begun on the sewer upgrade east of 22<sup>nd</sup> Street. There are two (2) alley returns that need to be fixed under the multi-phase project; the contractor has not responded to our request but have been notified by certified letter and by e-mail.

Superintendent of Public Works Brian Burky informed the Council that the Rec Board is donating \$4,630 for playground equipment at Hillcrest Park. The bid for replacement of the roof at the city shop will be out next week. The fence at Rotary Riverside Park will be put up soon and City Attorney Richins will be filing an affidavit of title so that the city will not have any property issues in that area in the future. The city was unable to come to an agreement on purchase of property to relocate the city shop so Superintendent Burky is working on re-investing in the current shop building by installing a new roof on both buildings, and enlarging and converting the equipment shed.

Motion: to enter in to executive session to discuss real estate where value is considered at 8:12 p.m.

By: Councilmember Koch.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Motion: to leave executive session at 8:26 p.m.

By: Councilmember Koch.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

Motion: to authorize City Attorney Richins to draft a lease agreement with a third party for temporary storage of heavy equipment for six (6) months or longer if necessary with final approval of the agreement by the Council.

By: Councilmember Koch.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

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

Motion: to adjourn the meeting at 8:28 p.m.

By: Councilmember Horath.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

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David M. Duffy, Mayor

ATTEST:

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Tracy A. Glanz, Clerk/Treasurer