

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND

December 1, 2015

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on December 1, 2015. Mayor Dave Duffy presided and the Councilmembers in attendance were: Bud Callaham, Keith Gentzler, Jim Gill, Loresa Brinkerhoff, Michele Rideout, Lisa Fernandez, Marcus Sanchez and Dennis Koch (via telephone). Also present were: Chief of Police, Gabe Elliott; City Attorney, Kent Richins; Superintendent of Public Works, Brian Burky; City Engineer Representative, Mike Donnell and Clerk/Treasurer, Tracy Glanz. Councilmember Mandy Horath was absent.

There were three (3) visitors present for this meeting of the City Council.

Mayor Duffy led the Council and Visitors in the Pledge of Allegiance.

Mayor Duffy declared a quorum present with Councilmember Mandy Horath excused.

Mayor Duffy asked for review and approval of the agenda.

Motion: to approve the agenda.

By: Councilmember Callaham.

Second by: Councilmember Rideout.

Vote: The motion passed unanimously

The minutes of the November 17, 2015 regular meeting were 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 December, before normal City Council approval on the first Tuesday of January and approve the Consent Agenda with Warrant Register for November 2015 and Payroll Vouchers for periods ending November 22, 2015 and November 30, 2015; WARRANT REGISTER - \$445,015.98; PAYROLL 11/22/15 - \$63,264.12; PAYROLL 11/30/15 - \$4,073.36.

By: Councilmember Callaham.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

Kaitlin Vail addressed the council about her concern that the Golf Pro had been let go without prior notification to the Green Hills Golf Club Board as his contract was with that Board. Mayor Duffy explained the situation going back to July, 2015 when the city extended the contract to the Green Hills Golf Club to December 31, 2015 with a payment of \$110,000.00 in July as requested by the Club. The Mayor was informed that unless the city was willing to commit to a contract with the Club for two (2) years as of January 1, 2016 then they would have to abandon the contract and turn the management of the golf course back to the city. The terms of the contract allowed the Club to abandon the golf course without repercussions if it was done on October 31, 2015 after the golf season. At the October 20, 2015 Council meeting the Council by motion did not extend the contract with Green Hills Golf Club after December 31,

2015. The contract effectively ended on October 31, 2015 with Green Hills Golf Club by the Club abandoning the contract. The clause in the Golf Pro's contract which is with the Country Club, states that if there is no existing management agreement with the city then his contract terminates. Discussion followed about entertaining proposals to enter into a maintenance agreement to protect the city's asset. City Attorney Richins reiterated that the city does not have an agreement or contract currently with anyone to maintain the golf course. The motion made at the last meeting gave Mayor Duffy and City Attorney Richins authority to negotiate a contract, but there is no contract. City Attorney Richins stated that Green Hills Golf Club broke the contract by abandoning the golf course in October when the contract was through December, 2015 and advised the Council at that time to protect the city's asset. "There is a misconception that we hired someone to maintain the golf course." Mayor Duffy stated that there are questions about the \$30,000.00 management fee and what it was used for. It was mentioned that it is disconcerting that the management group would take their \$30,000.00 fee but as of October 31, 2015 there was not enough money to run the golf course. Ms. Vail reiterated that the Club would like to meet with the Golf Course Committee however, the city is reluctant to meet with the Club when it is the same group that has been allowing the golf course to operate in the hole for two (2) years. Discussion continued. Ms. Vail explained that the management fee is for rental of all the property including the driving range, putting green, Hole 18, the pro shop, parking lot and access road to the golf course. Mayor Duffy questioned if the Club is benefitting from the golf course and if it is, is it necessary to charge rent for access and use of the parking lot since the property the Club sits on was granted by the city to the Country Club. The City discussed the need to determine how to move forward and possibly entertain proposals from various entities to manage the golf course within a specified time frame. City Attorney Richins recommended that any revenue received for season tickets be directly paid to the City Clerk/Treasurer.

Superintendent of Public Works Brian Burky presented a worksheet reflecting a comparison of tipping fees per ton in the area, including Montana, Idaho and northern Wyoming. The worksheet also reflects a transportation calculation for some of these areas. The average cost per ton in Wyoming is \$55.00 per ton which is higher than the national average. The City produces approximately 7,000 tons of refuse per year which could be reduced through composting and recycling. Clerk/Treasurer Glanz informed the Council that the invoice received for October from the Landfill reflected a \$92.00 per ton rate versus the \$30 per ton rate verbally agreed to by the Landfill. City Attorney Richins was alarmed by the \$92.00 per ton rate especially since the city increased sanitation rates by ordinance which required three (3) readings to cover a \$30.00 per ton rate. The Landfill had ample opportunity to notify the city during the three (3) readings of the ordinance of the \$92.00 per ton rate. As a result, the city will be using more reserves to cover landfill costs. City Attorney Richins stated that the Landfill has not fulfilled their legal requirements to notify the public of a change in rates and he will meet with the County Attorney to discuss the legality of what the Landfill has done. Discussion followed about the possibility of the city building a transfer station; the facility would pay for itself in a few years and would be cheaper than paying \$92.00 per ton. Clerk/Treasurer Glanz asked if it was the Council's desire to pay the invoices from the Landfill for September and October.

Motion: to not pay any invoices from the Landfill until the issue of the rate is resolved.

By: Councilmember Sanchez.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Mayor Duffy informed the Council that the Governor's proposed budget is approximately half of what it was last year at \$90 million for cities and counties. This cut will affect the city's general fund budget. Sales tax revenue through October, 2015 in Washakie County is also 32.2% less than October, 2014.

Councilmember Gentzler commended the city crew for working on Thanksgiving Day to remove snow. "They deserve a big pat on the back!"

A proposed contract with Virile Electric to maintain the Wayside Horns was presented for review; this contract would be for a term of one year. The cost for the maintenance contract is \$350.00 per month and would include monthly maintenance on the equipment. It was recommended that a checklist be created and attached to the monthly invoice reflecting what was done. The contract does not need to be put out for bid as it is a professional services agreement. Virile has done the warranty work on the horns in the last 18 months as well as worked with WYDOT in the installation.

Motion: to approve and authorize the Mayor to sign the maintenance contract with Virile Electric to maintain the Wayside Horns.

By: Councilmember Gill.

Second by: Councilmember Callaham.

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

The Worland Aquatic Center Joint Powers Board requested that the City of Worland agree to amend the Joint Powers Agreement allowing the board access to excess funds to support operations in the amount of \$300,000.00 generated by the 1% Specific Purpose Tax. Discussion followed. City Attorney Richins informed the Council that the City, County and School District would all have to agree to amend the agreement.

Motion: to allow the Worland Aquatic Center Joint Powers Board to utilize excess funds in the amount of \$300,000.00 from the 1% Specific Purpose Tax allowing them the choice of options presented.

By: Councilmember Gentzler.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

Superintendent of Public Works Burky informed the Council that the dump truck bid was awarded to Peterbilt of Wyoming as the low bid; the trucks will be received one at a time with the first truck delivered this year. The Water/Wastewater Supervisor position held by Gary Gerber will be advertised as Gary will be retiring early next year. The snow removal map has been revised with minor updates and will be posted online. Superintendent of Public Works Burky commended the work the County crew did on Washakie Avenue and Mayor Duffy thanked Superintendent of Public Works Burky and Streets Supervisor Jeff Taylor for the work they have done on snow removal and working with the County.

City Engineer Representative Mike Donnell reported that the multi-phase project is in the 41 day advertising period which ends December 31, 2015. There a couple of items that need to be

completed before final payment can be issued. The Contractor has 45 days to get everything done and that period ends December 15, 2015. The City of Worland will be submitting an application for a grant for 15th Street at the State Land & Investment Board meeting on January 21, 2016 in Cheyenne.

The WAM Regional meeting will be held on January 7, 2016 at 2:00 p.m. in Worland. Representative Mike Greear will be in attendance to discuss State funding issues. All Councilmembers are invited to attend.

Airport Manager Lynn Murdoch stated that they have been removing snow at the Airport since last Wednesday. There were some equipment breakdowns but no shut down at the Airport due to snow.

Chief of Police Gabe Elliott informed the Council that the Police Department received final approval on a Highway Safety Grant in the amount of approximately \$19,000.00. This grant will be allocated for patrol car cameras (\$5,000.00) and the rest for traffic enforcement.

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

Motion: to adjourn the meeting at 8:30 p.m.

By: Councilmember Rideout.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

David M. Duffy, Mayor

ATTEST:

Tracy A. Glanz, Clerk/Treasurer