

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND, WYOMING
May 6, 2014

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 6, 2014. Mayor Dave Duffy presided and the Councilmembers in attendance were: Keith Gentzler, Bud Callaham, Jim Gill, Lisa Fernandez, Mandy Horath, Bob Nelsen, Dennis Koch, Michele Rideout and Marcus Sanchez. Also present were: Chief of Police, Gabe Elliott; City Attorney, Kent Richins; City Engineer Representative, Mike Donnell and Clerk/Treasurer, Tracy Glanz.

There were six (6) visitors present for this meeting of the City Council.

Wanda Johnson 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 as presented.

By: Councilmember Callaham.

Second by: Councilmember Nelsen.

Vote: The motion passed unanimously.

The minutes of the April 15, 2014 regular meeting were approved as published.

Mayor Duffy requested approval of the consent agenda.

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 Warrant Register for April 2014, Payroll Vouchers for periods ending April 13, 2014, April 27, 2014 and April 30, 2014; WARRANT REGISTER - \$268,640.82; PAYROLL 04/13/14 - \$55,118.87; PAYROLL 4/27/14 - \$54,521.55; PAYROLL 4/30/14 - \$3,498.07.

By: Councilmember Callaham.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

Mayor Duffy read a Proclamation designating May 6th through May 26th as Buddy Poppy Weeks in Worland while Wanda Johnson with the American Legion Auxiliary presented Buddy Poppies to everyone in attendance.

Mayor Duffy read a Proclamation designating May 4th through May 10th as Municipal Clerks Week; the Mayor and Council gave the Clerk/Treasurer a round of applause.

Mark Stiver representing the Farmers Market requested the use of North 9th Street from the alley to Big Horn Avenue and the west half of Pioneer Square if needed on Saturday mornings from July 12th through September. Discussion followed; the Mayor and Council agreed that the market is an asset to the community.

Motion: to approve closing off North 9th Street from the alley to Big Horn Avenue for the Farmers Market on Saturdays from July 12th through September excluding Labor Day.

By: Councilmember Callaham.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

Garret Immesoete, with the Board of Adjustment & Planning Commission (BAPC) stated that the BAPC completed the survey in the B-3 zone and will be reviewing the results.

Mayor Duffy noted that the Worland Community Complex Center proposed budget for 2014-2015 is in the Council packet for review.

Clerk/Treasurer Tracy Glanz presented the Preliminary Budget and Budget Summary for fiscal year 2014-2015:

GENERAL FUND	
Revenues	\$ 3,958,455.00
Estimated Cash on Hand	\$ 725,544.00
Expenditures	\$ 4,258,999.00
Cash Reserve	\$ 425,000.00
Total Budget	\$ 4,683,999.00
CAPITAL PROJECTS FUND	
Revenues	\$ 581,111.00
Expenses	\$ 581,111.00
Total Budget	\$ 581,111.00
EXPENDABLE TRUST FUND	
Revenues	\$ 17,213.00
Estimated Cash on Hand	\$ 282,787.00
Expenditures	\$ 300,000.00
Total Budget	\$ 300,000.00
AGENCY FUND	
Revenues	\$ 21,000.00
Expenditures	\$ 21,000.00
Total Budget	\$ 21,000.00
WATER FUND	
Revenues	\$ 2,990,441.00
Estimated Cash on Hand	\$ 444,984.00
Expenditures	\$ 3,435,425.00
Total Budget	\$ 3,435,425.00
SEWER FUND	
Revenues	\$ 1,093,851.00
Estimated Cash on Hand	\$ 348,252.00

Expenditures	\$ 1,442,103.00
Total Budget	\$ 1,442,103.00

SANITATION FUND

Revenues	\$ 617,293.00
Estimated Cash on Hand	\$ 19,733.00
Expenditures	\$ 637,026.00
Total Budget	\$ 637,026.00

Mayor Duffy thanked the Budget Committee for their work on the budget and opened the floor for discussion. Ron Sopko with the Aquatic Center asked if there was money in the budget for the Center as per their request for assistance in the amount of \$25,000.00. Mayor Duffy stated that there is \$8,000 currently allocated to the Center contingent upon availability of consensus funding. Mr. Sopko stated that when the funding plan was generated it was estimated that the interest on the endowment created by the one (1) cent sales tax would be enough to support the pool, however, with interest rates so low this is not the case and the pool is operating at a deficit of approximately \$3,000.00 per month and unable to spend the endowment as voted on by constituents. The Aquatic Center is requesting funding through the proposed general purpose tax in the amount of \$50,000.00 annually, approximately 4%; however, if the tax passes the first revenue stream will not be available until April, 2016. Mr. Sopko reiterated that the Aquatic Center is a "stand alone" facility; it gets no financial help from the City or County and supports itself by renting to the School District and through user fees. Mr. Sopko stated that the Aquatic Center is an educational, recreational tool for the City not a luxury and an essential part of the community and respectfully asked that the City give further consideration to funding the Aquatic Center in the amount of \$25,000.00. Discussion followed; City Attorney Richins asked how the endowment is invested and if the Board had talked to the Wyoming Community Foundation about investment potential. Mr. Sopko has talked to representatives from the Foundation about investing the endowment; the board is looking at that option. Councilmember Koch stated that the budget committee did trim the budget to come up with the \$8,000.00 allocated, indicating that there were several entities requesting funding from the city.

Motion: to approve the preliminary budget for fiscal year 2014-2015 as presented.

By: Councilmember Koch.

Second by: Councilmember Callahan.

Vote: The motion passed unanimously.

Mayor Duffy clarified that the budget can still be amended.

Mayor Duffy presented eight (8) proposed WAM Resolutions for review and possible approval at the WAM Convention in June. Discussion followed; the Resolutions will be considered at the next council meeting.

City Attorney Richins presented Ordinance #815 for first reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL ELECTRIC EASEMENT TO ROCKY MOUNTAIN POWER. SAID ORDINANCE REPEALS ORDINANCE NO. 726 AND ORDINANCE 789 IN THEIR ENTIRETY AND REPLACES THEM WITH THIS ORDINANCE. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

City Attorney Richins explained that a franchise agreement grants a non-exclusive license to a utility provider in the community. The license gives the utility the ability to operate in the city and grants necessary easements. This franchise holder pays 5% of their gross revenues to the city. All franchises together generate approximately \$400,000.00 to \$500,000.00 annually to the General Fund. The franchise holder normally passes this fee on to the consumer. The only change to the current agreement is the term, changing it from 15 years to 10 years. Discussion followed.

Motion: to approve Ordinance #815 on first reading.

By: Councilmember Callaham.

Second by: Councilmember Koch.

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

Mayor Duffy presented Ordinance #816 for discussion:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, PERTAINING TO THE REGULATION OF SOLID WASTE AND MAINTENANCE OF PROPERTY BY REPEALING THE ENTIRE CHAPTER 11 OF THE WORLAND CITY CODE AND REPLACING IT WITH EXHIBIT "A" ATTACHED HERETO. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

City Attorney Richins recommended that the Ordinance not pass on first reading as Chief of Police Elliott and Ordinance Officer Williams have not had a chance to review it and there are things that could be added to this ordinance that could help the Ordinance Officer. There are also sections that are included in Ordinance #812 with some overlap and inconsistencies. City Attorney Richins asked the Council to consider the definition of unauthorized accumulation, the list of items prohibited in dumpsters and the "citing" paragraph where due process should be built in to the ordinance. Discussion followed; no action was taken.

Mayor Duffy presented a letter from the Wyoming Department of Transportation (WYDOT) which lists the rules and regulations for outdoor advertising permits (signs) within the highway right of way. The regulations require a non-refundable application fee of \$100.00 and an annual fee of \$15.00 and pertain to all the signs along Big Horn Avenue. These regulations have been in effect for a few years but have not been enforced by WYDOT until now. These regulations may eliminate the city allowing the use of banners in Pioneer Square. Discussion followed about allowing placement of banners in Pioneer Square and the possibility of constructing an electronic sign and cleaning up the appearance of the area where signs are

placed. Discussion continued; the council agreed that the city should fight the enforcement of these regulations. It was suggested that the Council send a letter to the Governor's office and possibly draw up a resolution for presentation at the WAM Convention.

Councilmember Koch reported on the sales tax committee meeting; the committee has decided to go with funding for those entities that have been involved in the process from the beginning and a draft resolution has been created for review by the City Attorney, County Attorney and Ten Sleep Town Attorney. The committee would like to have \$5,000.00 to spend on advertising and requested that each entity participate based on the percentage of funds to be allocated. It has been determined that the city can participate by funding education of the project but cannot advocate passage of the tax. Discussion followed.

Motion: to participate in the educational process of the one (1) cent sales tax by funding advertising in the amount of \$2,250.00 out of the current budget.

By: Councilmember Koch.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Mayor Duffy presented the revised policy to assure competitive pricing that was initially presented at the April 15th council meeting. The policy was revised after discussions with Department Heads and those revisions deal with who can purchase, bulk purchasing and the availability of bidders. Discussion followed.

Motion: to approve the policy to assure competitive pricing.

By: Councilmember Koch.

Second by: Councilmember Gentzler.

Vote: The motion passed unanimously.

City Attorney Richins, in the absence of Airport Manager/Superintendent of Public Works Wayne Hill, recommended the approval of the low bid of Fremont Motors Lander in the amount of \$46,474.00 for Two (2) New ½ Ton Extended Cab Full Size FWD Pickups.

Motion: to approve the bid of Fremont Motors Lander in the amount of \$46,474.00 for two (2) new pickups.

By: Councilmember Callaham.

Second by: Councilmember Horath.

Vote: The motion passed unanimously.

Chief of Police Gabe Elliott presented the Memorandum of Understanding by and between the Washakie County Sheriff's Office and the City of Worland Police Department. The only change is to the individual's involved (new police officers).

Motion: to approve the Memorandum of Understanding by and between the Washakie County Sheriff's Office and the City of Worland Police Department.

By: Councilmember Gentzler.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Councilmember Gentzler asked Chief of Police Elliott about the Hells Angels gathering in Cody this summer and asked if the Council could assist the department in anyway. Chief of Police Elliott stated that the department would send two (2) officers to assist the Cody Police Department, but doesn't expect any problems in Worland.

Clerk/Treasurer Glanz presented the health insurance renewal form with WAM/JPIC; the premium increase this year is 0% and the renewal does include dental coverage due to the ability of WAM/JPIC to cover non-grandfathered entities through changes to the dental benefits.

Motion: to renew health/dental insurance coverage with WAM-JPIC at the current \$2,000 deductible (Plan 4) and authorize the Mayor to sign the Benefit Selection Form.

By: Councilmember Callahan.

Second by: Councilmember Fernandez.

Vote: The motion passed unanimously.

City Engineer Representative Mike Donnell reminded the Council that Big Horn Regional (BHR) will be opening bids tomorrow to connect Well #2 to the BHR system.

Councilmember Nelsen asked about the sandbags in Riverside Park and when they were going to be removed or given to the town of Ten Sleep or Manderson. Mayor Duffy stated that the intent is to leave them until the run-off is done possibly early June.

Councilmember Koch asked for clarification on whose responsibility it is to take care of the walking path going east of town on Washakie Avenue. This issue was discussed in a Department Head meeting and after looking at the subdivision agreement it was determined that it is the city's responsibility since the subdivision was dedicated to the city.

Councilmember Gill requested that the sign issue and a discussion on how to raise revenues be included on the work session agenda.

Councilmember Fernandez asked where the city was at with the Wayside Horn Project; Mayor Duffy stated that the contractor for the project indicated they would be starting construction in May.

Councilmember Sanchez requested that the Council talk further about the sign issue and about how the education funding will be spent for the one (1) cent sales tax. Councilmember Koch indicated that the funds would be spent for brochures, radio and newspaper advertisements. Councilmember Sanchez congratulated the basketball players that took part in the 3 on 3 tournament in Thermopolis!

There being no further business to come before the Council the meeting adjourned at 8:48 p.m.

David M. Duffy, Mayor

ATTEST:

Tracy A. Glanz, Clerk/Treasurer