

**CITY OF GREEN RIVER  
CITY COUNCIL PROCEEDINGS  
October 19, 2010**

The Governing Body of the City of Green River met in regular session at 7 pm in the City Hall Council Chambers. Mayor Castillon called the meeting to order and Truman Elementary School students led the Pledge of Allegiance: Mia Worrell, Alexa Molina, Alexa Tolman, Kaylee Carson, Joshua Tolman, Blaine Murphy, Jayci Palinek, Kinley Cochrane, and Emma Baas.

The following Council Members were present: Ted York, Pete Rust, Carl Morck, Tom McCullough, Jim Boan, and Lisa Maes. The following were present representing the City: Director of Public Works Mike Nelson, Acting City Administrator Jeff Nieters, Director of Community Development Laura Hansen, Senior Building Inspector David Allred, Chief of Police John Love, Fire Chief/Emergency Services Mike Kennedy, Parks and Recreation Director Walt Bratton, City Attorney Galen West, and Public Information Coordinator Stephen Pyles.

Council candidates Gary Killpack, Gene Smith, Dick Wilson, and Gene Carmody were also present.

**APPROVAL OF THE AGENDA**

**Amendments:**

Update Consent Agenda Item E: Approval to accept the Unclaimed Property Report and submit a check in the amount of \$614.26 to the Wyoming State Treasurer's Office under Unclaimed Property Act.

The addition of an Executive Session for a litigation issue.

Council Member Boan moved to approve the agenda as amended. Council Member McCullough seconded. Motion carried. (7-0)

**PRESENTATIONS**

**2010 Wyoming Recreation and Parks Association Citizen Advisory Board Member of the Year Award**

Walt Bratton presented Gary Wolfe the Citizen Advisory Board Member of the Year Award. He congratulated him on being the recipient of the state-wide excellence award. Mr. Bratton thanked him for his public service over the past several years.

**Chamber of Commerce Update**

Janet Hartford, Chamber of Commerce Director, reminded everyone about the Lunch and Learn luncheon on October 20, 2010, at the Western Wyoming Community College Green River Center, at 12:00 pm.

She said they have updated the website-[www.grchamber.com](http://www.grchamber.com).

Adopt a Tree starts November 1<sup>st</sup> on a first come first serve basis at a cost of \$35.00. There are 53 available.

The brick paver fundraiser has brought in \$15,670.00.

Forums start at 6:00 pm and will be televised live.

- October 20, 2010 Mayor and Council
- October 21, 2010 County Attorney & Clerk of District Court
- October 25, 2010 Sheriff & County Coroner – 6<sup>th</sup> Penny Update
- October 28, 2010 County Commissioners

Council Member York asked if there has been any kind of feedback on the Whitewater Park since it has been completed.

Mrs. Hartford said yes, there have been inquiries about the Whitewater Park. Visitors do come in and ask about it, because they see the signs that have been put up around the city and on the interstate.

## **PROCLAMATIONS**

### **Cowboys Against Cancer**

Mary Schuck read the proclamation and the Mayor declared the month of November 2010 as Cowboys Against Cancer Awareness Month.

## **ORDINANCES**

### **Amendment to the Nuisance Ordinance**

First Reading: An ordinance amending Section 5 of Green River Ordinance 05-08 and Section 17-10 of the Green River Code of Ordinances, City of Green River, State of Wyoming, to allow Special Municipal Officers whose duties include Municipal Code Enforcement to issue nuisance notices.

Council Member McCullough moved to approve the first reading of the proposed amendment to Chapter 17 of the City of Green River Code of Ordinances pertaining to nuisance enforcement. Council Member Maes seconded.

The Mayor asked for clarification.

Laura Hansen said the current ordinance states only a police officer can give a nuisance order. Since the retirement of the weed abatement officer, his duties have been split up among different departments. To assist with the enforcement of the nuisance ordinance the Community Development Department is proposing a language amendment to expand the language to allow for a special municipal officer to issue notices and citations under the nuisance ordinance in addition to the Green River Police Department.

Council Member Boan clarified only the Senior Building Inspector will be appointed.

Motion carried. (7-0)

## **RESOLUTIONS**

### **Appointment of Senior Building Inspector as a Special Municipal Officer**

R10-86: A resolution for the governing body of the City of Green River, Wyoming, to approve the resolution appointing the Senior Building Inspector as a Special Municipal Officer to serve as an issuing officer for the purpose of issuing citations under Chapter 7, Buildings and Building Regulations and Chapter 17, Nuisances.

Council Member York moved to approve the resolution. Council Member Boan seconded. Motion carried. (7-0)

### **South-East Storm Drain Project Easements**

R10-87: A resolution for the governing body of the City of Green River, Wyoming, authorizing the City of Green River, Wyoming, to accept from Four Whatever, Inc. a Wyoming Corporation, a storm drain easement for locating, establishing, constructing, and maintaining a certain storm drain.

Council Member Maes moved to approve the resolution. Council Member McCullough seconded.

Council Member McCullough asked for clarification.

Mr. Nieters said the City was given a notice of violation for admitting soil erosion into the river. This is the second step to mitigate the issue. The first part was to dig all the soils out of the river and the next part is to put in a storm sewer drain. This easement is needed to maintain the property and the sewer drain line.

Motion carried. (7-0)

### **Budget Increase for the FMC Bridge Replacement Project**

R10-88: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in expenditure authority in the Capitol Projects Fund for the FMC Bridge Replacement Project in the amount of \$47,500.

Council Member Morck moved to approve the resolution. Council Member Rust seconded. Motion carried. (7-0)

### **COUNCIL ACTION ITEMS**

#### **Approval of Change Order #3 on the Green River Southside Water System Improvements**

Council Member Boan moved to approve Change Order #3 for the City of Green River Southside Water System Improvements, to authorize payment of \$21,800 from the Force Account line item, and make payment to Jackman Construction, Inc. Council Member McCullough seconded.

Council Member McCullough asked for clarification.

Mr. Nieters said this project has a Force Account line item in the contract. Legal review of this line item requires the council be polled to authorize the work before it occurs and a formal change order to be prepared. This change order authorizes spending for the construction of pre-formed thrust blocks and placement of blocks with a crane, and threading the existing casing with a tee that goes to the college. This does not change the cost or the amount of time for the contract project to be completed.

Council Member Rust asked what a force account is. He has never heard of it.

Mike Nelson said a force account is put into some contracts for unanticipated work that cannot be foreseen. With this project once things were uncovered they found no thrust blocks, valves, and other items that are needed. This is what force accounts are for.

Motion carried. (7-0)

### **CONSENT AGENDA**

Council Member York moved to approve the following consent agenda items. Council Member Morck seconded. Motion carried. (7-0)

- The submittal of a 2010 New England Park Association Tree Planting Program Grant *in the amount of \$2,000.*
- Authorization for the Parks and Recreation Department to apply for 2011 Sweetwater County Travel and Tourism grants for the following events: Smash and Splash Racquetball Tournament, Green River Mountain Bike Jam, Art on the Green, May 2011 Competitive Kayak Event, and August 2011 Kayak Rodeo event and to deposit these grant funds in the Leisure Programs Division Budget.
- Acceptance of all donations for the Parks and Recreation Department special events in 2011.
- The submittal of the Wyoming Community Foundation Grant by the Solid Waste Division.

- Acceptance of the Unclaimed Property Report and submission of a check in the amount of \$614.26 to the Wyoming State Treasurer's Office under the Unclaimed Property Act.
- Authorization to release the 2009 Capitol Improvement Project retainage in the amount of \$153,570.97 to Pallesen Construction, Incorporated.
- The agreement between the City of Green River and Dowdle Folk Art/Americana Art Enterprise and deposit the revenue generated from the sales of *Green River, Wyoming* puzzles in the Art Development Program account number 15-900-9403.
- The removal of items from the landfill as requested by Randy Laughter and Kenny King. (*old semi-trailer, yellow snow blower, red four-wheeler*)
- Ratification of Amendment No. 1 to the Cooperative Agreement between WYDOT and the City of Green River for the FMC Bridge Replacement (WYDOT Number 0C04086).
- The acceptance of the Work Order Agreement from JFC to complete survey work on the South East Teton Storm Drain Project for an amount not to exceed \$1,000 based on JFC's hourly rate schedule.
- Minutes for October 5, 2010 and October 12, 2010 Special Council.
- Financial Reports and Payment of Bills:  

Prepaid Invoices = \$118,358.88	Outstanding Invoices = \$692,332.82
Pre-authorization Payments = \$755,000.00	Payroll Expenditures = \$345,220.83

### **CITY ADMINISTRATOR'S REPORT**

Mr. Nieters updated council on projects going on within the city:

- Water Expansion Project: installation of the pipe along Uinta Drive is complete. They are currently working on the rehabilitation of the water tank on Upland Way.
- The 16 inch river crossing water line is installed and the connections to the current lines will be done when the rehabilitation is complete on the water tank on Upland.
- FMC Spur Road: There is no rock ripping or removal during the week. They have brought in other equipment to the site to dig into the heavy rock. The electrical contractor has started work and is excavating trenches for lights.

### **CITY ATTORNEY'S REPORT**

Mr. West extended his appreciation to the City Administration and Departments for being so accommodating with the changes in procedures that he has requested.

### **MAYOR AND COUNCIL REPORTS**

Council Member Rust said Futures has met and approved the Tomahawk Agreement.

Council Members York, Maes, McCullough, and Morck all had nothing to report.

Council Member Boan said he was again discouraged on the ads that are being placed in the newspaper slamming the Mayor and himself. He feels the statements that are being placed in the paper are misleading.

The Mayor said he knows during the time of elections things like this are going to occur, but he feels this affects the community as a whole not just one person. It does not look good for anyone.

### **ADJOURN TO EXECUTIVE SESSION**

Council Member Boan moved to adjourn to executive session for a litigation issue at 7:50 pm. Council Member Morck seconded. Motion carried. (7-0)

### **RECONVENE**

Council Member York moved to go back to the council meeting at 8:09 pm. Council Member Boan seconded. Motion carried. (7-0)

**COUNCIL ACTION ITEM**

Council Member Rust moved to accept the proposed employee's settlement agreement discussed in executive session. Council Member York seconded. Motion carried. (7-0)

**AJOURNMENT**

Council Member York moved to adjourn at 8:10 pm. Council Member McCullough seconded. Motion carried. (7-0)

---

H. Castillon, Mayor

ATTEST:

---

Jeffrey V. Nieters, City Clerk