

**CITY OF GREEN RIVER
CITY COUNCIL PROCEEDINGS
May 17, 2011**

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 Fire Chief Mike Kennedy led the Pledge of Allegiance. The following Council Members were present: Tom McCullough, Jim Boan, Lisa Maes, Adam Coppolo, Gene Smith, and Gary Killpack. The following were present representing the City: City Administrator Barry Cook, Director of Public Works Mike Nelson, Director of Human Resources Debbie Klein Robertson, Purchasing/Payroll Supervisor Trish Mansfield, Director of Community Development Laura Hansen, Chief of Police John Love, Fire Chief/Emergency Services Mike Kennedy, Interim Parks and Recreation Director Allan Wilson, City Attorney Galen West, and Public Affairs Specialist Stephen Pyles.

APPROVAL OF THE AGENDA

The Mayor noted the removal of Council Action Item B: Consideration to accept the bid from Pierce Manufacturing, Inc. for two Custom Fire Apparatus Pumps, and to award the bid for two Custom Fire Apparatus Pumps to Pierce Manufacturing, Inc.

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

PRESENTATIONS

National Junior College Athletic Association All American Wrestlers Recognition

Council Member Maes presented Justin Schumacher and Scott Verner with a City of Green River sports bag, a hat, and pins for a job well done. They both earned All American status by finishing in 8th place at Nationals.

PROCLAMATIONS

Flaming Gorge Days

Flaming Gorge Days Committee Members Deli Frantzen, Gracy Flores, and Jasmine Weaver read the proclamation and the Mayor declared June 23rd – June 25th as 2011 Flaming Gorge Days and he urged all citizens and visitors to Green River and Sweetwater County to participate in this festival.

CITIZEN REQUESTS AND OTHER COMMUNICATIONS

Main Street Board Member Cheryl Jensen said the Main Street Bizarre went well despite the weather. They had 48 spaces that were rented and 44 of them showed up. They had a very good turnout. She thanked the council for their support.

ORDINANCES

Combine the Planning and Zoning Commission and the Board of Adjustment

11-02: An ordinance creating Section 21-31 of Green River Code of Ordinances, City of Green River, State of Wyoming, to appoint the Planning and Zoning Commission as the Board of Adjustment.

Council Member Coppolo moved to approve the ordinance on third reading. Council Member Killpack seconded. Motion carried. (7-0)

RESOLUTIONS

R11-25: A resolution for the governing body of the City of Green River, Wyoming, to amend the Salary Resolution for the Zoning and Building Technician Position.

R11-26: A resolution for the governing body of the City of Green River, Wyoming, to amend the Classification Plan for the Zoning and Building Technician Position.

Council Member Maes moved to approve the resolutions. Council Member McCullough seconded. Motion carried. (7-0)

R11-27: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in expenditures in the Capital Projects Fund for the Police Department Building in the amount of \$125,000.

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

COUNCIL ACTION ITEMS

Malt Beverage Permit

Council Member Coppolo moved to approve the issuance of a Malt Beverage Permits to the Flaming Gorge Days Committee to sell malt beverages at the Flaming Gorge Days Festival in the Park on Friday and Saturday June 24, 2011 and June 25, 2011, from 10:00 am to 5:00 pm at Evers Park and from 5:00 pm to Midnight at Stratton Myers Park during the Concerts. Council Member Maes seconded.

Council Member Boan clarified the council will be authorizing in-kind services to the Flaming Gorge Days involving city staff, facilities, and equipment as a Council Action Item tonight. He wants everyone to know that the city is supporting the Flaming Gorge Days Festival.

Motion carried. (7-0)

FMC Road Spur Project Change Order #2

Council Member Smith moved to approve Change Order #2, addition of 100 calendar days to the Contract with Reiman Corp for time related to rock break down and other work on the FMC Road Spur Project. Council Member McCullough seconded.

Council Member Boan asked when the completion deadline is for the 100 days.

Mr. Nelson said it is the middle of June.

Motion carried. (7-0)

FMC Road Spur Project Amendment Number 2

Council Member Killpack moved to approve Amendment Number 2 to the Agreement with Inberg-Miller Engineers for Construction Engineering Services in the amount of \$69,525 for the FMC Road Spur Project. Council Member Boan seconded.

Council Member Boan said he will vote no on this and he would like other council to consider doing the same. He would like Inberg-Miller to come back when the project is completed with the additional costs associated. One item that is part of the requested amount is a contingency cost of 10% in case the project goes over again. This is part of their job, so why are we paying more.

Mr. Nelson said that is part of their job but they have requested a smaller amount than the \$69,525.

Mr. Cook said he received some information from Inberg-Miller on some cost they would like to have removed from the request. They estimated the cost savings to be \$6,245 which reduces the change order to \$63,280.

Council Member Boan said the things they are reducing should have never been in there in the first place. These things should have already been part of the original amount for the project.

Council Member Killpack moved to change the original motion to the \$62,280. Council Member Smith seconded. Motion carried (6-1) with Council Member Boan voting no.

Joint Powers Telecom Board

Council Member Maes moved to approve the Memorandum of Understanding between the Joint Powers Telecom Board, the City of Rock Springs, and the City of Green River to provide access to the “point of presence” (POP) to internet retailers in Green River and Rock Springs. Council Member Smith seconded.

Council Member McCullough said he will vote against this. He is concerned with the JPTB having difficulty following the by-laws. If this is passed council will only have a limited amount of power over the board, and if the motion passes, government will now be leasing fiber to private companies to compete with each other. He thinks that private companies should use their own money to do this. What he would like to see is the JPTB stay the same and supply only to governmental agencies.

Council Member Killpack asked for clarification on the wording in the motion. It says that JPTB cannot provide access to any retailers outside of Rock Springs or Green River. If there is a retailer out of Alaska they cannot provide it to them.

Council Member McCullough said in the by-laws it says in Sweetwater County. If the company is in Sweetwater County they can access it.

Joint Powers Telecom Board Vice President Tina Knezovich said this is to provide service to Green River and Rock Springs.

Council Member Killpack asked if someone can connect to the fiber and provide services to other areas.

Legal Counsel Galen West said there is a differential in the motion and the MOU. The motion is to approve the MOU. The MOU says: Participating agencies approve and express support for the JPTB in its effort to expand the use of its fiber Optic Network to include access onto said Network only by qualified retail and wholesale providers of Telecommunication Services.

Council Member Killpack asked if the motion should be changed or if is ok how it is.

Mr. West said the language is inconsistent but the council can change the motions language if they choose.

Council Member Boan amended the motion to approve the Memorandum of Understanding between the JPTB, the City of Rock Springs, City of Green River, to provide access to the point of presence to networks only by duly qualified retailers and wholesale providers of telecommunication services. Council Member Maes seconded. Motion carried (6-1) with Council Member McCullough voting no.

Original Motion carried (6-1) with Council Member McCullough voting no.

FinAnswer Express 2011 Incentive

Council Member Coppolo moved to approve the application for the FinAnswer Express 2011 Incentive through Rocky Mountain Power. Council Member Maes seconded.

Recreation Supervisor Brenda Roosa said this is an application that is submitted to Rock Mountain Power for the air conditioning Capital Improvement Project that is going on at the Recreation Center. Some of the equipment they have put in can qualify for the rebate from Rocky Mountain Power.

Motion carried. (7-0)

Open Container Permit

Council Member Maes moved to approve the issuance of an Open Container Permit to the Ponderosa Bar and the Embassy Tavern, for the 7th Annual Rally in the Alley Benefit Poker Run to be held on Railroad Avenue between Center Street and North 1st East Street on Saturday, July 9, 2011, from 9:00 am to Midnight. Council Member Coppolo seconded. Motion carried. (7-0)

CONSENT AGENDA

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

- A Wildlife Extension Agreement with the Fish & Wildlife Service to accept a \$10,000 grant from the United States Fish and Wildlife Service for the removal of the invasive Tamarisk and Russian olive along the Green River corridor.
- Authorize the requested in-kind assistance during Flaming Gorge Days involving city staff, facilities, and equipment.
- Approval to waive the business license requirement and associated fees for vendor booths at the Festival in the Park during 2011 Flaming Gorge Days.
- Contract for Beverage Vending Services for the Recreation Center with Western Wyoming Beverages for July 1, 2011 through June 30, 2012.
- Contract for Custodial Services for the Recreation Center with Castle Cleaning Company in the amount of \$60,000.00 for July 1, 2011 through June 30, 2012.
- Approval of the host facility liability and publicity release form for participation in the World's Largest Swimming Lesson, June 14, 2011.
- Authorization to waive the Trash Collection Fees for the Rally in the Alley Benefit Poker Run scheduled for July 9, 2011.
- Minutes for: April 26, 2011 Special Workshop, May 3, 2011 Council, May 5, 2011 Budget Workshop.
- Financial Reports and Payment of Bills:

Prepaid Invoices = \$5,336.66	Outstanding Invoices = \$308,027.95
Pre-authorization Payments = \$757,000.00	Payroll Expenditures = \$333,195.33

SWEDA Update

Director of SWEDA Michelle Hostetler said she is sorry that she was late; she was in deposition for the lawsuit that has been brought against SWEDA. If anyone would like information on the lawsuit it is public knowledge so you can go to the court house and read about it.

She said the Comprehensive Economic Plan is being recommended for funding. SWEDA will have to come up with the \$2,000 to pay the match for it. They are hoping to have the plan in place within a year.

CITY ADMINISTRATOR'S REPORT

Mr. Cook said Robin Kizzire from Dispatch has been recommended for an accommodation from her supervisors for a job well done on May 4, 2011 regarding a lost child.

He would like direction from council on how they would like the salary resolution put together.

He said staff is working on finalizing the retirement plan. Legal Counsel has reviewed it and has informed them that they have to give at least 21 days for the employees to look at the plan and decide what they would like to do. He is requesting that council has a Special Council Meeting either May 19, 2011 or May 24, 2011 to adopt the plan by resolution and then give them to the employees to review.

The Mayor asked if he would recommend having a Special Council Meeting on May 19, 2011.

Mr. Cook said on Thursday May 19, 2011 or the Tuesday May 24, 2011.

Council Members agreed to have it on May 19, 2011 before the budget meeting.

He discussed the budget workshop agenda for Thursday May 19, 2011, at 6:30 pm. He said Mr. Wilson wanted to give an update on the Viaduct Project.

Mr. Wilson said the Viaduct Project is complete. He will be coming to council on June 7, 2011 to release the retainer for the project. Currently there is \$134,824.37 in the account and the retainer left to pay is \$106,878.22. This will leave approximately \$27,000 in the account. He would like to look into painting the concrete going up to the black railing, depending on the cost.

CITY ATTORNEY'S REPORT

Mr. West had nothing to report.

MAYOR AND COUNCIL REPORTS

The Mayor said they met with the Union Pacific today and some progress was made on the depot. UP's main concern was safety, it was addressed, and they seemed to be happy with the presentation.

Council Member Smith said it appears that the Union Pacific is willing to work with the city on the depot and that is good.

He said the part-time and seasonal workforce has been allowed to go grow from 93,600 hours to 114,000 hours that is a 22 % increase. The budget proposal includes a further increase of 500 hours. This would make the overall growth since 2000 a 27 ½ %. He said he thinks they need to stop the part-time growth now. He purposed they reduce the part-time and seasonal workforce to a smaller number of budgeted hours and direct the staff to distribute those hours as needed. He would like to reduce the hours to 99,000. He is asking council to direct staff to restrict the part-time and seasonal hours to 101,000 hours in total.

Council Member McCullough echoed what has been said about the Union Pacific. He said on what Council Member Smith has said on the part-time hours he will listen to staff on their reasons why they need the part-time hours and then he will draw his conclusions. If staff is telling him they need those people then he will listen to the staff on what they need.

Council Member Coppolo said he is not happy with the amount of the change order with Inber-Miller even with the change. He wants to let them know that he is looking closely at the costs.

He said the Main Street Bizarre went very well but he was disappointed in the downtown businesses that did not open during that event.

He said staff needs to get creative on how to reduce their part-time hours. He does agree that the hours are high but the council needs to look at what staff is doing.

Council Member Maes said a lot of the part-time hours are tied into events and things going on within the city. You cannot just take an arbitrary number and say you want to reduce it by this amount because you are going to be cutting a service that is requiring those hours. Some of these hours could be coming from a full-time position that was filled by two part-time people who do not take benefits so they save the city money. She said some of the hours are tied to revenues so you would not want to get rid of them. She asked Mr. Cook to give her a 2001 budget book to compare.

She asked if the city used their own engineers on projects in the past. She would like to see if using our own engineers would save money on projects.

She said they should look into hiring a grant writer. They would pay for themselves by the grants they are able to get for the city. She would like this to be looked into.

Council Member Boan asked about the status of the energy grant.

Mr. Wilson said it has gone out for bid and they will be opened on June 7, 2011.

Council Member Boan said Main Street goes through a lot of preparation for events and he is upset to see that all downtown businesses are not taking part. He believes that if the city continues investing money in the downtown area then the businesses should support it and open during those events.

URA/Main Street Administrator John Dahlgren said during this Bizarre, Busy Bee had its busiest day ever. There were other businesses that did well also.

Council Member Boan said he agrees with hiring a grant writer. Grant money is available and a grant writer would pay for themselves. He asked for a job description for the part-time people so they can find out what their jobs entail.

Council Member Killpack said he is not concerned with what the part-time people do; he feels it is an administrative issue. He said as far as the grant writer, he would not hire them unless they are an employee of the city. He would not contract them out because you could end up paying them over a million dollars in a year if you are not careful.

He said the council needs to be careful with the part-time employees. The city provides a service to the community and without some of the services the city would not exist. He has always been told how nice of a community we have here, and without the service that would not happen. There is another option to reduce the workforce, change the requirements on the retirement plan. You could change it to 15 years of service.

He said Tom Wilson was very happy with the work the Parks Department did with the preparation of the soccer fields for the tournament that took place this past weekend.

He said everything that is going on in Green River is happening on the other side of town, all of the school events and sports happenings. This could be a contributing factor to the downtown area struggling. People just do not go through the downtown area like they used to. He is not sure if this will ever change. He does support all efforts in trying to make it better.

The Mayor said everyone is in agreement of hiring a grant writer but they are not sure where to put them. They will have to look into this.

The Mayor said he met with Dave Delatch and he told him the hotel is back on track.

ADJOURNMENT

Council Member McCullough moved to adjourn at 8:15 pm. Council Member Boan seconded. Motion carried. (7-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk