

**CITY OF GREEN RIVER
CITY COUNCIL PROCEEDINGS
September 6, 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 Lena Warren led the Pledge of Allegiance. The following Council Members were present: Gary Killpack, Gene Smith, Adam Coppolo, Tom McCullough, Jim Boan, and Lisa Maes. The following were present representing the City: City Administrator Barry Cook, Director of Public Works Mike Nelson, Director of Human Resources Debbie Klein Robertson, Director of Finance Jeff Nieters, Director of Community Development Laura Hansen, URA/Main Street Administrator John Dahlgren, Interim Chief of Police Chris Steffen, Fire Chief/Emergency Services Mike Kennedy, Parks and Recreation Director Allan Wilson, GIS Specialist Jason Brown, City Attorney Galen West, and Public Affairs Specialist Stephen Pyles.

APPROVAL OF THE AGENDA

Council Member Killpack moved to change the wording of Council Action Item C and D to read as follows:

Council Action Item C: Consideration of an appointment to the Planning and Zoning Commission.

Council Action Item D: Consideration of a re-appointment to the Planning and Zoning Commission. Council Member Smith seconded.

Council Member Smith moved to add discussion of personnel to the executive session. Council Member Coppolo seconded.

Council Member Killpack moved to approve combining resolutions A, B and C as one motion. Council Member Smith seconded.

Motions carried. (7-0)

PROCLAMATIONS

National Recovery Month

Southwest Counseling Public Information Specialist Lena Warren read the proclamation and the Mayor proclaimed September, 2011 as Recovery Month in Green River. He asked residents to “Join the Voices for Recovery: Recovery Benefits Everyone” by participating in programs and spreading the message that recovery is possible.

September 11 Remembrance

Fire Chief Mike Kennedy read the proclamation and the Mayor proclaimed September 11th as a Day of Service and Remembrance in Green River, and called upon all citizens to observe the National Moment of Remembrance beginning at 11:00 am Sunday, September 11th, and to also “remember by doing”, taking time out to perform good deeds and charitable service in observance of the anniversary of the 9/11 attacks.

RESOLUTIONS

Right of Way Easements

R11-54: A resolution for the governing body of the City of Green River, Sweetwater County, Wyoming to grant an electric utility right of way easement in Section 14 to PacifiCorp.

R11-55: A resolution for the governing body of the City of Green River, Sweetwater County, Wyoming to grant an electric utility right of way easement in Section 15 to PacifiCorp.

R11-56: A resolution for the governing body of the City of Green River, Sweetwater County, Wyoming to grant an electric utility right of way easement in Section 23 to PacifiCorp.

Council Member Killpack moved to approve all three resolutions collectively. Council Member Boan seconded. Motion carried. (7-0)

Performance Based Budgeting Project and Impact Fee Study

R11-57: A resolution for the governing body of the City of Green River, Wyoming, to approve a modification in expenditures in the General and Capital Project Funds for the performance based budgeting project and the impact fee study in the amount of \$75,000.

Council Member Smith moved to approve the resolution. Council Member Killpack seconded.

Mr. Cook said the impact fee analysis is being conducted to come up with a rate the city can charge for new subdivisions.

The performance based budgeting is based on the tasks that each department does. This helps show priorities within each department along with costs associated with them. He said projects are already budgeted.

Motion carried. (7-0)

Greenbelt Russian Olive/Tamarisk Control Project

R11-58: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in the Capital Projects Fund for the removal of Russian Olive Trees along the Greenbelt with grant funding in the amount of \$30,000; to accept the grant, and to approve the agreement from the Wyoming Game and Fish Commission.

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

Personnel Manual Revisions

R11-59: A resolution for the governing body of the City of Green River, Wyoming, to amend the City's Personnel Manual.

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

Ms. Robertson said these changes were being recommended because of state and federal law requirements and to clarify wording.

Motion carried. (7-0)

Fundraising for URA/Main Street Agency

R11-60: A resolution authorizing the City Administrator and the City Treasurer to identify gross receipts of the URA-Main Street Agency and designate and earmark those funds for use by the URA-Main Street Agency.

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

Dedication of a Public Right of Way in the Rancho Subdivision

R11-61: A resolution for the governing body of the City of Green River, Wyoming, dedicating public right of way.

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

National High School Rodeo Event

R11-62: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in the Capital Projects Fund for improvements to city facilities for the National High School Rodeo Association event to be held in Green River and Rock Springs the spring of 2012, in the amount of \$424,979; and to approve the submission of the city's application to the Wyoming State Loan and Investment Board.

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

Council Member McCullough thanked the Mayor for working so hard to get the money for Green River.

Motion carried. (7-0)

Final Plat for River Cove Addition

R11-63: A resolution for the governing body of the City of Green River, Wyoming, approving and accepting the final Plat for the River Cove Addition as a subdivision in the City of Green River, Sweetwater County, Wyoming, submitted by Four Whatever Inc., covering a 8.98 acre tract of land situated in the east half of Section 35, Township 18 North, Range 107 West of the Sixth Principal Meridian, Green River, Sweetwater County, Wyoming.

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

Council Member McCullough said he was concerned about residents in this area being able to access their homes if construction had to occur. He has spoken with Mr. Palmer and he understands there are alleys on both sides that people can use if needed, so he is fine with the subdivision.

Community Development Director Laura Hansen said the final plans have been submitted and they have complied with all the city's ordinances.

She made some minor revisions to the resolution. It now reads as follows: Whereas, the Developer has submitted a letter of Agreement and a Performance Bond dated August 31, 2011 in the amount totaling \$405,000 to guarantee the installation of the necessary public facilities required within the Subdivision Regulations of the City of Green River, and as shown on the Construction Drawings and Cost Estimate as approved by the City's Engineer on August 31, 2011.

Council Member Smith said he is very glad to see this finally happening.

Motion carried. (7-0)

Dedicating a Public Sewer Easement in the River Cove Addition

R11-64: A resolution for the governing body of the City of Green River, Wyoming, dedicating a public sewer easement.

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

COUNCIL ACTION ITEMS

Memorandum of Agreement for BLM Sections 10 & 12

Council Member Boan moved to authorize the Mayor to sign the Memorandum of Agreement between the Bureau of Land Management, the Wyoming State Historic Preservation Officer and the City of Green River. Council Member Maes seconded.

Mr. Cook said the MOA addresses the railroad grade on Section 12. This was historically marked, and this designates it as a railroad grade area.

Motion carried. (7-0)

Energy Efficiency Lighting Project

Council Member Maes moved to authorize the Mayor to sign the agreement for engineering services with Uinta Engineering & Surveying, Inc. to assist the City of Green River in the design phase, the bidding process and the construction phase of the Energy Efficient Lighting Project for the city facilities. Council Member Killpack seconded. Motion carried. (7-0)

Appointment to the Planning and Zoning Commission

Council Member Killpack moved to confirm the Mayor's appointment of Tom Christiansen to the Planning and Zoning Commission for a three-year term. Council Member McCullough seconded. Motion carried. (7-0)

Re-appointment to the Planning and Zoning Commission

Council Member Smith moved to confirm the Mayor's re-appointment of Mike Curtis to the Planning and Zoning Commission. Council Member Coppolo seconded.

Council Member McCullough thanked the volunteers that serve on the boards.

Motion carried. (7-0)

Billboard Contract with Lamar Signs

Council Member Killpack moved to approve the contract with Lamar Signs for \$13,480 for two billboards along I-80. Council Member McCullough seconded.

Council Member Boan said the one in Evanston is invisible to people. He does not think it should be purchased. He feels the city could find a better one to advertise on.

Mr. Dahlgren said he has spoken with Jenessa Bartlett and she said that billboard was effective.

Council Member Coppolo moved to table the motion.

Council Member Maes said she would like to see the city's website listed on the billboard.

Mr. Dahlgren said they looked into putting the website on the billboard. The problem with adding the website is it clutters the ad and it too small to read.

Council Member Boan said he agrees that the website should be included. It could bring more people to the city.

Council Member McCullough asked if there were any other billboards available.

Mr. Dahlgren said these were the only two available at this time.

Council Member Killpack said he likes the design and he does not feel it would help if the website was on there.

Council Member Smith said he likes the billboards, and doesn't have a problem with adding the website.

Council Member Boan said the signs are great but he wants the website on there.

Motion carried. (7-0)

Sweetwater County's Countywide Consensus Block Grant

Council Member Coppolo moved to approve Sweetwater County's resolution for the Countywide Consensus Block Grant Funding. Council Member Boan seconded. Motion carried. (7-0)

Appointments to the Urban Renewal/Main Street Agency Board

Council Member Smith moved to confirm the Mayor's appointments of Michael Brown (*5-year term*), Erin Kenney (*4-year term*), Deborah Alvarez (*3 year term*), and Cathie Hughes (*1-year term*) to the URA/Main Street Agency Board. Council Member Maes seconded.

The Mayor thanked everyone who had come forward to serve on the board.

Motion carried. (7-0)

CONSENT AGENDA

Council Member Killpack moved to approve the following consent agenda items. Council Member McCullough seconded. Motion carried (6-1) with Council Member Coppolo voting no.

- Authorization to write off uncollectable account balances from Accounts Receivable in the amount of \$356.50
- The horse corral leases with Patrick and Tonya Gomez for corral #51, with Tomas Munoz for corral #113, and Steven Munoz for corrals #105 & 106
- Authorization for Tommy Upp to remove a child's desk from the city landfill
- Authorization for the Fire Department to apply for an Assistance to Firefighters grant in the amount of \$204,000 for new turn out gear and WYOLINK compatible portable radios
- The extension of the original contract with Electrical Connections, Inc., to provide electrical services to the City of Green River, for an additional one year period
- The purchase agreement with Kyle Ashley of NRG Plus, Inc. for the sculpture "Suspended" in the amount of \$7,000
- The contract with Green River Chamber of Commerce for the Disney Institute training session in the amount of \$2,000 and authorization for the Mayor to sign said contract
- The agreements with USA Technologies to process electronic transaction at the water salesman, pending any changes from legal counsel
- The submittal and receipt of, if awarded, and pending legal review, a \$21,800 grant proposal to the Fish, Wildlife and Plant Conservation Resource Management for the Riparian Greenbelt Russian Olive/Tamarisk Control and Nature Tree/Shrub Rehabilitation Project in the Parks and Recreation Department
- The Work Order Agreement from JFC to complete surveying work on the South Side Water Expansion Project for an estimated amount of \$1,800 based on JFC's hourly rate schedule
- Minutes for: August 9, 2011 Workshop, August 16, 2011 Council
- Financial Reports and Payment of Bills:

Prepaid Invoices = \$145,661.64	Outstanding Invoices = \$492,558.02
Pre-authorization Payments = \$755,000.00	Payroll Expenditures = \$732,202.69

CITY ADMINISTRATOR'S REPORT

Mr. Cook said a consultant has been chosen for the Comp Plan so it will be moving forward.

He discussed the agenda for the September 13, 2011 workshop.

Southside Water Project Update

Jackman Construction has requested to begin construction on Friday, September 9, 2011 on the intersections of Bridger and Hitching Post and Hitching Post and Windriver. They will be doing water improvements on both. According to the contract they are required to have two crews

working simultaneously. Jackman Construction has not had a full crew for the South Side Water Project so far, so staff is very concerned about the traffic flow.

CITY ATTORNEY'S REPORT

Mr. West had nothing to report.

MAYOR AND COUNCIL REPORTS

Council Member Boan asked Mr. West what the status is on the random drug testing policy.

Mr. West said council should have the memorandum prior to the next council meeting.

Council Member Smith thanked the volunteers who serve on the boards. He said the Disney Training is for many groups of people and it would benefit all who attend.

Council Member McCullough said there are laws against people shooting guns and other things within city limits, but a person can go into their backyard and discharge a compound bow. He said this does not make sense. He would like to discuss the issue at a workshop.

Council Member Coppolo said they need to address more than just a compound bow. There are all types of bows and all need to be addressed.

Council Member Maes said she is amazed that a paintball gun cannot be discharged but a bow can. They need to do something before someone gets hurt.

She also thanked the volunteers that serve on boards.

Council Member Boan said he does not think a council member should give up their ideas on what they find important if the rest of the council disagrees with them. They should keep trying and researching their idea.

Council Member Killpack thanked the volunteers for their willingness to serve the community.

He asked if there are any legal actions that the city can take to try to stop the behavior of a construction company.

Mr. West said there are some things that are being documented and will continue to be. Short of declaring a breach of contract and kicking the contractor off the job site, nothing really can be done. He thinks it is best to document what is happening and go from there.

Mr. Cook said the contractor is currently forty days behind schedule. Staff will continue documenting the issues and assessing liquidated damages.

Mr. West said he knows this is frustrating for everyone but the matter is being dealt with.

The Mayor said the Child Development Center received a Memorandum of Understanding and legal council will be looking into it. The CDC is requesting the release of the money to pay off the building in Rock Springs.

At the workshop last week, council discussed the Tomahawk and it should be on track.

The Fire Department will be hosting a 9/11 Remembrance event at Fire Station #2 at 7:45 am.

There will be another 9/11 Remembrance event in Rock Springs at the Western Wyoming Community College at 2:00 pm.

He encouraged staff to attend the Disney training on September 27, 2011.

ADJOURN TO EXECUTIVE SESSION

Council Member Boan moved to adjourn to executive session to discuss potential litigation and personnel at 8:16 pm. Council Member Coppolo seconded. Motion carried. (7-0)

RECONVENE

Council Member Boan moved to reconvene at 8:50 pm. Council Member Killpack seconded. Motion carried. (7-0)

COUNCIL ACTION ITEM

Council Member Boan moved to authorize Tom Thompson to negotiate on behalf of the city within the limits discussed in executive session. Council Member Coppolo seconded. Motion carried. (7-0)

ADJOURNMENT

Council Member Boan moved to adjourn at 8:51 pm. Council Member Killpack seconded. Motion carried. (7-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk