

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND, WYOMING
April 6, 2010

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on April 6, 2010. Mayor Kreg Lombard presided and the Councilmembers in attendance were: Jerry Alexander, Michele Rideout, Bud Callaham, Loyd Worley, George Hazen, Lisa Fernandez, Kathy Newman and Bob Nelsen. Also present were: Airport Manager/Superintendent of Public Works, Gary Thompson; City Attorney, Kent Richins; City Engineer Representative, Mike Donnell; Captain, Andy Williams and Clerk-Treasurer, Tracy Glanz. Councilmember Justin Pfeiffer was absent.

There were four (4) visitors present for this meeting of the City Council.

Mayor Kreg Lombard led the Council and visitors in the Pledge of Allegiance.

Motion: to approve the minutes of the regular meeting on March 16, 2010.

By: Councilmember Hazen.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

City Attorney Kent Richins announced that it was the time and place to open bids for the Wastewater Treatment Plant UV Unit Disinfection Project.

COMPANY	BID
Lamax Construction	\$177,980.00
Excel Construction	\$263,000.00
Rawhide Mechanical	\$195,591.00

The bids were given to City Engineer Representative Mike Donnell and Superintendent of Public Works Gary Thompson for review. City Engineer Representative Donnell and Superintendent of Public Works Thompson left the meeting to review the bids.

Motion: to approve the March bills and the payroll for the periods ending March 21, 2010 and March 31, 2010; PAYROLL 3/21/10 - \$53,509.22; PAYROLL 3/31/10 - \$3,174.17.

By: Councilmember Hazen.

Second by: Councilmember Nelsen.

Vote: The motion passed unanimously.

Bob Eisele representing the Worland Shooting Complex asked the Council to renew their Lease allowing for a ten (10) year term to help secure future grant funding. City Attorney Richins presented an Addendum to the Worland Shooting Complex Lease with a retroactive date of January 1, 2010. Discussion followed as to the term of the lease.

City Engineer Representative Donnell and Superintendent of Public Works Thompson returned to the meeting.

Motion: to approve the Addendum to the Worland Shooting Complex Lease Agreement with a ten (10) year term.

By: Councilmember Callaham.

Second by: Councilmember Hazen.

Vote: The motion passed unanimously.

Wally Wallace also with the Worland Shooting Complex informed the Council that the road work, using roto-mill from the City, would be delayed due to issues with the BLM right-of-way. The Board wanted to know if the City could store the roto-mill until it could be used or if it could be used on the road and parking area within the complex. Discussion followed.

Motion: to store the roto-mill on City property until it can be used on the main road to the Worland Shooting Complex.

By: Councilmember Worley.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Mayor Lombard stated that work on the canal fencing project has begun; the City has set poles along the canal by South 8th and South 9th Street.

Mayor Lombard informed the Council the City of Worland received a Tree City USA Growth Award; this is the 25th year that the City has received the award. Mayor Lombard thanked Jane O'Connor and the Tree Board for all their hard work.

Mayor Lombard and others met with representatives from the office(s) of Senator Enzi, Senator Barrasso and Rep. Lummis and are working on getting personnel from the Regional FEMA Office to come to Worland to discuss flood mitigation issues.

City Engineer Representative Donnell and Superintendent of Public Works Thompson recommended that the City approve the low bid of Lamax Construction.

Motion: to accept and approve the bid of Lamax Construction for the Wastewater Treatment Plant U.V. Disinfection Project.

By: Councilmember Nelsen.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

City Attorney Kent Richins presented Ordinance #786 for first reading.

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, PERTAINING TO CITY STREET AND ALLEY EXCAVATIONS BY SUPPLEMENTING SECTION 19-14 OF ARTICLE III OF CHAPTER 19 OF THE WORLAND CITY CODE. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

Councilmember George Hazen left the meeting at 7:25 p.m.

Motion: to pass Ordinance #786 on first reading.

By: Councilmember Callaham.

Second by: Councilmember Worley.

Vote: Members voting AYE: Worley, Fernandez, Nelsen, Lombard, Rideout, Callaham and Newman; Members voting NAY: Alexander; the motion passed by a vote of 7-1.

City Attorney Richins wanted to discuss the Public Meetings Act because of the confusion surrounding the meeting last week. "I view the public meetings act as a somewhat flexible document because if we look at it strictly black and white we are going to have problems. The statutes define what a meeting is – a meeting is a quorum or a majority of the qualified electors of the governing body that has been called by proper authority of the agency. In our case the agency would be the City of Worland and it would be for the purpose of discussion or taking action regarding public business. All meetings are to be open to the public and are required to be advertised in the paper. The meeting that happened last week was called by private individuals not by the City of Worland and city officials were asked to be there. My personal opinion is that I don't feel we fell under the public meetings act. I think the council members could have gone to that meeting; however, if a majority is in attendance and you as an elected official are uncomfortable with the discussion then I suggest you object or leave the meeting. I see more flexibility in the law than what appeared in the newspaper and my position isn't that it was not appropriate. I think council members should have been there. If there is a quorum then it becomes somewhat questionable or if you get into some potential discussions (agreeing on things), then you can leave. I just wanted to clarify my position on what a public meeting is - it isn't clear cut or black and white." Councilmember Worley asked if it becomes an official meeting when they keep minutes of the meeting. City Attorney Richins stated that if it was the private individual keeping minutes then it is "their" meeting. But at that point, an elected official can make it clear that they are in attendance only for discussion and state that they won't agree to take

any action. Discussion followed. City Attorney Richins stated that the public should be notified if at all possible.

Superintendent of Public Works Thompson informed the Council that he will be putting out bids for asphalt replacement on Road 11, Road 12 and Hillcrest with a planned bid opening at the first council meeting in May.

Superintendent of Public Works Thompson has been working with the City Attorney and the City Engineer Representative in putting together an easement for TCT West to run a fiber optic line through town. Superintendent Thompson asked for direction on compensation for the easement. Currently we do not receive compensation for easements from utilities since they are all franchised; however, TCT West does not fall under a franchise agreement since they do not and will not serve any customers in Worland. Discussion followed, no decision was made.

Under Business of the Council:

Councilmember Newman stated that she and Councilmember Callaham were approached by someone in town about the bells in Pioneer Square not ringing correctly. Discussion followed as to who has done the work in the past on the bell tower. Councilmember Newman brought in a free registration for the WAM Convention in June if anyone is interested in using it.

Councilmember Alexander brought up issues that need to be discussed on the upcoming budget; copies of a preliminary budget were handed out by Clerk/Treasurer Glanz. Discussion followed on the required increase in the Wyoming Retirement System premium; the increase of 2.87% is included in the budget currently, however, the City is only required to pay 1.44% of that increase. Clerk/Treasurer Glanz informed the Council that the health insurance premium will increase 8% for next fiscal year, this increase is also reflected in the current budget. WAM/JPIC has granted a premium holiday the past two years saving the City approximately \$52,000 in premium each year; however, the full liability was budgeted for. A premium holiday may or may not be granted this year. Clerk/Treasurer Glanz recommended that since the medical reimbursement and longevity was eliminated and the deductible increased last year, that the Council leave the budget as it is now, absorbing the premium increases. Councilmember Alexander asked for discussion on the Golf Course and the proposed cut to their budget. Clerk/Treasurer Glanz referred the Council to a worksheet reflecting the percentage of cuts taken by each department; the Golf Course reflects a 22% cut which totals \$49,940.00. Discussion followed and it was suggested that Council perform an audit on the books for the Golf Course to get a better feel for their budget. Councilmember Alexander thought that the County should be involved in the operations of the Golf Course and the Airport since they are both used by County residents who don't pay city taxes. Councilmember Fernandez stated that with our budget the way it

is now, we can't cut everyone else and continue to throw money at the golf course without asking them to take a cut it's not fair to the taxpayers. Councilmember Alexander stated that this needed to be brought to the Golf Course Management Group in September instead of waiting until after January to ask them to take a cut. Clerk/Treasurer Glanz clarified that the Management Group was made aware that they may have to take cuts in September or October of last year at a Commission meeting. Mayor Lombard suggested that members of the Management Group be invited to the next Council meeting to discuss the funding issue. Councilmember Alexander asked the Council to consider what they were going to give to the non-profits this next fiscal year. Council discussed having a work session later this month to discuss these budget issues.

Councilmember Fernandez informed the Council that she had a new e-mail address and telephone number and thanked everyone for their donations and help with the employee appreciation breakfast; there is enough money left over for a BBQ.

Councilmember Rideout was approached by a resident who received a letter from the Ordinance Officer requesting that the resident replace or repair his sidewalk, curb and gutter; Councilmember Rideout will talk to Chief Bankert about the issue on behalf of the resident. It was suggested that the resident could attend the Community Services Commission meeting for more information.

Councilmember Callaham thanked everyone that helped with the employee appreciation breakfast.

Motion: to enter into executive session at 8:15 p.m. to discuss a personnel issue.

By: Councilmember Rideout.

Second by: Councilmember Alexander.

Vote: The motion passed unanimously.

Motion: to leave executive session at 8:47 p.m.

By: Councilmember Alexander.

Second by: Councilmember Worley.

Vote: The motion passed unanimously.

There being no further business, the meeting adjourned at 8:47 P.M.

Kreg Lombard, Mayor

ATTEST:

Tracy A. Glanz, Clerk-Treasurer