

REGULAR MEETING OF THE CITY COUNCIL
OF WORLAND, WYOMING

November 17, 2009

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on November 17, 2009. Mayor Kreg Lombard presided and the Councilmembers in attendance were: Lisa Fernandez, Jerry Alexander, Bud Callaham, Loyd Worley, Kathy Newman, George Hazen and Bob Nelsen. Also present were: Chief of Police, Greg Bankert; Airport Manager/Superintendent of Public Works, Gary Thompson; City Attorney, Kent Richins, City Engineer Representative, Mike Donnell; Building Official Ron Vanderpool and Clerk-Treasurer, Tracy Glanz. Councilmember Justin Pfeiffer was absent.

There were twelve (12) visitors present for this meeting of the City Council.

Lynn Fritzler led the Council and visitors in the Pledge of Allegiance.

Motion: to approve the minutes of the regular meeting on November 3, 2009.

By: Councilmember Hazen.

Second by: Councilmember Nelsen.

Vote: The motion passed unanimously.

Motion: to approve the payroll for the period ending November 1, 2009; PAYROLL 11/1/09 - \$53,420.29.

By: Councilmember Callaham.

Second by: Councilmember Worley.

Vote: The motion passed unanimously.

Charles Gilmore, Gordon Neumann and Steve Grosch representing the Golf Course Management Group requested 645 cubic yards of roto-mill from the City to construct cart paths on the Golf Course. Discussion followed.

Motion: to approve giving 645 cubic yards of roto-mill to the Golf Course for cart paths.

By: Councilmember Alexander.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Charles Gilmore representing the Golf Course asked if the Council would consider selling golf cart stalls currently owned by the City. Clerk/Treasurer Tracy Glanz stated that the City owned at least ten (10) stalls in two different buildings that either the City or Golf Course Management is paying annual rental fees on. The stalls are currently empty. Clerk/Treasurer Glanz recommended that the City sell these stalls for \$1,500.00 a piece. Discussion followed.

Motion: to sell City owned golf cart stalls for \$1,500.00 per stall.

By: Councilmember Callaham.

Second by: Councilmember Alexander.

Vote: The motion passed unanimously.

Charles Gilmore and Gordon Neumann requested a decision on the construction of a settling pond by a private citizen to feed water to the Golf Course Pond and the private citizen. Discussion followed. It was recommended that the City Attorney and the City Engineer Representative draw up an agreement acceptable to both parties.

Lew Markley and Scott Richard addressed the Council with concerns about out of town contractors not obtaining a building permit and/or license. Discussion followed with a recommendation that the City educate property owners regarding city code and building permits.

John Joyce, Director of the Big Horn Regional Joint Powers Board (BHR) presented maps to the governing body reflecting the extension of the BHR system to the Kirby/Lucerne area. BHR is proposing to increase the line pressure on the existing pipeline, remove the existing pump station and construct a new pump station creating higher pressure and allowing for additional volume. Mr. Joyce stated that BHR may be willing to take over ownership of the line to relieve the City of any problems with the increased pressure in the line and take Wyoming Boys School as a customer. Discussion followed.

Motion: it is the intention of the City to convey that portion of the water line from the proposed new pump station south.

By: Councilmember Nelsen.

Second by: Councilmember Worley.

Vote: The motion passed unanimously.

Police Chief Greg Bankert spoke on behalf of Lynn & Scott Fritzler who have requested deaf child signs at the 300 Block of North 11th. A sign would be placed at each end of the street to notify the public to be alert.

Motion: to approve purchasing and placing signs on the 300 Block of North 11th.

By: Councilmember Callaham.

Second by: Councilmember Alexander.

Vote: The motion passed unanimously.

Mayor Kreg Lombard requested that the Councilmembers and Department Heads compile a list of priorities to establish a five year plan for the City.

Mayor Lombard stated that the boat ramp had been cleaned by the City Crew and that it would be cleaned as needed until the agreement is terminated by 30 day notice to Wyoming Game and Fish.

Mayor Lombard suggested that the Council consider changing the Resolution dealing with formation of commissions so that the Mayor would be a member of each commission assuring that a quorum would be present for each commission meeting.

Mayor Lombard announced the resignation of Councilmember Bill Hankins. Mr. Hankins has moved outside of the designated boundaries of Ward 3. Mayor Lombard stated "It is with deep regret that I accept Bill's resignation and I thank him for his service to the community". Mayor Lombard directed Clerk/Treasurer Glanz to place an ad in the newspaper for the vacancy.

City Attorney Kent Richins presented Ordinance #781 for second reading:

AN ORDINANCE OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, REVISING VARIOUS REGULATIONS PERTAINING TO BUILDING CONTRACTORS BY AMENDING AND SUPPLEMENTING PORTIONS OF CHAPTER 7 AND CHAPTER 24 OF THE WORLAND CITY CODE. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

City Attorney Richins asked Building Official Ron Vanderpool to explain the proposed change to the ordinance; allowing newly required licensees a one year grace period to acquire their license with the city.

Motion: to amend Ordinance #781 as proposed.

By: Councilmember Worley.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

Motion: to approve Ordinance #781 as amended on second reading.

By: Councilmember Nelsen.

Second by: Councilmember Worley.

Vote: AYE: Fernandez, Alexander, Lombard, Newman, Nelsen, Callaham and Worley;

NAY: Hazen; the motion passed by a vote of 7 to 1.

Clerk/Treasurer Tracy Glanz presented Resolution #2009-15:

RESOLUTION #2009-15

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING TO DOCUMENT THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE, REGARDING EMPLOYER PICK-UP OF EMPLOYEE RETIREMENT CONTRIBUTIONS TO THE WYOMING RETIREMENT SYSTEM.

WHEREAS, the City of Worland has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the City of Worland took official action regarding section 414(h)(2) IRC on July 1, 1974; and

WHEREAS, the City of Worland wishes to adopt this resolution in order to have additional documentation confirming its prior formal actions to pick-up contributions under the Plans;

WHEREAS, the City of Worland has determined that even though the implementation of the provisions of section 414(h)(2) IRS is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Wyoming Retirement System:

BE IT HEREBY RESOLVED BY THE GOVERNING BODY OF THE CITY OF WORLAND AS FOLLOWS:

1. That the City of Worland will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to W.S. 9-3-412(b) on behalf of its employees who are members of the Wyoming Retirement System. "Employee contributions" shall mean those contributions to the Wyoming Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts.
2. That the contributions made by the City of Worland to the Wyoming Retirement System, although designated as employee contributions, are being paid to the Wyoming Retirement System by the City of Worland in lieu of contributions by the employees who are member of the Wyoming Retirement System.
3. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Worland to the Wyoming Retirement System.

4. That the City of Worland shall pay to the Wyoming Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

5. That the amount of the contributions designated as employee contributions and picked-up by the City of Worland to the Wyoming Retirement System on behalf of any employee shall be the entire contribution required of the employee by the Wyoming Retirement Act.

6. That the contributions designated as employee contributions made by the City of Worland to the Wyoming Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Wyoming Retirement System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of said City, that this resolution is effective on the same date that the City of Worland first provided for employee contributions, and shall apply prospectively to all future employee contributions until otherwise terminated.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF November, 2009.

CITY OF WORLAND, WYOMING
A Municipal Corporation

By: _____
Kreg Lombard, Mayor

ATTEST:

Tracy A. Glanz, City Clerk

Motion: to pass, approve and adopt Resolution #2009-15.

By: Councilmember Newman.

Second by: Councilmember Alexander.

Vote: The motion passed unanimously.

Clerk/Treasurer Tracy Glanz presented Resolution #2009-16:

RESOLUTION #2009-16

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING TO DOCUMENT THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE, REGARDING EMPLOYER PICK-UP OF EMPLOYEE RETIREMENT CONTRIBUTIONS TO THE WYOMING RETIREMENT SYSTEM FOR LAW ENFORCEMENT.

WHEREAS, the City of Worland has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the City of Worland took official action regarding section 414(h)(2) IRC July 1, 2002; and

WHEREAS, the City of Worland wishes to adopt this resolution in order to have additional documentation confirming its prior formal actions to pick-up contributions under the Plans;

WHEREAS, the City of Worland has determined that even though the implementation of the provisions of section 414(h)(2) IRS is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Wyoming Retirement System:

BE IT HEREBY RESOLVED BY THE GOVERNING BODY OF THE CITY OF WORLAND AS FOLLOWS:

1. That the City of Worland will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to W.S. 9-3-412(b) on behalf of its employees who are members of the Wyoming Retirement System. "Employee contributions" shall mean those contributions to the Wyoming Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts.
2. That the contributions made by the City of Worland to the Wyoming Retirement System, although designated as employee contributions, are being paid to the Wyoming Retirement System by the City of Worland in lieu of contributions by the employees who are member of the Wyoming Retirement System.
3. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Worland to the Wyoming Retirement System.
4. That the City of Worland shall pay to the Wyoming Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
5. That the amount of the contributions designated as employee contributions and picked-up by the City of Worland to the Wyoming Retirement System on behalf of any employee shall be the entire contribution required of the employee by the Wyoming Retirement Act.

6. That the contributions designated as employee contributions made by the City of Worland to the Wyoming Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Wyoming Retirement System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of said City, that this resolution is effective on the same date that the City of Worland first provided for employee contributions, and shall apply prospectively to all future employee contributions until otherwise terminated.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF November, 2009.

CITY OF WORLAND, WYOMING
A Municipal Corporation

By: _____
Kreg Lombard, Mayor

ATTEST:

Tracy A. Glanz, City Clerk

Motion: to pass, approve and adopt Resolution #2009-16.

By: Councilmember Alexander.

Second by: Councilmember Hazen.

Vote: The motion passed unanimously.

Police Chief Bankert stated that there is a Traffic & Safety Commission Meeting on December 9th at the Law Enforcement Center.

Police Chief Bankert presented a travel request for Zack Newton to attend Field Training Officer (FTO) School in Douglas, January 11-15, 2010.

Motion: to approve the travel request for Zack Newton to attend FTO School.

By: Councilmember Callahan.

Second by: Councilmember Alexander.

Vote: The motion passed unanimously.

Police Chief Bankert informed the Council that the Department was able to obtain a Highway Safety Grant and purchased in-car cameras with the grant.

Superintendent of Public Works Gary Thompson updated the Council on the Joint Powers meeting held yesterday at the airport. Information was provided on grant availability and discussion held on the economic viability of local airports. The FAA is

looking at new terminal buildings; Worland would not be eligible for grant funding for a new terminal for another three (3) years.

City Engineer Representative Mike Donnell updated the Council on the pre-construction meeting held on the Road 11 Outfall Sewer Project and stated that there is a Big Horn Regional meeting on Wednesday, November 18th at 6 p.m.

Motion: to ratify and approve the actions of the boards and commissions of the City of Worland.

By: Councilmember Alexander.

Second by: Councilmember Worley.

Vote: The motion passed unanimously.

Under Business of the Council:

Councilmember Fernandez asked Councilmember Worley if he received the information he requested. Councilmember Worley stated that he did.

Councilmember Nelsen thanked the City crew for doing a good job on the valley gutters on 9th and Culbertson.

Councilmember Callaham informed the Council of a letter that he received from Kasey Hansen. Councilmember Callaham read his response to that letter to the Council.

Councilmember Worley requested an executive session to discuss a personnel issue.

Motion: to enter into executive session at 8:50 p.m.

By: Councilmember Worley.

Second by: Councilmember Callaham.

Vote: The motion passed unanimously.

There being no further business, the meeting adjourned at 9:30 P.M.

Kreg Lombard, Mayor

ATTEST:

Tracy A. Glanz, Clerk-Treasurer