

**CITY OF GREEN RIVER
CITY COUNCIL PROCEEDINGS
March 16, 2010**

The Governing Body of the City of Green River met in regular session at 7 p.m. in the City Hall Council Chambers. Mayor Castillon called the meeting to order and Washington Elementary School students Cody Price, Riley Price, Ryan Deutsch, Caleb Ragsdale, Trenton Collar, Austin Collar, Brody Meyer, Brianna Meyer, Peyton Shadrick, and Maddie Shadrick led the Pledge of Allegiance. The following Council Members were present: Pete Rust, Carl Morck, Ted York, Tom McCullough, Jim Boan, and Lisa Maes. The following were present representing the City: City Administrator Barry Cook, Director of Finance Jeff Nieters, Director of Community Development Laura Hansen, Director of Public Works Mike Nelson, Fire Chief/Emergency Services Director Mike Kennedy, Chief of Police John Love, Director of Human Resources Debbie Klein Robertson, Parks and Recreation Director Walt Bratton, Parks and Recreation Supervisor Alyssa Krumholz, Parks Supervisor Allan Wilson, City Attorney Ford Bussart, City Planner John Dahlgren, and Public Information Coordinator Stephen Pyles.

Main Street Manager Maggie Adams and board member Mike Frink, and Green River Futures Board Members Pati Smith and Paul Stevens were also present.

APPROVAL OF THE AGENDA

Mayor Castillon added a public hearing for a Special Use Permit for an electronic rate sign, removed the approval to donate surplus office furniture from the Consent Agenda, and added a purchase agreement for surplus property with SW-WRAP.

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

PRESENTATIONS

Military Recognition

Council Member Lisa Maes presented the city plaque, t-shirt, and a Wyoming flag to Robert J. Leigh in recognition of his military service. His mother and step-father, Jennifer and Jerry Wells, grandparents JoAnn and Terry Leigh, brother Tyler Garrison, and aunt Laura Hansen were also present.

Recognition of Green River High School Students by Green River Futures

Pati Smith, Green River Futures board member, presented gift certificates to high school students Michelle Torres, Josh Biddle, and John Schultz in recognition of their renovation drawings of the Tomahawk building. Their Industrial Arts teacher, Shoney Mitchelson was also present.

Chamber of Commerce Update

Janet Hartford reported on the LEAD in Business luncheon on April 8th, the March Madness – Census Pizza Party on March 25th, and the Lunch and Learn on March 17th. She thanked the members of the Census Committee for their work on the committee, and mentioned the Sweetwater Biking Association's Build Day on April 9, 10, and 11, 2010. They are still taking nominations for the Distinguished and the Outstanding Citizen's awards.

Ms. Hartford also asked for permission to partner with the city's re-branding efforts and to approve the chamber's use of the city's new logo for a similar one for the chamber.

Mayor Castillon thanked all the members of the Census Committee for their work since last May to help the city meet their goal to increase participation by 10% over the 2000 Census.

PROCLAMATIONS

Liberty Day

Mike Frink read the proclamation, and Mayor Castillon proclaimed March 16th as Liberty Day, and the month of March as Liberty month, in Green River, in recognition of the anniversary of the birth of James Madison.

Ken Franck encouraged participation in the Liberty Day events on March 27th.

CITIZEN REQUESTS AND OTHER COMMUNICATIONS

Members from the Green River Cheerleaders State Champions Squad, Kylee Lewis and Burgandy or Jade Schmitt presented a plaque to Mayor Castillon for the city's support and the use of the Pavilion this year.

Local Realty Broker/Owner and Green River Futures Board Member Jeannie Earhart asked the governing body and the community to work together and take advantage of the opportunity to work with Futures to allow us to grow and eliminate some of the downtown blight by supporting the Tomahawk project. She reminded the governing body part of their vision for Green River is an "attractive, well planned city with an active downtown." The Tomahawk isn't going to go away. It takes all of us to jump in and work together. She reminded the governing body the grant funding is federal money that is available for projects such as the Tomahawk, if Green River doesn't use it another city will. It's an opportunity to create a legacy and something great for Green River. We need more pride in Green River.

Ken Franck suggested the city consider the placement of better signage for the new Animal Control Center so people can find it.

Futures Board President Brad Sutherland stated he wanted to set the record straight. He doesn't receive a \$160,000 a year salary, his actual salary is half of that. Regarding his being a highly paid construction worker, he puts in approximately 45 hours a week doing the work of Futures, and volunteers an additional 15 hours a week on weekends, and evenings working on the Tomahawk building. He believes his volunteering is a valuable community service.

PUBLIC HEARINGS

Sweetwater Television Franchise Agreement Renewal

The extension of the twenty-year franchise which expires on May 1, 2010, with an increase in indemnification requirements and other minor corrections.

Mayor Castillon opened the hearing at 7:35 p.m. There were no comments or concerns presented.

Mayor Castillon closed the hearing at 7:35 p.m.

Special Use Permit for Oak Tree Inn Electric Sign

Oak Tree Inn wishes to add an electronic rate sign to their sign pole to display room rates.

Mayor Castillon opened the hearing at 7:35 p.m.

John Dahlgren noted electronic signs require a Special Use Permit. Planning and Zoning has approved the request and recommends the approval of the permit.

There were no other comments or concerns presented.

Mayor Castillon closed the hearing at 7:36 p.m.

ORDINANCES

Sweetwater Television Franchise Agreement

First Reading: An ordinance amending Subsections Sections A, B, E, F, I, and R of Section 1 of Green River Ordinance No. 90-9, and Sections A, B, E, F, I, and R of Article I, Appendix D

‘Franchise’ of the Green River Code of Ordinances, City of Green River, State of Wyoming, to increase the indemnification requirements, to extend the term of said ordinance, which granted to Sweetwater Television Company, its successor and assigns, a non-exclusive right and franchise to install, maintain, and operate in, over, under and upon the present and future streets, alleys, public grounds and ways of the City of Green River, Sweetwater County, Wyoming lines and equipment necessary to provide cable television signals, for the purpose of providing cable television, internet, telephone, and other related services to the City of Green River, the inhabitants thereof, and others, and to provide for an effective date.

Council Member McCullough moved to approve the ordinance on first reading. Council Member Boan seconded. Motion carried. (7-0)

RESOLUTIONS

Continuation of the Sixth Penny Bond Lease

R10-29: A resolution authorizing renewal of that certain lease and agreement, dated as of August 8, 2006, among the incorporated municipalities within Sweetwater County, Wyoming, and the Sweetwater County Improvement Projects Joint Powers Board through the budget and appropriation of funds for the payment of rental payments and additional rentals thereunder for fiscal year 2010-2011.

Mr. Cook stated the three remaining projects for Green River would be completed this summer. This resolution is the continuation of the bonding requirements to fund those projects.

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

Budget Increase for Horse Corral Improvement Project

R10-30: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in revenue and expenditure authority and to accept donations into the General Fund for the Beautification of the Municipal Horse Corral Improvement Project in the amount of \$3,000.

Mr. Wilson explained the city had received a \$2,000 grant from the State Forestry Division and the Horse Corral Committee had donated \$1,000 towards the placement of twenty-five trees around the horse corrals along the greenbelt. Members of the Tree Advisory Committee, the Horse Corral Committee, and city staff will be planting the trees, and submitting reports to the State Forestry Division over the next three years on the project.

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

Allocation of Donations to 2010 Crystal Classic

R10-31: A resolution for the governing body of the City of Green River, Wyoming to approve an increase in expenditure and revenue authority and to accept the donations into the General Fund in the Leisure Program Division to be used for the Ice Crystal Classic Program in the amount of \$2,150.

Ms. Krumholz acknowledged the following cash donations to assist with the 2010 Crystal Classic event:

Yates Petroleum Corp.	\$500	Smith’s Food & Drug Store	\$50
Don Pedro’s Family Restaurant	\$50	Sweetwater Trophies and Gifts	\$100
Pioneer Title	\$50	Trona Valley Community FCU	\$100
FMC Corporation	\$250	Book & Bean	\$50
WyoChem Federal Credit Union	\$50	Castle Rock Realty	\$100
Rocky Mountain Power	\$500	Halliburton	\$100
John Bunning Transfer	\$250		

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

Budget Modification for Jailing Inmates

R10-32: A resolution for the governing body of the City of Green River, Wyoming, to approve a modification in expenditure authority in the General and Capital Projects Funds for the Patrol and Traffic Division for jailing inmates at the county facility in the amount of \$15,075.

Mr. Cook stated the city has a contract with the county for inmates. The rates for that service have increased and the line item account is in the red. Staff hopes the transfer of funds from a completed capital project line item will carry them to the end of the 2010 budget year.

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

Grant of Easement to Questar for Pipeline

R10-33: A resolution authorizing the City of Green River, Wyoming, to enter into a gas pipeline easement with Questar Gas Company, a Utah Corporation.

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

Mineral Royalty Grant Application

R10-34: A resolution authorizing submission of a Federal Mineral Royalty Capital Construction Account Grant application to the State Loan and Investment Board on behalf of the governing body for the City of Green River for the purpose of funding the 16" Waterline Across the Green River Replacement Project.

Responding to a question from Council Member McCullough, Mr. Cook stated the estimated cost of the project to replace the water line that was washed out last summer is \$945,000. If the city receives the grant, 50% of the money will come from the grant, and the remaining 50% will come out of the Water Fund. If the city doesn't receive the grant, the full amount will come out of the Water Fund, reducing the balance considerably, and they will have to take a close look at the fund and see where they are at next year.

Council Member Maes moved to approve the resolution authorizing the submittal of a MRG Emergency application in the amount of \$472,500. Council Member Boan seconded. Motion carried. (7-0)

COUNCIL ACTION ITEMS

Gudinos, Inc. Restaurant Liquor License

Responding to questions from Council Member McCullough, Mr. Cook stated Gudinos is applying for a restaurant license that only allows them to serve alcohol within the establishment. Alcohol cannot be taken outside of the premise. There is not a limit on the number of restaurant licenses that can be issued.

Responding to a question from the Mayor regarding the restaurants location to Monroe School, Mr. Cook stated there is nothing in the Green River Code of Ordinances, the state statutes, or the zoning code that restricts the sale of alcohol within a specified distance from a school. State statute requires the governing body to consider the following when issuing liquor licenses:

A license or permit shall not be issued, renewed or transferred if the licensing authority finds from evidence present at the hearing:

- 1. The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;*
- 2. The purpose of the title shall not be carried out by the issuance, renewal or transfer of the license or permit;*

3. *The number, type and location of existing licenses or permits meets the needs of the vicinity under consideration;*
4. *The desires of the residents of the County, City or Town will not be met or satisfied by the issuance, renewal or transfer of the license or permit; or*
5. *Any other reasonable restrictions or standards which may be imposed by the licensing authority shall not be carried out by the issuance, renewal or transfer of the license or permit.*

Council Member Boan moved to approve the issuance of a Restaurant Liquor License to Gudinos, Inc. doing business as Wrangler Cafe for the term of March 17, 2010 through March 31, 2010. Council Member McCullough seconded. Motion carried (6-1) with Council Member York voting no.

Renewal of Gudinos, Inc. Restaurant Liquor License

Council Member Boan moved to approve the renewal of the Restaurant Liquor License to Gudinos, Inc. doing business as Wrangler Cafe for the term of April 1, 2010 through March 31, 2011. Council Member McCullough seconded. Motion carried (6-1) with Council Member York voting no.

Golden Generation Advisory Board Appointment

Council Member Rust moved to confirm the Mayor's appointment of Ginny Edwards to a three-year term on the Golden Generation Advisory Board. Council Member McCullough seconded. Motion carried. (7-0)

Parks and Recreation Advisory Board Appointment

Council Member McCullough moved to appoint Nancy Eklund to the Parks and Recreation Advisory Board for a three-year term. Council Member Boan seconded. Motion carried. (7-0)

Board of Adjustment Appointments

Council Member York moved to re-appoint Pete Gailey and to appoint Gene Smith to the Board of Adjustment for three-year terms. Council Member McCullough seconded. Motion carried. (7-0)

Planning and Zoning Commission Appointment

Council Member Boan moved to confirm the Mayor's appointment of Tim Montgomery to the Planning and Zoning Commission for a three-year term. Council Member Maes seconded. Motion carried. (7-0)

Special Use Permit for Oak Tree Inn Sign

Council Member Rust moved to approve the Special Use Permit for an electronic rate sign with the stipulation that it be used only to advertise room rates as recommended by the Planning and Zoning Commission. Council Member McCullough seconded. Motion carried. (7-0)

City Wireless Project Contract

Council Member York moved to approve the *restructured* contract with Avrio Group and authorized Avrio Group to proceed (pending all appropriate documents submitted to the City) on the Wireless Project for a total project cost of \$582,550. Council Member McCullough seconded. Motion carried. (7-0)

CONSENT AGENDA

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

- An agreement with Experience Pros for the keynote speaker for two 2010 D.A.R.E Culminations at Monroe Intermediate School on May 25th and 26th, 2010 in the amount of \$1,848.

- The ratification of a professional services agreement with Ohlson Lavoie Collaborative for the Pool Condensation Project in the amount of \$20,080.
- The Learning Partnership Memorandum of Understanding with Columbia Southern University at no cost to the City of Green River Fire Department.
- The revisions to Administrative Procedure Regulation #88 – Expedition Island Pavilion Rental Policy.
- The stock contract for the 2010 Overland Stage Stampede Rodeo with 7C Buckers Ranch/Rodeo on Friday, June 11, and Saturday, June 12, 2010, in the amount of \$8,200.
- A Memorandum of Understanding with the Overland Stage Stampede Rodeo Committee.
- A Memorandum of Understanding with the Quilting on the Green Committee.
- The acceptance of a Disclaimer of Interest In and Quitclaim of Real Property for the Hutton Tank location.
- The acceptance of a Relinquishment and Quitclaim of Property for the Linwood Tank location.
- A purchase agreement with SW-WRAP for surplus office furniture in the amount of \$5.00.
- Approval of the Minutes for: March 2, 2010 and March 9, 2010
- Financial Reports and Payment of Bills: *Outstanding Invoices* = \$279,100.63
 Prepaid Invoices = \$128,579.57 *Payroll Expenditures* = \$362,030.77
 Pre-authorization Payments = \$815,000.00

CITY ADMINISTRATOR’S REPORT

Mr. Cook asked the governing body to confirm with him the date set for their retreat on April 17th to review the budget. He is working on giving them a draft of the FYE 2011 budget by April 10th. The first budget meeting is scheduled to start on May 6th, at 6:30 p.m.

He plans to attend the State Loan and Investment Board emergency grant appropriations meeting on April 8th to support the city’s grant application for the water main under the river. Nelson Engineering will also be attending the meeting. He encouraged members of the governing body to attend.

Mr. Cook announced the representatives from the Wyoming Business Council will be coming for site visits for the city’s grant applications. They will be visiting the Wild Horse Canyon parking lot site on March 30th and the Tomahawk on March 31st.

He also noted WYDOT will open the bids for the FMC Bridge Project on April 8th, and the city will be opening bids for the spur road off of Scott’s Bottom Road to the southeastern city corporate limits on April 4th.

Mr. Cook commended the park’s crews on the installation of the cattle guard donated by the BLM, and the buck and rail fencing at the cemetery to keep out the wild horses.

He also noted commendations for police officers on their quick action on the Wind River Sporting Goods robbery: Sergeant Glen Williams, Corporal Ken Yager, Officer Rob Fischer, Detective Fred Moczulski, and Dispatcher Robin Kizzire.

Council Member York commented on the city administrator’s persistent questions to the state legislators for their definition of when is it raining? He never got an answer. Mr. Cook noted he had also asked them what the state’s policy or standard was on saving, and what their ultimate

goal and objective was in keeping the money. He doesn't believe the appropriations committee fully understands local governments and their operations, which is providing services for over 70% of Wyoming's citizens.

Council Member McCullough asked when the dumpsters will be put out for people to drop off their tree limbs and grass clippings. Mr. Cook thought it would be early May.

CITY ATTORNEY'S REPORT

Mr. Bussart had nothing to report.

MAYOR AND COUNCIL REPORTS

Council Member Rust commended the Green River High School athletes, drama and speech students on their outstanding performances at state events. He also emphasized the importance of people completing their census forms.

Council Member York expressed his concern for young people walking down on the river ice because it is melting so quickly. He also stated he still sees a lot of folks talking on their cell phones. He reminded them of the new ordinance that bans cell phone use while driving.

Council Member Maes noted the Quilting on the Green and the Overland Stage Stampede Rodeo are coming up soon. She noted the rodeo will be held a weekend later than it has been in the past.

Council Member Boan noted Faith and Al Harris' Radio Network has been nominated for an award that is equivalent to the Oscars, in the radio world, for their community service. He wished them luck.

He also commended the city police officers for their quick and professional handling of incidents in the city, noting they do more than hand out tickets.

Council Member McCullough commended the Green River High School state champions, and noted the mayor will be inducted into the Green River Hall of Fame.

Council Member Morck stated Green River has the best police force. He encouraged citizens to participate in the six week police academy so they have a more in depth understanding of what police officers do.

Mayor Castillon thanked the Washington School students for their participation in the evenings meeting, and congratulated the Washington School staff for putting on a successful Cat and the Hat reading event.

He announced the city's new website has been completed. He finds it to be very customer friendly.

He thanked the volunteers who came forward to serve on the various boards and commissions, and the BLM for the cattle guard for the cemetery.

The Mayor noted there would be a water coalition meeting and a public hearing on Monday, March 22nd on the Million Water Diversion Project. He invited participation in the Liberty Day activities on March 27th, and the Census Awareness March Madness on March 25th.

Mayor Castillon stated he attended the Rotary Club meeting in Rock Springs and gave a presentation on the need for the alternate route to Rock Springs.

ADJOURNMENT

Council Member Rust moved to adjourn at 8:17 p.m. Council Member Boan seconded. Motion carried. (7-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk