

**CITY OF GREEN RIVER
SPECIAL CITY COUNCIL PROCEEDINGS
May 27, 2010**

The Governing Body of the City of Green River met in special session at 6:30 p.m. in the City Hall Council Chambers. Council President McCullough called the meeting to order and Council Member Boan led the Pledge of Allegiance. The following Council Members were present: Pete Rust, Carl Morck, 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, Building Inspector Dave Allred, City Planner John Dahlgren, Director of Public Works Mike Nelson, Solid Waste Supervisor Linda Roosa, Fire Chief/Emergency Services Director Mike Kennedy, Director of Human Resources Debbie Klein Robertson, Director of Parks and Recreation Walt Bratton, Parks and Recreation Supervisor Alyssa Krumholz, and Public Information Coordinator Stephen Pyles.

APPROVAL OF THE AGENDA

Council Member Morck moved to approve the agenda. Council Member Boan seconded. Motion carried. (5-0)

COUNCIL ACTION ITEMS

Reimbursement Agreement for FMC Spur Road

Mr. Cook explained the city agreed with Mr. Jackman, as the developer, to relocate the spur road on to his property. Once the road is completed, it will be dedicated to the city. Part of the contract with the contractor Reiman Construction, called Schedule C, is to install the services to all the adjacent property lots along the road, estimated to be \$57,000. Mr. Jackman will reimburse the city for the cost of Schedule C, as the developer, once Reiman has completed the work.

Addressing questions from Council Member Morck, Mr. Nelson stated high back curb would be installed, and the developer will be responsible for modifying the curb for driveways.

Council Member Morck moved to approve the agreement with Lynn Jackman to reimburse the city for the work completed in Schedule C for the FMC Spur Road Project *in the amount of \$56,665*. Council Member Boan seconded. Motion carried. (5-0)

Ground Lease for Visitor's Center

Mr. Cook explained the ground lease agreement with PacifiCorp (Rocky Mountain Power) for a five year lease for an acre of land where the Visitor's Center will be placed. The city has been waiting for a couple of years to get the Visitor's Center built. The city approached PacifiCorp to purchase the land, but was informed it would take eighteen months to two years to complete the purchase process due to the rules and regulations of the public service commission. Therefore, the city asked for a short term lease.

There is an option to renew the lease seven consecutive five year terms. The lease payments are approximately \$5,000 with a 3% compounded rate increase per year starting the second year of the lease. PacifiCorp has waived the first year's payment.

The city has met all the insurance requirements for Workers' Compensation, Commercial General Liability, Automobile Liability, Umbrella Liability, Certificate of Insurance, No Right of Recovery or Subrogation, and Notice Prior to Change or Cancellation. The additional insurance requirement is over and above LGIP and will cost the city \$3,300 per year. He would not normally recommend the city do this. However, they are under the gun to get the visitor's center built on a track of land that is their only option for placement. Bids for its construction were opened on Tuesday.

The city also received a \$200,000 Wyoming Business Council grant for the building two years ago that requires the building be completed by December 31, 2010. If the building is not completed by then the city will have to give back the grant money.

Mr. Cook added the plan is to contact PacifiCorp in a couple of months to put them on notice the city wants to start the process of buying the land.

Staff has been negotiating with PacifiCorp for the last two months to work out the lease agreement because of PacifiCorp's insurance requirements. Mr. Bussart has reviewed and approved the agreement.

Council Member Rust felt they needed more time to review the agreement since they had received it just prior to the meeting. He's not sure the city is getting a very good deal in regards to the lease amount. He thinks \$8,000 per year is high considering the lease amount and the insurance requirement.

Council Member McCullough felt PacifiCorp was holding them over a barrel so they didn't have much choice right now. He agrees \$5,000 a year seems high, but in order to keep the grant money, they need to continue to move forward and get the building done. He only sees the city being out \$3,000 for the insurance, since PacifiCorp has waived the first year's rent, and the city will be starting the purchase process for the land. The location is ideal.

Council Member Maes stated people had been asking her about locating the chamber downtown at the depot. She felt they should consider the Union Pacific Depot as the location of the Chamber of Commerce, since it may be coming available for purchase. It would also felt it followed the Blue Canopy guidelines to concentrate improvements to the downtown area.

Ms. Hartford stated she was aware of the railroad wanting to vacate the depot. But that is a bit down the road. There was a great deal of consideration when they selected their current location. When they were downtown their walk thru traffic was terrible, because they were hard to find and because of parking issues. Their current site has increased their visitations by 300%. She feels the depot location would be detrimental simply because it would be difficult for people to find them. Travelers navigate the main corridors of a community, if they can't find things readily, the move on. Their current site allows them to help travelers find what they are looking for within the community. It is the best location.

Council Member Boan stated he considers himself as a typical tourist. He looks for the Chamber of Commerce first thing. If he can't find them he gets back on the road and goes to the next community. He feels having the Chamber at one of city entrances is ideal. He wants them to move forward and get the building up.

Council Member Rust stated, personally, he wasn't comfortable with making a decision on the agreement. He understands the burning desire to get the project done, but he can't make a decision without talking with some other people about it, since the agreement just showed up this evening.

Council Member Morck moved to approve the five-year Ground Lease Agreement with PacifiCorp in the amount of \$5,000 per year (*first year waived*). Council Member Boan seconded. Motion carried (4-1) with Council Member Rust voting no.

ADJOURNMENT

Council Member Boan moved to adjourn to the budget workshop at 6:47 p.m. Council Member Morck seconded. Motion carried. (5-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk