

**CITY OF GREEN RIVER
CITY COUNCIL PROCEEDINGS
September 7th, 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 led the Pledge of Allegiance: Thomas Harvey, Braden Wilson, Rayne Welch, Lander Welch, Trenton Collar, Devin Bobbitt, Paxton Castillon, and Madison Young.

The following Council Members were present: Ted York, Pete Rust, Carl Morck, 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, Chief of Police John Love, Fire Chief/Emergency Services Mike Kennedy, Parks and Recreation Director Walt Bratton, Parks, Facility, and Project Manager Allan Wilson, City Attorney Ford Bussart, Main Street & URA Manager John Dahlgren, Planner Ladale Brinton, Recreation Supervisor Sherry Schumacher, and Public Information Coordinator Stephen Pyles.

APPROVAL OF THE AGENDA

Mayor Castillon noted the removal of Item: C from the Consent Agenda and moved it to Council Action Item H: to approve a request for the placement of temporary portable signs promoting National Recovery Month.

Council Member Boan motioned to remove item "F" from the Consent Agenda and move it to Council Action Item I: to approve a professional service agreement with JFC Engineering/Surveyors.

Council Member York motioned to remove Council Action Item D: Consideration of the approval of the Grant Development and Management Agreement between the City of Green River and Green River Futures, Inc. as required by the Wyoming Business Council. Council Member York felt the Council did not have a chance to look over the new information and the requests from the Wyoming Business Council and Futures so the council would be rushing into this agreement without all information being considered. Council Member Rust seconded. Motion denied 2-5 with Council Members York and Rust voting yes.

Council Member McCullough moved to approve the original amended agenda, Council Member Boan seconded. Motion carried. (7-0)

PROCLAMATIONS

Library Card Sign-Up Month

Janice Grover- ORoosa read the proclamation and the Mayor declared the month of September to be Library Card Sign-Up Month.

Family Day

Stephen Pyles read the proclamation and the Mayor declared the fourth Monday of every September to be Family Day a Day to Eat Dinner with Your Children.

3rd Annual Play Day in Green River

Recreation Supervisor Sherry Schumacher read the proclamation and the Mayor declared Friday, September 17, 2010 as the 3rd Annual Play Day in Green River.

National Recovery Month

Lena Warren, Public Relation Specialist for Southwest Counseling Service along with Jentry Cranford, and Sarah Haugen read the proclamation and the Mayor declared September to be National Alcohol and Prescription Drug Addiction Recovery Month.

ORDINANCES

1st Reading:

An Ordinance creating Section 19-60 through 19-63 of the Green River Code of Ordinances, City of Green River, State of Wyoming, concerning the use and operation of vehicles in City Parks.

Council Member McCullough moved to approve the ordinance on 1st reading. Council Member Morck seconded.

At the request of Council Member McCullough Mr. Cook explained that Section 19-60 sets the City's park hours of operation at 5:00 am to 12 midnight and no one will be able to be in the park between the hours of 12:00 midnight to 5:00 am unless permission has been authorized. Section 2 prohibits the use of motorized vehicles within the parks unless licensed, or on designated roadways or parking places. Section 19-62 restricts pedestrian vehicles to pathways or walkways. Section 19-63 all firearms and archery devices should be used at appropriate areas and no other place.

Council Member McCullough asked for the Police Chief's input on this. Chief Love replied since they are already being enforced he does not see any changes in the operations of the police department. Motion carried. (7-0)

RESOLUTIONS

R10-76: A resolution for the governing body of the city of Green River, Wyoming, to approve an increase expenditure authority in the General Fund for the Building Maintenance Account in the Parks and Recreation Department in the amount of \$40,000.

Council Member Morck moved to approve the resolution. Council Member Rust seconded.

Council Member Boan asked for an explanation on why the funds are being taken out of the Risk Management Fund. Mr. Cook replied that during the budget meeting Council Member Maes requested there be a carryover of \$51,000 to the new years' budget for any building maintenance issues that might come up and it was not done. The Risk Management Fund is being used when additional funding is requested by the council. Motion carried (6-1) with Council Member Boan voting no.

R10-77: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in expenditure authority in the Capitol Projects Fund for the replacement of the cooling system in the Recreation Center Building in the amount of \$190,000.

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

Park, Facility, and Project Manager Allan Wilson came up to explain. The cooling system had many issues they have had to fix, and it does not work at all right now. The cooling system is not the size that is needed to cool the building. This machine needs to be upgraded to a bigger and more efficient system. There will be some unforeseen issues that will come up with the 25 year old building.

Council Member McCullough asked Mr. Wilson what else he sees that may come up later that will need to be fixed, and Mr. Wilson said the lighting system needs to be upgraded, and other than that, he does not see anything that needs to be done.

Council Member Boan asked for some clarifications on the price, and if there will be more costs added later. Mr. Wilson told him the \$190,000 is with everything that is needed except the

unknown items they may come across while the upgrade is being done. Council Member Boan stated this is the worst budget they've had in years, and this is not a good time to be looking for more money. Mr. Wilson said they could wait until June to do the project, but then the cost will be higher and the Recreation Center will not have air conditioning when it is needed most.

Council Member Rust stated the council should not blame the staff on resolutions they bring to Council. It is the council's decision to vote yes or no on the motions.

Council Member Maes said this needs to be done right away. The Recreation Center is not being cooled at this time, and she had some complaints from people who will not go back because of the heat. She asked Mr. Cook if this money can be replaced with the sixth penny monies that the City has coming. Mr. Cook replied they are still not sure what amount will be coming to the city, but yes, this is money that could be replaced if the council chooses.

Mr. Cook stated there will be a workshop in October to discuss the 6th Penny Tax, and hopefully, they will have a better understanding on the amount the city will be getting.

Motion carried. (7-0)

R10-78: A resolution authorizing and directing the governing body of the City of Green River, Wyoming to accept a drainage easement from Western Wyoming Community College.

Council Member York moved to approve the resolution pending legal review. Council Member Morck seconded.

Mr. Bussart stated that the legal review has already occurred so if they choose to they can approve the resolution as it stands.

Council Member York then amended his motion to approve the resolution. Motion carried. (7-0)

COUNCIL ACTION ITEMS

Contract for Recreation Center Cooling System Design for \$40,000

Council Member York moved to approve the contract with the Ballard Group to design and bid out the replacement of the cooling system in the Recreation Center Building in the amount of \$40,000. Council Member Maes seconded.

Council Member McCullough asked Mr. Wilson if this \$40,000 is going to come from the \$190,000 that was asked for earlier. Mr. Wilson said yes this was part of the total cost.

Council Member Boan asked if it was normal to have the cost for the design and bid to be a quarter of the total cost. Mr. Wilson replied that it is normal because they are going to have an engineer do the design for the project. Motion carried. (7-0)

Appointments to Main Street Board

Council Member Morck moved to confirm the Mayor's appointments to the Main Street Board of Mark Peterson, Edward Williams, and Micheal Brown for a three-year term and the appointment of Sheridan Norberg for a one-year term. Council Member McCullough seconded. Motion carried. (7-0)

Catering Permit

Council Member Maes moved to issue a catering permit to the Santa Fe Southwest Grill to cater the OCI Awards Banquet on September 17, 2010 from 6:00 pm to Midnight at the Island Pavilion. Council Member Morck seconded.

Mr. Bussart wanted to have the council aware that the City of Rock Springs' Council also needed to approve the permit; because the Santa Fe Southwest Grill has a Rock Springs License. So the motion should state it is approved subject to the approval from the Council in Rock Springs.

Council Member Maes replied the request for the catering permit stated they had sent a letter to the Rock Springs City Council for approval.

She then amended her motion to approve the permit subject to the approval the council in Rock Springs. Motion carried (6-1) with Council Member York voting no.

Grant Development and Management Agreement for the Tomahawk.

Council Member Morck moved to approve the Grant Development and Management Agreement between the City of Green River and Green River Futures, Inc. as required by the Wyoming Business Council. Council Member Boan seconded.

Council Member York moved to table until the council had time to go over all the information that had been received from Futures and the Wyoming Business Council. He also pointed out this would not have been an issue if the council had approved the \$120,000 for Futures, which is only \$20,000 more than the \$100,000 the city budgeted for the property management.

Mr. Bussart informed the council the agreement was drafted with himself, three members of Futures, the Mayor, Council Member McCullough, and Mr. Cook. All parties were included in the drafting of this agreement.

The Mayor stated Council Members York, and Rust asked him to step in and be a part of the drafting since they were on the Futures board. He also said the Wyoming Business Council grant funding would not be awarded until there was an agreement between the City and Futures.

Mr. Bussart felt the grant will not be awarded if the City and Futures did not come up with the agreement soon.

Council Member York said the City did not want to compete with the private sector, but will be with this agreement.

Council Member Boan noted Futures did write the grant on behalf of the City and the money will be given to the City of Green River. It is just like the parking lot grant that SWEDA did on behalf of the City. It is money that the city will be in charge of to use for what is stated in the grant and nothing else.

Council Member McCullough also stated that both parties need to come up with an agreement. His problem is there are issues he is being asked about from business owners over Futures and the building, and he is not able to inform the business owners since the city has not been in charge of all the items with the Tomahawk building. This is the cities right to take the lead on this and he feels that both parties can work together. If there are any changes that need to be looked into, and then added, it can be done later.

Council Member Boan replied this needs to be done as soon as possible because no one knows how long the Wyoming Business Council is going to hold the grant.

Mr. Bussart said there was no deadline, but he also agrees that the council and Futures need to come up with an agreement soon so the grant does not go away.

Council Member York reminded the council to keep in mind the issues the Wyoming Business Council has. He feels they should hold off on the approval of the agreement until council can go over everything.

Council Member Maes asked if the council passed the agreement tonight, would they be allowed to make changes later without any issues from the Wyoming Business Council. Mr. Bussart stated the agreement does not have to be considered complete until both parties come to an agreement, so it should not be a problem for them to do so.

Motion carried (5-2) with Council Members York and Rust voting no.

Traffic Committee Recommendation.

Council Member Morck moved to approve the recommendation of the Traffic Committee for no stop signs on the cross streets intersecting Iowa Avenue. Council Member Boan seconded.

Mr. Cook stated there was a request to put stop signs at West Virginia, Virginia, and South Carolina where they intersect to Iowa because of speeding. The recommendation from the Traffic Committee is not to place the stop signs because this would make Iowa a through street which would increase the speeding. The police will be increasing the patrols of this area to help with this problem. Motion carried. (7-0)

Bus Shelter on Railroad Avenue

Council Member McCullough moved to approve the request from STAR Transit to allow the installation of a bus shelter in the Railroad Avenue parking lot. Council Member Morck seconded.

Council Member McCullough asked for more information on the possibility of the Union Pacific Railroad building a depot there. Mr. Cook replied he had spoken to the owner of the land, and they granted permission to build a shelter. Mr. Cook said the Union Pacific Railroad is currently looking into building another depot, but the shelter will not be affected. Motion carried. (7-0)

Pedestrian Viaduct Project Change Order

Council Member Morck moved to approve Change Order #2 with DeBernadi Construction in the amount of \$9,700. Council Member Boan seconded.

Council Member Boan requested more information on why there is a change order, and why it was not figured in. Mr. Wilson stated the change order was needed to bring the viaduct up to ADA code compliance. Motion carried. (7-0)

National Recovery Month Signs

Council Member Maes moved to approve the placement of temporary portable signs promoting National Recovery Month to be placed at City Hall and along Uinta Drive, on Tuesdays, during the month of September 2010. Council Member McCullough seconded. Motion carried. (7-0)

Utility Storage Building Design and Geotechnical Investigation

Council Member York moved to approve the professional service agreement with JFC Engineering/ Surveyors for the geotechnical investigation and foundation design for the Utility storage building in the amount of \$7,200. Council Member Boan seconded.

Council Member Boan questioned the need for services. Mr. Nelson stated there was a design already done for a building the Parks Department had planned to put at Stratton Myers Park, but since they are putting it at a different location, and since the water is three feet below surface, they needed to make changes to the design of the foundation. Council Member Boan asked why the building needed to be so much larger than what is being used to store everything currently. Mr. Nelson said the plans were already done for the Parks Department so in order to move quickly, they wanted to use these plans instead of having to start with a brand new design.

Council Member Maes stated there is always a need for storage, so she is glad they used the money wisely and went with the plans they already had. Motion carried. (7-0)

CONSENT AGENDA

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

- A lease agreement with Jessie Bloomer for horse corral #113.
- A lease agreement with Kay Herron for horse corral #54.

- Support to the Green River High School Athletic Club in the amount of \$550.00 for a new city banner.
- A request to change the regular scheduled City Council meeting from Tuesday, November 2nd to Monday, November 1st, 2010 due to the November General Election.
- Change Order #2 to Jackman Construction for the Green River Southside Water System Improvements in the amount of \$2,200.
- Minutes for: August 16, 2010
- Financial Reports and Payment of Bills:

Prepaid Invoices = \$214,824.26	Outstanding Invoices = \$1,537,374.10
Pre-authorization Payments = \$780,000.00	Payroll Expenditures = \$760,138.20

CITY ADMINISTRATOR'S REPORT

Mr. Cook said that during the months of March – June 2010 crime was down by 31% for the second quarter of the year. He also said there have been questions on the situation with the trees within the City. He wants the citizens to be aware that the city is trying to treat some trees and there will be some removed, but we are trying to do our best to save as many as we can.

He has some items that need to be on future workshops: When streets are improved the city puts in high back curbs for the drainage of the streets. Homeowners are putting concrete in the gutter to make it easier to enter their driveways. They are also asking for more than one driveway entrance to be installed. The Streets Department is trying to remove the blocks in the gutters and it is becoming an issue. He would like to have council's direction on the issue. He also sent out a memorandum for upcoming workshops, if the council would like to change anything, let him know.

He asked Mr. Wilson to give council an update on the Energy Grant. Mr. Wilson stated the council had authorized the return of the grant funding, but the next day they received calls of interest from two companies that came in and went through city buildings. The City will be receiving the grant back since the City sent another letter requesting the \$50,000 grant be awarded for energy improvements.

CITY ATTORNEY'S REPORT

Mr. Bussart had nothing to report.

MAYOR AND COUNCIL REPORTS

Council Member Morck had nothing to report.

Council Member McCullough said it was a good thing for the council to approve the agreement between the City and Futures. There is a time frame where an agreement needs to come together and he would be willing to meet with Futures at anytime. He was happy to see council members at the Art on the Green and the River Festival. He felt it went well.

Council Member Boan said the Main Street meeting had a great turn out. While there, he heard an interesting point about the library being a great place for tourists to get local information. He encourages the businesses to go to the library and give them their information so it can be passed to tourists. He also wanted to make it clear that at no time was he trying to say that it was the fault of the workers that asked for money, but that it is not the best time with the money shortage within the City. He also thinks the energy grant and improvement is great, and thanked Mr. Wilson for getting the grant back.

Council Member Maes was hoping Michelle Hostettler, from SWEDA, would give an update on the site locator that came in. He looked at the whole county and mentioned the importance of tourism, festivals, and events. She also attended the Main Street meeting and thought there were a lot of good points brought up. She had a question on the traffic controls that are in the Mesa where the roads come out on Shoshone. There is no yellow line by the corner and people are parking right out into the street. She asked why there is heavy equipment on the hillside. Mr. Cook stated it is owned by Union Pacific Railroad and they are cleaning up the area. She

reminded everyone about the first home game on Friday night. The cheerleaders are going to be brought in on motorcycles. There was a group of riders that came through on Tuesday.

Council Member York wants to make it clear that he does support the grant for the Tomahawk. He sees some inconsistencies and he is concerned that the council members are moving forward without all the information. He feels, we as a City, are dumping a huge load on the Community Development Department to look over the Futures project when they have stated they do not want it. He also enjoyed the River Festival and he reminded citizens that schools are in session and after school programs are going.

Council Member Rust said he enjoyed the River Festival. He also reminded everyone to slow down in school zones. He said as far as Futures, they were ready to come to an agreement in June.

The Mayor stated the council supported the grant and he does not want to lose it do to technicalities. Last week he was asked to meet with the water solar district where they discussed applying for the USDA funding for a project. The State Water Commission would not entertain anything until a package was put together with the county as a whole. They will be here for a workshop in October. He wanted to thank Main Street businesses for attending. He also attended the visit with the site locator, and he said the City was short on land for any businesses that might want to come into our City.

ADJOURNMENT

Council Member York moved to adjourn at 8:44 p.m. Council Member Rust seconded. Motion carried. (7-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk