

**CITY OF GREEN RIVER  
CITY COUNCIL WORKSHOP PROCEEDINGS  
November 9, 2010**

The Governing Body of the City of Green River met in workshop session at 6:54 pm in the City Hall Council Chambers. Mayor Castillon called the meeting to order. The following Council Members were present: Pete Rust, Ted York, Tom McCullough, Jim Boan, Carl Morck, 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, Main Street/URA Manager John Dahlgren, Parks and Recreation Director Walt Bratton, Parks, Facility, and Projects Manager Allan Wilson, Sanitation Supervisor Linda Roosa, and Public Information Coordinator Stephen Pyles.

**Killdeer Wetland Committee Report**

Gary Wolfe, Chairperson of the Green Belt Task Force, thanked the Parks Department, especially Allan Wilson and Kristy Lessard for their assistance. He believes they are about 95% finished with the project. The wetland will be functional when they complete a thousand foot supply channel; a clay lined ditch. The committee discovered the west bank was much softer than they expected. The estimate to complete the project is \$94,000 and they will be applying for grants to help cover the cost. They also plan to do a little bit of work with the control of weeds in the area. Some of the reclamation work has already been done by the Parks Department. They plan to be successful in receiving grants so there will hopefully be no cost to the city.

Council Members Maes and McCullough thanked the Green Belt Task Force.

The Mayor asked for the total amount of money they have received from 2008 to now.

Mr. Wolfe said the total amount is \$800,000.

The Mayor said the city has contributed around \$30,000.

Mr. Wolfe said the city has contributed \$100,000. The Green Belt Task Force has contributed around \$30,000 of their money to help.

The Mayor asked Mr. Wolfe to explain what this project will do for this community.

Mr. Wolfe said the project will primarily re-establish the wetlands. It will help with the blowing sand and eliminate stagnant water and mosquitoes. This could possibly help the city with the cost of mosquito control. People can enjoy bird watching since 85 different species of birds have been recognized.

**Energy Grant Presentation**

Mr. Wilson said they originally came to the city with a grant of \$50,000 for an energy audit. They did not have anyone come forward to do this project, so staff asked to return the grant. After the grant was authorized to be returned, staff had some vendors interested in doing the audit, so staff asked for the grant back. This is an update on the results of the energy audit and what the city can do to become more energy efficient.

Mark Cram from Lime Energy a Rocky Mountain Division Commercial & Industrial presented the city with a proposal for the energy efficiency lighting upgrade for multiple buildings in the city. This project offers a great opportunity to reduce operating expenses while creating tremendous value for the city in years to come. They took the time, along with members of city staff, to walk through each facility, room-by-room, to get an excellent overview of the energy opportunities. The room-by-room data has been provided to city staff and is included on the Rocky Mountain Power software analysis documents.

**Financial Highlights:**

Number of light fixtures	current: 1,620	After upgrade: 1,620
Energy Consumption	Current: 795,944	After Upgrade: 338,797

Annual Energy Savings	\$31,734
Annual Sensor Savings	\$266
Annual Maintenance Savings	\$8,595
Annual HVAC Savings	\$4,322
Total Savings for the First Year	\$44,917
Total Project Costs	\$184,085
Estimated Utility Subsidy	\$32,766
Energy Efficiency Grant	\$50,000
Net Project Cost	\$101,320
Payback in Years	2.26
First Year Return on Investment	44%

Council Member Boan said this all started out because the city applied for an Energy Grant for \$50,000 and now the cost is at \$184,085 and he does not understand why.

Mr. Cook said the city received a grant and they prepared a request for proposals for an energy audit. There was a pre-bid meeting and no one showed up. Staff recommended the grant be sent back. Then the city received several calls from vendors interested, so the money was returned to the city. City staff met with several companies, walked through the city buildings, and looked at the upgrades that needed to be completed. Staff recommended the \$101,320 be paid out of the 6<sup>th</sup> Penny money that the city will be receiving.

Mr. Wilson said this is a return investment. It will streamline all of the lights. We will not have to stock different types and sizes of lights in the warehouse. It will save energy and in turn save us money. He recommends that some of the 6<sup>th</sup> Penny money is used for this project.

Council Member Maes said it is smart to invest in something that will return your money. She thinks it is good project and supports it.

### **Deer Issue inside the Municipal Limits**

Mr. Cook started by introducing Lisa Botham, the City Prosecutor, and Tracy Wyant Animal Control Supervisor. Staff is seeking direction on whether or not the governing body would like to proceed with an ordinance to prohibit the feeding of deer within municipal limits. Over the last few months the governing body has received letters from citizens regarding issues that have come up with the deer.

Ms. Botham has prepared a draft ordinance. Officer Wyant prepared information on the issues within the city limits. There are some other cities that have had same issues and have put an ordinance into effect. He is sure there are residents that are wishing to speak on this issue.

The Mayor would like to get some professional opinions on this issue and then he would like to have citizens speak.

Duane Kerr, Wyoming Game and Fish Warden, said he has some information he has prepared from other local areas that have issues. The main concern is the overall health of the deer. The deer's digestive system is not the fastest and they cannot digest food that is not normal to their diet. Their digestive systems cannot keep up when their diet is suddenly changed.

The natural landscaping has been damaged from the concentration of deer in certain areas. There is an increase of vehicles hitting the deer and there is a possibility of disease spreading from the deer. He is not aware of any problems with diseases here but a large concentration of deer could spread diseases easily. If the deer are around people too much they could lose their natural fear of people and this could cause harm to people or the deer. If the deer are used to being fed in a certain area, they aren't going to move away from the area.

The potential for deer congregating in large numbers and coming into town could also attract large predators. Mountain lions do not normally come into town, but if that is where their food source is they will pose a danger to people.

Domestic dogs can pose a problem by chasing and harming the deer. They are not efficient killers, and because of that, the deer have to be killed by the Game and Fish. There are some people that pose a problem for the deer because they chase them or throw rocks at them.

Mr. Kerr feels an ordinance may not decrease the deer that come into town but could help reduce the large concentration of deer in one area. He said the particular area we live in is a natural place that deer like to live by because of the green lawns, flowers, and other items that people have, but people feeding the deer poses more issues. He has looked at the proposed ordinance, and with a few changes to wording, he thinks it is ok.

Council Member McCullough asked him if the wildlife in Wyoming belongs to the Game and Fish and if the Game and Fish are the regulators of the wildlife.

Mr. Kerr said the wildlife in Wyoming belong to the state and therefore belong to the people. The Game and Fish are in charge of protecting the wildlife in Wyoming.

Council Member McCullough asked if there was a way for people that have had damage done to their yards by the deer, to file a claim with the Game and Fish to get their money back.

Mr. Kerr said no. The only way people could do that is if they allowed hunting on their land. Since that is against the law, they cannot place a claim.

Council Member McCullough asked if Mr. Kerr thought Green River had a deer problem and if he felt an ordinance would help.

Mr. Kerr said, yes, there is a deer problem within the city, the ordinance may not stop them from coming in, but will help with the concentration.

Council Member McCullough said since he has been here there has been deer within the city, but he has noticed there are much more now and they do not seem to leave.

Mr. Kerr said the deer are learning they know this is a place where they can get food and are safe. It is just like us if we are sitting comfortably in a chair, we will not get up unless someone comes and boots us out of our chair. The deer are the same. The deer that would not normally survive in the wild are surviving here and they end up having babies that are not the healthiest. This is a big issue, these deer would normally die out in the wild but with the food they receive here they do survive. This causes large number issues.

Council Member Boan asked why there is not a state law on this issue.

Mr. Kerr said you need to ask the legislators. They normally say it is governmental agencies that need to locally decide themselves.

Council Member Boan asked if there is a good feed that can be fed to the deer without causing any problems.

Mr. Kerr said yes. He thinks there are good feeds out there but they are very expensive. The deer survive better on brush type things, and the microbial concentrations in their stomachs take a long time to adjust to something different. The deer could be fed a good feed but if they are not use to eating it they could die anyway. Nutritional studies on wild life are difficult so they never know what is best for them.

Nathan Graham, resident of Green River, said his mother has been feeding the deer for a long period of time. The deer have been coming up to her home since he was young. She does not feed them bad food. She gets deer food from Ace. He does not feed the deer and he still sees them in his yard every day. If the city makes an ordinance against feeding the deer then they are going to have to cite everyone that has a yard, because the deer will come and eat the grass and bushes. His mother didn't feed the deer to bring them into town. She did it to stop them from eating her flowers and stuff out of her yard. He does not understand why there is such an issue on this. The deer are always going to come into town. If they quit feeding them the whole herd may die.

Don Cuthbertson, resident on Idaho Street, complained about the number of deer, and the damage they cause in resident yards. He lives approximately one block away from a deer feeding area. He has several hundreds of dollars worth of damage. He has spent a large amount of money trying to repel the deer with motion activated sprinklers and now with winter approaching, he is looking into an electric fence. Some neighbors have had more damage and are starting to protect their yards with fences.

He knows the deer will continue to come into his yard, but the number of deer artificially attracted to the neighborhood is outrageous. He hopes the governing body will listen to the Game and Fish and the animal control officers and write an ordinance to stop the feeding of deer. The possible dangers and the damage they are causing, needs to be taken care of. He talked to a police officer who has seen around 60 head of deer in this one area. The deer are posing a problem because they are no longer a wild animal, they do not seem to be afraid of people. The lot on Idaho Street that is owned by the city is so full of feces that you can smell it. The residents on Idaho Street have to clean up feces in their yards on a daily basis.

Council Member McCullough said for Mr. Cuthbertson information it is illegal to have an electric fence in the city. It is a zoning law.

Ann Graham, resident on Idaho Street and the lady that feeds the deer, said she has seen the street that Mr. Cuthbertson lives on, and it is New Mexico, not Idaho. His yard is lava rock. She knows her yard is not pretty but she does have someone come and clean the lot next to her home four times a year. She has never tried to make pets of the deer, nor has she ever heard of anyone being hurt by the deer. As soon as you open the door they run away. She had one deer that came to her with the scabies and she gave it oranges, and now it does not have them anymore.

There are two men in a hummer from Utah that come in for a week and take photos of deer, they are spending money here. She spends a lot of money on the deer food from Ace Hardware she goes through seven bags a week. If she stops feeding the deer, it will not stop them from coming into the city.

Mrs. Graham said there are other cities that make money from the animals coming into town, because it brings tourists in. The city could make a place where there are machines that have food for the deer that people could buy and feed the deer in designated places.

She has never seen a herd of 60 deer. The biggest she has ever seen is around 46 head. They do get more or less depending on the season. We are going to have wildlife no matter what we do.

Council Member Boan disagreed with Mr. Cuthbertson. He has lived on the corner of Idaho Street and Colorado and he has never had to shovel feces off his lawn, or had a confrontation with deer, or smelled the feces either.

Council Member McCullough asked for comments from the Animal Control Officers.

Tracy Wyant, Animal Control Supervisor, said they had around fifty complaints over the summer. The complaints are mostly about the dogs that harass the deer. The dogs chase and maul them and sometimes the Animal Control officers have to put the deer down. She has had complaints of people chasing the deer in vehicles, kids chasing them, and kids throwing rocks at them, and deer stuck in batting cages.

She had a lady call because she could not leave her home. The deer were eating her apple trees in her front yard and would not leave.

These calls take a lot of time to look into. She had a deer pass away in someone's yard because of the scabies. She does not feel the ordinance will stop the deer, but will help with the concentration. The majority of the calls are coming from the area surrounding Idaho Street.

Council Member Boan asked if the complaints are from dogs at large, and people chasing them.

Officer Wyant said yes that is the majority of the calls.

Council Member Rust said the dogs on the lot are illegal, but the deer are not.

Council Member York asked how many people are feeding the deer.

Officer Wyant said there are around 3 people feeding the deer that she knows of. One is on Waggener Street, one on Idaho Street, and one just throws out apples every once in a while. There might be more but she is not aware of it.

Council Member York said then basically we are looking into the making an ordinance for one and a half people feeding the deer.

Officer Wyant said there are some other communities that have opened up hunting within the city, but she does not think we are at that point. She feels it is a nuisance issue more than anything.

Council Member York asked her if she thinks the city needs an ordinance for feeding the deer.

Officer Wyant said she is leaning toward the ordinance but she is not sure. She thinks it would be beneficial to help control the large concentrations of deer.

Council Member Boan said he had a neighbor and she came up with an idea about putting a place down by the river where people could go and feed the deer or watch them. He would like to discuss the ordinance after everyone is finished talking.

Council Member McCullough said the city cannot be involved with the feeding of deer because of the possibility of someone getting hurt by the deer. He does not think this ordinance will solve the problem but it will help. The deer coming into people's yards and eating their lawns, flowers, and bushes that will not stop.

Council Member Morck asked about putting out a mineral block, and if the Game and Fish have considered birth control measures.

Mr. Kerr said the salt blocks are going to create the same problems but there is no law against it. He said they have not done anything as far as birth control; the cost would be very high.

The Mayor asked if Officer Wyant has been called out to destroy any deer that have been injured.

Officer Wyant said yes, a few times. The authority has been passed on to the Animal Control Officers and the Police Officers, by the Game and Fish if the animal is injured.

Mr. Kerr said he responds to a lot of calls for deer that are hurt or have been killed. This could be around one a month or two a week. A lot of calls are due to people not slowing down or paying attention.

Melissa Orton, residents on East Teton, said her main concern is her children. There have been deer in her back yard by her enclosed patio and they do not seem to be scared of people. She will not let her kids play at the park down the street or at Jackson School because of the feces from deer. She said the feeding is keeping deer alive that would not normally make it and this is the issue. Nature will take care of the ones that are not healthy enough and that help with the population.

Resident Ann Daley said she knows of a person feeding the deer in her neighborhood at another area of town and the deer have challenged her and her dog. There has always been deer here in Green River, but not in this amount and it is only a matter of time before someone ends up hurt.

Tim Morris, resident on East Teton, said he picks up feces from the deer by the can. He thinks feeding the deer creates lazy deer and lazy people. He has had deer come flying through his yard because they were spooked. If it is natural for them to come through town, then he has no problem, but when it is because of someone feeding them, he feels if something happened to his kids, then he will hold that person accountable.

Council Member Boan said in the interest of time we should put it on another workshop to discuss the ordinance at a later time.

Resident Vern VanMatre said the animals were here first. If the governing body cannot come up with the ordinance that will keep the quality of life here for the citizens then do not pass one.

Resident Jennie Fisher said this is about the concentration levels and it not being unhealthy to feed the deer. This is not about getting rid of them completely and it will not take the quality of life away. It will just keep the concentration down.

Resident Kim Graham, daughter of Ann Graham, said she is not sure if she if for this or not. She feels there should be a happy medium. These are wild animals and they need treated as such. These animals will always be here.

Council Member McCullough said they should table the issue until January 4, 2011, to be discussed with the new members on the council, and to get a little more information.

The council members agreed to discuss the issue and the ordinance again at the January 4, 2011 council meeting.

### **City Administrator's Report**

Mr. Cook said staff would like have direction on what the governing body would like them to do to proceed with strategic plan number five to expand Green River as a tourist destination. There was one goal set forth, to build a visitor's center and this is in the process now. Mr. Cook included information on a few ideas that was discussed before.

Council Member Boan said Wyoming had a record number of tourists this year. They beat all previous records and we did not capitalize on this at all. He would like to see some group formed to discuss ideas on how to make Expedition Island some type of a tourist attraction. They would only have one goal. What could be done and what cannot be done. This area is unique there is no other area like it. He is going to request that \$100,000 be put aside for this. By bringing people in to the city off the highway could bring in a large amount of money.

Mrs. Bartlett said the Sweetwater County Travel and Tourism Board did a conversion study that said that 54% of people that travel to Yellowstone stay the night in Sweetwater County. It also showed for every dollar spent on advertising, we received a return of six dollars, so they are absolutely capitalizing on tourism. All roads in Wyoming lead to Yellowstone and we are glad to be one of them. As far as the branding study she thinks it would be a good idea to appoint a committee would oversee the ideas.

The Mayor said they recently put a committee together that looks at events that could be brought in. There are a lot of issues that need to be tied into the branding study to make Green River a tourist attraction. Council Member Boan will head the committee up and he opened it up to any volunteers that would like to be part of it.

Mrs. Hartford said they are capitalizing on the tourists going through our city. The people that come through the visitor's center see the signage and they do go to the island. There are things that folks like to see like the greenbelt pathway and the bike park. There have been a lot of great steps made towards the tourism of the city. Everyone is partnering together in trying to bring more tourists to the area.

Council Member York said there is a committee that tries to bring in events. Maybe it was not the best idea not to fund the Crystal Classic. We are losing many of our popular events like the Karate Tournament, the Kite Festival, and now we are wondering how to get more into our area.

He had a question on the Discovery Center and why it never moved forward.

Council Member Boan said there was a rumor that people and their homes would be moved, it did get out of hand, and because of the rumor issues it never went forward. He said whatever we decide to do it has to fit our community, budget, and people.

Council Member Maes said there is a lot of opportunity in Green River. We already have so many historical and wonderful things in this community. She feels tying the viaduct to the Expedition Island and working with them both would be a tourist attraction. She would like to be a part of this committee.

The Mayor said he would like to be a part of it also. He asked when the first meeting will be.

Council Member Boan said he would look into the scheduling with everyone and then he will let everyone know.

Mr. Cook said the specifications are out for the Utility Storage Building. They are trying to get this completed as soon as they can. The Utility Building on Shoshone will be remodeled and turned into the Joint Dispatch Center. They are looking at proposals to remove the bulk water dispenser from the side of the building. They may be storing Utility Department items from that building at different rental locations that the Police Department have, so a study on the building can be done.

Ben Bracken met with the Wyoming Water Development Commission last week and they did agree to move forward with stage two of the Water Improvement Proposal for the Jamestown Rio Vista and the City of Green River. It was submitted by the city to the Joint Powers Water Board, and was approved by the Wyoming Water Department Commission. They also denied funding for stage three of the Jamestown Rio Vista Water study.

Mr. Cook updated council on three capital projects. The Southside Water Project is moving forward, the 16-inch river crossing is behind schedule, but they are trying to complete it, and the Southeast Storm Drain Project is moving along.

He also included the draft for November 16, 2010 meeting.

Council Member Morck said thank you to the Animal Control Department.

Council Member McCullough had nothing to report.

Council Member Boan is glad that we are capitalizing on the tourism going to Yellowstone. He would like an update on the Winter building at the next meeting.

Council Member Maes said she is disappointed that the Crystal Classic was not supported. She hopes to see other events come into the area so we do not have a dull winter.

Council Members York and Rust had nothing to report.

The Mayor asked about the demolition of the old water plant. He asked Mr. Cook to look into that for Brown Field funding.

Mr. Cook said they did have a meeting and Mrs. Hostetler brought people together where there was a presentation done by a consulting firm out of Utah. The consulting firm has worked through the state of Utah on putting regional Brown Field projects together. In the cities case this is where you would go throughout Sweetwater County and you would identify a dozen Brown Field sites and you would put together an application to be submitted to the Environmental Protection Agency in Denver for their consideration for funding. The town of Granger, City of Green River, and the City of Rock Springs all attended that meeting and Mrs. Hostetler was going to forward more information to everyone on this. The city would be looking at a regional effort if this is what the governing body would choose to do. Certainly the city could take a stand alone project if they would like. He has had contact with the Department of Environmental Quality about the old water building area. He has been told this site is under review by Department of Environmental Quality to the owner, Union Pacific Railroad. He believes the Union Pacific Railroad is under some form of a time constraint to clean this area up. There are a lot of rules and regulations that will be looked into. When he met with Union Pacific Railroad, the issue was Union Pacific Railroad is currently leasing the land to the Joint Powers Board for a small fee, but he knows they would be happy to get this under city control and get it cleaned up. Union Pacific Railroad had a meeting later the next week and they said they would entertain

some type of lease purchase agreement. Right now he is waiting for some information on this from Mrs. Hostetler.

**ADJOURNMENT**

The meeting adjourned at 9:14 pm.

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H. Castillon, Mayor

ATTEST:

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Jeffrey V. Nieters, City Clerk