

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

The Governing Body of the City of Green River met in regular session at 7 pm in the City Hall Council Chambers. Mayor Castillon called the meeting to order and the Girl Scouts led the Pledge of Allegiance: Kiernan Jordan, Tya Brangham, Taryn Dahlgren, Tiffany Burns, Cayleigh Welch, Kolbi Hester, Sydney Ferrer, Haylie Gavin, Bianca Schmidt, and Addyson Neff.

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 Finance Jeff Nieters, Director of Community Development Laura Hansen, David Allred Senior Building Inspector, Chief of Police John Love, Fire Chief/Emergency Services Mike Kennedy, Parks and Recreation Director Walt Bratton, Sherry Schumacher Recreation Supervisor, City Attorney Galen West, and Public Information Coordinator Stephen Pyles.

APPROVAL OF THE AGENDA

The Mayor mentioned the removal of Council Action Item D: Consideration to approve a contract with United Rentals to provide rental options for the city.

Mr. Cook said the loader was fixed so they will no longer need to rent any equipment.

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

PRESENTATIONS

Santa's Arrival

Janet Hartford, Director of Green River Chamber of Commerce, announced Santa's arrival and the Lighted Kiddie Parade on December 6, 2010 at 6:00 pm. There will be crafts, hot cocoa, and free popcorn. Bring your letters to Santa and a canned food item or a new toy for the needy to donate. She welcomes everyone to come.

She said they have received a very large donation of \$1,500 from the United Transportation Union Local 1857 and this is how they are able to fund Santa's Arrival.

Council Member York asked if there would be a parade down Flaming Gorge Way.

Mrs. Hartford said no, the parade will only be for the children and will only go around the walkway at the island.

Green River & Rock Springs Shop Local Program

Dave Hanks, Director of the Rock Springs Chamber of Commerce, said the Shop Local Program will generate additional sales in Sweetwater County during the holiday shopping season. By keeping these dollars in-county we should help our local merchants by increasing or retaining sales. We will help local governments by capturing and expanding the existing tax base. Hopefully, this will lead to an increase in employment levels during this critical sales period. They know that people are going to spend out of town but they may not understand when you spend a \$1.00 in Salt Lake City, Utah it stays there and when you spend a \$1.00 in Sweetwater County it stays here. The Shop Local Program will go from November 22, 2010 through December 24, 2010.

They are requesting \$3,000 in funding from the city again this year. They will put all the support from both cities and the county which will be \$9,000 and this will be used for advertising.

They have scheduled some mascots to stand outside local areas and dance holding signs. The mascots scheduled are the Papa Murphy's Pizza, Green River Wolf, Rock Springs Tiger, WWCC

Mustang, Taco Time Cactus, and Zoobecks' Mole. They hope this will remind people to spend locally.

He said one component both the chambers work on together is the gift certificate program. Together they have put \$700,000 to \$750,000 back into the local economy. These certificates go directly back to local merchants because they can only be spent here in Sweetwater County.

Council Member McCullough said he thinks this is a good idea, and if it is ok with the rest of council they should place it on the agenda for December 7, 2010.

Council Members Maes, York, Rust, and Morck, all agreed.

Council Member Boan said this is a good program but he has to ask Mr. Cook how they are going to fund it.

Mr. Cook said last year they took it out of Special Programs in the Legislative Budget and there are funds available to do so again this year.

CITIZEN REQUESTS AND OTHER COMMUNICATIONS

Council Member Elect Gene Smith said he spent most of his time July through October campaigning. In that time he went to every registered voter's home in Ward 1, and most of the time spoke with a registered voter. The most common issue that was brought up, with no division, was the Recreation Center hours. They all objected to the reduction in hours. Most of them said this did not even directly affect them. He does not think the hours should have been changed. The voters do not have to understand why this had to be done. They may understand that there needs to be budget cuts but they feel this was the wrong one to cut.

He spoke to Mr. Cook last week and asked about the budget for the Parks Department in 2007. He did not have the number at that time, but he did state it was significantly higher this year compared to 2007. While the income revenue was reduced to the 2007 level which the 2011 budget was based on, the Park's budget was not decreased. It is much higher than the 2007 budget. He thinks money could be moved within the Parks and Recreation budget to cover the cost to increase the recreation center hours.

Council Member Boan clarified the Parks Department was cut by \$600,000. Every department took a hit.

Mr. Smith said he did not mean they did not take a cut. He meant the Parks and Recreation budget is larger than it was in 2007.

ORDINANCES

Special Municipal Officers

10-07: Consideration on third reading of an ordinance amending Section 5 of Green River Ordinance 05-08 and Section 17-10 of the Green River Code of Ordinances, City of Green River, State of Wyoming, to allow Special Municipal Officers whose duties include Municipal Code enforcement to issue nuisance notices.

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

RESOLUTIONS

Wyoming Homeland Security Grant

R10-89: Consideration of a resolution for the governing body of the City of Green River, Wyoming, to accept the Wyoming Homeland Security Grant in the amount of \$26,695.30 for the Green River Police Department and authorize the Mayor and Chief of Police to sign the grant.

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

Sweetwater County Transit Authority Return of Funds

R10-90: Consideration of a resolution for the governing body of the City of Green River, Wyoming, to decrease the expenditure authority in the General Fund for the funds returned back to the City by the Sweetwater County Transit Authority in the amount of \$13,336.21 pending legal review.

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

Council Member Boan asked how much money Mr. Cook was planning to put back into the Risk Management Fund and the Special Projects Fund.

Mr. Cook said he was planning on \$10,000 going into the Council Special Projects Fund and \$3,336.21 going into the Risk Management Fund.

Council Member Boan asked if any of the money going back into the Council Special Projects Fund has been allocated.

Mr. Cook said none of the money is allocated.

Council Member Boan moved to make an amendment to the motion. That all \$13,336.21 be moved into the Council Special Projects Fund and allocated to offset the cost of the increased hours at the Recreation Center.

Council Member Rust seconded the motion.

The Mayor asked where the money was going to come from for the employee's gift certificates.

Mr. Cook said it would come out of the Council Special Projects Fund.

The Mayor asked if it is taken out of there will it make that fund short.

Mr. Cook said in his discussions with Mr. Nieters, they are hoping for a couple of things. The main thing is the Main Street grant could be reimbursed into the Council Special Projects Fund. There is a possibility of one more that could be put back into this fund before the end of the year.

To answer the question yes, the \$10,000 could have been used for the gift certificates but there should be other revenue in that fund to do so without the \$10,000 being in there.

The Mayor asked how soon they had to make a decision on the gift certificates.

Mr. Cook said it is the governing body's choice, when they would like them to be given out. They handed them out in November last year but it would be fine if they handed them out in December. Mr. Cook clarified the gift certificates are performance certificates, they cannot be given as gift certificates.

Council Member Boan asked if his amendment passed would it leave enough money for the gift certificates.

Mr. Cook said he was not sure what the balance of the account was, but he is anticipating money coming in before the end of the year.

Council Member Boan withdrew his motion. Council Member Rust withdrew his second.

The Mayor said he was just looking at the Council Special Projects Fund and they were \$800 in the hole.

The Mayor called for the question.

Motion carried. (7-0)

New Year's Eve Bus Transportation

R10-91: Consideration of a resolution for the governing body of the City of Green River, Wyoming, to increase the expenditure authority in the General Fund for the Sweetwater County Transit Authority to provide rides on New Year's Eve for the Recreation Center party and adults needing rides in the amount of \$1,560.

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

Council Member McCullough said he thinks this is a good deal. First it will get people off the road at night, and get the little kids home from the Recreation Center so he supports it.

Motion carried. (7-0)

Recreation Center Hours

R10-91: Consideration of a resolution for the governing body of the City of Green River, Wyoming, to increase the expenditure authority in the General Fund to extend hours of operation Monday through Friday and re-open on Sunday (for five hours) at the Recreation Center in the amount of \$23,300 (1650 hours).

Council Member Rust moved to un-table the Recreation Center issue. Council Member York seconded. Motion carried. (7-0)

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

Council Member McCullough said he will vote for this, but he will be checking up on the Recreation Center in February. If he notices people are not using the Recreation Center during Sunday, council could look into the possibility of changing the hours back. If they are using the Recreation Center maybe the council would look into the possibility of adding more hours.

Council Member Rust said thankfully he did not have to do any campaigning this year, but he did have a whole table that did want the hours back. He uses the Recreation Center along with his son and his friends. He thinks this is great; the majority of people will use it, and will appreciate the hours being extended.

Council Member Boan supports the extension of hours but he will not support the money being taken out of the Risk Management Fund. He thinks the money could come from the training and travel budget since there is more money budgeted than what is used. If the only place the city can get the money is Risk Management then fine, but he is still against spending the city's reserve. He asked staff to look into the possibility of taking the money out of any other account.

The Mayor said he did do some campaigning and this was a very popular issue among the citizens of Green River. He supports the hours being extended and he feels the money can be found to do so even with the current budget issues.

Motion carried. (7-0)

COUNCIL ACTION ITEMS

Enhanced Air Service Cooperative Agreement

Council Member Morck moved to approve the Enhanced Air Service Cooperative Agreement with Sweetwater County, and Rock Springs and authorized the Mayor to sign on behalf of the City of Green River. Council Member McCullough seconded. Motion carried. (7-0)

Joint Travel and Tourism Board

Council Member McCullough moved to confirm the reappointment of Pat Robbins and Tom McIntosh to the Joint Travel and Tourism Board for three-year terms. Council Member Maes seconded. Motion carried. (7-0)

Malt Beverage Permit

Council Member Morck moved to approve the issuance of a Malt Beverage Permit to Julian Delgadillo to sell malt beverages during the New Year's Mexican Dance on Friday, December 31, 2010 from 8:00 pm to 1:00 am at the Island Pavilion. Council Member McCullough seconded. Motion carried (6-1) with Council Member York voting no.

CONSENT AGENDA

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

- Contract between City of Green River and John King and Shamrocks 'N Shenanigans DJ Service for the 2010 Middle School New Years Eve Party for \$600.
- Correction of the council proceedings of October 12, 2010 from Special City Workshop Proceedings to Special City Council Proceedings.
- Lease agreement with Pete and Sherry Aguirre for horse corral #138.
- Approval of the Utility Review committee's recommendation to write off \$90.45 on Tina Lane's account.
- Approval of the Utility Review Committee's recommendation to write off \$1,545 on High Desert Construction's account.
- Approval to release the 2010 Crossbow Utility Project retainage in the amount of \$72,272.11 to Lewis and Lewis Construction, Inc. and to accept the replacement agreement from Lewis and Lewis Construction, Inc.
- Authorize the removal of an old lawn mower from the landfill as requested by Tyler Nygent to teach small engine repair for a youth after school program.
- Minutes for November 1, 2010
- Financial Reports and Payment of Bills:

Prepaid Invoices = \$26,600.98	Outstanding Invoices = \$393,103.49
Pre-authorization Payments = \$755,160.00	Payroll Expenditures = \$373,352.12

CITY ADMINISTRATOR'S REPORT

Mr. Cook said staff has sent out the request for proposals for the service road between Green River and Rock Springs. It was advertised in October and the pre-bid meeting was held November 3rd and the proposals are due December 1st. The select committee will be looking over them on December 23rd, 2010. In January, it is hoped the council will be able to negotiate an agreement with the City of Rock Springs and Sweetwater County. The agreement will have a legal review. Staff hopes to award a contract for the consultant on January 18, 2011, to begin construction on February 3, 2011, and for work to be completed by August 1, 2011.

Mr. Cook said Council Member Boan had made a request for an update on the Winter building. He said city staff has met with a church that is in the process of purchasing the building and the land from the Mrs. Winter. Staff did go over the zoning issues and some of the other urban renewal design issues.

The city has a contract with Sunrise Engineering and they have agreed to do a structural analysis of the building. This benefits the city by having the study on record, and it will assist the Building Inspector, if he needs to determine the building is not structurally sound and has to be torn down. In order for the city to move forward the study has to be on record.

Council Member Boan asked if a time line has been set.

Mr. Cook said no.

Mr. Cook reported the following projects are moving forward: the 16 inch water line, the water improvement project, the Visitor's Center, and the bridge project.

At the workshop on December 14, 2010 Inberg Miller will be asking for a change order on the Spur Road project because of the large amount of rock they have had to move.

Mr. Cook said the governing body had requested a special council workshop on November 30, 2010 at 6:00 pm to discuss the projects and procedures for the overpayment of the 6th Penny money.

He is revising the Administration Procedures manual and it will be on the workshop agenda for December 14, 2010.

He received information from the governor's supplemental budget that looks very favorable to cities and towns. It is looking like around \$50 million. He will keep everyone updated.

Mr. Cook said Jon Schade, News Director at the Radio Network, is planning to leave to Indiana next week, and before he does, he wanted to say thank you for all he has done for the city. He has been reporting city news and has always done it with truth and accuracy. He wishes him well in all his endeavors and appreciates working with him.

Jon Schade, said he was not expecting Mr. Cook's comments. He really appreciates them. He thanked the city council and the members of city staff. He said being a journalist sometimes we are the loneliest people in the world because sometimes you have to report on things that may ruffle some feathers. As he looks back on the last two and a half years, he will remember the elected men and women of council and city staff because they have been kind and honest even when it meant admitting a mistake. He appreciates all of them for taking the time to speak with him when he requests.

The Mayor thanked him. He said he will miss Mr. Schade's tape recorder. He asked him to keep in touch.

CITY ATTORNEY'S REPORT

Mr. West had nothing to report.

MAYOR AND COUNCIL REPORTS

Council Member Rust said he enjoyed the luncheon that was put on for the city employees. The city has great employees. He will miss a whole bunch of people when he leaves.

Council Member York said he would not be at the November 30, 2010 workshop. He suggested the incoming council be present to discuss the 6th Penny money.

Council Member McCullough said they are invited to come.

Council Member Maes said she is really happy to see the hours of the Recreation Center being reinstated. She agreed with Council Member Rust about the luncheon, there are a lot of great employees that work for the city and it is great to honor them.

She asked about a program that was eliminated, Dance the Night Away for \$10,000. She has noticed that it is funded again and she would like to know how.

Council Member Boan said he thinks it is time to set a policy or procedure for setting a new ordinance. He said there are no requirements for them. His example: the cell phone ordinance, he had to get three other council members to agree before he could even get it on the agenda to consider it, but the deer ordinance was just put on the agenda. He would like to see procedures so all of the ordinances are handled in the same way. He would like the issue to be put on a workshop in the future. He still would like to see all the money put back into the Council Special Projects Fund. Taking money out of the Risk Management Fund to support other items that will more than likely come forward puts a bad taste in his mouth.

He apologized to the city employee's for not being able to go to the luncheon.

He welcomed anyone interested in the new committee to bring new tourist attractions to Green River, to contact him through the city website.

Council Member McCullough said it was a great luncheon. He said the deer ordinance will be looked at in January, and that is when any changes can be made.

Council Member Morck had nothing to report.

The Mayor asked Mr. Cook to schedule a retreat for January 15, 2011 to get an update on the budget and to introduce the new council members into the city. He is planning to ask Mark Harris to present procedures and rules on how the Mayor and Council should function in this environment.

The Mayor noted January 25th - 28th is the WAM Winter Retreat in Jackson Hole, Wyoming. He encourages council members to attend. The legislative session will be in session, so it will be a great opportunity to meet some of the legislators.

He did attend the city luncheon and congratulated the award recipients. He thanked the Girl Scouts on the spaghetti dinner they put on for the veterans and thanked the newspapers and schools for recognizing the local veterans.

ADJOURNMENT

Council Member Boan moved to adjourn at 8:00 pm. Council Member Morck seconded. Motion carried. (7-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk