

**CITY OF GREEN RIVER
CITY COUNCIL PROCEEDINGS
April 5, 2011**

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 Jackson Elementary School students led the Pledge of Allegiance: Kassie Bohlmann, Jax Peterson, Alex Atkinson, Kari Young, Jordan Wholle, Cherylann Moritz, Sydnee Sanchez, Annie Wright, and Mckayla Cuthbertson.

The following Council Members were present: Tom McCullough, Jim Boan, Lisa Maes, Adam Coppolo, and Gary Killpack. 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, Urban Renewal/Main Street Administrator John Dahlgren, Community Development Planner Ladale Brinton, Chief of Police John Love, Fire Chief/Emergency Services Mike Kennedy, Interim Parks and Recreation Director Allan Wilson, City Attorney Galen West, and Public Affairs Specialist Stephen Pyles.

Council Member Smith was not present.

APPROVAL OF THE AGENDA

The Mayor noted the addition of Council Action Item F: Consideration to authorize the Mayor to sign an agreement with JO/ETTA, LLC and purchase the property on the corner of Flaming Gorge Way and North 4th West.

Council Member McCullough moved to approve the agenda as amended. Council Member Coppolo seconded. Motion carried. (6-0)

PRESENTATIONS

Experience Works Program

Alan Horner, Experience Works Employment and Training Coordinator, said this is a program that helps disadvantaged seniors to receive training and to find a job in the area. July 1, 2010 through January 19, 2011 Experience Works has contributed almost \$1 million to local Wyoming economies. In Sweetwater County there are twenty-seven people participating in the program. That is approximately \$160,000 being put back into the Sweetwater County economy.

Mr. Horner said their budget will take a fifty percent hit this year. He is asking the city to consider a donation to help offset the difference. He is asking for \$1,200 and this will go directly into the training and travel budget to help pay for training.

Mr. Cook said the city has looked into the program and it is on tonight's agenda for approval. The staff would like to take part in the program.

PROCLAMATIONS

National Poetry Month

Ellie Davis-Eaton, from the Sweetwater County Library, read the proclamation and the Mayor declared April 1 through April 30, 2011 as the 15th Annual National Poetry Month and called upon public officials, educators, librarians, and all the people of Green River to observe this month, to celebrate the cultural riches our community has to offer, and to recognize the important role of poetry in creating and sustaining this great nation with appropriate ceremonies, activities, and programs.

Local student Kassie Jarvie, read a poem that she wrote.

Sexual Assault Awareness Month

Christine DeGrendale, from the YWCA, read the proclamation and the Mayor declared the month of April 2011 to be Sexual Assault Awareness Month in Green River, and commended the observance to all citizens, by urging each to learn what can be done to combat the violence, the prevention measures, and the services available for the survivors. Teal ribbons will be placed on trees and will also be available throughout the community to wear to support the awareness of sexual assault during the month of April.

National Library Week

Ellie Davis-Eaton from the Sweetwater County Library, read the proclamation and the Mayor declared April 10-16, 2011 National Library Week in Green River, and encouraged all residents to visit the library this week to take advantage of the wonderful resources available.

Red Shirt Fridays

The Mayor read the proclamation and declared this Friday and every Friday in Green River Red Shirt Friday until all come home, and urge each and every citizen to honor American servicemen and women by wearing red on Fridays. Members from the American Legions, Jim Shirey, Jim Shoemaker, Earl McDonald, Mike Miller, and Harry Holler accepted the proclamation.

CITIZEN REQUESTS AND OTHER COMMUNICATIONS

Steve Mossbrook president and owner of Wyoming.com said they have been an active business member of the community for sixteen years. Bandwidth for broadband use by internet is growing at a rate of 40% per year. There are three providers in the Green River area. The largest is Qwest and it has been purchased by another company and they are out of bandwidth and will not be getting around to addressing the needs of Sweetwater County anytime soon. Current service that is put onto the fiber systems is provided to them by a sister company through Wyoming.com. By aggregating the bandwidth and increasing the total quantity they will reduce the cost and benefit all that are involved. This will expand the bandwidth availability to meet the demand.

Steve Shea from the Joint Powers Telecom Board said the Joint Powers Board holds ownership of the point of presence out on Highway 430. This station is where the signal is pulled off of for internet. It is the cheapest bandwidth in the state and a very unique piece of infrastructure. This line has direct service into the City Hall building. They will not be selling services to any other customers except through a company. It can be sold to other companies like Qwest or Wyoming.com and then they can provide the service to their customers.

Council Member McCullough said council needs to be brought up to date so he welcomes the Joint Powers Telecom Board to come to the workshop next week.

Council Member Killpack asked how they would control the cost that the companies charge so they do not make a large amount.

Mr. Mossbrook said the price is controlled by the market. The other competitors in the market will prevent them from over charging.

Pam Wolfe, a representative of a group in support of the Dancing the Night Away program said this program is one night a month from 7:00 pm to 10:00 pm. The cost for the night is \$10.00 per person and they are taught how to ballroom dance by an instructor. They are requesting that this be reinstated into the budget so they can continue the program at a minimal cost to the city. On average they have 15-20 couples participate in the program, so it does have a good turnout.

The Mayor said this is a small request and they would consider it during the budget time.

Council Member McCullough said the committee needs to visit with the Interim Parks and Recreation Director Allan Wilson and if he supports it then they can go forward.

PUBLIC HEARINGS

A public hearing on a Special Use Permit to allow the addition of two feet of barb wire and razor wire to the top of a six foot chain link fence as requested by the Combined Communications Joint Powers Board.

Mayor Castillon opened the hearing at 7:45 pm.

Council Member McCullough said as long as the Planning and Zoning Commission and the Combined Communications Joint Powers Board have met and addressed the concerns of the School District he has no problem supporting them.

Council Member Killpack asked why they need a prison like fence around the building.

Police Chief Love said they want to make sure the facility is secure.

Council Member Boan said he has no problem with the height of the fence or the barbed wire at the top but he does not understand the need for the roll of razor wire on the inside. He does not think it would be good to have this kind of fence on the main street.

Council Member Killpack asked legal counsel about the liability of this kind of fence.

Mr. West said liability arises only when there is negligence. It would be hard to prove there was negligence involved so he does not see it causing a problem.

Council Member Coppolo asked about using an electric wire fence instead.

Police Chief Love said a lot of the planning was done with the requirements from Homeland Security. Homeland Security has regulations that have to be followed in order to receive grants.

Council Member McCullough said this needs to be approved so the grants can be received. This is another step in getting the Joint Dispatch Center here in Green River.

The Mayor said he has no problem with the fence. The barbed wire at the top of the fence is easy to breach but with the razor wire at the top it detours people.

Ms. Brinton said the Planning and Zoning Commission discussed the same issues. The fence will not be on the side walk area that runs on the property line. It will only be around the building and parking lot and that is why the commission came up with the option for an eight foot fence with barbed wire and razor wire at the top.

Council Member Killpack asked how far the fence is going to be from the sidewalk.

Police Chief Love said approximately twenty feet.

There were no other comments or concerns presented. The Mayor closed the hearing at 8:00 pm.

RESOLUTIONS

Special Use Permit for Combined Communication Joint Powers Board

R11-13: A resolution for the governing body of the City of Green River, Wyoming, to issue a Special Use Permit requested by the Combined Communication Joint Powers Board (City of Rock Spring, WY; City of Green River, WY; Sweetwater County, WY) to allow the addition of two feet of barbed wire and razor wire to the top of a six foot chain link fence; resulting in an eight foot tall security fence for the Combined Communication Joint Powers Board facility located at 5 Shoshone Avenue, Green River, Wyoming.

Council Member McCullough moved to approve the resolution. Council Member Coppolo seconded. Motion carried. (6-0)

Tomahawk Hotel Renovation Grant

R11-14: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in the Capitol Projects Fund with the grant funding from the Wyoming Business Council in the amount of \$1,800,000.

Council Member Maes moved to approve the resolution. Council Member Boan seconded. Motion carried. (6-0)

Fire Department's Air Compressor and Storage System

R11-15: A resolution for the governing body of the City of Green River, Wyoming, to approve an increase in the General Fund for the Fire Department's air compressor and storage system in the amount of \$37,000 and to approve the bid from L.N. Curtis & Sons in the amount of \$36,206.

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

Mr. Cook said, the equipment is being purchased with federal grant funding. The total cost was estimated at \$37,000. The federal grant share was \$35,150 and the City of Green River's share is \$1,850.

Motion carried. (6-0)

COUNCIL ACTION ITEMS

Appointments to the Green River Arts Council

Council Member Killpack moved to confirm the Mayor's appointment of Bryan Cordova and Teryl Hartman to the Green River Arts Council for two-year terms. Council Member McCullough seconded. Motion carried. (6-0)

Greiner Ford Vehicle Bid Withdrawal

Council Member Maes moved to authorize the request by Greiner Ford to withdraw their bid request for four pickup trucks in the amount of \$72,792. Council Member McCullough seconded. Motion carried. (6-0)

Bid Award for City Vehicles

Council Member Coppolo moved to accept the following bids:

Bid #10-01		
1-ton DRW Diesel Truck from First Choice Ford, Rock Springs, WY		\$31,505.00
Bid #10-02		
(4) 4WD ¾ Ton Reg. Cab Truck from Spradley Barr, Cheyenne, WY		\$87,048.00
Bid #10-03		
(2) 4WD ¾ Ton Crew Cab Truck from Spradley Barr, Cheyenne, WY		\$48,660.00
Bid #10-04		
4WD ½ Ton Extended Cab Truck from Spradley Barr, Cheyenne, WY		\$21,964.00
Bid #10-05		
4WD Sport Utility-110" Wheelbase from Whisler Chevrolet Rock Springs, WY		\$29,129.00
Bid #10-06		
4WD Sport Utility-130" Wheelbase from Whisler Chevrolet, Rock Springs, WY		\$37,675.00
Bid #10-07		
4 Door Police Sedan from Whisler Chevrolet, Rock Springs, WY		\$22,504.00

Council Member McCullough seconded. Motion carried. (6-0)

Right of Entry for U.S. Army

Council Member Coppolo moved to authorize the Mayor to sign the Right of Entry for Site Inspection for the U.S. Army. Council Member Maes seconded.

Police Chief Love said there was a request from the Army to inspect for unexploded ordinance at an old target site which is at the base of Mansface. The area included on the map was around a block on Easy Street and on the north face of the hill. This agreement will allow them to inspect on city property, but they will have to have permission from land owners to enter their property.

Motion carried. (6-0)

2011 Farmers' Market Donations

Council Member Maes moved to approve the acceptance of all donations for the 2011 Farmers' Market upon positive review by legal counsel. Council Member Killpack seconded. Motion carried. (6-0)

Agreement with JO/ETTS, LLC for property on the corner of Flaming Gorge Way and North 4th West.

Council Member McCullough moved to authorize the Mayor to sign the agreement with JO/ETTE, LLC and purchase the property on the corner of Flaming Gorge Way and North 4th West. Council Member Killpack seconded.

Council Member Boan said he feels this amount is too high. He just received the agreement tonight, and he has not had a chance to read it, so he will vote against it.

Council Member Killpack asked if council needs to put in the original motion the amount that they are paying for the property.

Mr. Cook said yes.

Council Member Killpack amended the motion to add the property cost of \$250,000. Council Member McCullough seconded. Motion carried (6-0)

Original Motion carried (5-1) with Council Member Boan voting no.

Mr. West said there is an issue with the agreement itself. With the agreement as it is written the seller would have to pay title insurance. The seller thinks the city should pay for the title insurance so she can receive the total sale amount. The seller came in and signed the agreement in which she would pay for the title insurance. In light of this, Mr. West drafted a new agreement in which the city would pay for the title insurance and the seller came and signed this one too. There are two agreements, an April 4th and an April 5th, council will have to decide which one they would like to use.

Council Member Coppolo made a motion to table until everything is clear. The motion was not seconded.

Mr. West said everything is clear nothing has changed in the agreement except who will pay the title insurance.

Council Member Killpack motioned to accept the April 5, 2011 agreement which the city will pay title insurance on the purchase of the property. Council Member McCullough seconded. Motion carried (6-0)

CONSENT AGENDA

Council Member McCullough moved to approve the following consent agenda items. Council Member Coppolo seconded. Motion carried. (6-0)

- Authorization for the Parks and Recreation Department to follow the agreement of Disbursement for 2011 Sweetwater County Travel and Tourism Grants for the following events: Green River Expedition Freestyle Kayak Competition, Art on the Green, and Mountain Bike Jam in the amount of \$2,000 each.
- Authorization to cancel the agreement entered into by the City and the Green River Chamber of Commerce on December 15, 2009 for the placement of a modular office in the Moran Overlook parking lot.
- Approval of the agreement with the Experience Works Program (SCSEP) Host Agency for reimbursement of wages to the city and authorization for the Mayor to sign the agreement.
- Approval of the Minutes for: March 8, 2011 Workshop, March 15, 2011 Council.
- Financial Reports and Payment of Bills:

Prepaid Invoices = \$50,284.92	Outstanding Invoices = \$436,495.06
Pre-authorization Payments = \$755,000.00	Payroll Expenditures = \$682,612.67

CITY ADMINISTRATOR'S REPORT

Mr. Cook said April 9, 2011 is the next Adopt a Highway cleanup day. If anyone is interested in participating, contact Linda Roosa at Solid Waste. The city has put out the green waste bins throughout the city for green waste.

The Leadership luncheon will be April 7, 2011, at 11:30 am, at the Hampton Inn.

He attended the active shooter scenario with the Police Department and he thought it was an excellent collaboration between all parties involved. Officer McDonald did an excellent job putting it all together.

He said the first allotment of money received from the legislature was \$820,000 in August 2010. In August 2011 the city will receive another allotment of \$764,000 instead of the \$820,000. That is a loss of \$55,000.

He discussed items for the next workshop on April 12, 2011.

CITY ATTORNEY'S REPORT

Mr. West had nothing to report.

MAYOR AND COUNCIL REPORTS

Council Member Killpack had nothing to report.

Council Member Boan commended the Police Department for the way they handled an issue with littering.

Council Member Maes asked if council could get a copy of the plans for the Tomahawk. She enjoyed the poem that was read earlier.

Mr. Cook said he will get a copy of the Tomahawk plans to her.

Council Member Coppolo said he attended the presentation that Mr. Neu did and thought it was very well done. He said Mr. Neu suggested the workshops be done in a different place other than the council chambers.

He asked if council would consider moving the workshops to Mondays.

Council Member McCullough said the Main Street meeting went well. He said the meeting with TahTah Chemicals went well also. He said he hopes the council keeps an open mind when the Joint Powers Telecom Board does their presentation at the workshop next week. He will be updating the council on some issues with the Joint Powers Telecom Board.

The Mayor agreed that the Main Street meeting went well. He was very impressed with the presentation from Mr. Neu.

He has spoken to Mr. Hartman from the Union Pacific Railroad and they decided to turn the depot over to a realtor for disposition. The bunkhouse will be demolished for a parking lot.

ADJOURNMENT

Council Member McCullough moved to adjourn at 8:41 pm. Council Member Boan seconded. Motion carried. (6-0)

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk