

CITY OF GREEN RIVER
CITY COUNCIL WORKSHOP PROCEEDINGS
September 13, 2011

The Governing Body of the City of Green River met in workshop session at 6:30 pm in the City Hall Council Chambers. Mayor Castillon called the meeting to order. The following Council Members were present: Gary Killpack, Gene Smith, Adam Coppolo, 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, URA/Main Street Administrator John Dahlgren, Director of Human Resources Debbie Klein Robertson, Interim Chief of Police Chris Steffen, Parks and Recreation Director Allan Wilson, Community Development GIS Specialist Jason Brown, Engineer John Canaday, Engineer Dave Westling, and Public Affairs Specialist Stephen Pyles.

Grant Application Update

Lisa Muller said she is on board to assist the city with pursuing a grant for the Police Annex Station. She said there are many ways to prepare a grant and no matter how it is done it should have the same end result. There are some essential parts needed to prepare a grant. Funders want to know who is asking for the money, why, and if it will have a good return of investment. She has met with the Police Department in a workshop to discuss their needs. She has learned that the Police Department has grown by 70% and they are still in the same place, so the statement of need is very large. She will be meeting with the Municipal Court to discuss their needs.

When she prepares a grant she prepares a set of master documents. These documents can be used as a tool for later purposes. The collection of data is anything and everything that goes into the master documents. The city employees and citizens can help in the process by writing a letter of support that can be submitted with the grant.

Council Member Smith asked when the grant application will be submitted and when construction might start on the project.

Ms. Muller said she cannot comment on the construction part of the project. The grant application process is around 50% complete. She does not have the information from Municipal Court yet so that part will have to be done. You can show the funder the entire project so then the funder will see that the information is there and the need is to.

She said the grant might be done before December 31, 2011, but it all depends on what direction the city chooses to go.

Safety/Workers' Comp

Director of Human Resources Debbie Robertson said this will be a brief overview of workers compensation premiums and the City's safety program. The workers' compensation program is managed by the State of Wyoming. The workers' compensation program provides medical, wage, and disability benefits to workers injured while working in covered employment. The premium calculations are detailed and calculated by the state. The factors that go into it are: employer group size, base rate per occupational classification, experience modification rating, payroll costs, and premium discounts.

The city participates in two program discounts. The safety discount program and the drug free workplace premium credit. The city's premium runs between the base rate and the minimum rate. She welcomed any council member to let her know if they would like more information on the workers' comp program premiums.

Ms. Robertson said the city also partners with the State of Wyoming to provide a safe work environment. The major components of the City's safety program are: the safety manual, safety monitors group, accident review committee, and a safety awards program.

She said the city has received recognition for the quality of the safety program:

- The 2009 Governor's Safety Award
- 2003 to present the Safety Health Achievement Recognition Program

She believes the city has a very good program in place.

The Mayor asked about risk management within the city.

Ms. Robertson said the state provides us with the information on what injuries are happening most often, and from that, we create our safety award program. She said each department within the city assesses the hazards that they face in their specific job and what they can do to make it safe.

Council Member Killpack asked how many workers' comp claims the city had in the last twelve months.

Ms. Robertson said she is not sure but she will get the information to the council.

Council Member Killpack commended her and the city staff for making sure the workplace is safe.

Concrete Concerns-Curbs, Gutter, Sidewalk, and 50/50 Program

The Sidewalk 50/50 Program

Director of Community Development Laura Hansen said the resolution for this program was created in 2001. The resolution established guidelines for the city to provide partial funding for curb, gutter, and sidewalk replacement.

Community Development GIS Specialist Jason Brown said the purpose of the program is to provide the timely repair of sidewalks located in the public right-of-way. In order to qualify for the program one of five conditions has to be met:

- The sidewalk section has heaved or settled causing differential elevation of at least ½ of an inch.
- The sidewalk section has spalled over more than 25% of its surface area.
- The sidewalk section has "road map" cracking over more than 75% of its area.
- The sidewalk section contains a single crack, which has opened more than a ½ of an inch.
- The sidewalk section contains two or more traverse or longitudinal cracks.

First, the Community Development Department receives an inquiry from the property owner to express interest in the program. Then the property owner needs to bring in a cost estimate to the Community Development Department. The contractor that submits an estimate has to be licensed with the city. The program has a first come first serve basis and if you request to participate in the program, and there are no funds available, then the homeowner is put on a waiting list for the next year. The program's yearly budget is \$20,000. The unit prices are \$8.90 a square foot for 4 inch, \$9.40 a square foot for 6 inch, and \$20 to \$30 a linear foot to replace curb and gutter.

Ms. Hansen said the program currently has \$2,049.09 in unexpended money. To date the total expenditures are at \$17,950.91. There were three applications from last year totaling \$6,606 and they have had six replacements from New Mexico Street totaling \$9,844.91. This program is offered to both residential and commercial.

Curb and Gutter Standards

Ms. Hansen said the resolution was established in 2001 to show the standard curb and gutter design for new construction and reconstruction. However, only the criteria for replacement curb and gutter and capital improvement projects are specified but there are no specifications for new development.

City Engineer John Canaday said there are many advantages in having high back curbs. The driveway cuts can be used for ADA passing zones, they carry more water, can be cut for driveways, and provide better quality control for the flow line grades and concrete depth. You

can clean ice from the gutter easier. It keeps traffic in the roads and not on the sidewalks. It prevents blocking approaches and controls parking.

He said most curb ramps are installed on roll face curb. When the ramps are put in water runs around curb ramps and causes asphalt damage. It also backs water up at curb ramps causing ponding and extended surface degradation. Roll face curb wears out the broom faster on sweeping trucks because it requires more down pressure to sweep the bottom.

Obstructions

Ms. Hansen said obstructions like trailers and garbage cans being left out throughout the city are causing safety issues for pedestrian traffic, the visibility of children, drainage, the durability of concrete and asphalt, and appearance.

She said they are requesting an addition to Section 22.1:

It shall be unlawful for any person to erect, build, set up or maintain, in whole or in part, any fence, sign, vegetation, shop, building, materials, or any building or obstruction of any kind in or upon any street, avenue, alley, curb, gutter or sidewalk or any other public ground within this city; nor shall any sign, awning or other obstruction be suspended from any building, or in any other manner, into or over any sidewalk or street or alley, so as to obstruct in any manner the free passage of drainage, people, or in any manner obstruct travel.

Council Member McCullough said he feels the 50/50 program should only be for residential not commercial. He is for the high back curb, the obstruction ordinance, and adding to the 50/50 programs budget next year.

Council Member Boan supports the 50/50 program. He said if the money is there they should increase the budget midyear. It should be for both commercial and residential. He thinks the new subdivision should have a high back curb and the contractor should have to cut driveways in when a person builds a house. He supports the ordinance on obstructions and he asked if it passes when staff would be tearing out ramps.

Director of Public Works Mike Nelson said they would start as soon as they received the ok from council.

Council Member Coppolo said he does not understand why the city is charging residents to pave the sidewalks that the city owns. He thinks there are other things that are being funded throughout the city that are not as important as maintaining the streets and sidewalks.

Council Member Smith said the 50/50 program is a good thing, but if the city wants to own the sidewalks and regulate them, then they should maintain them. He said it should be offered to both residential and commercial. He said next year they should double the budget for this. There is a type of curb and gutter in one of the new developments that looks very nice and there is no obstruction in the gutters or damage. This roll face type should be the one that is required.

Council Member Killpack said the 50/50 program is a good program, but why is a resident having to pay for sidewalks that the city owns. He would like to see the program go to 100 percent paid for by the city. Some homeowners cannot afford to fix their sidewalks. He said curbs that are in the Deer Ridge Estates have nice curbs but he would vote on the high back curb. He asked if the sidewalk program is available to new subdivisions.

City Engineer Dave Westling said they are trying something with the new subdivision. They will have all high back curbs and when someone builds they can cut out the driveways. They will not put in the sidewalks until later. It will be a part of the Certificate of Occupancy. This will help with the breakage that occurs during the building process.

Council Member Coppolo asked why the contractor was not held accountable for the damage they did to the sidewalks.

Ms. Hansen said staff is currently working on this issue.

Council Member Maes asked if any other cities assess the property to help pay for these things. Mr. Cook said most cities in Wyoming do assess property to pay for this.

Council Member Maes said midyear they should see if the money would be available to increase the budget for the program. She said the high back curb should be the standard. She agrees with the obstruction ordinance.

Council Member Coppolo said the money from the program that is not used should be carried over into the next year. He said he understands why people put a ramp in the gutter and he feels it will open a can of worms if the city goes in and tears them out.

The Mayor said if the city takes on the responsibility of taking care of the total costs of the program it would cost a large amount of money we do not have. Assessment has merit also.

New Mexico Street resident Dean Stoeger said he feels the council is unfair on how they went forward with this project. During the 6th Penny projects the streets, curbs, and gutters were fixed, but now they aren't. This is not fair to other residents of the city. He said he was out of town when Council Member Boan left a letter on his doorstep about the sidewalks not being done. He tried to get a hold of him and never was able to. He feels if the city is not going to do something on a project they should inform the residents better. He said his property starts three feet from the sidewalk so he is wondering how the city can assess him for property he does not own.

Council Member Boan apologized for not returning his email. He tried to communicate with the residents to the best of his ability.

New Mexico Street resident Will Meese said if the residents are going to do the 50/50, and they get turned down, it is not a good thing. So, the city should look into paying one hundred percent. There are other things that get funded in the city that are not as important. He said if the city is going to regulate the sidewalks then the city should pay to maintain them.

Council Member McCullough said the city does not have the money for the sidewalks right now otherwise, they would do them.

New Mexico Street resident Tom Jarvie said now the residents on this street will have to wait to have the sidewalks, curbs and gutters done until the street needs to be repaved again. This is going to be around thirty years. He would recommend doing the whole project, sidewalks, curbs and gutters when the city does a street. He said he is very excited to see the street getting paved.

Council Member Smith said the city is doing the best they can with what they have. New Mexico Street was not even high on the street improvement plan list.

Council Member Coppolo said New Mexico Street was not even planned to be done, but it needed to be done, so the council found a way to include it. The streets have been neglected and that needs to be fixed too.

Mr. Cook said there are twenty-five streets that are above New Mexico on the list, but the city saw the need for New Mexico to be done.

New Mexico Street resident Mike Erspamer said he believes the city owns the sidewalks so they should pay to maintain them. He is happy that the street is getting done but he was disappointed that the sidewalks, curbs, and gutters will not be done. If the city does not have the money to all of it, they should do the parts that need to be done.

New Mexico Street resident Dan Larson said he will be taking part in the 50/50 program, but he does not know why the city cannot come up with a way to help residents by putting something in their curbs to help with entering their driveways.

City Engineer John Canaday said they will be starting the asphalt on New Mexico Street on Wednesday, September 14, 2011.

Parking Issues

Interim Chief Steffen said staff has been working on the parking ordinance issues particularly with trailers. He would like to clean the ordinance up to be able to enforce it. He is fine with having the ordinance, but he thinks it is confusing. They have asked other cities and towns in Wyoming on what they do. Casper has an ordinance in place that hands out permits for a fee that allows a person to park on the street for thirty days. Of course, the neighbors have to agree with it being parked on the street.

Council Member Coppolo said he agrees that it needs to be cleaned up. He likes the permit system but thirty days is too long. It is the children's safety that is important and trailers make it difficult to see them.

Interim Chief Steffen said the IT Department did an online poll that asked residents what they would like. Most people said it should stay at 72 hours or be shortened. He understands that in some locations it would make it hard to drive down the streets if there are trailers parked on both sides.

The Mayor asked who would administer the program, who would check for violations, how the permits would be posted, and what would they look like. He thinks the permits would create more of a problem than help.

Interim Chief Steffen said he thinks it would make sense for the Finance Department to handle it. Casper enforces the permit by ordinance with a date and time allowed and it has to be posted or they are ticketed. This is just a suggestion and would have to be looked into more to see exactly what will need to be done.

The Mayor asked how much they would charge for the permits.

Interim Chief Steffen said he believes it is fifty dollars for a thirty day permit.

Council Member Killpack said he is not in favor of the permit. They would have to make the cost of the permit high enough to discourage people from buying a permit over and over again to keep the trailer on the street.

Interim Chief Steffen said there would have to be limits listed in order to stop that from happening.

Council Member McCullough said he will not vote for anything less than seventy two hours. He would like to ordinance to clarify once the person is notified the trailer needs to be moved off the street, they do so within a certain time frame, and if it is not done in that time, they will be ticketed. People cannot just move the trailer five feet from where it was and consider that good; they will be ticketed if it is not off the street.

Council Member Smith said this is a safety issue and he is not in favor of the permits. He will not support anything more than seventy-two hours. It needs to be off the street within that time.

Council Member Coppolo said if they continued to have the trailer on the street, they will be ticketed.

Interim Chief Steffen said most people do follow the laws once they understand them.

Carl Morck asked if someone is loading their trailer and gets warned about it being on the street and then they go hunting and come back, will that person get a ticket for it being on the street again.

Council Member Coppolo said it would be left up to the officer to see what the circumstances are and go from there.

Council Member Killpack said if the city is going to enforce this they need to enforce it with everyone.

Interim Chief Steffen said he agrees.

Council Member Coppolo said RV's should be included in the ordinance and remove "in the same" wording.

The Mayor said they need to define the meaning of trailer too.

Council directed Interim Chief Steffen to write the ordinance with a seventy-two hour limit.

Financial/Budget Review

Director of Finance Jeff Nieters reported the fiscal year ending June 30, 2011 as follows:

Actual Revenues:

- Local Sales tax - \$5,609,404
- State Sales Tax - \$6,800,854
- Services/ Interest/License/Permit/Grants - \$1,197,668
- Property Tax - \$910,590
- Franchise Tax - \$270,550
- Intergovernmental - \$706,732
- Mineral Royalty/Severance - \$1,054,597
- Fuel/Auto & Minor Taxes - \$307,562
- State One Time Funding - \$820,506

Mr. Nieters said the actual revenues are higher than the budgeted revenue and this is because the 2010 census calculations were supposed to start in February 2011. They did not start with the new distribution until May. That made it ten months of the old distribution and two months of the new distributions.

Actual Expenditures:

- Parks and Recreation - \$4,117,263
- General Government - \$2,873,755
- Police Department - \$4,627,203
- Fire Department - \$671,566
- Community Development - \$649,344
- Public Works - \$2,358,857

The expenditures were under what was budgeted by \$714,000. Most of the departments were under budget. In prior years, the carry-over in expenditures was higher, but this year that did not happen. There was twenty-seven pay periods so that changed the salaries and the taxes associated with them.

The Enterprise Funds accounts are based off of the rates that are charged for services rendered. These accounts did not go over budget. The Solid Waste account had a profit of \$188,688. The Wastewater account had a loss of \$82,690, and the Water account had a profit of \$573,300. The Wastewater was the only one that had a loss and that is why the increase was asked for.

Council Member Boan said in the total budget, one third of the line items went over budget. He said one third of the departments are over budget. He thinks this is not acceptable. He does not understand how the extra pay period was not budgeted.

Mr. Nieters said the extra pay periods only happen every seven years. This is not a huge amount but it does affect the bottom line. He said there are a lot of other things that go on throughout the year that effect things also, the comp-time payout, 40 hours of cash out for some employees, and the raises that occur during the year that are not budgeted. He cannot plan for things he does not know about.

Council Member Boan said the total budget overages are too high, but the city still came in under budget. This money could be used for something else. He feels people are just punching numbers in and not really planning out their budgets.

He said the small tools in the Vehicle Maintenance Department have been growing by \$2,000 every year. The amount is higher than all the rest of the departments combined. He said some of the tools they are listing should not be listed under small tools. He asked if the mechanics are given a tool allowance every year.

Mr. Nelson said yes, \$400 a year.

Council Member Boan said this should not be increasing every year. It is not acceptable.

He said the Police Department is over budget in every department. This should not happen.

The city needs to look into the budget and not allow this to happen anymore.

Council Member Maes said you have to guess on what is going to be needed sometimes. Like snow removal, you can't know exactly what you are going to need for the year. This is where some of the money is left over.

Council Member Coppolo agreed there are some questions with the budget, but Mr. Cook is taking the initiative to fix some issues by doing the priority program budgeting.

Council Member McCullough said the departments need to be more accountable with the numbers they are putting in their budget.

Council Member Boan said overall it does not look pretty.

He said Parks and Recreation is the only one that did not go over budget and that's good.

Council Member Smith said a budget review process is valuable. He said if the same line item is off for three years in a row then it needs to be fixed.

He said Mr. Nieters has been doing this for a long time and he could make an estimate on those things and put it in the budget. It would be better to have it in the budget as an estimate rather than not have it there at all.

The Mayor said he was not happy with the way the budget went this past year. He asked Mr. Cook to look into the priority based budgeting. He also is putting a budget committee together and Council Members Smith and Boan will serve on it. He asked the members not to micro manage, but just stick to the tasks at hand.

Mr. Nieters said this is the first year since he has been with the city that the salaries went over. The 2011 budget had a 4.5% difference between the budgeted amount and the actual amount so he is asking how much closer they want it to be at.

The Mayor said he knows they can't have a perfectly balanced budget, and he knows the city has never gone over budget as a whole. He thinks keeping it in the 4% range is fine. The line items are going to go over but that is ok.

City Administrator's Report

Mr. Cook said the workforce analysis will be presented at the October 11, 2011 workshop.

The Wild Horse Canyon, LLC had asked for an option to purchase property, and addendum to amend the option expires on September 15, 2011. They have not expressed any interest in pursuing the purchase. They give up that right on September 15, 2011.

He said the Traffic Committee has been discussing the issues occurring throughout the city with people leaving their garbage cans out on the street. They are not bringing them in after the garbage is picked up. This is creating a problem because the Street Department is not able to fix streets because garbage cans are in the way. He reminded citizens to bring their garbage cans in after the garbage has been picked up, there are ordinances requiring the placement of the cans.

The Child Development Center building is moving forward. They will be selecting an architect and doing a contract for services.

Director of Parks and Recreation Allan Wilson said they will be presenting a change order for the Pavilion parking lot. The change order is for asphalt. The asphalt will be going all the way to the building and all the way behind the building to the rocks by the river for drainage. The parking lot was flat all the way to the retaining wall and bathrooms, but now they cannot get the curb machines all the way up to the those areas. So, they would like to put a four foot wide area next to the parking area on the south side. They will have to remove the posts in the middle of the parking lot from previous basketball courts. He said they will not exceed \$36,000, and it will be taken out of the Capital Projects Fund.

Mayor and Council Reports

Council Members Killpack, Boan, Maes, and Smith had nothing to report.

Council Member McCullough thanked the volunteer Fire Department for putting on a great 9/11 Remembrance event. He thought everyone did a great job.

The Mayor agreed the National 9/11 Remembrance events went well.

Adjournment

The meeting adjourned at 10:15 pm.

H. Castillon, Mayor

ATTEST:

Jeffrey V. Nieters, City Clerk