

PUBLIC NOTICE

REGULAR MEETING OF THE CITY COUNCIL OF WORLAND April 2, 2024

A regular meeting of the City Council of Worland, Wyoming met in the Council Chambers at Worland City Hall at 7:00 p.m. on April 2, 2024. Mayor Jim Gill presided and the Councilmembers in attendance were Kreg Lombard, Barbara Brookwell, Rebecca George, Wendy Fredricks, William Worley, Pete Calderon and Mike Neuffer. Also present were Director of Public Works, Nick Kruger; Airport Manager, Lynn Murdoch; City Attorney, Kent Richins; City Engineer Representative Mike Donnell and Clerk/Treasurer, Tracy Glanz. Councilmembers Kody DeMunbrun and Adam Martinez were absent and excused.

There were six (6) visitors present for this meeting of the City Council.

Councilmember William Worley led the Council and Visitors in the Pledge of Allegiance.

Mayor Gill stated that the Chairman of the Washakie County Commissioners called him and stated that a letter would be delivered today for the Council meeting tonight. The letter was received at 4:55 p.m. today and will be discussed under Mayor Action Items.

Mayor Gill declared a quorum, with Councilmembers DeMunbrun and Martinez excused, and asked for approval of the agenda.

Motion: to approve the agenda.
By: Councilmember Fredricks.
Second by: Councilmember Calderon.
Vote: The motion passed unanimously.

The minutes of the March 19, 2024 regular meeting stand approved as published.

Motion: to approve all vouchers and authorize payment for payroll, utility charges, refunds for City Services, recording fees, postage and other miscellaneous items, during the month of April, before normal City Council approval on the first Tuesday of May and approve the Consent Agenda with Warrant Registers for March, 2024, Monthly Statement of Financial Condition for March, 2024, BAPC Minutes for March 25, 2024 and Payroll Vouchers for the period March 22, 2024. PAYROLL 3/22/24 - \$68,462.24; PAYROLL MTHEND 3/22/24 - \$4,325.82.

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ANA Electrical, Chlorine Building/ Mechanic Storage, \$639.06; Atco International, Spray Lubricant, \$186.05; Axon Enterprises, Tasers, \$628.80; Big Horn Co-Op, LP Gas, \$57.97; Big Horn Redi-Mix, Road Base, \$3,286.00; Blair's Market, Supplies, \$32.11; Bloedorn Lumber, Lumber, \$246.73; Bomgaars, Supplies, \$390.93; Carquest Auto Parts, Parts, \$3,092.42; Cash-Clerk Treasurer, Postage/ Filing Fees, \$84.82; Cloud Peak Veterinary, Contract, \$650.00; Copper Mountain Irrigation, GC Irrigation Pumps, \$11,741.28; CR Lock and Safe, Locks/Rekey, \$55.00; Cummins Sales and Service, Insite Pro, \$770.00; Eagle Engineering, Engineering, \$7,916.67; Energy Laboratories, Testing, \$167.00; Floyd's Truck Center, Parts, \$309.84; Frandson Safety, Supplies, \$161.06; Frontier Tire, Flat Repair/Tires, \$2,314.15; Grainger, Valve, \$239.75; Hasco Industrial Supply, Supplies, \$449.31; Hawkins Inc, Cylinder, \$20.00; I-State Truck Inc, Sensors, \$1,989.25; Joe Johnson Equipment, Brooms/Pump, \$1,744.60; Kienlen Ace Hardware, Hardware, \$996.54; Kimball Midwest, Drill Bit, \$30.02; Lower Hanover Canal Assoc, Annual Assessment, \$3,393.00; McGarvin Moberly Construction, Concrete Block, \$225.00; Motor Power - Billings, Radiator, \$1,392.07; Motor Supply, Inc., Parts, \$67.98; NMS Labs, Sample Testing, \$127.00; Norco Inc, Supplies, \$220.26; Normont Equipment, Placer/ Rake Head, \$298.46; Northern Wyoming News, Advertising, \$2,730.00; Northwest Pipe Fittings, Inc., Parts, \$16,117.95; No-wood Construction, Inc., Delivery of Gravel, \$6,120.00; O'Reilly's Auto Enterprises, LC, Battery, \$41.92; One Call of Wyoming, Tickets, \$12.75; R&A Safety, Testing, \$702.50; Railroad Mgt Co III LLC, License Fee, \$379.14; Randy Royal , Legal Services, \$353.29; Rock Solid SST, Ammunition, \$675.00; Safeguard Business Systems, Utility Postcards, \$1,519.05; Serlkay Printing, Supplies, \$664.63; Smudge Prints, Embroidery, \$10.00; Snap-On-Tools, Pick Set, \$70.50; The Radar Shop, Radar Recertifications, \$910.00; Timber Line Electric & Control, Programming/ Software, \$3,180.00; Triple R Welding, Inc., Equipment Repairs, \$8,080.52; United Parcel Service, Shipping, \$40.61; US Identification Manual, Manual Update, \$95.00; Valli Information Systems, Inc., Web Maintenance, \$188.28; Viper Underground, Concrete Crushing, \$18,160.00; Virile Electric, Services, \$400.95; WAMCO Lab Inc, Testing, \$2,400.00; Washakie County Treasurer, Salary, \$1,480.30; Worldand Cleaners & Supply, Inc., Supplies, \$427.26.

TOTAL REGULARS \$108,682.78

AFLAC, Premium, \$791.54; American Road Maintenance, Seal Coat, \$1,067.06; Arnold Machinery Co, WR Racking, \$23,809.75; AT & T, Long Distance , \$89.80; Big Horn Co-op, Fuel, \$3,147.72; Big Horn Co-op, Water Crane Lease Agreement, \$20.00; Big Horn Reg. Joint Powers Board, Monthly EDU, \$36,972.50; Big Horn Rural Electric, Electrical Charges, \$47.96; Big Horn Water, Rental/Bottled Water, \$194.50; Blue Cross/Blue Shield, Health Insurance, \$76,418.01; Dearborn Life Insurance, Insurance, \$146.74; Eagle Engineering, Building & Planning Official, \$6,194.44; Eagle Engineering, Water Line/ St. Repairs /Artesian Line, \$16,829.74; Energisystems, Self-Serve Fuel Station, \$24,870.50; Fascorp, Deferred Compensation, \$4,660.00; Floyd's Truck Center, 2015 Western Star 4700 SB (2), \$250,000.00; Fort Dearborn Life Ins. Co., Disability Insurance, \$364.98; Gill, Jim, Phone Expense, \$50.00; Gill, Jim, Mileage, \$501.16; High Plains Power, Inc., Power, \$1,513.26; IRS, Payroll Tax Deposit, \$45,292.68; Kienlen Ace Hardware, Pioneer Square Supplies, \$85.95; Mountain Alarm, Alarm , \$214.40; Murdoch Oil, Inc., Fuel, \$9,323.76; NCPERS Group Life Ins., Life Insurance, \$208.00; Pinnacle Bank, Expenses, \$1,554.35; Range, Phone Service, \$2,061.11; Rocky Mountain Power, Electricity, \$23,815.32; Sagebrush Sports, LLC, Golf

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Course Management, \$12,916.66; US Postmaster, March's Billing/ Stamps, \$1,135.46; Valli Information Systems, Online Web Maintenance, \$188.29; Verizon Wireless, Phone , \$1,080.09; Vicki May McIntosh, Deposit Refund, \$52.94; VSP of Wyoming, Insurance, \$738.66; WCMC, Court Training, \$150.00; Wash Co Solid Waste, Municipal Waste, \$18,584.00; Washakie County Treasurer, Comm. Center , \$21,446.46; Washakie County Treasurer, General Purpose Tax-State, \$96,912.73; Worland Logisitcs, EDSB Loan, \$165,000.00; WY Assn of Rural Water Systems, Conference, \$790.00; WY Dept of Environmental Quality, Storage Tank Registration, \$400.00; WYDOT, Vehicle Plates, \$30.00; Wyoming Dept. of Workforce, Workers Comp, \$8,473.74; Wyoming Gas Company, Services, \$3,311.45; Wyoming Retirement System, Retirement, \$33,113.05; Wyoming Retirement System, Retirement, \$180.20..

TOTAL SPECIALS..... \$894,748.96
GRAND TOTAL..... \$1,003,431.74

By: Councilmember Lombard.
Second by: Councilmember Brookwell.
Vote: The motion passed unanimously.

Donnie Bjorhus with Green Hills Golf Course informed the Council that the golf course opened a couple of weeks early because of the mild weather; official opening day was March 18, 2024. The greens came out of the winter in the best shape seen in six (6) years. They are extremely healthy and do not show signs of winter kill or snow mold. Mr. Bjorhus thanked Director of Public Works Nick Kruger for getting the pumps pulled and worked on over the winter months. The pumps were installed last week and are in good working order. Green Hills will be hosting a High School golf tournament on Friday, April 5th with nine (9) schools scheduled to participate. The Green Hills Golf Foundation is beginning the steps to build a new restroom station on the front nine (9), near the location where a restroom facility was located years ago.

Pastor Fred Smith with the Crosspoint Baptist Church provided information on Church in the Park this summer. The services will be held on the last Sunday of each month in June, July and August in the evening at three (3) different parks with food, activities and fellowship. Anyone is welcome to join the fellowship and worship service. Mayor Gill thanked Pastor Smith for his service to the community.

Carson Rowley with Ardurra Engineers presented information on the WRL Rehabilitation Taxiway A and Construct Taxiway D Project at the Worland Municipal Airport. The surface of Taxiway A has reached its useful life and needs to be resurfaced. The project includes milling off and replacing two (2) inches of asphalt extending the life of the runway. The BIL infrastructure funding and additional discretionary funds will help pay for the Taxiway D portion of the project. Taxiway D rehabilitation is to address safety concerns with pinch point turn regulations and allow for expansion and additional hangar space. This part of the project also requires coordination with current hangar owners and removal of one hangar. With bid prices high, the FAA has asked the city to consider splitting the construction into two (2) years, 2024 and 2025 in the hopes that a contractor may be able to provide a lower bid. Mayor Gill thanked Mr. Rowley for attending the meeting.

Mayor Gill informed the Council that he was approached by Washakie County Commissioner Aaron Anderson a few months ago about the possibility of the City partnering with the County to provide ambulance services. The County is having problems securing additional funds for the service. Mayor Gill explained that he knew the City would be approached about the issue but did not expect it for another year. The governing body will need to discuss the request by the County to commit to sharing the subsidy for ground ambulance services 50/50 with the County. Councilmember Brookwell stated that she was disappointed that a County Commissioner did not show up tonight to discuss the issue. There was no further discussion.

City Attorney Kent Richins stated that he created an outline on legislative issues as they relate to the Chain of Command. Generally, the Council's powers are legislative, i.e., adopt the annual budget, establish policy, spend and appropriate money and enact ordinances. Wyoming State Statute 15-1-103 provides insight into all the powers granted to governing bodies. With respect to the relationship between the Mayor and Council, the Mayor's powers are statutory, and the position is considered the "CEO" of the governing body. The Mayor presides over all meetings, supervises Department Heads, supervises the general affairs of the city; the Mayor is the face of the city. The Mayor is responsible for making sure our ordinances are complied with, administers oaths, makes appointments, assigns commissions and committees and has jurisdiction over ½ mile of the perimeter of the city limits. Essentially, under the powers of the Mayor, some of those authority items require Council approval, some of them do not. For example, the Mayor appoints the Department Heads and the BAPC members, but the Council must approve those appointments. However, the Mayor may remove a Department Head without Council approval. Discussion followed as to if the Council should be the "hearing" body for employee grievances. The Council may enact an ordinance to create the authority to hear those types of actions, but the City has not done that in the past. The Mayor has the right and the duty to vote on everything before the Council and can break a tie, however, he cannot vote on a veto. The Mayor veto right is statutory, but the Council can override a veto by a 2/3 vote of the qualified members in attendance. The Council serves as the legislative body for the City and appoints a President to fill in for the Mayor, as necessary. The Council adopts policy and ordinances. The city has home rule which means that all cities are empowered to determine their own rules by ordinance as long as an ordinance is not in conflict with state statute. The city does not have home rule with liquor licenses, financial taxation and annexation. Councils can be proactive or reactive; normally Councils are reactive, trying to solve a problem. One of the main duties of the Council is to legislate the duties of the City of Worland and remove themselves from conflicts of interest, whether perceived or real. A conflict of interest is created when a Councilmember or an immediate family member receives pecuniary interest from the question at hand. A Councilmember should not discuss or vote on the issue when

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there is a conflict of interest. In some cases, Councilmembers have left the council chambers during those discussions, but it is not required. City Attorney Richins invited Councilmembers to attend the Department Head meeting, held every Tuesday at 11:00 a.m.; however, if there are more than four (4) members attending one will have to leave to avoid a quorum. Discussion followed on the language dealing with disciplinary action of a Councilmember and the need to remove that from the proposed Chain of Command. Councilmember Calderon feels the only way a Councilmember can be removed is by the voters since they elected the Councilmember. City Attorney Richins stated that there are statutory disciplinary actions in state statute that deal with removal of Councilmembers as stated in the proposed Chain of Command. However, that part of the policy can be removed as any issue would revert to state statute. Mayor Gill felt that the Mayor and Council are on the same level, working as a team for the city. Councilmembers voiced concern about not being able to talk to city employees. City Attorney Richins stated that they can talk to city employees but not about employee issues. Councilmember Fredricks stated that if employees have an issue with a Department Head or the Mayor they should be allowed to vent to a Councilmember. City Attorney Richins recommended that the Councilmember not respond to the "vent" and refer the employee to HR (Clerk/Treasurer). This issue will be discussed further at a Council Work Session with City Attorney Richins in attendance.

City Engineer Representative Mike Donnell presented the Agreement by and between the City of Worland and Ardurra Group, Inc. to complete the design engineering for the Washakie Avenue Reconstruction Project from 8th Street to 15th Street. The engineering will be paid for by the County and City in a 50/50 split as per a signed agreement. This will eliminate the need to use Urban Systems funds, allowing for a longer timeline to complete the project.

Motion: to approve and authorize the Mayor to sign the agreement by and between the City of Worland and Ardurra Group, Inc.

By: Councilmember Fredricks.
Second by: Councilmember Neuffer.
Vote: The motion passed unanimously.

Director of Public Works Kruger informed the Council that the crew is patching potholes and is in the process of ordering more material; the recent rainstorms have not helped. The crew will start working on grading alleys; however, the southern part of the alleyway in most areas is still frozen so it will be difficult to grade until the weather warms up. A brush pile at the golf course will be burned tomorrow and we will be burning around the golf course pond as the grass is over six (6) feet tall in some areas. The park restrooms will be open shortly. We may need to come up with a plan to heat the restrooms so that they can be opened earlier in the spring and stay open later in the fall. Discussion followed. Director of Public Works Kruger noted that the beavers are back at 15th Street and Washakie Avenue and have built a dam in the culvert. Tomorrow Washakie Avenue from 14th to 15th Street will be closed to clean out the entire culvert and destroy the beaver dam.

City Engineer Representative Donnell reported that he and Director of Public Works Kruger attended a virtual reconnaissance meeting with WYDOT regarding the replacement of the bridge over the canal on Washakie Avenue. WYDOT is starting the process with an estimated cost of 1.6 million dollars. The notice to bid on the 11th Street Water Main Replacement Project is out and a pre-bid meeting will be held this next Monday at 10:00 a.m. The following Monday, April 15th the bids will be opened. There will be a pre-bid meeting on the 2024 Streets and Miscellaneous Concrete Upgrade Project on Monday April 15th at 2:00 p.m. with the bid opening scheduled for Monday, April 22nd at 10:00 a.m. Both bids will be awarded at the first Council meeting in May. The artesian line emergency line repair is in the works with Wilson Bros. as the Contractor.

City Attorney Richins informed the Council that an FBO agreement will be provided to Josh Hellyer. This agreement includes a flow fuel fee of \$.05 per gallon payable to the city. An ordinance will be presented at the next Council meeting to address the increase to the EDU passed by Big Horn Regional (BHR). City Attorney Richins reminded the Council that this is a pass-through charge initiated by BHR.

Clerk/Treasurer Tracy Glanz reminded the Council of the Chamber of Commerce Annual Awards Banquet on April 26th and asked Councilmembers to let her know if they would like to attend. The handicap ramp and back steps will be replaced and the brick wall next to the handicap ramp will be removed as it is deteriorating and causes ice and snow removal issues.

Airport Manager Lynn Murdoch reported that the FBO at the airport has been remarkably busy with five (5) planes in today to refuel. The feedback on the self-serve pump is good. Airport Manager Murdoch requested a meeting with the Airport Committee after the Council meeting to discuss a few items.

Mayor Gill noted that the Municipal Court Report, Building Permit Summary, Golf Course Financial Report for March 2024, and the minutes from the WCCC for February, 2024 are in the Council packet for review.

There being no further business to come before the Council, Mayor Gill asked for a motion to adjourn.

Motion: to adjourn the meeting at 8:17 p.m.
By: Councilmember Neuffer.
Second by: Councilmember Lombard.
Vote: The motion passed unanimously.

James R. Gill, Mayor

ATTEST:
Tracy A. Glanz, Clerk/Treasurer

April 11, 2024