

PUBLIC NOTICE

REGULAR MEETING OF THE CITY COUNCIL OF WORLAND, WYOMING October 2, 2018

A regular meeting of the City Council of Worland, Wyoming convened in the Council Chambers in City Hall at 7:00 p.m. on October 2, 2018. Mayor Jim Gill presided and the Councilmembers in attendance were Lorena Brinkerhoff, Gary Gerber, Christy Schneider, Keith Gentzler, Michele Rideout, Mike Neuffer, Dennis Koch and Mandy Horath. Also present were: Superintendent of Public Works, Brian Burky; Chief of Police, Gabe Elliott; City Attorney, Kent Richins; City Engineer Representative, Mike Donnell; Airport Manager, Lynn Murdoch and Clerk/Treasurer, Tracy Glanz. Councilmember Lisa Fernandez was absent.

There were seven (7) visitors present for this meeting of the City Council.

Cathy Orchard led the Council and Visitors in the Pledge of Allegiance.

Mayor Gill declared a Quorum present with Councilmember Fernandez excused and asked for review and approval of the agenda.

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

The minutes of the September 18, 2018 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 October, before normal City Council approval on the first Tuesday of November and approve the Consent Agenda with Warrant Registers for September, 2018 and Payroll Vouchers for the periods ending September 23, 2018 and September 30, 2018; PAYROLL 09/23/18 - \$72,090.72; PAYROLL 9/30/18 - \$4,683.31.

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Amerigas Propane, Propane, \$269.15; Big Horn Co-Op Marketing, Supplies, \$251.27; Big Horn Redi Mix, Flowable Fill/Grading, \$2,328.00; Black Mountain Software, Rate Analysis, \$100.00; Bloedorn Lumber, Co, Parts, \$148.28; Buer Electric, Wiring/Repairs, \$85.00; CA Turner Co Inc, Parts, \$511.11; CARQUEST Auto Parts, Parts, \$410.82; Cash-Petty Cash Clerk/Treasurer, Postage, \$21.21; Cloud Peak Veterinary Services, Boarding, \$1,300.00; Cutting Edge Equipment, Parts, \$386.88; Ditch Witch Northwest Exchange, Parts, \$116.25; Eastside Sinclair, Gas, \$31.00; Flower Exchange, Flowers, \$41.75; Frandson Safety Inc, Calibration/Shipping, \$708.58; Fremont Motors, Parts, \$603.18; Frontier Tire, Repairs/Tires, \$782.88; Galls, LLC, Uniforms, \$555.76; Hasco Industrial Supply, Supplies, \$410.84; Hawkins, Inc., Chlorine/Demurrage, \$982.91; Honnen Equipment Co, Parts, \$670.59; Hout Fencing of Wy, Safety Candles, \$381.00; Inberg-Miller Engineers, Culbertson Road, \$4,000.00; Jack's Truck & Equipment, Parts, \$1,269.59; JADECO, Vapor Lamp, \$78.92; Kennedy Ace Hardware, Hardware, \$1,701.54; Laid Sanitation, Rentals, \$250.00; Lines Unlimited, School X-ing, \$9,886.45; Machinery Power & Equipment, Blade, \$684.13; Mathew Bender, Co, INC, Code Book, \$135.43; Mondragon Construction, Concrete Work, \$2,500.00; Newman Traffic Signs, Signs, \$710.37; Norco, Inc, Supplies, \$37.41; Normont Equipment Co., Parts, \$139.51; Northern Wyoming Daily News, Advertising, \$1,402.40; Northwest Pipe Fittings, Parts, \$5,599.81; O'Reilly's Auto Enterprises, Parts, \$372.25; One-Call of Wyoming, August Tickets, \$66.75; Perry's Truck & Diesel, Parts, \$558.58; Pf Pettibone & Co, Paper, \$101.95; Railroad Mgt Co III LLC, License Fees, \$214.01; Randco Tanks, Parts, \$71.45; Red Rock Family Practice, Exam, \$156.00; Reese & Rays IGA of Worland, Supplies, \$13.95; Serlkay Printing, Supplies, \$256.00; SHRM, Membership, \$209.00; Stotz Equipment, Parts, \$515.78; Sunshine Office Products, Supplies, \$954.13; The Locators, Services, \$100.00; Tommerup Machine Shop, Services, \$9,914.41; United Parcel Service, Shipping, \$20.08; USA Blue Book, Parts, \$339.36; Valli Information Systems, Inc., Web Site, \$125.00; Virile Electric, Railroad Checks, \$350.00; WAMCO Lab Inc, Testing, \$2,200.00; Washakie Co Weed/Pest Control, Chemicals, \$295.00; Washakie County Clerk
Gravel, \$3,600.00; Washakie County Public Health, Vaccine, \$40.00; Washaie County Treasurer, Irrigation, \$8,469.64; Wild West Construction, Asphalt, \$20,925.00; Worland Cleaners & Supply, Inc., Supplies, \$536.61; Worland Police Department, Postage, \$7.90; Worley Welding & Repair Inc, Dumpster, \$10,897.12; WY - Test, Drug Test, \$288.00; WYDOT, Citation, \$58.90; .; . TOTAL REGULARS, \$101,151.89; .; .; AFLAC, Insurance, \$670.52; AT & T Long Distance, \$757.82; AT&T Mobility, Cell Phone Service, \$486.53; Big Horn Co-op Marketing Assn, Fuel/Scale Tickets, \$2,235.03; Big Horn Water, Cooler Rental, \$74.20; Big Horn Reg. Joint Powers Board, Monthly EDU, \$33,013.76; Big Horn Rural Electric, Electricity, \$47.52; Brake Supply- Casper, Parts, \$17.00; Blue Cross Blue Shield, Insurance, \$69,487.11; Burky, Brian, Travel, \$424.86; Calhoun, Miheal, Deposit Refund, \$3.87; Dearborn Natiaol Life Insurance, Life Insurance, \$150.78; Donnell & Allred, Inc., Projects/Engineering, \$20,016.10; Eastside Sinclair, Fuel, \$91.05; FasCorp, Deferred Comp, \$4,160.00; Fort Dearborn, Disability Insurance, \$373.67; Gill, Jim, Cell Phone/Travel, \$352.08; GoPlayGolfWorland, Management Fee, \$15,000.00; High Plains Power, Inc., Power, \$832.09; Internal Revenue Service, Payroll Tax Deposit, \$49,798.12; International institute of, Membership, \$125.00; Kenco Security, Alarm Monitoring, \$89.00; Linneman, Russ, Rebate, \$3,200.00; Martinez, Joe, Travel, \$889.09; Murdoch Oil, Inc., Gasoline, \$8,792.07; NCPERs Group Life Insurance, Insurance, \$96.00; Pinnacle Bank, Expenses, \$2,818.32; Randy Royal, Prof. Services, \$42.00; Rocky Mountain Power, Electric/Light Bases, \$6,664.03; Ron's Sanitation, August Maintenance, \$1,600.00; T-O Engineers, TaxiLane C, \$3,411.50; T-O Engineers, TaxiLane C, \$30,703.50; RT Communications, Phone Service, \$1,680.77; Seckman, James B, Audit Services, \$14,000.00; Storeim, Marty, Deposit Refund, \$46.99; Taylor, Rodney, Deposit Refund, \$44.20; U.S. Postmaster, Sept Billing, \$783.93; Verizon Wireless, Service/Tables, \$848.36; Viper Underground Inc, Sewer Main, \$54,784.70; Washakie County Circuit Court, Garnishment, \$962.70; Washakie County Clerk, Filing Fees, \$12.00; Washakie County Clerk of Court, Child Support, \$747.00; Wash Co Solid Waste Disp Dist, Municipal Waste, \$27,884.20; Washakie County Treasurer, Comm. Center, \$22,826.58; Washakie County Treasurer, General Purpose Tax, \$77,234.67; Washakie County Treasurer, Juvenile/Salary, \$1,588.26; West River Rd Improvement District, Admin. Fees, \$96.00; Worland Health Club, Health Club, \$65.00; WY Dept. of Workforce, Worker's Comp, \$11,569.95; Wyoming Gas Company, Services, \$734.09; Wyoming Retirement System, Retirement, \$31,371.19; Wyoming State Supreme Court, Tech Fee, \$1,010.00.

TOTAL SPECIALS..... \$504,713.21
GRAND TOTAL..... \$605,865.10

By: Councilmember Schneider.
Second by: Councilmember Horath.
Vote: The motion passed unanimously.

Cheri Bundren with the Farmers Market thanked the Mayor and Council for allowing the closure of all of North 9th Street for the market and for the use of signs and barricades. Mayor Gill thanked all affiliated

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with the market.

Cathy Orchard, Chamber of Commerce Director requested closure of North 9th Street on October 31, 2018 at 6:00 p.m. for Trunk or Treat after the Trick or Treating on Big Horn Avenue. Discussion followed; the city will provide barricades for the event.

Motion: to approve the closure of North 9th Street and provide barricades for Trunk or Treat on October 31, 2018 starting at 6:00 p.m.
By: Councilmember Gentzler.
Second by: Councilmember Horath.
Vote: The motion passed unanimously.

City Attorney Kent Richins presented Resolution #2018-6:

RESOLUTION #2018-6

A RESOLUTION CONCERNING THE ANNEXATION OF VARIOUS PARCELS OF LAND LOCATED IN HILLCREST SUBDIVISION AND INCLUDING THE HEALY PROPERTY LOCATED NORTHEAST OF THE CITY OF WORLAND, WASHAKIE COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED IN THE MAP ATTACHED HERETO.

BE IT RESOLVED by the Governing Body of the City of Worland, Washakie County, Wyoming.

WHEREAS, the Governing Body of the City of Worland desires to initiate proceedings to annex the territory described on the **Map and Legal Description** attached hereto as **EXHIBIT "A"**;

WHEREAS, upon careful review of the area proposed for annexation, there exists reasonable evidence indicating that the specific area involved does meet the conditions and limitations of Wyoming Statutes Section 15-1-402;

WHEREAS, Wyoming Statutes Section 15-1-404(ii) require that the Governing Body shall cause to be prepared a legal description, a listing of the current mailing address of each landowner as shown in the records of the county assessor and a map showing identifiable landmarks and boundaries of the area considered for annexation and the area which will, as a result of the annexation then be brought within one-half (1/2) mile of the new corporate limits of the city;

WHEREAS, the Governing Body shall determine if the area considered for annexation complies with Wyoming Statutes Section 15-1-402; shall prepare an Annexation Report as required by Wyoming Statutes Section 15-1-402(c); and, prepare for each landowner or public utility so requesting in writing, the foreseeable changes to zoning, animal control and other health and safety requirements requiring immediate compliance by the landowner or public utility at the time of annexation;

WHEREAS, the written request by the landowner or public utility shall be made to the clerk of the City of Worland not less than ten (10) days prior to the public hearing required pursuant to Wyoming Statutes Section 15-1-405(a), and the City of Worland shall provide such information to the landowner or public utility prior to the public hearing, and

WHEREAS, the Governing Body of the City of Worland does hereby resolve that the area does comply with the requirements of Wyoming Statutes Section 15-1-402.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Worland that the area considered herein for annexation does comply with the requirements of Wyoming Statutes Section 15-1-402 and it is hereby certified in compliance; that the documents, information and procedures outlined above shall be established and adhered to; and that the procedures outlined in Wyoming Statutes Section 15-1-405 (Public Hearing) and 15-1-406 (Annexation Ordinance and Objections thereto) shall be followed.

IT IS FURTHER RESOLVED by the Governing Body of the City of Worland that a public hearing shall be held pursuant to Wyoming Statutes Section 15-1-405 on NOVEMBER 5, 2018, at a place and time to be determined, upon the appropriate notices being given.

PASSED, APPROVED AND ADOPTED this 2ND day of **OCTOBER 2018**.

CITY OF WORLAND, WYOMING
A Municipal Corporation

By:
JAMES R. GILL - Mayor

ATTEST:
TRACY A. GLANZ - City Clerk

(Exhibit "A" included a map; attached to the original Resolution)
Parcel Legal Description:

A parcel of land in the NE1/4SE1/4 and SE1/4SE1/4 of Section 19 and the NE1/4NE1/4 and NW1/4NE1/4 of Section 30. T. 47 N, R. 92 W. of the Sixth Principal Meridian,.....Original Government Survey. Washakie County, Wyoming. said parcel being a part of the Hillcrest Subdivision filed in the Washakie County Clerk's Office in Plat Book 1 on Page 14. and in Photo Records Book 76 on Pages 425-426, and being more particularly described as follows: All of Tracts 1-19 through 27-19, Tracts 17-30 through 20-30, and the north 50 feet of Tract 21-30 of said Hillcrest Subdivision, including the west half of the 60-foot wide public right-of-way for County Road 11 lying adjacent to said parcel, and all interior public street and alley right-of-ways;

AND ALSO a parcel of land in the NE1/4SE1/4 of Section 19, T. 47 N., R. 92 W. of the Sixth Principal Meridian, Original Government Survey, Washakie County, Wyoming. said parcel lying northerly and adjacent to the Hillcrest Subdivision filed in the Washakie County Clerk's Office in Plat Book 1 on Page 14, said parcel being described in a Warranty Deed filed for record in the Washakie County Clerk's Office in Book 134 on Page 1256, and being more particularly described as follows: The south 300 feet of the north 450 feet of that part of said NE1/4SE1/4 Section 19 lying easterly of the centerline of the Lower Hanover Canal.

City Attorney Richins explained that this is the first step in initiating annexation of the Hillcrest Subdivision and Healy Property. This resolution essentially states that the area in question does fall within the requirements of the law and is eligible for annexation. To be eligible for annexation, the property needs to be for the protection of health, safety and welfare of both the residents of the City of Worland and the residents in the area. It should be a natural, geographical, economic and social part of the annexing municipality. It must be a logical, feasible addition to the town, we must be able to provide the basic services to the area that the city residents are receiving, and it needs to be contiguous and adjacent to the city limits. The Hillcrest Subdivision and Healy Property meet these

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requirements. The packets will be sent to all landowners, containing a timeline of events, the resolution, annexation report and agreement (a document spelling out everything offered, with areas open for discussion), and a copy of the public hearing notice. The public hearing will be held on November 5, 2018 with the first reading of the annexation ordinance. After the third and final reading and providing there is no objection to the annexation, it would become effective January 1, 2019. Mayor Gill emphasized that this gives the residents of the Subdivision an opportunity to attend the public hearing and voice their concerns. The City does not want to change the current lifestyle of these residents. A map showing ownership of the area considered for annexation was presented to Councilmembers. City Attorney Richins encouraged Councilmembers and Department Heads to meet with these residents to answer any questions before the public hearing. Janeen Capshaw-King addressed the Council and requested clarification of the percentage needed to object to the annexation. City Attorney Richins explained that if 51% of the landowners or 51% of the land that is owned by landowners object then the annexation stops. Ms. King stated that the Healy property is a large property and could make up a large portion of the 51%. Ms. King asked why the city did not poll the Subdivision before deciding to move forward with annexation since it is so small. City Attorney Richins stated that the city had a public meeting to answer questions and the city needs to try to grow. It was stated that a petition has been distributed in the subdivision against the annexation. The city will send the residents in the area, a packet of information with the hopes that there may be something positive come out of it. Mayor Gill stated that the city is concerned about the population base and feels that we have been good partners with these residents working to ensure that the residents have city water and sewer. "The residents need to step up and help Worland like the city has helped the residents. These residents use the city infrastructure every day, we hope the residents can see the City side of this." Ms. King did not disagree, but wondered why, if the city is going to go through all this paperwork, the city is not annexing more than thirty (30) homes. "What happened to annexing all these other areas? It is because of the cost of adding infrastructure to those other areas. I think people would step up if the city included all the subdivisions instead of settling for one. The city needs to come up with a plan and not skim the surface." City Attorney Richins pointed out that the legislature has eliminated the ability of municipalities to grow with the new annexation requirements. Councilmember Horath suggested that the packet would answer some of the questions posed tonight and asked that the discussion continue after the packets are received. Mayor Gill thanked Ms. King for her comments. City Attorney Richins requested a motion to pass, approve and adopt the resolution.

Motion: to pass, approve and adopt Resolution #2018-6.
By: Councilmember Koch
Second by: Councilmember Gerber.
Vote: The motion passed unanimously.

City Attorney Richins presented a draft vendor ordinance in an effort to accommodate everyone i.e. local business owners and mobile vendors. The ordinance addresses door-to-door vendors by restricting those vendors that are uninvited unless they are specific vendors, i.e. Non-Profits, Boy Scouts, etc. It also addresses mobile or temporary vendors. City Attorney Richins suggested that after discussion by the Council, the draft ordinance be available to the public with copies at City Hall and on the website for public comment prior to passing the ordinance. Discussion followed regarding hours of operation, annual fees and public right of way. Councilmember Koch publicly thanked City Attorney Richins for the work he has done on the ordinance. The draft ordinance will be discussed at the next council work session.

Clerk/Treasurer Tracy Glanz requested moving the Council Work Session from Monday, October 8, 2018 to Tuesday, October 9, 2018 as Monday is a city holiday. Discussion followed.

Motion: to move the Council Work Session to Tuesday, October 9, 2018 at 5:15 p.m.
By: Councilmember Horath.
Second by: Councilmember Koch.
Vote: Members voting AYE: Neuffer, Brinkerhoff, Koch, Horath, Gill, Schneider, Gerber, Rideout; Members voting NAY: Gentzler; Members ABSTAINING: None; the motion passed by a vote of 8-1-0.

Councilmember Horath asked if the Department Heads have reviewed the expired contracts discussed previously. Clerk/Treasurer Glanz will send the contracts by e-mail for discussion at the November work session.

City Engineer Representative Mike Donnell informed the Council about the problem found after drilling test holes on Culbertson Avenue. The DEQ is aware of the diesel contamination under Culbertson Avenue and has been working on cleaning it up but there is still a major problem.

The GSB paving project may be put off due to the weather. If it can be done this fall, the GSB product used will be GSB78 versus GSB88. The GSB78 product is an oil-based product versus water based and will provide a thicker base. Clerk/Treasurer Glanz asked about the additional cost for the use of GSB78. A change order was issued for approximately \$72,000.00 over the bid amount of \$144,227.93 to change from GSB88 to GSB78. This project is paid for with general-purpose tax funds. Discussion followed.

Superintendent of Public Works Brian Burky looked at the traveling library proposed for Pioneer Square; it will be placed within the next two weeks. The City has been working with the Recreation District and Baseball Club to turn Field 4 into three (3) T-Ball Fields; this will reduce the pressure on the other fields. The Wyoming Water Development Commission is performing a study on the Big Horn River and will include the potential for hydropower at the sewer lagoon and east tank. The city will advertise for sealed bids for five (5) or six (6) old vehicles and an old generator. Superintendent of Public Works Burky spent last Saturday morning at the Farmers Market asking residents to vote on options to rehabilitate the southwest corner of Pioneer Square; residents chose Option 3 to add additional tables and seating capacity.

Mayor Gill read a letter from Harriett and Tyler Paris expressing their appreciation and gratitude to the city cemetery crew.

Councilmember Gentzler mentioned the Warrior Outhouse in front of City Hall; Clerk/Treasurer Glanz stated that the outhouse will be moved and a small donation made to the Warrior Fanatics.

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

Motion: to adjourn the meeting at 7:57 p.m.
By: Councilmember Gentzler.
Second by: Councilmember Horath.
Vote: The motion passed unanimously.

James R. Gill, Mayor

ATTEST:
Tracy A. Glanz, Clerk/Treasurer

October 12, 2018