

City of Rock Springs)
County of Sweetwater)
State of Wyoming)

City Council met in regular session on April 3, 2018. Mayor Demshar called the meeting to order at 7 p.m. Members present included Councilors Tim Savage, Rose Mosbey, Billy Shalata, Jason Armstrong, David Halter, and Glennise Wendorf. Councilors David Tate and Rob Zotti were absent from the meeting. Department Heads present included Dwane Pacheco, Richard Beckwith, Steve Horton, Jim Wamsley, Paul Kauchich, and Kara Beech. The pledge of allegiance was recited.

Approval of Minutes

Moved by Councilor Mosbey, seconded by Councilor Wendorf to approve the City Council Meeting minutes of March 20, 2018, and the Special City Council Meeting Minutes of March 21, 2018. Motion carried unanimously.

BID OPENINGS

2018 Overlay Project

One bid was received from Lewis & Lewis, 370 A Blairtown Rd., Rock Springs, WY, 82901, in the amount of \$1,018,758.55.

PRESENTATIONS AND PROCLAMATIONS

Plaque Presentation for K-9 Akina's Retirement

Mayor Demshar presented a plaque to Akina and her handler, Corporal Amanda Clawson-Walker, thanking them for over 8 years of service together. Akina is dual certified and assisted in many drug busts and criminal investigations.

Proclamation—National Library Week

Mayor Demshar read a proclamation declaring the week of April 8-14, 2018, as National Library Week, and encouraged residents to visit the library and explore what is new.

Proclamation—Sexual Assault Awareness Month

Mayor Demshar read a proclamation declaring the month of April 2018 as Sexual Assault Awareness Month and urged citizens to learn what can be done to combat sexual violence, and offer prevention measures and support to services for survivors.

PUBLIC HEARINGS

Public hearing on an application to consider amending Chapter 13 (Zoning) of the Ordinances of the City of Rock Springs to add B-2 Zone District as eligible for gravel or ground asphalt paving surface for excess parking spaces, auxiliary driveways and equipment storage areas subject to conditional use permit approval

Derek Keller stated this ordinance change would allow businesses to move ahead with their business plans without having to put a lot of money up front. For him, it meant he could utilize his property to make revenue, which would allow him to finish the lot sooner.

Public hearing on an application submitted by Daniel Pedri to consider amending Chapter 13 (Zoning) of the Ordinances of the City of Rock Springs in the R-E Zone District to reduce the minimum separation distance between a residence and animals from 100 ft to 30

No comments were received.

Public hearing on the City of Rock Springs' intent to vacate a public right-of-way of the Hillside Addition in the City of Rock Springs

No comments were received.

Public hearing on an application from Square State Brewing, P.C., for a new microbrewery license for Square State Brewing, to be located at 422 S. Main Street, Rock Springs, WY

Mike Hulen, owner of Square State Brewing, stated that they were excited to become part of the community.

PETITIONS

Jo Ann Dayton introduced Beau, the dog that she rescued, who came from a puppy mill. She encouraged the governing body to approve the proposed ordinance that would prohibit pet stores from selling animals from mills. The mills are big business and bad news for animals, who are often held in unsanitary and harsh conditions.

Melinda Baas, Board President of the Red Desert Humane Society, offered a letter of support to the governing body for Ordinance 2018-05. The ordinance would make the statement that Rock Springs cares about the animals in our community. She thanked the governing body for their continued support.

Vy Gesner stated that California is the first state to ban the retail sale of dogs, cats, and rabbits from breeding facilities. This was accomplished through the cooperation of many animal rights groups and the legislature. Many animals have been rescued and the puppy mill facilities shut down.

State Representative Clark Stith asked the governing body if they had any concerns they would like presented to the Management Council at their meeting on April 19. He stated that it appeared the AML is now admitting that there will be approximately \$70 million available next year for such projects as the Bitter Creek Renovation.

Councilor Savage asked that legislation regarding “vulnerable adults” be brought back. This is a prevalent problem that needs addressed. He also suggested being able to pay for that “perfect picture” on your driver’s license, with the funds going straight towards funding driver education in the schools.

Councilor Armstrong thanked everyone for their input on Ordinance 2018-05. While he supports the intent of the idea of the ordinance, the ordinance actually regulates commerce. He stated that a third party, those breeding animals in an ethical manner, would also be outlawed.

Councilor Savage stated that there aren’t any ethical breeders that sell to pet stores, as they require volume.

Mayor Demshar stated that he was surprised at the controversy this ordinance presented. He stated that it is not the intent to circumvent breeding by reputable breeders. The intent is to stop puppy mills and their sales to pet stores, which has previously occurred here in Rock Springs.

COUNCIL COMMITTEE AND BOARD REPORTS

Mayor Demshar acknowledged the receipt of the Rock Springs Historical Museum Board Meeting Minutes of January 17, 2018, and February 14, 2018.

Councilor Wendorf stated that this year’s City-wide Cleanup will take place on Saturday, May 19. There will be a free lunch at 1 p.m. at the Young at Heart Senior Center. Supplies will be available after May 1 at the Rock Springs Chamber.

Councilor Mosbey stated that the Cheyenne Children’s Museum will be at the Rock Springs Historical Museum until April 7. It is free to the public, and she invited everyone to go see it.

Councilor Savage stated that the Animal Companion Committee recently held a successful fundraiser and will now be hosting a reduced cost spay/neuter clinic on May 19 for cats.

Moved by Councilor Shalata, seconded by Councilor Mosbey to approve the Council Committee and Board Reports and place them on file. Motion carried unanimously.

CORRESPONDENCE

The following correspondence was received: Sweetwater County District Board of Health Meeting Agenda for March 28, 2018.

Moved by Councilor Wendorf, seconded by Councilor Halter to approve the correspondence and place it on file. Motion carried unanimously.

BILLS AND CLAIMS

Bills and Claims for April 3, 2018

Fkexshare Benefits	Administration	387.00
Payment Remittance Center	Expenses	1,373.48
ABI Winterhawk Recovery, LLC	Housing assistance	1,116.00
Allied Glass Service	Services	1,305.00
Animal Care Equipment & Services	Equipment	383.37
Apparatus Equipment & Service, Inc.	Sensor	629.98
Ascentia Real Estate Holding Co., LLC	Housing assistance	136.00
Barclay, Robert	Registration	2,025.00
Baxter’s Frame Works & Badge Frame	Plaque	146.12
Beacon Athletics	Supplies	1,444.12
Best Value Rentals, LLC	Housing assistance	739.00
Bingham, Heather	Utility reimbursement	38.00
Bottom Line Marketing	Promotional items	881.08
Brown, Larianna	Copies	75.00
Carrington Pointe Apartments	Housing assistance	9,148.00
Caseware International, Inc.	Software	5,335.00
CDM Constructors, Inc.	Design/build contract	471,655.75
Centurylink	Telephone	4,026.02
Chavez, Maria	Housing assistance	220.00
City of Rock Springs	Health insurance	326,277.48
CML Rentals	Housing assistance	1,041.00
Codale Electric Supply, Inc.	Heater	261.89
Crumpton, Cody	Utility refund	32.56
Grenier, Connie	Utility refund	76.76
Copier & Supply Co., Inc.	Toner	190.81
Creative Product Sourcing, Inc.	Supplies	392.40
Desert View Animal Hospital	Dog food	61.93
Dominion Energy	Utilities	23,878.75
Energy Laboratories, Inc.	Testing	204.00
Environmental Express, Inc.	E-coli plates	255.43
Eric F. Phillips Law Office	Fees	55.00
ESRI, Inc.	Software maintenance	11,150.00
Fedex	Shipping	4.49
Fidelity Residential Solutions	Utility refund	13.99
Fossen, Michele	Housing assistance	686.00
G & P Polygraphs, LLC	Polygraphs	1,200.00
Gamble, April	Utility reimbursement	68.00
Gateway Properties, LLC	Utility refund	138.39
Godfrey, Julie	Utility reimbursement	52.00
Guilford, Mercedes	Utility reimbursement	38.00
Harris Enterprise Resource Planning	Services	1,480.00
Horn, Harry	Utility refund	15.98
Head Rush Technologies, LLC	Recertification	220.31
Hoxsey, Misty	Utility reimbursement	31.00
Infosend	Bulk mailing	4,031.32
Int’l Society of Arboriculture	Membership	272.00
Iron Horse Creative, LLC	Design	200.00
Johnson, Isaac, III	Utility refund	73.26
Jack’s Truck & Equipment	Parts	454.61
Smith, Jake	Utility refund	7.23

JC Golf Accessories	Accessories	1,083.99
JM Electrical Services	Services	168.00
JP Morgan Chase-Foreclosure	Utility refund	165.02
Mahlik, Kaitlyn	Utility refund	85.98
Petek, Lacey	Utility refund	41.33
Life Fitness	Parts	185.40
Lighthouse Uniform Co.	Services	114.90
Linford, Sterling	Utility reimbursement	52.00
Logiudice, Natalie	Utility reimbursement	52.00
Loredo, Kathleen	Utility reimbursement	52.00
Luna, Cristy	Utility reimbursement	52.00
M & H Properties, LLC	Housing assistance	161.00
Martinez, Crystal	Deposit refund	450.00
Masek Golf Car Co.	Golf cars	204,612.00
Maverick Label	Asset tags	277.73
Long, Mike	Utility refund	24.00
Morgan Valley Polaris KTM	Brush set	94.79
Mountain Plains NAHRO	Registration	300.00
My Educational Resources, Inc.	Supplies	201.00
Nan McKay & Associates, Inc.	Training	899.00
NASRO	Registration	390.00
National Animal Care & Control Assoc.	Training	595.00
National Fire Protection Assoc.	Membership/subscription	1,520.00
National Public Safety Info	Directory	149.00
New Studio	Photos	60.00
Norco, Inc.	Bags	33.43
Nu-Life Auto Glass, LLC	Windshields	368.00
Overy, Ray	Housing assistance	680.00
Paetec	Telephone	126.54
Panda Rentals	Housing assistance	502.00
Parker, LaTiecha	Utility reimbursement	12.00
Penoff, David	Housing assistance	260.00
Performance Overhead Door, Inc.	Repairs	180.00
Ping, Inc.	Merchandise	392.40
Pitney Bowes, Inc.	Service contract	1,113.48
PMS Custom Screen Printing	Shirts	310.00
Porter, Doug	Resident manager	50.00
Power Engineering Co.	Shiller service	291.67
Power Systems, Inc.	Equipment	56.37
Precor, Inc.	Belt	116.80
Questica, Inc.	Software	9,857.00
Ray Lovato Recycling Center	Allocation	10,580.63
Real Kleen, Inc.	Supplies	3,413.14
Red Horse Oil Co., Inc.	Fuel	5,301.00
Reyes, Lindsey	Utility reimbursement	31.00
Robertson, Samantha	Utility reimbursement	38.00
Rock Springs Creekside Apts.	Housing assistance	3,244.00
Rock Springs Newspapers	Advertising	94.83
Rock Springs Pet Hospital, LLC	Services	1,241.50
Rock Springs Renewal Fund	Reimbursement	100.00
Rock Springs Winlectric	Lighting	529.87
Rock Springs Winnelson Co.	Irrigation order	12,534.64
Rocky Mountain Power	Lighting	15,109.00
Rocky Mountain Power	Utilities—Housing	1,339.84
Rocky Mountain Powersports	Parts	85.92
Roose, Cheryl	Utility reimbursement	11.00
RS Apartments, LLC	Housing assistance	233.00
RS Refrigeration	Parts	597.41
RS/GR/SW County Comm. JPB	Allocation	273,092.56
Sanchez, Jeremy	Resident manager	175.00
Self, Tim	Housing assistance	476.00

Semedo, Edna	Utility reimbursement	31.00
Shell, Misty	Utility reimbursement	38.00
Six States Distributors	Parts	147.42
Smart Dwellings	Refund	2,120.00
Southwest Machine & Weld	Services	2,334.00
Southwest Real Estate	Housing assistance	779.00
Sportsman's Warehouse	Supplies	402.93
Springview Manor Apts.	Housing assistance	3,603.00
Staples	Supplies	787.99
Stephenson, Monica	Utility reimbursement	31.00
Sun Life Financial	Premiums	1,321.50
Sweetwater County School District #1	Printing	50.23
Sweetwater Heights	Housing assistance	2,450.00
Swimoutlet.com	Swimsuits	102.14
Thomson Reuters	Publications	408.00
Titleist	Merchandise	2,044.83
Tomahawk Live Trap Co.	Traps	871.65
Trailhead Properties, LLC	Utility refund	169.26
Turcato, Cory	Safety glasses	165.00
Turnkey Properties, Inc.	Housing assistance	579.00
Tuttle, Jeff	Reimbursement	295.39
United Site Services	Rental	197.95
UPS	Shipping	173.00
Verizon Wireless	Telephone	4,109.58
Vesco, Beulah	Housing assistance	425.00
Walmart Community BRC	Supplies	2,201.16
Ware, Ted	Housing assistance	1,306.00
Waxie	Supplies	474.51
Webb, Regina	Resident manager	175.00
Western Wyoming Beverage	CO2	52.00
William H. Smith and Associates, Inc.	Contracts	15,306.50
Williams, Penny	Resident manager	175.00
Willow Street Rentals	Housing assistance	444.00
Wolters Kluwer Legal & Regulatory	Publication	627.35
Woodard, Steven	Housing assistance	102.00
Wostrel, Aaron	Housing assistance	935.00
WY Conference of Municipal Courts	Registration	150.00
Wyoming D.A.R.E., Inc.	Registration	800.00
Wyoming Law Enforcement Academy	Registration	165.00
	Total	\$1,474,843.07

Report Checks for March 22, 2018

Employee Garnishments	Employee deductions	391.65
Internal Revenue Service	Electronic fund transfer	134,616.39
AXA-Equitable	Employee deferred	137.50
ICMA	Electronic fund transfer	3,054.47
Nationwide Insurance	Employee deferred	370.00
Waddell and Reed	Employee deferred	925.00
Waddell and Reed	Section 529 plan	825.00
Great West Retirement	Employee deferred	7,537.50
Great West Retirement	Post tax	240.00
Sweetwater Federal Credit Union	Employee deductions	3,050.00
Flexible Spending Account/BCBS	Employee BCBS flexshare	6,794.99
Wyoming Child Support	Child support payments	3,570.00
	Total	\$161,512.50

Moved by Councilor Wendorf, seconded by Councilor Mosbey to approve the bills and claims for April 3, 2018. Motion carried unanimously.

Salaries for March 22, 2018: \$627,601.03

Moved by Councilor Wendorf, seconded by Councilor Halter to approve the salaries for March 22, 2018. Motion carried unanimously.

NEW BUSINESS

Request from the Department of Engineering & Operations for permission to bid the 2018 Weed Mitigation Project

Moved by Councilor Wendorf, seconded by Councilor Armstrong to approve the request. Motion carried unanimously.

Request from the Fire Department for permission to apply for three grants through the FY 2018 Wyoming State Office of Homeland Security Preparedness Grant Program

Moved by Councilor Mosbey, seconded by Councilor Halter to approve the request. Motion carried unanimously.

Request from the Finance Department for permission to fill a City Clerk Administrative Assistant position

Moved by Councilor Wendorf, seconded by Councilor Mosbey to approve the request. Motion carried unanimously.

Request from the Rock Springs Main Street/URA for temporary street closure of South Main Street and the North Front Street parking strip on June 16, 2018, from 7 a.m. – 5 p.m., for the Rods and Rails Car Show

Moved by Councilor Wendorf, seconded by Councilor Savage to approve the request. Motion carried unanimously.

Request from The Hitching Post for a liquor catering permit for the Zanation/Andrews Wedding on April 7, 2018, from 5 p.m. – midnight at the Bunning Freight Station (Green River City Council has approved the transfer of their license)

Moved by Councilor Wendorf, seconded by Councilor Armstrong to approve the request. Motion carried unanimously.

Request from Black Rock, Inc. for a liquor catering permit for the Dusel Wedding on May 26, 2018, from noon to midnight at 543 Broadway

Moved by Councilor Armstrong, seconded by Councilor Wendorf to approve the request. Motion carried unanimously.

Request from the KD Foundation for Sweetwater County Juvenile Diabetics to close S. Main Street on May 12, 2018, from 10 a.m. to 2 p.m. for the Annual Color Rush/Walk-a-Thon

Moved by Councilor Savage, seconded by Councilor Wendorf to approve the request. Motion carried unanimously.

Request from Lews, Inc. for a liquor catering permit for the Marsh/Garrison Wedding Reception on August 18, 2018, from 2 p.m. - midnight at the SCM Parish Center

Moved by Councilor Wendorf, seconded by Councilor Armstrong to approve the request. Motion carried unanimously.

Request from Square State Brewing, P.C. for approval of a new microbrewery license for Square State Brewing, to be located at 422 S. Main Street, Rock Springs, WY

Moved by Councilor Armstrong, seconded by Councilor Shalata to approve the request, contingent upon the receipt of the federal basic permit and a certificate of occupancy. Motion carried unanimously.

RESOLUTIONS

Resolution 2018-48 A RESOLUTION ACCEPTING AND APPROVING A PROPOSAL FROM MCGEE, HEARNE & PAIZ, LLP, CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS, TO AUDIT THE FINANCIAL RECORDS OF THE CITY OF ROCK SPRINGS FOR THE FISCAL YEAR ENDING JUNE 30, 2018, AND AUTHORIZING CARL R. DEMSHAR, JR., AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE AND CONFIRM SAID PROPOSAL ON BEHALF OF THE CITY, was read by title.

Moved by Councilor Mosbey, seconded by Councilor Wendorf to approve Resolution 2018-48. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

Resolution 2018-49 A RESOLUTION TO VACATE AND TRANSFER BY QUITCLAIM DEED A PARCEL OF LAND LOCATED IN THE HILLSIDE ADDITION TO THE CITY OF ROCK SPRINGS, SWEETWATER COUNTY, WYOMING, was read by title.

Moved by Councilor Wendorf, seconded by Councilor Halter to approve Resolution 2018-49. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

Resolution 2018-50 A RESOLUTION ACCEPTING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ROCK SPRINGS, WYOMING, AND THE LAYOS & LAYOS LIMITED PARTNERSHIP, AND AUTHORIZING CARL R. DEMSHAR, JR., AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE SAID MEMORANDUM OF UNDERSTANDING ON BEHALF OF SAID CITY, was read by title.

Moved by Councilor Savage, seconded by Councilor Mosbey to approve Resolution 2018-50. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

Resolution 2018-51 A RESOLUTION ACCEPTING AND APPROVING A CONTRACT WITH FREMONT MOTORS, ROCK SPRINGS, WYOMING, IN THE AMOUNT OF \$44,476.00, AND AUTHORIZING CARL R. DEMSHAR, JR., AS MAYOR, AND MATTHEW MCBURNETT, AS CITY CLERK, TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF ROCK SPRINGS, was read by title.

Moved by Councilor Halter, seconded by Councilor Wendorf to approve Resolution 2018-51. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

Resolution 2018-52 A RESOLUTION ACCEPTING AND APPROVING A BALLFIELD CONCESSION STAND AGREEMENT WITH LINDA HERBIN, DBA JERRY'S CONCESSION, AND AUTHORIZING CARL R. DEMSHAR, JR., AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY, was read by title.

Moved by Councilor Halter, seconded by Councilor Mosbey to approve Resolution 2018-52. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

Resolution 2018-53 A RESOLUTION ACCEPTING AND APPROVING A CONCESSION STAND RENTAL AGREEMENT WITH THE ROCK SPRINGS LITTLE LEAGUE BASEBALL, AND AUTHORIZING CARL R. DEMSHAR, JR., AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY, was read by title.

Moved by Councilor Wendorf, seconded by Councilor Savage to approve Resolution 2018-53. Upon roll call the following voted in favor: Councilors Savage, Mosbey, Shalata, Halter, Wendorf, Armstrong, and Mayor Demshar. Motion carried unanimously.

ORDINANCES

Ordinance 2018-04 AN ORDINANCE AMENDING SECTION 1-604(c) OF THE ORDINANCE OF THE CITY OF ROCK SPRINGS ENTITLED “ADOPTING THE PERSONNEL POLICIES AND PROCEDURES RELATING TO CITY OF ROCK SPRINGS EMPLOYEES” AND ADOPTING REVISED PERSONNEL POLICIES, was read by title on second reading.

Mayor Demshar stated that the governing body has not had time to evaluate all the concerns from the workshop last week. Therefore, any proposed amendments to the ordinance will take place at third reading.

Ordinance 2018-05 AN ORDINANCE CREATING ARTICLE 3-544 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, “PROHIBITED SALE OF COMMERCIAL BRED DOGS, CATS, AND RABBITS IN PET STORES, RETAIL BUSINESSES, AND OTHER COMMERCIAL ESTABLISHMENTS,” was read by title on second reading.

Ordinance 2018-06 AN ORDINANCE AMENDING ARTICLE 13-8 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, ENTITLED “ZONE DISTRICT REGULATIONS,” was read by title on first reading.

Ordinance 2018-07 AN ORDINANCE AMENDING ARTICLE 13-8 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, ENTITLED “ZONE DISTRICT REGULATIONS,” was read by title on first reading.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:11 p.m.

By: _____
Council President

ATTEST:

City Clerk

Mayor