

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

City Council met in regular session on August 18, 2020. Mayor Timothy A. Kaumo called the meeting to order at 7 p.m. Members present included Councilors Keaton West, David Halter, Rob Zotti, Ryan Greene, Jeannie Demas, David Tate, and Billy Shalata. Councilor Timothy Savage was absent from the meeting. Department Heads present included Dwane Pacheco, Rick Beckwith, Jim Wamsley, Paul Kauchich, Dave Lansang, Matthew L. McBurnett. The pledge of allegiance was recited.

**Approval of Minutes**

Moved by Councilor Shalata, seconded by Councilor Greene to approve the City Council Meeting Minutes of August 4, 2020; and Special Meeting Minutes of July 28, 2020. Motion carried unanimously.

**BID OPENINGS**

**2020 Crack Seal Project**

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>Bid Amount</u></b>
R&D Sweeping	1931 Yellowstone Road Rock Springs, WY 82901	\$53,695.00

**PRESENTATIONS AND PROCLAMATIONS**

**National Immunization Awareness Month—August 2020**

Mayor Kaumo proclaimed the month of August 2020 as National Immunization Awareness Month in Rock Springs, and urged the residents of Rock Springs to protect our community by vaccinating when necessary and bringing awareness to National Immunization Awareness Month.

**Hunger Action Month—September 2020**

Mayor Kaumo proclaimed the month of September 2020 as Hunger Action Month in Rock Springs, and encouraged all citizens to increase their understanding and awareness of food insecurity and how it impacts our nation, state, county and community. Miriam Wolcott, Food Bank of the Rockies, supervises the state of Wyoming. The partners in the Rocky Mountain area are very important. Every single county in the state is fed thanks to the partners in every area. She wants to highlight Judy, who handles the mobile pantry, which is in addition to everything that is done across the state. The first mobile food pantry took place in May and was very successful, feeding 505 families. They are not sure of the location for each mobile pantry event, as they change all the time. The Boys and Girls Club is also a partner. Food is distributed to partners and partners distribute the food throughout the community. Kathy Siler, the Director of the Food Bank of Sweetwater County was also present. The Food Bank of the Rockies will continue with their efforts until every child has food in their fridge.

## PETITIONS

Councilor Zotti stated that two meetings ago, there was an issue with the RFP for the Bitter Creek. Another RFP was released. With the discussion of the Council, more transparency was encouraged. With the new RFP, one of the requirements was to have the financial part of the RFP put into a separate envelope. He asked why this was added. Paul Kauchich, Director of Engineering/Operations and Public Services, stated that it was to align more closely with State processes. Councilor Zotti stated that he checked with other organizations such as the BLM regarding what their process looks like as well. Mr. Kauchich stated that he participated in the RFP process many times with WYDOT, and cost was never, ever a factor. With the cost seeming to cause an issue, it was decided that the City should follow the normal State process. Discussion took place regarding the process for differentiating between RFP's submitted, and what happens when a contract cannot be negotiated. The revised RFP process was not discussed with the Council prior to putting the second version of the Bitter Creek project RFP out. Mr. Kauchich clarified that he and his staff did as they were told, and if the Council wishes to change the process, a committee should be formed to decide how to proceed with changing that. State Statute requirements were discussed for RFP's and whether State Statute was followed properly during the first round of the RFP process for the Bitter Creek. Rick Beckwith, City Attorney, assisted in clarifying the process for obtaining RFP's and awarding contracts based on the review process, whether the second rated RFP submitter should have been negotiated with instead of going through a new RFP process. Mr. Kauchich clarified that with this being a professional service, the City could simply hand contracts to firms as they wish, but in this case, the Bitter Creek is being funded by grant funds, so the normal process was required to be followed. With the second round of RFP's being requested, more information was added to the RFP as requested. Mr. Beckwith stated that professional services are specifically excluded in State Statute in order to give governments flexibility when choosing professional services. Mr. Kauchich stated that AML did not necessarily require an RFP process for the grant, but that some sort of procurement process must be followed. The City's RFP process was submitted and approved by AML to be used for this project. Councilor Zotti wishes that the Council had been consulted before the second RFP was put out, so that he is aware of what the City is doing before someone from the public calls him to let him know. Councilor Shalata asked why we can't simply use the bid process. Mr. Beckwith stated that this would defeat the purpose of professional contracts, because professional services are not solely based on cost, they are qualification-based. Mr. Kauchich reiterated that these contracts are not based solely on price, and using the bid process would reduce the choice to only basing it on cost. He gave reasons for putting emphasis on qualifications up-front, which choosing the wrong firm can result in change orders; choosing the proper firm can result in cost savings later. The selection committee for the second RFP is still undecided. Proposals are due next week, and the committee will be selected before then. Councilor Greene asked for clarification on the process with the cost being separated. Mr. Kauchich stated that once the RFP submitters are ranked and one is chosen, the cost is then opened and considered. Negotiations will be allowed with the first ranking submitter to get the cost more in line if it is out of range. The second submitter can then be negotiated with, if an agreement cannot be reached with the first submitter. Councilor Zotti stated that if two submitters are within 1-2 points of each other and the cost is very different, that he believes 1 to 2 points could be considered similar rankings for RFP's. Mr. Kauchich added that more information regarding cost breakdowns was requested in the second round for the Bitter Creek project. Councilor Greene expressed concern for not knowing what the second submitter's cost looks like when reviewing and selecting one submitter. Mr. Beckwith stated that proposals from

the firms are proprietary. The RFP's would not be included in a public records request, which is one thing to consider during this process. Discussion took place regarding what information the Council is entitled to see and use to vote in awarding contracts or conducting City business. Mr. Kauchich stated that all of the information that should have been kept confidential has now gone out to many other sources, including social media, news sources, and interviews. City employees were questioned as to their integrity. Councilor Zotti stated that his major problems are that the economy is bad, and he feels that information was withheld. Councilor West stated that he feels we can do better in this process, he saw a flaw and suggested that we change it. Councilor Halter stated that they don't have issues with most of the information presented, but that their actions are complaint-driven. When questions from the public come through, it is the Council's job to research them and take them into consideration. Mr. Kauchich stated that if the process is not satisfactory to the City Council, that a committee must be created and as soon as possible, because this project is grant-driven and has deadlines. Councilor West inquired as to what outsourcing the process would look like, with it appearing tainted and having such a conflict of interest. Discussion took place regarding considering a third-party, independent option of obtaining RFP's and considering them. The RFP process conducted by WYDOT was summarized. Mr. Beckwith stated that he liked the suggestion of having Councilors serve on the City's committee; he thinks it may help improve the transparency in the process. Mr. Kauchich reiterated the process and how the score sheets are totaled. Councilor Zotti and Councilor Greene both stated that they were not given clear answers as to why the price difference was present. Councilor West suggested that a Councilor from each Ward serve on the selection committee in order to represent the entire City. Discussion took place regarding representation of the Council on the selection committee and what that structure should look like. Holding a workshop was suggested in order to better understand the procurement process. Councilor Demas asked how many change orders would be able to be placed on a project like this, to which Mr. Kauchich replied that an unlimited amount of change orders can be requested. The not-to-exceed amount was discussed, and the RFP's for the Bitter Creek project were based on that amount.

Mayor Kaumo stated that it is easy to see why we are in the spot we are right now. Trust is absent. The process is followed, and complaints come in, and a good project was denied. Mayor Kaumo stated that he is tempted to write a letter to the State, requesting that they take the funding back. False accusations have been made against Mayor Kaumo and staff, such as being corrupt. He believes their wish is to see the City, staff, and Mayor Kaumo, fail. The selected firm's trade secrets and the proposal itself are now available to all others to steal and incorporate into their own plan. He understands the concerns of the cost difference. The project is much needed and must move forward. The accusations must be cleared up. A social media post by the husband of the past Director of Public Services was shown (Exhibit A). Through the process and since the Council's decision, the professional licensure and conduct of the Public Services department has been questioned. A letter dated August 26, 2016, written by John Eddins, Vice President of JFC Engineering, approached the City Attorney with concerns regarding a large project being awarded to an engineering firm with no bid and no RFP process to Western Engineers and Geologists (Exhibit B). Cost is the last consideration when selecting a firm to do the work. Qualifications allow one engineering firm to rise above another in the process. The most important thing to remember is that the RFP process is not a bidding process; the committee is tasked with finding the best firm, with the best ideas, and the job is not awarded to the firm that only presents the lowest costs. Mayor Kaumo was not involved in any way with the proposal or the selection process. He added that he always supports the decision made by the committee; it has happened many times and is awarded to other firms with his support. Mayor Kaumo has, and always will,

abstain from voting on contracts relating to JFC. The defamation of his character happens daily from this group. The supporting majority know who these people are and support Mayor Kaumo. The common good is not in line here and is not being focused on by certain members of the Council. Self-serving trails are easily followed. Even with the good intentions that Councilor Greene had, being associated with certain community members has been unfortunate for him. When all information is exposed, it will be discovered that all has been done fairly, ethically, and without any ill-intention. He summarized the renovation of the Broadway Theater and the work that was done there, with no RFP process conducted, and millions of dollars spent in renovations due to a specific community member being discussed here. A social media post from Councilor Greene was shown (Exhibit C). Councilor Greene responded to the social media posts with an email read out loud (Exhibit D). Baseless accusations of corruption degrade the trust of the citizens in the City. Mayor Kaumo explained his reasons for endorsing Larry Hickerson. Conversation took place regarding staff being apprehensive to do work for the City when it is questioned. Much discussion took place regarding intentions and bickering amongst the Council and with Mayor Kaumo. He outlined his achievements in his 3 terms as Mayor. Any investigations are welcomed regarding the allegations made of corruption. He respects differences, but feels that many Councilors checked out when he began his third term as Mayor. Mayor Kaumo called upon the City Council to stop the drama, and if corruption is truly known, bring it to the City Attorney for consideration. Even if disagreements are present, the Governing Body should be able to walk away without backstabbing each other. We expect our citizens to be professional, and we, as government officials, should be too.

Darrien Mechling – Wyo4 News, has worked for Wyo4 News for one month and before that, the Rocket Miner Newspaper. She would like to say on behalf of herself and on behalf of Wyo4 that she would never write on anything that had to do with what the owner of Wyo4 News personally wants to write. It is about integrity. What she saw a couple of meetings ago, was the City Council asking questions and working together to get clarification. She did interview a few Council Members and none of them said anything bad about Mayor Kaumo, but they did state their opinions on the process and current situation. She needed clarification on the RFP process and received an array of different answers as to what that looks like. If responses are desired by any of the Governing Body, Ms. Mechling would be happy to run a response article. It is not about who the owner of Wyo4 News is. Most social media users are not aware of what most of the items that the City Council discusses are. Their goal is to get the information out for others to understand the process. Clarification was requested from Councilor Zotti that nothing negative was said to her by City Councilors about City staff, and she confirmed. Councilor West stated that this is embarrassing and extremely unprofessional and he did not sign up for this. It has been the longest 20 months of anything he's ever done. Communication should be the main focus of this Council. The trust is not present, and staff needs to realize the Councilors are elected officials too. These issues should be hashed out behind closed doors like a bunch of men and women, and moved on with. He stated that tonight's meeting has been absolutely ridiculous.

Fred Von Ahrens stated that he respects the Council for their courage. He was always told "you never allow bidders to bid for a major project that you would not accept." You don't allow someone to bid on a major project and then belittle them, break them down. As a citizen of Rock Springs, he is embarrassed by what he saw tonight. He respects the Council, and he has accepted their votes on his projects, and moved on. He hopes Rock Springs can get past this and treat people professionally. Rock Springs is better than this, Wyoming is better than this.

**RECESS**

Moved by Councilor Shalata, seconded by Councilor Demas to recess at 8:53 p.m. The meeting resumed at 9:00 p.m.

**OFFICER AND STAFF REPORTS**

**Health Insurance Fund Recap—July 2020**

**Financial Report Summary—July 2020**

Moved by Councilor Tate, seconded by Councilor Demas to approve the Officer and Staff Reports and place them on file. Motion carried unanimously.

**COUNCIL COMMITTEE AND BOARD REPORTS**

**Rock Springs Historical Museum Board Meeting Minutes of July 8, 2020**

**Joint Powers Telecom Board Meeting Minutes of July 9, 2020**

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

**CORRESPONDENCE**

**Letter from All West Communications regarding changes to their TV platform**

Moved by Councilor Greene, seconded by Councilor West to approve the Correspondence and place it on file. Motion carried unanimously.

**BILLS AND CLAIMS**

**Bills and Claims for August 18, 2020**

Wyo Dept of Revenue & Tax	Sales Tax Collections	\$1,145.38
Cardmember Service	Credit Card Charges	\$2,856.72
Blue Cross-Blue Shield	Health Insurance	\$75,636.04
FlexShare Benefits	Admin of FlexShare	\$295.75
Ace Hardware	Parts & Supplies	\$2,179.43
Agee, Cameron Justin	Housing Assistance	\$31.00
Air Filter Solutions	Air Filters	\$380.47
Airgas USA, LLC	Rentals & Gasses	\$925.94
All West Communications	Cable Service	\$451.44
Alpine Pure Bottled Water	Water Cooler Rental	\$45.50
ALSCO-American Linen	Rug & Uniform Service	\$2,544.60

Amazon Capital Services	Parts & Supplies	\$1,639.99
Auto Parts Unlimited	Parts & Supplies	\$2,022.84
Autozone	Parts & Supplies	\$621.94
Blue 360 Media LLC	Police Supplies	\$2,933.00
Boys & Girls Club of SWCO	Un-gala Sponsorship	\$1,000.00
Bullock, Kelcey	Housing Assistance	\$36.00
Castle Cleaning	Cleaning Services	\$150.00
Caudell, Lindsay	Deposit Refund	\$2,095.00
Century Equipment CO INC	Parts & Supplies	\$30.18
CenturyLink	Telephone Utility	\$276.23
CGRS	Parts & Supplies	\$510.00
Chatwin, Kali	Housing Assistance	\$52.00
City Auto DBA Carquest	Parts & Supplies	\$541.08
Clawson, Amanda	Equipment Reimburse.	\$214.65
College Square Car Wash	Fleet Washes	\$82.50
Copier & Supply CO INC of RS	Copier Maintenance	\$70.42
CPS Distributors	Sprinkler Supplies	\$386.51
Creative Culture Insignia, LLC	Police Supplies	\$280.10
Crofts, Mandy	Housing Assistance	\$7.00
Cross, April	Housing Assistance	\$38.00
Crum Electric Supply CO INC	Parts & Supplies	\$412.00
Dave Pedri	Utility Refund	\$68.11
Davila, Josefina	Housing Assistance	\$52.00
DeBernardi Const. CO INC	Contract & Repair	\$120,006.70
Desert View Animal Hospital	Veterinary Services	\$370.26
Don or Debra Davis	Utility Refund	\$90.65
Donaldson Medical Clinic	Physicals	\$550.00
Eikanger, Danni	Housing Assistance	\$38.00
Elwood Staffing Services INC	Temp Staff	\$41,370.10
Equifax Credit Info. Serv LLC	Membership Dues	\$81.52
Falcon Environmental Corp	Parts & Supplies	\$204.43
Farquharson, Melissa	Housing Assistance	\$38.00
FBI-LEEDA	Training	\$695.00
Forsgren Associates	James Dr Ped. Project	\$270.00
Fontier Ford INC	Police Vehicles	\$209,808.00
Galls, LLC	Police Supplies	\$557.44
Glenn, Natosha	Housing Assistance	\$28.00
Great Basin Turf Products	Chemicals	\$749.90
Hampton Inn	Concert Reservation	\$194.02

Hardline Equipment LLC	Parts & Supplies	\$1,436.13
High Security Lock & Alarm	Services & Labor	\$22.80
Homax Oil Sales, INC	Gas, oil & lube	\$16,899.30
Home Depot Credit Services	Parts & Supplies	\$9,078.11
Hose & Rubber Supply	Parts & Supplies	\$602.79
Howard Supply CO LLC	Parts & Supplies	\$83.50
Jackman Construction	Bond Refund	\$1,720.00
James Hickok	Utility Refund	\$85.16
JC Golf Accessories	Golf Merchandise	\$571.69
JFC Engineers Surveyors	Interchg Road Agree.	\$488.00
Jim's Upholstery	Services & Labor	\$280.00
JME Fire Protection INC	Extinguisher Inspection	\$1,284.43
Joint Powers Telecom Board	Internet Connections	\$1,938.00
Joint Powers Water Board	City Water Usage	\$560,041.11
Jones, Matthew	Equipment Reimburse.	\$278.00
Kenworth Sales	Parts & Supplies	\$563.26
L.L. Johnson Distributing CO	Sprinkler Supplies	\$662.28
Lance G. Hockaday	Unclaimed Prop. Bond	\$610.00
Latech Equipment INC	Parts & Supplies	\$309.66
Lewis & Lewis	2020 Overlay	\$48,383.83
Life Assist, INC	Fire Supplies	\$430.88
M&J Const. Oilfield Serv INC	Services & Labor	\$6,600.00
MARC	Janitorial Supplies	\$117.52
McFadden Wholesale CO Inc	Janitorial Supplies	\$2,514.05
Miera, Celia Marie	Housing Assistance	\$52.00
Model Signs	Farmers Market Advert.	\$198.85
Morcon Specialty INC	Parts & Supplies	\$415.94
Mountaineer Animal Clinic	Veterinary Services	\$644.98
Mountainland Supply CO	Parts & Supplies	\$9,677.68
MRI Software LLC	Software Maintenance	\$4,950.00
Myers Anderson Architecture	FSB Rehab PI	\$19,948.27
Notary Officer	Notary Renewal	\$30.00
Nu-Tech Specialties INC	Janitorial Supplies	\$616.00
Nucor Inc	Bond Refund	\$6,550.00
O'Reilly Auto Parts	Parts & Supplies	\$1,706.12
Orkin Exterminating	Pest Control	\$711.55
Owen Equipment	Parts & Supplies	\$500.68
Parker, Christa	Housing Assistance	\$52.00
Personnel Evaluation INC	Applicant Testing	\$53.00

Pickin Palace	Park Concert Setup	\$200.00
Pineda, Atty at Law	Alternate Judge	\$262.50
Portillo, Preston	Housing Assistance	\$38.00
Post and Associates	Individual EAP	\$500.00
Power Engineering Co.	Chiller Maintenance	\$307.00
Radio Network, The	Farmers Market Adver.	\$533.34
Real Kleen Janitorial	Janitorial Supplies	\$1,604.51
Respond First Aid Systems	First Aid Supplies	\$369.92
Reyes, Juliana	Housing Assistance	\$52.00
Richards, Danielle	Housing Assistance	\$29.00
RMT Equipment	Parts & Supplies	\$3,421.54
Robert or Laticia Hofer	Utility Refund	\$123.92
Rock Springs Municipal Utility	Water/Sewer Utility	\$94,882.99
Rock Springs Newspapers	Legal Advertising	\$3,891.20
Rock Springs Pet Hospital LLC	Veterinary Services	\$124.00
Rocky Mountain Air Solutions	Rentals & Gasses	\$60.48
Rocky Mtn. Climate Control	Parts & Supplies	\$287.50
Rocky Mountain Power	Electric Utility	\$206,413.04
Ron's Ace Rental & Equip.	Parts & Supplies	\$708.20
Royal Flush Advertising	Advertising	\$1,056.00
Russell Industries INC	Parts & Supplies	\$36.73
Safety Supply & Sign CO	Parts & Supplies	\$5,501.63
SC Supply Company LLC	Police Supplies	\$699.56
Shadow Mtn. Water of WY INC	Water Cooler Rental	\$28.00
Shell, Misty	Housing Assistance	\$38.00
Shepard Const. Solutions	HQ Renovation	\$51,442.92
Sherwin Williams	Paint	\$38.63
Simplot Partners	Chemicals	\$6,401.00
Smart Dwellings	Bond Refund	\$1,060.00
Smith Power Products	Services & Labor	\$4,688.61
Snyder, Joseph	Travel Reimbursement	\$32.39
SST Testing + INC	Employee Screenings	\$1,420.00
Staples Advantage	Office Supplies	\$1,698.08
Stauffer's Towing LLC	Tow Service	\$500.00
Sunroc Corporation	Parts & Supplies	\$888.00
Swank Motion Pictures	Movies in the Park	\$975.00
Sweetwater County Clerk	Filing Fees	\$15.00
SWCO School Dist #1	Printing Services	\$19.75
Sweetwater Laundry	Utility Refund	\$2,489.46



Sweetwater Now LLC	Advertising	\$2,400.00
Symbolarts INC	Police Supplies	\$170.00
Tahnazani, Zhana	Housing Assistance	\$31.00
Target Specialty Products	Parts & Supplies	\$1,855.00
Tegeler & Associates	Bond Renewal	\$50.00
Ten Point Sales	Parts & Supplies	\$649.73
Thatcher Company	Chemicals	\$3,535.00
The UPS Store	Shipping	\$21.03
Thomson Reuters-W. Pmnt Ctr.	Plan Charges	\$2,729.29
Tire Den INC	Parts & Supplies	\$1,396.09
Titleist	Golf Merchandise	\$1,087.56
Turf Equipment & Irrigation	Parts & Supplies	\$2,941.61
United Rentals	Equipment Rental	\$386.55
United Site Services	Portable Restrooms	\$2,435.47
United Way of SW WYO	Tournament Sponsor.	\$650.00
UPS	Shipping	\$179.58
USA Blue Book	Parts & Supplies	\$1,219.16
Vaughn's Plumbing	Services & Labor	\$575.00
Vermillion, Danasia	Housing Assistance	\$52.00
Vista Outdoor Sales, LLC	Golf Merchandise	\$398.94
Watson, Morgan	Housing Assistance	\$38.00
Waxie	Janitorial Supplies	\$424.17
Weed Management Solutions	Weed Mitigation	\$18,513.00
Weidner Fire	Fire Supplies	\$45.00
Whisler Chevrolet CO	Parts & Supplies	\$197.22
Wilson Golf Division	Golf Merchandise	\$2,167.20
Wyo Dept Transportation	Contract Agreement	\$1,456.87
Wyoming Waste Services	Garbage Collection	\$5,143.03
Wyoming Work Warehouse	Safety Clothing	\$396.87
Wyoradio Group	Farmers Market Advert.	\$580.00
Zanetti Prestige Collision	Unit Repair	\$938.55
	<b>Total:</b>	<b>\$1,621,672.23</b>

**Report Checks for August 7, 2020**

Great-West Life & Annuity	EE Deferred	\$9,236.46
Great-West Life & Annuity	Post Tax	\$465.00
Internal Revenue Service	EFT	\$137,834.23
ICMA Retirement Corp (Wire)	EE Deferred	\$3,016.13
496&872-NCPERS Group Life	Group Life EE Deduct	\$1,072.00

Aflac Insurance New Group	EE Premiums	\$5,939.66
Axa-Equitable Life	EE Deferred	\$137.50
Flexshare-Blue Cross Blue Shield	EE BCBS Flexshare	\$7,218.74
Ivy Waddell & Reed Fin. Services	EE Deferred	\$887.50
Ivy Waddell & Reed Fin. Services	Section 529 Plan	\$525.00
Nationwide Retirement Solutions	EE Deferred	\$170.00
RS Police Protective Assoc	EE Dues	\$435.00
RS City Treasurer	EE BCBS Reimburse.	\$69,769.77
RS Firefighter Assn #1499	EE Dues	\$2,389.60
Sun Life Assurance Co	EE Premiums	\$1,923.20
Circuit Court Of The Third (Rs)	EE Garnishments	\$144.11
Sweetwater County Court (Gr)	EE Garnishments	\$676.83
UMWA/OAW Local #4893	EE Dues	\$2,284.90
United Way of SW Wyoming	EE Deductions	\$1,198.71
WY Child Support Enforcement	Child Support Payments	\$2,661.00
WY Department of Employment	Quarterly Unemploy.	\$0.00
Wyoming Retirement System	EE Benefits	\$137,115.84
Wyoming Retirement System	Law Enforcement	\$46,412.68
Wyoming Retirement System	Fire Benefit City/EE	\$66,743.05
Wyoming Workers Comp	Prem. Credit \$22,170.44	\$0.00
Wyoming Workers Comp	EE Benefits	\$0.00
WY Workers Comp WR Workers	Prem. Credit \$81.22	\$0.00
	<b>Total:</b>	<b>\$498,256.91</b>

Moved by Councilor Demas, seconded by Councilor Tate to approve the bills and claims for August 18, 2020. Motion carried with Councilor West abstaining.

**Salaries for August 7, 2020: \$712,233.31**

Moved by Councilor Demas, seconded by Councilor Greene to approve the salaries for August 7, 2020. Motion carried unanimously.

**NEW BUSINESS**

**Request from the Parks & Recreation Department for permission to apply for a grant from the Sweetwater Joint Travel & Tourism Board for the December Dunk Basketball Tournament**

Moved by Councilor Shalata, seconded by Councilor Greene to approve the request. Motion carried unanimously.

**Request from the Parks & Recreation Department for permission to fill a vacant Senior Custodian position at the Family Recreation Center**

Moved by Councilor Demas, seconded by Councilor Tate to approve the request. Motion carried unanimously.

**Request from the Engineering/Operations & Public Services Department for permission to purchase a used truck for the Streets Division**

Moved by Councilor West, seconded by Councilor Shalata to approve the request. Motion carried unanimously.

**Request from the Police Department for permission to make a joint application to apply for the Recovery Act: Edward Byrne Memorial Justice Assistance Grant**

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

**Request from Justin Spicer for permission to stage a Cruise to End Alzheimer's on August 28, 2020 from 6 p.m.—8 p.m.**

Moved by Councilor Greene, seconded by Councilor Shalata to approve the request. Motion carried unanimously.

**Request from Santa Fe Trail, Inc. for two Liquor Catering Permits for the Wyoming Cattle Industry Convention on August 24, 2020, from 5:30 p.m.—10 p.m., and August 25, 2020, from 5 p.m.—midnight at the Sweetwater Events Complex**

Moved by Councilor Demas, seconded by Councilor Shalata to approve the request. Motion carried unanimously.

**Request from Santa Fe Trail, Inc. for transfer of their liquor license to Lyman, Wyoming to cater the Stormy Weber and Troy Smith Reception on September 12, 2020, from 4 p.m.—midnight at the Heritage Barn**

Moved by Councilor West, seconded by Councilor Greene to approve the request. Motion carried unanimously.

**Request from Johnny Mac's Good Times Tavern for permission to extend their serving area on August 29, 2020, from noon—10 p.m.**

Moved by Councilor Tate, seconded by Councilor Shalata to approve the request. Motion carried unanimously.

**RESOLUTIONS**

**Resolution 2020-125 A RESOLUTION ACCEPTING AND REAPPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF COMMISSIONERS OF THE COUNTY OF SWEETWATER, WYOMING, THE CITY OF ROCK SPRINGS, WYOMING, AND THE CITY OF GREEN RIVER, WYOMING WITH A REVISED "EXHIBIT A" FOR IMPACT ASSISTANCE FUNDS, AND**

AUTHORIZING TIMOTHY A. KAUMO, 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 West, seconded by Councilor Demas to approve Resolution 2020-125. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-126** A RESOLUTION AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, **TO EXECUTE AN ADDENDUM TO AGREEMENT FOR DISBURSEMENT, RECEIPT AND USE OF GRANT FUNDS WITH THE SWEETWATER COUNTY JOINT TRAVEL AND TOURISM BOARD**, was read by title.

Moved by Councilor Greene, seconded by Councilor Tate to approve Resolution 2020-126. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-127** A RESOLUTION AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, **TO EXECUTE AN ADDENDUM TO AGREEMENT FOR DISBURSEMENT, RECEIPT AND USE OF GRANT FUNDS WITH THE SWEETWATER COUNTY JOINT TRAVEL AND TOURISM BOARD**, was read by title.

Moved by Councilor West, seconded by Councilor Greene to approve Resolution 2020-127. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-128** A RESOLUTION **ACCEPTING AND APPROVING A CONTRACT BETWEEN THE CITY OF ROCK SPRINGS, WYOMING AND DEBERNARDI CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$339,000.00**, AND AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR, AND MATTHEW L. MCBURNETT, AS CITY CLERK, TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF ROCK SPRINGS, was read by title.

Moved by Councilor Shalata, seconded by Councilor Tate to approve Resolution 2020-128. Upon roll call the following voted in favor: Councilors West, Halter, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried with Councilor Zotti abstaining.

**Resolution 2020-129** A RESOLUTION **AUTHORIZING SUBMISSION OF A CORONAVIRUS RELIEF GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF ROCK SPRINGS**, FOR THE PURPOSE OF INSTALLING UV-C EMITTERS IN THE HVAC DUCTWORK AT THE THREE FIRE STATIONS OPERATED BY THE ROCK SPRINGS FIRE DEPARTMENT, THE ROCK SPRINGS POLICE DEPARTMENT POLICE STATION, AND THE CITY HALL BUILDING, was read by title.

Moved by Councilor Demas, seconded by Councilor Greene to approve Resolution 2020-129. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-130** A RESOLUTION AUTHORIZING SUBMISSION OF A CORONAVIRUS RELIEF GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF ROCK SPRINGS, FOR THE PURPOSE OF PURCHASING PORTABLE, MOBILE, AND BASE STATION RADIOS TO MANAGE THE COVID-19 PANDEMIC RESPONSE, was read by title.

Moved by Councilor Halter, seconded by Councilor Demas to approve Resolution 2020-130. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-131** A RESOLUTION AUTHORIZING SUBMISSION OF A CORONAVIRUS RELIEF GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY, FOR THE PURCHASE OF DURABLE, REUSABLE PERSONAL PROTECTIVE EQUIPMENT FOR MANAGEMENT OF THE RESPONSE TO THE COVID-19 NOVEL CORONAVIRUS PANDEMIC, was read by title.

Moved by Councilor Shalata, seconded by Councilor Greene to approve Resolution 2020-131. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-132** A RESOLUTION ACCEPTING AND APPROVING AN EXCLUSIVE RIGHT TO LEASE LISTING CONTRACT WITH UINTA REALTY, INC., FOR BROKERAGE SERVICES RELATED TO THE LEASE OF REAL PROPERTY OWNED BY THE CITY OF ROCK SPRINGS AND LOCATED AT 502 SOUTH MAIN STREET, OTHERWISE KNOWN AS “THE FIRST SECURITY BANK BUILDING”, AND AUTHORIZING TIMOTHY A. KAUMO AS MAYOR OF THE CITY OF ROCK SPRINGS TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY, was read by title.

Mayor Kaumo thanked Rick Beckwith, City Attorney for his work on drafting this contract.

Moved by Councilor West, seconded by Councilor Demas to approve Resolution 2020-132. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-133** A RESOLUTION ACCEPTING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL DISTRICT #1 OF SWEETWATER COUNTY AND THE CITY OF ROCK SPRINGS, AND AUTHORIZING TIMOTHY A. KAUMO, 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 Halter, seconded by Councilor Greene to approve Resolution 2020-133. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Resolution 2020-134 A RESOLUTION ACCEPTING AND APPROVING THE GRANT OF STORM SEWER EASEMENT FROM FHP2, LLC., A WYOMING CORPORATION, TO THE CITY OF ROCK SPRINGS, WYOMING, AND AUTHORIZING TIMOTHY A. KAUMO, AS MAYOR OF THE CITY OF ROCK SPRINGS, WYOMING, AND MATTHEW L. MCBURNETT, AS CITY CLERK OF THE CITY OF ROCK SPRINGS, WYOMING, TO ACCEPT SAID STORM SEWER EASEMENT ON BEHALF OF SAID CITY,** was read by title.

Moved by Councilor Demas, seconded by Councilor Tate to approve Resolution 2020-134. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, and Shalata. Motion carried with Mayor Kaumo abstaining.

### **ORDINANCES**

**Ordinance 2020-07 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 third reading.

Moved by Councilor Tate, seconded by Councilor Demas to approve Ordinance 2020-07. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

**Ordinance 2020-08 AN ORDINANCE PROVIDING FOR THE PLACEMENT OF OUTDOOR DINING DECKS WITHIN CERTAIN DESIGNATED AREAS OF THE CITY,** was read by title on third reading.

Moved by Councilor Demas, seconded by Councilor Greene to approve Ordinance 2020-08. Upon roll call the following voted in favor: Councilors West, Halter, Zotti, Greene, Demas, Tate, Shalata, and Mayor Kaumo. Motion carried unanimously.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:17 p.m.

By: \_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



**Tom Allen**

**Absolutely! The first thing that should be done is to look into the potential unethical behavior by the mayor and the city public works director on behalf of the the mayor's company. Taxpayers can't afford the extra \$250,000 to line the mayor's pockets!**

22h Like Reply



EXHIBIT A

# EXHIBIT B



P.O. Box 2026  
Rock Springs, WY 82902  
Phone (307) 362-7519  
Fax (307) 362-7569

26 August 2016

Mayor Carl Demshar  
City of Rock Springs  
212 D Street  
Rock Springs, WY 82901

Dear Mayor Demshar:

I would like to thank you for taking the time to meet with me and listen to my concerns regarding the City of Rock Springs selection process for Professional Services.

As discussed, the City of Rock Springs recently entered into Professional Services Agreements for the Rock Springs Sewer Replacement 2016 Project and the City of Rock Springs Sewer Line Replacement Project. It is our understanding that the City of Rock Springs did not utilize the competitive bidding process to obtain quotes, from various consultant firms, for use in choosing companies to provide the necessary professional services. Some consulting firms, including JFC, were never made aware these recent projects.

The Rock Springs Sewer Replacement 2016 Project was awarded to Uinta Engineering and the City of Rock Springs Sewer Line Replacement Project was awarded to Western Engineers and Geologists. Western Engineers and Geologists are known to have ties to the City of Rock Springs Department Head responsible for the professional services selection. It would seem that the City, being aware of this information, would have directed the Department Head to be ethical and abstain from the selection process or at the very least request bids from all firms capable of such work, in order to be transparent.

I feel that it is in the best interest of the taxpayers and citizens of Rock Springs, as well as municipal government, to issue Request for Proposals when selecting professional services for projects funded by the taxpayers. By using the standard Request for Proposals, when selecting professional services, the City can ensure that the most cost-effective and qualified firms are selected. I'm sure you will agree that in these economic times, with reduced revenues and budget cuts, being financially responsible is vital for the City's prosperity.

I request that the process not be left in the hands of one department head, without scrutiny. The Request for Proposals should be a fair method in determining selection for all projects and is common practice throughout the State of Wyoming. Competition and fair-practices are good for all entities.

I thank you for your attention to this matter and JFC looks forward to having the opportunity to provide proposals and quotes for Professional Services for future City projects.

Respectfully,

A handwritten signature in black ink that reads 'John B. Eddins'.

John B. Eddins, PE  
Vice President

OFFICE COPY



Cc: Vince Crow, City Attorney



EXHIBIT C

Done

2 of 2

 6h · 

It was disappointing, but certainly not surprising to see that the Mayor has endorsed my opponent for the race for Ward 3? But here's the deal - I'm not letting up. Regardless of his political games, I'll continue to focus on doing the best job I can for the people I represent, demanding accountability, and calling out corruption. Rock Springs is facing some serious issues that need serious solutions. Maybe, Mr. Mayor, you could turn some energy towards that, too? Tomorrow vote for accountability, vote for checks and balances, vote for Greene.



 Kara Beech and 127 others

# EXHIBIT D

Tim Kaumo

to Rob Paul, City

Fri, Jul 17, 7:19 PM (9 days ago)



I'm going to stay out of this best I can and have spoken to several of you about this as Brandt Lyman began his complaining again. Things to consider:

1. Brandt Lyman (Western) is a disgruntled ex employee of JFC as you well know. He has always struggled with putting a quality bid together and has a mentality of bid low and ask for change orders later and always questions any bid won by JFC.
2. The lack of capable and licensed staff, which is a requirement, is why they don't bid certain criteria or under bid it and hope to get by with summer hires or unqualified staff.
3. 3/4 of the cost for the project is the required construction inspection by a certified inspector (licensed EIT or PE) and construction staking of which they do not have surveyors.

I have the utmost confidence in our staff and trust that whoever Paul selected for the committee does their due diligence, this is not their first rodeo. The lowest bidder is most likely an incompetent bidder as we well know which leads to a shilly job, time delays and change orders.

As mentioned, I do not get involved with the selection of any bids. For the record, I but I find it interesting that in the past, Western was given projects without even following the bid process whatsoever (of which we met with the mayor and city attorney and voiced our concerns, no one can be guaranteed a project but everyone should be guaranteed the right to bid) yet now, when JFC engineering staff put together a very detailed and capable bid, follow the process and are selected city staff are scrutinized.

We all bid projects, you win some and you lose some. You research what went wrong and you try to do better next time. This is a critical project of which I myself know JFC is capable of doing, on time and on budget with no change orders. I dont have any idea what the other bids were but I do know the total cost of the project and know that JFC is about 10% of that cost which is normal for what we see in the engineering world.

My question is why are the others so low? Something was missed or not bid in the scope. The proposal put together by JFC includes Hansen Allen Luce/Landmark Design who were the design team for the original plan documents. With the inclusion of JFC, it's a very qualified team of professionals and very capable of doing a great job with the years of knowledge of the project. Yes, maybe not the lowest cost but definitely the most qualified.

Thanks for your time.

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