

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

City Council met in special session on November 17, 2021. Mayor Timothy A. Kaumo called the meeting to order at 5:30 p.m. Members present included Councilors Rob Zotti, Jeannie Demas, David Halter, Brent Bettolo, Keaton West, and Larry Hickerson. Councilor Tim Robinson and Tim Savage were absent from the meeting. Department Heads present included Rick Beckwith, Paul Kauchich, Dave Lansang, and Matthew L. McBurnett. The pledge of allegiance was recited.

Mayor Kaumo made welcoming comments.

SPECIFIC PURPOSE TAX DISCUSSION

Councilor West confirmed that the Council can continue to meet, even without a quorum. Earlier this year, there was a cap established by the Sweetwater County Commissioners at \$90 million, with \$40 million going to the City of Rock Springs for the specific purpose tax initiative.

Timing & Attainability

The question, with the failing of the general-purpose tax on November 2, 2021, is whether the specific purpose tax coming in 2022 is a good idea. Timing is the main concern. Councilor West feels that the tax is needed with projects waiting and no inclining revenues in the future. He voted in favor of the general-purpose tax with the hope of increasing revenue. He does not feel that the timing is right, and he heard an overwhelming opposition from the community with regard to the general-purpose tax.

Mayor Kaumo stated that he echoes Councilor West's statements; however, he does support the specific purpose tax. He thinks it is a very small amount for taxpayers to pay, for much-needed projects in the community. He believes it should be structured in a menu format, so that one project does not kill the tax as a whole. Infrastructure is in need of improvement. He does not believe anyone would argue with the fact that the Wastewater Treatment Facility needs upgrades, when the smell permeates the City during certain times of year. He supports the tax, the projects, and the opportunity to bring it before the voters to make the choice.

Councilor Zotti stated that he always supports the specific purpose tax. He did not like the idea of pursuing general-purpose tax, as he knew that the specific purpose tax would be coming. He heard from those in the community that they were opposed to the general-purpose tax, but that they support the specific purpose tax because it is defined. With it being so soon after the failed general-purpose tax, he does wonder whether the timing is right. He added that it may depend on size as well, considering how much would be asked for and trying to go lower will prove important when asking the voters for this tax. Councilor West stated that the monthly revenue coming in during the 2019 approach was at \$1.5 million, and \$1.2 million last May, which has a large effect on how long it takes to pay the tax.

Councilor Demas stated that she supports this tax, because there are specific projects that our community needs. She was opposed to the general-purpose tax because she felt that it was just dumping money into the general fund for anything and everything.

Councilor West stated that Commissioner Lloyd asked what the City's stance is. He does not have much faith in the neighboring partners for the tax, including those who are leading the initiative. The general-purpose tax was a disaster, and he wonders if that will change. The City of Rock Springs did pull out, which may have contributed to the disaster; however, Councilor West wonders if this will change for the upcoming specific purpose tax. The specific purpose tax committee is meeting next Tuesday, which is after the next Intergovernmental Meeting. He finds it bothersome that yet again, we are behind in getting the details locked in. During the last tax, they promised that we had plenty of time, which was not true - the general-purpose tax ran out of time.

Councilor Zotti agreed, stating that the last specific purpose tax as well as the general-purpose tax trending behind schedule brings concerns as far as leadership.

Mayor Kaumo stated that he feels these critical projects should be our top priority, and we must put them in front of the voters in order to find out if the public supports them. The general-purpose tax did fail, and the revenue generated was unclear as to where it would go. In Cheyenne, a menu-style was given out to voters, so they could support one, or more than one project. Mayor Kaumo stated that on social media, there are responses regarding the City asking for yet another tax, however, they do not show up to these meetings to give advice as to how to fund these critical projects. If there were enough support for projects that the community feels are needed, it should be placed on the ballot for the voters to decide.

Councilor West stated that he worries about the timing regardless. He knows the need is there, and he wonders whether we should try to go through this again. Councilor Zotti is unsure as to how many people would tolerate it, and he worries that the other communities may feel railroaded and forced into the tax. He knows that projects need to be done, but continues to worry about the timing.

Mayor Kaumo stated that not moving forward is stagnancy, and projects are very much needed. This is our only opportunity to bring those projects forward.

Cap amount and length of tax discussion

Councilor West added that Commissioner Lloyd suggested maybe \$30-40 million, and 3-4 years' time, which may be better received by the community.

Mayor Kaumo stated that the projects listed add up to \$43 million just for the City of Rock Springs alone, and if less were requested, the list would need to be revised or redone entirely. There are two sides, citizens who do not support it and those who expect the projects to be done. Councilor Zotti asked about the odor control at the Wastewater Treatment Plant, stating that the past year has not been as bad as usual. Paul Kauchich, Director of Engineering/Operations & Public Services, stated that much of the odor is controlled by the climate, so with winters being a bit lighter recently, there has been positive improvement. The odor was decided to be better, but still bad in certain areas. Mr. Kauchich stated that this issue is much like flood control – it is not a problem until something happens. Staff feels that many of the projects are of importance on the list, and the future must be considered.

Councilor West added that Commissioner Lloyd suggested a public hearing, surveys, and more to assess the interest of the public. The public expressed opposition to taxes at the general purpose tax special election. With other entities pursuing tax increases, he wonders if we are better off waiting until 2024 so that the timing does not completely kill it. If it fails again, he is concerned about what, then, would happen.

Mayor Kaumo understands the concerns, and added that if the amount was reduced, he is not sure if the other communities would support that either. The remaining phases of the Bitter Creek project, along with others listed, are to be done with this tax, and would not have the capability to reach completion otherwise.

Re-arranging the Bitter Creek project was discussed. The first phase was done near the South Side Belt Route in order to demonstrate the positive improvements of the project, in the hopes of pursuing a specific purpose tax to accomplish the other phases of the project. The detention basin on Lionkol is also incredibly necessary with recent flood events. These are not glamorous projects by any means, but they are seriously necessary to protect the community. The Killpecker Creek detention basin is also necessary to prevent flooding. Mr. Kauchich added that the amounts being discussed for these projects are not accurate based on scarce availability and material cost increases. Mayor Kaumo stated that when timing is considered, perhaps it is not right at this time with current inflation rates. Getting material for projects is a mess also.

Councilor Zotti stated that if the County wants to move forward, his hope would be for a period of six years or less.

Establish priority projects

Mayor Kaumo asked if contacting Commissioner Wendling and asking for a postponement of the next Intergovernmental Meeting would be of interest in order to allow the Specific Purpose Tax Committee to meet first. Councilor West stated that the meeting could be postponed, but he knows that everyone on the Committee will want to go after it again, no doubt. Councilor Zotti asked about Parks & Recreation projects. Dave Lansang, Parks & Recreation Director, stated that he was asked by Councilor Halter to revisit and prioritize his projects, to which he did, and the Parks & Recreation projects decreased to approximately \$8 million, still not considering the inflation that has taken place since then. Mayor Kaumo stated that in looking at the long list of projects, many are very important and need to be done.

Sponsorships

Councilor West stated that sponsorships, if the amount is accepted in a low cost, should not be added at this time. The City's projects must take priority. Councilor Zotti agreed.

Bonding

Rick Beckwith, City Attorney, stated that marketing may be of concern. No marketing was done for the general-purpose tax, and he stated that there is no need to re-invent the wheel when marketing is considered. Hiring an outside law firm has been past practice, and the tax has passed successfully with bonding in place. Councilor West stated that this was the past discussion, but now timing is the issue. He worries about a lower cap being established and other communities coming in with much higher project costs, and the back and forth wastes time. Mayor Kaumo does not know what the best solution is – he would like to hear from the voters to gauge support.

Councilor West added that the Commission was taking a stance during the last specific purpose tax discussion that the bonding process would be utilized, and Councilor Zotti added that he worries about interest rates and how they will change as time goes on.

Councilor Zotti asked whether Green River has met yet, and Councilor West said they have not. He added that time is passing and he does not have any faith in this moving in a positive direction. Councilor Zotti stated that he would like to express concern, and if it does move forward, he would like to see a reduced scope and size.

Mayor Kaumo asked Mr. Beckwith about the City's ability to collect its own specific purpose tax funds. Mr. Beckwith stated that a municipal specific purpose tax may be pursued according to Wyoming State Statute. Mr. McBurnett stated that there were safeguards put into place for the counties within Wyoming

with regard to allowing municipalities to pursue their own specific purpose tax. Discussion took place regarding the outcome of legislation relating to this statute. Statute 39-15-203 was read for reference.

Mayor Kaumo encouraged Councilor West to reach out to the committee and see what they are all comfortable with for the upcoming specific purpose tax initiative.

Councilor Zotti thanked Councilor West for his work on the specific purpose tax committee. Councilor West truly feels like this would be much different with proper leadership during the general purpose tax initiative. If the tax fails, larger scale difficulties will present themselves.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:05 p.m.

By: _____
Council President

ATTEST:

City Clerk

Mayor