

MINUTES OF A REGULAR MEETING OF THE SARATOGA TOWN COUNCIL
HELD MAY 20, 2014, AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE
SARATOGA TOWN HALL

Mayor John Zeiger called the meeting to order.

The Pledge of Allegiance was recited. Members present were Councilman Mike McWain, Councilman Steve Wilcoxson, Councilwoman Susan Howe and Councilwoman Judy Welton.

APPROVAL OF AGENDA: Councilwoman Welton made a motion to approve the agenda with the addition of the CP&L Franchise Agreement under Town Hall reports. Councilwoman Howe seconded and the motion passed unanimously.

APPROVAL OF THE MINUTES: Councilwoman Welton made a motion to approve the minutes of the May 6, 2014 meeting as presented. Councilman McWain seconded and the motion passed unanimously.

APPROVAL OF THE BILLS: Councilwoman Welton read the following bills for approval: Accounts Payable: \$206,177.78; Payroll and FICA for 5/19/2014 in the amount of \$75,121.44; and manual checks in the amount of \$410.27, for a total of \$281,709.49.

Councilman Wilcoxson made a motion to pay the bills in the amount of \$281,709.49. Councilwoman Howe seconded and the motion passed unanimously.

CORRESPONDENCE: Mayor Zeiger read a letter from SMHS Skills USA Students explaining that they will be hosting their third annual Cancer Walk on July 4, 2014 and inviting participation. The letter also encouraged businesses to become sponsors for the event.

Councilwoman Welton made a motion donate \$100.00 which is the same as last year. Councilman Wilcoxson seconded and a discussion followed. Councilman McWain suggested that the donation be a gold level and that the town donate \$250.00. Councilwoman Welton amended her motion to donate \$250.00. Councilman McWain seconded and the motion passed unanimously.

Mayor Zeiger read an email from Gwynn Bartlett, Carbon County Clerk, indicating that Power Company of Wyoming has filed its industrial siting permit application with WY DEQ for the Chokecherry and Sierra Madre Wind Energy Project. There will be a meeting to discuss funding distribution on Monday June 2, 2014 in the Jeffrey Center in Rawlins at 1:00 p.m. Each participating entity is encouraged to authorize someone to participate and be allowed to make a decision on behalf of the entity.

Councilman McWain made a motion to authorize Mayor Zeiger to participate and make a decision on behalf of the Town of Saratoga. Councilman Wilcoxson seconded and the motion passed unanimously.

REPORTS FROM DEPARTMENTS:

Town Hall:

Mayor Zeiger read **ORDINANCE 825** – the Vyve Cable Franchise Agreement and Tom Thompson, town attorney, addressed the council with additional revisions made to the agreement. Mr. Thompson stated that following the last meeting there was discussion regarding the franchise including payment of publication costs and that has been included in Section Nine. There are provisions including work done by the franchisee within the town limits and any additional drops to public buildings and if any additional buildings need to be added to that list. In regards to the undergrounding of cable, the Franchisee requested that the language under Paragraph 8 be added. In regards to the language change for the franchise fee; the language used is the United States code as to how the

franchise is defined and amended that portion of the Ordinance in regards to gross revenue and the franchise fee has been increased to 5% at the request the Franchisee.

Councilwoman Welton made a motion to approve **ORDINANCE 825** – the Vyve Cable Franchise Agreement with the reviewed changes, on second reading. Councilman Wilcoxson seconded and the motion carried unanimously.

Mayor Zeiger read **ORDINANCE 826 – an ordinance providing income necessary to finance the 2014-2015 Budget of the Town of Saratoga, Carbon County, State of Wyoming on first reading.**

Councilwoman Welton made a motion to approve Ordinance 826, an ordinance providing income necessary to finance the 2014-2015 Budget of the Town of Saratoga, Carbon County, State of Wyoming, on first reading. Councilman Wilcoxson seconded and the motion carried unanimously.

Town attorney, Tom Thompson, updated the council on two litigations filed against the Town of Saratoga.

In regards to the matter of Stevens vs the Town of Saratoga, Mr. Thompson reported that the town clerk attempted to contact Richard Rideout, the attorney handling the case, but Mr. Rideout was out of the office. Mr. Rideout is supposed to provide the Town of Saratoga with a memo as to the status of the litigation. Mr. Thompson stated it was his understanding that there were still matters pending before the District Court of Carbon County.

In regards to the matter of a suit filed by Lynda Healey against the Town of Saratoga for wrongful dismissal, Mr. Thompson reported that on or about April 29, 2014, the town received a claim for damages under the Governmental Claims Act. This claim for damages is in regards to a wrongful termination claim filed by Ms. Lynda Healey. Mr. Thompson advised that the town could either not act on the governmental claim at all or make a motion to act on it either way.

Mr. Thompson advised the council members who had not read the claim to do so and take action at the next meeting.

Mayor Zeiger read a Special Event Application submitted by Virginia Parker on behalf of the Saratoga Museum for June 20, 2014 for a C.J. Box trivia event to be held at the Saratoga Museum Pavilion.

Councilwoman Howe made a motion to approve the Special Event Application submitted by Virginia Parker on behalf of the Saratoga Museum for June 20, 2014 for a C.J. Box trivia event to be held at the Saratoga Museum Pavilion. Councilman Wilcoxson seconded and the motion carried unanimously.

Mayor Zeiger read a Special Event Application submitted by Virginia Parker on behalf of the Saratoga Museum for July 05, 2014 and July 06, 2014 for a Customs and Cultures event to be held at the Saratoga Museum Pavilion and parking lot from 9 a.m. to 4 p.m. each day.

Councilman Wilcoxson made a motion to approve the Special Event Application submitted by Virginia Parker on behalf of the Saratoga Museum for July 05, 2014 for a Customs and Cultures event to be held at the Saratoga Museum Pavilion and parking lot from 9 a.m. to 4 p.m. each day. Councilwoman Welton seconded and the motion carried unanimously.

Mr. Thompson asked for direction in drawing up the ordinance to implement the franchise with Carbon Power & Light to be submitted to the council and Carbon Power & Light for first reading at the next council meeting.

Leon Hetherington stated that he was totally against the franchise fee and that the town should look for alternative choices, including not spending money on projects like the bridge project currently underway.

Chris Shannon stated his concern for the impact on small business owner with an increase in their utility bill.

Mr. Thompson reiterated that every utility that operates in the right of ways in Saratoga pays a franchise fee and currently Carbon Power & Light is the only one who does not pay a franchise fee.

Councilman Wilcoxson made a motion to allow Mr. Thompson to draft an ordinance to implement a 4% franchise fee with Carbon Power & Light for a 10 year period, to be reviewed at five years. Councilwoman Howe seconded the motion.

Mayor Zeiger asked for a poll of the council. Councilman McWain voted No, Councilman Wilcoxson voted Yes, Councilwoman Howe voted Yes, Councilwoman Welton voted Yes, and Mayor Zeiger voted Yes. Motion carried.

Mayor Zeiger asked for written comments from the public as far as ideas for budget cuts. Councilman Wilcoxson stated that all the department heads have already made cuts to their budgets and it would be good to have ideas from the public for further cuts.

Richard Hodges asked if the council could provide a list of budget cuts already made at the next council meeting. It was suggested instead that the public attend the next budget workshop which is schedule for Wednesday, May 28th at 5 p.m.

Fire Department: Mayor Zeiger reported that there would be a meeting on May 21, 2014 at 6 p.m. with the Board of County Commissioners for Carbon County and the various fire chiefs from the county departments to discuss fire protection in the county as well as a potential fire protection district.

Police Department: Chief Knickerbocker requested permission to take part in the National Night Out program on August 5, 2014. The program is to heighten crime and drug awareness and generate support for and participation in local anti crime programs. Chief Knickerbocker will be looking for volunteer organizations that would like to participate in activities including a barbecue, games, and other wholesome activities.

Councilman Wilcoxson made a motion to allow Chief Knickerbocker to organize a National Night Out on August 5, 2014. Councilwoman Welton seconded and the motion passed unanimously.

In as much as there is a council meeting scheduled for August 5th, Councilman Wilcoxson made a motion to move the council meeting to August 6th instead to allow the council to participate in the National Night Out. Councilwoman Welton seconded and the motion carried unanimously.

Chief Knickerbocker reported that there was a vehicle stolen from the area around the school making a total of five vehicles stolen in the Town of Saratoga over the last month. Chief Knickerbocker encouraged everyone to remove their keys from their vehicles and make sure that the doors are locked so no valuables can be stolen. The individuals from the last incident are in custody and the vehicle has been recovered.

Chief Knickerbocker reported that two changes which adjust the payment dates have been made for clarification purposes to the Encampment Dispatch Agreement and it is being reviewed by the Encampment Town Council for approval.

Chief Knickerbocker reported that at the last Carbon County School District #2 board meeting the Resource Officer was discussed. The town requested that the School District contribute one-third of the cost of having a resource officer in the schools but the board denied the request. The current grant runs out in December, 2014, and, therefore, the town will be eliminating the resource officer position.

Recreation Department: Mayor Zeiger read the Arbor Day Proclamation setting Arbor Day on May 30, 2014.

Councilwoman Welton made a motion to support the Arbor Day Proclamation setting Arbor Day in Saratoga as May 30, 2014. Councilwoman Howe seconded and the motion carried unanimously.

Recreation Director Burton reported that she is working with the Saratoga-Encampment-Rawlins Conservation District to replant and plant new trees at Saratoga Lake. Students from Saratoga Elementary have been invited to participate and learn about tree care. The event will begin at approximately 8:30 a.m. Josh Van Vlack from the Wyoming State Forestry Division will be on hand to present the town with its 10 year Tree City Award.

Richard Hodges stated that he thought the town should encourage residents to plant trees, especially when they are cutting down mature trees.

Director Burton stated that town does encourage residents to plant trees and this year as part of Saratoga's Arbor Day, the Saratoga-Encampment-Rawlins Conservation District is donating small saplings to be given to each elementary student to be planted at a location of their choosing.

Director Burton also reported that the Saratoga Swimming Pool will be open for Memorial Day Weekend with hours of 11 a.m. to 6 p.m. on Saturday, Sunday and Monday, May 24, 25 and 26th.

Department of Public Works

- Street Department: No report given
- Water & Sewer: **No report given**
- Weed and Pest: **No report given**
- Hot Pool: **No report given**

REPORTS FROM BOARDS AND COMMISSIONS:

Airport Board: The next meeting of the airport board is scheduled for June 11, 2014 at 1 p.m. at the Saratoga Town Hall.

Community Center Joint Powers Board: The next meeting of the Community Center Joint Powers Board will be held Monday, June 16, 2014 at 4:30 p.m.

Water and Sewer Joint Powers Board: Water Meter Replacement Project Requisition #2014-45 was presented in the amount of \$9,645.34 with permission for the mayor to sign.

Councilwoman Welton made a motion to pay Water Meter Replacement Project Requisition #2014-45 in the amount of \$9,645.34 and to allow the mayor to sign. Councilman Wilcoxson seconded and the motion carried unanimously.

The next meeting of the water and sewer joint powers board will be Wednesday, June 11, 2014 at 6:00 p.m.

Landfill Board: Richard Hodges reported that the ARC in Laramie has closed and all the recycling is being taken to Colorado.

The next meeting will be Wednesday, June 4, 2014 at 7:00 p.m. in Saratoga.

Medical Board: Councilwoman Welton indicated there was nothing new to report.

Planning Commission: The next meeting will be Tuesday, June 10, 2014 at 5:30 p.m.

Recreation Commission: The next meeting will be Monday, June 09, 2014 at 5:00 p.m.

Community Garden Board: Mayor Zeiger read a letter of resignation from Leslie Johnson, which was accepted with regret.

A letter from Cynthia Bloomquist requesting permission to purchase ten Farmtek Growers Supply Expanded Metal Bench Top Panels, 4' X 8', from Growers Supply was presented. The total cost of the table tops and freight to Saratoga is \$1,836.91 and would be paid for through the grant received from the Department of Agriculture.

Councilman McWain made a motion to purchase ten Farmtek Growers Supply Expanded Metal Bench Top Panels, 4' X 8', from Growers Supply in the amount of \$1,836.91. Councilman Wilcoxson seconded and the motion carried unanimously.

The letter from Ms. Bloomquist also indicated that the garden board would be purchasing 80 concrete blocks locally for approximately \$180. The board also requested that the vacant position on the garden board be advertised so the vacancy could be filled as soon as possible.

The next meeting of the garden board will be Monday, June 09, 2014 at 6:00 p.m.

South Central Emergency Services Board: Bill Dahlke reported on a request from the Town of Hanna to become a member of the South Central Emergency Services Joint Powers Board. Mr. Dahlke explained that when the board was formed, the Town of Hanna chose not to be a member and now wishes to be included.

Councilman Wilcoxson made a motion to not allow the Town of Hanna to become a member of the South Central Emergency Services Joint Powers Board. Councilman McWain seconded.

Mayor Zeiger called for a poll of the council with Councilman McWain voting Yes, Councilman Wilcoxson voting Yes, Councilwoman Howe voting Yes, Councilwoman Welton voting Yes and Mayor Zeiger voting Yes. The motion carried unanimously.

Mr. Dahlke also reported that there have been over 70 ambulance runs from Saratoga since January 1st.

ITEMS FROM THE PUBLIC: Mike Dunn, reporter for the Saratoga Sun asked the council which meeting they voted to hire the new treasurer.

Clerk Cox asked Mr. Dunn to stop by the town hall and she would find it in the minutes for him.

Leon Hetherington reported on the dog park, indicating that volunteers would be putting up trim around the memory board that was installed last year. He also requested that the waste barrels at the dog park be emptied and indicated they would need approximately \$300 to purchase more dog waste disposal bags.

Adjournment: Being no further business to come before the meeting, Councilwoman Welton made a motion to adjourn. Councilman Wilcoxson seconded and the motion carried unanimously.

The next regular meeting of the Saratoga Town Council will be held on June 3, 2014 at 6:00 p.m. in the Council Chambers of the Saratoga Town Hall.

Mayor John Zeiger

ATTEST:

Suzie Cox, Clerk