



Regular Council Meeting

Tuesday, August 20, 2019 at 7:00 pm

- 1) Call to order.
- 2) Pledge of Allegiance.
- 3) Invocation.
- 4) Roll call: Ward I: Kyle Larson, Cory Rota
Ward II: Karla Borders, Rebecca Schatza
Ward III: Mike Bailey, Tim Hancock
- 5) Declaration of quorum.
- 6) Approval of the Agenda.
- 7) Communication from the Floor – Citizen’s Comments.
- 8) Consent Agenda:
 - Approval of the Minutes – August 6, 2019 Regular Council Meeting.
 - Approval of the Minutes – August 6, 2019 Executive Session.
 - Approval of the Minutes – August 13, 2019 Council Work Session.
 - Approval of the Minutes – August 20, 2019 Finance Committee Meeting.
 - Approval of the Finance Committee Recommendations – August 20, 2019.
 - Ordinance No. 19-009, 2nd Reading: RMC Chapter 6.08 Article 2 Revisions: Registration of Dogs.
 - Open Container Permit Application: **Cedar Bar**, Grand Opening at 413 E Fremont St, August 31, 2019, 12:00 pm – 1:00 am.
- 9) Public Hearing & Consideration of Fireworks Permit Application: Riverton High School.
- 10) Consideration of Black Hills Energy Easement on Airport Property.
- 11) Local Preference Purchasing Discussion.

Reports and Comments:

- 12) Council Committee Reports and Council Members’ Roundtable.
- 13) City Administrator’s Report.
- 14) Mayor’s Comments.
- 15) Executive Session – If Needed.
- 16) Adjourn.

RIVERTON CITY COUNCIL
Minutes of the
Regular Council Meeting
Held August 6, 2019
7:00 PM

The regular meeting of the Riverton City Council was held on the above date and time, duly convened by Mayor Richard P. Gard at 7:00 p.m. City Council Members present were Karla Borders, Tim Hancock, Rebecca Schatza, and Cory Rota. Council Member Schatza led the pledge of allegiance and Council Member Hancock conducted the invocation.

Roll call was conducted. Mayor Gard declared a quorum of the Council. Council Member Schatza moved, seconded by Council Member Hancock to excuse Council Member(s) Mike Bailey and Kyle Larson from tonight's meeting. Motion passed unanimously.

City Staff present: City Administrator Tony Tolstedt, City Clerk/Human Resource Director Kristin Watson, Public Works Director Kyle Butterfield, Chief of Police Eric Murphy, Finance Director Mia Harris, Community Development Director Eric P. Carr, and Deputy City Clerk/Administrative Assistant Megan Sims.

Approval of the Agenda – Council Member Borders moved, seconded by Council Member Schatza to approve the agenda as presented. Motion passed unanimously.

Communication from the Floor/Response to Citizen's Comments –Johnny H. Friday, Sr. approached the Council on behalf of the Northern Arapahoe Tribe and the Wind River Casino to present Mayor Gard with a belt buckle, expressing thanks to Council for their support of the Wind River Indian Rodeo.

Consent Agenda – City Clerk/Human Resource Director Kristin Watson read the consent agenda items by title only: Approval of the Minutes – August 6, 2019 Regular Council Meeting; Approval of the Minutes – August 6, 2019 Finance Committee Meeting; Approval of the Finance Committee Recommendations – August 6, 2019 claims to be paid in the amount of \$236,499.27, manual checks in the amount of \$35.42 and payroll / liabilities for 7/22/2019 in the amount of \$452,872.22 for a total of \$689,406.91 and approval of the Senior Center Endowment Board fund expending \$29,999 or less for repairs to a freezer cooler compressor; Approval of the Municipal Court Report for the month of July 2019; Approval of the Proposed 2019/2020 Wind River Visitors Council Budget Plan; and Open Container Permit Applications: Aaron's, Alive @ 5 in City Park, August 17, 2019, 6:00 pm – 9:00 pm; and Roasters Rendezvous, Farmers Market on Broadway between Washington Ave and Main St, September 7, 2019, 3:00 pm – 7:00 pm. Council Member Schatza moved, seconded by Council Member Borders to approve the consent agenda as presented. Motion passed unanimously.

FORCC Committee Appointment: Robert Scheidemantel – Public Works Director Kyle Butterfield reported of a letter of interest received from citizen Robert Scheidemantel to serve on the FORCC Committee Board. Council Member Schatza moved, seconded by Council Member Rota to appoint Robert Scheidemantel to the FORCC Committee. Motion passed unanimously.

Year-End 18-19 Fiscal Health Report – Finance Director Mia Harris presented to the Council a report reflecting the City's fiscal health from July 1, 2018 – June 30, 2019. Mrs. Harris reported on the revenues versus the expenditures in the general fund and the enterprise funds. Also reviewed was the airport fund. No action was taken.

Airport Café Lease Agreement – Public Works Director Kyle Butterfield presented a lease agreement for the lease of the vacant kitchen area from the Riverton Regional Airport by the Riverton Local Food Hub. The lease is for a one-year term which includes a \$1,000 deposit, lease fee of \$1,000 per month with the reduction of rent to \$500 for the first six months. Council Member Rota moved, seconded by Council Member Hancock to approve the lease agreement

with the Riverton Local Food Hub for terminal lease space at the Riverton Regional Airport. Motion passed with Council Member Borders abstaining from the vote.

Public Hearing & Consideration of Ordinance No. 19-009, 1st Reading: Riverton Municipal Code (RMC) Chapter 6.08 Article 2 Revisions – Registration of Dogs – City Clerk/Human Resource Director Kristin Watson presented Ordinance No. 19-009 which provides clarity to Article II of Chapter 6.08. Mrs. Watson read Ordinance No. 19-009 by title only. Council Member Schatza moved, seconded by Council Member Hancock to open the public hearing. Motion passed unanimously. There being no one to speak, Council Member Hancock moved, seconded by Council Member Schatza to close the public hearing. Motion passed unanimously. Council Member Schatza moved, seconded by Council Member Rota to adopt Ordinance No. 19-009 on first reading. Motion passed unanimously.

Memorandum of Understanding (MOU) for Commercial Air Service Improvement Plan – Public Works Director Kyle Butterfield presented a Memorandum of Understanding (MOU) between the City of Riverton and the Wyoming Department of Transportation for commercial air service to be provided by SkyWest Airlines beginning on January 12, 2020. Council Member Borders moved, seconded by Council Member Schatza to approve the MOU between the City of Riverton and WYDOT for Commercial Air Service Improvement Program. Motion passed unanimously.

Memorandum of Understanding (MOU) for Air Service Funding – Public Works Director Kyle Butterfield presented a Memorandum of Understanding (MOU) between the City of Riverton, the City of Lander, and Fremont County. This MOU is an agreement for each entity to contribute monies towards the community Minimum Revenue Guarantee (MRG) for continued air service at the Riverton Regional Airport. Council Member Hancock moved, seconded by Council Member Schatza to approve the MOU between the City of Riverton, Fremont County and the City of Lander to reestablish the minimum Revenue Guarantee (MRG) Subcommittee. Motion passed unanimously.

Ayres & Associates Contract Amendment – Community Development Director Eric P. Carr reported of an amendment to the original Riverton Comprehensive Master Plan contract with Ayres Associates, Inc. The amendment includes extending the contract to October 31, 2019 and a fee increase of \$4,290 for compensation due to potential modifications and attendance of additional meetings. Council Member Schatza moved, seconded by Council Member Borders to approve Amendment No. 1 to the Riverton Comprehensive Master Plan contract with Ayres Associates, Inc. After further discussion, Council Member Hancock moved, seconded by Council Member Borders to table the contract amendment until the August 13, 2019 Work Session Meeting. Amended motion passed unanimously.

Future Legislative Items Review & Discussion – City Administrator Tony Tolstedt presented a legislative priority listing and tier system developed internally by the resolutions that were received from the Wyoming Association of Municipalities (WAM) from various municipalities in the State of Wyoming. Council Member Borders moved, seconded by Council Member Rota to approve the preliminary legislative priority listing and tier system. Motion passed unanimously.

Council Committee Reports & Council Members' Roundtable – Council Member Hancock reported on the Senior Center Endowment Board Meeting, commented on the proposed master plan, and informed the Council of an upcoming meeting for an inpatient treatment facility he will be attending; Council Member Borders thanked Police Chief Eric Murphy for the visibility at the Fremont County Fair; Council Member Rota reported on the FCSD #25 Recreation Board Meeting, the Community Engagement Committee he attended and announced his acceptance into the Leadership Fremont County program; and Council Member Schatza commented the door to door solicitation section in the code, reported on the Riverton Chamber Board Meeting, PAWS Board Meeting, and the Community Engagement Committee Meeting she attended as well as reminded the Community of the upcoming Rendezvous Games.

City Administrator's Report – City Administrator Tony Tolstedt reminded the community of upcoming meetings – FORCC and Airport Board; commented on the Wind River Indian Rodeo which was held in June 2019; and reported on the status of the Chapter 56 Permit for the urban deer reduction program.

Mayor's Comments – Mayor Richard P. Gard commented on Riverton Economic Group Meeting and a WYDOT meeting which further discussed the No Left Turn on North Federal Boulevard he attended; reported on the FCAG Meeting; and thanked Eric Carr for his diligent efforts in the community as well as the Kickin' Trash Group and IDEA Inc for the assistance in the spraying of weeds. Mayor Gard also commented on the Complete Count Committee for the Census 2020.

Executive Session – Council Member Hancock moved, seconded by Council Member Schatza to convene into Executive Session for the purpose of litigation at 8:58 p.m. Motion passed unanimously. Mayor Gard invited in City Administrator Tony Tolstedt, City Clerk/Human Resource Director Kristin Watson, Public Works Director Kyle Butterfield, and City Attorney Rick Sollars. Council Member Hancock moved, seconded by Council Member Schatza to reconvene into regular session at 10:14 p.m. Motion passed unanimously.

Adjourn – There being no further business to come before the Council, Council Member Rota moved, seconded by Council Member Borders to adjourn the Regular Council meeting at 10:15 p.m. Motion passed unanimously.

CITY OF RIVERTON, WYOMING

Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

Publication Date:

RIVERTON CITY COUNCIL
Minutes of the
Special Council Meeting
Held August 13, 2019
7:00 PM

The regular meeting of the Riverton City Council was held on the above date and time, duly convened by Mayor Richard P. Gard at 7:00 p.m. City Council Members present were Karla Borders, Tim Hancock, Mike Bailey, Rebecca Schatza, and Kyle Larson. Council Member Larson led the pledge of allegiance and Council Member Borders conducted the invocation.

Roll call was conducted. Mayor Gard declared a quorum of the Council. Council Member Larson moved, seconded by Council Member Schatza to excuse Council Member(s) Cory Rota from tonight's meeting. Motion passed unanimously.

City Staff present: City Administrator Tony Tolstedt, City Clerk/Human Resource Director Kristin Watson, Public Works Director Kyle Butterfield, Chief of Police Eric Murphy, Finance Director Mia Harris, Community Development Director Eric P. Carr, and Deputy City Clerk/Administrative Assistant Megan Sims.

Approval of the Agenda – Council Member Schatza moved, seconded by Council Member Borders to approve the agenda as presented. Motion passed unanimously.

Public Hearing & Consideration of Fireworks Permit for Rendezvous Games – City Clerk/Human Resource Director Kristin Watson presented a firework application submitted by the Community Engagement Committee for a firework show at the Riverton Rendezvous Games opening ceremony on August 16, 2019 from 8:30 pm to 9:00 pm. Council Member Bailey moved, seconded by Council Member Borders to open the public hearing. Motion passed unanimously. There being no one to speak, Council Member Bailey moved, seconded by Council Member Hancock to close the public hearing. Motion passed unanimously. Council Member Hancock moved, seconded by Council Member Borders to approve the fireworks permit application for the Rendezvous Games. Motion passed unanimously.

Convene into Work Session – Council Member Schatza moved, seconded by Council Member Larson to convene into the work session at 7:08 pm. Motion passed unanimously.

2019 Master Plan Review – Community Development Director Eric P. Carr presented the final 2019 Riverton Master Plan to be reviewed and discussed by the Council. Mr. Carr offered a brief overview of the following chapters in the master plan: Community Design, Economic Development, Transportation, Parks & Recreation, Land Use, and Tribal Partnering. The Council discussed the master plan with Mr. Carr and received additional comments from other City Staff. It is the consensus of the Council to add the following verbiage to the Master Plan and Resolution No. 1394: The Riverton Master Plan is meant to be a guiding document used for the physical development of the city and future community improvements. The items contained herein are guidelines to be considered during future planning efforts and design. Further study and engineering may be required prior to implementation of particular recommendations; which may, or may not, coincide with the recommendation(s) contained within the Master Plan. All items are subject to future amendment and modification at the discretion and approval of the Riverton City Council.

Reconvene into Special Meeting – Council Member Bailey moved, seconded by Council Member Schatza to reconvene into the special meeting at 7:44 pm. Motion passed unanimously.

Public Hearing & Consideration of Resolution No. 1394: 2019 Master Plan Adoption – Community Development Director Eric P. Carr presented Resolution No. 1394, which addresses the adoption of the 2019 Riverton Master Plan. City Clerk/Human Resource Director Kristin Watson read Resolution No. 1394 by title only. Council Member Schatza moved, seconded by Council Member Larson to open the public hearing. Motion passed unanimously. Jerry Kintzler

and Ron Warpness, citizens of Riverton, approached the Council regarding the 2019 Riverton Master Plan and offered their suggestion of having a waterfall and/or a water feature in City Park. There being no one else to speak, Council Member Bailey moved, seconded by Council Member Larson to close the public hearing. Motion passed unanimously. Council Member Bailey moved, seconded by Council Member Schatza to remove the consideration of Resolution No. 1394 from the table. Motion passed unanimously. The motion previously on the table was moved by Council Member Borders, seconded by Council Member Hancock to approve Resolution No. 1394. Council Member Bailey moved, seconded by Council Member Schatza to amend Resolution No. 1394 to include the additional verbiage stated above in the 2019 Master Plan Review. Amended motion passed unanimously. Main motion as amended also passed unanimously.

Consideration of Ayres & Associates Contract Amendment – Council Member Hancock moved, seconded by Council Member Bailey to remove Ayres & Associates Contract amendment from the table. Motion passed unanimously. The motion on the table was moved by Council Member Schatza, seconded by Council Member Borders to approve Amendment No. 1 to the Riverton Comprehensive Master Plan contract with Ayres & Associates, Inc. Motion failed with Council Member(s) Larson voting aye and Council Member(s) Borders, Hancock, Bailey, Schatza, and Mayor Gard voting nay.

Adjourn – There being no further business to come before the Council, Council Member Borders moved, seconded by Council Member Hancock to adjourn the Special Council meeting at 8:07 p.m. Motion passed unanimously.

CITY OF RIVERTON, WYOMING

Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

Publication Date:

CITY COUNCIL ACTION MEMO

TO: His Honor the Mayor and Members of the City Council

FROM: Kristin Watson, City Clerk/Human Resource Director



THROUGH: Tony Tolstedt, City Administrator

DATE: August 16, 2019

SUBJECT: Ordinance No. 19-009, 2nd Reading: Riverton Municipal Code (RMC) Chapter 6.08 Article 2 Revision: Registration of Dogs.

Recommendation: That Council adopt proposed ordinance no. 19-009 – Riverton Municipal Code (RMC) Chapter 6.08 Article 2 Revisions: Registration of Dogs on *second* reading.

Background: Staff continually reviews City Code in an effort to ensure accuracy and transparency. On occasion, we come across code references that are conflicting or unclear.

Discussion: This proposed ordinance is being presented in order to provide clarity regarding Article II Registration of Dogs of Chapter 6.08 Dogs and Cats. In Article II, the definition that was added is conflicting to this Article, as cats are not required to be registered. Therefore, the proposed ordinance is recommending the removal of section 6.08.075, and changing all animal references in Article II to dog. In addition, this proposed ordinance re-establishes definitions for Chapter 6.08.

Ordinance No, 19-009 was adopted on first reading at the regularly scheduled council meeting on August 6, 2019.

Alternatives: Council may direct staff to modify the proposed ordinances; or Council may deny the proposed ordinance.

Budget Impact: Outside of the publishing costs, there is not a budget impact as a result of adopting this ordinance.

Council Goals: This ordinance does not directly support the Council Goals; however, the clarification and further development of the Riverton Municipal Code is an ongoing objective.

PROPOSED ORDINANCE NO. 19-009

AN ORDINANCE AMENDING TITLE 6 “ANIMALS”, TO REVISE CHAPTER 6.08 “DOGS AND CATS”, ARTICLE II “REGISTRATION OF DOGS”; AND TO ESTABLISH SECTION 6.08.010 “DEFINITIONS”; OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1. 6.08.010 “Definitions”, is hereby established to read as follows:

For the purpose of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

“Animal(s)” is defined as dog(s) or cat(s).

“Animal control officer” means the person employed by the city to control animals.

“At large” means any dog or cat shall be deemed to be at large when it is off the premises of its owner and not under restraint by a person physically able to control it.

“Cat” means any male or female feline.

“Dog” means any male or female canine. Where the word “dog” is used without a qualifying word, it shall be deemed and held to include both sexes.

“Noisy dog” or “noisy cat” means any dog or cat which habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood.

“Nuisance” means any animal which trespasses on public or private property; is at large, damages, soils, defiles or defecates on private or public property other than that of its owner; causes garbage which has previously been placed in a garbage or refuse container to be strewn or deposited on private or public property; habitually, constantly or frequently disturbs the sleep, rest, tranquility or peace of any neighborhood or person; chases pedestrians, bicyclists or motor vehicles; attacks other domestic animals; any dog or cat in heat which is not confined; any animal which creates offensive odors disturbing to any neighborhood or person, including animal waste from domestic animals that has created an offensive or foul odor, or that is unsanitary or dangerous to health.

“Owner” means any person owning, keeping or harboring a dog or cat. Any person who shall permit a dog or cat to habitually remain or to be fed in or about his premises shall be considered and be held to be the owner of such dog or cat.

“Police officer” means persons employed by the city as its enforcement officers.

“Restraint” A dog or cat is under restraint within the meaning of this chapter if it is within the property limits of its owner or keeper or under actual physical control of such owner or keeper or other person physically capable of controlling the animal.

“Vicious animal” means any animal which has attacked, menaced or bitten any person without reasonable provocation or any animal which has behaved in such a manner that the owner knows or should reasonably know that the animal is possessed of a tendency to attack, menace or bite persons without reasonable provocation.

Section 2. 6.08 “Dogs and Cats”, Article II “Registration of Dogs” is hereby amended to read as follows:

Article II. Registration of Dogs

6.08.070 Required.

It is unlawful for any person to keep or harbor any dog in the city over the age of two months unless he or she shall cause the same to be registered through the animal adoption center. The registration shall be effective for ~~three years from purchase date~~ *the duration of the current inoculation for rabies* and shall require renewal upon expiration. (Ord. 12-003 § 1, 2012; Ord. 05-013, 2005)

6.08.075 Definition.

~~—Animals. For the purposes of this section, animal(s) is defined as dog(s) or cat(s), pursuant to Section 6.08.010 of this chapter. (Ord. 05-013, 2005)~~

6.08.080 Fee.

Registration fees shall be established by the city council by resolution. (Ord. 12-003 § 1, 2012; Ord. 05-013, 2005)

6.08.100 Issuance of receipt—Entry into register.

Upon the receipt of a bona fide certificate showing that the dog for which registration is requested has, during the calendar year for which registration is requested, received an inoculation for rabies and upon the collection of the registration fee provided for by resolution by the city council, a receipt shall be issued and the ~~animal~~ *dog* for which such fee is paid shall be registered and such certificate of inoculation for rabies is presented, in a book kept for that purpose, which shall describe each ~~animal~~ *dog* by tag number, age, kind of dog, number on rabies inoculation certificate, *rabies inoculation expiration date*, and name and address of the owner or keeper. (Ord. 05-013, 2005)

6.08.110 Tags—Generally.

When a dog is registered under this article, the owner or keeper shall be given a license tag bearing the dog's registration number. Such registration tag shall be secured around the neck of the ~~animal~~ *dog* registered, and it is unlawful for any person to put upon any ~~animal~~ *dog* any tag of the kind herein required, except the one delivered for that particular ~~animal~~ *dog*. (Ord. 05-013, 2005)

6.08.120 Tags—Unlawful removal.

It is unlawful for any person, other than a police officer performing his or her duty, to remove the collar or registration tag from any dog without the consent of the dog's owner. (Ord. 05-013, 2005)

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING August 6, 2019

PASSED ON SECOND READING _____

PASSED ON THIRD READING _____

PASSED AND APPROVED this _____ day of _____, 2019.

CITY OF RIVERTON, WYOMING

By: _____
Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

ATTESTATION

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 19-009 was passed, adopted, and approved by the Governing Body of the City of Riverton on the ____ day of _____ 2019. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Kristin S. Watson
City Clerk/Human Resource Director

August 15th



City of Riverton
Open Container Permit Application

Table with 3 columns: Open Container Permit (checked), \$25.00 Non-Refundable Fee, RMC 5.04.070 Allows alcoholic beverages on City property by permit only

SPONSOR OF EVENT: Cedar Bar
SPONSOR REPRESENTATIVE: Cedar Bar, Terri Weil
ADDRESS: 413 E Fremont PHONE: 463-0055
TYPE OF EVENT: Grand Opening
LOCATION OF EVENT: 413 E. Fremont
DATE OF EVENT: August 31st 2019
START TIME: 12:00 pm END TIME: 1:00 A.M.

WILL UNDERAGE CHILDREN BE PRESENT? Y / N

If yes, please explain procedures to ensure underage children will not be served alcoholic beverages.

Wrist Bands, Designated area for kids under 21 outside away from Bars! Separate Bathrooms outside, Potte Potties!

The undersigned applicant agrees to abide by the following rules and regulations set forth by the Riverton City Council:

- Alcohol Sales is not permitted.
Providing alcohol to intoxicated persons is not permitted.
Providing alcohol to underage person(s) is not permitted.
Taking open containers off of or away from permitted area is prohibited.
The location shall be left clean and free of debris.
The applicant shall abide by any other rules set forth by the Riverton City Council.

Signature of Applicant (Terri Weil)

FOR OFFICE USE ONLY

Approved/Denied by Council Action on _____, 20__.

City Clerk

Date Paid 8/7/19 NY

cc: Police Department
Parks Department

City of Riverton, Wyoming

FIREWORKS PERMIT APPLICATION



A non-refundable processing fee of \$25.00 is due at the time of filing.

Name of Applicant: Reggie Miller - RHS Activities Director

Address: 2001 W Sunset

Telephone Number: 307-851-1545

Event for the purpose of fireworks display: Cannon for RHS Football Games

Location of the Event: Riverton High School

Start/Finish time of the event: 7:00 pm - 10:30 pm

Person in charge of fireworks display or pyrotechnic operations. Doc Holloway

Conditions of Permit

- Fireworks displays must follow guidelines established per Chapter 33, Sections 3301, 3302, 3308 and Chapter 4 Section 403, International Fire Code (IFC) current edition as specified by RMC and NFPA 1123 or NFPA 1126.
- Letter of recommendation from the Fire Chief of the Riverton Volunteer Fire Department must accompany permit application
- Required attendance at public hearing, upon notification
- Attach site plan per IFC 2003, Section 3308.2.1.
- Required advertising in local newspaper or media to inform the public of the event(s).
- List type(s) and Class of fireworks to be displayed (IFC 3308.3).

Cannon

Signature of Applicant: 

Date: 8/14/19

Approved/Denied by Council action on _____, 20__.

CITY OF RIVERTON, WYOMING

City Clerk

Date application filed _____	Fee Paid _____
Public Hearing date _____	Date advertised _____
Notification to Owner _____	Copy to City Staff _____

Riverton Volunteer Fire Department

Assistant Chief - Brian Hutchins
Treasurer - Jesse Cassity
RRT Administrator - Matt Lee

Secretary - Jake Blumenshine
Captain - Mike Hutchison
Captain - Scott Walters



Fire Chief - Henri DeClercq

August 14, 2019

Dear Mr. Miller

You recently requested that I write an authorization letter for your administration, and to the City of Riverton, in regards to cannon at home football games.

I have no problem with the cannon use at football games. It is a great way to celebrate the Wolverine's success! The man who fires the cannon has been doing this safely at different schools for many years.

It would be a great idea for the school (or cannon blast personnel) to have a fire extinguisher on site in case there is an issue and it can be dealt with quickly. The Riverton Fire Department is just a call away if there is ever a need.

Let me know if you need anything else this year from my department. Feel free to contact me via my cell phone (307) 760-9467 or email hdeclercqii@gmail.com We love working with the young people of our community!

Sincerely,

Henri DeClercq
Fire Chief

Protecting Lives and Property

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Eric P. Carr, P.E. – Director of Community Development

THROUGH: Tony Tolstedt – City Administrator

DATE: August 20, 2019

SUBJECT: Black Hills Wyoming Gas, LLC – 20-ft Easement for Gas Lines and Appurtenances

Recommendation: The City Council authorize the Mayor to sign the Black Hills Wyoming Gas, LLC – Easement for Gas Lines and Appurtenances granting a twenty (20) foot easement adjoining the south edge of the Highway 26 right-of-way line through Parcel: 91131310017000.

Background:

The City of Riverton owns Parcel ID: 91131310017000, described more particularly as T 1N R 3E SEC 13 FR N/2NW, E/2SENW, E/2W/2SENW, E/2W/2W/2SENW, LOT 1. This property is one of five (5) parcels making up the Riverton Municipal Airport property. U.S. Highway 26 transects the parcel in its southwest corner leaving 1.7 acres of the 204.37 acres on the south side of the highway.

Discussion:

Black Hills Wyoming Gas, LLC (Black Hills Energy) desires to install a 6-inch gas main from 8 Mile Road, 3.88 miles southwest along the right-of-way of U.S. Highway 26 to a point on Valley View Road (see attached map). To accommodate the new gas main, they are requesting a 20-ft (0.248 acre) easement.

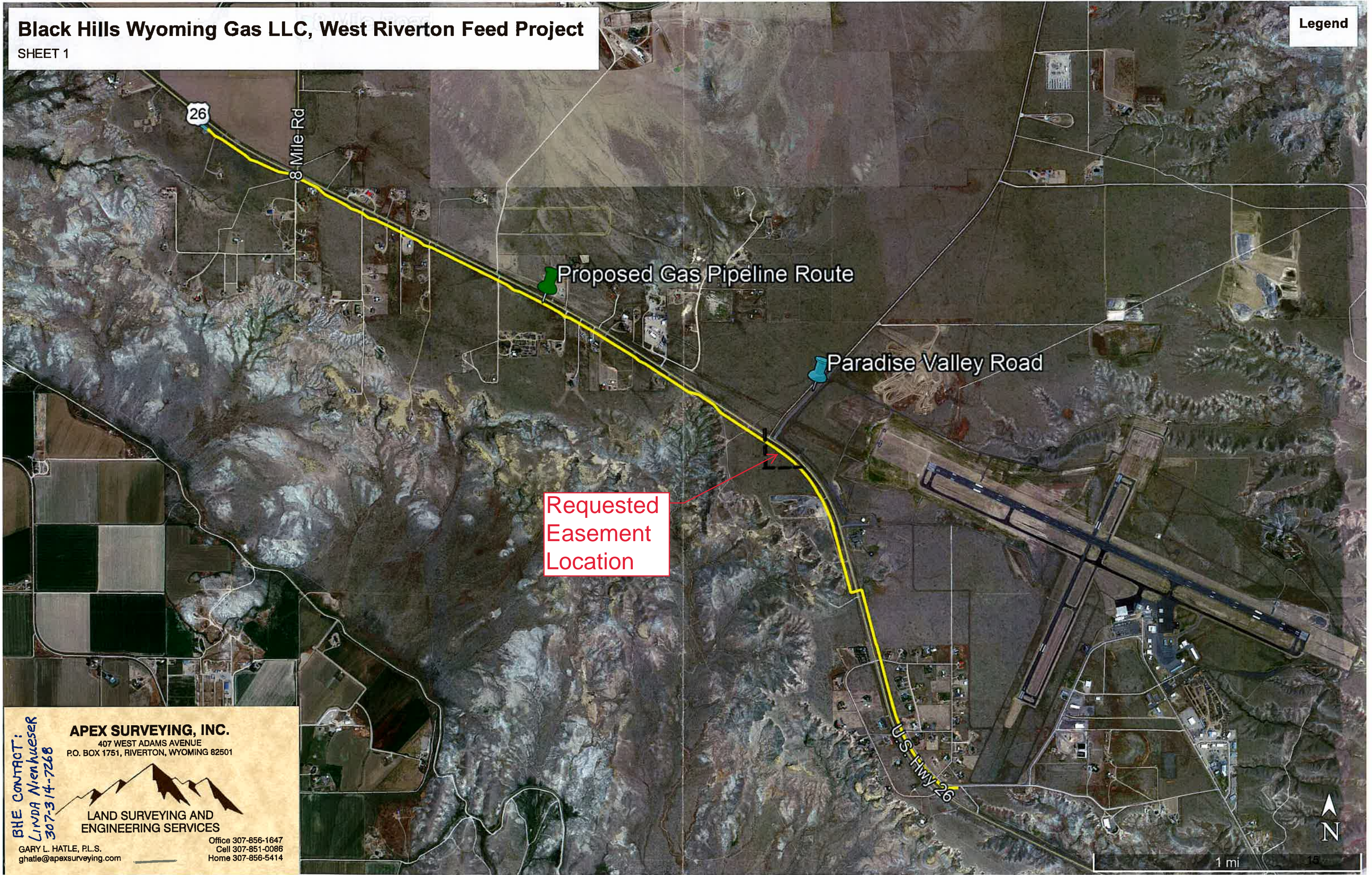
Alternatives: Approve with additional stipulations. Do not provide approval for the Mayor to sign the easement.

Budget Impact: There is no budget impact if council does, or does not approve the mayor to sign the easement.

Black Hills Wyoming Gas LLC, West Riverton Feed Project

SHEET 1

Legend



Requested Easement Location

BHE CONTACT:
LINDA NIENHUESER
307-314-7268

APEX SURVEYING, INC.
407 WEST ADAMS AVENUE
P.O. BOX 1751, RIVERTON, WYOMING 82501



LAND SURVEYING AND ENGINEERING SERVICES

GARY L. HATLE, P.L.S.
ghatle@apexsurveying.com

Office 307-856-1647
Cell 307-851-0086
Home 307-856-5414

Prepared by, and after recording
please mail to:

BLACK HILLS ENERGY
Attn: Jim Wasson
1301 W 24th Street
Cheyenne, WY 82001

EASEMENT FOR GAS LINES AND APPURTENANCES

THIS **EASEMENT** is made and entered into this ____ day of _____, 2019, by and between **City of Riverton**, 816 N. Federal Blvd., Riverton, Wyoming 82501, "**GRANTOR**", and **BLACK HILLS WYOMING GAS, LLC, d/b/a Black Hills Energy**, 1301 West 24th Street, Cheyenne, WY 82001 "**GRANTEE**".

Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee, its lessees, licensees, successors and assigns, the right, privilege and perpetual easement to enter upon the lands of Grantor to survey, construct, operate, patrol, inspect, maintain, alter, replace pipes, repair, rebuild and remove, on, under and over said lands and in and upon all streets, roadways or highways abutting said lands, now or at any future time, a line for the transmission and distribution of gas and all appurtenances and appliances necessary in connection therewith, including but not limited to aboveground valve settings or district regulator stations, together with the right of ingress and egress to and from any lines of Grantee over the lands of Grantor so that Grantee may go to and from any lines from the public roads adjacent to Grantor's lands, which said lands of Grantor, situate in the County of **Fremont**, in the State of Wyoming further described on Exhibit **A** attached hereto and incorporated herein by this reference.

Grantee may erect and use gates in all fences which cross or which shall hereinafter cross the route of any lines. Grantee is given the right to trim, cut and clear away or otherwise control any trees, limbs, brush and vegetation on or adjacent to the above described easement whenever, in its judgment, such will interfere with or endanger the construction, safety, operation or maintenance of any lines. In exercising its rights of ingress and egress Grantee shall, whenever practicable, use existing roads or lanes and shall repair any damage caused thereby.

It is the intention of the parties hereto that Grantor is hereby conveying the uses herein specified without divesting himself, his heirs or assigns, of the right to use and enjoy the above described premises: PROVIDED, however, such use shall not, in the judgment of said Grantee, interfere with or endanger the construction, safety, operation or maintenance of any lines, and provided further that no building shall be constructed on the easement without written permission from Grantee. In addition, the granting of any subsequent easements to third parties that either cross Grantee's gas lines or are situated within five feet of Grantee's gas lines shall require written permission from Grantee.

Grantee, its successors and assigns, agrees to pay for any damage caused to land, growing crops, fences, livestock or other personal property of Grantor from the construction, operation or maintenance of any lines.

Title to said lines shall be and remain in said Grantee.

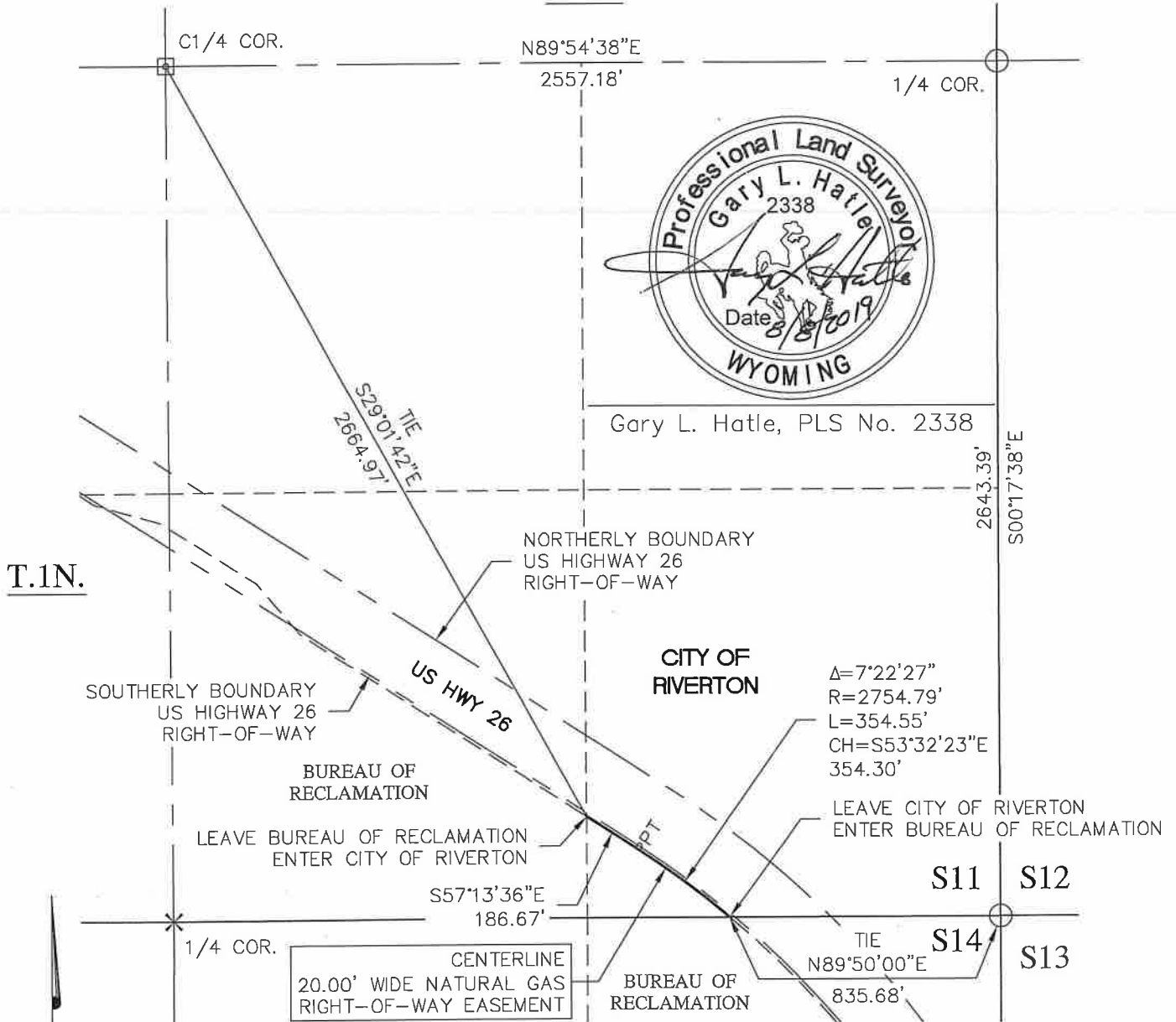
TO HAVE AND TO HOLD said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances, and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensees, successors or assigns forever. This easement shall run with the land and shall be binding upon Grantor and Grantor's heirs, personal representatives, successors and assigns. Grantor hereby represents, warrants and covenants that Grantor is the sole owner(s) of the above-described land, subject to existing liens and right-of-way easement of record and has all rights to grant this easement.

EXHIBIT "A"

MAP OF BLACK HILLS WYOMING GAS, LLC NATURAL GAS RIGHT-OF-WAY EASEMENT

ACROSS CITY OF RIVERTON
LOCATED WITHIN
SE1/4SE1/4, SECTION 11,
T.1N., R.3E., W.R.M.,
FREMONT COUNTY, WYOMING

R.3E.



SCALE
1"=500'

RIGHT-OF-WAY EASEMENT
AREA = 0.248 AC.

LEGEND

- - EXISTING 2" DIA. ALUMINUM CAP
- ⊠ - EXISTING 5/8" DIA. REBAR
- × - COMPUTED CORNER TO BE SET



APEX SURVEYING, INC.
ENGINEERING AND LAND SURVEYING

407 West Adams Avenue, Box 1751
Riverton, Wyoming 82501
(307)856-1647

Job: 18150
Bk:
P: 18

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Anthony Tolstedt, City Administrator

DATE: August 16, 2019

SUBJECT: Local Purchasing Preference Discussion

Recommendation: That Council provide guidance and direction with regard to the development of a local purchasing preference policy.

Background: At the regular Riverton City Council meeting on 3/5/2019, Council approved minor modifications to the purchasing policy. During discussion there were some questions as to how a local purchasing preference would work and if it were allowable by law. Staff was directed to determine if and how such a policy would work. As such, Staff inquired into existing policies and law associated with the development of such a policy.

Debernardi v. Green River held that the only preference available was the State preference. However, the Wyoming Supreme court has over ruled that decision. In the case of *Western Wyoming Construction v. Sublette County*, the Court held that the State preference only applied to instate vs. out of state contractors. It did not apply when there were two in state contractors. In that case the Court allowed Sublette County to give a local preference to a Sublette County contractor over a Fremont County contractor. The one item was that there had to be a policy in place and that said policy was required to state the preference amount. Such policy cannot simply state a preference, as that would allow for arbitrary and capricious decisions. Therefore, the policy would need to state what the preference is in a quantative manner and what qualifies a business for that consideration.

Discussion: If a local preference policy were developed, Council would need to consider the following:

1. Preference amount: Council requested that staff research the development of a local preference at 5%. This is allowable. Staff has not found any restriction on allowance amount but it is not recommended that the amount be more than 5%. Assuming a 5% allowance is made, it is further noted that such a preference should not be in addition to any other preference amounts such as a state preference. Preference levels may be different for items such as capital construction where the percentage changes the amount to significant amounts.

2. Qualifications for preference: Denoting the standards by which local preference is provided are also necessary. Items such as business residency within the County are common.

It is important to denote that a local purchasing preference being applied via a new policy is not the same as seeking multiple bids for items at a particular spending level. Local preference provides a mathematical advantage to those services or goods provided within a predetermined geographical area while our purchasing practices simply denoted the spending level at which time informal and formal bids are obtained.

If Council wishes to change the spending level at which an item is bid, this would be a modification of the existing purchasing policy to adjust such items from the current threshold to another amount. It is also notable that since the previous discussion on this subject, staff has made additional efforts to seek multiple quotes on items. As such, modification of the current policy with regard to purchasing levels is not recommended at this time.

Alternatives: Council may denote the desired parameters of a policy and direct staff to prepare the policy for adoption. Based on the discussion, staff will seek specific guidance.

Budget Impact: While the budgetary impact cannot be quantified at this time, it is expected that the implementation of a local purchasing preference would have the potential to increase cost on certain items when compared to other bids that would not receive a local preference. This is especially true when considering large projects such as 1% projects where bid amounts can exceed a million dollars. In such cases, the change could amount to additional costs in excess of \$50,000.

Council Goals: The provided discussion does not directly apply to any of the adopted goals. However, development of policies and procedures specific to the City of Riverton aid in the effective and efficient operation of the City.