

## COUNCIL PROCEEDINGS

Special Meeting

September 8, 2015

6:00 p.m.

A Special meeting of the City Council of the City of Gillette, County of Campbell, State of Wyoming, was held on Tuesday the 8th day of September 2015, in the breakroom of City West, pursuant to due notice and call. The Presiding Officer called the meeting to order and upon roll call the following were found to be present:

Council Members present: Robin Kuntz, Kevin McGrath, Forrest Rothleutner, Dan Barks, Tim Carsrud, Ted Jerred, and Mayor Louise Carter-King.

Staff present: J. Carter Napier, City Administrator; Pamela L. Boger, Administrative Services Director; Kendall Glover, Utilities Director; Dustin Hamilton, Director of Development Services; Sawley Wilde, Public Works Director; Chuck Deaton, Lieutenant; R. Douglas Dumbrill, Land Consultant; Jeremy Harder, GPA Manager; Patti Davidsmeier, Community & Government Relations Manager; and Karlene Abelseth, City Clerk.

### Warm Up Items

Councilman McGrath reminded the Council and the community of the upcoming 9/11 Remembrance Ceremony on Friday at 1:00 p.m.

### Action Item

It was moved by Councilman Barks and seconded by Councilman McGrath to approve the Emergency Operations Plan (EOP). City Administrator Napier reported that the Council is being asked to adopt the Plan pursuant to the City's participation in emergency response within the community. Councilman Barks commented that the Plan is a very extensive, complicated document and asked if the assumption could be made that someone on City staff has reviewed the document thoroughly. City Administrator Napier confirmed that there are individuals within the Organization that have reviewed the Plan. Councilman Barks then asked for highlights of the revisions to the policy. Charles Messenheimer, Campbell County Emergency Management Agency, stated he didn't know of any major changes from past. The Plan is in-line with Federal guidelines. He reiterated that he didn't know of any glaring changes. City Administrator Napier asked if this is consistent with the NIMS model that Council adopted a few years back. Mr. Messenheimer confirmed it is. Mr. Napier stated that this is reflective of what was talked about in the meeting at Wright and doesn't feel this is anything to worry about in terms of obligations to the City. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Barks, Carsrud, Jerred, Kuntz, McGrath, Rothleutner, and Mayor Carter-King. The Presiding Officer declared the motion carried.

It was moved by Councilman McGrath and seconded by Councilman Jerred to approve a bid to purchase the house and lot at 2000 Autumn Court. City Administrator Napier stated that Council authorized staff to open bids with respect to a residential property that the City currently has ownership of on Autumn Court. Two bids were received, and the apparent high bidder is Jake Sinner in the amount of \$202,156. At Council's request, the property was bid "as is". Staff's recommendation is to accept Mr. Sinner's bid of \$202,156. R. Douglas Dumbrill, Land Consultant, added that there was a letter provided to Council from Security State Bank stating that the bidder has funds on

deposit to close the transaction. Mr. Dumbrill confirmed this was still the case with the bank. Councilman Barks pointed out that this bid was nearly double the other bid received. After the discussion, roll was called on the motion with the following results. Council Members voting aye: Carsrud, Jerred, Kuntz, McGrath, Rothleutner, Barks, and Mayor Carter-King. The Presiding Officer declared the motion carried.

#### Urban Chicken Discussion

City Administrator Napier stated that Council has agreed to entertain discussion regarding the applicability of chickens being raised, and cared for, in the community. The Ordinance does not allow for that, and from previous discussions, this has not been an item that Council has adopted. Nonetheless, Council has agreed to entertain public comments and feedback with respect to urban chickens and potential Ordinance. Staff is requesting direction if more information is needed, and whether or not a draft Ordinance would be appropriate for future discussion. Adrian Gerrits and Alex Berger presented a power point presentation regarding a group of Gillette citizens known as YesChickens, and the request to allow urban chickens in the city limits. Information was provided regarding the benefits of backyard chickens such as eggs and fertilizer that chickens provide, as well as happiness in owning chickens. Mandy O'Rourke spoke to the Council regarding chickens that she and her husband raised while living in St. Louis, Missouri. Paul Hladky, who lives just on the outskirts of Gillette, spoke to the Council regarding chickens that he is raising, as well. Mr. Gerrits then provided information pertaining to other communities around Wyoming and Montana that allow backyard chickens. Those communities include: Sheridan, Casper, Douglas, Laramie, along with Bozeman and Billings, Montana. He added that Sheridan doesn't have an Ordinance pertaining to backyard chickens; they say that a chicken cannot be "at-large" in the city limits. The effect on neighborhoods such as noise, waste and property value took place. Mr. Gerrits explained that hens typically don't make noise; the largest complaint comes from communities who allow roosters, and added that, according to OSU/EPA studies, six hens on average, produce less waste per year than two average dogs, and the waste can be composted and used as fertilizer. He then reported that seven out of 10 "most desirable cities" allow for backyard chickens. Alex Berger then explained the key to success. He spoke of classes that could be offered to educate the public regarding the care of chickens, the size of coops, and so on. The group is requesting that Council move forward with a proposed Ordinance pertaining to backyard chickens. He added that the Ordinance passed in Casper last month would be a great model. Mr. Berger informed the Council that over 250 signatures have been obtained from citizens who have expressed an interest in support of backyard chickens. Councilman Carsrud asked Mr. O'Rourke what he did with the chickens before he moved from St. Louis. Mr. O'Rourke stated that he advertised on Facebook and Craig's List and within 24 hours there were several people interested who wanted the opportunity to acquire hens that were already at the stage of maturity to lay eggs. Within two days the hens had been adopted. Councilman McGrath asked Mr. O'Rourke, when his hens were done laying eggs, if he took them to a butcher shop or did St. Louis allow for the butchering of hens in the yard. Mr. O'Rourke stated that there were two instances where he had to get rid of chickens; he ended up with a rooster and a rancher took him. The other was a hen that stopped laying, and again, a rancher took the hen. Councilman Jerred asked if the group was proposing to start out with chicks, or laying hens only. He added that it looks like Douglas only allows for laying hens. Mr. Berger stated that he felt the

group would be proposing a few chicks to start out because of the availability. Councilman Jerred inquired about the difficulties through the winter. Mr. Hladky replied that he puts the chicks in a tub with a heat lamp, adds food and water, and within three months the chicks can be introduced to the rest of the flock. Mayor Carter-King asked if the other cities have a provision for a neighbor's consent prior to obtaining a permit. Mr. Berger stated that after viewing Casper, Laramie, Billings and Missoula, Montana's, Ordinances, he did not find any reference to obtaining a neighbor's consent. He has seen reference to it on national websites. Mayor Carter-King stated that this could pose a problem; if your neighbor does not want backyard chickens, then who makes the call. She then asked Mr. Hladky if he has dealt with predator issues. Mr. Hladky stated that the only predator that he had noticed was an owl, about a month ago, due to a sick chicken. He added that his chickens are enclosed in a tight enclosure and, therefore, has had no issues with coyotes or fox. Councilman Jerred asked if the group was proposing a certain lot size, or zoning, where backyard chickens would be allowed. Mr. Berger stated that the group has not proposed certain lot sizes or zoning. He added that the two restrictions of Casper's Ordinance are that the overall footprint of a coop cannot be over 60', and a coop cannot be within six feet of a boundary line; by geometrical necessity this would limit the size of lot where chickens would be allowed. Councilman Jerred suggested that the group look at Douglas' Ordinance as it has a conditional use permit that goes through their City Planning, which triggers the notification to neighbors. In addition, it speaks about lot size. Councilman McGrath stated that in one of the written comments received, there was a suggestion of no coops within 100', or more, of a residence. Mr. Berger stated that this would prevent him from having chickens as he lives on Richards Avenue. Councilman Rothleutner stated the same. Mayor Carter-King added that she believes what Councilman McGrath is eluding to, is the smaller density of neighborhoods would pose a problem if chickens were allowed. Councilman McGrath brought up the number of animals that a resident can have, as well as the lot size. He stated if someone wants chickens, they should live out in the country. Councilman McGrath is not totally against the chickens, but feels that chickens should be kept on larger lots. Councilman Kuntz asked about disease prevention, such as the Bird Flu, and wanted to know how this would be monitored and how the public would be protected. Bob Jordan replied by saying that the Avian Flu is carried by Sparrows and by migratory birds. The risk from chickens versus migratory birds, or local birds, is identical. He then explained that there is an average coop size available for backyard chickens, and the suggested size of a run area is a couple feet per bird. Mayor Carter-King asked for comments from those opposed to urban chickens. Terry Sjolín expressed her concerns regarding urban chickens. Sanitary conditions, predatory animals in residential neighborhoods, as well as licensing, processing and funding, and its effect on local farmers. After doing research, Ms. Sjolín stated that she found that backyard coops need to be cleaned at least once a week, poultry farmers who raise chickens that produce eggs, have the ability to recognize signs of disease. She added that she found a quote from the Center of Disease Control, "It's common for chickens, ducks and other poultry to carry salmonella which is a type of germ that naturally lives in the intestines of poultry, and many other animals, and it is shed in their droppings or feces". Her concern is a neighbor, living next door, using chicken waste as fertilizer. She stated that the CDC went on to say, "Even organically fed poultry can have salmonella. While it doesn't usually make the bird sick, it can cause serious illness when it is passed to people." She questioned who is going to

ensure that the coops are kept clean and the feces taken care of in a proper manner. She is also concerned about regulations in the Ordinance and asked who is going to control how many hens are in backyards. She expressed her fear of slaughtering unwanted hens in yards; and asked are tax payer dollars going to be used to provide inspections of the coops to ensure sanitary conditions are being met. She believes that this could bring additional costs to tax payers. She feels that local farmers should be supported by buying their eggs at the local farmer's market, and encourage more farmers to come and sell their eggs. She went on to speak of predatory animals and the risks they would impose on small children and other pets; especially in areas such as Westover, Sleepy Hollow, and Antelope Valley. These areas are already on the outskirts of the city and if hens are allowed, it could cause an increase in predatory animals. She went on to speak of zero lot lines, which creates a very close proximity, and if her neighbor has hens, then she stated, she would have hens too. She requested that Council not change the Ordinance. Mayor Carter-King asked Ms. Sjolín if the Ordinance stated that permission from your neighbor was required, did she feel as if that would be fair. Ms. Sjolín replied that a good point was made earlier; who gets to decide if one person wants hens and several others do not. She agrees with Councilman McGrath and feels that if someone wants to own chickens, they should live on the outskirts of town. Jim Schaffer stated that he feels the Government has been taken over by special interest groups that tend to bring more people to these types of meetings. They voice their pros and it seems to sway the City Council and state governments. Unfortunately, the silent majority sits on the sidelines and end up losing. He stated that he is not in favor of a proposed Ordinance, however, he would support it if every neighbor around a location supported it; but if one neighbor didn't show support, then he would be against it. Mayor Carter-King announced that three letters were received opposing a proposed Ordinance for urban chickens, and asked the Clerk to record this in the minutes. The letters of opposition were received from Patsy Allen, Rita Jarvis, and Megan Nelms. Lea Naumu spoke to the Council and expressed her support of urban chickens in the city limits. She said that chickens are good bug controllers. She also wanted to point out, in response to slaughtering chickens in yards, that when people go hunting, those animals are being processed in the city limits. She expressed concern by having to obtain consent from the neighbors when consent is not needed to have a dog, such as a pit bull. Councilman Barks questioned Ms. Naumu's remark regarding the use of chickens for bug control as he was under the assumption that the Ordinances kept the chickens in a coop and a confined space. Ms. Naumu agreed and stated that Councilman Barks made a good point. Mr. Gerrits added that in the Casper Ordinance, chickens are to be kept in the coop at night, and have access to the coop during the day, but could be allowed in a fenced-in enclosure. Councilman Rothleutner added that he could see a problem if many animals are allowed on a single lot, but doesn't feel that a few chickens pose a problem. Councilman Barks asked if there are policies regarding chickens being kept in a coop or a yard. Councilman Rothleutner explained that generally, three to five square feet per chicken, as well as having a coop, and it has to be an enclosed area. Mr. Berger added that the Casper Ordinance states the enclosure has to be six feet high if the chickens are allowed to roam, but feels for general chicken care, some area outside the coop needs to be provided. Councilman Jerred asked how many eggs six hens can produce. Mr. O'Rourke stated, approximately, one egg per hen, per day, and they need at least 12 hours of light each day. Councilman Jerred asked Mr. O'Rourke if after investing in the feed and the coop, and everything else that goes along with

raising chickens, can you produce them less than \$5 per dozen. Mr. Rourke stated that he felt it would be close, but feels the more restrictions there are will detour some from wanting backyard chickens, as he feels it then becomes a wash. He went on to say that it's more for educational purposes as the hens become your pets. He then explained that in St. Louis, a certain amount of animals were allowed per lot. If someone desired additional animals, it would require the neighbor's consent. Doug Wood expressed his opposition to backyard chickens and stated if someone wants barn yard animals, they need to go outside the city limits. Summer Brittan knows 23 families belonging to the 4-H Club that are interested in raising poultry. She doesn't see any problems with backyard chickens. Councilman Barks pointed out to Ms. Brittan the Ordinance, if it passes, would only allow for hens, there would be no roosters and didn't know how that would affect fair entries. Ms. Brittan stated that the majority of the entries are hens. Councilman McGrath commented that most of the kids involved with some type of animal live in the county. Ms. Brittan confirmed they do, however, there are the "city ranchers" who have access to small barns housed at the Cam-Plex. Mr. Schaffer asked who would enforce the Ordinance. Lt. Deaton responded by saying Animal Control would enforce the Ordinance. Mr. Schaffer then asked about what this will do to the property values. Mr. Gerrits stated that covenants would supersede City Ordinances. Renee (resident) stated that she feels dogs are noisier than chickens and supports having backyard chickens. Councilman McGrath asked if the mobile home park, where she lives, would allow backyard chickens. Ms. Renee stated that she believes it would be allowed. Mr. Jordan added that a training program would be offered for first time chicken owners to ensure that the right sized pen and shelter is used. After the discussion, Mayor Carter-King asked if there is support from the Council to move forward with a draft Ordinance. Councilmen Rothleutner and Carsrud stated they would support bringing a draft Ordinance forward. Mayor Carter-King stated that it doesn't look like there is support from the remaining Council Members and, therefore, the Ordinance will not move forward.

#### Aquatic Park Update

Alex Tommerup, AT Architecture; Douglass Whiteaker, Water Technology, Inc., (WTI); and Michael Kaul, project manager, Water Technology, Inc., gave an update regarding the aquatic park. Mr. Tommerup began by announcing the meeting agenda which includes the design development review, proposed aquatic program concept, aquatic amenity cost options, and the next steps. A diagram of the Aquatic Park and parking lot concept was presented, along with a floor plan of the bath house. Mr. Whiteaker gave highlights of the pool area. He went over the concession area, kid's pool area (that will include play features), and the wave roll back area. He then pointed out a space that would include an additional 5,000 square feet of pool area. The proposed pool will be double the size of the existing City Pool. Mr. Whiteaker added that there is 11,575 square feet of water, along with an additional 5,000 square feet of splash area, for a total of 16,575 square feet of water. The lazy river and wave area were presented. Mayor Carter-King asked what separates the kid's pool from the wave pool. Mr. Whiteaker pointed out the wave direction, and stated the kid's pool is a much calmer area. He stated that there would be a small wave action, but it is very mild in the kids' area. Councilman Barks asked for an explanation of the 11,575 square feet of water versus the 16,575 square feet of water. Mr. Whiteaker pointed out, on the diagram, the 11,575 square feet as a blue line and the additional 5,000 square feet as the white area (beach) where

the waves will go. Mr. Kaul added there is a gutter system so when the waves aren't in action, the water skims over the gutter. When the wave machine is turned on, it will create a wave action which will force the water over the gutter onto the beach area. Mr. Whiteaker added there will be at least eight to ten wave patterns to choose. Councilman Carsrud asked, when a child has an accident, does the whole pool need to be evacuated? Or just the kid's pool. Mr. Whiteaker stated that there could be two different filtration systems, however, it doesn't prevent the child going into the other pool area. He stated that it would be, approximately, an additional \$200,000 to separate the two pools. An add alternate, that he would recommend, is a medium pressure UV; this would minimize the down time. Mr. Whiteaker pointed out that the shade structures would not be umbrellas, as shown in the presentation, because of the wind in the area. The proposed shade structures would be more on the lines of a triangle shaped sail that are wind resistant, easy to maintain, and durable. Additional pictures of pools and water features in other areas were presented. Councilman McGrath asked if the lazy river was a priority. He stated that there is already a lazy river feature in Gillette. City Administrator Napier replied that the lazy river was an attraction feature, and high as a recommendation. Councilman Jerred recalls that there was to be a relaxed area for seniors. Mr. Whiteaker stated the pool is designed as multi-generational pool area. He added that the older generation does utilize the lazy river for walking and exercise programs, and when the water is calm, it is a nice place to do water aerobics. Councilman Barks asked for the different depths. Mr. Whiteaker stated that it starts at zero depth and every 16' becomes a foot deeper, with the deepest end being six foot. The pool was not designed for diving or jumping into the water, and added, he was asked not to duplicate the City pool design. Councilman Rothleutner asked for the dimensions of the pool area. Mr. Whiteaker stated that the wave pool is 75' in length and 42' in width. Pictures of the lazy river were provided and Mr. Whiteaker added that there are water propulsion pumps that move the person forward. City Administrator Napier asked, regarding the wave pool, if Mr. Whiteaker is aware of any statistic that may indicate higher incidents for injury or any warning system that the wave machine is going to start up. Mr. Whiteaker stated that there is a warning system that will sound two minutes prior to the wave starting. In terms of greater incidents, wave pools do not have a better, or worse, track record that he is aware of. Mr. Whiteaker then gave the square footage for each of the pool features such as the wave pool (6,765 sf); kids pool (1,845 sf); lazy river pool (2,456 sf) and (224 lf); for a total pool area of 11,575 square feet. The pool deck area is 33,600 square feet. The entrance building is 3,944 square feet and the mechanical and fan room, 1,500 square feet. Mr. Whiteaker then reported the costs. The site development costs - \$1,860,000; aquatic costs - \$3,380,000; entrance and mechanical buildings - \$1,350,000, a sub-total for construction - \$6,790,000. Soft costs are \$1,330,000 for a project cost opinion of \$7,920,000. He then reported the dollar amounts for alternate future construction. An expanded kid's area at \$900,000; and two water slides and plunge pool for \$702,000. He added that the UV unit to help with filtration is \$50,000. Councilman Rothleutner expressed concern of building another lazy river. He added that those he has spoken to, express their desire for something new or more pool space. Mayor Carter-King asked for the cost of the lazy river. Mr. Whiteaker stated, approximately, \$1,200,000. He added that if there is a bigger wave pool, it defeats what today's consumer wants. Today's consumers want variety. He gave various examples. He feels that the outdoor lazy river will be very popular. Councilman Rothleutner, again, expressed concern that he feels

the community will not be happy with another lazy river. Councilman Jerred reiterated his concern regarding the seniors. He feels that seniors would support this concept if they had a space of their own. Councilman Kuntz stated that the seniors are able to attend the Rec Center at no charge and feels this is a big pull for the Rec Center. He added that he doesn't believe seniors will use the aquatic park as much because of the Rec Center. He stated that if he remembers right, the lazy river adds more capacity. He feels when the wave area is active, then that is where the people will be; when the wave area becomes inactive, they will migrate to the lazy river. Councilman McGrath asked Councilman Barks, if the lazy river was removed, and a water slide put in its place, would this complement each other. Councilman Barks replied not for the seniors and he doesn't feel as if there is a "thrill factor" for kids with the lazy river. And the pool limits diving. He doesn't feel the kids will go to the pool more than twice if they can't dive. Councilman Rothleutner stated that he feels this type of pool would take the pressure off of the City pool; and having a young family, as he does, it would be safer. Mr. Tommerup reminded Council that the design does allow for future expansion. Councilman Barks stated that he recalls discussion from past meetings that there was a five million dollar budget. City Administrator Napier replied that there is 5.3 million dollars set aside to contribute toward a total capital cost. Councilman Barks stated that he also recalls, because of the cost, the decision was not to build a wave pool. Councilman Kuntz stated there was discussion between the Council of wanting something new and different, like a wave pool, to be an iconic feature. Mr. Whiteaker stated the wave pool shown in the initial budget was \$15,000,000; it was a huge wave pool. He recalls a comment was made for a smaller component that would fit within the budget. That's where he was tasked to come back with a unique design that would include all the features in the leisure pool, and include waves. City Administrator Napier explained that he didn't know that a wave feature was possible within a reasonable budget. These gentlemen have brought forward an idea to incorporate what staff believes was heard from the community as highly rated features in an aquatic park. He does recall saying that he was envisioning a body of water, and that was it, given the information at the time. What is being presented is a way in which we can incorporate highly rated features into a project that could potentially be within budget. He went on to say that there is 5.3 million dollars set aside and he wasn't sure if 1.7 million dollars could be generated in order to get to the seven million dollars, much less eight million dollars. Unless additional revenue can be generated to support a 7.9 million dollar budget, staff may want to take a more critical look at the project, and bring it into a budget of five million dollars. Councilman Rothleutner asked for the maximum occupancy of the current set up. Mr. Whiteaker stated that a couple different agencies need to weigh in regarding occupancy, such as the International Building Code (IBC), also the state health department. He went on to say the occupancy at the low end is 600, and 900 at the high end. The current City pool capacity is 325. Councilman McGrath asked if this needed to be completed in one year. City Administrator Napier stated that the design is a very modular design. If in fact, phases need to be reduced to a more incremental approach, there is the ability to do so. He then gave a few examples of how that could work, and stated that there are several options available. Development Services Hamilton added that due to budget constraints, a vortex was removed from the lazy river and staff has worked hard to compress the project to get below eight million dollars. Water body size and capacity, as well as spectator capacity compared to the City pool, was discussed. The raised platform could be

rented out for birthday parties and such, and could generate revenue. Councilman Barks stated that something fantastic needs to happen regarding the aquatic park. Councilman McGrath agreed and went on to say that this is what the community asked for. However, he feels that it should be phased over a two year period. Councilman Rothleutner expressed concern regarding the duplication of locker rooms and concessions stands, and the maintenance it will require. Development Services Director Hamilton stated that this is a large complex and feels that staff has moved in the right direction as far as moving the aquatic park closer to the four ball fields to take advantage of the site utilities; the parking will provide ample opportunity for overflow during bigger events. As far as the concessions, the current location is quite a distance from the pool and, in the lease, the concessions are sub-leased. Going forward, once a footprint is determined, staff will have discussions with the County to listen to their concerns. Councilman Rothleutner expressed concerns about water conservation and the size of the turf area. Mr. Whiteaker stated that there is an extensive fence line, but it could be pulled in closer. He added, to address the concern of duplication regarding the locker rooms, from a health code perspective, these are necessary to meet that code as a specific use. Again, Councilman Rothleutner expressed concern regarding the maintenance of not only the building, but also the mowing. He feels that additional staff will be needed. Mr. Napier added that there is still work to be done to address the maintenance issues; the turf area can be reduced. Councilman McGrath asked about artificial turf. It was stated that artificial turf gets very hot. Councilman Barks added, in reference to the concession stand, that it's a proximity issue. Councilman Rothleutner requested, that moving forward when designing the facilities, to keep everything in proximity of each other so there is no overlapping facilities. He added that he can appreciate this particular concession stand being a "stand alone" facility; but going forward we need to keep that in mind. Mr. Hamilton feels there is opportunity, especially with the multi-purpose fields, to have a centralized concession and restroom area. Mr. Napier added that he did ask about moving the facility further to the east to take advantage of construction that has already taken place, with respect to the parking. It's true that we can do that and take more advantage in terms of the parking. However, it does envision, by doing that, what would be lost in terms of accommodating visitors with respect to events taking place at the same time. Inevitably, we are going to need all the parking available during open pool season, and softball and baseball season. He doesn't feel that much would be gained by reducing the parking footprint on the pool side in order to save dollars right now. Councilman Rothleutner asked if a facilities building will need to be built when maintenance is increased. Mr. Whiteaker stated that future expansion has been anticipated. Mr. Hamilton stated that in the very long term plan, there is a separate facility for the whole site. Discussions regarding the storage of mowers took place. Public Works Director Wilde stated, at this time, an enclosed trailer is rented to store mowers and equipment. Councilman Kuntz stated that the City is the only organization that he knows of, that parks mowers inside. He added, for what it costs to build a new building, staff can transport equipment across town. Councilman Barks asked what direction is Council giving, where we are on the budget, and what the timeline is. City Administrator Napier stated, with respect to the budget, there is 5.3 million dollars set aside with a prospectus of 7.9 million dollars with regard to the features discussed. Taking features out has a positive impact on the ultimate cost. If indeed we want to add alternates, such as the lazy river, we are at an advantageous point to decide to do that, and what will



need to be saved to build a first phase. Staff is looking for Council's direction as to what the first phase should be. Councilman Barks asked where the additional funds would come from. Mr. Napier stated, the only place would be with regard to excess receipts from what was budgeted and not spent at the end of the fiscal year. Council has discussed, in the past, not with any commitment, however, using one percent funds to supplement the cost of the overall project. Councilman Barks inquired about sales tax and if there is reason to be optimistic that there will be carry-over. Mr. Napier stated that he is not optimistic that there will be carry-over receipts. History has shown there has been some, but we won't know until May. Councilman McGrath asked if just the basic infrastructure could be done, and then, when the money is available, build the proposed aquatic park. Mr. Whiteaker stated this is a very modular design and features could be sequenced in. City Administrator Napier expressed concerns that generating eight million dollars is not as feasible, particularly, if one percent dollars is strictly off the table. Councilman Kuntz stated that it makes more sense to him to delay the project, rather than just building a pool. That way, when the funds are available, the park will be a "wow factor". He added that it will be known in six months where the City is at financially. Then at that time it can be determined what funds are available, instead of pulling features out of the project. Mr. Hamilton stated that if Council is in agreement with the general concept, then the design can be done and put on the shelf, and when the time is right, the plans will be ready to go. Councilman McGrath asked what will happen to the design if changes need to be made. He added that this design needs to be big enough to accommodate the future growth of the city and questioned if a 600 person pool would be big enough. Public Works Director Wilde replied that the consultants reviewed the City pool and stated that the consultant feels the pool has been very well maintained. There is about \$100,000 in painting and repairs plus a \$50,000 UV system. The only concern is the deep end due to sinking issues. He reiterated that the pool is in good shape and will continue operating. He added that the new aquatic park was never intended to replace the City pool, it is a supplement. Councilman McGrath stated that if this much money is going to be spent on a pool, he wants to ensure that it is large enough for future growth. Councilman Barks asked if staff can present this plan to the Parks and Rec Department's staff. If they are going to manage it, he feels they should have a say at this point. Mr. Hamilton stated, if the concept is okay, staff will contact the Parks and Rec Department for their feedback. After the discussion, it was the consensus of the Council to move forward with the design. City Administrator Napier stated that he feels good about the direction Council has given.

#### Review September 15<sup>th</sup> Council Agenda

The group reviewed the upcoming agenda for September 15<sup>th</sup>. Mayor Carter-King asked if there were any questions on the upcoming meetings or agenda items. Councilman Jerred asked if staff has anything to report on the tabled Ordinance. Development Services Director Hamilton stated there is nothing to report since staff talked to the actual trustee of the trust. Hopefully, they will be back this week and, if not, they are aware that the item will be removed from the table. Councilman Barks asked about Kelly Mader regarding the September 15<sup>th</sup> meeting. City Administrator Napier stated that Mr. Mader, who is the CEO of the Energy Policy Network, would like to come before the Council, as he did the County Commissioners, regarding a grant request. That request has not been reduced to a particular amount but he would

like to ask for Council's consideration for monetary participation to some degree.

#### Executive Session

It was moved by Councilman Carsrud and seconded by Councilman Rothleutner to move into an Executive Session to discuss confidential information, personnel, and litigation. Roll was called on the motion with the following results. Council Members voting aye: Jerred, Kuntz, McGrath, Rothleutner, Barks, Carsrud, and Mayor Carter-King. The Presiding Officer declared the motion carried.

#### Adjournment

There being no further business to come before the Council, the Special meeting was adjourned at 8:46 p.m.

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Mayor Louise Carter-King

(S E A L)

ATTEST:

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Karlene Abelseth, City Clerk  
Publication Date: September 16, 2015