

Burns Town Council  
Special Meeting  
January 20, 2016

The Burns Town Council met in special session on January 20, 2016. Members present were Mayor Ralph Bartels, Council Members Rocky Stoner, Dennis Bastian, Betty Nussbaum, and Harvey Humphrey. Also present was Town Clerk Toni McNamar, Town Maintenance Darius Mandel, Jeannette Bishop, Susan Mills, Janet Smith, Rhonda Sanderson, Brianna Brooks, Lynne Kranz, Kim Kranz, and Kay Wellendorf.

At 2:03 pm Mayor Ralph Bartels called the meeting to order and the Pledge of Allegiance was preformed. Mayor Bartels announced the meeting was being recorded.

Mayor Bartels reported that the purpose of the meeting was to discuss the exercise room and the possibility of moving town offices to the north building. Mayor Bartels reported that we would start with the discussion of the exercise room.

Mayor Bartels reported that on July 13, 2015 the council was approached by Kim Kranz regarding using the exercise room for exercise classes, those using it would purchase a key from the town, but nothing was said about using it for a business. Mayor Bartels reported that he believes if someone is using a space and charging to provide a service they are running a business out of that space. Mayor Bartels reported that in the past we had denied someone use of a free room to get their business started and we cannot allow free use of this room. Mayor Bartels believes we either need to arrive at a reasonable rate for that space during those times or stop doing it.

Kim Kranz reported that when she came to the Council she told them that her sister in law and her were going to be hiring a personal trainer. Mayor Bartels reported a personal trainer for one or two people is different than holding a class. Council Member Stoner was in agreement with Mayor Bartels.

Rhonda inquired as to what it mattered if she had only one or two people or an entire class. If everyone pays for the card she does not see the difference.

It is not the key. The problem is the trainer is being paid by each person, which constitutes doing business.

Lynne reported that that has nothing to do with the town.

Mayor Bartels reported that if there is going to be a person in there running a business they have to pay rent

Brianna was under the understanding that as long as she paid her membership and the others paid their membership that it was okay. Part of the problem was that she did not come to the Council herself, and she should have done that. All of a sudden it seems to be a problem. Brianna reported that her classes are not that big only four per class. I don't want to interfere with anyone else that uses that room. Mayor Bartels reported that it has recently become a problem because he did not realize it was going on and also he should have questioned Kim more when she came to the council.

Council member Bastian just wants to get it resolved, not blaming anyone.

Council Member Humphrey inquired as to what her qualifications were.

Council member Humphrey suggested that the town hire Brianna as a town coordinator and instead of individuals paying her they pay the town, her wages would be based on how many participants she had. Council Member Humphrey could see this as a plus.

The town would be taking the liability responsibility as she would be working for the town. Brianna reported that she has anyone participating in her class sign a release.

Council Member Bastian wants to work it out. Believes we need to talk to our town attorney.

If you table this how are the affected in the mean time? The council agreed to allow Brianna to use the exercise room as she has been until we have a chance to speak with the town attorney and resolve this issue.

Lynne Kranz has recently retired and has lived out here for years this has allowed her to get more involved in the community; Brianna has potential of bringing more people to town.

Council Member Bastian believes that she provides a valuable service to the Town of Burns but we need to be sure it is fair to everyone.

Brianna Brooks wants to run her own business, does not want to be under anyone, she is willing to pay rent. Council Member Humphrey suggested that she rent a room and purchases her own exercise equipment.

Mayor Bartels had proposed to set up a lease of the room for whatever period of time Brianna needed it, but during that period only her exercise class could use it.

Toni McNamar suggested that she does not think Brianna would be happy as a town employee as she can make much more money on her own. What is she rented the room for the \$277.50 a month and could hold class as she wanted but the public could still use the facility. She could have the storage as her own area. This is a much cheaper option than paying our rental fee of \$20 an hour. Brianna reported that if she did pay rent that she would not agree with the town making the money to rent the card keys out. Does not think it was fair to rent and allow everyone to come in.

Brianna Brooks would appreciate the council letting her know if there is an issue and after the town has contacted their attorney let her know. She understands it was posted but did not go through that door. She reported that she travels from Cheyenne to come here.

Kim Kranz stated just because she has numbers on the board does not mean that she gets paid for that. If people miss classes then Brianna does not get paid. Kim Kranz wants the freedom to be able to hire Brianna to help her.

Mayor Bartels report the town of Burns cannot afford to subsidize someone else's business. That is the reason we set down and came up with our rental prices for space. We just need to find a common ground.

Council member Bastian reported that the fee is to help us if we have to replace equipment. Town Clerk Toni McNamar reported that the \$10 a month is nothing compared to what you would pay anywhere else. Council Member Stoner said to let them continue until we get in contact with the town attorney.

Mayor Bartels reported that Kim had lost her key and was charged \$35 for a replacement key and then found her old key and wants her \$35 back. Mayor Bartels asked the Council about what they thought about this idea. Council Member Humphrey feels that we established this rule and feels we should leave it as is.

Mayor Bartels reported that he would like to discuss the possibility of moving town offices to the north building. The north building has had the asbestos removed and we have been kicking around ideas of what to do over there. Mayor Bartels reported that he came up with the idea of moving town offices over there; council chambers, new employee offices, and storage. Council member Nussbaum inquired as to if we had not discussed selling the north building gym area. Council member Humphrey reported that the school would not be able to purchase the north building, because they cannot own that much square footage.

Council Member Nussbaum inquired as to if it could be sold. Mayor Bartels reported we had contacted an appraiser and they were not interested in even appraising it. Council member Nussbaum reported that she is very against moving, we need to be visible to the public. Town business needs to be up front so people can find it. We got this building for town business. If Toni needs more room we will find it. This is a town complex.

Council Member Humphrey reported that the north building is part of the town complex also. Council Member Humphrey does not feel our current set up meets our needs.

Council Member Humphrey feels if we paved area over there it would be nice.

Jeannette Bishop feels that it is more convenient for the town buildings to be on Main Street, rather than on a side street, and what is our plan for this

building in the future. Mayor Bartels reported that we would plan to rent out the space.

Mayor Bartels reported that the town employees and he had been drawing up plans for that area to be town offices and council chambers. The council recessed to go over and look at the area at 2:40 pm.

At 3:14 pm the Council returned to session. Council Member Bastian suggested that we proceed with setting up the area how we would like it for our town offices and then decide if we want to move or not. The council had planned for a raised area for the council but will do this at a later date if we decide to move over there.

There was discussion on putting outlets and phone jacks in the middle of the room, floor outlets or put power poles in from ceiling down. Council Member Humphrey suggested that we go with the power poles.

Council Member Bastian moved to proceed with floor plan to accommodate for town offices and then decide if we will move over there or rent the space. Council Member Humphrey seconded this motion. Council Member Nussbaum opposed. Motion carried.

At 3:21 pm Council Member Nussbaum moved to adjourn.

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Mayor Ralph Bartels

Attest:

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Town Clerk Toni McNamar

