

**RECORD OF PROCEEDINGS FOR THE GOVERNING BODY
OF THE CITY OF CHEYENNE**

Office of City Clerk

February 26, 2015

The Governing Body of the City of Cheyenne convened in a special meeting on this date beginning at 6:00 p.m. in Council Chambers for the purpose of collective labor bargaining with Cheyenne Professional Fire Fighters, International Association of Fire Fighters (I.A.F.F.), Local No. 279. Present were: MAYOR - Richard L. Kaysen; COUNCIL MEMBERS - Mr. Brown, Mr. Johnson, Mr. Luna, Dr. Rinne, Mr. Roybal, Mr. Shanor (arriving at 6:05 p.m.) and Ms. Williams. Absent: Mr. Cook and Mr. Valdez. Also present were: Carol Intlekofer, City Clerk; Dan White, City Attorney, and Lois Huff, City Treasurer. The pledge of allegiance was recited. Mayor Kaysen noted that any executive session of the governing body held during the meeting was pursuant to authority allowed by Wyoming Statute § 16-4-405 (a)(x) of the Public Meetings Act.

Dan White, City Attorney, advised, pursuant to the Union's request for information at the February 25, 2015 meeting, he and Ms. Huff provided the documentation to the Union's attorneys via e-mail this morning. Jonathan Bertsch, President, I.A.F.F. Local No. 279, indicated the Union has agreed to reorganize and renumber their proposed contract to conform with the City's proposed contract format. He presented Union Counter Proposal 2-26-15 and discussed the following topics contained in the proposal: Union tentative agreement to certain City proposed contract sections; Union tentative agreement to delete certain Union proposed contract sections; Union tentative agreement with certain City proposed contract sections with minor changes, and the Union's desire to continue discussions on certain City contract sections. Mr. Bertsch advised the Union declines the City's counteroffer of 2.5% per year in wage increases and reviewed language the Union wishes to retain in a new contract. Mr. Bertsch distributed copies of Union Counter Proposal 2-26-15 relating to his comments. He also distributed copies of Union counteroffer language to certain sections contained in the current contract, as proposed to be included in a new contract; provided explanations of the Union's position on the sections and requested clarification from the City on certain sections. Section topics discussed by Mr. Bertsch were: Voluntary Demotion, Family and Medical Leave Policy, Classification of Employment and Basic Wages, and Overtime. Pursuant to request for clarification posed by Ms. Huff, Mr. Bertsch advised the Union declines the City's counteroffer of a 2.5% increase per contract year and requests a 2.0% per year raise on top of the City's original offer.

Mr. White requested the governing body meet in executive session to discuss the Union's counter proposal. Mr. Shanor moved to meet in executive session, seconded by Ms. Williams. Motion carried. Voting "yes" -- all members of the governing body present. Upon request by Mayor Kaysen, Mr. White identified City staff who would be present at the executive session in addition to the governing body and himself. [City Clerk note: Audio recording of the meeting was stopped; executive session convened at 6:34 p.m. in the Mayor's Conference Room]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 7:12 p.m. Mr. White advised the governing body had directed him to request clarifications from the Union relating to items discussed at the February 25, 2015 meeting as follows: Is the Union willing to

agree that the current Ground Rules for these negotiations do not include AAA (American Arbitration Association) arbitration and that Section 38 from the current collective labor agreement has no application to these negotiations, and is the Union willing to accept the language of Section 6 of the City's proposal rather than the language in Section 38 in the current collective labor agreement. In response to request by Mr. Bertsch, Mayor Kaysen recessed the meeting at 7:13 p.m. to allow the Union to confer on the governing body's requests. [City Clerk note: Audio recording of the meeting was stopped]

Mayor Kaysen reconvened the meeting at 7:21 p.m. Mr. Bertsch expressed that the Union does not believe the current Ground Rules prohibit the use of AAA nor do they cancel out the current language in Section 38. He stated the Union does not accept City Section 6, hence their proposal presented earlier in the meeting offering a lower wage amount and the restriction or elimination of longevity in an attempt to retain that language (i.e. Union Section 38) as part of the Union's offer. Mr. White requested the governing body meet in executive session. Mr. Shanor moved to meet in executive session, seconded by Ms. Williams. Motion carried. Voting "yes" -- all members of the governing body present. Upon request by Mayor Kaysen, Mr. White identified City staff who would be present at the executive session in addition to the governing body and himself. [City Clerk note: Audio recording of the meeting was stopped; executive session began at 7:27 p.m. in the Mayor's Conference Room]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 7:53 p.m. Mr. White advised the governing body had directed him to make the following response to the Union's last counter offer: The City reiterates and resubmits an enhanced offer for a two year contract with a first year wage increase of 2.5%, which is in addition to raises contained in the City's initial proposal and is reflected in the table prepared by Ms. Huff on this date. He noted he had also been directed to point out for the record that because the City's original proposal contained raises for fire fighters and the City is now offering an additional 2.5% for the first year of the contract, the raises for fire fighters range from 4.04% up to 7.19% in the first year; in the second year the City proposes an additional across the board increase of 2.75%. He reported the City does not accept the Union's counter proposals reflected in Categories D and E of the Union Counter Proposal 2-26-15. Mr. White stated, pursuant to Mr. Bertsch's request earlier in the meeting, the City offers the following clarifications: It has always been the City's practice that the City pays for wellness/fitness examinations for fire fighters (City Section 27, Wellness/Fitness Program), and that the City regards City Section 25 (Specialized Emergency Response Teams) and Union Section 44 (Shift Training Instructors) as a management right. The Union and City agreed to extend the meeting past the two hour time frame as allowed in the Ground Rules. In response to request by Mr. Bertsch, Mayor Kaysen recessed the meeting at 7:55 p.m. to allow the Union to confer on the governing body's response. [City Clerk note: Audio recording of the meeting was stopped]

Mayor Kaysen reconvened the meeting at 8:43 p.m. Mr. Bertsch reported the Union committee had discussed the City's counteroffer and commented how the Union has previously agreed to restructuring and renumbering of the contract from a format utilized in past years, and the number of proposed contract sections agreed to by the Union vs. the City. He stated the Union declines the counteroffer by the City regarding salary increases and offers the following counteroffer with regard to contract sections contained in Categories D and E of the Union Counter Proposal 2-26-15: The Union offers to take a zero percent salary increase in years one and two of the proposed contract in addition to the City's original wage offer; requests additional specialties and skills be retained as presented by

the Union earlier in the meeting; agrees to move the wellness/fitness section as proposed by the City to Category A of the Union Counter Proposal 2-26-15 to reflect the Union's agreement; requests the Union's section on longevity be added to Category E of the Union's 2-26-15 proposal, and requests that Union sections on shift trainers and overtime also be retained. Mr. Bertsch stated the Union will decline any additional monies (i.e. salary increases) offered by the City in exchange to retain the Union's sections noted in this counteroffer.

Mr. White suggested the governing body meet in executive session to discuss the recent counteroffer and it was determined the governing body would defer moving into executive session until the next meeting. Following a review of available meeting dates and times for future special meetings, Mr. Bertsch and Mayor Kaysen agreed the meetings would be scheduled for March 4 and March 6, 2015 beginning at 6:00 p.m. in City Council Chambers.

Mayor Kaysen advised the purpose of the special meeting had been met, and there being no further business previously noted for the special meeting, adjourned the meeting at 8:54 p.m.

Submitted by,

Carol Intlekofer, MMC
City Clerk

This notice is available in alternative, accessible formats upon request.

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