

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

Office of City Clerk

March 4, 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. Cook, Mr. Johnson, Mr. Luna, Dr. Rinne, Mr. Shanor and Ms. Williams. Absent: Mr. Roybal and Mr. Valdez. Also present were: Kristy Anderson, Deputy 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.

In conjunction with the Union's counteroffer outlined at the February 26, 2015 special meeting, Jonathon Bertsch, President, I.A.F.F. Local No. 279, provided copies of a handout titled "Status as of 3-4-15". Mr. Bertsch; Kevin Reddy, Vice-President, I.A.F.F. Local No. 279, and David Evans, attorney, I.A.F.F. Local No. 279, commented on the information contained in the Status sheet pertaining to proposed contract sections. Sections reviewed were: Part A - Sections the Union tentatively agrees to that is language in the City's proposed contract; Part B - Sections the Union tentatively agrees to delete in the current contract; Part C - City sections the Union tentatively agrees to with minor changes, and Part D - Sections the Union does not agree to that are sections proposed by the City. Mr. Reddy commented on the new contract format; sections the Union has tentatively agreed to; sections in which the Union is not in agreement, and Union agreement with the new pay grid proposed by the City Treasurer but only if longevity pay and specialty pay are not eliminated. Mr. Reddy provided an explanation as to why the Union was opposed to sections listed in Part D of the handout. He discussed sick leave provisions and the bonus and, during his comments, distributed copies of the 2013 Arbitration Decision and Award in affiliation with his comments. Mr. Evans also discussed sections contained in Part D, commenting on use of American Arbitration Association (AAA) arbitrators; Union agreement with the proposed pay grid, with no raise on top of the pay grid, on the condition that specialty pay and longevity pay be retained; Union members' payroll deduction through the City for PAC (political action committee) contributions; management rights, and Part D sections affecting fire fighters' benefits.

Mayor Kaysen requested clarification of the Union's position regarding comments that had been made on Section 22, Wages, and the City's proposed pay plan pursuant to the City's counteroffer made at the February 26, 2015 special meeting. Mr. Bertsch advised the Union's position is to keep the current specialty pay and education pay additions and the original pay grid offered by the City at the beginning of negotiations without any additions. Upon inquiry, Lois Huff, City Treasurer, clarified the City's initial offer was for new pay tables that included additional steps; years added on to each of the ranks, and raises ranging from 1.5% to approximately 6% on the steps for each rank. Mr. Evans summarized that the Union's position is to take the original pay grid as initially proposed by the City and add in specialty pay and retain the current longevity section.

Dan White, City Attorney and spokesperson for the governing body for negotiation purposes, recommended, in accordance with the standard practice developed for the negotiations, the governing body meet in executive session to discuss the Union's counteroffer. Mr. Shanor moved to meet in executive session, seconded by Ms. Williams. Motion carried. Voting "yes" -- all members of the governing body present. Mayor Kaysen reminded those present that the City's offers are from the governing body, not Mr. White individually, and noted the executive session would be held in the Mayor's Conference Room. 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 6:44 p.m.]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 8:11 p.m. Mr. White stated he had been directed by the governing body to report on the governing body's position regarding information listed under Parts A, B, C and D in the Status as of 3-4-15 handout. Mr. White advised the governing body: Agrees to move the section on Family and Medical Leave Policy from Part C to Part A and to remove defective language; potentially agrees with Part B; tentatively agrees to a two year agreement; believes agreement can be reached regarding compromised language in the section titled Voluntary Demotion, and tentatively agrees to the section titled Holidays. Mr. White noted that proposed wording in the section titled Alcohol and Controlled Substance Policy had been sent to the Union's attorney for review. He indicated that pursuant to Part D the governing body had directed him to note that the City agrees to incorporating the language in the current Collective Labor Agreement into the new agreement (two year term) for all sections listed under Part D with the exception of City Section 6, Embodiment of Agreement, stating that the City's Section 6 is consistent with the Ground Rules and Wyoming governing law. Mr. White recited points members of the governing body requested he make regarding the City's interpretation of Section 6 and the governing body's desire to retain the section.

Pursuant to request by Mr. Bertsch for clarification regarding longevity and specialty pays included under Part D, Mr. White advised the existing sections of the current Collective Labor Agreement would be incorporated into the new agreement. In response to request by Mr. Bertsch, Mayor Kaysen recessed the meeting at 8:21 p.m. to allow the Union to confer on the counteroffer from the governing body as presented by Mr. White. [City Clerk note: Audio recording of the meeting was stopped]

Mayor Kaysen reconvened the special meeting at 9:32 p.m. Mr. Bertsch stated the Union agrees to Parts A, B and C (re: Status as of 3-4-15 handout) relative to the City's counteroffer, and posed questions on the status of contract sections involving uniforms, wages, company strength and specialized emergency response teams. Mr. Evans confirmed answers to the Union's questions on specialized response teams pay, manning level and bunker gear are needed prior to advising of additional response information from the Union. Mr. Shanor moved to meet in executive session, seconded by Ms. Williams. Motion carried. Voting "yes" -- all members of the governing body present. [City Clerk note: Audio recording of the meeting was stopped; Executive session convened at 9:38 p.m. in the City Council administrative office]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 9:41 p.m. Ms. Huff provided the following information on behalf of the governing body in response to the Union's questions: In the section pertaining to Company Strength the City proposes to increase

the number of fire fighters from 88 to 89; that the specialized emergency response teams wording in the current labor agreement would be included in the new agreement, and that the section on uniforms relative to a second set of bunker gear is not being proposed by the City to be included in the new contract as it is the governing body's intent to pursue a grant to cover the costs. In response to request by Mr. Bertsch, Mayor Kaysen recessed the meeting at 9:42 p.m. to allow the Union to confer on the information from the governing body as presented by Ms. Huff. [City Clerk note: Audio recording of the meeting was stopped]

Mayor Kaysen reconvened the special meeting at 9:45 p.m. Mr. Bertsch presented the following counteroffer from the Union: Agreement to Parts A, B and C (re: Status as of 3-4-15 handout) with the inclusion of a second set of bunker gear for fire fighters; retain current Union vacation language; assurance that with the manning level going to 89 members that one current member (grant funded position) will be retained during the three month gap (i.e. from end of grant funding) until the new contract goes into effect, and inclusion of a 2% base wage increase per year. Mr. Bertsch stated if the counteroffer is accepted the Union will accept the language in City Section 6, Embodiment of Agreement. Dr. Rinne moved to meet in executive session, seconded by Ms. Williams. Upon inquiry, Mr. White advised his understanding of the second set of bunker gear proposal is that the Union's requesting that this be a contractual requirement with Mr. Bertsch concurring with Mr. White's understanding and reiterating elements of the counteroffer. Motion carried. Voting "yes" -- all members of the governing body present. [City Clerk note: Audio recording of the meeting was stopped; Executive session convened at 9:52 p.m. in the City Council administrative office]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 9:57 p.m. Mr. White stated he had been directed by the governing body to state that the governing body would like to take the Union's counteroffer under advisement for further review. Mayor Kaysen advised the next special meeting would be held on Friday, March 6, 2015 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 9:58 p.m.

Submitted by,

Kristy B. Anderson, CMC  
Deputy City Clerk

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

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