

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

Office of City Clerk

March 12, 2015

The Governing Body of the City of Cheyenne convened in a special meeting on this date beginning at 5:00 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. Shanor, Mr. Valdez and Ms. Williams. Absent: Mr. Cook and Mr. Roybal. 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.

Jonathan Bertsch, President, I.A.F.F. Local No. 279, stated the Union has reviewed the City's counteroffer presented at the March 11, 2015 special meeting and provided a hand-out, distributed by Kevin Reddy, Local Union Vice-President, titled "Status as of 3-12-15" which contained contract section listings under Categories A, B, C and D. Mr. Bertsch advised the Union tentatively agrees to the language in the City's proposed contract as listed in Category A; the Union tentatively agrees to delete the sections in the current contract as listed in Category B; the City tentatively agrees to the language in the current contract, as renumbered, listed in Category C, and that Category D contains outstanding sections yet to be agreed upon. Mr. Bertsch reviewed the five outstanding sections in Category D in which the Union proposes the following offer: Definitions - Union agrees to City's language, except for the definition of "vacant" and "vacancy"; Embodiment of Agreement - Union agrees to delete the reference to AAA (American Arbitration Association) so long as the City remains agreeable to inclusion of the cost sharing provision; Company Strength - Union proposes "attrition" language; Wages - Union proposes to incorporate Section 25 of the current contract into Section 22 of the new, revamped contract with a 1% raise in year one of the contract and no raise in year two, and Uniforms - second set of bunker gear be in place by July 1, 2016. A second hand-out was provided by Mr. Reddy, titled Local 279/City of Cheyenne Contract Year 2015-2017 Proposal Costing. Mr. Bertsch explained the three areas (i.e. Company Strength, Wages and Uniforms) contained in the Proposal Costing, stating the total cost of the areas for the first contract year would be approximately \$108,000 and approximately \$181,000 in the second contract year.

Dan White, City Attorney and spokesperson for the governing body for negotiation purposes, stated in accordance with the standard practice that has been developed for the negotiations, it would be appropriate for the governing body to meet in executive session to discuss the Union's offer. Mr. Brown 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 5:14 p.m. in the City Council administrative office]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 5:57 p.m. Mr. White stated he had been directed by the governing body to offer a City counterproposal to the Union and provided copies of a proposed 2015-2016 Collective Labor Agreement, subtitled "City Proposal - March 12, 2015". He advised with regard to Categories A, B and C in the Union's "Status as of 3-12-15" hand-out, the governing body's response to those areas is contained in the City's 3-12-15 proposal. Mr. White reviewed the governing body's position, as modified, relative to items listed under Category D as follows: Governing body proposes to delete the definition of the terms "vacant" and "vacancy" in the Definitions section as it is not needed; the governing body agrees to re-insert the cost sharing language in the current contract into the Embodiment of Agreement section, noting this was previously an inadvertent omission; the governing body declines the proposal to add attrition language in the Company Strength section and indicates their commitment to fund, based on the department's current budget, continuing employment of the 89th fire fighter whose position involves grant funding (funding soon to expire) through June 30, 2015; the governing body, through the upcoming budget process, commits to address funding the 89th fire fighter position under the new contract (effective July 1, 2015) through September 30, 2015 with the anticipation that the City's application for grant funding will be approved by that date. With regard to Wages, as listed under Category D, Mr. White stated the governing body submits its City Section 22 with the following recent modifications involving specialty pays: Paramedic pay for the Lieutenant of EMS/Coordinator position will be restored; On-call status pay for Prevention Division personnel will be restored (same as existing contract), and specialty pay for the HazMat Coordinator will be restored (same as existing contract). Mr. White advised for the Uniforms section listed in Category D, the governing body declines to purchase an additional set of bunker gear by July 1, 2016, noting that the City has submitted a grant application for funding the gear and believes if they make a commitment to provide this as a contractual provision, approval of the grant may be jeopardized. Mr. White stated the governing body is willing to modify its proposal to a two year contract term if the Union accepts the new pay plan in City Section 22, Wages, with no salary raise in the second year other than step increases under the pay plan, and advised the governing body had directed him to point out that the Union's information provided earlier in the meeting on Proposal Costing contains base wage amounts only and doesn't include benefit costs. Mayor Kaysen recessed the meeting at 6:06 p.m. to allow the Union to confer on the City's offer. [City Clerk note: Audio recording of the meeting was stopped]

Mayor Kaysen reconvened the special meeting at 6:44 p.m. Mr. Bertsch advised pursuant to the Union's "Status as of 3-12-15" sheet, the Union proposes the following counteroffer: The Union agrees with Categories A and B as currently written; with regard to Category D the Union agrees with the proposed removal of the terms "vacant" and "vacancy" from the Definitions section; the Union agrees with the removal of the reference to AAA and with the inclusion of cost sharing language in the Embodiment of Agreement section; the Union removes its proposal regarding an attrition clause in the Company Strength section; the Union appreciates the grant process the City proposes to acquire an additional set of bunker gear and relinquishes its request; the Union proposes current contract Section 25 on wages be incorporated into City Section 22 with a 1% increase to the base wage with no raise the second year of the contract. With regard to Category C, Mr. Bertsch stated the Union proposes: Retaining its current language on Management Rights, Specialized Emergency Response Teams, Vacations, Sick Leave, Medical, Dental and Life Insurance, Union Dues (i.e. Political Action Committee payroll collections), Longevity, and Shift Training; incorporating the Union's section on Overtime with a slight modification to also include City Subsection 23 (J) (provision on E.O.D. (Earned Off-Duty time)), and accepting City proposed wording for Working in a Higher Job Classification and Safety and Health sections. Mr. Bertsch noted the Union's counteroffer is based on a two year contract

term. Upon request for clarification by Mr. White, Mr. Bertsch explained the Overtime section concerning the Union's wording and the request to also incorporate the City's proposed Overtime Subsection (J) wording for the provision on E.O.D.

Mr. White advised it would be appropriate for the governing body to move into 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 convened at 6:57 p.m. in the City Council administrative office]

Following conclusion of the executive session, Mayor Kaysen reconvened the special meeting at 7:15 p.m. and noted Dr. Rinne (due to a prior commitment) would not be in attendance for the remainder of the meeting. Mr. White stated the governing body had directed him to comment that the governing body accepts the last offer from the Union and that he and Ms. Huff will work on finalizing a contract incorporating all of the changes for the Union's review, and that the governing body expresses its appreciation to the Union for participation in the negotiations. On behalf of the Union, Mr. Bertsch expressed appreciation to the governing body on reaching an agreement. Mayor Kaysen provided information on possible City Council and Finance Committee meeting schedules for review and action on the new contract.

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 7:24 p.m.

Submitted by,

Carol Intlekofer, MMC  
City Clerk

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

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