

**REGULAR CITY COUNCIL
MEETING**

December 13, 2022

7:00 PM

City Hall



CITY OF MILLS
EST. 1921

Mayor:
Seth Coleman
Council President:
Darla Ives
Council Members:
James Hollander
Sara McCarthy
Brad Neumiller

MINUTES

CALL TO ORDER

Mayor called the meeting to order at 7:00pm.

ROLL CALL

PRESENT

Mayor Seth Coleman
Council President Darla Ives
Council Member Jim Hollander
Council Member Sara McCarthy
Council Member Brad Neumiller

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Minutes

1. Council Meeting Minutes 11-29-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

City Licenses

2. New and Renewal of Business and Contractor Licenses 12-13-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

Financial Approvals

3. Fire Payroll: 11-14-2022 to 11-25-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

4. Fire Payroll: 11-26-2022 to 12-7-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

5. Regular Payroll 11-21-2022 to 12-4-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

6. Treasurer Report November 2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

7. Financial Breakdown Reports 12-13-2022

Motion made by Council Member McCarthy, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

ORDINANCES AND RESOLUTIONS

8. Resolution 2022-44: A Resolution for the Mountain Meadows NO 2, A Vacation and Replat of Tract 1

Motion made by Council Member Neumiller, Seconded by Council President Ives.

Councilman Neumiller stated that he would like to see a stipulation stated that the 50 ft flag needs to be 60 foot and that the needs a 50 foot right-away later on. Also the plat needs interior momentaion between lot 1 and 2. Plus we missed the 15 foot closure.

Megan Nelms, City Planner. I have the revised plat that I just got. I have to run it by the surveryer . I have recommendation to widening the flag pole and fixing the missed closure. Pat stated will they be doing a revised plat? Megan stated yes. Would this be back for consideration? Megan stated that I would pass this with the recommendation and stipulations as noted for the planner recommendations. Then the staff would check and send it back for review. Mayor asked Pat if we need another motion to approve. Pat stated we would need to amend the motion to take into account with the recommendations of the planner and conditions of issues and approval of the plat that Councilman Neumiller noted.

Shawn Gustafson: ECS Engineers. The reason or the 50 foot is to preserve access for the utilities to Poison Spider Lane. Sewer especially and water. One thing to caution on is widening to 60 foot. There is a sale of the land and it would have to change in the legal description. But all the concepts have a loop road around. If that comes access to Poison Spider lane. That would put two roads accessing each other.

The school has a loop road, for drop off and pick up. We don't have it on the plat at this time. The 15 foot was miss labeled. We go that fixed. Councilman Neumiller stated that you have another road coming down to the school. All I have to look at is the current plat. Shawn stated that with the 50 foot

flag you could easily put a 15 foot easement on the side for utilities. My concern is that when you get to 60 foot flag you get into the collector type status. He would not like to see parking on the street. He is confident that you can have 50 foot with 15 foot easement and have sidewalks and make it nice. He is not comfortable with two roads coming together. I see's problems with that. Councilman Neumiller stated that now that he better understands the concept he is comfortable with the 50 foot flag and adding the easements from there. He does not want a 50 foot going into a 60 foot off Robertson Road. Mayor asked to amend the motion. Councilman Neumiller made a motion to amend Resolution 2022-44 with the staff revision with monmentation and re-closure that Megan stated.

Voting Yea: Mayor Coleman, Council President Ives, Council Member McCarthy, Council Member Neumiller, Voting Nay Council Member Hollander. Motion carries

9. Resolution 2022-45: A Resolution for the city of Mills Wyoming to Purchase An Ambulance

Motion made by Council Member McCarthy, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

COUNCIL APPROVALS

10. Council Authorizes the Mayor to Sign the Notice to Proceed for the River Front Water and Sewer Project

Motion made by Council Member Neumiller, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

OPEN DISCUSSION

Mayor Elect Leah Juarez:

Mayor Elect Leah Juarez wanted to bring up some questions on why the agenda was changed from yesterday to today. She stated for the record that this is the second agenda and the first one had a personnel issue on it and this one does not. Just want to state that you will no longer be taking a vote on anything that happens in the executive session. The next statement is directed at Mayor Coleman. Over the last two months you have made it clear that you will not participate in the transition of your Mayor duties. Your attempt to punish me and block me out has not been effective. Yet the people that have paid the price for your childish tactics have been these people that sit around have paid that price. You punish them, by trying to punish me. I am glad that you have given it more thought to asking Council to hire you as an employee. It is highly unethical and a grave disservice to the residents. It is unfortunate that you have been so hands off for so long. Something I wish the voters had known. Hiring you as an employee should be brought up by the new council, not the outgoing council. I want to thank the department heads for doing their best to facilitate the transition of power without you present. They have bent over backwards to make sure Mills operations go forward unhinged. They have done a Steller job in filling in for you. I also want to thank out neighboring agencies and Cities for stepping up and assisting in the transition so flawlessly. So it is these people here that are in front of you, who have stepped up and bent over backwards for you when you refuse not to participate. So in closing I thank all of them on behalf of the residents of Mills for ensuring that I am informed and involved when stepping in the role of Mayor. Thank you! And thank you Mayor for your years of service.

Mayor Coleman replied, I will say like so many others this is highly inaccurate and me being cordial from here to there. For violating your presence at department head meetings that I have allowed at this point. I will no longer allow be allowed. Mayor Elect Juarez stated that she will be at the meeting they are public sessions. Mayor Coleman stated that department head meetings are not. Mayor Elect Juarez stated that you can remove me and physically remove me. I will start to take over as Mayor, you will have to come block me yourself for doing that. Mayor Coleman stated that on January 10th is when that transition will happen. Mayor Elect Juarez stated this behavior right here is why it make it so difficult for Mr. Holscher, Christine, Preciado and Mike to do their jobs. Mayor Coleman stated over and over that it is her behavior, and Mayor Elect Juarez yelled over him and stating that it is his behavior that you did not want to participate in this transition. Mayor Coleman stated that in department head meetings you are discouraging employees in front of department heads. This is inappropriate. I also hope that you find a way to correct that as you take over as Mayor. Mayor Elect Juarez I would happy to discuss that as this transition but you have not allowed that. That has not taken place. Mayor Elect Juarez raising her voice once again, that he has not allowed that and Mayor Coleman stated over her talking that the slander and deformation that you have done against me why would I. Mayor Elect Juarez stated it is your job as Mayor and to perform as Mayor, and you can still be a Mayor and hold a grudge against me. Mayor Coleman stated that department heads are more than capable. I have spent 6 years making sure that this organization could run. Mayor Elect Juarez stated without you. Mayor Coleman stated that this has been done without micromanaging. Mayor Elect Juarez stated that there is a difference between micro-managing and being presence of a Mayor. Mayor Coleman trying to talk over Mayor Elect Juarez stated that he has done this through his direction without micro-managing department heads. Mayor Elect Juarez stated that we agree on that. These individuals are highly effective as department heads. You and I agree on that. Mayor Coleman stated interesting that you posted a whole bunch on social media on how bad all of them were. Mayor Elect Juarez stated no that was you as a leader. Mayor Coleman stated that you stated that they were doing illegal activity that you have accused me of. Mayor Elect Juarez stated just wait, just wait. Mayor Coleman trying to talk over Mayor Elect Juarez said it is only an accusation now, but you just wait. I will respect that I see that my three minutes is up. Thank you for the time. In all honesty thank you for your job you have done some really great things for Mills and if we have been allowed to work together I would love to have a conversation about the River Front Project and to carry that forward. But, unfortunately you did not let that happen. So thank you for the River Front Project.

Mayor Coleman asked if there was any more for open discussion.

John Gudger: 827 Fossil Butte

After what I just heard I hope that the City Council will consider working with the new Mayor as she comes into office and hopefully things will work over smoothly whatever is happening in Executive Sessions will not create anything bad for her. With that said I want to make a positive statement and a very positive appreciation of the city working with him. Casey Coates and Sabrina Kemper in late September he brought up an issue with the trees and wanted the City Council to be aware of resolving the issue with the tress. Also, I did follow up with Lisa Burrige and I wish I would have done this 7 years ago with the lighting. I look forward to with the new City Council and Mayor on zoning and buffering to improve the quality of life for residents that are adjacent to industrial properties. She had indicated that I was not aware of somethings. I have apologized to her. I stated some things on the Mills page and it was not true. Whenever I am wrong I am quick to acknowledge that. Just to let you know we are going to get the lights fixed on the bay storage. There has been a miscommunication of people I have talked to that did not rely the message to her. That is why I reached out to the Mayor and City Council. He stated that you can't put black tape on this. You need a physical light that takes the light down. These are the things we can address in the zoning code. Lisa and I are in contact with each other and we are working on getting the lights replaced at the beginning of the year. In hindsight if I had known that I could take to her we could of resolve this a long time ago. In hindsight to you all if there is a problem with the property owner and the builder or business I would encourage them to talk to the other party. I thank you for your time.

Pat Holscher, The City Attorney, stated that since executive sessions have been brought up several times. These executive session are legal issues and have a life of their own. This has nothing to do with the elections or anything else. It's the duty of legal counsel to report to the governing body of the municipality. These three legal executive session will appear again, on the next city council meeting. It is not possible to take action inside an

executive session. It can only be done in an open session. There will be no deciding in them. In the legal sessions it will mostly be talking and give an update. Because it has been brought up twice, there will be no voting it is just what is occurring today. It will happen again next month. Mayor Colman stated that after executive sessions, when we open the regular meeting I state if an action is required. Pat stated as well that it can only be on one topic. It cannot be a mass of topics.

Scott Clamp: 720 Wasatch

Scott stated that he was at the County Commissioner meeting last week and they have some things going on and they are trying to shove things through before the new people come in. I will have to agree with the new Mayor that new things should not be pushed through until the new people come in. It should be tabled and let the new decide and let them take care of it. Taxes in Mills he brought up. They blame the Council and the Mayor. Taxes are so high. He has some no mans land and they are getting taxed so high. The problem of Wasatch is water and sewer are too shallow. It is not in the town's budget to fix Wasatch. We cannot widen the streets and put sidewalks in. I need the towns help with these lots that I will never put anything on. They are taxing me to high for property that will never have anything on it. The commissioners stated that I needed to come talk to you and our politicians. I agree to an extent but I am asking for this fight. They are saying my lots are worth so much. The assessor stated to him that the lots in Mills are going for a lot. They are preparing my property like the new subdivision that are going in. We need help trying to find out the problem with the property taxes. The rules that they are trying to push on people are going to start to push on the residents of Mills. Don't have the outsiders tell us how to maintain our property. Clean up is contagious. Scott talked about the history of people in Mills. He explained what is happening in Mills. Look at history and the people that have been here forever. Mayor stated that there is 72 mil levies in of property tax. Mills collects 8 mil of those. The majority of them goes to school property tax. The property in Mills has been over evaluated for several years. WE made our opinion known. Early this year we requested the spreadsheet that list every property and evaluation and we have done this for several year. They have not given us what we have asked for. Then we did a FOIA request and still refuse to give us the information. Hopefully the next assessor and the governing body in Mills can get the information that is requested. Scott stated that people like to live in the new. He has a property that is for sale is built better than the new ones. Nobody is looking at it because it is the old part and no sidewalks. Scott stated that the assessor told him that if the town would take less levies then we can lower your taxes. The county wants the money. Pat stated that is problem if the town does not take what is required they will be ineligible for grants. 8 mil levies is the lowest to still be grant eligible. If the town took less they would lose all grants. Then Scott talked about water rights and how it was a problem. Thanks for all that you do, change is good. Enjoy your life.

John Gudger:

I ran for house district 59 and the problem is that the state boards dictates a formula for how the taxes and levies are assessed. It is over inflated with people moving in. Contact your local representative and stop the values going up that are not on the actual purchase price. The tax assessor is out of compliance. The property is not properly tax right. Talk to Kevin O'Hearn and Bob Ide.

EXECUTIVE SESSION

11. Legal Issue

Mayor asked for a motion to go into Executive Session at 7:36pm for a Legal Issue.

Motion made by Council Member Neumiller, Seconded by Council President Ives.

Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller.

Back from Executive Session at 7:44pm. No Action Taken

12. Legal Issue

Mayor asked for a motion to go into Executive Session at 7:45pm for a Legal Issue.

Motion made by Council Member Neumiller, Seconded by Council Member McCarthy.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller.

Back from Executive Session at 7:50pm. No Action Taken

13. Legal Issue

Mayor asked for a motion to go into an Executive Session at 7:51pm for a Legal Issue.

Motion made by Council Member Neumiller, Seconded by Council President Ives.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller.

Back from Executive Session at 7:56pm. No Action Taken

ADJOURNMENT

Mayor asked for a motion to adjourn the meeting at 7:51pm.

Motion made by Council President Ives, Seconded by Council Member Neumiller.
Voting Yea: Mayor Coleman, Council President Ives, Council Member Hollander, Council Member McCarthy, Council Member Neumiller

NEXT MEETING - January 10th, 2023 @ 7:00pm/ January 24th, 2023 @ 7:00pm

NEXT WORK SESSION - January 9th, 2023 @ 9:00am/ January 10th, 2023 @ 6:00pm/ January 24th, 2023 @ 6:00pm

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact City Hall at 307-234-6679 within 48 hours prior to the meeting in order to request such assistance.

Mayor, Seth Coleman

City Clerk, Christine Trumbull