

**REGULAR CITY COUNCIL
MEETING**

March 28, 2023

7:00 PM

City Hall



CITY OF MILLS
EST. 1921

Mayor:

Leah Juarez

Council President:

Sara McCarthy

Council Members:

Cherie Butcher

Brad Neumiller

Tim Sutherland

MINUTES

CALL TO ORDER

Mayor opened the Council Meeting at 7:00pm.

ROLL CALL

PRESENT

Mayor Leah Juarez

Council President Sara McCarthy

Council Member Cherie Butcher

Council Member Brad Neumiller

Council Member Tim Sutherland

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Buffalo Meadows Rezone

Mayor closed the Council Meeting at 7:01pm.

Mayor opened the Public Hearing at 7:01pm.

Mayor now declared the Public Hearing opened for consideration of the Buffalo Meadows Rezone. The hearing will be conducted in accordance with state statutes and has been set and advertised in accordance with the statutes. I would ask those individuals who wish to address the council on this issue to approach the lectern, state your name, and address for the record. Do we have a report from staff on this item? Megan Nelms the City Planner stated that this is case 23-02-COZ for the Buffalo Meadow Addition rezone request. This is to rezone lots 1-7 of the Buffalo Meadows Addition from MR which is mixed residential to MU, mixed use. They would like to do this to facilitate development. The Planning and Zoning Committee met on March 16th, 2023 to discuss this request. They have forward a due pass to Council. The Mayor asked is there anyone in the audience who wishes to speak in favor of this item? Shawn Gustafson of ECS Engineers spoke on behalf of the project. He lives at 111 S 2nd Street Suit 600. Casper. The ideas is to build multi family residence that would make it more affordable for family members. They will still keep the look that the owner had planned for the area. The Mayor asked that you are thinking of putting four-plex in right? Shawn stated yes that is correct. We did not received anything negative back from the land owners around the area Mayor stated. Mayor asked again if there was anyone in the audience who wishes to speak in favor of this item. No one spoke. For a third and final time is there is anyone in the audience who wishes to speak in favor of this item. No one spoke. Mayor asked if there was anyone in the audience who wishes to speak in opposition to this item. No one spoke up. Mayor asked is there anyone in the audience who wishes to speak in opposition to this item? No one spoke up. For a third and final time is there anyone in the audience who wishes to speak in opposition to this item. Mayor mentioned that

after all have spoken and there being no others to speak for or against this item, I now declare the public hearing closed at 7:06pm.

Mayor opened the Council Meeting at 7:06pm.

CONSENT AGENDA

Minutes

2. Council Meeting Minutes 3-14-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

3. Executive Session Minutes for a Personnel Issue 3-14-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

City Licenses

4. Business Licenses New and Renewal 3-28-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

Financial Approvals

5. Regular/Police Payroll: 2-27-2023 to 3-12-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

6. Fire Payroll: 3-2-2023 to 3-13-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

7. Financial Breakdown Reports 3-28-2023

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

ORDINANCES AND RESOLUTIONS

- 8. Ordinance 786: Second Reading:(Tabled on 2-28-2023)** An Ordinance To Rezone A Portion of Lot 1 and A1 of Lot 2 , block 21 of the Mountain View Suburb from Developing Residential to Established Business

The Mayor asked for a motion to unable Ordinance 786 on Second reading.

Motion made by Council President McCarthy, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, And Council Member Sutherland.

Mayor asked for a motion to approve Ordinance 786, on Second Reading.

Motion made by Council Member Neumiller, Seconded by Council Member Sutherland
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, and Council Member Sutherland. Motion passes

- 9. Ordinance 787: THIRD AND FINAL READING:** An Ordinance Amending Section 2.04.060 of the Mills Municipal Code and Adding 2.88.040

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

Mayor asked if there was any discussion.

Mayor stated that when you come to the podium to talk please state your name and address. You will also be given 5 minutes to talk. Please be respectful of the person talking. If you speak out of turn you will be asked to leave.

Abriel VanVakenburg:

Abriel Owns Bucking Brew and Mountain View Discount Liquors. I have a couple of questions. In Sept 2022 and Ordinance was passed and talks about the same stuff that is being discussed here but the difference is that it put the 13 months in place. But Mrs. McCarthy voted for the Ordinance then and now I would like to know why the change and why you would vote for it then but not you are voting against what put in place last Sept. Mayor stated that Neumiller has not changed his stance and Abriel stated that she wants to know why McCarthy is so against it now. Neumiller has never changed how he voted the first time around. Council Member McCarthy stated I appreciate the question. When we had this on the table before, I could see it was important to vote on it, but having Mayor Juarez come in I am opened minded enough to know why it would restrict her hands and her reasons behind that. My only question is that at the last council meeting Mr. Juarez stated this is to be put in place in case if theft were to happen and that she cannot fire, which is false. You can fire you just need to have the number of people in the council vote. Why does she think that she does not have the power? The Mayor stated that the government in Mills is strong Mayor, which gets confused with Casper form of government and manager form of government. That does get confusing. Abriel stated what is so pressing that you would need to have the power now, when you already have it. The other ordinance was biased and protecting the people that are in place. The Mayor stated why we should be stuck with someone that needs to go. Abriel also stated that 780 was put in place for you. If that is true then how you can vote. Usually you can't vote if the Ordinance is against you. I am curious how you are to vote if this was put in place for you. If there something happening in City Hall that we need to know about. Because it is public record that if something is happening in City Hall that we need to know about and if the other council members would not agree with you. I am concerned because I have hear you as well and many of my other employees have heard you say that you going to clean house. Because you have spoken

very openly about that. Mayor stated commented about cleaning house she is not sure what that means. Abriel stated that you have stated it on three separate occasions. Mayor stated that it would be irresponsible to clean house. Cleaning house can be a lot of things right now. I have been going check by check of past history and our records were deleted. We don't have records from 2013. 2014. 2015. Those years are gone. Cleaning house can be going check by check and the people's money was spent the way it was intended. Abriel stated if this is to be transparent why was this was not talked about before. Mayor stated that she did not have access until two weeks ago. Abriel stated that we had a council meeting two weeks ago did you have access to it then? Mayor stated I did. Mayor stated that the problem here is that there is some things that have to take part in an executive session and believe me I have been in your shoes, It is frustrating. I wish I could been there three years ago on how department heads were acting. Because it is an employee issue we cannot talk about it. Mayor stated at this time there is nothing that is so urgent that it cannot be corrected. So Abriel stated why do you think this needs to be put in place? Why do you feel this was put in place for you and why do you think you are different from the other Mayors. The City Attorney stated that the speakers question is that if you have a conflict in a direct personal of the outcome. I would state since it is a legal question. Under Wyoming's law a direct personal outcome of the vote is not usually directed as a political outcome. An example he gave is if you voted for a business coming here and you owned it then you could not vote on it. Council Member McCarthy stated that the Ordinance did not have the Mayors name in it. The council members that were here new what the reason behind it was for, and it was about her. There is not conflict of interest. I have two business here and I have been treated very well. I have been in Mills for 7 years. Mayor stated that is it your concern that all department heads will be fired and how that will affect you. Not all, I just have heard that department heads signed a contract and if they are fired we will be out that money. Mayor stated that no the employees have no contract. For example, Mr Holscher is contracted. He is not an employee. Did department heads sign a contract and then will be paid at the end. The City Attorney said her questions are good ones and difficult for the Council to answer. Mayor stated that if you had an employee sign your name on a check for \$50,000 dollars what would you do? Abriel stated that I would fire them. If this employee did it twice, Abriel stated that they would not have the chance to do it twice. If this is happening then the City should have transparency. She also stated because you have made it clear that you are going to clean house. The Mayor stated that she has no intentions of firing department heads.

Darla Ives: 1325 Granite Court

Darla wanted to know if we ever got out of the public hearing. The City Clerk stated that yes we did. It 7:06pm. It is hard to hear in the back and I just did not hear if we did or not.

The Mayo asked if council had any discussion on this Ordinance. The City Attorney stated he is not sure that the public comment session has been closed. The City Clerk thought the Mayor did, but the Mayor then closed the public comment. Open to the council to talk.

Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher
Voting Nay: Council Member Neumiller, Council Member Sutherland. Motion passes

10. Ordinance 788: THIRD AND FINAL READING: An Ordinance Amending Sections 2.20.060 Through 2.20.130, Certain Sections Pertaining to Fire Fighters and The Fire Department

Motion made by Council Member Neumiller, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion passes

11. Ordinance 790: First Reading: An Ordinance to Rezone Lots 1-7, Buffalo Meadows Addition From Mixed Size Residential (MSR) to Mixed Use (MU)

Motion made by Council President McCarthy, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion passes.

12. Resolution 2023-3: A Resolution Authorizing Into a Contract for Transportation Services

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion passes

13. Resolution 2023-4: A Resolution Authorizing the purchase of a Shelter for First Street Park

Motion made by Council President McCarthy, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion passes

COUNCIL APPROVALS

OPEN DISCUSSION

Mayor stated the rules for the open discussion forum. You will not be speaking out of turn and will respect who is talking.

Abriel VanVakenburg: 4464 Mountain View Drive

Abriel stated that she has heard that a new coffee shop is coming to Mills, which she states if fantastic. Her only concern that it is going onto city property. How is that ok to build on City property when myself and Soda Springs had to find existing buildings, just like anyone else. Councilman McCarthy looked at the other council members and asked if that is city property. Abriel stated that I have check all my sources and that is city property. Councilman McCarthy stated that they will be leasing it from us. Abriel stormed out mad.

Corey Dedic

Corey is from the unaccompanied student leadership and is the program director. I run the program for homeless and unaccompanied youth. We have a place in Casper and are moving to 670 and 680 Badger here in Mills. She just wanted to reach out to everyone and let them know that they are a program for kids that need a better life. Mayor asked her to explain what it means to be a unaccompanied minor and how do individuals become this way. Corey stated that there is lots of reasons. 100% of our kiddos come from alcohol or abuse in the home. A lot of the kids don't become homeless by choice, they come to us because they had to leave a bad situation or their families are homeless. The kids comes to us through Wyoming Behavior, juvenile detention center, school district, website and Youth Crisis Center, then kids that walk in. Mayor wanted her to explain the structure and how the kids are getting to school. Corey says her name is the "warden". Every kid has to fill out an intake packet. I ask why, and what makes them homeless and I check with the police department to make sure they are not on any list. I call the school district and see if they are in school. After we find out the information and if they are not in school they have to be in school to be in our program. We have people come In and teach life skills. My staff and I co-parent these kids. I have tight boundaries about how we teach others and yourself. Not all kids get to stay if they cannot follow the rules. We have 100% graduation and at the end of the week I will be taking in my 100th kid. Councilman McCarthy wanted to know where they go if they don't follow the rules?

90% of the time they end back where they came from. Mayor stated that this is good structure. Corey explained how a kid came in and was in bad shape. She could not see and her teeth were bad and she was very thin. She is doing great and not all are success stories, but we strive to teach them how to survive. Mayor stated she is grateful for programs like this. This is a good program. Councilman Sutherland asked how many kids she has now. Corey stated that she has 7 right now. The ages that they take are from 16 to 21. She will be in the back if anyone has any questions. We will be at thankful Thursday this week at the Beacon, so please come out and support us and the kids. Come meet the kids and see what we have to offer. All the kids want is a better life. Mayor stated that we will share on our page as well.

Scott Clamp: 720 Wasatch

He feels that some rules were passed because of him. He wanted to make sure he is clear on something. He talked about snow removal at the last meeting and he stated that he takes care of the neighborhood and heard someone say that put liability on me. I feel that I am a good citizen and for years I have not seen anyone from the town help out. I am taking care of the neighbors and people are saying that I am breaking the law. Mayor stated that it is the street, she asked Casey Coates our public works supervisor if that follows for sidewalks as well. The mayor asked the City Attorney to explain. Scott stated he has a lot of old people in his neighborhood that he takes care of and he will have a hard time to stop doing that. He digs people out so they can go to the doctor's appointment. The City Attorney stated that a lot of states have passed what they called Good Samaritan laws. They do shield someone who steps in to attempt to aid them. You can be exposed liability. I am not stupid, I know where to pile the snow in the dead-end. . Mayor stated that she will here from her neighbors if she does not shovel the walks. He will be careful in what he does, he is not going to keep him from cleaning his neighborhood. He stated it is common sense but he know what he is doing. The City people have come up there and they don't know where the water mains are, I show them. I know more what is there then they do. Councilman Sutherland stated that you can come up to my house and help out.

Lisa Burrige: 421 S Center

She wanted to thank the Mayor for the time she has spoken with her regards to the number of rumor regarding Mills putting a moratorium on building. Having been responsible for over 250 single family homes in the Town of Mills. I have appreciated my relationship with Mills. But where we are heading right now, is that the builders are in a crisis. I represent five different builders. I have put some of my lots up for sale, not because I have a problem, I just want to sell them. What happens sometimes is it a huge rumor fest. From what I am told, someone here in the Town of Mills is telling builders that there is a moratorium going to be placed on new construction in Mills. I have millions of dollars invested in the Town of Mills. I cannot afford rumors. I would like to see if there can be a letter written and signed by the Council and you the Mayor that stated that this is not true. Mayor stated that she agree that the rumors have gotten out of control and we can do a public statement. Lisa stated that there is not a day goes by that I don't get a call that someone is accusing her of cheating them. You have someone in the ranks here in your Town. I have builders call and they tell me that there is somebody and is an employee of the Town of Mills. They will not tell me, people are scared to tell me, so they will not. I don't have a clue who it is, but I would like you to get to the bottom of it. It is killing my business, it is making the builders want to go to Bar Nunn and Evansville or anywhere besides Mills and it is not good for Mills. Mayor stated that the council might not be aware of this, but this got out of control with DEQ. The Colorado River Basin is pretty bad and are looking into other states to help with the water problem. The water flowing through DEQ and the EPA and are threatening pulling to pull our wells. The Mayor said I can tell you that we will fight tooth and nail. The reality is they will pull from everyone, it is just not Mills. We have legal long standing water right to our wells. For the record, that there is no moratorium on building, we cannot build them fast enough and we have to have the land to build them on. Mills has had a tremendous boom, and thanks to Lisa for taking the risk and the investment. Mayor wanted to state again on the record that there is not moratorium and we are not at risk for losing our water rights and we have no issue with our water. We actually just did look at our water usage and we are way under where we should be for the size in population. Because of the stuff we have done from the building and flow totals. Lisa stated to the mayor that the issue actually was sprung up way before the water issue. I appreciate the input and that was an issue that I tried to help the town and council fix and got it resolved. But the issue is started it was far before the meeting ever took place. So whatever is happening inside these walls

is an issue and needs to get figured out. Councilman McCarthy stated that you are saying that someone before that meeting took place is who has started this. Lisa stated that is correct. McCarthy stated can we get a letter and have council sign. The City Attorney stated that he has already draft a letter of that type so it has to be reviewed and go out. The City Attorney stated that the people who circulate them refuse to give up the "Source". As a legal who is representing the entity being hurt by the rumors, at some point that are circulating this needs to step up and tell us who the source is. Lisa stated that thankfully you don't have millions of dollars invested, the City Attorney stated that the town does. This is the tax base of our town.. This is very personal to the municipality and the people who work here and represent the town, it is a lie and it needs to stop. Lisa stated that she would like to circulate the letter, to her builders and every time she gets a call from a relator who says I have heard this, people are weak and will not stand up and say who is saying the lies. She needs out help to combat the issue. Mayor stated that she will get the letter reviewed and have people in the City review it. The mayor stated that we have taken this seriously and have said that we will take legal action because the individual who is spreading this. It is affecting us and you and the person should take a hard look at this.

John Gudger: 827 Fossil Butte

I just wanted to let you know that I have had a really good conversation with Lisa Burrige on the lighting issue and we have it figured out. Just wanted to give her some public appreciation. He has some questions about the riverfront property. He has over 30 years' experience in architectural design, management and site design. I have talked to the Community Development Director today about jumping in the City with some concepts and how we can look into this more. I believe Christine the City Clerk has my contact information. The first question I have is that all the property is owned by the City currently. That is correct the Mayor stated. Second, the retail development is that to be sold to a developer. The Mayor stated in the past the last administration wanted it that way and she is pushing back on that. I think the land is a huge resource and I don't think we should sell it off or have someone come build on the land. I don't personally agree with that I will have to talk to Council. Also, the Mayor stated I don't love the idea of that area being commercial development. I think we need to look at other areas to develop commercially. I think that we need the community draw. Councilman Neumiller stated that the grant we got was to develop that commercially. If we don't make it commercial we will have to pay that grant back. John stated that he would like to have a discussion with council and there are certain types of business that can bring a draw. You can make it a destination point. I have more questions, but I would like to meet with you all. I can assist the City in this, just don't know where we are in the process and I would like the City to reach out to me. We can work together. I would like to help the City as a marketing piece and work together since I am a resident. I would like to participate in helping the City come up with something that would be attractive. Mayor stated we have talked about it briefly since the next phase will be starting. John wanted to know if there was a timeline that the next phase will be. Has anything been discussed like picnic shelters, pavilion,, parking lots. What has been discussed when this will be a design or development. Mayor did not know what the next phase is. There is business that can come in and help with the draw and still be attractive and meet all the needs that Councilman Neumiller brought up. For example restaurants, ice cream store are a few. He has noticed the stuff that is happening and just wants to make himself available for us to use his knowledge and background. Councilman McCarthy had a question for him. Has he turned in his application for P & Z. He stated yes he just turned it in. He stated again, that he wants to provide reasonable buffers between industrial and residential. You have a school on Poison Spider and we need to address the concerns. I have been address why landscaping is not in our current code. We don't want to make it difficult for the builders but we want to a reasonable bond to protect homeowner values.

Scott Clamp: 720 Wasatch

Riverfront property he wanted to put in a raft rental place and the town would not entertain that many years ago. Don't know if you have had a clean study on it. But one of the problems that was going on is soil samples on the corner. That was an oil yard. The person that did own it started hauling dirt in. He brought up in a meeting that how can you get by for doing this. Because of the flood plain was the problem. So he paid for the study and we got to ride on his back. The Town got to benefit on it. The river is a focal point. I hope you will lease it instead of selling it. He wants to know if we get the grants can we get the fire hydrant out of his driveway.

EXECUTIVE SESSION

14. Legal Issue

Mayor asked for a motion to go into Executive Session for a legal issue at 8:00pm.

Motion made by Council Member Sutherland, Seconded by Council Member Butcher.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland.

Back from Executive Session at 8:04.

Action: Council Votes to Approve the Settlement Agreement and Authorizes the Mayor to Sign the Agreement.

Motion made by Council Member Butcher, Seconded by Council Member Sutherland.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

ADJOURNMENT

Mayor adjourned the Council Meeting at 8:05pm.

Motion made by Council Member Neumiller, Seconded by Council President McCarthy.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

NEXT MEETING - April 11th, 2023 @ 7:00pm / April 25th, 2023 @ 7:00pm.

NEXT WORK SESSION - April 10th, 2023 @ 9:00am / April 11th, 2023 @ 6:00pm/ April 25th, 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, Leah Juarez

City Clerk, Christine Trumbull