

**REGULAR CITY COUNCIL  
MEETING**

**February 28, 2023**

**7:00 PM**

**City Hall**



**CITY OF MILLS**  
EST. 1921

**Mayor:**

Leah Juarez

**Council Members:**

Cherie Butcher

Sara McCarthy

Brad Neumiller

Tim Sutherland

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**MINUTES**

**CALL TO ORDER**

Mayor opened the Council Meeting at 7:00pm.

**ROLL CALL**

**PRESENT**

Mayor Leah Juarez

Council Member Cherie Butcher

Council Member Sara McCarthy

Council Member Brad Neumiller

Council Member Tim Sutherland

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

**Minutes**

1. Council Meeting Minutes 2-14-2023

Motion made by Council Member McCarthy, Seconded by Council Member Neumiller.

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

2. Executive Session Minutes for a Legal Issue

Motion made by Council Member McCarthy, Seconded by Council Member Neumiller.

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

**City Licenses**

3. New and Renewal of Business and Contractor Licenses 2-28-2023

Motion made by Council Member McCarthy, Seconded by Council Member Neumiller.

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

**Financial Approvals**

4. Financial Breakdown Reports 2-28-2023

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

5. Regular/Police Payroll: 1-30-2023 to 2-12-2023

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

6. Fire Payroll: 2-6-2023 to 2-17-2023

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

## ORDINANCES AND RESOLUTIONS

**7. Ordinance 785: Second Reading:** An Ordinance Granting a Franchise to Visionary Communications to Operate and Maintain a Telecommunications System in the City of Mills

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

**8. Ordinance 786: Second Reading:** 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

Council Member Neumiller made the motion to table Ordinance 786 on Seconded Reading until we get all the information we need. Council Member McCarthy seconded. Voting Yea: Mayor Juarez, Council Member Butcher, Council Member McCarthy, Council Member Neumiller, Council Member Sutherland

**9. Ordinance 787: First Reading:** An Ordinance Amending Section 2.04.060 of the Mills Municipal Code and Adding 2.88.040

Council Member Neumiller made the motion to table, Seconded by Council Member Sutherland. Mayor asked if there were any discussion. How Does Council Vote, Yea: Councilman Neumiller, Council Member Sutherland. Voting Nay: Mayor Juarez, Council Member Butcher, Council Member McCarthy. Motion does not pass.

Mayor asked for a motion to pass Ordinance 787 on first reading. Mayor asked if there was any discussion. Council Member Neumiller stated that we should have had this to review before the meeting. Mayor asked if there was any more discussion and Dara Ives from the audience stood up and spoke. She asked the Mayor what this Ordinance was pertaining to. What are we amending? Mayor stated that the current Ordinance bounds her hands that she was elected to do and that is fire department heads and hire her own people. Plus, it benefits the employees that get fired to appeal to a board to get their job back. Darla stated that none of the council has seen this Ordinance? Council member

Neumiller stated he had not seen it except for an hour before this meeting. She asked Tim if he had seen it and he stated no. The Mayor stated that they are right they did not see it but the other two Council Member McCarthy and Butcher were briefed on this and had seen it before this meeting. Mayor stated that this is the first reading and now that all have seen it we can have discussions about it. Darla stated that it is not right to hide this from your Council. They all need to know what is happening. Mayor stated that she does not disagree with her, but again this is only the first reading. Darla stated that it would be in the best interested to table this ordinance until all can have time to review it. If you want transparency then the right thing to do is table the ordinance. All council members need the same time to review items on the agenda. Mayor asked again if there was any more discussion on this issue. If no other discussion then how does council vote.

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

Voting Yea: Mayor Juarez, Council Member Butcher, Council Member McCarthy, Council Member

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Voting Nay: Council Member Neumiller

**10. Ordinance 788: First 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 Member Butcher, Council Member McCarthy, Council Member Neumiller, Council Member Sutherland

**11. Ordinance 789: First Reading:** An Ordinance Amending Sections 2.20.060 through 2.20.130, Certain Sections Pertaining to Water Systems Operating Within the City of Mills

Council Member Neumiller stated he would like to table Ordinance 789 on First Reading. Council Member McCarthy seconded. Mayor asked is there any discussion. How does Council Vote.

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

## **COUNCIL APPROVALS**

**12. Council Authorizes the Mayor to Sign the Lease Agreement with Community Leasing for a New Ambulance**

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

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

**13. Council Authorizes the Mayor to Sign the Consent Title Letter with Exhibits**

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

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

14. Council Authorizes the Mayor to Sign the Agreement with Community Education Centers INC (CEC)

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

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

**OPEN DISCUSSION**

Mayor asked if there was anyone in wishes to speak in open discussion.

Rob Day spoke up. He wanted to know why he was being targeted by the police. He has vehicles that have been ticketed and he thinks that is unfair. Last meeting Rob talked to the Mayor and he was told to come talk again to the council. Robb stated that his vehicles were ticket then towed in 24 hours. He was trying to figure out what to do. He needed more time. He has lived in Mills for over 45 years. He has kept us his properties. He feels there should be a grace period and give more time. Mayor asked Chief Preciado to come talk. Chief stated that those were not tickets on the vehicles. It was a warning sticker. The vehicles where not towed for up to two to three weeks later. The towing company is a new company in the area. All Robb has to do is come talk to us and we can work things out. But trailers are not allowed on City streets and vehicles that have been sitting there for a while will be towed. Then Robb asked about the shed on poison spider. He would like to buy it. It has been sitting there for a while and it is a hazard to cars turning onto Poison Spider. The City Administrator stated that the shed has been moved and we are using for a bus stop by the fire department for the kids.

Mayor asked for a third and final time if there was anyone who wishes to speak in open discussion. No one else spoke up.

Councilman McCarthy stated that she went to a MPO meeting tonight and there was talk about the bridge from Ft Casper to Mills over the river. CEPI is doing the study. We are also on the first phase of the property by the by pass that comes into Mills. They would like to come to Mills and talk and we can do it in a work session. Mayor stated get with the City Clerk to make arrangements.

**EXECUTIVE SESSION**

15. Legal Issue

Mayor asked for a motion to go into Executive Session at 7:23pm.

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

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

Back from Executive Session at 7:31pm.

**Action:** Council Authorizes the City Attorney to proceed with joining the PFAST Class Action after completion of analysis of the same.

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

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

16. Personnel Issue

Mayor asked for a motion to go into Executive Session for a personnel issue at 7:32pm.

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

Back from Executive Session at 7:50pm

No Action Taken

17. Legal Issue

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

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

Back from Executive Session at 8:17pm.

No Action Taken

**ADJOURNMENT**

Mayor asked for a motion to adjourn at 8:17pm.

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

**NEXT MEETING** - March 14th, 2023 @ 7:00pm/ March 28th, 2023 @ 7:00pm

**NEXT WORK SESSION** - March 13th, 2023 @ 9:00am/ March 14th, 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.

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Mayor, Leah Juarez

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City Clerk, Christine Trumbull