

**REGULAR CITY COUNCIL  
MEETING**

**June 13, 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

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**MINUTES**

**CALL TO ORDER**

Mayor opened the Council Meeting at 7:01pm.

**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 HEARINGS**

1. A Petition to Vacate a Portion of Cosllo Street Located Adjacent to Lots 0,1 & 2, Cosllo's District, Mountain View Suburb

The Mayor closed the Council Meeting at 7:01pm.

The Mayor opened the Public Hearing at 7:01pm.

Mayor now declared the Public Hearing opened for consideration of a petition to vacate a portion of Cosllo Street adjacent to lots 0, 1 & 2, Cosllo's Districts. 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? The City Planner stated that Cosllo's District was platted in 1972. Cosllo Street was dedicated to the public on said plat, but the street was never constructed or improved to City's standards upon annexation. The easterly portion of the right-of-way that is being used to provide access to lots within the Cosllo's District subdivision, has been constructed to a gravel standard and is currently maintained by the lots owners. OS Investments, LLC owns Lots 0, 1 & a portion of Lot 2. They have requested to re-subdivide those three lots into one, large lot to accommodate future development and expansion of their business operations. As part of the re-subdivision, they would like to vacate that portion of Cosllo Street adjacent to their lots. Cosllo Street, as platted, deed-ends at the western edge of the subdivision, on lot 0. OS Investments LLC would like to utilize the additional lot area that would be provided with vacation of the street. Wyoming state statute 15-4-305, says that no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred feet in either direction from the portion proposed to be vacated. Signatures have been obtained from a majority of the surrounding property owners and attached to the petition. Once vacated ownership of the right-of-way will revert to the immediately adjacent property owners. OS Investments LLC is the

only adjacent property owner to the proposed right-a-way. The P & Z forward a due pass at their meeting on June 1<sup>st</sup>, 2023 for a petition to vacate. The Mayor asked is there anyone in the audience who wishes to speak in favor of this item? No one spoke up. 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 7:05pm.

2. A Petition to Vacate a Portion of South Fifth Avenue Located Adjacent to Lot 1, Evergreen Park and Lot 1, Block 8 Evergreen Park NO 2

The Mayor opened the Public Hearing at 7:05pm

Mayor now declared the Public Hearing opened for consideration of a petition to vacate a portion of South Fifth Avenue located adjacent to Lot 1, Evergreen Park, and Lot 1, Block 8 Evergreen Park NO 2. The hearing will be conducted in accordance with state statues 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? The City Planner stated that Evergreen Park NO 2 was platted in 1959 and this portion of South 5<sup>th</sup> Ave was dedicated as a public right-a-way as a proposed extension street out of the subdivision to the north. This portion of the dedicated road has never been constructed, and the adjacent properties have used the area as part of their properties for several years. Albon Shaw has purchased Lots 1-3 and the Reservoir Tract of Evergreen Park Subdivision and is in the process of re-subdividing the lots. As part of the re-subdivision process, Mr. Shaw is working with the adjacent landowner to vacate this portion of South 5<sup>th</sup> Avenue to clean up property boundaries and remove the un-utilized right-a-way. Wyoming state statue 15-4-305, says that no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred feet in either direction from the portion proposed to be vacated. Signatures have been obtained from a majority of the surrounding property owners and attached to the petition. Once vacated ownership of the right-a-way will revert to the immediately adjacent property owners. The Shawville Addition re-subdivision plat will clean-up the parcels and divide the vacated ROW proportionally, generally following how the owners have established property boundaries. The P & Z forward a due pass at their meeting on June 1<sup>st</sup>, 2023 for a petition to vacate. The Mayor asked is there anyone in the audience who wishes to speak in favor of this item. No one spoke up. 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 7:08pm.

Mayor opened the council meeting at 7:08pm.

## CONSENT AGENDA

### Minutes

3. Council Meeting Minutes 5-23-2023

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

### City Licenses

4. New and Renewal of Business and Contractors Licenses 6-13-2023

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

### Financial Approvals

5. Regular/Police Payroll: 5-8-2023 to 5-21-2023

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

6. Regular Payroll: 5-22-2023 to 6-4-2023

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

7. Fire Payroll: 5-12-2023 to 5-24-2023

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

8. Fire Payroll: 5-25-2023 to 6-5-2023

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

9. Court Income April 2023

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

10. Financial Breakdown Report 6-13-2023

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

11. Treasurer Reports May 2023

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

**ORDINANCES AND RESOLUTIONS**

**12. Resolution 2023-11: Appointment to Planning and Zoning Committee**

The City Attorney read the resolution and asked the council to vote individually on each candidate up for appointment.

Councilman	Chris Volzke	John Gudger	Mani Mosher
Sutherland	YAY	Nay	YAY
McCarthy	YAY	YAY	Nay
Neumiller	YAY	Nay	YAY
Butcher	YAY	YAY	Nay
Mayor Juarez	YAY	YAY	Nay

**Mayor stated that with the votes listed Chris Volzke and John Gudger will win the election to P & for a two year term.**

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

**13. Resolution 2023-12: Resolution Approving Granting A Quit Claim Deed of Easement to Mountain West Communications**

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.

**14. Ordinance 791: THIRD AND FINAL READING: APPROPRIATING MONEY FOR THE ANNUAL BUDGET OF THE CITY OF MILLS, WYOMING, FOR THE CONDUCT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MILLS, WYOMING FOR THE FISCAL YEAR 2024**

Motion to table Ordinance 791 on Third and Final Reading 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.

**15. Ordinance 793, First Reading:** An Ordinance Approving a Vacation of a Portion of South Fifth Avenue Adjacent to Lot 1, Block 8, Evergreen Park NO 2

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.

**16. Ordinance 795, Second Reading:** An Ordinance Adopting the 2023 National Electrical Code (NEC) Including Certain Appendices, and Amendments Regulating and Governing the Installation and Wiring of Residential and Commercial Construction, Alteration, and Movement, Enlargement, and Replacement, Repair, Equipment, Location, and Proper Removal or Demolition of Said Building and Structures

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

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

**17. Ordinance 796, First Reading:** An Ordinance Approving A Vacation of a Portion of Cosllo Street, Adjacent to Lots 0,1 and a Portion of Lot 2, Cosllo's District

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.

**18. Ordinance 797, First Reading:** An Ordinance Authorizing the Vacation and Replat of Lots 1,2,3 & Reservoir Tract, Evergreen Park Subdivision and Lot 1, Block 8 Evergreen Park NO 2, To Be Known as Shawville Addition to the City of Mills

Motion to table Ordinance 797 on first reading 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. Motion Passes.

**19. Ordinance 798, First Reading:** An Ordinance Amending Certain Provisions of Title 17 in Regard to Mobile Homes

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.

**20. Ordinance 799, First Reading:** An Ordinance Amending Title 6 Provisions Pertaining to the Keeping of Bees in Mills, Wyoming

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.

## **COUNCIL APPROVALS**

21. Council Approval of Adding the Community Development Module to Caselle in the Amount of \$17,600.00

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.

22. Council Approval of a Catering Permit for Diesel's Bar and Grill

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.

Ken Holloway was present to discuss his event. He is having a car show. City Clerk stated to him if he is going to have live music. He was unsure. She also stated that how are you going to keep minors from drinking. He stated that he will have security and the people over 21 will have wrist bands and people under 21 will have an "X" on their hands. The event will be in the back of the building so he can keep his parking lot open to park. He will have food trucks there. Council approved and stated good luck.

23. Council Authorizes the Mayor to Sign the Agreement for Consulting Services with HUB International

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.

## **OPEN DISCUSSION**

### **Sheryl Smiley at 1113 Reed**

She was present to ask the council for an extension on her payment to us for her water bill. She has been on a payment arrangement for the last couple of months and needs to know if she can continue it. She stated that she has had a plumber out there and there is broken pipes. She does not have the money to fix right now. City Clerk stated to council that she has always had a payment arrangement and has made her payments on time in the amount that she listed. She is asking for an extension till June 21<sup>st</sup>, to pay the past due until she gets her social security. Mayor stated that if she could talk to Mr. Coleman and find out from him how the City can help her. The Mayor stated that we will work with you on your extension.

### **Jeanne Beagle:**

Jeanne was present to talk about her trailer that she wants to bring into Mills. It is a 2001 and has been through a compliance inspection with Kevin O'Hearn. She wants to put the trailer at 4786 Lafayette. She has four spaces and she has one that is open and ready for a trailer. She stated that right now she is in Casper and wanted to come 4 years ago but did not know that when she moved into there that she has to stay four 4 years. Otherwise she would have came earlier and she would not have to ask for a variance. Her trailer she stated is in good condition.

She stated that it will be going into another trailer park here in Mills. The Mayor stated that your trailer does look nice, but what we need to be worried about is what is under the trailer. We have to make sure that is inspected and will pass electrical code. Councilman Sutherland stated that we have had similar ones like this one I think we should allow it to come in. Mayor asked council how they feel about this trailer. Councilman McCarthy stated yes she is in favor, Councilman Neumiller stated yes he is in favor and Councilman Butcher stated yes she is in favor, Councilman Sutherland stated yes he is in favor. Mayor stated that she is in favor as well and we grant your request for a variance as long as the stuff you need fixed is done within 30 days of setting the trailer.

## **EXECUTIVE SESSION**

### 24. Personnel Issue

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

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.

Back from Executive Session at 8:12

No Action Taken

### 25. Legal Issue

Mayor asked for a motion to go into Executive Session for a legal issue at 8:12pm.

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

Back from Executive Session at 8:28pm.

No Action Taken

## **ADJOURNMENT**

Mayor asked for a motion to adjourn the Council Meeting at 8:28pm.

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. Motion Passes.

## **AGENDA SUBJECT TO CHANGE WITHOUT NOTICE**

**NEXT MEETING** - June 27th, 2023 @ 7:00pm / July 11th, 2023 @ 7:00pm / July 25th, 2023 @ 7:00pm

**NEXT WORK SESSION** - June 27th, 2023 @ 9:00am / July 10th, 2023 @ 6:00pm / July 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.

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Mayor, Leah Juarez

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City Clerk, Christine Trumbull