

**MINUTES OF THE MEETING
TOWN COUNCIL
BAR NUNN, WYOMING**

The regular meeting of the Town Council of Bar Nunn was held on Wednesday, July 5, 2017, 7:00 P.M., at 4820 N. Wardwell Industrial Avenue, Bar Nunn, Wyoming.

The meeting was called to order by Mayor Patrick Ford. The roll call was taken by Carisa Hensley, Deputy Clerk. Present were Mayor Ford, Council members Josh Brown, Steven Clark and Robert Hoover. Excused absence for Councilmember Teri Kelly.

Mayor Ford led in the Pledge of Allegiance.

Minutes of June 20, 2017 were presented. Councilman Josh Brown made a motion seconded by Councilman Steven Clark, to approve the minutes of June 20, 2017, and motion carried without dissent.

Payable List for June 2017, Ck#27163 through Ck#27262, ACH payments#...64488625 and #...05990928 was next on the agenda. Councilman Steven Clark made a motion seconded by Councilman Josh Brown, to approve the Payable List for June 2017. Motion carried unanimously.

Item number (5) on the Agenda was Resolution #2017-06 (***Resolution number corrected from #2017-01 as listed on the Agenda so to be in correct numerical order on the Resolution Index Listing***). A Resolution of the Town of Bar Nunn authorizing the transfer of unexpended monies from various departments to bring allocated departments into compliance, per Wyoming Statutes #16-4-112 through #16-4-114 for Fiscal Year 2016-2017, ending June 30, 2017. Councilman Steven Clark made the motion to approve Resolution #2017-06, Councilman Robert Hoover seconded the motion. Council reviewed the budget line items to be amended and Councilman Josh Brown focused on the variance in account #952 Earmarked Fire Dept. Structure Truck of \$80,550 which was covered by unexpended funds in account #606 Street/Alley Mtnc. After research and discussion it was surmised that this particular earmark fund was meant to accrue for two years and the structure truck was approved for purchase before the total accrual was in place. Deputy Clerk Hensley mentioned she would be able to provide an audit trail for account #952 for the Fiscal Year 2016-2017 to the council members later in the week. After discussion concluded, Mayor Ford called for a vote and the motion passed without dissent.

Attorney's Report was next on the agenda. Attorney Amy Taheri did not submit a written report. Attorney Taheri mentioned she will be scheduling another meeting with Joe Parke regarding the easement on his property at The Hangar and that Mayor Ford has volunteered to participate in these negotiations. The Council then reviewed her submittal for ordinance changes dealing with committee appointments by the Mayor. Councilman Josh Brown suggested an additional inclusion of a general statement dealing with appointments to committees out of Bar Nunn jurisdiction i.e. – Homeland Security, Tourism Board & CATC. On a separate topic, Councilman Brown also asked Attorney Taheri to review any legal ramifications for approving change orders within a construction project which surpasses \$35,000, this being the minimum amount for bid requirements. Ms. Taheri stated she would research this topic.

Next Engineer Bill Johnston presented his report. Mr. Johnston stated the Antelope Drive Repair Project is scheduled to begin on July 5th and reach substantial completion within 5 1/2 weeks. Then Bill discussed with the council the finalization of the Town Hall Infrastructure Project. There are additional

costs in the amount of approx. \$800 for restaking and retesting compaction. These additional costs could be charged back to the Contractor. The council directed Engineer Johnston not to charge back these costs to the contractor. The council decided these marginal expenses could be met under the project costs covered by the Town. Councilman Josh Brown then asked Engineer Johnston if there has been any follow up with Mr. McMurry granting permission to access his property for the trucking of the recycled asphalt from the I-25 Interchange Project. Engineer Johnston said he has not received any updates regarding the negotiations.

Fire Department Report for June 2017 was next on the agenda. A written report was previously submitted. There were no comments on the submitted report. Councilman Josh Brown mentioned there are a boat and RV trailer parked on the Fire Department property. Fire Chief Robert Hoover stated the boat has been moved and the trailer would be moved off the property shortly.

Mr. Schoolcraft gave a short report on the Zoning & Planning committee meeting of June 15th. The Zoning committee approved the building plans and a site plan for a hot shot business which is to be located at 4860 N Wardwell Industrial Ave. The committee also approved a shed to be located at 4517 Circle Dr. So. Then Mike Schoolcraft and the council had a discussion on Zoning Code Enforcement and procedures. There was mention of expanding the scope of work for the code enforcement officer to assistant in on site verification of permitted projects.

Chuck Johnson, Head of Maintenance submitted a written Maintenance Report. Mr. Johnson also reported that the bike rack and garbage cans have arrived and will be setup at High Plains Park. Chuck stated there are two more temporary workers to start next week. Mr. Johnston concluded with the Pathway lighting and he has confirmed the lights have been programmed to shut off at 10 P.M. Councilman Josh Brown discussed the temporary speed limit signs around Antelope Park and the Infrastructure Project. Head of Maintenance, Chuck Johnston, will be ordering permanent signs directing the speed limit at 10 MPH. Fire Chief Robert Hoover asked if Mr. Johnston would also order signs to be placed near the Fire Dept. entrances which state, "Emergency Vehicles entering Road Way".

Code Enforcement Report was next on the agenda. Code Enforcement Officer Marshall Wyatt submitted a written report. There were no comments on the written report. Councilman Steven Clark did readdress his concern with the Town Ordinance governing the time frame for code infractions and their resolution. Councilman Steven Clark made a motion to have Attorney Amy Taheri review the code enforcement ordinance and offer suggested revisions that could shorten the time constraints. Councilman Robert Hoover seconded and the motion carried.

Next on the agenda was the Office Staff Report. A written report was submitted by Deputy Clerk Carisa Henlsey. There were no comments concerning the written Office Staff Report.

Petitions and Public Comment was next on the agenda. Mr. Mike Schoolcraft restated the discussion items concerning Zoning verification and enforcement.

Next on the Agenda was Council Miscellaneous. Mayor Ford mentioned the upcoming Volunteer Appreciation Day, Saturday, July 15, 2017. The cook out will be from 11 A.M. to 2 P.M. Mayor Ford asked if any council members will be assisting to please show up at Antelope Park around 10:30 A.M. for set up. Mayor Ford reviewed the notice on the upcoming WYDOT - S. T. I. P. presentation to the Natrona County Commissioners. The meeting will be July 18th at 5:30 P.M. at the WYDOT Casper office. The Mayor encouraged the council members to attend. In conclusion, the Mayor wants to have the Town Clerk Treasurer position advertised in the Casper Star Tribune for three weeks.

There being no further business to come before the Council, Councilman Steven Clark made a motion seconded by Councilman Robert Hoover to adjourn. Motion was unanimous.

The Bar Nunn Town Council adjourned at 8:30 P.M., July 5, 2017.

Patrick R. Ford, Mayor

ATTEST: (seal)

Carisa Hensley, Deputy Clerk Treasurer

Attorney's Report

7/18/17

1. Suggestions for updates to appointment

Bar Nunn Appointments Ordinance Suggestions

1-6-112: Town Engineer

A. Appointment: The mayor shall appoint a town engineer with the concurrent consent of the town council, who shall hold the appointment for the duration of the appointment or until such time as removed by the mayor, with the concurrence of the governing body, for incompetency or neglect of duty, whichever shall first occur.

B. Duties: It shall be the duty of the town engineer to perform the job functions described in the Town code regarding backfilling trenches; sewer construction, connections, and use; solar access permits; building permits; travel trailer parking; sewage system; health standards; conditional use permits; aesthetics; site plan regulations; landscaping; off street parking; approval for pads; licensing requirements; abandoned facilities; preparation of plats; streets and utilities; drainage; and any other tasks as requested by the Mayor and Council.

1-6-113: Other Appointments

Appointment: The mayor may appoint other individuals to serve as the Town Representative as needed, both within the Town of Bar Nunn or in other jurisdictions, with the concurrent consent of the town council. Such appointed individuals shall hold the appointment for the duration of the appointment or until such time as removed by the mayor, with the concurrence of the governing body, for any reason including incompetency, neglect of duty, or the lack of necessity for the continuance of the appointment.

2. Suggestions for Code enforcement ordinance: Currently reads:

3-2-2: ABATEMENT OF NUISANCE; PROCEDURE:

A. Abatement Required, Penalty: Any person receiving a notice of a public nuisance, as provided herein, shall comply with the provisions of the notice and shall abate each such nuisance identified within ten (10) days after receipt of the notice. If such person shall fail or refuse to abate such nuisance within ten (10) days after the receipt of notice without just cause, such failure is declared to be unlawful and shall constitute a misdemeanor punishable by an assessment or fine of twenty five dollars (\$25.00) for each separate violation. Each day such nuisance persists and continues shall constitute a separate violation.

B. Action Upon Failure To Abate: In the event of a public nuisance as defined in Section 3-2-1 of this Chapter, of which notice has been given and which remains unabated for more than ten (10) days, the Mayor or his representative is granted the authority to: 1) issue a citation for the nuisance for each day the nuisance is not abated; or 2) may abate the nuisance and the cost of abatement may be charged to the owner of the nuisance or assessed against the land upon which the nuisance exists, or both; provided however,

that if a proper request for hearing is filed, abatement shall only proceed upon resolution or order of the Town Council or hearing examiner. Prosecution of a citation for the nuisance however, may be enforced by the Town Attorney through the Municipal Court at any time.

- C. Voluntary Consent To Remove: The owner of any property against which a nuisance under this Chapter has been claimed, may voluntarily consent to the abatement of the nuisance by the Town. In order to give such consent, all owners of the property shall execute an affidavit in a form acceptable to the Town Attorney, stating that there are no other owners of the property, or lien holders having a security interest in the property; that the owners will reimburse the Town for the actual costs of abatement or such other costs as are established by the Town Council for such abatement; and that such reimbursement will be made to the Town within thirty (30) days of abatement. Such affidavit shall constitute a statement by the owners signing the affidavit that they will indemnify the Town for any loss or expense alleged by any other party as a result of abatement or disposal. The execution of such affidavit shall also release the Town. (Ord. 93-09, 10-5-1993)

Bar Nunn Engineer Report July 18, 2017

Town Hall Utilities status

Cleanup items have been done. This project is complete. The final change order represents an construction project amount of about \$463,245 which is about \$28,000 less than the \$491,244 bid amount.

Interchange recycled asphalt

The Pipeline Company has upped the requirements to cross their line, which now is, they need 2.5 feet of soil plus a wooden or steel mat to distribute loaded truck loads.

CAEDA has acceded to allow truck traffic through their property in order to haul the recycled asphalt.

Antelope Reconstruction

The eastern side underdrain has been installed. The western one is the next to be installed.

Bar Nunn Industrial Center IV

The magnum diversified building north of the CAEDA building is wanting to do improvements. I informed Scott Sutherland at Granite Peak that the sewer main for this subdivision needed completed and at a minimum extended to the northern lot line of Lot 4. Lot 4 is the lot that the building resides on. He told me he will check into this and get back with me.

Ron McMurry called and said he would extend the sewer main to the north line of lot 4 in order to satisfy my concerns.