



**MEETING MINUTES**

Tuesday, November 7, 2017 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue,

Bar Nunn, Wyoming

1. **Roll Call:** Mayor Patrick Ford called the meeting to order Tuesday, November 7, 2017 at 7:00 p.m. Roll was called which determined the presence of a quorum.

**Present:** Mayor Patrick Ford; Council members: Steven Clark, Teri Kelly, Robert Hoover and Josh Brown

2. **Pledge of Allegiance:** The Town Council and all present stood in service to the United States Flag and pledged allegiance to the United States of America.

3. **Minutes of October 17, 2017:** Moved by Josh Brown, seconded by Teri Kelly to accept the Minutes of the October 17, 2017, the motion carried without dissent.

4. **Payable List for October 2017:** Moved by Steven Clark, seconded by Robert Hoover and carried without dissent to accept the payable list for October 2017, Ck#27527 through Ck#27606, ACH payments #...55034297 and #...31146475.

5. **Attorney's Report:** Attorney Amy Taheri expanded on her written report. Ms. Taheri mentioned that Judge Dave Drell has notified the clerk that he will be resigning his post as the Judge for the Town of Bar Nunn effective the end of December 2017. Attorney Taheri will develop a RFP for a Town Judge and advertise on the State Bar Association web services with a deadline for submittal of resumes the first part of December, so a selection could be made for the upcoming Court session in January 2018. Ms. Taheri is waiting for the signed Sheriff's Contract from the Deputy Natrona County Attorney. In conclusion of her report Ms. Taheri reported The Hangar easements have been submitted to Mr. Joe Parke for signature.

6. **Engineers Report:** Ray Catellier from CEPI submitted a written report and presented the council with a visual concept of 3 potential locations for the picnic shelter/ bus stop shelter to be constructed at High Plains Park. The advantages and disadvantages of each site were discussed. Ray pointed out that option A is located near the street light which adds a safety component. Patrick Ford pointed out that option A location will not block access to the park for machinery and equipment for the future development of the park. Josh Brown thought options B & C might provide more protection from the wind and snow drifts. Robert Hoover also felt that perhaps building a picnic shelter at option A location might contribute to more snow drifting in the park and on the playground equipment. Mr. Chuck Johnson, Head of Maintenance mentioned his crew will be installing a snow fence in the drainage area near the park to help prevent the snow drifting in the park. Steven Clark asked if the school district would be willing to change the bus route to stop at the shelter site that was selected. Mr. Catellier will confirm with the school district if they would be willing to make a route change to stop at the selected shelter site. Teri Kelly liked option A location for the safety and lighting. Mr. Scott Radden suggested the other two locations could possibly use low cost solar options for lighting. Mr. Catellier mentioned these were just conceptual layouts and that any area south of the playground equipment was open for one or several picnic shelter locations. Josh Brown still felt that the best location for wind and snow protection was option C, and as that is the main intention of this particular picnic/bus shelter to be constructed. Mr. Catellier stated that the design of the shelter would not use

plexiglass for wind protection but wooden slats. Ray Catellier will bring to the next council meeting visual designs of a shelter with wooden slats on the sides. Next, Engineer Catellier mentioned he was at the Zoning Commission Meeting in October and was aware that the City of Casper building inspection service contract with the Town of Bar Nunn will be expiring the end of December and his associate Bill Fehringer is doing some research into other possible inspection service providers for the Town. Teri Kelly inquired how the 5-year plan for road maintenance was developing. Mr. Catellier stated that he has been conducting asphalt assessment throughout the town. Ms. Kelly asked the engineer to consider overlay needs on Arena from Prairie Lane to Antelope and the section of Sunset Blvd. that runs along the mail building.

**7. Fire Department Report:** A written report was submitted and Mr. Brett Morss was present to review the report. Mr. Morss mentioned the annual haunted house event was successful and the profits will be used for firefighting gear and the annual fire department banquet held in January. In conclusion Mr. Morss mentioned several more fire department members have received EMT certification.

**8. Zoning & Planning Report:** Mr. Gary Geiger was present and reviewed the zoning report. Mr. Geiger mentioned no official business took place at the October meeting as there was no quorum. Mr. Geiger referred to the discussion held during the meeting about the permit fee changes that are being planned by the City of Casper and options that might be available to the town.

**9. Code Enforcement Report:** Mr. Marshall Wyatt, Code Enforcement Officer was present. Mr. Wyatt submitted his requested contractual changes for the code enforcement contract renewing this December 2017. Attorney Amy Taheri reviewed the three requested changes with the council. First change occurring on Page 2 item 2 dealing with monthly versus weekly time of performance. Patrick Ford felt establishing a set number of hours per month would allow the adjustment of the weekly schedule to incorporate the busy and slower cycles of code enforcement throughout the year. Josh Brown also emphasized that the intention of setting weekly hours was to ensure the presence of the code enforcement officer on a weekly basis. Ms. Taheri suggested that the contract reflect time of performance on a monthly basis and adding a provision that the enforcement officer attend weekly. Next, on page 2 item 3 an increase in compensation to cover insurance costs. There was discussion on rates and costs of commercial insurance coverage. Mayor Ford suggested that if the code enforcement officer was to become a part-time employee the position would be covered under the town's coverage. Mr. Wyatt stated he had already purchased his insurance for the year and was not sure of reimbursement of the payment if he needed to cancel the policy. The last proposed change was on Page 4 item 2 dealing with a language change eliminating inconsequential wording as to timing of contractual negotiations. The council members agreed to the requested changes and Ms. Taheri was directed to make the revisions to the code-enforcement contract.

**10. WY DOT Cooperative Agreement, Amendment #2- I25 Interchange:** Mr. Lowell Fleenor, District Engineer for Wyoming DOT. Mr. Fleenor presented the cooperative agreement for the Westwinds Interchange Project. Mr. Fleenor reported that the project is currently being advertised and the bid opening is to take place this Thursday. Then the WY DOT commission meets the following Thursday to award the project to the lowest responsible bidder. Prior to the Commissioners meeting November 16<sup>th</sup> the cooperative agreement between WY DOT and Town of Bar Nunn will have to be executed. Lowell Fleenor pointed out that this agreement was titled Amendment #2. The Town enter into agreement under Amendment #1 to obtain right of ways and utilities. This 2<sup>nd</sup> Amendment is for the engineering and actual construction to take place. Mayor Ford presented a need for clarification under Item #4, section J. Under Item #4 language the town agrees to enter into an additional negotiated contract to take over the jurisdiction of the Westwinds Road and the section of the Salt Creek Highway all within the boundary of the Town from Westwinds Road to Antelope Drive. Patrick Ford realized it would be in the best interest of the Town to take over the snow removal of those identified areas but did not see any compensational provisions made by WY DOT for the town to provide those services. Mr. Fleenor felt the intent of Item #4 was to open negotiations for an additional agreement with the Town for those services and within the negotiations compensational provisions would be identified, also WY DOT would like to include provisions for the Town to take over jurisdiction from Antelope Drive to Howard Street Junction to provide snow removal services on

that section also. Mr. Fleenor stated that part of the interchange project would include road refurbishment from McMurry Blvd. to Antelope Drive. Josh Brown discussed his concern with the planned refurbishment and whether the designed plans would be enough to address the troubled spot at the end of Antelope Drive where water damage is buckling the asphalt. Lowell stated the best scenario for treatment for stabilizing of this area would be a 4" overlay with the option of adding a specialized pavement material added in between the layers of the 4" overlay. Josh Brown also asked the attorney if there would be some liability issues with the Town insurance if the snow plow drivers provided services outside the Town's jurisdiction. Attorney Taheri will look into this issue. Josh Brown inquired into the possibility incorporating into the Salt Creek Highway project additional turn lanes at Antelope Drive and/or McMurry Blvd intersections to relieve traffic congestion. Mr. Fleenor thought that once they were under contract they could discuss some of those types of project changes and adding turn lanes could be handled through a change order with the contractor. Next Item the Mayor pursued is item 5 A. "Participation of Project Costs" with an estimated 12-million-dollar project with WY DOT participating a potential of up to 9 million dollars and the Town of Bar Nunn contributing 3 million to the project. The 3 million is composed of the Town's investment of 1 million, Natrona County's contribution of 1 million and a grant match from Wyoming Business Council of up to 1 million. The Mayor is concerned that the language in this paragraph states the 3 million of the Town's Fund is to be spent first. This funding mechanism seems to have been flipped around where the Town is the first to be hit for funding. Mr. Lowell Fleenor felt that a simple language change to read that the Town's 3 million and WY DOT's \$7 million would be spent first. Lowell did mention the town's contribution of 1 million dollars was addressed in the contingency agreement with Wyoming Business Council which identified the three years of allotment to be billed in increments of \$335,000. The Mayor's understanding that under amendment #1 it was federal funds to be used first and then local funds would be spent next. Engineer Fleenor reexamined Exhibit B with the council showing breakdown of project costs and discussed reimbursement percentages. Mr. Fleenor will discuss with the WY DOT executive board potential language changes to the amendment. In conclusion, Mayor Ford identified that this Amendment #2 Cooperative Agreement needed to be executed before the commissioners meeting on November 16<sup>th</sup> or the project could be delayed an additional month. Teri Kelly mentioned that she would not like to see a longer delay in contract negotiation as the Town has been struggling to have an interchange entrance for over 30 years. Josh Brown's concern was that the under the cost breakdown of Exhibit B, that any cost overages above \$12 million dollars would be the responsibility of the town. Mr. Brown would like to know if there will be any cost caps or what kind of mechanism was in place to control cost overages. Mr. Fleenor stated that next Thursday when bid opening occurred would tell the tale of actual project costs and the town will be asked to concur with the bid. To incorporate the need for an executed agreement before the commissioners meeting on the 19<sup>th</sup> and with the bid opening occurring November 9<sup>th</sup> which will provide more concrete costs for the project it was proposed by Mayor Patrick Ford to change the scheduled council meeting from November 21<sup>st</sup> to November 14<sup>th</sup>. Teri Kelly moved, seconded by Steven Clark and carried unanimously to change the Town Council meeting scheduled for November 21<sup>st</sup> to November 14<sup>th</sup> at 7 PM to facilitate the deadline for entering into the Cooperative Agreement.

11. **Maintenance Report:** Head of Maintenance, Chuck Johnson, submitted a written report and there were no further comments or questions from council.

12. **Office Staff Report:** Clerk Treasurer Carisa Hensley submitted a written report and there were no further comments or questions from council.

13. **Petitions and Public Comment:** Mr. Scott Radden, Town Planner, addressed the council and discussed the upcoming Technical Review Meeting on November 26<sup>th</sup> for the Community Development Plan. The technical review committee will develop a town survey to facilitate feedback from community members. The survey will also be available on-line with a link on the town web site. In closing Mr. Radden reviewed the procedure for adopting the MPO transportation plan for the Town of Bar Nunn with a potential public hearing on the transportation plan during the Zoning Committee Meeting in December 2017.

14. **Council Miscellaneous:**

A. Potential Salt Creek Highway Clean Up Day: After discussion it was the consensus of the council to host a Salt Creek Highway Cleanup Day once annually to be scheduled in the spring of the year.

B. Wage Study Results: Moved by Teri Kelly, seconded by Steven Clark and carried unanimously to set a council work session for November 14, 2017 at 6:30 PM to review the Wage Study Results.

15. **Adjournment:** Moved by Steven Clark, seconded by Robert Hoover and carried without dissent that there being no further business the council meeting of November 7, 2017 be adjourned at 8:50 P.M.

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Patrick R. Ford, Mayor

ATTEST: (seal)

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Carisa Hensley, Clerk Treasurer