



TOWN COUNCIL

MEETING MINUTES

Tuesday, June 19, 2018 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue

Bar Nunn, Wyoming

1. Roll Call: Mayor Patrick Ford called the meeting to order Tuesday, June 19, 2018 at 7:00 P.M. and Roll was called which determined the presence of a quorum.

Present: Mayor Patrick Ford; Council members: Josh Brown, Teri Kelly, Robert Hoover arriving at 7:05p.m. and Steven Clark arriving at 7:08p.m.

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 June 5, 2018: Moved by Teri Kelly, seconded by Josh Brown and carried without dissent to accept the Council Minutes of the June 5, 2018.

4. Financial Reports for period ending May 31, 2018: Moved by Josh Brown, seconded by Teri Kelly and carried without dissent to accept the balance sheet, budget income statement & trial balance for period ending May 31, 2018.

5. Third and Final Reading of Ordinance #2018-01 "AN ORDINANCE OF THE TOWN OF BAR NUNN, WYOMING, ADOPTING ANNUAL APPROPRIATION (BUDGET) FOR THE FISCAL YEAR ENDING JUNE 30, 2019". Mayor Ford opened this agenda item at 7:20 p.m. with all council members present. Josh Brown suggested a change in the budget ordinance to increase the allocation for legal fees expense by \$20,000 and reduce the allocation for street overlay expense by \$20,000. Mr. Brown presented this change in consideration of upcoming changes in zoning, town ordinance and legal guidance issues that will require additional time commitment from the Town Attorney. All council members concurred with the suggested budget changes. Moved by Steven Clark, seconded by Robert Hoover and carried without dissent to approve Ordinance #2018-01 on its Third and Final Reading with an addition of \$20,000 to Legal Fees Expense for a total of \$50,000 FY 18-19 Budget and a reduction of \$20,000 in Capital Improvement Street Overlay Expense for a total of \$531,323 FY 18-19 Budget.

6. Resolution# 2018-06 "A RESOLUTION ADOPTING THE '2018 NATRONA COUNTY EMERGENCY OPERATION PLAN' AS THE EMERGENCY OPERATION PLAN FOR THE TOWN OF BAR NUNN, WYOMING". Moved by Teri Kelly, seconded by Robert Hoover and carried without dissent to approve Resolution#2018-06.

7. Resolution# 2018-07 "A RESOLUTION ADOPTING THE '2017 NATRONA COUNTY HAZARD MITIGATION PLAN' AS THE HAZARD MITIGATION PLAN FOR THE TOWN OF BAR NUNN, WYOMING". Moved by Robert Hoover, seconded by Josh Brown and carried without dissent to approve Resolution#2018-07.

8. Attorney's Report: Attorney Taheri submitted a written report with the suggested adaptations to Town Code for notification procedures on nuisance weeds and notification procedures for dangerous trees causing obstruction. Mayor Ford pointed out the new ordinance references calendar year and clarified that would be from January 1st through December 31st. Steven Clark addressed the dangerous tree ordinance where it states the Parks and Recreation Committee or its authorized agent or law enforcement officer, initiates the notification. Mr. Clark mentioned this language gives enough scope that the Town Attorney acting as an authorized agent can notify residents of tree obstructions. Josh Brown then requested Attorney Taheri to investigate what other jurisdictions are offering as compensation to Zoning Commission Board Members and to please offer legal advice on the Town of Bar Nunn's authority to annex water districts under State Statute #41-10-154. Attorney Taheri stated she will review these issues.

9. Engineer's Report: Engineer Catellier reviewed his written report with the council. Ray Catellier stated that after consultation with the Town Attorney and other professionals he felt the best course of action was to design the multi-use court using recommended safety zones under FEBA and National Federation of High School Sports. These recommendations incorporate a 3-foot buffer on the sides and a 6-foot buffer from the end. With this design the estimated cost for the Multi-Use Court will still be within \$80,000 and the project will be advertised for bid on July 1st and July 8th. Next, Engineer Catellier reported on the 201 Management Oversight Committee meeting he attended. The City of Casper is considering raising System Improvement Fees for new sewer taps next year. The increase in fees will create revenue needed to update a 60-year-old plant and required E.P.A. improvements. Josh Brown asked Engineer Catellier if 71 Construction will be modifying the overlay gap at Antelope Drive and McMurry Blvd. Engineer Catellier responded in the affirmative and mentioned that completion and walk through will be taking place the end of next week.

10. Parks and Recreation Report: No one was present from the Parks and Recreation Committee and no report given.

11. Petitions and Public Comment: Cody & Larissa Edgington residing at 1920 Lakota Trail came before the council to discuss speeding issues they are having on Lakota Trail. In their discussion with the Sheriff's Department it was recommended that the Town place signs at all entrances that the speed limit for the Town of Bar Nunn is 20 MPH unless otherwise posted. Council discussed current locations of speed limit signs and the council concurred that the posting of speed limit entrance signs would be effectual. Attorney Taheri mentioned she will be researching the Town Ordinance on street speed limits. Gail Welsch residing at 2117 Omaha Trail and Brooke Bettis residing at 1720 Zuni Trail came before the council to discuss increased snake sightings and encounters within Bar Nunn. Ms. Welsch would like to see the Town conduct snake safety classes for children. Robert Hoover mentioned that the Volunteer Fire Department could look into hosting snake safety seminars for town residents and children. Mayor Ford suggested that Game & Fish might be a good resource on material and programs that offer snake safety. Phillip Schrayner residing at 5502 Antelope Drive came before the council to state he is opposed to the cement barriers recently placed by the Town at the dead-end streets. Mayor Ford stated these barriers were placed there to protect trespassing onto private property.

12. **Council Miscellaneous:** Teri Kelly would like to incorporate an increase in the Mayor's compensation as the Mayor in service to the town has to attend various committee meetings outside of regular scheduled council meetings. Josh Brown suggested that the Town Attorney review compensation regulations of elected officials and possible compensation based on attendance at committee meetings. Robert Hoover reported the Bar Nunn Fire Department is sponsoring a Public Service Seminar on the Life Flight program June 23, 2018 at 10 A.M. at the Fire Station. Mr. Hoover also mentioned that the dispatch to the Badger Creek Wildland Fire went well with no issues with the truck or the crew, and the use of truck made approx. \$5,200 for the town after expenses.

13. Adjournment:

Moved by Steven Clark, seconded by Teri Kelly and carried without dissent that there being no further business the meeting of June 19, 2018, be adjourned at 8:00 P.M.

Patrick R. Ford, Mayor

ATTEST: (seal)

Carisa Hensley, Clerk Treasurer

Attorney's Report

6/19/18

Proposal for ordinances (weeds and trees)

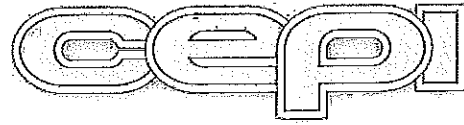
3-2-1: WEEDS DECLARED NUISANCE:

It is the duty of every owner or occupant, and agent of any owner or occupant, of any lot located in the Town to keep the lot, the alleyways abutting thereon and the sidewalk areas in front thereof free and clear from weeds, noxious vegetable growth and grass growth exceeding eight inches (8") in height. Any person failing to comply with the provisions of this Chapter shall be notified by the Mayor, or his authorized agent, that such failure is declared to constitute a public nuisance which may be abated or cited in accordance with the provisions of this Chapter. (Ord. 93-09, 10-5-1993). **Such notice shall be in effect for the duration of the calendar year and the owner of the lot or parcel shall be responsible for controlling the vegetation as prescribed herein for the duration of the calendar year, without the need for renotification. After the initial notice, any subsequent periods of noncompliance shall also be a violation of this section.**

6-4-7: PROHIBITED TREES, CONDITIONS:

A. Dangerous Trees, Obstruction:

3. If a tree, or any of its parts, on private property in any way other than stipulated in this Section causes a hinderance to the general public, or in any way endangers the security and usefulness of any public street, highway, alley, sewer or sidewalk is so determined following an inspection, the same is hereby declared to be a public nuisance. The Parks and Recreation Committee or its authorized agent or a law enforcement officer, shall issue the property owner or his agent a written notice in a manner prescribed by law, requiring the owner or agent to correct or remove said nuisance within fifteen (15) days. If the owner or agent does not correct said nuisance within the time specified, the Parks and Recreation Committee or its authorized agent, or a law enforcement officer, shall cause the same to be corrected or removed, and the costs thereof shall be collected in a manner prescribed by law. **Such notice shall be in effect for the duration of the calendar year and the owner of the lot or parcel shall be responsible for controlling the trees as prescribed herein for the duration of the calendar year, without the need for renotification. After the initial notice, any subsequent periods of noncompliance shall also be a violation of this section.**



June 18, 2018

Mayor Ford, Town Council
Town of Bar Nunn
4820 Wardwell Industrial Avenue
Bar Nunn, WY
82601

Dear Mayor Ford and members of the Town Council,

Since the last council meeting I have been working on the following items:

- Final Design drawings for the multi-use court. Plan to advertise July 1st and 8th and bid July 18th.
- 201 Management Oversight Committee meeting: Casper City Council will be considering raising System Improvement Charge fees beginning next year. The attached memo explains the reasoning behind the fees and who it applies to.
- Splash pad design: The design Riverton received was over budget. They are awaiting a revised design that fits within their budget. When that design is received they will share it with Bar Nunn.

Please feel free to contact me at any time with questions or concerns.


Sincerely,
Civil Engineering Professionals, Inc.

A handwritten signature in black ink, appearing to read 'Raymond Catellier', is written over a horizontal line.

Raymond Catellier, PE

June 14, 2018

MEMO TO: Mike Coleman, Chairman
Members, 201 Management Oversight Committee

FROM: Andrew Beamer, P.E., Public Services Director 
Bruce Martin, Public Utilities Manager

SUBJECT: Wastewater Treatment Plant System Investment Charges

Following the 201 MOC meeting held on June 6, 2018, a few members asked if a brief memo could be provided highlighting the development of the proposed system investment charge increase for the WWTP.

A system investment charge (SIC) is a one-time charge paid by new or enlarged connections to a utility system that recovers the cost of capacity-related infrastructure required to serve growth. The City receives treated water from the Central Wyoming Regional Water System (CWRWS), which charges its own SIC to recover the costs of water supply and treatment. The City collects a SIC to recover the costs of its water transmission and distribution system. The City also collects two SICs for its wastewater system, an SIC for its sewer collection system, and an SIC for the regional wastewater treatment plant (WWTP) system.

The City has not adjusted SICs since 1986. As a result, past capital expenditures and the growth in the replacement value of the existing infrastructure are not reflected in the current SICs.

In February 2017, the City of Casper retained Raftelis Financial Consultants to conduct a comprehensive study of the existing system investment fee schedule. The key study findings and recommendations included, in part, the following major objectives:

- Evaluate methods of calculating SICs to recover the costs of serving new customers for the City's water distribution system, wastewater collection system, and wastewater treatment system.
- Balance equity between current rate-paying customers and new customers.
- Recommend an updated SIC schedule for the range of meter sizes that are served with treated water or served by the wastewater system of the City.

Fundamentally, the SIC is calculated by dividing the value of the utility system by the system's capacity, which results in a cost per unit of capacity. There are several industry-accepted methods for calculating SICs. The SIC calculation method selected depends on the specific circumstances of the utility.

The equity buy-in method is designed to calculate SICs that recover the cost of existing capacity. The cost of future capacity additions is not considered in the equity buy-in method. The equity buy-in calculation is based upon the system capacity used to serve current customers. The equity

buy-in method is often appropriate when a utility has a large amount of excess capacity and a relatively slow rate of growth that will not consume that excess capacity for an extended period of time. This best approximates the current conditions of the regional wastewater system.

If a utility does not recover, or significantly under-recovers, the cost of serving new development through its SIC, the cost of serving new development is at the expense of existing ratepayers. Proper calculation of SICs is an exercise that attempts to achieve equity between existing customers and new development. Different calculation methodologies will result in different SIC values. These methods are described and accepted by the American Water Works Association (AWWA) in the publication Manual M1, Principles of Water Rates, Fees and Charges, Seventh Edition, and the Water Environment Federation publication Manual of Practice No. 27, Financing and Charges for Wastewater Systems, Third Edition. In addition to following these industry standards, Raftelis reviewed Wyoming statutes to assess the legal basis of SICs in Wyoming. Raftelis found that the State has no specific statutes with regards to SICs which would place limits on SIC calculations beyond industry-accepted norms.

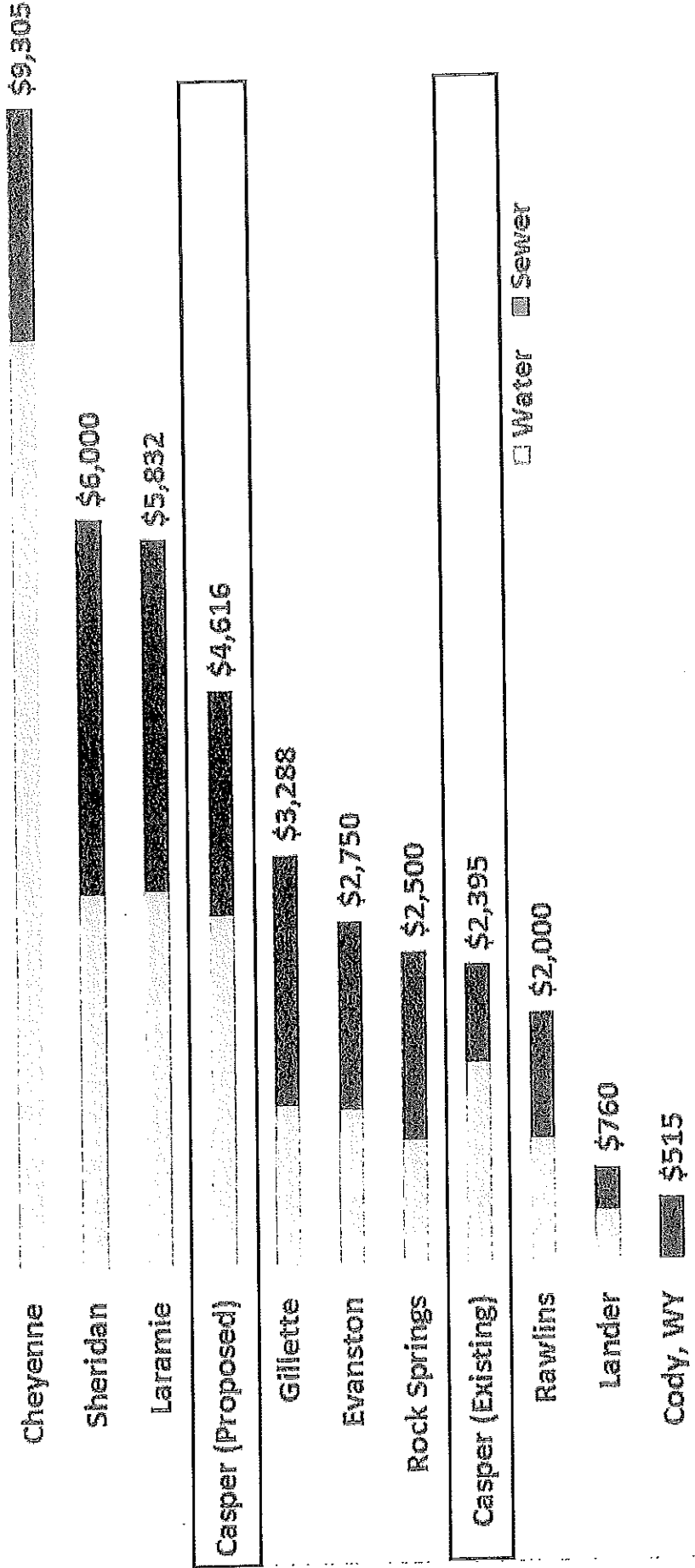
City staff is confident that the recommendations presented by Raftelis are accurate and defensible in nature. Additionally, staff desires to adjust the SICs to coincide with system changes made over the past 30 plus years. As mentioned previously, under-recovering SICs places an increased burden on existing ratepayers. The increased SIC revenue will be beneficial when considering the increasing number of capital improvement projects required by the regional wastewater system. While continued ratepayer increases will still be necessary, as has been experienced over the past several years, the increase in SICs will help to balance the equity between existing and new customers.

City staff has recommended that City Council adopt the updated SIC fee schedule as calculated using the equity buy-in method and as presented by Raftelis. Both the CPU Advisory Board and the 201 MOC have conceptually approved the new fee schedule. City Council will consider adopting water, sewer, and WWTP SICs at the July 19, 2018 Council meeting. The adopted SIC fee schedule will go into effect January 1, 2019.

Attachment "A" represents a survey of SICs from several communities in the surrounding region.

Attachment "A"

SICs – Utility Survey 3/4" Inside City Single Family Connection



* Average water SIC is \$2,301. Average sewer SIC is \$1,615.

** Proposed Casper SICs include proposed CWRWS fee of \$1,869.

*** Cody does not charge a water SIC.

Inside-City System Investment Charge Fee Schedule						
Meter Size (inches)	Water System Investment Charge		Sewer System Investment Charge		201 (WWTP) System Investment Charge	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
¾	\$1,010	\$949	\$285	\$282	\$500	\$1,516
1	1,690	1,518	475	451	835	2,426
1 ½	3,360	1,898	945	564	1,670	3,032
2	5,385	6,074	1,520	1,805	2,665	9,702
3	10,775	12,147	3,040	3,610	5,335	19,405
4	21,210	18,980	5,985	5,640	10,500	30,320
6	47,135	37,960	13,300	11,280	23,335	60,460
8	80,800	60,736	22,800	18,048	40,000	97,024

Outside-City System Investment Charge Fee Schedule						
Meter Size (inches)	Water System Investment Charge		Sewer System Investment Charge		201 (WWTP) System Investment Charge	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
¾	\$1,515.00	\$1,423.50	\$427.50	\$423.00	\$750.00	\$2,274.00
1	2,535.00	2,277.00	712.50	676.50	1,252.50	3,639.00
1 ½	5,040.00	2,847.00	1,417.50	846.00	2,505.00	4,548.00
2	8,077.50	9,111.00	2,280.00	2,707.50	3,997.50	14,553.00
3	16,162.50	18,220.50	4,560.00	5,415.00	8,002.50	29,107.50
4	31,815.00	28,470.00	8,977.50	8,460.00	15,750.00	45,480.00
6	70,702.50	56,940.00	19,950.00	16,920.00	35,002.50	90,690.00
8	121,200.00	91,104.00	34,200.00	27,072.00	60,000.00	145,536.00