



Work Session Minutes

June 23rd, 2020

Meeting called to order by Mayor Coleman at 6:00 pm.

Present: Mayor Coleman, Councilman Ives, Councilman McCarthy, Councilman Wales
Councilman Hollander

Mayor reviewed the agenda and asked if there were any questions.

Mayor asked Dave North to speak about the Fire Ban.

Fire Chief Dave North, stated that with the dry conditions so early he would like to put a restriction on what kind of fire that can be used. Since we did not have a wet May the weather is turning hot so fast that things are just burning up. Normally he does not think about restricting fires until July. There has already been lots of big fires in our area. The County has not put on any restrictions yet but are thinking about. The BLM and Games and Fish have implanted the restriction. Dave would like the Council to give him the authority to make the decisions related to the fire season. If we get a lot of moisture then he will think about lifting them.

Mayor stated that next work session Dave will give a report on the remodeling of the fire station.

Andrew Harris:

Andrew passed out a packet to all council members about the curb and gutter problems in his area. He wanted to make sure that all council members knew what was happening. Andrew

stated that the first page was his letter that he wrote to the town. The next is the letter from the Town Attorney. He was very appreciative of how fast we got the letter back to him. The letter from the town has materials that were attached. The next set up papers were materials that have dates on them. He stated that there are plans that have the seal of the engineer that he approves of the project from 2014. There was an email from 2015 that stated that they project was complete. The people that signed it was the town engineer and the public work director. Andrew stated that he is not sure why the engineer and public works director would sign off on something that they don't agree with. Andrew wanted to know if we could file a complaint against Grizzly who did the work. Mayor Coleman stated that he remembers the problems with this situation. He remembers that the town did push back on the developer but the developer stated that his plans meet the City of Casper specifications. Andrew stated that in a letter from the town we made the developer fix a seam in the concrete. How come the town did not push harder on getting the curb redone? The Town attorney, Pat Holscher stated that he was not the attorney at the time and after reviewing the notes on this project he now understands why the attorney did not take any action. There would be no case to do so. Since the developer met the specifications of the curb, there is nothing that could have been done. The council at that time had really no experience and most were new. It looks like the council tried to resolve the issue but had no legal fight in the game. Pat also stated that this happened five years ago. This is a huge problem. 5 years has gone by and too hard to fight and do not have much leverage. Andrew stated that he was told that he can go after someone for up to 10 years. Pat stated not in all cases. It depends on where the contract is and who you bought it from and the cause of action. In this case you are on thin ice, since the specifications are correct. You may not like what they did, but they did follow what the City of Casper recommends. The attorney asked how long has he lived there. He stated for a while. The attorney asked why are you just bringing this up now. When you bought the house you should have brought it up then. He stated his house is a HUD home and is sold as is condition. The town attorney stated that he understands why the past attorney did what he did and not fight it because the legal matters would not be easy and would probably not win. Councilman McCarthy asked about the local improvement district and how it works. Mayor stated that the people in the area can agree to have an extra tax on their property taxes to pay for this to be fixed. Andrew stated that they will not pay any more than what they are paying. It was not his fault. He thinks the town should fix it. Pat stated that the town cannot use public money to repair streets or sidewalks. As a home owner you are responsible for the up keep of your driveways and sidewalks and curb. It is a confusing situation. You own the property but the town can tell you how to keep it up. The Mayor stated that he understands your frustration but our hands are tied. He has the same issue where he lives. There are a lot of areas that have this same issue. Councilman Hollander asked if the concrete can be grinded. Mayor stated that this could cause problems with the rest of the sidewalk and set up the driveway. Andrew Harris stated that on September 18th, 2014 the Town of Mills signed off on this project. He wants to know why we did if we knew there was problems. The certification letter that Mr. Harris showed is not the completion of the project it was miss read on his part. It was a letter to DEQ certifying that the water and sewer infrastructure have met the requirements. This has nothing to do with the streets, driveways or sidewalks. Councilman Hollander stated that if we had a solution to this problem we would fix. But the Town is not going to pay twice for this

project that met the requirements of the plan. Attorney Pat Holscher stated that the Town is open to suggestions and will look into this and see what else can be done. We just have to keep in mind that we cannot use the money from the public for personal property fixes. We have to have a good reason why we are using public money for private property. Councilman Ives stated that the developer is Fresca LLC. Can we get a hold of him and see what can be done. Pat stated that since this project was five years ago and signed off on there is not much legally that we can do. Mayor stated that we like to solve problems and we will have the attorney look to see what can be done.

WYOWARN:

The Mayor stated that we need to join WYOWARN. There is no cost to this. This program is a mutual aid agreement for water and wastewater utilities that prepare of the next man-made disaster. There are a lot of other municipalities that work with WYOWARN and have benefited from there services. WYOWARN is there to help us prepare our utility in an event of an emergency.

Account Write Off's:

The mayor stated that there are 3 different departments that have accounts that need to be written off. First the courts has recommendations for the Judge to write off bonds from the 1980's and 1990's. The total is \$26,215. These are so old and hard to find the person. The Judge would like us to write off these accounts to help clear the books. Second, is ambulance billing. Since we took over the ambulance billing a year ago, we have write off's that need to be done. Medicare and Medicaid only pay so much and the rest has to be a write off. We have sent off bills to the collection company but they have said we cannot collect on bills if the person has died, or move out of state. So the total to write off is \$144,769.36. The water utility write offs are from 2009 to 2018. Some of these accounts the people have moved out of state and cannot find collect on. Councilman Wales asked why these people are not paying. Do we charge a deposit? Town Clerk Christine stated that at first we did not charge a deposit like we do now so there was no way to pay the past due bill. Now we charge \$100.00 and that helps paying some of the past due bill. The amount for utilities that need to be written off is \$14,785.44.

First Class City:

Sabrina stated to council that she has sent off a letter to the Governor to ask for us to recertify as a first class city. Instead of waiting till the results from the Census come out, we want to get the benefits now from the first class city status.

ADJOURNMENT: Mayor adjourned the work session at 6:55 pm.

Attested: Christine Trumbull



