

**REGULAR CITY COUNCIL
MEETING**

January 09, 2024

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

MINUTES

CALL TO ORDER

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

CONSENT AGENDA

Financial Approvals

1. Treasurers Report December 2023
2. Court Income Report December 2023
3. Investment Accounts December 2023
4. Fire Payroll 12-03-2023 to 12-14-2023
5. Regular/Police Payroll 12-04-2023 to 12-17-2023
6. Fire Payroll 12-15-2023 to 12-26-2023
7. Regular/Police Payroll 12-18-2023 to 12-31-2023
8. Financial Breakdown Report

Minutes

9. Council Meeting Minutes from 12-12-2023

City Licenses

10. New and Renewals Business and Contractors Licenses

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

EXECUTIVE SESSION

11. Executive Session

Motion 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

APPOINTMENT

12. Swear in Sarah Osborn: City Clerk

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

COUNCIL APPROVALS

13. 257 Business Park - Preliminary Plat

Mayor asked for an update from the staff on this. The City Planner has the applications for the 257 Business Park Preliminary Plat. The application is for 2R Investments LLC, their Agent is ECS Engineering. They are purposing to subdivide approx. 23 acres into 4 lot commercial and industrial subdivision. Lots range from 2.3 to 13.8 acres in size. Property is located at the southeast corner of intersection Highway 20/26 and Highway 257. There is no change in zoning requested or required at this time. Planning considerations include and also apply to the plat: Compliance with City of Mills design standards, in regards to the right of way with infrastructure improvements, need an approved access permit from WyoDot for approaches from Highways 20/26 and 257, add road names to all the streets within the subdivision, submit their infrastructure plans and drainage study to EQ, address or delineate the drainage easement on the plat, and there are some surveying corrections and reviews and cosmetic revisions to the plat. On December 7th the Planning Commission made a DOT pass recommendation for this preliminary plat with the following exceptions: requirement that the subdivision streets be dedicated to the City of Mills be waved, approval of a signed agreement/statement on the face of the plat be placed there after review. There will be no maintenance on the part of City of Mills for the ingress and egress access easements, and there will need to be 40' wide Public Access easements for the streets. The City Attorney stated that City of Mills will not have any repair responsibilities for any damage to the easement roads within the subdivision that may accompany City of Mills working on public utilities that are subject to public utility easement in favor of Mills. The City Attorney also stated that there was a discussion regarding signage to turn onto Highway 20/26

Motion made by Council Member Neumiller to table the 257 Business Park – Preliminary Plat, Seconded by Council Member Sutherland. Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland

14. Mills Finishing Tank Project - Notice of Award

Mayor asked for a report from staff. No report available.

Motion approval 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

15. Citizens Relief Fund

This item was discussed in the work session at 6:00pm; No action was necessary.

ORDINANCES AND RESOLUTIONS

16. RESOLUTION NO. 2024-01: Ratifying Acceptance of Real Property

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

OPEN DISCUSSION

Francis Ackley at 6471 Meadow Wind Way, a resident of Platte View Estates since August of 2020. He expressed his concerns about the master plan entry access from Poison Spider Lane to Wyoming Classical Academy. Platte View Estates consists of 45 lots with 32 of them occupied or under construction. Francis has consulted with nearly every homeowner and roughly 95% of the homeowners oppose the access to the school from Poison Spider Lane. He was in favor of the proposed school over 2 years ago. Francis is not opposed to the school, he is opposed to the updated access. He enjoys seeing the kids play in the streets now, but after the proposed access has changed to Poison Spider Lane, he feels that the traffic will bring several hundreds of vehicles driving through the streets daily. The kids will no longer be able to play in the streets. Parking rules will also change. HOA stipulates that on street parking anywhere in the subdivision is restricted, which is another reason why he moved to Platte View. The initial plans that he was made aware of showed the access would be provided from Robertson Road, not Poison Spider Lane. Why was the access changed? Why were the property boundaries changed? The parcel of land for the school originally abed Robertson Road, but now doesn't. The intersection of Robertson Road and Poison Spider Lane will become very slick this winter, a traffic light is needed there. Property taxes have risen nearly 30% in the 3 ½ years he has lived in Mills. Francis is asking the city council to reassess the master plan and provide another access other than Poison Spider Lane.

A site plan was handed to council.

The Mayor responded that the window for public comment on this project has been missed. The Mayor asked the City Attorney if there is any process bring this back. The City Attorney said there is no going back. No unringing the bell because it would be unconstitutional. The administration process has already occurred. The Mills citizens have the right to address future building of the streets. But there is nothing that can be done at this point. Council Member Brad requested traffic study information from the City Planner. The City Planner stated a traffic study was completed and Poison Spider Lane will be widened and there will be turn lanes so that traffic will not back up. She continued saying that during Phase 2 of the site plan, the people have an opportunity to come back and comment. This will be after Phase 1 in completed and the school is opened. The school is required at the time of Phase 2 to re-evaluate the traffic study and conditions at that time. The Mayor asked if Poison Spider Lane was a city owned street. The City Attorney stated that it was a dedicated street, residents paid for the street. The Mayor reassured the residents that if the deterioration takes place, that is the City's responsibilities to repair.

Francis expressed that Poison Spider Lane is a dead end road and that there will be traffic on the streets. He also was curious about the process to notify neighboring houses about the changes. The Mayor asked the City Planner what the mail notification rules on changes to site plans are. The City Planner stated that we would only mail notifications in the case of a rezoning, and this property was not rezoned. The city does not mail for site plan changes either. Citizens are reminded to keep an eye on all agendas to see what is coming up.

Robin Bay at 566 West View Way questioned how many students there would be? 500? Every parent is going to have to drop their kids off, there will be no buses for them. All streets will be impacted by the traffic. It's going to be a nightmare.

The City Planner made a quick note that the site plan was revised they are not going to completing the entire parking lot at this time. But they made the amendment to the Western Entrance when Phase 2 is constructed.

Casey Thornsberry 6470 Poison Spider Lane also express his concerns about the traffic on Robertson Road and Poison Spider.

Council Member Sutherland stated he has a kid in Journey, there is just no way to have a school zone without the traffic congestion. Doesn't matter where we put the school it will be the same situation.

The Mayor made a comment that this is in no way a financial gain, it is a way to deliver a school to your students. Natrona County pulled 2 schools from City of Mills. You deserve to have your children go to school in our community. Your property taxes have been funding Casper schools. The Mayor continued by saying she agrees with what the public is saying. She has personally looked to purchase in that area and you will be affected by the traffic. She will reach out to the developer and see what we can do. See if there is a way to have another access to that property.

Donald Oaks at 6573 Poison Spider Lane is not a member of the HOA but his property is adjacent to the school, being a direct contact, why was he not notified? *The Mayor explained that the City Planner has already commented on the notifications. She also explained that if a neighbor was to build a garage on their property, they would not need to notify anyone through that process. The public was notified through newspaper. The City Attorney clarified that the notifications are through public newspapers but that Mills is the municipality that is trying to change the notification process. Otherwise that is what the state tells us to do.* Donald expressed more concern about the traffic first thing in the morning and in the afternoon.

Shania Thorsberry 6470 Poison Spider Lane was told the school would not be built until 600 students had been confirmed. That is not confirmed. Shania was going to pull their deposit because they were told there would be 0 traffic and it would be 100% off of Robertson Road. What penalties Lisa Burrige and Associates see because they lied to Shania and her husband and many other residents? Council Member Neumiller stated there was nothing we could do to Lisa Burrige and Associates. Shania wanted us to know that Lisa Burrige and Associates are lying to the people purchasing property out there. *The Mayor clarified that this is one property owner to another property owner and there is no legal right to dictate how those 2 property owners resolve the issue. This is a civil process and does not take place in a city council. If I were in your shoes, I would seek legal representation. The Mayor understand the public's frustrations but cannot hold Lisa Burrige to her promises or lack thereof. Council Member McCarthy agreed and stated she too was promised a lot from Lisa Burrige and Associates.* Shania questioned how we were going to expand the road? Also asked about the water table. *Council Member Neumiller stated that's the engineering end, and they will build the road where they want it. The Mayor explained there is quite a bit of distance to widen the road and that it wasn't going to encroach on personal property.*

Willie Forbes 6440 Poison Spider Lane express concerns about the safety, one way in, one way out of the neighborhood. Getting emergency services in and out of that area, is a major concern.

Ramasesh Prasad lives at 600 Blue Sky Drive. Does not want any roundabouts. The council assured him there would be no roundabouts.

Dan Holman lives at 601 Blue Sky Drive. Asked about a second drawing that shows the road widening? Asked if there would be public comments. The City Planner said there is a second drawing but no public comment. The City Attorney stated it would be up to city council because it is already a design condition, cannot change the design condition but can certainly entertain public comment. *The Mayor discussed with the City Attorney practices on adding an agenda item for this situation. The Mayor reminded the public to keep an eye on public notifications regarding when that agenda item would be added. We post the agendas on our website.* Dan asked about a post traffic study? Council Member Neumiller said that could come up in Phase 2. Phase 2 will have a completely different study.

Scott Clamp lives at 720 Wasatch. Questioned if the land for the school was already purchased? Council stated it was donated by the developer. Since the lots are not sold, and not developed yet, has it been handed over to the city? *The Mayor clarified that it will never be the city's property, it belongs to the developer.* Scott and Council Member Neumiller discussed the streets and warranty period. Scott went on to comment about his property taxes doubled in a year. He feels he got shafted.

During the discussions, the Mayor reached out to the developer to start a conversation and we will be sure to add an agenda item when the roads are moving through the permit process.

The City Planner stated that we do have the site plan approved for surfacing, there will be a dedicated right turn lane and a 12' lane install all the way to the second entrance of the school. Poison spider lane will be 3 lanes in Phase 1.

Donald Oaks spoke again about the school. He spoke to a neighbor that has been there a month and did not know a school was being built there. The Mayor stated there is no legal requirements to disclose what is being built there. The City Attorney confirmed.

The Mayor agrees with the public and would like a creative way to solve this problem. Would like a creative solution for the traffic to not all end up on Poison Spider Lane. This will cost money. She also explained that a large portion of the property taxes are going to Natrona County. They striped us from 2 schools. We are still not getting the 100% of that funding from Natrona County back.

Donald Oaks spoke again, this time about the drainage situation. The water table has gone up 18". What is going to happen with the extra drain off? The City Planner stated what we have is the best we can do right now. The water is backing up into crawl spaces. The pond should be dry unless there is precipitation.

The City Attorney addressed the issue of point of order. Stated that we are violating the rules by having the same speakers.

Brad Tennant owns properties 800, 820, 838, and 840 Badger. Brad handed some paperwork to council and the City Attorney. Brad spoke to Kevin about a fencing permit. Brad outlined the survey and showed everyone where his property is. Brad applied for the fence permit for safety reasons, security, privacy and peace. They need the fence for safety, because of speeding cars driving through their lots, like a drive through street. They have a certain individual that has been making threats to him and his family. They need the fence for security, because of hostile trespassing and people dumping trash. They need the fence for privacy, a certain individual keeps harassing the Tenants'. The Tenants' cannot go on the north side of their property. Brad does everything he can to avoid the individual. They would like the fence for peace for separation. Brad spoke about firetruck access, stated there would be plenty of room with a fence. All fire hydrants are on Badger Lane. This property is separate from the residential association. Brad highlighted a couple of different areas in his handout. Talking about privately owned ingress and egress. He wants to separate everything for his sanity. The City Attorney, stated that he has ran the title himself. There is no way to solve this issue. He explained the plats and Track Q problems. There is no HOA, and should not involve Mills. The City of Mills does not own anything in this area. We cannot grant the right to split private properties. We cannot impact those property rights. It has come up in Mills court to file trespassing charges against the individual. We can not address what is a private property dispute. The City Attorney told the Tenants' to give him the attorney names that they are working with. Brad said ok. The Mayor asked the City Attorney to make an official stance for the City of Mills. The City Attorney stated that the City of Mills stance is this, after researching this property and issues repeatedly and running the title, reviewing documents you've supplied, we have ran this to the ground and there is nothing the City can do. At the end of the day it is a dispute between 2 commercial land owners. We cannot use city resources on a public expense. We believe this matter is closed.

The Mayor stated we have to respect decorum and the city attorney has spoken. You are not allowed to contact the prosecutor who does not represent you commercially.

Haley Tennant owns property on the 800 block of Badger Lane. Having issues with neighbor harassing them. Haley sent an email October 5 and it was ignored. She exchanged emails with the Mayor December 6th. She email December 14th and January 8th with no response. On December 17 and January 4th the individual was caught but nothing was done. *The Mayor stated that if a letter were to be issued, that all parties are to cease contact, because all parties are agitators and we have evidence on video to prove that. The Mayor asked the Police Chef about the January 4th incident. He doesn't recall that specific incident but did say that the threats are mutual and coming from both sides.* The Tenants' approached the council and were asked to respect the corum. The City Prosecutor address the council, read the same documents and review with the City Attorney. The title is a mess. The City Prosecutor said if the police send him a report, he would take a look. There aren't disturbances from the other people living there. We are only hearing from the Tenants'.

EXECUTIVE SESSION

17. LEGAL

Motion to go into Executive Session 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 to authorize legal action 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

18. LEGAL

Motion to go into Executive Session 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

No action required.

ADJOURNMENT

9:02 pm

Council Member Neumiller asked for a motion to adjourn the Council Meeting.

Motion approval 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

AGENDA SUBJECT TO CHANGE WITHOUT NOTICE

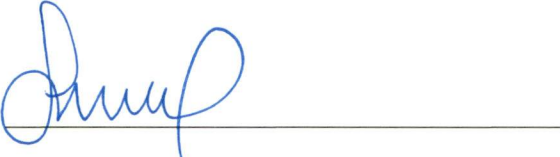
NEXT MEETING -January 23rd, 2024 @ 7:00pm / February 13th, 2024 @ 7:00pm

NEXT WORK SESSION - January 23rd, 2024 @ 6:00pm / February 12th, 2024 @ 9:00am

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.



Mayor, Leah Juarez



City Clerk, Sarah Osborn

