

**SPECIAL CITY COUNCIL
MEETING**

January 17, 2022

3:00 PM

City Hall



CITY OF MILLS
EST. 1921

Mayor:
Seth Coleman
Council President:
Darla Ives
Council Members:
James Hollander
Sara McCarthy
Brad Neumiller

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 1. Resolution 2022-7:** An Emergency Resolution Regarding Contracting for Water Well Services

OPEN DISCUSSION

ADJOURNMENT

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.

RESOLUTION NO. 2022-7

AN EMERGENCY RESOLUTION REGARDING CONTRACTING FOR WATER WELL SERVICES

WHEREAS, The City of Mills Governing Body has been informed that the water wells for the Municipality are at producing at a reduced rate due to siltation. The City engineers have been working on this situation and are of the opinion that the solution to the situation is to drill two new water wells.

WHEREAS, In keeping with their view, diligent efforts have been undertaken to find a contractor to drill water wells as noted above. Numerous water well drilling contractors have been contacted but, due to ongoing existing contracts and work, none have expressed an interest to bid on the contract to drill wells for the City of Mills with in the needed time frame.

WHEREAS, The production of water from the existing wells may prove to be in adequate during the month of March, 2022, assuming that current meteorological conditions persist. This may result in water restrictions being imposed upon the water users for the City of Mills during March, 2022.

WHEREAS, The City Engineers have hired a consulting geologist for the project who has indicated that he may be able to have a water well contractor submit a proposal for the drilling of the wells.

WHEREAS, Wyo. Stat. Sec. 15-1-113. Contracts for public improvements, provides:

(a) All contracts for any type of public improvement, excluding contracts for professional services or where the primary purpose is emergency work or maintenance, for any city or town or joint powers board wherein at least one (1) member is a municipality shall be advertised for bid or for response if a request for proposal or qualification for construction manager agent, construction manager at risk or design-builder is used, if the estimated cost, including all related costs, exceeds a bid threshold of thirty-five thousand dollars (\$35,000.00), except that a contract for the purchase or lease of a new automobile or truck shall be advertised regardless of cost and if there is an automobile or truck for trade-in, it shall be included as a part of the advertisement and bid. The requirements of W.S. 15-1-112(a) do not apply to any city or town trading in an automobile or truck on the purchase of a new automobile or truck.

WHEREAS, The City of Mills Governing Body has the power granted to it by Wyo. Stat. Sec. 15-1-103 (a) (v) “Perform all acts in relation to the property and concerns of the city or town necessary to the exercise of its corporate powers”; and

WHEREAS, Art 13, Sect 5 of the Wyoming Constitution further provides:

Article 13, Section 5 Acquisition of water rights.

Municipal corporations shall have the same right as individuals to acquire rights by prior appropriation and otherwise to the use of water for domestic and municipal purposes, and the legislature shall provide by law for the exercise upon the part of incorporated cities, towns and villages of the right of eminent domain for the purpose of acquiring from prior appropriators upon the payment of just compensation, such water as may be necessary for the well-being thereof and for domestic uses.

WHEREAS, The provision of adequate water supplies to the residents and customers of the City of Mills is a matter of vital public importance which stands to be threatened due to the



EXTERNAL MEMO

Date: January 13, 2022

To: City of Mills, Mayor Seth Coleman

From: Matt Williams, P.E.

Subject: Replacements Wells

In the spring of 2021, we began the process of replacing two wells at the water treatment plant, wells #2 and #9. This is a two-part permitting process with WDEQ. The first being obtaining a permit to drill the wells and the second permit would be submitted after the wells are constructed. We received the first permit in July of 2021. Once the first permit was obtained, we immediately began soliciting drilling contractors capable of completing the project.

Ben Jordan, with Weston Engineering, has been assisting us with this project. Ben is a licensed Geologist in the State of Wyoming and has been assisting municipalities across the state with similar projects for 25+ years. In doing so, Ben has created working relationships with numerous contractors with significant experience in drilling municipal wells like ours. We immediately began reaching out to this specific list of drillers. With little to no responses from these drillers, the group of drillers had to be expanded to ones that may not have as much experience in drilling larger municipal wells. In all, more than a dozen drillers have been solicited.

All the responses we received back indicated that not a single driller would be able to get to the Mills wells until late fall, early winter. With the volatile construction material market in 2021, this only complicated the situation and made drillers less willing to provide a cost/schedule to do the work. In January 2022, we finally received a single price back which exceeded the \$35,000 statutory limit for being able to hire a contractor directly.

Currently, I am considering this situation an emergency for the City of Mills. Given the timing of drilling the wells and obtaining our second WDEQ permit to place the wells online, it could be 60 days after the wells are drilled. In March 2021, Mills saw an increased water usage due to the above average temperatures. If we experience similar weather patterns this year, water restrictions could be in place early spring. It is critical the new wells are completed and placed in use as soon as possible.