

**REGULAR CITY COUNCIL
MEETING**

October 10, 2023

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

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. Mills Downtown & River Front Corridor Commercial District Rezoning

CONSENT AGENDA

Minutes

- [2. Council Meeting Minutes 9-26-2023](#)

City Licenses

- [3. New and Renewal Business and Contractor Licenses 10-10-2023](#)

Financial Approvals

- [4. Treasurer Reports September 2023](#)
- [5. Court Report September 2023](#)
- [6. Fire Payroll: 9-22-2023 to 10-3-2023](#)
- [7. Regular/Police Payroll: 9-11-2023 to 9-24-2023](#)
- [8. Financial Breakdown Reports 10-10-2023](#)

ORDINANCES AND RESOLUTIONS

- [9. **Ordinance 794 Second Reading:** An Ordinance Granting An Electric Utility Franchise and General Utility Easement to Rocky Mountain Power](#)
- [10. **Ordinance 803, THIRD AND FINAL READING: \(TABLED ON THIRD AND FINAL READING ON 9-26-2023\)** An Ordinance to Rezone Lots 9-16, Block 49 and Lots 4-12, Block 44, and Lots 3-7, Block 55, and Lots 1-14, Block 45, Excluding HWY Row Lots 8-11, Block 55, Excluding HWY Row, Town Mills, City of Mills, Natrona County, From ER \(Established Residential District\) and MU \(Mixed Use District\) to EB \(Established Business District\) and PLI \(Public Land Institutions\)](#)
- [11. **Ordinance 804; Second Reading:** An Ordinance Regarding Legal Advertisements](#)

- 12. Ordinance 805; Second Reading:** An Ordinance Seeking To De-Annex Certain Properties From The City Of Mills, Wyoming
- 13. Ordinance 806: First Reading:** An Ordinance Regarding Business License Fees
- 14. Resolution 2023-38 :**A Resolution Setting 2023 Stipend Planning and Zoning Commission
- 15. Resolution 2023-39:** A Resolution Adopting Buring and Fire Guidelines
- 16. Resolution 2023-40:** A Resolution Setting Business License Fees for Non-Profit and Tax Exempt Entities

COUNCIL APPROVALS

17. Council Approves the Line of Credit Increase and Approves the Mayor to Sign the Documents

OPEN DISCUSSION

EXECUTIVE SESSION

ADJOURNMENT

AGENDA SUBJECT TO CHANGE WITHOUT NOTICE

NEXT MEETING - October 24th, 2023 @ 7:00pm/ November 14th, 2023 @ 7:00pm/ November 28th, 2023 @ 7:00pm

NEXT WORK SESSION- **October 24th, 2023 @ 6:00pm/ November 13th, 2023 @ 9:00am/ November 14th, 2023 @ 6:00pm**

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.

**REGULAR CITY COUNCIL
MEETING**

September 26, 2023

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

Mayor opened the Council Meeting at 7:00pm.

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

Minutes

- 1. Council Meeting Minutes 9-12-2023

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. Motion Passes.

- 2. Executive Session Minutes 9-12-2023- Personal Issue

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. Motion Passes.

- 3. Executive Session Minutes 9-12-2023- Personal Issue

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. Motion Passes.

City Licenses

- 4. New and Renewal of Business and Contractor Licenses 9-26-2023

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. Motion Passes.

Financial Approvals

5. Financial Breakdown Report

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. Motion Passes.

6. Fire Payroll 8-29-2023 to 9-9-2023

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. Motion Passes.

7. Regular Payroll 8-28-2023 to 9-10-2023

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. Motion Passes.

ORDINANCES AND RESOLUTIONS

8. Ordinance 794 First Reading: (Tabled May 9th, 2023 on First Reading) An Ordinance Granting An Electric Utility Franchise and General Utility Easement to Rocky Mountain Power

Council Neumiller made the motion to bring Ordinance 794 off the table, First Reading. Council President McCarthy seconded. Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member Neumiller, Council Member Sutherland. Motion Passes.

Ordinance 794; First Reading:

Motion 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. Motion Passes.

9. Ordinance 803, THIRD AND FINAL READING: An Ordinance to Rezone Lots 9-16, Block 49 and Lots 4-12, Block 44, and Lots 3-7, Block 55, and Lots 1-14, Block 45, Excluding HWY Row Lots 8-11, Block 55, Excluding HWY Row, Town Mills, City of Mills, Natrona County, From ER (Established Residential District) and MU (Mixed Use District) to EB (Established Business District) and PLI (Public Land Institutions)

Motion made by Council Member Neumiller to table Ordinance 803 on Third and Final Reading, Seconded by Council Member Butcher.
Voting Yea: Mayor Juarez, Council President McCarthy, Council Member Butcher, Council Member

Neumiller, Council Member Sutherland. Motion Passes.

10. Ordinance 804; First Reading: An Ordinance Regarding Legal Advertisements

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. Motion Passes.

11. Ordinance 805; First Reading: An Ordinance Seeking To De-Annex Certain Properties From The City Of Mills, Wyoming

Motion 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. Motion Passes.

12. Resolution 2023-36: A Resolution For Approval of a Site Plan For A Proposed Commercial Storage Lot, Located Within Block 3, Kiskis Addition, To Be Known As 9 Aces Storage, City of Mills, Wyoming

Mayor asked for an update from staff on this. The City Planner stated that the applicant is proposing to locate a commercial storage facility on the property, which is currently being resubdivided into one larger parcel. The business will consist of areas for outdoor storage of licensed, operable vehicles, RV's, boats, etc.. Future plans include construction of various buildings for indoor storage of vehicles, covered parking and mini storage units. Some planning considerations are show three parking spaces for servicing associated with the commercial business. Provide a lighting plan if any new lighting is proposed to be installed on the parcel. Show a line legend for the site plan. Have a six foot privacy fence at least 75% opaque must be installed around the perimeter of the property. Obtain a sign permit for any on-premise signage. The P & Z forward a due pass from their meeting on September 7th, 2023.

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

13. Resolution 2023-37: A Resolution for 9 Aces Storage, A Vacation and Replat of Lots 1-20, Block 3, Kiskis Addition, City of Mills

Mayor asked for an update from staff on this. The applicant is proposing to resubdivide lots 1-20, block 3 Kiskis Addition to creat one 3.27 acre lot. A 20' general utility easement is being dedicated to provide for a sanitary sewer main which runs through the center of the parcel from East to West. Two electrical easements for Pacific Corp and WAPA, respectively also crosses the property from North to South. The P & Z forward a due pass from their meeting on September 7th, 2023.

Motion 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. Motion Passes.

COUNCIL APPROVALS

14. Council Authorizes the Mayor to Sign the Easement Vacation for Cornerstone Apartments

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. Motion Passes.

OPEN DISCUSSION

Scott Clamp: 720 Wasatch

Scott wanted to thank the City for sending him his business license renewal in the mail. Casper does not do that and he get a huge fine for being late. He also wanted to know what is going on with the dump passes. The Mayor stated that there was some issues with the dump in Casper and we had to restructure for some accounting issues and they need to retain part of the bill and give back to us. If you need extra dump passes you can get them from the CSO officer or the ladies in the front office. Scott stated that is worries him that if the residents loose the dump pass you are going to see problems with clean up. It would be more dangerous than good. The Mayor stated that if someone did want to clean then we would open it up to them to get more dump passes. Additionally our dump passes will only be good for 1 each quarter. Scott stated that in the past the City would have clean up days and put big dumpsters out for people to dump their trash. Mayor agreed, she just wants to clean up the problems with Casper and Mills so that we are on the same page.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor asked for a motion to adjourn the meeting at 7:13pm.

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

AGENDA SUBJECT TO CHANGE WITHOUT NOTICE

NEXT MEETING - October 10th, 2023 @ 7:00pm, October 24th, 2023 @ 7:00pm

NEXT WORK SESSION - October 9th, 2023 @ 9:00am, October 10th, 2023 @ 6:00pm, October 24th, 2023 @ 6:00pm

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, Christine Trumbull

Council Meeting OCTOBER 10th, 2023

Item # 3.

NEW BUSINESS LICENSES

	BUSINESS NAME	FIRE INSPECTION	INSURANCE
1			
2			
3			
4			

RENEWAL BUSINESS LICENSES

	BUSINESS NAME	FIRE INSPECTION	INSURANCE
1	BELZONA ROCKY MOUNTAIN	YES	NO
2	KLX DIRECTIONAL DRILLING	YES	NO
3	307 HEALING WATERS	YES	NO
4	WOODWARD MACHINE CORP	YES	NO
5	WYOMING CHILD & FAMILY DEVELOPMENT	YES	NO
6			
7			
8			
9			
10			
11			
12			
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18			
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20			
21			
22			
23			
24			
25			
26			
27			

Council Meeting OCTOBER, 10th, 2023

Item # 3.

NEW CONTRACTOR LICENSES

	BUSINESS NAME	FIRE	INSURANCE	CONTRACTOR ID
1	CODE-RITE CONSTRUCTION	N/A	NO	YES
2		N/A	NO	YES
3				

RENEWAL CONTRACTOR LICENSES

	BUSINESS NAME	FIRE	INSURANCE	CONTRACTOR ID
1	INTEGRITY PLUMBING	N/A	NO	YES
2	KLOE'S ELECTRICAL SOLUTIONS	N/A	NO	YES
3	T & O CONSTRUCTION	N/A	NO	YES
4	WAYNE COLEMAN CONSTRUCTION	N/A	NO	YES
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				

Account	Beginning Balance	Deposits	Interest / Distributions	Disbursements	Ending Balance	Interest Earned FYTD
WGIF Water 7198 (99-10230)	\$30.90		\$0.13		\$31.03	\$0.27
Transfer 5% of billing						
WGIF Sewer 7199 (99-10240)	\$30.84		\$0.13		\$30.97	\$0.27
Transfer 7% of billing						
WGIF Sanitation 7200 (99-10250)	\$30.90		\$0.13		\$31.03	\$0.27
Transfer 10% of billing						
WGIF Reserve 7197 (99-10260)	\$30.82		\$0.13		\$30.95	\$0.27
WGIF General Fund 7207 (99-10270)	\$31.43		\$0.14		\$31.57	\$0.28
WGIF Parks 7240 (99-10280)	\$0.00		\$0.00		\$0.00	\$0.00
WGIF Police Fund (99-10310)	\$0.02		\$0.00		\$0.02	\$0.00
WGIF DWSRF #146 Radio Read (99-10300)	\$22,064.32		\$96.20		\$22,160.52	\$194.45
WGIF Fire Dept Trust Fund (99-10290)	\$0.02		\$0.00		\$0.02	\$0.00
WGIF Sewer Tap Fund (99-10320)	\$31.00		\$0.14		\$31.14	\$0.28
WGIF Buffalo Meadows Debt Reserve	\$0.01		\$0.00		\$0.01	\$0.00
Cannot touch this account						
WGIF Buffalo Meadows Asset Account	\$31.08		\$0.14		\$31.22	\$0.28
Wyo Class General Fund	\$119,531.90		\$527.72		\$120,059.62	\$1,066.37
Wyo Class Police Reserve	\$8,653.05		\$38.21		\$8,691.26	\$77.19
Wyo Class Cooley Trust Reserve	\$9,163.03		\$40.44		\$9,203.47	\$81.76
Wyo Class Parks Reserve	\$704.14		\$3.05		\$707.19	\$6.19
Wyo Class Sanitation Reserve	\$112,984.53		\$498.82		\$113,483.35	\$1,007.99
Wyo Class Sewer Reserve	\$81,935.48		\$361.72		\$82,297.20	\$730.93
Wyo Class Sewer Tap Reserve	\$109,555.71		\$483.67		\$110,039.38	\$977.39
Wyo Class Water Reserve	\$102,573.76		\$452.85		\$103,026.61	\$915.09

RESERVES REPAY ACCOUNT DETAIL	
Account	Repay Balance
Wyo Class Gen Fund Reserve	\$120,059.62
Wyo Class Water Reserve	\$103,026.61
Wyo Class Sewer Reserve	\$82,297.20
Wyo Class Sanitation Reserve	\$113,483.35
Total Repay Balance	\$418,866.78

TOTAL ACCOUNTS DETAIL	
Account	Balance
Investments Accounts Total	\$684,334.10
FIB Sweep Account	\$500.01
City Accounts	\$728,840.50
Total Accounts Balance	\$1,413,674.61

Wyo Class Buffalo Meadows Asset Account	\$59.87	\$110,779.05	\$0.30		\$110,839.22	\$0.61
Wyo Class Buffalo Meadows Debt Reserve	\$3,592.45		\$15.87		\$3,608.32	\$32.02
Cannot touch this account						
Totals	\$571,035.26	\$110,779.05	\$2,519.79	\$0.00	\$684,334.10	\$5,091.91

City Accounts					
Account	Ending Balance	Interest	Account	Ending Balance	Interest
Jonah Operations Account	\$426,443.02		Jonah Water Deposit Account	\$118,490.98	
Jonah Police Account	\$20,645.20		Jonah Municipal Account	\$120,434.86	
Jonah Court Bond Account	\$42,826.44				



September 2023 Account Balances

Operations Account	\$426,443.02
Water Deposit	\$118,490.98
Municipal Court	\$120,434.86
Court Bond	\$42,826.44
Police	\$20,645.20
Jonah Steel Eagle	\$500.01
WFIG Water Reserve	\$31.03
WGIF Sewer Reserve	\$30.97
WGIF Sanitation Reserve	\$31.03
WGIF General Fund Reserve	\$31.57
WGIF Reserve	\$30.95
WGIF Sewer Tap Reserve	\$31.14
WGIF Police Reserve	\$0.02
WGIF Parks Reserve	\$0.00
WGIF FD Trust Fund	\$0.02
WGIF Radio Read Fund	\$22,160.52
WGIF Buffalo Meadows Asset Account	\$31.14
WGIF Buffalo Meadows Debt Reserve	\$0.01
Wyo Class General Fund Reserve	\$120,059.62
Wyo Class Police Reserve	\$8,691.26
Wyo Class Cooley Trust Reserve	\$9,203.47
Wyo Class Parks Reserve	\$707.19
Wyo Class Sanitation Reserve	\$113,483.35
Wyo Class Sewer Reserve	\$82,297.20
Wyo Class Sewer Tap Reserve	\$110,039.38
Wyo Class Water Reserve	\$103,026.61
Wyo Class Buffalo Meadows Asset Acct	\$110,839.22
Wyo Class Buffalo Meadows Debt	\$3,608.32
Totals	\$1,413,674.61
Equity Line of Credit Balance - \$488,261.66	

City Treasurer, Alyssa Hartmann

Mayor, Leah Juarez

COURT INCOME REPORT

SEPTEMBER 2023

Item # 5.

	Date	Cash, Check, Card Payments	Bonds Received	Prior Bonds Applied/Forf.	Victims Comp	Court Cost / Restitution	MCPF (Dare)	Bank Fees	TOTAL
Sales Activity	9/1/2023	\$2,730.00		\$2,480.00					\$5,210.00
Court Report									\$0.00
								Difference	\$5,210.00
Sales Activity	9/4-9/8	\$7,467.00		\$1,240.00					\$8,707.00
Court Report			\$3,408.00						-\$3,408.00
								Difference	\$12,115.00
Sales Activity	9/11-9/15	\$4,486.00		\$5,160.00					\$9,646.00
Court Report			\$4,570.00						-\$4,570.00
								Difference	\$14,216.00
Sales Activity	9/18-9/22	\$6,685.00		\$1,990.00					\$8,675.00
Court Report			\$2,430.00						-\$2,430.00
								Difference	\$11,105.00
Sales Activity	9/25-9/29	\$6,359.00		\$2,515.00					\$8,874.00
Court Report									\$0.00
								Difference	\$8,874.00

Sales Activity Month Total	\$41,112.00
Proceedings Report Month Total	-\$10,408.00
Difference	\$51,520.00
Court Proceedings Check	\$41,112.00

Division of Victim Services Checks

Completed by: _____
City Treasurer

Approved by: _____
Court Clerk

Attested by: _____
City Clerk



CITY OF MILLS

EST. 1921

PAYROLL

Meeting Date: October 10, 2023

Payroll Type: Fire Payroll

Date Range: 9-22-2023 thru 10-03-2023

NET..... \$11,179.02

DEDUCTIONS.....\$4,293.58

Federal Taxes.....\$1,032.00

Medicare..... \$209.88

Retirement \$1,739.90

Union Dues..... \$192.50

Supplemental Insurance.....\$470.26

Insurance.....\$649.04

TOTAL PAYROLL.....\$15,472.60

City Clerk, Christine Trumbull

Mayor, Leah Juarez



CITY OF MILLS

EST. 1921

PAYROLL

Meeting Date: October 10, 2023

Payroll Type: Regular/Police Payroll

Date Range: 9-11-2023 thru 9-27-2023

NET..... \$82,603.26

DEDUCTIONS.....\$28,867.16

Federal Taxes.....\$9,177.00

Medicare..... \$1,555.57

Retirement \$6,199.30

Social Security.....\$6,346.49

Supplemental Retirement..... \$1,050.00

Supplemental Insurance.....\$1,802.10

Child Support..... 0

Insurance.....\$2,709.52

TOTAL PAYROLL.....\$115,399.14

City Clerk, Christine Trumbull

Mayor, Leah Juarez



CITY OF MILLS

EST. 1921

CHECK LIST FOR

October 10th, 2023

COUNCIL MEETING

City Hall/Court

9-22-2023	31832	Manual
9-25-2023	31833-31834	Transmittals
9-25-2023	31836-31837	Transmittals
9-26-2023	31838-31852	Manuals
10-5-2023	31853-31855	Transmittals
10-6-2023	31856-31911	Vouchers
	COURT	
9-26-2023	1798-1799	Manuals

COUNCIL:

MAYOR: _____

CITY CLERK: _____



CITY OF MILLS

EST. 1921

BILLS

Meeting Date: October 10th, 2023

Bills

ACH.....	\$0
VOUCHERS.....	\$180,857.27
MANUAL CHECKS CITY HALL.....	\$97,458.81
MANUAL CHECKS COURT.....	\$2255.00
TRANSMITTAL CHECKS.....	\$53,305.02
VOIDED CHECKS.....	\$0



CITY OF MILLS

EST. 1921

MANUAL CHECKS

City Hall

October 10th, 2023

COUNCIL MEETING

9-22-2023	31832	Civil Engineering Professionals	Mills Pathway	\$16,443.75
9-26-2023	31838	Cleary Building Corp	Water Deposit Refund	\$200.00
9-26-2023	31839	Devan Des'hotel	Water Deposit Refund	\$47.41
9-26-2023	31840	Mike Van Gorp	Water Deposit Refund	\$54.33
9-26-2023	31841	Rocky Mountain Power	Ulitiies	\$788.78
9-26-2023	31842	Verizon Wireless	Cell Phone Bill	\$1638.68
9-29-2023	31843	Christopher AOS	Water Deposit Refund	\$37.39
9-29-2023	31844	Haid's Plumbing and Heating	Tap Fee Refund	\$3226.00
9-29-2023	31845	HUB International	Benefits	\$68,338.80
9-29-2023	31846	Justin Buchholz	Per Diem for Training K-9	\$1350.00
10-4-2023	31847	Charter Communications	Bill	\$544.91
10-4-2023	31848	Department of Workforce Services	Worker's Comp Sept 2023	\$4502.84
10-4-2023	31849	Kevin O'Hearn	Water Deposit Refund	\$56.91
10-4-2023	31850	Mundt Energy Services	Water Deposit Refund	\$56.17



CITY OF MILLS

EST. 1921

MANUAL CHECKS

COURT

October 10th, 2023

COUNCIL MEETING

9-26-2023	1798	Anika Elvidge	Bond Refund	\$675.00
9-26-2023	1799	Christal Morrison	Bond Refund	\$760.00
10-4-2023	1800	James Campbell	Bond Refund	\$600.00
10-4-2023	1801	Matthew Leslie	Bond Refund	\$220.00

TOTAL: _____ **\$2255.00**



CITY OF MILLS

EST. 1921

Transmittal Checks

October 10th, 2023

Council Meeting

9-25-2023	31833	Pathfinder Credit Union	\$192.50
9-25-2023	31834	State of Wyoming Retirement Fire	\$10,220.12
9-25-2023	31836	American Funds	\$325.00
9-25-2023	31837	Orchard Trust	\$725.00
10-5-2023	31853	Pathfinder Credit Union	\$192.50
10-5-2023	31854	State of Wyoming Retirement Fire	\$5087.36
10-5-2023	31855	State of Wyoming Retirement Reg	\$36,562.54

TOTAL: \$53,305.02

ORDINANCE NO. 794

AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO ROCKY MOUNTAIN POWER

WHEREAS, Rocky Mountain Power, is a regulated public utility that provides electric power and energy to the citizens of Mills, Wyoming (the "City") and other surrounding areas;

WHEREAS, providing electrical power and energy requires the installation, operation and maintenance of power poles and other related facilities to be located within the public ways of the City;

WHEREAS, the City desires to set forth the terms and conditions by which Rocky Mountain Power shall use the public ways of the City;

NOW, THEREFORE, be it ordained by the City:

SECTION 1. Grant of Franchise and General Utility Easement. The City hereby grants to Rocky Mountain Power the right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, guy anchors, vaults, transformers, transmission lines, and communication lines (collectively referred to herein as "Electric Facilities") in, under, along, over and across the present and future streets, alleys, and rights-of-way (collectively referred to herein as "Public Ways") within the City, for the purpose of supplying and transmitting electric power and energy to the inhabitants of the City and persons and corporations beyond the limits thereof.

SECTION 2. Term. The term of this Franchise and General Utility Easement is for ten (10) years commencing on the date of acceptance by the Company as set forth in Section 3 below.

SECTION 3. Acceptance by Company. Within sixty (60) days after the passage of this ordinance by the City, Rocky Mountain Power shall file an unqualified written acceptance thereof, with the City Recorder otherwise the ordinance and the rights granted herein shall be null and void.

SECTION 4. Non-Exclusive Franchise. The right to use and occupy the Public Ways of the City shall be nonexclusive and the City reserves the right to use the Public Ways for itself or any other entity that provides service to City residences; provided, however, that such use shall not unreasonably interfere with Rocky Mountain Power's Electric Facilities or Rocky Mountain Power's rights as granted herein.

SECTION 5. City Regulatory Authority. In addition to the provision herein contained, the City reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties or exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Wyoming, the laws of Wyoming or City Ordinance.

SECTION 6. Indemnification. The City shall in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the construction, operation or maintenance by Rocky Mountain Power of its Electric Facilities. Rocky Mountain Power shall indemnify, defend and hold the City harmless from and against claims, demands, liens and all liability or damage of whatsoever kind on account of Rocky Mountain Power’s use of the Public Ways within the City, and shall pay the costs of defense plus reasonable attorneys' fees for any claim, demand or lien brought thereunder. The City shall: (a) give prompt written notice to Rocky Mountain Power of any claim, demand or lien with respect to which the City seeks indemnification hereunder; and (b) permit Rocky Mountain Power to assume the defense of such claim, demand, or lien. If such defense is not assumed by Rocky Mountain Power, Rocky Mountain Power shall not be subject to liability for any settlement made without its consent. Notwithstanding any provision hereof to the contrary, Rocky Mountain Power shall not be obligated to indemnify, defend or hold the City harmless to the extent any claim, demand or lien arises out of or in connection with any negligent or willful act or failure to act of the City or any of its officers or employees.

SECTION 7. Annexation.

7.1 Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Electrical Facilities owned, maintained, or operated by Rocky Mountain Power located within any public ways of the annexed territory shall thereafter be subject to all of the terms hereof.

7.2 Notice of Annexation. When any territory is approved for annexation to the City, the City shall, not later than ten (10) working days after passage of an ordinance approving the proposed annexation, provide by certified mail to Rocky Mountain Power: (a) each site address to be annexed as recorded on county assessment and tax rolls; (b) a legal description of the proposed boundary change; and (c) a copy of the City’s ordinance approving the proposed annexation. The notice shall be mailed to:

Rocky Mountain Power
Attn: Annexations
P.O. Box 400
Portland, Oregon 97207-0400

With a copy to:

Rocky Mountain Power
Attn: Office of the General Counsel
1407 West North Temple, Room 320

Salt Lake City, UT 84116

SECTION 8. Plan, Design, Construction and Installation of Company Facilities.

8.1 All Electrical Facilities installed or used under authority of this Franchise shall be used, constructed and maintained in accordance with applicable federal, state and city laws, codes and regulations.

8.2 Except in the case of an emergency, Rocky Mountain Power shall, prior to commencing new construction or major reconstruction work in the Public Ways, apply for any permit from the City as may be required by the City’s ordinances, which permit shall not be unreasonably withheld, conditioned, or delayed. Rocky Mountain Power will abide by all applicable ordinances and all reasonable rules, regulations and requirements of the City, and the City may inspect the manner of such work and require remedies as may be reasonably necessary to assure compliance. Notwithstanding the foregoing, Rocky Mountain Power shall not be obligated to obtain a permit to perform emergency repairs.

8.3 All Electric Facilities shall be located so as to cause minimum interference with the Public Ways of the City and shall be constructed, installed, maintained, cleared of vegetation, renovated or replaced in accordance with applicable rules, ordinances and regulations of the City.

8.4 If, during the course of work on its Electrical Facilities, Rocky Mountain Power causes damage to or alters the Public Way or public property, Rocky Mountain Power shall (at its own cost and expense and in a manner reasonably approved by the City) replace and restore it in as good a condition as existed before the work commenced.

8.5 In addition to the installation of underground electric distribution lines as provided by applicable state law and regulations, Rocky Mountain Power shall, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed electric distribution lines underground as may be required by City ordinance.

8.6 The City shall have the right without cost to use all poles and suitable overhead structures owned by Rocky Mountain Power within Public Ways for City wires used in connection with its fire alarms, police signal systems, or other public safety communication lines used for governmental purposes; provided, however, any such uses shall be for activities owned, operated or used by the City for a public purpose and shall not include the provision of CATV, internet, or similar services to the public. Provided further, that Rocky Mountain Power shall assume no liability nor shall it incur, directly or indirectly, any additional expense in connection therewith, and the use of said poles and structures by the City shall be in such a manner as to prevent safety hazards or interferences with Rocky Mountain Power's use of same. Nothing herein shall be construed to require Rocky Mountain Power to increase pole size, or alter the manner in which Rocky Mountain Power attaches its equipment to poles, or alter the manner in which it operates and maintains its Electric Facilities. City attachments shall be installed and maintained in accordance with the reasonable requirements of Rocky Mountain Power and the current edition of the National Electrical Safety Code pertaining to such construction. Further, City attachments shall be attached or installed only after written approval by Rocky Mountain Power in conjunction

with Rocky Mountain Power’s standard pole attachment application process. Rocky Mountain Power shall have the right to inspect, at the City’s expense, such attachments to ensure compliance with this Section 8.6 and to require the City to remedy any defective attachments.

8.7 Rocky Mountain Power shall have the right to excavate the Public Rights of Ways subject to reasonable conditions and requirements of the City. Before installing new underground conduits or replacing existing underground conduits, Rocky Mountain Power shall first notify the City of such work by written notice and shall allow the City, at its own expense (to include a pro rata share of the trenching costs), to share the trench of Rocky Mountain Power to lay its own conduit therein, provided that such action by the City will not unreasonably interfere with Rocky Mountain Power's Electrical Facilities or delay project completion.

8.8 Before commencing any street improvements or other work within a Public Way that may affect Rocky Mountain Power’s Electric Facilities, the City shall give written notice to Rocky Mountain Power.

SECTION 9. Relocations of Electric Facilities.

9.1 The City reserves the right to require Rocky Mountain Power to relocate its Electric Facilities within the Public Ways in the interest of public convenience, necessity, health, safety or welfare at no cost to the City. Within a reasonable period of time after written notice, Rocky Mountain Power shall promptly commence the relocation of its Electrical Facilities. Before requiring a relocation of Electric Facilities, the City shall, with the assistance and consent of Rocky Mountain Power, identify a reasonable alignment for the relocated Electric Facilities within the Public Ways of the City.

The City shall assign or otherwise transfer to Company all right it may have to recover the cost for the relocation work and shall support the efforts of Rocky Mountain Power to obtain reimbursement.

9.2 Rocky Mountain Power shall not be obligated to pay the cost of any relocation that is required or made a condition of a private development. If the removal or relocation of facilities is caused directly or otherwise by an identifiable development of property in the area, or is made for the convenience of a customer, Rocky Mountain Power may charge the expense of removal or relocation to the developer or customer. For example, Rocky Mountain Power shall not be required to pay relocation costs in connection with a road widening or realignment where the road project is made a condition of or caused by a private development.

SECTION 10. Subdivision Plat Notification. Before the City approves any new subdivision and before recordation of the plat, the City shall obtain Rocky Mountain Power’s approval of Electrical Facilities, including underground facilities to be installed by the developer, and associated rights of way depicted on the plat. A copy of the plat shall be mailed for approval to Rocky Mountain Power:

Rocky Mountain Power
Attn: Estimating Department

2840 E Yellowstone HWY
Casper, WY 82609

SECTION 11. Vegetation Management. Rocky Mountain Power or its contractor may prune all trees and vegetation which overhang the Public Ways, whether such trees or vegetation originate within or outside the Public Ways to prevent the branches or limbs or other part of such trees or vegetation from interfering with Rocky Mountain Power’s Electrical Facilities. Such pruning shall comply with *the American National Standard for Tree Care Operation (ANSI A300)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. A growth inhibitor treatment may be used for trees and vegetation species that are fast-growing and problematic. Nothing contained in this Section shall prevent Rocky Mountain Power, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang streets.

SECTION 12. Compensation.

12.1 In consideration of the rights, privileges, and franchise hereby granted, Rocky Mountain Power shall pay to the City from and after the effective date of the acceptance of this franchise, seven percent (7%) of its gross revenues derived from within the corporate limits of City. The term “gross revenue” as used herein shall be construed to mean any revenue of Rocky Mountain Power derived from the retail sale and use of electric power and energy within the municipal boundaries of the City after adjustment for the net write-off of uncollectible accounts and corrections of bills theretofore rendered. Notwithstanding any provision to the contrary, at any time during the term of this Franchise, the City may elect to increase the franchise fee amount as may then be allowed by state law. The City shall provide Rocky Mountain Power with prior written notice of such increase following adoption of the change in percentage by the City. The increase shall be effective sixty (60) days after City has provided such written notice to Rocky Mountain Power.

12.2 The franchise fee shall not be in addition to any other license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City from Grantee with respect to Grantee’s electric business or the exercise of this franchise within the corporate limits of the City and the amount due to the City under any such other license, occupation, franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting therefrom the amount of said franchise fee paid hereunder.

SECTION 13. Renewal. At least 120 days prior to the expiration of this Franchise, Rocky Mountain Power and the City either shall agree to extend the term of this Franchise for a mutually acceptable period of time or the parties shall use best faith efforts to renegotiate a replacement Franchise. Rocky Mountain Power shall have the continued right to use the Public Ways of the City as set forth herein in the event an extension or replacement Franchise is not entered into upon expiration of this Franchise.

SECTION 14. No Waiver. Neither the City nor Rocky Mountain Power shall be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or

any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

SECTION 15. Transfer of Franchise. Rocky Mountain Power shall not transfer or assign any rights under this Franchise to another entity, except transfers and assignments by operation of law, or to affiliates, parents or subsidiaries of Rocky Mountain Power which assume all of Rocky Mountain Power’s obligations hereunder, unless the City shall first give its approval in writing, which approval shall not be unreasonably withheld, conditioned or delayed; provided, however, Rocky Mountain Power may assign, mortgage, pledge, hypothecate or otherwise transfer without consent its interest in this Franchise to any financing entity, or agent on behalf of any financing entity to whom Rocky Mountain Power (1) has obligations for borrowed money or in respect of guaranties thereof, (ii) has obligations evidenced by bonds, debentures, notes or similar instruments, or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guaranties thereof.

SECTION 16. Amendment. At any time during the term of this Franchise, the City through its City Council, or Rocky Mountain Power may propose amendments to this Franchise by giving thirty (30) days written notice to the other party of the proposed amendment(s) desired, and both parties thereafter, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendment(s). No amendment or amendments to this Franchise shall be effective until mutually agreed upon by the City and Rocky Mountain Power and formally adopted as an ordinance amendment, which is accepted in writing by Rocky Mountain Power.

SECTION 17. Non-Contestability--Breach of Contract.

17.1 Neither the City nor Rocky Mountain Power will take any action for the purpose of securing modification of this Franchise before either the Public Service Commission or any Court of competent jurisdiction; provided, however, that neither shall be precluded from taking any action it deems necessary to resolve difference in interpretation of the Franchise nor shall Rocky Mountain Power be precluded from seeking relief from the Courts in the event Public Service Commission orders, rules or regulations conflict with or make performance under the Franchise illegal.

17.2 In the event Rocky Mountain Power or the City fails to fulfill any of their respective obligations under this Franchise, the City, or Rocky Mountain Power, whichever the case may be will have a breach of contract claim and remedy against the other in addition to any other remedy provided by law, provided that no remedy which would have the effect of amending the specific provisions of this Franchise shall become effective without such action which would be necessary to formally amend the Franchise.

SECTION 18. Notices. Unless otherwise specified herein, all notices from Rocky Mountain Power to the City pursuant to or concerning this Franchise shall be delivered to the City Recorder's Office. Unless otherwise specified herein, all notices from the City to Rocky Mountain Power pursuant to or concerning this Franchise shall be delivered to the Regional Business Management

Director, Rocky Mountain Power, 70 North 200 East, Room 122, American Fork, Utah, 84003, and such other office as Rocky Mountain Power may advise the City of by written notice.

SECTION 19. Severability. If any section, sentence, paragraph, term or provision hereof is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

SECTION 20. Waiver of Jury Trial. To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

PASSED by the City Council of the City of Mills, Wyoming this ____ day of _____, 2023.

PASSED on 1st reading the ____ day of _____, 2023.

PASSED on 2nd reading the ____ day of _____, 2023.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this ____ day of _____, 2023

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cheri Butcher, Council

Tim Sutherland, Council

ATTESTED:

Christine Trumbull, City Clerk

ORDINANCE NO. 803

AN ORDINANCE TO REZONE LOTS 9-16, BLOCK 49 AND LOTS 4-12, BLOCK 44, AND LOTS 3-7, BLOCK 55, AND LOTS 1-14, BLOCK 45, EXCLUDING HWY ROW AND LOTS 8-11, BLOCK 55, EXCLUDING HWY ROW, TOWN MILLS, CITY OF MILLS, NATRONA COUNTY, FROM ER (ESTABLISHED RESIDENTIAL DISTRICT) AND MU (MIXED USE DISTRICT) TO EB (ESTABLISHED BUSINESS DISTRICT) AND PLI (PUBLIC LANDS INSTITUTIONS)

WHEREAS, the City of Mills is a municipal corporation under the laws of the State of Wyoming; and

WHEREAS, the City of Mills proposes to rezone Lots 9-16, Block 49, and Lots 4-12, Block 44 and Lots 3-7, Block 55, and Lots 1-14, Block 45, Excluding HWY right-of-way, and Lots 8-11, Block 55, excluding HWY right-of-way, Town of Mills, from ER (Established Residential District) and MU (Mixed Use District) to EB (Established Business District) and PLI (Public Lands Institutions); and

WHEREAS, the rezone of said lots will conform with the Mills Comprehensive Plan of 2017; and

WHEREAS, a public hearing notice was advertised in the 13 July 2023 edition of the Casper Star-Tribune, at least 15 days prior to the public hearing, as required by Mills Zoning Ordinance; and

WHEREAS, the City of Mills Planning and Zoning Board held a public hearing to consider the rezone on 3 August 2023 and forwarded a “Do Pass” recommendation to the Town Council approving the zone change; and

WHEREAS, the Mills City Council held a public hearing on the rezoning at the 22 August 2023 Council Meeting; and

WHEREAS, the Mills City Council has determined that a zone change will be in the best interest of the City and adjacent property owners.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MILLS, WYOMING:

SECTION 1:

The City of Mills hereby Lots 9-16, Block 49, and Lots 4-12, Block 44 and Lots 3-7, Block 55, and Lots 1-14, Block 45, Excluding HWY right-of-way, and Lots 8-11, Block55, excluding HWY right-of-way, Town of Mills, from ER (Established Residential District) and MU (Mixed Use District) to EB (Established Business District) and PLI (Public Lands Institutions).

SECTION 2:

City of Mills Corporate Limits, Additions and Environs Map shall be updated to show said property as Established Business and Public Lands Institutions.

PASSED ON FIRST READING the ____ day of _____ 2023

PASSED ON SECOND READING the ____ day of _____ 2023

**PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING the
____ day of _____ 2023**

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

ORDINANCE NO. _____

AN ORDINANCE REGARDING LEGAL ADVERTISEMENTS

WHEREAS, The City of Mills amended its City Code to provide for the following provisions:

2.90.30 Legal Advertisements.

Pursuant to the Provisions found at Article 13, Sec. 1, of the Wyoming Constitution, in all instances in which there exists a Statute requiring the Town of Mills to advertise or place notices in a newspaper, the Town of Mills shall instead place said notice or advertisement, except where it elects to do the same in a newspaper, on the Town’s website and three designated public places in the Town of Mills. Unless provided for otherwise, the public places will be the Mills Town Hall, the Mills Library and the United States Post Office in the Town of Mills. All such notices shall remain in place for that period specified by State Statute for running an advertisement or a notice in a newspaper.

Nothing in this provision shall preclude the Town from running an advertisement or notice in a newspaper should it choose to do so.

and;

WHEREAS, The City of Mills, together with the Town of Bar Nunn, has been sued twice over the above referenced provision by Lee Enterprises, the owner of the Casper Star Tribune, which brought its suit once with the Wyoming Press Association, and

WHEREAS, Lee Enterprises maintains in its suit that the meaning of the term “newspaper” is such that legal notices must be placed in a print newspaper, of which the Casper Star Tribune is the only example in Natrona County, and for which most municipalities have only one such source available to them, and

WHEREAS, The presence of only one newspaper in Natrona County means that the municipalities in Natrona County, Wyoming are captives of the Casper Star Tribune, if Lee Enterprises’ reading of the law is correct, which leaves the Casper Star Tribune free to charge any amount it might wish in order for municipalities to run legal notices in a journal of declining circulation.

WHEREAS, The City of Mills and the Town of Bar Nunn have brought a counterclaim challenging the constitutionality of the Wyoming State Statutes requiring publication in newspapers of certain notices, which further challenges the presumption that the term “newspaper” in 2023 means a print newspaper, such as it meant in 1876, the date first cited by Lee Enterprises regarding one of the subject statutes; and

WHEREAS, The goal of the municipalities is to have as wide of distribution and the most effective distribution of information which is provided in legal notices; and

WHEREAS, In 2023 print newspapers are not the most effective means of providing such notice, as exhibited by the fact that the circulation of the Casper Star Tribune is smaller in 2023 than it was in 1923, and less than 100 people receive the newspaper in Mills, Wyoming; and

WHEREAS, Print newspapers have largely been supplanted by electronic media and even the Casper Star Tribune only publishes electronically four days out of seven; and

WHEREAS, while at one time Natrona County was served by more than one print newspaper, today only the Casper Star Tribune remains in print circulation, and it is not even printed in Natrona County, Wyoming; and

WHEREAS, The Casper Star Tribune, when printed, depends upon the United States Post Office to deliver its papers, rather than delivery personnel who can assure a timely delivery; and

WHEREAS, Natrona County Wyoming is served by no less than the following electronic media outlets:

- The Casper Star Tribune, which publishes electronically and in print three times per week.
- Oil City News, which publishes electronically daily.
- Cowboy State Daily, which publishes electronically daily.
- WyoFile, which publishes electronically.
- The Casper College Chinook, which publishes electronically.
- Town Square Media, which publishes electronically.
- Wyoming News Now, which publishes electronically.
- K2 Radio, which publishes electronically.

WHEREAS, Some, or all, of the above referenced electronic media are suitable for the publication of legal notices required by Wyoming State Statutes, and

WHEREAS, The above referenced ordinance was brought under Wyoming’s Home Rule provisions; and

WHEREAS, The State of Wyoming and Lee Enterprises are maintaining that the municipalities may not exempt themselves from the publication statutes, in spite of their widely varying terms and unequal application to various municipalities, and

WHEREAS, The goal of the municipalities has always been, and remains, to provide the most effective notice to the public in the most cost effective manner;

NOW THEREFORE, The City Council of the City of Mills hereby repeals those portions of the aforementioned ordinance, with the strikes noted in red below, and passes the following amended text:

2.90.30 Legal Advertisements.

The term “newspaper”, in so far as it is used by the Statutes of the State of Wyoming, requiring publication by municipalities of certain notices and information is undefined. This ordinance, therefore, sets forth the meaning of the terms “newspaper” and publish for the purpose of complying with Wyoming State Statutes by the City of Mills and the matters to be considered by the town in regard to the same.

- A. Whenever possible the City shall take into consideration the circulation of the newspaper when placing notices, with such consideration to consider ultimate circulation, timeliness, and the cost of placing the notice. While cost or circulation need not alone dictate which newspaper is chosen, it shall be a matter that shall be taken into consideration.

- B. Whenever the term “newspaper” is used by a Wyoming State Statute which requires a municipality to place a notice or publication in the same, the city may:
 - i. Rely on the common understanding of the meaning of the term “newspaper” as it existed at the time of the first Wyoming Statute to use the same. If this is done, it will require no any further act by the City Council in order for that understanding to apply.

 - ii. Adopt, by resolution, the 21st Century understanding of “newspaper” for any particular purpose, which shall mean an electronic publication satisfying the following criteria:
 - a. An electronic publication, to include a website which;
 - b. Is published or maintained on a daily basis, and which;
 - c. Is published for the purpose of distributing information and news in a fashion similar to that of a print newspaper and which;
 - d. Includes Natrona County, Wyoming as part of its routine coverage.

- C. Whenever the term “publish” is used by a Wyoming State Statute which requires a municipality to publish a notice in a “newspaper”, the following shall be presumed to apply:
 - i. “Publish”, in the case of a print newspaper, shall be presumed to mean “printed and distributed”, wherever the statute makes reference to a

locality, such as within a municipality or county, unless the city establishes a good and sufficient basis for reading the same in another manner, and records the same my way of a resolution.

- ii. “Publish”, in the case of electronic media, shall be presumed to mean electronically issued on a website which meets the definition of a “newspaper” as set forth above, which can reasonably be determined to be directed towards or read within a municipality or county.

D. In any instance in which the city determines to publish a notice in an electronic newspaper, such as is described in 2.90.30(B)ii above, it shall publish the same on its website and store a copy of the electronic notice for a period of five (5) years, unless a statute, ordinance or resolution requires a longer time period. Publication of a notice in an electronic newspaper may include a active link to the city’s publication on its website, which shall suffice for publication as long as it was specifically done for the purpose of giving notice.

E. Should the State of Wyoming amend, repeal or replace the current publication statutes, on whole or in part, to allow for the placement of notices through a centralized electronic system maintained or authorized by the State of Wyoming, the City of Mills shall accordingly elect to use that system in the fashion authorized by the State.

PASSED on 1st reading the _____ day of _____, 2023.

PASSED on 2nd reading the _____ day of _____, 2023.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this _____ day of _____, 2023

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cheri Butcher, Council

Tim Sutherland, Council

ATTESTED:

Christine Trumbull, City Clerk

ORDINANCE NO. 805

AN ORDINANCE SEEKING TO DE-ANNEX CERTAIN PROPERTIES FROM THE CITY OF MILLS, WYOMING

WHEREAS, petitions have been filed with the City of Mills, Wyoming on July 12, 2023, by the City of Casper and Natrona County seeking to de-annex certain real property from the City of Mills that lies within the incorporated boundaries of the City of Mills; and

WHEREAS, on July 12, 2023, in accordance with Wyo. Stat. Sec. 15-1-421, the petition for de-annexation was also filed with the Clerk of Natrona County, Wyoming; and

WHEREAS, a legal notice was run in accordance with Wyo. Stat. Sec 15-1-421 in a newspaper in general circulation in the County, and

WHEREAS, the legal description of said real property is as described as follows, as two parcels, a Parcel A and a Parcel B. The legal description for both parcels is as follows:

PARCEL A

A parcel of land situate within portions of Lot 3 (NW¼SW¼) and NE¼SW¼ of Section 7, T.33N., R.79W., 6th P.M., Natrona County, Wyoming, as shown on Exhibit B, attached hereto and by this reference made a part hereof, being more particularly described as follows:

Commencing at the S1/16 corner common to said Section 7 and Section 12, T.33N., R.80W., located on the north line of Caspar Collins Addition No. 2, monumented by a brass cap, being the southwest corner of the parcel being described and the Point of Beginning;

Thence N00°22'33"W, along the west line of said Section 7, a distance of 847.62 feet to the northwest corner of the parcel being described, located within the North Platte River;

Thence S71°00'04"E, along the north line of the parcel, a distance of 1091.09 feet to an angle point;

Thence S68°00'11"E, along the north line of the parcel, a distance of 265.19 feet to the northeast corner of the parcel, located on the west line of the NE¼SW¼ of said Section 7;

Thence S00°04'06"E, along the west line of the NE¼SW¼ of said Section 7, a distance of 38.27 feet to a point;

Thence S45°20'56"E, a distance of 464.21 feet to the southeast corner of the parcel, located on the south line of the NE¼SW¼ of said Section 7 and the north line of the Caspar Collins Addition to the City of Casper;

Thence S89°20'13"W, along the south line of the parcel, also being the south line of the NE¼SW¼ of said Section 7, and the north line of the Caspar Collins Addition, a distance of 329.87 feet to the SW1/16 corner of said Section 7;

Thence S88°53'54"W, along the south line of the parcel and the north line of the Caspar Collins Addition, a distance of 246.63 feet to a point being the northwest corner of the Caspar Collins Addition and the northeast corner of the Caspar Collins Addition No. 2;

Thence S88°52'59"W, along the south line of the parcel also being the south line of the NE¼SW¼ of said Section 7, and the north line of the Caspar Collins Addition No. 2, a distance of 1026.01 feet to the Point of Beginning.

The above described parcel of land contains 19.20 acres, more or less and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

PARCEL B

A parcel of land located within a portion of the NE¼SW¼ of Section 7, T.33N., R.79W., 6th P.M., City of Casper, Natrona County, Wyoming, as shown on Exhibit B attached hereto and by this reference made a part hereof, and being more particularly described as follows:

- Commencing at the SW1/16 corner of said Section 7, monumented by a brass cap;
 - Thence N89°20'13"E, along the south line of the NE¼SW¼ of said Section 7, a distance of 329.87 feet to the Point of Beginning being the southwest corner of the Natrona County parcel being described, also being the southeast corner of the City of Casper parcel, monumented by a brass cap;
 - Thence N45°20'56"W, along the southwesterly line of the County parcel, also being the northeasterly line of the City parcel, a distance of 464.21 feet to the most north corner of the City parcel, located on the west line of the NE¼SW¼ of said Section 7;
 - Thence N00°04'06"W, along the west line of the County parcel also being the west line of the NE¼SW¼ of said Section 7, a distance of 155.03 feet to the northwest corner of the parcel being described, also being the southwest corner of the Town of Mills parcel;
 - Thence S63°43'39"E, along the northeasterly line of the County parcel and the southwesterly line of the Mills parcel, a distance of 148.46 feet to an angle point;
 - Thence S65°49'39"E, along the northeasterly line of the County parcel and the southwesterly line of the Mills parcel, a distance of 244.03 feet to an angle point;
 - Thence S50°48'39"E, along the northeasterly line of the County parcel and the southwesterly line of the Mills parcel, a distance of 233.12 feet to the southeast corner of the Mills parcel;
 - Thence N37°18'21"E, along the southeasterly line of the Mills parcel, a distance of 63.87 feet to a point located on the westerly right-of-way line of Wyoming Boulevard;
 - Thence in a southeast direction along the west right-of-way line of Wyoming Boulevard and a curve to the right having a radius of 409.26 feet, through a central angle of 10°39.23", a distance of 76.12 feet, with a chord bearing of S01°41'03"E, a distance of 76.01 feet to the end of curve;
 - Thence S03°38'56"W, along the east line of the County Parcel and the west right-of-way line of Wyoming Boulevard, a distance of 140.51 feet to the southeast corner of the parcel being described, located on the south line of the NE¼SW¼ of said Section 7;
 - Thence S89°17'47"W, along the south line of the County parcel also being the south line of the NE¼SW¼ of said Section 7, a distance of 238.03 feet to the Point of Beginning.
- The above described parcel contains 3.16 acres, (137857.06.04 S.F.), more or less, and is subject to all rights-of-way and/or encumbrances, reservations and encroachments which have been legally acquired.

WHEREAS, a report on the proposed de-annexation was prepared by Natrona County, Wyoming, which has been reviewed by the City Planning Department of the City of Mills, Wyoming.

WHEREAS, a report on the proposed de-annexation has been done by City Planning for the City of Mills, Wyoming.

WHEREAS, no objections have been raised in the aforementioned reports and the City Counsel for the City of Mills finds that the de-annexation shall not be a detriment to the City and its residents and is otherwise proper.

NOW THEREFORE, The City Council of the City of Mills, Wyoming, hereby approves the petitions of de-annexation of the aforementioned lands and declares them to be de-annexed from the City of Mills, Wyoming.

PASSED ON FIRST READING the ____ day of _____ 2023

PASSED ON SECOND READING the ____ day of _____ 2023

PASSED, APPROVED AND ADOPTED ON THIRD AND

FINAL READING the ____ day of _____ 2023

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Tim Sutherland, Council

Cherie Butcher, Council

Brad Neumiller, Council

ATTEST:

Christine Trumbull, City Clerk

ORDINANCE NO. 806

AN ORDINANCE REGARDING BUSINESS LICENSES FEES

WHEREAS, The City of Mills amended Title 5 of its Code regarding businesses licenses in 2022; and

WHEREAS, The system of business licenses in the City of Mills presently, but not exclusively, concerns assuring that necessary fire inspections take place, and

WHEREAS, The City had determined that, in general, no fees should apply to nonprofit entities and public entities.

NOW THEREFORE, The City Council of the City of Mills hereby amend Title 5 of the Mills City Code to amend Chapter 5.04 of the Mills City Code to add the text set out below in green, or to strike existing provisions as noted below, effective immediately upon passage.:

Title 5 - BUSINESS LICENSES AND REGULATIONS

Chapter 5.04 - GENERAL BUSINESS LICENSE REGULATIONS*

5.04.010 - Application.

Every person desiring to engage in any business, trade, profession or calling, or maintain a premises which is open to the general public, for which a license is required by this code, hereinafter to be generically referred to as "business", unless the requirements for procuring the license are specifically set forth, shall fill out, sign and file with the City clerk a petition or application for the license, which shall state:

- A. The name of the person desiring the license, and in case of a corporation or limited liability company the name of the president or chairman, and in case of a partnership the name of each partner;
- B. The residence or place of business;
- C. The business, calling or profession in which the applicant wishes to engage;
- D. The location where such business or calling is to be carried on;
- E. The applicant's Wyoming sales tax number;
- F. Whether such entity is registered as a nonprofit organization or is otherwise exempt from taxation.
- GF. Such other items of information as the City Council may require.

5.04.020 - License—Contents.

Every license issued hereunder shall show upon its face:

- A. The name of the business to whom issued;
- B. Sum paid
- C. Kind of business;
- D. Time for which issued;
- E. Place where business is to be carried on;
- F. If the entity is a nonprofit entity or otherwise exempt from taxation.

5.04.030 - Issuance conditions.

Except where otherwise provided for by these Ordinances, the purpose of a Business License shall be to assure that business operating in the City of Mills, or premises open to the public, shall have an annual Fire Inspection in the form and manner set forth by the Fire Chief of the City of Mills, provided, however, that additional provisions may apply to businesses set forth in Section 5.04.040 below.

The City clerk shall issue and deliver the license to the applicant upon the payment of the fee as provided, and upon completion of any other legal requirements. The City clerk shall deposit the bond in the event the license requires a bond.

5.04.040 - Licenses required for specific businesses.

Licenses shall be required for the following specific businesses which maintain a permanent physical presence within the ~~City~~City, or which are otherwise listed below:

- A. Junk dealers;
- B. Pawnshops;
- C. Itinerant merchants/unsolicited salesmen;
- D. Secondhand dealers;
- E. Sale of alcoholic beverages.
- F, Businesses that maintain a permanent physical presence within the City.

5.04.050 - Fees.

Fees for the licenses outlined in Section 5.04.040 shall be established by resolution of the City council, unless otherwise set forth in these ordinances. Unless otherwise provided for by Resolution of the City Council, nonprofit entities or entities that are otherwise tax exempt shall not be required to pay a fee, provided that they keep their business license current.

PASSED on 1st reading the ____ day of _____, 2023.

PASSED on 2nd reading the ____ day of _____, 2023.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this ____ day of _____, 2023

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cherie Butcher, Council

Tim Sutherland, Council

ATTESTED:

Christine Trumbull, City Clerk

Title 5 - BUSINESS LICENSES AND REGULATIONS

Chapter 5.04 - GENERAL BUSINESS LICENSE REGULATIONS*

5.04.010 - Application.

Every person desiring to engage in any business, trade, profession or calling, or maintain a premises which is open to the general public, for which a license is required by this code, hereinafter to be generically referred to as “business”, unless the requirements for procuring the license are specifically set forth, shall fill out, sign and file with the City clerk a petition or application for the license, which shall state:

- A. The name of the person desiring the license, and in case of a corporation or limited liability company the name of the president or chairman, and in case of a partnership the name of each partner;
- B. The residence or place of business;
- C. The business, calling or profession in which the applicant wishes to engage;
- D. The location where such business or calling is to be carried on;
- E. The applicant's Wyoming sales tax number;
- F. Whether such entity is registered as a nonprofit organization or is otherwise exempt from taxation.
- GF. Such other items of information as the City Council may require.

5.04.020 - License—Contents.

Every license issued hereunder shall show upon its face:

- A. The name of the business to whom issued;
- B. Sum paid
- C. Kind of business;
- D. Time for which issued;
- E. Place where business is to be carried on;
- F. If the entity is a nonprofit entity or otherwise exempt from taxation.

5.04.030 - Issuance conditions.

Except where otherwise provided for by these Ordinances, the purpose of a Business License shall be to assure that business operating in the City of Mills, or premises open to the public, shall have an annual Fire Inspection in the form and manner set forth by the Fire Chief of the City of Mills, provided, however, that additional provisions may apply to businesses set forth in Section 5.04.040 below.

The City clerk shall issue and deliver the license to the applicant upon the payment of the fee as provided, and upon completion of any other legal requirements. The City clerk shall deposit the bond in the event the license requires a bond.

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- F, Businesses that maintain a permanent physical presence within the City.

5.04.050 - Fees.

Fees for the licenses outlined in Section 5.04.040 shall be established by resolution of the City council, unless otherwise set forth in these ordinances. Unless otherwise provided for by Resolution of the City Council, nonprofit entities or entities that are otherwise tax exempt shall not be required to pay a fee, provided that they keep their business license current.

RESOLUTION NO. 2023-38

A RESOLUTION SETTING 2023 STIPEND PLANNING AND ZONING COMMISSION

WHEREAS, The City of Mills, Wyoming has elected to combine the Planning Commission with the Zoning Commission; and

WHEREAS, There are attendant cost and expenses involved on the part of the individuals who serve on this board.

WHEREAS, The City estimates that a proper compensation for the City’s Fiscal Year 2023 should be \$50.00 per meeting.

NOW, THEREFORE, The City Council of the City of Mills, after due deliberation, approves a stipend for members of the Planning and Zoning Commission of \$50.00 per meeting, for meetings actually attended, but in no way to exceed \$50.00 per month.

Resolved this ____ day of __, 2023

CITY OF MILLS

By: _____
Leah Juarez, Mayor

Cherie Butcher, Councilman

Sara McCarthy, Councilman

Bradley Neumiller, Councilman

Tim Sutherland, Councilman

ATTEST:

City Clerk, Christine Trumbull

RESOLUTION NO. 2023-39

A RESOLUTION ADOPTING BURNING AND FIRE GUIDELINES

WHEREAS, Section 8.02.010 of the City Code provides, in relevant parts:

CHAPTER 8.02
FIRES AND BURNING

8.02.010 Burning prohibition.

A burn permit shall be required to burn items within the city limits except fire wood, charcoal, or LP or natural gas fuels that are contained within a designed fire pit, grill, or professionally engineering containment that has a capacity of less than 3 feet in diameter and is equipped with a spark arresting device. Small bon fires of greater than 2 feet by 3 feet may not be within 25 feet of a structure and must follow all burn restrictions established within the Town of Mills. Burning of any other items or volumes will be established through burn permit regulations.

Burn permit shall be issued in accordance with the direction of the "Fire Chief" and required for a controlled burn, bon fire or uncontained burn within the incorporated district of the Town.

And:

WHEREAS, the Fire Chief, in his role as the chief administrative officer for the setting of standards for Chapter 8.02 has made certain suggestions regarding the implementation of the provisions set forth above, and more particularly the issuance of permits as set forth in Section 8.02.010; which are set forth in more detail below:

A Burn Permit ***shall not*** be required when:

1. Burning fire wood, charcoal, LP or natural gas fuels that are **contained** within a designed fire pit, grill, or professionally engineered containment that has a capacity of less than 3 feet in diameter and no greater than 2 feet high, and equipped with a spark arrester with openings no greater than 1/8", and located a minimum of 15' from a structure.
2. Small bon fires greater than 3 feet in diameter but contained, as listed above, and equipped with a spark arrester with openings no greater than 1/8", may not be closer than 25 feet from a structure.
3. A fire extinguisher of at least 4-A rating, a charged water hose or a 5-gallon bucket of water shall be in close proximity to the fire and readily accessible.
4. Fires shall be constantly attended by a person knowledgeable in the use of the fire extinguishing equipment provided.
5. The fire shall not be left unattended at any time until the fire is fully extinguished (no heat remaining).

A Burn Permit **shall be required:**

1. For controlled burns, bon fires not contained in an enclosure as listed above or any type of uncontained fire.
2. A fire extinguisher of at least 4-A rating, a charged water hose or a 5-gallon bucket of water shall be in close proximity to the fire and readily accessible.
3. Fires shall be constantly attended by a person knowledgeable in the use of the fire extinguishing equipment provided.
4. The fire shall not be left unattended at any time until the fire is fully extinguished (no heat remaining).
5. Fires shall not be ignited on days that the National Weather Service issues a **Red Flag Warning.**

The Mills Fire Department or the Mills Police Department may order the fire to be discontinued if, in our opinion, the fire constitutes a hazardous condition or produces obnoxious smoke or odors that may cause a public nuisance.

The Casper/Natrona County Public Safety Communications Center (dispatch), 307-235-8278, as well as the on-duty crew for the Mills Fire Department, 307-234-8481, shall be notified **before** igniting a fire, regardless of whether or not a burn permit is required. **At no time is the burning of trash allowed.**

And;

WHEREAS, The City Council has considered the same and found that the guidelines set forth above serve to implement Section 8.02.010

NOW, THEREFORE, The Governing Body of the City of Mills, Wyoming hereby resolves to adopt the criteria set forth above as developed by the Fire Chief for the City of Mills, Wyoming as the criteria to be used by the Fire Department and Fire Chief in issuing burn permits or determining when burn permits should nor should not be issued within the City of Mills.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2023.

Mayor, Leah Juarez

Councilman, Sara McCarthy

Councilman, Cherie Butcher

Councilman, Tim Sutherland

Councilman, Brad Neumiller

ATTEST:

City Clerk

CERTIFICATE

I, _____, City Clerk, hereby certify that the foregoing Resolution was adopted by the City of Mills at a public meeting held on October 10th, 2023, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the City of Mills.

City Clerk

RESOLUTION NO. 2023-40

**A RESOLUTION SETTING BUSINESS LICENSE FEES FOR
NONPROFIT AND TAX EXEMPT ENTITIES**

WHEREAS, Section 5.04.050 of the Mills City Code provides that the City Council of the City of Mills may set fees for business licenses; and

WHEREAS, With certain exceptions, the purpose of Business licenses in the City of Mills is to provide for fire inspections for certain businesses, as defined within the City Code, and for places generally open to the public; and

WHEREAS, The City Code is presently amending its ordinances to provide that nonprofit and other tax exempt entities shall not have to pay a fee for their business license as long as their fire inspection remains current; and

WHEREAS, There is nothing in the City Code that precludes the City Council from setting a separate fee for nonprofit and tax exempt businesses;

NOW, THEREFORE, The Governing Body of the City of Mills, Wyoming hereby provides that there shall be no fees for nonprofit and tax-exempt entities business licenses within the City of Mills, provided that such entities remain current with their fire inspections. The City Council may waive fees upon as such a party presenting good cause for failing to remain current on their fire inspections, but in such instances the fee shall otherwise be as generally provided for ordinary businesses.

**PASSED, APPROVED AND ADOPTED THIS _____ day of _____,
2023.**

Mayor, Leah Juarez

Councilman, Sara McCarthy

Councilman, Cherie Butcher

Councilman, Tim Sutherland

Councilman, Brad Neumiller

ATTEST:

City Clerk

CERTIFICATE

I, _____, City Clerk, hereby certify that the foregoing Resolution was adopted by the City of Mills at a public meeting held on October 10, 2023, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the City of Mills.

City Clerk