

**REGULAR CITY COUNCIL
WORK SESSION MEETING**

June 12, 2023

9:00 AM

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

AGENDA ITEMS

1. Jon:

Western Gateway Recommendations

2. Planning and Zoning:

P & Z Appointments Recommendations

Shawville Vacation and Replat

Vacation a Portion of South 5th Ave

Vacation of Portion of Cosllo Street

3. City Administrator:

Fees--Building and Office

Ordinance 791: THIRD AND FINAL READING OF THE FY 24 Budget

Trailer for Crystal Beagle.. 2001 Trailer

4. City Clerk:

Agreement for Consulting Services: HUB International

WAM Important Update

5. Mayor:

ADJOURNMENT

AGENDA SUBJECT TO CHANGE WITHOUT NOTICE

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.



CITY OF MILLS
EST. 1921

704 Fourth Street
P.O. Box 789
Mills, WY 82644

Phone: 307-234-6679
Fax: 307-234-6528

Item #2.

Memorandum

TO: Mills City Council

FROM: Megan Nelms, AICP, City Planner

DATE: June 8, 2023

SUBJECT: Shawville Addition

Resubdivision of Lots 1, 2, 3 & Reservoir Tract, Evergreen Park
Subdivision and Lot 1, Block 8, Evergreen Park No. 2

Case Number: 23.03 FSP

Summary: The applicant is proposing to resubdivide five (5) lots within the Evergreen Park Subdivision & Evergreen Park No. 2 to create five (6) lots for the purposes of redevelopment and clean-up of the area.

An unbuilt portion of right-of-way that was previously platted is also being vacated via separate resolution. It will be referenced on this subdivision plat.

Current Zoning: ER (Established Residential) *no change of zoning is requested or required.

Planning Commission Recommendation: At their April 6, 2023, meeting the Planning & Zoning Commission made a “DO PASS” recommendation on the resubdivision request.

Staff Recommendation: Staff recommends APPROVAL of the resubdivision plat.

Shawville Addition

Final Plat

Planning Commission Meeting
April 6, 2023

City Council Meeting

Applicants: Shaw Investments, LLC, Albon Shaw

Case Number: 23.03 FSP

Agent: Shane Porter, WLC Engineer & Surveying

Summary: The applicant is proposing to resubdivide four (4) lots within the Evergreen Park Subdivision to create five (5) lots for the purposes of redevelopment and clean-up of the area.

Legal Description: Lots 1, 2, 3 & the Reservoir Tract, Evergreen Park Subdivision

Location: The property is located at the intersection of Rambler St. and S. 5th Ave. Lots 1, 2 & 3 also have access to S. 4th Ave. on the east side of the properties.

Current Zoning: ER (Established Residential) *no change of zoning is requested or required.

Existing Land Use: There are dilapidated structures, mobile homes and various debris on the parcels.

Adjacent Land Use: North: Austin Addition (DB & ER)
South: Evergreen Park (ER)
East: Agate Addition (DR)
West: Evergreen Park No. 2 (ER)

Planning Considerations:

1. Verify the record owner name for the neighboring property included in the resubdivision (Lot 1, Block 8, Evergreen Park II)
2. Cosmetic Changes to the Plat
 - a. Remove the word "Attest" the City Engineer's signature
 - b. Add a legend to the plat face
3. Submit organizational documents for Shaw Investments, LLC showing who is authorized to sign on behalf of the organization.

4. Add a legend for the lines – easements property boundaries, etc.

Staff Recommendation:

Staff recommends APPROVAL of the final plat upon all planning considerations being completed.

Planning Commission Recommendation:

City Council Decision:



CITY OF MILLS APPLICATION FOR PLAT/REPLAT

Pursuant to the City of Mills Zoning Ordinance



City of Mills, Wyoming
704 4th Street (Physical Address)
P.O. Box 789 (Mailing Address)
Mills, Wyoming 82644

Date: March 15, 2023
Return by: March 17, 2023
(Submittal Deadline)
For Meeting on: April 6, 2023

PLEASE PRINT

SINGLE POINT OF CONTACT: Albon Shaw

APPLICANT/PROPERTY OWNER(S) INFORMATION:

Print Owner Name: Shaw Investments LLC
Owner Mailing Address: P.O. Box 695
City, State, Zip: Casper, WY 82602
Owner Phone: 307-251-2535
Applicant Email: albon@teamwyocity.com

AGENT INFORMATION:

Print Agent Name: Shane Porter, WLC Engineering and Surveying,
Agent Mailing Address: 200 Pronghorn St.
City, State, Zip: Casper, WY 82601
Agent Phone: 307-266-2524
Agent Email: shanep@wlcwyo.com

PROPERTY INFORMATION:

Subject property legal description (attach separate page if long legal): Lots 1, 2, 3 and the Reservoir Tract of Evergreen Park Subdivision
located in and being a portion of the SW1/4NW1/4, Section 12, Township 33N, Range 80W
Physical address of subject property if available: 472, 504 and 532 S. 4th Avenue; 507 S. 5th Ave; and 5142 Rambler Street.
Size of lot(s) Currently Ranging from 10,700 SF. to 6,534 SF. sq. ft/acres:
Current zoning: Established Residential Current use: Residential
Intended use of the property: Maintain Established Residential with a Single Family Dwellings
Zoning within 300 feet: DB North; ER N, W, and S; DB and DR East Land use within 300 feet: Residential, Vacant

ATTACHMENTS (REQUIRED):

- 1. Proof of ownership: X (such as deed, title certification, attorney's title opinion)
- 2. Seven (7) full sized copies of the plat/replat: X
- 3. One reproducible 11 x 17 plat/replat hard copy: X
- 4. One plat/replat electronic copy (pdf): X

RIGHT-OF-WAY / EASEMENT INFORMATION:

Right-of-Way / Easement Location: Front and Back Lot Line Utility Easements are provided. Street ROW's remain unchanged
(Example: along west property line, running north & south)

Width of Existing Right-of-Way / Easement: _____ Number of Feet to be Vacated: _____

Please indicate the purpose for which the Right-of-Way / Easement is to be vacated / Abandoned

SIGNATURE(S):

The following owner's signature signifies that all information on this application is accurate and correct to the best of the owner's knowledge; and that the owner has thoroughly read and understands all application information and requirements. [In addition to the owner's signature(s), if an agent of the owner is also to be notified and/or contacted for all communications relating to this application, please have the agent sign below.]

I (We) the undersigned owner(s) of the property described above do hereby make application to the City of Mills as follows:
Application to vacate Lots 1, 2, 3 and Reservoir Tract of the Evergreen Park Subdivision and replat to create Lots 1, 2, 3, 4, and 5 of the Shawville Addition.

OWNER Signature Albon Shaw

OWNER Signature _____

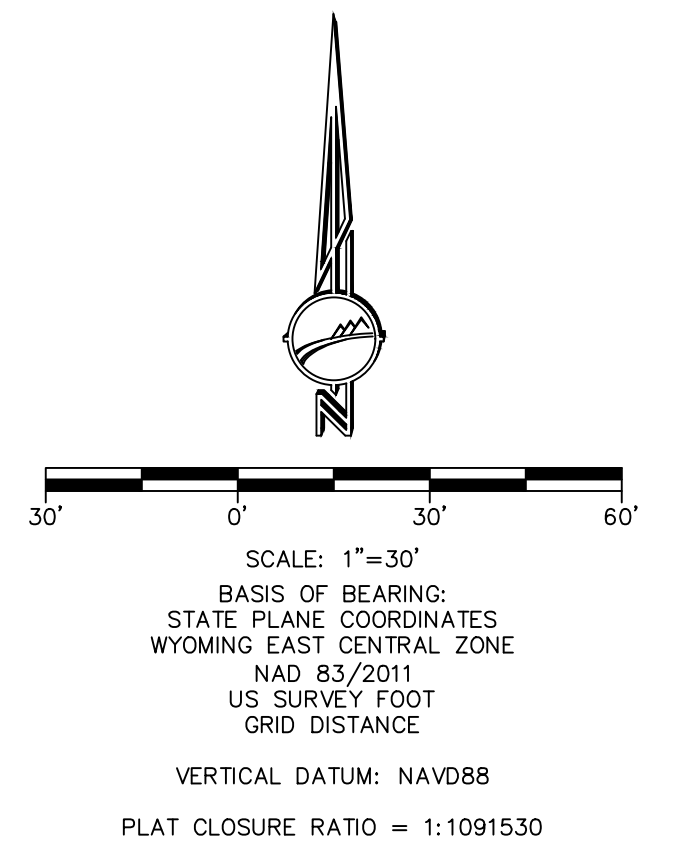
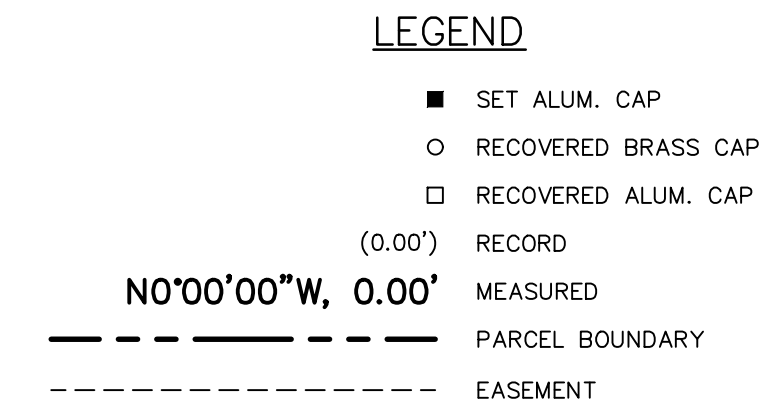
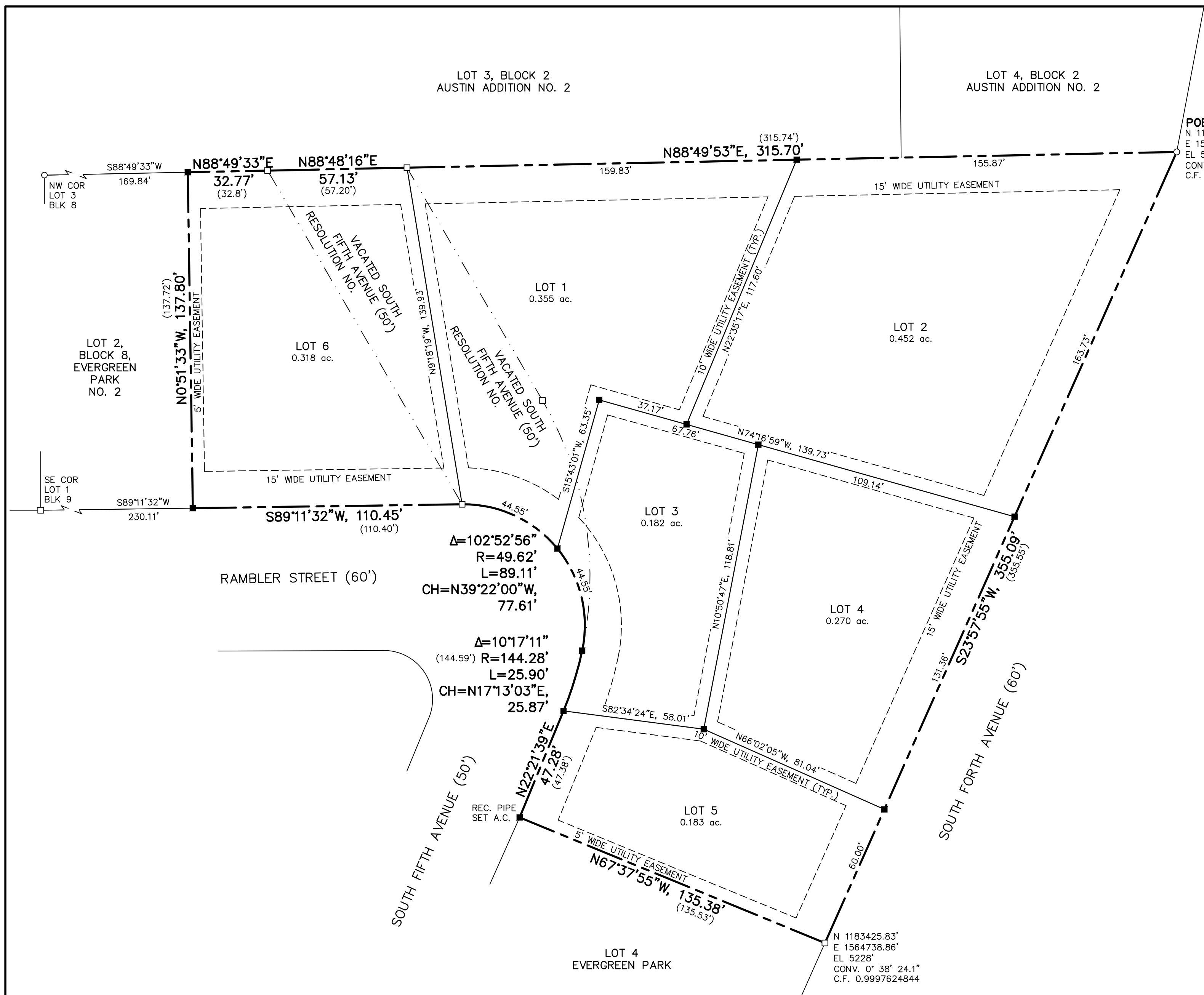
AGENT Signature Shane M. Porter

FEES (Plat/Replat): \$10.00 per lot (\$250.00 minimum and a \$1,000.00 maximum), **plus \$150.00 recording fee.**

For Office Use Only: Signature verified: _____ Proof of ownership provided: _____ Fee Paid: \$ _____

PLAT OF
"SHAWVILLE ADDITION"
 TO THE CITY OF MILLS, WYOMING
 A SUBDIVISION LOCATED IN AND BEING A PORTION OF THE
 SW1/4NW1/4, SECTION 12, TOWNSHIP 33 NORTH, RANGE 80 WEST
 OF THE SIXTH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING.

BEING A VACATION AND REPLAT OF LOTS 1, 2 AND 3 AND THE
 RESERVOIR TRACT OF EVERGREEN PARK, A SUBDIVISION LOCATED IN
 AND BEING A PORTION OF THE SW1/4NW1/4 & NW1/4SW1/4,
 SECTION 12; AND LOT 1, BLOCK 8, EVERGREEN PARK NO.2
 SUBDIVISION, A SUBDIVISION LOCATED IN AND BEING A PORTION OF
 THE SW1/4NW1/4 & NW1/4SW1/4, SECTION 12;



DEDICATION STATEMENT

Shaw Investments, LLC, and Kimberly Perez do hereby certify that they are the owners and proprietors of the foregoing vacation and replat of Lots 1, 2 and 3 and the Reservoir Tract of Evergreen Park, a subdivision located in and being a portion of the SW1/4NW1/4 & NW1/4SW1/4, Section 12; and Lot 1, Block 8, Evergreen Park No.2 Subdivision, a subdivision located in and being a portion of the SW1/4NW1/4 & NW1/4SW1/4, Section 12; all being in Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Beginning at the northeasterly corner of the Parcel being described and the southeasterly corner of Austin Addition No. 2 to the Town of Mills and a point in the westerly line of South Fourth Avenue; thence from said Point of Beginning and along the easterly line of the Parcel being described and the westerly line of said South Fourth Avenue, S23°57'55"W, 355.09 feet to the southeasterly corner of said Parcel and the northeasterly corner of Lot 4, Evergreen Park Subdivision; thence along the southerly line of the Parcel being described and the northerly line of said Lot 4, N67°37'55"W, 135.38 feet to the southwesterly corner of said Parcel and the northwesterly corner of said Lot 4 and a point in and an intersection with the easterly line of South Fifth Avenue; thence along the westerly line of the Parcel being described and the easterly line of said South Fifth Avenue, N22°21'39"E, 47.78 feet to the beginning of a curve; thence along the arc of a true curve to the left and having a radius of 144.28 feet, and the long chord of which bears N17°13'03"E, 25.87 feet, through a central angle of 101°17'11", 25.90 feet to the beginning of a tangential curve; thence along the arc of a true curve to the left and having a radius of 49.62 feet, and the long chord of which bears N39°22'00"W, 77.61 feet, through a central angle of 102°52'56", 89.11 feet to a point of intersection with a tangent line and a point in the northerly line of Rambler Street; thence along the northerly line of said Rambler Street, S89°11'32"W, 110.45 feet to the southeasterly corner of Lot 2, Block 8, Evergreen Park No. 2; thence along the easterly line of said Lot 2, Block 8, Evergreen Park No. 2, N0°51'33"W, 137.80 feet to the northwesterly corner of said Parcel and the northeasterly corner of said Lot 2, Block 8, Evergreen Park No. 2 and a point in and an intersection with the southerly line of said Austin Addition No. 2; thence along the northerly line of the Parcel being described and the southerly line of said Austin Addition No. 2, N88°49'33"E, 32.77 feet to a point; thence, N88°48'16"E, 57.13 feet to a point; thence, N88°49'53"E, 315.70 feet to said Point of Beginning and containing 1.761 acres, more or less.

Said Parcel being subject to any and all reservations, easements and rights-of-way of record or as may otherwise exist.

The vacation, replat and subdivision of the foregoing described lands as appears on this plat is with the free consent, and in accordance with the desires of the undersigned owners and proprietors. The name of said subdivision shall be known as "SHAWVILLE ADDITION" to the City of Mills, Wyoming. All streets as shown hereon have previously been dedicated to the use of the public and easements as shown hereon are hereby dedicated to the use of public and private utility companies for purposes of construction, operation and maintenance of utility lines, conduits, ditches drainage and access.

SHAW INVESTMENTS, LLC
 PO BOX 695
 CASPER, WY 82602

KIMBERLY PEREZ
 PO BOX 321
 MILLS, WY 82644

SHAW INVESTMENTS, LLC }
 ALBON SHAW, MANAGING MEMBER

STATE OF WYOMING } SS
 COUNTY OF NATRONA }
 The foregoing instrument was acknowledged before me by Albon Shaw, Managing Member this _____ day of _____, 20____.

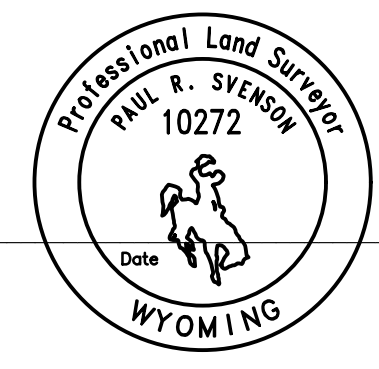
Witness my hand and official seal.
 My commission expires: _____
 NOTARY PUBLIC

KIMBERLY PEREZ }
 STATE OF WYOMING } SS
 COUNTY OF NATRONA }
 The foregoing instrument was acknowledged before me by Kimberly Perez this _____ day of _____, 20____.

Witness my hand and official seal.
 My commission expires: _____
 NOTARY PUBLIC

SURVEYORS CERTIFICATE

I, Paul R. Svenson, a Professional Land Surveyor, 10272, do hereby certify that this plat was made from notes taken during an actual survey made by me or under my direct supervision during the months of February & March, 2023 and that this plat, to the best of my knowledge and belief, correctly and accurately represents said survey.



STATE OF WYOMING } SS
 COUNTY OF NATRONA }
 The foregoing instrument was acknowledged before me by Paul R. Svenson this _____ day of _____, 20____.

Witness my hand and official seal.
 My commission expires: _____
 NOTARY PUBLIC

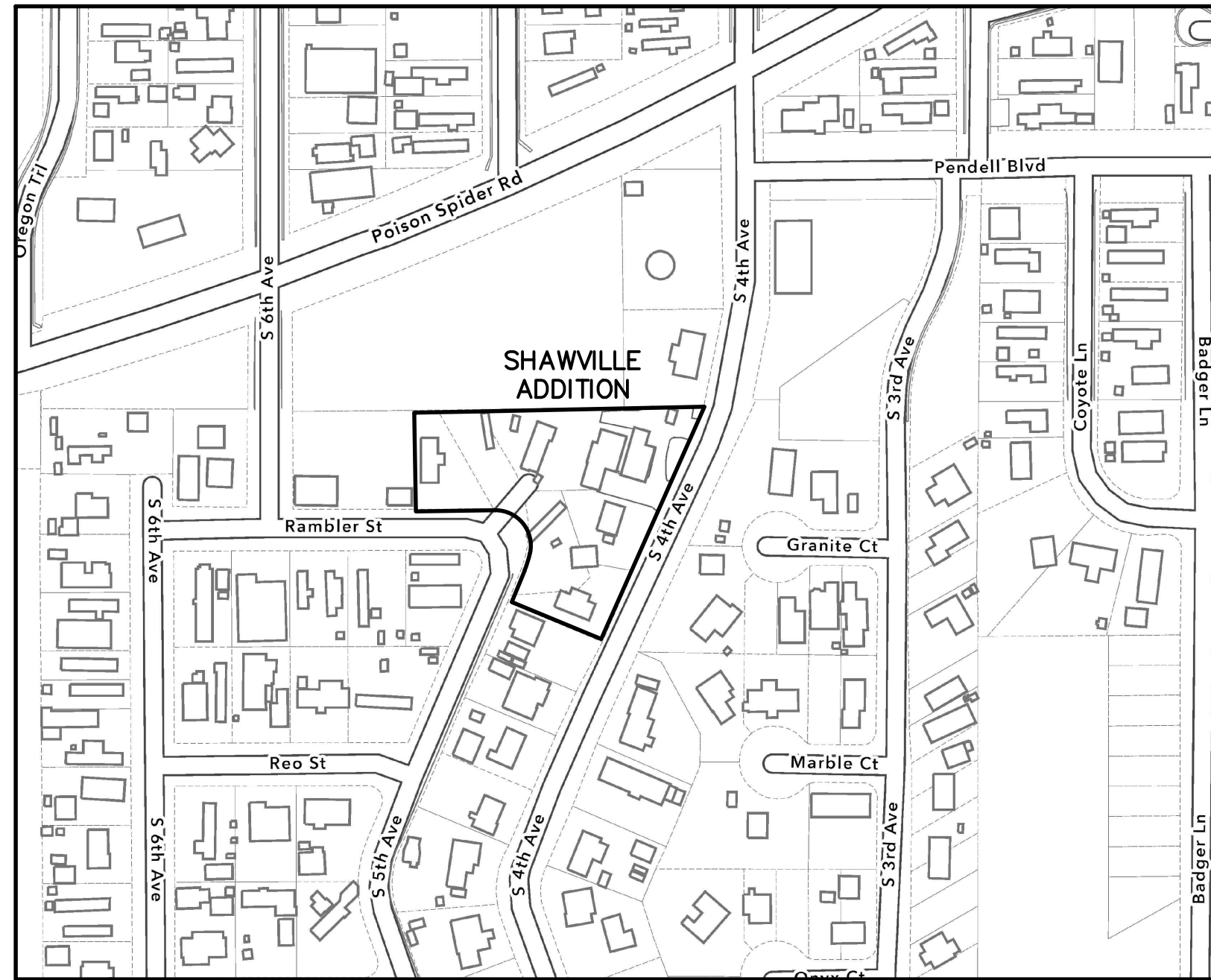
APPROVALS

Approved by the City Council of the City of Mills, Wyoming by Ordinance No. _____ duly passed, adopted and approved this _____ day of _____, 20____.

Attest: _____ Attest: _____
 City Clerk Mayor

Inspected and approved this this _____ day of _____, 20____.

City Engineer



Shawville Addition – Final Resubdivision Plat



Mills Zoning Districts

Mills, DB	Mills, ER: Established Residential
Mills, DI: Developing Industrial	Mills, PLI: Public Land Institutions
Mills, DMH: Developing Mobile Home	Mills, PUD: Planned Urban Development
Mills, DR: Developing Residential	Mills, MSR: Mixed Sized Residential
Mills, EB: Established Buisness	Mills, MU: Mixed Use
Mills, EI: Established Industrial	Mills, UA: Urban Agriculture
	Mills, UR: Urban Agriculture Residential



MINUTES OF THE 6th OF APRIL 2023

MILLS PLANNING & ZONING BOARD MEETING

Board Members Present: Pattie Gould, Bob Greenley, Ed Greenwood and Leon Norvell were all present for this P&Z Meeting.

Others in Attendance: Megan Nelms, City Planner, Kevin O’Hearn, Building Official, Leo Maddox, Lewis James, JKC Engineering, Steve Loftin, Albon Shaw, Kammi Shaw, applicants were also in attendance.

Chairman Pattie Gould called the Meeting to order at 5:05 PM on April 6, 2023, as a quorum was present.

Chairman Pattie Gould asked board members if they had read the minutes of the March 16, 2023, P&Z Board meeting. Board Member Ed Greenwood made a motion to approve the minutes. Board Member Leon Norvell seconded the motion. Chairman Pattie Gould called for a vote to pass the minutes of the 6th of April 2023 P&Z meeting. All ayes, motion passed.

Pattie asked Megan to present the first agenda item. Megan introduced case number 23.01 FSP, the Maddox Resubdivision request.

Background:

The applicant is proposing to resubdivide a portion of Lot 1 and all of Lot 2, Block 21, Mountain View Suburb to remove the interior lot line and create one, singular parcel, for the purpose of building a shop for storage.

No comments were received from external and internal staff reviews. Megan provided an overview of the request:

Planning Considerations:

1. Revise the plat title, all legal descriptions, and the dedication to except out that 12’ x 24’ portion in the SW corner of Lot 1. It should read:
 - a. “Vacation & Replat of a portion of Lot 1 & all of Lot 2, Block 21, Mountain View Suburb to be known as Lot 1A, Block 21, Mountain View Suburb...”
2. Add at 5’ general utility easement around the interior boundary of the subdivision.
3. Survey Reviews:
 - a. Add elevations with the given coordinates and a note with vertical datum
 - b. Verify the survey date of April 2022

MINUTES OF THE 6th OF APRIL 2023

MILLS PLANNING & ZONING BOARD MEETING

4. Submit organizational documents for Maddox Family Living Trust showing who is authorized to sign on behalf of the Trust.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the Maddox Resubdivision request, pending completion of all planning considerations.

Chairman Gould thanked Megan and asked if there were any questions from the Board. Board Member Greenley inquired about the survey changes and Megan explained they were very minor, mostly cosmetic changes to the plat. Mr. Maddox stated he would get the Trust documents as soon as possible.

Chairman Gould then asked if there was any further discussion. There was none so she called for a motion. Board Member Bob Greenley made a motion to provide the City Council with a “Do Pass” recommendation for the Maddox Resubdivision request. Board Member Leon Norvell seconded the motion. All voted in favor, motion carried.

Megan presented the next case, 23.02 FSP for the Freden Addition No. 3.

Background:

The applicant is proposing to resubdivide/adjust the boundary lines between three (3) lots within the Freden Addition for the purposes of cleaning up parcel ownership.

No comments were received from external and internal staff reviews. Megan provided an overview of the request:

Planning Considerations:

1. The Title Block should read “Vacation and Replat of Lots 2 & 3, Block 5, Freden Addition and Lot 4B, Block 5, Freden Addition City of Mills...”
2. Survey Reviews:
 - a. There is a mis-closure on Lot 2 of 9.30’. The west line is short
 - b. Label the widths of Pendell Blvd (80’) and Freden Blvd (50’)
 - c. Verify the survey date of April 2022
3. Cosmetic Changes to the Plat
 - a. In the Approvals, change the date on the City Council approval from 2022
 - b. In the Engineer’s Approval, change the year from 2013
 - c. In the Notary Block for the Surveyor’s Certificate, change the year from 2013
 - d. In the Notary Block for the owner’s signature, change the year from 2022
4. Submit organizational documents for Bonander Properties, LLC showing who is authorized to sign on behalf of the LLC.

MINUTES OF THE 6th OF APRIL 2023

MILLS PLANNING & ZONING BOARD MEETING

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the final plat for the Freden Addition No. 3, pending completion of all planning considerations.

Chairman Gould thanked Megan and asked if there were any questions from the Board. The applicant was not in attendance at the meeting and there was no discussion regarding the case.

Chairman Gould then called for a motion. Board Member Ed Greenwood made a motion to provide the City Council with a “Do Pass” recommendation for the Freden Addition No. 3 request. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

Megan presented then presented the next case, 23.03 FSP the final plat of the Shawville Addition.

Background:

The applicant is proposing to resubdivide four (4) lots within the Evergreen Park Subdivision to create five (5) lots for the purposes of redevelopment and clean-up of the area.

No comments were received from external and internal staff reviews. Megan provided an overview of the request:

Planning Considerations:

1. Modify the plat to include the vacation of that portion of S. 5th Avenue and
 - a. Revise the plat title & description to include the vacation of that portion of S. 5th Avenue and Lot 1, Blk 8, Evergreen Park No. 2
 - b. Modify Lot 1 and Lot 2, Blk 8 to include that vacated portion of S. 5th Avenue
 - c. Ensure all standards are met including:
 - i. Minimum lot width of 40’
 - ii. All lots have access to publicly dedicated right of way
 - d. Submit a revised plat for review

2. Verify the location of all utilities and the need for any applicable utility easements
 - a. Verify the needed 15’ utility easements
 - b. Ensure only needed easements are provided for the vacated portion of right of way

3. Cosmetic Changes to the Plat
 - a. The owner name across the plat needs to be “Shaw Investments, LLC” per the warranty deed.
 - b. Change the name of the neighboring landowner joining the subdivision to Kimberly Perez not Sylvester Graham
 - c. In the notary block, add “Managing Member” after Albon Shaw’s name
 - d. Remove the word “Attest” from the Mayor & Engineer’s signatures

4. Submit organizational documents for Shaw Investments, LLC showing who is

MINUTES OF THE 6th OF APRIL 2023 MILLS PLANNING & ZONING BOARD MEETING

authorized to sign on behalf of the organization.

- 5. Add a legend for the lines – easements property boundaries, etc.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the final plat for the Shawville Addition, pending completion of all planning considerations.

Megan stated that the applicants had turned in a revised plat the day before, showing the unbuilt portion of S. 5th Avenue being vacated. They also added the neighboring property owner so that the vacated portion of right of way is equally distributed between the lots and have reconfigured the lots so all have the required amount of street frontage. The City will also now sign the plat as owner since they represent the public in the vacation of the right of way.

There was general discussion regarding the right of way vacation. All agreed that it was a good thing and the resubdivision plat is a good opportunity to get rid of it and clean up the lot lines.

Albon Shaw, applicant, discussed the work he has been doing on the property to clean it up. He has also had various discussions with the neighboring property owners about their future plans for the area, as he is looking at purchasing more lots in the future to clean up and re-develop. He stated the area has been like it is now for a number of years and things have just been left untouched.

Chairman Gould then asked if there was any further discussion. There was none so she called for a motion. Board Member Leon Norvell made a motion to provide the City Council with a “Do Pass” recommendation for the proposed Shawville Addition. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

The next case on the agenda had been tabled at the January 2023 meeting. Megan informed the Chairman that they need to make a motion to remove the case from the tablet to consider it. Chairman Gould then asked for a motion to the remove case 22.01 PSP from the table to consider it. Board Member Bob Greenley moved to remove the case from the table for consideration. Board Member Ed Greenwood seconded. All voted in favor, motion carried.

Megan then presented case 22.01 PSP, the preliminary plat for proposed Midway Subdivision. She stated that the plat had been tabled back in January so that the applicant could revise the plat based on comments provided by the commission. She then provided an overview of the case.

Background:

The applicants are proposing to subdivide approximately 39.69-acres into an 18-lot industrial subdivision. Each lot averages approximately 1.50-acres in size.

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MILLS PLANNING & ZONING BOARD MEETING

Planning Considerations:

1. There is no legal access to proposed Lot 8 or Tract A
 - a. Only the south 30’ of the MJB Rd. right of way touches the subject
 - b. Must provide 60’ of access & construct the roadway
 - c. There is a 60’ wide electrical easement and a power structure in the area where the right of way could be extended
 - d. Revise the plat to provide 60’ of access to proposed Lot 8 and Tract A
2. All cul-de-sacs shall have a radius of no less than 96’ in diameter.
3. Verify and ensure all easements are properly labeled.
 - a. Add 5’ general utility easements to each side of all interior lots lines.
4. The 75’ wide powerline (WAPA easement) shall be crosshatched on the plat face and add language “RESTRICTED BUILDING AND VEGETATION AREA”.
5. Add the following as a notes section on the plat face with regard to the WAPA easement:

The United States Government (US) holds an access and a 75-foot-wide Casper-Glendo N transmission line easement (37.5 feet on either side of centerline) for the right to operate, patrol, repair, maintain, use, construct, and reconstruct an electrical transmission line across Tract A and Lots 8 and 11. The following activities are prohibited within the transmission line easement:

- a. *Structures are not allowed on the easement. Structures, by way of example, not by limitation, shall mean buildings, sheds, mobile homes, signs, storage tanks, septic systems, swimming pools, tennis courts, basketball courts, gazebos or similar facilities.*
- b. *All vegetation on the easement shall not exceed a maximum height of 3 feet at maturity.*
- c. *Excavation is not permitted within 27 feet of any tower footings. A minimum of 30 feet of ground to conductor clearance must be maintained at all times.*
- d. *Wells and mining operations are not allowed within the easement.*
- e. *WAPA shall review fence plans affecting the easement area prior to installation. If fences are placed across the easement, 14-foot-wide gates are required for access along the easement.*
- f. *All improvement plans affecting the easement must be reviewed and approved by WAPA prior to development. Requests for permission to use the transmission line easement should be submitted to: Western Area Power*

MINUTES OF THE 6th OF APRIL 2023 MILLS PLANNING & ZONING BOARD MEETING

Administration, Attn: Lands Department, 5555 East Crossroads Boulevard, Loveland, Colorado 80538.

- 6. All lots must show adequate buildable area:
 - a. Provide site plans showing buildable area, including the access drive, a shop/structure and parking area for proposed Lots 4, 5 & 6.

- 7. Submit organizational documents for Tetral Corporation of Casper, showing who is authorized to sign on behalf of the corporation.

- 8. Survey Review:
 - a. Change the label in the vicinity map to “Midway Subdivision” instead of “Property Location”
 - b. Verify the monument recovered at the CN1/16. The symbol indicates recovered corner as noted.
 - c. Provide the date(s) of survey in the Certificate of Surveyor
 - d. Add “An Addition to the City of Mills” under Midway Subdivision in the Title Block and across the face of the plat
 - e. There is no interior monumentation shown on the plat. All lot corner monuments shall be set now or after construction of infrastructure. Set and label or add a note to the plat face stating otherwise

- 9. Cosmetic Revisions to the Plat:
 - a. Remove the language in the lower right titled “Recorded”, that will go in the box in the upper right.
 - b. The surrounding property is labeled incorrectly. At the SW corner, it should be Lot 19, B&B Subdivision, not Lot 10.
 - c. The lot line is missing between Lots 12 & 13
 - d. Revise the Approval signatures:
 - i. Add the statement “Approved by the City Council of Mills, WY by Resolution No. ____, duly passed, adopted and approved this __ day of ____ 20__.”
 - ii. Revise the signature lines to Mayor, City Clerk and City Engineer
 - iii. Just have a signature line for the Clerk to attest the Mayor’s signature
 - iv. REMOVE the signature lines for the City of Casper.

Staff Recommendation: Staff recommends APPROVAL of the preliminary plat upon all preliminary planning considerations being completed. The applicant will then submit a Final Plat for review & consideration.

Chairman Gould thanked Megan and asked if there were any questions from the Board. Megan stated that one of the concerns with the previous version of the plat was the number of lots that were unbuildable, mainly because of easements or topography. Board Member Greenley made the suggestion that perhaps the applicant could tract the property into 4-5 10-acre lots, then as

MINUTES OF THE 6th OF APRIL 2023

MILLS PLANNING & ZONING BOARD MEETING

purchasers came, they could further subdivide down to the size they were needing. There was discussion about how much money would be spent installing the infrastructure to numerous smaller lots when you don't really know what potential purchasers are going to want. It could also help with the access issues and eliminate some infrastructure construction costs.

Steve Loftin, the developer, stated that he is way out ahead of putting anything up for sale right now and he doesn't have anyone in line to buy anything right now. They have planned out the utilities for the layout as it is now, and it will work. Bob stated that he would still suggest subdividing larger tracts and planning for minimal utilities. He thought the likelihood of someone coming in and wanting more than one of the very small lots is very high. Steve replied that his plan right now is to rent them out, versus selling.

There was general discussion about what can go underneath the WAPA powerlines, in that easement. It is pretty basic and limited to storage of movable items.

The lack of access to proposed Lot 8 and Tract A was discussed. There is only 30' of dedicated right of way touching this parcel from MJB Road, so they will need to provide an alternate access. Mr. Loftin stated that he owns all the property to the north. Megan stated that was good as it provides a way that the plat can be revised to allow MJB Road to continue through and provide the 60' of required right of way.

There was also discussion about water infrastructure. They are currently served by Wardwell, and Wardwell is going away by the end of the year. Bar Nunn is supposed to take over all Wardwell infrastructure, however, Mills will be taking over everything south of the highway, including serving this property. Lewis James, the applicant's agent, stated they had already approached Wardwell about servicing the new development and had preliminary approval. Megan asked that he send a copy of the letter or meeting minutes showing the approval.

A general discussion was had about the property and the future of Mills water system infrastructure. There is a hill on this property that is of good elevation for Mills to install a water storage tank in the future, if needed.

Chairman Gould then asked if there was any further discussion. There was none so she called for a motion. Board Member Bob Greenley made a motion to provide the City Council with a "Do Pass" recommendation for the preliminary plat for Midway Subdivision. Board Member Ed Greenwood seconded the motion. All voted in favor, motion carried.

There were no further agenda items for the evening. Staff then passed out a copy of pages from Title 17, the City's Zoning Code. He stated that Mike Roden had resigned from the commission, so the city needs to appoint someone to fill his unexpired term. In reviewing that process, City staff noted that none of the commission members had been re-appointed for a number of years,

MINUTES OF THE 6th OF APRIL 2023

MILLS PLANNING & ZONING BOARD MEETING

and all of them were serving in expired terms. The City would like to start following the requirements for appointment of commission members found in Title 17 and go through the appointment process each year. There was discussion on the application process, how long everyone has been on the commission, any qualifications to serve on the commission and transparency.

The commission stated they really would like someone from Council to come to a meeting occasionally. Megan said she would reach out to invite Mayor Juarez to the next regular meeting.

Kevin asked that everyone check their personal emails to ensure that the City still has their good addresses as staff is looking at providing monthly meeting informational packets via email. Ed stated he would still like to receive a paper packet.

With no further business, Chair Pattie Gould declared the meeting adjourned at 6:20 PM.

Pattie Gould, Chair

Attested: Christine Trumbull

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VACATION AND REPLAT OF LOTS 1, 2, 3 & RESERVOIR TRACT, EVERGREEN PARK SUBDIVISION AND LOT 1, BLOCK 8, EVERGREEN PARK NO. 2, TO BE KNOWN AS SHAWVILLE ADDITION TO THE CITY OF MILLS, WYOMING

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

WHEREAS, the City of Mills has received a request to Vacate and Replat all of Lots 1, 2, 3 & Reservoir Tract, Evergreen Park Subdivision and Lot 1, Block 8, Evergreen Park No. 2; and

WHEREAS, the City of Mills has determined that it is in the best interest of the City to vacate and replat Lots 1, 2, 3 & Reservoir Tract, Evergreen Park Subdivision and Lot 1, Block 8, Evergreen Park No. 2; and

WHEREAS, the City of Mills has determined that this vacation and replat of these lots will provide for a better use of the land, and is keeping with the proposed land use policies within the City and will conform with the Mills Comprehensive Plan of 2017; and

WHEREAS, the vacation and replat of the foregoing described lands as appears on this plat is with the free consent and in accordance with the desires of the above named owners and proprietors of said lands; the name of said vacation and replat shall be known as “SHAWVILLE ADDITION” to the City of Mills, Wyoming. All streets as shown hereon have previously been dedicated to the use of the public.

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

The vacation of replat of Lots 1, 2, 3 & Reservoir Tract, Evergreen Park Subdivision and Lot 1, Block 8, Evergreen Park No. 2, shall become effective upon the passage of this Ordinance.

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



CITY OF MILLS
EST. 1921

704 Fourth Street
P.O. Box 789
Mills, WY 82644

Phone: 307-234-6679
Fax: 307-234-6528

Item #2.

Memorandum

TO: Mills City Council

FROM: Megan Nelms, AICP, City Planner

DATE: June 8, 2023

SUBJECT: Vacation of a portion of S. 5th Ave

Case Number: 23.01 VAC

Summary: A petition has been submitted to vacate 158.30’ of South 5th Avenue, adjacent to Lot 1, Block 8, Evergreen Park No. 2 and Lot 1, Evergreen Park Subdivision.

Evergreen Park No. 2 was platted in 1959 and this portion of S. 5th Ave was dedicated as public right-of-way as a proposed extension street out of the subdivision to the north. This portion of the dedicated road has never been constructed, and the adjacent properties have used the area as part of their properties for several years.

Albon Shaw has purchased Lots 1-3 and the Reservoir Tract of Evergreen Park Subdivision and is in the process of resubdividing the lots. As part of the resubdivision process, Mr. Shaw is working with the adjacent landowner to vacate this portion of S. 5th Avenue to clean up property boundaries and remove the unutilized right-of-way.

Wyoming §15-4-305, regarding street vacations, states that “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the surrounding property owners and attached to the petition. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners. The Shawville Addition resubdivision plat will clean-up



CITY OF MILLS

EST. 1921

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the parcels and divide the vacated ROW proportionally, generally following how the owners have established property boundaries.

No utilities or other infrastructure are located within the right-of-way proposed for vacation and no easements will need to be retained with the vacation.

Planning Considerations:

There are no planning considerations.

Planning Commission Recommendation: At their June 1, 2023, meeting the Planning & Zoning Commission made a “DO PASS” recommendation on the petition to vacate.

Staff Recommendation: Staff recommends APPROVAL of the proposed vacation.



CITY OF MILLS
APPLICATION TO VACATE/ABANDON
PUBLIC RIGHT-OF-WAY OR EASEMENT
Pursuant to the Mills City Code



City of Mills, Wyoming
704 4th Street
P.O. Box 789
Mills, Wyoming 82644

Date: 05/10/2023

Return by: 5-11-23
For Meeting on: 6-1-23

PLEASE PRINT

Section 1.

SINGLE POINT OF CONTACT IS: Albon Shaw

APPLICANT/OWNER(S) INFORMATION:

Print Owner Name: Shaw Investments, LLC
Owner Mailing Address: P.O. Box 695
City, State, Zip: Casper, WY 82602
Owner Phone: 307-251-2535
Applicant Email: albonshaw@gmail.com

AGENT INFORMATION:

Print Agent Name: Same
Agent Mailing Address: _____
City, State, Zip: _____
Agent Phone: _____
Agent Email: _____

ATTACHMENT (REQUIRED):

- **Proof of ownership:** (such as deed, title certification, attorney's title opinion)

Section 2.

PROPERTY INFORMATION:

Physical Address of Property: _____
Or, if not available, provide a general location (Example: NW corner of A & 1st Streets): Unbuilt right-of-way adjacent to Lot 1, Block 8, Evergreen Park No. 2 and
Legal Description of Property: Lot: _____ Block: _____ PARCEL ID: _____
Subdivision: Evergreen Park & Evergreen Park No. 2
Or SECTION: 12 TOWNSHIP: 33N RANGE: 80W

Section 3.

RIGHT-OF-WAY / EASEMENT INFORMATION:

Right-of-Way / Easement Location: Adjacent to Lot 1, Block 8, Evergreen Park No 2
(Example: along west property line, running north & south)

Width of Existing Right-of-Way / Easement: 50' Number of Feet to be Vacated: 158.30

Please indicate the purpose for which the Right-of-Way / Easement is to be vacated / Abandoned
This is unbuilt right-of-way, as platted within Evergreen Park No. 2 Subdivision

Section 4. **SIGNATURES OF OWNERS (AND AGENT IF APPLICABLE):**

The following owner's signature signifies that all information on this application is accurate and correct to the best of the owner's knowledge; and that the owner has thoroughly read and understands all application information and requirements. [In addition to the owner's signature(s), if an agent of the owner is to be contacted for all communications relating to this application, please have the agent sign below.]

I (We) the undersigned owner(s) of the property described above do hereby make application to the City of Mills as follows:

OWNER Signature Albon Shaw

OWNER Signature _____

AGENT Signature Albon Shaw

FEE: A check in the amount of \$100 payable to the City of Mills, must accompany this application.

Section 5. **UTILITY PROVIDERS:**

Telephone:	Eric Overlie	CenturyLink	eric.overlie@CenturyLink.com	(307) 235-2408
Gas:	Lori Neibauer	Black Hills Corporation	lori.neibauer@blackhillscorp.com	(307) 262-5714
Electric:	Greg Hansen	Rocky Mt. Power	greg.hansen@rockymountainpower.net	(307) 261-7066
Cable:	Robert Casados	Charter Communications	Robert.Casados@charter.com	(307) 264-3136
Water/Sewer:	City of Mills			(307) 234-6679

Section 6. **REASONS FOR THIS REQUEST:**

a. Why does the property owner wish to vacate or request abandonment of this right-of-way/easement?

City of Mills has requested the unbuilt portion of right-of-way for S 5th Ave. be vacated with the resubdivision plat.

b. How is the right-of-way/easement being used?

It is not, it is unbuilt right of way.

c. How will the proposed vacation/abandonment affect access to adjacent property owners?

No affect on access to surrounding properties

d. How does the property owner propose to use right-of-way/easement if vacated/abandoned?

Area of right-of-way to be distributed between two adjacent lot owners and reconfigured during resubdivision.

e. Are there any public utilities or infrastructures currently located in the right-of-way/easement? If so, describe them:

N/A

Section 7. **PROPERTIES ABUTTING THE PROPERTY TO BE VACATED/ABANDONED:**

The following properties about the area to be vacated/abandoned:

Property Owner name(s): Shaw Investments, LLC *alby*
Address: *472, 504, 532 S. 4th Ave*
Lot: *1 & 2* *k7* Block: _____, Evergreen Park Addition

Property Owner name(s): Kimberly Perez *Kimberly Perez*
Address: *5150 Bamber Street*
Lot: *1* Block: *8*, Evergreen Park No. 2 Addition

Property Owner name(s): Shirley Austin *Shirley J. Austin*
Address: *384 S 6th Ave*
Lot: *3* *& 1* Block: *2*, Austin Addition No. 2 Addition

Property Owner name(s): Shaw Investments, LLC *alby*
Address: *507 S. 5th Ave*
Lot: _____ Block: _____, Reservoir Tract, Evergreen Park Addition

Section 8. **ATTACHMENTS AND EXHIBITS:**

Applications to vacate/abandon must be submitted to the city planner at least thirty (30) days prior to the City Council meeting in which this action shall be considered.

The following documents must be included when submitting the application package:

As to Section 1.

- A copy of the recorded deed or other legal instrument indicating proof of ownership.
- If an agent is listed, a notarized letter or statement of authorization from the property owner(s) authorizing the agent to represent the owner(s) in connection with this application, OR a recorded Power of Attorney, Personal Representative Deed, Trustee Agreement, etc., in the agent's name.

As to Section 2.

- If the property is not located within a platted subdivision, a metes and bounds description must be provided.

As to Section 3.

- A copy of a certified survey of the lot or parcel indicated in Section 1 showing the right-of-way or easement to be vacated or abandoned.

As to the Application.

- All areas must be filled in or marked N/A (Not applicable).
- Incomplete applications will be returned to the Applicant.

Section 7 (Continued). PROPERTIES ABUTTING THE PROPERTY TO BE VACATED/ABANDONED:

The following properties about the area to be vacated/abandoned:

Property Owner name(s): Louis Arnold Louis Gramerick
Address: 554 S. 4th Ave
Lot: 4 Block: _____ Addition: Evergreen Park

Property Owner name(s): Jim Crimm Lisa Crimm
Address: 456 S. 4th Ave
Lot: 4 Block: 2 Addition: Austin #2

Property Owner name(s): Homer A. Steddie
Address: 573 So 4th Ave
Lot: 19 Block: _____ Addition: Evergreen Park

Property Owner name(s): _____
Address: _____
Lot: _____ Block: _____ Addition: _____

Property Owner name(s): _____
Address: _____
Lot: _____ Block: _____ Addition: _____

Property Owner name(s): _____
Address: _____
Lot: _____ Block: _____ Addition: _____

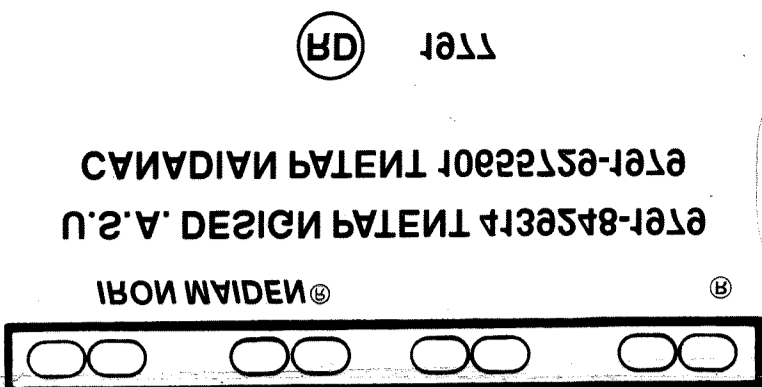
Property Owner name(s): _____
Address: _____
Lot: _____ Block: _____ Addition: _____

Property Owner name(s): _____
Address: _____
Lot: _____ Block: _____ Addition: _____

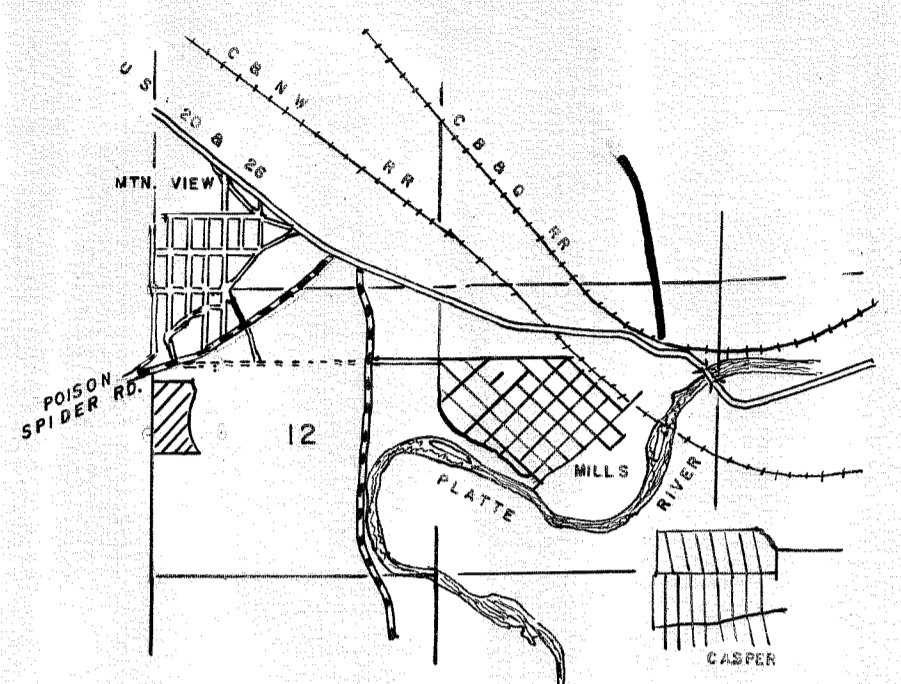
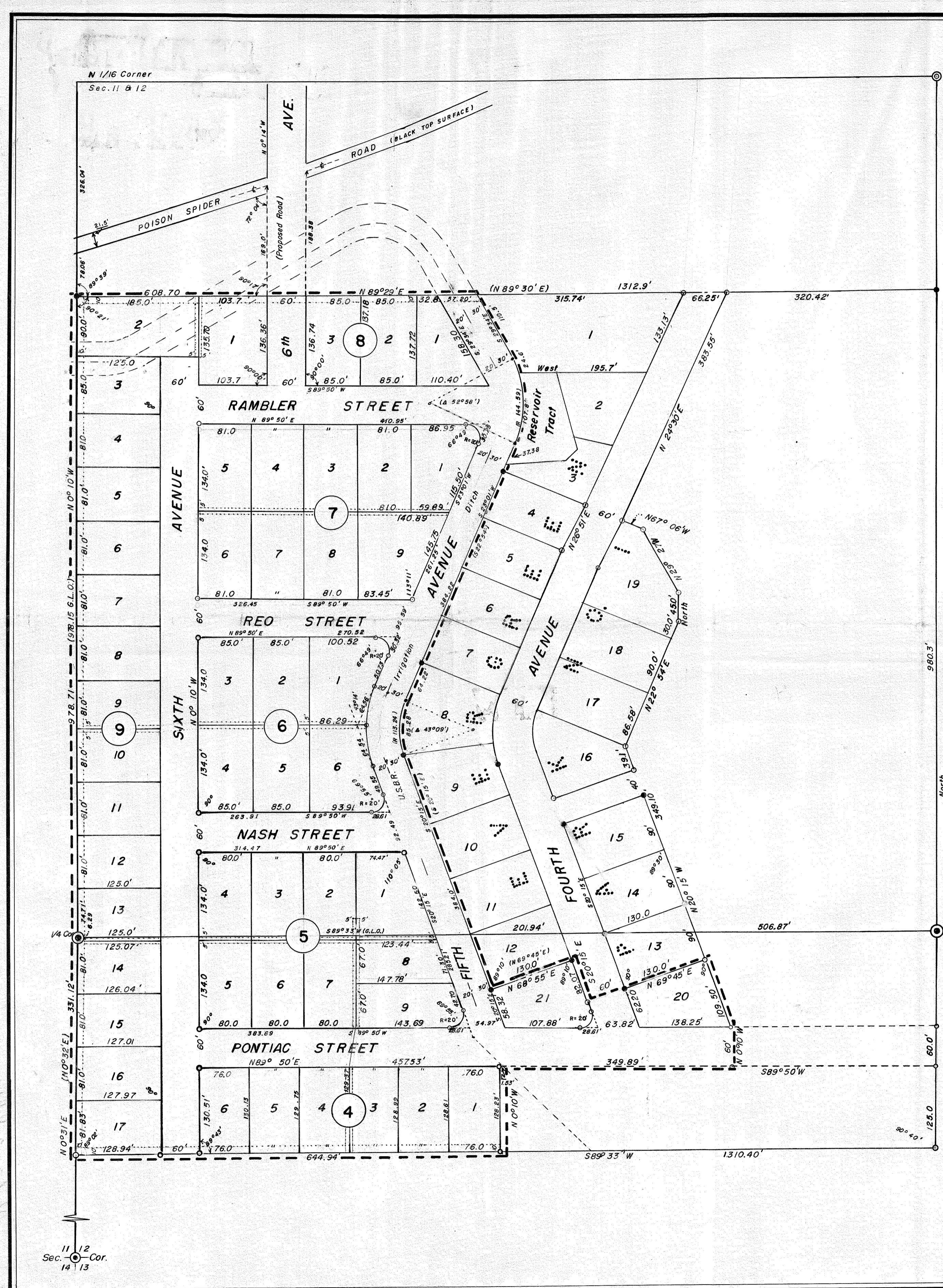
Vacate ROW – A portion of South 5th Avenue



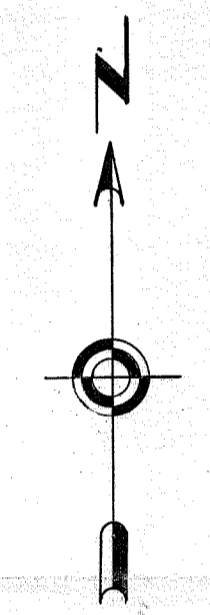
Mills Zoning Districts	
Mills, DB	Mills, ER: Established Residential
Mills, DI: Developing Industrial	Mills, PLI: Public Land Institutions
Mills, DMH: Developing Mobile Home	Mills, PUD: Planned Urban Development
Mills, DR: Developing Residential	Mills, MSR: Mixed Sized Residential
Mills, EB: Established Buisness	Mills, MU: Mixed Use
Mills, EI: Established Industrial	Mills, UA: Urban Agriculture
	Mills, UR: Urban Agriculture Residential



K-116



VICINITY MAP
(No Scale)



LEGEND:

- ⊙ Brass Cap monuments - General Land Office.
 - Location of monuments from previous surveys found in place as shown.
 - Pipe monuments established during this survey.
 - () Record distance or bearing.
 - Subdivision boundary.
 - Utility Easement 10' wide
- Scales as noted.

810 EVERGREEN PARK #2
 RECORDED IN BOOK 177 OF DEEDS PAGE 605
 MAP OF
EVERGREEN PARK NO. 2 SUBDIVISION
 A SUBDIVISION OF PORTIONS OF THE
 SW 1/4 NW 1/4 & NW 1/4 SW 1/4 SECTION 12
 T. 33 N. R. 80 W., 6th P. M.
 NATRONA COUNTY, WYOMING
 SCALE: 1" = 100'

CERTIFICATE OF DEDICATION in Case 177 of Deeds on Page 605
 STATE OF WYOMING
 County of Natrona

I, Archie A. Tillman, A single man do hereby certify:
 That the foregoing subdivision of that certain portion of the S 1/2 SW 1/4 NW 1/4, SW 1/2 NW 1/2 SW 1/4 NW 1/4, NW 1/2 NW 1/4 SW 1/4 of Section 12, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming, as appears on this plat is with my free consent and in accordance with my desires, the undersigned owner and proprietor of said lands; that the name of said subdivision shall be EVERGREEN PARK No. 2, a Subdivision, Natrona County, Wyoming; and that the streets shown on this plat are hereby dedicated to public use.
 The undersigned owner of said lands hereby waives and relinquishes all rights he may have under and by virtue of the homestead exemption laws of the State of Wyoming.
 Dated at Casper, Wyoming 20th day of May, 1959
 Archie A. Tillman
 Archie A. Tillman

STATE OF WYOMING
 County of Natrona
 On this 20th day of May, 1959 before me appeared Archie A. Tillman, a single man, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed including the release and waiver of the right of homestead.
 Given under my hand and notarial seal the day and year in this certificate first above written.
 My commission expires June 15, 1959
 Marianne Spencer
 Notary Public

606 SURVEYOR'S CERTIFICATE
 STATE OF WYOMING
 County of Natrona
 This is to certify that this subdivision designated EVERGREEN PARK NO. 2 SUBDIVISION, comprises parts of the SW 1/4 NW 1/4 & NW 1/4 SW 1/4 of Section 12, Township 33 North, Range 80 West of the 6th Principal Meridian, Natrona County, Wyoming; that this survey was made by me during April, 1959 at the request of Archie A. Tillman; that this plat shows the subdivision thereof into Blocks and Lots as numbered and shown; that lot corners are marked by iron pipes; that all bearings, angles and distances as shown on the plat are true to the best of my knowledge and belief.
 Wyoming Registration No. 144
 Edwin H. Johnston
 Surveyor
 Subscribed in my presence and sworn to before me this 20th day of May, 1959
 My Commission Expires June 15, 1959
 Marianne Spencer
 Notary Public

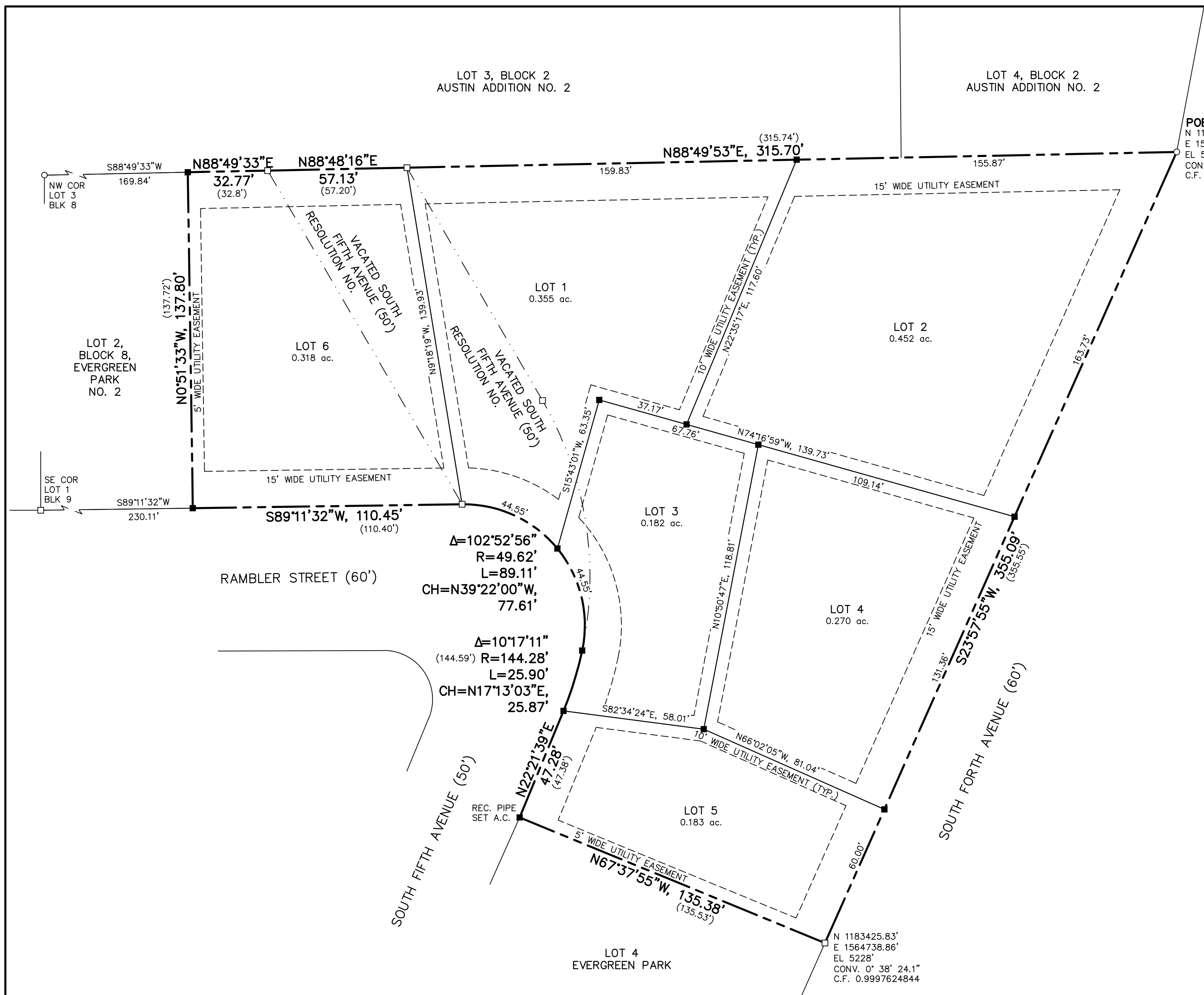
APPROVED:
 Council of Town of Mills, Wyoming by Ordinance No. _____, duly passed, adopted and approved on the _____ day of _____, 1959.
 George Sward
 Mayor
 Attest: _____
 Town Clerk
 Dated: May 23, 1959

APPROVED:
 Board of County Commissioners of Natrona County, Wyoming by Resolution duly passed on the 10 day of September, 1959.
 Chairman of the Board
 Attest: _____
 County Clerk
 Dated: Sept. 10, 1959
 Inspected and approved: _____
 County Surveyor
 Aug. 13, 1959

K-116

PLAT OF
"SHAWVILLE ADDITION"
 TO THE CITY OF MILLS, WYOMING
 A SUBDIVISION LOCATED IN AND BEING A PORTION OF THE
 SW1/4NW1/4, SECTION 12, TOWNSHIP 33 NORTH, RANGE 80 WEST
 OF THE SIXTH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING.

BEING A VACATION AND REPLAT OF LOTS 1, 2 AND 3 AND THE
 RESERVOIR TRACT OF EVERGREEN PARK, A SUBDIVISION LOCATED IN
 AND BEING A PORTION OF THE SW1/4NW1/4 & NW1/4SW1/4,
 SECTION 12; AND LOT 1, BLOCK 8, EVERGREEN PARK NO.2
 SUBDIVISION, A SUBDIVISION LOCATED IN AND BEING A PORTION OF
 THE SW1/4NW1/4 & NW1/4SW1/4, SECTION 12;



LEGEND

- SET ALUM. CAP
- RECOVERED BRASS CAP
- RECOVERED ALUM. CAP
- (0.00') RECORD
- MEASURED
- PARCEL BOUNDARY
- - - EASEMENT

SCALE: 1"=30'

BASIS OF BEARING:
 STATE PLANE COORDINATES
 WYOMING EAST CENTRAL ZONE
 NAD 83/2011
 US SURVEY FOOT
 GRID DISTANCE

VERTICAL DATUM: NAVD88

PLAT CLOSURE RATIO = 1:1091530

DEDICATION STATEMENT

Shaw Investments, LLC, and Kimberly Perez do hereby certify that they are the owners and proprietors of the foregoing vacation and replat of Lots 1, 2 and 3 and the Reservoir Tract of Evergreen Park, a subdivision located in and being a portion of the SW1/4NW1/4 & NW1/4SW1/4, Section 12; and Lot 1, Block 8, Evergreen Park No.2 Subdivision, a subdivision located in and being a portion of the SW1/4NW1/4 & NW1/4SW1/4, Section 12; all being in Township 33 North, Range 80 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Beginning at the northeasterly corner of the Parcel being described and the southeasterly corner of Austin Addition No. 2 to the Town of Mills and a point in the westerly line of South Fourth Avenue; thence from said Point of Beginning and along the easterly line of the Parcel being described and the westerly line of said South Fourth Avenue, S23°57'55"W, 355.09 feet to the southeasterly corner of said Parcel and the northeasterly corner of Lot 4, Evergreen Park Subdivision; thence along the southerly line of the Parcel being described and the northerly line of said Lot 4, N67°37'55"W, 135.38 feet to the southwesterly corner of said Parcel and the northwesterly corner of said Lot 4 and a point in and an intersection with the easterly line of South Fifth Avenue; thence along the westerly line of the Parcel being described and the easterly line of said South Fifth Avenue, N22°21'39"E, 47.28 feet to the beginning of a curve; thence along the arc of a true curve to the left and having a radius of 144.28 feet, and the long chord of which bears N17°13'03"E, 25.87 feet, through a central angle of 10°17'11", 25.90 feet to the beginning of a tangential curve; thence along the arc of a true curve to the left and having a radius of 49.62 feet, and the long chord of which bears N39°22'00"W, 77.61 feet, through a central angle of 102°52'56", 89.11 feet to a point of intersection with a tangent line and a point in the northerly line of Rambler Street; thence along the northerly line of said Rambler Street, S89°11'32"W, 110.45 feet to the southeasterly corner of Lot 2, Block 8, Evergreen Park No. 2; thence along the easterly line of said Lot 2, Block 8, Evergreen Park No. 2, N0°51'33"W, 137.80 feet to the northwesterly corner of said Parcel and the northeasterly corner of said Lot 2, Block 8, Evergreen Park No. 2 and a point in and an intersection with the southerly line of said Austin Addition No. 2; thence along the northerly line of the Parcel being described and the southerly line of said Austin Addition No. 2, N88°49'33"E, 32.77 feet to a point; thence, N88°48'16"E, 57.13 feet to a point; thence, N88°49'53"E, 315.70 feet to said Point of Beginning and containing 1.761 acres, more or less.

Said Parcel being subject to any and all reservations, easements and rights-of-way of record or as may otherwise exist.

The vacation, replat and subdivision of the foregoing described lands as appears on this plat is with the free consent, and in accordance with the desires of the undersigned owners and proprietors. The name of said subdivision shall be known as "SHAWVILLE ADDITION" to the City of Mills, Wyoming. All streets as shown hereon have previously been dedicated to the use of the public and easements as shown hereon are hereby dedicated to the use of public and private utility companies for purposes of construction, operation and maintenance of utility lines, conduits, ditches drainage and access.

SHAW INVESTMENTS, LLC
 PO BOX 695
 CASPER, WY 82602

KIMBERLY PEREZ
 PO BOX 321
 MILLS, WY 82644

SHAW INVESTMENTS, LLC

ALBON SHAW, MANAGING MEMBER

STATE OF WYOMING } SS
 COUNTY OF NATRONA }

The foregoing instrument was acknowledged before me by Albon Shaw, Managing Member this _____ day of _____, 20__.

Witness my hand and official seal.

My commission expires: _____

NOTARY PUBLIC

KIMBERLY PEREZ

KIMBERLY PEREZ

STATE OF WYOMING } SS
 COUNTY OF NATRONA }

The foregoing instrument was acknowledged before me by Kimberly Perez this _____ day of _____, 20__.

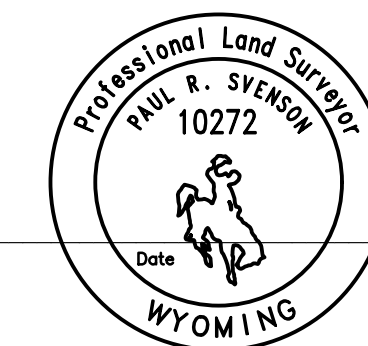
Witness my hand and official seal.

My commission expires: _____

NOTARY PUBLIC

SURVEYORS CERTIFICATE

I, Paul R. Svenson, a Professional Land Surveyor, 10272, do hereby certify that this plat was made from notes taken during an actual survey made by me or under my direct supervision during the months of February & March, 2023 and that this plat, to the best of my knowledge and belief, correctly and accurately represents said survey.



STATE OF WYOMING } SS
 COUNTY OF NATRONA }

The foregoing instrument was acknowledged before me by Paul R. Svenson this _____ day of _____, 20__.

Witness my hand and official seal.

My commission expires: _____

NOTARY PUBLIC

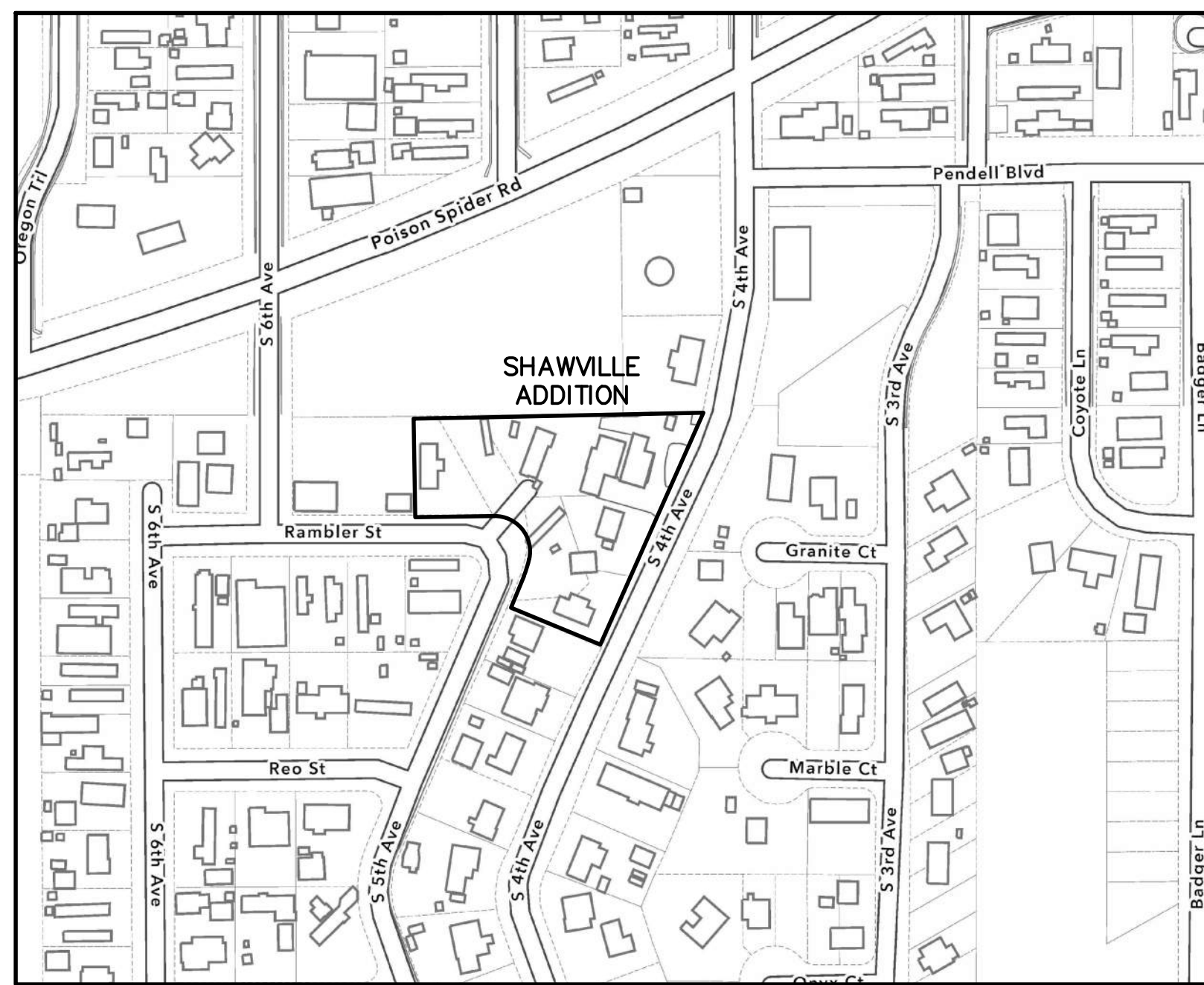
APPROVALS

Approved by the City Council of the City of Mills, Wyoming by Ordinance No. _____ duly passed, adopted and approved this _____ day of _____, 20__.

Attest: _____ Attest: _____
 City Clerk Mayor

Inspected and approved this this _____ day of _____, 20__.

City Engineer



VICINITY MAP
 SCALE: 1"=200'



ENGINEERING • SURVEYING
 200 PRONGHORN, CASPER, WY. 82601
 W.O. NO. 17689 DATE: 5-12-23 FILE NAME: SHAWPLAT3

Public Hearing

The Mills Planning & Zoning Board will hold a public hearing on June 1, 2023 at 5:00 P.M. in the Conference Room at 704 Fourth St., Mills, WY and the Mills City Council will hold a public hearing on June 13, 2023, at 7:00 P.M. or as time allows, in the Council Chambers, 704 Fourth St., Mills, Wyoming, to consider the following: **A petition to vacate a portion of South Fifth Avenue (approximately 159 feet) located adjacent to Lot 1, Evergreen Park and Lot 1, Block 8, Evergreen Park No. 2, Town of Mills, Wyoming.**

Written comments will be accepted by the City Clerk until May 31, 2023, and interested parties can appear at the public hearing to present testimony.

Do not publish items below line
For publication May 26th & 28th



MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

Board Members Present: Pattie Gould, Bob Greenley, Ed Greenwood and Leon Norvell were all present for this P&Z Meeting. Dale Smith was absent.

Others in Attendance: Megan Nelms, City Planner, Kevin O’Hearn, Building Official, Paul Svenson, WLC Engineering and Joey Sullivan, applicant, were also in attendance.

Chairman Pattie Gould called the Meeting to order at 5:04 PM on June 1, 2023, as a quorum was present.

Chairman Pattie Gould asked board members if they had read the minutes of the April 6, 2023, P&Z Board meeting. Pattie noted one grammatical change to be made. Board Member Bob Greenley made a motion to approve the minutes. Board Member Leon Norvell seconded the motion. Chairman Pattie Gould called for a vote to pass the minutes of the 6th of April 2023 P&Z meeting. All ayes, motion passed.

Pattie asked Megan to present the first agenda item. Megan introduced case number 23.01 VAC, a petition to vacate a portion of South 5th Avenue.

Background:

The applicants have submitted a petition to vacate 158.30’ of South 5th Avenue, adjacent to Lot 1, Block 8, Evergreen Park No. 2 and Lot 1, Evergreen Park Subdivision.

Evergreen Park No. 2 was platted in 1959 and this portion of S. 5th Ave was dedicated as public right-of-way as a proposed extension street out of the subdivision to the north. The portion of the road has never been constructed since that time, and the adjacent properties have used the area as part of their properties for some time.

Albon Shaw has purchased Lots 1-3 and the Reservoir Tract of Evergreen Park Subdivision and is in the process of resubdividing the lots. As part of the resubdivision process, Mr. Shaw is working with the adjacent landowner to vacate this portion of S. 5th Avenue to clean up property boundaries and remove the un-utilized right-of-way.

Wyoming State Statute 15-4-305, regarding street vacations, states that “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the property owners

MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

owning a majority of the property within three hundred (300) feet of the subject street parcel. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners. The Shawville Addition subdivision plat will clean-up the parcels and divide up the vacated parcel proportionally, generally following how the owners have established property boundaries.

No utilities or infrastructure are located within the right-of-way proposed for vacation and no easements will need to be retained with the vacation.

A notice of public hearing was published in the Casper Star-Tribune advertising the June 1st Planning & Zoning Board and June 13th City Council public hearings.

There are no planning considerations, and no comments were received from external and internal staff reviews.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve proposed vacation of a portion of S. 5th Avenue.

Chairman Gould thanked Megan and asked if there were any questions from the Board. The Chairman asked where the road was originally supposed to connect, if it was at Poison Spider Rd or elsewhere. Megan supplied an exhibit of the original plat which shows an odd configuration and connection back to S. 6th Ave. Member Greenley asked if there were any comments from surrounding property owners. Megan stated she received none.

Chairman Gould then asked if there was any further discussion. There was none so she called for a motion. Board Member Bob Greenley made a motion to provide the City Council with a “Do Pass” recommendation to vacate a portion of S. 5th Avenue. Board Member Leon Norvell seconded the motion. All voted in favor, motion carried.

Megan presented the next case, 23.02 VAC a petition to vacate a portion of Cosllo Street.

Background:

The applicant has submitted a petition to vacate approximately 464’ of Cosllo Street, adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo’s District, Mountain View Suburb subdivision.

Cosllo’s District, Mountain View Suburb, was platted in 1972. Cosllo Street was dedicated to the public on said plat, but the street was never constructed or improved to City standards upon annexation. The easterly portion of the right-of-way is used to provide access to lots within the subdivision, has been constructed to a gravel standard and is currently maintained by the lot owners.

OS Investments, LLC owns Lots 0, 1, & a portion of Lot 2, Cosllo’s District. They have requested to resubdivide those three (3) lots into one, larger lot to accommodate future development and

MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

expansion of their business operations. As part of the resubdivision, they would like to vacate that portion of Cosllo Street adjacent to their lots. Cosllo Street, as platted, dead-ends at the western edge of the subdivision, on Lot 0. The topography in the area is not conducive to extension of the street further to west. OS Investments, LLC would like to utilize the additional lot area that would be provided with vacation of the street.

Wyoming State Statute 15-4-305, regarding street vacations, states that “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the property owners owning a majority of the property within three hundred (300) feet of the subject street parcel. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners.

For this vacation, OS Investments, LLC is the only adjacent property owner to the proposed right-of-way to be vacated. The forthcoming resubdivision plat for Lots 0, 1 & portion of Lot 2 will combine the parcels and include the area of vacated right-of-way in the new lot. A general utility easement will be provided on the plat for existing and future infrastructure and utilities within the existing right-of-way and a Fire Department approved turn-around will be included on the plat.

No comments were received from external and internal staff reviews. There are no planning considerations.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve proposed vacation of a portion of Cosllo Street.

Chairman Gould thanked Megan and asked if there were any questions from the Board. Joey Sullivan of OS Investments was in attendance as representative and applicant. The Chairman asked what OS Investments was, what kind of business? Joey stated that OS Investments is a holding company and the business on site is Western Energy Fabrication. They are a welding and pipe shop. Commissioner Greenley asked why they were not vacating the entirety of Cosllo Street, back to Crescent Ave. Megan noted that there are at least two other properties to the east of Mr. Sullivan’s property, and one the specifically needs Cosllo Street to be used as access to their property. There was discussion about the North Mountain View Improvement District, maintenance of the existing Cosllo St. and what roads were paved with the Improvement District monies.

There was further discussion about the legal descriptions of each ownership and how the ownership does not follow the platted lots lines. Commissioner Greenley inquired about the ‘Lot 2’ label on the plat and stated it was confusing when viewing the plat when Lot 2 is supposed to be part of the subdivision. It was explained that OS Investments owns Lots 0 and 1 and a portion

MINUTES OF THE 1st OF JUNE 2023 MILLS PLANNING & ZONING BOARD MEETING

of Lot 2. The label shows the remaining area, not included in the resubdivision. Megan stated she will add a planning consideration to the plat to gray out or remove that reference and add language “not part of this subdivision.”

Chairman Gould then asked if there was any further discussion on the proposed vacation of Cosllo Street. There was none, so she called for a motion. Board Member Ed Greenwood made a motion to provide the City Council with a “Do Pass” recommendation to vacate a portion of Cosllo Street. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

Megan presented then presented the final case, 23.04 FSP the final plat for OSI District.

Background:

The applicant is proposing to resubdivide four (4) lots within the Cosllo’s District Subdivision to create one (1) 3.9-acre lot for the purposes of future building expansion and business development. (Lot 5 is a 5’ x 694’ (.79-acres) lot platted on the original Cosllo’s District plat.)

Planning Considerations:

1. Submit a site plan of the property, specifically showing:
 - a. Location of the existing road/driveway access in relation to the platted right-of-way for Cosllo St.
 - b. Location of the business sign
 - c. Location of the access gate into the property
2. Provide a turnaround at the end of Cosllo Street approved by the Fire Department to provide adequate access for fire apparatus.
 - a. Language will need to be added to the dedication statement for the turn-around area for Cosllo Street.
3. Place a stop sign and street sign for Cosllo St. at the intersection of Crescent and Cosllo.
4. Discuss a change of address to accurately reflect access of Cosllo St. versus Crescent Dr.
5. Review the line legend on the plat face:
 - a. Appears the ¼ section line is labeled easement line
 - b. The easement line type is not shown in the legend
 - c. Recommend the subdivision boundary be a solid, black line
6. Do not show the vacated right-of-way area of Cosllo Street as an easement, unless a 54’ wide easement is intended to be shown.

MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the final plat for the OSI District final plat, pending completion of all planning considerations.

Chairman Gould thanked Megan and asked if there were any questions from the Board. There was general discussion regarding the turnaround. The applicant has proposed the neighboring property owner to the east providing a public access easement that is large enough to accommodate emergency response vehicles and meet the turnaround requirements. The parcel would not be included on the plat, however, the access easements would be recorded by separate instrument and referenced on the plat.

Megan stated staff would be amenable to that proposed solution. She noted that staff was not requiring the applicants to improve the remainder of Cosllo Street at this time, and that the goal was to have the required turnaround area for the dead end street and set the area up for success for future development. Mr. Sullivan noted that he is the one who maintains the road now and gravels it, as they had previously received complaints about mud be tracked out onto Crescent Dr.

There was further discussion about other roads in the area, such as Glen Garden one block over, which does not have a turnaround. Mr. Sullivan noted that trucks go down that road inadvertently and have a hard time turning around to get back out. Mr. Sullivan stated that he is also planning on widening the approach at Cosllo & Cresecent St. He would like to open up the access, make it wider and improve the approach.

Chairman Gould then asked if there was any further discussion. There was none, so she called for a motion. Board Member Ed Greenwood made a motion to provide the City Council with a “Do Pass” recommendation for the final plat of OSI District, adding the planning consideration to allow a public access easement on the neighboring property for the required turnaround at the end of Cosllo Street. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

Megan stated that if they can get the access easement recorded and the plat updated prior to the next Council meeting, the plat will be reviewed on that agenda. Otherwise, it will be reviewed at the June 27, 2023 meeting.

Kevin and Megan announced that it was Chairman Gould and Board Member Greenwood’s last meeting. They presented plaques to each and thanked them for their years of service to the Planning & Zoning Board.

With no further business, Chair Pattie Gould declared the meeting adjourned at 5:57 PM.

Pattie Gould, Chair

MINUTES OF THE 1st OF JUNE 2023 MILLS PLANNING & ZONING BOARD MEETING

Attested: Christine Trumbull

ORDINANCE NO. ____

AN ORDINANCE APPROVING A VACATION OF A PORTION OF SOUTH FIFTH AVENUE (APPROXIMATELY 158.30') ADJACENT TO LOT 1, BLOCK 8, EVERGREEN PARK NO. 2, CITY OF MILLS, WYOMING

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

WHEREAS, Shaw Investments, LLC, has petitioned to vacate a portion of South Fifth Avenue (approximately 158.30') adjacent to Lot 1, Block 8, Evergreen Park No. 2, City of Mills, Wyoming; and

WHEREAS, a public hearing notice was advertised on the 26th and 28th of May 2023 in the Casper Star-Tribune, at least 15 days prior to the public hearing; and

WHEREAS, Shaw Investments, LLC obtained approval from over fifty percent of property owners within 300 feet approving the vacation, as required by WS 15-4-305; and

WHEREAS, the Mills City Council held a public hearing on the vacation on 13 June 2023, and;

WHEREAS. The Mills City Council has determined the vacation is in the best interest of the City and the public.

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

SECTION 1:

The City of Mills hereby vacates a portion of South Fifth Avenue (approximately 158.30') adjacent to Lot 1, Block 8, Evergreen Park No. 2, 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



CITY OF MILLS
EST. 1921

704 Fourth Street
P.O. Box 789
Mills, WY 82644

Phone: 307-234-6679
Fax: 307-234-6528

Item #2.

Memorandum

TO: Mills City Council

FROM: Megan Nelms, AICP, City Planner

DATE: June 8, 2023

SUBJECT: Vacation of a portion of Cosllo Street

Case Number: 23.02 VAC

Summary: A petition has been submitted by OS Investments, LLC to vacate 464’ of Cosllo Street adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo’s District subdivision.

Cosllo’s District was platted in 1972. Cosllo Street was dedicated to the public on said plat, but the street was never constructed or improved to City standards upon annexation. The easterly portion of the right-of-way that is being used to provide access to lots within the Cosllo’s District subdivision, has been constructed to a gravel standard and is currently maintained by the lot owners.

OS Investments, LLC owns Lots 0, 1, & a portion of Lot 2, Cosllo’s District. They have requested to resubdivide those three (3) lots into one, larger lot to accommodate future development and expansion of their business operations. As part of the resubdivision, they would like to vacate that portion of Cosllo Street adjacent to their lots. Cosllo Street, as platted, dead-ends at the western edge of the subdivision, on Lot 0. The topography in the area is not conducive to extension of the street further to the west. OS Investments, LLC would like to utilize the additional lot area that would be provided with vacation of the street.

Wyoming §15-4-305, regarding street vacations, states “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either



CITY OF MILLS

EST. 1921

704 Fourth Street
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direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the surrounding property owners and attached to the petition. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners. For this vacation, OS Investments, LLC is the only adjacent property owner to the proposed right-of-way to be vacated.

The forthcoming resubdivision plat for Lots 0, 1 & portion of Lot 2, Cosllo’s District will combine the parcels and include the area of vacated right-of-way in the new lot. A general utility easement will be provided on the plat for existing and future infrastructure and utilities within the existing right-of-way area to be vacated.

Planning Considerations:

There are no planning considerations.



Planning Commission Recommendation: At their June 1, 2023, meeting the Planning & Zoning Commission made a “DO PASS” recommendation on the petition to vacate.

Staff Recommendation: Staff recommends APPROVAL of the proposed vacation.



CITY OF MILLS
APPLICATION TO VACATE/ABANDON
PUBLIC RIGHT-OF-WAY OR EASEMENT
Pursuant to the Mills City Code

City of Mills, Wyoming
704 4th Street
P.O. Box 789
Mills, Wyoming 82644

Date: _____
Return by: _____
For Meeting on: _____

PLEASE PRINT

Section 1.

SINGLE POINT OF CONTACT IS:

APPLICANT/OWNER(S) INFORMATION:

Print Owner Name: OS INVESTMENTS LLC
Owner Mailing Address: 4402 MOUNTAIN VIEW DRIVE
City, State, Zip: CASPER WY 82604
Owner Phone: 307-259-3107
Applicant Email: joey@westernenergyfab.com

AGENT INFORMATION:

Print Agent Name: JOSEPH SULLIVAN
Agent Mailing Address: 4402 MOUNTAIN VIEW DRIVE
City, State, Zip: CASPER WY 82604
Agent Phone: 307-259-3107
Agent Email: joey@westernenergyfab.com

ATTACHMENT (REQUIRED):

- **Proof of ownership:** ^{WARRANTY DEED} (such as deed, title certification, attorney's title opinion)

Section 2.

PROPERTY INFORMATION:

Physical Address of Property: 400 Crescent Drive
Or, if not available, provide a general location (Example: NW corner of A & 1st Streets): NA
Legal Description of Property: Lot: 0 & 1 and pt of 2 Block: -- PARCEL ID: 33800140100100
Subdivision: Cosllos District, Mountain View Suburb
Or SECTION: NA TOWNSHIP: NA RANGE: NA

Section 3.

RIGHT-OF-WAY / EASEMENT INFORMATION:

Right-of-Way / Easement Location: Adjacent to northwestern property line of Lots 0-4, Cosllos District, Mountain View Suburb
(Example: along west property line, running north & south)
Width of Existing Right-of-Way / Easement: 50' Number of Feet to be Vacated: ~464'
Please indicate the purpose for which the Right-of-Way / Easement is to be vacated / Abandoned
It is currently unbuilt ROW, with no plans to construct it or need for access/use of the ROW.

Section 4. **SIGNATURES OF OWNERS (AND AGENT IF APPLICABLE):**

The following owner's signature signifies that all information on this application is accurate and correct to the best of the owner's knowledge; and that the owner has thoroughly read and understands all application information and requirements. [In addition to the owner's signature(s), if an agent of the owner is to be contacted for all communications relating to this application, please have the agent sign below.]

I (We) the undersigned owner(s) of the property described above do hereby make application to the City of Mills as follows:
OS INVESTMENTS LLS

CHARLES BOYD ORR

JOSEPH S SULLIVAN

OWNER Signature

OWNER Signature

AGENT Signature

FEE: A check in the amount of \$100 payable to the City of Mills, must accompany this application.

Section 5. **UTILITY PROVIDERS:**

Telephone:	Eric Overlie	CenturyLink	eric.overlie@CenturyLink.com	(307) 235-2408
Gas:	Lori Neibauer	Black Hills Corporation	lori.neibauer@blackhillscorp.com	(307) 262-5714
Electric:	Greg Hansen	Rocky Mt. Power	greg.hansen@rockymountainpower.net	(307) 261-7066
Cable:	Robert Casados	Charter Communications	Robert.Casados@charter.com	(307) 264-3136
Water/Sewer:	City of Mills			(307) 234-6679

Section 6. **REASONS FOR THIS REQUEST:**

a. Why does the property owner wish to vacate or request abandonment of this right-of-way/easement?

It is dedicated ROW on the Cosilos District plat that has never been constructed.

b. How is the right-of-way/easement being used?

It is not, it is unbuilt ROW

c. How will the proposed vacation/abandonment affect access to adjacent property owners?

There will be no effect on adjacent property owners as the portion being vacated is adjacent three lots owned by the same entity at a dead-end. The topography at the dead end makes development or extension of the ROW unlikely.

d. How does the property owner propose to use right-of-way/easement if vacated/abandoned?

As part of their existing property for further development.

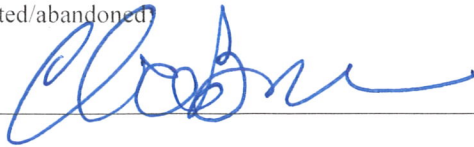
e. Are there any public utilities or infrastructures currently located in the right-of-way/easement? If so, describe them:

There are gas and electric utilities. A general utility easement will be provided on the resubdivision plat to accommodate the utilities.

Section 7. PROPERTIES ABUTTING THE PROPERTY TO BE VACATED/ABANDONED:

The following properties about the area to be vacated/abandoned:

Property Owner name(s): OS Investments, LLC



Address: 400 Crescent Dr.

Lot: 0,1 & pt 2 Block: Cosllos District, Mountain View Suburb Addition

Property Owner name(s): Spurgin Properties, LLC



Address: 2065 Yellow Creek Rd. Casper, WY 82604

Lot: Pt NW/4SW/4 Block: Section 1, T33N, R80W Addition

Property Owner name(s): Carol Paulson



Address: 1517 Kit Carson Av

Lot: 3 & pt 2 Block: Cosllos District, Mountain View Suburb Addition

Property Owner name(s): M-3 Industries Attn: Ted Morton



Address: 372 Crescent Drive

Lot: 3 & 4 Block: Cosllos District, Mountain View Suburb Addition

Section 8. ATTACHMENTS AND EXHIBITS:

Applications to vacate/abandon must be submitted to the city planner at least thirty (30) days prior to the City Council meeting in which this action shall be considered.

The following documents must be included when submitting the application package:

As to Section 1.

- A copy of the recorded deed or other legal instrument indicating proof of ownership.
- If an agent is listed, a notarized letter or statement of authorization from the property owner(s) authorizing the agent to represent the owner(s) in connection with this application, OR a recorded Power of Attorney, Personal Representative Deed, Trustee Agreement, etc., in the agent's name.

As to Section 2.

- If the property is not located within a platted subdivision, a metes and bounds description must be provided.

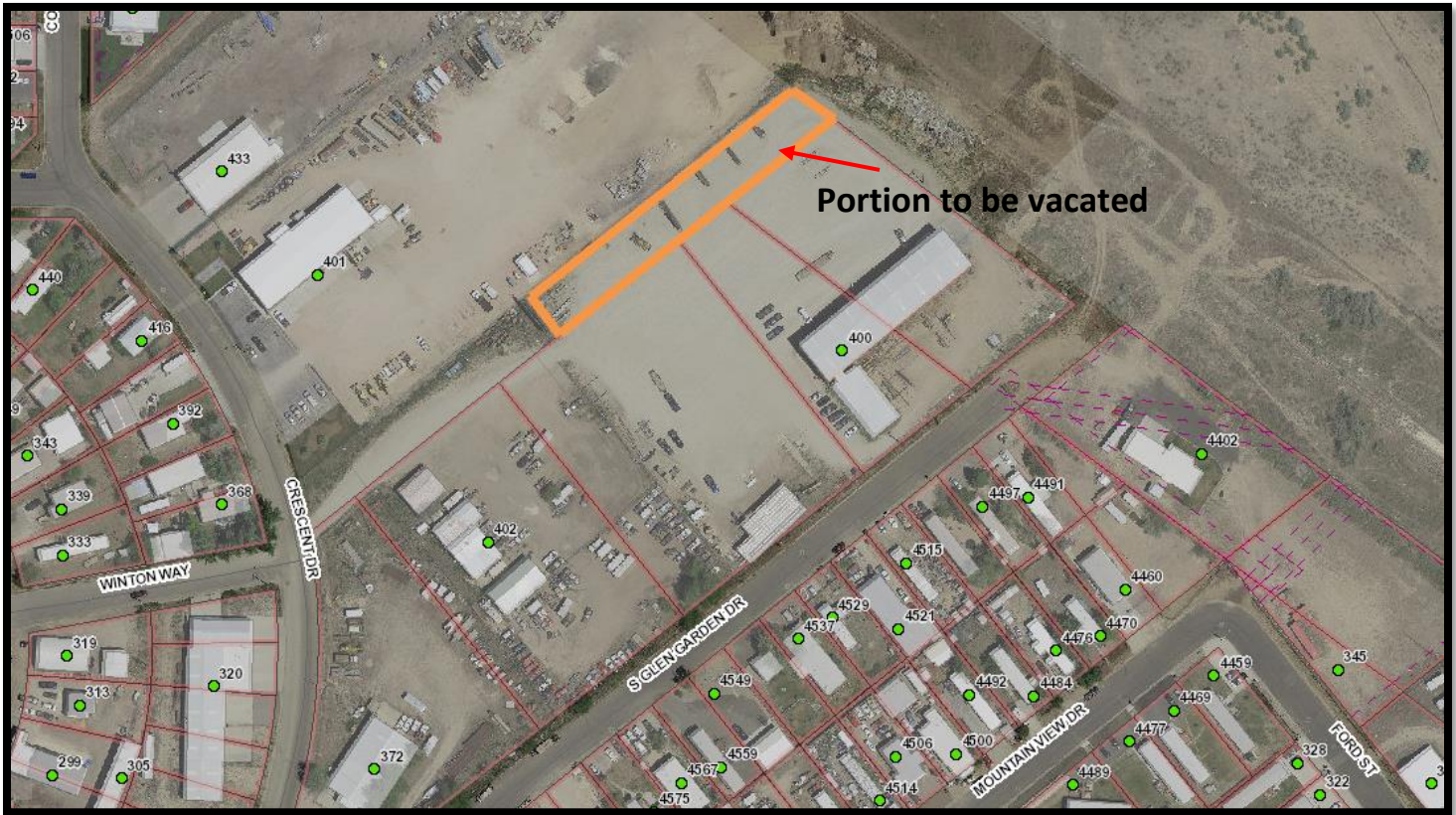
As to Section 3.

- A copy of a certified survey of the lot or parcel indicated in Section 1 showing the right-of-way or easement to be vacated or abandoned.

As to the Application.

- All areas must be filled in or marked N/A (Not applicable).
- Incomplete applications will be returned to the Applicant.

Vacate ROW – A portion of Cosllo Street



Mills Zoning Districts

Mills, DB	Mills, ER: Established Residential
Mills, DI: Developing Industrial	Mills, PLI: Public Land Institutions
Mills, DMH: Developing Mobile Home	Mills, PUD: Planned Urban Development
Mills, DR: Developing Residential	Mills, MSR: Mixed Sized Residential
Mills, EB: Established Buisness	Mills, MU: Mixed Use
Mills, EI: Established Industrial	Mills, UA: Urban Agriculture
	Mills, UR: Urban Agriculture Residential

Public Hearing

The Mills Planning & Zoning Board will hold a public hearing on June 1, 2023 at 5:00 P.M. in the Conference Room at 704 Fourth St., Mills, WY and the Mills City Council will hold a public hearing on June 13, 2023, at 7:00 P.M. or as time allows, in the Council Chambers, 704 Fourth St., Mills, Wyoming, to consider the following: **A petition to vacate a portion of Cosllo Street (approximately 254 feet) located adjacent to Lots 0, 1 & 2, Cosllo's District, Mountain View Suburb, Town of Mills, Wyoming.**

Written comments will be accepted by the City Clerk until May 31, 2023, and interested parties can appear at the public hearing to present testimony.

Do not publish items below line
For publication May 26th & 28th



MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

Board Members Present: Pattie Gould, Bob Greenley, Ed Greenwood and Leon Norvell were all present for this P&Z Meeting. Dale Smith was absent.

Others in Attendance: Megan Nelms, City Planner, Kevin O’Hearn, Building Official, Paul Svenson, WLC Engineering and Joey Sullivan, applicant, were also in attendance.

Chairman Pattie Gould called the Meeting to order at 5:04 PM on June 1, 2023, as a quorum was present.

Chairman Pattie Gould asked board members if they had read the minutes of the April 6, 2023, P&Z Board meeting. Pattie noted one grammatical change to be made. Board Member Bob Greenley made a motion to approve the minutes. Board Member Leon Norvell seconded the motion. Chairman Pattie Gould called for a vote to pass the minutes of the 6th of April 2023 P&Z meeting. All ayes, motion passed.

Pattie asked Megan to present the first agenda item. Megan introduced case number 23.01 VAC, a petition to vacate a portion of South 5th Avenue.

Background:

The applicants have submitted a petition to vacate 158.30’ of South 5th Avenue, adjacent to Lot 1, Block 8, Evergreen Park No. 2 and Lot 1, Evergreen Park Subdivision.

Evergreen Park No. 2 was platted in 1959 and this portion of S. 5th Ave was dedicated as public right-of-way as a proposed extension street out of the subdivision to the north. The portion of the road has never been constructed since that time, and the adjacent properties have used the area as part of their properties for some time.

Albon Shaw has purchased Lots 1-3 and the Reservoir Tract of Evergreen Park Subdivision and is in the process of resubdividing the lots. As part of the resubdivision process, Mr. Shaw is working with the adjacent landowner to vacate this portion of S. 5th Avenue to clean up property boundaries and remove the un-utilized right-of-way.

Wyoming State Statute 15-4-305, regarding street vacations, states that “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the property owners

MINUTES OF THE 1st OF JUNE 2023 MILLS PLANNING & ZONING BOARD MEETING

owning a majority of the property within three hundred (300) feet of the subject street parcel. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners. The Shawville Addition subdivision plat will clean-up the parcels and divide up the vacated parcel proportionally, generally following how the owners have established property boundaries.

No utilities or infrastructure are located within the right-of-way proposed for vacation and no easements will need to be retained with the vacation.

A notice of public hearing was published in the Casper Star-Tribune advertising the June 1st Planning & Zoning Board and June 13th City Council public hearings.

There are no planning considerations, and no comments were received from external and internal staff reviews.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve proposed vacation of a portion of S. 5th Avenue.

Chairman Gould thanked Megan and asked if there were any questions from the Board. The Chairman asked where the road was originally supposed to connect, if it was at Poison Spider Rd or elsewhere. Megan supplied an exhibit of the original plat which shows an odd configuration and connection back to S. 6th Ave. Member Greenley asked if there were any comments from surrounding property owners. Megan stated she received none.

Chairman Gould then asked if there was any further discussion. There was none so she called for a motion. Board Member Bob Greenley made a motion to provide the City Council with a “Do Pass” recommendation to vacate a portion of S. 5th Avenue. Board Member Leon Norvell seconded the motion. All voted in favor, motion carried.

Megan presented the next case, 23.02 VAC a petition to vacate a portion of Cosllo Street.

Background:

The applicant has submitted a petition to vacate approximately 464’ of Cosllo Street, adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo’s District, Mountain View Suburb subdivision.

Cosllo’s District, Mountain View Suburb, was platted in 1972. Cosllo Street was dedicated to the public on said plat, but the street was never constructed or improved to City standards upon annexation. The easterly portion of the right-of-way is used to provide access to lots within the subdivision, has been constructed to a gravel standard and is currently maintained by the lot owners.

OS Investments, LLC owns Lots 0, 1, & a portion of Lot 2, Cosllo’s District. They have requested to resubdivide those three (3) lots into one, larger lot to accommodate future development and

MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

expansion of their business operations. As part of the resubdivision, they would like to vacate that portion of Cosllo Street adjacent to their lots. Cosllo Street, as platted, dead-ends at the western edge of the subdivision, on Lot 0. The topography in the area is not conducive to extension of the street further to west. OS Investments, LLC would like to utilize the additional lot area that would be provided with vacation of the street.

Wyoming State Statute 15-4-305, regarding street vacations, states that “no vacation may be ordered except upon petition of a majority of the owners of the property abutting on the portion proposed to be vacated and extending three hundred (300) feet in either direction from the portion proposed to be vacated.” Signatures have been obtained from a majority of the property owners owning a majority of the property within three hundred (300) feet of the subject street parcel. Once vacated, ownership of the right-of-way will revert to the immediately adjacent property owners.

For this vacation, OS Investments, LLC is the only adjacent property owner to the proposed right-of-way to be vacated. The forthcoming resubdivision plat for Lots 0, 1 & portion of Lot 2 will combine the parcels and include the area of vacated right-of-way in the new lot. A general utility easement will be provided on the plat for existing and future infrastructure and utilities within the existing right-of-way and a Fire Department approved turn-around will be included on the plat.

No comments were received from external and internal staff reviews. There are no planning considerations.

Staff Recommendation: Staff recommends the Planning and Zoning Board approve proposed vacation of a portion of Cosllo Street.

Chairman Gould thanked Megan and asked if there were any questions from the Board. Joey Sullivan of OS Investments was in attendance as representative and applicant. The Chairman asked what OS Investments was, what kind of business? Joey stated that OS Investments is a holding company and the business on site is Western Energy Fabrication. They are a welding and pipe shop. Commissioner Greenley asked why they were not vacating the entirety of Cosllo Street, back to Crescent Ave. Megan noted that there are at least two other properties to the east of Mr. Sullivan’s property, and one the specifically needs Cosllo Street to be used as access to their property. There was discussion about the North Mountain View Improvement District, maintenance of the existing Cosllo St. and what roads were paved with the Improvement District monies.

There was further discussion about the legal descriptions of each ownership and how the ownership does not follow the platted lots lines. Commissioner Greenley inquired about the ‘Lot 2’ label on the plat and stated it was confusing when viewing the plat when Lot 2 is supposed to be part of the subdivision. It was explained that OS Investments owns Lots 0 and 1 and a portion

MINUTES OF THE 1st OF JUNE 2023 MILLS PLANNING & ZONING BOARD MEETING

of Lot 2. The label shows the remaining area, not included in the resubdivision. Megan stated she will add a planning consideration to the plat to gray out or remove that reference and add language “not part of this subdivision.”

Chairman Gould then asked if there was any further discussion on the proposed vacation of Cosllo Street. There was none, so she called for a motion. Board Member Ed Greenwood made a motion to provide the City Council with a “Do Pass” recommendation to vacate a portion of Cosllo Street. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

Megan presented then presented the final case, 23.04 FSP the final plat for OSI District.

Background:

The applicant is proposing to resubdivide four (4) lots within the Cosllo’s District Subdivision to create one (1) 3.9-acre lot for the purposes of future building expansion and business development. (Lot 5 is a 5’ x 694’ (.79-acres) lot platted on the original Cosllo’s District plat.)

Planning Considerations:

1. Submit a site plan of the property, specifically showing:
 - a. Location of the existing road/driveway access in relation to the platted right-of-way for Cosllo St.
 - b. Location of the business sign
 - c. Location of the access gate into the property
2. Provide a turnaround at the end of Cosllo Street approved by the Fire Department to provide adequate access for fire apparatus.
 - a. Language will need to be added to the dedication statement for the turn-around area for Cosllo Street.
3. Place a stop sign and street sign for Cosllo St. at the intersection of Crescent and Cosllo.
4. Discuss a change of address to accurately reflect access of Cosllo St. versus Crescent Dr.
5. Review the line legend on the plat face:
 - a. Appears the ¼ section line is labeled easement line
 - b. The easement line type is not shown in the legend
 - c. Recommend the subdivision boundary be a solid, black line
6. Do not show the vacated right-of-way area of Cosllo Street as an easement, unless a 54’ wide easement is intended to be shown.

MINUTES OF THE 1st OF JUNE 2023

MILLS PLANNING & ZONING BOARD MEETING

Staff Recommendation: Staff recommends the Planning and Zoning Board approve the final plat for the OSI District final plat, pending completion of all planning considerations.

Chairman Gould thanked Megan and asked if there were any questions from the Board. There was general discussion regarding the turnaround. The applicant has proposed the neighboring property owner to the east providing a public access easement that is large enough to accommodate emergency response vehicles and meet the turnaround requirements. The parcel would not be included on the plat, however, the access easements would be recorded by separate instrument and referenced on the plat.

Megan stated staff would be amenable to that proposed solution. She noted that staff was not requiring the applicants to improve the remainder of Cosllo Street at this time, and that the goal was to have the required turnaround area for the dead end street and set the area up for success for future development. Mr. Sullivan noted that he is the one who maintains the road now and gravels it, as they had previously received complaints about mud be tracked out onto Crescent Dr.

There was further discussion about other roads in the area, such as Glen Garden one block over, which does not have a turnaround. Mr. Sullivan noted that trucks go down that road inadvertently and have a hard time turning around to get back out. Mr. Sullivan stated that he is also planning on widening the approach at Cosllo & Cresecent St. He would like to open up the access, make it wider and improve the approach.

Chairman Gould then asked if there was any further discussion. There was none, so she called for a motion. Board Member Ed Greenwood made a motion to provide the City Council with a “Do Pass” recommendation for the final plat of OSI District, adding the planning consideration to allow a public access easement on the neighboring property for the required turnaround at the end of Cosllo Street. Board Member Bob Greenley seconded the motion. All voted in favor, motion carried.

Megan stated that if they can get the access easement recorded and the plat updated prior to the next Council meeting, the plat will be reviewed on that agenda. Otherwise, it will be reviewed at the June 27, 2023 meeting.

Kevin and Megan announced that it was Chairman Gould and Board Member Greenwood’s last meeting. They presented plaques to each and thanked them for their years of service to the Planning & Zoning Board.

With no further business, Chair Pattie Gould declared the meeting adjourned at 5:57 PM.

Pattie Gould, Chair

MINUTES OF THE 1st OF JUNE 2023 MILLS PLANNING & ZONING BOARD MEETING

Attested: Christine Trumbull

ORDINANCE NO. ____

AN ORDINANCE APPROVING A VACATION OF A PORTION OF COSLLO STREET (APPROXIMATELY 464 FEET) ADJACENT TO LOTS 0, 1 AND A PORTION OF LOT 2, COSLLO’S DISTRICT, CITY OF MILLS, WYOMING

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

WHEREAS, OS Investments, LLC, has petitioned to vacate a portion of Cosllo Street (approximately 464 feet) located adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo’s District, City of Mills, Wyoming; and

WHEREAS, a public hearing notice was advertised on the 26th and 28th of May 2023 in the Casper Star-Tribune, at least 15 days prior to the public hearing; and

WHEREAS, OS Investments, LLC obtained approval from over fifty percent of property owners within 300 feet approving the vacation, as required by WS 15-4-305; and

WHEREAS, the Mills City Council held a public hearing on the vacation on 13 June 2023, and;

WHEREAS. The Mills City Council has determined the vacation is in the best interest of the City and the public.

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

SECTION 1:

The City of Mills hereby vacates a portion of Cosllo Street (approximately 464 feet) adjacent to Lots 0, 1 and a portion of Lot 2, Cosllo’s District, 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

FY24 BUDGET

EXPENDITURES

GENERAL FUN

Item #3.

		FY23 PASSED	FY24 FIRST	FY24 SECOND	FY24 THIRD
 CITY OF MILLS <small>EST. 1921</small>		Passed 6/14/22	Passed 5/09/23	Passed 5/23/23	
		Ordinance #779	Ordinance #791	Ordinance #791	
	ADMINISTRATION				
10-44-100	Salaries	\$198,911.00	\$272,480.00	\$272,480.00	\$272,480.00
10-44-115	Payroll Taxes FICA	\$15,217.00	\$20,844.00	\$20,844.00	\$20,844.00
10-44-120	Workers Comp	\$5,669.00	\$8,528.00	\$8,528.00	\$8,528.00
10-44-125	Pension	\$18,638.00	\$25,531.00	\$25,531.00	\$25,531.00
10-44-130	Overtime	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
10-44-226	Postage	\$2,000.00	\$500.00	\$500.00	\$500.00
10-44-235	Office Supplies	\$5,000.00	\$8,000.00	\$8,000.00	\$8,000.00
10-44-240	Attorney Fees	\$140,000.00	\$0.00	\$0.00	\$0.00
10-44-267	Cleaning Supplies	\$4,000.00	\$3,000.00	\$3,000.00	\$3,000.00
10-44-270	WAM Membership	\$4,500.00	\$0.00	\$0.00	\$0.00
10-44-290	Bonds Officials	\$20,000.00	\$0.00	\$0.00	\$0.00
10-44-310	Contingencies	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
10-44-350	Equipment Repairs	\$2,500.00	\$2,000.00	\$2,000.00	\$2,000.00
10-44-351	Filing Fees	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
10-44-352	Drug Testing	\$2,000.00	\$0.00	\$0.00	\$0.00
10-44-405	Insurance Health	\$33,194.00	\$44,740.00	\$45,184.00	\$45,184.00
10-44-620	Advertising	\$3,000.00	\$0.00	\$0.00	\$0.00
10-44-720	Professional Services	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
10-44-725	Caselle Support	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
10-44-790	Storm Water Casper	\$2,500.00	\$0.00	\$0.00	\$0.00
10-44-841	Travel	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
10-44-850	Telephone Verizon	\$23,000.00	\$0.00	\$0.00	\$0.00
10-44-851	Cells Dept. Heads	\$9,300.00	\$0.00	\$0.00	\$0.00
10-44-856	Uniforms	\$1,500.00	\$1,000.00	\$1,000.00	\$1,000.00
10-44-860	Insurance Support	\$7,000.00	\$0.00	\$0.00	\$0.00
10-44-861	Financial Consultant	\$30,000.00	\$0.00	\$0.00	\$0.00
10-44-863	LGLP	\$12,000.00	\$0.00	\$0.00	\$0.00
10-44-890	Property Insurance	\$50,000.00	\$0.00	\$0.00	\$0.00
10-44-909	Bank Fees	\$1,000.00	\$2,500.00	\$2,500.00	\$2,500.00
10-44-910	Training	\$10,000.00	\$2,000.00	\$2,000.00	\$2,000.00
10-44-930	Audit Fees	\$20,000.00	\$0.00	\$0.00	\$0.00
10-44-940	Black Hills Gas	\$36,000.00	\$0.00	\$0.00	\$0.00
10-44-941	Rocky Mountain Power	\$72,000.00	\$0.00	\$0.00	\$0.00
10-44-981	New Hire Expenses	\$2,500.00	\$0.00	\$0.00	\$0.00
10-44-982	Charter	\$3,500.00	\$0.00	\$0.00	\$0.00
10-44-983	Centruy Link	\$1,000.00	\$0.00	\$0.00	\$0.00
10-44-500	Dispatch	\$172,000.00	\$0.00	\$0.00	\$0.00
10-44-000	Invoice Cloud Fees	\$0.00	\$0.00	\$0.00	\$0.00
	ADMINISTRATION				
	TOTAL	\$938,429.00	\$421,623.00	\$422,067.00	\$422,067.00

