

**REGULAR CITY COUNCIL
WORK SESSION MEETING
August 08, 2023
6:00 PM
City Hall**



CITY OF MILLS
EST. 1921

Mayor:
Leah Juarez
Council President:
Sara McCarthy
Council Members:
Cherie Butcher
Brad Neumiller
Tim Sutherland

AGENDA

CALL TO ORDER

AGENDA ITEMS

1. City Administrator :

Rates

2. City Attorney:

Sips Coffee Lease Agreement And Resolution 2023-28

Fire Ban Resolution 2023-29

Ordinance 801: First Reading: An Ordinance Amending Certain Sections of Chapter 2.20 Pertaining to Emergency Powers of the Fire Chief

Animal Control Fees Resolution

3. John Gudger:

Lighting Improvements 1080 Freden BLVD

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.

RESOLUTION NO. 2023-28

**A RESOLUTION APPROVING A LEASE OF CERTAIN
PROPERTY**

WHEREAS, the City of Mills, is the owner of real property described as follows:

Block 54, Town of Mills

together with all improvements thereon, subject only to those encumbrances, liens, easements, reservations and restrictions of record (the "Property"); and

WHEREAS, the City of Mills does not wish to idle the property and is not currently making productive use of the same; and

WHEREAS, Kaylynn Henson desires to lease to and Lessee desires to lease from the City of Mills above described real property for the operation of a coffee hut which has been submitted to Planning and Zoning and the City of Mills City Council, and has received approval for the same;

NOW, THEREFORE, The City Council of the City of Mills approves the lease of the subject real property by way of the lease attached hereto.

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

Mayor, Leah Juarez

Councilman, Sara McCarthy

Councilman, Cherie Butcher

Councilman, Tim Sutherland

Councilman, Brad Neumiller

ATTEST:

City Clerk, Christine Trumbull

CERTIFICATE

I, Christine Trumbull, City Clerk, hereby certify that the foregoing Resolution was adopted by the City of Mills at a public meeting held on January 24, 2023, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the City of Mills.

City Clerk, Christine Trumbull

RESOLUTION NO. 2023-29

A RESOLUTION ADOPTING FIRE BAN PROVISIONS SET IN PLACE BY NATRONA COUNTY, WYOMING

WHEREAS, Natrona County, Wyoming, has put in place a set of fire restrictions, to wit:

RESOLUTION NO. ~~22~~-23
OPEN BURNING RESTRICTIONS

WHEREAS, the Board of Natrona County Commissioners are empowered by Wyoming Statutes 35-9-301 through 35-9-304 to close areas when fire danger in the county is extreme because of drought, the presence of any excessive amount of flammable material or for any other sufficient reason; and

WHEREAS, the Board of Natrona County Commissioners are empowered by Wyoming Statute 35-10-208(a)(i) to prohibit the sale or use of fireworks by adopting a resolution pursuant to Wyoming Statute 35-9-301; and

WHEREAS, the County Fire Warden has recommended fire restrictions and prohibition on the use of fireworks on all state and private lands within Natrona County; and

WHEREAS, the Board of Natrona County Commissioners find that there is a potentially severe to extreme danger of fire due to conditions of drought and excessively dry fuel load within the county that could be aggravated by open burning and the use of incendiary devices.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF NATRONA COUNTY COMMISSIONERS:

1. Effective August 1, 2023 at 12:01 a.m., until further notice of this Board, Stage One Fire Restrictions, including any open fire or discharge of any class of fireworks is prohibited on all state and private land including, but not limited to, all lands owned by Natrona County or in which Natrona County holds or owns an interest, in the unincorporated areas of Natrona County, subject to the following exceptions:

Stage One Fire Restriction Exemptions:

- a. Only campfires at residences or campsites, within a fire ring centered within a minimum of a 15 ft. cleared radius of burnable materials are permitted;
 - b. Trash or refuse burned between the hours of 6:00 p.m. and 8:00 a.m. inside containers equipped with spark arresters that are located within a cleared radius of a minimum of 15 ft. of burnable materials.
 - c. Charcoal fires within enclosed grills are permitted.
 - d. Use of acetylene cutting, electric arc welders, or metal grinding, in a cleared radius of a minimum of 15 ft. of burnable materials is permitted.
 - e. The use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or fully enclosed (shepherd type) stove and open fire branding activities in a cleared radius of 15 ft. is permitted.
2. The County Fire Warden shall promptly notify the Board of County Commissioners of any changes in the severity of the fire danger.

BE IT FURTHER RESOLVED, that penalties provided in Wyoming Statute 35-9-304 may be imposed for violation of this resolution; specifically, a fine not to exceed One Hundred (\$100.00) Dollars or imprisonment not to exceed thirty (30) days or both, to which may be added costs of restitution.

BE IT FURTHER RESOLVED, that the County Fire Warden shall immediately notify the Wyoming State Forester of said resolution, or any amendment to or rescension of said resolution as provided by Wyoming State Statute 35-9-301. Public notification shall occur pursuant to the Board of Land Commissioners' Rules and Regulations, Chapter Nine.

Passed and approved this 1st day of August 2023.

ATTEST: The seal is circular with 'STATE OF WYOMING' at the top, 'NATRONA COUNTY' at the bottom, and 'CLERK' in the center.

THE BOARD OF COUNTY COMMISSIONERS
NATRONA COUNTY, WYOMING

Steven Freel, Chairman


Tracy Good, Natrona County Clerk

My term expires 2026
My term of office expires
January 4, 2027

And:

WHEREAS, the City of Mills, through the Fire Chief, has put in place certain fire restrictions as well; and

WHEREAS, There exists a condition in Natrona County, including the City of Mills warranting the provisions set forth by Natrona County;

NOW, THEREFORE, The Governing Body of the City of Mills, Wyoming, hereby puts in place the following fire restrictions, effective immediately:

Open fires or discharge of any class of fireworks is prohibited within the City of Mills, Wyoming with the following exceptions:

- a. Only campfires at residences or campsites, within a fire ring centered within a minimum of a 15 ft. cleared radius of burnable materials are permitted;
- b. Trash or refuse burned between the hours of 6:00 p.m. and 8:00 a.m. inside containers equipped with spark arresters that are located within a cleared radius of a minimum of 15 ft. of burnable materials.
- c. Charcoal fires within enclosed grills are permitted.
- d. Use of acetylene cutting, electric arc welders, or metal grinding, in a cleared radius of a minimum of 15 ft. of burnable materials is permitted.
- e. The use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or fully enclosed (shepherd type) stove and open fire branding activities in a cleared radius of 15 ft. is permitted.

It is further provided that these restrictions shall remain in place until the first City Council meeting following the lifting of these restrictions by Natrona County, Wyoming, unless the City Council should determine to extend them.

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

Mayor, Leah Juarez

Councilman, Sara McCarthy

Councilman, Cherie Butcher

Councilman, Tim Sutherland

Councilman, Brad Neumiller

ATTEST:

City Clerk, Christine Trumbull

CERTIFICATE

I, Christine Trumbull, City Clerk, hereby certify that the foregoing Resolution was adopted by the City of Mills at a public meeting held on August 8, 2023, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the City of Mills.

City Clerk, Christine Trumbull

ORDINANCE NO. 801

**ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2.20
PERTAINING TO EMERGENCY POWERS OF THE FIRE CHIEF**

WHEREAS, The City of Mills has put in place fire restrictions by resolution on multiple occasions during the past several year s, as conditions required; and

WHEREAS, It frequently occurs that the fire restrictions are put in place following fire restrictions being put in place by the Governing Body of Natrona County, Wyoming; and

WHEREAS, There exists the possibility of a fire emergency requiring a ban occurring which is in the interim period between City Council meetings. To act quickly under the current ordinances, would require an emergency meeting of the City Council; and

WHEREAS, Section 8.02.010 of the City Code provides:

CHAPTER 8.02
FIRES AND BURNING

8.02.010 Burning prohibition.

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

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

WHEREAS, Section 2.20.080 of the City Code provides:

2.20.080 - Fire Chief—Emergency powers.

(a) The Chief of the fire department, or any assistants in command, may prescribe limits in the vicinity of any fire within which no persons excepting those who reside therein, firemen and policemen, and those admitted by any order of any officer of the fire department shall be permitted to come.

(b) The Fire Chief or any assistant in command shall have the power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire or to protect adjoining property.

(c) The Fire Chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

(d) The Fire Chief shall ensure that adequate fire department personal and apparatus are available for deployment in the City of Mills before allocating such resources to medical transports, or mutual aid deployments.

(e) The Fire Chief shall ensure every member of the City of Mills Combination Fire Department displays attitudes and actions that promote the service of paid volunteer Mills firefighters and shall dismiss from employment any member of his department who does not promote such attitudes and actions.

(f) The Fire Chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

NOW THEREFORE, The City Council of the City of Mills, Wyoming amends Section 2.20.080 to add the following subparagraph g.

(g) The Fire Chief may put in place such fire restrictions and bans as reflect emergency conditions which shall remain in place from his officially announcing and them and distributing them in an appropriate manner to the public, to include releasing them through electronic means by way of the City’s electronic websites or Fire Department websites, until the next regularly scheduled City County meeting shall conclude. When such a fire ban or restrictions are put in place, the Fire Chief shall inform the Mayor and City Administrator of having put them in place.

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

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

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

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cherie Butcher, Council

Tim Sutherland, Council

ATTESTED:

Christine Trumbull, City Clerk