

**REGULAR CITY COUNCIL
WORK SESSION MEETING**

June 13, 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. Community Development Director:

Casper Area Park and Rec Master Plan

2. Councilman Neumiller:

Ordinance 799: First Reading: An Ordinance Amending Title 6 Provisions Pertaining to the Keeping of Bees in Mills, Wyoming

3. Councilman McCarthy:

Parade

4. Mayor:

Ordinance 798: First Reading: An Ordinance Amending Certain Provisions of Title 17 in Regard to Mobile Homes

Resolution 2023-11: Appointment to the Planning And Zoning Committee

Resolution 2023-12: A Resolution Approving Granting a Quitclaim Deed of Easement to Mountain West Communications.

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.

ORDINANCE 798

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE 17 IN REGARD TO MOBLE HOMES

WHEREAS, The City of Mills enacted a new Title 17 in 2021; and

WHEREAS, The City of Mills Comprehensive Land Use Plan was issued in 2017; and

WHEREAS, In the 2021 revisions to Title 17 certain provisions were enacted regarding mobile homes in an effort to address developments in the same; and

WHEREAS, Since 2021 there have been requests for the approval of older mobile homes that predate the time limits set forth in Title 17, through a process set forth in Title 17, which exceeded the expectations of the City of Mills at the time of their drafting, and which are therefore not in concern with the original intent of the changes to Title 17; and

WHEREAS, The amended text better reflects the original intent of the amendments as to Title 17 and the current needs of the City of Mills.

NOW THEREFORE, The City Council of the City of Mills, Wyoming amends the provisions found at Title 17 of the City Code of the City of Mills, Wyoming to reflect those amendments found in the draft ordinance attached hereto, with the modified text appearing in red, reflecting additions and strikes.

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

RESOLUTION NO. 2023-11

APPOINTMENT TO PLANNING AND ZONING COMMITTEE

WHEREAS, There presently exists two vacancies on the Mills Planning and Zoning Committee which have two year terms; and

WHEREAS, Expressions of Interest in appointment to the vacant spots have been sought; and

WHEREAS, The interested applicants have been interviewed by a board appointed by the municipality for the same; and

WHEREAS, The board has expressed their views to the City Council in a work session and the City Council has before it three names for consideration, which appear below; and

WHEREAS, All of the applicants were found to be qualified.

NOW, THEREFORE, The City Council of the City of Mills, after due deliberation, approves the following individuals, whose names are checked, to appointment on to the Planning and Zoning Committee for two year terms.

- Chris Volzke (___)
- John Gudger (___)
- Mandi Mosher(___)

Resolved this ___ day of __, 2023

CITY OF Mills

By: _____
Leah Juarez, Mayor

Cherie Butcher, Councilman

Sara McCarthy, Councilman

Bradley Neumiller, Councilman

Tim Sutherland, Councilman

ATTEST:

City Clerk, Christine Trumbull

QUITCLAIM DEED OF EASEMENT

The City of Mills, Wyoming, grantor, a municipal corporation organized under the laws of the State of Wyoming and situate in Natrona County, State of Wyoming, for and in consideration of ONE DOLLAR, and other good and valuable consideration, QUITCLAIMS TO Mountain West Technologies Corporation, a Wyoming Corporation, grantee, of Natrona County, and State of Wyoming the following described easement for installation, use and maintenance of fiberoptic cables and associated utility and related services over such portion of Parcel A (the "**Easement Area**"), more particularly described by a metes and bounds description and a diagrammatic sketch with a cross hatched portion indicating the Easement Area, on Exhibit A attached hereto and made a part hereof.

Grantor, in making this quitclaim grant of easement, does not warrant or represent that it has, as the time of the granting of this instrument, legal or equitable title in the Easement Area, but rather conveys the interest described herein to the extent that it has the same.

This interest conveyed herein, to the extent that it may be conveyed, is for a perpetual, non-exclusive utility easement in, under, upon, about, over, and through the Easement Area located on Parcel A, for the benefit of Grantee for the purpose of installing, using and maintaining communication services equipment including but not limited to fiberoptic cables and lines, coax cable, conduit, and junction boxes, and other appurtenant equipment which may be installed as necessary from time to time (the "Facilities"), with the right to reconstruct, improve, maintain, inspect, enlarge, change the voltage as well as the size of the Facilities.

Grantee shall bear and promptly pay without the imposition of any lien or charge on or against all or any portion of Parcel A, all costs and expenses incurred by Grantee in connection with the construction and maintenance of the Improvements. Grantee hereby acknowledges and agrees that if any lien is filed against Parcel A as a result of the Easement or Grantee's activities in the Easement Area, Grantee shall be in default of this Agreement, and Grantor shall have the right to exercise all of its remedies pursuant to this Agreement, at law and in equity.

In the event the surface of any portion of the Easement Area is disturbed by Grantee's exercise of any of its easement rights under this Agreement, such area shall be restored to the condition in which it existed as of the commencement of such activity. Grantee hereby assumes the obligation, including all costs and expenses, to maintain and repair the Easement Area.

All right, title, and interest in and to the Easement Area, if any, under this Agreement, which may be used and enjoyed without interfering with the rights conveyed by this Agreement are reserved to Grantor, provided, however, that Grantor shall not: (a) enact or maintain any buildings which may cause damage to or interfere with the Improvements to be placed within the Easement Area; or (b) develop, landscape, or beautify the Easement Area in any way which would unreasonably or materially increase the costs to Grantee of installing the Improvements or restoring the Easement Area after such installation. Grantor shall have the right to grant additional easement rights in the Easement Area, provided same shall not interfere with, or otherwise adversely affect any of Grantee's rights herein. Grantor's use and enjoyment of the Easement Area shall not interfere with, or adversely affect any of Grantee's rights herein.

Grantor reserves the right to use Parcel A in any manner and for any purpose that does not interfere with Grantee's Easement rights and its use of the Easement.

GRANTOR:

City of Mills

By:_____

Name:

Title:

STATE OF _____)

) ss.

COUNTY OF _____)

Subscribed, sworn to and acknowledged before me by _____ this _____ day of _____, 2022.

My Commission Expires:

Notary Public

GRANTEE:

Mountain West Technologies Corporation, a Wyoming Corporation

By:_____

Name: Kyle Ridgeway

Title: President

STATE OF _____)

) ss.

COUNTY OF _____)

Subscribed, sworn to and acknowledged before me by Kyle Ridgeway, as authorized agent of Mountain West Technologies Corporation this _____ day of _____, 2022.

Notary Public

My Commission Expires:

EXHIBIT A
DESCRIPTION OF EASEMENT AREA

[Attached]

Amendments to 17.08.045 – MOBILE HOMES

17.08.045 (a) INTENT

It is deemed necessary for the preservation of the safety, health, life, and general welfare of the residents of the City of Mills that regulations be established governing the location of manufactured, modular, and mobile homes within the City to provide adequate minimum area requirements, utilities, wind protection and inspections thereof;

17.08.045 (b) CERTIFICATION.

Any manufactured (mobile) home, located or proposed to be located or installed in a manufactured (mobile) home park or on a subdivided lot, shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards. For manufactured (mobile) homes built prior to June 15, 1976, a label certifying compliance with the standard for manufactured homes (mobile), NFPA 501, ANSI 119.1, in effect at the time of manufacture is required before any such home may be located or installed with the Town.

17.08.045 (c) STANDARDS GOVERNING ALL MOBILE HOME LOCATIONS

It is unlawful within the City of Mills for any persons to place or park any manufactured or mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this Ordinance.

17.08.045 (d) AGE OF MANUFACTURED OR MOBILE HOMES

1. No manufactured or mobile homes twenty (20) years or older, as measured from the date of proposed installation, location or relocation, shall be installed, located or relocated within the City of Mills.

17.08.045 (e) MANUFACTURED OR MOBILE HOME STANDARDS

1. All manufactured and mobile homes located in the City of Mills shall comply with all of the following minimum standards.
 - a. Built according to the standards established by the United States Department of Housing and Urban Development (HUD) under the “National Manufactured Housing Construction and Safety Standards Act of 1974” 42 U.S.C. 5401, et. Seq., as amended (currently codified at 24 C.F.R. 3280) in effect at the time of manufacture and bearing certification to that effect (“Applicable HUD Standards”) and is certified for the appropriate wind, thermal and roof standards for Wyoming.
 - ~~b. The manufactured or mobile home is twenty (20) years or older, as measured from the date of proposed installation, location or relocation, and has been issued a building permit and specific approval to be installed, located, or relocated by the City of Mills Code Enforcement Officer (“CEO”). The CEO shall inspect all 20-~~

~~year and older manufactured and mobile homes in conformance with the installation, location and relocation criteria found in this Ordinance. No manufactured or mobile home shall be installed, located, or relocated that does not meet the Applicable HUD Standards in effect at the time the home was manufactured, or that does not meet minimum criteria of this Ordinance~~

2. Each manufactured or mobile home must be supported on pins or blocking constructed of masonry, block, brick, or concrete. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.
3. Each manufactured or mobile home shall be skirted with a waterproof, rigid, durable skirting material within 30 days of placement.
4. Each manufactured or mobile home shall be equipped so as to permit access to utility connections. All skirting shall be provided with a door or panel to permit ready access to utility connections.
5. Each manufactured or mobile home shall be anchored with tie downs meeting the minimum standards as set forth in Section 15.16.190 of the Mills Municipal Code or their equivalent.
6. All water, sewer, electrical and natural gas connections shall be inspected and approved by the supplying utility prior to use.
7. The manufactured or mobile home meets the minimum standards for fire safety and protection in conformance with the applicable HUD standards at the time of original construction or as established by the Wyoming State Fire Marshall.
8. All appurtenant construction such as decks, walks, steps, handrails, sheds, accessory buildings, and other similar construction is subject to the applicable building code regulations adopted by the City.
9. A minimum of two 10' x 20' off-street parking spaces must be provided for each manufactured or mobile home on the same lot or lots on which the mobile home is located. If off-street parking for a non-conforming manufactured or mobile home, as defined below, is provided between the dedicated street or right-of-way and the non-conforming mobile home, then the distance between the dedicated street or right-of-way and the hitch, or wall if there is no hitch, of the non-conforming mobile home must be at least 20 feet.
10. No non-conforming manufactured or mobile home, as defined below, shall be located within 10 feet of any dedicated alley right-of-way line, and the 10-foot setback area shall not be used for off-street parking.

11. No manufactured or mobile home shall be moved, located, or relocated within the City of Mills without having first secured a written permit for the movement, location, or relocation of said manufactured or mobile home from the City of Mills Building Official.

17.08.045 ~~(d)~~ (f) LOCATION OF MANUFACTURED AND MOBILE HOMES RESTRICTED

(no change in section language)

17.08.045 ~~(e)~~ (g) INSPECTION AND PERMITTING REQUIREMENTS

No manufactured or mobile home located within the City of Mills shall be permanently occupied unless inspected by the City Building Official, or their designee, and found to be ~~City Code Enforcement Officer or designated City Inspector except~~ in conformance with the following inspection/permitting requirements:

1. A manufactured or mobile home shall not be installed, located or relocated within the City of Mills without the issuance of a building permit from the City of Mills. Building permits for additions, alterations, modifications or any physical change to a manufactured or mobile home are required regardless of location.
2. The Building Code Official, or their designee, ~~Code Enforcement Officer~~ has the authority to inspect all new, installed, located, and relocated manufactured and mobile homes for compliance with the provisions of this Ordinance.
3. After the effective date of this Ordinance, no person shall occupy any new or relocated manufactured or mobile home nor permit any other persons to occupy the same unless the manufactured or mobile home has been installed, located, or relocated in compliance with this Ordinance or is a legal non-conforming use under this Ordinance.

17.08.045 (h) AUTHORITY OF THE BUILDING CODE OFFICIAL ~~CODE ENFORCEMENT OFFICER~~

In addition to any other enforcement powers that the Building Code Official ~~Code Enforcement Officer~~ may have, the Building Code Official ~~Code Enforcement Officer~~ may issue a written order to any person to:

1. Immediately cease and desist any work or activity to install, locate, or relocate any manufactured or mobile home in violation of this Ordinance; or
2. Immediately cease and desist from the use or occupancy of any manufactured or mobile home installed, located, or relocated in violation of this Ordinance. Such written order shall constitute an administrative action which may be appealed to the Mills City Council as a contested case within thirty (30) days of the written order.

17.08.045 (g) INSPECTION CRITERIA FOR MANUFACTURED HOMES OLDER THAN 20 YEARS

All manufactured and mobile homes 20 years and older as measured from the date of proposed installation must be inspected by the City of Mills Code Enforcement Officer prior to moving, locating, relocating or installation and a building permit application must be provided to the City of Mills. No such manufactured or mobile home may be occupied prior to the issuance of a building permit and payment of appropriate fees. Each such manufactured or mobile home shall be inspected for compliance with the following minimum criteria before a building permit will be issued.

1. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.
2. Shall have appropriate operational fire alarms installed.
3. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.
4. All roofs shall be solid and stable without any sag.
5. No evidence of significant wood rot or mold shall exist.
6. The exterior of the building shall be properly maintained and painted.
7. Any additions, modifications, or alterations to the building shall have been constructed with appropriate building permits.
8. The manufactured or mobile home maintains the same structural integrity as it did when it was manufactured.
9. No broken windows.
10. All HVAC systems shall be working and installed in accordance with the regulations in place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.
11. Must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Wyoming.
12. Manufactured or mobile homes not meeting these criteria shall be either left in place and considered a non-conforming structure, be moved or relocated outside of the City of Mills or be repaired to meet the criteria. The level of repair needed may differ widely from home to home. The CEO shall determine if the repairs are minor or major. For those repairs determined to be minor, the repairs may be made without a building permit. For those homes that are determined to require major repairs, a building permit

~~must be issued for those repairs. All repairs and construction shall be in conformance with the International Building Codes as adopted. The CEO may permit a manufactured or mobile home needing repairs to be relocated provided a building permit has been issued for the repairs. The CEO may require surety from the applicant to cover the cost of removing the manufactured or mobile home from the City of Mills if repairs are not completed. All repairs must be completed within six months of the building permit issuance and prior to any occupancy of the repaired structure. Failure of the applicant to complete repairs in the designated time will constitute a violation of this Ordinance. The City of Mills may utilize the surety to cause the manufactured or mobile home to be removed from the City of Mills as a result of a violation. All repaired manufactured or mobile homes must pass a final inspection by the CEO prior to being moved, located, relocated or installed in the City of Mills.~~

17.08.045 (h) (i) NON-CONFORMING USES AND NON-CONFORMING STRUCTURES

1. Non-conforming manufactured or mobile homes legally located within the City of Mills on the effective date of this Ordinance and in use for residential purpose may continue at that certain location and continue to be utilized for residential purpose. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this Ordinance and issued a building permit. At such time as any legal non-conforming manufactured or mobile home ceases to be utilized for residential purposes or is vacant for a period of 180 days, it must be removed from the property.
2. Manufactured and mobile homes located within the City on the effective date of this Ordinance which have not been certified under the “National Manufactured Housing Construction and Safety Standards Act of 1974,” 42 U.S.C. 5401, et seq., as amended, are hereby declared legal non-conforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with applicable HUD standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this Ordinance and issued a building permit.

RESOLUTION NO. 2023-12

A RESOLUTION APPROVING GRANTING A QUITCLAIM DEED OF EASEMENT TO MOUNTAIN WEST COMMUNICATIONS

WHEREAS, Mountain West Communications has approached the City of Mills, Wyoming, regarding obtaining an easement from the City of Mills for Mountain West’s fiber optic lines on the property described below:

W.O. No.: 17585-03

Description: (10’ Wide Fiber Optic Easement)

A Parcel and Strip being 10 feet in width located in a portion of the SW1/4NE1/4, SE1/4NE1/4, Section 7, Township 33 North, Range 79 West of the Sixth Principal Meridian, Natrona County, Wyoming and lying 5 feet, parallel and perpendicular, to each side of the centerline being more particularly described as follows:

Beginning at the most westerly end of said Parcel and Strip and a point in said SW1/4NE1/4, Section 7, and from which point the NE1/16 corner of said Section 7, bears N17°29’18”E, 1007.45 feet; thence from said Point of Beginning and along the centerline of said Parcel and Strip, S61°01’05”E, 47.06 feet to a point; thence into said SE1/4NE1/4, Section 7, S58°23’33”E, 390.21 feet to a point; thence, S59°05’27”E, 116.58 feet to a point; thence, S66°59’39”E, 4.18 feet to a point in the northwesterly end of the pedestrian bike path bridge and being the Point of Terminus and from which point the NE1/16 corner of said Section 7, bears N7°57’15”W, 1261.86 feet and said Parcel and Strip containing 0.128 acres, more or less, as set forth by the plat attached and made a part hereof. The sidelines of the above described Parcel and Strip shall be extended and/or shortened to terminate at the intersecting property and easement lines.

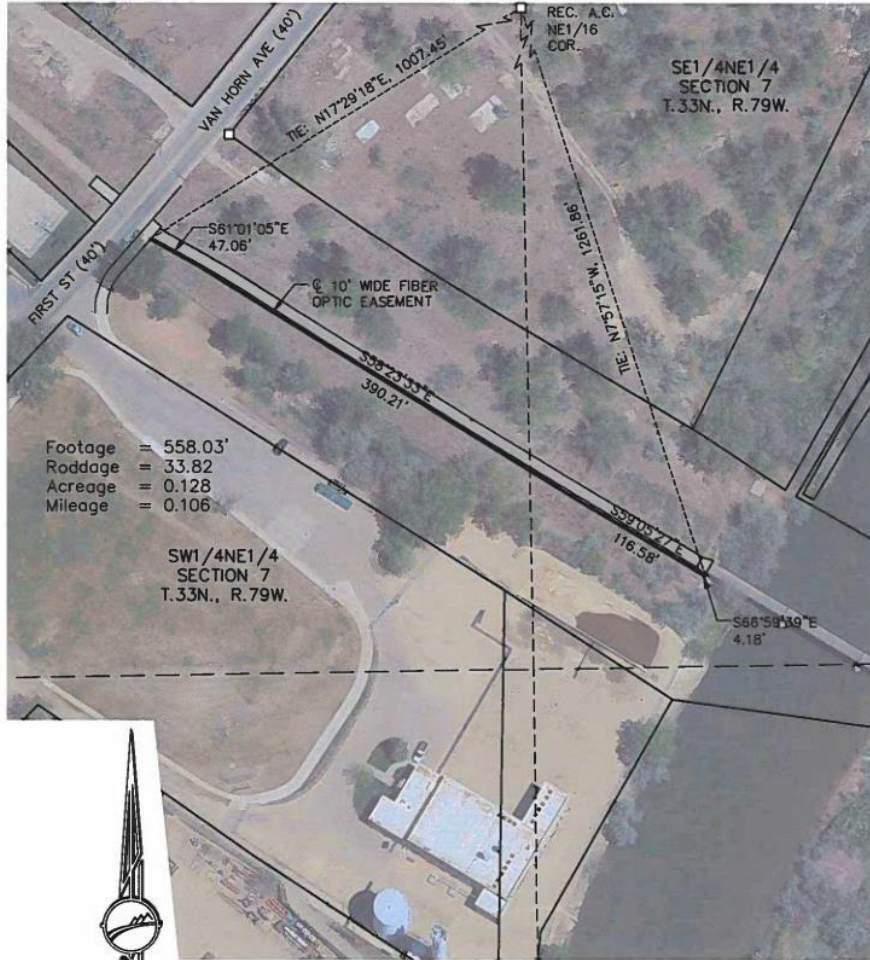
Said Parcel being subject to any and all reservations, easements and rights-of-way of record or as may otherwise exist.

WLC ENGINEERING & SURVEYING
200 PRONGHORN STREET, CASPER, WYOMING 82601
FOR

Client MOUNTAIN WEST TECHNOLOGIES Address 400 EAST 1ST ST. SUITE 307
City CASPER State WYOMING Zip 82601

PROPERTY LOCATION PLAT

S1/2NE1/4 Section 7, T. 33 N., R. 79 W., 6th Principal Meridian, Wyoming
City CASPER County NATRONA State WYOMING



SCALE: 1"=100'
BASIS OF BEARING:
STATE PLANE COORDINATES
WYOMING EAST CENTRAL ZONE
NAD 83/2011
US SURVEY FOOT GRID DISTANCE
Date: 11-18-22
W.O. No. 17585-03
Book No. , Pg.
Drawn By: MPJ
Acad File: MWT_17585-03
N:\CLIENT\MOUNTAIN WEST TECHNOLOGIES\17585\MOBILE EASEMENT\SURVEY\DWG\MWT_17585-03.DWG



and;

WHEREAS, The City of Mills has no objection to the same but does not warrant that the subject real property is owned by the City of Mills at the present time; and

WHEREAS, the fiber optic line benefits the City of Mills, Wyoming and its residents;

NOW, THEREFORE, The City of Mills approves the granting of a quitclaim deed of easement to Mountain West Communications in the form attached hereto and authorizes the Mayor of the City to execute the same.

Resolved this ____ day of June 2023

CITY OF Mills

By: _____
Leah Juarez, Mayor

Cherie Butcher, Councilman

Sara McCarthy, Councilman

Bradley Neumiller, Councilman

Tim Sutherland, Councilman

ATTEST:

City Clerk, Christine Trumbull

ORDINANCE NO. 799

AN ORDINANCE AMENDING TITLE 6 PROVISIONS PERTAINING TO THE KEEPING OF BEES IN MILLS, WYOMING

WHEREAS, The City of Mills has had the recent occasion to review certain provisions found with in Title 6 of the City Code pertaining to the keeping of bees in the City of Mills, and;

WHEREAS, the State of Wyoming has enacted a set of statutes pertaining to the same; and

WHEREAS, The City of Mills had determined that modification of its provisions regarding the bees was in order in order to align the same to the State of Wyoming’s statutes and to otherwise have a simpler and more effective set of ordinances concerning the keeping of bees within the city

NOW THEREFORE, The City Council of the City of Mills, Wyoming amends the provisions found at Title 6 of the City Code of the City of Mills, Wyoming to reflect those amendments found in the draft ordinance attached hereto, with the modified text appearing in red, reflecting additions and strikes.

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

s

6.08.040 Beekeeping.

Bees may be kept within the boundaries of the **City** of Mills subject to the following provisions.

A. Establishment of Colonies shall be done pursuant to permit authorized by the **City** Council of the **City** of Mills. No person may establish a Bee Colony without first obtaining a permit pursuant to this section.

B. Applications for permits shall describe:

i. The intended location for the apiary, as that term is defined at Wyo. Stat. Sect 11-7-131, including reference to the distance to property boundaries.

ii. The number of hives in the apiary, including the number of bees that are intended.

iii. The owner of the apiary and the owner of the real property. If the owner of the real property is not the same person or entity as the owner of the apiary, proof that the owner of the real property has given permission for the apiary must be provided.

C. Any person keeping bees in the City of Mills must fully comply with the applicable provisions of Wyo. Stat Sec. 11-7-131 et seq. in every fashion, including the registration of the subject apiary, as apiary is defined and categorized at Wyo. Stat Sec. 11-7-131.

D. Failure to timely register an apiary under Wyo. Stat Sec. 11-7-202 and/or Wyo. Stat. Sec. 11-7-205 as required by those provisions shall be deemed a breach of the conditions of the permit allowing for the keeping of bees within the City of Mills.

E. Any person keeping bees in the City of Mills must remain in compliance with all applicable provisions of the laws regarding the same as set forth by the State of Wyoming, and any applicable regulations pertaining to the same promulgated by the State of Wyoming or the Federal Government.

F. Bees hives and apiaries may not be established closer than five (5) feet to property boundary on the lots on which they are kept. Bees hives and apiaries may not be established on that part of a lot which is between a municipal street and structures located on the lot.

6.08.050 Failure to Comply with Sec. 6.08.040

Failure to comply with any of the provisions set forth in Sec. 6.08.040 shall be deemed to be a breach of the conditions of the permit. In such instances the City of Mills may issue a citation for the violation and, additionally:

- A. Fine the permittee as set forth in Sec. 1.03.010 and;
- B. Require that the Beekeeper become compliant within sixty (60) days of a citation for violation and
- C. Require the removal of the apiary. Should removal be required, and the owner of the apiary fail to do so, the City may cause the apiary to be removed with all expenses associated with the same to be borne by the apiary owner.

- A. .
- A.