



TOWN COUNCIL

MEETING MINUTES

Tuesday, March 21, 2023 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order Tuesday, March 21, 2023, at 7:00 p.m. The roll was called which determined the presence of a quorum.
Present: Mayor, Peter Boyer. Councilmembers: Tyler Martin, Steven Clark, and Tim Ficken.
Audio Conference: Mary Sue Sorenson
- 2) **Pledge of Allegiance:** The Town Council and all those present stood in service to the United States Flag and pledged allegiance to the United States of America.
- 3) **Minutes of March 7, 2023:** Moved by Tyler Martin, seconded by Tim Ficken. Steven Clark was recused due to his absence. The motion carried without dissent to approve the minutes for March 7, 2023.
- 4) **Balance Sheet, Detailed Income Statement & Trial Balance (Financial Reports) for the period ending February 2023:** Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent to approve the Balance Sheet, Budget Income Statement & Trial Balance (Financial Reports) for the period ending February 2023.
- 5) **Resolution No. 2023-11:** “A RESOLUTION APPROVING WARDWELL WATER & SEWER DISTRICT’S DRAFT PLAN OF DISSOLUTION”. This item was moved to item #13a after a discussion in the executive session.
- 6) **Attorney’s Report:** A written report was submitted to the Mayor and council. Town Attorney, Patrick Holscher was present for council questions or comments. Mayor Boyer reported certain funds from the Bar Nunn Fire Department are received for sponsored events such as car shows, haunted houses, and fall festivals and need a designated account. The account funds need to be separate from the Town’s municipal funds. Attorney Holscher clarified the various municipal Fire Department funds require separation by title and function. An unincorporated association is a common example used for the structuring of funds. Mr. Holscher recommended that the Bar Nunn Volunteer Fire Department fundraising account be classified as non-profit and separate from municipal funds. Mr. Holscher recommended a non-profit association be set up for the Bar Nunn Volunteer Fire Department. Discussion followed. Robert Hoover will contact Attorney Holscher to resolve the matter.
- 7) **Engineer’s Report:** A written report was submitted. Town Engineer, Ray Catellier was present for council questions or comments. Mr. Catellier updated the council on the following items:
 - Community Center & Town Hall Project**
 - Site grading is underway. Excavation work for the foundation is scheduled to begin this week. The concrete forms will be going in with concrete structures available next week.
 - Sampson Construction is mobilizing to the site. A construction trailer, perimeter fencing, and other work will be taking place over the coming days.
 - Exterior colors were selected for the building last week. An example was provided to the council.
 - In-Fill Infrastructure**
 - CEPI evaluated the remaining lots along Bel Vista Drive and North Badger Street that do not have access to water and sewer utility service. A conceptual layout and cost estimate will be made available to the council. This project would be a prime candidate or a fee recapture that requires the landowner to pay their portion of the utility installation costs when they apply for a building permit.
 - South Palomino Lots**
 - Mr. Catellier spoke with the City of Casper Planning department due the extensive experience in municipal-owned property disposal and acquisition and came away with two recommendations:
 - Sell the lots “as-is” as one big package.
 - Trade the lots for other properties of similar value.Regardless of how the Town chooses to move forward, we must comply with all state statutes. Mr. Catellier forwarded the information received to Mr. Holscher.

Salt Creek Highway

- CEPI will be installing control points at various locations on Salt Creek Highway between Motor Power Equipment and Shirks Sanitation to monitor movement in the asphalt.
- There is a significant drainage issue along the highway on each side of the road.
- Vegetation, litter, blow sand, and vehicles leaving the roadway have caused water retention along the roadway. All debris and vegetation should be removed and the ditch on each side of the roadway should be reshaped to allow for drainage. The existing culverts from “the bog” to the east side of Salt Creek Highway and the drainage under the interstate should be jet cleaned, and all silt, vegetation, and other debris removed to allow for proper flow conditions. This work will have a significant impact on the existing roadway. Discussion regarding when the cleanup of Salt Creek Highway can be done, and budget appropriations needed to resume the cleanup project followed. Mayor Boyer directed Maintenance Supervisor, Robert Hoover to obtain pricing quotes to be discussed at the next council meeting. Ray Catellier will contact WYDOT regarding the drainage cleanout under I-25 and report to the council.

8) **Code Enforcement Report:** A written report was submitted. There were no questions or comments from the council.

9) **Parks and Recreation Report:** Chairman, Britany Freeman was present for council questions or comments.

- The Easter Egg Hunt is scheduled for April 1, 2023, at 10:00 a.m. in Antelope Park
- Next monthly meeting to be held April 6, 2023, @ 7:00 p.m. Bar Nunn Fire Department
- Arbor Day poster submissions & judging April 10-20, 2023.
- Arbor Day tree planting event will be held Saturday, April 22, 2023, 8:00-12:00 p.m.
- Discussion: Bar Nunn’s interest in participating in the Recreation Regional Master Plan
- Upcoming events: Monthly meeting May 11, 2023, @ 7:00 p.m. Bar Nunn Fire Department
- Adopt a Highway Clean-up May 13, 2023, @ 10:00 a.m.-12:00 p.m.
- Community Block Party & Splash Pad Open opening May 27, 2023, @ 10:30 a.m.

Mary Sue Sorenson inquired about the purchase of Christmas lights being paid from the Parks and Recreation budget. Discussion followed. Mayor Boyer instructed the Town Clerk to create a new budget line item for the purchase of the Christmas lights. Mary Sue asked about the Recreational Regional Master Plan Study and if the MPO (Metropolitan Planning Organization) would be involved in the study. Ray Catellier confirmed the MPO would be involved in the study. Discussion regarding the expense for participation in the recreational plan followed. The Town Clerk is expected to be provided with the cost of participation for Bar Nunn. The information will be sent to members of the council when received.

10) **Petitions and Public Comment:** Resident, Melinda Sebion commented on the condition of the culverts and storm drains down the center of Antelope Drive. Ms. Sebion inquired if there are plans for the cleanup of the storm drains and stated there are approximately three locations where there is the pooling of water, creating a breeding ground for mosquitoes. Robert Hoover stated there are four storm drain locations on Antelope Drive and one on Sunset Boulevard. The work required for the project is extensive and will need to be scheduled for clean-out when the additional summer crew begins. Mayor Boyer stated the detailed work assignment would likely be accomplished in May or June.

Robert Hoover inquired where the council would like to see trees planted for Arbor Day. Mr. Hoover stated that tree planting may be dependent on the tree farm being accessible. Mr. Hoover cautioned the council to consider the type of trees best suited for the area to prevent the antelope from eating and killing the trees. Mr. Hoover recommended that no more than four trees be planted due to the maturity of the trees at the tree farm. Council members suggested several locations, including the area surrounding the splash pad. Mayor Boyer requested members of the council consider areas for tree planting for discussion at the next council meeting.

Gary Geiger requested the council consider a work session for discussion regarding the rezoning and reclassification of Lot C-11. Mr. Geiger stated that the zoning and planning commission wants to address why the council did not involve the zoning and planning members in the decision-making process. Mayor Boyer stated he would like to resolve the matter with the zoning and planning members and recommended scheduling a time for a work session. Discussion followed. A zoning and planning work session will be scheduled for Tuesday, April 4, 2023, at 6:30 p.m.

The Town staff reported multiple inquiries had been received regarding “work being done at the Town lot on Sunset Boulevard”. The public comments received have been positive in nature, however, it has been suggested that an on-site “Coming soon” sign be posted at the construction site to identify the project. Mr. Catellier stated the construction manager will be notified to include a work site sign at the Community Center/Town Hall site. The Town Clerk remarked that a private landowner called and was concerned about dirt being placed on his property from the Community Center/Town Hall site. Mr. Catellier stated the concern has been acknowledged and the contractor notified.

11) Council Miscellaneous:

A. Homeland Security Liaison Consideration: Dan Sabrosky

Mayor Boyer recommended appointing Dan Sabrosky as Homeland Security Liaison for Bar Nunn. Mr. Sabrosky was present for questions or comments from the council. Mr. Sabrosky provided the council with his background and experience. Discussion followed. Council members expressed confidence in Mr. Sabrosky's reputation, competence, and commitment to serving the community. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve the appointment for Homeland Security Liaison to Dan Sabrosky.

B. Octane Associates: Drag Racing Discussion

Mayor Boyer stated he was contacted by Octane Associates regarding the use of Westwinds Road for a drag strip. The dates requested were June 25, 2023, July 9, 2023, and August 27, 2023. Discussion regarding the need to provide community awareness and business notifications followed. Attorney Holscher stated an agreement regarding liability issues will be drafted if the council approves the use of the roadway. Mayor Boyer asked if the council is amenable to the use of Westwinds Road for a drag strip. Council members agreed with scheduling a presentation with Octane Associates to address questions or concerns.

C. Joint Meeting between Bar Nunn & Wardwell: April 13, 2023, 6:00-8:00 p.m.

Mayor Boyer announced a Joint Meeting between the Town of Bar Nunn Council & Wardwell Water & Sewer District Board is scheduled for April 13, 2023, and will be held at the Bar Nunn Fire Department. The meeting is open to the public to address questions or concerns regarding the Wardwell Water & Sewer District's Dissolution Plan. Discussion regarding public notification, and access to the dissolution plan document followed. Mayor Boyer directed the Town Clerk to provide information to the public via Facebook, the Town of Bar Nunn website, and the monthly newsletter.

D. The Hangar Car Show: Mayor Boyer announced that The Hangar is interested in sponsoring the Cinco De WYO Car Show on May 13, 2023. Mayor Boyer asked the council if they are amenable to a car show being held at The Hangar. Discussion regarding street closures near the Hangar, permits required, recommendations for a publicized traffic plan, and the use of electronic wayfinding devices followed. Council recommended the residents and property owners whom the event will directly affect be notified of the event and road closures. Mayor Boyer will forward contact information to the Town Clerk. Tim Ficken stated he is available for assistance. Mayor Boyer recommended Mr. Ficken communicate with the Town Clerk for coordination.

E. Joint Powers Board (Metro) Report: Tyler Martin

Tyler Martin updated the council with information received at the last Joint Powers Board (Metro) meeting. Information included:

- Dogs at large are the largest expense incurred by Metro
- Metro plan to alleviate costs for unregistered dogs
- Metro planning of initiative to incentivize owners to get animals vaccinated for rabies, licensed, chipped, and registered
- Metro encourages spaying and neutering animals
- Metro charges \$20 for chipping and registering animals
- Municipalities were encouraged to join a uniform incentive plan

Mayor Boyer inquired whether the council was in agreement to join the initiative. Council members agreed to join the initiative with Metro. Discussion regarding Bar Nunn's animal provisions through Metro followed. Robert Hoover stated the Parks and Recreation Department had previously partnered with a local vet to provide rabies vaccinations, and licensing at a discounted rate. Mr. Hoover recommended looking into the possibility of making this available to residents. Parks & Recreation Chairman, Britnay Freeman agreed to seek additional information. Council members and residents were allowed to ask questions or comment. Attorney Holscher clarified Bar Nunn's animal provisions. Bar Nunn has its animal control provisions and licenses are required in Bar Nunn and are issued through Metro.

F. Wyoming Community Gas Board Meeting and Distribution: Kali Schwarzrock

The Town Clerk attended the Wyoming Community Gas Board Meeting and received distribution funds from Wyoming Community Gas in the amount of \$4,653.62. Providers through the Choice Gas program will be available April 6-26, 2023.

G. Discussion: Plow Bids

Robert Hoover presented the council with the proposed bid received for a new or used snowplow. The snowplow was appropriately advertised for acceptance of bids. The proposed bid was quoted at \$99,980 for 2018 Ford-750 with 13,429 miles. The total cost with shipping and a 10-day delivery is \$106,205. Discussion regarding the recommended budget reappropriations for the purchase followed. Mayor Boyer recommended accepting the bid for the purchase of the snowplow and the council concurred. Moved by Mary Sue Sorenson, seconded by Tim Ficken, and carried without dissent to approve the purchase of the 2018 F-350 snowplow for the amount not to exceed \$110,000.

H. Discussion: Collateralization- Mary Sue Sorenson

Mary Sue Sorenson stated the February collateralization test was done, and the test indicates the need to move funds from the General fund into the WYOSTAR investment account. Discussion followed. Mayor Boyer directed the Town Clerk to transfer the funds.

I. Discussion: Zoning & Planning

Attorney Holscher stated the council may rescind the prior approval given to Lot C-11 with the consent of the lot owner if that is the option zoning and planning would like to entertain. This would allow the application for rezoning and reclassification of Lot C-11 to be presented to the zoning and planning committee for consideration. Discussion followed. Chairman, Gary Geiger stated the zoning and planning committee did not intend to request the rescission of the prior approval. The opportunity to communicate through a scheduled work session is expected to resolve the matter.

J. Discussion: Request for attendance- Ray Catellier

Mayor Boyer requested Ray Catellier be available for the joint meeting with the Wardwell Water & Sewer District Board and the Town of Bar Nunn Council that will be held Thursday, April 13, 2023, from 6:00-8:00 p.m. Mr. Catellier agreed to attend and recommended Tom Brauer be invited to attend.

K. Discussion: Personnel Safety

Mayor Boyer stated he would like to address the Town Staff's concern for personal safety. Discussion regarding protective windows and other safety measures followed. Attorney Holscher stated the law reads the council and or the Mayor may authorize staff members to conceal or carry a firearm. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve a resolution authorizing the Mayor to authorize where appropriate-the Town Hall employees to be armed if necessary.

L. Discussion: Wardwell Water & Sewer District Budget

Mayor Boyer reminded council members to review the Wardwell Water & Sewer budget for consideration with the Town's budget. The scheduling of the budget sessions will be considered at the next council meeting.

M. Discussion: Enterprise Funds

Mary Sue Sorenson recommended the council set up a separate account for the Wardwell Water & Sewer District to provide separation of funds and proper accounting practice. Attorney Holscher recommended that contact be made with other municipalities for information regarding the setting up of enterprise funds.

- 12) **Executive Session-Legal Matter:** Mayor Boyer adjourned the regular council meeting and entered Executive Session at 9:22 p.m. Moved by Steven Clark, seconded Tyler Martin, and carried without dissent to enter the Executive Session.
- 13) **Reconvene Regular Council Meeting:** Mayor Boyer reconvened the regular council meeting at 9:24 p.m.
Roll Call: Mayor, Peter Boyer. Councilmembers: Tyler Martin, Tim Ficken, Steven Clark, and Mary Sue Sorenson.

A. Resolution No. 2023-11: "A RESOLUTION APPROVING WARDWELL WATER & SEWER DISTRICT'S DRAFT PLAN OF DISSOLUTION". Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve Resolution No. 2023-11.

- 14) **Executive Session-Personnel:** Mayor Boyer adjourned the regular council meeting and entered Executive Session at 9:26 p.m. Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent to enter the Executive Session.
- 15) **Reconvene Regular Council Meeting:** Mayor Boyer reconvened the regular council meeting at 10:01 p.m.
Roll Call: Mayor, Peter Boyer. Councilmembers: Tyler Martin, Tim Ficken, Steven Clark, and Mary Sue Sorenson.
No action was required.
- 16) **Adjournment:** Moved by Tyler Martin, seconded by Steven Clark, and carried without dissent that there being no further business the meeting of March 21, 2023, be adjourned, at 10:03 P.M.

Respectfully Submitted by:
Donna Damori, Administrative Assistant

Peter Boyer, Mayor

ATTEST: (seal)

Kalista Schwarzrock, Town Clerk-Treasurer