



TOWN OF BAR NUNN 4820 N. Wardwell Industrial Ave., Bar Nunn, Wyoming

TOWN COUNCIL

MEETING MINUTES

Tuesday, October 17, 2023 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Pro Tem Steven Clark called the meeting to order on Tuesday, October 17, 2023, at 7:00 p.m. The roll was called which determined the presence of a quorum.
Present: Mayor Pro Tem, Steven Clark. Councilmembers: Mary Sue Sorenson, Tyler Martin, and Tim Ficken.
Excused: Mayor Peter Boyer
- 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 October 3, 2023:** Moved by Steven Clark, seconded by Mary Sue Sorenson, and carried without dissent to approve the minutes for October 3, 2023.
- 4) **Current Payables List:** Presented for council's review.
- 5) **Balance Sheet, Detailed Income Statement & Trial Balance (Financial Reports) for the period ending September 2023:** Moved by Tyler Martin, seconded by Mary Sue Sorenson, and carried without dissent to approve the Financial Reports for the period ending September 2023.
- 6) **Third and Final Reading for Ordinance No. 2023-06:** "AN ORDINANCE REGARDING LEGAL ADVERTISEMENTS". Attorney Holscher noted this was revised from the prior two readings. Moved by Tim Ficken, seconded by Mary Sue Sorenson, and carried without dissent to approve the final reading of Ordinance 2023-06.
- 7) **Third and Final Reading for Ordinance No. 2023-07:** "AN ORDINANCE TO REQUIRE MASSAGE BODYWORK THERAPISTS TO MAINTAIN PERMITS FROM THE TOWN OF BAR NUNN". Moved by Tim Ficken, seconded by Mary Sue Sorenson, and carried without dissent to approve the final reading of Ordinance 2023-07.
- 8) **Attorney's Report:** A written report was submitted. Town Attorney Patrick Holscher was present for questions or comments from the council. Attorney Holscher stated the ordinances in his report were voted on earlier in the meeting. Other topics covered were:
 - Wardwell Transfer: Attorney Holscher stated that Wardwell's attorney, Alia Scott, has done a lot of work to get the process moving towards completion and has coordinated with members of town staff as well. Pending items from Attorney Holscher concerning this matter are an MOU with the City of Casper and an MOU with Central Wyoming Regional Water.
 - Resolution regarding the wage scale completed and to appear on the 11/07/23 Agenda.
 - Legal notice for the exercise equipment bid has been finalized and published with the Casper Star Tribune with a bid opening date of 11/03/23.
 - Metro fee schedule to be addressed further later in the meeting by Councilman Martin.
- 9) **Engineer's Report:** A written report was submitted. Town Engineer, Ray Catellier, PE was present for council questions or comments. Mr. Catellier updated the council on the following items:
 - **Community Center & Town Hall Project**
Everything is going as planned and on schedule. The roof is complete and the translucent window/wall panels for the gymnasium will be put in place later this week. A stud wall that can be covered with plastic sheeting was put in place where the air handling unit will be brought in, so the building is mostly weatherproof. In the event of a cold snap, they also have insulation to install as needed.

- **Salt Creek Highway**

Mr. Catellier stated shortly after the 10/03/23 meeting, he received word from WYDOT that they do not have any information on previous designs or geology for Salt Creek Highway. Given the age of Salt Creek Highway, the lack of information was not surprising. WYDOT did send what little information they had, but unfortunately it was not very useful. Mr. Catellier stated that CEPI has requested proposals for geotechnical investigations in the area to aid in the design and will present the findings to the council once received.

- **Renauna Avenue & Utilities**

An evaluation was performed to assess the asphalt, water, and sanitary sewer system on Renauna Ave. to establish a baseline in preparation for the Dinosolar project, so those findings are available in the event the energy project chooses to utilize Renanana.

- **Water Meter Inventory**

The water meter inventory is close to 70% complete. All of the unincorporated area is complete and a good portion of the town of Bar Nunn is complete. Completion of the water system inventory is a priority before the winter weather sets in. CEPI is sticking to it and hoping to have it fully completed by the end of October. That will help get the billing on track and make sure that people are receiving proper bills and all the meters are what we think they are.

- **Miscellaneous Discussion for Town Engineer**

Councilwoman Sorenson stated she would like a tour of the new town hall. Discussion ensued about coordinating a tour with other members of the council. Mr. Catellier stated that there is a project superintendent on site, but one of the project engineers would be better to conduct the tour and to let him know when to assist in coordinating with them.

10) **Code Enforcement Report:** A written report was submitted. Code Enforcement officer, Marshall Wyatt, was present for questions or comments from the council.

- Mr. Wyatt noted an incident where the public works department noticed a construction dumpster was placed on the snow route on Nez Perce. Mr. Wyatt stated there was nothing in the ordinance about placing a dumpster on the side of the street and snow routes are only enforceable during a snow event. He suggested that maybe the council should look into adjusting the ordinance to account for large trash receptacles on the snow routes. In this situation, there was a storm coming and it did need to be moved.
- Councilman Martin inquired what the town code states about the number of vehicles on properties. Mr. Wyatt stated there is nothing in the current ordinances that limits the number of vehicles allowed on a property as long as they are registered and up to two unregistered vehicles is allowed.

11) **Parks and Recreation:** Interim Parks and Recreation representative, Tyler Martin was present.

- Trunk-or-Treat set for October 28th from 2 p.m. - 4 p.m. at Antelope Park. Mr. Martin is working on recruiting volunteers for the event. It was a very popular event last year.
- The Igloo contest judging is set to take place December 15, 2023.

12) **Petitions & Public Comment:** No public comment was made.

13) **Council Business:**

A. Discussion: Wyoming Class Investment Pool

Information packets were presented to council for review. Mayor Boyer had inquired at the prior meeting if there was a minimum time frame that the town would not be able to draw from their investments and if there were any fees associated with the withdrawal of funds. Town Clerk, Kalista Schwarzrock, reached out to the Wyoming Class Investment Pool representative, Troy Hunsucker, regarding those inquiries. She was informed that it is daily liquidity, so there is no minimum amount of time investments are held and can be pulled from immediately if needed. Access to funds is available on any business day. There are also no fees to withdraw funds. Mayor Pro Tem Clark inquired how council feels moving forward with investing in Wyoming Class.

Discussion ensued about what funds to place in the investment. Councilman Ficken stated the council should discuss an amount everyone is comfortable with and consider starting small. Councilwoman Sorenson noted Mrs. Schwarzrock's previous suggestion of reinvesting funds that have been spent on the Community Center/Town Hall that will be reimbursed through grants the town has received. Mayor Pro Tem Clark inquired if those grants need to be closely tracked. Mrs. Schwarzrock stated that the grants are reimbursement based. So, the funds are spent by the town, then the construction pay applications are submitted to the grantors for approval for reimbursement. The grantors determine which expenses to reimburse from what the town has already

spent. Councilwoman Sorenson reiterated that she liked that idea and noted that she would like to also get an investment policy in place to give the Town Clerk some direction with future investments. Councilman Ficken suggested that the town could consider maybe putting 30% of the town's net savings into the Wyoming Class Investment Pool. Mayor Pro Tem Clark inquired if the resolution could be pulled off the table and voted on this evening. Attorney Holscher advised since it is a fairly significant thing to do, his preference was that it be put on the next agenda for vote and that Mayor Boyer be present. Council determined that the Resolution to Participate in the Wyoming Class Investment pool will be on the 11/07/23 agenda.

B. Date for Council Interviews

Mayor Pro Tem Clark stated that a date needed to be set for the council vacancy interviews. Attorney Holscher stated that according to the statutes and ordinance, that needs to be advertised as a session of the council. It will be a council session that will be adjourned into an executive session for the interviews. The town clerk noted that there were four applicants. The council determined those interviews could be conducted in a single evening. The interviews were set to take place on Monday, October 23, 2023 starting at 6 p.m.

Councilman Martin confirmed that the meeting had to be a special session, then adjourn into an executive session for interviews. Attorney Holscher stated that it is written that interviews are done in an executive session. Pro Tem Clark requested that the town clerk reach out and schedule the applicants for interviews in 15-20 minute blocks that evening.

C. Metro Fee Schedule

Attorney Holscher noted in his report that Metro would like to streamline their fee schedule for the area. Councilman Martin is on the metro board that is discussing this. Metro distributed the City of Casper's fee schedule. The issue that the town encounters is that most other municipalities have a separate title that just deals with animals. Bar Nunn does not. Bar Nunn's is not particularly clear and attorney Holscher recommended replacing the title to be more clear and similar to Casper's. He believes Metro is seeking a set of codes that are similar to Casper's code because they are used to dealing with Casper's code and fee schedule. Councilwoman Sorenson noted that when she attended the Metro meeting for Councilman Martin, her understanding was that Metro wanted us to adopt Casper's fee schedule exactly as it is. Attorney Holscher stated that was precisely what they want. He noted that the problem Bar Nunn has is that some of our fees are set by ordinance and all of Casper's fees are set by resolution. Attorney Holscher stated that he does not want council to have to do three readings every time they change a fee and our animal ordinances do not comport very well with Metro and in fact, Bar Nunn has on illegal item on it because it states the fee is whatever the City of Casper's fee is, and you cannot do that. The Town needs to set the fee themselves.

Attorney Holscher stated he likes Mills's fee schedule a little better because it is simpler. The simpler they are, the easier they are to work with and it is set by resolution.

Councilwoman Sorenson inquired what is involved with pulling out the animal section out of our ordinances and making it its own section. Attorney Holscher stated the town would have to repeal the few provisions where we have independent animal parts under law enforcement and insert a new title that is an animal code. Since ours is set by ordinance, if we do what Metro wants, we have to amend our ordinance anyway. Attorney Holscher stated he likes it better when a town's fees are set by resolution.

Mayor Pro Tem Clark stated he had discussed this item with Mayor Boyer and they would like the council to read through what Mills has in place and see what the council thinks of it. Attorney Holscher stated he would send copies of Casper's and Mills's titles on animals for the council to review.

Councilman Martin stated the main goal for Metro was to have a set fee schedule where everyone in the Casper area pays the same fees and receives the same incentives regarding animal surrenders, spaying, and neutering. Attorney Holscher advised Councilman Martin to let Metro know at the next meeting that we have some fees set by ordinance and we will likely adjust for their fee schedule, we just can't do it instantly, unfortunately.

14) Miscellaneous Business:

Mary Sue Sorenson- Councilwoman Sorenson stated she is working on a list of things for the council to work on that was prompted by the training they took in August.

Tyler Martin- Councilman Martin stated that he would like to give Councilwoman Sorenson a huge thank you that he was able to serve with her. He stated that he was unbelievable grateful for her and that it has been a joy and that the council will miss her greatly.

Steven Clark- Mayor Pro Tem Clark stated he spoke with Mayor Boyer and he wanted to say thank you and wish Councilwoman Sorenson the best and expressed his appreciation for everything she has done for the town. Pro Tem Clark echoed the sentiment and stated she is leaving some big shoes to fill. They will miss her "tenacious attention to detail."

15) Adjournment: Moved by Mary Sue Sorenson, seconded by Tyler Martin, and carried without dissent that there being no further business the meeting of October 17th 2023, be adjourned at 8:12 p.m.

Respectfully Submitted by:
Kalista Schwarzrock, Town Clerk Treasurer

Steven Clark, Mayor Pro Tem

ATTEST: (seal)

Kalista Schwarzrock, Town Clerk-Treasurer