



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

TOWN COUNCIL

MEETING MINUTES

Tuesday, February 20, 2024 - 7:00 P.M.

4820 N. Wardwell Industrial Avenue,

Bar Nunn, Wyoming

- 1) **Roll Call:** Mayor Peter Boyer called the meeting to order Tuesday, February 20, 2024, at 7:00 p.m.
The roll was called which determined the presence of a quorum.
Present: Mayor, Peter Boyer. Councilmembers: Steven Clark, Tyler Martin, Tim Ficken, and Frank Schwarzrock.
- 2) **Pledge of Allegiance:** The Town Council and all present stood in service to the United States Flag and pledged allegiance to the United States of America.
- 3) **Public Hearing- Liquor License Renewals**
Mayor Boyer adjourned the regular council session and entered a Public Hearing. Moved by Tyler Martin, seconded by Frank Schwarzrock, and carried without dissent to enter the Public Hearing.
 - A. Bar Nunn's Chatters, LLC. dba Chatters Bar & Grill – Mayor Boyer called three times for those who wished to speak in favor of the Bar and Grill Liquor License Renewal. Speaking in favor was bar manager, Pamela Mitchell. Mayor Boyer called three times for those speaking against the renewal. There were none.
 - B. Energy Catering Inc. dba The Hangar – Mayor Boyer called three times for those who wished to speak in favor of the Bar and Grill Liquor License Renewal, speaking in favor was Kurtis VanHouten. Mayor Boyer called three times for those speaking against the renewal. There were none.
- 4) **Reconvene Regular Council Meeting**
Mayor Boyer reconvened the regular council session. Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to reconvene the regular council session.
- 5) **Consider Liquor License Renewals**
 - A. Bar Nunn's Chatters, LLC. dba Chatters Bar & Grill: Mayor Boyer recommended the Bar and Grill Liquor License Renewal for Bar Nunn's Chatters, LLC. dba Chatters Bar & Grill. Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent to approve the renewal of the Bar and Grill Liquor License #2024-01 for Bar Nunn's Chatters, LLC. dba Chatters Bar & Grill.
 - B. Energy Catering Inc. dba The Hangar: Mayor Boyer recommended the Bar and Grill Liquor License Renewal for Energy Catering Inc. dba The Hangar. Moved by Tyler Martin, seconded by Steven Clark, and carried without dissent to approve the renewal of the Bar and Grill Liquor License #2024-02 for Energy Catering Inc. dba The Hangar.
- 6) **Minutes of February 6, 2024:** Moved by Steven Clark, seconded by Tim Ficken, and carried without dissent to approve the minutes for February 6, 2024.
- 7) **Current Payables List:** Moved by Steven Clark, seconded by Tyler Martin, and carried without dissent to approve the payables list of February 20, 2024.
- 8) **Balance Sheet, Detailed Income Statement & Trial Balance (Financial Reports) for the period ending January 2024:** Moved by Steven Clark, seconded by Frank Schwarzrock, and carried without dissent to approve the Balance Sheet, Budget Income Statement & Trial Balance (Financial Reports) for the period ending January 2024.
- 9) **Attorney's Report:** A written report was submitted. Attorney, Patrick Holscher was present for questions or comments from the council.
-Attorney Holscher informed the council that he had issued the letter on off-track betting and skill games they had requested he write

at the February 6th meeting. Attorney Holscher noted that the council had not come to a resolution regarding the matter. He reminded the council that it is a zoning and property matter and that the Town of Bar Nunn does not currently have anything in place to address it and it's a matter of whether the council wanted to add something or not. Any changes to zoning ordinances would not affect existing entities. Attorney Holscher stated the easiest route would be to address the matter through zoning.

Attorney Holscher stated that Wyoming Downs would still like meetings with all of the surrounding government entities. They have a meeting scheduled with the City of Casper and would like meetings and have been told they can appear at a Mills work session, but they haven't confirmed that. They would like to appear at a county work session and would like a dedicated work session with the Town of Bar Nunn. Attorney Holscher stated that a member of the Bar Nunn council can go to any of the other entities' work sessions with Wyoming Downs and offered to reach out to Casper and Natrona County to find out when their work sessions are. Mayor Boyer stated that they would watch the recording of the City of Casper's meeting.

-Attorney Holscher noted that he covered the various options regarding the Blair Lane Improvement District in his report. He stated he would start with a letter to Wardwell's attorney and have them start addressing the matter.

-Attorney Holscher also reported on the electronic notice bill going through the state legislature that Bar Nunn and Mills were tracking. He stated that the bill was not introduced, but it will go into the interim session.

-The Central Regional Water board meeting was rescheduled for February 27th. It is an important meeting because they will be considering Bar Nunn's application to be a member of the Regional Board of Directors. Councilman Clark will be attending that meeting, as well as Councilman Schwarzrock if able. Attorney Holscher noted that Wardwell's attorney was confident that Bar Nunn's request to assume Wardwell's seat would go through. Mayor Boyer inquired if Bar Nunn would be immediately seated if Regional approves the request at the next meeting. Attorney Holscher stated yes, it would likely be immediate because Wardwell wants off the board and Bar Nunn wants on. If the Regional board approves the request, they will likely ask who Bar Nunn's representative will be. Attorney Holscher stated the representative needs to be authorized by the council. Tim Ficken moved, seconded by Tyler Martin, and carried without dissent to designate Frank Schwarzrock as the Bar Nunn representative to the Regional Water Board and Steven Clark as interim.

-A fire department vehicle was involved in an accident where it was hit. Given the age of the truck and the estimate we have received today, it is pretty likely the town will be looking at buying a fire truck. Chief Hoover reported that on February 15 during the winter weather conditions, a resident went through the stop sign at Kalina Trail and Tonkawa Trail. Assistant Chief Cody Edgeington ended up t-boning the resident's vehicle. From what Caliber Collision could visually see without a teardown, there is almost \$17,000 in damages to the truck. All of the trucks have dash cams and the footage was submitted to the Sheriff's Department. The accident report stated the other driver was driving too fast for conditions and failed to stop at a stop sign. No citations were issued.

Chief Hoover stated he believed that with the age of the truck after Caliber Collision takes it apart, the truck will be totaled. There will be the replacement cost for the truck, an emergency lighting package, and \$12,000 for a replacement radio that was damaged.

Chief Hoover stated he is working with the town clerk and the town attorney to figure out what the next steps will be in going through the insurance companies.

Attorney Holscher reminded the council that even though the town should receive insurance money to replace the truck does not change the fact that there will still be the regular process to obtain a new truck and it will have to be put out for bid. Councilman Schwarzrock commented it may be worth the council's time to try to price out something that doesn't have all the bells and whistles right off the dealer's lot. Mayor Boyer inquired if the fire department desperately needed to replace the vehicle, or if they were ok for the time being. He stated he would like to make a good game plan and budget for the replacement. He stated his thoughts were that it would take some time to get the insurance situation straightened out anyway and the town could plan for any shortcomings during budget planning. Chief Hoover stated they could make that work.

- 10) **Engineer's Report:** A written report was submitted. Engineer, Enrique Jimenez was present on behalf of Ray Catellier for questions or comments from the council.

Community Center & Town Hall Project

Mr. Jimenez reported that the air handling unit has been delayed by one week. Sampson Construction had this built into their completion calendar, so it does not affect the timeline previously discussed, but still disappointing.

Site improvements continue with final grading to prepare for landscaping underway and final concrete pours scheduled in the next two weeks.

Salt Creek Highway

CEPI has sent their initial design concept for drainage to WYDOT and are waiting for their input.

Town Planning

Jared Fehringer, Principal Engineer with CEPI, introduced himself to the council. He is a trained landscape architect and has managed

planning duties for the town of Glenrock for the past five years. Mr. Fehringer stated he is well-versed in handling all general zoning and planning, such as reviewing plots, and making sure that they meet town code, annexations, and things of that nature. Mr. Catellier conveyed to Mr. Fehringer that the Town of Bar Nunn is looking for someone who can make sure everything is meeting statutes with zoning and planning, getting notices out and signs posted at subject sites, and aligning with town code. Mr. Fehringer stated he is more than happy to help and would provide the same level of service that the town is used to from CEPI.

Mayor Boyer stated that Mr. Catellier recommended Mr. Fehringer or another individual who will be attending the March 5th meeting. The council will have a choice between her or CEPI as the go-to expert on all things zoning so that when the council convenes with Zoning and Planning again and comes up with the game plan for what they want to do, there can be a consultant present to make sure things are handled properly.

- 11) **Preparedness Committee Report:** A written report was submitted. Mayor Boyer noted that the Emergency Preparedness Committee is coordinating with Mike Cavalier, the Emergency Management Deputy Coordinator for the county, to put together a town emergency plan because we do not currently have one for just the town.
- 12) **Maintenance Report:** A written report was submitted. Director of Public Works, Robert Hoover, was present for questions or comments from the council.
- 13) **Code Enforcement Report:** A written report was submitted. There were no questions or comments from the council.
- 14) **Parks and Recreation Report:** Interim Chairman, Tyler Marin, was present for council questions or comments. No events were scheduled for February. Mr. Martin reported that he would like to set the date of the annual Easter egg hunt for Saturday, March 23rd, which is the weekend before Easter. This is a contingency plan so that if the weather is bad that weekend, they can just push it to Easter weekend on Saturday, March 30th. Mr. Martin stated he would like to set the time for 11 a.m. and try to coordinate it so that there are food trucks afterward.
Mr. Martin stated he has received inquiries about the community garage sale and proposed that the town host only one garage sale this year instead of two. He inquired if the council had a preference for when the community garage sale was scheduled. Councilman Ficken stated that June is usually nice because it's not too hot yet. The town clerk stated that in past years, it had been scheduled for the first Saturday after the school district dismisses for the summer.
Mr. Martin also stated he would like to put out a video on the community page advertising the Parks & Recreation Chairman position and what the requirements would be.
- 15) **Petitions and Public Comment:** Robert Hoover, inquired of the town attorney whose responsibility it is to have vehicles towed. He stated that the Sheriff's office had been contacted regarding an abandoned vehicle in Romie Nunn Park and was told it was our code enforcement's responsibility. When code enforcement was contacted, Mr. Hoover was informed it was not their responsibility either. Attorney Holscher stated that code enforcement can and should do it. He noted that the Sheriff's department can deal with it as well.
Mr. Hoover noted that the town has been advertising for the Parks & Recreation position for almost a year. He suggested that those duties be given to the Fire Department Auxiliary department. He stated that they plan a majority of the town's events except the Easter egg hunt, the 4th of July, and the Halloween Trunk-or-Treat.
Resident, Jan Schoolcraft, inquired if the town has started the process of applying for their ORI after discussions with what the Sheriff's department is and is not doing. Mayor Boyer stated that they haven't yet but would like to have someone in place with experience doing that. He stated he had been up in the air as to which should come first, hiring a police chief, or finalizing all the paperwork for the ORI, and had been leaning towards hiring the police chief first. Resident Mike Schoolcraft asked what kind of time frame the council was thinking for getting a chief hired. Mayor Boyer stated he hoped by the end of the year, but they would have a better idea after the budget meetings. The council will start budgeting for it.

16) Council Business:

A) Parks and Recreation Candidate:

Mayor Boyer stated he spoke to the person who submitted a letter of interest for the position and noted that she is a drink vendor. He stated that was a conflict of interest and prevented her from being a viable candidate.

B) Discussion: Baseball Field Lease Agreement with Todd Cabrera

Todd Cabrera, the president of Valor Baseball was present to discuss their lease of the baseball field. Valor's lease requires them to make improvements to the field. The last time Valor met with council, it was to get approval to add a batting cage. Mr. Cabrera wanted to discuss the amount they are putting into the field. He noted some of the issues they have had maintaining the field, such as vandalism. He stated the biggest battle that Valor Baseball faced last year was the weeds. He stated that their full program went out multiple times to pull the weeds last summer. He is aware that the town has a contract with TruGreen to spray weeds and noted he wasn't sure if the in-field had been sprayed because it was difficult to keep up with the weeds. He requested that maybe

TruGreen sprays more often and to get clarification on what parts of the field are being sprayed. Mr. Hoover stated that the agreement with TruGreen is for them to treat the park and the ballfield twice a year. He noted that the last two years have been bad for weeds since the tumbleweed problem and that we may need to have TruGreen treat the field 3 times a year.

Mr. Cabrera noted another issue Valor Baseball has run into is the abandoned sprinkler system that had been capped off. He stated that the caps keep popping off and the infield gets muddy and there are massive hazards in the field. He stated that Valor is already exploring quotes to change out the infield again and put in clay because it is harder for the weeds to push through clay. He noted the cost is pretty substantial and would be about \$15,000 for materials and another \$10,000 for installation. Mr. Cabrera discussed other improvements he would like to see made to the field. He also noted the concerns of having the splash pad directly behind the outfield and the hazard of a baseball potentially hitting someone in the head and suggested possibly installing a pole system with nets to protect that area.

Attorney Holscher stated that the current lease agreement that Valor has with the town is a lease fee of \$1, but that they must make \$5,000 in improvements to the premises annually with advanced approval of the town. If they make more than \$5,000 in improvements, they can carry that amount over for the next year. Mr. Cabrera stated that when it was first discussed, the plan was to repair it until there was nothing left to update, and then they could sit down and renegotiate the terms and see what seemed fair. Mr. Cabrera inquired if there was any way the town could match funds or had access to and could help Valor Baseball acquire some grants to help with the field improvements. Mayor Boyer explained that budget funds for this year are already allocated to other expenses and there was no room in the budget to match funds this fiscal year and they would have to wait until the next fiscal year for it to even be discussed, which would put Valor behind their timeline for the upcoming season. Mr. Hoover stated he had some time to help search for grants. Mayor Boyer instructed Mr. Hoover and the town clerk to assist Valor Baseball search and apply for grants.

C) Discussion: Palomino Development

Gary and Kyle Bacon were present to discuss the development of properties on Palomino Avenue. They are researching what it would take to develop that area and inquired if the town was open to assisting with the infrastructure for the development, such as putting in a sewer lift pump.

Attorney Holscher stated that generally, the way development works within a municipality is that the developers are responsible for the cost of development. The town does not budget for infrastructure, roads, sewer, or anything like that. That is the responsibility of the developer. On top of that, the town has no funds allocated for that whatsoever. He stated that if they wished to develop that area, the town would certainly welcome a proposal. Attorney Holscher stated that they would have to coordinate with the other property owners in that area.

Mr. Bacon stated that the Town of Bar Nunn owns a majority of those lots and that is why they were present to discuss options with the council. He then inquired if any of those lots would be available to purchase. Mayor Boyer stated that the council has considered selling the lots, but it has been a time issue as to when the council can discuss and address the issue with other matters taking priority. He stated that that was part of the zoning discussion that has been in the works for some time to evaluate the properties the town owns and go through the bidding process dictated by state statute to liquidate those properties.

Councilman Ficken recommended that Gary & Kyle Bacon put together a plan for what the development will cost to put in the infrastructure for those lots to evaluate if it would even be worth the return on their investment to bid on the properties once they are available for bid.

Attorney Holscher stated that in order to sell the properties, the town needs to acquire an appraisal on them because we are statutorily bound to do that. We will likely have an appraiser working for the town on some property relatively soon, so we may want to have them assess these at the same time. Appraisals are only good for so long. We would have to get the appraisals and then put out a request for proposals or put them up for bid.

D) Metro Joint Powers Board

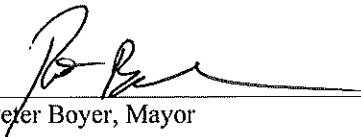
Mayor Boyer informed the council that Metro wants to form a joint powers board similar to the Regional board. Attorney Holscher stated that he believed there was one in place already. Mayor Boyer stated that it sounded like they wanted to form one differently so there is voting power. The idea is to put skin in the game. Attorney Holscher stated that he believes they want a uniform system of ordinances so that the municipalities would all be the same.

Councilman Martin stated he would inform the council of what Metro wants after he attends the next meeting.

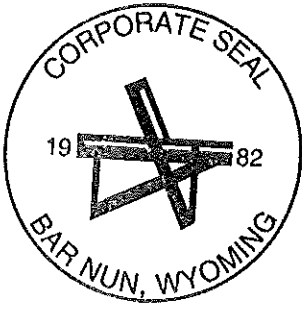
17) **Miscellaneous Business:** None

18) **Executive Session:** Cancelled

19) **Adjournment:** Moved by Tim Ficken, seconded by Steven Clark, and carried without dissent that there being no further business the meeting of February 20, 2024, be adjourned, at 9:00 P.M.


Peter Boyer, Mayor

ATTEST: (seal)




Kalista Schwarzrock, Town Clerk-Treasurer