Town Council Meeting

August 9, 2022

7:00p.m.

Those attending: Mayor Rose Arndt, Council – Colby Peck, Shane Viehweg, Demont Grandy, Theresa Lewis, Attorney Dean Stout, PW – Marcus Fleming, Mike Duran, Sharon Thompson, Clerk Jody Harmon

Also, in attendance – Brenda Lazcanotegui, BranDee Prows, Lois Garlitz, Elbert Harmon, Larry Lewis, Savannah Hansel, Brad Shane Nate, Steve Christensen, Stephanie Nate, Jamie Custer, Christine Teichert, Carolyn and Amy Alder, Robbie Arndt, Becky Fleming, Joe Dayton

1. Mayor Arndt called the meeting to Order.
2. Motion by Councilman Grandy to adopt the agenda seconded by Councilwoman Lewis. Motion passed
3. Prayer given by Attorney Dean Stout
4. Pledge lead by Mayor Rose Arndt
5. Motion by Councilman Grandy to approve the consent agenda with corrections to the meeting minutes for July 12 & 14, and approval of accounts payables and payroll for July 2022 seconded by Councilwoman Lewis. Motion passed

During the discussion Attorney Stout clarified an abstain vote.

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| All West Communications | $820.23 | Caselle | $490.00 |
| Chemtech-Ford | $693.00 | First Bankcard | $5,061.39 |
| Gunderson Ace Hardwar | $1,702.94 | Hastings | $27.80 |
| Kemmerer Gazette | $42.40 | Lincoln County | $842.00 |
| Town of Afton | $54.00 | Rocky Mountain Power | $4,704.70 |
| WY Worforce Service | $535.96 | WY Law Enforcement | $675.00 |
| Xerox Financial | $262.62 | Waxie Sanitary Supply | $256.66 |
| WEBT | $1,977.19 | Intellichoice | $1,701.93 |
| Napa | $169.99 | Executech | $313.95 |
| Mountainland Supply | $1,535.16 | Rocky Mtn Competitive Services | $18.35 |
| Peavlers | $198.56 | Robert Arndt | $126.00 |
| Stotz Equipment | $11,000.00 | IDAWY | $66.75 |
| Verizon | $362.26 | Imperial Pumps | $17,260.92 |
| Todd Brown | $1,400.00 | Sharon Shimmon | $255.26 |
| Payroll | $21,786.87 | WY Retirement | $3,416.37 |
| EFTPS | $6,056.00 |  |  |

1. Motion to adopt the Resolution 22-04 Lincoln County mitigation Plan with changes by Councilman Peck seconded by Councilwoman Lewis. Motion passed

Resolution # \_22-04\_\_\_\_\_ **Adopting the Lincoln County Mitigation Plan**

**Whereas**, the Town of Cokeville seeking FEMA approval of hazard mitigation plan recognizes the threat that natural hazards pose to people and property within our community; and

**Whereas,** undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

**Whereas,** the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards;

**Whereas,** the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

**Whereas,** an adopted Multi-Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

**Whereas,** the Town of Cokeville fully participated in the FEMA-prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

**Whereas,** the Wyoming Office of Homeland Security and the Federal Emergency Management Agency Region VIII officials have reviewed the Lincoln County Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body;

**Whereas,** the Town of Cokeville desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Lincoln County Mitigation Plan.

**Whereas,** adoption by the governing body for the Town of Cokeville , demonstrates the jurisdiction’s commitment to fulfilling the mitigation goals and objectives outlined in this Multi-Hazard Mitigation Plan.

**Whereas,** adoption of this legitimacies the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

**Now, therefore, be it resolved,** that the Town of Cokeville adopts the Lincoln County Mitigation Plan.

Passed: \_8-10-2022\_\_

1. Recognitions – Marcus recognized Sharon for being a great addition to the Public Works Department. Councilman Peck recognized those that helped with the 23 of July celebration and supported the rodeo. Councilwoman Lewis state that the community support on the 23 of July was amazing. Mayor Arndt recognized Marcus for repairing the fire hydrant on Sage St.
2. Public Comment –

Jaime Custer 435 East Main addressed the Council as to why the TAP Grant (to make an ADA Compliant crossing on Main St.) was not approved when it would benefit the Town. The answer was that the Town does not have jurisdiction over Main street where the grant monies would be used. Main Street is a State Highway and controlled by WYDOT. The grant was an approved WYDOT Grant. Jaime also commented on the 2003 ADA court case with Lincoln County School District and a handicapped person from Cokeville.

Elbert Harmon – 110 Canyon Rd. addressed the Council with a little history of the 2003 Court Case and the American Disabilities Act. The school did solve the issues for ADA. Elbert stated if you have a complaint about ADA then file a complaint with the American Disabilities Act.

Mayor Rose Arndt clarified that WYDOT has stated that if a project is started then the project needs to be followed through to make Main St. ADA. WYDOT has started the project by making all 4 corners ADA on Main and Highway 30 which are HWY 30 easement and not part of Main St. Councilman Peck will follow up with this issue.

Brad Shane Nate – 415 E. Main addressed the council with a question on the ADA compliant corners on Main and Highway 30, why one of the sidewalks was built into a fence and some built up to Lindberg property. Councilman Peck added that on the TAP Grant for Main and Sage, if the project costs more than estimated then that is the responsibility of the entity doing the project. Mayor reminded the Council that the amount of the grant was doubled to avoid over cost.

Wayne Harmon – 430 East Main clarified that the property on the west side of Sage St going to the school would not be city property, the city may need to purchased land to put a sidewalk there. Councilman Grandy commented that that property is not level and would need a large amount of fill in order to make the sidewalk level.

Brad Nate agreed 100 percent with previous comments, maybe Sage St. is not the best route to the school, he suggested looking at Pearl or Post.

Wayne Harmon state that Dennis Dayton put in the sidewalk by Joe Dayton’s home, he suggested to talk to the school for help. He also stated that anytime you are spending federal funds then an engineer should be involved in the process.

Meeting was recessed for 15 minutes.

Departments

Councilman Viehweg presented the building permit for Seth Boyer to move fence posts in a corral. Councilman Peck made a motion to approve seconded by Councilman Viehweg. Motion passed

Councilman Viehweg asked if there were enough tailings from the road construction to be able to use those tailings on the airport runway. Wayne Harmon commented when using tailings an oil is needed to seal the tailings together to survive the cold climate. Mayor Arndt suggested to look for grants.

Mayor Arndt updated the information given out in Lincoln County Economic Development meeting. This information can be found on the county website July meeting.

Councilman Grandy updated the grant from WWDC and SLIB loan for the well. He also commented on the cost of a water sanitation plant, approximately 5.5 million dollars. A level III operator would be needed to operate the plant and more land would need to be purchased, to replace the water line coming from the current wells to the tanks would cost approximately 2.5 million dollars.

Robbie Arndt asked how much water the town uses in 1 day. Answer 1 million gallons per day.

Brad Nate requested to fix the sidewalk on Pine St. by his rental.

Councilman Peck stated that a property owner that works as a contractor was repairing his sidewalk and was stopped with the comment, he was not qualified to repair the sidewalk. The Mayor clarified that the contractor wasn’t stopped but the 2 unskilled workers were stopped. The contractor has not contacted the Mayor about this issue.

Robbie commented that it should be repaired properly.

Councilman Peck stated that there are plenty of community experts and doesn’t feel that a contractor that does construction for a living should be told he is not qualified to repair a sidewalk. Attorney Stout clarified liability and ownership. Mayor stated that he should have asked to repair the sidewalk. Dean clarified process and procedures of approval. Elbert Harmon stood up and defended Craig Chadwick, said it was shameful how Craig was treated so wrong and that the concrete was dumped on the ground. Brad agreed to have standards but also need to go through the proper channels. Joe Dayton 205 Sage asked whose responsibility it is to write or change the standards. Mayor stated that it hasn’t been decided yet. Councilman Peck agrees that repairs should be done correctly but feels like Craig should not have been stopped without a reason. Wayne Harmon commented that a mountain was made out of a mole hill and Craig should have been allowed to pour the cement. Brad Nate asked Councilman Peck to have the policy changed and suggest that the council should review one ordinance every month. Robbie Arndt offered to help Councilman Peck write the standards. Councilman Peck declined the offer.

Councilman Grandy informed the Council of the WWDC meeting on August 17, 2022 in Afton, the extra money that the Town has applied for for the water well will be discussed. He also wanted to remind the Public Works to clean the water tanks. He informed everyone that the mixing wheel at the sewer plant is down for repairs for 4 months, waiting on insurance claim. He also stated that standard inspections don’t need to be in the ordinances.

Motion by Councilman Peck seconded by Councilman Viehweg to approve the submission of the grant draw down for the money left in the MRG 15065. Motion passed.

Motion to sign the Notice to Proceed with White Mountain Drilling by Councilman Grandy seconded by Councilman Peck. Motion passed

Councilman Peck stated that the lawn mowers were old and Public Works had to repair them each time before use. He had called several dealers and the John Deere dealer in Preston had agreed to allow the Town to take a mower as a demo to use. Councilman Peck made a motion to transfer $18000 from account 10-44-960 Backhoe Lease to account 10-64-700 capital outlay in Parks, seconded by Councilman Viehweg. 4 votes yes, Mayor voted no Motion carried

Brad Nate asked how much lawn mowing constitutes a commercial lawn mower? Elbert Harmon is in favor or spending the money for a lawn mower, $2800 was spent on bleachers and bleachers were never received. Councilman Lewis reviewed the areas where the lawn mower could be used. Mayor Arndt state the walker mower deck could be replaced for $1500 to $2000. The city could purchase a John Deere mower non commercial machine for $3500, sell the Ferris mower and use the money for something else. Mayor stated she would exercise her right to veto. Attorney Stout clarified the veto process. A veto can be used on signing contracts, signing ordinances but can not be used to stop transfer of funds between accounts. He then stated that the Council can make a motion to purchase the mower, mayor can veto, then council can override her veto with a majority vote. Councilman Peck made a motion to purchase the 2021 John Deer commercial lawn mower for $11000 and to have the purchase order reflect the date of August 9, 2022 seconded by Councilwoman Lewis. Robbie doesn’t want to spend this amount of money for a lawn mower. 4 yes votes and 1 no vote Mayor Arndt vetoed the motion stating that the lawn mower will only used 4 months out of the year, and the money would be better used on street repair, snowplow repair, buildings. Councilman Peck made a motion to override the veto seconded by Councilwoman Lewis. 4 yes votes motion carried. Lawn mower will be purchased. Councilman Grandy stated that lawn mower cost will go up every year and he felt that the town would be better off to not spend money repairing old equipment.

Councilman Peck asked Mike to get an estimate on asphalt to repair the streets. Mayor Arndt public works are to put a barrier around asphalt cutouts and being counter productive with the process. Discussion on counter directions given by Mayor Arndt.

Councilwoman Lewis suggest to move on with the meeting, it is late.

Councilman Peck informed council and audience of the repair by Union Pacific Railroad on the crossing on Main St. The crossing will be close but they will utilize Olsen road and the railroad right of way road. Councilman Peck will let everyone know of the time frame when he gets that information. The Town will need to post the time and that it will possibly be closed for 2 days. Councilman Grandy suggested to have more gravel on the railroad right of way to cover up spikes etc.

Taylor Allred contacted Councilman Peck regarding the street by his home. He will be paving his driveway and wants the city to pave the road past his driveway. There is a turn around there for snow plowing which is muddy. He estimates 1620 sq ft, the Towns portion would be 750 sq ft. which would amount to $6724 plus mobilization fee. Maybe share the street portion of $3113. Discussion on this subject. It was suggested to draft a policy by resolution, Councilman Grandy made a motion to table this issue until a standard can be written. Motion passed

Councilman Lewis talked about the fall events being planned, more information to come. The Christmas tree lighting and parade is scheduled for Saturday December 3, 2022.

Sharon Thompson Public Works read a note left in the park bathrooms of positive compliments for the park.

Mayor Arndt challenge to everyone. “one of the greatest things that can pull us together is to learn what the mayor and town council does.” Read Title 1 chapter 2 &3.

Motion by Councilman Peck to adjourn at 10:59 pm seconded by Councilman Grandy.

Mayor Rose Arndt

Clerk Jody Harmon