TOWN OF BASIN

Council Meeting – Regular Minutes

Tuesday, April 9, 2013

Town Hall Council Chambers @ 7:00 PM

A Regular Meeting of the Town of Basin Council was held in the Council Chambers of the Town Hall in Basin, Wyoming on Tuesday, April 9, 2013 at 7:00 PM.

Council Members present: **Mayor Amy Kania, Bill Stoelk, Lyle King, Dave Cooper and Phil Juilliard**. Also present were Roger Williams, Tony and Beth Harrison, John Ellerbee, Dean Grouns, Wendy Taylor, Karla Pomeroy, Brandon Ohman with TCT West, Town Engineer Sherman Allred, Laurie Morstad, Town Attorney Kent Richens, Steve Vanderploeg, Chief of Police Chris Kampbell, and Clerk/Treasurer Danielle Chapman.

The Meeting was called to order at 7:00 PM.

Harrison Variance Request: The Harrisons presented a request for a home based child care in their home which is situated in a residential zone. The request is for a variance to zoning at 208 South 8th. The P&Z has forwarded the variance request on to the Council, recommending approval, contingent on DFS certification. Phil Juillard made a motion to approve the variance, contingent on DFS approval, Lyle King seconded. The Harrison’s will require a letter from the Town of Basin in order to go forth to DFS. Discussion ensued about the stipulations based on all the licenses, and Dave Cooper questioned the outdoor space and if there will be any fencing put up around the home; Tony explained that they have 6 months to put up a fence, but there have been not definite plans yet. They may be looking for an offsite option in the future. The Council discussed making this a limited use variance specific to the Harrisons for child care only. Phil amends the motion to stipulate it for a limited use and Lyle seconded the amended motion. The motion carried with a unanimous vote.

Dave Cooper made the motion and Lyle King seconded to approve the consent agenda as presented: Minutes for the Regular Council Meeting 3/12/13, Regular Special Meeting 4/2/13; 2) March 2013 Financial Report; 3) Vouchers $450,616.10 + Payroll Gross $39,202.95 GT=$489,819.05; 4) Municipal Court Report; 5) Delinquent Accounts: $88,886.19 (30 days-Current), $10,354.82 (60 days), $29,932.45 (90 days) as of 4/9/13. The vote to approve the Consent Agenda was unanimous.

Public Comments: Roger Williams, owner of Stockman’s Bar, May 1st is the one year and the 3rd would be a celebration, wanting music and roping off the alley, and having alcohol in the roped off area. Phil stated they have done it in the past. Dave asked if there would be any supervision, and Roger said there will be supervision corner eagles to the chain link directly behind bar. Bill made the motion, Phil seconded. The motion carried unanimously.

John Ellerbee asked to address the Council concerning a ditch on his property and the annual assessment for the water right conveyance. Mayor Kania assured him that we would look into the question of whether there was an easement for the ditch and whether he could vacate the water right and get back to him later in the month.

Public Hearing on the Budget Amendment for paving on north 6th street: Mayor Kania opened the public hearing at 7:15 pm, no public comments were made, closed at 7:16 pm.

The Council received and reviewed the minutes from the March 26, 2013 Planning and Zoning Commission meeting. The committee is requesting $1500 in the town’s budget for planning purposes. This request is included in the first reading presented for the budget.

Phil Julliard gave an update on the Big Horn Regional JPB & South Big Horn JPB report concerning purified water. There is no anticipated increase in tap assessments for the next year.

ORDINANCE 623: An ordinance regarding Season Dates for Electric Rates, 2nd Reading. Lyle King made a motion to approve Ordinance 623 on 2nd reading, Dave Cooper seconded the motion. The motion passed.

Bill-NAY

Phil-NAY

Dave-YAY

Lyle-YAY

Amy-YAY

ORDINANCE 624: An ordinance regarding Annual Appropriations, 1st Reading. Phil Juillard made the motion to approve Ordinance 624 on 1st Reading, Lyle King seconded the motion, the 2nd reading will be in May and 3rd in June. Motion carried unanimously, but Bill stated after the vote that he is not in favor of the public works director position being filled.

ORDINANCE 619: Title 11 Zoning; Amendments and Supplements, 1st Reading. Dave Cooper and Phil Juillard concurred that the Council should go through this Title 11 Zoning again in a work session, and Bill Stoelk would like to hear back what the P&Z has to say about it. Mayor Kania suggested that the Council get together with the P&Z to have a working session with them. Bill Stoelk suggested that the Council wait for the P&Z to bring this back without interference with the Council. Mayor Kania will request the P&Z have their recommendations back to Council for the May 7th meeting. Phil Juillard motioned to table until the Council receives the P&Z recommendations back, Bill Stoelk seconded the motion. The motion carried unanimously.

The Council also will table to Land Use Matrix resolution, which is referenced in the Title 11 zoning proposal.

ORDINANCE 625: Appendix-definitions, 1st Reading, Phil made the motion to approve Ordinance 625 on 1st Reading, Lyle King seconded the motion. Discussion ensued about the definitions in the rest of the Code book. Mayor Kania will include all code definitions in the 2nd reading. Motion passed unanimously.

RESOLUTION 2013-0409-1: Budget Amendment. Phil made the motion to approve, Lyle King seconded and the vote was unanimous.

Bresnan/Optimum Temporary Operation Authority: Mayor Kania presented a draft letter to allow temporary operating authority while the Council is in negotiations for cable franchise renewal. Lyle King motioned that Mayor Kania have the authority to sign the letter, Dave Cooper seconded the motion. Motion passed unanimously.

Residential Relending Application: The Council review the preliminary application by Laurie Morstad: Bill Stoelk motioned to approve, Phil seconded, vote to approve was unanimous.

Electric Infrastructure Improvement Project Report: Drawdown reports. Lyle approve the requisitions, Phil seconded and the vote to approve was unanimous. Dave asked for the report to include more detail next month.

G-Street Project Change Order: Sherman Allred presented a change order, which allowed additional time for completion of G-street sewer project. Also to reduce contract price; saving in the bid because no line sags were found that needed to be repaired. Phil made the motion to approve change order and Lyle seconded. Vote to approve was unanimous.

Substantial Completion Certificates: Sherman Allred presented certificates with items to be completed noted for G-Street Sewer and Flush Tanks: Phil motioned to approve, Bill seconded and motion passed unanimously.

Service Agreements for Geo Tech on 8th Street Projects: Ingberg Miller quote for $4500 was reviewed. Phil motioned to approve agreement, Lyle King seconded, unanimously passed as voted.

Write-offs: Dani Chapman requested that a total of $809.68 be written off for closed accounts. Lyle King made the motion to approve these write-offs, Dave Cooper seconded and the vote was unanimous.

MEAN Annual Renewable Energy Assessment: Phil motioned to remain at 1% of energy requirements, Lyle seconded and motion passed unanimously.

WAM Voting Delegate/Teen Delegate: Teen Delegate: The Council discussed put info out to the school and asking for letters of interest by May 14th meeting and Dani would chaperone. Lyle motioned to delegate Mayor Kania as the business meeting voting delegate and Phil as alternate. Dave Seconded. Vote to approve was unanimous.

Building Permit(s): 1) Mary Brown, 458 North 6th, Porch and Patio

2) Jeffrey Brown, 460 North 7th, Residential Remodel

3) Big Horn County, 401 West C Street, Remodel Search and Rescue Building

4) Brian Bailey, 655 North 8th Street, Fence

5) Stanley Crossley, 907 South 6th Street, Storage Building

Lyle King made the motion, Dave Cooper seconded, Lyle questioned the city dumpster location on #4 and Steve affirmed it had been moved. Motion passed unanimously.

Set Date for 6th Penny Public Meeting: Mayor Kania asked to have a public meeting to ask for suggested projects. May 7th was set at 7 pm special meeting.

Dani Chapman presented an update to the Council on some on-site evaluations by Wyoming Workforce for employee safety.

The Council discussed whether to apply for an Open Burning permit for residents. Lyle made a motion not to apply for a burn permit, Dave seconded. Motion carried.

Phil-NAY

Bill-NAY

Lyle-YAY

Dave-YAY

Amy-YAY

The Council received Mike Dellos’ Purified/RW/Wastewater Report for March.

The Council discussed a water tap request for Terralogics near Myrtle and 3rd. The Consensus of the Council was to allow the 1 ½ inch private line to be laid in the undeveloped stretch of Myrtle as no other property would be served by adding a main extension.

The Council discussed surplus of old inventory being the plexiglass from the ice rink, the old pathway lights and the old tennis court chain link. Lyle King made a motion to accept closed bids after advertising. Dave Cooper seconded and the motion was unanimous.

The Council briefly discussed Dave and Lyle’s findings for On-call pay.

Phil Julliard wanted to discuss the potential to sell the BCAC building to the BCAC Group. Mayor Kania and Lyle King spoke out against the idea.

Phil Julliard asked for an update on the Big horn Transportation JPB and purpose of meeting with Secretary of State Max Maxfield. Mayor Kania gave update and report.

Lyle made the Motion to enter into executive session at 9:38 PM, Bill seconded and the vote carried unanimously. The Council exited executive session at 9:55 pm

There being no further business to discuss, Lyle King made the motion to adjourn the meeting at 9:56 PM and Dave Cooper seconded. The motion carried with a unanimous vote.

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                                                         Amy Kania, Mayor                   
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Danielle Chapman, Clerk/Treasurer