

**CITY OF LANDER
REGULAR MEETING
COUNCIL CHAMBERS – CITY HALL
240 LINCOLN STREET
LANDER, WY 82520
FEBRUARY 14, 2017**

THE CITY OF LANDER IS AN EQUAL OPPORTUNITY EMPLOYER

Governing Body Present: Mayor Del McOmie, Council Vice President Monte Richardson Council Members Melinda Cox, Mark Calhoun, Dick Hudson, Dan Hahn

Governing Body Absent: Council President Cade Maestas

City Staff Present: City Clerk Robin Griffin, Fire Administrator Nick Hudson, Assistant Mayor RaJean Strube Fossen, City Treasurer Charri Lara, Attorney Adam Phillips, Police Chief Bob Cecrle, Public Works Director/Engineer Lance Hopkin

CALL TO ORDER

Mayor McOmie called the meeting to order at 6:30 p.m. and explained the process for the public hearing.

PUBLIC HEARING

1. Water Treatment Plant Refinancing USDA Loan

a. Introduce

City Treasurer Lara explained the City was notified by USDA that they were offering a refinance program which would lower the Water Treatment Plant loan. The current loan is 4.5% for 30 years and the new loan will be 2.5% for 20 years. City Treasurer Lara stated the City will still pay the current amount each year but would save money by lowering the interest rate and be paid off in 13 years.

b. Ask for Comments - There were no comments from the Council or audience.

2. Transfer of Ownership of Retail Liquor License #10 From the Hitching Rack LLC to WR Holdings LLC 720 E Main St

a. Introduce - City Clerk Griffin explained retail liquor license #10 was sold to WR Holdings LLC which is Wade and Robyn Alexander.

b. Ask for Comments - Mr. Wade Alexander explained that they are planning on opening the truck stop with gas, diesel and a convenience store, where they would sell package liquor. He stated they will open a restaurant at a later date

There were no comments from the audience.

3. Request for Rezoning Marshall House LLC From R-1 to R-2

a. Introduce - City Clerk Griffin explained the request. The Marshall House LLC has requested to rezone a tract of land that they purchased this last year from R-1 to R-2. The property is adjacent to their home. Their home is zoned R-2 and the tract of land they purchased is currently zoned R-1 Single and Two Family District.

Planning Commission Chairman Dan Hudson presented the recommendation from the Planning Commission to rezone from R-1 to R-2. He explained it was a majority recommendation. The Commission determined that this rezoning follows the master plan to allow property to develop.

Council Member Cox asked for clarification of the area with the three zones R-1, R-2 and R-MED.

Speak in favor - Mary Dean Marshall stating she and her sister Joan had been renting rooms for 10 years. Ms. Marshall read the following statement asking for rezoning.

My name is Mary Dean Marshall and my sister, Joanie, is here as well. We live at 786 South Third

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Street and are the owners and operators of the historic Dr. Replogle home which we've run now for 10 years. It's known simply as Two Sisters. We are here before the City Council requesting a zone change from R-1 to R-2 on land recently purchased from the Trinity Episcopal Church.

You, the Council, and our neighbors recently received a letter from us. We would like to update a statement we made in our letter sent to you and our neighbors. With the focus on a third sister who may well join us soon, we have discussed a tiny house, a yurt, a single-family home and a duplex. We presently do not know what we are going to build or even if we are going to build.

We are here to address the rezoning only. Our request at this time is done out of respect for and as an accommodation to our neighbors and the open space, and in point of fact, we purchased the church property to protect the open space. We can build a single-family home or a duplex with our present R-2 zoning, but know any building will be better situated if it's further south to allow the open space to remain open. As you know, the Planning Commission, who works for the City, has already reviewed and approved our zoning request. They looked at the zoning maps and saw that if there is any spot zoning, it is related to our newly acquired R-1 zoned property. Most of the land south of Main is zoned R-2 or R-Med, and you would be eliminating spot zoning by approving our request.

We would like to briefly address some neighborhood concerns shared with us:

1) Neighborhood going "commercial": Our response is that we have dental offices just across the river in full view from our home and a church next door. Otherwise, there are one-family and two-family homes and our request falls within the parameters of the present zoning in the area.

2) Parking: Do not like cars lining the driveway as it is unsightly: With any building, we will build a garage. As a caveat, we have been told that the previous owner had vehicles lining the driveway and/or parked in back that included a trailer, an RV, a boat, a van, miscellaneous cars, etc., and a person might consider those things just as unsightly.

3) Simply do not want change: We struggle with the same thing, and if we ultimately build, we feel that what we do will certainly be more beautiful than the old fenced garden. We would ask you to remember that we live here and enjoy this wonderful neighborhood, too. We have been told by many who support this rezoning that over these past 10 years, we have earned their trust and proven to them that we make things better and more beautiful, and simply stated, this is what we are called to do, this is what we love to do!

Thank you for your time and attention on this Valentine's Day, and thank you for your service.

If you have any questions, we welcome them and will answer them to the best of our present ability.

Juanita Duncan and Dan Hart are also here to help answer your questions.

Thank you for your time and attention on this Valentine's Day, and thank you for your service.

Sincerely, Joan and Mary Dean Marshall

Against - Bruce Palmer - 291 Cascade he stated he was in opposition. He stated he appreciates his neighbors thanking them for keeping their place in great shape. He stated there have been several changes to the property through the years. He stated it is a multi-family house at this point. He expressed concern about further commercialization of the neighborhood. He stated the original plan was to put up a large house and have more boarders. He asked that this request be put on hold until there is a plan or change from R-2 to R-1.

Council Member Hahn verified if they build and then decide to have boarders they would still have to come to the City for approval.

Planning Chairman Dan Hudson stating boarding was not brought forth when the Commission acted on the rezoning.

Pam Peterson 769 S Third stated she agreed with Mr. Palmer. She stated they could put a duplex on the

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R-2 parcel. She stated she was worried about land values and future land use. Other concerns with building a building back on that lot, with the flood plain, in-fill and elevation for building. She stated another building will take away from the historic view. She expressed concern that the additional fill will push water into another direction and possibly further north. She stated the view is the hardest to lose.

Council Member Hudson stated that it does not matter what zone it is, they still have the right to build there. Flood plain issues will need to be addressed. Mayor McOmie discussed changing zones and non-conforming.

Marvin Brown stated he was in favor of building on the land as proposed.

Sandy DelMonte explained that the Marshall's property abuts her property. She was concerned with filling in the land since it has flooded in the past, this would be incompatible development to put the house in there and would cause more flooding.

Dan Hart - land surveyor stated he has been working with two sisters. He addressed the flood plain stating the ground is about 1 1/2 feet below base flood elevation.

Scott Kane spoke stating the Marshalls are great neighbors and their guests are courteous. He stated they purchased property with R-1 zoning and would be dismayed if developed in an R-2 capacity. He explained the worst case scenario could be a duplex.

Wade Alexander explained he did a test hole 6' deep and there was no water in the test hole. He stated the new building will be normal backfill drainage.

Public Works Director/Engineer Hopkin addressed the flood plain stating it would take a large volume of fill to affect the area with flooding.

Council Member Hahn asked about a building that is built straddling the two zones. The Council discussed this issue with staff. Council Member Hahn stated the neighborhood concerns seem like a personal issue, that they do not want things to change.

The public hearing closed at 7:13 p.m.

APPROVAL OF AGENDA.

MOTION: Council Vice President Richardson moved to approve the agenda as presented. Motion passed.

ORAL COMMENTS

(a) Personal Privilege – Mayor and Council

Council Vice President thanked the Public works guys. Council Member Hudson asked if the water issue on the east end of Main Street had been fixed. Public Works Director/Engineer Hopkin stated nothing has been addressed, it is just a change in the time of year. Council Member Calhoun thanked the community for helping each other during the flood that we had last Thursday night and Friday. Mayor McOmie thanked the Lander Volunteer Fire Department for their assistance.

Mayor McOmie stated some people throw their yard waste into the ditch and this type of event creates an issue and hurts other properties. He reminded everyone to shovel their sidewalks into their yard, to assist with keeping gutter clear. Main Street should clean their entire sidewalk.

(b) Proclamation – Random Acts of Kindness Week

Eight young people were present to accept the Random Acts of Kindness Week Proclamation. They

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explained that they work with Rotary to embody good traits within community.

Mayor McOmie read the proclamation.

CONSENT AGENDA

- (a) Regular Meeting – January 10, 2017
- (b) Work Session Meeting –January 24, 2017

MOTION: Council Member Cox moved to approve the consent agenda minutes. Motion passed.

ORDINANCES THIRD READING

- (a) Ordinance 1209 – Amending Section 7-10-1 Tobacco Products – Definitions within the City of Lander

MOTION: Council Member Hudson moved to approve.

- (b) Ordinance 1210 – Creating Section 1-3-1 creating exceptions allowed by resolutions within the City of Lander

MOTION: Council Member Cox moved to approve.

ORDINANCE FIRST READING

- (a) 1211 – Rezoning Marshall House LLC

MOTION: Council Richardson moved to approve.

NEW BUSINESS

- (a) Approve Retail Liquor License #10 Transfer of Ownership to WR Holdings LLC.

MOTION: Council Vice President Richardson moved to approve.

- (b) Reappointment of Jennifer Schaff to the Lander Planning Commission and Board of Adjustment

MOTION: Council Member Cox moved to approve.

- (c) Approve Case #17.01CSP – Replat of Lane Subdivision Tract 3A and Tract 5

MOTION: Council Member Cox moved to approve.

- (d) Authorize Mayor to Sign the WYDOT Aeronautics Agency Agreement

MOTION: Council Vice President Richardson moved to approve.

- (e) Authorize Mayor to Sign Lease Agreement with Guardian Flight Inc.

MOTION: Council Member Cox moved to approve.

- (f) Approve Change Order #19 and Pay Request #21 Patrick Const Inc for the High Pressure Water Line \$60,733.27

MOTION: Council Vice President Richardson moved to approve.

- (g) Authorize Mayor to Sign the Application to Refinance the Water Treatment Plant Drinking Water SRF Loan

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MOTION: Council Member Hudson moved to approve.

(h) Consent Agenda

- a. Authorize Mayor to Sign WyDOT Aeronautics Grant ALND26B Runway Reconstruction for \$96,329.00
- b. Authorize Mayor to Sign WyDOT Aeronautics Grant ALND26C Runway Reconstruction for \$280,000.00
- c. Authorize Mayor to Sign WyDOT Aeronautics Grant ALND26D Runway Reconstruction for \$2,058,000

MOTION: Council Member Calhoun moved to approve.

(i) Bills & Claims

| | | |
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| ACE HARDWARE LANDER | ALL DEPTS | 279.31 |
| ADAM E PHILLIPS ATTORNEY AT LAW | ATTORNEY - GENERAL/WATER | 4,202.00 |
| AIRGAS | TOOLS - WASTE WATER | 125.67 |
| ALSCO | LINNENS - LCCC | 391.21 |
| API SYSTEMS INTEGRATORS | REPAIR LLC | 598.00 |
| ARMSTRONG CONSULTANTS INC | PROF FEES RUNWAY - AIRPORT | 5,805.00 |
| AT & T | PHONE - POLICE | 8.27 |
| 42 AUTOMATION & ELECTRONICS | CHEMICAL - WTP | 1595.00 |
| B & T FIRE EXTINGUISHERS | MAINTENANCE- FIRE/PARKS/BLD RE GAS- | 438.50 |
| BLACK HILLS ENERGY | GEN/WATER/WTP/SEWER/LCC/FIRE | 23,174.78 |
| BOMGAARS | SUPPLIES - CEMETARY/WTP/SEWER | 435.41 |
| BROWN COMPANY | REPAIR - SHOP | 78.71 |
| CARDNO INC | PROF FEES RUNWAY - AIRPORT | 11,058.46 |
| CASELLE INC | SUPPORT -GEN GOVT/WATER | 2,000.00 |
| CENTURY LINK | PHONE - ALL DEPTS | 1785.12 |
| CITY PLUMBING & HEATING | REPAIR - BLDG MAINT | 502.50 |
| DANA KEPNER CO | REPAIR - WATER | 534.3 |
| DELL MARKETING LP | COMPUTERS - MUNI COURT | 974.68 |
| DOWL | PROF FEE I & I - STP | 12,758.75 |
| ENERGY LABORATORIES INC | TESTING - WTP | 840 |
| FAGNANT LEWIS & BRENDA | PRO FEES- GEN GOV | 11600 |
| FARM PLAN | REPAIR - SHOP | 4.35 |
| FARMER BROTHERS CO | SUPPLIES- GEN GOV/WATER | 892.32 |
| FERGUSON ENTERPRISES INC | REPAIR/MAINT- WATER/PARKS | 6945.98 |
| FLEX SHARE BENEFITS | FLEX BENEFITS-ENTER/WATER | 270 |
| FREMONT BROADCASTING INC | ADVERTISING - WATER | 918 |
| FREMONT CO SOLID WASTE DISPOS | TRASH - PARKS | 11.6 |
| FREMONT COMMUNICATIONS | PHONE - PUBLIC WORKS | 95.75 |
| FREMONT COUNTY TREASURER | DISPATCH/CARE- MUNI/POLICE/FIRE | 26,662.50 |
| FREMONT FABRICATION LLC | REPAIR - SHOP | 35 |
| FREMONT MOTOR COMPANY | SUPPLIES - SHOP | 6.82 |
| FRONT RANGE FIRE APPARATUS LTD | REPAIR - FIRE | 26.63 |
| GALLS LLC | UNIFORMS - FIRE | 30.72 |
| HACH COMPANY | LAB SUPPLIES - WTP | 990.54 |

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| HASCO INDUSTRIAL SUPPLY | SUPPLIES - SHOP | 68.4 |
| HAWKINS INC | MAINTENANCE - WTP | 278.85 |
| HEMKEN, MELISSA | PROF FEES - ART CENTER | 887.5 |
| HOMETOWN OIL | SUPPLIES- SHOP | 629.8 |
| HONNEN EQUIPMENT CO | REPAIR - SHOP | 526.57 |
| HTO CHEMICAL | REPAIR-AIRPORT | 60 |
| IIMC | DUES- GEN GOV | 160 |
| IMS INFRASTRUCTURE MGMT SERVICES | STREET PROJECTS- PROF/MAPP | 26,838.50 |
| INTERNATION AL CODE COUNCIL | DUES - FIRE | 170 |
| J P COOKE | SUPPLIES - POLICE | 256.74 |
| JACK'S SAW SHOP | SUPPLIES - FIRE | 549.9 |
| L N CURTIS & SONS | UNIFORM - FIRE | 34.39 |
| LANDER CHAMBER OF COMMERCE | MEETING - GEN GOVT | 30 |
| LANDER GOLF & COUNTRY CLUB | DONATIONS FOR PUTTING GREEN | 100 |
| LANDER SENIOR CITIZENS CENTER | BLDG MAINT - LANDER SENIOR CEN | 2,635.85 |
| LARIAT INTERNATIONAL | VEHICLE REPAIR- SHOP | 568.06 |
| LESHER, RAINE | MAINTENANCE - LCCC | 2,970.00 |
| LIBERTY MUTUAL | BOND-CLERK | 100 |
| LOOSE, GARY R | SNOW REMOVAL - AIRPORT | 315 |
| LOZIER, TERESA | CLEANING BLDG - WATER | 950 |
| MASTERCARD | ALL DEPTS | 2652.1 |
| MEDIA WORKS INC | MAINTENANCE - WTP | 7.49 |
| MISC ONE TIME PAYMENTS | INVESTIGATE FUNDS - POLICE | 130 |
| MR D'S FOOD STORES | ALL DEPTS | 30.02 |
| NAPA AUTO PARTS - LANDER | ALL DEPTS | 983.26 |
| NEOPOST | RENTAL - WATER | 1000 |
| NORCO INC | SUPPLIES- SHOP | 224.73 |
| NORMONT EQUIPMENT | MAINTENANCE- WATER | 1809.52 |
| ONE CALL OF WYOMING | MAINTENANCE- WATER | 12.75 |
| O'REILLY AUTO PARTS | SUPPLIES - SHOP/CEMETERY | 82.96 |
| PACIFIC COAST LABORATORIES | SHIPPING - POLICE | 6.8 |
| PATRICK CONSTRUCTION INC | CONSTRUCTION - HIGH PRESSURE | 125,456.66 |
| PERRY'S TRUCK & DIESEL | REPAIR - SHOP | 768.34 |
| PITT, ORLEY | CLEANING SERVICES - FIRE | 300 |
| POPO AGIE CONSERVATION DISTRICT | TREES/EXPO- PARKS | 250 |
| RAMKOTA HOTEL & CONFERENCE CENTER | LODGING- WP | 356 |
| REED MOGHAUN SUPPLIES | ALL DEPTS | 179.36 |
| RIVERTON RANGER INC | ADVERTISING - GEN GOVT | 447.53 |
| RIVERTON TIRE & OIL CO | TIRE - SHOP | 1227.45 |
| ROCKY MOUNTAIN POWER | ELECTRICITY- ALL DEPT | 18,929.70 |
| SANITARY SYSTEMS INC | VIDEO & CLEANING - SEWER | 267.38 |
| SPECIAL ARRANGEMENTS | EMPLOYEE BENEFIT - GEN GOVT | 30 |
| SPRINGHILL SUITES-CHEYENNE | TRAVEL-GEN GOVT | 178 |
| STOTZ EQUIPMENT | PARTS- SHOP | 240.73 |
| SWEETWATER AIRE | REPAIR0 LCCC/GEN GOV/FIRE | 744.22 |
| SYN-TECH SYSTEMS INC | REPAIR AIRPORT | 85.25 |
| SYSCO | CONCESSIONS - PARKS | 63.65 |

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| TEAM LABORATORY CHEM. CO. | MAINTENANCE - WATER | 88.5 |
| TWEEDS WHOLESALE CO. | SUPPLIES- ALL DEPTS | 843.66 |
| UNION TELEPHONE COMPANY | PHONE - ALL DEPTS | 595.65 |
| VALLEY LUMBER COMPANY | SUPPLIES- LCCC/SHOP | 81.88 |
| VISA CHARGE ACCOUNT CB&T | ALL DEPTS | 4706.93 |
| WATER REFUNDS | REFUND - WATER | 149.86 |
| WESTERN LAW ASSOCIATES | PROFESSIONAL FEES - GEN GOVT | 3,081.66 |
| WESTERN PRINTING CO. | SUPPLIES - WATER/WTP | 198.18 |
| WHITING LAW PC | COURT APPT LEGAL - MUNI COURT | 1,300.00 |
| WIND RIVER AUTO PARTS | SUPPLIES- ALL DEPTS | 294.48 |
| WIND RIVER AVIATION | CONTRACT - AIRPORT | 1,800.00 |
| WIND RIVER AWARDS | AWARDS - FIRE | 260.5 |
| WINNELSON | MAINTENANCE - WATER | 537.44 |
| WWQPCA | DUES - WTP | 150 |
| WYDOT | LICENSE PLATES - GENL GOVT | 10 |
| WYOMING AIRPORT OPERATORS ASSN | ANNUAL DUES | 100 |
| WYOMING ASSN. OF MUN. | WAM - GEN GOVT | -225 |
| WYOMING DEPT OF TRANSPORTATION | ALL DEPTS | 15,149.66 |
| WYOMING FIRE CHIEFS ASSN. | DUES - FIRE | 160 |
| WYOMING INC | PROF FEES- GEN GOV | 375 |
| WYOMING MACHINERY CO. | SUPPLIES - SHOP | 205.76 |
| WYOMING RETIREMENT SYSTEM | RETIREMENT - FIRE | 690 |
| WYOMING STATE FIREMEN'S ASSN. | DUES - FIRE | 50 |
| WYOMING TAXPAYERS ASSN. | DUES - OGA | 195 |
| WYOMING WASTE SYSTEMS | TRASH COLLECTION - BLDG MAIN | 1,478.47 |
| WYOMING.COM LLC | PHONE/INTERNET - GEN GOVT | 6.72 |
| ZEDI USA INC | MONTHLY TESTING- LAGOON/STP | 1185 |
| | | 344,138.69 |

MOTION: Council Vice President Richardson moved to approve.

ADJOURNMENT

Being no further business to come before the Council, the meeting was adjourned at 7:56 p.m.

The City of Lander

ATTEST:

By: _____
Del McOmie, Mayor

Robin Griffin, City Clerk

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