

**CITY OF LANDER  
REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
240 LINCOLN STREET  
LANDER, WY 82520  
March 9, 2021**

**THE CITY OF LANDER IS AN EQUAL OPPORTUNITY PROVIDER**

**Governing Body Present:** Mayor Monte Richardson, Council Members Dan Hahn, John Larsen, Missy White, Chris Hulme, Julia Stuble

**Governing Body Absent:** Council Member Melinda Cox

**City Staff Present:** City Clerk Tami Hitshe, Assistant Mayor RaJean Strube Fossen, Public Works Director Lance Hopkin, Interim Chief Ron Wells, City Attorney Adam Phillips, City Treasurer Charri Lara

**Call to Order.**

Mayor Richardson called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

- I. Public Hearing – Bar & Grill Liquor Application – Carson’s Bar & Grill
  - a. Open Public Hearing
  - b. Introduce and Read.  
Tami explained the application and that everything was in order to approve it.
  - c. Ask for comments.
  - d. Close public hearing

II. Approval of Agenda

MOTION: Council President White moved to approve agenda. Council Larsen made second. Motion passed.

III. Oral Comments

a. Personal Privilege – Mayor and Council.

John Larsen asked why there have been long lines at the Rural Water House the past few days. Lance Hopkin stated the one side credit card machine is temporarily down until they receive the parts. John then asked about a house at 800 S. 3rd Street that is currently for sale. There has been some discussion on how the house is listed for sale. Mayor Richardson said we are looking into the situation. Lance said we are aware of how it is listed. We will be reviewing our codes and will update you in the near future. Mayor Richardson said the council is hard at working on strategic planning which will continue for a few months.

b. Communication from the floor – Citizens Comments

Mary Johnson Clark, 743 S. 2nd. Have lived here over 20 years. We are neighbors of the house up for sale \$1,5 million dollars. It was supposed to be a cozy cottage for their sister. They are advertising it with 5 apartments upstairs and living quarters downstairs. They advertise making \$6700 monthly income. Now we live with congestion, and people coming in and out. How did a duplex get approved with 5 kitchen? Takes the character of our neighborhood away. They lied to everyone and the council allowed them to build it. Would like you to do something done about it.

Jeff Chaffin. 786 S 3rd Street. Lives in the house next to the property in question. Had

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to get an easement to use that driveway. Concerned about the amount of traffic it would create if sold.

David Clark - 743 S 2nd. Like clarification of what looking into means and how it will get communicated to the neighbors on 2<sup>nd</sup> and 3<sup>rd</sup> street in the future. Things like that, like the variance seem to disappear. Unsupported feelings on how things got done a few years ago. How and when and who will look into this problem.

Adam Phillips says it's very premature. All the Mayor can do is give vague promises. We have to have time to look into it. You are always welcome to come to council meetings and voice your opinion. I have received a lot of emails about this, but it is something we do have to look into. There is a process through the planning commission, city engineer, council and me. It will be discussed, and it will be on our agenda.

David rather than chasing down our elected officials. I would rather see an email or letter delivered to us so we can fit it into our lives rather than pursuing 4 different departments of the city. I would think you could notify the residents of 2<sup>nd</sup> and 3<sup>rd</sup> street of times and opportunities to visit, make comments, appeal if necessary. That just seems fair.

Mayor Richardson said to leave email addresses with us we can make that happen.

Pam Peterson - 769 S 3rd Street. Concern it just can't drag on much longer. House sales are going fast. I have spoken to a realtor about this and if a realtor was listing it, the way they are listing it, they could be in a lot of trouble. What happens if they sell if next week? As a five-unit multiplex in an R2 zone. What are the repercussions for that? Is there anything we can do to halt any sales of the house until you investigate gets done? I am more concerned about the people that buy the property. They have been renting out units for a long time. Profiting greatly illegally by not have a special use by a non-conforming unit and getting away with it.

Julia Stuble – Adam can you outline what the process is and where the interceptions are with public meetings. Does it need to come back to a council vote in another month or can any of this happen between now and the next council meeting.

Adam - We don't have a process for this problem. That is why we need to sit down with Lance and RaJean and figure out what exactly we will be doing with this. If it is a criminal action, then there is a process that we would need to go forward with. It may be out of council hands. Other options that we have discussed. We need to look at it and act as quickly and appropriately as possible.

c. Staff discussion items

RaJean Strube Fossen - Talked about a grant application coming in for the purchase of the hanger at the airport about a year ago. It will be a grant application \$330,000. Might have to have a special meeting to approve the grant. Handed out a pamphlet for Victim Witness Program.

Charri Lara - Reminded council to look in the shared drive for the financial reports. Said Health Insurance will increase 8% this year. 2 separate bills for the distribution. One asking for 10 % the other for 5%. At the WAM board meeting, they say to expect 7% this year and all of it to go away next year. Sales tax if they pass a penny for the school district that will be a 5<sup>th</sup> cent permanent for us. That would be there answer on how to subsidize the supplemental distribution. Have to see how that plays out. She also talked about owner/renter accounts for water bills. We might have to change our code if that passes. Missy asked what a 7% cut in our general distribution mean in this budget year is and what does a total elimination mean in future years. Charri Lara. Will have to take the whole hit in one year. At a minimal \$100,000.00 decrease for the \$900,000 payment,

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we received for the supplemental distribution. Other talk is if they change the formula. Even if they change the formula, that would be just as impacting. Missy said if we were to lose \$900,000, that is a substantial portion of our general operating funds. That is a likely reality down the road and that is a substantial part of the budget. There will be some really brutal conversations coming about what kinds of activities, services the city can offer. Charri said we did set ourselves up for this year with eliminating a couple of positions even if we have the \$300,000 from that and if we have to make up \$900,000, we still have a long way to go to cover that shortfall. Once it gone, it won't come back. Dan Hahn asked if the town or city could not make their commitment, can you use money out of the enterprise fund. Charri said you can borrow from the enterprise fund but have to charge ourselves interest. It's a band aid and it's not going to fix the shortfall. We are going to have a drastic reduction in income in the future because of how the world is changing with technology. We really have to be proactive when thinking about moving forward. John Larsen asked about renter's deposits. Could we raise the deposit for renters? Charri said we could but that would be a council decision. There was a discussion about using the collection agency. Charri said we just started using them this month. Municipal court has over 1 Million of unpaid fines. Hopefully the collection agency will be able to collect.

IV. Consent Agenda:

- a. Regular Meeting Minutes – February 9, 2021
- b. Work Session Meeting Minutes – February 23, 2021
- c. Bills and Claims.

ADAM E PHILLIPS ATTORNEY AT LAW ATTORNEY - GEN GOVT 2,230.00  
 ADAM E PHILLIPS ATTORNEY AT LAW ATTORNEY - WATER 2,230.00  
 ADAM E PHILLIPS ATTORNEY AT LAW Adam Phillips 2,230.00  
 ADAM E PHILLIPS ATTORNEY AT LAW Adam Phillips 2,230.00  
 AFFORDABLE TREE CARE, LLC trim city park trees 4,500.00  
 ALS COLINENS - LCCC 220.24  
 ALS COLINENS - LCCC 142.86  
 ALS COLINENS - LCCC 65.70  
 ANDERSON, ANDY Building Modifications COVID 300.00  
 B & T FIRE EXTINGUISHERS FIRE EXTINGUISHERS 275.00  
 B & T FIRE EXTINGUISHERS YEARLY FIRE EXTINGUISHER CHECK AND CHARGE 117.00  
 BADGER METER INC SERVICE AGREEMENT 160.80  
 BALDWIN CREEK RENTAL CENTER 470.00  
 BERNARD PLUMBING 150.43  
 BERNARD PLUMBING 189.43  
 BLACK HILLS ENERGY GAS - ALL DEPT 9184.40  
 BURNETTE, GARY W. As- Built drawings for Covid emodel 100.00  
 CEMETERY DITCH CO Cemetery Ditch Water Assessment 1,175.00  
 CENTURY LINK phone bill 25.00  
 CENTURY LINK phones 85.18  
 CENTURY LINK phones 137.04  
 CENTURY LINK phones 89.66  
 CENTURY LINK phones 64.90  
 CENTURY LINK phones 366.36  
 CITY PLUMBING & HEATING REMODEL - COVID 492.01  
 COMMUNICATION TECHNOLOGIES Radios for SCADA 2,156.00  
 COMMUNICATION TECHNOLOGIES SCADA Radios 2,156.00  
 COMMUNICATION TECHNOLOGIES Radio Communication for SCADA 4,368.80  
 DEALERS ELECTRICAL SUPPLY Electrical part for UV sump pump 195.70  
 DORSETT TECHNOLOGIES, INC SCADA Engineering and Construction 11,698.12  
 DOWL Closing out Engineering for Project 1,031.00  
 DRUG TESTING SERVICES LLC EMPLOYEE SCREENING 60.00  
 DRUG TESTING SERVICES LLC Pre Employment testing 60.00  
 DYTA CONSULTING Prof fees- Airtable 1,150.00  
 DYTA CONSULTING Prof fees- Airtable 1,150.00  
 ENERGY LABORATORIES INC 189.00  
 FERGUSON ENTERPRISES INC 6 caps 1,339.86  
 FERGUSON ENTERPRISES INC water repair parts 226.20  
 FLEX SHARE BENEFITS FLEX BENEFITS - GEN GOVT 111.25  
 FLEX SHARE BENEFITS FLEX BENEFITS - GEN GOVT 111.25  
 FREMONT COUNTY CLERK 266.38  
 FREMONT COUNTY TREASURER DISPATCH SERVICES 763.20  
 FREMONT COUNTY TREASURER DISPATCH SERVICES 18,316.63  
 FREMONT MOTOR COMPANY 58,022.00  
 FREMONT MOTOR COMPANY PARTS 84.80  
 HDR ENGINEERING INC 2,852.93  
 HDR ENGINEERING INC Closeout Engineering 2,852.93  
 HDR ENGINEERING INC Signage for new School 2,192.50  
 HDR ENGINEERING INC Engineering on future roadway connections 536.25  
 HDR ENGINEERING INC Buena Vista Survey and Water Line Work 201.25  
 HDR ENGINEERING INC Looking at Water Model for McFarland Drive and 5th Street 1,160.00  
 HDR ENGINEERING INC Engineer Services - 7357.50 needs to be AML only 23,175.49  
 HEDGES CONSTRUCTION 638.25  
 HOMETOWN OIL kerosene for steamer 323.22  
 JAMES GORES & ASSOC Engineering Work on Baldwin Creek Road 3,387.78  
 JERRY BORNHOFT

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CONSTRUCTION146,743.48 JOHN KITCHENCompliance - Police150.00 JOHN KITCHENCompliance - Police-150.00 L N CURTIS & SONSPAST OFFICER BADGES426.74 LOOSE, GARY RAIIRPORT MANAGER CONTRACT3,750.00 LOOSE, GARY Rairport manager agreement3,750.00 LOZIER, TERESACLEANING475.00 LOZIER, TERESACLEANING475.00 LOZIER, TERESACLEANING BLDG - WATER475.00 LOZIER, TERESACLEANING BLDG - GEN GOVT475.00 LOZIER, TERESACLEANING BLDG - WATER-475.00 LOZIER, TERESACLEANING BLDG MASAINSURANCE160.00 MASTERCARD \$31,259.23 MES ROCKY MOUNTAINSNew Officers Helmet Shields210.72 MUNICODELegal Review - City Codes975.00 MUNICODElegal review - codes975.00 NAPA AUTO PARTS - LANDER 3,176.35 NEOPOSTPostage - Gen Govt1,000.00 NORCO INC61.38 OFFICE OF STATE LANDS & INVESTACCRUED INTEREST - LOANCW18013,002.15 ONE CALL OF WYOMINGFeb. dig tickets12.25 OVERHEAD DOOR COMPANYGarage Door Repair at Street Shop1,361.00 PERFECT POWER INCRepair - Airport100.00 POSTMASTERPOSTAGE - WATER5,000.00 PREMIER VEHICLE INSTALLATON INCNEW POLICE CAR UPFIT-8,068.53 PREMIER VEHICLE INSTALLATON INCPARTS81.85 PREMIER VEHICLE INSTALLATON INCPARTS160.80 RAMSEY, NICOLE30.00 RIVERTON TIRE & OIL COLABOR TO INSTALL TIRES805.10 ROCKY MOUNTAIN POWERElectricity - All Depts1,455.74 ROCKY MOUNTAIN POWERElectricity - All Depts 16,547.88 SCHOOL DISTRICT #1REFUND - WATER18,765.72 SDICOVID Building Modifications11,197.00 SENTINEL SECURITYFinal bill for security including one discount for returned parts943.20 SHIELDS CLEANINGMAINTENANCE - LCCC3,345.83 SHIELDS CLEANINGShields cleaning3,345.83 STRIKE CONSULTING GROUPMcFarland Drive Water, Sewer and Roadway Design4,300.00 STRIKE CONSULTING GROUP2nd Street Bridge Study2,230.00 STRIKE CONSULTING GROUPEngineering for FEMA Project3,208.75 STRIKE CONSULTING GROUPSurvey and Assessment Engineering1,253.75 STRIKE CONSULTING GROUPMcFarland Drive Water Line Design3,110.00 STRIKE CONSULTING GROUPEasements w/ Guschewsky and Trujillo857.50 SWEETWATER AIRE751.01 TEAM LABORATORY CHEM LLC3,383.50 TEAM LABORATORY CHEM LLCRoad patch867.50 TEGLER INSURANCEINSURANCE188.00 TEGLER INSURANCEINSURANCE188.00 THATCHER COMPANYProf Fees7,391.21 THATCHER COMPANYPup of Caustic soda5,614.86 THE COMPANYRodeo Drive 20' Easement650.00 WAMCO LAB INC.Samples1,500.00 WATER REFUNDREFUND - WATER1,869.49 WDEQ/WQD-400.00 WESTERN LAW ASSOCIATESAttorney2,264.18 WHITING LAW PCAttorney510.00 WILLIAM H SMITH & ASSOCEngineering Design of Water and Roadway12,645.00 WINSUPPLYvalve165.97 WYDOT - FINANCIAL SERVICES8,294.93 WYDOT - FINANCIAL SERVICESFuel - All Depts819.25 WYDOT - FINANCIAL SERVICESFuel - All Depts207.33 WYDOT - FINANCIAL SERVICESFuel - All Depts819.26 WYDOT - FINANCIAL SERVICESFuel - All Depts1,638.52 WYDOT - FINANCIAL SERVICESJEFFERSON ST271.04 WYOMING RETIREMENT SYSTEMRETIREMENT - FIRE37.50 WYOMING RETIREMENT SYSTEMLeafgreen119.89 WYOMING RETIREMENT SYSTEMFiremen Retirement712.50

MOTION: Council President White moved to approve Council Member Hulme made second. Motion passed.

V. Resolutions

- (a) Resolution 1197 – Submission of a grant application to the LWCF for purpose of purchasing undeveloped land to increase city’s recreation opportunities.

RaJean explained the federal grant will go forward with \$250,000 in lieu of the \$275,000 application. The council needs to approve a new resolution with the updated amount. Council Member Larsen asked about money coming out of the general funds. RaJean said \$25,000 would have to come out of either fund raising or the general fund. Not much progress on fundraising because we haven’t started yet. We do have some verbal pledges. We won’t know if this grant is awarded until the end of July. Julia Stuble said Fundraising committee should be something we offer to the Parks & Rec Board at lease as an option for the board. RaJean agreed that we will ask for volunteers at the next meeting with the board.

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MOTION: Council Member Larsen moved to approve Council Member Stuble made second. Motion passed.

- (b) Resolution 1198 – Creating job description for Human Resource Director

MOTION: Council Member Stuble moved to approve Council President White made second. Motion passed.

VI. Ordinances  
First Reading

- a. Ordinance 1240 – Amending Section 2-2-16 Restaurant Liquor Licensees

MOTION: Council Member Hahn moved to approve Council Member Larsen made second. Motion passed.

VII. New Business

- a. Approve Bar & Grill Liquor License for Carson's Bar & Grill

MOTION: Council President White moved to approve. Council Member Larsen made second. Motion passed.

- b. Accept Amended Bylaws for Lander Fire Department – TABLED

MOTION: Council President White moved to un-table item b. Accept the amended Bylaws for Lander Fire Department. Council Member Hahn made second. Motion Passed.

MOTION: Council President White moved to approve Council Member Stuble made second. Council Member Stuble asked Adam if he was ok with the changes. Adam Phillips said they did remove the potential conflict that was discussed at the last meeting. Motion passed.

- c. Approve the LIFT Committee Structure to move forward as a LEDA subcommittee.

MOTION: Council President White moved to approve. Council Member Larsen made second. Council Member Hulme like the presentation, I like the subcommittee and I do think LEDA is the right group for that but there are a couple of things I would like to see. I know the Council makes the last determination on various groups that ask for funding, but I would like to see an appeal process for those groups to come straight to the council just because we are the ones tasked by the taxpayer to oversee the funding and the distribution of the funding I don't know if this situation would ever occur, but having an avenue in case that occurred would be beneficial for the subcommittee. Having that wording in there would be helpful to us. Like the subcommittee to take into consideration so there is some type of stipulation for that. Kendall Hayford, president of LEDA said that would be developed with the LIFT subcommittee within their Bylaws. Most of this will be ironed out within that subcommittee. And that is where LEDA is having a liaison to help administer some of the role, keep in mind the structure that we propose would have a designated city staff member and we do have city staff representation on the LEDA board as well for some of that, so the details would be worked out within the subcommittee ideally what we're hoping is that can move forward

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with the structure. There are always alternative items that could be considered if the Council wants to choose to do that move forward that way. Council Member Hulme said the other issue is the City I feel is going to potentially have our own projects that maybe have a larger scope that some of the other groups and I understand we as a municipality would still have to go through the subcommittee to apply for funding. He would like to make sure that we have money available for some of those larger projects when we need them and that we are not hindered by some of the other things. Again, I know we made the last determination of the funds but just in the language of the document and the concepts at hand, I would just like those two things considered. Kendall mentions that the funds could not be spent unless they were already held. Council President White said when the LIFT committee comes before the council to make their presentation, anyone who was not recommended can certainly come and make their case at that point in time. As to the second point about the city projects, again I think its beneficial for all involved that there is this other committee that has a matrix of the whole variety of criteria so that they can be as objective as possible. Motion passed.

- d. Authorize Mayor to sign the WYDOT 2021 Transportation Alternatives grant.

MOTION: Council Member Hulme moved to approve. Council Member Hahn made second. RaJean Strube Fossen explained the grant. It will be for new sidewalks and upgraded sidewalks and flashing lights around Gannet Peak School. Motion passed.

- e. Approve County Golden Willow Subdivision plat CS21.01 – Maggie Miller.

MOTION: Council Member Hahn moved to approve. Council President White made second. RaJean Strube Fossen explained the planning committee has recommended to approve this subdivision. Motion passed.

- f. Approve Artery Hart Subdivision Final Plat S21.01

MOTION: Council Member Larsen moved to approve. Council Member Stuble made second. RaJean Strube Fossen explained Planning Commission has recommended to approve subdivision. Motion Passed.

Lance Hopkin wanted to talk to the council about lifting the freeze on part time wage to hire a director for Sinks Canyon Camp. Also mentioned hiring a few part time people to help at cemetery and paint streets. Charri Lara mentioned if council gives their blessing, we could hire them now and do the budget amendment at next month meeting. Council Member Larsen asked what the best way is to go forward. What money are we looking at? Lance said the camp should break even. We just need to unfreeze our part time wages so we can start the hiring process. Lance Hopkin said would like to have Sinks Canyon Camp all summer long for different ages of kids. We more than likely won't be able to get into the gyms this summer and since there is always a lot of interest in the camp, we will try to extend it all summer. Would like to advertise for a director. Council President White recommendation is to hire a Sinks Canyon Camp Director as long as it is self-funding, so we are able to offer some type of recreation this summer. The other part time positions, I would like to get more information about those and have a further discussion in more detail.

Phillip Strong asked what Lift and LEDA stand for. explain what they are. Council President White explained what they are. LEDA is Lander Economic Development Association and LIFT is Landers Improvements for Tomorrow.

#### VIII. Adjournment

Being no further business to come before the Council, the meeting was adjourned at 7.10 p.m.

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The City of Lander

ATTEST:

By: \_\_\_\_\_  
Monte Richardson, Mayor

\_\_\_\_\_  
Tami Hitsheew, City Clerk

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