

MINUTES OF A REGULAR MEETING OF THE SINCLAIR TOWN COUNCIL OF THE TOWN OF SINCLAIR, WYOMING HELD AT 5:30 P.M. ON THURSDAY, AUGUST 04, 2022, IN THE COUNCIL CHAMBERS OF THE SINCLAIR TOWN OFFICE BUILDING.

COUNCIL MEMBERS PRESENT: Vice Mayor Michelle Serres, Phyllis McWhorter, Vicki Gabelson, and Brennan Dunlap.

TOWN EMPLOYEES PRESENT: Town Attorney Mike Roberts, Assistant Treasurer Izabela Tysver, Police Chief Jeff Sanders, Maintenance Employee Roger Chizek, Maintenance Employee John Laux, Events Director Monte Thayer, and Fire Chief Gene Goetz.

PLEDGE OF ALLEGIANCE: Vice Mayor Serres led everyone in the pledge of allegiance.

OPENING OF MEETING: Vice Mayor Serres called the meeting to order. Councilmember Gabelson moved to approve July 21, 2022, council minutes. Seconded by Councilmember McWhorter, motion passed unanimously.

APPROVAL OF THE AGENDA: Vice Mayor Serres asked to amend the agenda for tonight's meeting by adding into the Unfinished Business section the discussion about handicapped parking and water rights excerpt. Councilmember McWhorter moved to approve amended agenda for tonight's meeting. Seconded by Councilmember Gabelson, motion passed unanimously.

GUESTS: Steve Sondergard came to the Council Meeting to discuss the contract he was trying to sign with the Town of Sinclair for school rental since over 4 months, including talking to Mayor Johansson and Events Director Thayer for the last 2 months. He expressed his disappointment with how things have gone and the time it's taking to get this lease finished. He apologized for not understanding how city councils work, however, he expressed that what he is trying to do is valuable for the Town of Sinclair, the county as a whole, and the students and kids of the county. He proposed, as it is too late for his company to start the project this year, to discuss the lease details right now and if the Council Members have any issue with it, to express them today. He has not heard any feedback on it. He asked if this project is something that the town would like to see it through. Vice Mayor Serres expressed that she would like to see this project through. She had a few questions. One of the questions was about nuisance (section #4) in the contract and Mr. Sondergard wanted to clear out if any of the nuisance happens, will they be closed. The wording in the contract got changed from "nuisance of any kind" to "nuisance per town's ordinances." The next feedback was related to making a list of modifications and alterations (section #9), to which Town Attorney Mike Roberts asked for more specific list than the one that was presented so far. Vice Mayor asked about the termination conditions (section #10), the recent lease states that the lease may be terminated "if the school becomes uninhabitable" – what that means. Mr. Sondergard wanted a specific indication of what would trigger the termination of the lease. Mr. Sondergard expressed that he would not even start an agreement stating that the lease may be terminated on 30 days written notice without any reason. The investments in the project are too high for that. Mike Roberts said that the wording can be worked out. Then Vice Mayor asked about the section #13 and the statement about availability of any rooms and possibility to rent them at the cost per square foot per year. She suggested to use the word like "prorated" because the town is not leasing at the cost per square foot or use the term "per room". After that discussion, Mr. Sondergard had a question to Council Members. He asked if it possible to deviate from the July-July terms of the lease. The reason behind it was that it would fit their business plan and projections – summers are being expected to be the busiest and they would like to start next year in spring. He was fine with not getting anything done this year anymore, but he was hesitant to wait till July next year. Vice Mayor Serres agreed that this is doable, and the lease can be made from March 1, 2023, to July 31, 2024. Mike Roberts asked Mr. Sondergard if their organization will be profit or non-profit. Mr. Sondergard explained that they will have a non-profit arm to it because they want to help kids in the community, but they need to have an income to cover that. Mr. Sondergard did not understand Roberts' question about being incorporated and he explained that it takes him an hour online to be incorporated with Wyoming State of Secretary but to get this contract it has taken him 4 months. Vice Mayor concluded that between Mayor Johansson, Town Attorney Roberts and herself can work on the contract and get it done. Roberts said that he will create the draft that he will send to the Council Members and that there will need to be still some discussion to which Mr. Sondergard agreed. He asked that this would be done soon enough as they need to prepare for the start-up. Assistant Treasurer Izabela Tysver asked if we need to table this issue. Roberts suggested to table it indefinitely so it could be addressed when the Council finds it appropriate. Council McWhorter moved to table the discussion about the lease between Town of Sinclair and Mr. Sondergard

indefinitely. Seconded by Councilmember Dunlap. However, Mr. Rick McWhorter wanted to ask the question. He asked why the Council would move something indefinitely when things need to be going forward. Roberts explained that it is tabled indefinitely so it does not to be brought the next month but until it is time to bring it before the Council to make decision on. Mr. McWhorter asked why that will not be done next month. Roberts answered that the town could. McWhorter expressed his opinion about tabling things at the Council and they seem to be never brought back in a timely manner. He said that things need to go forward, that Mr. Sondergard wants to do something great for the community, and that the town cannot just keep tabling things. Council McWhorter moved to resend the motion table the discussion about the lease between Town of Sinclair and Mr. Sondergard indefinitely. Seconded by Councilmember Dunlap, motion passed unanimously. Council McWhorter moved to table the discussion about the lease between Town of Sinclair and Mr. Sondergard until next meeting on August 18, 2022. Seconded by Councilmember Gabelson, motion passed unanimously.

RESIDENTS: Rick McWhorter. The Vice Mayor asked if he had anything to bring up, and McWhorter said he has Zoning Board things to address.

ZONING BOARD: Rick McWhorter brought up to the Council meeting the fence issue for one of the town's residents. He brought pictures of the residency and fence he wanted to address. He claimed that the family has special circumstances. He mentioned that the resident was trying to follow what the town ordered him, but it would have been easier if he did not. He also admitted that he would head that direction as well if he needed to. This issue is going on for months. He said that as a town we have big issue here, people were allowed to put sheds, fences, gardens, etc. on town's property, and he said that he understood that had to stop. He brought up a couple of examples from the town. He mentioned that he read the ordinances and nowhere states about where fences, sheds, etc. shall be placed, that nowhere in town we have setbacks set up, and that nowhere in town we have the map of plots boundaries. Then Mr. McWhorter showed the Council Members some maps, boundaries, and the issue that he came to address. He said that he could not see exact points on these maps therefore he is surveying his plot as well as the fence line for the resident he is representing today. He did claim that it is important to do it without taking town's property that's why it is important to have the survey. He asked why the town does not have any maps showing the town's boundary lines. He expressed that the Zoning Board he is representing has no directions to how they should be operating, and the town has no documentations of the best decisions. He expressed that these documentations and decisions must be uniform. According to Mr. McWhorter the last updated maps date back to 1928. Assistant Treasurer Tysver told Mr. McWhorter that the map was found in mayor's office and the town is in possession of three copies of maps and he could come to see them. Roberts mentioned that when someone is buying the property it is their responsibility to know the property boundary lines or survey their plot if needed. Roberts admitted that it was his fault for Zoning Board members to not know how to operate because he was supposed to reach out to them and help them out. He mentioned that he will do that as soon as possible. As of now, the Town's Ordinances do not require residents to have a building permit, they are expected to put that fence on their property though. However, as Roberts stated, it would be a good idea to change that and that way every resident would need to go through the building permit application process. Vice Mayor Serres asked if the town is responsible for doing surveys – Roberts answered that the town is not responsible for doing surveys or telling residents where their property lines are, but for having a plot map so the residents could come and look at it. Councilmember Dunlap said that the town is dealing with these issues for a year to year and a half, then in May there was already a discussion about bringing in the company to update town's ordinances, and nothing was done. There are two aspects that need to be addresses, updating ordinances and getting an engineer to help with plotting. Vice Mayor Serres mentioned that Jason Knopp offered once to do the plotting and she suggested to contact Knopp and ask him if he would do that, and if yes, get the proposal and quote from him, and invite him to the next council meeting. Serres also suggested to contact Starling Codifier company about updating town's ordinance book.

MUNICIPAL JUDGE: Councilmember McWhorter moved to approve July Judges Report in the amount of \$55.00. Seconded by Councilman Dunlap, motion passed unanimously.

FIRE DEPARTMENT: Fire Chief Gene Goetz informed the town that the FD got another truck that is well equipped with 1,100 gallons of water. It was assigned to the town by the state. The building for FD will be delivered in August/September.

STREETS AND PARKS DEPARTMENT: John Laux informed the Council that the AC Tree company looked the big pine tree, and they are passionate at making sure that the tree gets healthy. He informed also that the Christmas lights check-up is scheduled for September.

Councilmember McWhorter mentioned that the mound at the entry to the town needs some pruning and trimming. McWhorter and Serres are willing to volunteer to take care of it. Sanders chimed in stating that the welcome sign is faded and if the town could replace it. Laux offered to look up at the prices of such a sign.

Vice Mayor Serres brought up to the attention that the AC Tree company noticed that big trees around the town are not being watered. She suggested to put the information out to people (in bulletin or in other form) to water these big trees.

SANITARY LANDFILL, SANITARY & STORM SEWER, WASTEWATER TREATMENT FACILITY, AND WATER DEPARTMENT: Maintenance Employee John Laux asked if it would be possible to inform residents about the upcoming jetting or street sweeping, so they could have an option to move their vehicle. Posting in public places, on social media and website are the options to inform residents ahead of time. The discussion went on finding a solution for it and Police Chief Sanders offered to look into the options. Tysver suggested faster and cheaper solution – to create summer schedule for street sweeping and jetting that will be delivered at the beginning of the summer season in the bulletin, door to door.

TOWN BUILDINGS: Maintenance Employee Roger Chizek informed the town that the gas pipe on the theatre roof was removed. However, since the warranty expires by end of the August 2022, he is going to check a few more things.

POLICE DEPARTMENT: Police Chief Jeff Sanders informed the town about the upcoming (August 10-12, 2022) chip sealing on the highway 76, including Lincoln Avenue in Sinclair. Vice Mayor Serres asked Sanders if he found out anything about mowing from HF Sinclair Refinery, and he did not.

Next, Sanders went on to discuss the Bond Schedule. Councilmember Dunlap did not have any comments on it. Vice Mayor Serres suggested that nuisance section including abandoned refrigerators should be increased to \$200.00; the stopping, standing and parking section should be increased to \$100.00; and the speeds are up to the 2022 State Bond Schedule for a residential area. The Bond Schedule will be updated by Sanders and adopted by motion and vote at the next council meeting, August 18, 2022.

The opening and closing hours for the town's parks was brought up as well. The town does not have any regulations related to that issue. The town's curfew starts at 10:30pm. Sanders asked to make a resolution to set up the parks closing hours at 10pm. Councilmember McWhorter moved to draft the resolution by Mike Roberts for opening hours for town's parks being 5:00 am – 10:30 pm. Seconded by Councilmember Dunlap, motion passed unanimously. The Maintenance department will get signs for the parks with this information.

Sanders spoke about that he noticed that some people bring their kids to swim in the fountain. That is a trespassing violation, and the person can be cited. There will be more signs placed to inform people of that violation.

RECREATION/EVENTS DEPARTMENT: Events Director Monte Thayer asked the Council about approving him going to Wyoming Recreation & Parks Association (WRPA) Conference on September 12-14, 2022, in Evanston in a cost of \$225.00 registration plus some lodging and meal costs. Councilmember McWhorter moved to approve Thayer going to WRPA conference. Seconded by Councilmember Dunlap, motion passed unanimously.

Thayer brought up to the Council Members if he would need to get a safe box for Rec Hall. He saw one at Walmart at the cost of \$229.00. Right now, he is putting his money and cash box in the cabinet that is locked with the pad lock. Councilmember Dunlap expressed that he would prefer something that is safer and durable, maybe even mounted and more permanent. Thayer mentioned that the most he ever held on was up to around 400 dollars. To which Tysver reminded the Council members that there was an incident he held onto over 6,000.00 for a few days in his personal vehicle – which would not be covered by the bond insurance in case of theft. Tysver reminded everyone to think long term as the Events Department grows, the important things such as leases,

cash receipts, checks, several cash boxes will need to be securely stored, just like at the townhall. Councilmember Gabelson suggested that Thayer look for a safe box that is more durable and mountable and come back to this discussion at the next meeting, on August 18, 2022.

Thayer addressed the donor plaques for the Theatre. He mentioned that he could not find anything cheaper (from \$200.00 - 600.00) and then they would require traveling back and forth to Saratoga for engraving services. When he presented that one seat/donor plaque may cost over \$200.00, it sounded like a huge amount of money for 190 seats. Serres mentioned to ask Jason Knopp. Tysver brought up a few other ideas that are available everywhere online and easy to research. In terms of seat plaques, Tysver told Thayer to contact Jason Knopp because he already did them and have a company that does them for a very cheap. They are already made to be mounted in a consistent way; all they need is to be engraved. And Serres told Thayer that Mayor Johansson has them. The plaques are all one size and the same style, with limited space on them, and therefore the number of letters is limited. Thayer will bring that issue back at the next council meeting, August 18, 2022.

Vice Mayor Serres asked about leases for the school and their progress. Thayer responded that Sondergard's and Free Mason's leases are still being reviewed. Steve Martinez with Boxing Club needs to come and sign the lease. Art Club is good. The Quilters Club need to sign the keys form. The Radio Club is trying to get non-profit status and will come back at a later time. Councilmember McWhorter asked if it would be possible to assign more than one key to the club/lessee. The Council Members agreed that two keys per club/group is good. If anybody would like to have more than two keys, it is going to be up to the Council's discretion.

Vice Mayor Serres mentioned that she is still looking at the Square options for taking payments for the Theatre and she will have something on that for the next meeting, August 18, 2022.

TOWN ATTORNEY: Town Attorney Mike Roberts mentioned that he drafted the resolution only for unloading and loading zone in front of the Rec Center and Theatre. He did not have enough directions from the Council Members to draft the resolution for handicapped parking that's why it is in today's agenda in unfinished businesses section. He read the Resolution No. 2022-04. Sanders explained in detail how that would look like – the curb would be painted white, and nobody would be able to park for anything else but loading and unloading. He mentioned, however, that the town is exempt from their own ordinances. Tysver added as soon as the town's employees do not abuse that. Councilmember Gabelson moved to approve the Resolution No. 2022-04. Seconded by Councilmember McWhorter, motion passed with Councilmember Dunlap opposing. Vice Mayor Serres asked Councilmember Dunlap what the opposing issues are. He explained that this idea is good for when the town has events but not for a day-to-day use. Maintenance Employee Laux suggested doing 60 feet unloading/loading zone and that would leave some spot for parking on every day basis or on first come-first serve basis during events. During this conversation it appeared that the Council Members did not know where seniors are gathering for their weekly donuts & coffee. Thayer explained that seniors were happy to stay in the school in one of the rooms. Councilmember McWhorter moved to approve rescinding the Resolution No. 2022-04 and for Mike Roberts to draft a new Resolution for that rescinding. Seconded by Councilmember Gabelson, motion passed unanimously. Councilmember McWhorter moved to approve rescinding the Resolution No. 2022-04 and for Mike Roberts to draft a new Resolution 2022-05 for that rescinding. Seconded by Councilmember Gabelson, motion passed unanimously. Councilmember McWhorter moved to approve for Mike Roberts to draft a new Resolution 2022-06 for loading and unloading zone being 60 feet long. Seconded by Councilmember Dunlap, motion passed unanimously.

UNFINISHED BUSINESS: Discussion on parking zones was continued. This time it was about handicapped and limited time parking zones. Sanders suggested to create limited parking spots in front and across from the post office to whatever time the Council Members would like. That would be a very inexpensive solution to parking situation that have some issues during theatre events. Another suggestion was to have handicapped parking spots on the 5th street, east side of the theatre, right in front of the stop sign for two cars. There would be two kinds of signs places, one for handicapped (and the spots painted blue) and another one for limited parking zones. Councilmember McWhorter moved to approve for Mike Roberts to draft a new Resolution 2022-07 for 2 handicapped parking spots and limited time (15 minutes) parking spots on the west side of the 5th street. Seconded by Councilmember Gabelson, motion passed unanimously. Police Chief Sanders will give the actual measurements to Town Attorney Roberts for drafting that resolution.

Jon Nelson from North Fork Engineering sent the email that the copy of it was given to Council Members. Jon is asking if the water attorney he is working with could get in touch with Town Attorney Roberts to start working on the town's water rights agreement. Councilmember Dunlap asked to explain the situation. Roberts explained the situation that the town would like to know what options the town have based on the water agreement with Rawlins City. Roberts thought that the town having an expert would be the best option. Vice Mayor Serres asked the Assistant Treasurer Tysver to reply to Nelson and let him know that the Council wants him to go ahead with his water attorney contacting the town's attorney.

BILLS: Councilmember Dunlap moved to pay the bills and to accept them for payment. Seconded by Councilmember McWhorter, motion passed unanimously.

Vice Mayor Serres adjourned the meeting at 8:51 pm.

The next regularly scheduled council meeting will be held on August 18, 2022, at 5:30 p.m. in the Council Chambers of the Town office building.

The Council Meetings are recorded sessions available for public view at Townhall office.

Leif Johansson, Mayor
TOWN OF SINCLAIR

ATTEST: CLERK/TREASURER