

The Kemmerer City Council met in regular session this 22<sup>nd</sup> day of May, 2023, at 7 p.m. in the City Council Chambers, City Hall, Kemmerer, Wyoming. The Pledge of Allegiance was recited. Present on roll call were Mayor William Thek, Councilmember Marlin Batista, Councilmember Robert Bowen, Councilmember Dale Hicks, Councilmember Mark Quinn, Councilmember Bill Price, and Councilmember Jamie Thornock.

Motion was made by Councilmember Quinn to approve the agenda as presented; seconded by Councilmember Hicks and unanimously approved by council.

**VISITORS' COMMENTS:**

Cindy Miller representing the Kemmerer Senior Center and the Senior Center Mill District Board made comments to the council. Cory See made comments to the council. Lyla Maxwell made comments to the council.

**PRESENTATIONS:**

Stephen P. Allen made a presentation to the council.

**CONSENT AGENDA:**

Motion was made by Councilmember Bowen to approve the items on the consent agenda as amended; seconded by Councilmember Price and unanimously approved by council. Those items were:

(a) approval of the meeting minutes of May 8, 2023, as presented;

(b) approval of the payment of the bills, payroll and ACH payments as presented:

16460 UMWA	\$264.80	16461 819 S Main LLC	\$102.00
16462 Ardennes, Deanne	60.50	16463 BB Haritage, LLC	60.50
16464 Beutler, Vean	80.00	16465 Centurylink	798.82
16466 Centurylink Comm. LLC	30.07	16467 Dex Imaging, LLC	90.18
16468 Dominion Energy	4,065.14	16469 Ellis, Lowell	60.50
16470 Evans, Mike	275.00	16471 Frimml, Jerry	100.00
16472 Hernandez, Michael	60.50	16473 JUB Engineers, Inc.	2,523.30
16474 Kelley, Shannon	60.50	16475 Kemmerer Gazette	380.00
16476 Kemmerer Women's League	350.00	16477 Kilgore Companies, LLC	1,940.80
16478 Knight, Joshua	60.50	16479 Linc. Cty. Landfill	6,388.00
16480 Linc. Cty. Sheriff Office	2,600.00	16481 Mtn. West Bus. Solutions	37.10
16482 Norco, Inc.	15.00	16483 On Target Ammunition	1,389.69
16484 Ouk, Vanny & Linda Ann	60.50	16485 Outlaw Supply, Inc.	992.25
16486 Reladyne West, LLC	2,384.69	16487 Ricoh USA, Inc.	178.04
16488 Riedel, Jade	348.00	16489 Rotary Club of Kemmerer	300.00
16490 Ryerse, Callahan	312.00	16491 Shums Coda Associates	510.00
16492 Turf Equipment & Irrigation	289.14	16493 UMB Card Center	22,608.09
16494 Utah Jazz	1,976.50	16495 Verizon Wireless	5,331.01
16496 Wagner & Wagner, Inc.	11,510.95	16497 Wells Fargo Financial Lease	289.00
16498 Western Wyo. Bevg.	328.00	16499 White, Charity	60.50

16500 Wyo. Dept. of Ag.	100.00	16501 Xerox Financial Svcs.	252.43
5/10/23 Federal Tax Deposit-ACH	12,521.89	5/10/23 Payroll Direct Deposit-ACH	44,039.57
5/10/23 Orchard Trust-ACH	625.00	5/10/23 Expert Pay/Child Support-ACH	277.93
5/10/23 AFLAC-ACH	12.24	5/10/23 ICMA-ACH	50.00
5/10/23 WWB-ACH	475.45	5/10/23 Teton Dist.-ACH	920.45
5/17/23 WWB-ACH	56.15	5/17/23 Teton Dist.-ACH	127.10
5/17/23 WWB-ACH	1,194.17		

- (c) Authorize the mayor to sign a 24 Hour Malt Beverage Permit for Oyster Ridge Music Festival on July 21 & 22, 2023;
- (d) Authorize the mayor to sign the Grant Acceptance Letter from the Lincoln County Recreation Commission in the amount of \$7,830.07;
- (e) Authorize the mayor to sign the Pre-Award Acceptance Letter for the 2023 Mosquito Grant in the amount of \$3,000.00.

**OLD BUSINESS:**

- (a) Motion was made by Councilmember Bowen to Pass on 2<sup>nd</sup> Reading Ordinance No. 2023-877, Zoning Amendment to City of Kemmerer Zoning Map of 60 acres of land from A-Agriculture to CH-Commercial Highway; seconded by Councilmember Hicks and unanimously approved by council.
- (b) Motion was made by Councilmember Price to Pass on 2<sup>nd</sup> Reading Ordinance No. 2023-878, Zoning Amendment to City of Kemmerer Zoning Map of 87.28 acres of land from A-Agriculture and RB-Residential to M2-Multi-Family Housing; seconded by Councilmember Quinn and unanimously approved by council.

**NEW BUSINESS:**

- (a) Motion was made by Councilmember Hicks to pass on 1<sup>st</sup> Reading Ordinance No. 2023-879, Ordinance Amending Section 23-47 of Kemmerer City Code in relation to Self-Storage; seconded by Councilmember Bowen and unanimously approved by council.
- (b) Motion was made by Councilmember Thornock to pass on 1<sup>st</sup> Reading Ordinance No. 2023-880, Amending Section 20-6(d) of the Kemmerer City Code with direction to staff to talk to the zoning board about the optional right-of-way; seconded by Councilmember Hicks and unanimously approved by council.
- (c) Motion was made by Councilmember Hicks to approve the written review of the KD Joint Powers Board Federal Mineral Royalty Capital Construction Grant for \$404,890 in emergency funding for water line repair; seconded by Councilmember Quinn and unanimously approved by council.
- (d) Motion was made by Councilmember Thornock to appoint Dale Hicks as the voting delegate and Brian Muir as the alternate voting delegate at the 2023 WAM Summer Convention; seconded by Councilmember Batista and unanimously approved by council.
- (c) Motion was made by Councilmember Bowen to support WAM Resolution No. 2023-01, A Resolution to Create Utility and Other Municipal Services Lien Authority for Municipalities and Joint Powers Boards; seconded by Councilmember Hicks. The mayor

then called for the question. Those voting “Yea” were Councilmember Batista, Councilmember Bowen, and Councilmember Hicks. Those voting “Nay” were Councilmember Price, Councilmember Quinn and Councilmember Thornock. The mayor then voted, “Nay.” Motion failed.

Motion was made by Councilmember Bowen to support WAM Resolution No. 2023-02, A Resolution Requesting Legislative Action to Allow Municipalities with Small Systems and Limited Populations to Subsidize Water and Sewer System Costs; seconded by Councilmember Quinn and unanimously approved by council.

Motion was made by Councilmember Bowen to support WAM Resolution No. 2023-03, A Resolution Supporting an Amendment to the Statutes Relating to the Distribution of Sales Tax; seconded by Councilmember Price and unanimously approved by council.

Motion was made by Councilmember Hicks to support WAM Resolution No. 2023-04, A Resolution Advocating for Legislation to Clarify the Lien and Assessment Process by which Municipal Expenses for Abating Nuisances and Dangerous Buildings may be Recovered; seconded by Councilmember Thornock. The mayor then called for the question. Those voting “Yea” were Councilmember Batista, Councilmember Bowen, Councilmember Hicks, and Councilmember Price. Those voting “Nay” were Councilmember Quinn and Councilmember Thornock. Motion carried.

Motion was made by Councilmember Price to support WAM Resolution No. 2023-05, A Resolution Setting Records Retention Policy for the City of Mills; seconded by Councilmember Quinn and unanimously approved by council.

Motion was made by Councilmember Bowen to support WAM Resolution No. 2023-06, A Resolution to Make the Lease or Creation of a Medical Facility for a Non-Profit Hospital or Healthcare Provider a Governmental Purpose; seconded by Councilmember Quinn and unanimously approved by council.

Motion was made by Councilmember Bowen to not support WAM Resolution No. 2023-07, A Resolution to Grant Municipalities the Authority to Condemn Abandoned Property on Private Real Property; seconded by Councilmember Quinn and unanimously approved by council.

No motion was made to support WAM Resolution No. 2023-08, A Resolution Granting Municipalities the Ability to Sell Municipal Owned Land to Developers for Housing. Resolution was not considered.

No motion was made to support WAM Resolution No. 2023-09, A Resolution Urging the Wyoming Associations of Municipalities to Continue Leading Statewide Efforts for action on Workforce Housing. Resolution was not considered.

Motion was made by Councilmember Price to support WAM Resolution No. 2023-10, A Resolution Supporting Legislation to Decriminalize Medical Marijuana; seconded by Councilmember Quinn. The mayor then called for the question. Those voting “Yea” were Councilmember Batista, Councilmember Bowen, Councilmember Hicks, Councilmember Price, and Councilmember Quinn. Those voting “Nay” were Councilmember Thornock. Motion carried.

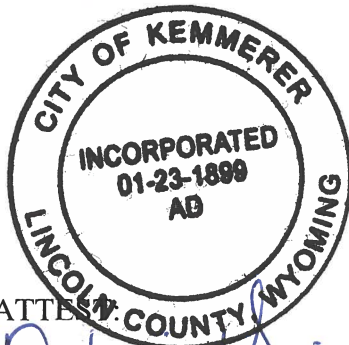
No motion was made to support WAM Resolution No. 2023-11, A Resolution to Amend State Statute to set Fees for Retail Liquor Licenses at a Fair Market Value. Resolution was not considered.

No motion was made to support WAM Resolution No. 2023-12, A Resolution Supporting Allowance of a Real Estate Transfer Tax. Resolution was not considered.

**COMMENTS:**

City Administrator, Brian Muir, made comments. Councilmember Quinn, Councilmember Bowen, Councilmember Thornock, Councilmember Batista, Councilmember Hicks, and Councilmember Price made comments.

There being no further business before the Council, Councilmember Hicks made a motion to adjourn the meeting; seconded by Councilmember Quinn and unanimously approved by council present; 9:19 p.m.



ATTEST

*Natasia Diers*

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NATASIA DIERS  
CITY CLERK-TREASURER

CITY OF KEMMERER, WYOMING

BY: \_\_\_\_\_

*William J Thek*  
WILLIAM J THEK,  
MAYOR