MINUTES OF A REGULAR MEETING OF THE SARATOGA TOWN COUNCIL
HELD OCTOBER 16, 2012, AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE
SARATOGA TOWN HALL

Mayor John Zeiger called the meeting to order.

The Pledge of Allegiance was recited. Members present were Councilman Mike McWain, Councilman Steve Wilcoxson, Councilwoman Judy Welton and Councilwoman Susan Howe.

APPROVAL OF AGENDA: Councilwoman Welton made a motion to approve the agenda as presented, seconded by Councilwoman Howe. The motion passed unanimously.

APPROVAL OF THE MINUTES: Councilwoman Welton made a motion to approve the minutes of the October 2, 2012 meeting as presented, seconded by Councilman Wilcoxson. The motion passed unanimously.

APPROVAL OF THE BILLS: Councilwoman Welton read the following bills for approval: Accounts Payable: $79,388.68; Payroll and FICA for 10/8/2012 in the amount of $60,900.01; and manual checks in the amount of $134.77 for a total of $140,423.46.

Councilman Wilcoxson made a motion to pay the bills amount of $140,423.46, seconded by Councilwoman Howe. The motion passed unanimously.

COUNCIL COMMENTS: Councilman Wilcoxson asked the council to consider amending the noise ordinance to exclude Light and Heavy Industrial areas so that it would not hinder the saw mill and other employment opportunities.

Mayor Zeiger asked Councilman Wilcoxson to get with town attorney Tom Thompson and come back with recommendations for the council.

ITEMS FROM THE PUBLIC:

CORRESPONDENCE: Mayor Zeiger read a letter from The Platte Valley Community Center Board thanking supporters and friends for the wonderful success of the September 22, 2012 fundraiser.

Mayor Zeiger read a letter from Elva Evans asking that the council address the nuisances created on some properties within the town. Ms. Evans suggested that the properties that have received the most complaints and noted concerns and those that pose a health and safety issue should be addressed first. Following that she would like to see the council address the lesser offenders in a timely manner.

REPORTS FROM DEPARTMENTS:

Town Hall: Clerk Suzie Cox reported that the FY 2011 Audit Report for the town are completed and a copy has been provided for councilmember's review. The Community Gas audit is available in the clerk's office for review as is the water and sewer Joint Powers Board audit available in the clerk's office for review.

Clerk Cox reported that all Liquor License renewal applications have been received except for the application from Duke's Bar and Grill which will need to be received immediately so that all publication requirements can be met. The public hearing for the liquor license renewals will be held at 5:30 p.m. on November 20, 2012 prior to the regular council meeting.

Fire Department: Randy Sikes requested permission for the fire department to put the 1994 GMC truck out for bid so that the fire department can replace it with a new truck. The 1994 truck will be advertised for sale in accordance with WS 15.1.112.

Councilman Wilcoxson made a motion to allow the fire department to advertise for bid the 1994 GMC truck, seconded by Councilman McWain. The motion passed unanimously.

Police Department: Chief Wachsmuth indicated that he would be introducing the two new officers to the council at the next meeting.

Recreation Department: Recreation Director Lisa Burton reported that the Missoula Children's Theater presentation will begin next week with auditions to be held on Monday, October 22, 2012 followed by rehearsals throughout the week and theater presentations on Friday October 26, 2012 at 6:30 p.m. and Saturday October 27, 2012 at 4:00 p.m.

Recreation Director Burton reported that the Colcannon Christmas concert is booked for December 2, 2012 in the Community Center Theater at a cost of $3,500.00. Ms. Burton requested the council approve the agreement with Colcannon with permission for the Mayor to sign.

Ms. Burton reported that she is pursuing grant funding through the Wyoming Arts Council for $2.000.00 to offset some of the cost of the concert.

Councilwoman Welton made a motion to approve the Colcannon Agreement with permission for the Mayor to sign, seconded by Councilman McWain. The motion passed unanimously.

Recreation Director Burton reported that approximately 35 kids attended the Booster Club Dance on Saturday, October 13, 2012.

Department of Public Works

- Street Department: No report.

- Weed and Pest: No report

- Hot Pool: Randy Sikes reported that the hot pool had been cleaned last week because of broken glass along the benches and walk way.

REPORTS FROM BOARDS AND COMMISSIONS:
Airport Board: Clerk Suzie Cox presented a Reimbursement Request for Federal Funds in the amount of $6,841.00 for the Airport Master Plan project and requested approval with permission for the Mayor to sign it.

Councilwoman Welton made a motion to approve the Reimbursement Request for Federal Funds in the amount of $6,841.00 for the Airport Master Plan project with permission for Mayor to sign it. Councilman Wilcoxson seconded and the motion passed unanimously.

Clerk Suzie Cox presented a Reimbursement Request for State Funds in the amount of $456.00 for the Airport Master Plan project and requested approval with permission for the Mayor to sign it.

Councilwoman Welton made a motion to approve the Reimbursement Request for State Funds in the amount of $456.00 for the Airport Master Plan project with permission for Mayor to sign it. Councilman Wilcoxson seconded and the motion passed unanimously.

Additionally Clerk Cox indicated that the Sage Engineering bill was attached for the councils review. The total cost invoiced for this portion of the project is $7,601.77 with the town portion of the invoice being $304.77 after the submission of the reimbursement request for federal and state funds.

The next meeting of the Airport Board will be November 14, 2012.

Community Center Joint Powers Board: Councilwoman Welton reported that the board had met on the 15th and reviewed the success of the Fundraiser.
The next meeting will be held Monday, November 19, 2012 at 4:30 p.m.

Water and Sewer Joint Powers Board: Ken Schwerdt reported that the following invoices are for engineering services on the water line and water meter projects and all that is remaining is the final walk through of the project.

Councilwoman Howe made a motion to submit SPT Requisition # 2012-33 for the Water Meter Replacement project in the amount of $4,846.00 with permission for the Mayor to sign, seconded by Councilwoman Welton. The motion passed unanimously.

The next meeting of the Water and Sewer JPB will be Wednesday, November 14, 2012 at 6:00 p.m.

Landfill Board: Richard Hodges reported that the fourth trailer is nearly full and with two months remaining the landfill will be ahead of last year's record of three trailers having been shipped.

Medical Board: No report

Planning Commission: The next meeting of the Planning Commission will be Tuesday, November 13, 2012 at 5:30 p.m.

Recreation Commission: The next meeting of the Recreation Commission will be Monday, November 5, 2012 at 5:30 p.m.

Community Garden Board:
The next meeting of the Community Garden Board will be Thursday, October 18th at 6:00 p.m. at the Town Hall.

South Central Emergency Services Board: No report

BUSINESS:
Orion Point Appeal Determination: Mayor Zeiger reported that although he had stated at the Public Hearing on the appeal that the minutes from the hearing would be available for Councilman Wilcoxson and Councilman McWain, he had misspoke and apologized for any misunderstanding his comment may have caused.

As clarified, the only ones that can address the appeal are those that were present at the hearing which would be Councilwoman Howe, Councilwoman Welton and Mayor Zeiger.

Councilwoman Welton made a motion to dismiss the Appeal (of Orion Point in the matter of the Application for Zone Change of International Resort Properties LLC) and return it to the Planning Commission for clarification on their recommendation to the Council, seconded by Councilwoman Howe.

Discussion included the following questions and comments:

- Why weren't more questions asked for clarification at the time of the public hearing
- Why wasn't more discussion held at the public hearing
- Does this put it (the zone change application)back to the Planning Commission so that they will have to review the application again
- The process should start at the very beginning and go through the entire process correctly

In answer to the above it was stated:

- The current process as allowed by ordinance is not an appropriate process when a recommendation can be appealed prior to a decision being made
- With the dismissal of this appeal, what you have left is the recommendation to the council from the planning commission

Town Attorney Tom Thompson explained that this motion, if approved, would take the application back to the Planning Commission's recommendation to the Council. The Planning Commission's recommendation can then follow the proper procedure for publication and a Public Hearing. Following that public hearing, the zoning request would then go to the Council for their determination. This will allow the council to either approve or deny the Planning Commission's recommendation for approval of the zone change. Upon approval, the council's decision can then be appealed to the District Court and on to the Supreme Court if the appellant so chooses.

Mayor Zeiger called for the question, the motion passed.

Richard Hodges stated that the absence of Lynda Healey at the table indicated that the rumors that she had been "canned" were true and questioned if that were indeed true why there wasn't a motion to advertise to fill the position.

Mayor John Zeiger stated that it was a personnel issue and would not be discussed.

Adjournment: Being no further business to come before the meeting Councilwoman Welton made a motion to adjourn, seconded by Councilman Wilcoxson.

The next regular meeting of the Saratoga Town Council will be held on November 6, 2012 at 6:00 p.m. in the Council Chambers of the Saratoga Town Hall.

JOHN ZEIGER

Mayor John Zeiger

ATTEST:

Suzie Cox

Suzie Cox, Clerk