

**EVANSTON CITY COUNCIL
Special Meeting
May 11th, 2021**

The official record of proceedings for a special meeting of the Evanston City Council was held in the Council Chambers of City Hall on the above date. These proceedings were video recorded.

Mayor Williams led those in attendance in the pledge of allegiance to the Flag.

The roll was called and with a quorum being present, Mayor Kent Williams called the meeting to order at 5:30 p.m.

Those present from the governing body at the start of meeting were: Mayor Williams; Councilmembers; Tim Lynch, Tib Ottley, Evan Perkes, David Welling, Mike Sellers and Mikal Welling.

Staff members present were: City Attorney, Dennis Boal; Director of Engineering and Planning, Dean Barker; City Clerk, Diane Harris; Community Development Director, Rocco O'Neill; Parks and Recreation Director, Scott Ehlers; and Police Chief, Jon Kirby. City Treasurer, Trudy Lym and Public Works Director, Gordon Robinson were excused.

A group of interested citizens were also present.

Approve Agenda

Councilmember Welling moved, Councilmember Sellers seconded, to approve the agenda with the removal of Approving the Bills. The motion passed unanimously with seven yes votes: Williams, Lynch, Ottley, Perkes, Sellers, M. Welling and D. Welling.

RESOLUTION 21-32

A RESOLUTION OF THE CITY OF EVANSTON, WYOMING GRANTING THE EVANSTON CHILD DEVELOPMENT CENTER, INC. (ECDC) PERMISSION AND AUTHORITY TO APPEAL THE 2021 AD VALOREM TAX ASSESSMENT FOR REAL PROPERTY DESCRIBED BELOW AS PROVIDED BY WYOMING STATUTE 39-13-109.

WHEREAS, City of Evanston has leased to ECDC the property more particularly described as follows:

A fractional part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 15 North, Range 120 West, 6th P.M., Uinta County, Wyoming, more particularly described as follows:

COMMENCING at the Southwesterly corner of Block 3 in Beckwith's Second Addition to the Town of Evanston, Wyoming, being the point of intersection of the Southeasterly line of Fourth Street with the Northeasterly line of Sage Street; thence running in a Southwesterly direction, along the Southeasterly line of Fourth Street, continued, a distance of 80 feet to the **POINT OF BEGINNING**; thence continuing Southwesterly along the said Southeasterly line of Fourth Street continued, a distance of 380 feet to a point which is on the Southwesterly line of Summit Street continued, being the point of intersection of the Southwesterly line of Summit Street with the Southeasterly line of Fourth Street; thence at right angles in a Southeasterly direction, along the Southwesterly line of Summit Street continued, a distance of 300 feet, thence at right angles in a Northeasterly direction a distance of 380 feet to the Southwesterly line of Sage Street, thence at right angles in a Northwesterly direction and along said Southwesterly line of Sage Street a distance of 300 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT that portion of the building and exterior grounds of 419 Fourth Street, Evanston, Wyoming currently being occupied and used by Evanston Youth Club for Boys and Girls, a Wyoming nonprofit corporation, to provide education and activities for the youth of the community after school pursuant to the Building Use Agreement entered into by and between the Lessor and Evanston Youth Club for Boys and Girls, a Wyoming nonprofit corporation dated December 3, 2014, and the First Amendment to said Building Use Agreement dated September 7, 2016, and any renewals and/or extensions of said Building Use Agreement; and

WHEREAS, according to Lease, ECDC is to occupy and use the property solely and exclusively to provide an early childhood education program and all related uses; and

WHEREAS, Section 8 of the Lease requires ECDC pay any taxes assessed against the personal property located on the property and any ad valorem or property taxes assessed against the property; and

WHEREAS, ECDC has requested the City grant it permission to contest and appeal the 2021 ad valorem tax assessment issued by the Uinta County Assessor against the property because ECDC contends the assessment to be unlawful: and

WHEREAS, anyone who has to pay taxes, ought to be able to use the taxpayer remedies made available under State Law to appeal and contest a tax assessment should they contend it to be unfair or unlawful;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Evanston, Wyoming as follows:

Section 1. The City of Evanston hereby authorizes and grants the Evanston Child Development Center, Inc. permission to initiate and conduct a contest and appeal of the 2021 Ad Valorem Tax Assessment against the property described above pursuant to Wyoming Statute 39-13-109.

Section 2. The City Clerk shall provide a certified copy of this Resolution to appropriate Officials of Uinta County, Wyoming and the Evanston Child Development Center, Inc. upon request.

PASSED, APPROVED AND ADOPTED this 11th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, D. Welling, Sellers, M. Welling.

Adjournment

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 5:35 p.m.

Kent H. Williams, Mayor

Diane Harris, City Clerk