

**EVANSTON CITY COUNCIL
Second Regular Meeting
May 18th, 2021**

The official record of proceedings of the second regular meeting of the Evanston City Council for the month of May was held in the Council Chambers of City Hall on the above date. These proceedings were video recorded. The meeting was also streamed live.

Mayor Kent 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. and welcomed everyone present.

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

Staff members present at the start of the meeting were: City Attorney, Dennis Boal; City Treasurer, Trudy Lym; Public Works Director, Gordon Robinson; City Engineer, Dean Barker; City Clerk, Diane Harris ; Director of Parks and Recreation, Scott Ehlers; Police Chief, Jon Kirby; Community Development Director, Rocco O'Neill; Grant Writer/Community Relations, Meike Madrid and Senior Planner, DuWayne Jacobsen. A group of interested citizens were also present.

Approve Agenda

Council member Welling moved, Council member Perkes seconded to approve the agenda with the addition of Resolution 21-37. The motion passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, Welling, Sellers, M. Welling.

Approve Minutes

The official record of proceedings for the City Council Meeting held May 4th, 2021, the Special City Council Meeting held May 11th, 2021 and the City Council Work Session Meeting held May 11th, 2021 were approved as presented.

Bills

Council member M. Welling moved, Council member Ottley seconded, to approve the following bills for payment:

May 05, 2021 to May 18, 2021

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	458.00
Evanston Police Benevolent	Payroll	248.00
IRS Tax Deposit	Payroll	62,033.99
Orchard Trust	Payroll	1,093.32
Parks & Recreation	Payroll	246.38
Vantage Point	Payroll	106.66
Payroll	Payroll	131,768.82
All West	Internet/Phones	2,360.22
Old Castle Precast	Parts	512.00
Dennis M. Boal	Services	3,861.00
Civic Plus	Contract	2,945.12
Calibration Tech & Supply	Parts	165.00
Caselle	Support/Maintenance	1,694.00
CCTV.NET	Parts	272.04
Yeti	Parts	115.30
Cazin's	Supplies	2,887.72
CD's Electric	Electrical	528.60
City of Evanston	Utilities	2,443.30
Cleveland Golf	Supplies	237.70
Curtis Blue Line	Uniform	1,923.85
Boot Barn	Uniform	123.24
CCI Network	Utilities	84.05
Cummins Rocky Mountain	Parts	84.44
Chemtech-Ford Laboratories	Testing	470.50
Empire West	Parts	963.29
Energy Laboratories	Testing	1,432.50
Evanston Parks & Recreation	Reimbursement/City Subsidy	142,192.59
First Bank	Visa	15,424.03
Fastenal	Parts	88.61
Randy George	Reimbursement	130.20
Randy's Heating & AC	Services	347.61
Murdochs	Supplies	7.17

Hach Company	Supplies	713.11
Holland Equipment	Parts	402.87
Reladyne	Fuel	1,112.37
Sports World	Supplies	197.75
Evanston Regional Hospital	Testing	75.46
IWORQ	Support/Maintenance	4,500.00
Intermountain Golf Cars	Parts	414.44
Floyd's Truck Center	Parts	1,281.12
JCOMM	Services	559.68
Kallas Automotive	Parts	2,195.75
Amanda R. Kirby	Services	1,777.50
M&K Striping & Maintenance	Contract	60,650.00
Mile High Turfgrass	Supplies	2,696.00
Modern Cleaners	Laundry Services	380.95
Morcon Industrial	Supplies	1,196.70
Maverick Networks	Maintenance	2,500.00
Mtn West Business Solutions	Service Agreement	815.46
Nalco Company	Supplies	27,961.60
OT Excavation	Services	1,270.00
ProForce Law Enforcement	Supplies	150.00
Real Kleen Janitorial	Supplies	517.60
Rip's Grocery	Propane	25.52
Safety Supply & Sign	Signs	1,105.50
Six States Distributors	Parts	1,120.68
Smith's Food & Drug	Supplies	210.79
Standard Plumbing	Parts	43.78
Stateline Metals of Wyoming	Parts	374.44
Alsco	Laundry Services	826.12
Thatcher Chemical	Supplies	5,634.68
TCF Equipment Finance	Contract	4,445.39
TURFCO	Parts	180.89
Uinta County Herald	Public Notices	930.15
Uinta County Solid Waste	Landfill Fees	32,893.20
Century Link	Utilities	1,694.74
Rocky Mountain Power	Utilities	36,723.67
Wasatch Surveying	Services	928.50
Wyoming Waste Systems	Dumpster Fee	278.22
Westar Printing	Supplies	328.60
Western Wyoming Beverages	Services	582.20
Wheeler Machinery	Parts	2,655.78
Williamsen-Godwin Truck Body	Parts	63.90
The Lumberyard	Parts	36.67
One-Call of Wyoming	Tickets	127.50
Wyoming Dept of Revenue	Sales/Use Tax	319.00
Utah/Yamas Controls	Services	3,040.00
Highland Golf	Services	204.34
Aspen Grove Nursery	Trees	740.00
Callaway Golf	Supplies	110.70
Wyoming Dept of Transportation	Contract	1,178.82
Taylor Made Golf	Supplies	316.16
U.S.A. Blue Book	Supplies	855.26
PGA of America	Dues	536.00
Jesse Hawkins	Award	100.00
Kickin Grass	Services	55.00
Angela K Horrocks	Refund	100.00
Matt Rex	Reimbursement	135.99
Kallista Mills	Refund	1,500.00
Carlos Anderson	Refund	600.00
Daniel Baker	Refund	100.00
Toni R Hawks	Refund	1,300.00
Wright Express	Fuel	6,742.48

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

Revenue & Expenditure Report

Council member Welling moved, Council member Perkes seconded, to approve the Revenue and Expenditure Reports for December 2020, January and February 2021. The motion passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, Welling, Sellers, M. Welling.

Council Comments

Council member Welling reminded everyone about Spring Cleanup this week. He also recognized the Evanston Red Devils Boys Soccer Team and the Boys/Girls Track Teams for their strong performance at Regionals.

Council member Sellers recognized the City of Evanston Police Department for National Police Week. He commented what a great job they do and how thankful the City is for them.

Mayor Williams mentioned that it was the 41st anniversary of the eruption of Mount St. Helens.

Public Hearing/Liquor License

City Attorney Dennis Boal conducted a public hearing to receive public comment regarding an application to transfer the ownership of a Retail Liquor License from Fraughton Enterprises, LLC., dba: Last Chance, to Fast Stop 1138, Inc. dba: Fast Stop. Robert Wilcox from Fast Stop expressed how excited they are to be in Evanston and some details about their company. No one else addressed the issue and the hearing was closed.

Transfer/Liquor License/Fast Stop 1138, Inc.

Councilmember Perkes moved, Council member Welling seconded, to approve the transfer of ownership of a Retail Liquor License from Fraughton Enterprises, LLC., dba: Last Chance, to Fast Stop 1138, Inc. dba: Fast Stop. The motion passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, D. Welling, Sellers, M. Welling.

Consent Agenda

Council member Lynch moved, Council member Welling seconded, to approve the following Consent Agenda Items:

Street Closure/Open Container requested by Urban Renewal for the "Renewal Ball Presents: Come Together" on Saturday, June 12, 2021 beginning at 1:00 p.m. on Main Street between Harrison Drive and 9th Street.

Request by the Evanston Liquor Dealers Association for extended hours in 2021 for the following dates:

Wyoming Downs closing weekend	Saturday, August 7th, 2021
Labor Day Weekend	Saturday, September 4th, 2021
Halloween	Saturday, October 30th, 2021
New Year's Eve	Friday, December 31 st , 2021

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

ORDINANCE 21-03

AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTION 4-1 OF CHAPTER 4, ALCOHOLIC BEVERAGES, BY MODIFYING THE DEFINITION OF RESTAURANT AND AMENDING SECTION 4-24 TO PROVIDE THAT RESTAURANT LIQUOR LICENSEES SHALL HAVE DESIGNATED DISPENSING AREAS AND NOT OPERATE THE RESTAURANT AS A BAR.

WHEREAS, the Wyoming Legislature has amended the state statutes to modify the definition of a Restaurant and further provided that Restaurant liquor licensees shall have designated dispensing areas and not operate the restaurant as a bar; and

WHEREAS, the City of Evanston desires to amend its Alcoholic Beverage Ordinance in response to the amendments in state law;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1. The definition of Restaurant in Section 4-1 of the Evanston City Code is hereby amended and enacted to provide as follows:

§ 4-1. Definitions

RESTAURANT — Space in a building maintained, advertised and held out to the public as a place where individually priced meals are prepared and served primarily for on-premises consumption and where the primary source of revenue from the operation is from the sale of food and not from the sale of alcoholic or malt beverages. ~~This means that the building shall have a dining room or rooms, a kitchen and the number and kinds of employees necessary for the preparing, cooking and serving of meals in order to satisfy the City council that the space is intended for use as a full service restaurant. The service of only fry orders or such food and victuals as sandwiches, hamburgers or salads shall not be deemed a~~

~~restaurant for the purposes of this chapter.~~

Section 2. Section 4-24 B. and F. of the Evanston City Code are hereby amended and enacted to provide as follows:

§ 4-24. Regulations and restrictions applicable to licensed premises.

B. ~~Alcoholic and malt beverages shall be dispensed and prepared for consumption in one room upon the licensed premises separated from the dining area in which alcoholic and malt beverages may be served~~ **the licensed building in areas approved by the City.** No consumption of alcoholic or malt beverages shall be permitted within the dispensing ~~room areas~~, nor shall any person other than employees over eighteen years of age be permitted to enter the dispensing ~~room areas~~. ~~If a restaurant has a dispensing room separate from the dining area which is licensed prior to February 1, 1979, for purposes of alcoholic or malt beverage sales and consumption, the restaurant may dispense alcoholic or malt beverages in the separate dispensing room under a restaurant liquor license and any persons shall be permitted to enter the separate dispensing room if they meet the age requirements specified in § 4-33.~~

F. **No restaurant liquor licensee shall promote or operate the restaurant as a bar and lounge.**

Section 3. This ordinance shall be effective on July 1, 2021.

PASSED AND APPROVED on First Reading this 20th day of April, 2021.

PASSED AND APPROVED on Second Reading this 4th day of May, 2021.

PASSED AND APPROVED on Third and Final Reading this 18th day of May, 2021.

CITY OF EVANSTON, WYOMING

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

Sponsored By: Perkes

The motion to pass Ordinance 21-03 on third and final reading passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, Welling, Sellers, M. Welling.

RESOLUTION 21-33

Council member Sellers introduced Resolution 21-33. Council member Sellers moved, Council member Welling seconded, to adopt Resolution 21-33.

RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A GRANT AGREEMENT WITH THE UNITED STATES OF AMERICA THROUGH THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN GRANT FUNDS TO REHABILITATE RUNWAY 5/23, RECONSTRUCT RUNWAY 5/23 LIGHTING, AND CONSTRUCT TAXIWAY A4 AT THE EVANSTON-UINTA COUNTY AIRPORT.

WHEREAS, the Evanston-Uinta Airport Joint Powers Board has been awarded a grant from the Federal Aviation Administration which is to be used to rehabilitate Runway 5/23, reconstruct Runway 5/23 lighting, and construct Taxiway A4 at the Evanston-Uinta County Airport; and

WHEREAS, it is necessary for the City of Evanston to accept and execute a Grant Agreement with the Federal Aviation Administration in order to receive the federal grant funds;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1: The City of Evanston hereby accepts and authorizes the execution of the Grant Agreement with the Federal Aviation Administration to rehabilitate Runway 5/23, reconstruct Runway 5/23 lighting, and construct Taxiway A4 at the Evanston-Uinta County Airport Burns Field.

Section 2: The Mayor and City Clerk are hereby authorized to sign and attest the Grant Agreement with the Federal Aviation Administration on behalf of the City of Evanston.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

RESOLUTION 21-34

Council member Welling introduced Resolution 21-34. Council member Welling moved, Council member Lynch seconded, to adopt Resolution 21-34.

RESOLUTION AUTHORIZING THE CITY OF EVANSTON, WYOMING TO ENTER INTO A OPERATING AGREEMENT WITH THE EVANSTON PARKS AND RECREATION DISTRICT FOR THE OPERATION, MANAGEMENT AND REGULATION OF RECREATION WITHIN THE CITY OF EVANSTON.

WHEREAS, the City of Evanston the Evanston Parks and Recreation District have negotiated an agreement for the operation, management and regulation of recreation within the City of Evanston;

WHEREAS, the City and the Recreation District have set the agreement in writing, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1: The Mayor is hereby authorized to sign, and the City Clerk is hereby authorized to attest, the Operating Agreement, a copy of which is attached hereto, with the Evanston Parks and Recreation District.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

RESOLUTION 21-35

Council member Ottley introduced Resolution 21-35. Council member Ottley moved, Council member Sellers seconded, to adopt Resolution 21-35.

A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MYERS ANDERSON ARCHITECTS, PLLC TO PROVIDE AN ASSESSMENT AND FEASIBILITY STUDY FOR REPURPOSING THE HISTORICAL WYOMING STATE HOSPITAL CAMPUS.

WHEREAS, the City has been awarded a grant from the Wyoming Business Council to develop an assessment and study about the viability of reusing some of the structures of the Wyoming State Hospital which will be vacated as a result of new construction, and how they can best be preserved, razed and/or renovated for other business or educational opportunities; and

WHEREAS, the Myers Anderson Architects, PLLC has submitted an acceptable proposal and Agreement to provide the City with the above described assessment and study; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1: The Mayor is hereby authorized to execute, and the City Clerk attest, on behalf of the

City of Evanston, the Agreement between the City of Evanston and Myers Anderson Architects, PLLC, a copy of which is attached hereto, to provide an assessment and feasibility study for repurposing the historical Wyoming State Hospital Campus.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

RESOLUTION 21-36

Council member Lynch introduced Resolution 21-36. Council member Lynch moved, Council member M. Welling seconded, to adopt Resolution 21-36.

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING AUTHORIZING A GRANT APPLICATION TO THE WYOMING ENERGY AUTHORITY (WEA) FOR THE EVANSTON'S LIGHTING RETROFIT PROJECT TO UPGRADE THE EXISTING FLUORESCENT LIGHTS IN THE MACHINE SHOP AND SECTION ONE OF THE ROUNDHOUSE.

WHEREAS the WEA's Local Government Retrofit Program has grant funds which can be used by local governments to retrofit existing buildings to make them more energy efficient; and

WHEREAS, substantial energy efficiency and savings could be achieved by upgrading the existing fluorescent lights in the Machine Shop and Section One of the Roundhouse;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1: The City of Evanston is hereby authorized to submit a grant application to the WEA Local Government Retrofit Program to obtain grant funds for the Evanston Retrofit Lighting Project described above.

Section 2: The Mayor is authorized to sign all documents necessary to timely submit the grant application.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

RESOLUTION 21-37

Council member M. Welling introduced Resolution 21-37. Council member M. Welling moved, Council member Perkes seconded, to adopt Resolution 21-37.

A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE MAVERIK EVANSTON ADDITION, A SUBDIVISION WITHIN THE CITY OF EVANSTON, WYOMING AS MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, Maverick Country Stores, Inc. and Maverik, Inc.(the "Subdivider"), has made application to the governing body of the City of Evanston, Wyoming for approval and authorization of the proposed subdivision entitled the Maverik Evanston Addition, a subdivision located within the City of Evanston, Wyoming; and

WHEREAS, the City of Evanston finds that said subdivision is a minor subdivision and can be approved pursuant to Section 22-10 of the Evanston City Code.

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

Section 1. The final plat of the Maverik Evanston Addition is hereby approved, accepted and authorized and described in particularity as follows, to-wit:

THE MAVERIK EVANSTON ADDITION IS PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 120 WEST, 6TH P.M., U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND REBAR, SAID POINT OF BEGINNING BEING S40°54'35"E 1699.34 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 16; THENCE N42°09'37"E 29.08 FEET; THENCE N12°10'54"W 162.63 FEET; THENCE N68°41'28"E 173.35 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE ALONG A NON-TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 740.15 FEET, AN ARC LENGTH OF 324.38 FEET, A DELTA ANGLE OF 25°06'39", A CHORD BEARING OF S10°03'22"E, A RADIAL BEARING OF S67°23'19"W, AND A CHORD LENGTH OF 321.79 FEET; THENCE N70°07'45"W 215.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 47,011 SQUARE FEET OR 1.079 ACRES MORE OR LESS

Section 2. The Mayor and City Clerk are hereby authorized and directed to enforce the mandates of chapter 22 of the Code of the City Evanston with regard to the filing of the final plat with the County Clerk of Uinta County, Wyoming as by law required.

PASSED, APPROVED AND ADOPTED this 18th day of May, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

Department Comments

Director of Parks and Recreation, Scott Ehlers reported that the Fresh Air, Freedom and Fun Festival will be in full swing for the 4th of July.

Adjournment

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 6:15 p.m.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk