

**EVANSTON CITY COUNCIL
First Regular Meeting
September 7th, 2021**

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

Council member Perkes 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; City Clerk, Diane Harris; Director of Engineering and Planning, Dean Barker; Public Works Director, Gordon Robinson; Community Development Director, Rocco O'Neill; Police Chief Michael Vranish; Facilities Supervisor, Jesse Hawkins and Senior Planner, DuWayne Jacobsen. Director of Parks and Recreation, Scott Ehlers was excused. A group of interested citizens were also present.

Approve Agenda

Council member Welling moved, Council member M. Welling seconded, to approve the agenda. 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 August 17th, 2021 and the City Council Work Session Meeting held August 24th, 2021 was approved as presented.

Bills

Council member Perkes moved, Council member Ottley seconded, to approve the following bills for payment:

August 18, 2021 to September 7, 2021

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	433.00
Beneficial Life Insurance	Payroll	293.34
Blue Cross Blue Shield	Payroll	178,086.00
Delta Dental	Payroll	8,211.60
Evanston Police Benevolent	Payroll	232.00
Flex Share	Payroll	2,868.96
Hartford	Payroll	196.10
IRS Tax Deposit	Payroll	44,476.60
Orchard Trust	Payroll	1,103.88
Parks & Recreation	Payroll	109.37
Vantage Point	Payroll	109.44
Vision Service Plan	Payroll	1,172.29
WEBT	Payroll	924.00
Wyoming Retirement	Payroll	63,645.75
Payroll	Payroll	131,667.92
Action Target	Supplies	242.69
All Data	Subscription Renewal	1,500.00
All West	Internet/Phones	3,223.75
Bridgestone Golf	Supplies	1,137.00
Dennis M. Boal	Services	2,124.00
Cazin's	Supplies	152.11
CD's Electric	Electrical	427.75
Cleveland Golf	Supplies	2,746.03
Curtis Blue Line	Supplies	6,732.00
Verizon Wireless	Cell Phones	755.17
Cummins Rocky Mountain	Inspection	650.00
D&L Supply	Parts	1,158.00
Ellingford's	Cement	1,601.72
Chemtech-Ford Laboratories	Testing	348.00
Chemical Testing Program	Supplies	459.00
Energy Laboratories	Testing	1,372.50
Evanston Parks & Recreation	Reimbursement/City Subsidy	161,241.56
Fastenal	Parts	182.12
Forsgren Associates	Services	842.50

Freeway Tire	Parts	30.00
Flowtech PCS	Repairs	1,241.67
First American Title Insurance	Fees	75.00
Green Source	Supplies	575.00
Hach Company	Contract	9,021.00
Sports World	Supplies	14.99
Floyd's Truck Center	Parts	640.75
Lab Forms	Supplies	1,840.70
Kallas Automotive	Parts	871.94
Amanda R. Kirby	Services	1,642.50
Lambert Painting	Services	1,634.33
Mile High Turfgrass	Supplies	1,165.00
Morcon Industrial	Supplies	954.61
Mountain West Business Solutions	Supplies	240.00
Dominion Energy	Utilities	1,463.56
Nalco	Chemicals	28,315.20
Quadient	Contract	3,345.87
O'Reilly Auto Parts	Parts	11.33
Chapter AL	Fees	1,080.00
Plan One	Avalon Project	52,171.00
Precision Pro Golf	Supplies	628.95
Purcell Tire Co	Tires	1,261.60
Porter Muirhead Cornia Howard	Audit Fees	20,000.00
Proforce Law Enforcement	Equipment	655.00
Real Kleen	Supplies	157.60
Signal Scape	Maintenance	2,037.99
Sirchie Fingerprint Lab	Supplies	556.40
Smith's Food & Drug	Supplies	571.74
Snap-On Credit	Subscription	748.92
Site One Landscape	Supplies	333.00
Superior Rental	Parts	111.00
Titleist	Supplies	192.66
Turf Equipment	Parts	1,661.32
Uinta County Fair	Supplies	100.00
Rocky Mountain Power	Utilities	15,679.23
VLCM	Supplies	302.00
Walmart	Supplies	902.70
XO Xtreme Marketing	Marketing	27,962.00
Xylem Water Solutions	Parts	3,935.64
Westar Printing	Supplies	1,894.59
Western Wyoming Beverages	Supplies	1,106.20
The Lumberyard	Supplies	341.94
One-Call of Wyoming	Services	81.75
Yamaha Motor Corp	Contract	3,495.25
Utah/Yamas Controls	Services	7,077.00
Mountain West LLC	Supplies	4,192.00
Sherwin Williams	Supplies	1,272.92
Eisinger-Smith	Supplies	705.95
Callaway Golf	Supplies	226.52
Taylor Made Golf	Supplies	217.55
USA Blue Book	Supplies	1,940.12
Rebecca Landes	Reimbursement	120.00
Rhett Groll	Reimbursement	64.98
Andrea Ayala	Refund	100.00
James Schmidt	Refund	100.00
Chad Asay	Reimbursement	84.98
Gladiator Materials	Cement	2,296.00
Kylene or Kelton Day	Refund	100.00
Thirteen Ways	Supplies	498.00
Kelli Pierce	Refund	75.00
Jamar Technologies	Equipment	4,546.00
Christine Nelson	Refund	100.00
R8PA-Adam Butterfield	Registration	1,125.00
IW Consulting Services	Registration	700.00
Steven Kunz	Refund	700.00

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

Revenue & Expenditure Report

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

Council Comments

Council member Perkes reminded everyone that school is back in and to watch for kids as you are driving. Council member Welling expressed gratitude to everyone who expressed condolences for the passing of his mother. He also recognized the Evanston Cowboy Days Committee for a successful weekend. He mentioned the great crowds at the rodeos. Council member Sellers reminded everyone that September is Suicide Prevention Month. He recognized the Task Force that works on Suicide Prevention. He congratulated the Evanston High School Football team for winning both of their games. He also reminded everyone about the Health Fair Wednesday, September 8th through Saturday, September 11th. Council member M. Welling expressed gratitude to everyone who expressed condolences for the loss of his mother, they were appreciated. Mayor Williams recognized the Cowboy Days Committee for a great Cowboy Day's celebration. He mentioned that it was a successful weekend.

Public Hearing/Liquor License Renewals

A public hearing was conducted by City Attorney, Dennis Boal for all the applicants that filed for the renewal of their liquor licenses within the City of Evanston. Mr. Boal stated that all the applications have been reviewed by the City Clerk and the Wyoming Liquor Division. Notice for the hearing has been advertised for two consecutive weeks in the local newspaper. Mr. Boal asked if there was any opposition or comments regarding any of the liquor license renewals. There being no comments, Mr. Boal closed the hearing.

Liquor License Renewals

Councilmember Welling moved, Councilmember Sellers seconded, to renew the following Liquor Licenses within the City of Evanston:

<u>Applicant</u>	<u>Doing Business As</u>	<u>License</u>
Rachel's, LLC	Kate's	Retail
It's All Good, LLC	Munchies	Retail
La Tia Mexican Eats, Inc.	Don Pedro Family Mexican Restaurant	Retail
Yellow Creek Liquor, Inc.	Discount Liquor	Retail
Wyoming Downs OTB 8, LLC	Wyoming Downs OTB	Retail
Spanky's Bar, LLC	Spanky's Bar	Retail
Smith's Food & Drug Centers, Inc.	Smith's #86	Retail
Guru Harkrishan, LLC	Shell Gas Station & Truckstop	Retail
The Golden Ticket, LLC	The Painted Lady Saloon	Retail
Fraternal Order of Eagles #2359	FOE # 2359	Limited
Dunmar Inn, LLC	Legal Tender Lounge	Retail
Sumo WY INC	Ichiban Japanese Steakhouse	Retail
VFW Post 4280	VFW Post 4280	Limited
WyoGastro, LLC	The Pub at Purple Sage	Retail
APE Wyoming, LLC	Porter's TNT Fireworks	Retail
GRMG ACQ 1, LLC	Pizza Hut #035951	Restaurant
Jalisco Mexican Grill, LLC	Jalisco Mexican Grill	Restaurant
Five - K, LLC	The Lincoln Highway Tavern	Retail

H.N.A., Inc.	Cowboy Joe's	Retail
Fast Stop 1138, Inc.	Fast Stop	Retail
OB5, LLC	Border Beverage	Retail
Maverik Inc.	Maverik #162	Retail
Spirits of Red Mountain, Inc.	Spirits of Red Mountain	Retail
Bon Rico, Inc.	Bon Rico	Retail
Suds Brothers, Inc.	Suds Brothers Brewery	Bar & Grill
Lynch Consulting & Investments LLC	Knights Inn	Resort
Main St. Deli, LLC	Main Street Deli	Restaurant

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

Proclamation

Mayor Williams presented the Proclamation "Honoring Hunger Action Month". This Proclamation states that the City of Evanston is committed to combating hunger in our community and to helping provide resources for those in need.

Consent Agenda

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

Parade Route Permit requested by Evanston High School Student Council The parade will begin at Davis Middle School at approximately 12:30 p.m. on Friday, September 17th.

Limited Malt Beverage Permit requested by Kody and Gabriela Blevins for the Never Enough Suicide Awareness Softball Tournament at the Overthrust Ball Fields for the following dates and times:

Friday, September 17, 2021	12:00pm to 12:00 am
Saturday, September 18 th , 2021	8:00 am to 5:00 pm
Sunday, September 19 th , 2021	8:00am to 5:00 pm

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

Ordinance 21-05

Council member Lynch moved, Council member Perkes seconded, to pass Ordinance 21-05 on third and final reading.

AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTION 4-26. A. and B. OF CHAPTER 4, ALCOHOLIC BEVERAGES, TO PROHIBIT THE USE MALT BEVERAGE AND CATERING PERMIT TO OPERATE A CONTINUING BUSINESS.

WHEREAS, the Wyoming Legislature has amended the state statute to prohibit the use malt beverage and catering permits to operate a continuing business; 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. Section 4-26. A. and B. of the Evanston City Code is hereby amended and reenacted to provide as follows:

§ 4-26. Twenty-four-hour malt beverage permit and catering permit.

A. A malt beverage permit authorizing the sale of malt beverages only may be issued by the City Council to any responsible person or organization for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering. No person or organization holding the special permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit. **Malt beverage permits under this subsection shall not be used to operate a continuing business.**

B. A catering permit authorizing the sale of alcoholic and malt beverages may be issued by the governing body to any person holding a retail liquor license or a resort liquor license, authorizing the off-premises sale of both alcoholic and malt beverages, for sales at ~~meetings, conventions, private parties and dinners or at other similar gatherings~~ **events** not capable of being held within the licensee's licensed premises. No licensee holding a catering permit shall sell or permit consumption of any alcoholic or malt beverages off the premises described in the permit. **Catering permits under this subsection shall not be used to operate a continuing business.**

PASSED AND APPROVED on First Reading this 3rd day of August, 2021.

PASSED AND APPROVED on Second Reading this 17th day of August, 2021.

PASSED AND APPROVED on Third and Final Reading this 7th day of September, 2021.

CITY OF EVANSTON, WYOMING

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion to pass Ordinance 21-05 on third and final reading passed unanimously with 7 yes votes: Williams, Lynch, Ottley, Perkes, D. Welling, Sellers, M. Welling.

General Services Truck

Councilmember Lynch moved, Council member Welling seconded, to accept the apparent low bid for the GENERAL SERVICES 2022 or newer 250/2500 ¾ Ton Single Cab 4WD long Wheelbase Pickup with Flip Top Service Body to Greiner Motors in Casper, Wyoming.

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

Water Department Truck

Councilmember Welling moved, Council member Sellers seconded, to accept the apparent low bid for the WATER DEPARTMENT 2022 or newer 250/2500 ¾ Ton Crew Cab 4WD long Wheelbase Pickup with Flip Top Service Body to Greiner Motors in Casper, Wyoming.

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

Positions

Councilmember Ottley moved, Council member Lynch seconded to authorize the addition of two Water Treatment Plant Operator Positions and one Wastewater Treatment Plant Operator position for the City of Evanston.

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

Resolution 21-60

Council member M. Welling introduced Resolution 21-60. Council member M. Welling moved, Council member Sellers seconded, to adopt Resolution 21-60.

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

WHEREAS, Roger Hughes, 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 O'Leary 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 O'Leary Addition is hereby approved, accepted and authorized and described in particularity as follows, to-wit:

The "O'Leary Addition", as it appears on this plat, is a subdivision of part of the SE ¼ NE ¼ and NE ¼ SE ¼ of Section 19, T15N, R120W, 6TH P.M., in the City of Evanston, Uinta County, Wyoming, said "O'Leary Addition" being more particularly described as follows:

BEGINNING at a point on the East line of said Section 19, said point of beginning lying S 0°10'28" E, 2556.60 feet from the Northeast corner thereof, said point of beginning also lying on the Southerly right-of-way of old U.S. Highway 30-S (Wasatch Drive);

thence S 0°10'28" E, 93.78 feet along said East line to the East one-quarter corner of said Section 19;

thence, continuing S 0°10'28" E, 633.84 feet along said East line to the Northerly right of way line of Interstate Highway I-80;

thence S 43°06'02" W, 664.39 feet along said Northerly Interstate Highway right-of-way line;

thence N 0°10'28" W, 1185.22 feet to said Southerly right-of-way line;

thence N 86°32'32" E, 456.19 feet along said Southerly right-of-way line to the **POINT OF BEGINNING**.

Said "O'Leary Addition" containing 10.000 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 7th day of September, 2021.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

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

Department Comments

Public Works Director, Gordon Robinson thanked the citizens of Evanston for being mindful of water usage. He reported that August water consumption was down approximately a million gallons from last year.

Adjournment

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 6:11 p.m.

Kent H. Williams, Mayor

Diane Harris, City Clerk

