

EVANSTON CITY COUNCIL  
Second Regular Meeting  
March 19, 2013

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

Gordon Robinson led those in attendance in the pledge of allegiance to the Flag.

The roll was called and with a quorum being present, Mayor Joy Bell called the meeting to order at 5:33 p.m. and welcomed everyone present.

Those present from the governing body at the start of the meeting were: Mayor Bell; Councilmembers Tim Lynch, Curtis Rex, David Welling, Saundra Meyer, and Wendy Schuler. Councilmember Evan Perkes was excused.

Staff members present at the start of the meeting were: City Attorney, Dennis Boal; Director of Administrative Services/City Clerk, Jim Davis; City Treasurer, Kathy Defa; Director of Planning & Development, Paul Knopf; Director of Public Works/City Engineer, Brian Honey; Police Chief, Jon Kirby; Director of Parks and Recreation, Dennis Poppinga; Public Works Superintendent, Oop Hansen, and Deputy City Clerk, Nancy Stevenson. A group of interested citizens were also present.

**Approve Agenda**

**Councilmember Welling moved, Councilmember Meyer seconded, to approve the agenda.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

**Approve Minutes**

The official record of proceedings for the City Council Meeting held March 5, 2013, and City Council Work Session Minutes for March 12, 2013 were approved as presented.

**Bills**

Councilmember Schuler moved, Councilmember Meyer seconded, to approve the following bills for payment:

March 6, 2013 to March 19, 2013

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	1,987.14
Beneficial Life	Payroll	269.68
Blue Cross/Blue Shield	Payroll	107,875.47
Delta Dental	Payroll	5,747.20
Flexshare	Payroll	2,687.00
ING Life Insurance	Payroll	29.20
NCPERS	Payroll	80.00
Orchard Trust	Payroll	583.36
Parks and Recreation	Payroll	139.83
The Hartford	Payroll	160.30
Uinta County Court	Payroll	45.00
Vantage Point	Payroll	1,341.92
Vision Service Plan	Payroll	1,800.00
WEBT	Payroll	990.00
Wyoming Dept of Employment	Payroll	5,943.29
Wyoming Child Support	Payroll	1,202.77
Wyoming Retirement	Payroll	39,242.15
Payroll	Payroll	103,295.20
EFTPS	Payroll	36,018.30
Montana Dept of Commerce	Registration	475.00
Choice Point	Testing	61.00
All West	Internet	660.92
Cazin's	Supplies	309.96
CD's Electric	Electrical	284.00
Cassidy's Critter Control	Services	20.00
City of Evanston	Utilities	1,509.56
Communication Technologies	Supplies	500.00
Course Trends	Website	295.00
Crum Electric	Supplies	148.32
Norco	Supplies	148.18
Deru's Glass	Doors	2,910.20
Ellingford's	Gravel	900.00
Evanston Motor Co	Parts	12.69
Evanston Parks & Recreation	City Subsidy	87,771.00

First Bank	Visa	8,341.80
Fore Reservations	Software	1,100.00
Freeway Tire	Repair	20.00
Murdochs	Supplies	196.97
Natalie Albrecht Green	Contract	120.00
Greenhorn	Plant	25.00
Nicholas Earl Horton	Contract	240.00
Jeff Murdock	Reimbursement	141.32
Kallas Automotive	Parts	1,365.69
Keith's Feed	Supplies	61.00
Kellerstrass Oil	Oil	5,000.46
Lewis-Goetz & Co	Supplies	108.42
Morcon Industrial	Supplies	470.93
Mtn West Business Solutions	Equipment/Contract	15,079.77
Questar Gas	Utilities	14,636.09
Myers/Anderson Architects	Services	18,252.50
Nike Golf	Supplies	232.66
Nuquest	Repairs	5,247.40
PR Diamond Products	Supplies	185.00
Pro Video Productions	Services	374.00
Gordon Robinson	Reimbursement	1,483.80
Response Options	Registration	295.00
Real Kleen	Supplies	1,730.03
Rocky Mountain Turf	Parts	884.26
Six States Distributors	Parts	168.80
Skaggs	Supplies	1,609.90
Paul R. Skog	Services	3,636.00
Smith's Food & Drug	Supplies	47.75
Standard Plumbing	Parts	98.57
Alesco	Laundry Service	264.74
Tom's HVAC	Repairs	2,048.22
Uinta County Herald	Ads	3,241.97
Uinta Network Services	Services	45.00
United Service and Sales	Supplies	44.38
Vulcan Industries	Supplies	703.00
Century Link	Utilities	2,562.81
Rocky Mountain Power	Utilities	28,162.56
Wyoming Waste Systems	Services	104.03
Westar Printing	Printing	298.00
Taylor Welling	Contract	45.00
WET Inc	Testing	1,500.00
WLECA 2013 Training Seminar	Tuition	350.00
Wyoming Law Enforcement Academy	Tuition	285.00
One-Call of Wyoming	Services	19.50
Young Ford	Parts	217.34
Richo	Contract	210.39
Heartland Kubota	Parts	278.93
Creative Ink Images	Promotional	743.35
Wyo Dept of Transportation	Maintenance	246.78
Warner Truck Center	Parts	76.75
Sweetwater County Sheriff	Detention	3,255.00
Kelly Sather	Refund	100.00
Matthew Asay	Restitution	254.00
Patricia Ochinero	Refund	75.00
Spring Turner	Refund	100.00
Media Skills	Ads	10,803.22
Shipping Plus	Shipping	66.13
Uinta Boces #1	Tuition	70.00
Education & Training Services	Tuition	998.00
Wright Express	Fuel	17,602.15
Nutech Specialties	Supplies	40.38
Animal Care Equipment	Supplies	50.80
Tracks Across Wyoming	Membership	100.00

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

#### Revenue & Expenditure Report

**Councilmember Lynch moved, Councilmember Rex seconded, to approve the Revenue and Expenditure Report.**

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

## Council Comments

The Mayor and Councilmembers all congratulated the Evanston Red Devil teams that recently participated at the State Tournaments. It was also noted that coaches from around the state were very impressed with how our teams, coaches and fans represented themselves and Evanston.

Councilmember Schuler reminded everyone of the Celtic Festival that will be held this week.

Mayor Bell stated that there will be a community garden meeting Wednesday at 5:30 p.m. in the Public Works Conference Room. She also commented that she recently signed proclamations for Disabilities Awareness Month, International Women's Day, and Job's Daughters' Week.

## Consent Agenda

**Councilmember Welling moved, Councilmember Meyer seconded, to approve a Catering Permit requested by the Rachel's, LLC dba: Kate's for the Republican Party at the Roundhouse on Saturday, April 6, 2013 from 4:00 p.m. to 11:00 p.m.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

### Ordinance 13-01

**Councilmember Rex moved, Councilmember Schuler seconded, to pass Ordinance 13-01 on second reading.**

Ordinance 13-01: AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING ENACTING SECTION 4-6.1. OF ARTICLE II OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE EVANSTON CITY CODE TO REQUIRE LICENSEES TO REQUIRE PERSONS WHO SERVE ALCOHOL HAVE ALCOHOL SERVER TRAINING.

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

## Resolution 13-09

**Councilmember Meyer introduced Resolution 13-09. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-09.**

Resolution 13-09: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A EMPLOYER PLAN SELECTION WITH THE WYOMING EDUCATOR'S BENEFIT TRUST (WEBT) TO PROVIDE ADMINISTRATIVE AND ADVISORY SERVICES WITH RESPECT TO THE CITY EMPLOYEE MEDICAL, VISION LIFE INSURANCE PROGRAMS.

WHEREAS, one of the benefits the City provides to its employees is medical, vision and life insurance programs;

WHEREAS, the Wyoming Educator's Benefit Trust (WEBT) provides administrative and advisory services for the City, with respect to the programs; and

WHEREAS, the City needs to make a plan selection for WEBT to administer;

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 Employer Plan Selection between the City of Evanston and the Wyoming Educator's Benefit Trust (WEST) a copy of which is attached hereto.

PASSED, APPROVED AND ADOPTED the 19<sup>th</sup> day of March, 2013.

---

Joy Bell, Mayor

ATTEST:

---

James H. Davis, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

## Resolution 13-10

**Councilmember Lynch introduced Resolution 13-10. Councilmember Lynch moved, Councilmember Schuler seconded, to adopt Resolution 13-10.**

Resolution 13-10: RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION AND DELIVERY OF A QUITCLAIM DEED TO KELLY E. JOHNSON TO CLEAR THE TITLE

TO A STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 15 NORTH, RANGE 120 WEST OF THE SIXTH P.M., CITY OF EVANSTON, UNTA COUNTY, WYOMING.

WHEREAS, in 1979, Union Pacific Land Resources Corporation donated a strip of land to the City of Evanston to be used as an alley by a Donation Quit Claim Deed which was recorded on March 7, 1983 in Book 436, Page 202 of the land records of the Uinta County Clerk; and

WHEREAS, the Donation Deed contains a reversion clause which provides as follows:

Said premises herein quitclaimed shall be used by Grantee, its successors and assigns, solely for roadway purposes. If Grantee, its successors or assigns, shall abandon the premises herein quitclaimed or any portion thereof for the aforesaid purposes, or if the same shall be used for any other purpose, then and in either of such events all the rights herein granted shall cease and determine with respect to the premises so abandoned, and the title to the premises so abandoned shall immediately revert to and become revested in Grantor, its successors and assigns.

WHEREAS, in 2006, Andarko Land Corp., f/k/a/ Union Pacific Land Resources Corporation, conveyed a portion the strip of land previously donated to the City, to Kelly E. Johnson by a Quitclaim Deed recorded on May 1, 2006 in Book 862, Page 810 of the land records maintained by the Uinta County Clerk; and

WHEREAS, the City has confirmed that it is not using that portion of the strip of land that was conveyed to Kelly E. Johnson by Andarko Land Corp.; and

WHEREAS, it is necessary for the City to quitclaim its interest in the portion of the strip of land conveyed to Kelly E. Johnson to clear title;

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

Section 1: The City of Evanston, Wyoming is hereby authorized to execute and deliver a quitclaim deed conveying the Kelly E. Johnson the real property described below:

A strip of land located in the Southeast Quarter (SE1/4) of Section 17, Township 15 North, Range 120 West of the Sixth P.M., City of Evanston, Uinta County, Wyoming, and being more particularly described as follows:

Beginning at the Northeast Corner of Lot 8, Block 10 of the Addition to the Union Pacific Subdivision; Thence along the North Line of said addition North 47°07'27" West a distance of 100.00 feet; Thence North 42°52'33" East a distance of 20.00 feet; Thence parallel with the North Line of said addition South 47°07'27" East a distance of 400.00 feet; Thence South 42°52'33" West a distance of 20.00 feet to the North Line of said addition, said point also being the Point of Beginning.

Said strip of land contains an area of 8,000 square feet more or less (0.184 acre, more or less).

Section 2: The Mayor and City Clerk are hereby authorized to sign and attest the Quitclaim deed on behalf of the City of Evanston.

PASSED, APPROVED AND ADOPTED the 19<sup>th</sup> day of March, 2013.

---

Joy Bell, Mayor

ATTEST:

---

James H. Davis, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

#### **Public Participation**

Mayor Bell thanked Richard Pivar for his citizen involvement in the rescue of a cat that had been treed for several days.

#### **Executive Session**

**Councilmember Welling moved, Councilmember Lynch seconded, to adjourn into an Executive Session to discuss a Real Estate proposal.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

**Councilmember Schuler moved, Councilmember Rex seconded, to adjourn from Executive Session.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Welling, Meyer, Schuler.

#### **Adjournment**

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 7:13 p.m.

---

Joy Bell, Mayor

---

James H. Davis, City Clerk