

EVANSTON CITY COUNCIL
Second Regular Meeting
April 16, 2013

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

Tera Lawlar 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, Evan Perkes, David Welling, Saundra Meyer, and Wendy Schuler.

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

Approve Agenda

Mayor Bell suggested the following changes to the agenda: Delete Resolution 13-13 and add Resolution 13-17 and Resolution 13-18.

Councilmember Schuler moved, Councilmember Welling seconded, to approve the agenda with the suggested changes. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Approve Minutes

The official record of proceedings for the City Council Meeting held April 2, 2013, and City Council Work Session Minutes for April 9, 2013 were approved as presented.

Bills

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

April 3, 2013 to April 16, 2013

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	1,959.64
Beneficial Life	Payroll	269.68
Blue Cross Blue Shield	Payroll	107,875.47
Delta Dental	Payroll	5,771.15
ING Life Insurance	Payroll	29.20
NCPERS	Payroll	80.00
Orchard Trust	Payroll	583.36
Parks and Recreation	Payroll	145.78
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	8,973.52
Wyoming Child Support	Payroll	345.69
Wyoming Retirement	Payroll	58,886.79
Payroll	Payroll	108,571.19
EFTPS	Payroll	37,683.06
A+ Trophy	Supplies	69.40
Airgas USA	Supplies	287.83
All West	Internet	665.92
Babson and Associates	Services	395.00
Dennis M. Boal	Services	5,276.00
Civic Plus	Website	2,106.00
Calibration Tech & Supply	Supplies	110.46
Carrot-Top Industries	Supplies	112.93
Castle Rock Chevrolet	Parts	94.63
Cazin's	Supplies	232.80
CD's Electric	Electrical	8,982.10

Cannon Sales	Supplies	2,588.00
City of Evanston	Utilities	1,591.61
CWA Consulting Services	Services	2,300.00
Communication Technologies	Equipment	1,568.00
Course Trends	Website	295.00
D&L Supply	Supplies	62.00
Ellingford's	Supplies	133.46
Chemtech-Ford Laboratories	Testing	78.00
Evanston Parks & Recreation	City Subsidy/Reimbursement	132,704.16
First Bank	Visa	6,503.13
Fastenal	Supplies	42.55
Freeway Tire	Tires	603.74
Flatiron Constructors	Services	22,817.05
Murdoch's	Supplies	276.77
Natalie Albrecht Green	Contract	128.61
Greenhorn	Plant	30.00
Harris Law Firm	Services	4,000.00
Nicholas Earl Horton	Contract	240.00
Evanston Regional Hospital	Services	58.78
Intermountain Sweeper	Parts	12,841.76
KNR-Inc	Repairs	240.00
Kallas Automotive	Parts	2,094.69
Keith's Feed	Supplies	62.00
Lowham Land LTD Partnership	Easement	500.00
Lewis-Goetz and Company	Supplies	24.04
MacDonald Equipment	Parts	852.01
Morcon Industrial	Supplies	420.51
Medicine Butte	Tuition	300.00
Questar Gas	Utilities	10,820.03
Office Products Dealer	Supplies	110.29
Jack B. Parsons	Sand	325.00
Patriot Diamond	Parts	528.00
PC Innovation	Supplies	449.00
City of Evanston	Reimbursement	101.70
Porter Muirhead Cornia Howard	Audit	5,000.00
Proforce Law Enforcement	Supplies	713.15
Real Kleen	Supplies	2,642.81
Rip's Grocery	Supplies	15.54
Scott Sargent Law Office	Services	1,670.00
Interwest Supply	Parts	1,499.68
Skaggs	Supplies	1,595.77
Paul R. Skog	Services	3,836.00
Smith's Food & Drug	Supplies	78.01
Alesco	Laundry	303.92
Team Laboratory Chemical Corp	Supplies	1,916.00
Thatcher Chemical	Supplies	5,503.93
John A. Thomas Law Office	Services	120.00
Uinta County Human Services	Contract	40,750.00
Uinta County Fire Protection	Contract	48,815.51
Uinta County Herald	Ads	1,443.09
Century Link	Utilities	2,563.07
Rocky Mountain Power	Utilities	40,267.68
Wyoming Waste Systems	Services	104.22
Westar Printing	Printing	176.50
Taylor Welling	Contract	45.00
WET, Inc	Testing	850.00
White Mountain Lumber	Supplies	117.42
Wyoming Dept of Revenue	Sales/Use Tax	118.06
Richo	Contract	291.84
Creative Ink Images	Promotional	15.00
WCADVSA	Registration	150.00
Symbol Arts	Promotional	1,015.00
Tammy's Hem House	Sewing	18.00
Young Musicians	Contract	2,400.00
Wyo Dept of Transportation	Street Maintenance	115.24
Warner Truck Center	Parts	74.72
USA Blue Book	Supplies	841.10
Golden Rule	Sewing	17.00
Chemsearch	Supplies	494.93
Evanston Rodeo Series	Contract	2,480.00
Sweetwater County Sheriff	Detention	945.00
Wasatch Fire Protection	Services	229.00
Travel & Recreation Directory	Ads	245.00
Derek Besse	Refund	100.00
Kristi Ellis	Refund	100.00

Rick Sanchez	Refund	100.00
Jan Eddington	Refund	900.00
Thomas Kaltenbach	Refund	100.00
Taser International	Equipment	370.00
Media Skills	Promotional	10,603.22
Shipping Plus	Shipping	11.35
Wright Express	Fuel	15,795.09
Steve Regan Co	Supplies	134.73

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Revenue & Expenditure Report

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

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Council Comments

The Mayor and Councilmembers welcomed the large group of students, parents and boy scouts that were in attendance and thanked them for coming.

Mayor Bell reminded everyone of the Emergency Preparedness Fair that will be held on Saturday, April 20th.

Special Presentation/CrimeStoppers Coloring Contest Winners

Mayor Bell, Council President Tim Lynch, and Lieutenant Ken Pearson presented awards and gift cards to winners of the Uinta County Crimestoppers Coloring Contest. The winners were elementary students from Uinta Meadows, Clark, North, and Aspen Elementary Schools.

EXCEL! Award Presentation

Frank Sheets, CERC (City of Evanston Recognition Committee) Chairperson, and Ken Pearson, CERC Vice Chairperson recognized City Planner, Paul Knopf for being nominated for an EXCEL! (Employees Exhibiting Commendable Efforts and Loyalty) Award. Paul was nominated by the Evanston Lodging Tax Board for his efforts in promoting the City of Evanston and tourism in the area. Mayor Bell presented Mr. Knopf with a certificate, an EXCEL! mug and coaster, an EXCEL! challenge coin, and a monetary award.

Consent Agenda

Councilmember Meyer moved, Councilmember Welling seconded, to approve a Catering Permit requested by Fort Bridger Cash Store for the Union Telephone Event at the Machine Shop on Wednesday, May 8, 2013 from 5:30 p.m. to 9:30 p.m.; A Parade Route requested by the EHS Alumni Association for the Annual Noise Parade on Saturday, July 6, 2013 beginning at 10:00 a.m. at the Uinta County Library Parking Lot and ending at Depot Square; A Street Closure Permit requested by Evanston Cowboy Days for the Cowboy Days Kick-off Event on Friday, August 30, 2013 on Main Street from 9th Street to Harrison Drive, and on 10th Street from the Alley between Front Street and Main Street to the Alley between Main Street and Center Street, from 4:00 p.m. to 12:00 a.m.; An Open Container Permit requested by Evanston Cowboy Days for the Cowboy Days Kick-off Event Friday, August 30, 2013 on Front Street and Main Street from 9th Street to Harrison Drive, and on 10th Street from Main Street to Front Street, from 8:00 p.m. to 12:00 a.m.; A Limited Malt Beverage Permit requested by Evanston Cowboy Days for the Cowboy Days Kick-off Event Friday, August 30, 2013 on Main Street between 9th Street and Harrison Drive from 8:00 p.m. to 11:30 p.m.; A Limited Malt Beverage Permit requested by Evanston Cowboy Days for the Annual Cowboy Days Celebration at the Uinta County Fairgrounds for Saturday, August 31, 2013 from 4:30 p.m. to 9:00 p.m., Sunday, September 1, 2013 from 4:30 p.m. to 9:00 p.m., and Monday, September 2, 2013 from 12:30 p.m. to 5:00 p.m.; and A Parade Route requested by Evanston Cowboy Days for the Annual Cowboy Days Celebration and Labor Day Parade on Monday, September 2, 2013, beginning at 10:00 a.m. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-11

Councilmember Schuler introduced Resolution13-11. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 13-11.

Resolution 13-11: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES WITH SARA HULL TO PROVIDE THE SERVICES SPECIFIED THEREIN FOR THE EVANSTON YOUTH DRUG AND ALCOHOL COURT.

WHEREAS, there is a need to execute the attached Contract for Services with Sara Hull to

provide the services specified therein for the Evanston Youth Drug and Alcohol Court;

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

Section 1: The execution of the attached Contract for Services by the Mayor and City Clerk with Sara Hull to provide the services specified therein for the Evanston Youth Drug and Alcohol Court is hereby approved and authorized.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-12

Councilmember Lynch introduced Resolution13-12. Councilmember Lynch moved, Councilmember Meyer seconded, to adopt Resolution 13-12.

Resolution 13-12: RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, ADOPTING UNIFORM CONDITIONS FOR PORTABLE SIGNS AND TEMPORARY ADVERTISING FEATURES TO BE USED BY THE PERMITTED FIREWORKS VENDORS WITHIN THE CITY FOR THE 2013 FIREWORKS SEASON.

WHEREAS, the fireworks vendors within the City have a relatively short sales season, focused primarily around the 4th of July; and

WHEREAS, the short sales season has caused the fireworks vendors to use numerous temporary and portable signs and other temporary advertising features; and

WHEREAS, the expanding use of portable and temporary signs and other promotional features can create safety hazards for members of the public;

WHEREAS, the governing body has determined that it is the public's interest to adopt a set of uniform conditions which will apply to the use of portable and temporary signs and advertising features by all fireworks vendors during the 2013 season;

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

Section 1: All fireworks vendor who are permitted pursuant to §9-10 of the City Code shall comply with the following conditions for the 2013 sales season, to wit:

1. For a period of 7 days before Memorial Day and 7 days after Labor Day, portable signs can be displayed.
2. The total of all portable signs shall not exceed 500 square feet. Any combination of portable signs as illustrated in Section 24-74 of the city Code can be used.
3. A special event permit with a permit fee of \$50 shall be issued by the City which shall indicate the location of proposed special event signs, the number of days the signs will be displayed, and the area of each sign. A \$500 cash bond is required. The cash bond will be returned to the applicant if the signs are removed by the expiration date of the permit. The cash bond will be forfeited by the applicant if the signs are not removed by the expiration date of the permit.
4. For the fireworks providers along the Harrison Drive/I-80 West Fireworks Overlay District (FOD), 1 directional portable sign not exceeding 30 inches in height above the ground and 48 inches in width can be displayed within the public right-of-way, as long as the sign does not pose a public safety hazard.
5. American flags, and colored banner stringers and colored flags with or without any business advertising, may be placed on private property of the fireworks provider and on adjacent private property with the permission of the adjacent property owner; but these decorative displays shall not occupy the public right-of-way or the visibility triangle as defined in the City Code.

The area of business advertising on banner stringers and flags shall count towards the 500 square foot maximum allowable area for special event signage.

6. Section 24-67(B)(6) of the City Code prohibits the use of a vehicle as a static sign display. Whether on private property or within the public right-of-way, a vehicle shall not be used as a static sign display. Within the public right-of-way, a vehicle with persons engaged in the activity of fireworks advertising shall not be parked as a stationary vehicle.
7. Persons may use the public sidewalk or adjacent private property with the consent of the private property owner for the purposes of fireworks advertising. This means the carrying or wearing of signs, flags, and other similar promotional items and activities. Such signs shall count towards the 500 square foot maximum allowable area for special event signage for a fireworks provider.

Portable signs shall be placed on the sidewalk.

8. Failure to comply with these conditions shall result in revocation of the special event permit, forfeiture of the \$500 cash bond.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Award Bid/Anderson Park Irrigation System Project

Councilmember Welling moved, Councilmember Rex seconded, to award the bid for the Anderson Park Irrigation System Project to Bridger Valley Landscaping, the apparent low bidder meeting all City specifications, in the amount of \$29,412.50. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-14

Councilmember Meyer introduced Resolution13-14. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-14.

Resolution 13-14: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A CONTRACT WITH BRIDGER VALLEY LANDSCAPING FOR THE COMPLETION OF ALL WORK AS SET FORTH IN THE CONTRACT FOR THE ANDERSON PARK IRRIGATION SYSTEM PROJECT.

WHEREAS, the City of Evanston has solicited and advertised for bids from qualified contractors to upgrade the irrigation system at Anderson Park; and

WHEREAS, Bridger Valley Landscaping submitted the lowest bid to perform the work;

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 contract between the City of Evanston, and Bridger Valley Landscaping for the completion of all work as set forth in the Contract for the Anderson Park Irrigation System Project, a copy of which is attached here to.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Award Bid/Aspen Groves Water Valves Project

Councilmember Schuler moved, Councilmember Perkes seconded, to award the bid for the Aspen Groves Water Valves Project to Associated Brigham Contractors, Inc., the apparent low bidder meeting all City specifications, in the amount of \$46,319.00. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-15

Councilmember Lynch introduced Resolution13-15. Councilmember Lynch moved, Councilmember Rex seconded, to adopt Resolution 13-15.

Resolution 13-15: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ASSOCIATED BRIGHAM CONTRACTORS INC. TO PROVIDE ALL WORK AND MATERIALS NECESSARY FOR THE ASPEN GROVES WATER VALVES PROJECT.

WHEREAS, the City of Evanston has solicited and advertised for bids from qualified contractors to provide all work and materials necessary for the Aspen Groves Water Valves Project in the City of Evanston; and

WHEREAS, Associated Brigham Contractors Inc. submitted the lowest bid to perform the project;

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 Associated Brigham Contractors Inc., a copy of which is attached hereto, to provide all work and materials necessary for the Aspen Groves Water Valves Project as specified in the Agreement.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Award Bid/Street Striping Summer 2013 Project

Councilmember Welling moved, Councilmember Meyer seconded, to award the bid for the Street Striping Summer 2013 Project to Lazer Lines Pavement Marking, the apparent low bidder meeting all City specifications, in the amount of \$23,988.14. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-16

Councilmember Meyer introduced Resolution13-16. Councilmember Meyer moved, Councilmember Perkes seconded, to adopt Resolution 13-16.

Resolution 13-16: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LAZER LINES PAVEMENT MARKING TO DO STREET STRIPING IN THE CITY OF EVANSTON.

WHEREAS, the City of Evanston has solicited and advertised for bids from qualified contractors to do street striping in the City of Evanston; and

WHEREAS, Lazer Lines Pavement Marking submitted the lowest bid to perform the work;

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 Lazer Lines Pavement Marking, a copy of which is attached hereto, to do the striping within the City of Evanston as specified in the Agreement.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Award Bid/Street Crack Seal Summer 2013 Project

Councilmember Welling moved, Councilmember Rex seconded, to award the bid for the Street Crack Seal Summer 2013 Project to Bonneville Asphalt Repair, LLC., the apparent low bidder meeting all City specifications, in the amount of \$2,300.00 per ton of crack seal. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-17

Councilmember Rex introduced Resolution13-17. Councilmember Rex moved, Councilmember Meyer seconded, to adopt Resolution 13-17.

Resolution 13-17: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BONNEVILLE ASPHALT REPAIR LLC TO DO STREET CRACK SEAL IN THE CITY EVANSTON.

WHEREAS, the City of Evanston has solicited and advertised for bids from qualified contractors to do street crack seal in the City of Evanston; and

WHEREAS, Bonneville Asphalt Repair LLC submitted the lowest bid to perform the work;

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 Bonneville Asphalt Repair LLC, a copy of which is attached hereto, to do street crack seal within the City of Evanston as specified in the Agreement.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-18

Councilmember Schuler introduced Resolution13-18. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 13-18.

Resolution 13-18: RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, SETTING ASIDE A PORTION OF SUNSET PARK TO BE USED FOR A COMMUNITY GARDEN AND ADOPTING MEMBERSHIP AND USER POLICIES AND RESPONSIBILITIES FOR THE SAME.

WHEREAS, the governing body has determined that the establishment of a community garden would provide citizens with a place to garden, increase access to fresh produce and help educate the community on sustainable gardening practices; and

WHEREAS, the governing body has determined that an ideal location for a community garden would be within Sunset Park;

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

Section 1. A portion of Sunset Park as set forth and described in Exhibit 1, attached hereto, shall be used to provide the citizens of Evanston a community garden.

Section 2. The Membership and Community Garden User Policies and Responsibilities as set forth in Exhibit 2, attached hereto, are hereby approved and adopted and shall govern the use of the community garden by members of the community.

PASSED, APPROVED AND ADOPTED the 16th day of April, 2013.

Joy Bell, Mayor

ATTEST:

James H. Davis, City Clerk

The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Comments/Remarks

Brian Honey stated that Damon Newsome from the Wyoming Department of Transportation has advised they will be starting the process to remove the traffic signals at the Harrison Drive and Wasatch Road.

Public Participation

Evanston Chamber of Commerce Director, Dawn Darby invited everyone to attend the annual Chamber of Commerce & City of Evanston Awards Banquet on Friday, May 10th at the Roundhouse. She also stated that they are taking nominations for several categories. Ms. Darby also announced the Shred Event will be held on Monday, May 6th.

Adjournment

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 7:10 p.m.

Joy Bell, Mayor

James H. Davis, City Clerk