

**EVANSTON CITY COUNCIL**  
**First Regular Meeting**  
**July 2, 2013**

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

Jane Law 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 5:30 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; Director of Administrative Services/City Clerk, Jim Davis; Director of Public Works/City Engineer, Brian Honey; City Treasurer, Kathy Defa; Director of Planning & Development, Paul Knopf; Police Chief, Jon Kirby; Director of Parks and Recreation, Dennis Poppinga; Public Works Superintendent, Oop Hansen; Deputy City Clerk, Nancy Stevenson; and Urban Renewal Coordinator, Jane Law. A group of interested citizens were also present.

**Approve Agenda**

**Mayor Bell suggested the following change to the agenda: Under Public Hearings/Special Orders, remove Special Presentation-EXCEL! Award.**

**Councilmember Schuler moved, Councilmember Welling seconded, to approve the agenda with the suggested change.** 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 June 18, 2013, a City Council Special Meeting held June 25, 2013, and a Work Session Meeting held June 25, 2013 were approved as presented.**

**Bills**

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

June 26, 2013 to July 2, 2013

VENDOR	FOR	AMOUNT
Flexshare	Payroll	369.00
Wyoming Dept of Employment	Payroll	6,381.55
Wyoming Retirement	Payroll	40,536.65
Payroll	Payroll	109,027.93
EFTPS	Payroll	37,783.87
Aspen Paving	Paving	375.00
Cazin's	Supplies	702.26
CD's Electric	Electrical	171.00
Verizon Wireless	Cell Phones	425.22
Boot Barn	Safety Boots	124.99
Crum Electric	Supplies	227.80
Ellingford's	Supplies	225.98
Chemtech-Ford Laboratories	Testing	78.00
First Bank	Visa	10,580.10
Fastenal	Supplies	11.22
Freeway Tire	Supplies	25.73
Fremont Motor Company	Equipment	52,870.00
Natalie Albrecht Green	Contract	120.00
Sarah Hull	Services	280.00
Nicholas Earl Horton	Contract	160.00
Kallas Automotive	Parts	1,409.23
Morcon Industrial	Supplies	312.83
Myers/Anderson Architects	Services	9,768.75
Nalco Company	Chemicals	30,152.00
Premier Powder Coating	Benches/Cans	5,651.76
City of Evanston	Reimbursement	64.33
Rip's Grocery	Supplies	8.94
Ridge Rock	Contract	28,215.00

Rocky Mountain Turf	Parts	49.22
Scott Sargent Law Offices	Contract	730.00
Six States	Parts	96.65
Smith's Food & Drug	Supplies	159.94
Standard Plumbing	Parts	15.36
Sun Fresh Laundry	Laundry	1,729.00
Turf Equipment	Parts	768.75
Rocky Mountain Power	Utilities	15,920.07
WalMart	Supplies	2,405.39
Westar Printing	Printing	147.95
Prestige Flags	Supplies	183.21
Jane Law	Reimbursement	50.00
Uinta County Public Health	Testing	10.00
Cara Enterprises	Renewal	150.00
Cardiac Science Corp	Supplies	192.00
USA Blue Book	Supplies	306.21
Golden Rule	Promotional	738.15
Jeffrey Chad Liechty	Reimbursement	540.26
Raul Saavedra	Refund	8,748.00
Paul Barnell	Supplies	60.00
Holly Law	Refund	100.00
Shipping Plus	Shipping	74.77
Kurtis Faddis	Excel Award	300.00

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

### **Council Comments**

Councilmember Perkes and Councilmember Rex wished everyone a nice and safe 4<sup>th</sup> of July.

Councilmember Lynch invited everyone to attend the annual 4<sup>th</sup> of July, Rotary Chuck Wagon Dinner.

Councilmember Schuler commented on the Bluegrass Festival and the Cowboy Joe's Golf Tournament and thanked those involved with those events. She also comment on all the events taking place for the annual 4<sup>th</sup> of July Celebration and reminded everyone to clean up their fireworks.

Councilmember Welling thanked Parks and Recreation and the Golf Course Crews for the helping with the annual Peace Officers Golf Tournament. He also reminded everyone of the upcoming 4<sup>th</sup> of July Celebration and the annual EHS Alumni Reunion.

Mayor Bell congratulated Wendy Schuler on the award that she received at the National Coaches Awards Banquet. She also commented on the many events that took place this past week and thanked those who helped with those events.

### **Public Hearing/Restaurant Liquor License/Gregoria & Hortencia Aguilar**

City Attorney, Dennis Boal conducted a public hearing to receive public comment regarding the application of a Restaurant Liquor License for Hortencia and Gregoria Aguilar dba: El Rincon Alegre. Gregoria Aguilar, one of the owners, spoke in favor of the application. No one else addressed the issue and the hearing was closed.

### **Restaurant Liquor License/El Rincon Alegre**

**Councilmember Perkes moved, Councilmember Meyer seconded, to approve the application for a Restaurant Liquor License for Hortencia and Gregoria Aguilar dba: El Rincon Alegre.** The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

### **Appointment/Parks & Recreation District Board**

**Councilmember Welling moved, Councilmember Schuler seconded, to approve the Mayor's appointment of Lindsey Kennedy to the Parks and Recreation District Board, replacing Jean Cox, for a three (3) year term ending July of 2016.** The motion passed unanimously with 6 yes votes: Lynch, Rex, Perkes, Welling, Meyer, Schuler.

### **Consent Agenda**

**Councilmember Rex moved, Councilmember Perkes seconded, to approve the following Consent Agenda: A Limited Malt Beverage Permit requested by Evanston Main Street & Roundhouse Restoration, Inc. for the 5<sup>th</sup> Annual Evanston Brewfest fundraiser in Depot Square on Saturday, July 20, 2013 from 12:30 p.m. to 5:30 p.m.; A Street Closure Permit requested by Evanston Main Street & Roundhouse Restoration, Inc. for the 5<sup>th</sup> Annual Evanston Brewfest fundraiser on Main Street from 9<sup>th</sup> Street to 11<sup>th</sup> Street and 10<sup>th</sup> Street from the alley between Main and Center Streets to the alley between Main and Front Streets on Saturday, July 20, 2013 from 8:00 a.m. to 5:00 p.m.; An Open Container Permit requested by Evanston Main Street & Roundhouse Restoration, Inc. for**

the 5<sup>th</sup> Annual Evanston Brewfest fundraiser on Front Street and Main Street from 9<sup>th</sup> Street to 11<sup>th</sup> Street and 10<sup>th</sup> Street from to the alley between Main and Center Streets and 9<sup>th</sup> Street from Front Street to Main Street on Saturday, July 20, 2013 from 12:00 p.m. to 5:30 p.m.; A Street Closure/Open Container Permit requested by Evanston Main Street & Roundhouse Restoration, Inc. for the 5<sup>th</sup> Annual Evanston Brewfest Adult Big Wheel Race on 10<sup>th</sup> Street from the alley between Main and Center Streets to Sage Street on Saturday, July 20, 2013 from 12:00 p.m. to 5:30 p.m.; and a Parade Route Permit requested by Ben Towery for the annual Tour de Park City Bike Race on Saturday, August 3, 2013. Cyclists will be coming through Evanston between 10:00 a.m. and 2:00 p.m. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

#### **Resolution 13-39**

**Councilmember Meyer introduced Resolution 13-39. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-39.**

Resolution 13-39: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE BEAR RIVER MODELERS TO INSTALL A NEW FENCE AND SIGN FOR THE MODEL AIRPLANE RUNWAY FACILITY.

WHEREAS, Bear River Modelers has previously entered into a Use Agreement with the City to enable the Club to construct and use a runway for model airplanes; and

WHEREAS, Bear River Modelers has requested that it be permitted to construct a new fence and install a sign on city property pursuant to the Use Agreement; and

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 permission for Bear River Modelers to construct a new fence and install a sign on city property as shown and designated on the attached Exhibit pursuant to the existing Use Agreement.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Resolution 13-40**

**Councilmember Perkes introduced Resolution 13-40. Councilmember Perkes moved, Councilmember Meyer seconded, to adopt Resolution 13-40.**

Resolution 13-40: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MIKE DAVIS TO TRANSFER USE OF CITY WATER SHARES FOR THE 2013 IRRIGATION SEASON.

WHEREAS, the City of Evanston is the owner of 173 shares of water in Sulphur Creek Reservoir; and

WHEREAS, Mike Davis has made a request to purchase the use of city owned water to irrigate during the summer of 2013; and

WHEREAS, the City has determined that 27 shares of A Stock, Permit No. 6481R and 36 shares of C Stock, Permit No. 6562, for a total of 150 shares, (150 acre feet) are available for temporary use;

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

Section 1: The Mayor is authorized to sign and the City Clerk to attest the attached Agreement with Mike Davis to Transfer Use of Water Shares for 2013 irrigation season.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

## Resolution 13-41

**Councilmember Lynch introduced Resolution 13-41. Councilmember Lynch moved, Councilmember Schuler seconded, to adopt Resolution 13-41.**

**Councilmember Lynch moved, Councilmember Schuler seconded, to amend Resolution 13-41 as follows: Add: "Section 3. The City of Evanston shall not issue any building permits for any improvements on lots 2 and 3 of the Fed Ex Addition until the subdivider has constructed and properly installed the sewer line from the northwest corner of lot 3 along the front of Lot 3 to Lot 2 of the Fed Ex Addition."** The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-41: A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE FED EX ADDITION, A SUBDIVISION WITHIN THE CITY OF EVANSTON, WYOMING AS MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, subdivider, MVG-REH (HDDG Evanston) LLC, a Colorado limited liability company, has made application to the governing body of the City of Evanston, Wyoming for approval and authorization of the proposed subdivision entitled the Fed EX 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 Fed Ex Addition is hereby approved, accepted and authorized and described in particularity as follows, to-wit:

BEGINNING at the Southwest Corner of said Lot 5, running thence S 50°19'03" W, 20.00 feet to the centerline of the vacated Heritage Street;  
thence N 39°48'00" W, 293.39 feet along said centerline;  
thence N 39°48'00" W, 40.00 feet;  
thence N 40°26'27" W, 275.69 feet to the Northwest Corner of said Lot 5;  
thence, the following 7 courses along the boundary of said Lot 5, N 60°25'37" E, 5.90 feet to the point of curvature of a curve concave to the Southeast having a radius of 1105.92 feet;  
thence Easterly 314.84 feet along the arc of said curve through a central angle of 16°18'40", the long chord of which bears N 68°34'17" E, 313.77 feet;  
thence N 76°48'01" E, 183.49 feet to the point of curvature of a curve concave to the Southwest having a radius of 50.00 feet;  
thence Southeasterly 78.56 feet along the arc of said curve through a central angle of 90°01'43", the long chord of which bears N 58°17'08" E, 70.73 feet;  
thence S 13°15'00" E, 200.13 feet to the point of curvature of a curve concave to the West having a radius of 327.50 feet;  
thence Southwesterly 362.77 feet along the arc of said curve through a central angle of 63°28'01", the long chord of which bears N 18°29'32" W, 344.51 feet;  
thence N 50°19'03" W, 84.46 feet to the POINT OF BEGINNING.  
Said Fed Ex Addition contain 5.002 acres more or less.

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

Section 3. The City of Evanston shall not issue any building permits for any improvements on lots 2 and 3 of the Fed Ex Addition until the subdivider has constructed and properly installed the sewer line from the northwest corner of lot 3 along the front of Lot 3 to Lot 2 of the Fed Ex Addition.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

The vote on the main motion to pass Resolution 13-41 as amended passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

## Resolution 13-42

**Councilmember Schuler introduced Resolution 13-42. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 13-42.**

Resolution 13-42: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE

EXECUTION OF A CONTRACT FOR SERVICES WITH THE EVANSTON CHAMBER OF COMMERCE.

WHEREAS, the Chamber was formed in part to promote the business climate, community resources and tourist attractions of the City of Evanston, Wyoming; and

WHEREAS, promotions and activities by the Chamber increase tax revenue for the City and are in the best interests of its citizens; and

WHEREAS, the City desires to have the Chamber initiate and continue such promotional services.

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 for services with the Evanston Chamber of Commerce, a copy of which is attached hereto.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

**Resolution 13-43**

**Councilmember Meyer introduced Resolution 13-43. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-43.**

Resolution 13-43: RESOLUTION AUTHORIZING THE CITY OF EVANSTON, WYOMING TO ENTER INTO AN AGREEMENT WITH EVANSTON RODEO SERIES, A NON-PROFIT CORPORATION FOR PROFESSIONAL SERVICES TO PROMOTE THE USE OF THE UINTA COUNTY FAIRGROUNDS WITHIN THE CITY OF EVANSTON BY PROVIDING THE EVANSTON RODEO SERIES.

WHEREAS, the City of Evanston desires to promote tourism within the community, and the Evanston Rodeo Series, a non-profit corporation has submitted a proposal to the City which would increase tourism within the community by promoting and increasing the use of the Uinta County Fairgrounds located within the City through the Evanston Rodeo Series; and

WHEREAS, the City and the Evanston Rodeo Series, a non-profit corporation have negotiated an agreement to promote the use of the County Fairgrounds, 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 Contract for Professional Services to Provide the Evanston Rodeo Series within the City of Evanston, between the City of Evanston and the Evanston Rodeo Series, a non-profit corporation, a copy of which is attached hereto, setting forth the terms and conditions between the parties.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

**Resolution 13-44**

**Councilmember Perkes introduced Resolution 13-44. Councilmember Perkes moved, Councilmember Meyer seconded, to adopt Resolution 13-44.**

Resolution 13-44: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UINTA COUNTY HUMAN SERVICE BOARD TO PROVIDE HUMAN SERVICES FOR THE CITIZENS OF EVANSTON.

WHEREAS, the City of Evanston desires to assist, by providing funding, to the Uinta County Services Board, in the provision of human services for the citizens of the City of Evanston.

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

Section 1: The City of Evanston is authorized to execute the Contractual Agreement with the Uinta County Human Services Board, a copy of which is attached hereto.

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

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Resolution 13-45**

**Councilmember Rex introduced Resolution 13-45. Councilmember Rex moved, Councilmember Lynch seconded, to adopt Resolution 13-45.**

Resolution 13-45: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH YOUNG MUSICIANS, INC. TO PROVIDE MUSIC EDUCATION AND CULTURAL ACTIVITIES AND OPPORTUNITIES FOR THE YOUTH.

WHEREAS, the City of Evanston has a need to provide music education and cultural activities and opportunities; and

WHEREAS, the governing body of the City of Evanston recognizes that it benefits the citizens of the community to provide music education and cultural activities and opportunities for the youth of the community; and

WHEREAS, the Young Musicians was formed in part to provide such education and activities for the youth of the community, including the low-income and disadvantaged youth of the City of Evanston, Wyoming.

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 Young Musicians, Inc., for educational, cultural activities and opportunities for youth in Evanston, Wyoming.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Resolution 13-46**

**Councilmember Schuler introduced Resolution 13-46. Councilmember Schuler moved, Councilmember Perkes seconded, to adopt Resolution 13-46.**

Resolution 13-46: RESOLUTION AUTHORIZING THE CITY OF EVANSTON, WYOMING TO ENTER INTO AN AGREEMENT WITH COWBOY DAY'S, INCORPORATED, A NON-PROFIT CORPORATION FOR PROFESSIONAL SERVICES TO PROMOTE TOURISM WITHIN THE CITY OF EVANSTON BY PROVIDING THE COWBOY DAYS RODEO.

WHEREAS, the City of Evanston desires to increase tourism within the community, and Cowboy Day's, Incorporated, a non-profit promotes tourism within the community by providing the Cowboy Days Rodeo; and

WHEREAS, the City and the Cowboy Day's, Incorporated, a non-profit corporation, have negotiated an agreement to carry out the Cowboy Days Rodeo, 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 Contract for Services to provide the Cowboy Days Rodeo within the City of Evanston, between the City of Evanston and Cowboy Day's, Incorporated, a non-profit corporation, a copy of which is

attached hereto, setting forth the terms and conditions between the parties.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of July, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

**Adjournment**

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 6:52 p.m.

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Joy Bell, Mayor

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James H. Davis, City Clerk