

**EVANSTON CITY COUNCIL**  
**First Regular Meeting**  
**November 5, 2013**

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

Cub Scout Pack #33 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; City Engineer, Brian Honey; Director of Planning & Development, Paul Knopf; City Treasurer, Kathy Defa; Public Works Director, Oop Hansen; Director of Parks and Recreation, Dennis Poppinga; Deputy City Clerk, Nancy Stevenson; and Police Lieutenant, Ken Pearson. Police Chief, Jon Kirby was excused. A group of interested citizens were also present.

**Approve Agenda**

**Mayor Bell suggested the following change to the agenda: Under Public Hearings/Special Orders add a Special Presentation and under the Consent Agenda add a Limited Malt Beverage Permit.**

**Councilmember Welling moved, Councilmember Schuler 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 October 15, 2013, a Work Session Meeting held October 22, 2013, and a Work Session Meeting held October 29, 2013 were approved as presented.**

**Bills**

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

October 16, 2013 to November 5, 2013

<b>VENDOR</b>	<b>FOR</b>	<b>AMOUNT</b>
AXA Equivest	Payroll	3,919.28
Beneficial Life Insurance	Payroll	269.68
Blue Cross Blue Shield	Payroll	107,309.42
Delta Dental	Payroll	5,599.70
Flexshare	Payroll	4,445.50
ING Life Insurance	Payroll	58.40
NCPERS	Payroll	80.00
Orchard Trust	Payroll	1,186.72
Parks & Recreation	Payroll	233.94
The Hartford	Payroll	196.30
Vantage Point	Payroll	2,733.84
Vision Service Plan	Payroll	1,042.72
WEBT	Payroll	968.00
Wyoming Child Support	Payroll	1,540.10
Wyoming Dept of Employment	Payroll	6,924.85
Wyoming Retirement	Payroll	41,977.97
Payroll	Payroll	211,212.63
EFTPS	Payroll	74,332.27
HMBD	Insurance	7,896.25
United States Treasury	Taxes	2,050.58
Roscoe Snedeker	Refund	300.00
Airgas USA	Supplies	71.22
Josh Buhmann	Promotional	300.00
Civic Plus	Website	2,169.30
Cazin's	Supplies	643.17
City of Kemmerer	Rail Study	500.00
Verizon Wireless	Cell Phones	876.61
Creative Culture	Supplies	204.75
Crum Electric	Parts	1.82

Chemtech-Ford Laboratories	Testing	78.00
Rowdy Dean	Promotional	300.00
Executech	Maintenance/Equipment	8,113.99
Empire, Inc	Supplies	3,691.50
Energy Laboratories	Testing	1,353.00
Evanston Chamber of Commerce	Contract	9,082.50
Evanston Parks & Recreation	Reimbursement	41,417.92
First Bank	Visa	4,170.76
Fastenal	Parts	833.18
Flexshare Benefits	Insurance	125.00
Forsgren Associates	Services	2,900.00
Freeway Tire	Tires	5,689.12
Great Basin Turf	Fertilizer	10,370.50
Murdoch's	Supplies	530.85
Natalie Albrecht Green	Contract	120.00
Hach Company	Supplies	4,544.81
Sara Hull	Contract	210.00
Hogan & Associates	Contract	142,223.40
Holland Equipment	Equipment	18,182.29
Nicholas Earl Horton	Contract	120.00
Evanston Regional Hospital	Testing	60.55
Jeff Murdock	Reimbursement/Excel Award	453.40
Bill Jeffers	Promotional	300.00
Kallas Automotive	Parts	902.57
Keith's Feed	Supplies	61.50
Jon Kirby	Promotional	100.00
Landmark	Repairs	750.00
L-3 Com Mobile-Vision	Equipment	512.00
Lewis-Goetz and Company	Supplies	402.25
MJB Animal Clinic	Shots	278.50
Douglas Matthews	Promotional	300.00
Morcon Industrial	Supplies	797.02
Liberty Mutual	Insurance	4,800.00
Mtn West Business Solutions	Contract	767.76
Questar Gas	Utilities	2,063.00
Myers/Anderson Architects	Services	9,395.70
Nalco Company	Chemicals	25,510.20
Dave Norris Construction	Asphalt	144.00
North American Directory Services	Ads	275.00
Office Products Dealer	Supplies	960.66
Ken Pearson	Promotional	300.00
Pops Privy	Services	170.00
Parnell's Glass & Bodyworks	Repairs	468.00
PC Innovation	Equipment	1,050.00
Pitney Bowes	Equipment	4,860.12
Proco Inc	Repairs	13,000.00
Gordon Robinson	Reimbursement	1,483.80
Real Kleen	Supplies	1,694.97
Paul Robbins	Promotional	300.00
Rip's Grocery	Supplies	12.38
Scott Ehlers	Reimbursement	40.00
Interwest Supply	Parts	175.90
Smith's Food & Drug	Supplies	137.82
Standard Plumbing	Supplies	104.67
Local Gov't Liability Pool	Insurance	978.03
Tom's HVAC	Maintenance	1,507.51
Titleist	Supplies	435.40
Turf Equipment	Parts	912.56
Two Guys Flooring	Carpet	1,075.00
Uinta County	Jail/Dispatch Fees	73,049.34
Uinta County Herald	Ads	64.30
Uinta County Solid Waste	Landfill	17,397.80
Uinta County Treasurer	Taxes	1,126.39
InContact	Utilities	377.05
Century Link	Utilities	1,418.12
Rocky Mountain Power	Utilities	16,945.21
Mike Vranish	Promotional	300.00
Vision Auto Glass	Windshields	580.00
WalMart	Supplies	909.60
Westar Printing	Printing	3,086.00
Taylor Welling	Contract	15.00
White Mountain Lumber	Supplies	332.69
One-Call of Wyoming	Tickets	90.75
Yamaha Motor Corp	Contract	3,281.75
Carmen Atencio D'Mayer	Reimbursement	79.32
Sherwin Williams	Paint	1,089.00

Independent Software Solutions	Supplies	234.00
IPSSDR/International Pedigree	Promotional	2,000.00
Vehicle Lighting Solutions	Emergency Equipment	12,313.57
Wyo Dept of Transportation	Maintenance	990.75
Foot Joy	Supplies	100.87
Gateway Gourmet Catering	Meeting Supplies	606.40
Golden Rule Embroidery	Services	23.00
Utility Bill Solutions	Services	206.94
Joy Bell	Promotional	100.00
Tim Christensen	Refund	100.00
Ben Gillette	Reimbursement	470.00
Rebecca Eastman	Refund	600.00
Barbara Diehl	Excel Award	200.00
Lazer Lines Pavement Marking	Striping	10,860.33
Robert Rayl	Repairs	180.00
Shipping Plus	Shipping	201.80
Terri Arnell	Reimbursement	1,483.80
Business Solutions Group	Tax Forms	149.56
Nutech Specialties	Supplies	287.89
Pierce & Sons Fencing	Contract	12,235.88
Best Western Dunmar	Room	79.00

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

#### **Council Comments**

The Mayor and Councilmembers welcomed everyone to the council meeting and thanked the Cub Scouts for the wonderful flag ceremony.

Councilmember Schuler commented that she spoke with a young couple who were passing through Evanston when they experienced some car trouble. She stated that they were very impressed with how many of our citizens had stopped and offered to help them.

Mayor Bell commented on the Downtown Trick or Treating event and the flash mob event. She also commented on the progress that is being made to get a Boys and Girls Club at the Youth Center.

#### **Special Presentation/Paul Skyles**

Jim Rasmussen, on behalf of several local citizens, presented Mayor Bell with a monetary donation in honor of past Councilmember Paul Skyles who recently passed away. The donation is to be used to help start a Boys and Girls Club in Evanston.

#### **EXCEL! Award Presentation**

Ken Pearson, CERC (City of Evanston Recognition Committee) Chairperson, recognized Jeff Murdock, for his dedication and the time and effort he has put into making the greens at the golf course look better this season than they ever have. Mr. Murdock was presented with a certificate, an EXCEL! mug and coaster, an EXCEL! challenge coin, and a monetary award.

Ken Pearson, CERC (City of Evanston Recognition Committee) Chairperson, recognized Barbara Diehl for her exceptional leadership during the flooding at the Recreation Center that occurred in September. As Mrs. Diehl was unable to attend the meeting, Steve Liechty accepted the award on her behalf. She will also be presented with a certificate, an EXCEL! mug and coaster, an EXCEL! challenge coin, and a monetary award.

#### **Consent Agenda**

**Councilmember Perkes moved, Councilmember Rex seconded, to approve the following on the Consent Agenda: A Malt Beverage Permit requested by the UMF L. Rich Rush for the Casino Night Fundraiser for Angels Among Us at the Roundhouse, on Saturday, November 9, 2013, from 7:00 p.m. to 11:30 p.m.** The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

#### **Excess City Assets**

**Councilmember Schuler moved, Councilmember Meyer seconded, to declare listed items as excess city assets to be sold at a future surplus sale.** The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

#### **Resolution 13-75**

**Councilmember Meyer introduced Resolution 13-75. Councilmember Meyer moved, Councilmember Lynch seconded, to adopt Resolution 13-75.**

Resolution 13-75: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON APPROVING CHANGE ORDER NO. 1 FOR THE PARKS AND RECREATION CENTER BUILDING CONTROL SYSTEM RETRO FIT PROJECT.

WHEREAS, the City of Evanston has previously entered into a Contract with Rocky Mountain Trane to install a new HVAC computerized building control system for the Parks and Recreation Center Building; and

WHEREAS, it is necessary to approve the attached Change Order No. 1 for the Project because of the addition of unanticipated work and materials to the Project;

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

Section 1. The attached Change Order No. 1 for the Parks and Recreation Center Building Control System Retro Fit Project is approved.

PASSED, APPROVED AND ADOPTED the 5<sup>th</sup> day of November, 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 13-76**

**Councilmember Perkes introduced Resolution 13-76. Councilmember Perkes moved, Councilmember Welling seconded, to adopt Resolution 13-76.**

Resolution 13-76: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO RANDY'S HEATING AND A/C TO REPLACE AND INSTALL TWO HEAT PUMPS AS PART OF THE PARKS AND RECREATION CENTER BUILDING CONTROL SYSTEM RETRO FIT PROJECT.

WHEREAS, the City of Evanston is currently in the process of installing a new HVAC computerized building control system for the Parks and Recreation Center Building; and

WHEREAS, during this process, the city has determined that it would be prudent to replace two heat pumps which are located in the building; and

WHEREAS, Randy's Heating & A/C has submitted the best and most economical proposal to replace and install the heat pumps;

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 issue a Purchase Order to Randy's Heating & A/C for the purchase and installation of the heat pumps as provided in the proposal attached hereto, as part of the Parks and Recreation Center Building Control System Retro Fit Project.

Section 2. The City is authorized to issue the Purchase Order to Randy's Heating & A/C, after the heat pumps have been purchased, installed, approved and accepted by the City of Evanston.

PASSED, APPROVED AND ADOPTED the 5<sup>th</sup> day of November, 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 13-77**

**Councilmember Schuler introduced Resolution 13-77. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 13-77.**

Resolution 13-77: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A REVOCABLE LICENSE AGREEMENT WITH PHILLIP N. PETERSEN AND VICKI S. PETERSEN, TRUSTEES OF THE PHILLIP N. & VICKI S. PETERSEN REVOCABLE LIVING TRUST DATED MARCH 29, 2004.

WHEREAS, Phillip N. Petersen and Vicki S. Petersen, Trustees of THE PHILLIP N. & VICKI S. PETERSEN REVOCABLE LIVING TRUST dated March 29, 2004, (the "Owner"), are the owners of the real property located at 724 8<sup>th</sup> Street, Evanston, Wyoming, 82930; and

WHEREAS, the Owner or their predecessor in interest has constructed a house on their property which also encroaches into the city alleyway; and

WHEREAS, Owner desires to enter into a revocable license agreement with the City of Evanston which will permit the encroachment of the house into the city alley upon certain terms and conditions;

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 a revocable license agreement with the Owner, a copy of which is attached hereto, to permit the encroachment of the house into the city alley upon certain terms and conditions.

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

PASSED, APPROVED AND ADOPTED the 5<sup>th</sup> day of October, 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 13-78**

**Councilmember Rex introduced Resolution 13-78. Councilmember Rex moved, Councilmember Lynch seconded, to adopt Resolution 13-78.**

Resolution 13-78: RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF A WILDLIFE EXTENSION AGREEMENT WHICH WILL AUTHORIZE THE CONSTRUCTION OF A FISH PASSAGE STRUCTURE ON THE CITY'S OLD WATER INTAKE AND DIVERSION STRUCTURE LOCATED IN THE BEAR RIVER.

WHEREAS, the City has an old water intake and diversion structure located on the Bear River, which impedes fish from traveling upstream to access tributaries needed for spawning; and

WHEREAS, Trout Unlimited has proposed constructing a fish passage structure on the City's on diversion structure to enable the fish to travel upstream; and

WHEREAS, it is necessary for the city to enter into the attached Wildlife Extension Agreement to facilitate the construction of the fish passage structure;

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 attached Wildlife Extension Agreement to authorize the construction of a fish passage structure on the City's old water intake and diversion structure located in the Bear River.

PASSED, APPROVED AND ADOPTED the 5<sup>th</sup> day of November, 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**

Kathy Defa stated that several citizens have been calling the city in regard to a new charge on their All West billing statement. After some research it was found that the charges should not have been imposed on Evanston residents and adjustments will be made on the next statements.

**Adjournment**

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 6:40 p.m.

---

Joy Bell, Mayor

---

James H. Davis, City Clerk