

**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

| VENDOR                     | FOR         | AMOUNT     |
|----------------------------|-------------|------------|
| 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    |
| IPSSSDR/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.

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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 13-76**

**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.

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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 13-77**

**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.

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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 13-78**

**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 EAR 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.

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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.

#### **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.

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Joy Bell, Mayor

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James H. Davis, City Clerk