

EVANSTON CITY COUNCIL
Second Regular Meeting
December 17, 2013

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

Amy Grenfell 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 Administrative Services/City Clerk, Amy Grenfell; Director of Planning & Development, Paul Knopf; Police Chief, Jon Kirby; City Engineer, Brian Honey; City Treasurer, Kathy Defa; Public Works Director, Oop Hansen; Director of Parks and Recreation, Dennis Poppinga; Deputy City Clerk, Nancy Stevenson; and Associate Planner, DuWayne Jacobsen. A group of interested citizens were also present.

Approve Agenda

Councilmember Welling moved, Councilmember Rex seconded, to approve the agenda. 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 December 3, 2013 and a Work Session held December 10, 2013 was approved as presented.

Bills

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

December 4, 2013 to December 17, 2013

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	1,959.64
Beneficial Life Insurance	Payroll	269.68
Blue Cross/Blue Shield	Payroll	111,043.17
Delta Dental	Payroll	5,795.45
Flexshare	Payroll	2,190.00
ING Life Insurance	Payroll	29.20
NCPERS	Payroll	80.00
Orchard Trust	Payroll	593.36
Parks & Recreation	Payroll	133.41
The Hartford	Payroll	196.30
Uinta County Court	Payroll	101.91
Vantage Point	Payroll	1,366.92
Vision Service Plan	Payroll	1,068.14
WEBT	Payroll	968.00
Wyoming Child Support	Payroll	770.05
Wyoming Dept of Employment	Payroll	6,860.43
Wyoming Retirement	Payroll	40,689.85
Payroll	Payroll	110,589.62
EFTPS	Payroll	45,747.14
HMBD	Insurance	24,126.75
Amy Grenfell	Contract	3,000.00
First Advantage	Testing	183.00
Alphacorp	Equipment	26,889.05
All West	Internet	816.86
Chris Brackin	Restitution	100.00
Dennis M. Boal	Services	13,116.00
Caselle	Maintenance	523.67
Castle Rock	Parts	145.00
Cazin's	Supplies	920.91
CD's Electric	Electrical	735.30
City of Evanston	Utilities	1,933.18
Verizon Wireless	Cell Phones	380.46
Boot Barn	Safety Boots	109.99
Cook Brothers Broadcasting	Ads	1,400.00

Ellingford's	Supplies	333.90
Energy Laboratories	Testing	3,235.50
First Bank	Visa	8,064.05
Freeway Tire	Tires	2,215.26
General Code	Books	4,329.78
Grass Roots	Supplies	875.00
Go Promos	Supplies	122.14
Good to Grow	Supplies	949.00
Murdochs	Supplies	664.75
Natalie Albrecht Green	Contract	80.00
Home Decor	Supplies	165.54
Nicholas Earl Horton	Contract	80.00
In-Room Guest Directory	Ads	250.00
Jacobs Engineering	Services	9,960.00
KQSW	Ads	560.00
Kallas Automotive	Parts	683.22
Keith's Feed	Supplies	61.50
Lewis-Goetz and Company	Supplies	720.41
Mobile Golf Services	Parts	851.72
Modern Display	Decorations	1,435.84
Morcon Industrial	Supplies	669.06
Mtn West Business Solutions	Contract	225.05
Questar Gas	Utilities	14,292.35
Office Products Dealer	Supplies	624.49
Pops Privy	Services	85.00
PC Innovation	Supplies	927.00
Porter's Fireworks	Contract	4,000.00
Gordon Robinson	Reimbursement	1,483.80
Rich Broadcasting	Ads	432.00
Rip's Grocery	Supplies	13.48
Rocky Mountain Turf	Parts	47.63
Safety Supply & Sign	Supplies	1,900.50
Schofield Furniture	Parts	79.95
Six States	Parts	364.94
Paul R. Skog	Services	2,768.00
Standard Plumbing	Parts	23.75
Alesco	Laundry Service	426.21
Superior Rental	Supplies	945.45
Tom's HVAC	Furnaces	18,026.27
John A. Thomas Law Office	Services	296.00
Trane	Control System	50,255.15
Uinta County Herald	Ads	1,291.17
Uinta County Solid Waste	Landfill	15,133.90
Uinta Lock & Key	Services	40.00
Incontact	Utilities	445.39
Century Link	Utilities	1,233.61
Rocky Mountain Power	Utilities	43,610.17
Vision Auto Glass	Windshield	280.00
Wyoming Waste Systems	Services	160.37
Westar Printing	Printing	65.00
Taylor Welling	Contract	45.00
Wetco	Maintenance	5,729.48
White Mountain Lumber	Supplies	164.94
One-Call of Wyoming	Services	76.50
Richo	Contract	221.56
Calvin Robinson	Refund	100.00
Creative Ink Images	Supplies	55.00
KNYN	Ads	369.00
Saundra Meyer	Reimbursement	711.71
H.P. Mobile	Services	60.00
Vehicle Lighting Solutions	Equipment	74,293.27
Wyo Dept of Transportation	Maintenance	3,185.47
Warner Truck Center	Parts	64.39
JC Electric	Repairs	97.50
Evanston Cowboy Days	Reimbursement	1,408.00
Consolidated Plastics	Supplies	811.22
Atkinson Sound	Supplies	656.00
Darrell Layton	Services	40.00
Selina Zuehlsdorff	Reimbursement	837.74
Rebeka Rozzo	Refund	100.00
Jessica or Bart Jensen	Refund	100.00
Eli Robinson	Refund	750.00
Danae Burge	Refund	450.00
Virginia Tapia	Refund	1,500.00
Debra Hansen	Refund	750.00

Shipping Plus	Shipping	20.36
Uinta Boces #1	Training	300.00
Wright Express	Fuel	15,813.60
Terri Arnell	Service Award	100.00
Ketchum MFG	Supplies	216.80

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

All the Councilmembers wished the staff and citizens a very Merry Christmas and a Happy New Year.

Mayor Bell commented on the annual Shop with a Cop and the Teddy Bear Parade which she was able to attend. She also commented on the New Year's Eve Celebration that will be held in Depot Square on December 31st.

Consent Agenda

Councilmember Welling moved, Councilmember Meyer seconded, to approve the following on the Consent Agenda: A Street Closure Permit requested by the City of Evanston for the Annual New Year's Eve Celebration in downtown Evanston for the areas of Front Street from 9th to 11th Street, and 10th Street from Front to the Alley between Front and Main Street on Tuesday, December 31, 2013 beginning at 11:00 p.m. and ending at 1:00 a.m.; and An Open Container Permit requested by the City of Evanston for the areas of Front Street from 9th to 11th Street, 10th Street from Front to Main Street, and Main Street from 9th to 11th Street on Tuesday, December 31, 2013 beginning at 11:00 p.m. and ending at 1:00 a.m. The motion passed unanimously with 7 yes votes: Bell, Lynch, Rex, Perkes, Welling, Meyer, Schuler.

Resolution 13-86

Councilmember Lynch introduced Resolution 13-86. Councilmember Lynch moved, Councilmember Rex seconded, to adopt Resolution 13-86.

Resolution 13-86: A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE DEER RUN 2ND ADDITION, A SUBDIVISION WITHIN THE CITY OF EVANSTON, WYOMING AS MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, Hamilton Investments LLC, a Wyoming limited liability company, (the "Subdivider",) has made application to the governing body of the City of Evanston, Wyoming for approval and authorization of the proposed subdivision entitled the Deer Run 2nd 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 Deer Run 2nd Addition is hereby approved, accepted and authorized and described in particularity as follows, to-wit:

A Subdivision of Lot 1, Block 1 and Lot 4, Block 2 of the Deer Run Addition to the City of Evanston, T15N, R120W, 6th P.M., Uinta County, Wyoming.

Section 2. The Subdivider agrees to construct and install, at its costs and expense, the water and sewer laterals and roadway repair, (the "Improvements"), as set forth and described in the project plan marked as Exhibit 1 which is attached hereto and incorporated herein. The Improvements shall be installed and constructed in compliance with City Standards and the project plan set forth in Exhibit 1. The Improvements shall be completely installed by the Subdivider no later than June 30, 2014. The City shall not be required to issue any building permits for construction on the lots of the Subdivision until the Improvements have been completed and approved by the City Engineer.

Section 3. To guarantee the completion of the Improvements, the Subdivider shall deposit with the City a cash bond in favor of the City of Evanston in the amount of \$5,481.00 which is equal to 150% of the cost estimate for constructing the required Improvements. The cash bond shall be paid and forfeited to the City if the Subdivider fails to complete all or any portion of the Improvements described herein within the period specified in Section 3 above. Payment and forfeiture of the cash bond to the City of Evanston shall be conditioned upon the funds being used by the City to complete the construction of the required Improvements.

The City's receipt of monies from the cash bond shall relieve the Subdivider of the obligation to complete the Improvements required herein, except to the extent that said monies are insufficient to construct or complete the Improvements.

When the City grants final approval of the construction of the Improvements by the Subdivider, the governing body for the City shall, at a regularly scheduled meeting, authorize the release and return of the cash bond which has been deposited by the Subdivider.

Section 4. The Mayor and City Clerk are hereby authorized and directed to enforce the mandates of chapter 22 of the Code of the City of Evanston with regard to the filing of the final plat with the County Clerk of Uinta County, Wyoming as by law required.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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 13-87

Councilmember Meyer introduced Resolution 13-87. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-87.

Resolution 13-87: RESOLUTION OF THE CITY OF EVANSTON AUTHORIZING THE EXECUTION OF STREET LIGHTING AGREEMENT WITH ROCKY MOUNTAIN POWER TO PROVIDE A STREET LIGHT FOR THE RIDGECREST 4TH ADDITION.

WHEREAS, the City of Evanston has a need to provide a street light in the Ridgecrest 4th Addition to the City of Evanston; and

WHEREAS, to obtain said service, it is necessary for the City of Evanston to enter into the attached Street Lighting Agreement;

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

Section 1: The Mayor and City Clerk are authorized to sign and attest the attached Street Lighting Agreement on behalf of the City of Evanston with Rocky Mountain Power to provide the street light specified therein.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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 13-88

Councilmember Perkes introduced Resolution 13-88. Councilmember Perkes moved, Councilmember Rex seconded, to adopt Resolution 13-88.

Resolution 13-88: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES WITH PORTER'S FIREWORKS TO PROVIDE FIREWORKS FOR THE CITY'S ANNUAL NEW YEARS EVE CELEBRATION.

WHEREAS, the City of Evanston has traditionally contributed towards a public fireworks display during the annual New Years Eve celebration;

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, a Contract for Services with Porter's Fireworks to provide fireworks for the City's annual New Years Eve celebration, a copy of which is attached hereto.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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 13-89

Councilmember Schuler introduced Resolution 13-89. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 13-89.

Resolution 13-89: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE ACCEPTANCE OF AN ESTIMATE WITH EXECUTECH TO PROVIDE THE CITY WITH IMPROVED COMPUTER SERVICES.

WHEREAS, the City of Evanston and Executech have negotiated an agreement whereby Executech will provide the city with materials and labor to improve the city's computer system; and

WHEREAS, the City of Evanston and Executech have set their agreement in writing in the attached estimate, a copy of which is attached hereto;

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

Section1. The City of Evanston, Wyoming hereby accepts and agrees to the attached estimate submitted by Executech, which is attached hereto, to provide the city with improved computer services.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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 13-90

Councilmember Lynch introduced Resolution 13-90. Councilmember Lynch moved, Councilmember Rex seconded, to adopt Resolution 13-90.

Resolution 13-90: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE FORESTER FOR THE CITY OF EVANSTON TO BE OFFICIALLY RECERTIFIED AS A TREE CITY USA FOR YEAR 2014.

WHEREAS, City of Evanston has been previously certified as a Tree City USA by the State Forester; and

WHEREAS, the governing body has determined that it is in the public's interest to apply for recertification;

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 the submission of an application to the State Forester for the City of Evanston to be recertified as a Tree City USA.

Section 2. The Mayor and City Clerk are authorized to sign and attest all documents which are necessary to apply for the recertification.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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 13-91

Councilmember Meyer introduced Resolution 13-91. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 13-91.

Resolution 13-91: RESOLUTION AUTHORIZING THE CITY OF EVANSTON, WYOMING TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE EVANSTON PARKS AND RECREATION DISTRICT FOR THE IMPLEMENTATION OF A FITNESS PROGRAM FOR THE EMPLOYEES OF THE CITY OF EVANSTON.

WHEREAS, the City of Evanston desires to continue to provide and implement a fitness or wellness program for its employees, and the Evanston Parks and Recreation District has agreed to make its facilities available to the City for such program;

WHEREAS, the City and the Recreation District have determined that it is prudent to enter into a Memorandum of Understanding setting forth the responsibilities of each party as they relate to the implementation of the fitness or wellness program for the employees of the City, 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 Memorandum of Understanding, a copy of which is attached hereto, with the Evanston Parks and Recreation District setting forth the responsibilities of the City of Evanston and the Evanston Parks and Recreation District as they relate to the continuation and implementation of a fitness or wellness program for the employees of the City of Evanston.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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.

Executive Session

Councilmember Rex moved, Councilmember Schuler seconded, to enter into Executive Session to discuss possible purchase of Real Property from the Union Pacific Railroad.

Councilmember Welling moved, Councilmember Perkes seconded, to adjourn from Executive Session.

Resolution 13-92

Councilmember Perkes introduced Resolution 13-92. Councilmember Perkes moved, Councilmember Lynch seconded, to adopt Resolution 13-92.

Resolution 13-92: RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING AN OFFER TO PURCHASE THE REAL PROPERTY COMMONLY KNOWN AS CHINA MARY ROAD FROM UNION PACIFIC RAILROAD COMPANY.

WHEREAS, residents of the City of Evanston have been using a roadway known as China Mary Road for a number of years; and

WHEREAS, China Mary Road is not a dedicated city street and is on land owned by the Union Pacific Railroad; and

WHEREAS, the City had leased China Mary Road from Union Pacific Railroad to enable its citizens to use the roadway; and

WHEREAS, the lease for China Mary Road has expired and the governing body has determined it is in the public's interest for the City to purchase the property;

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

Section 1: The City of Evanston is hereby authorized to submit to the Union Pacific Railroad Company the offer to purchase China Mary Road which is attached hereto.

Section 2: The Mayor is hereby authorized to sign and transmit the attached offer to purchase China Mary Road to Union Pacific Railroad Company on behalf of the City.

PASSED, APPROVED AND ADOPTED the 17th day of December, 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.

Department Comments/Remarks

Paul Knopf and DuWayne Jacobsen presented the Mayor and Councilmembers with a Christmas song they composed to the tune of We Wish You a Merry Christmas.

Adjournment

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 6:57 p.m.

Joy Bell, Mayor

James H. Davis, City Clerk