

EVANSTON CITY COUNCIL
Second Regular Meeting
May 20, 2014

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

Paul Knopf 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, Evan Perkes, David Welling, Saundra Meyer, and Wendy Schuler. Curtis Rex was excused.

Staff members present at the start of the meeting were: City Attorney, Dennis Boal; City Engineer, Brian Honey; Police Chief, Jon Kirby; Director of Planning & Development, Paul Knopf; City Treasurer, Kathy Defa; Director of Parks and Recreation, Dennis Poppinga; Public Works Director, Oop Hansen; and Deputy City Clerk, Nancy Stevenson. Director of Administrative Services/City Clerk, Amy Grenfell was excused. A group of interested citizens were also present.

Approve Agenda

Councilmember Welling moved, Councilmember Meyer seconded, to approve the agenda. The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Approve Minutes

The official record of proceedings for the City Council Meeting held May 6, 2014 and a Work Session held May 13, 2014 was approved as presented.

Bills

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

May 7, 2014 to May 20, 2014

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	1,979.64
Beneficial Life Insurance	Payroll	269.68
Blue Cross Blue Shield	Payroll	115,313.94
Delta Dental	Payroll	6,598.80
Flexshare	Payroll	2,519.00
ING	Payroll	29.20
NCPERS	Payroll	80.00
Orchard Trust	Payroll	593.36
Parks & Recreation	Payroll	193.71
The Hartford	Payroll	196.30
Uinta County Court	Payroll	101.91
Vantagepoint	Payroll	1,055.43
Vision Service Plan	Payroll	1,128.71
WEBT	Payroll	1,001.00
Wells Fargo	Payroll	200.00
Wyoming Child Support	Payroll	770.05
Wyoming Dept of Employment	Payroll	6,980.72
Wyoming Retirement	Payroll	42,141.42
Payroll	Payroll	109,690.17
EFTPS	Payroll	37,833.34
Lori Lowe	Refund	450.00
AED Everywhere	Supplies	2,113.25
First Advantage	Testing	61.00
A-Core	Services	1,300.00
All West	Internet	788.96
Allied Insurance	Insurance	427.00
Dennis M. Boal	Contract	6,168.00
Calibration Tech	Repairs	60.58
Caselle, Inc	Support/Maintenance	523.67
Castle Rock	Parts	207.03
Cazin's	Supplies	580.41
CD's Electric	Electrical	256.00
Cassidy's Critter Control	Services	115.00
Cerilliant	Testing	302.44
City of Evanston	Utilities	2,831.64

Verizon Wireless	Cell Phones	553.82
CPS Distributors	Supplies	1,392.00
Course Trends	Website	295.00
Cook Brothers	Ads	1,400.00
Crum Electric	Supplies	29.95
Norco	Supplies	412.31
Deru's Glass	Repairs	205.00
Ellingford's	Supplies	200.58
Executech	Maintenance/Equipment	23,863.05
Energy Laboratories	Testing	2,386.50
Evanston Parks & Recreation	City Subsidy	91,575.00
Evanston Uinta Co Airport	Contract	18,750.00
Force Flow	Parts	114.87
First Bank	Visa	9,784.05
Fastenal	Supplies	67.75
Forsgren Associates	Services	4,552.50
Freeway Tire	Tires	2,124.32
Garage Door Specialist	Repairs	250.00
Murdochs	Supplies	316.69
Greenhorn	Plant	30.00
Sara Hull	Contract	315.00
Nicholas Earl Horton	Contract	160.00
Sportsworld	Supplies	556.95
Evanston Regional Hospital	Training	615.00
Intermountain Sweeper	Parts	52.46
Kallas Automotive	Parts	4,532.30
Keith's Feed	Supplies	61.50
Morgan Valley Polaris	Equipment	7,160.00
MacDonalds Equipment	Parts	1,825.80
Morcon Industrial	Supplies	1,681.19
Questar Gas	Utilities	9,794.23
Mountainland Supply	Repairs	115.41
Larry H. Miller Ford	Parts	66.23
Nike Golf	Supplies	3,933.55
Northern Safety	Supplies	308.71
Office Products Dealer	Supplies	664.64
City of Evanston	Reimbursement	127.24
Proforce Law Enforcement	Supplies	580.70
Real Kleen	Services/Supplies	4,532.89
Rebecca's Garden & Landscaping	Chipper Rental	240.00
Rip's Grocery	Propane	15.93
Rocket Sanitation	Services	160.00
Rotational Molding	Trash Containers	22,185.00
Safety Supply & Sign	Signs	3,081.43
Scott Sargent Law Office	Contract	640.00
Six States	Parts	386.43
Skaggs	Supplies	119.95
Paul R. Skog	Services	4,132.00
Smith's Food & Drug	Supplies	425.05
Standard Plumbing	Supplies	96.63
Stateline Metals	Repairs	3,500.00
Alesco	Laundry Service	353.33
Titleist	Supplies	83.82
Turf Equipment	Parts	158.43
Uinta County	Jail/Dispatch Fees	53,568.92
Uinta County Herald	Ads	1,437.96
Uinta County Solid Waste	Landfill	15,406.60
Century Link	Utilities	2,822.19
Rocky Mountain Power	Utilities	28,704.01
The Verdin Company	Repairs	109.32
Wyoming Waste Systems	Services	160.56
Westar Printing	Printing	723.00
White Mountain Lumber	Supplies	5,766.80
WAM	Fees	33.00
One-Call of Wyoming	Services	81.00
Young Ford	Parts	76.98
Richo	Contract	198.03
Ken Pearson	Reimbursement	196.50
Dana Kepner	Equipment	5,080.00
Mountain West, LLC	Supplies	3,749.00
Highland Golf	Parts	32.89
Sheena Phillips	Refund	43.10
Independent Software	Services	97.50
Trudy Lym	Reimbursement	305.69
JC Golf	Supplies	108.78

Callaway Golf	Supplies	49.81
Vehicle Lighting Solutions	Equipment	23,420.82
Wyo Dept of Transportation	Street Maintenance	1,378.64
USA Blue Book	Supplies	904.29
Darrel Layton	Services	830.00
Golden Rule	Services	10.00
PGA of America	Dues	526.00
Selina Zuehlsdorff	Reimbursement	781.40
Jeffery Chad Liechty	Reimbursement	436.00
Toni Bates	Refund	37.25
Trevor Goick	Refund	409.98
Douglas Pechtel	Training	600.00
Jaye Synan	Refund	461.70
Oslyn Acevedo	Refund	1,150.00
Media Skills	Promotional	15,623.00
Robert Rayl	Repairs	204.95
Shipping Plus	Shipping	204.83
Uinta Boces #1	Training	231.00
Wright Express	Fuel	16,665.90
Pierce & Sons Fencing	Services	1,218.20

The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Revenue & Expenditure Report

Councilmember Schuler moved, Councilmember Meyer seconded, to approve the Revenue and Expenditure Report. The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Council Comments

Councilmember Schuler reminded everyone of the Veterans Memorial Services on Memorial Day and the upcoming Beer, Brats, and Bluegrass Festival in June.

Mayor Bell also mentioned the Veterans Memorial Services to be held at the Roundhouse of Monday, the Renewal Ball on June 7th, and a Cowboy Poetry event also on June 7th. Mayor Bell also stated that she will be traveling to Cheyenne next week to meet with the Wyoming Business Council regarding two grants that the City has applied for.

Consent Agenda

Councilmember Welling moved, Councilmember Meyer seconded, to approve the following Consent Agenda: A Malt Beverage Permit requested by Kathy Bella with Bluegrass Evanston for the Beer, Brats and Bluegrass Festival at the Depot Square on Friday, June 20, 2014 from 5:00 p.m. to 10:00 p.m. and Saturday, June 21, 2014 from 12:00 noon to 10:00 p.m. The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Ordinance 14-02

Councilmember Perkes moved, Councilmember Welling seconded, to pass Ordinance 14-02 on third and final reading.

Ordinance 14-02: AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SUBSECTION E OF SECTION 12-42 OF THE CITY CODE, DRIVING WHILE UNDER THE INFLUENCE, BY INCREASING THE TIME PERIOD IN WHICH A PERSON BECOMES A REPEAT OFFENDER FROM FIVE YEARS TO TEN YEARS.

WHEREAS, the Wyoming Legislature has amended the state statute regarding driving under the influence of alcohol by increasing the time period in which a person can become a repeat offender from five years to ten years; and

WHEREAS, the City of Evanston needs to amend the City Code to comport with the amendments made by the State;

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

Section 1: Subsection E of Section 12-42 of the Evanston City Code is amended and re-enacted to provide as follows:

Sec. 12-42. Driving while under the influence.

E. Except as otherwise provided, a person convicted of violating this section is guilty of a misdemeanor punishable by imprisonment for not more than six months, a fine of not more than seven hundred fifty dollars, or both. On a subsequent conviction within ten (10) years after a conviction for a violation of this section or other law prohibiting driving while under the influence, he shall be punished by imprisonment for not less than seven days nor more than six months and shall not be eligible for probation or suspension of sentence of release on any other basis until he has served at least seven days in jail. In addition, the person may be fined not less than two hundred dollars nor more than seven hundred fifty dollars. The judge may suspend part or all of the discretionary portion of an imprisonment sentence under this subsection if the defendant agrees to pursue and completes an alcohol education or treatment program as prescribed by the judge.

PASSED AND APPROVED on First Reading this 15th day of April, 2014.

PASSED AND APPROVED on Second Reading this 6th day of May, 2014.

PASSED AND APPROVED on Third and Final Reading this 20th day of May, 2014.

CITY OF EVANSTON, WYOMING

Joy Bell, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Rex, Perkes, Meyer, Schuler.

Resolution 14-29

Councilmember Meyer introduced Resolution 14-29. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 14-29.

Resolution 14-29: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SCI, INC. FOR THE COMPLETION OF ALL WORK REQUIRED FOR THE WATER STORAGE TANK REPLACEMENT PROJECT.

WHEREAS, the City of Evanston has a need to replace one of its water storage tanks; and

WHEREAS, SCI, Inc., has submitted the lowest bid for the project; and

WHEREAS, SCI, Inc., is prepared to enter into an agreement whereby SCI, Inc., will provide all materials and labor specified in the plans and specifications for the Water Storage Tank Replacement Project; and

WHEREAS, the City of Evanston and SCI, Inc., have set their agreement in writing;

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 Agreement between the City of Evanston, as Owner, and SCI, Inc., as Contractor, for completion of all work necessary for the Water Storage Tank Replacement Project.

PASSED, APPROVED AND ADOPTED the 20th day of May, 2014.

Joy Bell, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Resolution 14-30

Councilmember Schuler introduced Resolution 14-30. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 14-30.

Resolution 14-30: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE BEAR RIVER MODELERS TO LOCATE A MOBILE OFFICE UNIT ONTO CITY PROPERTY FOR USE BY USERS OF 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 on city property; and

WHEREAS, Bear River Modelers has requested that it be permitted to move a mobile office unit onto the property to be used by users of the model airplane runway facility;

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 locate a mobile office unit on to city property for use by users of the model airplane runway facility upon the condition that the Bear river Modelers take all necessary steps to skirt the mobile unit and to maintain it in a good and sightly condition.

PASSED, APPROVED AND ADOPTED the 20th day of May, 2014.

Joy Bell, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Resolution 14-31

Councilmember Lynch introduced Resolution 14-31. Councilmember Lynch moved, Councilmember Perkes seconded, to adopt Resolution 14-31.

Resolution 14-31: 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.

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;

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, 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 sign 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 all fireworks vendors, 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-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. These decorative displays may also be placed within the public right-of-way of adjacent private property with the permission of the adjacent property owner; but the displays shall not occupy the visibility triangle as defined by the City Code.
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 with persons engaged in the activity of fireworks advertising shall not be used 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 the special event signage for a fireworks provider. Portable signs shall not 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 20th day of May, 2014.

Joy Bell, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Resolution 14-32

Councilmember Meyer introduced Resolution 14-32. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 14-32.

Resolution 14-32: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING AND RATIFYING THE SUBMISSION OF AN APPLICATION FOR A CERTIFIED LOCAL GOVERNMENT ANNUAL GRANT TO OBTAIN FUNDS TO PRINT AND DISTRIBUTE COPIES OF A HISTORICAL BROCHURE AND TO MAKE HISTORICAL SIGNS.

WHEREAS, there are Local Government Annual Grants which can be used to print and distribute historical brochures and make historical signs.

WHEREAS, the governing body for the City of Evanston has determined that it is in the public's interest to apply for a grant to print copies of a historical brochure and make historical signs;

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

Section 1: The City of Evanston is authorized to submit an application for a Certified Local Government Annual Grant to obtain funds to print and distribute copies of a historical brochure and make historical signs.

Section 2: The Mayor and City Clerk are authorized to sign the grant application on behalf of the City.

PASSED, APPROVED AND ADOPTED the 20th day of May, 2014.

Joy Bell, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

Adjournment

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 6:04 p.m.

Joy Bell, Mayor

Amy L. Grenfell, City Clerk