

**EVANSTON CITY COUNCIL**  
**First Regular Meeting**  
**June 2, 2015**

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

Connie Scott led those in attendance in the pledge of allegiance to the Flag.

The roll was called and with a quorum being present, Mayor Kent Williams 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 Williams; Councilmembers Tim Lynch, Evan Perkes, David Welling, Saundra Meyer, and Wendy Schuler. Councilmember Andy Kopp was excused.

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

**Approve Agenda**

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

**Approve Minutes**

**The official record of proceedings for the City Council Meeting held May 19, 2015 and a Work Session held May 26, 2015 was approved as presented.**

**Bills**

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

May 20, 2015 to June 2, 2015

<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
AXA Equivest	Payroll	2,104.11
FlexShare	Payroll	2,599.00
ING Life Insurance	Payroll	29.20
Orchard Trust	Payroll	566.12
Parks and Recreation	Payroll	182.16
United Way	Payroll	6.00
Utah Child Support	Payroll	296.34
Vantage Point	Payroll	826.14
Wells Fargo	Payroll	224.00
Payroll	Payroll	110,730.14
EFTPS	Payroll	38,249.32
USPS	Postage	10,000.00
Civic Plus	Website	600.00
Cowboy Motor Co	Parts	68.48
Cazin's	Supplies	319.64
CD's Electric	Electrical	672.40
Verizon Wireless	Cell Phones	818.53
Cornwell Quality Tools	Tools	399.99
Boot Barn	Safety Boots	104.99
Crum Electric	Supplies	11.98
Deru's Glass	Supplies	243.50
Ellingford's	Supplies	390.90
Chemtech-Ford Laboratories	Testing	86.00
Executech	Maintenance/Equipment	1,714.19
Evanston Parks & Recreation	Reimbursement	44,806.87
Hach Company	Supplies	1,008.29
Harris Law Office	Contract	4,000.00
Sylvia Moore	Services	75.00
Chris Jensen	Award	100.00
Kallas Automotive	Parts	520.97
L-3 Com Mobile-Vision	Parts	31.95
Morcon Industrial	Supplies	898.12
Mud Dog Jacking	Services	2,500.00

Mountainland Supply	Supplies	2,332.74
Northwest Scientific	Supplies	1,415.04
Office Products Dealer	Supplies	292.11
Ping	Supplies	930.56
Porter's Fireworks	Contract	14,409.51
Rip's Grocery	Propane	13.28
Rocky Mountain Turf	Parts	75.91
Safety Supply & Sign	Signs	133.81
Six States	Parts	156.36
Skaggs Companies	Supplies	205.14
Standard Plumbing	Parts	292.28
Thatcher Chemical	Supplies	5,118.25
Titleist	Supplies	236.00
Uinta County Solid Waste	Landfill Fees	14,594.00
United Service & Sales	Parts	260.45
Rocky Mountain Power	Utilities	7,439.23
WalMart	Supplies	1,420.52
Westar	Printing	816.03
Taylor Welling	Contract	45.00
White Mountain Lumber	Supplies	120.80
Yamaha Motor Corp	Contract	3,281.75
Creative Ink Images	Supplies	1,254.95
Chris Smith	Reimbursement	390.25
Swire Coca Cola	Supplies	89.28
Wyo DEQ	Testing	650.00
USA Blue Book	Supplies	1,046.56
Terri Spero	Service Award	100.00
Golden Rule	Services	53.00
PGA of America	Dues	534.00
Utility Bill Solutions	Services	267.88
Lyman Municipal Court	Refund	120.00
Southwest Wyoming UMF	Refund	375.00
Logan McGee	Refund	250.00
Judy Brunow	Refund	1,050.00
Media Skills	Promotional	11,298.00
Shipping Plus	Shipping	161.95
Bruce Hartzell	Service Award	100.00
Nutech Specialties	Supplies	172.45

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

#### **Council Comments**

Councilmember Welling congratulated Wendy Schuler on her retirement after 40 years of teaching school. Mr. Welling also commented on the Renewal Ball and 5K Fun Run/Walk and invited everyone to participate.

Councilmember Meyer thanked everyone for their recent support and also thanked the Evanston Regional Hospital Emergency Room staff.

Councilmember Schuler stated that she is hoping for a very successful Renewal Ball. She also comment on a girls camp that was recently held at Evanston High School. Mrs. Schuler reminded everyone that the Evanston Rodeo Series will start this weekend and that the Blue Grass Festival is also this month.

Mayor Williams commented on the George Wyman ceremony that was recently held at Depot Square.

#### **Appointment to Boards**

**Mayor Williams made the following appointments to the Parks and Recreation District. Councilmember Perkes moved, Councilmember Welling seconded, to confirm the following appointments:**

##### **Parks and Recreation District**

Michael Jacketta (reappointment) - June 2018  
Mark Mari (reappointment) - June 2018

The motion passed unanimously with 5 yes votes: Lynch, Perkes, Welling, Meyer, Schuler.

#### **Public Hearing/Budget Modification**

City Attorney, Dennis Boal conducted a public hearing to receive public comments on the proposed modification to the budget for the fiscal year 2015. City Treasurer, Kathy Defa explained the modifications to the budget. No one else addressed the issue and the hearing was closed.

## Consent Agenda

Councilmember Schuler moved, Councilmember Welling seconded, to approve: A Street Closure Permit requested by St. Mary Magdalen Church for an Outdoor Mass and Feast Day on Sunday, July 19, 2015 on Center Street from 8<sup>th</sup> Street to 9<sup>th</sup> Street, from 10:00 a.m. to 8:00 p.m.; A Street Closure Permit requested by the Uinta County Democrats in conjunction with the Evanston Brewfest fundraiser on Saturday, July 25, 2015 on Front Street from 9<sup>th</sup> to 11<sup>th</sup> Street, from 8:00 a.m. to 6:00 p.m.; and on Main Street 9<sup>th</sup> to 11<sup>th</sup> Street; on 9<sup>th</sup> and 11<sup>th</sup> Street from Front to Main Street; and 10<sup>th</sup> Street from Front Street to the alley between Main and Center Street, from 8:00 a.m. to 11:30 p.m.; An Open Container Permit requested by the Uinta County Democrats in conjunction with the Evanston Brewfest fundraiser on Saturday, July 25, 2015 on Front Street from 9<sup>th</sup> to 11<sup>th</sup> Street; on Main Street from 9<sup>th</sup> Street to 11<sup>th</sup> Street; on 11<sup>th</sup> and 9<sup>th</sup> Streets from Front to Main Street; and 10<sup>th</sup> Street from Front Street to the alley between Main and Center Streets, from 8:00 a.m. to 11:30 p.m.; A Street Closure Permit requested by Evanston Cowboy Days for the Cowboy Days Kick-off Event on Friday, September 4, 2015 of Front Street from 9<sup>th</sup> to 11<sup>th</sup> Street and Main Street from 9<sup>th</sup> to 10<sup>th</sup> Street; and on 10<sup>th</sup> and 11<sup>th</sup> Streets from Front Street to Main Street, from 4:00 p.m. to 11:30 p.m.; An Open Container Permit requested by Evanston Cowboy Days for the Cowboy Days Kick-off Event on Friday, September 4, 2015 on Front and Main Streets from 9<sup>th</sup> Street to 11<sup>th</sup> Street; on 9<sup>th</sup> Street from Front to Main Street, and on 10<sup>th</sup> Street from Front Street to the alley between Main and Center Street, from 5:00 p.m. to 11:30 p.m.; and a Parade Route Permit requested by Evanston Cowboy Days for the Annual Cowboy Days Celebration and Labor Day Parade on Monday, September 7, 2015, beginning at 10:00 a.m. The motion passed unanimously with 6 yes votes: Williams, Lynch, Perkes, Welling, Meyer, Schuler.

### Resolution 15-31

Councilmember Lynch moved, Councilmember Welling seconded, to remove Resolution 15-31 from the table from the May 5, 2015 meeting.

Councilmember Lynch introduced Resolution 15-31. Councilmember Lynch moved, Councilmember Welling seconded, to adopt Resolution 15-31.

Resolution 15-31: RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF A LEASE WITH OPTION TO PURCHASE WITH EVANSTON ENERGY GROUP, LLC, A WYOMING LIMITED LIABILITY COMPANY AND DETERMINING THAT THE SALE OF REAL PROPERTY TO EVANSTON ENERGY GROUP, LLC, PURSUANT TO THE LEASE WITH OPTION TO PURCHASE WILL BENEFIT THE ECONOMIC DEVELOPMENT OF THE MUNICIPALITY AS REQUIRED BY WYOMING STATUTE 15-1-112 (b) (i) (D).

The motion to adopt Resolution 15-30 failed with 6 no votes. Williams, Lynch, Perkes, Welling, Meyer, Schuler.

### Resolution 15-34

Councilmember Meyer introduced Resolution 15-34. Councilmember Meyer moved, Councilmember Welling seconded, to adopt Resolution 15-34.

Resolution 15-34: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN UINTA B.O.C.E.S. #1 EDUCATION CENTER AND THE CITY OF EVANSTON TO PROVIDE ON-THE-JOB TRAINING FOR A PARTICIPANT IN THE EVANSTON READY TO WORK PROGRAM.

WHEREAS, Uinta B.O.C.E.S. #1 Education Center has developed the Evanston Ready to Work Program which provides the program's participants with on-the-job training; and

WHEREAS, the City is willing to provide the on-the-job training for a program participant pursuant to the attached Memorandum of Understanding;

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 on behalf of the City of Evanston, the Memorandum of Understanding with Uinta B.O.C.E.S. #1 Education Center to provide on-the-job training for a participant in the Evanston Ready to Work Program, a copy of which is attached hereto.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of June, 2015.

\_\_\_\_\_  
Kent H. Williams, Mayor

ATTEST:

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Amy L. Grenfell, City Clerk

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

Resolution 15-35

Councilmember Lynch introduced Resolution 15-35. Councilmember Lynch moved, Councilmember Welling seconded, to adopt Resolution 15-35.

Resolution 15-35: A RESOLUTION AUTHORIZING ADJUSTMENTS TO THE BUDGET OF THE CITY OF EVANSTON, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30, 2015 AND ALLOCATING SUCH FUNDS AND EXPENDITURES AMONG THE FUNDS AND DEPARTMENTS AS SPECIFIED HEREIN.

WHEREAS, the City of Evanston, Wyoming has previously adopted a budget for the fiscal year ending June 30, 2015 which budget estimated revenues and appropriated said revenues to the funds and departments of the City; and,

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

Section 1: The following funds and departments shall have their appropriations revised for the fl year as shown:

<u>Departments</u>		<u>Adjustment</u>
<b>GENERAL FUND</b>		
<b>Revenue:</b>	Compost	\$30/cubic yard
	Wood Chips/Mulch	\$20./cubic yard
	Curbside Delivery -city limits	
	Technical assistant - Chamber - CDBG	
	Urban Forestry Program	\$ 3,000
For:	City Council - Website Design	\$ 16,000
	Treasurer - Payroll Adjustment	\$ 58,941
	Police Patrol - Overtime Adjustment	\$ 15,000
	Public Works - Admin - Payroll Adjustment	\$ 36,000
	Public Works - Street Div- Payroll Adj	\$ 109,665
	Capital - Sternburg Lights	\$ 110
	Capital - Medical Spec Building	\$ 46,000
	Capital - Urban System St Repair	\$ 3,700
	Capital - Bear River Bridge Repair	\$ 10,100
	Capital - Roundhouse Soil testing	\$ 10,000
	Capital - Urban Forestry Program	\$ 3,000
From:	Grant	\$ 3,000
	Reserves	\$ 305,516
		\$ 308,516
<b>Wastewater Fund</b>		
For:	Waste Water Plant Upgrades	\$ 40,000
From:	Reserves	\$ 40,000
<b>Cemetery Fund</b>		
For:	Capital Equipment - Mower	\$ 16,730
From:	General Fund Reserves	\$ 16,730
<b>Lodging Tax Fund</b>		
For:	Marketing and Promotion	\$ 50,000
From:	Reserves	\$ 50,000
<b><u>SUMMARY OF ADJUSTMENTS</u></b>		
	Increase (Decrease)	From Revenue
General Fund	\$ 308,516	\$ 308,516
Wastewater Fund	\$ 40,000	\$ 40,000
Cemetery Fund	\$ 16,730	\$ 16,730
Lodging Tax fund	\$ 50,000	\$ 50,000
<b>TOTAL</b>	<b>\$ 415,246</b>	<b>\$ 415,246</b>

Section 2: The terms and conditions of the original budget shall remain as passed unless otherwise amended.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of June, 2015.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

### **Award Bid/Bear Meadows Project**

**Councilmember Welling moved, Councilmember Meyer seconded, to award the bid for the Bear Meadows Project to Flare Construction, Inc., the apparent low bidder meeting all City specifications, in the amount of \$678,271.50.** The motion passed unanimously with 6 yes votes: Williams, Lynch, Perkes, Welling, Meyer, Schuler.

### **Resolution 15-36**

**Councilmember Schuler introduced Resolution 15-36. Councilmember Schuler moved, Councilmember Meyer seconded, to adopt Resolution 15-36.**

Resolution 15-36: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH FLARE CONSTRUCTION, INC., FOR THE COMPLETION OF ALL WORK REQUIRED FOR THE BEAR MEADOWS PROJECT.

WHEREAS, the City of Evanston has determined that developing a useable natural open space in the Bear River Greenway, to be known as Bear Meadows, will create recreation opportunities, improve the visual esthetics of the area and improve the business climate of the area; and

WHEREAS, the City has received a community enhancement grant from the Wyoming Business Council to assist in the construction of the project; and

WHEREAS, Flare Construction, Inc., submitted the low bid for the project; and

WHEREAS, the City of Evanston and Flare Construction, Inc., are prepared to enter into an agreement whereby Flare Construction, Inc., will provide all materials and labor specified in the plans and specifications and the proposal documents for Bear Meadows Project in Evanston, Wyoming; and

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, as Owner, and Flare Construction, Inc., as Contractor, for completion of all work necessary for the Bear Meadows Project in Evanston, Wyoming.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of June, 2015.

\_\_\_\_\_  
Kent H. Williams, Mayor

ATTEST:

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Amy L. Grenfell, City Clerk

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

### **Resolution 15-37**

**Councilmember Lynch introduced Resolution 15-37. Councilmember Lynch moved, Councilmember Perkes seconded, to adopt Resolution 15-37.**

Resolution 15-37: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON APPROVING CHANGE ORDER NO. 1 FOR THE BEAR MEADOWS PROJECT IN THE CITY OF EVANSTON.

WHEREAS, the City of Evanston has previously authorized the Bear Meadows Project which is being constructed by Flare Construction, Inc.; and

WHEREAS, it is necessary to approve Change Order No. 1 for the reasons set forth therein;

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

Section 1. Change Order No. 1 for the Bear Meadows Project, a copy of which is attached hereto, is approved.

Section 2. The Mayor is authorized to approve Change Order No. 1 on behalf of the City.

PASSED, APPROVED AND ADOPTED the 2<sup>nd</sup> day of June, 2015.

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Kent H. Williams, Mayor

ATTEST:

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Amy L. Grenfell, City Clerk

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

**Resolution 15-38**

**Councilmember Meyer introduced Resolution 15-38. Councilmember Meyer moved, Councilmember Schuler seconded, to adopt Resolution 15-38.**

**Resolution 15-38: A RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE SCHWITZER 2ND ADDITION, A SUBDIVISION WITHIN THE CITY OF EVANSTON, WYOMING AS MORE PARTICULARLY DESCRIBED HEREIN.**

WHEREAS, Sarah S. Dean and Chris Schwitzer,(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 Schwitzer 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 Schwitzer 2<sup>nd</sup> Addition is hereby approved, accepted and authorized and described in particularity as follows, to-wit:

PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 120 WEST, 6TH PM, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 16, SAID POINT BEING S89°54'31"E ALONG SAID NORTH LINE OF SECTION 16, 324.87 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 16; THENCE S89°54'31"E 502.66 FEET; THENCE S50°49'06"E 437.14 FEET; THENCE S58°22'17"E 869.90 FEET; THENCE S61°45'17"E 141.77 FEET; THENCE S42°17'00"W 75.20 FEET; THENCE N47°43'00"W 100.00 FEET TO THE EXTENSION OF THE NORTHWESTERLY BOUNDARY OF SCHWITZER SUBDIVISION;; THENCE S42°17'00"W 103.24 FEET TO THE INTERSECTION OF LOT 1 OF SCHWITZER SUBDIVISION AND THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 89; THENCE N78°36'50"W 405.70 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 352.03 FEET, A RADIUS OF 1100.92 FEET, A CHORD BEARING OF N69°42'52"W, AND A CHORD LENGTH OF 350.53 FEET; THENCE N29°37'45"E 5.00 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 219.57 FEET, A RADIUS OF 1095.93 FEET, A CHORD BEARING OF N54°39'01"W, AND A CHORD LENGTH OF 219.20 FEET; THENCE ALONG A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 809.70 FEET, A RADIUS OF 6353488.31 FEET, A CHORD BEARING OF N48°54'25"W, AND A CHORD LENGTH OF 809.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 480553 SQUARE FEET OR 11.032 ACRES

Section 2. The Mayor and City Clerk are hereby authorized and directed to enforce the mandates of chapter 22 of the Code of the City 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 2<sup>nd</sup> day of June, 2015.

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Kent H. Williams, Mayor

ATTEST:

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Amy L. Grenfell, City Clerk

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

**Special Presentation/307 Long Range**

Mayor Williams presented the 307 Long Range Volunteer Group with a Certificate and a “Key” to the City of Evanston for their honorable and gracious service to the citizens of Evanston and the surrounding areas.

**Remarks/Comments**

Jay Dee Nielson stated that the summer activities have started and are going well. He commented that 90 trees will be delivered next week in conjunction with the Community Tree Program and also that the Wheelchair Swing project is coming along nicely.

Dennis Poppinga thanked the Mayor and City Council Members for approving the Bear Meadows Project.

Amy Grenfell reminded everyone of the Renewal Ball and the 5 K Run/Walk this weekend.

### **Adjournment**

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 6:47 p.m.

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Kent H. Williams, Mayor

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Amy L. Grenfell, City Clerk