

**EVANSTON CITY COUNCIL**  
**First Regular Meeting**  
**September 3, 2013**

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

Lanita Bintz 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. Councilmember Curtis Rex was excused.

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

**Approve Agenda**

**Mayor Bell suggested the following change to the agenda: Under New Business, delete Resolution 13-63.**

**Councilmember Lynch moved, Councilmember Welling seconded, to approve the agenda with the suggested change.** 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 August 20, 2013 and a Work Session Meeting held August 27, 2013 were approved as presented.**

**Bills**

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

August 21, 2013 to September 3, 2013

<b>VENDOR</b>	<b>FOR</b>	<b>AMOUNT</b>
AXA Equivest	Payroll	1,959.64
Flexshare	Payroll	2,197.00
ING Life Insurance	Payroll	29.20
Orchard Trust	Payroll	583.36
Parks & Recreation	Payroll	136.18
Uinta County Court	Payroll	100.36
Vantage Point	Payroll	1,366.92
Wyoming Child Support	Payroll	770.05
Payroll	Payroll	108,127.54
EFTPS	Payroll	37,425.09
All Data	Subscription	1,500.00
Cowboy Motor Company	Vehicles	94,406.00
Cazin's	Supplies	406.63
CD's Electric	Electrical	178.40
Cassidy's Critter Control	Services	60.00
Cannon Sales	Supplies	150.00
Verizon Wireless	Cell Phones	993.05
Course Trends	Website	590.00
Crum Electric	Supplies	322.92
Wyo Dept of Transportation	License Plates	12.00
Deru's Glass	Supplies	298.34
Ellingford's	Cement	1,559.50
Chemtech-Ford Laboratories	Testing	78.00
Evanston Business Leadership	Training	175.00
Evanston Chamber of Commerce	Contract	9,082.50
Forsgren Associates	Services	712.50
Garage Door Specialist	Repairs	728.00
Great Basin Turf Products	Supplies	984.00

Murdochs	Supplies	1,093.56
Natalie Albrecht Green	Contract	40.00
Hart Signs	Supplies	44.00
Sara Hull	Services	175.00
Harris Law Office	Services	4,000.00
Nicholas Earl Horton	Contract	40.00
Hutchinson Oil	Supplies	6,008.55
High Country Behavioral	Evaluation	450.00
Intermountain Sweeper	Parts	76.72
Kimball Midwest	Parts	168.06
Kallas Automotive	Parts	529.03
Lorenz Manufacturing	Parts	17.18
Morcon Industrial	Supplies	751.64
Mtn West Business Solutions	Contract	1,143.28
Nalco Company	Chemicals	29,871.40
Northwest Scientific	Supplies	1,227.06
Office Products Dealer	Supplies	177.60
Pops Privy	Services	350.00
Jack B. Parson	Asphalt	1,030.50
City of Evanston	Reimbursement	198.27
Ping	Supplies	76.83
Pitney Bowes	Supplies	350.16
Reserve Account	Postage	15,000.00
Proforce Law Enforcement	Supplies	409.45
Gordon Robinson	Excel Award	300.00
Real Kleen	Supplies	447.19
Rocky Mountain Turf	Parts	45.90
Scott Sargent Law Office	Contract	970.00
Interwest Supply	Parts	857.26
Six States	Parts	27.50
Smith's Food & Drug	Supplies	102.57
Sun Fresh Laundro	Laundry	1,445.25
Superior Rental	Parts	49.32
Tom's HVAC	Repairs	998.74
Titleist	Supplies	1,545.20
Turf Equipment	Parts	274.88
Uinta County Clerk	Titles	90.00
Uinta County Herald	Ads	337.50
Uinta County Solid Waste	Landfill	19,055.20
In Contact	Utilities	452.50
Rocky Mountain Power	Utilities	17,011.24
VFW Flag	Promotional	670.00
WalMart	Supplies	1,144.82
WAMCAT	Dues	195.00
Westar Printing	Printing	61.25
Taylor Welling	Contract	45.00
Western Water Works	Parts	8,076.13
WAM	Registration	15.00
One-Call of Wyoming	Services	107.25
Yamaha Motor Corp	Contract	3,281.75
Herman Roybal	Excel Award	200.00
Independent Software Solutions	Supplies	127.50
JC Golf	Supplies	965.32
Swire Coca Cola	Supplies	65.64
Steve Smith	Reimbursement	329.03
Taylor Made	Supplies	50.65
Chemsearch	Supplies	112.62
Sweetwater County Sheriff	Detention	1,470.00
Jesse Hawkins	Excel Award	200.00
Weston Cobb	Refund	800.00
Utility Bill Solutions	Services	250.82
Lakeside	Parts	4,036.00
Sheila Lybarger	Refund	100.00
Frank Sheets	Excel/Service Awards	200.00
Tyler Tholl	Excel Award	200.00
Mary Walberg	Refund	100.00
Bruce Hartzell	Excel Award	200.00
Steve Regan	Supplies	865.26
Best Western Dunmar	Rooms	158.00

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

#### Council Comments

The Councilmembers all thanked the Rotary Club, City Crews, and the Cowboy Day's Committee for a great

Labor Day Weekend.

Mayor Bell commented on Cowboy Days, the Relay for Life, and the Labor Day Parade and thanked all those involved in those events.

#### **Citizen Recognition/Lanita Bintz**

Police Chief, Jon Kirby, Lieutenant Bill Jeffers, and Lieutenant Ken Pearson presented Lanita Bintz with a certificate to thank her for the honesty and integrity she showed by turning in a wallet she found with over \$500.00 in cash in it.

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

Ken Pearson, CERC (City of Evanston Recognition Committee) Chairperson, recognized past CERC Chairperson, Frank Sheets for his outstanding ability to lead the City of Evanston Recognition Committee into a very successful program. Mr. Sheets 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, and past CERC Chairperson, Frank Sheets, recognized members of the Public Works Water Department: Tyler Tholl, Gordon Robinson, Bruce Hartzell, Herman Roybal, and Jesse Hawkins, for working together to ensure that all of the fire hydrants within the City were tested and in working condition. They were all presented with a certificate, an EXCEL! mug and coaster, an EXCEL! challenge coin or hat, and a monetary award.

#### **Public Hearing/Liquor License Transfer/Wyoming Downs OTB**

City Attorney, Dennis Boal conducted a public hearing to solicit public comment regarding the application for a transfer of ownership of a Retail Liquor License from BK Management, LLC dba: Evanston Sports Bar to Wyoming Downs OTB, LLC dba: Wyoming Downs OTB. Dharmesh Ahir and Eric Nelson spoke in favor of the application and explained the future plans for Wyoming Downs Off Track Betting. No one else addressed the issue and Mr. Boal closed the hearing.

#### **Transfer of Ownership/Liquor License/Wyoming Downs OTB**

**Councilmember Meyer moved, Councilmember Schuler seconded, to approve the renewal and transfer the ownership of the Retail Liquor License from BK Management, LLC, dba: Evanston Sports Bar to Wyoming Downs OTB, LLC dba: Wyoming Downs OTB.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

#### **Public Hearing/Liquor License Transfer/Lotty's Liquor & Lounge**

City Attorney, Dennis Boal conducted a public hearing to solicit public comment regarding the application for a transfer of location of a Retail Liquor License, held by Red Heart Creations, LLC, dba: Lotty's Liquor & Lounge. Ken Berscheit explained the reason for the application. No one else addressed the issue and the hearing was closed.

#### **Transfer of Location/Liquor License/Lotty's Liquor & Lounge**

**Councilmember Welling moved, Councilmember Meyer seconded, to approve the renewal and transfer of the Retail Liquor License held by Red Heart Creations, LLC, dba: Lotty's Liquor & Lounge, to a 30'x50' room in the North 2/3 portion of a building located at 21 Marsh Lane.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

#### **Public Hearing/Liquor License Renewals**

A public hearing was conducted by City Attorney, Dennis Boal for all the applicants that filed for the renewal of their liquor licenses within the City of Evanston. Mr. Boal stated that all the applications have been reviewed by City Staff and the Wyoming Liquor Division. Notice for the hearing has been advertised for four consecutive weeks in the local newspaper and a notice has been posted at each place of business. Mr. Boal asked if there was any opposition or comments regarding any of the liquor license renewals. No one address the issue and the hearing was closed.

**Councilmember Schuler moved, Councilmember Meyer seconded, to renew the following Liquor Licenses within the City of Evanston.**

<u>Applicant</u>	<u>Doing Business As</u>	<u>Type</u>
Rachel's, LLC	Kate's	Retail
B.A.D. Co., Inc.	Michael's Bar and Grill	Retail
The Last Outpost, Inc.	Don Pedro Family Mexican Restaurant	Retail
Yellow Creek Liquor, Inc.	Discount Liquor	Retail
Spanky's Bar, LLC	Spanky's Bar	Retail
Smith's Food & Drug Center, Inc.	Smith's Liquor	Retail
Kashir Sinclair, Inc.	Evanston Sinclair	Retail
The Golden Ticket, LLC	The Painted Lady Saloon	Retail

Fraternal Order of Eagles #2359	FOE #2359	Limited
Dunmar Inn, LLC	Legal Tender Lounge	Retail
V.F.W. Post 4280	V.F.W. Post 4280	Limited
Gateway Gourmet Catering, LLC	The Gateway Grille at Purple Sage	Retail
APE Wyoming, Inc.	Porter's TNT Fireworks	Retail
High Plains Pizza, Inc.	Pizza Hut #234	Restaurant
Five - K, Inc.	The Speed Bump	Retail
H.N.A., Inc.	Cowboy Joe's	Retail
Fraughton Enterprises, LLC	The Last Chance	Retail
BASK, Inc.	TC's Steakhouse	Retail
Bonnie J. Alexander	Veranda Bar	Retail
Spirits of Red Mountain, Inc.	Spirits of Red Mountain	Retail
Luis Ibara	El Rancho Grande Restaurant	Restaurant
Bon Rico, Inc.	Bon Rico	Retail
Uinta Restaurants, Inc.	J.B.'s Restaurant	Restaurant
Hortencia & Gregoria Aguilar	El Rincon Alegre	Restaurant
Suds Brother, Inc.	Suds Brothers Brewery	Bar & Grill
Suds Brother, Inc.	Suds Brothers Brewery	Micro Brewery
Ashray Motel, LLC	Howard Johnson	Resort
Main St. Deli, LLC	Main Street Deli	Restaurant

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

#### **Resolution 13-60**

**Councilmember Meyer introduced Resolution 13-60. Councilmember Meyer moved, Councilmember Perkes seconded, to adopt Resolution 13-60.**

Resolution 13-60: RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A GRANT AGREEMENT WITH THE UNITED STATES OF AMERICA THROUGH THE FEDERAL AVIATION ADMINISTRATION FOR A PROJECT TO REHABILITATE APRON (DESIGN) AT THE EVANSTON-UINTA COUNTY AIRPORT BURNS FIELD.

WHEREAS, the Evanston-Uinta Airport Joint Powers Board has been awarded a grant from the Federal Aviation Administration for a project to Rehabilitate Apron (Design) at the Evanston-Uinta County Airport Burns Field; and

WHEREAS, it is necessary for the City of Evanston to accept and execute a Grant Agreement with the Federal Aviation Administration in order to receive the federal grant funds;

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

Section 1: The City of Evanston hereby accepts and authorizes the execution of the Grant Agreement with the Federal Aviation Administration for a project to Rehabilitate Apron (Design) at the Evanston-Uinta County Airport Burns Field.

Section 2: The Mayor and City Clerk are hereby authorized to sign and attest the Grant Agreement with the Federal Aviation Administration on behalf of the City of Evanston.

PASSED, APPROVED AND ADOPTED the 3<sup>rd</sup> day of September, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Resolution 13-61**

**Councilmember Lynch introduced Resolution 13-61. Councilmember Lynch moved, Councilmember Schuler seconded, to adopt Resolution 13-61.**

Resolution 13-61: A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM MOUNTAIN REGIONAL SERVICES, INC. TO PROVIDE ADOLESCENT INTENSIVE OUTPATIENT TREATMENT FOR THE DRUG AND ALCOHOL COURT PROGRAM FOR JUVENILE OFFENDERS.

WHEREAS, the City of Evanston provides a drug and alcohol court program for juvenile offenders through its municipal court; and

WHEREAS, it is necessary for the City to approve and accept the attached proposal from Mountain Regional Services, Inc., in order to provide intensive outpatient treatment as part of the program;

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

Section 1. The attached proposal from Mountain Regional Services, Inc. to provide adolescent intensive outpatient treatment for the Drug and Alcohol Court Program for juvenile offenders is hereby accepted and approved.

PASSED, APPROVED AND ADOPTED the 3<sup>rd</sup> day of September, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Award Bid/Parks & Rec Building Control System Retro fit Project**

**Councilmember Perkes moved, Councilmember Meyer seconded, to award the bid for the Parks and Recreation Building Control System Retro Fit Project to Rocky Mountain Trane, the apparent low bidder meeting all City specifications, in the amount of \$28,763.00.** The motion passed unanimously with 6 yes votes: Bell, Lynch, Perkes, Welling, Meyer, Schuler.

#### **Resolution 13-62**

**Councilmember Schuler introduced Resolution 13-62. Councilmember Schuler moved, Councilmember Welling seconded, to adopt Resolution 13-62.**

Resolution 13-62: RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF A CONTRACT WITH ROCKY MOUNTAIN TRANE, FOR THE PARKS AND RECREATION BUILDING CONTROL SYSTEM RETRO FIT PROJECT.

WHEREAS, the City of Evanston has a need to install a new HVAC computerized building control system for the Parks and Recreation Building; and

WHEREAS, the City has solicited bids from contractors to provide the material and perform the work to install the HVAC computerized building control system; and

WHEREAS, Rocky Mountain Trane has submitted the lowest bid to do the work for the Park and Recreation Building Control System Retro Fit Project;

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 Contract between the City of Evanston, as Owner, and Rocky Mountain Trane as Contractor, a copy of which is attached, for completion of all work for the Parks and Recreation Building Control System Retro Fit Project.

PASSED, APPROVED AND ADOPTED the 3<sup>rd</sup> day of September, 2013.

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Joy Bell, Mayor

ATTEST:

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James H. Davis, City Clerk

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

#### **Comments/Remarks**

Dennis Poppinga invited everyone to attend the Grand Opening Luncheon for the new Health Trail Fitness Course at the Bear River Greenway on Tuesday, September 10<sup>th</sup> at 12:00 noon.

#### **Adjournment**

With no further business to be conducted at this time Mayor Bell adjourned the meeting at 6.24 p.m.

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Joy Bell, Mayor

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James H. Davis, City Clerk