

**EVANSTON CITY COUNCIL
Second Regular Meeting
July 19 2016**

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

Councilmember Welling 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, Andy Kopp, Evan Perkes, David Welling, and Wendy Schuler. Councilmember Sandra Meyer 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 Treasurer, Kathy Defa; Police Chief, Jon Kirby; City Engineer, Brian Honey; Public Works Director, Oop Hansen; Associate Planner, DuWayne Jacobsen; Director of Parks and Recreation, Jay Dee Nielsen; and Deputy City Clerk, Nancy Stevenson. A group of interested citizens were also present.

Approve Agenda

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

Approve Minutes

The official record of proceedings for the City Council Meeting held July 5, 2016, and the Work Session Meeting held July 12, 2016 were approved as presented.

Bills

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

July 6, 2016 to July 19, 2016

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	2,330.68
Beneficial Life Insurance	Payroll	269.68
Blue Cross Blue Shield	Payroll	131,076.70
Delta Dental	Payroll	7,532.40
FlexShare	Payroll	2,870.50
ING Life Insurance	Payroll	29.20
IRS Tax Deposit	Payroll	37,091.53
NCPERS	Payroll	72.00
Orchard Trust	Payroll	683.35
Parks and Recreation	Payroll	181.21
The Hartford	Payroll	216.80
United Way	Payroll	10.00
Utah Child Support Services	Payroll	181.01
Vantage Point	Payroll	853.90
Vision Service Plan	Payroll	1,173.73
WEBT	Payroll	968.00
Wells Fargo	Payroll	208.00
Wyoming Department of Employment	Payroll	9,908.42
Wyoming Retirement	Payroll	46,258.92
Payroll	Payroll	106,720.45
First Advantage	Testing	61.00
All West	Internet	1,373.85
Dennis M. Boal	Services	3,076.00
Caselle	Support/Maintenance	523.67
Cazin's	Supplies	411.50
CD's Electric	Electrical	626.40
City of Evanston	Utilities	21,062.45
CSI-Networks Telewood	Services	195.00
CCI Network	Utilities	233.27
Norco	Supplies	149.21
Epoch Eyewear	Supplies	183.22
Evanston Chamber of Commerce	Service Awards	1,250.00
Foreup	Subscription	367.00
First Bank	Visa	629.52

Justin George	Services	100.00
Kallas Automotive	Parts	477.48
Morcon Industrial	Supplies	235.80
Mtn West Business Solutions	Contract	1,501.43
Questar Gas	Utilities	2,384.38
Office Products Dealer	Supplies	114.93
City of Evanston	Reimbursement	144.81
Rocket Sanitation	Services	240.00
Paul R. Skog	Services	3,176.00
Stateline Metals	Supplies	21.34
AlSCO	Laundry Services	377.38
Tom's HVAC	Repairs	764.15
TravisMathews LLC	Supplies	1,303.77
To Golf	Supplies	766.00
Uinta County	Jail/Dispatch Fees	72,949.10
Uinta County Herald	Public Notices	948.01
Valley Pump & Compressor	Parts	856.00
Century Link	Utilities	2,064.51
Rocky Mountain Power	Utilities	30,609.43
Vision Auto Glass	Windshield	480.00
Wyoming Waste Systems	Services	299.12
Westar Printing	Printing	502.00
WAM	Membership Dues	8,000.00
Wyoming Department of Revenue	Sales/Use Tax	3,358.07
Eisinger-Smith	Supplies	415.71
Arts Inc	Contract	5,184.00
Wyoming Department of Transportation	Street Maintenance	9,146.16
Lori Lane	Refund	1,600.00
Diana Groneman	Reimbursement	260.00
Allen Fiack	Restitution	200.00
Media Skills	Promotional	1,350.00
Gaylee Satterthwaite	Reimbursement	1,150.00
Kickin Grass	Services	55.00
New Peak CC	Refund	100.00
Katie or Alex Faini	Refund	100.00
Wright Express	Fuel	12,630.42
Code 4	Registration	198.00
Pierce & Sons Fencing	Repairs	228.80

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

Council Comments

Councilmember Welling thanked all those who helped with the Peace Officers Golf Tournament.

Councilmember Schuler also commented on the Peace Officers Golf Tournament and stated that the golf course is in great shape. She reminded everyone of the Farmer's Market and concerts on Thursdays and that the Brewfest will be this weekend.

Mayor Williams commented on the Brewfest at Depot Square this Saturday and also the Car Show at the State Park.

Consent Agenda

Councilmember Perkes moved, Councilmember Lynch seconded, to approve a Open Container Permit requested by the VFW Post #4280 for the After Brewfest party on Saturday, July 23, 2016 on Front Street (including the Alley between Front and Main Streets) from 9th Street to 10th Street, and 9th and 10th Streets from Front Street to Main Street, from 5:00 p.m. to 11:00 p.m. The motion passed unanimously with 6 yes votes: Williams, Kopp, Lynch, Perkes, Welling, Schuler.

Councilmember Schuler moved, Councilmember Welling seconded, to approve a Street Closure Permit requested by City Drug for an Appreciation BBQ for Local Law Enforcement and Emergency Responders, on Saturday, August 6, 2016 on 10th Street between Main and Center Streets, from 8:00 a.m. to 3:00 p.m. The motion passed unanimously with 6 yes votes: Williams, Kopp, Lynch, Perkes, Welling, Schuler.

Councilmember Welling moved, Councilmember Schuler seconded, to approve a Parade Route Permit requested by Jared Eborn for the Annual Tour de Park City Bike Race on Saturday, August 20, 2016. Cyclists will be coming through Evanston between 10:00 a.m. and 2:00 p.m. The motion passed unanimously with 6 yes votes: Williams, Kopp, Lynch, Perkes, Welling, Schuler.

Ordinance 16-03

Councilmember Welling moved, Councilmember Lunch seconded, to pass Ordinance 16-03 on third and final reading.

Ordinance 16-03: AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTIONS 9-3. A OF ARTICLE II OF CHAPTER 9, FIRE PREVENTION, OF THE EVANSTON CITY CODE TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE.

WHEREAS, there is a public safety need for the City to adopt and provide for the enforcement of the most recent edition of International Fire Code;

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

Section 1: Section 9-3. A of the Evanston City Code is hereby amended and re-enacted to provide as follows:

§ 9-3. Adoption of the International Fire Code.

A. There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the International Fire Code, being particularly the 2015 edition and the same is hereby incorporated in this section as if fully set out at length herein, and the provisions thereof shall be controlling within the City and, pursuant Wyoming Statute 15-3-202, such other territory peripheral to the city which located within one half mile of the corporate limits.

PASSED AND APPROVED on First Reading this 28th day of June, 2016.
PASSED AND APPROVED on Second Reading this 5th day of July, 2016.
PASSED AND APPROVED on Third and Final Reading this 19th day of July, 2016.

CITY OF EVANSTON, WYOMING

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Ordinance 16-04

Councilmember Lynch moved, Councilmember Kopp seconded, to pass Ordinance 16-04 on second reading.

Ordinance 16-04: AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTION 4-1 AND SECTION 4-26.C. AND ENACTING ARTICLE VIII, MISCELLANEOUS OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE EVANSTON CITY CODE TO REVISE THE DEFINITIONS OF MICROBREWERY AND WINERY; TO DECREASE THE NUMBER OF MALT BEVERAGE PERMITS AND INCREASE THE NUMBER OF CATERING PERMITS THAT A PERSON MAY OBTAIN EACH YEAR; AND TO PROVIDE LICENSEES WITH THE AUTHORITY TO CONDUCT ORGANIZED TASTING OF HOMEMADE BEERS, MEADS, WINES OR FERMENTED FRUIT JUICES.

WHEREAS, the Wyoming Legislature has amended the state statutes for the sale of alcoholic beverages to revise the definitions of microbrewery and winery; to decrease the number of malt beverage permits and increase the number of catering permits that a person may obtain each year; and to provide licensees with the authority to conduct the organized tasting of homemade beers, meads, wines or fermented fruit juices;

WHEREAS, the City of Evanston desires to amend its Alcoholic Beverage Ordinance in response to the amendments of state law.

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

Section 1. Section 4-1. of the Evanston City Code is hereby amended to modify the definition of "microbrewery" and "winery" as follows:

§ 4-1. Definitions.

MICROBREWERY

A commercial enterprise at a single location producing not more than fifty thousand (50,000) barrels per year and no less than fifty (50)barrels per year of malt beverage;

WINERY

A commercial enterprise manufacturing wine at single location in Wyoming;

Section 2. Section 4-26. C. of the Evanston City Code is hereby amended to provide as follows:

§ 4-26. Twenty-four hour malt beverage

Permit and catering permit.

C. The permits authorized by this subsection shall be issued for one twenty-four hour period, subject to the schedule of operating hours provided by section 4-30. No person or organization shall receive more than a total of twelve (12) malt beverage and thirty six (36) catering permits for sales at the same premises in any one (1) year, except that this limitation shall not be applicable to malt beverage permits issued for sales at any fair, rodeo, parimutuel event or other similar public event conducted by a public entity or upon public premises.

Section 3. Article VIII, MISCELLANEOUS, of Chapter 4, Alcoholic Beverages, of the Evanston City Code is hereby enacted to provide as follows:

**ARTICLE XIII
MISCELLANEOUS**

§ 4-40. Homemade beverage tastings.

A. In addition to any other privilege granted to a licensee under this chapter, a licensee may conduct an organized judging, tasting, exhibition, contest or competition of homemade beers, meads, wines or fermented fruit juices, or related events, at the premises or location where the licensee may legally serve alcoholic beverages. Nothing in this subsection shall be deemed to authorize any homemade beer, mead, wine or fermented fruit juice to be packaged or otherwise provided for consumption outside of the premises where the judging, tasting, exhibition, contest, competition or related event is occurring. The governing Body may restrict the portion of the premises that may be used for the judging, tasting, exhibition, contest, competition or related event. Homemade beers, meads, wines or fermented fruit juices provided at an event under this subsection shall not be provided for financial consideration.

B. A licensee shall not acquire any ownership interest in homemade beers, meads, wines or fermented fruit Juices stored for any period to be provided at an event under this section. The homemade beers, meads, wines and fermented fruit juices stored for the event shall be clearly identified and shall be kept separate from the alcoholic and malt beverage stock of the licensee. Nothing in this subsection shall prohibit a licensee from using homemade beers, meads, wines and fermented juices in conducting an organized event under subsection A of this section,

C. As used in this section:

1. "Financial consideration" means value that is given or received directly or indirectly through sales, fees, charges, dues, contributions or donations. "Financial consideration" shall not include;

a. A tax deduction or credit for donating beer, mead, wine or fermented fruit Juice to a nonprofit organization;

b. An event admission charge, cover charge or club or organization dues, if the amount of the charge or dues is independent of the amount of beer, mead, wine or fermented fruit juice to be provided or consumed at the event or through club or organization activities;

c. A prize awarded at a state or county fair or other organized judging, tasting, exhibition, contest or competition event at which consumption of a submitted beer, mead, wine or fermented fruit juice is offered without charge and only by the entrants. Judges, exhibitors, contestants or competitors;

d. The receipt of homemade beer, mead, wine or fermented fruit juice manufactured by another person;

e. The receipt of beer, mead, wine or fermented fruit juice ingredients;

f. Wages and salaries paid by an educational organization for teaching brewing, wine making, fermentation science or fermentation processes.

2. "Homemade*" means made for noncommercial purposes;

3 "Noncommercial" means not sold, offered for sale or otherwise conditioned upon the provision or receipt of financial consideration.

PASSED AND APPROVED on First Reading this 21st day of June, 2016.

PASSED AND APPROVED on Second Reading this 5th day of July, 2016.

PASSED AND APPROVED on Third and Final Reading this 19th day of July, 2016.

CITY OF EVANSTON, WYOMING

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Ordinance 16-05

Councilmember Perkes moved, Councilmember Welling seconded, to pass Ordinance 16-05 on third and final reading.

Ordinance 16-05: AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTION 7-7 OF THE CITY CODE TO ADOPT THE 2015 INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2015 INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL PLUMBING CODE AND THE 2014 NATIONAL ELECTRIC CODE.

WHEREAS, the governing body of the City of Evanston has determined that it is in the best interests of its citizens to adopt the 2015 International Building Code, the 2015 International Residential Code For One And Two Family Dwellings, the 2015 International Existing Building Code, the 2015 International Mechanical Code, the 2015 International Fuel Gas Code, the 2015 International Plumbing Code And The 2014 National Electric Code;

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

Section 1: Section 7-7 of the Evanston City Code is hereby amended and reenacted as set forth below:
Sec. 7-7. Adoption of Regulatory Codes.

There is hereby adopted by the city, for the purpose of prescribing regulations for the minimum standards for building to safeguard life, health, property and public welfare, the regulatory codes designated below and the same are hereby incorporated in this section as fully as if set out at length herein, to wit:

- A. 2015 International Building Code;
- B. 2015 International Residential Code for One and Two Family Dwellings, exempting therefrom Section R313.2 One-and two-family dwelling automatic fire systems;
- C. 2015 International Existing Building Code;
- D. 2015 International Mechanical Code;
- E. 2015 International Fuel Gas Code;
- F. 2015 International Plumbing Code; and the
- G. 2014 National Electric Code.

PASSED AND APPROVED on First Reading this 28th day of June, 2016.
 PASSED AND APPROVED on Second Reading this 5th day of July, 2016.
 PASSED AND APPROVED on Third and Final Reading this 19th day of July, 2016.

CITY OF EVANSTON, WYOMING

 Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Excess City Assets

Councilmember Lynch moved, **Councilmember Schuler** seconded, to declare various listed items as excess City assets to be sold at a future surplus sale. The motion passed unanimously with 6 yes votes: Williams, Lynch, Kopp, Perkes, Welling, Schuler.

Resolution 16-39

Councilmember Perkes introduced **Resolution 16-39**. **Councilmember Perkes** moved, **Councilmember Welling** seconded, to adopt **Resolution 16-39**.

Resolution 16-39: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE Uinta COUNTY HUMAN SERVICE BOARD TO PROVIDE HUMAN SERVICES FOR THE CITIZENS OF EVANSTON.

WHEREAS, the City of Evanston desires to assist, by providing funding, to the Uinta County Human Services Board, in the provision of human services for the citizens of the City of Evanston.

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 the Contractual Agreement with the Uinta County Human Services Board, a copy of which is attached hereto.

Section 2. The Mayor and City Clerk are authorized to sign and attest the agreement on behalf of the City of Evanston.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

 Kent H. Williams, Mayor

ATTEST:

 Amy L. Grenfell, City Clerk

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

Resolution 16-40

Councilmember Lynch introduced **Resolution 16-40**. **Councilmember Lynch** moved, **Councilmember Schuler** seconded, to adopt **Resolution 16-40**.

Resolution 16-40: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AMENDING AND REENACTING SECTION 3-9 OF ARTICLE III OF THE PERSONNEL POLICY MANUAL BY AMENDING SUBSECTIONS (a)(2), (b), (c)(2), (e)(2) AND ADDING SUBSECTION (f) TO CLARIFY THAT THE AMOUNT OF CONTRIBUTIONS MADE INTO EMPLOYEE RETIREMENT ACCOUNTS WILL BE SET IN THE BUDGET RESOLUTION AND TO CLARIFY THE PAYMENT OF A LONGEVITY PAYMENT FOR USERS OF THE WYOMING RETIREMENT SYSTEM.

WHEREAS, the governing body desires to amend Section 3-9 of Article III of the personnel policy manual of the City of Evanston to clarify that the amount of contributions made into employee retirement accounts will be set in the budget resolution and to clarify the payment of a longevity payment for users of the Wyoming Retirement System;

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

Section 1. Section 3-9 of Article III of the personnel policy manual of the City of Evanston is hereby amended and reenacted to read as follows:

Section 3-9 OTHER BENEFITS

(a) Retirement Plan. The City provides employees a defined benefit pension plan through its participation with the State of Wyoming Retirement System.

(1) Eligibility. Eligible employees are required to join the Wyoming Retirement System at the time of employment. Employees are required to complete all necessary paperwork for participation in the program.

(2) **Cost.** The Wyoming Retirement System requires contributions on total salary by both the member and the City. The contribution percentage rate paid by the City on behalf of the member will be determined by the annual Budget Resolution and in agreement with Wyoming Retirement System rules. (Amended August, 2016)

(3) After contributing to the Wyoming Retirement System for forty-eight (48) months, members have a "vested" right to benefits at retirement age. Acceptable salary subject to contributions include administrative leave, vacation leave use, compensatory time use, sick leave used and regular salary or pay, etc., as defined by the Wyoming Retirement System. Contributions are not made on bonuses, disability benefits, early retirement incentive pay, medical insurance, severance pay, vacation leave unpaid, sick leave unpaid, compensatory time unpaid, workers compensation benefits, etc., as defined by the Wyoming Retirement System.

(b) City Funded Deferred Compensation. The City provides designated employees who do not participate in the Wyoming Retirement System with a deferred compensation plan which sets aside an additional percentage of employee earnings, as approved by the annual Budget Resolution, for their retirement years. This rate will be of equal value as the Wyoming Retirement System contribution rate. Participants pay no Federal income taxes on their deferred income until the value of their deferred earnings is returned to them.

(1) Eligibility. Designated employees are eligible to enroll in one of the available deferred compensation programs at the time of employment. Contributions begin upon acceptance from the Deferred Compensation Carrier.

(2) Termination of Benefits. Deferred earnings are returned to the employee either upon retirement, termination of service or an unforeseeable emergency withdrawal. Emergency withdrawals are subject to the approval of the Hardship Review Committee and arrangements or additional information about this and specifics of the plan can be obtained from the Human Resources Division.

(c) Health/Major Medical, Dental and Optical Insurance. The City provides adequate health, major medical, dental and optical insurance for qualifying employees and their qualifying dependents. The basic principle behind the City's plan is to protect employee's income against catastrophic illness and spiraling medical costs.

(1) Eligibility. Newly hired eligible employees who enroll within 30 days of employment will be covered on the 1st of the month following their hire date.

(2) Cost. Employees who elect to participate in this benefit are required to contribute through payroll deduction a percentage of the total premium for this benefit, as approved by the annual Budget Resolution. Premiums and specifics of these plans are subject to change and details can be obtained through the Human Resources Division.

(3) Termination of Benefit. Health/Major Medical Dental and Optical Benefits will terminate the first day of the following month after the employee's date of termination, retirement, induction or call to active military duty. Conversions upon termination are made available pursuant to COBRA regulations.

(d) Life Insurance. The City provides free-of-charge basic term life insurance for each employee. Terms and conditions are governed by the master document.

(1) Eligibility. Newly hired eligible employees who enroll within 30 days of employment will be covered on the 1st of the month following their hire date.

(2) Termination of Benefits. The Life and Accidental Death and Dismemberment insurance policy expires the first day of the following month after the employee's date of termination or retirement.

(e) Retirement Health/Major Medical, Dental and Optical Insurance. The City provides a basic retirement insurance package for eligible employees who retire before the age of 65. The City also participates in the conversion and/or COBRA plan provided by its current health carrier.

(1) Eligibility:

(i) Employees must be at least fifty five (55) years of age and have no less than 20 years of continuous service with the City to qualify themselves and their dependents.

(ii) The employee and their dependents must be enrolled in the City's group health insurance plan.

(2) Cost: Eligible retirees who elect to participate are required to contribute the percentage of the total premium for this benefit set forth in the annual Budget Resolution, which is to be paid directly to the City. Premiums and specifics of this plan are subject to change. Details can be obtained through the Human Resources Division.

(3) Termination of Benefit: Termination occurs when the retiree fails to make premium payments or when the retiree turns sixty five (65) years of age.

(f) Longevity Payment A longevity payment will be awarded to terminating employees hired before September 1, 2016. This payment is the percentage rate of the City Funded Deferred Compensation Plan and the Wyoming Retirement System added to the calculation of the final pay for a terminating employees' vacation, sick and compensatory time payoff.

(g) Voluntary Participation Benefits. The City also allows employees to voluntarily participate in other group benefits by means of payroll deduction such as: Flexible spending accounts, Investment accounts, Parks & Recreation Corporate Fitness Passes, additional deferred compensation contributions, additional life insurance benefits, etc. Specific details can be obtained on these benefits from the Human Resources Division.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Resolution 16-41

Councilmember Schuler introduced Resolution 16-41. Councilmember Schuler moved, Councilmember Perkes seconded, to adopt Resolution 16-41.

Resolution 16-41: RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT OF THE REAL ESTATE CONTRACT WITH OPTION PURCHASE, DATED MARCH 2, 2010, ENTERED INTO BY AND BETWEEN THE CITY OF EVANSTON AND THE EVANSTON GOLF CLUB.

WHEREAS, the Parties have previously entered into a Real Estate Lease with Option to Purchase, dated March 26, 2003, (the "Lease"), whereby the Golf Club leased premises from the City in the clubhouse of the Purple Sage Golf Course to operate a restaurant, bar and meeting facilities for its members and for members of the public; and

WHEREAS, the Parties amended the Lease through the execution of an Amendment of Real Estate Contract with Option Purchase, dated March 2, 2010, (the "Amendment") to reduce the rent and required hours-of-operation and thereby assist the Golf Club in attracting and retaining an operator for the restaurant and bar; and

WHEREAS, the Parties extended the term of the Amendment by entering into an Agreement to Extend the Term of the Amendment dated March 2, 2011, which extended the term of the Amendment to April 1, 2013; and

WHEREAS, the Parties entered into a Second Amendment of the Real Estate Contract with Option Purchase, dated October 16, 2012 which incrementally increased the rent to be paid by the Golf Club to the City over the five year period, commencing on April 1, 2013, and ending on March 31, 2018, (the "Second Amendment"); and

WHEREAS, the Parties now desire to enter into this Third Amendment of the Lease which will incrementally increase the rent to be paid by the Golf Club to the City for the next five year period, commencing on April 1, 2018, and ending on March 31, 2023, (the "Third Amendment");

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

Section 1: The City of Evanston, Wyoming is hereby authorized to execute the Third Amendment of the Real Estate Contract with Option Purchase, dated March 2, 2010, entered into by and between the City of Evanston and the Evanston Golf Club, a copy of said Third Amendment is attached hereto.

Section 2: The Mayor is authorized to sign and the City Clerk attest the Third Amendment on behalf of the City of Evanston, Wyoming.

Resolution 16-: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Award Bid/Street Overlay Project 2016

Councilmember Lynch moved, Councilmember Perkes seconded, to award the bid for the City of Evanston Street Overlay Project 2016 to Staker Parsons Companies, the apparent low bidder meeting all City specifications, in the amount of \$255,980.00. The motion passed unanimously with 6 yes votes: Williams, Lynch, Kopp, Perkes, Welling, Schuler.

Resolution 16-42

Councilmember Welling introduced Resolution 16-42. Councilmember Welling moved, Councilmember Lynch seconded, to adopt Resolution 16-42.

Resolution 16-42: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH STAKER PARSONS COMPANIES FOR THE COMPLETION OF ALL WORK REQUIRED FOR THE STREET OVERLAY PROJECT.

WHEREAS, the City of Evanston has a need to overlay some of its streets; and

WHEREAS, Staker Parsons Companies has submitted the lowest bid for the project; and

WHEREAS, the City of Evanston and Staker Parsons Companies 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 and Staker Parsons Companies, for completion of all work necessary for the street overlay project in Evanston, Wyoming.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Resolution 16-43

Councilmember Perkes introduced Resolution 16-43. Councilmember Perkes moved, Councilmember Kopp seconded, to adopt Resolution 16-43.

Resolution 16-43: 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 2016 SEWER REPLACEMENT PROJECT.

WHEREAS, the City of Evanston has a need to replace some of its sewer; 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 2016 Sewer 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 2016 Sewer Replacement Project.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Resolution 16-44

Councilmember Schuler introduced Resolution 16-44. Councilmember Schuler moved, Councilmember Lynch seconded, to adopt Resolution 16-44.

Resolution 16-44: RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES WITH THE VETERANS OF FOREIGN WARS POST 4280 TO SUPPORT THE AMERICAN FLAG PROGRAM IN THE CITY OF EVANSTON.

WHEREAS, the City of Evanston has traditionally contributed to the VFW Flag Program which displays the American Flag in the community on appropriate occasions;

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 the Veterans of Foreign Wars Post 4280 to support the American Flag Program in the City of Evanston, a copy of which is attached hereto.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Resolution 16-45

Councilmember Welling introduced Resolution 16-45. Councilmember Welling moved, Councilmember Kopp seconded, to adopt Resolution 16-45.

Resolution 16-45: A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE TERMINATION OF AN AGREEMENT DATED MAY 1, 2001, WITH MYERS ANDERSON ARCHITECTS TO PROVIDE ARCHITECTURAL SERVICES RELATED TO THE RESTORATION AND DEVELOPMENT OF EVANSTON’S ROUNDHOUSE AND RAILYARDS.

WHEREAS, on May 16, 2001, the City authorized the execution of an Agreement with Myers Anderson Architects, to provide architectural services related to the restoration and development of Evanston’s Roundhouse and Railyards; and

WHEREAS, Myers Anderson Architects has provided good and competent service to City under the Agreement over the years; and

WHEREAS, the governing body has nevertheless determined that it is in the public’s interest to terminate the agreement and encourage competitive proposals and bids for architectural work to be performed within Evanston’s Roundhouse and Railyards in the future; and

WHEREAS, Section 1.3.8.5 of the Agreement authorizes the City to terminate the Agreement without cause by providing written notice to the Architect;

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

Section 1: The Mayor is hereby authorized to terminate the Agreement between the City of Evanston and Myers Anderson Architects, dated May 1, 2001 to provide architectural services related to the restoration and development of Evanston’s Roundhouse and Railyards.

PASSED, APPROVED AND ADOPTED the 19th day of July, 2016.

Kent H. Williams, Mayor

ATTEST:

Amy L. Grenfell, City Clerk

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

Comments/Remarks

Chief Kirby thanked the Mayor and City Councilmembers for their recent visit to the Police Department.

Brian Honey gave an explanation of the competitive bid process that was recently set by State Statutes.

Oop Hansen also thanked the Mayor and City Councilmembers for visiting the Public Works Department.

Executive Session

Councilmember Perkes moved, Councilmember Welling seconded, to go into Executive Session. The motion passed unanimously with 6 yes votes: Williams, Lynch, Kopp, Perkes, Welling, Schuler.

Councilmember Lynch moved, Councilmember Kopp seconded, to adjourn from Executive Session. The motion passed unanimously with 6 yes votes: Williams, Lynch, Kopp, Perkes, Welling, Schuler.

Adjournment

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 7:02 p.m.

Kent H. Williams, Mayor

Amy L. Grenfell, City Clerk