

**EVANSTON CITY COUNCIL
Second Regular Meeting
March 21st, 2023**

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

Council member 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; Council members Tim Lynch, Jesse Lind, Evan Perkes, David Welling, Mike Sellers and Jen Hegeman.

Staff members present at the start of the meeting were: City Attorney/Prosecutor, Amanda Kirby; City Treasurer, Trudy Lym; City Clerk, Diane Harris; Police Chief, Mike Vranish; Director of Parks and Recreation, Scott Ehlers; Information Technology Coordinator, Preston Sheets; Public Works Director, Gordon Robinson; Senior Planner, DuWayne Jacobsen and Victim Witness Coordinator, Vanessa Weekly. Director of Engineering and Planning, Dean Barker and Community Development Director, Rocco O'Neill were excused. A group of interested citizens was also present.

Approve Agenda

Council member Welling moved, Council member Sellers seconded to approve the agenda with the following change – New Business, Motion to Award a Bid. The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

Approve Minutes

The official record of proceedings for the City Council Meeting held March 7th, 2023, and the Work Session held March 14th, 2023, were approved as presented.

Bills

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

Mar 08, 2023 to Mar 21, 2023

VENDOR	FOR	AMOUNT
AXA Equivest	Payroll	338.00
Flex Share	Payroll	3,137.81
IRS Tax Deposit	Payroll	47,141.07
Mission Square	Payroll	99.44
Orchard Trust	Payroll	1,218.88
Parks & Recreation	Payroll	237.50
Wyoming Child Support	Payroll	299.53
Payroll	Payroll	147,681.82
Ambiente H2O	Parts	15,652.18
Auto Zone	Parts	15.32
All West	Utilities	2,929.00
Best Kind Embroidery	Services	199.44
Brownells	Supplies	362.85
Caselle	Support/Maintenance	2,028.00
Yeti	Parts	1,338.45
CD's Electric	Services	14,215.31
Cleveland Golf	Supplies	133.95
Curtis Blue Line	Uniform	199.96
CCI Network	Utilities	81.29
Norco	Supplies	327.86
Deru's Glass	Parts	41.24
Ellingford's	Parts	421.31
Chemtech-Ford Laboratories	Testing	383.75
Energy Laboratories	Supplies	650.00
Evanston Parks & Recreation	City Subsidy	107,895.83
Fastenal	Parts	72.43
Forsgren Associates	Contract	1,070.00
Hazen and Sawyer	Parts	17,377.50
Sports World	Supplies	1,247.74
Evanston Regional Hospital	Testing	80.05
Kallas Automotive	Parts	2,241.68
Rhinehart	Fuel	18,346.36

Joe's Modern Cleaners	Laundry Services	105.75
Morcon Industrial	Parts	1,095.71
Dominion Energy	Utilities	24,641.89
Mountain Fire Alarm	Services	3,891.14
Myers/Anderson Architects	Contract	825.00
Office Products Dealer	Supplies	315.04
Rain For Rent	Parts	3,462.53
Real Kleen Janitorial	Supplies	82.75
Rocky Mountain Turf	Parts	341.12
Shellback Tactical	Equipment	8,959.86
SCI	Contract	188,192.96
Sewerin	Supplies	140.00
Skaggs	Uniforms	623.85
Smith's Food & Drug	Supplies	193.94
Standard Plumbing	Parts	5.13
Sunstate Equipment	Rental	922.62
Team Laboratory Chemical Corp	Supplies	4,279.00
Thatcher Chemical	Supplies	10,456.47
Titleist	Supplies	1,317.48
Uinta County Herald	Public Notices/Ads	4,581.60
Uinta County Solid Waste	Landfill Fees	28,266.80
Centurylink	Utilities	1,443.09
Rocky Mountain Power	Utilities	8,806.97
Walmart	Restitution	174.75
Wyoming Waste Systems	Dumpster Fees	187.08
Westar Printing	Supplies	56.48
Wheeler Machinery	Parts	390.59
One-Call of Wyoming	Tickets	21.00
Heartland Kubota	Parts	400.22
Teledyne	Supplies	2,464.71
Callaway Golf	Supplies	6,085.07
Taylor Made Golf	Supplies	14,020.44
Shawn Stahl	Reimbursement	249.99
Daniel Hughes	Refund	750.00
Tim Ray	Refund	600.00
Shawn Tabor	Refund	1,100.00
Cali or Jeffrey Paszkowski	Refund	100.00
Weston Holmes	Refund	100.00
Bill or Lisa Ellingford	Refund	100.00
Corina or Pat Mooney	Refund	200.00
Logan Smith	Refund	100.00
Richard Bruce	Refund	100.00
John Andersen	Refund	100.00
Jairo Razo	Refund	100.00
Karen Field	Refund	100.00
Mary Smith	Refund	100.00
Mickenzie Williams	Refund	100.00
Todd Brown	Refund	100.00
Monique Valdez	Refund	100.00
Emily or Ned Hill	Refund	100.00
Andrea or Jeremy Carlsen	Refund	100.00
Eliza or Corey Huntley	Refund	100.00
Richard Rushworth	Services	2,350.00
Susan LaFrance	Refund	100.00
Teton Development	Refund	100.00
Wesley Selby	Refund	55.90
Roberto Gomez	Refund	200.00

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

Council Comments

Southwest Wyoming Crimestoppers held their Winter Raffle. Three lucky winners were drawn. Council member Welling congratulated the Evanston High School Cheer/Dance team for taking first place in both categories at State competitions. Council member Sellers reminded everyone to be aware of people that may seem to be struggling, March and April tend to be bad months for people and if anyone needs help the U.S. National Suicide Prevention Lifeline is 988 or text "WYO" to 741-741 for the Crisis Text Line. He also reminded everyone that the Celtic Festival is this weekend. Council member Hegeman stated that she has six generations in her family that have served in the US Military. She pointed out her son and recognized him as being the seventh generation and expressed how proud she is of him.

Consent Agenda

Council member Sellers moved, Council member Welling seconded, to approve the following Consent Agenda Item:

Request by the Evanston Liquor Dealers Association for extended hours in 2023 for the following dates:

Western Theme	Saturday, April 22nd, 2023
Memorial Weekend	Saturday, May 27th, 2023
Halloween	Saturday, October 28th, 2023
New Year's Eve	Sunday, December 31st, 2023

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

ORDINANCE 23-02

Council member Perkes moved, Council member Lynch seconded, to pass Ordinance 23-02 on third and final reading.

AN ORDINANCE APPROVING AND AUTHORIZING A ZONE CHANGE FROM PROPERTY IN THE CITY OF EVANSTON, WYOMING FROM COMMUNITY BUSINESS DEVELOPING TO BUSINESS/LIGHT MANUFACTURING-REDEVELOPMENT, AS REQUESTED BY JAYGEE BROS AND OF THE LAND MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, Jaygee Bros. filed an application with the Planning and Zoning Commission of the City of Evanston, Wyoming to change the zoning of the property described below from a Community Business Developing Zone to a Business/light Manufacturing-Redevelopment Zone; and

WHEREAS, Jaygee Bros. and All West Communications, the owners of the property, have petitioned or consented to the proposed zone change; and

WHEREAS, the Planning and Zoning Commission scheduled a public hearing to consider said application on February 6, 2023; and

WHEREAS, notice of the public hearing and application was published in a newspaper of general circulation and notices of the hearing were mailed to affected landowners pursuant to City Ordinance; and

WHEREAS, the public hearing was held on February 6, 2023, by the Planning and Zoning Commission to consider the application for the proposed zone change; and

WHEREAS, after receiving testimony and evidence from the applicant, affected landowners and the public at large, the Planning and Zoning Commission voted to recommend to the governing body that it approve the zone change.

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

Section 1. The request of Jaygee Bros. to change the zoning of the property described below, from a Community Business Developing Zone to a Business/light Manufacturing-redevelopment Zone is hereby approved and authorized. Said real property being more particularly described as follows:

A tract of land in the SW ¼ of Section 20, T15N, R120W, 6TH P.M., in the City of Evanston, Uinta County, Wyoming, said tract being more particularly described as follows:

BEGINNING at a point on the East line of said SW ¼ (North-South centerline of said Section 20) said point of beginning lying N 0°05'49" W, 1093.06 feet from the South one-quarter corner of said Section 20, said point of beginning also lying on the North Line of the West Cheyenne Drive Addition to the City of Evanston, said point of beginning also lying on a curve concave to the South, from which the radius point bears S 15°41'01" W, 1028.34 feet;

thence Westerly 136.75 feet along said North line and the arc of said curve, through a central angle of 7°37'09", the long chord of which bears N 78°07'34" W, 136.65 feet;

thence N 81°56'08" W, 595.72 feet along said North line to the Point of Curvature of a curve concave to the South and having a radius of 822.06 feet;

thence Westerly 197.62 feet along said North line and the arc of said curve, through a central angle of 13°46'25", the long chord of which bears N 88°49'21" W, 197.14 feet;

thence N 5°38'40" W, 625.29 feet to a point on the Southerly right-of-way line of Interstate Highway No. I-80, said point lying on a curve concave to the South, from which the radius point bears S 1°18'28" W, 1659.86 feet;

thence Easterly 931.53 feet along said Southerly right-of-way line and the arc of said curve, through a central angle of 32°09'18", the long chord of which bears S 72°36'53" E, 919.35 feet, to a standard WY DOT monument;

thence S 56°26'04" E, 124.97 feet along said Southerly right-of-way line to a point on said East line of the SW ¼ of Section 20, said point being monumented with a standard WyDOT monument;

thence S 0°05'49" E, 394.20 feet along said East line to the **POINT OF BEGINNING**.

Said tract containing 11.913 acres, more or less.

Section 2. The City of Evanston is hereby authorized and directed to take all action necessary to implement said zone change.

PASSED and APPROVED on Third and Final Reading this 21st day of March 2023.

Kent H. Williams, Mayor

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

Vehicle Bid

Council member Lynch moved, Council member Welling seconded, accept the apparent low bid for the four (4) 2023 or newer Half Ton Pickup 4x4 Trucks to Ken Garff Cheyenne.

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

Resolution 23-20

Council member Lind introduced Resolution 23-20. Council member Lind moved, Council member Sellers seconded, to adopt Resolution 23-20.

RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE APPROVAL AND EXECUTION OF A FAA APPROVAL AGREEMENT FOR TRANSFER OF ENTITLEMENTS WITH THE UNITED STATES OF AMERICA, THE FEDERAL AVIATION ADMINISTRATION.

WHEREAS, the Evanston-Uinta Airport Joint Powers Board has requested the City approve and execute the attached FAA Approval Agreement for Transfer of Entitlements with the United States of America, the Federal Aviation Administration;

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

Section 1: The City of Evanston hereby approves and authorizes the execution of a FAA Approval Agreement for Transfer of Entitlements with the United States of America, the Federal Aviation Administration, a copy of which is attached hereto.

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

PASSED, APPROVED AND ADOPTED this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-21

Council member Lynch introduced Resolution 23-21. Council member Lynch moved, Council member Welling seconded, to adopt Resolution 23-21.

RESOLUTION OF THE CITY OF EVANSTON, WYOMING, AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES WITH FIRE PROTECTION SERVICE CORPORATION.

WHEREAS, the Police Department for the City of Evanston has a need to receive cellular dialer and alarm monitoring and installation of a new fire alarm system; and;

WHEREAS, Fire Protection Service Corporation (“Mountain Alarm”), a Utah Corporation, can provide the service pursuant to the Service Contract 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 execute, and the City Clerk attest, on behalf of the City of Evanston, the Service Agreement with Mountain Alarm, a copy of which is attached hereto, to provide fire protection services for the Evanston Police Department.

PASSED, APPROVED AND ADOPTED this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-22

Council member Lynch introduced Resolution 23-22. Council member Lynch moved, Council member Welling seconded, to adopt Resolution 23-22.

A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION A SUB-CONTRACT AWARD WITH THE WYOMING DIVISION OF CRIMINAL INVESTIGATION TO PROVIDE FUNDS TO THE EVANSTON POLICE DEPARTMENT FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM.

WHEREAS, the City of Evanston has a need to enter into a Sub-Contract with the Division of Criminal Investigation to obtain funds so that the police department can provide services pertaining to the Rocky Mountain High Intensity Drug Trafficking Area program; and

WHEREAS, it is necessary for the City to execute the Sub-Contract in order to receive additional funding to provide these services;

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

Section 1. The Chief of Police is authorized to sign the Sub-Contract with the Division of Criminal Investigation, a copy of which is attached hereto, to help fund drug trafficking services by the Evanston Police Department.

PASSED, APPROVED AND ADOPTED this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-23

Council member Sellers introduced Resolution 23-23. Council member Sellers moved, Council member Perkes seconded, to adopt Resolution 23-23.

A RESOLUTION OF THE CITY OF EVANSTON, WYOMING AUTHORIZING THE EXECUTION OF A GRANT AWARD AGREEMENT WITH THE WYOMING OFFICE OF HOMELAND SECURITY TO OBTAIN FUNDS FOR IN-CAR CAMERAS WHICH ARE DESIGNATED FOR LAW ENFORCEMENT PURPOSES.

WHEREAS, there are funds available from the Wyoming Office of Homeland Security which could be used by the City for in-car cameras for law enforcement purposes and;

WHEREAS, it is necessary for the City to enter into the Grant Award Agreement in order to receive the grant funds;

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

Section 1. The Mayor, Chief of Police and City Clerk are authorized to sign and attest on behalf of the City the Grant Award Agreement with the Wyoming Office of Homeland Security to obtain funds for in-car cameras for law enforcement purposes.

PASSED, APPROVED AND ADOPTED this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-24

Council member Perkes introduced Resolution 23-24. Council member Perkes moved, Council member Welling seconded, to adopt Resolution 23-24.

RESOLUTION OF THE CITY OF EVANSTON, WYOMING TO AMEND A PORTION OF THE CITY'S MASTER PLAN TO AUTHORIZE A BUSINESS/LIGHT MANUFACTURING- REDEVELOPING ZONE FOR THE REAL PROPERTY INDICATED ON THE ATTACHED EXHIBIT AS REQUESTED BY JAYGEE BROS.

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City of Evanston on February 6, 2023, to consider amending the City's Master Plan, (the 2010 Plan), to authorize a Business/Light Manufacturing-Redeveloping zone, for the real property indicated on the attached exhibit as requested by Jaygee Bros.; and

WHEREAS, Section 2-72 C. of the City Code requires that an amendment to the Master Plan be approved by two thirds of the members of the Planning and Zoning Commission;

WHEREAS, after receiving testimony and evidence from the applicant, affected adjacent landowners and the public at large, the Commission members present at the hearing, unanimously voted to recommend the approval of the proposed master plan amendment;

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

Section 1: The Master Plan of the City of Evanston is hereby amended to authorize a Business/Light Manufacturing-Redeveloping zone, for the real property indicated on the attached exhibit as requested by Jaygee Bros.

Section 2: The Mayor, City Clerk and City Planning Department are authorized to undertake all steps necessary to amend the Master Plan as set forth herein.

PASSED, APPROVED AND ADOPTED this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-25

Council member Welling introduced Resolution 23-25. Council member Welling moved, Council member Sellers seconded, to adopt Resolution 23-25.

RESOLUTION APPROVING AND AUTHORIZING THE FINAL PLAT FOR THE SMITH'S FUEL CENTER ADDITION, A SUBDIVISION WITHIN THE CITY OF EVANSTON, WYOMING AS MORE PARTICULARLY DESCRIBED HEREIN.

WHEREAS, Smith's Food and Drug Centers, Inc., (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 Smiths Fuel Center 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 Smith's Fuel Center Addition hereby approved, accepted and authorized and described in particularity as follows, to-wit:

All Lot 3, Yellow Creek Center Subdivision No. 1 recorded August 6, 1982, as Instrument No R723, and all of Lots 4 and 6, Amended Plat of Yellow Creek Center Subdivision No. 2 recorded December 14, 1984 as Instrument No. 16704 of Official Records, lying within the Northeast Quarter of Section 29, Township 15 North, Range 120 West, Sixth Principal Meridian, U.S. Survey, in the City of Evanston, Uinta County, Wyoming:

Beginning at the Southeasterly Corner of Lot 2 of said Yellow Creek Center Subdivision No. 1, on the Northwesterly Line of Yellow Creek Road as it exists at 40.0 feet half-width, located 366.45 feet North 89°15'09" West along the Section line and 634.69 feet South 0°44'51" West from the Northeast Corner of Section 29, said Northeast Corner of Section 29 is located 2,647.09 feet South 0°22'19" West of a 3" Aluminum Cap Monument found marking the East Quarter Corner of Section 20; and running thence Southwesterly along said Northwesterly line the following two courses: South 33°01'01" West 426.11 feet; and South 32°22'11" West 48.94 feet to the Northerly line of Lot 8 of said Amended Plat of Yellow Creek Center Subdivision No. 2; thence North 57°50'55" West 539.33 feet along said Northerly line of Lot 8 to the Northwest corner thereof; thence North 32°09'05" East 475.00 feet to the Southwest Corner of said Lot 2; thence South 57°50'55" East 545.95 feet along the Southerly line of said Lot 2 to said Southeasterly corner thereof, the Northwesterly line of Yellow Creek Road and the point of beginning.

Less and excepting all of Lot 5 of said Amended Plat of Yellow Creek Center Subdivision No. 2.
Contains 238,359 sq. ft.
or 5.472 acres
4 Lots

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 this 21st day of March 2023.

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed unanimously with 7 yes votes: Williams, Lynch, Lind, Perkes, Welling, Sellers, Hegeman.

RESOLUTION 23-26

Council member Welling introduced Resolution 23-26. Council member Welling moved, Council member Perkes seconded, to adopt Resolution 23-26.

RESOLUTION OF THE CITY OF EVANSTON, WYOMING ADOPTING COUNCIL RULES OF PROCEDURE AND ORDER.

WHEREAS, the governing body of the City of Evanston regularly and routinely holds public meetings as required for operation of its duties and obligations; and

WHEREAS, said meetings are subject to the Wyoming Open Meetings Law pursuant to Wyoming State Statutes § 16-4-401 through 16-4-208; and

WHEREAS, good public relations is a matter of concern for each council member, members of the public, and the City as a whole; and

WHEREAS, rules of conduct and civility during said meetings are not currently prescribed by state statute or local ordinance; and

WHEREAS, these Rules would supplement the current state statutes, local ordinances, and Robert's Rules regarding other practices of the governing body; and

WHEREAS, the governing body has the ability to adopt its own rules of procedure and order as it sees fit.

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 adopting of Council Rules of Procedure and Order.

After discussion of Resolution 23-26, **Council member Hegeman moved, Council member Lynch seconded, to table Resolution 23-26 until the April 4th, 2023 City Council Meeting.**

Kent H. Williams, Mayor

ATTEST:

Diane Harris, City Clerk

The motion passed to table Resolution 23-26 to the April 4th, 2023, City Council Meeting, with 5 yes votes: Lynch, Lind, Perkes, Sellers, Hegeman. 2 no votes: Williams, Welling.

Public Participation

Citizen Mike Slaughter commented that he will attend the upcoming Work Session Meeting to participate in the discussion about Resolution 23-26.

Citizen Brad Mills commented on the Fentanyl use in our community and across the country. He also asked if he could read a letter that he had written to the newspaper. He has several concerns about issues in the community and country. He would like everyone to work together to get some things done.

Citizen Fred Zeck commented that he can't hear what people are saying at the Council Meetings.

Adjournment

With no further business to be conducted at this time Mayor Williams adjourned the meeting at 6:39 p.m.

Kent H. Williams, Mayor

Diane Harris, City Clerk

