

## RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

March 9, 2015

The regular meeting of the Evansville Town Council of the Town of Evansville, County of Natrona, State of Wyoming, was held at 7:00 p.m. in the Council Chambers of the Town Hall.

The meeting was called to order by Mayor Philip G. Hinds at 7:00 p.m. and upon roll call the following were present: Mayor Philip G. Hinds, Council Members Doug White, and Ernie Blackford, Town Attorney Phil Willoughby, Town Engineer Shane Porter, Town Planner Scott Radden, Town Treasurer Peggy Nading, Chief of Police Tom Laughrey, Fire Chief Leo Malsom, Public Works Director Dan Adcock, Town Clerk Janelle Underwood, and interested citizens.

Council Member Joe Knop asked to be excused.

Mayor Hinds led the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion was made by Doug White and seconded by Ernie Blackford to approve the agenda. Motion carried.

APPROVAL OF MINUTES: The minutes for the regular meeting on February 23, 2015, were presented for approval. Motion was made by Ernie Blackford and seconded by Doug White to approve the minutes as written. Motion carried.

APPOINTMENTS BY THE MAYOR: Mayor Hinds stated that he would like to nominate Jory Delinger to fulfill the remainder of Tiffany Dutton's Council position due to her recent resignation. Motion was made by Doug White and seconded by Ernie Blackford to approve the appointment of Jory Delinger. Motion carried.

The Oath of Office was administered.

APPROVAL OF DEPARTMENTAL MONTHLY REPORT: The Treasurer's report, Police report, Emergency Services report, and the Public Works report were presented to the Governing Body in writing. Motion was made by Ernie Blackford and seconded by Doug White to approve the departmental monthly reports. Motion carried.

APPROVAL OF CATERING PERMIT: Town Clerk Janelle Underwood advised the Governing Body that CY Discount Liquors had applied for a Catering Permit for the Ducks Unlimited Event that was held on March 7, 2015, at 5000 E. Yellowstone Highway. She advised that she did seek approvals by telephone last week but that she was looking for that approval to be ratified. Motion was made by Ernie Blackford and seconded by Doug White to ratify the approval of the Catering Permit for CY Discount Liquors for the Ducks Unlimited Event. Motion carried.

APPROVAL OF CATERING PERMIT: Town Clerk Janelle Underwood advised the Governing Body that Poplar Wine and Spirits had applied for a Catering Permit for the Casa Annual Red Wagon Event to be held on March 27, 2015, at 5000 E. Yellowstone Highway. Motion was made by Doug White and seconded by Ernie Blackford to approve the Catering Permit for Poplar Wine and Spirits for the Casa Annual Red Wagon Event. Motion carried.

ORDINANCE #4-2015: An Ordinance Setting Rates for Bulk Water Purchase. Third and final reading. Town Clerk Janelle Underwood summarized Ordinance #4-2015. Motion was made by Ernie Blackford and seconded by Doug White to approve Ordinance #4-2015 on third and final reading. Motion carried.

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PUBLIC HEARING – 7:05 P.M.: Public Hearing for Zoning Ordinance Text Amendment on Digital Signs and Ordinance #6-2015. Mayor Hinds asked for anyone who wished to speak for the Zoning Ordinance Text Amendment on Digital Signs. No one spoke for the Zoning Ordinance Text Amendment on Digital Signs. Mayor Hinds asked for anyone who wished to speak against the Zoning Ordinance Text Amendment on Digital Signs. No one spoke against the Zoning Ordinance Text Amendment on Digital Signs. The Public Hearing was closed.

Town Planner Scott Radden provided a staff report and advised that the Planning and Zoning Commission met on March 3, 2015 and forwarded a “do pass” recommendation to the Town Council.

Motion was made by Ernie Blackford and seconded by Doug White to approve Ordinance #6-2015 on first reading. Motion carried.

RESOLUTION #5-2015: A Resolution to Establish Policy and Procedures for Collection of Past Due Water Bills and for Discontinuance of Water Service. Town Attorney Phil Willoughby advised the Governing Body that the resolution that is currently in place is a number of years old and does not reflect the cost to the Town when it comes to delinquent bills and the collection on those delinquent utility bills and the reconnect fees. He stated that it is hopeful that this will encourage customers to keep their utility accounts current. Motion was made by Doug White and seconded by Ernie Blackford to approve Resolution #5-2015. Motion carried.

RESOLUTION #6-2015: A Resolution for Financial Assistance with Populations Between 1,500 to 5,000. Town Clerk Janelle Underwood summarized the resolution. Motion was made by Ernie Blackford and seconded by Doug White to approve Resolution #6-2015. Motion carried.

PUBLIC HEARING – 7:10 P.M.: Updated Flood Mapping and Ordinance #5-2015. A Flood Damage Prevention Ordinance. First reading. Town Engineer Shane Porter advised the Governing Body that the Federal Emergency Management Agency is updating the 2004 Flood Maps for Natrona County and that the ordinance that was passed in 2004 adopting the flood maps needs to be updated to reflect the new maps.

Mayor Hinds called for any public comments for the updated flood mapping. No public comments. Mayor Hinds called for any public comments against the updated flood mapping. No public comments. Public Hearing closed.

Motion was made by Doug White and seconded by Ernie Blackford to approve Ordinance #5-2015 on first reading. Motion carried.

APPROVAL OF DAY CARE LICENSE RENEWAL: Approval of the renewal of the Evansville Christian Church Day Care License. Town Clerk Janelle Underwood advised the Governing Body that the reason the Evansville Christian Church Day Care License was up for approval was because at the last Council Meeting, their license was approved for thirty days only because of the recurring delinquency of their utility bill. She stated that a representative from the day care was requested to be present at this meeting. She advised that the day care has brought their utility bill current and paid in full to date.

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Sheila Henry with the Evansville Christian Church Day Care advised that she had someone else taking care of the utility bill and that she did not realize they were allowing it to run so far behind. She stated that she has since then taken that responsibility back over, that she will not let it happen again, and that she apologized for it happening.

Motion was made by Doug White and seconded by Ernie Blackford to approve the day care license for the Evansville Christian Church Day Care. Motion carried.

COLORADO HOSPITALITY BUSINESS LICENSE RENEWAL: Town Clerk Janelle Underwood advised the Governing Body that in November 2014, Colorado Hospitality purchased the Shilo Inn and applied for a business license. She advised that because of the change of ownership, fire and health department inspections had been conducted. She advised that due to the nature of the condition of the property, the license had been approved on a thirty-day (30) renewal and then a sixty-day (60) renewal because it appeared that progress was being made to address the issues. She stated that she sent a letter to the owners last week advising them of the delinquent water bill attached to the property and that this bill needs to be taken care of immediately. She also advised that she had received a phone call on March 6, 2015, from the electrical inspector advising that he had received a complaint of someone who did not appear to be a licensed contractor replacing exit sign lights and electrical receptacles without any electrical permits. She stated that she asked a police officer to respond to the motel and advise them that all work had to stop until permits and licenses were obtained.

Fire Chief Leo Malsom stated that they have conducted several inspections of the old Shilo Inn Motel since November and that at one point they felt that the owners of the property were working towards bringing the property up to code. He stated that is why it was decided to extend the business license to sixty (60) days rather than thirty (30) days because it appeared that they were making progress. He stated that when he and Casper Fire Inspector Justin Smith arrived to conduct the inspections on March 2, 2015, new management and staff were there and that they had no idea why they were there to conduct an inspection. He stated that it appears that there has been no more progress in addressing the code issues. He advised that he spoke with Town Attorney Phil Willoughby and that a letter was sent to Colorado Hospitality advising that someone with ownership from Colorado Hospitality needed to be present at the March 9, 2015, Council Meeting in order to provide the Town with a specific plan and timeline as to when these code issues are going to be addressed.

Town Attorney Phil Willoughby stated that when this application came up for approval in November 2014, there was a concern if some of these major items would be addressed and that is why the license was issued for short periods of time. He stated that in regard to public safety, there are items that need to be addressed such as the electrical outlets having a ground fault, fire corridor doors, and a fire sprinkler system.

LeaAnn Vaughn, new regional manager for Colorado Hospitality advised the Governing Body that she was recently hired and was unaware of the issues at hand. She stated that she was not aware that they had to obtain permits to change out exit signs and apologized. She stated that the intentions of Colorado Hospitality are address these issues immediately and that she anticipates having everything taken care of in thirty (30) days or less.

Mayor Hinds questioned if that included the fire suppression system.

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Ms. Vaughn stated that she did not know what the fire suppression was.

Fire Chief Leo Malsom asked Ms. Vaughn if she received a copy of the letter that was sent along with a list of items that needed to be addressed after the fire inspection and the inspection from the Natrona County Health Department. He stated that because of the change of ownership, the building needs to be sprinklered. He stated that in addition to the fire alarm system, smoke detectors, fire corridor doors and the exit signs have not been taken care of in over a year and that they need to be taken care of also.

Mayor Hinds asked if the Council would like to issue the renewal of the Business License for an additional thirty (30) days while Colorado Hospitality starts addressing these issues. Motion was made by Doug White and seconded by Ernie Blackford to approve the renewal of the business license for an additional thirty (30) days. Motion carried.

APPROVAL OF BUILDING PERMITS: Building Permit application #4137 was presented to the Governing Body for approval. The application was for new construction. Motion was made by Ernie Blackford and seconded by Doug White to approve permit #4137. Motion carried.

ENGINEER'S REPORT: Town Engineer Shane Porter stated that he had change order number one (1) for the Fire Station Garage Project. He stated that the change order was in the amount of seven thousand seventy-nine dollars (\$7,079.00). He stated that the items in the change order are for the relocating of the Fire Department's phone line and a problem with the metal siding. Engineer Porter advised that when the contractor started installing the metal siding, it gave an appearance of oil canning and that with time and warmer weather, it will have a bad appearance. He stated that the manufacturer of the metal siding has agreed to take the material back. After discussion, it was suggested that the gauge of the metal thickness be increased from 24 gauges to 22 gauge. He also stated that because of the issues with the metal, it has been requested by the contractor to extend the completion date from March 12, 2015, to May 7, 2015, in the change order. He added that this project in paid by one hundred percent (100%) grant.

Motion was made by Doug White and seconded by Ernie Blackford to approve Change Order Number One. Motion carried.

Engineer Porter stated that he also had pay request number two (2) in the amount of thirty-thousand eight hundred ninety-nine dollars and forty-five cents (\$30,899.45) for the Fire Station Garage.

Motion was made by Ernie Blackford and seconded by Doug White to approve pay request number two (2) in the amount of thirty-thousand eight hundred ninety-nine dollars and forty-five cents (\$30,899.45) for the Fire Station Garage. Motion carried.

Town Engineer Shane Porter stated that he had draw down request number four (4) for the Fire Station Garage Project in the amount of forty-four thousand three hundred five dollars and fifty cents (\$44,305.50). He advised that the draw down request is for Andreen-Hunt Construction and invoices for Worthington, Lenhart and Carpenter. He stated that he needed authorization for the Mayor to execute the draw down request.

Motion was made by Doug White and seconded by Ernie Blackford authorizing the Mayor to execute draw down request number four (4) in the amount of forty-four thousand three hundred five dollars and fifty cents (\$44,305.50). Motion carried.

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Motion was made by Ernie Blackford and seconded by Doug White to approve the Engineer's report. Motion carried.

BILLS FOR APPROVAL: Bills were presented to the Governing Body for approval. Motion was made by Doug White and seconded by Ernie Blackford to pay all bills and draw treasury upon the same. Motion carried.

PUBLIC COMMENTS: During public comments, Bert Miller stated that he had worked for Colorado Hospitality dba Casper Lodge (formerly Shilo Inn) since November 2014 until recently when they let him go. He stated that he was working with Fire Chief Malsom acquiring bids specs for the work that needed to be completed and was trying to get the owners to hire licensed contractors to do the work. He stated that the owners never would approve anything and disregarded all of it. He stated that he told the owners that the exit signs and smoke detectors were not in working order. He stated that the owners knew that they needed to hire licensed contractors and pull permits. He stated that anyone who tried to work with the owners concerning this was removed from their job.

David Ort spoke to the Governing Body about the same issues that he had with Colorado Hospitality. He stated that he tried to get the owners to rectify the issues and that they would not. He stated that he was the one who notified the inspectors of the work that was taking place last week at the Casper Lodge without licensed contractors and permits.

Fire Chief Leo Malsom asked LeaAnn Vaughn if she has overseen any construction projects on motels in the past.

She stated that she had not.

Chief Malsom stated that the upgrades that Colorado Hospitality needs to make are upgrades that do not happen overnight. He stated that there needs to be an off-site fire alarm monitoring system installed as well as the fire sprinkler system and that these things take time. Chief Malsom stated that this is a process that was started four (4) months ago and that they are no further along than they were four (4) months ago.

Town Clerk Janelle Underwood advised LeaAnn Vaughn with Colorado Hospitality that the manager and employees at the Casper Lodge need to be aware that there currently is no off-site alarm monitoring system and that if a fire alarm does go off, they need to call 911 right away. She stated that last November, a fire alarm sounded off and that the manager and employees at the Casper Lodge waited for twenty minutes for the Fire Department to respond because they assumed the motel had off-site fire alarm monitoring.

Mayor Hinds stated that the Town's intent is to see that the motel is brought up to code and is safe for the occupants and the public, not to put them out of business. He stated that in thirty days when a representative from the Casper Lodge comes back for the renewal of their thirty-day license, he would like to see a lot of these items finished and see what the plan is for the items that will take more than thirty (30) days.

Town Attorney Phil Willoughby stated that he does not know of any state that does not have code requirements that have to be followed. He stated that he is advising the Chief of Police and the Fire Chief that if they see any further work being conducted without licensed contractors, permits pulled,

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and any code violations that he will ask that citations be issued to the individuals doing the work along with citations to the owners and that he will prosecute them.

Gene Williams, 353 Blackmore Road, asked if something could be done concerning the intersection of Blackmore Road and Highway 20-26. He stated that there have been a couple of accidents and asked if a sign could be installed indicating that there is a curve in the road and stated that there is a dip in the road and he thinks that is creating a problem.

Mayor Hinds asked if Public Works Director Dan Adcock could install some dilatator poles and signage. He also asked Engineer Porter and Director Adcock to get together and take a look at the dip in the road.

ADJOURNMENT: There being no further business, motion was made by Ernie Blackford and seconded by Doug White to adjourn at 7:47 p.m. Motion carried.

APPROVED:



Phil Hinds, Mayor

ATTESTED:



Janelle Underwood, Town Clerk