

## RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

May 13, 2019

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 Council President Aaron Vigneault at 7:00 p.m. and upon roll call the following were present: Council President Aaron Vigneault, Council Members Chad Edwards, Joe Knop and Sheena Hixson, Town Planner Scott Radden, Town Treasurer Lexi Erickson, Chief of Police Mike Thompson, Assistant Fire Chief Mark Cornett, Public Works Director Ron Emond, Town Clerk Janelle Underwood, and interested citizens.

Mayor Jennifer Sorenson, Town Engineer Shane Porter, and Fire Chief Leo Malsom asked to be excused.

Council President Aaron Vigneault led the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion was made by Joe Knop and seconded by Chad Edwards to approve the agenda. Motion carried.

APPROVAL OF MINUTES: The minutes for the regular meeting on April 22, 2019, and the Work Sessions for April 30, 2019, May 1, 2019, and May 2, 2019, were presented for approval. Motion was made by Sheena Hixson and seconded by Chad Edwards to approve the minutes as written. Motion carried.

PUBLIC HEARING – 7:00 P.M. – CDBG APPLICATION AND RESOLUTION #5-2019: Public Hearing for CDBG Application for Emergency Connection and Resolution #5-2019. Town Clerk Janelle Underwood advised the Governing Body that a grant application to the Wyoming Business Council had been prepared for the completion of the Emergency Connection Project. She stated that the amount of the grant application was in the amount of four hundred thousand six hundred and eight dollars (\$400,608.00). She asked that the public hearing be opened to take any comments for or against the submission of the grant application.

Council President Aaron Vigneault asked for any public comments for or against the submission of the CDBG Grant Application for the Emergency Connection Project. There were no public comments for or against. The Public Hearing was closed.

Town Clerk Janelle Underwood read Resolution #5-2019 by title only. Motion was made by Chad Edwards and seconded by Joe Knop to approve Resolution #5-2019. Motion carried.

APPOINTMENT OF TOWN ATTORNEY FIRM AND OATH OF OFFICE: Council President Aaron Vigneault stated that Mayor Sorenson submitted a written nomination to appoint Williams, Porter, Day and Neville as the Town Attorney Firm. Motion was made by Joe Knop and seconded by Chad Edwards to approve the appointment of Williams, Porter, Day and Neville as the Town Attorney Firm. Motion carried.

Town Clerk Janelle Underwood administered the Oaths of Office for Kyle Ridgeway, Erica Day, Scott Murray, and Alia Scott.

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PUBLIC HEARING 7:05 P.M. CONDITIONAL USE PERMIT AND RESOLUTION #6-2019:  
Conditional Use Permit 1-2019 A petition for a Conditional Use Permit to allow Gaming/ Gambling within a Commercial (C-1) Zoning District at 359 Miracle Street /Lot 3, Lierd & Miracle Addition No. 2, Town of Evansville, Natrona County, Wyoming. (Owner/ Applicant: Ken & Lynn Mundee Family Trust / Wyoming Downs, LLC (Rochelle McGowan). Town Planner Scott Radden provided a staff report to the Governing Body and advised that the Wyoming Downs, LLC had submitted an application for a conditional use permit to allow Gaming/Gambling within a Commercial (C-1) Zoning District at 359 Miracle Street. Wyoming Downs is leasing the building in which they plan to offer Restaurant and Food/Liquor Services along with off track wagering. Wyoming Downs has eight off track wagering locations throughout Wyoming and is regulated by the Wyoming Pari-mutuel Commission. He stated that the Planning and Zoning Commission met on May 7, 2019, and forwarded a "Do Pass" recommendation to the Evansville Governing Body with the following conditions:

1. The owner shall meet all building and fire code requirements, in a manner and time established by the Town of Evansville.
2. The owner and subsequent owners shall comply with all local, state and federal regulations.
3. This Conditional Use Permit runs with the land and succeeds to the benefit of subsequent owners subject to the terms and conditions of the permit. The permit is subject to review and possible revocation for noncompliance with the terms of the permit or other violations of the Evansville Town Code.

Council President Aaron Vigneault opened the Public Hearing and asked for any public comments for or against the issuance of the Conditional Use Permit 1-2019. There were no public comments. Public Hearing closed.

Town Clerk Janelle Underwood read Resolution #6-2019 by title and summarized the conditions of the Resolution. Motion was made by Chad Edwards and seconded by Joe Knop to approve Resolution #6-2019. Motion carried.

REQUEST FOR BARBED WIRE FENCE – 5900 E. YELLOWSTONE HIGHWAY: Town Planner Scott Radden reported to the Governing Body that Mr. Markland, owner of Lot 1, C&A Addition, is wanting to place three strands of barbed wire on top of a six-foot chain-link fence around the property (see attached plot plan). He stated that per §6.1(5) of the Evansville Zoning Code, "No barbed wire or other sharp or pointed fence shall be permitted, without approval of the Commission and Council and only within the Heavy Industrial (I-H) District." Planner Radden stated that Lot 1, C&A Addition is zoned Heavy Industrial (I-H) and that it is zoned Heavy Industrial (Natrona County) on the east and west sides of the property with the Old Glenrock Highway to the south and the railroad to the north. Town Planner Scott Radden stated that the staff recommendation is that the owner shall maintain and keep it free of debris, that the Planning and Zoning Commission met on May 7, 2019, and that they forwarded a "Do Pass" recommendation to the Evansville Governing Body.

Motion was made by Sheena Hixson and seconded by Chad Edwards to approve the barbed wire fence at 5900 E. Yellowstone Highway. Motion carried.

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RESOLUTION #7-2019: A Resolution Authorizing the Submission of Grant Application. Town Clerk Janelle Underwood summarized the resolution and advised that the resolution is for assisting with and the operating expense for The Bus/CATC.

Motion was made by Chad Edwards and seconded by Sheena Hixson to approve Resolution #7-2019. Motion carried.

PUBLIC HEARING – 7:15 P.M. – ISSUANCE OF RETAIL LIQUOR LICENSE: Town Clerk Janelle Underwood advised the Governing Body that Wyoming Downs, LLC, applied for a Retail Liquor License to be located at 359 Miracle Street. She stated that a Conditional Use Permit had to be approved prior to the issuance of the liquor license and that said Conditional Use Permit was approved for the gaming/gambling establishment. Town Clerk Janelle Underwood provided to the Wyoming Liquor Commission a copy of the application and that upon review of the application, the Wyoming Liquor Commission approved. She asked that the Public Hearing be opened for comments for or against the issuance of the liquor license.

Council President Aaron Vigneault opened the Public Hearing for comments for or against the issuance of the Retail Liquor License to Wyoming Downs, LLC. There were no public comments for or against the issuance of the liquor license. Public Hearing closed.

Motion was made by Chad Edwards and seconded by Joe Knop to approve the issuance of the Retail Liquor License to Wyoming Downs, LLC. Motion carried.

APPROVAL OF BUSINESS LICENSES: Approval of Business Licenses for All Things Fence, Angle Construction, Kenny's Mobile Home Movers (*tabled 4/22/2019*), Osborne Roofing, and Wyoming Downs, LLC. Motion was made by Chad Edwards and seconded by Joseph Knop to remove Kenny's Mobile Home Movers from the table. Motion carried.

Motion was made by Sheena Hixson and seconded by Chad Edwards to approve the Business Licenses for All Things Fence, Angle Construction, Kenny's Mobile Home Movers, Osborne Roofing, and Wyoming Downs, LLC. Motion carried.

BILLS FOR APPROVAL: Bills were presented to the Governing Body for approval. Motion was made by Chad Edwards and seconded by Joe Knop to pay all bills and draw treasury upon the same. Motion carried.

PUBLIC COMMENTS: There were no public comments.

ADJOURNMENT: There being no further business, motion was made by Chad Edwards and seconded by Joe Knop to adjourn at 7:22 p.m. Motion carried.

APPROVED:   
Aaron Vigneault, Council President

ATTESTED:   
Janelle Underwood, Town Clerk