

RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

August 12, 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 Mayor Jennifer Sorenson at 7:00 p.m. and upon roll call the following were present: Council Members Chad Edwards and Sheena Hixson, Town Attorney Scott Murray, Town Engineer Brad Holweger, Town Planner Scott Radden, Town Treasurer Lexi Erickson, Chief of Police Mike Thompson, Fire Chief Leo Malsom, Public Works Director Ron Emond, Town Clerk Janelle Underwood, and interested citizens.

Council Member Aaron Vigneault and Council Member Joe Knop asked to be excused. Council Mayor Jennifer Sorenson led the Pledge of Allegiance.

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

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

APPROVAL OF SITE PLAN 01-2019 AND RESOLUTION #11-2019: Town Planner Scott Radden provided a Staff Report for Site Plan for a 4,000 sq. ft addition, with utilities to the existing structure within a Heavy Industrial (I-H) Zoning District at Lot 1, Block 1, Mobile Concrete Addition (6700 E. Yellowstone Hwy), Town of Evansville, Natrona County, Wyoming. (Owner/Applicant: Energy307, LLC/ Don McGlade). He stated that Energy 307, LLC, had applied for approval of a 4,000 sq. ft. addition to the existing structure on the property and that the original structure on the property was used as a paint booth. He stated that the owner plans to run a truck transportation business from the site and that the addition will include offices and associated updates and that the existing structure will be used as a storage and service garage for semi-trucks. Town Planner Radden stated that the property is zoned Heavy Industrial (I-H) and surrounded by I-H Zoning Districts to the east and west, with the railroad to the north and the Old Glenrock Hwy to the south. Town Planner Scott Radden stated that the Planning and Zoning Commission met on August 6, 2019, and forwarded a "Do pass" recommendation to the Town Council to approve the Site Plan to construct a Site Plan for a 4,000 sq. ft addition, with utilities to the existing structure within a Heavy Industrial (I-H) Zoning District at Lot 1, Block 1, Mobile Concrete Addition (6700 E. Yellowstone Hwy) Town of Evansville, subject to the following conditions:

1. Any revisions to the site plan must be completed prior to the Town and Owner signing the Site Plan Agreement.
2. Prior to obtaining building permits to construct, the Owner signs a Site Plan Agreement which will be recorded with the Natrona County Clerk's office stating construction will comply with all design provisions as shown on the Site Plan including parking, lighting, water and sanitary services, landscaping, drainage and other improvements required by the Town of Evansville.

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3. The Owner obtains all required building permits, and complies with all Evansville Code and inspection requirements, and State and Federal regulations.

4. Prior to the issuance of certificates of occupancy, all requirements shall be completed to the satisfaction of the Town Planner, Town Engineer, Public Works Director, Fire Inspector and Building Inspector.

Town Clerk Janelle Underwood summarized Resolution #11-2019 and stated that the owner, Energy 307, LLC, changed their mind and plan to do the landscaping rather than the "in lieu of fee" for no landscaping. She advised that she will change the resolution to reflect that once Town Planner Scott Radden verifies the landscaping plans.

Motion was made by Chad Edwards and seconded by Shenna Hixson to approve Site Plan 01-2019. Motion carried.

Motion was made by Sheena Hixson and seconded by Chad Edwards to approve Resolution #11-2019 with the changes to the resolution to reflect the plan to provide the landscaping rather than the "in lieu of fee" for no landscaping. Motion carried.

JASON GUTIERREZ, NATRONA COUNTY BUILDING OFFICIAL: Jason Gutierrez with the Natrona County Building Department advised the Governing Body that he was looking for some direction on a couple of issues that he had. He stated that the first issue is that a property owner enclosed a porch on their home and installed a ventless gas heater and made it a living space without permits and now the owner wants to sell the house. Jason Gutierrez stated that he went out and completed an inspection of the enclosed porch and stated that this addition violates the building codes such as foundation and electrical codes as well as a permit was not pulled for the ventless gas heater for which the gas line was tapped into. Mr. Gutierrez stated that there are provisions in the building code that allows enforcement as lenient as noting the work done without permits and then recorded against the property so if someone purchases the home that they are made aware of the work done without permits and inspections to something more harsh such as making the homeowner tear down the work that was completed without permits.

Mayor Sorenson stated that if this home and this issue was out in the county that would be one thing but because it is in town and there are neighbors, she feels that permits need to be pulled and the work needs to be inspected. Mayor Sorenson asked if the homeowner could apply for permits and have a certain time to bring everything to building code rather than tearing everything down.

Jason Gutierrez stated yes, they could apply for permits and bring everything up to code.

Council Member Chad Edwards asked if the electrical issues were deemed dangerous.

Mr. Gutierrez explained that the code calls for electrical outlets and switches within so many feet between them and light switches within so many feet of a doorway.

Mayor Sorenson stated that she still feels that permits need to be pulled and inspected.

Mr. Gutierrez stated that another issue that he has been dealing with is that from time to time utilities will be disconnected from a home for accounting issues or safety concerns which then leaves the homes without basic services. He stated that without the basic services, property occupants potentially resort to unsafe actions like running generators, heating a home with a gas cook stove,

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heating a home with propane heaters that are not approved for inside use or other unsafe actions. He stated that he is looking for some direction from the Governing Body as to at what point should a residential building be deemed dangerous and be vacated. He stated that an occupant could potentially lose smoke detectors if the electricity is disconnected, there are sanitation issues when the water gets disconnected and gas predominately is for heating the home or water. He stated that in this case, a resident had their electricity disconnected and had hotwired past Rocky Mountain's electric meter which means they were messing with the primary side. He also stated that if he deems a building dangerous in Natrona County, his department notifies the propane suppliers and Rocky Mountain Electric of said dangerous buildings, so they don't continue to provide a service.

Council Member Chad Edwards stated that he doesn't want to see a home declared dangerous and needing to be vacated because their water was shut off because they fell on hard times.

Mayor Sorenson stated that she feels there needs to be a time limit such as thirty days or sixty days on some of these issues but if people are going through a hard time she wants to see them have time to resolve the issue so that they are not being displaced.

Council Member Sheena Hixson stated that a time limit could be hard to put in place. She stated that for instance, if it is in the middle of winter, it takes no time at all before a house gets cold and the resident starts looking for another heat source.

Chief of Police Mike Thompson stated that perhaps if it is something that is over a period of time that it should be looked at because there does come a point of time that you are talking about sanitary issues.

Discussion was held and agreed that it is something that the Town is going to have to look at.

Mr. Gutierrez stated that commercial buildings are covered by the International Building and Fire Codes and at the end of that project, a Certificate of Occupancy is issued deeming that the structure can be used per the use applied for and per the number of occupants allowed. He stated that there is a commercial building that opened without all the required inspections and the issuance of the Certificate of Occupancy. He stated that the permits for the work were pulled but the request for inspections never took place. He stated that he is looking for the Governing Body's direction.

The Governing Body agreed that with this being a public building, this business should not be open and that the business needs to get the permits and inspections taken care of and obtain the Certificate of Occupancy in order to be open to the public.

APPROVAL OF CATERING PERMIT – BUTCH'S HAPPY DAYS LIQUOR: Town Clerk Janelle Underwood stated that Butch's Happy Days Liquor applied for a Catering Permit for an event to be held on September 7, 2019, for the 8th Annual UMF Appreciation Party and MILF Run. She stated that the event will be held in the parking lot and is scheduled to run from 2:00 p.m. to no later than 10:00 p.m. with an outdoor concession and music. Town Clerk Janelle Underwood stated that the application was provided to the Town Attorney Scott Murray as well as Chief Thompson.

Motion was made by Chad Edwards and seconded by Sheena Hixson to approve the Catering Permit for Butch's Happy Days Liquor. Motion carried.

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APPROVAL OF PUBLIC SAFETY ADVISORY COMMITTEE AGREEMENT: Town Clerk Janelle Underwood advised that she had for approval the Public Safety Advisory Agreement and that it is an agreement that comes up for renewal every five years. She stated that copies of the agreement were provided to the Town Attorney Scott Murray, Police Chief Mike Thompson and Fire Chief Leo Malsom for review.

Motion was made by Sheena Hixson and seconded by Chad Edwards authorizing the Mayor to execute the Public Safety Advisory Agreement. Motion carried.

APPROVAL OF STATELINE NO. 7 ARCHITECT'S SERVICES: Town Clerk Janelle Underwood advised that she had for authorization the Mayor to execute the Stateline No. 7 Architects Agreement for services. She stated that Stateline No. 7 Architects would provide the Town of Evansville with a comprehensive plan for a possible new multi-department building to house Town Hall, Police and Fire Departments. She stated that the comprehensive plan would be for support of a possible 6th cent tax throughout Natrona County that would be brought before voters in the spring of 2020. She stated that the agreement has been reviewed by Attorney Mike Lansing.

Mayor Sorenson stated that with the growth of the Fire Department and the issues with the Town Hall such as water seeping into the Police Department and the need for public safety she feels this is something that is a dire need in asking for public support.

Motion was made by Sheena Hixson and seconded by Chad Edwards to approve the Stateline No. 7 Architects Service Agreement. Motion carried.

RESOLUTION #12-2019: A Resolution Authorizing the Town of Evansville, State of Wyoming, to Lease, with an Option to Purchase Certain Equipment from Platte Valley Bank of Casper, Wyoming. Town Clerk Janelle Underwood advised that the Town was in the process of purchasing a 2016 Ford Explorer Police unit and that the payment would be spread out over a four-year period.

Council Member Sheena Hixson asked what the total cost of the vehicle was.

Chief Thompson stated that for the purchase of the partially equipped vehicle was thirty-three thousand five hundred dollars (\$33,500.00) and saved the Town about eleven thousand dollars (\$11,000.00).

Motion was made by Chad Edwards and seconded by Sheena Hixson to approve Resolution #12-2019. Motion carried.

ORDINANCE #5-2019: An Ordinance Amending Chapter 15 of the Evansville Town Code and Adding A Section for Standing, Loitering and Obstructing Person. First reading. Town Clerk Janelle Underwood read Ordinance #5-2019 by title only and advised that when Chapter 15 was rewritten a few years back, the section that covered Loitering or Prowling was removed, and the Police department is requesting it be added back in.

Chief of Police Mike Thompson spoke to the Governing Body about an issue that his department was faced with a couple of weeks ago and that this ordinance would be a tool that they could use to address those issues.

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Motion was made by Chad Edwards and seconded by Sheena Hixson to approve Ordinance #5-2019 on first reading. Motion carried.

ORDINANCE #6-2019: An Ordinance Repealing Section 15-5-1 and Section 15-5-2 of the Evansville Town Code and Replace with Controlled Substances- Paraphernalia – Possession and Use. First Reading. Town Clerk Janelle Underwood read Ordinance #6-2019 by title.

Chief of Police Mike Thompson played a video about Methamphetamine and went through a folder of information and statistics that he provided to the Governing Body for their review. Discussion was held concerning the proposed ordinance, counseling, drug testing, court fines, jail time and unsupervised probation.

Motion was made by Sheena Hixson and seconded by Chad Edwards to approve Ordinance #6-2019 on first reading. Motion carried.

APPROVAL OF WYOMING FINANCIAL INSURANCE ADMINISTRATORS AGREEMENT: Town Clerk Janelle Underwood advised that with the changes in the Town of Evansville's health, dental, optical and life insurance, the Town of Evansville would be responsible for the management of those insurance policies as well as the handling of Cobra. She advised that the Town's health, dental, optical and life insurance with Blue Cross Blue Shield of Wyoming was managed through WAMJPIC. She stated that Wyoming Financial Insurance can manage the benefits through Benefits Administrator and the cost would be ten dollars and fifty cents per employee per month (\$10.50).

Mayor Sorenson stated that she attended one of the insurance meetings and Wyoming Financial Insurance showed what they would be responsible for and felt that it was a good direction for the Town to go.

Council Member Chad Edwards stated that he thought that was part of the annual fee that the Town has already paid for.

After discussion, motion was made by Chad Edwards and seconded by Sheena Hixson authorizing the Mayor to execute the Wyoming Financial Insurance Administrators Agreement. Motion carried.

APPROVAL OF BUSINESS LICENSE: Approval of Business Licenses for Fountain Quail Water, Gimme-A-Break Plumbing and Heating, Legacy Construction and Pinnacle Construction were presented to the Governing Body for approval. After review of the applications, motion was made by Sheena Hixson and seconded by Chad Edwards to approve the Business Licenses for Fountain Quail Water, Gimme-A-Break Plumbing and Heating, Legacy Construction and Pinnacle Construction. Motion carried.

ENGINEER'S REPORT: Engineer Brad Holweger advised the Governing Body that the Town took bids for the 2018 Miscellaneous Water Project. He stated that High Plains was the lowest bidder with a total bid amount of three hundred sixty-nine thousand nine hundred eighty dollars (\$369,980.00). He stated that this project is funded with a Wyoming Community Development Block Grant.

Motion was made by Sheena Hixson and seconded by Chad Edwards approving the Notice of Award to High Plains Construction for the 2018 Miscellaneous Water Project in the amount of three hundred sixty-nine thousand nine hundred eighty dollars (\$369,980.00). Motion carried.

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Motion was made by Chad Edwards and seconded by Sheena Hixson to enter into an agreement with High Plains Construction for the 2018 Miscellaneous Water Project. Motion carried.

Motion was made by Sheena Hixson and seconded by Chad Edwards to issue a Notice to Proceed to High Plains Construction for the 2018 Miscellaneous Water Project. Motion carried.

Motion was made by Sheena Hixson and seconded by Chad Edwards to authorize the Mayor to execute the Easement between the City of Casper and the Town of Evansville contingent upon review and approval from the Town Attorney Scott Murray. Motion carried.

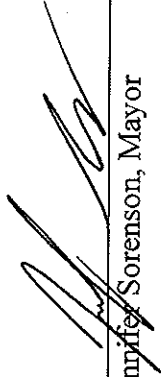
Motion was made by Chad Edwards and seconded by Sheena Hixson to approve the Engineer's report. Motion carried.

BILLS FOR APPROVAL: Bills were presented to the Governing Body for approval. Motion was made by Sheena Hixson and seconded by Chad Edwards 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 Sheena Hixson to adjourn at 8:37 p.m. Motion carried.

APPROVED:


Jennifer Sorenson, Mayor

ATTESTED:


Janelle Underwood, Town Clerk