

RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

January 27, 2020

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 Aaron Vigneault, Chad Edwards, Joe Knop, and Sheena Hixson, Town Attorney Scott Murray, Chief of Police Mike Thompson, Fire Chief Leo Malsom, Public Works Director Ron Emond, Town Clerk Janelle Underwood, and interested citizens.

Mayor Jennifer Sorenson 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 and Work Session on January 13, 2020, were presented for approval. Motion was made by Aaron Vigneault and seconded by Sheena Hixson to approve the minutes as written. Motion carried.

ORDINANCE #1-2020: An Ordinance Prohibiting the Use of Portable Electronic Devices While Operating a Motor Vehicle. Second reading. Town Clerk Janelle Underwood read Ordinance #1-2020 by title only.

Council Member Aaron Vigneault asked if Chief Thompson could explain why emergency vehicles are able to use their electronic devices while driving.

Chief Thompson stated that the Wyoming State Statutes language already exempts police, fire and emergency services and that in writing the ordinance, the attorney followed suit with the State Statute. He stated that Natrona County is one of the busiest counties in the State when it comes to radio traffic for police, fire, and other services and that at times, in law enforcement alone, five different channels can be tied up. He stated that people have scanners and that if law enforcement is looking for a suspect or has a suspect in custody, it may be that they don't want that information out on the radio. Chief Thompson also stated that there are other agencies that law enforcement may be working with that are not on the same radio frequency as those in Natrona County. He stated that there may be a need for the use of a cell phone. Chief Thompson stated that if the Governing Body doesn't like the exemption language, they can remove it.

Council Member Joe Knop asked what happens if the police officer is looking at the computer screen and has an accident.

Chief Thompson stated that the police officer would then be liable.

Mayor Sorenson stated that the police officers are trained to operate their patrol unit, trained to operate their computer, and trained to enter an intersection. She stated that if they have an accident, there is a possibility that they won't have a job. She stated that this proposed ordinance is to be proactive and not reactive after someone gets hit because of distracted driving. She stated that all she is asking for is that people put their cell phone down for five minutes while they are driving to avoid being distracted.

Discussion was held regarding the language of the proposed ordinance on ear buds, blue tooth, and headphones. Discussion was also held regarding distracted driving becoming a real problem and it is not just distractions from electronic devices.

Motion was made by Aaron Vigneault and seconded by Sheena Hixson to approve Ordinance #1-2020 on second reading. Motion carried.

ORDINANCE #2-2020: An Ordinance Setting the Tax Levy for 2020. First reading. Town Clerk Janelle Underwood summarized Ordinance #2-2020 on first reading. Motion was made by Joe Knop and seconded by Chad Edwards to approve Ordinance #2-2020 on first reading. Motion carried.

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APPROVAL OF BUSINESS LICENSE: Approval of Business License for Ashby Construction was presented to the Governing Body for approval. Motion was made by Aaron Vigneault and seconded by Chad Edwards to approve the business license for Ashby Construction. Motion carried.

PUBLIC COMMENTS: During public comments, Alona Vigneault, 411 Holmes Street, spoke to the Governing Body about the proposed hands-free ordinance. She stated that she put the information on Facebook because most people don't know what is going on in town. She stated that a lot of comments were based on clarification on the ear buds and headphones because no one looked at singular being acceptable. She also stated that the other issue that people have with the proposed ordinance is the exemption rule because everyone needs to be held to the same rule. Ms. Vigneault also wanted to know why the State Statute says that a person can't text and drive but doesn't state that a person can't scroll on Facebook and drive.

Council Member Chad Edwards thanked Alona Vigneault for putting the information out there for discussion.

Mayor Sorenson stated that in the future, the Town will have the ability to live stream the meetings so people that cannot make it will be able to watch the meeting. Any citizens that have questions can always e-mail her or the Council Members as well as the Town Clerk with questions or concerns.

Chief Thompson stated that the Wyoming State Statute states that you cannot text and drive and that the proposed ordinance is for hands free. He stated that the Town of Evansville has adopted the State Statute and that the Town can propose an ordinance that is stricter than the state law. He stated that the Town can't override what the State Statute says such as law enforcement and emergency responders being exempt. Chief Thompson stated that he has no problem with the exemption portion of the proposed ordinance being removed.

Alona Vigneault stated that people are upset because law enforcement and emergency responders are exempt. She stated that the police officers are in their patrol units by themselves where the fire and ambulance personal have more than one person in the vehicle.

Mayor Sorenson stated that there are checks and balances in place for the police officers. She stated that there are tools in place to make sure that if an officer was on the phone and something happened such as an accident, there is a recording taking place during that time that the Police Chief can go back and review. She stated that police officers need to lead by example.

Chief Thompson explained how the recording systems in the patrol units are activated and work.

Council Member Chad Edwards stated that as the patrol vehicles are replaced, the new units will have the blue tooth capability but that if there is a individual under arrest in the patrol unit, the officer may still need to be on the phone because the officer may not want that individual hearing the conversation that is taking place. He stated that it is important for officer safety.

Dacia Edwards, 340 Missouri Street, asked if would be possible to have no parking at 6th Street and Bozeman Trail. She stated that the street has a curve and that the way vehicles are parked there; it is hard to see into the intersection before you enter it.

Discussion took place about parking too close to the corners throughout town and that perhaps the Town should investigate what some of the options are.

Jeremy Brown, 615 Toll Street, stated that he had some questions about the proposed hands-free ordinance and that he has some issues with it. He asked how long the Town has been looking at this proposed ordinance and asked out of the one hundred and one (101) crashes that were reported for 2019, how many were related to distracted driving with a phone.

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Chief Thompson stated that out of the total accidents, thirty-seven (37) of them were hit and run accidents so he could not advise what caused them. He stated and that there were eight (8) accidents caused by distracted driving in those statistics. Chief Thompson stated that the proposed ordinance is designed to be proactive and is based on statistics of problematic areas. Chief Thompson went on further explaining how they work with statistics to target problem areas.

Jeremy Brown asked about the Police Department using the reckless driving statute instead. He stated that he wants to make sure that this proposed ordinance is based on Evansville needing it.

Chief Thompson stated that the definition of reckless driving does not address driving with a phone.

Mayor Sorenson stated that the Town is trying to be proactive rather than reactive.

Jeremy Brown stated that this proposed ordinance is something that should be coming from the state level and not the local level.

ADJOURNMENT: There being no further business, motion was made by Aaron Vigneault and seconded by Chad Edwards to adjourn at 8:05 p.m. Motion carried.

APPROVED:


Jennifer Sorenson, Mayor

ATTESTED:


Janelle Underwood, Town Clerk