



-AGENDA-

CHAD EDWARDS, MAYOR

December 14, 2020

7:00 P.M.

THE TOWN OF EVANSVILLE

Council Members:

Joseph Knop

Aaron Vigneault

Sheena Hixson

Candace Machado

Town Attorney Williams, Porter, Day & Neville

Town Engineer - WLC, Inc.

Town Clerk Janelle Underwood

Town Treasurer Lexi Erickson

Chief of Police Mike Thompson

Fire Chief Leo Malsom

P.W. Director Paul Hanson

Due to Covid-19, we ask that people maintain 6' distance. The meeting will be streamed live on YouTube.

YouTube link <https://www.youtube.com/channel/UCB0HNSulhIk51ixwxexh55w>

Meeting called to order

Roll call

Pledge of Allegiance

Approval of Agenda

1) Consent Agenda

A. Approval of Regular Meeting & Executive Session for Nov 23, 2020

B. Approval of Business License – Wyoming Fence Company

C. Approval of Bills

2) Introduction and Oath of Office for New Police Officers

3) Approval of Executive Summary of Investigation Report

4) Resolution #14-2020 – A Resolution for Lease Purchase of Patrol Unit

5) Public Comments

6) Adjournment

AGENDA SUBJECT TO CHANGE WITHOUT NOTICE

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RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

November 23, 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.

Council Meeting Livestreamed via You Tube.

The meeting was called to order by Mayor Chad Edwards at 7:00 p.m. and upon roll call the following were present: Council Members Joe Knop, Aaron Vigneault, and Candace Machado, Town Attorney Scott Murray, Chief of Police Mike Thompson, Assistant Fire Chief Mark Cornett, Public Works Director Paul Hanson, Town Clerk Janelle Underwood, and interested citizens.

Mayor Chad Edwards led the Pledge of Allegiance.

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

APPROVAL OF CONSENT AGENDA:

A) Approval of Regular Meeting Minutes and Executive Session Minutes for November 9, 2020.

Motion was made by Aaron Vigneault and seconded by Joe Knop to approve the Consent Agenda. Motion carried.

RESOLUTION #12-2020: A Resolution for the Submission of Coronavirus Relief Fund State Land and Investment Grant. Town Clerk Janelle Underwood summarized Resolution #12-2020 and advised that the grant application was for reimbursement of Evansville Emergency Services wages under the presumptive method.

Motion was made by Aaron Vigneault and seconded by Candace Machado to approve Resolution #12-2020. Motion carried.

APPROVAL OF SITE PLAN AND RESOLUTION#13-2020: Town Clerk Janelle Underwood advised that Sonny's RV located at 5000 E. Yellowstone Highway applied for approval of a site plan for the construction of a 5,000 square foot building. She advised that the site plan application was presented to staff and that the staff forwarded a "do pass" recommendation with the following conditions:

1. 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, landscaping, replanting, water and sanitary services, drainage and other improvements required by the Town of Evansville.
2. The Owner obtains all required building permits, and complies with all Evansville Code and inspection requirements and State and Federal regulations.
3. 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.

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November 23, 2020

Motion was made by Aaron Vigneault and seconded by Joe Knop to approve the Site Plan for Sonny's RV and Resolution #13-2020. Motion carried.

AWARD OF BID – 2020 ARTICULATED LOADER: Town Clerk Janelle Underwood advised the Governing Body that the Town advertised for the purchase of a 2020 Bobcat Articulated Loader with the trade in of a 2012 Case Skid-steer. She advised that Bobcat of Casper submitted a bid for a 2020 Bobcat 128 Articulated Loader in the amount of forty-three thousand one hundred thirty-seven dollars (\$43,137.00) and after the discounts and trade-in are factored in, the amount due will be ten thousand five hundred fifty-three dollars (\$10,553.00). Town Clerk Janelle Underwood advised that this is something that had been budgeted for.

After some discussion was held with Public Works Director Paul Hanson, motion was made by Joe Knop and seconded by Candace Machado to award the bid to Bobcat of Casper for the 2020 Bobcat Articulated Loader with the trade-in of the 2012 Case Skid-steer in the amount of ten thousand five hundred fifty-three dollars (\$10,553.00). Motion carried.

MPO FIVE YEAR TRANSPORTATION PLAN UPDATE – JEREMY YATES: Jeremy Yates with the City of Casper MPO spoke to the Governing Body about the two different types of service that are provided throughout the metropolitan area for transportation. He stated that the CATC Bus service is a service that is specific to the need of the rider in that the rider calls for a pickup at a specific address and is provided a ride to a specific address. He stated that The Bus also provides for transportation, but the person is picked up at a bus stop location at scheduled times. He stated that there will be an Open House where the MPO will be seeking public comments and input on both services at the Evansville Community Center on December 9, 2020, from 4:00 p.m. to 5:30 p.m.

PUBLIC COMMENTS: During Public Comments, Mayor Chad Edwards stated that he has been in discussion with Steve Parsell who lives on 7th Street and the issues that the residents are having in that area with parking especially since the curb was painted yellow on the north side of the street west of Whipsaw Street. Steve Parsell and Cherie Douglas spoke to the Governing Body about the parking issues in that area and stated that they have driven around town and took pictures of similar situations throughout town and do not feel this intersection is any different. Both Steve Parsell and Cherie Douglas stated that it is really frustrating trying to find a place to park. After discussion, the Governing Body felt that the yellow curb was painted too far down 7th Street.

Steve Parsell asked the Governing Body if it would be possible for the pathway to be marked for each mile so the people that use the pathway have a way to determine their distance.

This is something that the Public Works will look in to.

EXECUTIVE SESSION – W.S.S. 16-4-405 (a) (ix) – CONFIDENTIAL INFORMATION: Motion was made by Joe Knop and seconded by Candace Machado to go into Executive Session at 7:33 p.m. Motion carried.

Back in Regular Session at 8:04 p.m.


RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

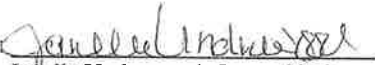
November 23, 2020

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

APPROVED: _____


Chad Edwards, Mayor

ATTESTED: _____


Janelle Underwood, Town Clerk

Town of Evansville
Minutes of Executive Session - Public

Date: November 23, 2020

Time Convened: 7:33 p.m.

Location: 235 Curtis Street – Map Room

Persons Attended: Mayor Chad Edwards, Council Members Joe Knop, Aaron Vigneault, and Candace Machado. Also present were Town Attorney Scott Murray, and Town Clerk Janelle Underwood.

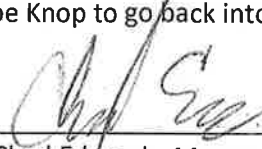
Minutes Kept By: Town Clerk Janelle Underwood

Executive Session Convened for the Purpose of: W.S.S. 16-4-405 (ix) – Information Classified as Confidential.

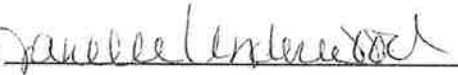
There were no objections to the Executive Session.

Motion was made by Aaron Vigneault and seconded by Joe Knop to go back into regular session at 8:04 p.m. Motion carried unanimously.

APPROVED: _____


Chad Edwards, Mayor

ATTESTED: _____


Janelle Underwood, Town Clerk

RESOLUTION #14-2020

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.

WHEREAS, the governing body (the "Governing Body") of the Town of Evansville, State of Wyoming (the "Lessee") has determined that the needs of the Lessee include certain equipment listed on EXHIBIT D of that certain Lease and Option to Purchase Agreement (the "Agreement") and made a part hereof by this reference (the "Equipment"); and

WHEREAS, pursuant to this resolution (the "Authorizing Resolution"), Lessee intends to enter into the Agreement with Platte Valley Bank of Casper, Wyoming (the Lessor) to which this Authorizing Resolution constitutes EXHIBIT A, to provide for the payment of the costs of acquisition of the Equipment; and

WHEREAS, The Lessee is a municipality, duly organized and validly existing under the Constitution and the laws of the State of Wyoming; and

WHEREAS, the Town of Evansville has the requisite power and authority to execute and deliver the Lease Agreement and to incur and perform the obligations of Lessee as set forth in the agreement; and

WHEREAS, the lease Agreement will be duly authorized and executed by Lessee and will be a valid and binding agreement of Lessee enforceable in accordance with its terms, except insofar as the enforcement thereof may be limited by any applicable bankruptcy, insolvency, moratorium, reorganization of other laws or equitable principals of general application or of application or of application to Wyoming municipalities or public entities such Lessee affecting remedies or creditors' rights; and

WHEREAS, the authorization and execution of the Agreement and all other proceedings of Lessee relating to the transactions contemplated thereby, including without limitation the acquisition and operation of the equipment, will be performed in accordance with all open meeting laws, public bidding laws and all other applicable laws.

WHEREAS, the Lessee will obtain all necessary licenses, permits and approvals, if any, required by the governing bodies or agencies having jurisdiction over the acquisition and operation of the equipment; and

WHEREAS, the equipment to be leased pursuant to the Agreement constitutes personal property and when subjected to use by Lessee will not be or become a fixture under applicable law; and

WHEREAS, to the best of the Town's knowledge, there is no proceeding pending or threatened against or affecting Lessee in any court or before any governmental authority or arbitration board or tribal that, if adversely determined would adversely affect the validity or enforceability of the Agreement, the ability of Lessee to perform its obligations under Agreement the transactions contemplated by the Agreement or the security interest of Lessor or its assigns in the equipment; and

WHEREAS, the Governing Body of Lessee desires to authorize certain officers of the Lessee and members of the Governing Body of Lessee to proceed to finalize the form of the Agreement and all other documents necessary to affect the financing and to negotiate the necessary terms and provisions thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF EVANSVILLE, STATE OF WYOMING, THAT;

Section 1. All action heretofore taken (not inconsistent with the provisions of this Authoring Resolution) by the Governing Body of Lessee or officers of Lessee, directed toward the financing of the equipment, are hereby ratified, approved and confirmed by the Mayor and his Designee.

Section 2. The Agreement, including the Exhibits, in substantially the same form as presented at this meeting, with such additions, omissions and changes as may be requested by the Lessee or its Legal Counsel and persons executing the same, their execution being conclusive evidence of their approval of any such additions, omissions, and changes, is hereby approved by the Mayor or his Designee, where appropriate, are authorized and directed to affix his, her or their signatures and the official corporate seal of Lessee thereto.

Section 3. No provision of this Authoring Resolution or the Agreement shall be construed as creating or constitution a general obligation or other indebtedness of Lessee or a mandatory payment obligation of Lessee in any ensuing Fiscal Year beyond the current Fiscal Year.

Section 4. The Governing Body of Lessee hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by Lessee does not exceed \$10,000,000 for the 2020 calendar year and hereby designates the Agreement to be a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 5. If any section, paragraph, clause or provision of this Authoring Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Authoring Resolution.

Section 6. All resolutions, or parts thereof, inconsistent with this Authoring Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such inconsistency. This repeal shall not be construed as reviving any resolution or part thereof.

Section 7. This Authoring Resolution shall be in full force and effect upon its passage and adoption.

ADOPTED AND APPROVED as of the _____ day of _____, 2020.

Chad Edwards, Evansville Mayor

ATTESTED:

Janelle Underwood, Town Clerk