

RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

March 22, 2021

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, Candace Machado, Michael Scott, and Cathy Stypa, Town Attorney Alia Scott, Police Chief Mike Thompson, Fire Chief Leo Malsom, 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 Michael Scott to approve the agenda. Motion carried.

APPROVAL OF CONSENT AGENDA:

A) Approval of Regular Meeting Minutes for March 8, 2021.

Motion was made by Cathy Stypa and seconded by Michael Scott to approve the Consent Agenda. Motion carried.

ABATEMENT OF 4680 E. YELLOSTONE HIGHWAY: Curtis Fortin spoke to the Governing Body about him being held responsible for the cost of the abatement at 4680 E. Yellowstone Highway. Mr. Fortin stated that he was never notified of this issue and yet he has been notified of other nuisance issues on his other rental properties. He stated that he does not have a problem with having his people clean up the lot and hauling away the junk and debris, but the trailer is owned by his renter and he does not have the right to remove or demolish the trailer and does not feel he should be held responsible for the cost of the abatement of the trailer. Mr. Fortin stated that in reviewing the ordinances, he did not see anything that states he would be held responsible for the cost of the abatement of the mobile home.

Mayor Chad Edwards stated that the Town decided this because of the state of the property and the trailer. He also stated that when he and Mr. Fortin spoke about two weeks ago, he gave Mr. Fortin the state statute number that spelled out the responsibility of the landowner.

Attorney Alaina Stedillie stated that she was representing the Town of Evansville in this matter and stated that Town Ordinance Chapter Nineteen (19) gives the Town of Evansville the authority to clean up property that has been declared a public nuisance such as this one. She also stated that the owner of the property is responsible and if the owner does not pay for the cleanup costs the Town of Evansville can file a lien on the property. Ms. Stedillie stated that she takes issue with Mr. Fortin's statement that he was never served because on November 6, 2020, the Order Declaring Public Nuisance was filed with the court, posted on the property, and personally served on Mr. Fortin and Mr. Siaz. She stated that she knows Mr. Fortin was served because on November 19, 2020, Mr. Fortin filed a response with the court. Ms. Stedillie stated that on January 20, 2021, she sent Mr. Fortin a letter via Certified mail to his business and to his home address notifying him that the Court had declared the property a Public Nuisance pursuant to Town Ordinances and that he had three days to clean up the property and that if he did not the Town could abate the nuisance and charge Mr.

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Fortin. She stated that a notice was posted on the property as well. Ms. Stedillie stated that the letter sent by Certified Mail to Mr. Fortin's business address was rejected and the Certified Mail to Mr. Fortin's home address came back as unable to forward, but because the Chief of Police posted the Notice on the property Mr. Fortin was properly served per the Town ordinances. Ms. Stedillie stated that Mr. Fortin called her on March 10, 2021, and she explained to him the same thing that she just explained to the Governing Body and that she advised Mr. Fortin that he had until March 19, 2021, to abate the property and if he did not do it the Town of Evansville would.

Mayor Edwards stated that the problem is the trailer needs to be taken care of and the State Statute spells out that he as the property owner is responsible. Mayor Edwards asked Mr. Fortin if he had a chance to investigate what it would take to pull permits to demolish the trailer on site because there are a lot of things to consider when pulling the permits that would be involved, such as the removal of asbestos. Mayor Edwards stated that he was hoping that Mr. Fortin would come to the Governing Body with the permission from the trailer owner to haul the trailer to the dump.

Council Member Cathy Stypa asked Mr. Fortin if he has been in touch with his attorney concerning this matter.

Mr. Fortin stated that he had not. Mr. Fortin stated that he is running into a lot of issues because the owner of the trailer is a Disabled Veteran as well as a Native American.

Mayor Edwards stated that a few months back the owner of the trailer fell thru the floor of trailer and laid there for five days before someone found him. Mayor Edwards stated that in the end, the trailer needs to be removed and the property cleaned up before something happens, such as kids getting in there. He stated the trailer is a hazard. He stated that the Town has an obligation to get the trailer out and the property cleaned up.

Council Member Cathy Stypa stated that she does not understand why Mr. Fortin does not let the Town of Evansville take care of the problem since the Town has a Court Order and Mr. Fortin does not have to worry about all the issues that he is bringing up.

Discussion took place regarding the Town removing the trailer and Mr. Fortin paying the Town for the cost of the trailer removal. He is being held responsible for the cleanup of the lot and this being done in a timely matter. The Governing Body stated that they can all sympathize with Mr. Fortin's situation, but the fact remains that the property needs to be abated.

Ms. Stedillie stated that the Town received a low bid from Robinson Contracting for four thousand one hundred dollars (\$4,100.00).

Mr. Fortin stated that he would agree to pay the Town three thousand dollars (\$3,000.00) for the removal of the trailer and then he would be responsible to clean up the lot.

Motion was made by Michael Scott and seconded by Joe Knop the award to bid to Robinson Contracting to abate 4680 E. Yellowstone Highway in the amount of four thousand one hundred dollars (\$4,100.00). Motion carried.

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ORDINANCE #2-2021: An Ordinance Amending and Updating the Evansville Employee Handbook. Third and final reading. Town Clerk Janelle Underwood summarized Ordinance #2-2021 and advised that the policies were for Employee Hiring and Background Checks, Employee Mental Health, Workplace Drug and Alcohol Testing, and Whistleblower and Special Reporting.

Motion was made by Michael Scott and seconded by Cathy Stypa to approve Ordinance #2-2021 on third and final reading. Motion carried.

ORDINANCE #3-2021: An Ordinance Amending the Zoning Regulations. Second Reading. Mayor Chad Edwards stated that there is a meeting scheduled the following week with the Natrona County Code Enforcement Officer to discuss with him the definitions of manufactured homes. He stated the Natrona County Building Department only inspects manufactured homes that are older than twenty years of age and the Town needs to determine what would be reasonable.

Motion was made by Cathy Stypa and seconded by Michael Scott to table Ordinance #3-2021. Motion carried.

DISCUSSION ON TRAILERS PARKING ON STREETS: Mayor Chad Edwards asked if anybody would like to make any comments on people parking trailers on the streets. There were no comments.

Mayor Edwards stated that he would like to have this on the April 12, 2021, Agenda for discussion.

PLANNING AND ZONING COMMISSION APPOINTMENTS: Town Clerk Janelle Underwood advised the Governing Body that the Town needed to make appointments to the Planning and Zoning Commission and the following individuals expressed interest in serving. She stated that they are as follows: Marvin Rone, term expires 2022 – Jim Kaup, term expires 2024 – Stan Beld – term expires 2022, Phil Hinds, term expires 2024 – Mike Stypa, term expires 2022.

Mayor Edwards stated this would give the Town a full Planning and Zoning Commission. He stated that it has been a struggle to get a quorum together for meetings in the past.

Motion was made by Michael Scott and seconded by Joe Knop to approve the Planning and Zoning Commission appointments. Motion carried.

PROPOSAL OF GRANT WRITER: Mayor Edwards stated that there are a lot of opportunities out there for grants that the Town could be applying for. He stated that grant writing takes a lot of time and everyone has other jobs to do so, if the Town could have one person that could dedicate their time specifically to grants for various Town projects it could be advantageous. He stated that there is a gentleman at the Fire Department that has already been writing grants for the fire department that has shown interest in a part time position writing grants for the Town. Mayor Edwards stated that he would like to propose that the Town pay this individual \$16.00 per hour at fifteen hours per week.

After discussion, motion was made by Michael Scott and seconded by Cathy Stypa to approve the new position of a grant writer at \$16.00 per hour and fifteen hours per week. Motion carried.

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PUBLIC COMMENTS: During public comments, Council Member Cathy Stypa stated that she would like to encourage anybody that has any comments concerning trailer parking on the streets.

Mayor Edwards stated this is the time for people to express their concerns at the meeting or even send an email about people parking campers, boats, trailers, etc. on the streets and if they should be allowed or not. He stated this will be on the April 12, 2021, Agenda for discussion.

ADJOURNMENT: There being no further business, motion was made by Michael Scott and seconded by Joe Knop to adjourn at 8:09 p.m. Motion carried.

APPROVED: _____

Chad Edwards, Mayor

ATTESTED: _____

Janelle Underwood, Town Clerk