

RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

October 26, 2015

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 Phil Hinds at 7:03 p.m. and upon roll call the following were present: Mayor Phil Hinds, Council Members Doug White and Jory Delinger, Town Engineer Shane Porter, Town Treasurer Peggy Nading, Chief of Police Tom Laughrey, Public Works Director Dan Adcock, Town Clerk Janelle Underwood, and interested citizens.

Council Member Joseph Knop asked to be excused.

Mayor Hinds led the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion was made by Doug White and seconded by Jory Delinger to approve the agenda. Motion carried.

APPROVAL OF MINUTES: The minutes for the regular meeting on October 12, 2015, were presented for approval. Motion was made by Jory Delinger and seconded by Doug White to approve the minutes as written. Motion carried.

EMERGENCY ORDINANCE #11-2015: An Emergency Ordinance Requiring Evansville Water Service for Residential Dwellings. Due to the lack of Governing Body Members for a three-quarter vote, motion was made by Doug White and seconded by Jory Delinger to table the ordinance until the next Council Meeting. Motion carried.

APPROVAL OF BUSINESS LICENSES: Business License application for Loan Ranger was presented to the Governing Body for approval. Motion was made by Doug White and seconded by Jory Delinger to approve the business license application for Loan Ranger. Motion carried.

APPROVAL OF BUILDING PERMITS: Building Permit applications #4214 through #4217 were presented to the Governing Body for approval. The applications were for a re-roof and new construction. Motion was made by Doug White and seconded by Jory Delinger to approve permits #4214 through #4217. Motion carried.

ENGINEER'S REPORT: Town Engineer Shane Porter advised the Governing Body that he had Pay Estimate number one to Installation and Services for the Town Hall Parking Improvement Project in the amount of one hundred seventy-three thousand two hundred forty-seven dollars and twenty-three cents (\$173,247.23).

Mayor Hinds asked if there was some work that still needed to be completed by Installation and Services.

Engineer Porter advised that they still had some concrete work and sealing to complete and that these items along with any other issues will be pointed out when they conduct a walk through. He also stated that the Town will hold the retainage and will not release the money until all items are completed. Engineer Porter stated that there will be a change order presented to the Governing Body for approval at some point because there was some sub-grade material that was in pretty bad shape, which had to be replaced. He stated that a concrete valley plan was taken out of the plans that would

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have been installed in the north parking lot. He stated that at this point, the project is coming in under the original bid amount. He also stated that if there is anything else that the Town would like Installation and Services to complete, let him know.

Motion was made by Jory Delinger and seconded by Doug White to approve Pay Estimate Number One to Installation and Services for the Town Hall Parking Improvement Project in the amount of one hundred seventy-three thousand two hundred forty-seven dollars and twenty-three cents (\$173,247.23).

Motion was made by Jory Delinger and seconded by Doug White to approve the Engineer's report. Motion carried.

PUBLIC COMMENTS: During public comments, Justin Burt, 602 Toll Street stated that he had a concern about the emergency ordinance that had been tabled. He stated that he spoke to a couple of residents and that they are not too excited about the ordinance requiring residents to buy into Evansville's water service. He stated that while it is the Town's obligation to provide water service, the Town is now requiring them to buy it. He stated that he talked to a couple of people who live in the new subdivision who do not agree with the proposed ordinance. He stated that the ordinance is taking away another liberty. He stated that if he wants to gather rain water and live that way, he should be able to and that he should not have to face criminal consequences for not buying into Evansville's water system.

Attorney Phil Willoughby asked if he would rather that the Town not provide water service at all.

Justin Burt stated that the Town is required by state statute to provide water service, so he is not concerned about that. He stated that he is thankful that the Town provides water. He stated that what he is saying is that this has a lot of similarities to legislation for Obamacare in that the Town is making people pay for water service whether they want it or not.

Mayor Hinds stated that the primary reason behind the ordinance is public health concerns.

Justin Burt stated that he understands that, but he thinks there are other ways to accomplish it. He stated that he just found out about it over the weekend, so it is not something that he has researched fully. He stated that he does not have all of the answers but that he does have some concerns with this being brought up as an emergency ordinance. He stated that perhaps the Town needs to take a step back and look to see if there is another answer to resolve the problem.

Attorney Willoughby asked Mr. Burt what if people use the sanitary sewer and sanitation but not the water and they do not pay for those services.

Mr. Burt stated that if the issue is people not using the Town's water but wanting to use the sanitary sewer and sanitation, there are other ways to go about it besides making them use the Town's water.

Mayor Hinds stated that the Town has no way to meter the sewer or to shut it off.

Mr. Burt stated that he feels that this is more of a civil issue, not a criminal issue.

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Attorney Willoughby stated that if people are not using the Town's water and bringing the water in from another source for sanitary purposes, where has the water come from and is there a chance for cross-contamination into the Town's water system.

More discussion was held and Mayor Hinds stated that the ordinance was tabled, that the ordinance can be looked at over the next couple of weeks before the next Council Meeting, and that perhaps the Town may have some answers.

ADJOURNMENT: There being no further business, motion was made by Jory Delinger and seconded by Doug White to adjourn at 7:20 p.m. Motion carried.

APPROVED:



Phil Hinds, Mayor

ATTESTED: 

Janelle Underwood, Town Clerk