

RECORD OF PROCEEDINGS

Meeting of the Evansville Town Council, Evansville, Wyoming

May 12, 2014

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 Philip G. Hinds at 7:05 p.m. and upon roll call the following were present: Mayor Philip G. Hinds, Council Members Doug White, Tiffany Rayner, and Ernie Blackford, Town Attorney Phil Willoughby, Town Planner Scott Radden, Town Treasurer Peggy Nading, Police Sergeant Norm Newsome, Public Works Representatives Brian Boettcher and Dale Brown, Fire Chief Leo Malsom, Town Clerk Janelle Underwood, and interested citizens.

Council Member Jennifer Fowler, Interim Chief of Police Tom Laughrey and Town Engineer Shane Porter asked to be excused.

Mayor Hinds led the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion was made by Tiffany Rayner and seconded by Ernie Blackford to approve the agenda. Motion carried.

APPROVAL OF MINUTES: The minutes for the regular meeting on April 28, 2014, and the April 28, 2014, workshop were presented for approval. Motion was made by Ernie Blackford and seconded by Tiffany Rayner to approve the minutes as written. Motion carried.

PUBLIC HEARING – WYOMING BUSINESS COUNCIL CDBG GRANT APPLICATION: Town Clerk Janelle Underwood advised the Governing Body that the Wyoming Business Council contacted Brad Miskimins with Worthington, Lenhart and Carpenter and advised that a mistake had been made. The Wyoming Business Council advised that there would not be any funds available for grants this year so, there would be no need of holding a public hearing since there will be no grant application submitted.

PUBLIC HEARING - APPROVAL OF LIQUOR LICENSE APPLICATION – TEXAS ROADHOUSE: Town Clerk Janelle Underwood advised that Texas Roadhouse Holdings, LLC, applied for the retail liquor license that the Town had available. She stated that if approved, Texas Roadhouse is looking to construct a new restaurant in the Evansville Business Park. She advised that the license application was forwarded to the State of Wyoming Liquor Division and that it was approved. Mayor Hinds called for any public comments for or against the issuance of the liquor license.

Brian Profit, an attorney representing the Texas Roadhouse Holdings, LLC, and Matthew Gregory, manager for the proposed Texas Roadhouse, were present to answer any questions. They advised that they were looking forward to the liquor license being issued to Texas Roadhouse and anticipated that the construction of the new restaurant will be around the end of October of this year.

There being no further comments for or against the issuance of the liquor licenses, Mayor Hinds closed the Public Hearing. Motion was made by Ernie Blackford and seconded by Tiffany Rayner to approve the liquor license for Texas Roadhouse Holdings, LLC. Motion carried.

PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THOMAS PRETROLEUM: Petition for a Conditional Use Permit on Lots 1 and 2, Evansville Business Park III, Town of Evansville, Wyoming: to allow Oil or Gas Storage Facilities within a Light Industrial (I-L) Zoning District, (Owner: South-South Property, LLC.) Town Planner Scott Radden provided a staff report to the

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Mayor and Town Council as follows. South-South Property, LLC submitted an application for a conditional use permit to allow for oil/gas storage facilities within an I-L Zoning District. The tank farm would be located (as proposed) approximately 320 feet from the Lathrop Road right-of-way (front lot line); and approximately 420 (+) feet away from the northern portions of Lot 1 and 2 (back lot line), Evansville Business Park III. Town Planner Scott Radden advised that the Planning and Zoning Commission met on May 6, 2014, and forwarded a "do pass" recommendation with the following conditions:

1. The owner and subsequent owners shall comply with all local, state and federal regulations.
2. This Conditional Use Permit runs with the land and succeeds to the benefit of subsequent owners subject to the terms and conditions of the permit. The permit is subject to review and possible revocation for noncompliance with the terms of the permit or other violations of the Evansville Town Code.

Brad Holwegner was present to represent the applicant, South-South Property, LLC, and spoke in favor of the project.

The public hearing was closed. Motion was made by Tiffany Rayner and seconded by Ernie Blackford to approve Conditional Use Permit #1-2014. Motion carried.

APPROVAL OF BUILDING PERMITS: Building Permit applications #4044 through #4047 were presented to the Governing Body for approval. The applications were for new construction, a remodel permit, and to park a trailer. Building Permit application #4046 was to park a trailer and build a garage but the applicant wanted permission to build the garage on the back of the lot before a manufactured home was moved in. A great deal of discussion took place. The main issue is that the zoning ordinance does not allow an accessory structure on a lot without a home on it. If the garage was built and a home was never moved in, the Town would be faced with handling a situation that did not meet the zoning ordinance. A couple of different options were discussed such as doing a minor boundary adjustment since the property owner owns both of the lots so that the existing home would be on the same lot as the garage. Motion was made by Tiffany Rayner and seconded by Doug White to approve permits #4044, permit #4045, and permit #4047. Motion carried.

Motion was made by Tiffany Rayner and seconded by Doug White to table permit #4046 and give the property owner time to explore all possibilities. Motion carried.

APPROVAL OF BUSINESS LICENSES: Business License applications for Full Rod Construction, Scenic Construction, and Shawn's John's were presented to the Governing Body for approval. Town Clerk Janelle Underwood advised that she would like to remove Scenic Construction's business license application from the approval process until she talks to the contractor because they were building the garage that was tabled.

After review of the applications, motion was made by Doug White and seconded by Tiffany Rayner to approve the licenses for Full Rod Construction and Shawn's Johns. Motion carried.

ENGINEER'S REPORT: No report.

BILLS FOR APPROVAL: Bills were presented to the Governing Body for approval. Motion was made by Tiffany Rayner and seconded by Ernie Blackford to pay all bills and draw treasury upon the same. Motion carried.

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PUBLIC COMMENTS: During public comments, Town Attorney Phil Willoughby stated that he has been approached by people who have received citations and has received complaints concerning the traffic and parking at the Evansville School while parents are trying to pick up their children. He stated that he went over to see for himself what the complaints were and that he sees a real need for changes. He stated that he would like to sit down with the Police Department and the Natrona County School District to see if there is something that can be done with the situation before someone gets hurt.

ADJOURNMENT: There being no further business, motion was made by Tiffany Rayner and seconded by Ernie Blackford to adjourn at 7:49 p.m. Motion carried.

APPROVED: 
Phil Hinds, Mayor

ATTESTED: 
Janelle Underwood, Town Clerk