

PRE-MEETING AGENDA

**Casper City Council
City Hall, Council Meeting Room
Tuesday, April 16, 2019, 5:30 p.m.**



	Presentation	Allotted	Beginning Time
1.	Distribution of April 2 Executive Session Minutes		
2.	Cell Phone Discussion (Tracey Belser, Wallace Trembath)	10 min	5:30
3.	Bid Opening – Multiple City Properties	5 min	5:40
4.	Change Order – Baler Building/MRF Expansion Project – Caspar Building Systems, Inc.	5 min	5:45
5.	2019 WAM Resolutions	5 min	5:50
6.	Agenda Review	5 min	5:55
	Approximate Ending Time		6:00

We are CASPER

Communication Accountability Stewardship Professionalism Efficiency Responsiveness

3/19/2019

MEMO TO: J. Carter Napier, City Manager *JCN*
FROM: Tracey Belser, Support Services Director *TB*
Michael Szewczyk, IT Manager
SUBJECT: Phone Options for Council

Meeting Type & Date
Council Pre-Meeting
April 2, 2019

Action type
None

Recommendation
Information Only

Summary

As public sector employees/officials, business related communications are subject to public records requests (PRR) regardless of the device used. Similar to emails, text messages can also be considered a record. Below are pros and cons of solely using a personal cell phone versus carrying an additional device strictly for City related business:

- Dedicated City Phone
 - Pros
Provides separation between personal and City information, thus potentially limiting exposure for PRR on personal devices
 - Cons
Need to carry multiple devices
Personal device may still be requested for PRR if used to communicate City business
Additional cost
- Personal Phone Use
 - Pros
Only one device to carry
No additional cost
 - Cons
Personal device activity/messages may be requested for PRR purposes

As noted with both options, a personal phone can become subject to a PRR if it is used for City business even once. (For example, you share text messages regarding a matter on the

upcoming Council agenda with an individual who knows your personal cell number). While emails can be retrieved from an archive server, text messages are pulled from the actual cell phone. Refraining from using text messaging to communicate City business eliminates the creation of such a record.

As an added alternative, there is also an option to provide the public with a City phone number where they can leave voice mail messages for their councilmember. The councilmember can then listen to the message as an attachment in their City email or by calling into the City's voicemail server. This solution is designed to keep Council's personal cell numbers unpublished.

Financial Considerations

Average monthly service cost is \$52 per phone, which equates to \$5,616 per year for nine devices. Choosing the City phone number with voice mail option would incur a one-time fee of \$60 per number (\$540 for all nine councilmembers).

Oversight/Project Responsibility

Michael Szewczyk, IT Manager

Attachments

None

April 12, 2019

MEMO TO: His Honor the Mayor and Members of Council
FROM: J. Carter Napier, City Manager *JCN*
SUBJECT: WAM Resolution Discussion Minutes

Meeting Type & Date

Pre-meeting April 16, 2019

Action type

Direction Requested

Recommendation

That Council review the minutes regarding the WAM Discussion and direct Staff accordingly.

Summary

In the most recent work session, Council provided direction to the Mayor and staff pertaining to their views on a number of likely topics for resolutions the WAM organization will forward to the legislature this summer. Council also identified topics that they did not support or that needed more discussion. As the Council's delegate, Mayor Powell, will be asked to cast his votes regarding each resolution, so Council's feedback will be a useful tool to guide the Mayor's votes. Therefore, Staff would ask that Council review the WAM discussion minutes and provide approval, or make any necessary changes, in order to solidify Council's direction to the Mayor.

Furthermore, however, a few topics of high interest to the Casper City Council require the added attention of a resolution adopted and passed by the Council to formally ensure that those topics are included and considered for adoption by the body of the WAM organization as well. Staff would propose that Storm/Surface water management, errors in sales tax collection, and inclusion in the State's health insurance pool are largely considered issues that the City of Casper has effectively championed in the past and should request be carried by WAM into the next legislative session again. Accordingly, draft language for resolutions pertaining to these topics are included for Council's review. Council also agreed to review draft language pertaining to anti-discrimination directed at the legislature that was specific in scope and not overly broad in its direction on this matter; language in this regard is also included for Council's review.

Financial Considerations

No Financial Considerations

Oversight/Project Responsibility

J. Carter Napier, City Manager
Jolene Martinez, Assistant to the City Manager

Attachments

Work Session WAM Discussion Minutes
Additional Resolutions for Review

April 9, 2019 Work Session– WAM Discussion Minutes

Council reviewed potential Wyoming Association of Municipalities (WAM) Resolutions for the 2019 Legislative Session. Mayor Powell explained that there would be a WAM Board meeting the following week, so he would like to know Council's consensus on each potential issue. He then reviewed each of the resolutions and asked for discussion and consensus on each. Council expressed support for the resolutions concerning:

- Lien authority;
- Municipal authority to implement local option sales tax;
- Clarifying the lien and assessment process;
- State health fund eligibility for municipal workers, payment in lieu of taxes for state-owned properties;
- Financial independence and authority for municipalities;
- Stormwater utilities;
- Equal and accessible state-to-municipal funding to sustain services for municipal residents;
- Appropriation of state funding for all municipalities;
- Removal of limits on indebtedness for sewage disposal systems; and,
- Sharing responsibility of tax revenue error with vendors and Wyoming Department of Revenue

Council gave provisional support for anti-discrimination legislation, but asked that this be discussed at a future work session to limit the scope of their support. They also provisionally supported a resolution that would decentralize tax collection and allow municipalities to collect their own taxes, but stated that they would like a cost-benefit analysis of this option and would withdraw support if it does not save money. Council asked that these items be discussed at a later work session when more information could be provided.

Additionally, there were a few items which Council did not support. Council came to a consensus not to move forward on the extraterritorial jurisdiction resolution, because there is not support in the legislature for this issue at this time. Council decided not to take a position on standardized air service and did not support the resolution regarding a tax on food. Council also decided not to take a position on the cap increase on property taxes but asked to discuss it further at a later time. Mayor Powell then reviewed the WAM Resolution process, and Council supported the designation of Mayor Powell as the Casper City Council delegate for WAM.

A RESOLUTION SUPPORTING A REVISION TO THE WYOMING STATE STATUTES PROVIDING THE OPTION FOR MUNICIPALITIES TO PARTICIPATE IN THE STATE OF WYOMING INSURANCE PROGRAMS

WHEREAS, in order for municipal governments in the State of Wyoming to be competitive, municipal employees strive to offer employees the best health insurance options; and

WHEREAS, cities and towns commonly pay a percentage of health insurance premiums as a benefit to the employee; and

WHEREAS, Wyoming State Statutes 9-3-201 through 9-3-218 currently allow employees of the State of Wyoming, its political subdivision, and school districts to obtain group health insurance; and

WHEREAS, cities and towns recognize the potential value of the health insurance programs offered by the State of Wyoming as provided to other political subdivisions and school districts;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities support changes to Title 9, Article 2 of Wyoming State Statutes to include the option for municipalities to elect insurances as otherwise provided to other entities included in Article 2 of Title 9 for health, dental, vision, life, accident, and/or hospitalization through the State's health insurance program.

PASSED, APPROVED AND ADOPTED this xxth day of June, 2018.

President

A RESOLUTION REQUIRING VENDORS AND WYOMING DEPARTMENT OF REVENUE TO SHARE RESPONSIBILITY WITH MUNICIPALITIES AND COUNTIES FOR SALES TAX COLLECTION ERRORS

WHEREAS, vendors collect and remit sales tax monthly to the Wyoming Department of Revenue and;

WHEREAS, vendors can receive a credit thereby reducing their sales tax payment if payment is remitted on or before the fifteenth of every month and vendors are penalized for late remittance or payment shortage and;

WHEREAS, the Wyoming Department of Revenue is charged with overseeing sales tax collection and remitting correct amounts to cities, towns, and counties and;

WHEREAS, cities, towns, and counties rely on revenue from sales taxes to provide services to citizens and;

WHEREAS, cities, towns, and counties are dependent on vendors and the Wyoming Department of Revenue for correct sales tax remittance.

THEREFORE, BE IT RESOLVED that the Wyoming Association of Municipalities supports and advocates to the Wyoming Legislature to require vendors and the Wyoming Department of Revenue to bear part of the responsibility for acts and omissions that negatively impact a city, town, or county and pay for part of the remedy for those mistakes that negatively impact a city, town, or county.

PASSED, APPROVED AND ADOPTED this xxth day of June, 2019.

President

A RESOLUTION SUPPORTING A STORMWATER UTILITY

WHEREAS, the majority of Wyoming residents live in cities and towns and rely upon their municipal governments for essential surface water drainage and utility infrastructure that keeps the public safe and protects both public and private properties from damage from storm water run-off; and

WHEREAS, Wyoming statutes do not authorize cities to create storm water enterprise funds for operation of storm water drainage systems and, consequently, there are millions of dollars of unmet financing needs for surface water drainage within many Wyoming cities and towns.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities requests that the State of Wyoming authorize cities and towns to establish and operate surface water drainage systems as public utility services and make available by statute similar financing options as are provided for potable water and sanitary sewer utilities; and that the State of Wyoming allow municipal governing bodies to establish user fees to support financial operations of surface water drainage systems.

PASSED, APPROVED AND ADOPTED this xxth day of June, 2019.

President

**A RESOLUTION SUPPORTING STATEWIDE
ANTI-DISCRIMINATION LEGISLATION IN
HOUSING AND EMPLOYMENT**

WHEREAS, diversity is necessary for any thriving city or town; and

WHEREAS, one of the ENGAGE recommendations in the ENDOW'S Transforming Wyoming Twenty Year Strategy is to enact a statewide non-discrimination law and work to ensure the culture of Wyoming is inclusive to all and;

WHEREAS, discrimination still occurs on the basis of race, color, religion, national origin, sex, pregnancy, gender identity, age, sexual orientation, family status, veteran status, marital status, and disability; and

WHEREAS, a commitment to diversity and the creation of a community welcoming to all which will enhance our local economies, encourage a positive forward-thinking environment that will help attract and retain businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities should encourage and support statewide equality for all of its citizens and pass anti-discrimination legislation, prohibiting discrimination based on race, color, religion, national origin, sex, pregnancy, gender identity, age, sexual orientation, family status, veteran status, marital status, and disability in housing and employment.

PASSED, APPROVED AND ADOPTED this xxth day of June, 2019.

President