

**COUNCIL PRE-MEETING**  
Tuesday, July 20, 2021 5:30 p.m.  
Casper City Hall - Council Meeting Room

AGENDA

1. Scooter Ordinance Discussion
2. International Building Code
3. Agenda Review

Mayor Freel began the pre-meeting session at 5:39 p.m. with Councilmembers Cathey, Engebretsen, Gamroth, Knell, Lutz, Pacheco, Pollock and Mayor Freel in attendance. Absent: Johnson.

City Manager Napier introduced the topic of the scooter ordinance and indicated that staff needs direction whether the three readings of the ordinance should be carried out in three or six weeks.

City Attorney Henley shared a summary of the changes made to the ordinance based on the discussion during the last work session including: the removal of references to other types of equipment; that use of scooter and other equipment will not be prohibited on any streets; and the fees which were discussed with Bird Rides during contract negotiations for a flat rate of \$3,000 and \$25/scooter with the company running 50 scooters. He then spoke about the informational addendum that was in the Council packet which summarized the per scooter cost based on the contract with Bird Rides (Bird). Then he shared other scooter rates and fees for other communities, which was summarized in the addendum. Next, he stated that any cost being charged to the scooter company is in exchange for the use of the public right-of-ways for the storage of the scooters and the inadvertent marketing of the business by having the scooters visible.

Councilmember Cathey asked about licensing of scooters by private individuals. City Attorney Henley shared that only providers, not private parties, would need to be licensed.

Councilmember Knell stated that he felt the fees are too high, especially in comparison to other places within Wyoming. Councilmember Pollock shared that she would like a set charge per scooter rather than a standard flat fee. She asked Council to consider what the cost should be because at this time the rates are variable.

City Attorney Henley asked Council to consider if the matter should be passed in three successive meetings or if more discussion would be needed and therefore the passage of the ordinance would be over six weeks.

Councilmember Gamroth requested taking the standard amount of time for passage of the item and to not rush into a contract with Bird. City Attorney Henley stated that a contract with Bird would not be required, should the fees be handled within the ordinance.

Councilmember Engebretsen asked if the fees would be monthly or annually based on the summary of charges in the addendum. City Attorney Henley stated that Bird had agreed to some terms during contract negotiations but a per scooter charge is what is currently being considered.

Councilmember Engebretsen asked if Gordon's Rents, who also rents scooters, is going to be charged for their scooters. Councilmember Lutz shared that the difference is the use of the sidewalks for a private business, and Gordon's doesn't leave their scooters on the public right-of-way. City Manager Napier stated that the business plan for Bird does require the use of the public domain as their storage for the scooters and their place of operation. And because of that, much like a franchise, the public should be compensated for use of the public domain. Gordon's does not use the public domain like Bird intends to.

Councilmember Knell suggested that the City may lose business with Bird if the fees are cost prohibitive or if the ordinance is passed too late in the season.

Mayor Freel asked if Council would like to take the usual six weeks to pass this ordinance or modify the schedule by having the readings over three weeks. Council gave a thumbs up to having the ordinance read three weeks in a row (and having a special meeting on July 27, 2021 for the second reading of the ordinance).

City Manager Napier addressed the matter of the passage of the updated International Building Codes. He stated that if the City does not meet the State standards it will result in the loss of local authority to issue permits and development in our community will rely on the State for approval.

Councilmember Engebretsen asked what the major differences are between the 2018 and 2021 Codes. City Manager Napier shared that the memo from the July 20, 2021 Council meeting packet on the International Building Codes highlighted the differences in the Code. And he stated that the changes are not consequential for the most part. Vice Mayor Pacheco agreed that the process is difficult and that each time this matter comes up there are always challenges.

Councilmember Knell expressed concern for the loss of control and potentially revenue should the City not meet the State standards.

Councilmember Engebretsen requested more information and a better explanation of the changes being made to the Code. Mayor Freel shared that the International Building Codes are accessible to the public. Fire Department Battalion Chief, Devin Garvin, shared that the codes are available digitally and that the link to this information had been shared with Council.

Councilmember Cathey stated that the industry involved in updating the codes have a stake in maintaining the standards and that professionals working under these codes understand and review any new changes closely.

Mayor Freel adjourned the pre-meeting at 6:03 p.m.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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Fleur Tremel  
City Clerk

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Steven K. Freel  
Mayor