

COUNCIL WORK SESSION

Tuesday, November 12, 2019 at 4:30 p.m.
City Hall - Council Meeting Room

AGENDA

1. Council Meeting Follow-up
2. Legislative Agenda
3. Towing Resolutions
4. LAD Request for Jade & Arrowhead
5. Sign Code Revisions
6. 2018 Arterials & Collectors
7. Platte River Restoration
8. Agenda Setting
9. Legislative Review
10. Council Around the Table

Mayor Powell called the meeting to order at 4:33 p.m. with the following Councilmembers present: Freel, Huber, Pacheco, Hopkins, Cathey, Lutz and Mayor Powell. Councilmembers Johnson and Bates were absent. Councilmember Bates arrived to the meeting at 4:58 p.m.

City Manager Napier discussed the concerns that were brought up at last week's regular Council meeting regarding the Historic Preservation Strategic Plan, and suggested adding it to the suggested items for upcoming work sessions.

Next, City Manager Napier discussed the legislative agenda priorities. He explained that this year's session will be a budgetary legislative session, which is why certain priorities are focused on while other social-related priorities are not. He also stated that this is a complex and developing process, and he will need to be in contact with Council as it moves along. He then described the legislative priorities for the City of Casper. The first issue involves franchise fees for leasing public grounds to franchises, and allows fair negotiations with a 180-day cap on negotiations, and limits to what can be charged to companies providing several services through a singular cable. The second issue involved optional municipal sales tax. After a meeting last night, the original language has changed to require a vote to make the 5th cent tax permanent. The other pieces of the legislation include an option for a 6th cent tax for county-wide capital purposes, and if a 6th cent passes, an option for municipalities to pursue a 7th cent City-specific purpose tax. If the County does not want to pursue a 6th cent, municipalities have the option to pursue a County resolution to allow the municipalities to pursue a City-specific 6th cent tax. The third issue involved surface water utilities. The fourth issues involved changing language in the public records law. Council discussed a change that would require employee names to be published with salaries instead of just their positions, and asked that staff propose a change to this language to not require employee names to be published. City Manager Napier also briefly discussed other priorities that did not come move out of committee, including sales tax collection accountability and errors, lien authority, and tax districts.

He also discussed legislation that is being proposed to prevent cities and towns from being included in the state health insurance plan. Council gave their thumbs up for City Manager Napier to testify against this legislation.

Next, City Manager Napier discussed a contract with three towing companies that would be used on rotation for the Police Department. Captain Schulz explained that citizens still have the option to choose their own towing company, and the Police Department will also provide a list of fees for citizens. He also explained that the contracts with these companies will not allow the company to hold property hostage in exchange for towing fees. He also mentioned a company in Douglas that wanted to be included in the rotation, but stated that the company is required to have a yard in Casper that can be inspected by the City.

Next, City Manager Napier discussed a change order for the 2018 Arterials and Collectors project that exceeded the contingency amount and for which the project has already been completed. Shawn Gustafson, consultant from ECS Engineers, explained that the over-run was due to underestimated quantities as well as other directives. Andrew Beamer, Public Services Director, stated that the \$55K above contingency will be funded from Water Fund reserves and 1%#16 Sales Tax Funds. City Manager Napier stated that staff will be developing a policy process to prevent this from happening again. Council gave their thumbs up to accept staff's recommendations and to move the change order forward for formal consideration.

Next, Council discussed a request to form a Local Assessment District (LAD) around Arrowhead Road and Jade Avenue to make road and utility improvements. The estimated cost for the improvements is \$250K, and one of the adjacent property owners is requesting the City provide in-house engineering and construction services, which would require an out of pocket expense of \$80K from the property owners. LAD's require at least 50% support from adjacent property owners, and in this case, two of the four property owners who own more than half of the adjacent land are opposed to the LAD. After meeting with the supporting property owners, staff is recommending that they pay their portion of the out of pocket cost of \$20K each, and the other two property owners will not be able to obtain building permits until they pay their \$20K shares. City Attorney Henley stated that without an LAD, he is not sure a lien or any other withholding of permits is enforceable. Council asked that staff speak with the two landowners that oppose the LAD, and see if they will reconsider.

Next, City Manager Napier discussed issues with the current code for signage. Staff is suggesting a process to include forming an advisory group with sign business practitioners and that a phased approach be used for the revisions. A public portal process would be utilized as well. He added that the wayfinding consultants have offered assistance with this issue within their current contract scope. Council gave their thumbs up to move forward with the proposed process.

Next, Jolene Martinez, Assistant to the City Manager, discussed the 1st street reach portion of the Platte River restoration. She stated that during remediation, the river and bank were found to be highly contaminated with debris and oil, which have required extensive environmental work. She added that the bank has been eroding for years, and the problems are not caused by the project itself. So far, the project is \$526K over budget, and the total cost of this environmental work may

be over \$1M. BP has already agreed to fund \$100K of the cost, and will hopefully be contributing more funds. If conversations do not go well on this front, renegotiations with BP for the remediation may be considered. Until the money is recouped, the City is fronting the cost of the project. This work will cause a 2-year delay in the completion of the project. Council gave their thumbs up to continue the remediation and to front the cost of the environmental work for now.

Next, Council set the work session agenda for December 10, 2019. Council discussed the MOU with Hogadon Skiing and were informed that the project would be in place by January. Council asked that staff do some research related to the Long Range Transportation Plan and the Wyoming Blvd east extension. Council asked that privatization of Hogadon be added to upcoming work session topics. Mayor Powell asked if there was any support from Council to discuss property tax changes, and Council gave their thumbs down to discuss this topic.

Council then went around the table to discuss their respective board and committee meetings and share ideas and concerns related to public matters of interest. Councilmember Freel discussed his concerns about Councilmembers being pressured to change their votes with regard to the Plains Furniture sale, and stated that this is inappropriate behavior.

The work session was adjourned at 7:15 p.m.

CITY OF CASPER, WYOMING

ATTEST:

A Municipal Corporation

Fleur D. Tremel
City Clerk

Charles Powell
Mayor