

COUNCIL WORK SESSION

Tuesday, September 8, 2020 at 4:30 p.m.
City Hall – Council Chambers

AGENDA

1. Council Meeting Follow-up
2. Amending Ordinance No. 18-17 - Rocky Mountain Power Franchise
3. Massage Therapy Continuing Discussion
4. SRO Report
5. Agenda Review
6. Legislative Review
7. Council Around the Table

Mayor Freel called the meeting to order with the following Councilmembers present: Lutz, Cathey, Hopkins, Johnson, Powell, Pacheco, Bates, Huber, and Mayor Freel. City Attorney Henley filled in as Acting City Manager in City Manager Napier's absence.

Councilmember Cathey stated that he misspoke at the last Council meeting regarding the animal control ordinance and upon further inspection thought that the final product was a good compromise.

Next, City Attorney Henley discussed extension of the current franchise agreement with PacifiCorp (dba Rocky Mountain Power). He stated that the current contract grants a utility franchise as well as a general utility easement to PacifiCorp, and under that franchise, the City receives a 7% franchise fee. If the City does not extend the current franchise agreement with the 7% fee, that franchise fee will automatically revert back to a 5% franchise fee, which would have an impact to the City's general fund budget. Council asked if the fee can be moved up above 7%, and City Attorney Henley stated that this may be an option in the future, but 7% is already higher than many other places, and the legislature has considered putting a cap on these fees. City Attorney Henley also addressed questions related to the 1% of the franchise fee that goes to Advance Casper (formerly Casper Area Economic Development Alliance), which adds up to \$400-\$500K per year. Council asked that the Advance Casper contract be added to a work session to discuss at a future time. The majority of Councilmembers gave their thumbs up to move the extension of the franchise agreement with the 7% franchise fee forward for formal approval at a regular Council meeting.

Next, Council discussed the massage therapy ordinance. Mayor Freel stated that work sessions are not open to public comment unless an individual has been asked specifically to come and present on a topic. He stated that if the ordinance ever does get moved to a regular Council meeting there will be a public hearing. City Attorney Henley then discussed that the purpose of this discussion was to ensure that there is a cohesive work product before moving the ordinance to the floor. He said that the original draft ordinance was based heavily on Laramie County's ordinance and some of the strict language from that ordinance had been softened. Vice Mayor Lutz stated that she would like to know what feedback Laramie County could provide on their ordinance and if there have been any issues with their ordinance. Council discussed which professions have City licenses

and similarities and differences with this proposed ordinance. Some Councilmembers stated that they would like to see this addressed by the State as opposed to the City. Mayor Freel explained that if the City does implement its own ordinance it may help give traction to efforts at the State level. Councilmember Huber stated he would like to see a simpler more streamlined ordinance, and Councilmember Powell offered some basic requirements such as training, insurance, and a background check.

Mayor Freel then invited Anna Kendrick, Executive Director of the Casper-Natrona County Health Department, to give her input on the County's involvement with the ordinance. She explained that the Health Department would address health components to the ordinance, such as sanitary inspections. She explained that these rules to govern the inspections would need to be approved by the Health Department's board and there would need to be a public comment period and hearing during that process. Ms. Kendrick also discussed this ordinance in comparison to state licensures for professions like physical and occupational therapy. She stated that she would like some type of enforcement component included in the ordinance, so that her department would know what to do if someone was not in compliance.

Mayor Freel then invited Traci Aguilar, of Peak Performance Massage, to discuss her views on the ordinance. She stated that she would like to have licensure for massage therapists in Casper to protect clients from people who are not trained and to allow referrals from other healthcare professionals. She stated that parts of the ordinance were overreaching, such as the clothing requirements, and stated she would like the requirements for training hours to be 500 hours.

Mayor Freel then invited Stefanie Sneed and Savannah Wilkinson, massage therapists who operate in the City, to discuss their views on the ordinance. They discussed that they are a part of a group of massage therapists who think the ordinance is overreaching and are trying to put together some ideas for a more reasonable ordinance. They stated that they would like to be recognized as professionals and discussed that they would like the massage therapist ordinance to be separate from laws addressing prostitution. They also discussed that they would like to see more regarding grandfathering in the ordinance, as many of their colleagues do not have transcripts from schools that no longer exist. They also discussed their support to bring this licensure to the State legislature.

Mayor Freel discussed that the purpose of the ordinance is not to shut down businesses, but that cleanliness should be part of the ordinance. Councilmember Powell discussed that the ethical standards from the American Massage Therapy Association help to provide requirements to massage therapists for things such as cleanliness. Council discussed the County's role in the ordinance, and Mayor Freel stated that he will bring it up at the next Mayor's meeting. Council also discussed doing research on how other states govern massage therapy, and recommended using these as examples for creating the City's ordinance.

Councilmember Cathey suggested forming a working group with a couple of Councilmembers and massage therapists to review options for the ordinance. Councilmembers Cathey and Huber volunteered to sit on this committee, and Council supported this and asked Councilmember Cathey to chair the committee. Council decided to revisit this issue at the October 13th work session after the committee meets and provides recommendations for the ordinance. Mayor Freel asked those

massage therapists interested in being on the committee to give their names to City staff and asked that the total number of massage therapists on the committee be fifteen. He also asked that groups of people with the same ideas be represented by one spokesperson on the committee.

Next, Chief McPheeters introduced Police Lieutenant Dabney to give a report on the School Resource Officer (SRO) program. Lt. Dabney gave an overview of the SRO's mission, organizational structure, daily responsibilities, collateral duties and their role in the schools. He also gave a breakdown of their calls for service and their programs for school safety and crime prevention. He emphasized the positive impact this program and the officers have on the students and in the schools and community. Councilmember Powell asked about staffing levels and Lt. Dabney responded that they are well-staffed currently. Several Councilmembers expressed appreciation for the program and the SRO's.

Next, Council reviewed the agendas for upcoming regular Council meetings and work sessions.

Next, Council went around the table to discuss their respective board and committee meetings and share ideas and concerns related to public matters of interest.

The meeting was adjourned at 7:06 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor