

WORK SESSION AGENDA



Casper City Council

The Lyric

Tuesday, November 14, 2023 at 4:30 p.m.

Work Session Meeting Agenda		Recommendation	Beginning Time	Allotted Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Introduction of Executive Assistant		4:30	5 min
2.	Meeting Follow-up		4:35	5 min
3.	Code Enforcement Follow-up Part 1: Assessment of Vehicle Towing Fees	Information Only	4:40	10 min
4.	Transit Bus Pass Program	Direction Requested	4:50	20 min
5.	Leadership Selection and Removal Process	Move Forward for Approval	5:10	60 min
6.	Agenda Review		6:10	10 min
7.	Legislative Review		6:20	10 min
8.	Council Around the Table		6:30	20 min
Approximate End Time:				6:50

*** Reminder ***

Please silence cell phones during the City Council meeting.

November 8, 2023

MEMO TO: J. Carter Napier, City Manager *?? for JAN*
FROM: Eric K. Nelson, City Attorney
Liz Becher, Community Development Director
Craig Collins, AICP, City Planner
Amber Jividen, Code Enforcement Supervisor
SUBJECT: Towing Fees – Abandoned and Junk Vehicles

Meeting Type & Date

Work Session - November 14, 2023

Action Type

Information only

Recommendation

No recommendation is being provided at this time

Summary

The Code Enforcement division of Community Development was asked by the City Council to research and provide recommendations concerning potential changes to the Municipal Code that would increase Code Enforcement's effectiveness and efficiency in dealing with compliance issues. One of the areas identified as requiring scrutiny were the procedures for towing vehicles, including the potential implementation of administrative/towing fees.

Since the initial discussion, which occurred at the July 11 City Council work session, Code Enforcement, the Police Department and the City Attorney's office have been reviewing existing codes and procedures for the towing of vehicles. The consensus thus far is that the processes used by the Police Department and Code Enforcement definitely warrant some changes, specifically to ensure consistency in process, as well as fees charged. The joint review has also included gathering input from the Natrona County Sheriff's Office, which is responsible for processing towed vehicles for either disposal, or sale, by the towing companies. City staff was recently informed that the Sheriff's Office is also in the process of implementing some changes to their towing policies/procedures.

As a result of the changes occurring with the Sheriff's Office, it is premature at this time to recommend permanent changes to City codes and procedures. It is anticipated that City staff will be able to provide a recommendation to the City Council sometime in the next few months, once the Sheriff's Office firms-up their processes.

Financial Considerations

None at this time.

Oversight/Project Responsibility

Code Enforcement Division, Police Department, and City Attorney's Office

Attachments

None

November 3, 2023

MEMO TO: J. Carter Napier, City Manager 77 For JCN

FROM: Liz Becher, Community Development Director
Scott Drescher, Public Transit Manager

SUBJECT: Transit Bus Pass Program

Meeting Type & Date:

Council Work Session, November 14, 2023

Action Type:

Direction Requested

Recommendation:

That Council, consider the replacement of plastic transit tokens with a renewable QR barcode transit card pass system, and determine a date for deactivation of any tokens currently in circulation.

Summary:

In June 2023 Casper Area Transit, operated by the City of Casper, initiated efforts to transition to utilizing QR barcode card-based transit passes to replace the outdated token system currently in use. The main justification for this change is to improve record keeping in general when it comes to ridership, but also to improve the process of bus ridership for both rider and transit personnel. Transit finds that under the current system, many individuals will share, trade, or sell their tokens to acquaintances and this unofficial redistribution makes accurate record keeping a concerning issue. The institution of transit passes will also help in curbing reduced fare abuse that occurs on a regular basis.

The Federal Transit Administration (FTA) requires that all recipients of 5307 grant funding (Casper Area Transit, operated by the City of Casper, is a direct grant recipient) offer reduced fares to seniors, individuals with disabilities and cardholding Medicare recipients on non-peak hours of operation. Casper Area Transit currently offers this 50% discount to applicable individuals, and additionally a similar discount (25%) to students of all ages. One known issue that currently occurs with tokens is that general public riders can, knowingly or unknowingly, utilize discounted tokens or fares intended for individuals from these reduced fare categories when they themselves do not qualify for said discount. With this in mind, many organizations or groups, in an effort to provide for the populations they serve, have in the past made bulk purchases of discounted tokens intending to distribute them to their clientele. Once the tokens or tickets leave Transit's hands, there is virtually no way to guarantee that discounted fares are ending up in possession of certifiably eligible individuals (i.e. senior, disabled, or students) or in the hands of the general public. Transit has made efforts to have outside organizations keep records of who is receiving discounted fares, but the results have been mixed at best.

Other transit agencies nationwide have historically issued eligibility passes or IDs requiring documentation of need and qualification prior to granting reduced fares. With this transition to a pass-based system, we will work in essentially the same manner in requiring that individuals volunteer demographic information so that an accurate determination can be made. Each rider will be assigned an account that includes vital demographic and qualifying information, up to and including whether the individual is eligible for reduced fare. Bulk purchases of rides in the manner that they once were procured will no longer be available. In an effort to be more responsible as stewards of federal and local funds, transitioning to a renewable card system will allow transit personnel to better track who is riding, the extent that individuals are eligible for discounted fare, and perform improved record keeping in regards to ridership. Agencies may purchase anonymized cards under an agency name with a dollar value or a pre-determined number of rides, but these purchases will not be eligible for reduced fare without providing prior documentation of the individual user's demographic and qualifying information.

Casper Area Transit can provide fare cards that are available in numerous formats. Cards are available for both the ASSIST door-to-door and the LINK fixed-route service. Cards will be available in three forms: a pre-paid cash balance, a per-ride accounting, and 'monthly pass' model allowing unlimited rides based on a limited time period (i.e. unlimited ride 30/60/90-day pass only for LINK fixed-route). Lost cards are replaceable, but require a \$5.00 minimum purchase. Riders are responsible for the card and rides are non-refundable and non-transferrable.

With the phase-out of tokens, a determination must be made as to when Casper Area Transit will no longer recognize or accept tokens as a legitimate fare for ridership. Transit suggests Monday March 4, 2024, as a cutoff date as it allows individuals and agencies ample time to use whatever tokens they may have on hand. Agencies that can provide proof of purchase for unused or undistributed tokens will be allowed to convert unused ride tokens into similar value on the transit card system.

One of the most positive efficiency reasons for the renewable fare card passes is phasing out the physical aspects of processing, cleaning, sorting, and distributing bus tokens. Transit personnel spend several hours a day processing tokens pre and post use. Tokens have a cost of 8-10 cents each, and some months, Transit will only receive back about 75% of the distributed quantity, implying that there are numerous tokens that are thrown away, lost, or otherwise left to gather dust. Purchasing additional tokens is a timely and expensive endeavor and only prolongs the problem until the next round of purchases. Alternatively, fare cards have a cost of about 60 cents each, plus preparation time, however with the price attached for lost or replacement cards, the value is likely more recoverable and the cost of replacement should encourage individuals to reuse and recharge the card-based passes versus repeatedly paying for replacements of tokens. Personal accountability is transferred to the rider. Since the Transit passes are renewable, Transit staff will expend far less time sorting, cleaning, and counting, and will have more time to devote to maintaining fare passes, general customer service, and other Transit duties.

Financial Considerations:

Casper Area Transit staff will work with the Finance department to assure values added to cards match the value processed through City accounting.

Oversight/Project Responsibility: Casper Area Transit management and staff will work to provide for a smooth transition from tokens to renewable transit passes.

Attachments:

Subsidy Program Packet FY24 PDF.pdf

Subsidy Monthly Pickup FY24 PDF.pdf

New Sample QR fare pass (front)

New Sample QR fare pass (back)

City of Casper Public Transit Subsidy Program

Need Help with Tickets or Tokens?

The City of Casper provides tickets and tokens to those in need through the Subsidy Program. To qualify please see the income table below.

FY 2023 HUD Income Limits								
Persons in Family	1	2	3	4	5	6	7	8
Maximum Income	\$52,700	\$60,200	\$67,750	\$75,300	\$81,300	\$87,350	\$93,350	\$99,400

To apply please mail or bring the filled-out paperwork, photo ID and proof of income to the Casper Area Transit Office located at **1715 East 4th Street** in Casper. Acceptable proof of income includes, but is not limited to: one month of pay stubs, food stamp card, SSI/SSID statement, or bank statement. Application needs to be done **yearly** in July with proof of income and ID. The monthly pickup form is required each month to receive tickets or tokens.

Any questions about subsidy please call 307-235-8214 or 307-235-8261.

Casper Area Transit

1715 East 4th Street, Casper WY 82601

ASSIST: 307-235-8273 LINK: 307-235-8287

casperareatransit.org

Casper Area Transit Subsidy Program and Pick up Application

July 2023 –June 2024

Applicant Name _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone Number _____ Male Female Other

Date of Birth _____ Ethnic/Racial Group (Voluntary) _____

Email Address _____

You must check all of the following that apply to you:

- | | |
|---|---|
| <input type="checkbox"/> Married (Spouse’s Name _____) | <input type="checkbox"/> Head of Household |
| <input type="checkbox"/> Unmarried (Includes Single, Divorced, Widowed) | <input type="checkbox"/> 62 Years or Older |
| <input type="checkbox"/> Under 18 years old (Age _____) | <input type="checkbox"/> Disabled/Handicapped |
| Household Size _____ | <input type="checkbox"/> United States Military Veteran |

Household Income:

List amounts of monthly income for EVERYONE in your household

Monthly Income Source	Monthly Wage Income	Monthly SSI or SSDI	Monthly Food Stamps	Monthly Other	No Income

I certify that the above statements are true and correct to the best of my knowledge. I understand that supplying false information can disqualify my application and/or subsequent registration.

Signature of Applicant

Date

OFFICE USE ONLY								
FY 2023 HUD Income Limits – Annual Income								
Income Category	Persons in Family							
	1	2	3	4	5	6	7	8
Extremely low Income (%30)	\$19,750	\$22,550	\$25,400	\$28,200	\$30,450	\$32,700	\$35,000	\$37,250
Very low Income (%50)	\$32,950	\$37,650	\$42,350	\$47,050	\$50,800	\$54,600	\$58,350	\$62,100
Low Income (%80)	\$52,700	\$60,200	\$67,750	\$75,300	\$81,300	\$87,350	\$93,350	\$99,400

Eligibility Category: Child (12 and under, Assist) Student (6 and up, Link) General Elderly/Disabled

Tickets/Tokens Issued: 40 Tokens 20 Tickets 10 Tickets/20 Tokens

Signature of Public Transit Agent

Date

City of Casper

Transit Subsidy Program Monthly Pick-Up

July 2023 – June 2024

PRINT Applicant Name: _____

Address and phone number have not changed. Check the box, then sign and date below.

If any changes to address and/or phone number, please update below.

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Signature of Person Receiving Tickets/Tokens

Date

OFFICE USE ONLY

Eligibility Category:

Child (12 and under, Assist)

Student (6 and up, Link)

General Public

Elderly/Disabled/Medicare

Tickets/Tokens Issued:

40 Tokens

20 Tickets

10 Tickets/20 Tokens

Signature of Public Transit Agent

Date



Trips Pass is Non-Refundable/Non-Transferable

ASSIST

 CASPER AREA TRANSIT DIAL-A-RIDE

307.235.8273

CASPERAREATRANSIT.ORG

TRANSIT@CASPERWY.GOV

HARLING ADDRESS FOR LOST CARDS:

**1715 EAST 4TH STREET
CASPER, WY 82601**

***Pass Replacement - \$5.00**



#59b12

Trips Pass is Non-Refundable/Non-Transferable

Casper Area LINK

307.235.8287

CASPERAREATRANSIT.ORG

TRANSIT@CASPERWY.GOV

HARLING ADDRESS FOR LOST CARDS:

**1715 EAST 4TH STREET
CASPER, WY 82601**

***Pass Replacement - \$5.00**



#a2223

November 7, 2023

MEMO TO: J. Carter Napier, City Manager 77 for JCN
FROM: Fleur Tremel, Chief of Staff
Eric Nelson, City Attorney
SUBJECT: Selection of Council Leadership & Removal

Meeting Type & Date

Council Work Session, November 14, 2023

PART I: LEADERSHIP SELECTION

Action Type

Move Forward for Formal Approval

Recommendation

That Council review the Council Leadership Election Process and provide direction and/or any changes Council may want to implement and move forward for formal approval.

Summary

According to Charter Ordinance No. 22-97, City Council elects a Mayor and Vice-Mayor (Vice President of Council) each year at the first meeting in January. In the past, Council has used a straw poll process prior to this meeting to select the Mayor and Vice Mayor that would be formally voted on during the first Council meeting of the year. The straw poll process begins by Councilors nominating a Mayor and Vice Mayor. Councilors self-nominate or nominate any other Councilor for Mayor or Vice Mayor by anonymously filling out the sheet provided and delivering to the City Clerk or by telling the Clerk. Staff ensure that Councilors accept the nomination and will then draft a ballot.

Council will then be asked to conduct a straw poll for the Mayor. The ballots will then be counted by the City Attorney and the City Clerk. The selected Mayor will be announced, and then the Vice Mayor ballot will be likewise distributed, counted, and announced. The Councilors selected for Mayor and Vice Mayor will then be moved forward for formal approval in January.

Recently, beginning in 2021, there were several names on each straw poll ballot, which could result in a tie or a lack of a majority. The options to avoid this would be to do a run off or use rank choice voting. A ranked-choice voting system is a system in which voters rank candidates by preference on their ballots. If a candidate wins a majority of first-preference votes, that person is declared the winner. If no candidate wins a majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. First-preference votes cast for the failed candidate are eliminated, lifting the second-preference choices indicated on those ballots. A new tally is conducted to determine whether any candidate has won a majority of the adjusted votes. The process is repeated until a candidate wins an outright majority.

Staff suggested the ranked choice voting in 2021 in order to simplify the process and not require Council to revote, or to have to announce which nominee would be removed from the ballot and then revote. Council has the option to direct staff to adopt process changes as necessary. Council could choose to memorialize the process or any changes in policy, so as to have a mutually accessible resource

available to future discussion along those lines.

At this time, Staff suggests memorializing the process of Council's choosing in a resolution.

PART II: AN ORDINANCE CONCERNING THE REMOVAL OF A CITY COUNCILOR FROM THE OFFICE OF MAYOR OR VICE MAYOR

Action type

Information and direction requested.

Recommendation

That City Council review the information herein and provide direction concerning potential ordinance changes.

Summary

As a City Manager form of government, the Casper City Council, pursuant to Wyo. Stat. 15-4-201, elects a mayor and vice mayor each year. These positions are not elected directly by the citizens but by the Council itself. Unlike a "strong mayor" form of government, the mayor in a city manager form of government does not have the power of veto and is largely ministerial. The mayor, and vice mayor in his/her absence, runs meetings, signs resolutions, ordinances, etc., at the direction of Council, and otherwise represents the City and Council to the public.

Currently, the Casper Municipal Code contains provisions for the removal of a councilor from City Council. This could be for non-attendance (Casper Municipal Code 2.04.100) or for a violation or for cause as defined within municipal code (Casper Municipal Code 2.64.005). In either case, the councilor is entitled to notice and an opportunity for a hearing.

There is not currently a process for removal of the mayor or vice mayor from their positions, short of removing them entirely from office. Council has the power to remove the mayor or vice mayor from their respective positions without removing them from Council. To establish a process, an ordinance amendment needs to be adopted.

There are several ways this could be structured. Any ordinance amendment would require at a minimum notice to the mayor or vice mayor that the Council intends to proceed with a removal vote. Council could adopt criteria for removal or could leave it open-ended. Council could require a public hearing or could allow the individual subject to removal to have the opportunity to request a public hearing. Council could require a simple majority or a super majority in order to remove the mayor or vice mayor. Finally, any process should address how to fill either spot if it is vacated. Staff is requesting direction on this issue.

Financial Considerations

None at this time.

Oversight/Project Responsibility

City Clerk

City Attorney

Attachments

Casper Municipal Code - Chapter 2.64

Chapter 2.64 REMOVAL OR CENSOR OF PUBLIC OFFICIALS¹

2.64.005 Definitions.

"For cause" means:

1. Gross and persistent delinquency in being absent from regular meetings of the council. Absence from three consecutive meetings without reasonable excuse shall be evidence of such delinquency;
2. Conviction of a felony;
3. Failing the residency requirements as defined in Section 2.04.030;
4. Determination by a court having jurisdiction to be insane or mentally incompetent;
5. Conviction of a crime involving moral turpitude or constituting a breach of oath of office;
6. Refusing to take the oath of office or to give or renew an official bond if required by law;
7. Conviction of any crime involving ethics or malfeasance; including, but not limited to conviction of the crime of malfeasance pursuant to W.S. § 15-1-113(m), as it may, from time to time, be amended;
8. Violation of W.S. §§ 9-13-101 et seq., 12-4-103(a)(i), 15-1-127, 15-1-128, or 16-6-118, or Section 5.08.100(A)(1), as they may, from time to time, be amended;
9. Violation of any provision of the public service code of ethics as set forth in Chapter 2.60, or violation of any other law or ordinance involving ethics, as they may, from time to time, be amended;
10. Sexually [sexual] harassment of, workplace violence act against, or creation of a hostile work environment for any agent or employee of the city as set forth in the city personnel rules and regulations manual, dated August 20, 2002, as it may, from time to time, be amended.

(Ord. 11-99 § 2, 1999)

(Ord. No. 22-14, § 2, 9-2-2014)

2.64.010 Authorization.

- A. Any joint powers board member or other board member appointed by the city council may be removed from office at will at any time by a vote of a majority of all the elected members of the city council.
- B. Any city councilman may be removed from office, for cause, by a vote of a two-thirds majority of all members of the city council after following the procedures set forth in Section 2.64.020 for the removal of any such city councilman.

(Ord. 11-99 § 3, 1999: prior code § 2-71)

(Ord. No. 22-14, § 3, 9-2-2014)

¹Editor's note(s)—Ord. No. 22-14, § 1, adopted September 2, 2014, amended the title of Ch. 2.64 to read as set out herein. Previously Ch. 2.64 was titled removal of officials.

2.64.020 Procedure.

The following procedures shall be followed for the removal of any city councilman by the city council for any of the "for cause" reasons specified in Section 2.64.005:

1. The city council may, by a resolution approved by a two-thirds majority vote of all of the elected members of the city council, refer any alleged "for cause" conduct to an independent hearing officer who shall be a current member of the state bar association. Said hearing officer shall be retained by the city for hearing the allegations as specified, and set forth in the resolution.
2. The hearing officer shall follow the hearing procedures of a contested case pursuant to the Wyoming Administrative Procedure Act (W.S. § 16-3-101 et seq.) in any removal proceeding.
3. Recognizing that the city attorney's office has a conflict of interest in prosecuting the city's position in any such hearing, the city shall be represented by a special city attorney retained by the city council for the purposes of this hearing.
4. The hearing officer shall state his or her findings in writing and whether or not "for cause" exists for the removal of such councilmember, which shall be forwarded to the members of the city council within ten days after the conclusion of the hearing. The decision of the hearing officer shall be appealable under the provisions of the Wyoming Administrative Procedures Act.
5. Upon a final decision by the hearing officer finding that the alleged "for cause" conduct has occurred, the councilman may be removed from office or censored by a two-thirds majority vote of all of the elected members of the city council. The vote to remove or censor councilman by the city council is a final decision, shall not be appealable, and the seat held by such councilman shall be vacated.

(Ord. 11-99 § 5, 1999)

(Ord. No. 22-14, § 4, 9-2-2014)