

## COUNCIL WORK SESSION

Tuesday, April 26, 2016, 4:30 p.m.  
Casper City Hall  
Council Meeting Room

### AGENDA

1. 21st & Wyoming Blvd. Snow Storage (Andrew Beamer)
2. Discharge of Firearms Ordinance Amendment (Bill Luben)
3. State Land Offer (Liz Becher)
4. Retirement Incentive Plan (Tracey Belser, Zulima Lopez)
5. Budget Review (V.H. McDonald)
6. City Manager Report
7. Future Agenda Review
8. Council Around the Table

Mayor Sandoval called the meeting to order at 4:36 p.m. with the following Councilmembers present: Councilman Johnson, Heili, Pacheco, Schlager, Miller, Hopkins, Powell, and Sandoval. Councilman Cathey was absent.

Mayor Sandoval introduced Public Services Director, Andrew Beamer, to discuss the City's snow storage at 21<sup>st</sup> Street and Wyoming Blvd. Mr. Beamer began by giving a brief overview of the topic, explaining that the City uses this location as a snow removal site for east Casper neighborhoods. He then discussed the findings that Staff was tasked by Council to research at a previous work session. He presented a contour map showing the drainage from this snow storage area, which showed that melting snow drains towards Wyoming Blvd. and discharges on the east side of that road. There is also an existing berm that surrounds the snow storage area preventing any melting snow from the snow storage to drain towards the houses that surround it.

Mr. Beamer then discussed the alternative storage sites for the City. The only reasonable alternative would be to store the snow at the Bryan Stock Trail site where snow is stored for other areas of the City. Because this site is several miles away from the east side of town, using that site as an alternative would cost the City an estimated \$80,000 to use. The increased distance to that site will also cause the snow to be cleared from the roads at a slower rate. Also, if that site was used, the City would eventually run out of space there and would need to find an additional site.

Mr. Beamer then discussed some of the other issues that the homeowners had and what the City could do to address those issues. These included putting up a fence to keep unwanted vehicles out of the area, continuing to clean up the debris from the area at the end of the season, and restricting the snow dumping hours to between the hours of 7:00 a.m. to 9:00 p.m. He added that during significant snow events, some trucks will still need to run on site during those restricted hours, but no new snow will be dumped there. Councilman Hopkins asked how many days a year there is a significant amount of snow dumped at that site. Mr. Beamer responded that there were five days last year that were significant snow events. A citizen asked why the City does not have to follow the noise ordinance for vehicles moving around snow at night. City Attorney Luben responded

that snow removal is necessary for emergency access for police and fire, and emergency work is exempt from the noise ordinance.

Councilman Heili asked about pushing the snow to the sides of the road instead of hauling it to a snow removal site. Mr. Beamer responded that this would block driveways and block in cars. Also, because of the wind in Casper, there would be an issue with snow drifts. Many of the streets are also not wide enough to just plow the snow to the middle of the street. A citizen asked why we cannot dump the snow into the river. Mr. Beamer replied that this would cause environmental issues and would contaminate the river water, because it would not be treated first.

Some citizens stated that they did not think the contour map was accurate. Mr. Beamer stated that it is accurate, and that it is a recent map. He also noted that the area is covered with an asphalt layer that makes it impervious, so the melting snow does not melt into the ground but follows the contours. Some citizens also stated that they thought that there was a break in the berm. Mr. Beamer replied that he inspected the berm last month and did not see any problems, but if the berm has failed the City will fix it. Council discussed hiring a civil engineering firm to examine the berm and contours to make sure they are functioning appropriately.

City Attorney Bill Luben then addressed concerns regarding the zoning of the land. He stated that the statute mandates that the City can formally vacate land with notice, and that is what occurred many years ago with this land. The City can and has vacated park land in the past and rezoned it if it has not been developed into a park. City Manager McDonald explained that rezoning land requires a public hearing, so when this land was originally rezoned, the public was given the opportunity to object. He stated that the plat is dedicated to the City and the parks historic zoning means that the land is open space. It is not designated as a park, and can be rezoned at a future time. A citizen asked what the long term use of that area will be. Mayor Sandoval stated that for the time being, it will continue to be used as a snow storage site. Councilman Powell stated that the City cannot make promises that may bind future Councils. If there are plans to develop the land, there will be public hearings to discuss those plans.

Mayor Sandoval summarized the Council's direction on this issue which included hiring an engineering firm to investigate the drainage, installing fencing around the area, limiting the nighttime hours of operation for snow dumping, and adding signage stating that the property cannot be used for private motor vehicles or trash dumping.

Next, City Attorney Bill Luben discussed changing the amending Section 9.44.030 of the Casper Municipal Code Pertaining to Discharge of Firearms and Other Weapons. The change would remove the requirement that the City enter into a written agreement with individuals or business owners for the use of firearms or other weapons within city limits. He stated that these agreements are redundant and subject the City to potential liabilities, because the City may be required to provide oversight to a shooting range's operations. The amended ordinance would simply state that firearms can be discharged in an area zoned or otherwise allowed by conditional use permit. This would require shooting ranges to abide by current safety codes and O.S.H.A. (Occupational Safety and Health Administration) and E.P.A. (Environmental Protection Agency) requirements. He added that written agreements for city owned or leased property would still apply, because the

City does provide oversight to those locations. Council voted to move forward with approving the amendment.

Next, Liz Becher, Assistant City Manager/Community Development Director, discussed a land offer related to the state office building that will be built in Casper. She began by giving a background on the office building. City Staff and the State have been involved in discussions for the development of accessibility for these offices, including parking. The State is interested in purchasing a six acre lot from the City located on Midwest Avenue for this purpose. The land is currently estimated to be worth \$8.00 per square foot, so the total estimated value of the lot is \$2 million. The State is offering to purchase the land for \$770,000. Councilman Powell added that the State will be paying the full cost of development of the parking lot. They have opted for a surface parking lot as opposed to a parking structure.

Ms. Becher explained that a key discussion point over the last year has been after hours parking for Casper citizens. Staff has reiterated to the State that the City would like shared parking during those hours. Councilman Powell stated that if the State does not want to agree on shared parking, the City is prepared to not go through with the deal. City Manager McDonald added that the shared parking is included in the value of the exchange. The City is considering selling the land at a discounted rate in exchange for public use of the parking lot after hours.

Councilman Heili asked about the Rail to Trail Pathway. Ms. Becher stated that the pathway will be incorporated into the design. She explained that the long term development plan included landscaping and may incorporate a state campus in the future. The remediation of the wells will also be dealt with by the State. She stated that currently no date for the purchase of this lot has been set, but if it occurs it will not be until after July 1, 2016.

Next, Tracey Belser, Assistant City Manager/Support Services Director, and Zulima Lopez, Assistant Support Services Director/Human Resources Director, discussed the Retirement Incentive Plan. Ms. Lopez began by explaining that the voluntary plan was developed in order to incentivize those employees who are eligible for retirement to leave the City which will help decrease personnel costs. She then summarized the proposed offer that will be offered to the 53 employees who are eligible for retirement. The offer includes \$50 per month of service pay out up to 20 years, continued paid employer portion of health insurance through December 2016, 100% pay out of vacation banks, and 50% pay out of disability banks. These employees will have 45 days to consider the offer, and June 10 will be the final day for a decision. After signing the agreement, the employee will have seven days to reconsider and void it. The final work date for these employees will be June 30 in order for the personnel savings to be realized in the next fiscal year.

Councilman Powell expressed concern over the loss of institutional knowledge from those eligible employees who are in management positions. Ms. Belser responded that this liability already exists, because these individuals could choose to retire at any time regardless of the incentive plan. This plan just forces the City's hand in getting their succession plans in order. Ms. Lopez added that there are many employees who have been employed by the City for a long period of time who are not eligible, so the City will still have a great deal of employees who are experienced.

Councilman Miller asked if all of these positions will be given a no rehire status. Ms. Lopez stated that safety positions will be refilled, and there will be objective criteria for how to handle the other positions; restructuring will be considered. She added that even if a position is refilled by an external individual, the City will realize savings, because those employees will most likely be paid less and will have less leave time. She stated that this plan was based strategically on the organization as a whole and not on individual employees. City Manager McDonald stated that these jobs will be reviewed and addressed along the way. The budget problems can be solved through personnel, and retirements will help to prevent forced separations. Councilman Schlager expressed concern that the employees who are eligible may fear that they will lose their jobs regardless if they take the offer or not. City Manager McDonald responded that those decisions will use criteria separate from retirement eligibility and that the City will not make decisions in that way. He explained that the City is developing a ten year run out plan that will help to gradually decrease employee numbers.

Councilman Heili asked if there will be rehire terms in the agreement. Ms. Belser replied that employees will not be able to rehire full time by the City but could work part time or seasonally. Councilman Heili asked if there are any risks to the City in not offering this package to every employee. City Manager McDonald responded that the plan was developed to target those employees who are truly at retirement point and may already be considering leaving the City to retire. Ms. Belser added that this is our first option, and if it does not work out, the City will need to look at other alternatives. City Manager McDonald stated that if 18 of the general fund employees take the offer, the City will be in a good place. Not enough employees taking the offer will lead to involuntary separations.

Councilman Hopkins asked how many of the eligible employees have more than 20 years of service and Ms. Lopez responded 80%. Due to this fact, Council voted to remove the 20 year cap for the \$50 per month of service pay out. Council voted to authorize the retirement incentives. Staff's next step will be notifying the eligible employees.

Next, City Manager McDonald updated Council on the state of the budget. He stated that things appear to be flattening out. Staff is in the final days of putting the budget book together, and it will be provided to Council by May 15. Council's budget meetings are scheduled for May 23, 25, and 26. The last day may be optional, because many of the Councilmembers will not be able to attend. City Manager McDonald stated that the format for these meeting will be different than past years, and will focus more on the future of the City and service levels.

City Manager McDonald stated that he will be attending a City Manager's meeting in Montana from May 4 through May 6, so he will be out of town on those days.

Next, City Manager McDonald reviewed the agenda for the May 3, 2016 Regular Council Meeting.

Next, Council went around the table to discuss their respective board meetings.

Mayor Sandoval adjourned the meeting at 7:08 p.m.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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Tracey L. Belser  
City Clerk

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Daniel Sandoval  
Mayor