

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
September 1, 2015

Casper City Council met in regular session at 6:00 p.m., Tuesday, September 1, 2015. Present: Councilmen Cathey, Hopkins, Johnson, Mundell, Pacheco, Sandoval, Schlager and Mayor Powell.

Mayor Powell led the audience in the Pledge of Allegiance.

Moved by Councilman Hopkins, seconded by Councilman Pacheco, to, by minute action, approve the minutes of the August 18, 2015, regular Council meeting, as published in the Casper-Star Tribune on August 29, 2015. Motion passed.

Moved by Councilman Johnson, seconded by Councilman Cathey, to, by minute action, approve payment of the September 1, 2015, bills and claims, as audited by City Manager Patterson. Mayor Powell noted he wished to abstain from voting on invoices pertaining to Park Ridge Behavioral Healthcare. Motion passed.

Bills & Claims
09/01/15

AAALandscaping	Services	\$450.00
AakerSigns	Goods	\$358.25
AKloke	Reimb	\$121.05
AMBI	Services	\$134.79
AmericanTitle	Services	\$10,000.00
ANelson	Reimb	\$252.80
APedersen	Refund	\$19.72
B Worley	Reimb	\$75.00
B&BSales	Services	\$1,635.48
Balefill	Services	\$55,284.68
BankOfAmerica	Goods	\$245,133.04
BarDSigns	Goods	\$608.00
Bentz'sTownPump	Goods	\$747.37
Brenntag	Goods	\$25,669.11
Burns&McDonnellEngineering	Services	\$2,925.45
BWInsurance	Services	\$21,594.00
C Simons	Reimb	\$34.37
Carus	Goods	\$7,560.00
Caselle	Services	\$150.00
CasperPubSafetyComm	Services	\$1,832.05
CCook	Reimb	\$3,750.00
CDWGvmt	Goods	\$1,832.43
Centurylink	Services	\$654.32
ChamberofCommerce	Goods	\$31,771.00
CIGNA	Services	\$12,016.92

CityofCasper	Services	\$10,530.84
CKrugler	Reimb	\$11.85
CNICHealthSolutions	Services	\$94.62
CntrlWySftbl	Funding	\$6,000.00
Comanco	Services	\$8,791.75
CRootJr.	Reimb	\$104.99
CtrlWyGraphics	Svc	\$100.00
D Boomsma	Reimb	\$100.00
DaleBuckinghamArchitects	Projects	\$1,891.89
DavidsonFixedIncome	Services	\$6,857.70
DClarke	Refund	\$55.66
DCourtade	Reimb	\$106.00
Dell	Goods	\$4,129.57
DeltaDental	Services	\$43,738.96
DesertMtn	Goods	\$15,402.95
DFS	Services	\$10.00
DGriswold	Reimb	\$866.85
DoubleDWelding	Services	\$718.00
DowntownCasperBusinessAssociation	Refund	\$1,333.33
EMBGolfCarts	Goods	\$124.04
EPolson	Refund	\$19.05
FirstData	Services	\$1,719.27
FirstInterstateBank	Services	\$174.88
FischerAutoBody	Services	\$1,678.59
GKassay	Reimb	\$257.13
Granicus	Services	\$725.00
HaassConstruction	Projects	\$87,488.73
HaseldenWYConst	Services	\$5,845.30
HDR Engineering	Projects	\$6,426.80
HewlettPackard	Goods	\$650.71
InbergMillerEngineers	Services	\$2,187.50
Installation&Svc	Projects	\$71,595.00
InterColiseumsCo	Services	\$16,936.63
J Gall	Reimb	\$76.06
JacobsEngineeringGroup	Services	\$8,713.60
JGerhart	Reimb	\$49.86
JGlass	Refund	\$69.17
JKollmann	Reimb	\$118.75
JTiller	Reimb	\$191.68
JTLGroup	Services	\$497,147.69
KadmasLeeJackson	Services	\$29,301.41
Kone	Services	\$29,314.00
LaborReady	Services	\$1,270.00
LGriffith	Reimb	\$75.00
LHallock	Reimb	\$3,750.00
LifeHlth	Services	\$88,833.00

LongBuildingTech	Services	\$52,099.35
LWinesburg	Refund	\$28.51
MBerninzoni	Refund	\$33.97
McMurryReadyMix	Goods	\$1,505.51
Microsoft	Services	\$3,500.90
Motorola	Goods	\$29,674.12
MRoden	Reimb	\$1,500.00
N Rennich	Reimb	\$65.24
NC Clerk	Services	\$360.00
NevesUniforms	Goods	\$292.17
NewcomTechnologies	Services	\$1,200.00
NMatthews	Refund	\$13.01
OlsonAutobody	Services	\$7,204.02
PBrooker	Services	\$600.00
PorterMuirhead	Services	\$20,000.00
PostalPros	Services	\$3,126.02
PvrtyRestncFoodPntry	Funding	\$750.00
RockyMtnPower	Services	\$136,560.00
RotaryClub	Dues	\$217.00
RSchulenberg	Reimb	\$500.00
SamParsonsUpholstery	Services	\$265.60
SDunnuck	Reimb	\$9.44
Siteimprove	Services	\$2,500.00
Smarsh	Services	\$2,019.50
SourceGas	Services	\$11,927.98
StarLineFeeds	Goods	\$562.95
StealthPartnerGroup	Services	\$64,533.40
StellarProgramming	Services	\$3,740.00
StrtgcGvtRsrc	Services	\$9,591.53
SWTurf	Sod	\$648.95
SyscoFoodSvcs	Goods	\$2,454.99
TretoConstruction	Projects	\$3,260.00
TurnkeyServices	Services	\$4,961.72
Vaughn'sPublishing	Goods	\$120.00
VisionServicePlan	Services	\$1,453.30
Visits	Services	\$132.55
WasteWaterTreatment	Funding	\$600.00
WayneColemanConstruction	Projects	\$33,733.54
WBeer	Reimb	\$86.50
WBohman	Reimb	\$329.80
WERCSCommunications	Services	\$1,527.50
WesternPlainsLandscaping	Services	\$8,125.35
WesternWaterConsult	Services	\$40,565.96
WestPlainsEngineering	Services	\$3,400.00
WorthingtonLenhart&Carpenter	Services	\$40,987.02
WYDOT	Services	\$6,027.70

WYFdBnk	Funding	\$91,475.00
ZSzekely	Services	\$4,230.65
		\$1,978,694.39

Mayor Powell recognized Aaron Kloke, City of Casper Associate Planner, as the recipient of the Planner of the Year New Professional Award from the Wyoming Planning Association. Mayor Powell presented him with a plaque and congratulated him on his success.

Mayor Powell then explained the process for filling the Ward II City Councilman vacancy and invited John Kirlin, a candidate for the vacancy, to come forward. Mr. Kirlin's schedule would not allow him to attend the scheduled interviews on September 2, 2015. Mr. Kirlin addressed the five (5) questions that Council had presented for all candidates to address. Upon conclusion, Mr. Kirlin thanked Council for the opportunity to interview for the position.

Moved by Councilman Mundell, seconded by Councilman Cathey, to, by minute action: establish September 15, 2015, as the public hearing date for the consideration of the fiscal year 2014-2015 Community Development Block Grant Consolidated Annual Performance and Evaluation Report; and the demolition report and assessing real property for demolition costs at 520 South Kimball Street.

Mayor Powell opened the public hearing for the consideration of the motor vehicle noise ordinance.

City Attorney Luben entered two (2) exhibits: Correspondence from Jim Wetzel, to John Patterson, dated August 7, 2015 and an Affidavit of Publication, as published in the Casper-Star Tribune, dated August 25, 2015. City Manager Patterson provided a brief report. City Attorney Luben provided further background information on the topic.

Speaking in support was Mary Lou Morrison, 845 E. 3rd Street.

Speaking in opposition was: Jim Porter, 1801 Fairwood Common; Marla Troutman, 52 Gardenia; Frank Flanagan, 6517 Terrace Drive; Mark Reid, 1355 S. Laurel; Tony Arrivis, 653 ½ CY Ave; Tyler Roberts, 1066 Lakeview Lane; Dave Wolosin, 818 E. 15th; Paul Paad, 2781 Cherokee; Hank Estebo, 2816 Cherokee; Chad Steiner, 721 St. John; David Brubaker, 252 E. "G"; Steve Olson, 1262 E. 15th; Melissa Anderson, 827 East "A"; Nick Wales, 906 E. 17th; Ryan Steppe, 1440 Ivy Lane; Kevin Eberle, 4130 Kodiak; Jason Triplett, 5491 W. Yellowstone; Jason Schmeltzer, 1225 ½ S. Ash; Greg Breed, 3611 Vista Royale; Russ Reddick, 2703 Kitty Hawk; Mike Harrison, 742 N. Jefferson; Jack Brungardt, 206 E. "G"; Matt Hurston, 5210 Blackmore; and Darren Paul, 959 Fossil Butte.

There being no others to speak for or against the issues involving the motor vehicle noise ordinance, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 22-15
AN ORDINANCE AMENDING SECTIONS 8.20.040 AND
8.20.050, AND REPEALING SECTION 10.20.050 OF THE
CASPER MUNICIPAL CODE PERTAINING TO MOTOR
VEHICLE NOISE.

Councilman Johnson presented the foregoing ordinance for approval, on first reading. Seconded by Councilman Schlager. After some discussion, all voted nay, and the motion failed.

Councilman Cathey recused himself from the discussion and left the room.

Mayor Powell opened the public hearing for the consideration of the issuance of a Bar and Grill Liquor License to Marco's Coal Fired Pizza, Casper, LLC, d.b.a. Racca's Pizzeria Napoletana, located at 319 West Midwest Avenue.

City Attorney Luben entered three (3) exhibits: Correspondence from V.H. McDonald, to John Patterson, dated September 1, 2015, an affidavit of publication, as published in the Casper-Star Tribune, dated August 12, 2015; and an affidavit of website publication, as published on the City of Casper website, dated July 24, 2015. City Manager Patterson provided a brief report.

Speaking in support was; Holly Turner, Executive Director Casper Artist's Guild; Elliott Ramage, 233 E. 12th Street; John Griffith, 915 S. Lincoln; Mark Dym, Golden, Colorado; Dennis Steensland, 533 S. Washington; and John Huff, 824 W. Yellowstone.

There being no others to speak for or against the issues involving the Bar and Grill Liquor license, the public hearing was closed.

Moved by Councilman Sandoval, seconded by Councilman Hopkins, to, by minute action, authorize the issuance of the Bar and Grill Liquor License. Motion passed.

Councilman Cathey returned to the meeting.

The following ordinance was considered, on third reading, by consent agenda.

ORDINANCE NO. 20-15
AN ORDINANCE AMENDING SECTION 9.24.040 OF THE
CASPER MUNICIPAL CODE PERTAINING TO
PROSTITUTION.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

Section 1:

Section 9.24.040 of the Casper Municipal Code shall hereby be amended to read as follows:

Section 2:

This ordinance shall become in full force and effect upon passage on third reading and publication.

9.24.040 — Prostitution — Defined — Prohibited

A.

For the purposes of this section:

1. "Prostitution" means ~~knowingly or intentionally performing or permitting, or offering or agreeing to perform, any act of sexual intrusion for money or other consideration;~~ ANY PERSON WHO PERFORMS, OFFERS OR AGREES TO PERFORM ANY ACT OF SEXUAL INTRUSION AS DEFINED IN THIS SUBSECTION FOR ANY MONEY, PROPERTY, TOKEN, OBJECT, OR ARTICLE OR ANYTHING OF VALUE, OR ANY TOUCHING OR FONDLING OF THE SEX ORGANS OF ONE PERSON BY ANOTHER PERSON FOR ANY MONEY, PROPERTY, TOKEN, OBJECT OR ARTICLE OR ANYTHING OF VALUE, FOR THE PURPOSE OF SEXUAL AROUSAL OR GRATIFICATION COMMITS AN ACT OF PROSTITUTION.

PASSED on first reading this 4th day of August, 2015.

PASSED on second reading this 18th day of August, 2015.

PASSED, APPROVED AND ADOPTED on third and final reading this 1st day of September, 2015.

Councilman Johnson presented the one (1) foregoing consent agenda ordinance for adoption, on third reading. Seconded by Council Mundell. Councilman Sandoval voted nay. Motion passed.

The following ordinance was considered, on second reading, by consent agenda.

ORDINANCE NO. 21-15

AN ORDINANCE CREATING SECTION 2.36.080 OF THE CASPER MUNICIPAL CODE PERTAINING TO THE POWERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY.

Councilman Johnson presented the foregoing one (1) ordinance for adoption, on second reading, by consent agenda. Seconded by Councilman Hopkins. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 15-249

A RESOLUTION AUTHORIZING THE ASSISTANT CITY MANAGER TO ACT DURING THE ABSENCE OR DISABILITY OF THE CITY MANAGER

RESOLUTION NO. 15-250

A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH J & J HOCKEY SHOPS, LLC FOR OPERATION OF A PRO SHOP AT THE CASPER ICE ARENA.

RESOLUTION NO. 15-251

A RESOLUTION AUTHORIZING AN AGREEMENT WITH HYDRO CONSTRUCTION COMPANY, INC., FOR THE SAM H. HOBBS REGIONAL WASTEWATER TREATMENT

FACILITY ANAEROBIC DIGESTER #2 IMPROVEMENTS,
PROJECT 15-38.

RESOLUTION NO. 15-252

A RESOLUTION AUTHORIZING APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH NATRONA COUNTY IN REGARDS TO FUNDING FOR THE CONSTRUCTION OF PHASE I OF A TRAIL THAT SHALL EXTEND FROM CASPER COLLEGE TO ROTARY PARK.

RESOLUTION NO. 15-253

A RESOLUTION AUTHORIZING AN AGREEMENT WITH ITC ELECTRICAL TECHNOLOGIES, FOR THE SAM H. HOBBS REGIONAL WASTEWATER TREATMENT FACILITY PROGRAMMABLE LOGIC CONTROLLER UPGRADES, PROJECT 13-67.

RESOLUTION NO. 15-254

A RESOLUTION AUTHORIZING A WARRANTY DEED FOR CLOSING ON A PURCHASE OPTION BEING EXERCISED BY THE CASPER ARTIST'S GUILD, INC. FOR 321 WEST MIDWEST AVENUE.

Councilman Johnson presented the foregoing six (6) resolutions for adoption. Seconded by Councilman Mundell. Councilman Cathey voted nay on Resolution No. 15-252. Motion passed.

Individuals addressing the Council were: Woody Giles, 290 Magnolia, regarding property values; and Mary Anne Divittorio, 222 W. "B", thanking Council for their hard work.

Mayor Powell noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, September 8, 2015, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, September 15, 2015, in the Council Chambers.

Moved by Councilman Cathey, seconded by Councilman Sandoval, to, by minute action adjourn. Motion passed.

The meeting was adjourned at 8:45 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

V. H. McDonald
City Clerk

Charlie Powell
Mayor