

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
October 4, 2016

Casper City Council met in regular session at 6:00 p.m., Tuesday, October 4, 2016. Present: Cathey, Heili, Hopkins, Humphrey Johnson, Pacheco, Powell, and Mayor Sandoval. Absent: Councilman Miller.

Moved by Councilman Johnson, seconded by Councilman Humphrey, to, by minute action, excuse the absence of Councilman Miller. Motion passed.

Mayor Sandoval led the audience in the Pledge of Allegiance.

Moved by Councilman Pacheco, seconded by Councilman Hopkins, to, by minute action, approve the minutes of the September 20, 2016, regular Council meeting, as published in the Casper-Star Tribune on September 26, 2016. Motion passed.

Moved by Councilman Cathey, seconded by Councilman Powell, to, by minute action, approve payment of the October 4, 2016, bills and claims, as audited by City Manager McDonald. Motion passed.

Bills & Claims		
10/04/16		
5TrailsRotary	Services	\$350.00
71Construction	Projects	\$58,907.83
A-1	Services	\$110.00
ACSGovtSys	Goods	\$15,740.00
AllansConcrete	Services	\$2,000.00
AMBI	Services	\$98.39
ArrowheadHeating	Services	\$180.00
ASteelman	Refund	\$50.57
AtlanticElectric	Services	\$545.00
B&BSales	Services	\$3,094.43
Balefill	Services	\$132,213.12
BankOfAmerica	Goods	\$235,957.94
BigWind	Services	\$30.00
BJones	Refund	\$5.31
Brenntag	Goods	\$93,452.04
BrnInjAssocofWy	Funds	\$4,752.20
Burns&McDonnellEngineering	Services	\$16,094.32
CasperHousingAuth	Projects	\$560.00
CasperPubSafetyComm	Services	\$2,497.16
CasperPubUtilities	Services	\$125.54
CATC	Funding	\$146,813.00
CDWGvmt	Goods	\$205.80
Century21	Refund	\$59.71
Centurylink	Services	\$1,273.08

CHanamaikai	Reimb	\$76.37
ChildrensAdvocacyProject	Funding	\$36,000.00
CIGNA	Services	\$12,308.30
CityofCasper	Services	\$10,477.34
CivilEngineeringProfessionals	Projects	\$78,749.33
CKMechanical	Services	\$441.00
CMaib	Refund	\$22.20
CollectionCenter	Services	\$578.77
Comtronix	Services	\$827.47
Danken	Refund	\$50.00
DeltaDental	Services	\$49,744.00
DPCIndustries	Goods	\$21,986.50
DRaatz	Reimb	\$75.00
DvdsnFxdMgmt	Services	\$6,203.56
FirstData	Services	\$10,717.39
FirstInterstateBank	Services	\$6,322.89
GGriswold	Refund	\$43.32
GolderAssociates	Services	\$12,058.73
GreenTreeArbor	Services	\$436.19
GSGArchitecture	Services	\$24,816.33
Hach	Goods	\$650.67
HealthSolutions	Services	\$1,080.00
HoleshotLawnCare	Services	\$1,953.64
Homax	Goods	\$2,456.05
Installation&Svc	Projects	\$19,282.50
IntegrityTank	Supplies	\$19,950.92
ITCElec	Services	\$2,539.26
JMaki	Reimb	\$200.00
JTLGroup	Services	\$167,546.69
JVolk	Refund	\$60.07
JWatters	Refund	\$527.15
K Suba	Reimb	\$40.89
KHancock	Refund	\$56.80
KubwaterResources	Goods	\$9,678.03
LaborReady	Services	\$1,095.99
Leonbro	Services	\$100,780.20
LevisBackhoe	Services	\$7,500.00
LnlnNtlLife	Services	\$290.50
LSCTrans	Svc	\$5,749.95
MAllen	Refund	\$500.00
McMurryReadyMix	Goods	\$237.00
MOgden	Reimb	\$186.55
NationalBenefitServices	Services	\$563.00
NCHHealth Dept	Funding	\$540,000.00
NevesUniforms	Goods	\$3,447.79
OneCallofWy	Services	\$1,287.00
PBrooker	Services	\$300.00

PBynum	Refund	\$1,029.68
PepperTank	Goods	\$150.00
Pepsi	Goods	\$1,950.50
PlatteRiverCrossing	Funding	\$4,102.88
Pntwrks	Services	\$362.01
PostalPros	Services	\$11,410.79
ProFlooring	Services	\$19,417.00
R Shellenberger	Reimb	\$36.00
RLiechty	Refund	\$50.57
RMattox	Refund	\$14.58
RockyMtnPower	Services	\$112,887.82
SchererBroConst	Goods	\$7,422.00
SchwartzBonWalkerStuder	Services	\$4,474.65
SeniorPatientAdvocates	Services	\$450.00
ShoshoneDistributing	Goods	\$1,131.00
SkylineRanches	Services	\$245.74
SourceGas	Services	\$15,627.18
SpectraVenue	Services	\$182,613.00
SStewart	Refund	\$43.81
StealthPartnerGroup	Services	\$58,052.10
SWells	Services	\$4,000.00
SWheeler	Reimb	\$594.00
SyscoFoodSvcs	Goods	\$2,318.08
TElhart	Reimb	\$186.70
Terracon	Goods	\$290.00
UrbanInteractive	Services	\$250.00
VentureTech/ISC	Services	\$1,362.72
VentureTechnologies	Goods	\$625.77
VisionServicePlan	Services	\$1,660.70
WardwellWater&Sewer	Services	\$136.60
WasteWaterTreatment	Funding	\$301,560.24
WERCSCCommunications	Services	\$1,527.50
WesternBusiness	Services	\$495.00
WesternWaterConsult	Services	\$54,577.04
WestlandPark	Services	\$1,650.57
WestPlainsEngineering	Services	\$300.00
WorthingtonLenhart&Carpenter	Services	\$10,242.75
WScott	Refund	\$38.16
WyChldFmlyDev	Funds	\$898.96
WYDOT	Services	\$2,395.05
WYFdBnk	Funding	\$91,475.00
WyLawEnforcementAcademy	Services	\$620.00
WYWtrQlty	Goods	\$1,340.00
YouthCrisisCenter	Funding	\$4,478.60
ZLowndes	Reimb	\$376.88
		\$2,779,882.41

Mayor Sandoval greeted members of the Casper Historic Preservation Commission (CHPC), and described the remarkable amount of work they carried out to nominate the Downtown Historic District for the National Register of Historic Places. He then congratulated them in their receipt of the Wyoming Preservation Award which was presented at the Preserve Wyoming Conference. Next he presented Peggy Brooker with a certificate of recognition for her 26 years of service with the CHPC, and thanked her for her preservation efforts in the community.

Moved by Councilman Heili, seconded by Councilman Hopkins, to, by minute action, establish October 18, 2016, as the public hearing date for the consideration of:

a. zone change of Lots 1-3, Block 3; Lot 1, Block 4; and Lot 1, Block 2; Harmony Hills Addition No. 2, Phase 2; located at 1725, 1625, 1575, 1525, and 4911 Yesness Court, from C-2 (General Business) to R-2 (One Unit Residential); and,

Establish November 1, 2016, as the public hearing date for consideration of:

a. transfer of ownership for Microbrewery License No. 1 for Wyoming State Brewing Company, LLC, d.b.a. Wyoming State Brewing Company, located at 256 South Center Street;

b. issuance of new Restaurant Liquor License No. 31, to Himalayan Indian Cuisine, LLC, d.b.a. Himalayan Indian Cuisine, located at 232 East 2nd Street, Suite 100B; and

c. issuance of new Restaurant Liquor License No. 9, to Shogun Restaurant Management, Inc., d.b.a. Shogun Restaurant, located at 3095 Talon Drive, Suite 400.

Motion passed.

Mayor Sandoval opened the public hearing for the sale of City-owned property generally located between Ash and Walnut Streets, and south of Midwest Avenue in the Old Yellowstone District, described as approximately 6.16 acres located within the W1/2 and SE1/4 NW1/4 of Section 9, T33N, R79W, 6th P.M., Natrona County, Wyoming

City Attorney Luben entered two (2) exhibits: correspondence from Liz Becher, to V.H. McDonald, dated September 30, 2016 and an affidavit of publication, as published in the Casper-Star Tribune, dated September 28, 2016. City Manager McDonald provided a brief report.

The following citizens asked for further details about the terms and conditions of the sale: Pat Sweeney, 951 N. Kimball; Dennis Steensland, 533 S. Washington; and Keith Goodenough, 333 S. Socony.

Speaking in opposition was Keith Rolland, 542 S. Durbin. There being no others to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 16-235

A RESOLUTION AUTHORIZING A REAL ESTATE PURCHASE AGREEMENT AND OTHER NECESSARY DOCUMENTS FOR THE SALE OF CITY-OWNED PROPERTY TO THE STATE OF WYOMING.

Councilman Powell presented the foregoing resolution for adoption. Seconded by Councilman Hopkins. Motion passed.

Mayor Sandoval opened the public hearing for the transfer of ownership of an Achilles SG-140 inflatable boat with Mercury motor and trailer and six (6) sets of dive gear to the Natrona County Sheriff's Office.

City Attorney Luben entered two (2) exhibits: correspondence from Kenneth King, to V.H. McDonald, dated September 7, 2016 and an affidavit of publication, as published in the Casper-Star Tribune, dated September 28, 2016. City Manager McDonald provided a brief report.

There being no one to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 16-236
A RESOLUTION AUTHORIZING THE TRANSFER OF
OWNERSHIP OF THE FIRE-EMS DEPARTMENT'S
INFLATABLE BOAT AND SURPLUS DIVE GEAR TO THE
NATRONA COUNTY SHERIFF'S DEPARTMENT.

Councilman Cathey presented the foregoing resolution for adoption. Seconded by Councilman Humphrey. Councilman Johnson abstained from voting. Motion passed.

Mayor Sandoval opened the public hearing for the consideration of zone change of Lots 5 & 6, Standard Oil Co. Subdivision, located at 911 CY Avenue and 1535 South Poplar Street, from R-2 (One Unit Residential) to C-2 (General Business).

City Attorney Luben entered two (2) exhibits: correspondence from Liz Becher, to V.H. McDonald, dated September 23, 2016 and an affidavit of publication, as published in the Casper-Star Tribune, dated September 20, 2016. City Manager McDonald provided a brief report.

Speaking in support was Dennis Baker, 550 N. Poplar. There being no others to speak for or against the issue, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 11-16
AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS
5 AND 6 OF THE STANDARD OIL COMPANY SUBDIVISION
IN THE CITY OF CASPER, WYOMING.

Councilman Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilman Johnson.

Mayor Sandoval asked Craig Collins, Casper City Planner, how this zoning split of a property could occur. Mr. Collins indicated that it was likely broadly applied based on a map and that the specific details were not examined at the time. Motion passed.

Mayor Sandoval opened the public hearing for the consideration of the transfer of ownership for Retail Liquor License No. 35, from the City of Casper, d.b.a. Casper Events Center, located at 1 Events Drive to Global Spectrum L.P., d.b.a. Casper Events Center, located at 1 Events Drive.

City Attorney Luben entered four (4) exhibits: correspondence from Tracey L. Belser, to V.H. McDonald, dated September 27, 2016, an affidavit of publication, as published in the Casper-Star Tribune, dated September 28, 2016, an affidavit of website publication, as published on the City of Casper website, dated September 20, 2016, and the Liquor License application filed September 12, 2016. City Manager McDonald provided a brief report.

Dennis Steensland, 533 S. Washington, asked Council about the split of profits from liquor sales at the Casper Events Center. There being no others to speak for or against the issue, the public hearing was closed.

Moved by Councilman Heili, seconded by Councilman Cathey, to, by minute action, authorize the transfer of ownership of Retail Liquor License No. 35. Motion passed.

The following ordinances were considered, on third reading, by consent agenda.

ORDINANCE NO. 9-16

AN ORDINANCE APPROVING A REPLAT, SUBDIVISION AGREEMENT AND ZONE CHANGE FOR THE PROPOSED WOLF CREEK EIGHT ADDITION, IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to replat Lots 3 and 4, and West 37th Street in Mountain Plaza Addition No. 5; and Lot 11 in Mountain Plaza Addition No. 6; to create the Wolf Creek Eight Addition, City of Casper, Wyoming; and,

WHEREAS, an application has been made to rezone all of the above described lots from zoning classifications PUD (Planned Unit Development), C-2 (General Business), and OB (Office Business) to R-2 (One Unit Residential); and,

WHEREAS, the City Council approved replats and zone changes of the subject property in 2014, via Ordinance Numbers 17-14 and 18-14; and,

WHEREAS, following approval of Ordinance Numbers 17-14 and 18-14, the Owner failed to execute and record the plat within the one (1) year limitation set forth in Section 16.24.060(F) of the Casper Municipal Code, and the plats became void; and,

WHEREAS, Ordinance Numbers 17-14 and 18-14 should be rescinded; and,

WHEREAS, a written subdivision agreement for Wolf Creek Eight will be entered into with the City of Casper, which will be approved with the replat upon third reading of this ordinance; and,

WHEREAS, this platting and rezoning requires approval by ordinance following a public hearing; and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the replat and zone change requests; and,

WHEREAS, the governing body of the City of Casper finds that the above described zone change, replat and subdivision agreement should be approved.

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

SECTION 1:

That the above described zone change is hereby approved.

SECTION 2:

The replat and subdivision agreement, as described above, are hereby approved, and the Mayor is hereby authorized and directed to execute, and the City Clerk to attest said documents.

SECTION 3:

Ordinance Number 17-14 and Ordinance 18-14 are hereby rescinded, and of no further force or effect.

SECTION 4:

This ordinance shall be in full force and effect from and after passage on three readings and publication pursuant to law.

PASSED on 1st reading the 6th day of September, 2016.

PASSED on 2nd reading the 20th day of September, 2016.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 4th day of October, 2016.

ORDINANCE NO. 10-16

AN ORDINANCE APPROVING A REPLAT, SUBDIVISION AGREEMENT AND ZONE CHANGE FOR THE PROPOSED CENTRAL WYOMING RESCUE MISSION ADDITION, IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to vacate and replat Lots K-T, Block 59 of the Eddings Subdivision, to create Central Wyoming Rescue Mission Addition, City of Casper, Wyoming; and,

WHEREAS, an application has been made to rezone the portion of the proposed Central Wyoming Rescue Mission Addition formerly described as Lots Q, R, S and T, Block 59 of the Eddings Subdivision, from M-1 (Limited Industrial) to C-3 (Central Business); and,

WHEREAS, a written subdivision agreement for Central Wyoming Rescue Mission Addition will be entered into with the City of Casper, which will be approved with the replat upon third reading of this ordinance; and,

WHEREAS, this platting and rezoning requires approval by ordinance following a public hearing; and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the replat and zone change requests; and,

WHEREAS, the governing body of the City of Casper finds that the above described zone change, replat and subdivision agreement should be approved.

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

SECTION 1:

That the above described zone change is hereby approved.

SECTION 2:

The replat and subdivision agreement, as described above, are hereby approved, and the Mayor is hereby authorized and directed to execute, and the City Clerk to attest said documents.

SECTION 3:

This ordinance shall be in full force and effect from and after passage on three readings and publication pursuant to law.

PASSED on 1st reading the 6th day of September, 2016.

PASSED on 2nd reading the 20th day of September, 2016.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 4th day of October, 2016.

Councilman Johnson presented the two (2) foregoing consent agenda ordinances for adoption, on third reading. Seconded by Council Pacheco. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 16-237

A RESOLUTION AUTHORIZING RELEASE OF LOCAL ASSESSMENT DISTRICT LIENS.

RESOLUTION NO. 16-238

A RESOLUTION AUTHORIZING A PARTICIPATION AGREEMENT WITH VANTAGETRUST COMPANY, LLC FOR THE INVESTMENT OF ASSETS WITHIN THE CITY OF CASPER RETIREMENT HEALTH SAVINGS PLAN.

RESOLUTION NO. 16-239

A RESOLUTION RENAMING WEST E STREET, LOCATED IN THE LIBERTY ADDITION, AND AUTHORIZING AND DIRECTING THE RESOLUTION TO BE RECORDED IN THE OFFICE OF THE NATRONA COUNTY CLERK.

RESOLUTION NO. 16-240

A RESOLUTION AUTHORIZING THE LEASE OF MIKE SEDAR BALLFIELD TO CASPER CRUSH, INC.

RESOLUTION NO. 16-241

A RESOLUTION AUTHORIZING AN AGREEMENT WITH 71 CONSTRUCTION, INC., FOR THE NORTH PLATTE SANITARY SEWER INTERCEPTOR CORROSION CONTROL BUILDING, PROJECT 14-54.

RESOLUTION NO. 16-242
A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE AGREEMENT WITH GRIZZLY EXCAVATION AND CONSTRUCTION, LLC., FOR A TIME EXTENSION FOR THE CASPER FAMILY YMCA BID PACKAGE NO. 2, PROJECT NO. 15-31.

RESOLUTION NO. 16-243
A RESOLUTION AUTHORIZING AN AGREEMENT WITH PRECISION DEMOLITION FOR THE 2016 RIVER RESTORATION TREE HAULING, PROJECT NO. 16-033.

Councilman Hopkins presented the foregoing seven (7) resolutions for adoption. Seconded by Councilman Powell. A vote on the resolutions resulted in all ayes, except Councilman Johnson voted nay on Resolution No. 16-239. Motion passed.

Individuals addressing the Council were: Keith Rolland, 542 S. Durbin, regarding the Old Yellowstone District; Aimee Kidd, 455 Milton, regarding staffing for investigations; Jacqueli Brown, 159 N. Wolcott, regarding funding for victim services; Pat Sweeney, 951 N. Kimball, regarding the sale of land to the State of Wyoming; Mary Anne Divittorio, 222 W. "B", regarding the renaming of W. "E" Street; Dale Zimmerle, 3035 Bellaire, regarding the Ten Commandments; Keith Goodenough, 333 S. Socony, regarding the sale of land to the State of Wyoming, judicial elections, Old Yellowstone District form based code, and funding for victim services; Tasha Blackburn, regarding victim services; Shannon Eli, 2382 Sagewood, regarding police escorts for parades; and Woody Giles, 290 E. Magnolia, regarding economic development.

Mayor Sandoval noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, October 11, 2016, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, October 18, 2016, in the Council Chambers.

At 8:25 p.m., it was moved Councilman Johnson, seconded by Councilman Cathey, to adjourn into executive session to discuss litigation. Motion passed.

At 8:51 p.m., it was moved by Councilman Pacheco, seconded by Councilman Cathey, to adjourn the executive session and regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Tracey L. Belser
City Clerk

Daniel Sandoval
Mayor