

COUNCIL WORK SESSION
Monday, April 15, 2013, 3:30 p.m.
Council Meeting Room
Casper City Hall

AGENDA

PLEASE MEET AT CITY HALL AT 3:30 P.M. FROM THERE, YOU WILL TRAVEL TO THE MUNICIPAL GOLF COURSE TO TOUR THE GOLF MAINTENANCE BUILDING.

1. Casper Area Transportation Coalition Annual Update
2. Golf Maintenance Building Replacement
3. Purchase of Aerial Fire Truck
4. Yard Waste Program
5. Zoning Notification Radius
6. Rocky Mountain Power Franchise Fees
7. Funding Community Projects
8. Casper Fire-EMS Collaborative Paramedic Health Care Initiatives
9. Executive Session – Personnel Matters/Potential Litigation/Contract Negotiations

April 1, 2013

MEMO TO: John C. Patterson, City Manager
Sally Kerpchar, MPO Manager

FROM: Marge Cole, CATC/The Bus Director

SUBJECT: CATC and The Bus Transit Service Update for Council

CATC and The Bus will provide a brief presentation regarding the history of CATC's dial-a-ride service and The Bus fixed route service. In addition the current statistics will be presented including number of trips provided to the community and the numerous funding sources that make transit service possible in Casper and the surrounding community.

Please contact us if you need additional information. Thank you for your continuing support.



CATC AND THE BUS 1982 TO THE PRESENT

Providing Successful Public Transit in the Casper Area for 33 Years

www.catcbus.com

CATC 265-1313

The Bus 237- 4287

CATC'S DIAL-A-RIDE SERVICE BEGINS JULY 1, 1982

The Casper City Council's efforts bring three separate transportation providers under one public, non-profit umbrella

- **Project Mobility, Senior Center transportation and Community Recreation transportation became Casper Area Transportation Coalition, Inc. (CATC)**
- **All vehicles and employees transferred to CATC**
- **Board members were appointed from each agency, including a liaison from the City of Casper**
- **CATC serves members of the general public including the elderly, disabled, wheelchair users, youth and transportation disadvantaged**

CATC'S FIRST YEAR

- CATC provided 56,267 trips
- All service was dial-a-ride
- Reservations for a ride were accepted no later than 3 p.m. the day before for next day service
- Trips were free, with donations encouraged and accepted
- Over time, all vehicles were replaced
- Replacement vehicles were owned by the City of Casper and leased to CATC



Passenger Dan Creager used Project Mobility to attend and graduate from NCHS.

After completing college in 1983, he rode CATC daily to and from his job at the BLM where he worked until he passed away in 2005.

THE FIRST TEN YEARS

- In 1993, CATC celebrated 1,000,000 trips provided
- Daily rider Opal Lacey won a gift certificate, jacket and free tickets. Opal rode CATC to and from the Senior Center for another ten years



Opal Lacey and driver Denise Maestas. Denise, who began driving in 2003, is still employed as a driver.

DEDICATED EMPLOYEES



**Driver Steven Lund has been employed
at CATC since 1991**

CATC CHANGES WITH THE TIMES

- **In 1993, City Council approved the implementation of a \$1 fare per one way trip**
- **Implementation of a fare initially reduced trips by approximately 20 percent**
- **Over the next 12 years, transportation need brought CATC ridership back to pre-fare levels**
- **From 1993 to 2005, CATC provided 888,000 trips**
- **In 1993-94, CATC fleet was converted to Compressed Natural Gas (CNG). CNG is no longer in use**
- **One current CATC Bus is Hybrid Electric and Gasoline, which saves approximately 3 miles per gallon compared to a standard bus**
- **Two new Fixed Route replacement buses use the latest environmentally-friendly Diesel Exhaust Fluid technology**

FIXED ROUTE SERVICE – THE BUS

Background

- **City of Casper is the grantee for federal funding for public transit from FTA (Federal Transit Administration)**
- **Planning is a requirement to receive this funding**
- **The CATC Board of Directors participates in planning by submitting recommendations for transit policy to the City Council**
- **In 2003, the City's Transit Development Plan included a recommendation for Fixed Route Service in Casper**
- **City Council-appointed committee studied feasibility and associated costs of adding fixed route service**
- **A lengthy and rigorous community process began with pros and cons on both sides**
- **In 2004, City Council approved a fixed route service called The Bus**
CATC's dial-a-ride service was continued
- **An exit strategy and performance measures were put in place by City Council**

THE BUS GRAND OPENING APRIL 18, 2005



CATC Board President Lou Grunewald, Executive Director Marge Cole, Casper Mayor Guy Padgett, WYDOT Representative Jim Nations, and Administrative Assistant Kathy Hill joined CATC Board of Directors Vice-President Carol Crump at the kickoff

FIXED ROUTE EXPANDS TO MILLS & EVANSVILLE

- In 2007, Mills and Evansville began fixed route service in their communities. The service is integrated with Casper's fixed route service. Both buses serve bus stops located in the City of Casper.
- Mills and Evansville fund all of the operating costs associated with The Bus service in their communities.
- The CATC dial-a-ride service to Mills and Evansville that started in 1982 continued.



ONE-CENT 14 APPROVED BY VOTERS EXPANDS SERVICE

- **THE BUS SERVICE EXTENDED TO INCLUDE EAST 2ND STREET EXPANSION, INCLUDING MCMURRY BUSINESS PARK, MEDICAL FACILITIES, EMPLOYMENT CENTERS**
 - RIDERSHIP TO THE EAST SIDE INCREASES
- **THE BUS SERVICE EXTENDED TO INCLUDE MESA #5 WHICH INCLUDES CY MIDDLE SCHOOL, CENTRAL AVE, ETC**
- **SATURDAY SERVICE ON THE BUS BEGAN; CATC CONTINUED SATURDAY SERVICE**
- **LOW VOLUME/HIGH COST CATC SERVICE ON SUNDAY DISCONTINUED**
 - EFFICIENCY INCREASED
- **SERVICE HOURS ON CATC AND THE BUS ALIGNED TO MEET FEDERAL REQUIREMENTS**

CATC AND THE BUS PERFORMANCE

April 2005 thru February 2013

- **CATC/The Bus has traveled in excess of 3.5 million miles**
- **The Bus has met or exceeded all performance measures**
- **From its first full year in 2006-2007, The Bus ridership increased by 112%**
- **By FY 2011-12, access to The Bus reduced more expensive ridership on CATC by 18%**
- **Employment and medical are largest trip generators**
- **Grand total of 1,353,315 trips –**
 - The Bus = 894,661 trips**
 - CATC = 458,654 trips**



CATC AND THE BUS 8 YEARS LATER

An integral part of the community's economic development

- **Public transit is convenient, safe, reliable and affordable transportation to a job, health care, shopping or education**
- **Provides local jobs for drivers, dispatchers, mechanics, bookkeepers, clerks – CATC/The Bus employs people**
- **Supports local businesses auto repair, fuel, oil, tires, parts, computer, radios, office supplies, insurance, etc.**
- **Provides access for residents and visitors to local businesses**
- **Membership in WYTRANS (Wyoming Public Transit Association) secured critical funding for transit from the State of Wyoming via WYDOT**

CATC AND THE BUS

8 YEARS LATER

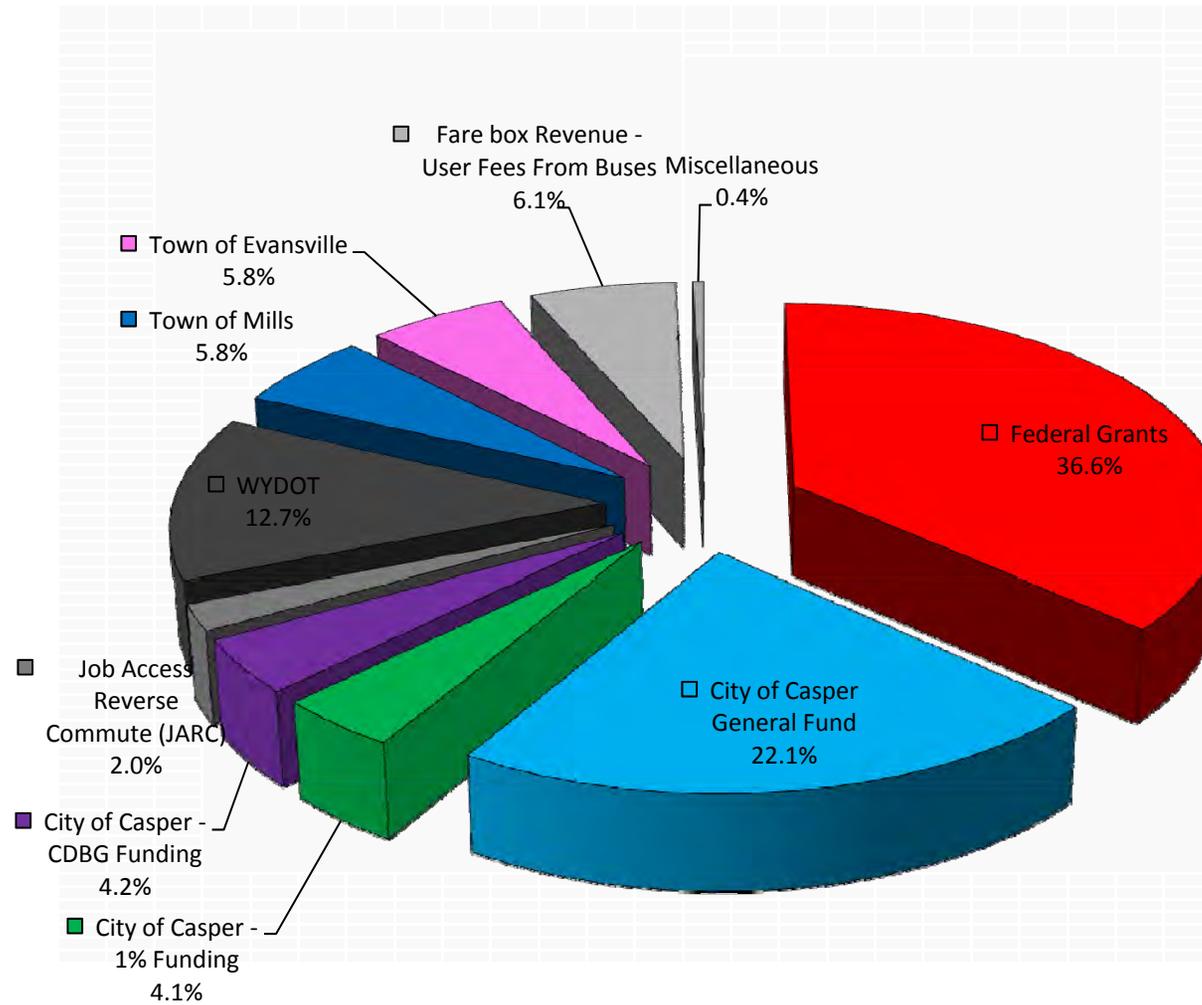
Public Transit is Infrastructure

- **Transit investments result in positive impacts on both the economy and the quality of life of its residents**
 - **Linking unemployed and under employed workers to access job and employment training opportunities and achieve self-sufficiency**
 - **Allowing seniors and disabled to remain in the community by linking them access to health care, social services, essential services and recreational opportunities**
 - **Permitting students to continue their education their education by providing access to educational opportunities**
 - **Transit is a key component in insuring successful long term health care**
- **CATC/THE Bus is a leader among 47 transit providers in all 23 Wyoming counties**
 - **Wyoming's transit providers are professionals through membership in Wyoming Public Transit Association (WYTRANS)**
 - **Performance data for number of trips and for cost efficiency per revenue hour compare favorably with Cheyenne, Rapid City, Butte and Helena**

FEDERAL FUNDING OF CATC AND THE BUS

- **The City of Casper is the grantee for the funding from the Federal Transit Administration, (FTA)**
 - The City of Casper is the only local entity eligible to receive federal transit funding through the MPO
 - One of the conditions to receive this funding from FTA is local match
 - Passengers fares are not eligible local match for federal funding
- **Federal funding provides a 50/50 match for operating expenses and an 80/20 match for vehicle maintenance and capital**
- **Casper, Mills, Evansville, WYDOT, Bar Nunn, Natrona County, CDBG, One Cent, service contracts, donations are current sources of local match**
- **JARC (Job Access and Reverse Commute) FTA grant is applied for and received by CATC via WYDOT**
 - JARC funding is used to pay a portion of the cost for the fixed route service for the east Second Street extension

The Bus Revenues 2005-2012

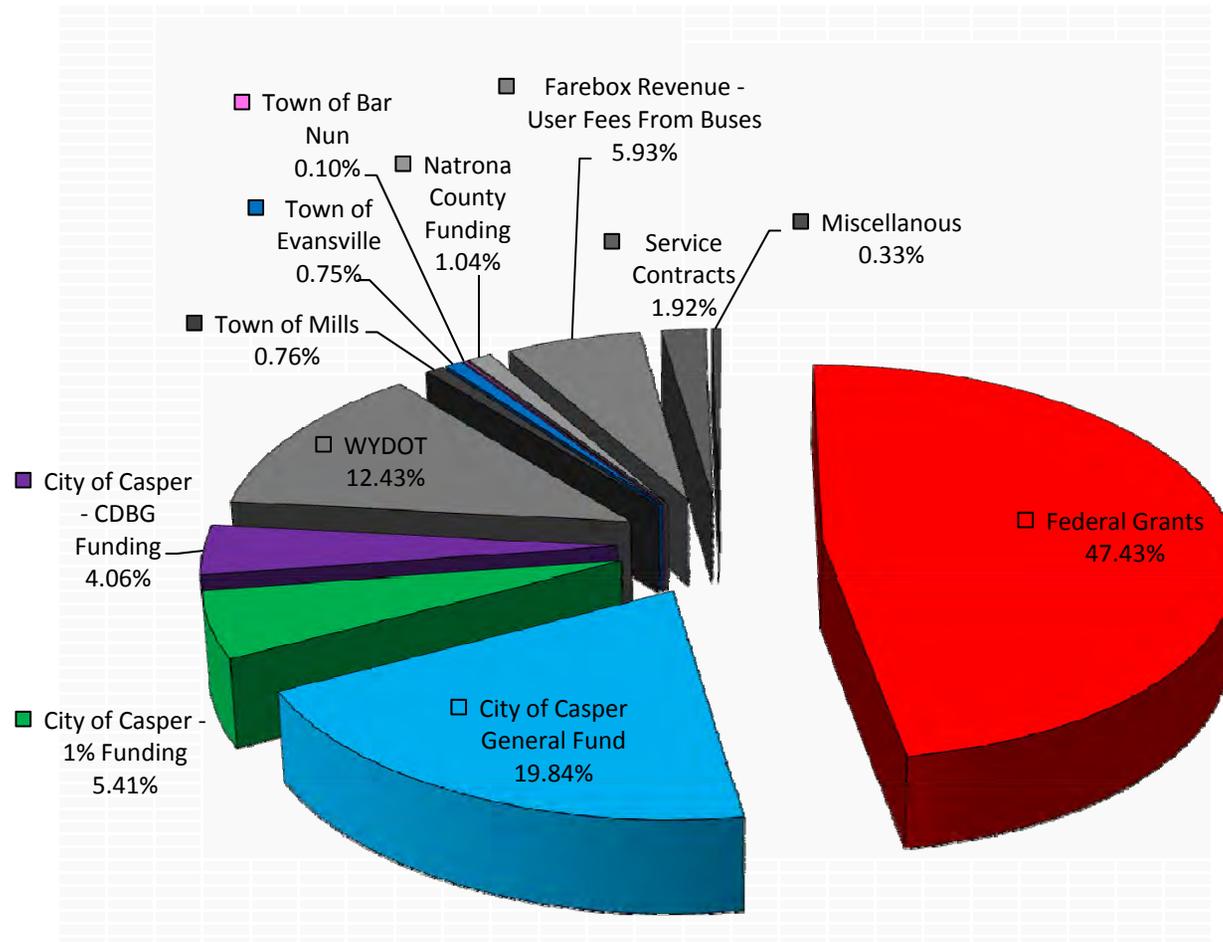


FUNDING SOURCES *THE BUS*

APRIL 2005-2013

FISCAL YEAR	FTA	CITY OF CASPER	ONE CENT	CDBG	WYDOT	JARC	MILLS FR	Evansville FR	Mills Subsidy	Evans Subsidy	FARES	Advertising	Service Contracts
2013	438,113	104,362	117,693	15,000	123,231	70,600	47,323	47,323	500	400	57,662	5,000	1,200
2012	313,101	144,048	116,603	35,330	127,755	46,488	49,780	49,780	675	675	57,603	1,800	1,070
2011	266,408	184,490		40,879	125,133		66,550	66,550	540	540	43,550	2,380	925
2010	233,821	189,726		38,805	116,457		60,500	60,500	675	590	40,546	2,900	1,241
2009	230,046	173,111		30,652	114,427		59,994	59,994			49,375	5,400	279
2008	212,476	136,492		25,974	122,057		46,871	46,872			39,901		226
2007	184,917	139,938		33,255							25,691		45
2006	166,521	151,534		18,625							30,177		
2005	46,230	41,861		4,120							4,938		

CATC Revenues 2005-2012



CATC FUNDING SOURCES

FY 2005-2013

FISCAL YEAR	FTA	CITY	ONE CENT	CDBG	MILLS	EVANS	COUNTY	BAR NUN	WYDOT	Service Contracts	Bus Fares	Interest & Misc.
2013	498,593	234,032	47,952	15,000	8,500	8,400	10,000	1,000	110,000	29,510	51,000	300
2012	450,520	184,490	44,687	24,020	8,325	8,050	10,000	1,000	129,838	29,353	53,948	131
2011	448,920	144,048	55,561	37,555	8,450	8,150	10,000	1,000	129,497	25,698	49,971	656
2010	480,871	156,103	63,617	42,753	8,302	8,210	10,000	1,000	114,171	20,374	51,947	1,392
2009	453,030	171,173	59,292	43,360	8,000	8,000	10,000	1,000	84,674	16,863	50,981	2,335
2008	473,404	189,358	65,423	49,819	8,000	8,000	10,000	1,000	196,023	12,387	58,964	6,432
2007	475,956	216,733	44,000	49,319	8,000	8,000	10,000	1,000	119,069	11,044	63,524	9,075
2006	401,234	192,909	44,002	49,594	4,000	4,000	10,000	1,000	89,380	12,123	77,432	5,855
2005	415,922	225,387	42,998	39,000	4,000	4,000	10,000	1,000	101,169	8,616	54,976	2,352

CATC and THE BUS
Combined Sources of Funding
April 2005-2013

FISCAL YEAR	FTA	CITY OF CASPER	ONE CENT	CDBG	WYDOT	JARC	MILLS	Evansville	Natrona County	Bar Nun	FARES	Service Contract	Advertise & Misc.
2013	936,706	338,394	165,645	30,000	233,231	70,600	56,323	56,123	10,000	1,000	108,662	30,710	5,300
2012	763,621	328,538	161,290	59,350	257,593	46,488	58,780	58,505	10,000	1,000	111,551	30,423	1,931
2011	715,328	328,538	55,561	78,434	254,630		75,540	75,240	10,000	1,000	93,521	26,623	3,036
2010	714,692	345,829	63,617	81,558	230,628		69,477	69,300	10,000	1,000	92,493	21,615	4,292
2009	683,076	344,284	59,292	74,012	199,101		67,994	67,994	10,000	1,000	100,356	17,142	7,735
2008	685,880	325,850	65,423	75,793	318,080		54,871	54,872	10,000	1,000	98,865	12,613	6,432
2007	660,873	356,671	44,000	82,574	119,069		8,000	8,000	10,000	1,000	89,215	11,089	9,075
2006	567,755	344,443	44,002	68,219	89,380		4,000	4,000	10,000	1,000	107,609	12,123	5,855
2005	462,152	267,248	42,998	43,120	101,169		4,000	4,000	10,000	1,000	59,914	8,616	2,352

APPRECIATION

- Numerous individuals and organizations are responsible for the 33 years of successful transit service in Casper and the surrounding communities!
- To all the supporters involved and passengers, thank you!



April 5, 2013

MEMO TO: John C. Patterson, City Manager
FROM: Doug Follick, Leisure Services Director
SUBJECT: Casper Municipal Golf Course Maintenance Building Replacement

Recommendation:

That Council considers the use of excess Optional 1%#13 Sales Tax funds, in an amount not to exceed \$1,300,000, for construction of a new golf maintenance facility at the Casper Municipal Golf Course.

Summary:

The current golf maintenance facility was originally built as the clubhouse for the golf course in the mid-1950s. The structure was converted to the maintenance facility when the current clubhouse opened in 1979. Previously the maintenance facility was in the metal Quonset building, which is currently used as a garage for turf/field equipment.

The current facility has been a challenge to maintain due to the age of the structure, and has not been upgraded based on lack of any return on investment. There are many challenges with the current facility that staff works with daily. These challenges include, but are not limited to; mechanical shop area too small for some equipment (mechanic has to work on equipment outside), mechanic bay is only big enough for two small pieces of equipment at a time so if one piece of equipment is down waiting for parts there is only one small space left for mechanic to work, no equipment lift for maintenance and repair work, in direct line of flight for arrant golf balls and congested area dangerous for golfing public when staff is running equipment through the area, lack of storage area for parts/equipment/accessories, an overall crowded and unsafe work environment based on out dated infrastructure and mechanical systems.

The City Manager's office has arranged for a Council tour of the golf maintenance facility at 3:30 p.m. on Tuesday, April 9, 2013.

April 3, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Mark P. Young, Fire Chief

SUBJECT: Request for Excess Optional 1%#13 Sales Tax Funds to Purchase Aerial Truck

Recommendation:

Staff is recommending the purchase of a new aerial apparatus based upon mechanical problems, high maintenance and repairs costs as well as a significant number of days the department's aerial apparatus was out of service and unavailable for calls.

Summary:

The Casper Fire-EMS Department is experiencing more frequent mechanical failures with its one and only aerial apparatus. The original capital replacement plan for this apparatus was set as a potential Optional 1% #15 Sales Tax project. However, due to the critical nature of this apparatus, associated mechanical failures, and significant lifetime repair and maintenance costs, staff feels it important to request funds to replace the apparatus as soon as possible.

Fire apparatus are classified according to the function for which they were designed. An aerial apparatus is a specific type of truck that is equipped with either a long-power operated ladder and/or an elevated working platform. The Department's existing aerial apparatus is mainly used in rescue operations, elevated fire stream operations, ventilation, gaining access to upper levels of high rise occupancies, and in support of the Casper Police Department in providing an elevated working platform to accommodate aerial accident scene and crime scene photographs.

The current aerial apparatus operated in the Casper Fire-EMS Department is equipped with a 105' ladder/platform and was purchased in 1997 in an amount of \$612,053. Life expectancy of an aerial apparatus serving on the front line is 15 – 20 years. This type of aerial apparatus may experience a lifetime maximum of 25 years, if used as a reserve unit for the last 5 – 10 years. The existing aerial apparatus has been driven 56,667 miles and there are 5,933 hours on the engine.

Maintenance and repair expenses along with "days out of service" are direct and indirect costs to consider when replacing fire apparatus. These factors are magnified in this case because the Department's aerial apparatus is the only one of its type in Natrona County. Mechanical problems create the potential for dangerous working environments, most notably when working at extreme heights, and any time it is out of service, the Department is unable to provide elevated fire stream, rescue, ventilation and law enforcement operation support.

Maintenance and repair costs, as well as “days out of service” information, is as follows:

- Maintenance and repair costs from 1997 through 2012 (2013 data not included): \$498,779.53 (does not include fuel). Original purchase price: \$612,053
- Days out of service/% of year in 2012: 49 days/13.4%

This purchase recommendation is currently unfunded, and staff is requesting the use of Excess Optional 1%#13 Sales Tax Funds to fund this purchase, in the amount of \$1.5 million.

April 9, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Rick Harrah, Public Services Director
Pete Meyers, Assistant Public Services Director

SUBJECT: Yard Waste Program

Recommendation:

That the City Council review the results of the Yard Waste Pilot Program, which failed to meet its prescribed benchmarks, and from those results:

1. By ordinance, rescind ordinance 8.32.116 (yard waste ban); and
2. By resolution, eliminate the yard waste curbside collection program; and
3. Direct staff to implement a study of yard waste disposal in the City of Casper; and
4. Direct staff to implement a marketing program that promotes mulching, composting, and the self hauling of yard waste.

Summary:

In 2012, the City of Casper launched a yard waste disposal pilot program. The goal was to eliminate yard waste from the trash container, and by extension, eliminate it from the landfill. An ordinance was passed that banned yard waste for the residents who lived along the Thursday collection route. This was paired with a curbside yard waste program. People could sign up to for the curbside program for \$10 per month, or they could dispose of yard waste on their own through mulching, composting, or self hauling.

Given the yard sizes on the Thursday route, it was believed that demand for the curbside service would be high. The original proposal suggested that subscriptions might reach 56% in the first year, but the minimum standard for the continuation of the pilot program was set at 25%. The program year began with a burst of signups, including 199 signups in March, but new subscriptions fell in the following months, and by summer's second half, signups had dropped to below ten per month. The year ended with 411 curbside subscribers (11.2% of the total), and the program ended up running for a net loss of \$24,842.

The program did offer education on mulch mowing and composting, but its subscription based approach tended to emphasize maximization of revenue so that the program could cover its costs. In essence, people were being encouraged to do something for the environment, but at the same time, they were being charged for their good behavior.

Staff has now rethought its approach to the program and a decision has been made to refocus on the true objective of the yard waste program, which is yard waste diversion. The design and construction of landfill cells is extremely expensive. Diverting organic waste from the landfill extends the life of each landfill cell.

With the new, more refined focus on diversion, it is recommended that an ordinance be passed to rescind the yard waste ban. The curbside collection program would also be eliminated and replaced with a program to (1) study homeowner behavior related to how people handle their yard waste, and (2) promote mulch mowing, composting, and other behaviors that reduce the amount of yard waste being placed in the trashcan. As currently proposed, the program will cost \$32,500, with the following breakdown:

- (1) Study homeowner behavior in regards yard waste - \$7,500: Studying yard waste can be done partly through surveys and academic research, but it will also require hands-on work like the inspection of trash loads and neighborhood level observation. A full citizen survey is already planned for FY 2014, and it would be possible to add a customized question about how people handle their grass clippings. But to truly get the data on the ground, the Solid Waste Division will hire an intern for the summer of 2013. Interns are typically hired at an SPT 12 seasonal rate (\$14.99 per hour, or roughly \$7,500 for the summer. Please note that the with the fiscal year ending on June 30, the likely breakdown of this expense would include \$3,000 from FY 2013 and \$4,500 in FY 2014.)
- (2) Promote Mulch Mowing, Self Hauling, and Composting (\$25,000). Changing behavior is difficult, and if someone has fallen into the habit of bagging their grass clippings, getting them to stop will require more than just educating them about how easy it is to mulch mow. An effective marketing campaign will doubtlessly involve a multi-media promotional strategy, and lots of creativity.

ATTACHMENT A

	Revenues	Expenses					Total Expense	Profit (Loss)
	Subscription Fees	One Time Costs		Reoccurring Costs				
		Green Container Expense	Cart Dumper	Truck Depreciation	Labor	Fuel		
<i>Footnote:</i>	1	2	3	4	5	6		
May	\$3,490	\$18,148	\$6,750	\$1,535	\$1,200	\$640	\$28,273	(\$24,783)
June	\$3,840	\$1,820	\$0	\$1,535	\$1,200	\$640	\$5,195	(\$1,355)
July	\$3,970	\$676	\$0	\$1,535	\$1,200	\$640	\$4,051	(\$81)
August	\$4,010	\$208	\$0	\$1,535	\$1,200	\$640	\$3,583	\$427
September	\$4,110	\$520	\$0	\$1,535	\$1,200	\$640	\$3,895	\$215
October	\$4,110	\$0	\$0	\$1,535	\$1,200	\$640	\$3,375	\$735
Program Year 2012	\$23,530	\$21,372	\$6,750	\$9,210	\$7,200	\$3,840	\$48,372	(\$24,842)

1. Revenue is the program revenue (\$10 per month per household).
2. Green Container expense is the purchase price of the curbside containers; One-time Cost
3. Chart Dumper purchased exclusively for this program at the beginning of the season; One-time Cost
4. Truck was used 50% of the time for this program and 50% by other programs, so depreciation expense was reduced by 50%.
5. Labor was one seasonal employee (20 hrs/week, \$15 per hour)
6. Fuel was calculated at \$4 per gallon, 10 gallons per day.

ATTACHMENT B



Attachment C

This is the existing ordinance that is recommended for repeal.

8.32.116 - Yard waste.

Yard waste is prohibited and shall not be placed in any refuse container for collection, transportation, and disposal in the city landfill or balefill after:

May 1, 2012, for residential customers residing within the boundaries of Thursday's sanitation route;

May 1, 2013, for residential customers residing within the boundaries of Friday's sanitation route;

May 1, 2014, for residential customers residing within the boundaries of Monday's sanitation route;

May 1, 2015, for residential customers residing within the boundaries of Tuesday's sanitation route;

May 1, 2016, for all residential customers and users of the City of Casper's Regional Solid Waste Facility.

It is the responsibility of the owner to dispose of yard waste in the designated area at the Casper Regional Solid Waste Facility.

(Ord. No. 10-12, § 2, 3-6-2012)

April 3, 2013

MEMO TO: John C. Patterson, City Manager
FROM: Liz Becher, Community Development Director
Craig Collins, AICP, Associate Planner
SUBJECT: City notification zones

Recommendation

For informational purposes only.

Summary

The Planning and Zoning Commission, and/or the City Council review the following types of planning-related cases:

- Zone Change
- Annexation
- Plat/Replat
- Variance/Exception
- Site Plan
- Conditional Use Permit

In practice, staff notifies property owners within 300' on all of the types of cases listed above, to inform them of a pending application, and inviting them to attend a public hearing to ask questions, or express concerns. The Municipal Code specifically requires the 300' notification on all the actions listed above, with the exception of plats/replats, conditional use permits on properties over 3-acres, and annexations. Regarding annexations, the procedure is dictated by State Statutes, and the City's practices simply mirror the State's requirements.

Even in cases when the Municipal Code does not legally require notification, staff always goes above and beyond what is required, and notifies property owners within 300'. In addition to a mailed public notice to neighbors, the City's notification practices include the placement of signage along the frontage of the property, and also publication of a legal notice in the Star Tribune. Some actions, such as exception/variance requests and conditional use permits typically don't generate much interest by neighbors beyond those immediately surrounding the property. Other cases, such as annexations, zone changes, and some site plans often generate interest well beyond the 300' notification zone.

The origin of the 300' notification radius is unknown. The City Attorney's office examined State Statutes to see if there is a correlation between the City's notification procedures and State

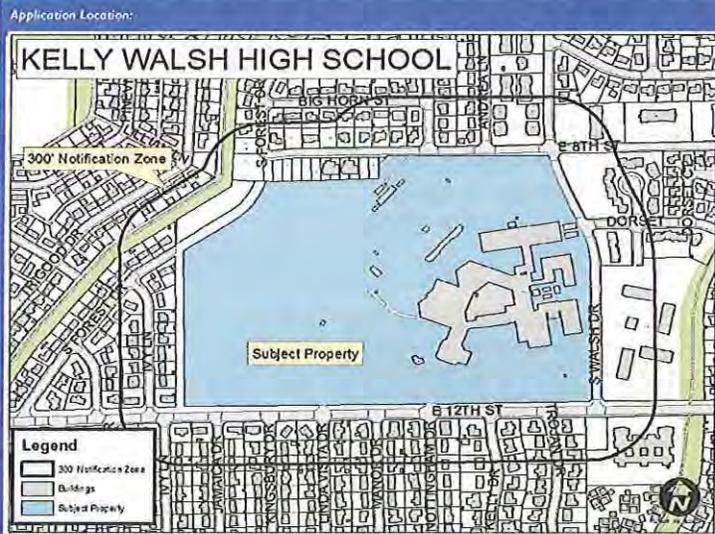
law, and found that State law does not address or require notifications, with the exception of annexations. The Council; therefore, has wide discretion to change the notification procedures as it wishes. Staff's only recommendation regarding notification zones is that similar projects should be treated consistently, and subjective standards should be avoided. For example, increased notification zones should not be utilized, based on the likelihood that a certain "type" of project may be controversial. Instead, quantifiable and objective criteria should be the basis of all the City's notification requirements, in order to avoid claims of discriminatory practices. The only quantifiable effects of increasing notification zones would be an increase in mailing costs and staff time.

CITY OF CASPER PUBLIC HEARING INFORMATION:

You, as a property owner/resident within a 300-foot radius of the perimeter of the subject property, are hereby notified of this public hearing. You may submit written comments to the Community Development Department, 200 N David, Rm 205, Casper, WY, 82601 or via email at clake@cityofcasperwy.com prior to the Planning and Zoning Commission meeting. All comments should be received by **March 26, 2013** to be included in the Planning and Zoning Commission's packet of information that they receive prior to the public hearing. You may also attend the public hearing (listed on front of card) and present written and/or oral comments at that time. Depending on the number of people wishing to speak, the Chairman may limit the time you have in which to make your presentation.

PLN-13-020-S-

Site plan review for construction of a new Kelly Walsh High School, located at 3500 East 12th Street. Applicant: Natrona County School District No. 1

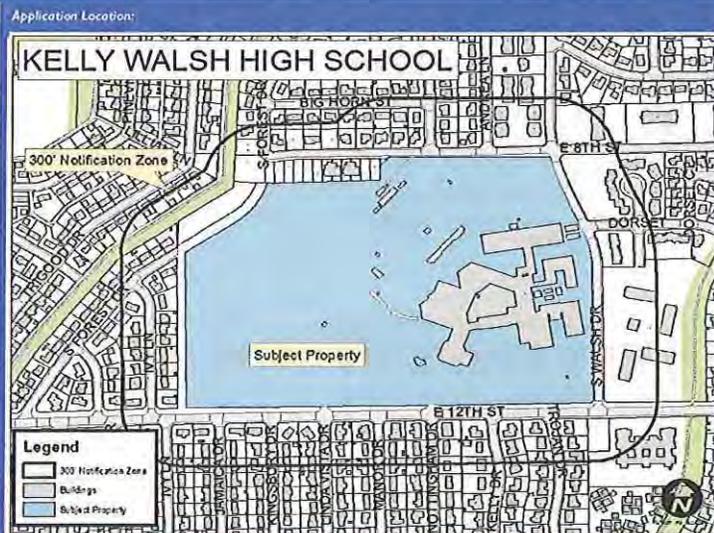


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PLN-13-020-S-

Site plan review for construction of a new Kelly Walsh High School, located at 3500 East 12th Street. Applicant: Natrona County School District No. 1





City of Casper

COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH DAVID STREET, ROOM 205
CASPER, WYOMING 82601

Meeting: Planning Commission
Date: March 26, 2013
Time: 6:00 P.M.
Location: City Council Chambers
200 North David
Casper, WY 82601

If you have questions regarding
this public notice or would like
more information, please contact
Planning at:
307-235-8241
www.casperwy.gov/planning



City of Casper

COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH DAVID STREET, ROOM 205
CASPER, WYOMING 82601

Meeting: Planning Commission
Date: March 26, 2013
Time: 6:00 P.M.
Location: City Council Chambers
200 North David
Casper, WY 82601

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307-235-8241
www.casperwy.gov/planning

Trinity Addition - 60 properties within 300'



300' Notification Zone

Subject Property

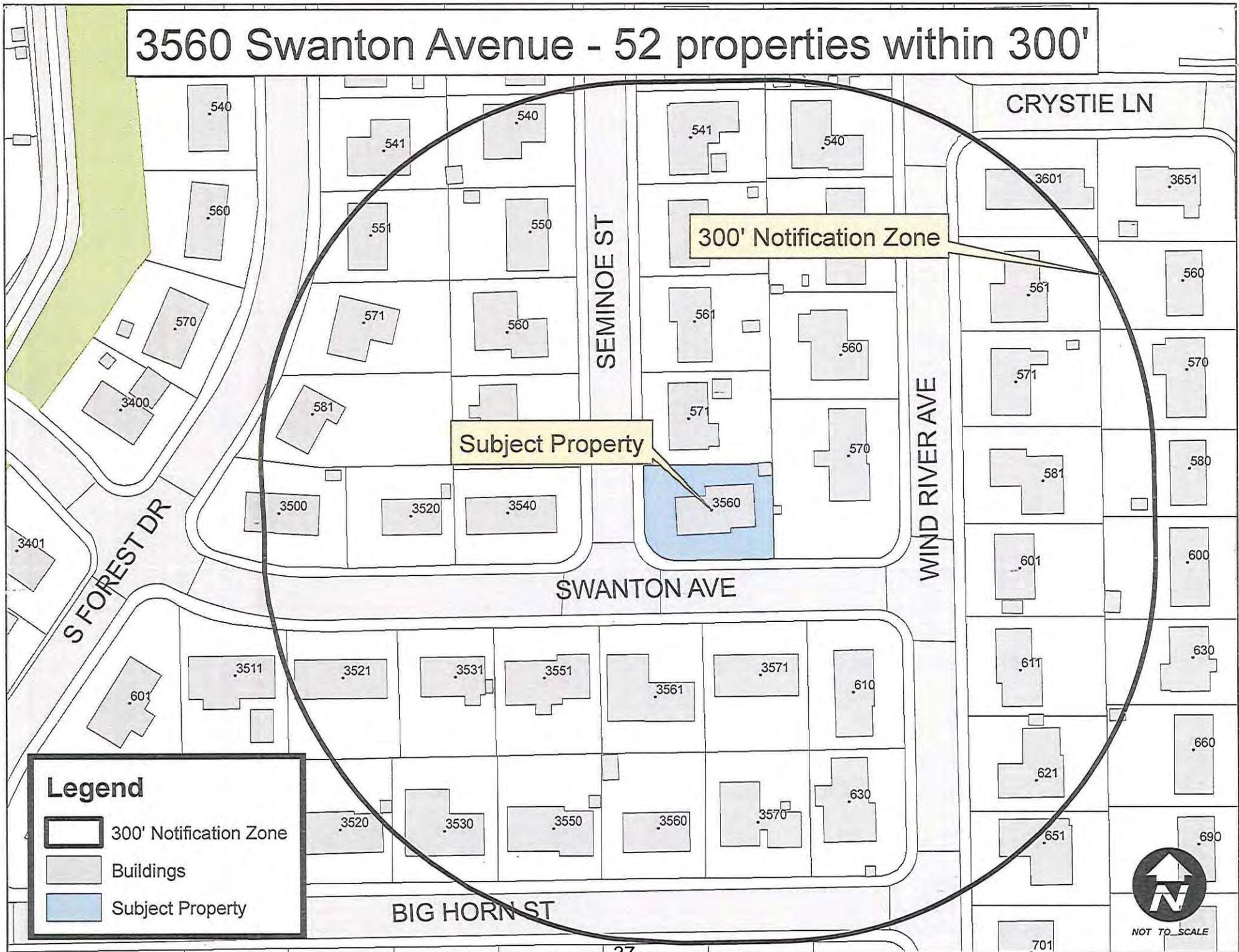
Legend

- Subject Property
- 300' Notification Zone
- Buildings

SWEE WATER DR

NOT TO SCALE

3560 Swanton Avenue - 52 properties within 300'



Legend

-  300' Notification Zone
-  Buildings
-  Subject Property



NOT TO SCALE

LEGAL NOTICE

The Planning and Zoning Commission of the City of Casper will hold their regularly scheduled meeting at 8:00 p.m., Tuesday, March 26, 2013, in the City Council Chambers, Casper City Hall, 200 North David Street, Casper, Wyoming. At that time, they will consider the following cases:

PLN-13-012-AZ - Petition to annex a portion of the E1/NW1/4, Section 29, T33N, R79W, 6th P.M., comprising 1.25-acres, more or less, located at 4880 Chinoak Trail, and rezoning from Natrona County Zoning Classification UR (Urban Residential) to City Zoning Classification R-1 (Residential Estate). Applicant: Jack & Julie Phillips

PLN-13-017-S - Site plan review for construction of a 29,158 square foot (footprint) multiplex movie theatre, on Lot 3, Mesa Addition No. 7, located north of Talon Drive and east of SW Wyoming Boulevard. Applicant: Movie Palace Investments, LLC

PLN-13-019-RS - Petition to vacate and replat Lot 1, Blackmore Marketplace Addition No. 7 to create Blackmore Marketplace Addition No. 8, comprising 21.31-acres, more or less; and PUD (Planned Unit Development) site plan approval for The Ridge at Blackmore Phase 3 apartment complex, consisting of four, 4-story buildings and a combined total of 128 units, located north of the existing Ridge at Blackmore Apartments. Applicant: Forward Development, LLC

PLN-13-020-S - Site plan review for construction of a new Kelly Walsh High School, located at 3500 East 12th Street. Applicant: Natrona County School District No. 1

PLN-13-021-R - Petition to vacate and replat Lots 2, 3, 4, 5, 6, & 9, Legion Addition to create Legion Addition No. 2, comprising 3.937-acres, more or less, located north of Legion Lane and west of Hospitality Lane. Applicant: Narender and Anita Taneja
 CITY OF CASPER, WYOMING
 Liz Becher, Secretary
 Published: March 8, 2013
 Legal No: 960183

AFFIDAVIT OF PUBLICATION

STATE OF WYOMING)
 COUNTY OF NATRONA)

I, the undersigned, being a person in the employ of the **Casper Star-Tribune**, a newspaper published in CASPER, NATRONA COUNTY, WYOMING, and knowing the facts herein set forth do so solemnly swear that a copy of the notice as per clipping attached was printed and published

daily

weekly

in the regular and entire issue of said newspaper, and not in any supplement thereof, for

1 consecutive

days

weeks

commencing with issue dated

March 8, 2013

ending with issue dated

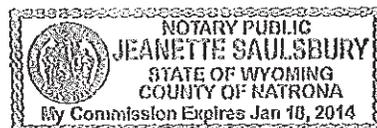
March 8, 2013

Signed

Subscribed in my presence and sworn to before me this

15th day of March 2013

Jeannette Saulsbury



LEGAL NOTICE

The Casper City Council will hold a public hearing on Tuesday, October 2, 2012, at 6:00 p.m., in the City Council Chambers, located at 200 North David Street, Casper, Wyoming, to determine if the proposed Annexation of the Beverly Heights Addition to the City of Casper complies with the requirements of W.S. 15-1-402. An Annexation report has been completed pursuant to this Statute, a summary of which is as follows:

ANNEXATION REPORT SUMMARY

Background

Beverly Heights, LLC has applied to annex 10.03-acres, more or less, to create the Beverly Heights Addition, located at the southeast corner of East 21st and South Beverly Streets. The property is currently vacant; is contiguous with the Casper City limits along its north, south, and west property lines; and is zoned UA (Urban Agriculture) in Natrona County. The applicants have applied for R-2 (One Unit Residential) zoning upon annexation of the property into the City. The proposed plat is creating 37 single-family residential lots. Pursuant to Wyoming Statute 15-1-402, an annexation report has been prepared to outline the municipal services to be provided to the area being annexed, the cost of the services, when the services will be provided, and the cost to be incurred by the future property owners in terms of fees and property taxes.

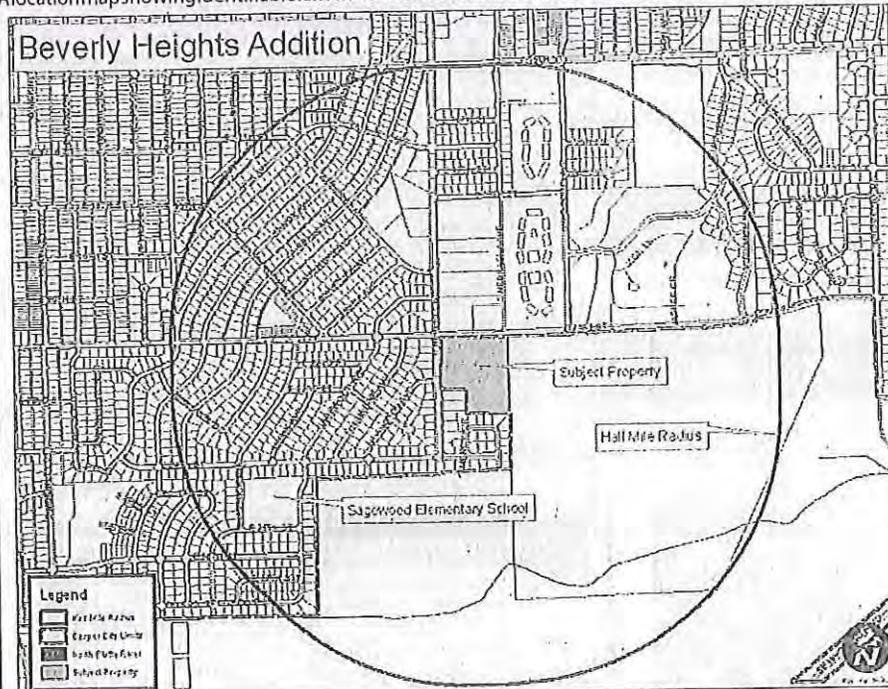
Services and Costs

There will not be any publically-funded development costs associated with this annexation, in that all public improvements, including streets and utilities, will be installed at the developer's expense or are presently in place. A portion of the cost for the construction of South Beverly Street, from East 21st to East 24th Street, was paid for by the City. As a condition of approval, the applicant will be reimbursing the City approximately \$54,000 for said street construction costs.

Findings

The property being annexed will receive the same services that other properties within the City receive once it's annexed. The City can provide these services without additional staff, equipment or publicly-funded facility expansion because the property is located directly adjacent to areas currently receiving City services.

A location map showing identifiable landmarks and the boundaries of the area being annexed is shown below.



Legal No. 949539

Publish: September 7 and 10, 2012

March 11, 2013

MEMO TO: John C. Patterson, City Manager
FROM: V.H. McDonald, Administrative Services Director
SUBJECT: Increasing Rocky Mountain Power Franchise Fee

Recommendation:

That consideration be given to increase the franchise fee assessed Rocky Mountain Power from the current 4% of gross sales to 5%, with the revenue generated by the increase to be dedicated to electrical line expansion evaluations.

Summary:

The current franchise ordinance granting Rocky Mountain Power a franchise to operate and maintain facilities specifies that Rocky Mountain Power shall pay the City 4% of Rocky Mountain Power gross operation revenue derived from the sale of electricity within the City's corporate limits. (The franchise fee is generally not paid on sales to governments or on uncollectible revenues from customers.) A recent survey of the franchise fee rates charged by other Wyoming communities is attached.

Local economic development representatives proposed that the City increase the franchise fee assessed Rocky Mountain Power by 1%. This increase would provide approximately \$470,000 of revenue per year. It was also proposed that this additional revenue be used to fund electrical line service extension studies, and to assist in line extension for existing businesses or for the locating of new businesses. From information received from Rocky Mountain Power in January of 2013, the 1% franchise fee rate change would increase the average residential customer monthly bill approximately \$.76 per month, or \$9.12 annually.

If Council chooses to pursue increasing the franchise fee, the schedule to do so is determined by provisions of the franchise ordinance. The window to review the franchise fee rate occurs every three and one-half year franchise period. Additionally, notice to review the fee rate is required to be given Rocky Mountain Power 90 days prior to each franchise period. Therefore, notice must be given to Rocky Mountain Power by August 6, 2013.

Wyoming Municipalities Electrical Franchise Fee Rate

March-13

Municipality	Population	Rate	Supplier	Other Information
<u>By Size</u>				
Cheyenne	59466	3.0%	Cheyenne Light, Fuel & Power	.5% increase scheduled for 2020
Casper	55316	4.0%	Rocky Mountain Power	
Laramie	30816	5.0%	Rocky Mountain Power	
Gillette	29087	0.0%	Municipal supplied	
Rock Springs	23036	1.0%	Rocky Mountain Power	
Sheridan	17444	3.0%	No response	Special Sub-fund
Sheridan	17444	1.0%	No response	General Fund
Green River	12515	2.0%	Rocky Mountain Power	
Evanston	12359	1.0%	Rocky Mountain Power	
Riverton	10615			No response
<u>5% Municipalities</u>				
Laramie	30816	5.0%	Rocky Mountain Power	
Rawlins	9259	5.0%	Rocky Mountain Power	
Powell	6314	5.0%	Municipal supplied	"The City of Powell has its own electric company, but we charge them 5% franchise fee that is transferred to the General Fund."
Worland	5487	5.0%	Rocky Mountain Power	
<u>Local Municipalities</u>				
Casper	55316	4.0%	Rocky Mountain Power	
Bar Nunn	2213	4.0%	Rocky Mountain Power	
Evansville	2544	3.5%	Rocky Mountain Power	
Glenrock	2576	2.0%	Rocky Mountain Power	
Mills	3461	1.0%	Rocky Mountain Power	
Douglas	6120	4.0%	Rocky Mountain Power	

"shall be placed into a special subfund, which shall be established specifically to fund the purchase or improvement of public right-of-ways and spaces, utility easements, under grounding of utilities, historic preservation, and pedestrian thoroughfares. Such subfund shall not be used for general fund expenses including, but not limited to, wages, salaries, benefits and other like expenses."

Jackson	9577	1.0% Lower Valley Energy	
Rawlins	9259	5.0% Rocky Mountain Power	
Lander	7487	4.0% Rocky Mountain Power	
Torrington	6501	0.0% Municipal supplied	
Powell	6314	5.0% Municipal supplied	franchise fee that is transferred to the General Fund.
Douglas	6120	4.0% Rocky Mountain Power	
Worland	5487	5.0% Rocky Mountain Power	
Buffalo	4585	4.0% Rocky Mountain Power	
Thermopolis	3009	3.5% Rocky Mountain Power	
Kemmerer	2656	3.0% No response	
Glenrock	2576	2.0% Rocky Mountain Power	
Evansville	2544	3.5% Rocky Mountain Power	
Bar Nunn	2213	4.0% Rocky Mountain Power	
Lusk	1567	0.0% Municipal supplied	
Star Valley	1503	0.0% No response	
Mountain View	1286	0.0% No response	
Moorcroft	1009	2.0% Powder River Energy Corporation	
Dubois	971	0.0% High Plains Power	
Cody	952	3.0% Municipal supplied	Also charge Water, sewer and solid waste 5% Franchise Fee
Diamondville	737	1.0% Rocky Mountain Power	
Byron	593	1.0% Rocky Mountain Power	
Cokeville	535	1.0% No response	
Pine Haven	490	1.0% Powder River Energy Corporation	
Lingle	468	0.0% WY Municipal Power Agency	
Thayne	366	Unknown Lower Valley Energy	
Medicine Bow	284	0.0% High Plains Power	
Glendo	205	2.0% Rocky Mountain Power	
Edgerton	195	1.0% Rocky Mountain Power	Franchise fee
Edgerton	195	1.0% Rocky Mountain Power	License fee
Deaver	178	0.0% Municipal supplied	

April 5, 2013

MEMO TO: Her Honor, The Mayor, and Members of City Council

FROM: John C. Patterson, City Manager

SUBJECT: Funding Community Projects

Recommendation:

That Council contract with the United Way of Natrona County for the operating needs of agencies that provide critical human and social needs, and for the Council to be the body that allocates dollars for capital needs.

Summary:

Through the years, the City has received many inquiries from non-profit organizations for funding. The ranges of requests are to cover everything from operating expenses, to equipment needs, to new facilities. They are from thousands to millions. These requests are primarily considered during the optional 1% sales tax election process, and secondarily on an annual basis in the interim years.

Last year, in an effort to address the requests from several organizations, the Council scheduled a meeting in August to consider the requests. There were several internal needs also under review at that time. August was established as the timeframe, because good fiscal year fund balance numbers would be available. At that August meeting, the excess Optional 1% Sales Tax funds and the FY12 fund balance contribution were allocated to meet two agency requests, and several internal needs, including an almost \$4 million addition to the Perpetual Care Fund.

Since the \$2.5 million for the Wyoming Food Bank of the Rockies was not appropriated in the January budget, a flood of inquires for those funds have appeared. Many of these meet the constitutional and statutory requirements for funding (see attached citations). As you read the highlighted sections, you will see worthy need after worthy need. If the City funds those agencies that work to meet those worthy needs, the City's funds are leveraged with the resources, talents and passions of those non-profits. A community good is served by each of these; hence the allowance set forth in the state law.

If it is decided that there is a duty and a benefit associated with this funding, then a process should be put in place. A method needs to be developed for the fair and orderly distribution of funds.

If the process were to be undertaken by the City of Casper, the process would begin with the determination of the community needs, in order to determine what needs are most critical. Second, would be the preparation of a request for proposals (RFP) to solicit proposals from

organizations that would qualify as meeting the determined critical needs. The level of funding, the outcomes to be achieved, and an accountability measurement component would need to be defined prior to the RFP's being issued. A single annual time frame for proposals/applications, review and allocation and appropriation would be instituted.

An alternative to an in-house system would be to contract with an agency for the administration of these funds within the City Council's established guidelines. Presently, the City contracts with the Casper Area Economic Development Alliance for economic development services, and the Community Action Partnership for some social services needs. The United Way of Natrona has a process in place that already accomplishes the outcomes and accountability pieces. They place nearly a million dollars each year through a methodical process that ensures the leverage of every dollar and that every dollar is accounted for in the results it buys.

A philosophical discussion of the City's role in supporting human and social services agencies would provide direction to staff. If it is determined to be in the best interest of the City to assist in meeting those needs, then guidelines and a procedure for the orderly disposition of money should be developed.

CONSTITUTION OF THE STATE OF WYOMING

Article 16. PUBLIC INDEBTEDNESS

Current through 2011

§ 6. Loan of credit; donations prohibited; works of internal improvement

Neither the state nor any county, city, township, town, school district, or any other political subdivision, shall loan or give its credit or make donations to or in aid of any individual, association or corporation, except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, except that funds of public employee retirement systems and the permanent funds of the state of Wyoming may be invested in such stock under conditions the legislature prescribes. The state shall not engage in any work of internal improvement unless authorized by a two-thirds (2/3) vote of the people.

Wyoming Statutes

Title 15. CITIES AND TOWNS

Chapter 1. GENERAL PROVISIONS

Article 1. POWERS AND MISCELLANEOUS MATTERS

Current through Laws 2013, c. 16

§ 15-1-103. General powers of governing bodies

(a) The governing bodies of all cities and towns may:

- (i) Sue and be sued;
- (ii) Have and use a common seal;
- (iii) Purchase and hold real and personal property for their use including real estate sold for taxes;
- (iv) Sell, convey and lease any estate owned and make any orders respecting it deemed to be in their best interest;
- (v) Perform all acts in relation to the property and concerns of the city or town necessary to the exercise of its corporate powers;
- (vi) Receive bequests, gifts and donations of all kinds of property in fee simple, or in trust for public, charitable or other purposes and do all things necessary to carry out their intended purpose;
- (vii) Control the finances of the corporation, including providing by ordinance for:
 - (A) The preparation, maintenance and retention of required records and accounts;
 - (B) Any required reports to the director of the state department of audit's office; and
 - (C) If deemed necessary the preparation of independent audits of the financial condition of the city or town, which shall be conducted by a certified public accountant or a public accountant who has been in the practice of public accounting for a period of five (5) years as a principal.
- (viii) Appropriate money by ordinance only and pay all necessary expenses, including supplies, salaries of employees and debts;
- (ix) Levy and collect special assessments against persons or property to the extent allowed by the constitution and

the law;

(x) Borrow money on the credit of the corporation for corporate purposes as allowed by the constitution and the laws and issue warrants and bonds therefor in such amounts and forms and on such conditions as they determine;

(xi) Take all necessary action to plan, construct or otherwise improve, modify, repair, maintain and regulate the use of streets, including the regulation of any structures thereunder, alleys, any bridges, parks, public grounds, cemeteries and sidewalks;

(xii) In the manner provided in W.S. 15-7-301 through 15-7-305 vacate from public use any property acquired or held for park purposes, if:

(A) Repealed by Laws 1984, ch. 15, § 2.

(B) Repealed by Laws 1984, ch. 15, § 2.

(C) Repealed by Laws 1984, ch. 15, § 2.

(D) The city or town has held title to the property for more than ten (10) years and no substantial use has been made thereof for park purposes; or

(E) The property will be used for public school or public educational purposes after the vacation.

(xiii) License, tax and regulate any business whatsoever conducted or trafficked in within the limits of the city or town for the purpose of raising revenue, and any license taxes imposed shall be uniform in respect to the class of business upon which imposed;

(xiv) Regulate or prohibit the running at large within the city limits of any animals, impose a license fee for the keeping or harboring of dogs and establish and provide for the operation of a pound;

(xv) Regulate, license, tax or prohibit saloons and shooting galleries or places;

(xvi) Suppress or prohibit:

(A) All gambling games or devices except antique gambling devices as defined in W.S. 6-7-101(a)(x) and authorize the destruction thereof;

(B) Houses of prostitution and other disorderly houses and punish the keeper thereof and persons resorting thereto; and

(C) Other disorderly and vicious practices or conduct.

(xvii) Restrain and punish vagrants, mendicants and prostitutes;

(xviii) Regulate, prevent or suppress riots, disturbances, disorderly assemblies or parades, or any other conduct which disturbs or jeopardizes the public health, safety, peace or morality, in any public or private place;

(xix) Declare and abate nuisances and impose fines upon parties who create, continue or permit nuisances to exist;

(xx) Compel the attendance of witnesses for the investigation of matters before it and the presiding officer may administer the requisite oaths;

(xxi) Purchase, lease or rent land within or without the corporate limits for the deposit of refuse matter, govern the use of the land and make reasonable rules and requirements for hauling refuse;

(xxii) Establish and regulate parks, zoological gardens and recreation areas within the city limits and upon land owned, leased or controlled outside of the city limits provided:

(A) The municipal court of the city or town has jurisdiction to punish any violator of the ordinances of the city or town governing those areas;

(B) The state game and fish commission is authorized to furnish to any city or town any game or animals requested, and the city or town shall pay the necessary expenses.

(xxiii) Provide for the organization, support and equipping of a fire department and:

(A) Prescribe rules, regulations and penalties for governing the department;

(B) Establish regulations for the prevention of and extinguishing of fires;

(C) Make cooperative agreements or execute contracts for fire protection in accordance with W.S. 15-1-121.

(xxiv) Prevent the dangerous construction and condition of chimneys, fireplaces and any other heating appliance or apparatus used in and about dwellings, factories and other buildings, and cause any such dangerous condition or appliance to be removed or replaced in a safe condition, regulate and prevent the carrying on of manufacturing likely to cause fires and prevent the deposit of ashes in unsafe places;

(xxv) Prescribe the thickness, strength and manner of constructing any buildings and the construction of fire escapes therein, and provide for their inspection;

(xxvi) Provide for the repair, removal or destruction of any dangerous building or enclosure;

(xxvii) Define fire limits and prescribe limits within which no building may be constructed except of brick, stone, or other incombustible material, without

permission and cause the destruction or removal of any building constructed or repaired in violation of any ordinance;

(xxviii) Regulate or prevent the storage, use and transportation of any combustible or explosive material within the corporate limits or within a given distance thereof;

(xxix) Appoint a board of health and prescribe its powers and duties and:

(A) Establish quarantine ordinances;

(B) Own and regulate convalescent homes, rest homes and hospitals;

(C) Contract for treatment and preventive services for the mentally ill, substance abuser and developmentally disabled as provided in W.S. 35-1-611 through 35-1-628.

(xxx) Divide the city or town into suitable districts for establishing a system of drainage including surface water drainage, sanitary sewers and water mains and:

(A) Provide and regulate the construction, repair and use of sewers and drains;

(B) Provide penalties for violations of regulations;

(C) Assess against the property concerned any penalty or costs and expenses in compliance with regulations.

(xxxi) Take any action to establish, alter and regulate as deemed necessary the channels of streams, water courses and any other public water sources or supplies within the city;

(xxxii) Establish, maintain and in a manner the governing body determines provide for the housing of public libraries and reading rooms and in connection therewith or separately public museums and:

(A) Purchase books and other appropriate material;

(B) Purchase and receive as gifts or on loan any books, pictures, articles or artifacts relating to the history, resources and development of the United States and its parts and lands;

(C) Place a museum temporarily in charge of donors; and

(D) Receive donations and bequests for the museum, in trust or otherwise, and make contracts and regulations for the care, protection and government thereof.

(xxxiii) Grant franchises for such terms as the governing body deems proper to any utility company, provided no franchise may be entered into with any person in which that person is given an exclusive right for any purpose whatsoever and:

(A) Grant to any franchisee utility company the privilege to install and maintain necessary installations under or over any streets, alleys or avenues;

(B) Contract for a specified time period with any franchisee electric light or gas company for the necessary energy and service for the lighting of streets, public buildings or other requirements of the city or town;

(C) Upon renewal or initial grant or renewal after condemnation of a franchise, may provide in the franchise that the franchisee shall furnish a gas distribution system through which any supplier, including the franchisee, may sell and distribute natural gas as provided by subsection (b) of this section, to any person served by the distribution system, provided that before any city or town implements this subparagraph, the question of whether or not to do so shall be submitted to and approved by a majority of the electors of the city or town voting on the question at a one-time election called for that purpose.

(xxxiv) Establish and regulate a police department, pass ordinances relating to the department and adopt job descriptions for all department personnel;

(xxxv) Exercise the power of eminent domain and take property for public use within and without the city limits for any necessary or authorized public purpose as defined by W.S. 1-26-801(c);

(xxxvi) Require all buildings to be numbered by the owners, lessees, occupants or agents and in case of failure to comply with such requirements, cause the numbering to be done and assess the costs against the property or premises numbered;

(xxxvii) In addition to the appointed officers and employees provided by law, establish other positions as are necessary for the efficient operation of the city or town and:

(A) Prescribe duties and rules of all appointees;

(B) Determine working conditions or pay scales and supplementary benefits, as long as those provisions are not in conflict with existing statutes;

(C) During an emergency or special conditions warranting, make additional temporary appointments;

(D) Specify by ordinance that if any person is removed from office for incompetency, neglect of duty or otherwise for cause, the charges against that person shall be specified and the person removed shall be provided an opportunity for a hearing on the charges under procedures established in the ordinance;

(E) Make the cause of removal a matter of record.

(xxxviii) Cause compilations, codifications and comprehensive revisions to be made of all ordinances in

force and provide for their distribution, sale and exchange;

(xxxix) Lease lands owned or possessed outside the corporate limits which contain caves, caverns, or other natural formations to any person for the development and use of the natural formations on terms and conditions approved by the governing body;

(xl) With written permission of the landowner or governmental agency involved, reclaim for beneficial use substandard lands by filling excavations and other depressions with refuse from the cities and towns, provided the deposit of refuse and the reclamation of the lands shall be done in a manner approved by the landowner, adjoining landowners and in accordance with any applicable laws or ordinances;

(xli) Adopt ordinances, resolutions and regulations, including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act and, except as provided by paragraph (xlvi) of this subsection, enforce all ordinances by imposing fines not exceeding seven hundred fifty dollars (\$750.00), or imprisonment not exceeding six (6) months, or both. The governing body of a city or town may by ordinance impose a term of probation for battery which may exceed the maximum term of imprisonment established for the offense provided the term of probation, together with any extension thereof, shall in no case exceed one (1) year;

(xlii) Subject to subsection (d) of this section, take any action necessary to acquire any needed or useful property, or to construct, maintain, repair or replace any lawful improvement, development, project or other activity of any kind, or to participate, join or cooperate with other governments or political subdivisions, or departments or agencies thereof, for which funds may be borrowed from, granted or made available in whole or in part, on a matching basis or otherwise, by the United States of America or the state of Wyoming, or any subdivision, department or agency of either;

(xliii) License and regulate pawnbrokers and junk or secondhand dealers and provide for the examination of premises and business property of such persons pursuant to law for the purpose of discovering stolen property;

(xliv) Take into custody abandoned, or junk motor vehicles and parts or remains thereof which are nuisances and are on public property or on public streets, alleys and ways and:

(A) Remove and store the vehicles or parts at the expense of the owner;

(B) Permit redemption of the vehicles or parts;

(C) If not redeemed after giving public notice sell the vehicles or parts without warranty;

(D) Pay expenses from the sale; and

(E) After lapse of a reasonable length of time, deposit unclaimed proceeds from the sale of vehicles or parts into the general fund of the municipality.

(xlv) Contract with nonprofit corporations, hospitals and clinics to provide human services for persons within its jurisdiction;

(xlvi) Adopt ordinances establishing pretreatment standards and requirements for municipal waste water collection systems and provide for enforcement of the standards and requirements through:

(A) Injunctive relief; and

(B) The assessment against industrial users of civil or criminal penalties for violations of, or noncompliance with, the pretreatment standards and requirements, provided the civil penalty shall not be less than one thousand dollars (\$1,000.00) and shall not exceed ten thousand dollars (\$10,000.00) a day for each day of violation. The proceeds of any civil penalty imposed by a district court under any ordinance adopted pursuant to this paragraph shall be deposited in the general fund of the city or town.

(xlvii) By ordinance, prohibit or authorize and regulate the operation of golf carts as defined under W.S. 31-5-102(a)(lxi) on public streets and roadways within the corporate boundaries of the city or town;

(xlviii) Repealed By Laws 1999, ch. 22, § 2.

(xlix) Unless specifically prohibited by statute, accept negotiable paper in payment of any tax, assessment, license, permit, fee, fine or other money owing to the city or town or collectible by the city or town on behalf of the state or other unit of government, or in payment of any bail deposit or other trust deposit. As used in this paragraph, negotiable paper means money orders, paper arising from the use of a lender credit card as defined in W.S. 40-14-140(a)(ix), checks and drafts, including, without limitation, sales drafts and checks and drafts signed by a holder of a lender credit card issued by a bank maintaining a revolving loan account as defined in W.S. 40-14-308, for lender credit card holders. The acceptance of negotiable paper by the governing body under this subsection shall be in accordance with and subject to the same terms and conditions provided by W.S. 18-3-505. Any fees assessed for processing a credit card payment may be borne by the governing body of the city or town or person tendering payment. Any fees assessed for processing a credit card payment collected on behalf of the state shall be borne by the governing body of the city or town or person tendering payment and not by the state;

(l) Appoint special municipal officers, who are not certified as peace officers, to issue citations to individuals

for the limited purpose of enforcing ordinances, resolutions and regulations in the areas of animal control, parking and municipal code enforcement. Special municipal officers are not law enforcement officers:

(A) For purposes of employee benefits provided in title 9 of Wyoming statutes;

(B) Are not peace officers for purposes of title 6 or title 7 of Wyoming statutes;

(C) Are not peace officers for purposes of W.S. 1-39-112;

(D) Shall not be required to carry a firearm;

(E) Shall not have the power of arrest;

(F) Shall not be issued a peace officer's badge; and

(G) Shall not represent themselves to be peace officers.

(b) Any franchise granted pursuant to subparagraph (a)(xxxiii)(C) of this section is subject to the following:

(i) The franchise agreement shall specify who is responsible for deliverability;

(ii) The distribution system shall continue to be a public utility whose charges are regulated by the public service commission. The charges shall reflect the reasonable nongas costs subject to management audit as the public service commission deems necessary plus a reasonable return on investment;

(iii) Any city or town or its authorized representative shall act as an agent for any person served by the system in negotiating terms and conditions for the supply of natural gas to that person, and the franchisee distribution system shall accept for delivery to any person served by the system, natural gas from any supplier;

(iv) The public service commission shall designate a place or places in the vicinity of the distribution system for the acceptance of natural gas not supplied by franchisee;

(v) The public service commission shall adopt and enforce minimum quality standards for all gas delivered to the distribution system. These standards shall reflect the practices of the operators of the distribution system unless good cause is shown for different standards. The standards shall be designed to facilitate the commingling of gas from different suppliers;

(vi) As soon as there are at least two (2) suppliers offering natural gas to all customers served by the franchisee and as soon as the additional supplier or suppliers are capable of delivering gas in at least one-third (1/3) of the volume required by the entire distribution system provided that the public service commission finds that the suppliers own or control, and have committed to guaranteed delivery, reserves of

natural gas sufficient to supply ten (10) years of demand at that level, then all persons supplying gas shall have the authority to set their own prices. The proposed supplier has the burden of proving adequate reserves and deliverability. The Wyoming oil and gas commission shall report to the public service commission on the adequacy and deliverability when a utility gas supply is proposed to be displaced under this act;

(vii) Subject to the availability of pipeline capacity and the requirements of federal law and regulations the public service commission may, after notice and hearing if necessary, designate any point in the state on a gas pipeline operated for the purpose of delivering gas to the distribution system or its parent or subsidiary company as a point for receipt of gas to the system and regulate the charges for shipping gas from that point to the system. If a pipeline has insufficient capacity the public service commission consistent with W.S. 30-5-125 may require it to accept gas that has a lower price to the consumer in preference to higher price gas. The public service commission may impose any conditions or requirements pursuant to this subsection that are necessary to protect the public health, safety and welfare, to ensure the efficient operation of the natural gas distribution and supply system and to ensure the lowest possible price to retail customers, including but not limited to proper assignment of costs of connecting suppliers to the system;

(viii) When a city renews or grants a franchise for the supply of natural gas under subparagraph (a)(xxxiii)(C) of this section, the public service commission may require that the distribution of gas in surrounding unincorporated areas also be made subject to the terms of the same franchise;

(ix) If a distribution system has only one (1) supplier of natural gas all prices charged in that franchise are subject to W.S. 37-2-121 and 37-2-122;

(x) All suppliers of gas to the distribution system shall annually report to the public service commission the annual consumption of natural gas by their customers of record at the date of the report and their natural gas reserves. If their natural gas reserves are less than a five (5) year supply, the public service commission may forbid any supplier from serving new customers until the reserves are equal to a five (5) year supply for all customers;

(xi) Any supplier entering the system under this subsection is liable for injuries, damages or other losses to the extent to which the injuries, damages or other losses are proximately caused by the supplier's operations within the system and are due to failure of the supplier to exercise that standard of care which a reasonable, prudent person would exercise under the same or similar circumstances to avoid an undue risk of harm or are due to the supplier's failure to deliver contracted amounts of natural gas.

(c) Any provision in a gas purchase contract which contains or creates an indefinite escalator clause, otherwise known as a "favored nation treaty" provision, is contrary to the public policy of the state and is void and unenforceable if:

(i) The contract is to sell gas to the holders of a municipality franchise which supplies retail customers in the state;

(ii) The contract provides for the sale in the state of gas produced within the state;

(iii) The contract gas price is in excess of the general market price which would otherwise exist in the absence of the indefinite escalator clause; and

(iv) The higher price resulting from the application of the escalator clause is not required by any enforceable provision of statutes or regulations enacted or adopted pursuant to the Natural Gas Policy Act of 1978 or other appropriate statutes and regulations of the United States.

(d) Before the governing body of a city or town enters into an agreement to borrow money from the United States of America or from the state of Wyoming, or from any subdivision, agency or department of either, to fund a public improvement project to be repaid solely from revenues generated by the enterprise with which the financed project is associated, the proposal to enter into the loan agreement shall be submitted to and approved by the electors of the city or town in the same manner and pursuant to the same procedures as provided for bond issues under the Political Subdivision Bond Election Law, if the total amount to be borrowed for the project exceeds the greater of:

(i) Five million dollars (\$5,000,000.00); or

(ii) An amount calculated by multiplying the number of individuals to be served by the proposed public improvement project times one thousand two hundred dollars (\$1,200.00).

Cite as W.S. 15-1-103

Wyoming Statutes

Title 15. CITIES AND TOWNS

Chapter 1. GENERAL PROVISIONS

Article 1. POWERS AND MISCELLANEOUS MATTERS

Current through Laws 2013, c. 16

§ 15-1-111. Appropriations for advertisement of resources authorized; exception

(a) The governing body of any city or town may make appropriations from the city or town general fund for:

(i) Advertising the resources of the city or town;

(ii) Furthering its industrial development; or

(iii) Encouraging exhibits at fairs, expositions and conventions.

(b) No appropriation may be for the express aid of any private citizen, firm or corporation.

Cite as W.S. 15-1-111

Wyoming Statutes

Title 35. PUBLIC HEALTH AND SAFETY

Chapter 1. ADMINISTRATION

Article 6. COMMUNITY HUMAN SERVICES

Current through Laws 2013, c. 16

§ 35-1-613. Definitions

(a) As used in this act:

(i) "Community board" means a community mental health board, a substance abuse board, a developmental disabilities board, or a family violence and sexual assault board, or a board offering a combination of human services programs, created under this act. For the purposes of this act every community board is also a public agency;

(ii) "Developmental disabilities" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism or any other neurological condition requiring services similar to those required by persons with intellectual disabilities, that has continued or can be expected to continue indefinitely and constitutes a substantial impairment to the individual's ability to function in society;

(iii) "Department" means the department of health;

(iv) "Human services program" means community facilities, services and programs which exclusively or in part, are used or operated to prevent or treat mental illness, substance abuse or developmental disabilities, to provide shelter and crisis services for victims of family violence or sexual assault or to provide other community based services which serve a public purpose;

(v) "Mental illness" means a condition which is manifested by a disorder or disturbance in behavior, feeling, thinking or judgment to such an extent that care and treatment are required;

(vi) "Public agency" means an organization operated by a unit of local government or a combination of governments or agencies formed under the Wyoming Joint Powers Act;

(vii) "Substance" means alcoholic beverages and other drugs;

(viii) "Substance abuse" means the use, without compelling medical reason, of any substance which results in psychological or physiological dependency as a

function of continued use in such a manner as to induce mental, emotional or physical impairment or to cause socially dysfunctional behavior;

(ix) "Client" means any individual receiving services from a human service program authorized under this act;

(x) "Crisis services for victims of family violence and sexual assault" means emergency intervention, information, referral services and medical, legal and social services advocacy;

(xi) "Sexual assault" means any act made criminal under W.S. 6-2-302 through 6-2-304 and 6-4-402;

(xii) "Family violence" means domestic abuse as defined by W.S. 35-21-102(a)(iii);

(xiii) "Shelter" means a place of temporary refuge, offered on a twenty-four (24) hour, seven (7) day per week basis to victims of domestic violence and their children;

(xiv) "This act" means W.S. 35-1-611 through 35-1-627.

Cite as W.S. 35-1-613

Wyoming Statutes

Title 35. PUBLIC HEALTH AND SAFETY

Chapter 1. ADMINISTRATION

Article 6. COMMUNITY HUMAN SERVICES

Current through Laws 2013, c. 16

§ 35-1-614. Counties, school districts and cities may contract for human services programs; counties may establish community boards

(a) A county may contract with private or public agencies to provide human services programs for the county. The county may appropriate funds for the programs.

(b) A municipality may contract with private agencies or a community board to provide human services programs for the municipality. The municipality may appropriate funds for the programs.

(c) A school district may contract with private or public agencies to provide human services programs for school age children.

(d) A county may establish, or two (2) or more counties may agree to establish a community board, or community boards in accordance with this act. A community board shall provide human services to the entire county or counties in which it is established. A community board may offer one (1) or more services for the mentally ill, substance abuser, developmentally disabled or the victim of family violence or sexual assault.

Cite as W.S. 35-1-614

April 3, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Mark P. Young, Fire Chief

SUBJECT: Casper Fire-EMS Collaborative Paramedic Health Care Initiatives

Summary:

The purpose of the memorandum is to provide information on new community service initiatives that are in the planning stages within the Casper Fire-EMS Department. These initiatives are collaborative in nature and will improve the services delivered to the citizenry in our community.

The Casper Fire-EMS Department is currently experiencing a transformation of its traditional response based Emergency Medical Services to include a proactive health care component that will provide non-emergent medical services. These initiatives are a result of very significant health care problems in our community. These problems are defined as:

- Uninsured patients are less likely to seek out preventive health care services, and are visiting local emergency rooms for non-emergency care. These dynamics lead to the overcrowding of local emergency rooms which are intended and designed to treat emergency cases. Another negative outcome for a health care facility is the significant increase in indigent care cases. This impact is a factor in the rise in health care costs.
- Citizens are using the local 911 system to get care for basic non-emergency needs which stresses the ability of our local fire and police resources to focus on true emergencies. (This population most often calls 911 for basic medical services, refuses transport on an ambulance due to inability to pay or they are transported to the ER and then are added to the indigent care roles of the hospital.)
- The Affordable Care Act stipulates that hospital systems will not be reimbursed for any patients re-admitted for the same medical issue within 30 days of discharge. This creates more exposure to hospitals increasing indigent care numbers which will only increase health care costs for all.
- The baby boomer population is impacting the health care system and these impacts will only compound as the population grows older. These impacts were identified in an earlier Senior Study which was initiated by the City of Casper and other community stake holder groups.

Staff believes that there are opportunities for viable solutions in regards to these stated problems. The Casper Fire-EMS Department has been actively seeking out collaborative partnerships with many health and safety providers in our community in an effort to identify solutions that make sense using existing resources already funded by general fund monies. One example is an initiative to provide occasional basic health care clinics at neighborhood fire stations. The Casper Fire-EMS Department operates five fire stations that are spread throughout the City of Casper. The department is staffed with 78 highly trained and skilled employees who will partner with

other health care providers and give new opportunities for those who have been medically underserved to walk, ride a bike, ride a bus or drive to a fire station and receive services such as blood pressure checks, bone density screenings, inoculations, wound care, blood draws, diagnostic cardiac monitoring, etc. The range of services will be driven by the communities need and collaborative partnership planning. Staff and our community partners believe that these kind basic medical care services will reduce the need for people to visit the ER with non-emergent care needs and will reduce the stress on the 911 system.

Another major initiative and solution to the previously stated health care problems is to establish a Community Paramedic Program or sometimes known as a Mobile Med Tech Program. This program is another proven collaborative solution and is being established in communities across the nation. This program will utilize Casper Fire-EMS paramedics and a team of locally identified health care professionals in the delivery of temporary home medical care services to vulnerable populations. With physician direction and support department paramedics will have the training and expertise to provide a whole host of primary medical services to include assessments, blood draws, wound care, diagnostic cardiac monitoring, fall prevention, medication reconciliation, and post-operative and post hospital follow-up. These are the type of medical services paramedics have been doing for years. Research has shown in other communities that programs such as this help reduce the overcrowding of emergency rooms, reduce the number of 911 calls tied to non-emergent medical needs, reduce and limit the exposure of patients being re-admitted into hospitals within 30 days, and give many opportunities to serve the aging baby boomer population. This community based paramedic initiative offers an enhanced and more efficient use of existing resources already employed by the City of Casper.

Planning efforts in this regard are in the beginning stages right now. Staff has been meeting with Wyoming Medical Center staff, physicians and the State of Wyoming Board of Medicine in an effort to determine specifics of the program. A similar program has been launched in Colorado Springs, Colorado. The Colorado Springs Fire Department has partnered with local health care systems and providers and have applied for and received a grant to fund the program. A meeting has been set in May with department staff, WMC staff, physicians and staff from Colorado Springs. Colorado Springs staff will present their program locally so a greater understanding of its components and funding mechanisms are understood. Information gained in that meeting will assist in the planning efforts of a similar program here in Casper.

It is apparent that paramedics in the department are needed and will be utilized in a very proactive and responsive nature. The department has started hiring paramedics and has five employees currently enrolled in the Casper College Paramedic Program. These paramedics will graduate in one year. It is staff's intent to train and/or employ 12 – 20 paramedics in the future to provide advanced life support services to the community.

Historically, the department started employing and training EMT's in the 1970's. EMT training has advanced to where today department members are trained to the level of EMT – Intermediate and now Paramedic. The EMT-Intermediate certification is obtained by graduating from a State of Wyoming certified training program that is comprised of at least 160 hours of training and also includes training in IV therapy, advanced airway management, medication administration

for medical emergencies, medication administration for cardiac emergencies, electrocardiogram interpretation and manual cardiac defibrillation. These students are also required to spend time working and training in a hospital setting. In comparison, the classroom time and clinical time required to become a Paramedic is a minimum of 1,200 hours. Classroom time is much more in depth with an increased focus on the pathophysiology of various disease processes, pharmacology and medication administration, traumatic injury, medical emergencies, and the critical thinking involved in caring for the ill or injured person. Clinical and field internship time allows the student to experience a variety of emergencies and the ability to solidify all that has been learned in the classroom and lab under the guidance of an instructor. Paramedics are trained in the use of numerous emergency procedures that other levels of EMT's are not. In addition, Paramedics are trained in the administration of many medications that lower level EMT's are not authorized to administer. While the training of paramedics is a significant initiative in itself, staff believes that the services that they can and will provide to our community are vital in enhancing the health and safety of our community.

Staff is available to answer questions from City Council members and intends to keep Council updated as these health care initiatives move forward.