

COUNCIL WORK SESSION
Tuesday, August 27, 2013, 4:30 p.m.
Casper City Hall
Council Meeting Room

AGENDA

1. Keith Bynum Appeal – Process Update
2. Requests from Social Service Agencies for Unallocated Capital Funds - Update
3. Community Promotions Round 1 - Results
4. 50/50 Curb, Gutter Sidewalk Replacement
5. CAEDA Grant Request
6. Golf Course Irrigation System
7. Magic Carpet

SPECIAL REGULAR COUNCIL SESSION
Tuesday, August 27, 2013
Casper City Hall
Council Meeting Room

August 14, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Liz Becher, Community Development Director

SUBJECT: Appeal of decision of Planning and Zoning Commission to deny a Conditional Use Permit for a manufactured mobile home in an M-1 (Limited Industrial) zoning district, on Lots 25-28, Block 10, Burlington Addition, located at 1154 East Burlington Avenue.

Recommendation:

That Council, by minute action, establish September 3, 2013, as the public hearing date for the consideration of an appeal of the decision of the Planning and Zoning Commission to deny a Conditional Use Permit for a manufactured mobile home in an M-1 (Limited Industrial) zoning district, on Lots 25-28, Block 10, Burlington Addition, located at 1154 East Burlington Avenue.

Summary:

Keith E. Bynum has applied for a Conditional Use Permit for a manufactured mobile home in an M-1 (Limited Industrial) zoning district, on Lots 25-28, Block 10, Burlington Addition, located at 1154 East Burlington Avenue. The subject property is approximately 10,000 square feet in size and is surrounded by properties zoned M-1 (Limited Industrial) on all sides. Currently, the site is occupied by the applicant and his brother who are living in a camper trailer illegally on the site. Existing land uses in the immediate area are a mix of commercial, industrial and residential, including several manufactured mobile homes that exist as legal, non-conforming uses. Residential uses are not listed as a permitted use in the M-1 (Limited Industrial) zoning district. The manufactured mobile home is not currently hooked up to utilities because it is not a permitted use at this location.

The manufactured mobile home that is located on the subject property was moved to the property recently. The Code Enforcement Division received several complaints from neighbors about the manufactured mobile home being moved onto the property. It was discovered that the applicant was issued, in error, a mobile home permit application by the Building and Code Enforcement Department for the placement of a manufactured mobile home on the property in September of 2012. However, by code, permits expire after six (6) months if they are not "exercised." The applicant moved the manufactured mobile home onto the property, not realizing that the permit had expired, and a new permit was necessary. A new/updated permit could not be issued for the placement of the

manufactured mobile home on the property because the M-1 (Limited Industrial) zoning of the property does not allow it as a permitted use in this location.

Section 17.80.030 of the Casper Municipal Code does allow manufactured mobile homes in the M-1 (Limited Industrial) zoning district, as a Conditional Use, if the manufactured mobile home is “necessary for safety or security reasons, in conjunction with the principal use, and occupied only by persons responsible for security in the principal use and employed by the industry or business conducting the principal use.” In that there is no industrial or commercial use on the property, the case cannot be made that the manufactured mobile home is for safety or security purposes. The applicant therefore, requested approval under Section 17.80.030(F), which allows the Planning and Zoning Commission to approve Conditional Use Permits for “other uses that are compatible with the intent of the M-1 (Limited Industrial) zoning district.”

The Planning and Zoning Commission denied the Conditional Use Permit at their public hearing on July 23, 2013. Section 17.12.240(L) of the Casper Municipal Code allows any person aggrieved or adversely affected by the final decision of the Commission to appeal the decision to the City Council within ten (10) calendar days. The City received a request from the applicant to appeal the decision within the statutory ten-day appeal period.

August 15, 2013

MEMO

TO: John Patterson, City Manager 

FROM: Linda L. Witko, Assistant City Manager

SUBJECT: Requests from Social Service Agencies for Unallocated Capital Funds

Background

On August 13, 2013 the City Council discussed their philosophy for providing funding to nonprofits in the community. The general consensus was that the requests for operating funds should continue to be directed to the Community Action Partnership which has received funding from both the General Fund and the Optional 1% Funds for this purpose. A decision on whether to increase the amount of funding that the City will make available will be discussed during the FY2015 budget process.

Requests from social service agencies for funding for capital projects will continue to be part of the Optional 1% Sales Tax discussion. The City Council will determine how much funding will be allocated for this purpose and will solicit applications from organizations after the election on continuing the General Purpose Sales Tax has been held, and the voters have approved the tax. This process will occur every four years. The next election on the 1% Sales Tax will be conducted in November of 2014.

Council may earmark any unallocated 1% funds for distribution as outlined below. Council may also allot fund balance contributions from an operating year which is above the reserve requirements for this purpose. This is also outlined below.

Use of Unallocated 1% Funds

Any unallocated 1% funds which are received over the projected receipts will be evaluated by the Council and a determination made as to whether a portion of the unallocated receipts should be made available to social service organizations for capital projects. The designated funding will be broken down by the four year timeline between the 1% elections with $\frac{1}{4}$ of the total available each year.

Use of Fund Balance Contributions

In addition to unallocated 1% Funds, the Council may also designate a portion of any surplus funds generated from operations, provided however that designated reserve levels are achieved. The timing of the fund review should be after the end of the fiscal year when the rollover to the next fiscal year has been completed.

With this in mind, staff proposes that the Council meet in August each year to establish the designated funding for Capital Projects from any unallocated funds and fund balance contributions for community projects. Notices will be given to the community that applications from social service agencies for projects can be submitted by October 1st. Preference will be given to projects which include matching funds from other sources, and which address an identified community need, such as low income housing or emergency food and shelter operations.

Applications will be reviewed by staff to assure that they meet the statutory requirements for funding and to clarify any budgetary concerns which may appear in the requests. A sample application form has been attached to this memo to provide a structure for Council consideration. A special work session will be scheduled in November to allow the City Council to invite representatives of the applicants, which have met the initial requirements to make presentations regarding their request. The final list of funding allocations would be brought to a regular City Council meeting in December for formal approval. Groups would be required to sign Professional Services Contracts in order to receive the funds. Council could determine that not all of the funds identified would be allocated and could reserve some of the funding for emergency requests that might come up during the second half of the fiscal year.

The sustainability of this program is dependent upon the continued growth in sales tax receipts from both the State Shared Sales Taxes and the General Purpose 1% Tax. It will also be important for City Councils to follow the guidelines as they have been outlined, and avoid allocating monies outside the process. As Councilmembers noted, the City organization has many unfunded capital needs which will always compete for any unallocated monies that are identified. Finding a balance between the infrastructure, facility and equipment needs of all of the City Departments, and the needs of social service agencies will be an ongoing challenge for the elected officials.

A memo outlining the estimated fund balance for Optional 1%#13 has been attached as well. This memo projects a total of \$2,058,794 will be available from unallocated 1% funds. Based on the original allocations of 84% for City projects and 16% for community projects the breakdown in the balance would provide an additional \$1,331,748 for City Projects and \$727,046 for Community Projects. V.H. McDonald has provided a report (also attached) which identifies the fund balances for Fiscal Year 2013 and establishes an amount above the designated reserve for the General Fund at \$1,047,982. Council will need to decide whether any of these funds should be in this year's process for distribution to social service agencies capital projects.

EXCESS 1%#13 ALLOCATION**TOTAL AVAILABLE 3/18/13 \$12,681,532****CITY PROJECTS**

<u>Project Description</u>	<u>Allocated Funding</u>
Car-Per-Officer (Police Fleet)	\$2,370,738
Perpetual Care	\$3,000,000
Casper Service Center Generator	\$700,000
Downtown Parking Structure Bathrooms	\$250,000
Aerial Fire Truck	\$1,500,000
Municipal Golf Course Maintenance Building	\$1,500,000
TOTAL CITY PROJECTS	\$9,320,738

COMMUNITY PROJECTS

<u>Project Description</u>	<u>Allocated Funding</u>
Boys & Girls Club – Land/Improvements for All American Center	\$1,000,000
Platte River Parkway – Ft. Caspar Underpass	\$102,000
12-24 Club – Building Renovations	\$200,000
TOTAL COMMUNITY PROJECTS	\$1,302,000
BALANCE EXCESS 1%#13 (6/18/13)	\$2,058,794

Capital Funding for Social Services Application FY 2014

Please use this application to request support for capital projects that may be completed in the next year. Applications are due in City Hall by 12:00 noon on _____, 2013.

Name of Sponsoring Organization: _____

Project Title: _____



Contact Information

Contact Person: _____ Phone Number: _____ Date: _____
 Address: _____
 Email: _____
 Is this organization a Non-Profit Organization? Yes or No
 If so, what is your tax exempt EIN number? _____

Project Description

Please attach a **one page, TYPED description** of the project that you are asking us to support. **Please be as detailed as possible.** When thinking about how to write this description, answer some of the following questions:

- What is the purpose of this project, and how does it fit into the mission of your organization?
- Why do you think the City should provide funding for the project?
- How will the project meet a community need?

Applicants are strongly discouraged from attaching brochures or promotional material, etc. **You may attach up to two pages of supporting material** (in addition to this application form, the written "Project Description," and your budget documents) if you believe that it is needed in order to explain your project. **Please do not include anything other than 8 1/2" by 11" paper.** Documents of other sizes, and any other items, will be discarded.

Capital Funding Guidelines:

How will the funds allocated by Council be utilized to meet an identified community need?
 Who will benefit from this project?

Funds Match	<p><i>Please be Aware that your organization must provide a 100% match for any capital request. This means before you draw down the City funds you must have secured the match from other sources. Please provide a list of these other fund sources.</i></p>

If you have any questions about this application, please contact Fleur Tremel in the City Manager's Office at 235-8224, or email ftremel@cityofcasperwy.com.

Budget Summary

Anticipated Funding Sources for this project. <i>Do not list any anticipated funding from the City of Casper.</i>	
1.	\$
2.	\$
3.	\$
4.	\$
Donations (list from whom and whether the donation is <u>committed</u> or <u>to be requested</u>):	
1.	\$
2.	\$
3.	\$
4.	\$
Applicant Funds :	\$
Other Funds (please list source(s)):	
1.	\$
2.	\$
3.	\$
4.	\$
	Total Funding:

Project Costs Project cost estimates must be prepared by a professional contractor, engineer, or architect.	
1.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$
	Total Expenses:

August 20, 2013

MEMO TO: John C. Patterson, City Manager 
FROM: V.H. McDonald, Administrative Services Director 
SUBJECT: General Fund FY 2013 Excess Reserves

Recommendation:

That Council allocates FY 2013 General Fund Excess Reserves

Summary:

During the annual budget development process for the ensuing fiscal year, estimates are made of what total revenues and expenses for each fund will be for the current fiscal year. Estimates for the General Fund are used to project the Fund's reserves to determine if the Fund's reserves will be in compliance with the City Council's Reserve Policy.

While the revenues for the fiscal year that just ended are more readily determined within a few days of the end of the fiscal year, expenses for the year are more difficult to determine. Expenses are not finalized until approximately 45 days after the end of the fiscal year which is referred to as the "cutoff date". At that time expenses incurred on or before June 30, but not billed by the vendor until after that date, are appropriately posted to the fiscal year just ended. The General Fund Reserves, including consideration for other items such as encumbrances and unrealized losses and gains on investments which are not expenses/income at June 30, total \$24,283,276.

The final unaudited reserve balance and excess reserves for the General Fund is:

Ending FY 2013 General Fund Reserves	\$24,283,276
Reserves per Policy for FY 2014	<u>\$22,605,785</u>
Excess Reserves	\$ 1,677,491

Staff recommends that the excess reserves be allocated to the following:

FY 2014 Workers' Comp Prefunding & FY 2013 Workers' Comp Prefunding Deficit	\$ 629,509
Reserves Available for Allocation	\$ 1,047,982

It is vital that part of the excess reserves be allocated for the Workers' Comp Prefunding program in conformity with policies adopted as part of the FY 2014 Budget. The remaining excess reserves are available to be allocated for any purpose, within its authority, that the Council chooses.

Any allocation that the City Council makes of the excess reserves will be accommodated in a future FY 2014 Budget Amendment.

August 21, 2013

MEMO TO: John C. Patterson, City Manager 
FROM: Jessica Tresch, City Manager's Office Intern; 
Fleur Tremel, Assistant to the City Manager 
SUBJECT: FY 2014 Community Promotions Round One Results

Recommendation:

That Council review the preliminary results of the first round of Community Promotions voting to see if it accurately reflects the will of the Council.

Summary:

The City Manager's Office has compiled the results from the Community Promotions round one voting for FY 2014. The complete results have not been compiled, as Councilmember Goodenough chose not to vote and will instead serve as a tiebreaker. Currently, 17 of the 36 submitted applications passed, and four will require Councilmember Goodenough's tiebreaking vote. Applications that did not receive a vote of "Yes" from a majority of Council have been eliminated from further consideration. The process now calls for a review of results in a work session. Individual Councilmember's may change their vote at this time. Those that pass will move on to round two.

Round two voting will include a vote of Yes, No, or Abstain for each of the programs listed. Voting Yes at this time is only an indication that you believe this program is worthy of some funding, not necessarily all of the funding they have asked for. You will have a chance to vote on how much funding to give each program in the third and final round of voting.

You will be emailed the round two voting sheet, which is due back at or before the Council **pre-meeting (before 5:30 p.m.) on September 3, 2013**. If you prefer a paper copy, please contact the City Manager's Office as soon as possible. For your information, the iPad's do not work with our excel program, we are working with IT to enable this feature. Until then, please use a computer or request a paper copy.

Please find attached a spreadsheet showing the voting results.

#	Organization Name	Event Name	Kenye Schlager Yes, No, or Abstain	Paul Bertoglio Yes, No, or Abstain	Bob Hopkins Yes, No, or Abstain	Charlie Powell Yes, No, or Abstain	Daniel Sandoval Yes, No, or Abstain	Keith Goodenough Yes, No, or Abstain	Steve Cathey Yes, No, or Abstain	Craig Hedquist Yes, No, or Abstain	Paul Meyer Yes, No, or Abstain	Number of Votes			Result
												Yes	No	Abstain	
1	12-24 Club, Inc.	Sober St. Patrick's Day	No	No	Yes	No	No	No	No	No	No	1	7	0	Fail
2	12-24 Club, Inc.	Race for Recovery	No	No	Yes	No	Yes	No	No	No	No	1	6	0	Fail
3	12-24 Club, Inc.	Recovery Rally	No	No	Yes	No	No	No	No	No	No	1	7	0	Fail
4	12-24 Club, Inc.	First Night Casper	No	No	Yes	No	No	No	No	No	No	1	7	0	Fail
5	Academic Awards Banquet	Academic Awards Banquet	No	No	No	No	Yes	No	No	No	No	1	7	0	Fail
6	Boys and Girls Clubs of Central Wyoming	Summer Camp 2014	No	Yes	No	No	Yes	No	No	Yes	No	3	5	0	Fail
7	Casper Amateur Hockey Club	2013-2014 Season	No	Yes	Yes	Yes	Yes	No	No	Yes	No	5	3	0	Pass
8	Casper Children's Chorale	Community Performances	No	No	Yes	No	Yes	No	No	Yes	No	3	5	0	Fail
9	Casper Civic Chorale	2013-2014 Concert Season	No	No	Yes	No	Yes	No	No	No	No	2	6	0	Fail
10	Casper Downtown Development Authority	Downtown Banner Program	No	Yes	Yes	Yes	No	No	No	No	Yes	4	4	0	
11	Casper Figure Skating Club	Holiday Show 2013	No	Yes	Yes	Yes	Yes	No	No	Yes	No	5	3	0	Pass
12	Casper Marathon	Casper Marathon	No	Yes	Yes	Yes	Yes	No	No	No	Yes	5	3	0	Pass
13	Casper Museum Consortium	"Museum Minute" on the Brian Scott Morning Show	No	Yes	Yes	Yes	Yes	No	No	No	No	4	4	0	
14	Casper Soccer Club INC	Casper Fall Classic	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	7	1	0	Pass
15	Casper Soccer Club INC	Spring Jamboree	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	7	1	0	Pass
16	Casper Soccer Club INC	Rocky Mountain Indoor Cup	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	7	1	0	Pass

#	Organization Name	Event Name	Kenyne Schlager Yes, No, or Abstain	Paul Bertoglio Yes, No, or Abstain	Bob Hopkins Yes, No, or Abstain	Charlie Powell Yes, No, or Abstain	Daniel Sandoval Yes, No, or Abstain	Keith Goodenough Yes, No, or Abstain	Steve Cathey Yes, No, or Abstain	Craig Hedquist Yes, No, or Abstain	Paul Meyer Yes, No, or Abstain	Number of Votes			Result
												Yes	No	Abstain	
17	Central Wyoming Fair Association	Downtown Sidewalk Chalk Art Festival	No	Yes	No	Yes	Yes		No	No	No	3	5	0	Fail
18	Central Wyoming Fair Association	CWFR 2014	No	No	Yes	Yes	Yes		No	No	No	3	5	0	Fail
19	Central Wyoming Skating Association	Annual CWSA Spring Ice Show	No	Yes	Yes	Yes	Yes		No	No	No	4	4	0	
20	Community Recreation Foundation	2013 Craft Fair	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes	7	1	0	Pass
21	Downtown Casper Business Association	Annual Christmas Parade	No	Yes	Yes	Yes	Yes		No	No	Yes	5	3	0	Pass
22	Downtown Casper Business Association	Downtown Hot Air Balloon Festival	No	Yes	Yes	Yes	Yes		No	No	Yes	5	3	0	Pass
23	Mercer Family Resource Center	Natrona County Suicide Prevention Task Force	Yes	Yes	No	Abstain	No		Yes	No	No	3	4	0	Fail
24	Mercer Family Resource Center	Youth Empowerment Council	No	Yes	No	No	No		No	No	No	1	7	0	Fail
25	Mercer Family Resource Center	Family Day 2013	No	No	No	No	Yes		No	No	No	1	7	0	Fail
26	Nicolaysen Art Museum	NIC Fest 2014	No	Yes	Yes	Yes	Yes		No	No	Yes	5	3	0	Pass
27	Nicolaysen Art Museum	Wednesday Night Live 2014	No	Yes	Yes	No	Yes		No	No	No	3	5	0	Fail

#	Organization Name	Event Name	Kenyne Schlager Yes, No, or Abstain	Paul Bertoglio Yes, No, or Abstain	Bob Hopkins Yes, No, or Abstain	Charlie Powell Yes, No, or Abstain	Daniel Sandoval Yes, No, or Abstain	Keith Goodenough Yes, No, or Abstain	Steve Cathey Yes, No, or Abstain	Craig Hedquist Yes, No, or Abstain	Paul Meyer Yes, No, or Abstain	Number of Votes			Result
												Yes	No	Abstain	
28	Serve Wyoming	Volunteer Guides; Fall 2013 and Spring 2014 Editions	No	No	No	No	Yes		No	No	No	1	7	0	Fail
29	Special Olympics Wyoming	Winter Games	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes	7	1	0	Pass
30	Special Olympics Wyoming	2014 Fall Tournament	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes	7	1	0	Pass
31	Special Olympics Wyoming	Jackalope Jump	No	No	Yes	Yes	Yes		No	No	No	3	5	0	Fail
32	Special Olympics Wyoming	G. Michael Perry Sockball Tournament	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes	7	1	0	Pass
33	Stage III Community Theatre	Middle Platte Renaissance Festival	No	Yes	Yes	Yes	Yes		No	Yes	No	5	3	0	Pass
34	Troopers Drum and Bugle Corps	Troopers Drum Dodgeball Tournament	Yes	Yes	Yes	Yes	Yes		Yes	No	No	6	2	0	Pass
35	Wyoming Fiddlers Association District 4	Rocky Mountain Regional Fiddle Championships, Music Festival, and Artisans' Fair	No	No	Yes	Yes	Yes		No	Yes	No	4	4	0	
36	Wyoming Symphony Orchestra	2013-2014 Concert Season	No	Yes	Yes	Yes	Yes		No	Yes	No	5	3	0	Pass
												Total	16	Pass	

August 21, 2013

MEMO TO: John C. Patterson, City Manager 
FROM: Rick Harrah, Public Services Director
SUBJECT: Sidewalk Repairs and Street Maintenance

Recommendation:

That the city initiate a cooperative program with homeowners to better manage the city's inventory of curb, gutter, and sidewalk.

Summary:

All streets degrade over time, and many factors can contribute to accelerated deterioration. One key factor is cracked curb and gutter. Concrete curb and gutter will typically last for fifty years or more if they are installed properly, but they can be crushed by heavy vehicles, lifted by tree roots, or undermined by erosion or utility work. When this happens, the concrete will crack and crumble.

Our proposal calls for (1) taking over responsibility for the maintenance of the city's curb and gutter, (2) assisting with the maintenance of sidewalks by splitting those maintenance costs with the homeowner, and (3) dealing with concrete deterioration quickly, before it can spread to the roadway.

Curb and Gutter Functionality

Cracked concrete will eventually lead to deterioration of the adjacent roadway. The primary function of the curb and gutter is to channel rainwater away from the street and into the stormsewer. Cracks may allow water to pool along the edge of the road and infiltrate the road base. In the short term, this will cause puddles and trip hazards. In the long term, the seepage and the freeze-thaw cycle will cause cracks and potholes in the roadway, and the cracks in the concrete will get progressively worse.

Current Legal Situation

Currently, the city is responsible for the care and maintenance of the streets themselves, but the adjacent property owner is responsible for the maintenance of curb, gutter, and sidewalks. State and local law empowers the city manager (or his designee) to require a property owner to repair damaged curb, gutter, and sidewalk (12.08.017 of the Casper Municipal Code, and Wyoming State Statute 15-4-306).

The city has issued 23 sidewalk repair notices since February 2009. Most of these were for severely distressed sections of sidewalk, and they were initiated by citizen complaints. Of the 23 issued, less than 10 were actually repaired as a result of the enforcement action, largely because of the hardship that would be borne by the homeowner, since the homeowner has historically been responsible for the entire cost of the repairs. Strict enforcement of the ordinance could easily find many more violations.

Proposal

Elements of our proposal include the following:

1. **The city will revise the ordinances that define substandard curb, gutter and sidewalk.** The current ordinance deals with surface cracking and water retention, but the standards depicted in the ordinance would be revised slightly to address severe lateral cracking. The language would also be revised generally to enhance its enforceability.
2. **The city will assume full maintenance responsibility for separated curb and gutter.** The primary functions of curb and gutter are to protect the roadway and to channel stormwater. These functions benefit the city more than they do the homeowner. Instead of pressuring homeowners to repair the curb and gutter on the city's behalf, the city will repair the curb and gutter just as we would any other city infrastructure.
3. **The city will cover 50% of the cost of sidewalk repairs.** If the sidewalk is found to be deficient, then the city will ask the homeowner to select a method of repair and/or replacement. The method of repair would be subject to the approval of the city engineer.
 - a. The homeowner may opt to repair the sidewalk themselves. Under these circumstances, the homeowner could seek preapproval with the city engineer to repair the work, along with preapproval of the list of materials needed. The homeowner could then submit receipts for the materials purchased (concrete, gravel, etc.). These would be reimbursed (at a rate of 50%) upon completion of the project, subject to final inspection and approval by the City Engineer.
 - b. The homeowner may opt to hire a contractor to repair the sidewalk. Under these circumstances, the homeowner would be required to collect three quotes for the approved repair work. The homeowner would then be reimbursed for 50% of the lowest acceptable quote once the work has been completed.
 - c. The homeowner may opt for the city to conduct the repair work. The Public Services Director would then decide to either do the work with city crews, or the work could be outsourced to a private contractor. If city crews do the work, then the homeowner would be billed for 50% of the actual cost of city labor, equipment, and materials. If the work is outsourced, then the homeowner would be billed for half of the invoiced expense.
4. **For locations with combined curbside (which includes the curb, gutter, and sidewalk),** the city would assume full responsibility for the concrete that borders the roadway up to the point where it levels off and becomes a walking surface. If the damage in that area cannot be fixed without replacing the entire curbside, then responsibility for repairs would be done on a proportionate basis, with the city assuming all of the costs of the curb and 50% of the remainder.
5. **The city would enact these provisions in conjunction with ongoing roadwork.** Prior to major roadwork, city crews would perform an assessment of the curb, gutter, and sidewalk in that neighborhood. This would allow for limited mobilization costs, and it would ensure that the newly repaired roadway is well protected by a functional curb and gutter. The city would retain the option to use this program in areas where roadwork is not imminent, but it would reserve this right for only the most egregious examples of damaged curb, gutter, and sidewalk.











DRAFT REVISIONS

Chapter 12.08 CURBWALKS, SIDEWALKS, CURBS AND GUTTERS*

Sections:

[12.08.005 - Definitions.](#)

[12.08.010 - Construction—Line and grade requirements.](#)

[12.08.015 - Construction—Permit required.](#)

[12.08.017 - Construction or reconstruction of curbwalk, sidewalk, curbs or gutters—Responsibility of property owner.](#)

[12.08.020 - Construction—Standard specifications.](#)

[12.08.030 - Construction—Jurisdiction and observation.](#)

[12.08.040 - Repair or rebuilding of nonconforming curbwalk, sidewalk, curb and gutter.](#)

[12.08.050 - Driving vehicles or permitting animals on sidewalks prohibited.](#)

12.08.005 Definitions.

As used in this chapter, the following terms are defined in this section:

- A. "Applicant," means any person making written application to the city to construct or reconstruct curbwalks, sidewalks, curbs and gutters.
- B. "Asphaltic concrete pavement" means a mixture of black bituminous material and stone, laid hot and rolled until nearly free of voids, herein referred to simply as asphalt.
- C. "Grade" means the fall or rise per unit horizontal length of a structure.
- D. "Longitudinal grade" means a section vertically through the center of a structure showing the fall or rise per unit horizontal (or slope) length of structure. The slope parallel along the major axis of the improvement.
- E. "Person" means any individual person, partnership, corporation, limited liability company, association, estate, trust, or two or more individual persons having a joint or common interest.
- F. "Portland cement concrete pavement" means a mixture of portland cement, water, sand and stone, herein referred to simply as concrete.
- G. "Raveled" means loss of stone and/or concrete materials from surface area downward.
- H. "Segment" means a section of structure that lies between expansion joints or contraction joints.
- I. "Slope" means the inclination of a surface expressed as one unit or rise or fall for so many horizontal units.
- J. "Spalled" means flaking or chipping of concrete materials from surface area downward.
- K. "Standards" means standard specifications for street construction, latest edition, as specified in [Chapter 16.18](#) of this code.
- L. "Structure" means curbwalk, sidewalk, curbs and gutters.

DRAFT REVISIONS

(Ord. 21-99 (part), 1999)

12.08.010 Construction—Line and grade requirements.

Persons desiring to construct structures shall make written application to the city engineer upon forms supplied by the city, for a permit to cut, break, remove or alter any structure as provided in this chapter. For any such work being replaced in a residential district (R-1, R-2, R-3, R-4, R-5 and R-6 districts), the city engineer or his designee shall establish the desired lines and grades as soon as possible after receiving an application. Lines and grades established in conjunction with a site plan, subdivision construction, or any other city permits such as a building permit for new residential or commercial construction will be established by a contractor and reviewed by the city engineer or his/her designee prior to the work being completed.

(Ord. 21-99 (part), 1999)

12.08.015 Construction—Permit required.

- A. It is unlawful for any person either as owner, agent, contractor or employee, to cut, break, remove or alter any structure, or cause to have cut, broken or removed any structure or to install or cause to have installed any structures without a permit. Permits shall be issued by the city engineer after payment of appropriate fees and compliance by the applicant with this code. The cost of the permit shall be established by resolution of the city council.
- B. A permit will be required for all work constructed in conjunction with a site plan, as specified under [Title 17](#) of the Casper Municipal Code. Upon site plan approval, a permit shall be issued by the city engineer after payment of the appropriate fees. The cost of the permit shall be established by resolution of the city council.
- C. Whenever any work for which a permit is required by this chapter has commenced without first obtaining a permit, the applicant shall be charged an amount equal to twice the established permit fee. Such amount shall be paid prior to continuing any further work. This civil penalty is in addition to any other fines, sentences, judgments or consequences which may be imposed.
- D. Whenever work is started without a permit, it shall be stopped, upon notice by the city, until such time as a permit is issued.
- E. Permits are not required for the construction or reconstruction of a structure when:
 1. The structure is removed during the installation of electrical, mechanical or plumbing facilities associated with a city permit, such as a building permit or street cut permit; or
 2. The structure is removed during the installation of piping for fire hydrants, curb stops, or other piping installed by the city; or
 3. The structure is included in ~~work associated with a street improvement project such as a local assessment district or street resurfacing~~ A project administered by the city or the Wyoming Department of Transportation.

(Ord. 21-99 (part), 1999)

12.08.017 Construction or reconstruction of curbwalk, sidewalk, curbs or gutters— Responsibility of property owner.

- A. In accordance with Wyoming Statute Section 15-4-306, all owners of land adjoining any street, lane or alley shall construct or reconstruct any structure, along the street, lane or alley next to the land

DRAFT REVISIONS

when ordered to do so by the city manager or his/her designee. It is the duty of landowners to keep any structure now constructed, or which may hereafter be constructed in front of their property in good repair and in safe condition.

- B. The criteria for reconstruction of any structure shall consist of one or more of the following:
1. Any adjoining segments, or portions thereof, whose edges differ vertically by more than one-half inch;
 2. Any segment that has more than twenty-five percent of its surface area with holes, or is cracked, broken or missing pieces which interfere with the walking public or surface drainage;
 3. Any segment having depressions or low spots so as to impound water greater than three-eighths inch in depth;
 4. Any segment having a grade greater than three-fourths inch vertical per one foot horizontal in walking sections, excluding alleys, drives and ramps;
 5. Any segment that causes an abrupt change in the longitudinal grade of the curbside or sidewalk.

(Ord. 21-99 (part), 1999)

(Ord. No. 7-09, § 1, 4-7-2009)

12.08.020 Construction—Standard specifications.

- A. The standard specifications governing the construction of any concrete structure in the city shall be in accordance with [Chapter 16.18](#) of this code.
- B. The construction of any structure shall be in accordance with the Americans With Disabilities Act, the regulations and guidelines promulgated thereunder, and other applicable law.
- C. The applicant or his agent shall take appropriate measures to assure that, during the performance of construction, traffic conditions shall be maintained as nearly normal as practicable, at all times. The applicant or his agent shall route and control traffic, including his own vehicles, pursuant to the latest edition of the manual on uniform traffic control devices as published by the Federal Highway Administration.

(Ord. 21-99 (part), 1999)

12.08.030 Construction—Jurisdiction and observation.

- A. All structures constructed **OR RECONSTRUCTED** within the city shall be constructed **OR RECONSTRUCTED** under jurisdiction of and subject to observation of the city engineer or his/her designee, and in conformity with the city's standard specifications for street construction and the lines and grades laid out by the city engineer's office. If required, the city engineer or his/her designee shall set line and grade and the stakes shall be preserved by the owner and the contractor doing the work. The applicant or his/her designee shall be responsible for all construction in accordance with this chapter and the city's standard specifications for street construction.
- B. All work covered under this chapter shall be completed expeditiously, in order to avoid unnecessary inconvenience to traffic and pedestrians. In the event that the work has not been performed in accordance with this chapter, or has been abandoned, the city manager or his/her designee may give written notice to the owner of the permit to correct the work and complete all restoration as required by this chapter. The owner shall, within ten working days from date of notice, respond to the city with a schedule to complete the work. All work must be completed within four months from the

DRAFT REVISIONS

date of the city's notice. In the event the owner does not complete the work within the time specified in the response, then the city may cause the work to be corrected and complete restoration as required by this chapter.

- C. In the event the city accomplishes the work in accordance with this section, the entire cost of such work, including any materials used thereof, shall be paid to the city by the applicant of the permit upon demand. If payment is not made within ten days of the demand, no additional permits shall be issued to the applicant. In addition, the city may proceed to collect any of the costs due and owing in any manner allowed by law.
- D. The asphalt shall be cut back and removed by the contractor, eighteen inches from all newly constructed structures to a depth of not more than ten inches. Should concrete pavement be encountered during asphalt removal, all asphalt above the concrete pavement shall be removed no matter the depth. Concrete paving shall be allowed to remain. The asphalt that is removed shall be replaced and compacted with temporary base course to the top of the existing asphalt. The temporary base course shall be removed and replaced with asphalt pavement. The contractor shall give notice to the city when construction is complete.
 - 1. For any such work being replaced in a residential district (R-1, R-2, R-3, R-4, R-5 and R-6 districts), the city will remove the temporary base course and replace it with asphalt paving for homeowners, in order to encourage reconstruction of damaged structures in residential areas. Replacement of base course with asphalt for structures in conjunction with a site plan, subdivision construction, or any other city permits such as a building permit for new residential or commercial construction will be completed by a contractor, and reviewed by the city engineer or his designee prior to the work being completed.
 - 2. The city engineer may grant exceptions to cut back the eighteen inches of asphalt where the asphalt is in exceptionally good condition, as determined by the city engineer's office. Requests for exceptions to the eighteen inch cut back requirement must be made to the city of Casper engineering office a minimum of three days prior to the structure construction.
 - 3. During winter months or when asphalt material is not available, the applicant or his designee shall be responsible for maintenance of all areas where pavement was removed for the installation of any structure. Maintenance shall consist of backfilling all areas where asphalt or concrete was removed with base course and replacing material as needed to prevent potholing, washouts or hazards.
- E. It shall be the duty of the person doing the work authorized by a permit to notify the city that such work is ready for observation. Every request for observation shall be filed at least one working day before such inspection is desired.

(Ord. 21-99 (part), 1999)

12.08.040 Repair or rebuilding of nonconforming curbwalk, sidewalk, curb and gutter.

Where any structure has been constructed or repaired without first having obtained a grade and line from the city engineer, or where the same have not been constructed in conformity with the established grade and line or not in conformity with the city's standard specifications for street construction, the structure shall be rebuilt or repaired at the owner's expense to so conform, as provided in this chapter.

(Ord. 21-99 (part), 1999)

DRAFT REVISIONS

12.08.050 Driving vehicles or permitting animals on sidewalks prohibited.

No person shall drive, propel or move a dray, cart, wagon, buggy, motor vehicle or vehicles, or drive a team, or lead, ride or drive any animal (except pets, as defined in [Section 17.08.010](#) of this code, or in the performance of snow removal) upon or across any sidewalk in the city, or knowingly or negligently suffer or permit any animal (except pets, as defined in [Section 17.08.010](#) of this code) to go upon or across any such sidewalk.

(Ord. 21-99 (part), 1999)

August 21, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Liz Becher, Community Development Director 

SUBJECT: Support for a Community Readiness Grant and Loan Application from the Casper-Natrona County Economic Development Joint Powers Board to construct a 30,000 square foot speculative building within the City of Casper

Recommendation:

That Council, by resolution, supports the submittal of a grant application by the Casper-Natrona County Economic Development Joint Powers Board to the Wyoming Business Council for funding of 30,000-square foot speculative building, to be located in the City of Casper.

Summary:

The governing body of the Casper-Natrona County Economic Development Joint Powers recognizes this project will help to recruit new businesses and encourage additional business development into the Natrona County area, as well as provide sustainable employment opportunities for Central Wyoming residents. Further, the revenue recaptured will be utilized to fund future economic development projects within the City of Casper.

The Casper-Natrona County Economic Development Joint Powers Board plans to match the requested Community Readiness Grant and Loan Program funds from the following sources: Casper Area Economic Development Alliance (CAEDA), and the Casper-Natrona County Economic Development Joint Powers (EDJPB) up to the amount of \$4,000,000, for the construction of a 30,000-square foot (expandable to 60,000-square foot) speculative building, to be located within the City of Casper.

A resolution has been prepared for Council's consideration.

RESOLUTION NO. _____

A RESOLUTION SUPPORTING SUBMISSION OF APPLICATION TO THE WYOMING BUSINESS COUNCIL THROUGH THE COMMUNITY READINESS GRANT AND LOAN PROGRAM, ON BEHALF OF THE CASPER-NATRONA COUNTY ECONOMIC DEVELOPMENT JOINT POWERS BOARD (EDJPB).

WITNESSETH

FOR THE PURPOSE OF: Constructing a 30,000-square foot (expandable to 60,000-square foot) speculative building, to be located within the County of Natrona, Wyoming.

WHEREAS, the governing body of the Casper-Natrona County Economic Development Joint Powers desires to participate in the Community Readiness Grant and Loan Program to assist in financing this project; and,

WHEREAS, the governing body of the Casper-Natrona County Economic Development Joint Powers recognizes this project will help to recruit new businesses and encourage additional business development into the Natrona County area, as well as provide sustainable employment opportunities for Central Wyoming residents; and

WHEREAS, the demand for support of new and existing businesses is critical in the greater Casper/Natrona County area; and

WHEREAS, there exists a need to create additional economic development opportunities and business growth within the boundaries of the City of Casper, Natrona County, and the State of Wyoming; and

WHEREAS, the revenue recaptured will be utilized to fund future economic development projects within the City of Casper and the County of Natrona; and

WHEREAS, the Community Readiness Grant and Loan Program requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of the City's knowledge this application meets those criteria; and,

WHEREAS, the governing body of the Casper-Natrona County Economic Development Joint Powers Board will follow state procurement standards inclusive of W.S. § 16-6-101, et seq.; and

WHEREAS, the governing body of the Casper-Natrona County Economic Development Joint Powers Board acknowledges that the Wyoming Preference ACT (W.S. § 16-6-201 through 16-6-206) will be adhered to throughout the project; and

WHEREAS, the governing body of the Casper-Natrona County Economic Development Joint Powers Board plans to match the requested Community Readiness Grant and Loan Program funds from the following sources: Casper Area Economic Development Alliance (CAEDA), and the Casper-Natrona County Economic Development Joint Powers (EDJPB); and,

WHEREAS, the Casper-Natrona County Economic Development Joint Powers held a public hearing on Friday, August 23, 2013, at 10:00 a.m., and gave full consideration to all comments received.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That the Casper City Council supports a grant application submitted by the Casper-Natrona County Economic Development Joint Powers Board to the Wyoming Business Council, up to the amount of \$4,000,000, for the construction of a 30,000-square foot (expandable to 60,000-square foot) speculative building, to be located within the County of Natrona, Wyoming.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

Approved as to Form:



ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

V. H. McDonald
City Clerk

Kenyne Schlager
Mayor

CERTIFICATE

I, V.H. McDonald, City Clerk, hereby certify that the foregoing Resolution was adopted by the Casper City Council at a public meeting held on September 3, 2013, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the Casper City Council.

V.H. McDonald
City Clerk
City of Casper, Wyoming

August 20, 2013

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

Recommendation:

That Council considers the use of excess Optional 1%#13 Sales Tax funds, in an amount not to exceed \$613,754, for construction of a new golf irrigation system on eighteen holes at the Casper Municipal Golf Course.

Summary:

The replacement of the irrigation system on the Park and Highlands nine hole courses was first requested by staff in 2009. At that time staff had received an estimate of \$750,000 to complete the project. In FY 2011 the project was funded out of One Cent #13 at the \$800,000 level and included in the capital budget. On August 8, 2013 staff received the bid analysis of the three construction bids received by Irrigation Technologies for the irrigation construction. All three bids were in excess of \$1.4 million.

In 2008 the City was first approached by the Natrona County School District (NCSD) regarding selling a 40 acre portion of the golf course for the construction of a new high school. In 2010 the NCSD then asked the City to sell an 8 acre portion of the golf course for the construction of a new Grant elementary school just to the south of the current location. During 2011 staff put together a proposal to sell the 8 acres to the NCSD and remodel the remaining areas of the golf course. After hearing staff's proposal Council requested a feasibility study for the municipal golf course. In 2012 the City commissioned Golf Convergence to perform the study. During that study it was pointed out that the cost to replace the irrigation system on the Park and Highland courses would be closer to \$1.2 million, and not the \$800,000 that was budgeted. Once the feasibility study was completed Golf Convergence presented several options for Council to consider. In September of 2012 the Men's and Ladies Golf Associations met with Council and stated that they would prefer that the golf course remain intact and the irrigation system be replaced. Part of their presentation acknowledged that the \$800,000 budget was insufficient and that additional funds should be taken from excess One Cent #13. In October of 2012 staff requested an updated quote from what they had received in 2010, and the estimate at that time was \$1,137,000. In November of 2012 Council made the decision not to sell any of the golf course property and to move forward with the new irrigation system.

In November of 2012 the City developed a Request for Proposals for an irrigation design architect, and in March of 2013 selected Irrigation Technologies from the proposals received. Irrigation Technologies designed the system and specification then released a request for bids on the system construction. Three bids were received, and American Civil Constructors (ACC), Littleton, CO, was the lowest bidder at \$1,326,210 (this includes deducting the project alternates totaling \$169,790).

The \$800,000 that was approved for this project has been reduced to \$712,456 due to the cost of design (\$45,890) and Federal Communications Commission "narrow banding" requirement on the digital radio controlled irrigation system (\$41,217). The \$41,217 includes required parts that will be used in either the new system or the current system. The \$712,456 remaining leaves an unfunded balance of \$613,754 to complete the project.

At this point staff foresees these options;

- Utilize \$613,754 from excess One Cent #13 funds to complete the project.
- Split the project into two parts and complete one of the nine hole courses.
- Reject all of the bids and wait until we have allocated at least \$1.4 million to complete the project.

I have attached a correspondence from Irrigation Technologies to Mr. Joe Fernau (Casper Municipal Golf Course Superintendent) explaining the concerns with delaying the project, or splitting the project in two.

August 13, 2013

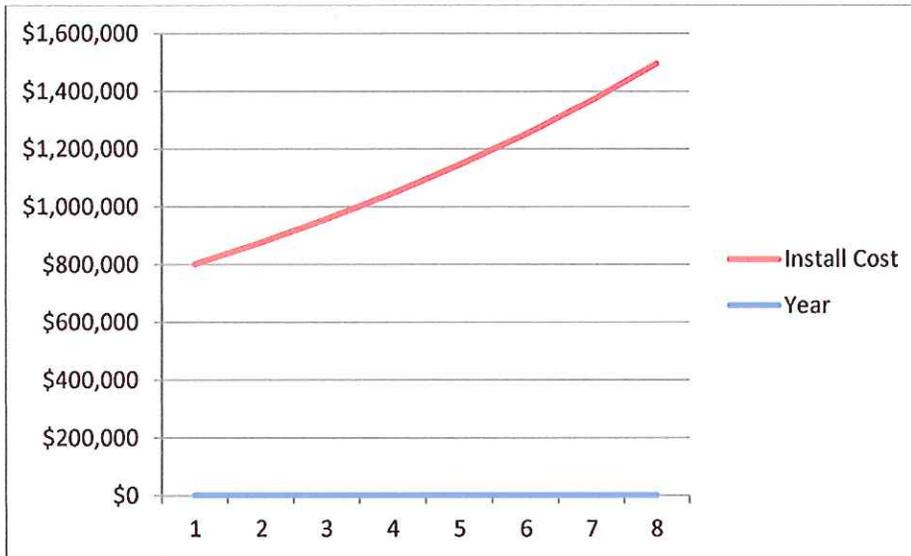
To: Mr. Joe Fernau, CGCS
From: Brian Keighin, Irrigation Technologies
Re: Casper Golf Course Irrigation Project Delay Cost Concerns

In the event the irrigation project is delayed, or just nine of the eighteen holes are installed, it is important to be aware certain difficulties that the golf course will experience.

1. Material pricing has historically increased 6-10% annually. The material pricing for the project is \$689,000. Anticipate materials to increase by \$41,340 to \$68,900 the first year.
2. Labor cost will increase at 3-5% per year. The labor cost for the project is \$449,000. Anticipate labor to increase by \$13,470 to \$22,450 for the first year.
3. Material vendors provide a lower price point when a large volume of equipment is purchased. Breaking the project into 2 or more separate projects will increase material cost simply due to a smaller volume purchase per project. Anticipate an increase of 3-5% per project (\$10,335 to \$17,225) if the project is split into two separate projects. Materials $\$689,000 / 2 = \$344,500 * 3\% = \$10,335$ to $5\% = \$17,225$. The cost for the entire 18 holes could be $\$10,335 * 2 = \$20,710$ to $\$17,225 * 2 = \$34,450$. This calculation does not take into account the annual increase noted in item 1.
4. The installing Contractor will need charge for multiple mobilizations. The mobilization cost of this project is \$70,000. Anticipate a similar mobilization cost if the project is split into 2 separate projects.
5. The construction schedule allows the Contractor 6 months to complete the installation, including several winter months that the Contractor will not be able to work. Splitting the project into 2 or more projects will require a minimum of 4 months per nine holes to complete. It typically takes a Contractor 3-4 weeks to receive materials and reach their highest level of productivity. Splitting the project up will require the Contractor to be on site for a longer total construction period and inconvenience golfers to a certain degree.
6. If the project is split into two or more projects it will be important to maintain Contractor continuity, and have the same Contractor install the entire system from a warranty and quality standpoint.
7. In the event the project(s) need to be rebid, Irrigation Technologies would need to charge for an additional pre-bid meeting (\$1600). Additional site visits (\$1600/visit) may also become necessary.
8. Based on the original June 2009 estimate of \$800,000 and the adjusted bid price noted in the letter of August 8, 2013, the average annual increase has been 9.33%. Please refer to the data and graph below.



	Year	Install Cost	Annual % Increase	Dollar Increase	
1	2009	800,000	9.33%	\$74,640	\$874,640
2	2010	874,640	9.33%	\$81,604	\$956,244
3	2011	956,244	9.33%	\$89,218	\$1,045,461
4	2012	1,045,461	9.33%	\$97,542	\$1,143,003
5	2013	1,143,003	9.33%	\$106,642	\$1,249,645
6	2014	1,249,645	9.33%	\$116,592	\$1,366,237
7	2015	1,366,237	9.33%	\$127,470	\$1,493,707
8	2016	1,493,707	9.33%	\$139,363	\$1,633,070



CC; file

August 20, 2013

MEMO TO: John C. Patterson, City Manager

FROM: Doug Follick, Leisure Services Director
Alan Kieper, Special Facilities Manager
Tom Spangler, Ski Area Superintendent

SUBJECT: Sole Source Purchase of a Magic Carpet Lift for Hogadon

Recommendation:

That Council, by minute action, approve the sole source purchase of a Magic Carpet, from Magic Carpet Lifts, Inc., Denver, Colorado in the amount not to exceed \$200,000.

Summary:

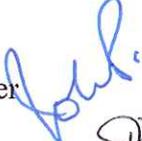
A quote of \$191,150 was received from Magic Carpet Lifts, Inc., Denver, Colorado for a new 310 foot Covered Magic Carpet Conveyor Lift. The quote for this lift system includes the 310 foot conveyor assembly, 290 foot canopy cover, 20 HP motor, 1 pair of end door, 1 pair of side doors, walkways, toe boards, support spreaders, scaffold legs, all necessary installation fasteners/hardware, 2 year manufacturer's warranty, and product delivery. The price quote for this equipment purchase is firm for 60 days and will require 10-12 weeks for delivery. The new covered conveyor lift system is a priority recommendation of the Hogadon Master Plan and the Leisure Services Advisory Board, to improve ski instructional experience and build a new skier base at the Hogadon Ski Area.

The reasons for sole sourcing the Magic Carpet Lift:

- This manufacturer/supplier produces a quality product known throughout the ski industry.
- Company representatives are located in Colorado, and can furnish the appropriate equipment prior to the 2013-2014 ski season.
- The conveyor cover included in this proposal will significantly reduce daily personnel costs associated with snow removal from the lift (prior to actual operation), maintenance costs due to constant exposure to the elements, and assists with the protection of the carpet conveyor when not in use.
- The current Poma Lift, originally intended to transport beginning skiers, is outdated and does not provide an easy learning experience; beginners give up before progressing in the sport.
- Purchase of this product will enhance and expand our Learn to Ski/Snowboard and 5th Grade Ski Programs.
- The lead time on-site ground work provided by in-house City Engineering and City Public Services Departments needs to begin immediately to ensure product installation prior to December 1, 2013.
- We are purchasing this lift system directly from the manufacturer through their regional representative in Colorado.

The funding for the purchase of the Magic Carpet Lift will come from Fiscal Year 2014 Leisure Services Capital Improvement funding.

May, 14, 2013

MEMO TO: John C. Patterson, City Manager 
FROM: Doug Follick, Leisure Services Director 
SUBJECT: Leisure Services Advisory Board Recommendation

Recommendation:

That Council, approve the cost to purchase and install a magic carpet at the Hogadon ski area in the FY2014 budget.

Summary:

At the May 9, 2013 Leisure Services Advisory Board (LSAB) meeting Mr. Chris Smith, Casper Mountain Racers (CMR) and Casper Mountain Snow Sports School (CMSSS) Director told the LSAB that the first area of concern for the CMSSS was to purchase and install a magic carpet at Hogadon. Mr. Smith stated that the magic carpet is needed to enhance the beginner ski and snowboard user experiences. Mr. Smith also stated that the current Poma surface lift is too difficult for beginners to ride and discourages those users from participating more at Hogadon.

Mr. Smith told the LSAB that the magic carpet would cost the City approximately \$100,000, \$25,000 for installation and \$75,000 for the equipment.

The LSAB passed a unanimous motion to recommend to the City Council that the purchase and installation costs of a magic carpet be included in the FY2014 Hogadon budget.