

COUNCIL WORK SESSION
Tuesday, April 28, 2015, 4:30 p.m.
Casper City Hall
Council Meeting Room

AGENDA

1. Downtown Development Authority Wyoming Business Council Grant Request
2. Property Acquisition – Source Gas Repurchase from Amoco Reuse Agreement Joint Powers Board (ARAJPB)
3. Wyoming Smart Capital Network Economic Benefit Certificate – Ward Gas
4. Strategic Goal Objectives
5. Federal Offender Release Facilities
6. Optional One Cent #14
7. Robert’s Rules of Order
8. Future Agenda Review
9. Council Around the Table



April 20, 2015

MEMO TO: Mayor Charlie Powell and Members of Casper City Council

FROM: Casper Downtown Development Authority

SUBJECT: Downtown Public Plaza

Comments: The Downtown Development Authority is currently working to bring an events-driven public plaza to the downtown and Old Yellowstone District. The DDA through the EDJPB is applying for the Wyoming Business Council Community Enhancement Grant in the amount of \$500,000.00. In order to proceed with the EDJPB application sponsorship, the DDA will need a resolution of support from the City Council (see attached).

RESOLUTION OF SUPPORT

RESOLUTION NO.

**A RESOLUTION SUPPORTING A BUSINESS READY
COMMUNITY GRANT AND LOAN PROGRAM FOR AN
ENHANCEMENT GRANT ON BEHALF OF THE GOVERNING
BODY OF THE ECONOMIC DEVELOPMENT JOINT POWERS
BOARD**

FOR THE PURPOSE OF: Phase 1 of building an events driven public plaza

WITNESSETH

WHEREAS, the Governing Body of the City of Casper desires to participate in the Business Ready Community Grant and Loan Program to assist in financing this project; and

WHEREAS, the Governing Body of the City of Casper recognizes the need for an events driven public Plaza and believes this project will address those needs; and

WHEREAS, the public benefit(s) of this project will be public gathering space for the community, increased revenue for the business and property owners located in downtown Casper and low cost or free events that will revitalize our community and the consideration is an increased revenue base for the downtown business and property owners; and

WHEREAS, the specific goals and measures of success of this project are to create a public gather space for the community and the measure of success will be the completion of the plaza; and

WHEREAS, the Governing Body of the City of Casper plans to provide cash match to this Business Ready Community Grant and Loan Program Enhancement project from the following source(s):

City of Casper – \$500,000

WHEREAS, the Governing Body for the City of Casper has considered other possible funding solutions for this project which include additional grants and private donations and

WHEREAS, the Business Ready Community 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 our knowledge this application meets those criteria; and

WHEREAS, In the event of any project cost overruns, the Downtown Development Authority will provide funding in the amount necessary to complete the project utilizing additional fundraising; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Casper; That the Mayor is hereby authorized and directed to execute, and the City Clerk to Attest, support of a grant application submitted by the Casper-Natrona County Economic Development Joint Powers Board to the Wyoming Business Council, up to the amount of \$500,000, for the construction of a Downtown Public Plaza to be located in the City of Casper, County of Natrona, Wyoming.

PASSED, APPROVED AND ADOPTED THIS ____ day of _____, 2015.

CITY OF CASPER, WYOMING
A Municipal Corporation

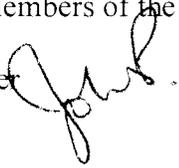
By: _____

ATTEST:

CERTIFICATE

I, _____, hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners at a public meeting held on May 5, 2015, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the records of the City of Casper.

April 20, 2015

MEMO TO: His Honor, The Mayor, and Members of the City Council
FROM: John C. Paterson, City Manager 
SUBJECT: Community Strategic Plan

Recommendation:

No recommendation, information only.

Summary:

Strategic planning provides focus and clarity and gives direction for the allocation of scarce resources in the near to mid-term time frames. It is the road map for action. All budgetary decisions are evaluated against it. Performance is measured by the successful completion of the supporting objectives.

In recent years the City Council has initiated efforts to obtain input from citizens to identify priorities for the City Council to consider when determining the focus of City efforts. Notably was the 2011 Citizen Survey conducted by National Research Center, Inc., the 2012 Focus Groups facilitated by Community Builders, Inc., and the 2014 Optional One Cent Survey conducted by City staff. Combining the valuable and insightful information received from these efforts, along with continual citizen's input received by City Council and staff, results in a very comprehensive information source of the community's needs and priorities.

Calling upon this information, the City Council held a planning session in February 2015. The results of that session were the following three goals:

#1: The City of Casper will foster growth and prosperity of the City's core through infrastructure development, creating public spaces, and supportive facilities.

#2: The City of Casper will create the conditions for economic development by expanding and maintaining its physical assets and equipment, including streets, water lines, parking garages, fire stations, buildings, and parks.

#3: The City of Casper will support, maintain, and upgrade its current recreational facilities and programs and develop recreational opportunities that provide citizens and visitors with a variety of affordable activities for all ages that serve to enhance quality of life.

To achieve these goals, staff has developed measurable objectives for each goal. The attached document, entitled **2015 Council Goals (And Supporting Objectives)**, is a compilation of the Goals and Objectives. This is a fluid document and will be updated annually.

Additionally, the City Council will see in future Regular Council Meeting agendas reference to the Goal each business item relates to. This will provide a continual tie between individual business items Council acts upon and the Goals and Supporting Objectives.

City of Casper
2015 Council Goals
(And Supporting Objectives)

Goal #1: The City of Casper will foster growth and prosperity of the City's core through infrastructure development, creating public spaces, and supportive facilities.

Objectives:

- Continue to support downtown development, implementation of the Old Yellowstone District and the South Poplar Street Corridor Master Plan.
 - Partner with the Downtown Development Authority (DDA) to build a downtown public plaza with private and public funds, including development of the creation of a Tax Increment Financing (TIF) district(s) to provide funds for the project, assisting with property acquisition.
 - Timeline: Fall 2014 – June 2017
 - Lead Personnel: Liz Becher
 - Facilitate the State's construction of a new office building and parking structure in the Old Yellowstone District.
 - Timeline: Fall 2014 – Spring 2017
 - Lead Personnel: Liz Becher
 - Maintain a database of property and uses in the Old Yellowstone District and South Poplar Street Corridor.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher
 - Utilize social media and an active website to promote activities and awareness in the community of the progress made in the redevelopment efforts.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher
 - Prepare a funding plan for funding sources to construction of Midwest Avenue from Poplar Street to David Street by 2017.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher
 - Facilitate at least one new commercial, public, or residential market-rate housing projects per year in the Old Yellowstone District and South Poplar Street Corridor.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher

- Develop the Old Yellowstone District Corridor Riverfront Plan, involving the Platte River Parkway Trust, Amoco Reuse Agreement Joint Powers Board, Old Yellowstone District and South Poplar Street Corridor Advisory Committee, and abutting property owners on the design and development of Waterfront Park.
 - Timeline: Fall 2014- Summer 2017
 - Lead Personnel: Liz Becher

- Restore and refurbish downtown storefronts via the Community Development Block Grant (CDBG) Façade Matching Grant program, with the goal of completing at least two downtown projects per year, as CDBG funding allows.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher

- Enhance public transit services in the downtown core:
 - Through the Casper Area Transportation Coalition to restructured a more efficient route system.
 - Partnering with the Convention and Visitors Bureau to implement trolley route.
 - Timeline: Spring 2015 – June 2017
 - Lead Personnel: Andrew Nelson

- Educate the public on Municipal Code provisions and compliance practices to improve safety and appearance.
 - The Building Inspection Division, Engineering Division and the Casper Fire-EMS Department – Community Risk Reduction Division will collaborate and develop the initial report of the structural conditions of buildings in the downtown core.
 - Timeline: Ongoing
 - Lead Personnel: Liz Becher

Goal #2: The City of Casper will create the conditions for economic development by expanding and maintaining its physical assets and equipment, including streets, water lines, parking garages, fire stations, buildings, and parks.

Objectives:

- Update the Casper Area Comprehensive Plan
 - Timeline: Fall 2016
 - Lead Personnel: Liz Becher and Craig Collins
- Develop a comprehensive administration and operations design and plan for a proposed stormwater utility.
 - The Stormwater Management Master Plan completed in 2012 identified over \$46 million in infrastructure costs to eliminate flooding. A dedicated funding source is not available for these types of projects, with general funds relied upon for implementation. A stormwater utility would provide the necessary capital to construct the improvements along with providing a fund for maintenance of the existing stormwater facilities.
 - Timeline: November 2015
 - Lead Personnel: Dave Hill
- Continuation of the Platte River Environmental Restoration Master Plan, including the completions of the river sections scheduled for riverbank/in-river construction, Russian olive tree removal and vegetative plantings and continues support for the annual Platte River Revival Volunteer Day.
 - Timeline: Through 2019 for river sections
Continual for the annual Platte River Revival Volunteer Day
 - Lead Personnel: Jolene Martinez
- Conduct a preliminary Waste Water Treatment Plant Facilities Update Study, including funding scenarios.

(Major upgrades are needed in the future, possibly by 2023, depending upon regulation adoption, to meet upcoming regulatory requirements as well as equipment/unit process replacements.)

 - Timeline: December 2015 – August 2016
 - Lead Personnel: Andrew Beamer
- Conduct a preliminary Water Treatment Plant Facilities Update Study, including funding scenarios.

(Major upgrades are needed in the future to meet upcoming Environmental Protection Agency Safe Drinking Act Regulations and possible more groundwater treatment.)

 - Timeline: December 2015 – August 2016
 - Lead Personnel: Andrew Beamer

- Update the system development charge ordinance to augment funding for infrastructure development. Include the needs of:
 - Water distribution system
 - Wastewater collection system
 - Wastewater treatment system
 - Water treatment plant
 - Stormwater system
 - Parks
 - Arterial street system
 - Traffic Control Network
 - Public Spaces
 - Timeline: June 2016
 - Lead Personnel: Andrew Beamer

- Establish a cyclist's advisory board to advise the City Council about the conditions of the city's bike network, to include dedicated bike lanes, off street paths, sidewalks, and streets to improve the bike rider's experience in Casper.
 - Timeline: October 2015
 - Lead Personnel: Andrew Beamer

- Develop an administrative and operations design and plan, including funding sources, for an urban forestry program, including expanding the City's inventory of trees by 100 annually.
 - Timeline: December 2015
 - Lead Personnel: Andrew Beamer

- Work with various City departments and public/private agencies to develop proposals for improving and developing the appearance of community gateways, signage, and interstate rights- of-way, while incorporating the new WYOCITY brand.
 - Action Steps:
 - Complete the Metropolitan Planning Organization (MPO) Study which addresses the Casper Area Transportation corridors and gateways, to identify future enhancements, including sustainable landscaping.
 - Identify funding sources for a 5-year phased implementation plan for recommendations contained in the Study.
 - Timeline: Spring 2015 – 2020
 - Lead Personnel: Andrew Nelson

Goal #3: The City of Casper will support, maintain, and upgrade its current recreational facilities and programs and develop recreational opportunities that provide citizens and visitors with a variety of affordable activities for all ages that serve to enhance quality of life.

Objectives:

- Update the 2008 Senior Services (“Boomer”) Study. (This objective encompasses more than recreation, i.e. transportation, cultural, health, social etc., and crosses over into the other two goals of the 2015 Community Strategic Plan.)
 - Timeline: April 2016
 - Lead Personnel: V.H. McDonald
- Promote the development of pedestrian and bicycle-friendly environments throughout the City, to include partnering with the Platte River Trails Trust to develop and fund additional trails.
 - Present Council the MPO Trails, Pedestrian and Bikeway Plan for approval.
 - Develop a plan for additional trail system along Casper Mountain Road to Rotary Park.
 - Metro Animal Services will decrease the number of negative animal encounters reported in City parks, pathways, dog parks, and public spaces by 2% over the previous year.
 - Mackenzie Lake area and path
 - Timeline: Spring 2015 – 2017
 - Lead Personnel: Liz Becher and Andrew Beamer
- Develop and promote community events, including the Solar Eclipse, Rev 3 Challenge, Great River Raft Race and Platte River Revival.
 - Timeline: Ongoing
 - Lead Personnel: Various, coordinated by City Manager
- Develop a community needs/interest assessment report to identify recreational programming opportunities, including external funding support sources offset expenses associated with operating programs or to provide financial assistance for users.
 - Timeline: September 2016
 - Lead Personnel: Carolyn Griffith
- Attract a Professional, Semi-Professional or Junior hockey team to the Casper Events Center.
 - Timeline: June 2015
 - Lead Personnel: Bud Dovala and Doug Follick

- Develop a plan that will provide diversified uses for the sheet of ice at the Casper Events Center (CEC) by attracting ice shows that appeal to all ages.
 - Timeline: July 2015 and Continual
 - Lead Personnel: Bud Dovala

- Develop a program of special events and activities that appeal to all ages at the new outdoor swimming pool in Mike Sedar Park and present to the City Manager.
 - Timeline: April 2016
 - Lead Personnel: Carolyn Griffith

- Continue the forward tee placement program to promote the fun aspect of golf and enhance the playability of older and beginning recreational golfers.
 - Timeline: May and June 2015
 - Lead Personnel: Joe Fernau

- Pursue capital funding for the following improvements and enhancements to existing recreational facilities as recommended by the Leisure Services Advisory Board.
 - Upgrades to the Casper Recreation Center to modernize the facility to improve user experience with recommendations to be presented to the City Council.
 - Timeline: December 2016
 - Lead Personnel: Carolyn Griffith
 -

- Address the following identified facility improvement needs: Replace or install pool liners at Washington Pool and Marion Kreiner Pool, apply non-slip flooring to entryways and locker room areas, upgrade locker rooms, replace lockers to secure valuables and personal items, and upgrade entries.
 - Timeline: May 2016
 - Lead Personnel: Carolyn Griffith

- Upgrade the Casper Family Aquatic Center by reconditioning slides, improving lighting and replacing portions of the deck flooring.
 - Timeline: September 2015
 - Lead Personnel: Carolyn Griffith

- Replace cart paths leading to the new restrooms at the Municipal Golf Course, and continue to replace deteriorating sections of asphalt cart path with new concrete cart paths.
 - Timeline: April 2015 and April 2016
 - Lead Personnel: Joe Fernau

- Rebuilding of greens on Park Nine holes 5 and 7, and Highlands Nine holes 2 and 3.
 - Timeline: June 2015 and June 2016
 - Lead Personnel: Alan Kieper, and Doug Follick

- Develop a recommendation for the placement, design and estimated expenses associated with adding an outdoor recreational aquatic facility on the East side of Casper and present options to City Council.
 - Timeline: December 2016
 - Lead Personnel: Carolyn Griffith

- Improve and expand promotional and marketing efforts for:
 - The Casper Municipal Golf Course to include incentive partnerships with local hotels, offering travelers golfing opportunities at the Casper Municipal Golf Course.
 - Timeline: April and May 2015
 - Lead Personnel: Alan Kieper

 - The Hogadon Ski Area to include attraction of new skiers to the sport, expand the customer base in the communities residents and retain the current customer base.
 - Timeline: March 2015 and March 2016
 - Lead Personnel: Chris Smith

 - Fort Caspar Museum (FCM) focusing on the 150th Anniversary Celebration and increasing visitation
 - Timeline: July 24-26, 2015 (event date), and March 2016
 - Lead Personnel: Rick Young

 - Casper Events Center for diversified uses of the sheet of ice at the Casper Events Center (CEC), including ice shows that appeal to all ages ice programs marketing.
 - Timeline: July 2015 and Continual
 - Lead Personnel: Bud Dovala

 - Aquatics facilities including the Marion Kreiner Splash Pad special events and activities for the new outdoor Mike Cedar pool
 - Timeline: May 2016 and Continual
 - Lead Personnel: Carolyn Griffith



CASPER POLICE DEPARTMENT

City of Casper, Wyoming

JAMES L. WETZEL
Chief of Police

201 North David Street
1st Floor
Casper, Wyoming 82601

April 20, 2015

POSITION PAPER

PROPOSED FEDERAL BUREAU OF PRISON (BOP) RESIDENTIAL RE-ENTRY CENTER

The Casper Police Department received an informational letter on March 30, 2015, from the Northwest Community Action Programs of Wyoming, Inc., d/b/a/ NOWCAP Services, announcing their intent to submit an offer to a Federal Bureau of Prisons (BOP) Request for Proposal (RFP) for Residential Re-Entry Center (RRC) services and Home Confinement (HC) services for federal offenders releasing to the Casper/Natrona County vicinity. The solicitation requires interested service providers to provide a pre-submission notification and seek input from local law enforcement. NOWCAP Services is seeking to re-purpose their current facility at 345 N. Walsh Dr. to meet the requirements of the BOP RFP and provide RRC/HC services for federal offenders. The Casper Police Department does not support this proposed facility.

Public safety concerns regarding the proposed facility include the following:

The Federal BOP has many different offender types and classifications. The RFP does not specify any restriction to the type and/or classification of offenders being released into the RRC or HC facility. It only specifies that the facility is required to provide for the development and coordination of reentry programs, including facilitating services for offenders with special needs; i.e., sex offenders, significant medical and mental health issues, drug and alcohol abuse/dependence, and specialized female offender programming. The proposed facility's anticipated clientele potentially covers a broad spectrum of offenders from various categories of sex offenders to drug traffickers to white collar con-artists. Furthermore, within the federal prison system, prison gangs are an acknowledged and accepted fact. Gang ties frequently linger and are often re-established with associated criminal street gangs following their release from incarceration. Case in point in 2013, the Casper Police Department investigated the armed robbery of a local establishment by members of the transnational criminal street gang, MS-13. The MS-13 gang member who supplied the firearm to the armed robbers was a federal probationer at the time.

The proposed facility lies within 500 yards of two current significant high crimes areas of drug and alcohol offenses, and uniform crime reporting (UCR) Part 1 crimes (UCR Part 1 crimes include, homicide, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson). Within these high crime areas (see attached 2014 Hot Spot Maps), the Casper Police Department routinely responds to calls relating to drugs, disturbances, sex offenses, burglaries, thefts, property damages, and wanted persons. Individuals frequently encountered by law enforcement in these high crime areas are well-known to law enforcement for their gang affiliations and/or involvement in a variety of criminal activity. Clearly, the current volume of

criminals and criminal activity in the immediate area of the proposed facility poses serious public safety concern and questions the wisdom of establishing a RRC/HC facility in close proximity to such an environment.

It is reasonable to assume the proposed facility will house registered sex offenders. The proximity to area schools creates further public safety concern. The proposed facility is 200 yards from Foundations Early Child Care and Education Center (an educational facility serving children 8 weeks old to 5 years of age); within ½ mile from Woods Learning Center and University Park Elementary School; and roughly ¾ mile from Kelly Walsh High School and Evansville Elementary School.

The current Casper Re-Entry Center (CRC), located roughly 10 miles from Casper at 10007 Landmark Lane, Natrona County, Wyoming, is also responding to the BOP RFP to provide RRC/HC services. CRC is a 400 bed facility providing reentry treatment and education services for adult correctional populations. CRC has an average daily population of 260 to 280 offenders. Of that average population, 140 (roughly 50%) of those offenders are allowed to leave the facility to find employment, attend classes, and spend time family/friends. The Casper Police Department has frequent contact within the city limits with offenders residing at CRC. The following Officer-CRC offender contacts were recorded for 2011-2014:

- 2011 – 68 contacts;
- 2012 – 85 contacts;
- 2013 – 88 contacts;
- 2014 – 101 contacts.

The increasing trend of law enforcement contact with CRC offenders over the last four years is concerning. It is reasonable to expect an increase in offender population from either current CRC expansion or the NOWCAP proposed facility will lead to a continuing and corresponding increase in Law Enforcement-Offender contact in Casper.

Assessing the impact of an increased federal offender population through the lens of public safety risk to the citizens of Casper, the Casper Police Department cannot endorse NOWCAP Services' proposed facility or the CRC's expansion/growth of the offender population at their current facility.

2014 Hot Spot Map

Legend

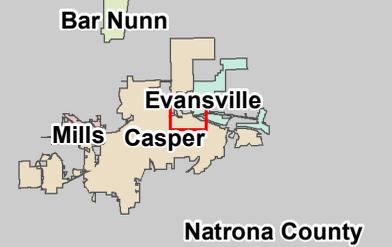
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2014 Part 1 Crime

Concentration of Incidents



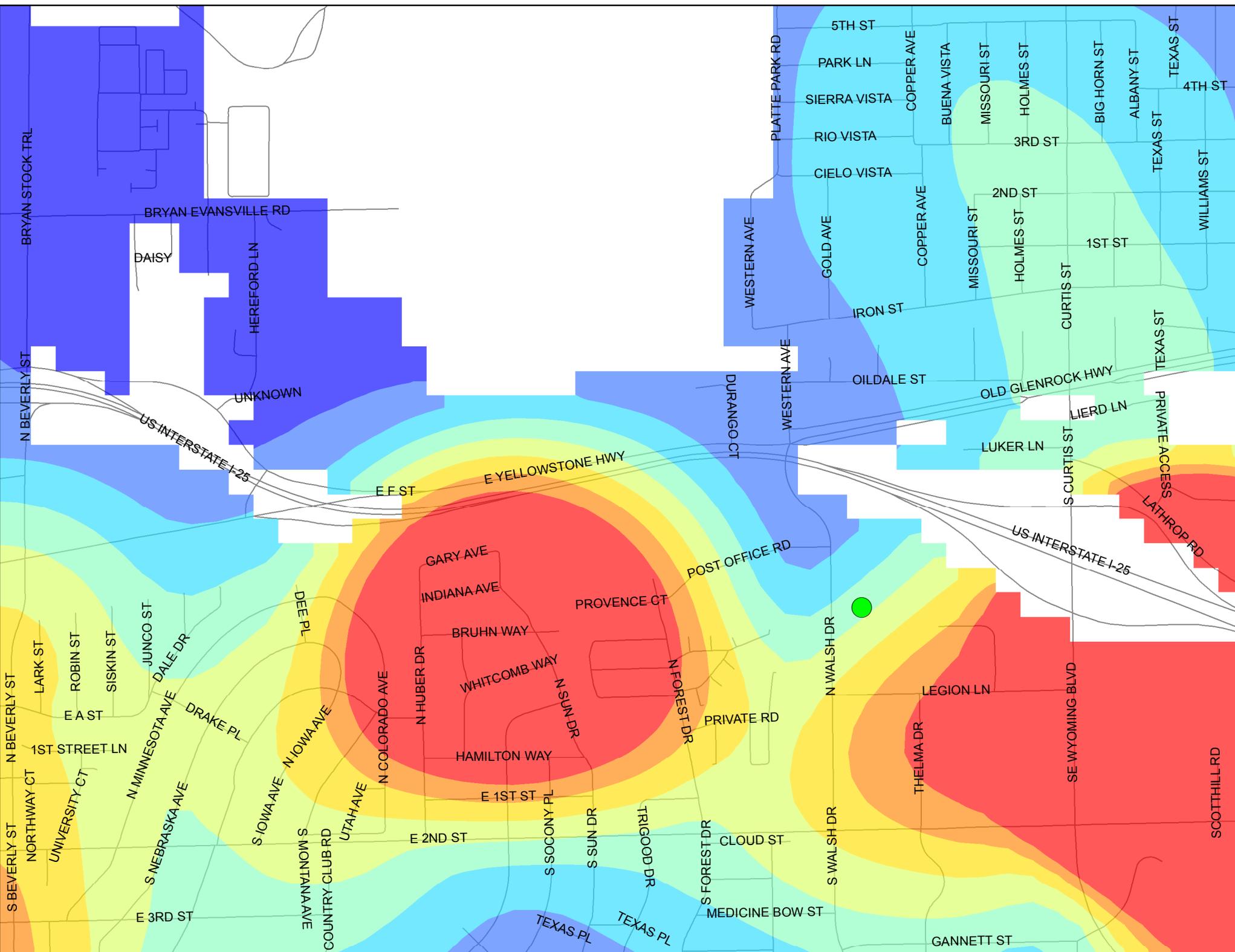
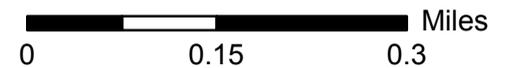
Map focus area (red box)



CITY OF CASPER
POLICE DEPARTMENT
201 N DAVID ST
CASPER WY 82601



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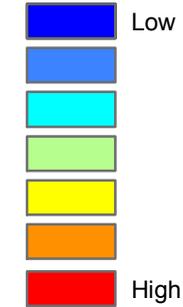


2014 Hot Spot Map Alcohol Offenses

Legend

 345_N_Walsh

Concentration of Incidents



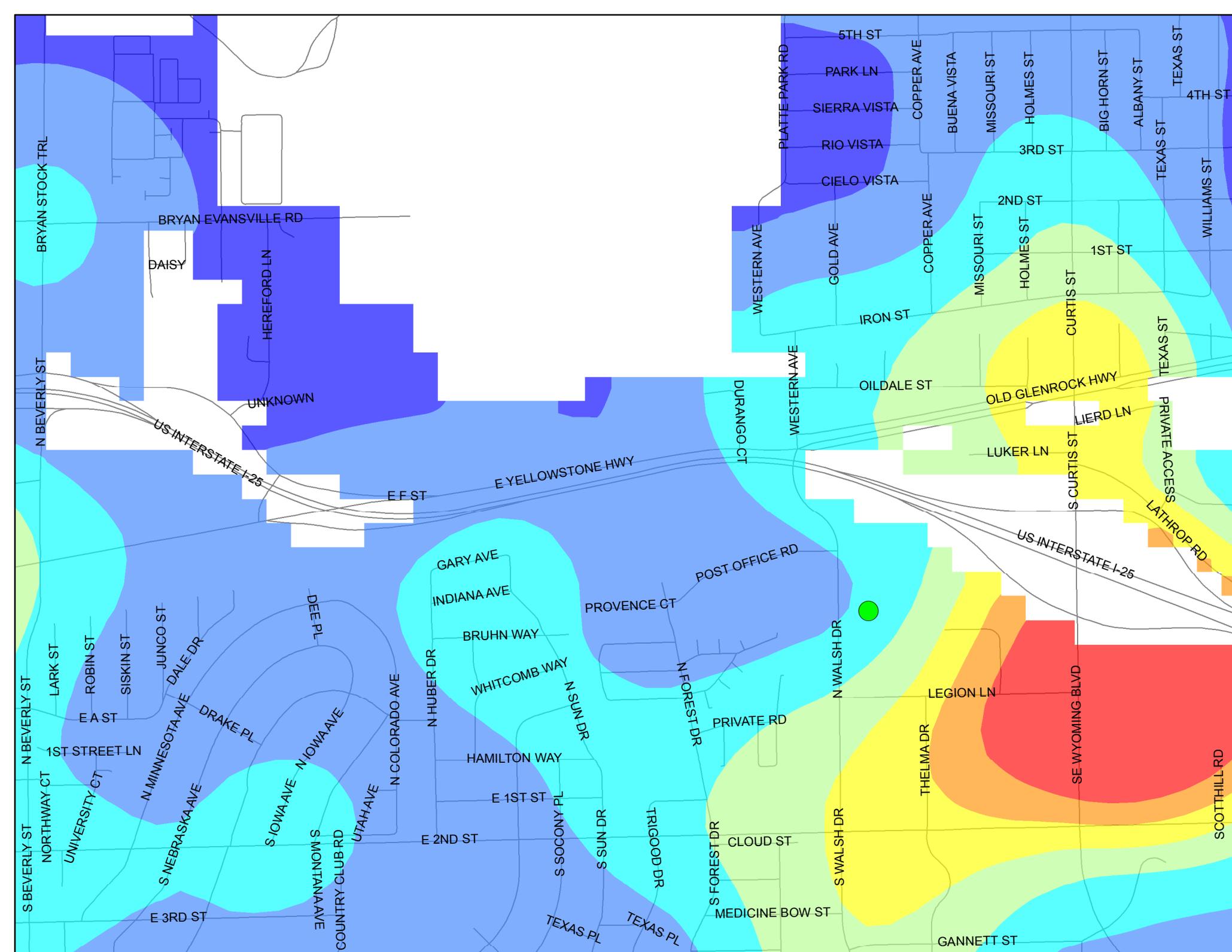
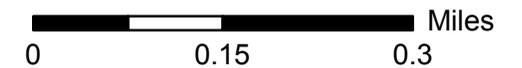
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April 15, 2015

MEMO TO: John C, Patterson, City Manager

FROM: V.H. McDonald, Assistant City Manager 

SUBJECT: 1. Unallocated Optional One Cent #14 Revenue
2. Historic Uses of Optional One Cent Revenue

Recommendation:

No recommendation, information only.

Summary:

1. Un-allocation Optional One Cent #14 Revenue

Total un-allocated Optional One Cent #14 revenue available as of March 31, 2015 for appropriation is \$24,150,385, inclusive of net investment earnings to date.

2. Historic Uses of Optional One Cent Revenue

The attached schedules report the uses of Optional Once Cent revenue for the last four allocation periods (#'s 11, 12, 13 and 14). These four allocation periods span sixteen years from 1999 to 2015. The use information for Optional One Cent #14 revenue includes both unexpended balances of the original allocations for the specific purposes/project listed and expended amounts.

The schedules consist of a summary schedule that reports uses by category:

- Capital Equipment
- Streets & Bridge Improvements
- Park Improvements
- Public Building Repairs
- Other Projects
- Outside Agency Funding
- Investment Fees
- Transfer Out of One Cent Balance (These transfers occurred when the residual balance of a previous allocation period is transferred to the succeeding allocation period to facilitate closure of the fund used for the previous allocation.)

Schedules A through G report the specific use/project for each category.

City of Casper
1% Capital Expenditures

	1%14 2011-2014	1%13 2007-2010	1%12 2003-2006	1%11 1999-2002	Total
Capital Equipment - See Schedule A	5,650,300	9,870,738	7,764,788	3,021,883	26,307,709
Street & Bridge Improvements - See Schedule B	8,863,591	17,349,299	15,265,596	15,429,840	56,908,326
Park Improvements - See Schedule C	1,973,554	2,587,745	2,056,979	2,079,664	8,697,942
Public Building Repairs - See Schedule D	3,054,799	11,480,852	7,392,769	5,667,182	27,595,602
Other Projects - See Schedule E	8,660,958	10,485,857	11,366,931	4,220,631	34,734,376
Outside Agency Funding - See Schedule F	6,045,366	9,802,594	7,394,688	2,415,968	25,658,616
Investment Fees - See Schedule G	28,519	104,654	35,712	71,269	240,154
Transfer Out One Cent Balance - See Schedule G				4,728,706	4,728,706
Total Expenditures	\$ 34,277,088	\$ 61,681,739	\$ 51,277,462	\$ 37,635,143	\$ 184,871,432
Revenues	\$ 73,939,740	\$ 64,163,583			
Total Expenditures to date	34,277,088	61,681,739			
Unexpended balance *	15,512,266	2,481,845			
Unallocated Revenues	\$ 24,150,386	\$ -			

*Approved allocations not yet spent

City of Casper
1% Capital Expenditures
Schedule A

	1%14	1%13	1%12	1%11	Total
	2011-2014	2007-2010	2003-2006	1999-2002	
Capital Equipment					
Capital Equipment		6,400,000	7,625,000	3,021,883	17,046,883
CEC -Capital Equipment	70,000				70,000
Fire Vehicles	1,426,800	1,100,000			2,526,800
Fire Department Communications			50,000		50,000
Golf-Capital Equipment	52,000				52,000
Hogadon-Capital Equipment	185,000				185,000
Ice Arena Equipment Replacement	8,000				8,000
IT-Capital Equipment	32,500				32,500
Park Equipment Replacement	439,000				439,000
Police Vehicles	2,000,000	2,370,738			4,370,738
Public Services Equipment	1,337,000				1,337,000
Zamboni Replacement	100,000		89,788		189,788
Total Capital Equipment	\$ 5,650,300	\$ 9,870,738	\$ 7,764,788	\$ 3,021,883	\$ 26,307,709

City of Casper
1% Capital Expenditures
Schedule B

	1%14	1%13	1%12	1%11	Total
	2011-2014	2007-2010	2003-2006	1999-2002	
Street & Bridge Improvements					
12 St Rehabilitation				2,000,000	2,000,000
15th & Missouri Traffic Signal		96,334			96,334
15th & CY Intersection				117,218	117,218
Bryan Stock Trail	26,687				26,687
Center St Rehabilitation				895,775	895,775
Collectors & Arterials	6,339,760	2,216,648	2,405,211		10,961,620
Collins Drive	72,101	2,363,068			2,435,169
Cottonwood - Phase I		714,589			714,589
Crosswalk Indicators	186,004				186,004
Curb Cuts ADA				61,951	61,951
CY Improvments				371,652	371,652
CY Valley Drive/Storm Sewers			1,560,607	380,626	1,941,232
David Street		1,264,758			1,264,758
Donegal St			86,923	529,632	616,555
Downtown Improvements Project		7,640	5,707,951		5,715,591
E 2nd St			3,091,868	4,443,920	7,535,788
E. 21st Improvements			213,114	1,176,382	1,389,497
E 21st-Kingsbury to Wyo Blvd	250,059				250,059
E 21st-Missouri to Rustic Ridge		432,603			432,603
Fort Caspar Street Improvements		2,977,556		1,028,139	4,005,695
Fort Caspar Underpass	112,636	637			113,273
Glendale Drainage & 26th St	7,975	2,284,637	292,845		2,585,456
Old Yellowstone District Bridge Pathway & Pavilion	48,640				48,640
Paradise Drive Reconstruction		2,589,804			2,589,804
Residential Streets	1,137,878	2,193,643	1,888,914	1,657,524	6,877,960
Robertson Road Bridge			10,815	1,561,698	1,572,513
Sage Creek Drainage				504,804	504,804
Traffic Signal Cabinet Replacement	321,716				321,716
Traffic Signal Controllers			7,348		7,348
Traffic Signal Upgrade	360,135				360,135
Walsh Drive Improvements		144,551		700,519	845,069
Waterford St Stormwater Oversizing		62,830			62,830
Total Street & Bridge Improvements	\$ 8,863,591	\$ 17,349,299	\$ 15,265,596	\$ 15,429,840	\$ 56,908,326

City of Casper
1% Capital Expenditures
Schedule C

	1%14 2011-2014	1%13 2007-2010	1%12 2003-2006	1%11 1999-2002	Total
Park Improvements					
Buckboard Park		443,650			443,650
Goodstein Park	498,519				498,519
Jackson St Park Improvements			757,409		757,409
Legion Baseball Park Renovation				470,000	470,000
Matt Campfield Park			207,914		207,914
Midget Football Field				141,618	141,618
Morad Path - Match	55,251				55,251
Park Improvements -All Parks	1,406,198	1,521,971	994,364	82,044	4,004,576
Platte River Parkway - Pump House		75,372	25,300	30,149	130,821
Rails to Trails Plaza - Beech St			54,667		54,667
Robertson Road Trail Extension	13,587			1,062,143	1,075,730
Skateboard Park Safety Improvements		494,020	17,326	97,000	608,346
Tate Pumphouse Property Improvements		52,732			52,732
Washington Park Bandshell				196,710	196,710
Total Park Improvements	\$ 1,973,554	\$ 2,587,745	\$ 2,056,979	\$ 2,079,664	\$ 8,697,942

City of Casper
1% Capital Expenditures
Schedule D

	1%14	1%13	1%12	1%11	Total
	2011-2014	2007-2010	2003-2006	1999-2002	
Public Building Repairs					
Animal Control Facility			50,000	43,470	93,470
Aquatics Center	35,598			4,450,966	4,486,564
Building Repairs	7,515				7,515
CEC Plumbing Upgrades	844	304,326			305,170
CEC Roof		485,377	499,138		984,514
City Hall			21,554		21,554
Fire Station #5 Replacement Land		349,456			349,456
Fire station replacement #2	2,679,256	394,442			3,073,698
Fire Training Center	54,481				54,481
Fort Casper Improvements		49,597	1,249,811	358,357	1,657,765
Golf Course Maintenance Building		1,460,299			1,460,299
Highland Cemetery Building Remodel		30,352			30,352
Ice Arena Improvements		178,898	488,081	107,692	774,671
Perpetual Care-Operations		6,674,077	5,084,185	500,000	12,258,263
Recreation Center Improvements		150,000			150,000
Refurbish Ice Arena Compressor	11,934				11,934
Roof Replacements & Repairs	265,172				265,172
Service Center Generator		472,400			472,400
Service Center Maintenance - Ongoing		581,301			581,301
Swimming Pool Improvements		350,328			350,328
Traffic Building Relocation				148,105	148,105
Wyoming Bank Building				58,592	58,592
Total Public Building Repairs	\$ 3,054,799	\$ 11,480,852	\$ 7,392,769	\$ 5,667,182	\$ 27,595,602

City of Casper
1% Capital Expenditures
Schedule E

	1%14 2011-2014	1%13 2007-2010	1%12 2003-2006	1%11 1999-2002	Total
Other Projects					
Cemetery Improvements				138,029	138,029
Downtown Public Restrooms		249,138			249,138
Energy Conservation	778,085				778,085
Flood Prevention Project	148,704				148,704
Golf Course Irrigation System	800,398	542,313			1,342,711
Hogadon Waterline Extension		263,820	412,529		676,350
Human Services			250,000	150,000	400,000
Improvements other than Buildings			1,314,631		1,314,631
Landfill		2,000,000			2,000,000
Mike Sedar Pool Replacement	212,120				212,120
Raw Water Irrigation Project		42,270			42,270
Reduced Cost Swimming	1,096,650	1,000,000	1,120,167	385,102	3,601,919
Revolving Land			2,000,000		2,000,000
Urban Forest Maintenance		388,315			388,315
Water System Improvement	5,625,000	6,000,000	6,000,000	3,547,500	21,172,500
Wyoming Blvd Landscaping			269,603		269,603
Total Other Projects	\$ 8,660,958	\$ 10,485,857	\$ 11,366,931	\$ 4,220,631	\$ 34,734,376

City of Casper
1% Capital Expenditures
Schedule F

	1%14	1%13	1%12	1%11	Total
	2011-2014	2007-2010	2003-2006	1999-2002	
Outside Agency Funding					
12/24 Club		200,000	66,246		266,246
American Legion - Sun Up Ridge Memorial Wall	5,000				5,000
Boys & Girls Club of Wyoming -Building Expansion	350,000	919,174	1,062,218		2,331,392
CAEDA- Casper Economic Development	1,500,000	1,600,000	1,600,000	1,200,000	5,900,000
Casper Area Transportation Coalition	1,137,040	377,800		175,000	1,689,840
Casper Housing Authority		197,246			197,246
Casper Legion Baseball		167,500			167,500
Casper Mountain Ski Patrol Hut	14,847				14,847
Casper Mountain Ski Patrol Radios	21,050				21,050
Casper Shooters Club -Public Restrooms @Stuckenhoff	14,347				14,347
Casper YMCA		499,970	279,983		779,953
Casper Youth Baseball Field		450,000			450,000
Casper Youth Baseball Field of Dreams	1,105,102				1,105,102
Central Wyoming Counseling Center			1,000,000		1,000,000
Central Wyoming Senior Center - Building Expansion		1,768,424	29,000		1,797,424
Central Wyoming Senior Center - Technology Upgrades	16,000				16,000
Chamber of Commerce - New Visitors Center		50,000			50,000
Community Action Partnership - Human Services		339,159			339,159
Community Health Center		646,713			646,713
Gateway Statue Relocation		78,385	250,000		328,385
Historic Trails Meals on Wheels Solar Demonstration	7,297				7,297
Joshus's Storehouse		274,800			274,800
Meals on Wheels			1,877,676		1,877,676
Mercer House		150,000			150,000
Midget Football/Soccer Fields Lighting	102,737				102,737
National Historic Trails Center - Exhibit Technology	60,000				60,000
Natrona County Public Library-Books and Materials	800,000	665,000	180,000		1,645,000
Nicolaysen Art Museum Building Improvement	125,975	291,056			417,031
Platte River Parkway Trust Operations and Projects	40,637	1,022,368	1,049,564	1,034,168	3,146,737
Seton House- Building Renovation	400,000				400,000
Skeet Club				6,800	6,800
Wyoming Food Bank of the Rockies		105,000			105,000
Youth Crisis Center- Mckenley Street Facility	345,333				345,333
Total Agency Funding	\$ 6,045,366	\$ 9,802,594	\$ 7,394,688	\$ 2,415,968	\$ 25,658,616

City of Casper
1% Capital Expenditures
Schedule G

	1%14 2011-2014	1%13 2007-2010	1%12 2003-2006	1%11 1999-2002	Total
Investment Fees	28,519	104,654	35,712	71,269	240,154
Transfer Out One Cent Balance				4,728,706	4,728,706
Total Investment Fees and Transfer Out	\$ 28,519	\$ 104,654	\$ 35,712	\$ 4,799,975	\$ 4,968,860

CASPER CITY COUNCIL
PARLIAMENTARY PROCEDURE GUIDE

Prepared by the Casper City Attorney's Office

April 20, 2015

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Underlying Principles of Parliamentary Procedure

One item of business (subject) at a time

One speaker at a time

Majority rules, but respect the right of the minority.

Each item is entitled to a full and free debate.

The purpose of the rules is to facilitate action, not to obstruct it.

Justice and courtesy to all

Discussion is not in order unless there is a pending question.

ROBERT'S RULES OF ORDER– BASICS

Introduction:

- Where Robert's Rules came from:
 - Written by Brig. Gen. Henry Martyn Robert, and 1st published in 1876.
 - Brig. Gen. Henry Martyn Robert's interest in parliamentary procedure began in 1863 when he was chosen to preside over a church meeting and, although he accepted the task, felt that he did not have the necessary knowledge of proper procedure.

NOTE: All page references herein to the Casper City Council Handbook 2012 shall appear as "*Page # CCCH.*"

- Rule 5.12 of the Rules of the City Council (see *Page 123 CCCH*) adopts the latest version of Robert's Rules for parliamentary practice unless otherwise more specifically provided in the Rules and Orders of Council.
 - Council's adopted rules are far less formal and arguably, more practical than the official rules. Plus, Council's rules address many procedures that would normally be covered by Robert's Rules.
 - Robert's Rules allow small assemblies, such as your council meetings to take a more relaxed stance.

Underlying principles

- One item of business (subject) at a time
- One speaker at a time
- Majority rules, but respect the right of the minority
- Each item is entitled to a full and free debate
- The purpose of the rules is to facilitate action, not to obstruct it
- Justice and courtesy to all
- Discussion is not in order unless there is a pending question.

Setting the Agenda (see *Page 17 and 118 CCCH*):

- For Council, the agenda is pre-set for meetings, based upon the prior work session review. No action can be taken on any item not appearing on the posted agenda with the exception of:
 - An emergency situation exists (recommended that this be determined or ratified by a majority finding of the Council at a special meeting called for this purpose. See Casper Municipal Ordinance 2.04.070 which provides that a "Special Meeting" may be called by

the Mayor or any five (5) members of the Council. The meeting call shall fix the day and the hour of such meeting.

- Pursuant to Wyoming Statute 15-1-115(c) every ordinance has to be read on three (3) different days, with at least ten (10) days elapsing between the introduction and final passage of the ordinance which shall be passed on each reading by a majority of all members of the Council. However, Council, in case of emergency, by a vote of three-fourths (3/4ths) of the qualified members of the governing body may suspend these requirements, and under subsection (d) of this statute may pass an emergency ordinance by a vote of three-fourths (3/4ths) of the qualified members of the governing body.
- Note that these statutory requirements are re-stated in Rule 4.4(B), *Page 120 CCCH*.

- **CONSENT AGENDA (see *Pages 19 and 21 CCCH*):**

- A Council member may remove an item from “consent” for the purposes of debate, amendment, tabling, or postponing by contacting the city manager’s office prior to the Council meeting.
- A Council member should notify the city manager’s office of this intent no later than 12:00 noon on the day of the meeting in order for the agenda to be modified. See *Page 21 CCCH*.

- **STANDARD ORDER OF BUSINESS -- Pre-set on the agenda, but subject to change by a vote to amend or other motion (motion to recess until xxx time). In addition, the Chairperson may informally decides to take a break and resume the meeting within a short time.**

The Chairperson

- Keeps order in the meeting (especially making sure one person speaks at a time).
- Takes direction from the other council members on whether to proceed by way of motions, amendments or other procedure. Such actions generally require a second to proceed to debate.
- Chairperson rule decisions are appealable by Council members (“I appeal the ruling of the Chair;” requires a second and a majority vote). However, in the case of Council, this is a very limited right. There is no appeal allowed from the Chair announcing the results of a vote. Only a ruling by the Chair is appealable to the body.

Making a Motion

- The first step in making a decision is getting a clear statement about it. That statement is called a motion. When a Council member makes a motion, he or she is usually suggesting what the organization should do.
- Standard language for motions:
 - “I **move that . . .**” State with clarity the purpose of the motion. Motions should only contain one subject.
- Every motion must, with some narrow exceptions, be supported by another Council member by entering a “second” on the record.
 - Just because someone makes or seconds a motion, it doesn’t mean they support it. It just means they think it’s worth discussing.
- Motion on the Floor: once a motion is made, the discussion on it begins.
 - The mover on the motion goes first. Then, others proceed to speak in order (as called by the Chairperson). We have traditionally been less formal here, and have never enforced a strict rule that the mover speaks first.
 - Once a motion is on the floor, only that topic may be discussed. Talking about something else is “out of order.”
 - Technically -- Discussion is not in order unless there is a pending question (something to vote on). If no one has presented a clear statement of what to vote on, the discussion could go all over the place, and it may be difficult to focus on one issue at a time.
 - Option: move to suspend the parliamentary rules for this case, and to proceed with discussion of the case prior to moving for approval or denial of the motion. Note, it takes a two-thirds (2/3rds) majority vote of those present to suspend the rules.
 - Note: **be careful** suspending the rules. Remember: much of the procedure outlined in the CCCH Rules have been adopted by a binding resolution (Resolution 00-9). As an example, the number of votes required to pass a given resolution or ordinance has been set in Resolution 00-9 (as well as statute) and is not subject to being suspended at a meeting.

Making Amendments

- To change a motion, an amendment is offered. The amendment may simply be accepted if the mover agrees (aka, a friendly amendment accepted by unanimous consent). Normally, however, the better practice is for a motion to amend be *seconded*, debated, and voted upon, all of which will help keep the record clear.
- The Chair normally restates the amendment so it's clear; and, only the amendment may now be debated (not the main motion).
- Before an amendment is passed, a Council member can move to change it. "I move to amend the amendment." The debate must only be about the change, not the previous amendment or the underlying main motion.
- No further amendments are allowed after the amendment to the amendment is on the table.
- Summary of the formal procedure:
 - MOTION
 - AMENDMENT to the MOTION
 - AMENDMENT to the AMENDMENT
- After the vote is complete on the amendments, there is still room for debate and amendment to the MAIN MOTION.
- When all the amendments are complete, the main motion must be voted on.

Making Special Motions

- Postponing Decisions by Motion:
 - Motion to Table – decision set aside until a Council member brings it back to the table by a later motion passed by a majority for discussion (Neither motions, to "lay on the table" or to "take from the table" are debatable.
 - Motion to Postpone to a Certain Day – decision set aside until a specific time and date (debatable). Much better process, as matter automatically comes back later for discussion and decision.
- Motion to Refer – send the item back to staff/developer, or other entity to make the decision or provide more information.

- Be careful with this motion. Sometimes, like in the case of annexations, there are statutory or code based timelines for an item to be approved.

Points of Order

- Point of Information – when there is a question about the motion on the floor, a Councilman may ask for clarification.
- Point of Order – Raised by a Councilman if he or she believes something has gone wrong procedurally. The Mayor, (as the chairperson) can uphold a point of order or deny it, and rule that nothing needs to be done differently. A Councilman who is not satisfied with the ruling, or believes it is wrong, can appeal the ruling and ask for a vote. The vote is the final decision on the ruling.

Calling for the Question

- When the time limit is up, or there is no one else to speak, or any Councilman thinks it's time to end the debate and vote, a councilman may "call for the question."
- Seconded; NOT debatable.
- Note: a delegate cannot speak and THEN call the question. He or she must only call the question.
- When the question is called, the Chairperson takes a vote to see if the majority are in favor of ending the debate. Requires a 2/3 majority vote to call the question. If no **2/3 vote** is received, debate continues. See **page 8** of these guidelines for specific procedures for limiting debate.

Counting the Votes

- It can be by show of hands, voting cards, voice (yes, no), etc.
- We traditionally handle this by the electronic recording of the vote and the outcome being stated on the record.

Changing a Decision

- Motion to Reconsider
 - A Councilman that voted on the winning (prevailing) side of a motion, or who was absent from the meeting, may move to vote again on a decision.
 - Seconded, debatable, majority vote.
 - A motion to reconsider can only occur at the same meeting or the next regular Council meeting.
 - See **page 8** of these guidelines for specific procedures on motions to reconsider.

Ending the Meeting -- Motion to Adjourn

- "I move to adjourn"
- Seconded, NOT debatable, NOT amendable, majority vote, can NOT be reconsidered

SPECIFIC PROCEDURES ON SELECTED COUNCIL RULES OF PARLIAMENTARY PROCEDURE

What follows are excerpts of the parliamentary procedure rules that have been adopted by Council separate from Robert's Rules of Order. Generally see Rules of the City Council as adopted by Resolution No. 00-9 and amended by Resolution 02-284, *Pages 117 – 124 CCCH*.

FOR PASSAGE OF GENERAL ORDINANCES, (Rule 4.4A, Page 119 – 120 CCCH): “A majority of all elected members of the Council shall be required for the passage or amendment of any ordinance.” As such, it will always take an affirmative vote of at least five (5) members of council to pass or amend an existing, codified ordinance.

Due to the wording of this rule, it is my opinion that a motion to amend an ordinance which is pending on the floor may be passed by a simple majority of the Council members present. This is because under Robert's Rules of Order, a main motion may be amended by simple majority of those present. Council Rule 4.4A specifically requires the affirmative vote of at least five members of Council to pass or amend an already existing ordinance. An ordinance being considered on the floor is not a pre-existing, codified ordinance, and has not become law. As such, any amendment to the pending ordinance on the floor is not an amendment of a previously passed ordinance which would otherwise require five affirmative votes to amend.

However, that being said, the vote on the main motion to approve an ordinance on any given reading on the floor still requires an affirmative vote of at least five Council members to pass on that reading.

Note that Rule 4.5 Vote, (*Page 120 CCCH*) also requires that all resolutions, except resolutions granting licenses, be passed by an affirmative vote of not less than five (5) Members of the Council, with resolutions granting licenses being approved by a majority of the members of Council voting on the issue. It is my opinion, based upon the above, that a resolution may also be amended on the floor with a simple majority, however, it will take the affirmative vote of five council members to pass and adopt the resolution.

WITHDRAWAL OF MOTION, (Rule 5.4, Page 121 CCCH): “if no member objects, any motion under consideration may be withdrawn by the mover at any time before a decision, amendment, or ordering of the ayes and nays, except a motion to reconsider which shall not be withdrawn without leave of the Council.”

The following procedure outlines the process to follow for the withdrawal of a motion pursuant to Rule 5.4 above:

1. A council member having made a motion may simply withdraw it unless a second has been received.
2. If the main motion has been seconded, it is then under consideration by the body and the motion may only be withdrawn by the mover making a motion for that purpose which requires a second.
3. The Mayor may ask “is there is any objection to the withdrawal of the motion on the floor.” If there is no objection, the Mayor can state: “there being no objection, the motion is withdrawn by **unanimous consent**.”
4. If the Mayor does **not** ask for unanimous consent, **or** if a council member **objects** to the withdrawal of the motion, then the Mayor shall ask the council to cast and record their votes on the withdrawal of the motion, which requires a simple majority for its withdrawal. The motion to limit debate is not debatable or amendable.

MOTION TO RECONSIDER, (Rule 5.6, Page 122 CCCH): “When a motion has been once made, and carried in the affirmative or negative, it shall be in order for any Member who votes with the prevailing side, or who is absent during the vote, to move for the reconsideration of the vote thereof during the same session or at the next regular meeting of the Council; and such motion shall take precedence over all other questions, except a motion to adjourn. The motion, once made and disposed of, cannot be renewed. There shall be no reconsideration of the motion to adjourn, lay on the table, suspend the rules, indefinitely postpone, and to reconsider.”

In order to reconsider a previously passed item, it is necessary that a motion be made for its reconsideration, which requires a second and the motion is debatable. A simple majority of the council members present is required to pass the motion for reconsideration. Assuming the motion passes, the previous question is again before Council, and a new motion to approve the item and a second needs to be made in order to reconsider and debate the item, which is now also subject to amendments. Following the closing of debate, the chair asks for the casting and recording of the vote on the item.

LIMIT ON DEBATE, (Rule 5.7, Page 122 CCCH): “Any member may move the previous question, and if it be seconded by one (1) other Member the previous question shall be called for. The object of this motion is to bring the Council to a vote on the pending question without further discussion; and if the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate shall cease and the Presiding Officer shall immediately put the question to vote on proposed amendments in their order, and then on the main question, without debate or further amendment: Provided that a motion to adjourn shall be in order after the “previous question” has been sustained, and before the main question is put, but no other motion shall be in order.”

This provision creates a hybrid between what is known as “call for the question” and a motion to limit debate under Robert’s Rules of Order. The following procedure outlines the process to follow in light of Rule 5.7 above:

5. A council member “calls for the question” or “moves the previous question,” either of which, under Rule 5.7 requires a second.
6. The Mayor then may ask “if there is any objection to closing debate.” If there is no objection, the Mayor can state: “there being no objection, the call of the question is granted by unanimous consent” and the Mayor would then call for the vote on any proposed amendments in their order, and then on the main question, without debate or further amendment.
7. If the Mayor does not ask the body if there is unanimous consent to closing the debate, **or** a council member objects to closing the debate, then the Mayor shall ask the council to cast and record their votes on the motion. The motion to limit debate is not debatable or amendable. The vote to limit debate requires a 2/3rds majority vote of those present voting in favor of the call for it to pass.

Public Meetings

Operations and procedures of the City and City Council incorporate requirements designed to insure compliance with the State's open meeting laws. This law is an integral part of local government operations. Because this law is so important, some specific requirements of the law are highlighted below for your information and future reference.

Applicability and Penalties

The entire City organization conducts its business in compliance with Wyoming State Statutes, Title 16, Article 4, Chapter 400 (see page 155). The intent of the law is to ensure that deliberation and actions of local public agencies are conducted in open and at public meetings. The law provides for misdemeanor penalties for members of a body who violate the law. In addition, violations are subject to civil action.

- A. Applicability. The law applies to Council and all commissions, boards and task forces that advise Council. Staff cannot promote actions that would violate the law.
- B. Meetings. All meetings shall be open and public. A meeting takes place whenever a quorum (5 or more members) is present and information about the business of the body is received; discussions qualify as a meeting. Social functions (e.g., receptions, dinners) do not fall under the law unless City business is discussed.
- C. Agendas. Agendas for regular meetings are posted in advance of the meeting.
- D. Actions. No action can be taken on any item not appearing on the posted agenda. Exceptions:
 - 1) An emergency situation exists (determined by a majority of the Council).
 - 2) The need to take action arose subsequent to the agenda being posted and there is a need for immediate action (determined by 2/3 vote of the Council; or if less than 2/3 are present, by unanimous vote).
 - 3) The item was continued to another meeting that was scheduled and posted within 5 days of the original agenda.
- E. Public Input. The public has an opportunity to address the Council on any item of interest to the public that is within the jurisdiction of the Council. The City has the right to establish time limits on speakers and the total time allocated for a particular issue.

Agenda Items

It shall be the responsibility of the Department Heads or their support personnel to make sure that agenda items are submitted to the City Manager's Office, by full title, *no later than 12:00 noon, Monday*, of the week prior to the Council meeting. This will allow time for the preliminary agenda to be prepared and distributed at the Department Head meeting on Tuesday at 7:30 a.m. Tentative items are acceptable at this time.

The Mayor, Vice-President, City Manager, and City Attorney meet on the Thursday prior to the regularly-scheduled Council meeting to set the agenda. On Friday, prior to the regularly-scheduled Council meeting, the finalized agenda is prepared, and a packet with all pertinent details is posted on the City's web site at www.casperwy.gov.

If, after reviewing the agenda packet, a Council member wishes to remove an item from "consent" for the purpose of debate, amendment, tabling, or postponing, he or she may do so prior to the Council meeting by contacting the City Manager's Office. This courtesy permits the City Manager to inform all Councilmen of the items removed from consent prior to the meeting.

Members of the public wishing to speak to an item already on the agenda, other than a public hearing, must submit a written request to the City Manager by 12:00 Noon on the Monday immediately preceding the Council meeting. Individuals wishing to address an issue being considered at a public hearing may do so without prior notification.

Ordinances, Resolutions, Minute Action & Consent

There often is confusion as to the difference between an ordinance (law) and a resolution and as to when each should be used. Black's Law Dictionary, Fourth Edition, on page 1474, states:

"The term (resolution) is usually employed to denote the adoption of a motion, the subject matter of which would not properly constitute a statute (law); such as a mere expression of opinion; an alteration of the rules; a vote of thanks or censure; etc....

"The chief distinction between a 'resolution' and a 'law' is that the former is used whenever the legislative body passing it wishes merely to express an opinion as to some given matter or thing and is only to have a temporary effect on such particular thing, while by a 'law' it is intended to permanently direct and control matters applying to persons or things in general....

Hence, an **ordinance** is law and is used whenever the governing body intends to prescribe a permanent rule of conduct or government which is general in application (for example: traffic regulations, zoning regulations, etc.). A **resolution**, on the other hand, is used when the order of the governing body is of a special or temporary character (for example: the granting of licenses, adopting and/or amending the body's rules of procedure, statements of policy, etc.). All ordinances, as previously noted, must be published or posted to be effective while resolutions generally need not. (Note: This information was taken from the Handbook for Mayors and Council Members developed by the Wyoming Association for Municipalities.)

"Minute Action" is an action taken to formally address agenda items that do not require codification or a signed resolution. Such items may include, but are not limited to, appointments to boards and commissions, various permits, and purchases that do not require a contract.

"Consent" is a category that was created to help expedite Council meetings. An agenda may include consent items for ordinances, resolutions and minute actions. Items eligible for consent are those that may have been discussed at a work session or are of such insignificance that discussion is not required (i.e. making syntax corrections to a resolution or ordinance). The Council members take one vote, either affirming or denying, all items under the consent category. If a Council member desires to withdraw an item from the consent category, the City Manager's Office should be notified *no later than 12:00 noon of the day of the meeting* in order for the agenda to be modified.

Parliamentary Terminology

The Casper City Council conducts meetings according to Roberts Rules of Order. Several key terms and concepts of this system are outlined below. If confusion should arise during a council meeting, council members are encouraged to consult with the City Attorney regarding specific parliamentary procedure.

Main Motion (or “Principal Motion”): Council members initiate formal acts of Council by making motions. A Main Motion is made to bring before the Council, for its consideration, any particular subject or request. As a general rule, they require for their adoption only a majority vote. Main Motions are generally followed by a Subsidiary Motion, which is a motion that will dispose of the first motion (by agreeing to go ahead with it, by tabling it, by postponing a decision on it, etc.)

Permission to Withdraw or Modify a Motion: After a motion has been stated by the chair it belongs to the meeting as a whole, and the maker must request the assembly’s permission to withdraw or modify his or her own motion.

To Call for Orders of the Day: Council members can insist that the Council return to the items on its agenda by making a motion to call for the Orders of the Day. Generally, this is only required if the chair is in error or has committed an oversight.

Point of Order: When a member thinks that the rules of the Council are being violated, he or she can make a Point of Order. This is a request to the chairperson, asking for an enforcement of the regular rules.

Suspend the Rules: When an assembly wishes to do something during a meeting that it cannot do without violating one or more of its regular rules, it can adopt a motion to Suspend the Rules interfering with the proposed action. Suspending the rule cannot conflict with the organization’s bylaws, constitution, local, or national law, or with a fundamental principle of parliamentary law.

Reconsider: A motion that enables a majority to bring back for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information. It can only be moved at the next meeting of Council and it must be moved either by a member who was absent or who voted on the prevailing side.

To Postpone Indefinitely (or “Lay on the Table”): Is a motion that the assembly decline to take a position on the main question. Its adoption kills the main motion and avoids a direct vote on the question. It is useful in disposing of a badly chosen main motion.

To Commit or Refer: This is generally used to send a pending question to a relatively small group of selected persons or a committee so that the question may be carefully investigated.

Reference Guide to Motions

PARLIAMENTARY PROCEDURE IN ACTION

MOTION	MAY APPLY TO THESE MOTIONS	MAY INTERRUPT A MEMBER ON THE FLOOR	MOVER MUST BE RECOGNIZED	REQUIRES A SECOND	DEBATABLE	VOTE NEEDED
FIX TIME OF NEXT MEETING	NONE	NO	YES	YES	Not when privileged	Majority
TO ADJOURN (Recess)	NONE	NO	YES	YES	Not when privileged	Majority
QUESTION OF PRIVILEGE	NONE	Yes, if Necessary	NO	NO	No, but a resulting motion is	Decided by Chair
CALL FOR ORDERS OF THE DAY	Any special or general order	Yes, to call for a special order	NO	NO	NO	None, it takes 2/3 vote to postpone special order
RISE TO POINT OF ORDER	Any motion or act	YES	NO	NO	NO	None, unless appealed, then Majority
APPEAL	Any decision by the Chair	YES	NO	YES	USUALLY NO	Majority
SUSPEND THE RULES	Any motion Where needed	NO	YES	YES	NO	Usually 2/3
WITHDRAW (or Renew) A MOTION	Any motion	NO	YES	NO	NO	Majority
OBJECTION TO CONSIDERATION	Main question, and questions of privilege	YES	NO	NO	NO	2/3 In negative
LAY ON THE TABLE	Main question, appeals, questions of privilege, reconsideration	NO	YES	YES	NO	Majority
TAKE FROM TABLE	Only to motion that was "tabled"	NO	YES	YES	NO	Majority
CLOSE OR LIMIT DEBATE	Any debatable motion	NO	YES	YES	NO	2/3 Majority
POSTPONE TO CERTAIN DAY	Main motion, questions of privilege, reconsider	NO	YES	YES	YES	Majority
REFER	Main motion, questions of privilege	NO	YES	YES	YES	Majority
AMEND	Main motion, limit debate, refer, postpone indefinitely, fix time of next meeting	NO	YES	YES	YES	Majority
POSTPONE INDEFINITELY	Main motion, question of privilege	NO	YES	YES	YES	Majority
MAIN QUESTION (or motion)	No other motion	NO	YES	YES	YES	Majority
RECONSIDER	Any motion except adjourn, suspend rules, lay on table	YES for entry	NO	YES	YES	Majority
RESCIND (or Repeal)	Main motions, appeals, questions of privilege	NO	YES	YES	YES	Majority

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Resolution No. 00-9: Rules of City Council

RESOLUTION NO. 00-9

A RESOLUTION RESCINDING RESOLUTION NOS. 92-142, 96-77 AND 96-213, AND ADOPTING RULES OF THE CITY COUNCIL FOR THE CITY OF CASPER, WYOMING.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That Resolution Nos. 92-142, 96-77 and 96-213 are hereby rescinded, and the Rules of the City Council are hereby adopted to read as follows:

1. MEETINGS OF COUNCIL.

1.1 Regular Meetings.

The Council shall hold regular stated meetings, which shall be not less than two (2) per month, falling on the first (1st) and third (3rd) Tuesdays at 6:00 p.m., beginning May 7, 1996. Other regular meetings shall be fixed by resolution of the Council, spread upon the minutes of the Council Proceedings, and be published in an official newspaper.

1.2 Special Meetings.

The Mayor, or any five (5) of the Councilmen, may call special meetings by notice filed with the Clerk and served upon each Member by delivering the same personally, or leaving the same at their place of residence. Such notice shall fix the hour, day, and place of such meeting.

A. A special meeting may be called by the Mayor at a regular meeting by giving notice thereof and noting the same upon the minutes of such meeting.

1.3 Continuance of Meetings.

In case the time for a meeting shall occur on Sunday or a legal holiday, then such meeting shall be deemed to be called and shall be held on a day so approved by the governing body.

1.4 Quorum.

In case the attendance at any regular meeting or special meeting is less than a quorum, such meeting may be adjourned to a reasonable time and place within the corporate limits of the City that may be designated and entered in the minutes of the adjourned meeting. A majority of all Members of the Council shall constitute a quorum for the transaction of any business.

2. ORDER OF BUSINESS.

2.1 Agenda.

The following shall be the order of business.

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Consideration of Minutes.
- D. Consideration of Bills and Claims.
- E. Public Hearings.
- F. Petitions and Memorials.
- G. Unfinished Business.
 - 1. Ordinances on Second and Third Reading.
- H. New Business.
 - 1. Ordinances on First Reading.
 - 2. Resolutions.
 - 3. Reports.
 - 4. Other.
- I. Communications from Persons Present.
- J. Introduction of Measures and Proposals by Members of the City Council.
- K. Adjournment.

3. ABSENT MEMBERS AND OFFICERS.

3.1 Attendance.

The Council shall have the power to compel the attendance of absent Members. A Council Member absent without reasonable cause may be compelled to attend by order of any two (2) Members of the Council.

A. Gross and persistent delinquency in being absent from regular meetings of the Council shall be cause for the removal of any Member from his office, and absence from three (3) consecutive meetings without being excused by Council shall be evidence of such delinquency.

3.2 Presiding Officer.

The Mayor, as President of the Council, shall preside at all meetings of the governing body. In the absence of the Mayor, the Vice-President shall perform the duties of the Mayor and, in the case of the absence or disability of both, the Council shall choose, from their number, a President Pro Tem who shall be authorized to perform the duties of the Mayor.

4. LEGISLATION.

4.1 Manner.

Except as otherwise provided by the Laws of the State of Wyoming, all legislation shall be by ordinance, save that licenses may be granted by resolution.

4.2 Form and Vote.

Every ordinance and resolution shall be in writing and, upon every vote taken thereon, the ayes and nays shall be taken and recorded.

4.3 Subject Matter.

The subject of every ordinance shall be set out clearly in the title. No ordinance, except one making appropriations, or one for the codification of ordinances, may contain more than one (1) subject and such shall be limited to those respective subjects.

4.4. Recording and Passage.

Every ordinance shall be publicly read on three (3) different days. Public reading may be by title only. At least ten (10) days shall elapse between the introduction and final passage of every ordinance, except emergency ordinances.

- A. A majority vote of all elected members of the Council shall be required for the passage or amendment of any ordinance.
- B. An emergency ordinance is one operating for the immediate preservation of the public peace, health or safety, in which the emergency is defined and declared in the title thereto, separately voted on, and receiving the affirmative vote of three-fourths (3/4) of the elected and qualified Members of the Council. For an emergency ordinance, the requirement that each ordinance shall be publicly read on three different days may be suspended by the affirmative vote of three-fourths (3/4) of the elected and qualified Members of the Council. No franchise may be granted by emergency.

4.5 Vote.

Except as otherwise provided, all resolutions shall be passed by an affirmative vote of not less than five (5) Members of the Council.

Resolutions granting licenses shall be passed by an affirmative vote of not less than a majority of the members of the Council voting on the issue, provided that in no event shall less than a quorum be qualified to consider any such resolution. No vote of the Council on any subject shall be reconsidered or rescinded at any meeting unless there be present as large a number of Councilmen as were present when such vote was originally taken.

4.6 Execution and Publication.

Every ordinance or resolution shall be signed by the Mayor and attested by the City Clerk, and shall be published at least once in an official newspaper as required by State law. Emergency ordinances become effective upon proclamation of the Mayor.

- A. Every ordinance or resolution, after its enactment, shall be recorded in a book kept for that purpose, which record shall be attested by the City Clerk.

4.7 Amendments and Repeals.

Amendments and repeals of ordinances, or sections thereof, shall be by ordinance. An amending ordinance shall set forth the entire ordinance or section, as amended.

4.8 Charter Ordinances.

A charter ordinance, clearly titled as such, may be adopted by affirmative vote of two-thirds (2/3) of all Members elected to the Council.

Such ordinances shall take effect only after publishing once per week for two (2) consecutive weeks and finally certified by the City Clerk sixty (60) days following the last publication.

5. RULES OF PARLIAMENTARY PROCEDURE.

5.1 Manner.

Upon the introduction and reading of any ordinance, resolution, motion, or other matters during the meeting of the Council, the floor of the Council shall be open for discussion and debate of the proposal so presented to the Council.

5.2 Debate.

No Member shall speak more than once to the exclusion of other Members who have not spoken, nor more than twice to the same question on the same day, without leave of the Presiding Officer.

5.3 Motions.

All motions, except to adjourn, postpone, or commit, shall be reduced to writing, if desired by the Presiding Officer or any Member.

5.4 Withdrawal of Motion.

If no Member objects, any motion under consideration may be withdrawn by the mover at any time before a decision, amendment, or ordering of the ayes and nays, except a motion to reconsider which shall not be withdrawn without leave of the Council.

5.5. Precedence of Motions.

When a question is being debated, no motion shall be received except:

- A. To adjourn;
- B. To lay on the table;
- C. For the previous question;
- D. To limit debate;

- E. To postpone to a certain date;
- F. To commit or refer;
- G. To amend; and,
- H. To postpone indefinitely,

and these several motions shall have precedence in the above order.

5.6 Motion to Reconsider.

When a motion has been once made, and carried in the affirmative or negative, it shall be in order for any Member who votes with the prevailing side, or was absent during the vote, to move for the reconsideration of the vote thereof during the same session or at the next regular meeting of the Council; and such motion shall take precedence over all other questions, except a motion to adjourn. The motion, once made and disposed of, cannot be renewed. There shall be no reconsideration of the motion to adjourn, lay on the table, suspend the rules, indefinitely postpone, and to reconsider.

5.7 Limit on Debate.

Any member may move the previous question, and if it be seconded by one (1) other Member, the previous question shall be called for. The object of this motion is to bring the Council to a vote on the pending question without further discussion; and if the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate shall cease and the Presiding Officer shall immediately put the question to vote first on proposed amendments in their order, and then on the main question, without debate or further amendment: Provided, that a motion to adjourn shall be in order after the "previous question" has been sustained, and before the main question is put, but no other motion shall be in order.

5.8 Duty to Vote.

Every member shall vote who may be within the bar of the Council when the question is put unless, for special reasons, he be excused on motion duly made and carried. A motion to be excused shall be made before the call of the ayes and nays is commenced. When the ayes and nays are being taken, the call shall not be interrupted for any purpose whatsoever, except the right of each member to note his desire to explain his vote.

5.9 Explanation of Vote.

Immediately after the vote on any question has been announced, and at no other time, any Member may explain his vote.

5.10 Protest.

It shall be in order for any Member, or Members, of the Council to protest against the action of the Council and have such protest entered briefly in the minutes.

5.11 Appeal.

A majority of all the votes of the Members present shall be sufficient to sustain or reject appeal from the decision of the Presiding Officer of the Council.

5.12 Rule Source.

The rules of parliamentary practice as set forth in the most recent edition of Roberts Rules of Order shall govern the Council in all cases unless otherwise more specifically provided in the Rules and Orders of the Council.

5.13 Change of Rules.

No standing rule of the Council shall be rescinded, changed, or suspended, except by a vote of a majority of the Members of the Council serving in office.

6. GENERAL POLICIES.

6.1 It shall be the General Policy of the Council that appointees to all advisory and quasi-legislative commissions shall be for no longer than two (2) terms.

6.2 Members of the public wishing to place a new item on the agenda must submit a written request to the City Manager no later than 11:00 a.m. on the Wednesday preceding the Council meeting.

A. Ordinances, resolutions, and minute action items may appear under "consent" in the agenda. Such items shall be removed from the consent agenda for one of the following reasons:

1. A member of the public wishes to speak to a specific item and follows the procedures as provided in 6.3.
2. A member of the Council wishes to have said item(s) removed for the purpose of debate, amendment, tabling, or postponing.

- 6.3 Members of the public wishing to speak to an item already on the agenda, other than a public hearing, must submit a written request to the City Manager by 12:00 Noon on the Monday immediately preceding the Council meeting.

Public comment is always invited by the City Council at the end of each meeting.

PASSED, APPROVED, AND ADOPTED this 1st day of February, 2000.

As amended by Resolution No. 06-291

Adopted November 7, 2006