

COUNCIL WORK SESSION

Tuesday, July 12, 2016, 4:30 p.m.

Casper City Hall
Council Meeting Room

AGENDA

1. Use of Council Chambers (Bill Luben)
2. Enhance Law Enforcement Response to Victims (ELERV) (Chief Wetzel, Leslie Fritzler)
3. Arborist Ordinance (Andrew Beamer, Pete Meyers, Dan Coryell, Jim Gerhart)
4. City Travel Policy & Events Sponsorship Policy (V.H. McDonald)
5. City Manager Report
6. Future Agenda Review
7. Council Around the Table

Mayor Sandoval called the meeting to order at 4:35 p.m. with the following Councilmembers present: Councilman Cathey, Johnson, Heili, Pacheco, Schlager, Miller, Hopkins, Powell, and Sandoval.

Mayor Sandoval introduced City Attorney Bill Luben to present on the public use of Council chambers. City Attorney Luben began by giving a brief summary of what types of issues are involved when making this type of decision. He also said that the Council Chambers are to be used in whatever way Council would like to use them, but that he is here to give Council a legal perspective on some of the possible consequences of their decision. He then introduced Wallace Trembath, Assistant City Attorney, to discuss the first amendment issues that relate to the public use of Council Chambers. Mr. Trembath described the differences between a public forum, a limited public forum, and a non-public forum. He explained that the Council Chambers are a limited public forum, but allowing the public to use the Chambers could turn it into a public forum.

City Attorney Luben stated that once Council allows one group to use the Chambers, it must allow all other groups to do the same. Council is also not allowed to make donations, but allowing this could be viewed as allowing tax dollars to be used for non-governmental purposes. Councilman Powell asked why Council cannot keep allowing the public to use the Chambers when the League of Women Voters was allowed to use the Chambers previously. City Attorney Luben responded that Council can close off the public forum use once, but they will not be able to do it again. In other words, they cannot move the Chambers from a limited public forum to a public forum whenever they like; it has to be one or the other. Councilman Hopkins stated there are other venues in Casper that can be used by the groups who want to use the Chambers. Council also discussed that people primarily want to use the Chambers in order to take advantage of the free television that the Chambers' cameras provide. Council decided they will not change their current policy and will not allow the Chambers to be used as a public forum; the Chambers will be kept as a limited public forum as it is currently.

Next, Mayor Sandoval introduced Police Chief, Jim Wetzel, to discuss Enhanced Law Enforcement Response to Victims (E.L.E.R.V.). Chief Wetzel introduced Leslie Fritzler, Victim Services Coordinator, to present on E.L.E.R.V. Ms. Fritzler began by describing the E.L.E.R.V. grant that the Casper Police Department received from the I.A.C.P. (International Association of Chiefs of Police). She explained that Casper was one of three cities that received the \$300,000 grant, and will receive \$100,000 per year for the next three years. She then gave a historical background in the techniques that will be implemented, and explained that it will help law enforcement to understand and effectively respond to varying needs and cultural differences. The primary focus of the grant is to train officers, but it will also be used to train community partners.

She stated that the first phase involves establishing a baseline, which will be done through surveys in the assessment process. I.A.C.P. enlisted St. Cloud State as a data provider, and they will be the City's partner in this endeavor and will handle the statistical analyses. They are conducting a needs assessment during the summer months, and a review of the policies and procedures has been sent in for feedback. This data will help ensure that their agency is focusing on gaps in service. Data collection will begin at the end of the implementation phase. A Grant Assistant was also hired to help with this project.

Councilman Hopkins asked what the officer training will consist of, and Ms. Fritzler responded that I.A.C.P. will help the department to bring in focused training dependent on their needs. Their long term goal is to be a center for training for surrounding areas and agencies. There will also be a Steering Committee, formed from community stakeholders that will help with goals to correct some of the shortcomings provided by the surveys. There will also be a second set of surveys that will confirm if the department is addressing the correct needs. The primary goal is to address the needs of the community and find any gaps; this will guide what type of training is conducted.

Next, Mayor Sandoval introduced Pete Meyers, Assistant Public Services Director, to present on changes to the arborist ordinance. Mr. Meyers began by explaining what the current requirements for arborists are. Arborists need to have a license with the City, which requires either possessing an I.S.A. (International Society of Arboriculture) certification or passing a City test. They must also have insurance. The requirements are meant to ensure the City that individuals have a certain level of skill to practice as an arborist in Casper. The proposed ordinance will slightly change the licensing requirements and will require that each individual be licensed as opposed to licensing a firm. The insurance requirement would also be more specific. It would also specify that if an individual is violating their license, there will be ramifications and the threat of revocation.

Councilman Miller asked what the differences are between the City's test versus the I.S.A. test. Mr. Meyers responded that the City's test is much easier and much less in depth, but still requires a level of understanding about trees and care. Councilman Cathey expressed concern about the new ordinance's requirement of having the arborist's license on display at the job site. Mr. Meyers explained that this requirement is in response to concern over people practicing without a license. Most other types of contractors would have a building permit and would therefore have building inspections. This requirement allows for neighbors and City employees

to drive-by a job site and be assured that the arborist is licensed. Councilman Cathey then stated that he did not like the requirement that the arborist has to be on site when the work is being done, and expressed concern over putting too much of a burden on small business owners and contractors. Mr. Meyers responded that the goal is for the person who understands the trees to actually be there to make sure the job is being done correctly. Andrew Beamer, Public Services Director, stated that Staff could change the ordinance to require only the firm and not the individual to be licensed. This way, the business owner would not need to be onsite. The arborist could evaluate the situation and choose the best plan moving forward, and the laborers could do the work without the arborist being onsite.

Councilman Powell stated that the goal of this is to try to protect citizens from being misled or put in danger; he asked if the City's current test distinguishes someone who knows what they are doing from those that do not. Mr. Meyers stated that it helps to make sure that the person can avoid the basic mistakes by requiring them to know whether a tree is thriving and how to take it down. Councilman Heili asked about the amount of insurance that is required by an arborist. City Attorney Luben stated that the amount required is based on what the city could be liable for in a governmental claims act. Council agreed to move forward with the ordinance change with the discussed amended language.

Next, City Manager McDonald presented on the City's travel policy and events sponsorship policy. Previously the policy stated that travel requests must be approved by the City Manager, however, this leaves the question of who should approve Council's travel. It was decided that the Mayor should be responsible for approving all Council travel. The travel policy applies to Council and other individuals who travel on behalf of the City who are not employees. Reimbursement for travel will be on a per diem basis. Staff has also decided that reimbursement of employees' gas mileage will be based on travel in excess of 25 miles. Councilman Hopkins stated that the policy called for a 15% tip, which he believes should be higher. Council agreed to move forward with this policy with the amended language of including a 20% tip as opposed to a 15% tip. City Manager McDonald also stated that the City will not sponsor events that are not directly related to government business and will not buy tables at fundraisers as has been done in the past. This does not apply to community promotions that are already set aside for in the budget.

Next, City Manager McDonald gave the City Manager Report. He stated that the City met its budget for this month, but changes may be seen in August and September due to an exodus from the City. He discussed the irrigation problems that the Parks Department has dealt with and stated that some controllers have been replaced which should help fix the problem. Staff is continuing to work on the Spectra contract, and the goal is to have the contract approved at the September 6, 2016 meeting. He stated that tomorrow he and a couple of members of Council will be travelling to Cheyenne to meet with State officials about the parking lot for the state office building.

Next, City Manager McDonald reviewed the agenda for the Regular Council Meeting on July 19, 2016.

Next, Council went around the table to discuss their respective board meetings. Councilman Powell asked Council how they would like the representatives to handle the State meeting tomorrow and wanted to know if everyone would like to continue to hold firm on the issue of allowing the parking lot be used by the public after office hours. Council expressed that they would like the representatives to stay resolute on this issue.

Mayor Sandoval adjourned the meeting at 7:15 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Tracey L. Belser
City Clerk

Daniel Sandoval
Mayor