

## **COUNCIL WORK SESSION**

Tuesday, January 9, 2018 at 4:30 p.m.

Casper City Hall

Council Meeting Room

### **AGENDA**

1. Full-Time Municipal Judge (Fleur Tremel)
2. Event Policy Guideline Status Update (Tom Pitlick, Pete Meyers)
3. Council Retreat Setting Discussion (Carter Napier)
4. Legislative Update
5. Council Around the Table
6. Executive Session – Personnel

Mayor Pacheco called the meeting to order at 4:31 p.m. with the following Councilmembers present: Councilmember Powell, Laird, Morgan, Johnson, Hopkins, Huckabay and Mayor Pacheco. Councilmembers Humphrey and Walsh were absent. Councilmember Walsh joined the meeting at 5:30 p.m.

Mayor Pacheco asked that Council try to keep comments at work sessions succinct and to refrain from repeating themselves in order to make the meetings more efficient. He also discussed the leadership agenda reviews that are held with Council leadership and the City Manager every Thursday. He stated that other Councilmembers would continue to cycle attendance at those meetings, but if they cannot attend or would like to trade dates with another Councilmember that would be fine. Vice Mayor Powell stated that the purpose of having other Councilmembers attend is intended to let those other members of Council be part of the planning process. Mayor Pacheco stated that City Manager Napier would continue to send out updates to all of Council after those meetings.

Mayor Pacheco introduced City Manager Napier to discuss Council hiring a full-time municipal court judge. City Manager Napier reviewed Cheyenne's model which includes one full-time judge and one part-time judge. He stated that Casper could utilize a similar model and spend about \$160K per year, which is similar to the budget that Casper currently has with three part-time judges. He stated that the salary for the full-time judge would be \$76K plus benefits, which may be too low of salary to find satisfactory applicants. Cheyenne is currently moving toward a two full-time judge, one part-time judge model which will cost around \$273K per year. Cheyenne also has a juvenile system. He then went over some of the benefits of a moving to a full-time judge model, including removing conflicts of interest. Some drawbacks would be lack of diversity in being able to hand over cases between judges, burn out for the full-time judge, and a negative impact on the alcohol court. He stated that any direction from Council tonight on this issue would be welcome.

Councilmember Laird expressed concern about conflicts of interest that may exist within the current part-time judge system and stated that he would support a two full-time judge model even if there was an impact on the budget. He also stated that he thinks the full-time judge

should administer the court. Councilmember Hopkins stated that he sees a benefit in the diversity of having three part-time judges and brought up Wyoming Supreme Court Judicial Ethics Advisory Committee Opinion 2016-03 that finds no ethical issues with how the court is currently run. Councilmembers asked if they could hear from the current municipal court judges on this issue. Judge Hand explained that he could see a potential burn out issue with having a full-time judge due to the on call time required and stated that conflicts will exist whether there is a full-time or part-time judge. He added that he would like the judges to have some involvement in court administration. Councilmember Morgan asked if there was any legal issue with having judges have their own employees, and Interim City Attorney Chambers stated that he was not aware of a statute that would prohibit this but that he would look into it.

Council asked staff to provide them with more information so that they are better able to make a decision about the municipal court model that is appropriate for Casper. Specifically they asked for an analysis on the impact changing the model would have on alcohol court, an estimated budget for a two full-time/one part-time judge model, information on the judges' recusal criteria, more information on court revenue, and an analysis on how the judges could potentially administer the court themselves.

Next, City Manager Napier discussed the special events guide. He stated that the guide is still a working document. Staff has met with stakeholders and received feedback on an informal basis, and will be obtaining feedback at upcoming meetings from businesses and mobile vendors. Staff would welcome direction from Council on the guide and answer any questions that pertain to the guide, but a final set of policies are not being recommended at this time.

Council discussed some of the related issues pertaining to food trucks and discussed working out a policy for this soon. They discussed the intent of a special events permit and many Councilmembers stated that that permit should be a separate issue from the mobile vending parking permit. Council discussed that the current version of the special events guide is too long and convoluted.

Council asked about the current process to deal with food trucks. City Manager Napier explained that they apply for an event permit through the Clerk's Office. He stated that a recent permit was revoked because of lack of support from neighboring businesses. Several Councilmembers expressed that they do not want to favor one type of business over another, and that the policy for issuing permits should reflect this. Council agreed that a temporary policy for mobile vendors should be implemented until the final policy is ready for a formal decision. The temporary policy they agreed on was to allow mobile vendors to operate after 5:00 p.m. on Friday and Saturday evenings.

Next, City Manager Napier discussed the Council retreat. He explained what would happen at the retreat and explained why it is important and what he hoped they could accomplish. He explained that a strategic plan with overarching goals helps to give staff direction on where Council would like energy and budget focused. Council asked that staff distribute the executive summary of the last goal setting session as well as a former strategic plan to give them a better

idea of what they want to work on in the upcoming retreat. Council agreed to schedule the retreat on a Tuesday & Wednesday evening during work session time.

Councilmember Powell updated Council on the legislative agenda. He stated that the meeting with representatives last week went well and that emails and phone calls about different issues from Council can be influential. He stated that he will try to keep Council informed on important issues throughout the legislative season. He also reminded Council of the WAM Conference scheduled for February 21-23 and encouraged everyone to attend.

Next, Council went around the table to discuss their respective board and committee meetings and share ideas and concerns related to public matters of interest. Councilmember Walsh suggested that the leadership agenda review meetings take place at a time when all Councilmembers are present and part of planning process. Council discussed the benefits of moving the leadership meetings and decided to move them to Tuesdays, either during work sessions or during Council pre-meetings. The new schedule will start next Tuesday.

Councilmember Walsh also asked if Council can change the rules so that the “Vice President” of Council is instead referred to as the “Vice Mayor”. Interim City Attorney Chambers stated that the state statute requires that a Mayor and Vice President of Council be chosen at the first meeting of every year, but that Council can utilize an informal policy where the Vice President of Council is instead called Vice Mayor. Council agreed that they would like to refer to that position as Vice Mayor going forward. Councilmember Morgan stated that he would like to see more information put out about Council agenda items so that the public understands the implications and reasoning behind votes. He also stated that he would like Council to entertain having three of its members be members at large as opposed to serving a specific ward. Councilmember Laird stated that he would like Council to pass a resolution where they cannot pass contracts over four years in length and where escape clauses are mutual. He also asked for CAEDA’s audited financial statement and Councilmember Hopkins stated that he will get that to him. Council had a moment of silence for Leslie Blythe.

At 6:41 p.m., it was moved by Councilmember Walsh, seconded by Councilmember Johnson to adjourn into executive session to discuss personnel. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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Fleur D. Tremel  
City Clerk

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Ray Pacheco  
Mayor