

COUNCIL WORK SESSION

Tuesday, June 28, 2016, 4:30 p.m.

Casper City Hall

Council Meeting Room

AGENDA

1. Executive Session – Litigation
2. City/County Health Department – Fee Proposal Presentation (Dr. Kelly Weidenbach)
3. Zone Change Proposal for South Poplar Corridor Area (Liz Becher)
4. Budget Review
5. City Manager Report
6. Future Agenda Review
7. Council Around the Table
8. Council Discussion – Facilitation Process for Evaluation of Employees of City Council (City Manager, City Attorney, Municipal Judges)

Mayor Sandoval called the meeting to order at 4.30 p.m. with the following Councilmembers present: Councilman Cathey, Johnson, Heili, Pacheco, Humphrey, Miller, Hopkins, and Sandoval. Councilman Powell was absent.

Councilman Johnson motioned to adjourn into Executive Session to discuss litigation. Councilman Miller seconded. Motion passed.

Councilman Johnson motioned to adjourn out of Executive Session into the Regular Work Session at 4:38 p.m., seconded by Councilman Hopkins. Motion passed.

Mayor Sandoval introduced Dr. Kelly Weidenbach, Executive Director of the Casper-Natrona County Health Department, to present on fee proposals for the City/County Health Department. She explained what the environmental division of the Health Department focuses on, which includes restaurants and small waste water systems. They are in charge of plan reviews for new and remodeled facilities, advising citizens on environmental health topics such as rabies, inspecting food facilities, and addressing citizen complaints related to restaurant cleanliness and food and water borne illnesses. She then explained how the department is trying to modernize its software programs in order to increase efficiency and to provide tracking data that will help them better meet citizens' needs.

Dr. Weidenbach then explained how budget cuts have affected the City/County Health Department, and stated that there will be a 10% budget cut in the new fiscal year. The Natrona County Health Department has a very lean staff, with only four inspectors to do all of the work for the entire county, while the number of licensed facilities that require inspections has increased. Due to these circumstances, the department is looking at implementing fees for inspection services in order to mitigate the budget cuts. Implementing these types of fees has

become a national trend, and other counties in Wyoming have also successfully implemented them. Nationally, fees account for 54% of entire health department budgets on average, and Laramie County in Wyoming has 40% of its health department budget paid for by fees. Currently, fees only pay for 4% of the Natrona County Health Department's budget, which is about \$18,000 per year. The new fees will bring in about \$55,000 per year. Dr. Weidenbach added that some of the fees on the proposed fee schedule that were handed out to Council are state fees and cannot be changed without legislation.

Mayor Sandoval stated that this seems fair, because the County is currently just giving away its services for free. This will not be placing an undue burden on these businesses, because this is a public safety issue. Dr. Weidenbach replied that in terms of the overall cost of running a business, these fees are very small. The proposed annual fees will pay for two yearly inspections and one follow up visit, but any further follow ups that are required due to violations will have to be paid for by the facility. This also helps to incentivize compliance, and the new fees will help recoup the cost of repetitive follow-ups. The initial fee will cover the same things that it always has. The changes are coming with users paying for repetitive infractions.

Councilman Heili asked if this increase in fees will help increase the number of inspectors. Dr. Weidenbach explained that the fees will only help to mitigate the budget cuts and help with providing food safety training. Although the County needs another inspector, this will not be happening for at least another two fiscal years. Council discussed that this issue will be formally voted on by the Board of Health at a public hearing, which is held by the Health Department. The Health Department is only looking for Council's authorization to allow that public hearing. City Attorney Luben explained that this is a rule change to the Board of Health, which is why they will hold the public hearing. Citizens and business owners will have the opportunity to voice their concerns at that hearing. Council agreed to authorize that public hearing.

Mayor Sandoval asked Dr. Weidenbach about the County Health Department's lack of funding for women's health. Dr. Weidenbach stated that the Department chose to allocate county funds to mandated services and family planning is not a mandated service.

Next Liz Becher, Assistant City Manager/Community Development Director, discussed the zone change proposal for the South Poplar Corridor Area. She gave a background on the zone changes that have occurred in the Old Yellowstone District (O.Y.D.) and the South Poplar Corridor in the last ten years. She then explained that the design standards for residents between Natrona County High School and Poplar Street are very difficult for those homeowners. The boundaries were originally made based on the weed and seed area in order to weed out blighted areas, as well as the desire at the time to improve the area around Natrona County High School. Many of those properties have since been demolished with the school's recent renovations. There had also previously been talks with WYDOT to widen Poplar Street but those plans have not materialized. Therefore, the established boundary on the east side of Poplar Street is not as relevant. Suggestions have been brought forward by the O.Y.D. Committee to reduce the boundary so that it is one block deep on both sides of Poplar, to allow residential properties to be

rezoned back to what they were prior to 2008, to rezone areas around Collins, and to look at some other changes with the form based code.

This would be a Council-initiated zone change, and the Planning and Zoning Commission will not be involved, but they will be notified about the proposal before it comes forward again for a Council meeting. Councilman Hopkins stated that this is more in line with what the form-based code was meant for, and most of it would go back to R4 zoning which is a good use for those areas. This will also give residential property owners a little more freedom. Council decided to move forward with proposal.

Next, City Manager McDonald reviewed the budget with Council. He stated that the City will not know how the year actually ended until August. The City currently has 32 general fund positions open, which does not include the jobs that will become vacant from the retirement incentives. Staff is projecting a savings of \$1.9 Million, which is close to the projected vacant position savings. The State Legislature did not call in a special session, so it is more likely that municipalities will receive the second half of the allocated money from the State in August. Mayor Sandoval asked if there is anything for the budget that Council or the City needs to do before July 1. City Manager McDonald responded that there is not anything more to do. Assistant City Manager/Support Services Director Tracey Belser informed Council that the water fountain is being delayed due to upkeep, but that it will be working during the tour of statues in in the downtown area.

Next, City Manager McDonald gave the City Manager Report. He informed Council that the Wyoming Association of Municipalities (WAM) is working on issues related to revenue with an ad hoc committee. Specifically, WAM is addressing issues related to the above the cap funding and expenditure reporting. The WAM ad hoc committee has three subcommittees. The committee will review the work of each subcommittee and then release their report to the WAM Board on September 5, and will then send their ideas and concerns to the State Legislature. The City's regular projects are coming along as scheduled. He stated that there have been some technical issues with the Spectra contract conflicting with state law. City Attorney Luben stated that Wyoming has unique statutes that convolute things and put a fiduciary responsibility on the City to protect tax money. Spectra has been receptive but their financial advisors have to approve the final wording. Staff has met with the Parkway Plaza owners, and both parties are prepared to sign the MOU. There are potential meetings coming up for the Casper ranch annexation. The fire rating organization ISO is currently evaluating the City and will assign the Fire Department an ISO rating. The Fire Department may have the chance to improve the rating due to a change in regulations.

Next, City Manager McDonald, reviewed the agenda for the Regular Council Meeting on July 5, 2016. City Manager McDonald passed around the WYDOT letter for each of the Councilmen to look at.

Next, Council went around the table to discuss their respective board meetings.

Councilman Pacheco brought up the issue of open carry firearms at public meetings, stating that a constituent asked him to bring this up. Council discussed the issue. City Attorney Bill Luben stated that in the recent past Council decided against allowing this, because the State Legislature does not allow it during their meetings. He added that Casper as well as other cities have decided against this, because open carry can be used as an intimidation factor for citizens and Councilmembers speaking at meetings. Councilman Cathey stated that concealed firearms are not allowed at meetings and also added that law enforcement officers have expressed concerns about allowing it in the past. Mayor Sandoval stated that this open carry may allow for the intimidation to free speech. Council decided not to add this issue to a work session agenda.

Next, Council discussed the facilitation process for the evaluation of employees of the City Council, which include the City Manager, the City Attorney, and the Municipal Court judges. Councilman Cathey presented the three options Council has for the evaluations: hiring a professional third party reviewer, evaluations by all of Council, or evaluations by a subset of Council, such as the Mayor and Vice Mayor. Councilman Cathey emphasized that this discussion is only to decide what process Council wants to use and Council will not discuss the criteria or any other issues related to the evaluations. Those things will be discussed at an executive session because they are personnel issues. If the third option is chosen, Council will first meet as a group to discuss the criteria and to make sure that all of the opinions of Council are presented during the evaluations. Councilman Hopkins stated that there is a fourth option, where the Mayor and Vice Mayor form a committee with another third member of Council. Council agreed on this fourth option and decided that Councilman Miller would be the third member of the evaluation committee. Council discussed the next steps which include setting up an executive session to choose evaluation criteria and to discuss the employees' performance, suggestions for improvements, future goals, etc. for next year. The committee will then meet to write up each review. Then there will be a second executive session where the committee meets with each of the employees to go over their evaluations. Then there will be a third executive session where the committee presents the evaluations back to the rest of the Councilmembers. Then the committee of three will write up a review. Council decided that this first executive session will be on July 5th, 2016.

Mayor Sandoval adjourned the work session at 6:39 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Tracey L. Belser
City Clerk

Daniel Sandoval
Mayor