

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
October 17, 2017

Casper City Council met in regular session at 6:00 p.m., Tuesday, October 17, 2017. Present: Councilmembers Hopkins, Huckabay, Johnson, Laird, Morgan, Pacheco, Powell, Walsh and Mayor Humphrey.

Mayor Humphrey led the audience in the Pledge of Allegiance.

Moved by Councilmember Morgan, seconded by Councilmember Hopkins, to, by minute action, approve the minutes of the October 3, 2017, regular Council meeting, as published in the Casper-Star Tribune on October 11, 2017. Motion passed.

Moved by Councilmember Johnson, seconded by Councilmember Huckabay, to, by minute action, approve payment of the October 17, 2017, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims
10/17/17

71Construction	Projects	\$1,769.04
A Montes	Reimb	\$65.61
A-1	Services	\$42.00
AAALandscaping	Services	\$2,379.62
AccentEnv	Goods	\$496.15
AMBI	Services	\$1,783.87
AmericanTitle	Services	\$125.00
AndrnHunt	Services	\$203,424.79
ArrowheadHeating	Services	\$180.00
Balefill	Services	\$52,149.91
BankOfAmerica	Goods	\$229,420.34
Brenntag	Goods	\$54,154.49
BWilliams	Reimb	\$133.90
CarrCoatings	Services	\$11,952.35
Caselle	Services	\$75.00
CasperPubUtilities	Services	\$128.15
CCarpenter	Reimb	\$374.93
CentralPaint&Body	Services	\$625.50
Centurylink	Services	\$19,258.07
CHDiagnostic	Services	\$440.00
CitySvcElct	Reprs	\$3,713.52
CivilEngineeringProfessionals	Projects	\$29,680.68
CmmntyBldrs	Services	\$1,319.75
CollectionCenter	Services	\$248.44
CommTech	Goods	\$9,712.00

Conduent	Ins	\$15,740.00
CowdinCleaning	Services	\$816.00
CtrlWySrSvcs	Funds	\$32,308.00
DaveLodenConstruction	Projects	\$970.00
Dell	Goods	\$1,922.69
DeltaConst	Services	\$71,392.00
DoubleDWelding	Services	\$455.00
E Becher	Reimb	\$217.00
EMBGolfCarts	Goods	\$103.83
EnvironmentalCivilSolutions	Services	\$4,185.50
FirstData	Services	\$2,138.97
FirstInterstateBank	Services	\$3,035.87
FirstVetSupply	Goods	\$149.33
FullContactConcrete	Services	\$12,696.00
GMarshInc	Services	\$10,130.85
GolderAssociates	Services	\$5,110.59
GrizzlyExcavating	Projects	\$84,518.38
GrizzlyExcvtng	Services	\$1,103.79
Hach	Goods	\$75.00
HedquistConst	Services	\$8,026.28
HedquistConstruction	Projects	\$106,337.51
Hedquist	Svc	\$3,789.00
HighPlainsConstruction	Goods	\$172.26
Homax	Goods	\$60,419.42
Installation&Svc	Projects	\$108,318.20
JTavarres	Reimb	\$73.80
JTLGroup	Services	\$169,432.46
JWhittler	Reimb	\$181.61
KSvoboda	Reimb	\$41.99
LnclnNtlLife	Services	\$269.81
LovelyFleur	Supplies	\$70.00
McMurryReadyMix	Goods	\$362.63
MDay	Reimb	\$242.38
MDean	Reimb	\$66.12
MunicipalCodeCorp	Goods	\$607.90
NationalBenefitServices	Services	\$396.50
NCHHealthDept	Funding	\$445.00
NCTreasurer	Taxes	\$1,458.56
OfficeStateLands	Services	\$673,544.85
OlsonAutobody	Services	\$1,836.75
Pepsi	Goods	\$36.10
PostalPros	Services	\$3,052.91
RamshornConstruction	Projects	\$41,702.40
RegionalWater	Services	\$654,754.98
RockyMtnPower	Services	\$30,277.77
RTasler	Reimb	\$75.00

SamParsonsUpholstery	Services	\$209.83
ShoshoneDistributing	Goods	\$1,142.00
SShipman	Reimb	\$51.36
ThePeak	Goods	\$5,000.00
TopOffice	Goods	\$8,417.50
TretoConstruction	Projects	\$1,719.00
TRockwell	Reimb	\$143.98
WardwellWater&Sewer	Services	\$147.50
WarriorKit	Supplies	\$90,400.00
WasteWaterTreatment	Funding	\$324,763.32
Waters&SonCosntruction	Services	\$7,688.12
WERCSCcommunications	Services	\$2,544.28
WesternPlainsLandscaping	Services	\$24,286.88
WhitesBuffaloSportingGoods	Goods	\$360.00
WyCfrncBldgOff	Training	\$300.00
WYDOT	Services	\$26,557.98
WyWolverines	Refund	\$158.75
		\$3,230,604.60

Moved by Councilmember Pacheco, seconded by Councilmember Powell, to, by minute action: establish November 7, 2017, as the public hearing date for the consideration of the zone change of the CPH Addition, generally located on Aryn Lane, west of Coffman Avenue, from R-2 (One Unit Residential) to R-3 (One to Four Unit Residential); and the transfer of ownership interest in Retail Liquor License No. 7 Love Holding, LLC, d/b/a C85@ The Branding Iron. Councilmember Huckabay abstained from voting on the transfer of Retail Liquor License No. 7. Motion passed.

The following ordinance was considered, on third reading, by consent agenda.

ORDINANCE NO. 13-17

AN ORDINANCE AMENDING CHAPTER 17.68 OF THE CASPER MUNICIPAL CODE, PERTAINING TO GAMING/GAMBLING IN THE C-2 (GENERAL BUSINESS) ZONING DISTRICT.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

That Section 17.68.020 of the Casper Municipal Code is hereby amended to add "Gaming/Gambling," alphabetically, as a permitted use in the C-2 (General Business) zoning district; as follows:

Except as otherwise provided, no new building, structure or land use shall be erected or used in a C-2 district except:

1. Animal clinics and animal treatment centers;
2. Apartments located within a business structure;
3. Arcades/amusement centers;

4. Assisted living;
5. Automobile park, sales area or service center;
6. Automobile service stations;
7. Banks, savings and loans, and finance companies;
8. Bars, taverns, retail liquor stores, and cocktail lounges;
9. Bed and breakfast;
10. Bed and breakfast homestay;
11. Bed and breakfast inn;
12. Business, general retail;
13. Chapels and mortuaries;
14. Churches;
15. Clubs or lodges;
16. Convenience establishment, medium volume;
17. Dance studios;
18. Day care, adult;
19. Child care center;
20. Family child care center - zoning review;
21. Family child care home;
22. Family child care home - zoning review;
23. Electrical, television, radio repair shops;
24. GAMING/GAMBLING;
25. Grocery stores;
26. Group homes;
27. Homes for the homeless (emergency shelters);
28. Hotels, motels;
29. Neighborhood groceries;
30. Offices, general and professional;
31. Pet shops;
32. Medical laboratories, clinics, health spas, rehabilitation centers, real estate brokers, insurance agents;
33. Parking garages and/or lots;
34. Parks, playgrounds, historical sites, golf courses, and other similar recreational facilities;
35. Pawn shops;
36. Personal service shops;
37. Pharmacies;
38. Printing and newspaper houses;
39. Reception centers;
40. Recreation centers;
41. Restaurants, cafes, and coffee shops;
42. Retail business;
43. Sundry shops and specialty shops;
44. Theaters, auditoriums, and other places of indoor assembly;
45. Thrift shops;
46. Vocational centers, medical and professional institutions;
47. Neighborhood assembly uses;
48. Regional assembly uses;

- 49. Branch community facilities;
- 50. Neighborhood grocery;
- 51. Conventional site -built and modular single and multifamily dwellings and "manufactured homes" meeting the definition and standards set forth in Section 17.08.010.

SECTION 2:

That Section 17.68.030 of the Casper Municipal Code is hereby amended to remove the strikethrough text, as follows:

17.68.030 Conditional uses.

The following are conditional uses in the C-2 district:

- A. Animal shelters and animal boarding houses;
- B. Apartments;
- C. Automobile repair shop;
- D. Convenience establishments, high volume;
- E. Parking lots;
- F. Public utility and public service installations and facilities; excluding business offices and repair and storage facilities;
- G. Workshop scale manufacturing, assembling, or packaging of products from previously prepared materials;
- H. Other uses as determined by the commission.

SECTION 3:

This ordinance shall be in full force and effect from and after passage on three readings and publication.

PASSED ON 1st reading the 19th day of September, 2017.

PASSED ON 2nd reading the 3rd day of October, 2017.

PASSED, APPROVED, and ADOPTED on 3rd and final reading the 17th day of October, 2017.

Councilmember Hopkins presented the one (1) foregoing consent agenda ordinance for adoption, on third reading. Seconded by Councilmember Johnson. Motion passed.

Following ordinance read:

ORDINANCE NO. 17-17
AN ORDINANCE AMENDING CHAPTER 5 OF THE CASPER
MUNICIPAL CODE PERTAINING TO RESORT LIQUOR
LICENSES.

Councilmember Johnson presented the foregoing one (1) ordinance for adoption, on second reading. Seconded by Councilmember Morgan.

Bruce Lamberson, 2449 Hogadon Road, spoke in favor of the matter. Mr. Lamberson shared his opinions on the safety of the Casper Mountain Road, drinking on the mountain, and hours of operation for the lodge.

Councilmembers Laird, Morgan, Powell, and Walsh made statements on the subject. A young member of the audience, Tyler Kessle, assisted Mayor Humphrey with the next few actions. Motion passed.

The following ordinances were considered, on second reading, by consent agenda.

ORDINANCE NO. 14-17

AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS 4, 5, 6, 7, 8, 9, 10, AND THE SOUTH FORTH (40) FEET OF LOT 11, BLOCK 22, NELSONS ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

ORDINANCE NO. 16-17

AN ORDINANCE AMENDING SECTION 2.40.050 OF THE CASPER MUNICIPAL CODE PERTAINING TO THE HISTORIC PRESERVATION PROGRAM.

Councilmember Powell presented the foregoing two (2) ordinances for adoption, on second reading, by consent agenda. Seconded by Councilmember Huckabay. Motion passed. Council thanked Mr. Kessle for assisting the Mayor.

Following ordinance read:

ORDINANCE NO. 18-17

AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO PACIFICORP, AN OREGON CORPORATION, DOING BUSINESS AS ROCKY MOUNTAIN POWER.

Councilmember Walsh presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Hopkins. City Manager Napier provided a brief report.

Councilmembers Johnson, Pacheco, Huckabay, Walsh, Powell, Hopkins, Laird, and Morgan made statements on the subject and expressed their concerns with the ordinance. City Manager Napier addressed questions presented by Council.

Moved by Councilmember Johnson to amend the ordinance to keep the franchise fee at 5% rather than changing it to 7% and to re-evaluate how CAEDA (Casper Area Economic Development Alliance) is funded by the City. Seconded by Councilmember Huckabay. Councilmembers Walsh, Laird, Powell, Morgan, Hopkins and Mayor Humphrey shared their opinions on the subject. Councilman Laird began to make a motion, but Interim City Attorney Chambers indicated that he could not do so until the current motion was addressed. Councilmembers Huckabay, Johnson, and Morgan voted aye. Motion to amend the ordinance failed.

Councilmember Laird indicated he would like to be sure that CAEDA does not receive money from the electric utility franchise fees. Councilmember Johnson and Mayor Humphrey both questioned the particulars behind the franchise agreement and the use of the fees from the franchise. City Manager Napier and Interim City Attorney Chambers both addressed the matter. Overall it was stated that the agreement for the franchise is separate from the allocation of the fees. Councilmember Laird withdrew his request to amend the ordinance. Councilmember Hopkins called for the question. Councilmembers Huckabay and Johnson voted nay. Motion to pass Ordinance No. 18-17 passed on first reading.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 17-192

A RESOLUTION AMENDING THE DECEMBER 15, 2014, PROPERTY MANAGEMENT CONTRACT WITH THE CASPER HOUSING AUTHORITY TO INCLUDE BUILDING B ON LIFESTEPS CAMPUS.

RESOLUTION NO. 17-193

A RESOLUTION AUTHORIZING THE FISCAL YEAR 2017-2018 CONTRACT WITH THE CASPER AREA TRANSPORTATION COALITION FOR THE PROVISION OF SUBSIDIZED FARES TO LOW-INCOME RESIDENTS.

RESOLUTION NO. 17-194

A RESOLUTION AUTHORIZING A PROCUREMENT AGREEMENT WITH NORTH AMERICAN UV INC. FOR 300 TROJAN UV 3000 PLUS UV LAMPS FOR USE AT THE SAM H. HOBBS WASTEWATER TREATMENT PLANT.

RESOLUTION NO. 17-195

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH WLC ENGINEERING FOR ENGINEERING SERVICES FOR THE HOGADON UNDERGROUND INJECTION CONTROL PROGRAM PERMIT, PROJECT NO. 17-010.

RESOLUTION NO. 17-196

A RESOLUTION AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES WITH ALSCO FOR PROVIDING PROFESSIONAL LAUNDRY SERVICES TO THE PUBLIC SERVICES DEPARTMENT AND SUPPORT SERVICES DEPARTMENT.

RESOLUTION NO. 17-197

A RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR I-25 LITTER AND VEGETATION CONTROL.

RESOLUTION NO. 17-198

A RESOLUTION AUTHORIZING AN AGREEMENT WITH RECYCLED MATERIALS, LLC, FOR PHASE I OF THE PLAINS FURNITURE BUILDING DEMOLITION PROJECT, NO. 17-024.

RESOLUTION NO. 17-199

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN THE CITY AND THOMAS F. DUCHEN & ASSOCIATES, INC., D/B/A RIVER OAKS COMMUNICATIONS CORPORATION.

RESOLUTION NO. 17-200

A RESOLUTION APPROVING, CONTINGENT UPON VOTER APPROVAL, AS PROVIDED IN WYOMING STATUTES ("W.S.") SECTION 15-9-217(b), AN ANNUAL ASSESSMENT OF SIXTEEN (16) MILLS AGAINST THE ASSESSED VALUE OF REAL PROPERTY WITHIN THE DOWNTOWN DEVELOPMENT DISTRICT, EXCLUDING REAL PROPERTY USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE, AND THE CITY CLERK TO ATTEST THERETO.

RESOLUTION NO. 17-201

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASPER LEGION BASEBALL CLUB INC. FOR THE USE OF CROSSROADS FIELD 4 AT THE CROSSROADS COMPLEX.

Councilmember Pacheco presented the foregoing ten (10) resolutions for adoption. Seconded by Councilmember Johnson. Motion passed.

Moved by Councilmember Morgan, seconded by Councilmember Huckabay, to, by consent minute action, authorize the City of Casper to participate in the National League of Cities prescription discount program. Motion passed.

Individuals addressing the Council were: Tyler Kessle, 720 E. 6th, Mills, sharing about his participation in the Junior National Young Leaders conference; Dale Zimmerle, 3035 Bellaire, requesting that Council evaluate funding to CAEDA and City recreation facilities; Woody Giles, 290 E. Magnolia, encouraging Council to continue offering amenities and considering ways to stimulate the economy; Keith Goodenough, 333 S. Socony, urging Council to proactively meet with legislators; and Shannon Eli, 2382 Sagewood, thanking Councilmember Johnson for opposing an increase in the electric franchise fee.

Mayor Humphrey noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, October 24, 2017, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, November 7, 2017, in the Council Chambers.

Moved by Councilmember Johnson, seconded by Councilmember Morgan, to, by minute action adjourn. Motion passed.

The meeting was adjourned at 7:41 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Kenyne Humphrey
Mayor