

COUNCIL PROCEEDINGS  
 Casper City Hall – Council Chambers  
 April 17, 2018

Casper City Council met in regular session at 6:00 p.m., Tuesday, April 17, 2018. Present: Councilmembers Hopkins, Huber, Humphrey, Johnson, Laird, Morgan, Walsh and Mayor Pacheco. Absent: Councilmember Powell.

Moved by Councilmember Johnson, seconded by Councilmember Hopkins, to, by minute action, excuse the absence of Councilmember Powell. Motion passed.

Mayor Pacheco led the audience in the Pledge of Allegiance.

Moved by Councilmember Morgan, seconded by Councilmember Walsh, to, by minute action, approve the minutes of the April 3, 2018, regular Council meeting, as published in the Casper-Star Tribune on April 11, 2018. Motion passed.

Moved by Councilmember Hopkins, seconded by Councilmember Humphrey, to, by minute action, approve the minutes of the April 10, 2018, executive session. Motion passed.

Moved by Councilmember Walsh, seconded by Councilmember Humphrey, to, by minute action, approve payment of the April 17, 2018, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims  
 04/17/18

71Construction	Projects	\$1,409.80
A-1	Services	\$130.00
AllianceElec	Services	\$618.50
AMBI	Services	\$730.01
Ameritech	Services	\$13,241.97
ApexSyst	Supplies	\$720.00
Arcadis	Services	\$3,922.96
ArrowheadHeating	Services	\$282.25
ATSSpec	Shipping	\$5,350.00
Balefill	Services	\$76,727.47
BankOfAmerica	Goods	\$220,412.35
BFlake	Reimb	\$168.79
BVanacore	Reimb	\$69.99
C Simons	Reimb	\$382.67
CarolinaSoftware	Services	\$1,396.40
CasparBuildSystems	Services	\$52,972.29
CasperPubUtilities	Services	\$128.15
Centurylink	Services	\$17,734.55

CHenry	Reimb	\$215.22
CivilEngineeringProfessionals	Projects	\$29,747.13
CLHAssoc	Services	\$6,200.00
CNash	Reimb	\$306.09
CommTech	Goods	\$493.00
ContAlcoholMont	Supplies	\$1,690.00
CowdinCleaning	Services	\$748.00
CtyofCody	Services	\$295.00
DaveLodenConstruction	Projects	\$765.00
Dell	Goods	\$207.72
DeltaDental	Services	\$44,826.08
DesertMtn	Goods	\$7,103.37
DFS	Services	\$80.00
E Becher	Reimb	\$217.00
EnvironmentalCivilSolutions	Services	\$16,962.65
ETCIns	Supplies	\$2,070.00
FirstData	Services	\$13.41
FirstInterstateBank	Services	\$2,356.59
FmlyJrnyCtr	Services	\$963.62
GlobalSpect	Funding	\$82,909.91
GMarshInc	Services	\$739.58
GolderAssociates	Services	\$8,912.28
Hein-Bond	Services	\$34,145.06
HighPlainsConstruction	Goods	\$145,017.98
Homax	Goods	\$51,053.03
HunterIndustrialCorp	Services	\$1,395.70
IndstrlContnrSvc	Goods	\$3,404.68
JDBeighley	Reimb	\$6,000.00
JJackson	Refund	\$155.98
JMclean	Reimb	\$56.00
KubwaterResources	Goods	\$5,098.96
LagunaWldrnsPress	Supplies	\$126.00
LnclnNtlLife	Services	\$267.65
LovelyFleur	Supplies	\$79.80
LTurner	Reimb	\$594.00
MBissonette	Refund	\$49.40
MOgden	Reimb	\$11.85
Motorola	Services	\$270,000.00
Nalco	Supplies	\$15,677.64
NationalBenefitServices	Services	\$441.65
NatronaCountyCommissioner	Services	\$312,957.96
NorthParkTransport	Services	\$184.22
OfficeStateLands	Services	\$96,220.69

OneCallofWy	Services	\$393.75
PepperTank	Goods	\$180.00
Pepsi	Goods	\$340.20
PlatteRiverParkwayTrust	Funding	\$26,643.63
PostalPros	Services	\$3,018.07
R Peterson	Reimb	\$73.80
RegionalWater	Services	\$246,235.65
RenewableEarthMaterials	Goods	\$3,080.00
ResourceManagement	Goods	\$349.25
Ricoh	Services	\$81.41
RockyMtnPower	Services	\$477.81
RodBarstadsPnt	Services	\$2,438.46
S Szewczyk	Reimb	\$62.50
SaltusTech	Goods	\$278.00
SJMillerAssoc	Services	\$4,995.08
SMCarter	Easement	\$6,563.95
SolidWasteProfessionals	Services	\$1,645.13
Spectrum	Funding	\$84,835.80
StarTribune	Services	\$281.00
StellarProgramming	Services	\$137.50
Tweed'sWholesale	Goods	\$276.60
TWhitman	Reimb	\$100.00
UrgentCare	Services	\$1,345.00
VlastosHenleyDrell	Services	\$231.25
WardwellWater&Sewer	Services	\$14.00
WERCSCommunications	Services	\$1,003.55
WesternWaterConsult	Services	\$1,005.64
WestPlainsEngineering	Services	\$3,360.00
WyDeptRevenue	Taxes	\$368.51
YouthCrisisCenter	Funding	\$15,000.00
		\$1,951,973.59

Moved by Councilmember Morgan, seconded by Councilmember Johnson, to, by minute action: establish May 1, 2018, as the public hearing date for the consideration of Restaurant Liquor License No. 39 for 2<sup>nd</sup> Street Eats, LLC, d/b/a 2<sup>nd</sup> Street Eats LLC, located at 112 East 2<sup>nd</sup> Street. Motion passed.

Mayor Pacheco opened the public hearing for the consideration of rates for retail and wholesale water and sewer service; and rates for residential and commercial solid waste collection, recycling, and disposal at the Casper Solid Waste Facility.

City Attorney Henley entered two (2) exhibits: correspondence from Andrew Beamer to J. Carter Napier, dated March 28, 2018 and correspondence from Andrew Beamer to J. Carter Napier, dated March 28, 2018. City Manager Napier provided a brief report.

There being no one to speak for or against the issue, the public hearing was closed.

Following resolutions read:

RESOLUTION NO. 18-69

A RESOLUTION ADOPTING AND SETTING FORTH RATES FOR WHOLESALE WATER SERVICE, RETAIL WATER SERVICE, AND SEWER SERVICE FOR THE CITY OF CASPER, WYOMING, AND RESCINDING RESOLUTION 15-313.

RESOLUTION NO. 18-70

A RESOLUTION ESTABLISHING RATES FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION, RECYCLING AND DISPOSAL AT THE CASPER REGIONAL SOLID WASTE FACILITY, AND RESCINDING RESOLUTION NO. 15-314.

Councilmember Walsh presented the foregoing resolution for adoption. Seconded by Councilmember Hopkins.

Mayor Pacheco asked for further discussion and a vote from Council. Councilmember Johnson voted nay on both resolutions. Motion passed.

Mayor Pacheco opened the public hearing for the consideration of the issuance of Resort Liquor License No. 7 for Avana Fund I, LLC d/b/a Ramada Plaza Riverside Hotel & Convention Center Casper, located at 300 West F Street.

City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated March 27, 2018; an affidavit of publication, as published in the Casper-Star Tribune, dated April 9, 2018; an affidavit of website publication, as published on the City of Casper website, dated March 27, 2018; an affidavit of notice of conspicuous posting, as posted at 300 West "F" Street, dated April 5, 2018; and the liquor license application filed March 13, 2018. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving Resort Liquor License No. 7, the public hearing was closed.

Moved by Councilmember Johnson, seconded by Councilmember Humphrey, to, by minute action, authorize the issuance of Resort Liquor License No. 7. Councilmember Laird voted nay. Motion passed.

Mayor Pacheco opened the public hearing for the consideration of the disposition options for the former Plains Furniture properties.

City Attorney Henley (2) exhibits: Correspondence from Liz Becher, to J. Carter Napier, dated April 2, 2018, and an Affidavit of Publication, as published in the Casper-Star Tribune, dated April 2, 2018. City Manager Napier provided a brief report.

Mayor Pacheco opened up the public comment period and the following citizens addressed Council: Bob King, 3551 E. 21<sup>st</sup>; Connie Thompson, Chair of the Historic Preservation Commission; Kirsten Bott, 1810 Woolwick; Dennis Steensland, 533 S. Washington; Michael Shickich, 1000 block of Durbin; Mary Anne Divittorio, 222 West “B”; Kevin Hawley, Executive Director Downtown Development Authority; Ticker Lock, 1009 N. Jefferson; Brandon Daigle, 1544 S. Wolcott; and Jeremy Bott, 1810 Woolwick. The speakers provided feedback and various options for the buildings. There being no others to speak regarding the properties, the public hearing was closed.

Mayor Pacheco asked City Manager Napier to speak on the matter. City Manager Napier stated that Council could direct staff to put out requests for proposals, or discuss the options at a future work session. Mayor Pacheco indicated that he would like to discuss this at a future work session.

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

ORDINANCE NO. 4-18

AN ORDINANCE ESTABLISHING MOBILE VENDOR  
PARKING.

Councilmember Johnson presented the foregoing one (1) ordinance for adoption, on second reading, by consent agenda. Seconded by Councilmember Hopkins. Pete Owen, President of the Downtown Business Association addressed Council spoke in opposition to food trucks in the downtown. Councilmembers Morgan, Laird and Huber had questions for Mr. Owen, which he addressed. Dennis Steensland, 533 S. Washington, also spoke in opposition to food trucks in the downtown. Councilmember Laird asked Mr. Steensland some questions which he answered. Jacquie Anderson, 116 ½ E. 2<sup>nd</sup>, stated that a general consensus had been reached by citizens with this ordinance prior to first reading.

Council discussed the downtown parking study and the area included in the Mobile Vendor Parking Permit (MVPP) ordinance. Councilmember Hopkins shared his reasoning on proposing several amendments to the MVPP ordinance and then listed the amendments. Following are the amendments he proposed: allowing purchase of an MVPP 30 days in advance rather than 10; providing for a random drawing fourteen days in advance if two or more applicants request a permit for the same block face on the same day; changing the days from Monday through Friday to Friday through Saturday; changing the time to 6:00 p.m. through 10:00 p.m. on Friday and Saturday; changing the time to 6:00 p.m. through 10:00 p.m. on Sundays; and changing the maximum MVPPs from ten to eight.

Councilmembers Laird and Huber suggested making the MVPPs strictly first come, first served rather than having the random drawing two weeks out. Moved by Councilmember Hopkins to make the amendments as listed above, seconded by Councilmember Johnson. Councilmembers Humphrey, Laird and Morgan voted nay. Motion to amend passed.

Councilmember Laird moved to remove the random drawing two weeks in advance of an MVPP and make the process strictly first come, first serve up to thirty days in advance. Seconded by Councilmember Huber. Motion passed.

Councilmember Walsh made a motion to table the ordinance to a date certain of May 15<sup>th</sup>. Councilmember Laird asked if the amendments should be completed before tabling the item. City Attorney Henley confirmed that the item could be tabled before the amendments were complete. Councilmember Huber suggested waiting to table until after finalizing the amendments. Mayor Pacheco asked if Councilmember Walsh would allow that, he indicated he would.

Councilmember Laird moved to set the fine from \$25-\$100. Seconded by Councilmember Johnson. Councilmember Huber suggested allowing a fine of up to \$500.

Councilmember Laird withdrew his original motion and moved to set the fine in an amount up to \$500. Councilmember Johnson seconded. Council discussed the fine amount. Motion passed.

Councilmember Morgan moved to amend the following: the definitions required to include all of the downtown and the Old Yellowstone District (DOY) which were in the ordinance originally; the operation of the MVPP Monday through Friday would have limited hours; allow 10 MVPPs per month; and the hours of operation on Saturday and Sunday would be all day.

City Attorney Henley asked a question to clarify, and Councilmember Morgan addressed this. Councilmembers Walsh, Laird, and Huber asked questions and made suggestions. Councilmember Morgan changed his original motion to only adjust the area to be included in the MVPP (DOY). Seconded by Huber. Motion passed.

Councilmember Morgan moved to amend the MVPP to allow permits Monday through Friday with restrictions. Seconded by Laird. Council discussed this amendment. Councilmember Morgan refined the motion to allow permits Monday through Friday from 3:00 p.m. to 3:00 a.m. the next morning. Seconded by Councilmember Humphrey. Council discussed the matter at length. Councilmember Humphrey called for the question. City Attorney Henley asked for clarification. Councilmembers Huber, Morgan, and Walsh voted aye. Motion to amend failed.

Councilmember Huber made a motion to increase the cost for parking to \$50 or \$100 and asked where the rate was stated in the ordinance. Seconded by Councilmember Hopkins at the \$100 rate. City Manager Napier confirmed the parking cost was proposed as \$25 per space per day with a maximum of three spaces on any block face. City Attorney Henley interjected that the absence of the rate from the ordinance was a scrivener's error. Motion to amend withdrawn.

Councilmember Walsh moved to postpone the second reading of this ordinance to a date certain of May 15, 2018. Councilmember Laird seconded. Council discussed the matter at length, including further consideration of the matter at a work session after Council is able to view the downtown parking study which is to be complete May 1, 2018. Councilmember Laird called for the question. City Manager Napier indicated that this item could be added to the May 8, 2018 work session agenda. Councilmembers Huber and Morgan voted nay. Motion passed and therefore the 2<sup>nd</sup> reading of the ordinance, as further amended, will be held at the May 15, 2018 Council meeting.

Following ordinance read:

ORDINANCE NO. 5-18  
AN ORDINANCE REPEALING CASPER MUNICIPAL CODE  
CHAPTER 2.60 PERTAINING TO THE PUBLIC SERVICE  
CODE OF ETHICS.

Councilmember Laird presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Johnson. City Manager Napier provided a brief report. Motion passed.

Following resolution read:

RESOLUTION NO. 18-88  
A RESOLUTION TO FINANCIALLY DISENGAGE WITH THE  
POVERTY RESISTANCE FOOD PANTRY.

Councilmember Humphrey presented the foregoing resolution for adoption. Seconded by Councilmember Walsh. City Manager Napier provided a brief report. Councilmembers Laird and Walsh asked questions which City Manager Napier addressed. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 18-71  
A RESOLUTION MODIFYING THE CITY OF CASPER  
MUNICIPAL COURT, BY CREATING A FULL-TIME  
PRESIDING JUDGE AND PART-TIME JUDGE POSITION,  
AND PROVIDING FOR SUSPENSION, DISCIPLINE OR  
REMOVAL OF MUNICIPAL COURT JUDGES.

RESOLUTION NO. 18-72  
A RESOLUTION ADOPTING 2018 CASPER CITY COUNCIL  
GOALS.

RESOLUTION NO. 18-73  
A RESOLUTION AUTHORIZING A CONTRACT FOR  
OUTSIDE -CITY WATER SERVICE WITH FRANK MILES  
HARTUNG AND RUTH H. DOYLE.

RESOLUTION NO. 18-74

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH WWC ENGINEERING FOR CONSTRUCTION ADMINISTRATION FOR THE MIDWEST AVENUE RECONSTRUCTION PROJECT — DAVID STREET TO ELM STREET.

RESOLUTION NO. 18-75

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 WITH ANDREEN HUNT CONSTRUCTION, INC. FOR THE CASPER ZONE III WATER SYSTEM IMPROVEMENTS PROJECT, NO. 13-38.

RESOLUTION NO. 18-76

A RESOLUTION AUTHORIZING A PROCUREMENT AGREEMENT WITH DANA KEPNER COMPANY OF WYOMING, INC., FOR THE 2018 CASPER PUBLIC UTILITIES MATERIALS PROCUREMENT.

RESOLUTION NO. 18-77

A RESOLUTION AUTHORIZING A PROCUREMENT AGREEMENT WITH FERGUSON ENTERPRISES, DBA WATERWORKS INDUSTRIES, INC., FOR THE 2018 CASPER PUBLIC UTILITIES MATERIALS PROCUREMENT.

RESOLUTION NO. 18-78

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH GOLDR ASSOCIATES, INC. FOR THE BALEFILL EMP AND ACM UPDATES, PROJECT NO. 18-043.

RESOLUTION NO. 18-79

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH GEOSYNTEC CONSULTANTS, INC., FOR THE CASPER REGIONAL LANDFILL LIFETIME PERMIT ANNUAL REPORTING & MONITORING, PROJECT NO. 18-006.

RESOLUTION NO. 18-80

A RESOLUTION AUTHORIZING AN AGREEMENT WITH WYOMING OFFICE DELIVERIES, INC., DBA WYOMING OFFICE PRODUCTS & INTERIORS, FOR THE CASPER EVENTS CENTER 2018 SEATING REPLACEMENT, PROJECT NO. 17-077.



RESOLUTION NO. 18-81

A RESOLUTION AUTHORIZING AN UNDERGROUND RIGHT-OF-WAY EASEMENT WITH ROCKY MOUNTAIN POWER FOR INSTALLATION OF UNDERGROUND ELECTRICAL SERVICE FOR THE MIDWEST AVENUE RECONSTRUCTION PROJECT— DAVID STREET TO ELM STREET.

RESOLUTION NO. 18-82

A RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP, OPERATION, AND MAINTENANCE OF THE HANLY ACRES SUBDIVISION WATER SYSTEM TO THE TOWN OF MILLS.

RESOLUTION NO. 18-83

A RESOLUTION AUTHORIZING A CONTRACT WITH AAA LANDSCAPING FOR WEED MOWING AND LITTER ABATEMENT.

RESOLUTION NO. 18-84

A RESOLUTION AUTHORIZING A CONTRACT WITH ALL TREES FOR WEED MOWING AND LITTER ABATEMENT.

RESOLUTION NO. 18-85

A RESOLUTION AUTHORIZING A CONTRACT WITH B & B SALES AND SERVICE FOR WEED MOWING AND LITTER ABATEMENT.

RESOLUTION NO. 18-86

A RESOLUTION AUTHORIZING A PRO FORMA INVOICE WITH ROCKY MOUNTAIN POWER FOR CONVERSION OF OVERHEAD POWER TO UNDERGROUND AS PART OF THE MIDWEST AVENUE RECONSTRUCTION PROJECT— DAVID STREET TO ELM STREET.

RESOLUTION NO. 18-87

A RESOLUTION TO FINANCIALLY DISENGAGE WITH THE COMMUNITY ACTION PARTNERSHIP.

RESOLUTION NO. 18-89

A RESOLUTION RESCINDING RESOLUTIONS NO. 15-99, 16-55, 16-165, 17-222, 14-75, AND 15-306, AND ESTABLISHING COST RECOVERY GOALS FOR THE USE OF CASPER RECREATION FACILITIES.

Councilmember Morgan presented the foregoing eighteen (18) resolutions for adoption. Seconded by Councilmember Johnson. Councilmember Walsh voted nay on Resolution No. 18-74 and 18-80. Motion passed.

Moved by Councilmember Walsh, seconded by Councilmember Johnson, to, by consent minute action, appoint John E. Lang to the Casper Historic Preservation Commission with term expiring December 31, 2020; approve a Taxicab Company License for Turbo Taxi, located at 3030 East 5<sup>th</sup> Street; and approve a Taxicab Company License for Eagle Cab, located at 2804 Coulter. Motion passed.

Individuals addressing the Council were: Mary Anne Divittorio, 222 West “B”, inquiring about the CEC seating project; and Rob Caputa, 3200 Bella Vista, sharing information on a food truck event and offering suggestions on the MVPP ordinance. Mr. Caputa addressed questions presented by several Councilmembers.

Also addressing Council was Shawn Houck, 602 Park, asking about the MVPP and requesting consideration while the ordinance is finalized. Councilmembers asked several questions and both City Manager Napier and City Attorney Henley addressed these.

Mayor Pacheco noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, April 24, 2018, in the Council’s meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, May 1, 2018, in the Council Chambers.

At 9:17 p.m., it was moved Councilmember Laird, seconded by Councilmember Humphrey, to adjourn into executive session to discuss personnel and property acquisition. Councilmember Johnson voted nay. Motion passed. Council moved into the Council meeting room.

At 9:32 p.m., it was moved by Councilmember Hopkins, seconded by Councilmember Johnson, to adjourn the executive session. Council returned to the Council Chambers. At 9:33 p.m., it was moved by Councilmember Walsh, seconded by Councilmember Humphrey, to adjourn the regular Council meeting. 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