

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
December 3, 2019

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, December 3, 2019. Present: Councilmembers Bates, Cathey, Freel, Hopkins, Lutz, Pacheco, and Mayor Powell. Absent: Councilmembers Huber and Johnson.

Moved by Councilmember Hopkins, seconded by Councilmember Freel, to, by minute action, excuse the absence of Councilmembers Huber and Johnson. Motion passed.

2. PLEDGE OF ALLEGIANCE

Girl Scout Troop 1839 led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Pacheco, seconded by Councilmember Lutz, to, by minute action, approve the minutes of the November 19, 2019, regular Council meeting, as published in the Casper-Star Tribune on November 29, 2019. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Cathey, seconded by Councilmember Bates, to, by minute action, approve the minutes of the November 19, 2019, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Freel, seconded by Councilmember Bates, to, by minute action, approve payment of the December 3, 2019, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 12/03/19

71Const	Projects	7,389.48
AMBI	Services	1,165.10
AAALndscpng	Services	330.00
AceHrdwr	Goods	41.05
Adecco	Services	280.82
AhernRntls	Services	563.40
AHiatt	Reimb	398.93
Airgas	Goods	129.20
AlSCO	Services	281.78
AltitudeRecycling	Services	4,260.00
AmeriTech	Services	3.82
AmericanTitle	Services	500.00
Amerigas	Goods	737.54
ArcofNC	Funding	2,916.68
AtlanticElect	Services	3,120.00

AtlasOffice	Goods	1,126.34
AtlasRprdction	Services	7.80
BArellano	Reimb	303.83
BMartin	Reimb	1,387.80
BnkofAmerica	Goods	44,141.48
BHEnergy	Services	27,819.47
BSims	Services	160.00
BWilladson	Reimb	129.95
Caselle	Services	75.00
CATC	Funding	8,750.00
CsprCollege	Services	428.57
CsprPD	Funding	600.00
CsprPPblcU	Utilities	144.06
CsprStarTrib	Ads	4,212.00
CsprTire	Goods	185.00
CenturyLink	Utilities	861.14
Cigna	Services	11,682.97
CityofCasper	Services	137,235.56
CivilEng	Services	30,547.54
ClctnCtr	Services	390.07
CommunicationTech	Services	2,069.99
Convergeone	Services	8,781.45
Core&Main	Goods	19,994.90
CrtApptdSpc	Services	1,944.50
CPU	Goods	7,322.39
CrimeSceneInfo	Services	109.87
DeltaDental	Services	1,557.50
DiamondVogel	Goods	71.98
DPC	Goods	7,011.65
FAConway	Services	100.00
ECsprVllyball	Funding	1,288.00
EngnrngDsign	Services	875.00
Envrnmntl&Cvl	Services	1,062.60
FirstData	Services	2,595.31
FirstIntrstBk	Services	599.86
FremontMtr	Goods	35,024.00
FullerEnt	Services	22,625.00
Galls	Services	7,364.68
GarageDrDudes	Services	140.00
GBS	Services	667.81
GlobalEquip	Goods	1,489.62
GlobalSpectrum	Funding	82,909.91
GolderAssoc	Projects	16,627.23
GvtJobs.com	Services	14,324.63
GrtrWyBigBr	Funding	6,514.54

Hein-Bond	Services	8,012.50
Homax	Goods	87,805.54
Inberg-Miller	Services	74.50
InterfaithofNC	Funding	8,541.69
JCKirk	Reimb	65.62
JKCEng	Projects	2,496.25
KnifeRvr	Projects	120,475.48
LatechEquip	Goods	9,396.98
LincolnNtl	Services	267.33
LisasSpicSpan	Services	100.00
LongBldg	Services	18,318.65
MachineryPwr	Goods	18,899.70
MercerHouse	Funding	8,001.38
MonsonJntrl	Services	4,079.81
MthrSetonHsng	Funding	9,076.38
MotionInd	Services	10,596.69
Motorola	Goods	7,864.48
MtnStates	Goods	158.45
MtnWest	Utilities	1,503.74
Nalco	Goods	63,648.00
NtlBenefitSvc	Services	399.55
NCHHealth	Funding	45,000.00
NCSheriff	Services	143,385.90
Nelson/NygaardCon	Services	18,908.49
Netmotion	Goods	10,837.58
Nicolaysent	Funding	18,633.00
Norco	Goods	499.22
NrthrnLghts	Goods	1,600.00
PCN	Services	243.48
PoliceFciltyDsgn	Services	31,895.00
PostalPros	Services	7,915.29
PwrScrnng	Goods	12,084.80
Proforce	Goods	1,950.00
RamshornConst	Services	27,585.94
RButler	Reimb	1,785.00
RDGIAInc	Services	20,884.36
RecyklingInd	Goods	21,842.71
RsrcMgmt	Goods	594.50
Ricoh	Goods	512.02
RckyMtnPwr	Utilities	179,995.74
RooterSwrSvcs	Services	432.00
SafetyKleen	Services	255.00
SelfHelpCtr	Funding	13,615.50
Shamrock	Services	516,827.13
ShrwinWlliams	Goods	704.69

SkylineRanches	Services	427.35
Smarsh	Services	1,838.50
Snomax	Goods	7,992.00
SoftDr	Goods	828.00
StateofWy	Unclaim	2,534.51
Stateline#7	Services	2,867.50
Stealth	Services	48,879.34
SterlingInfo	Services	547.35
SThomas	Reimb	150.00
SummitElct	Services	144.40
SWirtz	Reimb	124.73
TopOffice	Services	183.37
TwnsqrMedia	Services	500.00
TylerTech	Services	30,983.71
Uniforms2gear	Goods	1,388.98
UnitedWayofNC	Funding	946.94
Verizon	Utilities	547.21
VRCCo	Goods	112.50
WayneColemanConst	Services	1,282.08
WestPlnsEng	Services	3,500.00
WstrnPlnsLnscping	Services	27,483.36
WestlandPark	Services	3,193.62
WLCEng	Services	14,194.88
WYChild&Family	Funding	5,312.50
WYFoodBank	Funding	1,250.00
WYSteel	Goods	5,060.70
YouthCrisisCtr	Funding	17,452.50
Total		2,172,874.90

6. BRIGHT SPOT

Girl Scout Troop No. 1839 representatives Emma and Madeline shared their Troop's top goals for improving Casper in response to questions posed by Council at a previous meeting. Mayor Powell read and presented a proclamation to the Troop honoring Wyoming Women's Suffragette week.

7. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Roberta Mundell, 3850 E.14th, urging Council to not increase the salary of the Mayor; Hank Schwartz, requesting specific areas around the hospital be 20 m.p.h. and that the downtown stretch of 2nd Street be redesigned; Gabriel Green, 5041 Pay it Forward Dr., requesting that Council uphold the 20 m.p.h. speed zone around the hospital; Tom Hall, 4017 Somerset, requesting stronger enforcement of traffic laws in Casper; and Tracy Lamont, 721 E. 12th, regarding various issues.

8. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Cathey, seconded by Councilmember Hopkins, to, by minute action, establish December 17, 2019, as the Public Hearing Date for Consideration of: transfer of ownership for Retail Liquor License No. 36, owned by Urban Market Wines, LLC d/b/a Urban Bottle Wine & Spirits, located at 410 South Ash Street; new Bar and Grill Liquor License No. 12 for Adega, LLC., d/b/a Qdoba Mexican Eats, located at 5030 East 2nd Street; new Bar and Grill Liquor License No. 13 for EDG, LLC., d/b/a Qdoba Mexican Eats, located at 4009 CY Avenue; and, Establish February 18, 2020, as the Public Hearing Date for consideration of Liquor License renewals for licensing period April 1, 2020 through March 31, 2021. Councilmember Freel abstained from voting on both bar and grill liquor license items. Motion passed.

9.A.1 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the City-initiated annexation of properties along the west side of South Poplar Street, south of West 50th Street; and the zoning of said properties as AG (Urban Agriculture).

City Attorney Henley entered three (3) exhibits: correspondence from Liz Becher to J. Carter Napier, dated November 27, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019; and an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019. City Manager Napier provided a brief report.

Speaking in opposition were: Tracy Traxler, 5350 S. Poplar, and George Benson, 6680 S. Poplar. Mr. Benson asked about the Wyoming Statute regarding petitioning an annexation. City Attorney Henley stated that the situation would not apply because homeowners entered into an agreement with the City for outside-City water which also involved a commitment to voluntarily annex at a later time. Mr. Benson requested copies of said documents. City Manager Napier indicated that the materials would be provided. Also speaking in opposition were: Jim Thorpen, 6700 S. Poplar, and John Huff and wife Wendy, 5440 S. Poplar.

There being no others to speak for or against the issues involving the annexation, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 34-19
AN ORDINANCE APPROVING THE CITY-INITIATED
ANNEXATION OF PROPERTIES ALONG THE WEST SIDE OF
SOUTH POPLAR STREET, SOUTH OF WEST 50TH STREET;
AND THE ZONING OF SAID PROPERTIES AS AG (URBAN
AGRICULTURE).

Councilmember Lutz presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Hopkins. Councilmembers Hopkins, Bates and Mayor Powell shared their opinions on the matter. Councilmember Freel asked about the City services received in the area

and the arrangement agreed to at the time services were offered. He also asked about the health department requiring owners to connect to the sewer system. City Manager Napier explained that a commitment to annex was made when outside-City water was extended to the area. He also elaborated on what would cause a homeowner to be required to connect to the sewer system. Councilmember Cathey spoke on the topic of authorities stepping in should a septic system become a pollutant and City Manager Napier clarified on the matter. Mayor Powell shared his thoughts. Councilmember Bates voted nay. Motion passed.

9.A.2 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the plat of the Fairgrounds Home Addition No. 2.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated November 15, 2019 and an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019. City Manager Napier provided a brief report.

Speaking in support was Steve Grimshaw, applicant.

There being no others to speak for or against the issues involving the Fairgrounds Home Addition No. 2, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 35-19

AN ORDINANCE APPROVING THE FAIRGROUNDS HOME ADDITION NO. 2 SUBDIVISION AGREEMENT AND THE VACATION OF A PORTION OF THE FAIRGROUNDS HOME ADDITION AND FINAL PLAT OF FAIRGROUNDS HOME ADDITION NO. 2, COMPRISING 2.17 ACRES, MORE OR LESS.

Councilmember Pacheco presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Hopkins. Councilmember Freel abstained from voting. Motion passed.

9.A.3 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the Ihli Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated November 15, 2019 and an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019. City Manager Napier provided a brief report.

Speaking in support was Brad Holwegner, WLC Engineering.

There being no others to speak for or against the issues involving the Ihli Addition, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 36-1
AN ORDINANCE APPROVING THE ANNEXATION, PLAT
AND SUBDIVISION AGREEMENT FOR THE IHLI ADDITION
TO THE CITY OF CASPER; AND ZONING SAID ADDITION R-
2 (ONE UNIT RESIDENTIAL).

Councilmember Bates presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Lutz. Motion passed.

10.A ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 32-19
AN ORDINANCE APPROVING A PLAT, SUBDIVISION
AGREEMENT AND ZONE CHANGE CREATING THE
DEWALD DIVIDE ADDITION SUBDIVISION IN THE CITY OF
CASPER, WYOMING.

Councilmember Freel presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Bates.

David Dewald, applicant, addressed Council with his concerns about the subdivision agreement, his meetings with the City Attorney, and the possible hold up of the platting of the land because of a lawsuit involving the City. Councilmember Hopkins made a point of order regarding how Mr. Dewald spoke of City staff. City Attorney Henley explained the terms within the subdivision agreement and stated that it was a fair contingency that would be based on a court decision. Mr. Dewald restated his concerns. Councilmember Cathey asked about Mr. Dewald's knowledge of the property issues. Mayor Powell made a point of order and stated that Council could not discuss litigation matters. Mayor Powell stated that this item is before Council on second reading and that other issues involving the property would be handled separately. Councilmember Hopkins called for the question. Motion passed.

10.B ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 33-19
AN ORDINANCE AMENDING SECTION 10.24.010 AND
SECTION 10.24.020 OF THE CASPER MUNICIPAL CODE
PERTAINING TO THIRTY AND FORTY MILE PER HOUR
SPEED ZONES.

Councilmember Cathey presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Pacheco.

There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

11. ORDINANCE— FIRST READING

Following ordinance read:

ORDINANCE NO. 36-19
AN ORDINANCE TO AMEND SECTION 2.04.040 –SALARIES
OF THE CASPER MUNICIPAL CODE.

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

Councilmembers spoke briefly on the matter. Councilmember Bates voted nay and Councilmember Freel abstained from voting. Motion passed.

12. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 19-234
A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE
-CITY SEWER SERVICE WITH RUBIS LAND COMPANY, LLC.

RESOLUTION NO. 19-235
A RESOLUTION AUTHORIZING A PROCUREMENT
AGREEMENT WITH KUBWATER RESOURCES, INC. FOR
EIGHT SUPERSACKS OF ZETAG 7593 POLYMER FOR USE AT
THE SAM H. HOBBS WASTEWATER TREATMENT PLANT.

RESOLUTION NO. 19-236
A RESOLUTION AUTHORIZING A PROCUREMENT
AGREEMENT WITH DESERT MOUNTAIN CORPORATION,
FOR THE 2020 ICE SLICER PROCUREMENT.

RESOLUTION NO. 19-237
A RESOLUTION AUTHORIZING THE PROFESSIONAL
SERVICES AGREEMENT FOR ROTATIONAL WRECKER AND
TOWING SERVICES.

RESOLUTION NO. 19-238
A RESOLUTION AUTHORIZING A CONTRACT WITH GRAVES
CONSULTING, LLC TO CONDUCT A COMPREHENSIVE
COMPENSATION AND CLASSIFICATION STUDY.

Councilmember Freel presented the foregoing five (5) resolutions for adoption. Seconded by Councilmember Cathey. City Manager Napier provided a brief report. Motion passed.

13. MINUTE ACTION— CONSENT

Moved by Councilmember Pacheco, seconded by Councilmember Lutz, to, by consent minute action, reject the bids for the CY Booster station replacement project; and authorize the reappointment of Mark Pepper to the Economic Development Joint Powers Board. Motion passed.

14. INTRODUCTION OF MEASURES AND PROPOSALS

Several Councilmembers complimented City staff for their cleanup of snow during and after the recent storm.

15. ADJOURNMENT

Mayor Powell noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, December 10, 2019, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, December 17, 2019, in the Council Chambers. Moved by Councilmember Cathey, seconded by Councilmember Freel, to, by minute action adjourn. Motion passed. The meeting was adjourned at 7:51 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Charles Powell
Mayor