

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
February 5, 2019

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, February 5, 2019. Present: Councilmembers Bates, Freel, Hopkins, Huber, Johnson, Lutz, Pacheco, Walsh and Mayor Powell.

2. PLEDGE OF ALLEGIANCE

Citizen Dale Bohren led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Johnson, seconded by Councilmember Walsh, to, by minute action, approve the minutes of the January 22, 2019, regular Council meeting, as published in the Casper-Star Tribune on January 29, 2019. Motion passed.

4. BILLS & CLAIMS

Moved by Councilmember Johnson, seconded by Councilmember Pacheco, to, by minute action, approve payment of the February 5, 2019, bills and claims, as audited by City Manager Napier. Motion passed.

| Bills & Claims | | |
|---------------------|----------|--------------|
| 02/05/19 | | |
| ABaedke | Reimb | \$30.00 |
| AMBI | Services | \$746.68 |
| Ameritech | Services | \$29,675.12 |
| AndritzSeparation | Services | \$28,474.53 |
| Balefill | Services | \$64,924.32 |
| BankOfAmerica | Goods | \$158,085.22 |
| BHEnergy | Services | \$30,860.55 |
| BigBrthsBigSstrs | Funding | \$11,413.58 |
| BJohnson | Refund | \$55.73 |
| BJWade | Refund | \$33.91 |
| BMason | Refund | \$46.15 |
| Brenntag | Goods | \$9,293.66 |
| CAEDA | Funding | \$106,121.00 |
| CASA | Funding | \$3,351.43 |
| CasperPubSafetyComm | Services | \$5,624.50 |
| CATC | Funding | \$279,115.13 |
| CDWGvmt | Goods | \$180.96 |
| CentralPaint&Body | Services | \$2,129.36 |
| Centurylink | Services | \$1,171.77 |
| Ch2mHill | Services | \$15,375.09 |
| CIGNA | Services | \$11,626.03 |
| CityofCasper | Services | \$6,529.97 |

| | | |
|-------------------------|----------|--------------|
| CkFreePay | Reimb | \$224.69 |
| CMiller | Reimb | \$242.20 |
| CommTech | Goods | \$51.50 |
| Comtronix | Services | \$200.40 |
| CrimeSceneInfo | Services | \$196.12 |
| CsprPD | Funding | \$1,802.85 |
| CVIC | Supp | \$5,018.00 |
| CWylie | Refund | \$57.05 |
| DavidsonMech | Goods | \$2,210.85 |
| Dell | Goods | \$252.74 |
| DesertMtn | Goods | \$37,523.43 |
| DFerguson | Reimb | \$80.00 |
| DHartPatrolSvc | Services | \$109,741.13 |
| DHartPatrolSvc | Services | \$5,775.84 |
| DowntownDevelopmentAuth | Funding | \$2,000.00 |
| DTanner | Reimb | \$79.73 |
| EPorter | Manual | \$450.00 |
| FirstData | Services | \$1,890.24 |
| FirstInterstateBank | Services | \$217.40 |
| FirstInterstateBank | Services | \$182.40 |
| GeosyntecConsult | Consult | \$1,125.40 |
| GGDejong | Refund | \$52.54 |
| GlobalSpect | Funding | \$97,939.50 |
| GolderAssociates | Services | \$8,153.55 |
| Greiner | Goods | \$2,321.25 |
| GSGArchitecture | Services | \$18,516.64 |
| HDR Engineering | Projects | \$379.79 |
| Hitek | Services | \$681.56 |
| IHill | Reimb | \$22.25 |
| InterfaithNC | Funds | \$29,500.00 |
| ISC | Supplies | \$164.82 |
| ITC Electrical | Supplies | \$29,759.76 |
| ITCElec | Services | \$267,837.79 |
| JKCEngineering | Services | \$1,925.00 |
| JSpeiser | Reimb | \$944.51 |
| JTLGroup | Services | \$433.29 |
| KLawry | Refund | \$57.32 |
| Krohne | Supplies | \$8,724.78 |
| KubwaterResources | Goods | \$5,398.90 |
| LnclnNtlLife | Services | \$277.20 |
| LNHubbard | Services | \$1,725.00 |
| Lower&Co | Svc | \$12,028.75 |
| ManleyBros | Supplies | \$8,145.00 |

| | | |
|------------------------------|----------|----------------|
| MMartinez | Refund | \$42.03 |
| MSutton | Reimb | \$75.00 |
| MthrSetonHsing | Funding | \$11,729.74 |
| Nalco | Supp | \$33,830.64 |
| NCSheriffsOffice | Funding | \$186,111.12 |
| OlsonAutobody | Services | \$2,961.79 |
| PostalPros | Services | \$8,707.54 |
| R Weant | Reimb | \$100.00 |
| ResourceManagement | Goods | \$1,141.00 |
| RockyMtnPower | Services | \$90,435.48 |
| SeniorPatientAdvocates | Services | \$450.00 |
| SGrey | Refund | \$22.72 |
| SkylineRanches | Services | \$726.70 |
| SlfHltCenter | Services | \$7,700.00 |
| SNahas | Refund | \$46.15 |
| StarTribune | Subscrip | \$473.00 |
| Stateline7 | Services | \$385.00 |
| StealthPartnerGroup | Services | \$49,991.98 |
| StellarProgramming | Services | \$1,093.75 |
| SuperiorInd | Services | \$4,268.15 |
| TretoConstruction | Projects | \$18,385.00 |
| TrihydroCorp | Projects | \$1,502.70 |
| UrgentCare | Services | \$670.00 |
| WasteWaterTreatment | Funding | \$341,774.98 |
| WBohman | Reimb | \$442.80 |
| WBrown | Refund | \$8.71 |
| WellbornSullivan | Services | \$560.00 |
| WERCSCommunications | Services | \$119.97 |
| WesternWaterConsult | Services | \$10,351.55 |
| WestlandPark | Services | \$3,195.52 |
| WH LLC | Services | \$1,313.62 |
| WllmInsulation | Supplies | \$970.00 |
| WoldBros | Reimb | \$10,000.00 |
| WorthingtonLenhart&Carpenter | Services | \$2,730.18 |
| WyLawEnforcementAcademy | Services | \$1,670.00 |
| WyOffice Products | Supplies | \$28,591.55 |
| | | \$2,251,754.23 |

5. BRIGHT SPOT

Mayor Powell welcomed Rotary Youth Exchange Student Francisco DeLuca to the meeting and spoke about the exchange program. Mayor Powell then provided Mr. DeLuca with a certificate of achievement and appreciation, and thanked everyone involved for supporting this enriching program.

6. BRIGHT SPOT

Mayor Powell then greeted representatives of the We Read Program; Dale Bohren, Tanya Sutherland, and Lisa Scroggins. Each of the representatives spoke extensively about the program, which includes a three part focus of improving reading levels, community literacy, and marketing. Platte the Pronghorn, the new mascot for the program was also introduced. Councilmembers made statements of support of the program.

7. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Michelle Sabrosky, 1639 Palomino, Bar Nunn, asking Council to reconsider the amendments to the liquor license ordinance to ensure personal liberty; and Jesse Morgan, 831 W. 59th, requesting that Council form a partnership with the liquor license dealers, to work with dealers to continue training to limit overconsumption, and to amend the malt beverage requirements.

8. ESTABLISH PUBLIC HEARING

Moved by Councilmember Walsh, seconded by Councilmember Freel, to, by minute action: establish February 19, 2019, as the public hearing date for the consideration of an ordinance amending Chapter 10.60 of the Casper Municipal Code—Abandoned Vehicles. Motion passed.

9.A.1 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the amendment of Section 10.24.010 of the Casper Municipal Code. City Attorney Henley entered one (1) exhibit: correspondence from Andrew Beamer to J. Carter Napier, dated January 4, 2019. City Manager Napier provided a brief report. There being no others to speak for or against the issues involving the speed zone change, the public hearing was closed. Following ordinance read:

ORDINANCE NO. 3-19

AN ORDINANCE AMENDING SECTION 10.24.010 OF THE
CASPER MUNICIPAL CODE PERTAINING TO THIRTY
MILE PER HOUR SPEED ZONES NEAR THE WYOMING
MEDICAL CENTER.

Councilmember Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Bates. Councilmembers discussed having a speed change between the established downtown area speed zone and the proposed speed zone near the hospital. Council expressed concerns with the timing of traffic control lights, signage, and other logistics of having a transition speed between the two speed zones. Mayor Powell asked about the initial reasoning for the endpoints of the proposed speed zone and requested that staff be allowed to share any concerns should Council amend the proposed ordinance. Moved by Councilmember Huber, seconded by Councilmember Hopkins, to amend the ordinance to extend the new zone west contiguous with the downtown district speed zone. Motion to amend passed. All then voted aye on the ordinance, as amended on first reading.

9.A.2 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the zone change for a portion of the Wyoming Industrial Park Addition. City Attorney Henley entered one (1) exhibit: correspondence from Liz Becher to J. Carter Napier, dated January 23, 2019. City Manager Napier provided a brief report. Bill Ferringer, Civil Engineering Professionals Inc. spoke in support. There being no others to speak for or against the issues involving the zone change, the public hearing was closed. Following ordinance read:

ORDINANCE NO. 4-19

AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS
4, 5, AND 6, BLOCK 19, WYOMING INDUSTRIAL PARK
ADDITION SUBDIVISION IN THE CITY OF CASPER,
WYOMING.

Councilmember Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Walsh. Councilmember Huber stepped out of the meeting briefly and was not present for the vote. Motion passed.

9.B.1 PUBLIC HEARING - MINUTE ACTION

Mayor Powell 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 to Casper, 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 January 10, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated January 28, 2019; an affidavit of website publication, as published on the City of Casper website, dated January 10, 2019; an affidavit of notice of conspicuous posting, as posted at 300 West F Street, dated January 28, 2019; and the liquor license application filed January 7, 2019. 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 Bates, to, by minute action, authorize the issuance of Resort Liquor License No. 7. Motion passed.

9.B.2 PUBLIC HEARING - MINUTE ACTION

Mayor Powell opened the public hearing for the consideration of the transfer of ownership of Retail Liquor License No. 36, owned by Urban Market Wines, LLC d/b/a Urban Bottle Wine and Spirits. City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated January 10, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated January 28, 2019; an affidavit of website publication, as published on the City of Casper website, dated January 10, 2019; an affidavit of notice of conspicuous posting, as posted at 410 South Ash Street, dated January 28, 2019; and the liquor license application filed January 7, 2019. City Manager Napier provided a brief report. John Griffith, 915 S. Lincoln, spoke in support. There being no others to speak for or against the issues involving Retail Liquor License No. 36, the public hearing was closed. Moved by Councilmember Lutz, seconded by Councilmember Bates, to, by minute action, authorize the transfer of ownership of Retail Liquor License No. 36. Motion passed.

10. ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 25-18

AN ORDINANCE APPROVING A REPLAT, SUBDIVISION AGREEMENT AND ZONE CHANGE FOR THE ELKHORN VILLAGE ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to vacate and replat Betty Luker Parkway Campus #2 and a portion of Elkhorn Valley No. 5, Lot 1, as Elkhorn Village Addition Subdivision of the City of Casper, Wyoming; and,

WHEREAS, an application has been made to rezone all of the above described property from PUD (Planned Unit Development), AG (Urban Agriculture), and R-2 (One Unit Residential) to entirely R-2 (One Unit Residential); and,

WHEREAS, a written subdivision agreement will be entered into with the City of Casper, which will be approved with the replat upon third reading of this ordinance; and,

WHEREAS, this vacation, platting and rezoning requires approval by ordinance following a public hearing; and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the vacation, replat, and zone change requests; and,

WHEREAS, the governing body of the City of Casper finds that the above described vacation, replat and zone change should be approved, as well as the Elkhorn Village Addition Subdivision Agreement.

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

SECTION 1:

That the above described zone change is hereby approved.

SECTION 2:

The vacation, replat and subdivision agreement, as described above, are hereby approved, and the Mayor is hereby authorized and directed to execute, and the City Clerk to attest said documents.

SECTION 3:

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

PASSED on 1st reading the 8th day of January, 2019.

PASSED on 2nd reading the 22nd day of January, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 5th day of February, 2019.

Councilmember Johnson presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Freel. Motion passed.

11.A ORDINANCE– SECOND READING

Following ordinance read:

Ordinance No. 1-19 Amended

An ordinance repealing and replacing Chapter 6.04 – Animal Care and Control of the Casper Municipal Code.

Councilmember Pacheco presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Walsh. Individuals addressing the Council were: Sandra Materi, 1600 W. Odell, as a group of citizens requesting specific language be included for inclement weather and tethering; Deb Cheatham, 333 S. Socony, asking that dogs not be allowed in the cemetery; Don Hinton, 1420 Kingsbury, asking for more information on incompetent owners and requesting a reasonable standard for the ordinance; Steve Cathey, 2141 Cornwall, requesting that dogs can be off leash in front yard and asking the status of portions of the ordinance; Molly George, 830 Trigood, speaking in agreement with Mr. Hinton; and Dennis Steensland, 533 S. Washington, urging that if a dog is outside that it be on a leash. Councilmember Walsh moved to amend paragraph 7.b.i.(b) to insert “and not under the direct supervision or the owner or” after the word “property” and deleting the word “and” which before this proposed amendment followed the word “property”. Councilmember Walsh also explained a second amendment he would like to make, which would add the definition of “direct supervision”. Mayor Powell indicated that Council would consider each motion separately. Motion to amend paragraph 7.b.i.(b) seconded by Councilmember Huber. Motion to amend passed. Councilmember Walsh then made a motion to add the “direct supervision” definition, seconded by Councilmember Freel. Motion to amend passed. Council then voted on the ordinance, as amended twice, motion passed.

11.B ORDINANCE– SECOND READING

Moved by Councilmember Pacheco, seconded by Councilmember Freel, to table consideration of Ordinance No. 2-19 until the February 19, 2019 Council meeting to allow discussion at the February 12, 2019 work session. Motion passed.

12. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 19-15

A RESOLUTION APPROVING CASPER BUS ROUTE CHANGES.

RESOLUTION NO. 19-16

A RESOLUTION AUTHORIZING THE EXECUTION OF AN M-54 UTILITY LICENSE WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF A 1.5-INCH LOW PRESSURE SANITARY SEWER SERVICE LINE FOR 11105 AND 11115 WEST US HIGHWAY 20/26.

RESOLUTION NO. 19-17

A RESOLUTION AUTHORIZING A TRANSPORTATION ALTERNATIVES PROGRAM AGREEMENT WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE MORAD PARK TO WALMART TRAIL.

RESOLUTION NO. 19-18

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH CIVIL ENGINEERING PROFESSIONALS, INC. FOR ENGINEERING SERVICES FOR THE NORTH BEVERLY STREET IMPROVEMENTS, PROJECT NO. 18-060.

RESOLUTION NO. 19-19

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH CH2M HILL ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE SAM H. HOBBS WWTP SECONDARY TREATMENT REHABILITATION, PROJECT NO. 19-007.

RESOLUTION NO. 19-20

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE AGREEMENT WITH ITC ELECTRICAL TECHNOLOGIES FOR A TIME EXTENSION AND PRICE DEDUCTION FOR THE SAM H. HOBBS WASTEWATER TREATMENT FACILITY EMERGENCY GENERATOR PROJECT, PROJECT NO. 11-74.

RESOLUTION NO. 19-21

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH ARCADIS U.S., INC. FOR ADDITIONAL COMPENSATION FOR ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT FACILITY EMERGENCY GENERATOR PROJECT, PROJECT NO. 11-74.

RESOLUTION NO. 19-22

A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS PROPERTY, AND AUTHORIZING SALE OF SAME TO THE HIGHEST BIDDER.

RESOLUTION NO. 19-23

A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS PROPERTY, AND AUTHORIZING SALE OF SAME TO THE DOWNTOWN DEVELOPMENT AUTHORITY OF CASPER.

Councilmember Johnson presented the foregoing nine (9) resolutions for adoption. Seconded by Councilmember Hopkins. City Manager Napier provided a brief report. Councilmember Bates voted nay on Resolution No. 19-15. Motion passed.

13. MINUTE ACTION – CONSENT

Moved by Councilmember Huber, seconded by Councilmember Johnson, to, by consent minute action: approve the purchase of fifty-two (52) ballistic vest carriers and accessories and an additional fifty-two (52) ballistic external vest carriers without accessories, in the amount of \$31,148, from Galls Safety and Survival Gear; appointment of Planning and Zoning Commissioners to the Old Yellowstone District Advisory Committee; and authorize additional appointments to the Council’s Boards and Commissions. Motion passed.

14. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers provided updates on committee actions and the legislative session.

15. ADJOURN INTO EXECUTIVE SESSION

At 7:43 p.m., it was moved Councilmember Pacheco, seconded by Councilmember Huber, to adjourn into executive session to discuss two items, property acquisition and donation or bequest. Motion passed. Council moved into the Council meeting room.

At 8:19 p.m., it was moved by Councilmember Johnson, seconded by Councilmember Hopkins, to adjourn the executive session. Council returned to the Council Chambers.

16. ADJOURNMENT

At 8:19 p.m., it was moved by Councilmember Pacheco, seconded by Councilmember Huber, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Charles Powell
Mayor