

COUNCIL PROCEEDINGS  
Casper City Hall – Council Chambers  
August 4, 2020

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, August 4, 2020. Present: Councilmembers Bates, Cathey, Hopkins, Huber, Johnson, Lutz, Pacheco, Powell and Mayor Freel.

2. PLEDGE OF ALLEGIANCE

Mayor Freel led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Hopkins, seconded by Councilmember Bates, to, by minute action, approve the minutes of the July 21, 2020, regular Council meeting, as published in the Casper-Star Tribune on July 30, 2020. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Cathey, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the July 21, 2020, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Pacheco, seconded by Councilmember Bates, to, by minute action, approve payment of the August 4, 2020, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 08/04/20

71Const	Services	7,519.12
AMBI	Services	59.30
AAALndscpng	Services	427.44
AceHrdwr	Goods	252.92
Adecco	Services	1,069.43
AhernRent	Services	1,272.55
AirInnov	Services	255.00
Airgas	Goods	26,594.35
AllansCncrt	Goods	900.00
AllianceElect	Services	450.00
AlliantIns	Services	125.00
AlSCO	Services	428.52
AMartinez	Reimb	75.58
AmeriTech	Goods	14,036.44
Amerigas	Goods	409.78
AquaSmrt	Goods	107,860.00
ArrowheadHting	Services	576.67
AtlasOffice	Goods	1,357.36
AWilson	Reimb	108.73
BarDSgns	Services	7,500.00

BnkofAmerica	Goods	124,586.28
BlckHillsEnrgy	Utilities	1,268.36
Bloedorn	Goods	2,131.08
BreckMedia	Services	504.00
Brenntag	Goods	58,084.90
CarolinaSftwr	Goods	700.00
CATC	Funding	178,786.62
CsprMonumnts	Goods	1,600.00
CsprStarTrib	Ads	1,591.96
CsprTire	Goods	150.00
CEMSIs	Goods	896.64
CntrlWyRegWtr	Funding	1,145,327.80
CenturyLink	Utilities	113.01
CtyofCspr	Services	40,216.78
CMITeco	Goods	7,045.08
CommissiononAccr	Services	11,450.00
CommTech	Goods	74,136.00
Comtrnx	Services	94.94
Convergeone	Goods	124.80
CPU	Goods	7,015.40
CrimeScnInfo	Services	109.87
DennisSply	Goods	1,020.13
DiamondVogelPts	Goods	167.59
DPCInd	Goods	7,585.27
FirstData	Goods	39.90
FIB	Services	177.35
FrntlnFireProtect	Services	3,500.00
G-CBldgSply	Goods	4,715.78
Galls	Services	459.00
Geosyntec	Services	6,951.34
GlobalSpectrum	Funding	10,000.00
GobleSmpsn	Services	1,408.45
GolderAssoc	Services	9,885.40
GreensSwr	Services	226.00
HarrisComp	Services	34,007.06
HDREng	Services	22,253.73
HMRBatteries	Goods	15.00
Homax	Goods	32,079.37
HowardSply	Goods	36.36
InbergMiller	Services	5,024.50
IndstrlScrn	Goods	1,920.00
ITCElect	Services	727.00
KnifeRiver	Goods	10,051.70
KPatrick	Reimb	1,166.89
Lisaspicnsan	Services	500.00
LongBldg	Services	931.33

LumStudio	Goods	630.00
McMurryRdyMx	Goods	1,454.38
MercerHse	Funding	8,001.36
MichaelsFence	Goods	300.00
MtnStatesLitho	Services	189.95
MtnWestTele	Utilities	500.00
MunicipalCode	Goods	500.00
NAPA	Goods	85,205.52
NC-HOJ	Rent	9,750.89
Nelson/Nygaard	Services	2,173.50
NewcomTech	Goods	1,200.00
Norco	Goods	1,271.87
NrthPrkTrans	Services	527.42
NorthropBlr	Goods	2,569.10
NWContractors	Services	1,708.64
PeakGeo	Services	14,058.55
Pedens	Goods	151.00
PostalPros	Services	2,056.02
QltyOffice	Goods	246.24
ReliantFCU	Services	57.00
RexelUSA	Services	2,670.81
RckyMtnAirSol	Services	6,869.89
RckyMtnPwr	Utilities	89,858.36
RouterSwr	Services	438.24
RuffKutt	Goods	1,800.00
SftyKleen	Goods	425.00
SlfHelpCntr	Funding	13,615.50
ShrwnWllms	Goods	1,547.74
StofWy-Notary	Services	60.00
StellarProg	Services	3,138.75
SWI	Services	3,063.65
TBarnes	Reimb	150.00
ThatcherCo	Goods	26,698.32
TheSWAssoc	Dues	581.00
TopOffice	Goods	244.40
TretoConst	Services	56,376.25
Trihydro	Services	2,374.25
TwnsqrMd	Services	1,014.00
TylerTech	Goods	19,573.75
Verizon	Services	898.32
VRCComp	Goods	245.77
WstPlainsEng	Services	1,000.00
WstrnSling	Goods	3,416.47
WWCEng	Services	25,152.53
WLCEng	Services	53,939.49
WYDOT	Services	198.55

WYMachinery	Goods	435,125.77
WYLowVltg	Goods	410.00
WySteel	Goods	11,162.20
Xerox	Goods	243.18
Total		2,876,904.49

6. COMMUNICATIONS FROM PERSONS PRESENT

Chad Culver, 5200 Vista Way, addressed Council to request a certification for those performing roof inspections. Councilmembers had questions for Mr. Culver, which he addressed. Mayor Freel suggested the item be brought to a work session for consideration. Councilmembers provided a thumbs up to scheduling the topic for a work session.

7.A.1 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the adoption of the 2020 NFPA 70, National Electrical Code.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated July 22, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated July 21, 2020. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the National Electrical Code, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 17-20  
AN ORDINANCE AMENDING SECTIONS 15.28.010, 15.28.040,  
15.28.170, 15.28.300, 15.28.370 AND 15.28.440 OF THE CASPER  
MUNICIPAL CODE, AND ADOPTING THE 2020 NFPA70,  
NATIONAL ELECTRICAL CODE.

Councilmember Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Vice Mayor Lutz. Councilmember Cathey requested that the circuit breaker component of this code be discussed at a work session. Motion passed.

7.A.2 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the annexation, plat and zoning for the Ide Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated July 31, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated July 21, 2020. City Manager Napier provided a brief report.

Bob Ide, 3838 Garden Creek, spoke in support.

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

Following ordinance read:

ORDINANCE NO. 18-20  
AN ORDINANCE APPROVING THE ANNEXATION, PLAT  
AND SUBDIVISION AGREEMENT FOR THE IDE ADDITION  
TO THE CITY OF CASPER; AND ZONING SAID ADDITION C-  
3 (CENTRAL BUSINESS).

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

7.A.3 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the vacation and zone change of Tract G, Mesa Del Sol Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated July 31, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated July 27, 2020. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the vacation and zone change of Tract G, Mesa Del Sol Addition, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 19-20  
AN ORDINANCE VACATING TRACT G, MESA DEL SOL  
ADDITION, AS PUBLIC PARKLAND; AND APPROVING A  
ZONE CHANGE OF SAID PARCEL FROM PH (PARK  
HISTORIC) TO R-4 (HIGH DENSITY RESIDENTIAL).

Councilmember Bates presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Johnson. Councilmember Huber asked about the open area requirements for the area. Liz Becher, Community Development Director, shared that Meadowlark Park and an easement for trail connectivity in the area satisfied the open area requirements and indicated that some of the proceeds from the sale of this land could be used for park improvements. Mayor Freel abstained. Motion passed.

7.B PUBLIC HEARING - RESOLUTION

Mayor Freel opened the public hearing for the consideration of budget amendment no. 1 to the fiscal year 2021 budget.

City Attorney Henley entered two (2) exhibits: correspondence from Tom Pitlick to J. Carter Napier, dated July 29, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated July 23, 2020. City Manager Napier provided a brief report.

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

Following resolution read:

RESOLUTION NO. 20-153  
A RESOLUTION AMENDING THE CURRENT BUDGET FOR  
THE FISCAL YEAR ENDING JUNE 30, 2021.

Councilmember Hopkins presented the foregoing resolution for adoption. Seconded by Councilmember Bates. Motion passed.

7.C PUBLIC HEARING - MINUTE ACTION

Mayor Freel opened the public hearing for the consideration of the transfer of ownership for Retail Liquor License No. 26 from Wyoming Novelty Co, d/b/a TJ's Bar and Grill, located at 2024 CY Avenue, to Brenton Properties, LLC, d/b/a Frank's Butcher Shop & Liquor.

City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated July 21, 2020; an affidavit of publication, as published in the Casper-Star Tribune, dated July 27, 2020; an affidavit of website publication, as published on the City of Casper website, dated July 28, 2020; an affidavit of notice of conspicuous posting, as posted at 2024 CY Avenue, dated July 28, 2020; and the liquor license application filed July 10, 2020. City Manager Napier provided a brief report.

Speaking in support were: John Kornkven, real estate agent for applicant; and Kari Brenton, applicant.

There being no others to speak for or against the issues involving Retail Liquor License No. 26, the public hearing was closed.

Moved by Councilmember Cathey, seconded by Councilmember Bates, to, by minute action, authorize the transfer of ownership of Retail Liquor License No. 26. Councilmember Bates asked about the amount of time a retail license liquor can be non-operational. City Manager Napier indicated that one year was allowed, but that Council may grant additional time. Motion passed.

8. ORDINANCE- THIRD READING

Following ordinance read:

ORDINANCE NO. 15-20  
AN ORDINANCE APPROVING THE VACATION OF  
WEST 8TH STREET, FROM SOUTH DAVID STREET  
TO SOUTH CENTER STREET.

WHEREAS, the Natrona County School District has requested the vacation of West 8th Street between South David and South Center Streets; and,

WHEREAS, the portion of West 8th Street proposed for vacation is located between Park School on the south, and the School District's bus hub on the north; and,

WHEREAS, the vacation of the street will improve pedestrian/student safety around the surrounding school facilities; and,

WHEREAS, a petition containing the signatures of a majority of the owners who own a majority of the property abutting the segments of the street proposed to be vacated and extending 300 feet in all directions from the street to be vacated has been submitted to the City as provided by W. S. §15-4-305; and,

WHEREAS, Natrona County School District has submitted signed consents to release and abandon the utility easement associated with said portion of West 8<sup>th</sup> Street being proposed for vacation, from all of Casper's utility companies; and,

WHEREAS, the City of Casper has determined that said portion of West 8<sup>th</sup> Street can be vacated without adversely impacting utility services and traffic circulation within the area; and,

WHEREAS, it is the desire of the governing body of the City of Casper to approve said vacation of a portion of West 8<sup>th</sup> Street as public right-of-way.

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

**SECTION 1:**

That the vacation of West 8<sup>th</sup> Street, between South David and South Center Streets, as set forth in Exhibits "A" and "B", which by reference herein are made a part of this ordinance, is hereby approved.

**SECTION 2:**

That the vacated street shall revert to the adjoining land owners, as provided by law.

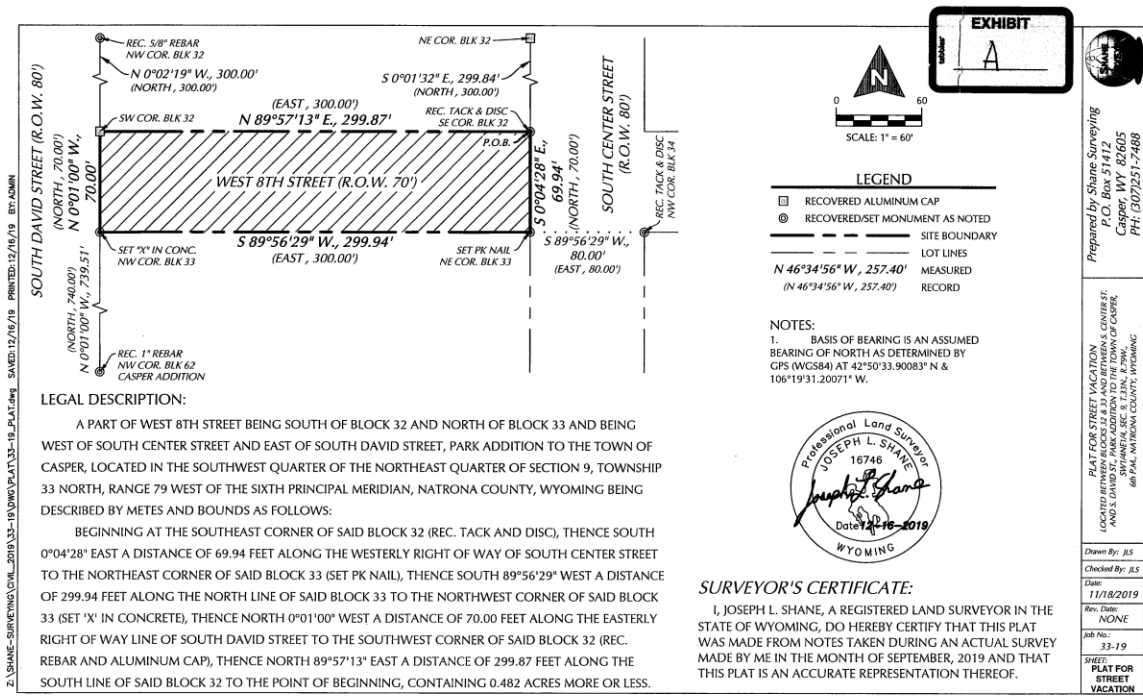
**SECTION 3:**

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

PASSED on 1<sup>st</sup> reading the 7<sup>th</sup> day of July, 2020.

PASSED on 2<sup>nd</sup> reading the 21<sup>st</sup> day of July, 2020.

PASSED, APPROVED, AND ADOPTED on 3<sup>rd</sup> and final reading the 4<sup>th</sup> day of August, 2020.



**LEGAL DESCRIPTION:**

A PART OF WEST 8TH STREET BEING SOUTH OF BLOCK 32 AND NORTH OF BLOCK 33 AND BEING WEST OF SOUTH CENTER STREET AND EAST OF SOUTH DAVID STREET, PARK ADDITION TO THE TOWN OF CASPER, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 32 (REC. TACK AND DISC), THENCE SOUTH 0°04'28" EAST A DISTANCE OF 69.94 FEET ALONG THE WESTERLY RIGHT OF WAY OF SOUTH CENTER STREET TO THE NORTHEAST CORNER OF SAID BLOCK 33 (SET PK NAIL), THENCE SOUTH 89°56'29" WEST A DISTANCE OF 299.94 FEET ALONG THE NORTH LINE OF SAID BLOCK 33 TO THE NORTHWEST CORNER OF SAID BLOCK 33 (SET 'X' IN CONCRETE), THENCE NORTH 0°01'00" WEST A DISTANCE OF 70.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF SOUTH DAVID STREET TO THE SOUTHWEST CORNER OF SAID BLOCK 32 (REC. REBAR AND ALUMINUM CAP), THENCE NORTH 89°57'13" EAST A DISTANCE OF 299.87 FEET ALONG THE SOUTH LINE OF SAID BLOCK 32 TO THE POINT OF BEGINNING, CONTAINING 0.482 ACRES MORE OR LESS.

**NOTES:**  
 1. BASIS OF BEARING IS AN ASSUMED BEARING OF NORTH AS DETERMINED BY GPS (WCS84) AT 42°50'33.90083" N & 106°19'31.20071" W.



**SURVEYOR'S CERTIFICATE:**

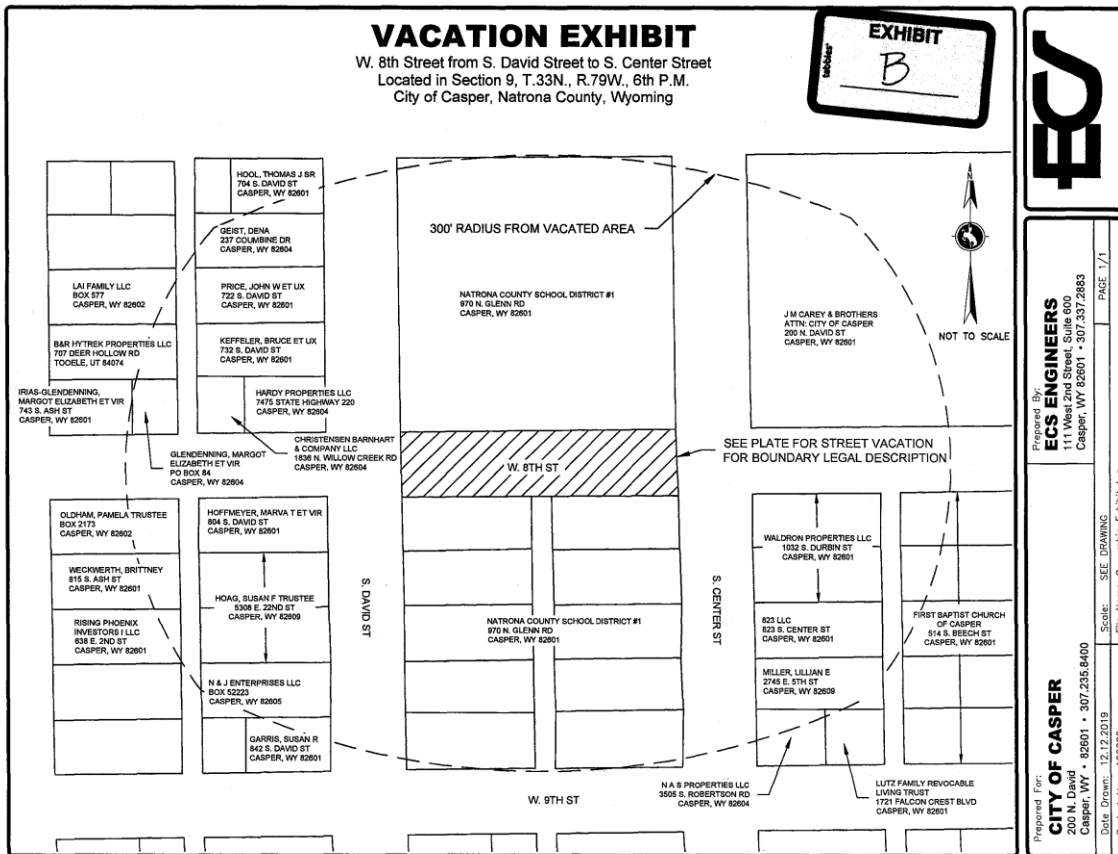
I, JOSEPH L. SHANE, A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE BY ME IN THE MONTH OF SEPTEMBER, 2019 AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF.

**EXHIBIT**

Prepared by: Shane Surveying  
 P.O. Box 51412  
 Casper, WY 82405  
 PH: (307)551-7488

PLAT FOR STREET VACATION  
 LOCATED BETWEEN BLOCKS 32 & 33 AND BETWEEN CENTER ST. AND S. DAVID ST., PARK ADDITION TO THE TOWN OF CASPER,  
 NATRONA COUNTY, WYOMING

Drawn By: JS  
 Checked By: JS  
 Date: 11/18/2019  
 Rev: Date: NONE  
 Job No.: 33-19  
 SHEET: 33-19  
 PLAT FOR STREET VACATION



**ECS ENGINEERS**  
1111 N. STANLEY ST  
CASPER, WY 82601 • 307.337.2883

Proposed By:  
**ECS ENGINEERS**  
1111 N. STANLEY ST  
CASPER, WY 82601 • 307.337.2883

Proposed For:  
**CITY OF CASPER**  
200 N. David  
Casper, WY • 82601 • 307.235.8400

Date Drawn: 12.12.2019  
Project No.: 190009

Scale: SEE DRAWING  
File Name: Ownership Exhibit.dwg  
PAGE 1/1

Councilmember Hopkins presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Cathey.

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

9. ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 16-20  
AN ORDINANCE UPDATING AND AMENDING SECTIONS  
6.04.010, 6.04.040, 6.04.180, 6.04.210, 6.04.300, 6.04.301,  
6.04.305, AND 6.04.325 OF THE CASPER MUNICIPAL CODE.

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

Linda Terrell, 2250 East 3<sup>rd</sup> spoke on behalf of three additional citizens who also came before Council. Ms. Terrell spoke of efforts to support a local trap, neuter, release (TNR) program for cats and shared concerns with the changes proposed for this ordinance including the feeding ban, and tethering requirements.



Zach Hutchinson, Audubon Community Science Coordinator, stated he does not believe TNR is a good solution for the feral cat situation because of disease and other factors, and he shared some alternative management solutions. Councilmembers discussed the matter at length. Moved by Vice Mayor Lutz to amend the ordinance to remove the tethering time requirement. Seconded by Councilmember Hopkins. Council discussed the amendment and Councilmember Cathey requested input from staff. Chief McPheeters shared that enforcing, educating, and finding solutions with citizens is preferred over prosecution when helping animal owners and their neighbors. Councilmember Bates asked about the frequency of tethering and Chief McPheeters indicated it was not a common problem. Councilmembers Cathey, Huber, and Powell voted nay on the amendment. Motion to amend passed.

Moved by Councilmember Huber to amend the definition of feral cat to include the following after the words human contact “other than feeding, and no person claiming any aspect of ownership can be reasonably located” and including the same language for the definition of feral dog. Seconded by Vice Mayor Lutz. Councilmember Johnson voted nay on the amendment. Motion to amend passed. Council then voted on the ordinance, on second reading, as amended. Councilmember Johnson voted nay. Motion passed.

#### 10. ORDINANCE— FIRST READING

Following ordinance read:

##### ORDINANCE NO. 20-20

AN ORDINANCE AMENDING SECTION 13.32.030 OF CHAPTER 13.32 OF THE CASPER MUNICIPAL CODE, PERTAINING TO DIVISION III WASTEWATER – SEWER DISCHARGE REGULATIONS.

Moved by Vice Mayor Lutz to amend the agenda to allow consideration of this item at a future meeting. Seconded by Councilmember Cathey. Councilmember Cathey clarified that this item will be held as a public hearing after proper notice has been given. Motion passed.

#### 11.A RESOLUTION

Following resolution read:

##### RESOLUTION NO. 20-154

A RESOLUTION APPROVING A CONTRACT FOR PROFESSIONAL SERVICES WITH REPUBLIC PARKING, LLC FOR THE OPERATION AND MANAGEMENT OF THE MUNICIPAL PARKING STRUCTURE LOCATED AT 230 SOUTH WOLCOTT STREET AND PARKING LOT NO. 2 LOCATED AT 106 SOUTH CENTER STREET.

Vice Mayor Lutz presented the foregoing resolution for adoption. Seconded by Councilmember Hopkins. City Manager Napier provided a brief report.

Council discussed ways to handle the oversight of the management of these facilities. Liz Becher, Community Development Director, shared her appreciation for the work carried out by the Downtown Development Authority during their time managing the parking facilities. Laura Lierz and John Meek, Republic Public, introduced themselves, spoke to Council about their plans for the management of the facilities, and addressed questions presented by Council. Councilmember Hopkins left the meeting. Motion passed.

11.B CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 20-155

A RESOLUTION AUTHORIZING THE TERMINATION OF THE CONTRACT FOR PROFESSIONAL SERVICES FOR JOB COSTING SOFTWARE BETWEEN THE CITY OF CASPER, WYOMING AND TRACKER SOFTWARE CORPORATION.

RESOLUTION NO. 20-156

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH GOLDER ASSOCIATES, INC., FOR PROVIDING ENVIRONMENTAL SERVICES FOR THE CONSTRUCTION OF FIRST STREET REACH OF THE NORTH PLATTE RIVER RESTORATION, PROJECT NO. 20-51.

Councilmember Powell presented the foregoing two (2) resolutions for adoption. Seconded by Councilmember Bates. Motion passed.

12. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke briefly on local matters.

13. ADJOURN INTO EXECUTIVE SESSION

Mayor Freel noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, August 11, 2020, in the Council Chambers; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, August 18, 2020, in the Council Chambers.

At 8:12 p.m., it was moved Councilmember Cathey, seconded by Councilmember Bates, to adjourn into executive session to discuss personnel. Motion passed. Council moved into the Council meeting room.

At 8:48 p.m., it was moved by Councilmember Cathey, seconded by Vice Mayor Lutz, to adjourn the executive session. Motion passed.

14. ADJOURNMENT

At 8:49 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Pacheco, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Fleur Tremel  
City Clerk

\_\_\_\_\_  
Steven K. Freel  
Mayor