

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
January 7, 2020

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, January 7, 2020. Present: Councilmembers Bates, Cathey, Freel, Hopkins, Huber, Lutz, Pacheco, and Mayor Powell. Absent: Councilmember Johnson.

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

2. PLEDGE OF ALLEGIANCE

Raleigh Lutz, a young citizen, led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Hopkins, seconded by Councilmember Lutz, to, by minute action, approve the minutes of the December 17, 2019, regular Council meeting, as published in the Casper-Star Tribune on December 26, 2019. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Bates, seconded by Councilmember Huber, to, by minute action, approve the minutes of the December 17, 2019, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Pacheco, seconded by Councilmember Hopkins, to, by minute action, approve payment of the January 7, 2020, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 01/07/20

AMBI	Services	113.59
AceHrdwr	Goods	90.44
Addeco	Services	1,526.31
AHiatt	Reimb	531.90
Airgas	Goods	765.15
AllncElect	Services	1,518.37
Alsco	Services	823.36
AmTitle	Services	125.00
Amerigas	Goods	1,732.85
AMontes	Reimb	125.99
ASveda	Reimb	90.00
AtlntcElect	Services	1,798.75
AtlasOffice	Goods	2,754.68
AtlasRprdction	Services	67.16
BnkofAmerica	Goods	59,159.98

BHEnergy	Services	23,592.67
BMartin	Reimb	1,387.80
BWorley	Reimb	133.34
CAEDA	Funding	5,833.34
Caselle	Services	75.00
CATC	Funding	119,550.85
CsprNC	Funding	340.00
CsprPD	Funding	249.94
CsprStarTrib	Ads	2,833.94
CsprTire	Goods	140.00
CsprPblcUtl	Utilities	144.06
CnrPblcSfty	Services	4,785.00
CenturyLink	Utilities	2,407.21
CH2M Hill	Projects	14,527.61
Charter	Services	84.63
Cigna	Services	12,233.78
CityofCasper	Services	77,517.38
CitySvcElect	Services	397.00
CLynch	Reimb	495.27
CMITeco	Goods	39,705.76
ComTech	Goods	5,687.00
Comtronix	Services	737.10
ConrdnceHlthcare	Goods	5,658.90
Cnvrgeone	Services	85,929.76
CPU	Goods	10,203.00
CrimeScene	Goods	109.87
CrwnConst	Services	7,107.50
DBusch	Reimb	46.97
Dell	Goods	4,180.88
DeltaDental	Services	26,350.68
DJordan	Reimb	63.47
DNelson	Reimb	139.90
DsrtMtn	Goods	13,253.75
Dooley	Goods	10,062.00
DPCInd	Services	6,986.78
EBInc	Goods	1,669.44
EcnmcDevJPB	Funding	107,182.25
ElctncRcyclrs	Services	8,076.05
ExprssGrgDoor	Goods	710.00
FirstData	Services	459.91
FirstIntrstBk	Services	514.00
FirstVetSply	Goods	305.19
Firstidea	Services	10,500.00
Galls	Services	3,834.38
GlobalSpctrm	Services	3,375.00

GolderAssoc	Projects	832.50
GovtJobs.com	Services	10,768.56
Grainger	Goods	14.52
GreensSwr	Services	103.00
GulfStDist	Goods	11,790.00
GunnersMtrs	Goods	915.00
HiteckComm	Services	360.00
Homax	Goods	106,212.53
Hwrdspply	Goods	330.09
IMSInfr	Services	1,875.00
Inslltn&Svc	Services	5,531.01
Itron	Services	2,432.72
JhnsCntrl	Goods	350.90
JStevens	Reimb	150.00
JPeterson	Reimb	82.96
JrnlTech	Services	11,370.00
KnifeRvr	Projects	734.58
Kubwtr	Goods	5,618.85
LnclnNtl	Services	267.33
LisasSpicSpan	Services	150.00
LongBldg	Services	10,609.05
McMurryRdyMx	Goods	403.50
MillsPD	Services	815.10
MonsonJntrl	Services	6,213.81
Motorola	Goods	7,864.48
NtlBnftSvc	Services	393.45
Nelson/Nygaard	Services	15,833.27
NrthrnLights	Goods	600.00
NCHCorp	Goods	196.42
PCNStrtgs	Services	13,328.26
PstlPros	Services	12,328.41
ProforceLaw	Goods	200.00
RmshornConst	Services	17,072.61
RDG	Services	14,400.00
RecyklingInd	Goods	54,973.20
Ricoh	Goods	50.60
RckyMtnPwr	Utilities	100,326.94
RouterSwrSvcs	Services	611.96
SafetyKleen	Services	456.00
SesacRgts	Services	919.00
ShamrockEnv	Services	376,860.41
SkylineRnch	Services	565.21
SoftDr	Goods	70.00
StateofNE	Services	3.00
Stateline#7	Services	2,870.00

StotzEquip	Goods	53,750.00
SuperiorInd	Goods	460.00
SWIInc	Services	632.33
TGarcia	Reimb	100.00
TopOffice	Services	115.65
TretoConst	Projects	251,783.00
TrihydroCo	Services	6,026.50
TweedWhlsl	Goods	416.90
TylrTech	Services	18,626.49
Uniforms2gear	Goods	212.96
UrgentCare	Services	462.00
Verizon	Services	601.66
VCRCo	Goods	166.00
WasteOilFrncs	Goods	290.40
WestPlnsEng	Services	8,300.00
WestrnStatesFire	Services	3,360.00
WestlandPrk	Utilities	2,160.89
WLCEng	Projects	26,496.40
WYDot	Projects	48.75
WYLawEnforce	Services	4,775.50
WYMchnry	Goods	28,603.49
WYSftyGrp	Goods	3,217.50
WYSteel	Goods	5,341.70
Total		1,904,604.24

6. MAYOR POWELL COMMENTS

Mayor Powell expressed appreciation to City staff as well as Councilmembers for working well together and for a productive year. He also shared several community achievements that he is proud to have been involved in as they moved from theory to completion.

7. ELECTION FOR MAYOR FOR 2020

Moved by Councilmember Pacheco, seconded by Councilmember Bates, to, by minute action, nominate Steven K. Freel as Mayor of the City of Casper, Wyoming, for calendar year 2020. Motion passed.

8. ELECTION FOR VICE-MAYOR FOR 2020

Moved by Councilmember Hopkins, seconded by Councilmember Bates, to, by minute action, nominate Khrystyn Lutz as Vice-Mayor of the Casper City Council for calendar year 2020. Motion passed.

9. CITY CLERK TREMEL ISSUES OATH

City Clerk Fleur Tremel issued the oath of office to newly-appointed Mayor Freel and Vice-Mayor Lutz.

10. COUNCIL SEATING RESET

Councilmembers relocated to the 2020 seating configuration.

11. COMMENTS BY NEWLY-ELECTED LEADERSHIP

Mayor Freel stated that he is looking forward to completing on-going projects and hopes to increase community engagement, especially with the youth in our community.

Vice-Mayor Lutz thanked the community and fellow Councilmembers for their support and for this opportunity. She also acknowledged and thanked her family for their support.

Mayor Freel also shared his appreciation for the support of his friends and family.

12. PRESENTATION TO 2019 MAYOR

Mayor Freel presented Councilmember Powell with a plaque for his service as Mayor in 2019 and thanked him for his service.

13. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Jennifer Dyer and Micki Jaramillo, representing the Self Help Center, welcoming Council to learn more and to recruit volunteers for the Point in Time Count which focuses on homelessness in our community; Matt Galloway, congratulating the newly elected leadership; and Tracy Lamont, 721 E. 12th, requesting direction and consideration for a specific parking citation.

14.A PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of an ordinance amending the Casper Municipal code pertaining to forty mile per hour speed zones.

City Attorney Henley entered one (1) exhibit: correspondence from Andrew Beamer to J. Carter Napier, dated December 4, 2019. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the speed zone, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 1-20
AN ORDINANCE AMENDING SECTION 10.24.020 OF THE
CASPER MUNICIPAL CODE PERTAINING TO FORTY MILE
PER HOUR SPEED ZONES.

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

14.B PUBLIC HEARING - APPEAL

Mayor Freel opened the public hearing for the consideration of the appeal of the Planning and Zoning Commission's decision to deny a zone change.

City Attorney Henley entered thirteen (13) exhibits: correspondence from Liz Becher to J. Carter Napier, dated December 5, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated December 11, 2019; correspondence from Liz Becher to the Planning and Zoning Commission, dated September 13, 2019; minutes of the September 19, 2019 Planning and Zoning

meeting; aerial map; existing zoning map; future land use context map; photos; zone change application; notice of decision; letters of opposition; appeal request from Timm A. Smith to Mayor Powell and the Planning and Zoning Commission dated September 27, 2019; and the appraisal dated June 16, 2014 by Hilston Appraisals. City Manager Napier provided a brief report.

Speaking in support of the zone change was Timm Smith, representing the applicant.

Speaking in opposition to the zone change were: Dr. Kent Katz, 991 Stafford; Kevin Huzucha, Chief Executive Officer of the Central Wyoming Counseling Center 1430 Wilkins Cir; Pat Sweeney, 951 N. Kimball; and Tracy Lamont 721 E. 12th.

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

Councilmember Huber asked for direction on the proceedings with this matter, which City Attorney Henley addressed. Councilmember Huber indicated that he would like to conflict out on the matter and began an explanation. Councilmember Cathey made a point of order regarding Councilmembers discussing agenda items that they are abstaining from and asked City Attorney Henley for direction. Mr. Henley advised that a Councilmember should refrain from discussing matters for which he or she is abstaining from voting on.

Following ordinance read:

ORDINANCE NO. 2-20
AN ORDINANCE APPROVING A ZONE CHANGE FOR A 2.8-
ACRE PORTION OF TRACT 4, NORTH PLATTE RIVER PARK
ADDITION, GENERALLY LOCATED AT THE CORNER OF
EVENTS DRIVE AND NORTH POPLAR STREET, NORTH OF
WILKINS WAY, FROM PH (PARK HISTORIC) TO C-4
(HIGHWAY BUSINESS).

Councilmember Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Lutz.

Council discussed the matter at length. Councilmember Huber abstained from voting on the matter. Motion passed.

14.C PUBLIC HEARING—ANNEXATION

Mayor Freel opened the public hearing for the consideration of the annexation compliance to determine if the annexation of properties along the west side of South Poplar Street, south of West 50th Street, complies with W.S. § 15-1-402

City Attorney Henley entered four (4) exhibits: correspondence from Liz Becher to J. Carter Napier, dated January 3, 2020; an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated November 18, 2019; and the South Poplar Street annexation report, dated October, 2019. City Manager Napier provided a brief report.

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

Following resolution read:

RESOLUTION NO. 20 -2

A RESOLUTION FINDING FACTS PURSUANT TO WYOMING STATUTE 15-1-402 REGARDING THE ANNEXATION OF FIFTEEN (15) PROPERTIES ALONG THE WEST SIDE OF SOUTH POPLAR STREET, SOUTH OF WEST 50TH STREET.

Councilmember Lutz presented the foregoing resolution for adoption. Seconded by Councilmember Bates. City Manager Napier indicated that the title read state thirteen (13) properties, but that the annexation actually involves fifteen (15). Motion passed.

Following ordinance read:

ORDINANCE NO. 34-19

AN ORDINANCE APPROVING THE CITY-INITIATED ANNEXATION OF FIFTEEN (15) PROPERTIES ALONG THE WEST SIDE OF SOUTH POPLAR STREET, SOUTH OF WEST 50TH STREET; AND THE ZONING OF SAID PROPERTIES AS AG (URBAN AGRICULTURE).

WHEREAS, the Casper City Council approved Resolution No. 19-162, initiating the annexation of fifteen (15) properties along the west side of South Poplar Street, south of West 50th Street, and more particularly described as follows:

- E 1/2, Tracts 34 and 35, South Garden Creek Acres No. 2 Addition
- Tracts 14-31, Inclusive, South Garden Creek Acres No. 2 Addition
- Tracts 1-10, and the South Portion of 11, South Garden Creek Acres Addition

WHEREAS, the properties listed above all adjoin the existing Casper corporate limits along their east boundaries; and,

WHEREAS, pursuant to Section 17.12.180 of the Casper Municipal Code, the City Council may impose zoning on the property to be annexed; and,

WHEREAS, the Generation Casper Comprehensive Land Use Plan, adopted in 2017, supports the zoning of the property as AG (Urban Agriculture); and,

WHEREAS, an annexation report will be reviewed by the City Council concurrent with third reading, and final approval of the annexation, in accordance with Section 15-1-402 of the Wyoming State Statutes, as amended; and,

WHEREAS, pursuant to Wyoming Statute § 15-1-410(a), any land use that was existing at any time within the year prior to the date of annexation and was lawful at the time the property was annexed shall be considered to be legal and conforming upon annexation into the City, and said land use may continue without restriction.

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

SECTION 1:

The annexation of the properties listed above is hereby approved, and said area is included within the corporate limits of the City of Casper and all rights, privileges, and duties pertaining to such inclusion shall apply to said development and the inhabitants thereof.

SECTION 2:

The AG (Urban Agriculture) zoning of said properties is hereby approved.

SECTION 3:

All land uses in existence within the year prior to the date of annexation, and that were lawful at the time the property was annexed are considered to be legal and conforming, and permitted to continue without restriction, provided that the use is not discontinued for any one (1) year period after the date of annexation, all in accordance with Wyoming Statute § 15-1-410(a).

SECTION 4:

All utility franchises shall be furnished a copy of this ordinance, and other information required by the franchises, as official notice of the expansion of the City limits.

SECTION 5:

This ordinance shall, pursuant to W. S. § 15-1-408, be in full force and effect on the 21st business day following third reading approval by the City Council, and following publication.

PASSED on 1st reading the 3rd day of December, 2019.

PASSED on 2nd reading the 17th day of December, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 7th day of January, 2020.

Councilmember Pacheco presented the foregoing ordinance for adoption, on third reading. Seconded by Councilmember Bates. Motion passed.

15. ORDINANCE— THIRD READING

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.

WHEREAS, an application has been made for final plat approval of Fairgrounds Addition No. 2 (the "plat"); and,

WHEREAS, the plat consists of previously platted land that is being vacated within the Fairgrounds Home Addition to the City of Casper; and,

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

WHEREAS, the plat requires approval by ordinance following a public hearing because a public street right of way is being dedicated; and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that the City Council approve the request to plat the above referenced property; and,

WHEREAS, the governing body of the City of Casper finds that the above described plat and subdivision agreements should be approved.

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

SECTION 1:

That the Mayor is hereby authorized and directed to execute, and the City Clerk to attest, the Fairgrounds Home Addition No. 2 Subdivision Agreement.

SECTION 2:

That the vacation of a portion of the Fairgrounds Home Addition, and final plat of the Fairgrounds Home Addition No. 2 is hereby approved under terms and conditions of the Fairgrounds Home Addition No. 2 Subdivision Agreement.

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 3rd day of December, 2019.

PASSED on 2nd reading the 17th day of December, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 7th day of January, 2020.

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

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

16. ORDINANCE— FIRST READING

Following ordinance read:

ORDINANCE NO. 3-20

AN ORDINANCE GRANTING A FRANCHISE TO INTTEC, INC. (A WHOLLY OWNED SUBSIDIARY OF VISIONARY COMMUNICATIONS, INC.) TO OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF CASPER, WYOMING.

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

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

17. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 20-3

A RESOLUTION AUTHORIZING A REPAYMENT AGREEMENT FOR TRANSIT BUSES BETWEEN THE CITY OF CASPER AND CASPER AREA TRANSPORTATION COALITION IN AN AMOUNT NOT TO EXCEED \$119,345.60.

RESOLUTION NO. 20-4

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CASPER AND NELSON/NYGAARD CONSULTING ASSOCIATES, INC.

RESOLUTION NO. 20-5

A RESOLUTION AUTHORIZING A PERMIT TO ENCROACH ON PUBLIC RIGHT-OF-WAY WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE MORAD PARK TO WALMART TRAIL.

RESOLUTION NO. 20-6

A RESOLUTION AUTHORIZING A TRANSPORTATION ALTERNATIVES PROGRAM AGREEMENT WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE MIDWEST AVENUE BIKE LANE AND PEDESTRIAN DEVELOPMENT.

RESOLUTION NO. 20-7

A RESOLUTION AUTHORIZING AN AGREEMENT WITH SHEET METAL SPECIALTIES, INC., FOR HOGADON LODGE COOLING COIL RETROFIT, PROJECT NO. 18-096.

RESOLUTION NO. 20-8

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 — ELM STREET TO WALNUT STREET.

RESOLUTION NO. 20-9

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 THE OPERATOR-LED CLEANUP LANDFILL REMEDIATION AGREEMENT WITH THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE CLOSED CASPER BALEFILL REMEDIATION PROJECT.

RESOLUTION NO. 20-10

A RESOLUTION AUTHORIZING RELEASE OF A REAL ESTATE MORTGAGE AND MORTGAGE EXTENSION GRANTED TO THE CITY OF CASPER BY THE 12-24 CLUB, INC.

RESOLUTION NO. 20-11

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CROWN CONSTRUCTION, LLC, FOR THE CENTER STREET RAILING REPLACEMENT PROJECT NO. 19-046.

RESOLUTION NO. 20-12

A RESOLUTION AUTHORIZING A PROCUREMENT AGREEMENT WITH DC FROST ASSOCIATES, INC., FOR WIPER KITS AND ASSOCIATED PARTS FOR USE ON THE ULTRA VIOLET (UV) DISINFECTION SYSTEM AT THE SAM H. HOBBS WASTEWATER TREATMENT PLANT.

RESOLUTION NO. 20-13

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE PROCUREMENT AGREEMENT WITH DC FROST ASSOCIATES, INC. FOR THE PURCHASE OF ULTRA VIOLET DISINFECTION SYSTEM WIPER KITS.

Councilmember Huber presented the foregoing eleven (11) resolutions for adoption. Seconded by Councilmember Bates. City Manager Napier provided a brief report. Motion passed.

18. MINUTE ACTION— CONSENT

Moved by Councilmember Huber, seconded by Councilmember Pacheco, to, by consent minute action:

- 1) designate the Casper Journal and the Casper Star-Tribune as the City's official newspaper for the calendar year 2020;
- 2) designate the following banks as approved epositories of City of Casper funds for calendar year 2020: First Interstate Bank, USbank, Platte Valley Bank, Hilltop National Bank, and ANB Bank;
- 3) authorize the appointment of Greg B. Groves to the Civil Service Commission for a three (3) year term expiring December 31, 2022;
- 4) reappoint members Adam Hall, Zac Horner, and Andrew Elston to the Board of Examiners and Appeals, and Contractors Licensing Board;
- 5) appointment of the following individuals to the Casper Historic Preservation Commission; Robin Broumley, Jeffrey C. Bond, Jr., Maureen M. Lee, Connie Thompson Hall, Anthony Jacobson, Carolyn Buff, and Paul James Yurkiewicz;
- 6) reappointment of Richard Jay to the Casper Public Utilities Advisory Board for a six-year term ending December 31, 2025; and
- 7) authorize the issuance of a taxicab company license to Michael Donohue, d/b/a Eagle Cab, located at 2804 Coulter Drive.

Motion passed.

19. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers shared their appreciation for the service of Mayor Powell in 2019 and congratulated and wished the new leadership well in their roles. Councilmember Bates expressed concerns about bicycle safety and the use of bicycle lanes in our community and also conveyed his excitement about the replacement parts for the Wastewater Treatment's exist UV cleansing system.

20. ADJOURNMENT

Mayor Freel noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, January 14, 2020, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, January 21, 2020, in the Council Chambers. Moved by Councilmember Bates, seconded by Councilmember Cathey, to, by minute action adjourn. Motion passed. The meeting was adjourned at 7:30 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor