

COUNCIL PROCEEDINGS  
Casper City Hall – Video Conference Call  
June 16, 2020

1. ROLL CALL

Casper City Council met in regular session at 6:12 p.m., Tuesday, June 16, 2020. Present at City Hall: Mayor Freel and Vice-Mayor Lutz. Councilmembers Bates, Cathey, Hopkins, Huber, Johnson, Pacheco and Powell attended via conference call.

2. PLEDGE OF ALLEGIANCE

Mayor Freel led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Cathey, seconded by Councilmember Hopkins, to, by minute action, approve the minutes of the June 2, 2020, regular Council meeting, as published in the Casper-Star Tribune on June 10, 2020. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Johnson, seconded by Vice-Mayor Lutz, to, by minute action, approve the minutes of the June 2, 2020, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Bates, seconded by Vice-Mayor Lutz, to, by minute action, approve payment of the June 16, 2020, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 06/16/20

307CllsnCtr	Services	914.20
3D'sWldng	Services	2,000.00
477KM	Goods	278.00
71Const	Services	5,556.94
AMBI	Services	995.11
AceHdw	Goods	161.42
ACoyle	Reimb	1,088.42
Adecco	Services	1,513.20
Airgas	Goods	744.26
AllianceElect	Services	1,052.80
Alluretech	Goods	42.00
Alsco	Services	407.96
Alumitech	Goods	4,987.75
AmeriTech	Goods	40,050.59
ARaver	Reimb	165.00
ARSFlood	Services	525.00
AtlasOffice	Goods	565.01
AtlasReprod	Services	203.74
B32Eng	Services	4,330.00
Bargreen	Goods	44.44

BnkofAmerica	Goods	102,740.23
BloedornLmbr	Goods	2,367.22
Breezytrees	Goods	950.00
Brenntag	Goods	9,995.70
BWilladson	Reimb	17.87
CATC	Funding	130,457.18
CsprPblcUt	Services	824,446.22
CsprStarTrib	Ads	4,878.88
CsprTire	Goods	45.00
CsprWinnlson	Goods	42.45
CtrlWySrSvcs	Funding	590,322.75
CtrlWYHspc	Funding	3,194.44
CenturyLink	Services	17,891.93
ChldrnsAdvc	Funding	5,808.88
CtyofCspr	Services	101,039.72
CMITeco	Goods	4,681.66
Comtrnx	Services	150.00
Convrgeone	Goods	31,360.09
CourtAppSpeci	Services	1,296.25
CPU	Goods	5,744.38
CrumElect	Services	11.14
DavidsonFxdIncm	Services	3,886.88
DavidsonMech	Services	5,359.00
DCourtade	Reimb	150.00
DennisSply	Goods	520.59
DesertMtn	Goods	4,097.25
DmndVogel	Goods	2,358.90
DooleyEnt	Goods	2,384.00
DPCInd	Goods	12,860.20
EmrgncyMed	Goods	899.40
EngDsgn	Services	1,737.50
FalconEnv	Goods	4,065.00
FrmrBros	Goods	77.26
FrfghtrsOfNC	Services	166.66
FirstData	Goods	22.85
FowelsCstm	Services	4,815.00
FrntlneFirePrt	Goods	1,505.00
FugroUSA	Services	42,147.33
Galls	Services	66.65
GlblSpctrum	Services	82,909.91
GolderAssoc	Services	25,503.00
Grainger	Goods	92.61
GranitePkPmp	Services	1,266.78
GravesCnslt	Services	9,000.00
HighPlnsConst	Services	513,034.40

HitekComm	Services	5,168.00
Homax	Goods	41,518.17
InnovativeData	Services	28,170.00
KnifeRiver	Goods	10,713.52
LairdPlstcs	Goods	4,516.00
LwOffcHYoung	Services	1,350.00
LisasSpcnSpn	Services	395.00
LongBldg	Services	1,918.32
McMurry	Goods	216.50
MDay	Reimb	150.00
MillsPD	Services	257.93
MKolker	Reimb	71.84
MonsonJntrl	Services	10,229.62
Motion&Flow	Goods	266.52
Motorola	Goods	141,752.07
MtnStatesLitho	Services	616.20
MtnWestTele	Utilities	503.74
MunicipleCode	Services	450.00
Napa	Goods	169,565.27
NCHCorp	Goods	375.00
NCConserv	Services	35,000.00
NCSheriff	Services	257.93
NCPble	Funding	75,203.75
Nelson/Nygaard	Services	6,865.65
Norco	Goods	1,896.11
NWCntrcts	Services	1,424.98
OneCall	Services	1,155.75
PCNStrtgs	Goods	665.28
PlcnCorp	Goods	1,293.57
PltteRvrCrss	Goods	435.00
Pella	Goods	690.39
PrfrcLawEnf	Goods	16,147.00
RCavalluzzi	Reimb	99.70
RckyMtnPwr	Goods	101,808.58
Ricoh	Services	281.57
RJsCrpt	Services	80.00
RooterSwr	Goods	2,041.48
RussellInd	Goods	4,261.99
SheetMtlSpec	Goods	74,336.75
ShrwnWllms	Goods	547.02
Smarsh	Services	1,852.50
StofWY-DeptofAg	Services	50.00
StofWy	Services	6,748.47
Stateline7	Services	5,700.00
Sterling	Services	829.20

TopOffice	Services	128.20
TretoConst	Services	212,046.00
Trihydro	Goods	3,021.64
Tweeds	Services	571.42
Uniforms2Gear	Services	402.31
VeoliaEsTech	Services	6,328.35
Verizon	Goods	1,002.33
VermeerSl	Services	1,601.13
VolanceLng	Goods	143.94
WamcoLbs	Services	1,800.00
WrdwllWtr	Utilities	29.68
WColemanConst	Services	10,729.35
Wydor	Services	71.66
WyattElect	Services	5,250.00
WyOfficeProd	Goods	22,250.69
WySftyGrp	Goods	780.00
XeroxCorp	Services	221.08
Total		3,646,248.15

6. COMMUNICATIONS FROM PERSONS VIA TELEPHONE

Mayor Freel announced that several businesses had agreed to sponsor the Fourth of July fireworks display, but that at this time there would be no public festivities at the Casper Events Center.

Drew Perkins, representing Treto Construction, asked Council to re-consider the bid submitted by Treto Construction for the Midwest Avenue reconstruction contract. Councilmembers had questions for Mr. Perkins, which he addressed.

7. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Cathey, seconded by Councilmember Powell, to, by minute action: establish July 7, 2020, as the public hearing date for the consideration of the vacation of West 8<sup>th</sup> Street, from South David to South Center Street; and the adoption of revisions to the current rate resolution for residential and commercial solid waste collection, recycling, and disposal at the Casper Solid Waste Facility. Motion passed.

8.A.1 PUBLIC HEARING - RESOLUTION

Mayor Freel opened the public hearing for the consideration of budget amendment no. 3 to the fiscal year 2020 budget.

City Attorney Henley entered two (2) exhibits: correspondence from Tom Pitlick to J. Carter Napier, dated June 11, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated June 4, 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. 20-135  
A RESOLUTION AMENDING THE CURRENT BUDGET FOR  
THE FISCAL YEAR ENDING JUNE 30, 2020.

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

8.A.2 PUBLIC HEARING - RESOLUTION

Mayor Freel opened the public hearing for the consideration of the fiscal year 2020-2021 budget.

City Attorney Henley entered two (2) exhibits: correspondence from Tom Pitlick to J. Carter Napier, dated June 10, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated June 4, 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. 20-136  
A RESOLUTION MAKING APPROPRIATIONS OF FUNDS TO  
COVER EXPENDITURES OF THE CITY OF CASPER,  
WYOMING FOR THE FISCAL YEAR OF JULY 1, 2020 TO  
JUNE 30, 2021.

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

9.A ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO.12-20  
AN ORDINANCE AMENDING SECTION 15.02.120 AND  
15.04.070 OF THE CITY OF CASPER MUNICIPAL CODE.

Councilmember Powell presented the foregoing ordinance for approval, on third reading. Seconded by Vice-Mayor Lutz.

Individuals addressing the Council in opposition were: Linda Bergeron, 2355 Larkspur; Doug Bergeron, 2355 Larkspur; Brenda Mongold, 1216 S. Kenwood; Cathy Ide, 159 N. Wolcott; Eric Paulson, 751 N. Durbin; Pam Elrod, 12920 Dusty Lane; Wendy Degroot, 376 Zinnia; Jody Von Seggern, 1724 S. Wilson; Gia Dugan, 664 CY; and Justin Hackett, 4441 Moose.

Individuals addressing the Council in favor were: Christopher Gardner; Kim Summerall-Wright, Casper Housing Authority; Ruth Heald, Casper-Natrona County Health Department; and David Ziemer and Amy Taheri, Legal Aid of Wyoming, Inc.

Also speaking in opposition were: Josh Wheeler, 1950 Bonnie Brae; and Dale Zimmerle, 3035 Bellaire.

Councilmembers made statements about the subject and clarified several points they felt speakers had misunderstood or where unaware of. Mayor Freel requested staff address questions presented by the speakers.

Dan Elston, City Building Supervisor, addressed questions about pellet stoves and the warrant process.

Moved by Vice-Mayor Lutz, to amend the ordinance so it would pertain only to rentals and properties that have an executed land lord/renter agreement. She requested assistance with the language from the City Attorney. City Attorney Henley made a suggestion. Councilmember Huber suggested the phrase owner-occupied (as an exclusion). City Attorney Henley clarified the language and Vice-Mayor Lutz approved. Seconded by Councilmember Cathey. Council discussed the amendment at length. Councilmembers Hopkins, Huber, Pacheco and Powell voted nay. Motion to amend passed.

Moved by Councilmember Bates, to amend the ordinance by requiring the permission of the occupant of a property for people to take photos or videos of a property in order to obtain a warrant for entry. Motion died for a lack of a second.

Council then voted on the ordinance, on third reading, as amended. Motion passed. Ordinance as amended follows:

ORDINANCE NO. 12-20  
AN ORDINANCE AMENDING SECTION 15.02.120 AND  
15.04.070 OF THE CITY OF CASPER MUNICIPAL CODE.

WHEREAS, it is the desire of the governing body of the City of Casper to provide, within the City's existing Ordinance structure, a means to protect against and/or remediate STRUCTURES UNSAFE FOR HUMAN OCCUPANCY; and,

WHEREAS, the current Casper Code in Sections 15.02.010 et. seq. addresses one and two family dwellings; and,

WHEREAS, the current Casper Code in Sections 15.04.010 et. seq. addresses structures other than one and two family dwellings;

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

SECTION 1:

Section 15.02.120 of the Casper Municipal Code is created to define and control unsafe structures, but section 15.02.120 shall not apply to owner occupied residential properties.

[1] **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe

equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] **Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

- A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.
- B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress, stairways shall be illuminated at all times with not less than 1-foot candle at floors, landings and treads.
- C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
- D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.
- E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.

Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.

- F. **Electrical System Hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.
- G. **Water system.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- H. **Sanitary Drainage.** Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.
- I. A vacant structure that is not secured against entry shall be deemed unsafe.

[3] **Structures unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] **Unlawful Structure.** An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

#### SECTION 2:

Section 15.04.070-Section 105.1, which shall not apply to owner occupied residential structures, is amended to read:

Section 105.1 – Structures Unsafe for Human Occupancy

[1] **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] **Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which



constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

- A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.
- B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress, stairways shall be illuminated at all times with not less than 1-foot candle at floors, landings and treads.
- C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
- D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.
- E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.

Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.

- F. Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

G. Water system. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

H. Sanitary Drainage. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.

I. A vacant structure that is not secured against entry shall be deemed unsafe.

[3] **Structures unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] **Unlawful Structure.** An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

[5] **Unlawful Activity.** It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the city, or cause or permit the same to be done, in violation of this code.

SECTION 3:

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

PASSED ON 1<sup>st</sup> reading the 19<sup>th</sup> day of May, 2020.

PASSED ON 2<sup>nd</sup> reading the 2<sup>nd</sup> day of June, 2020

PASSED, APPROVED, AND ADOPTED, on the 3<sup>rd</sup> and final reading the 16<sup>th</sup> day of June, 2020.

9.B ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 13-20

AN ORDINANCE APPROVING A ZONE CHANGE OF  
LOTS 344 AND 345, KENWOOD ADDITION SUBDIVISION  
IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to rezone Lots 344 and 345, Kenwood Addition Subdivision in the City of Casper, located at the southwest corner of East 12<sup>th</sup> Street and South Melrose Street, from zoning classification R-2 (One Unit Residential) to C-2 (General Business); and,

WHEREAS, after a public hearing on April 16, 2020, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the zone change request; and,

WHEREAS, the governing body of the City of Casper finds that the above described zone change should be approved.

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

SECTION 1:

Lots 344 and 345, Kenwood Addition, are hereby rezoned from R-2 (One Unit Residential) to C-2 (General Business).

SECTION 2:

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

PASSED ON 1<sup>st</sup> reading the 19<sup>th</sup> day of May, 2020.

PASSED ON 2<sup>nd</sup> reading the 2<sup>nd</sup> day of June, 2020

PASSED, APPROVED, AND ADOPTED, on the 3<sup>rd</sup> and final reading the 16<sup>th</sup> day of June, 2020.

Councilmember Hopkins presented the foregoing ordinance for approval, on third reading. Seconded by Vice-Mayor Lutz. There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

9.C ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 14-20

AN ORDINANCE APPROVING THE GORGAN HILLS ADDITION SUBDIVISION AGREEMENT AND A VACATION AND REPLAT CREATING GORGAN HILLS ADDITION, COMPRISING 31.52 ACRES, MORE OR LESS.

WHEREAS, an application has been made TO VACATE AND REPLAT Lot 1, Block 1, Cemetery Addition, to create the Gorgan Hills Addition Subdivision, comprising 31.52- acres, more or less, generally located south of West 46<sup>th</sup> Street and east of Moose Street (the "plat"); 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 vacation and replat 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 the City Council approve the requested vacation and replat; and,

WHEREAS, the governing body of the City of Casper finds that the above described vacation, replat and subdivision agreement 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 Gorgan Hills Subdivision Agreement.

SECTION 2:

That the vacation and replat creating the Gorgan Hills Addition is hereby approved under terms and conditions of the Gorgan Hills Subdivision Agreement.

PASSED ON 1<sup>st</sup> reading the 19<sup>th</sup> day of May, 2020.

PASSED ON 2<sup>nd</sup> reading the 2<sup>nd</sup> day of June, 2020

PASSED, APPROVED, AND ADOPTED, on the 3<sup>rd</sup> and final reading the 16<sup>th</sup> day of June, 2020.

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

Speaking in support was Jesse Morgan, applicant.

Individuals speaking in opposition were: Cheryl Hackett, 4441 Moose; Bill Birkett, 4610 Puma; Connie Rodgers, 4511 Moose; Eric Lawrence, 3710 W. 46<sup>th</sup>; Susan Frank, 3519 Aspen; Wendy Degroot, 376 Zinnia; and Linda Stribling, 3610 W. 46<sup>th</sup>. City Manager Napier addressed several questions about the level of responsibility and costs to City for the infrastructure of the development.

Councilmember Bates requested clarification on questions from some of the speakers. City Manager Napier requested that staff address the topic of fire hydrants and fire protection of the area. Mayor Freel requested information about whether the cross street is needed for a response. Fire Chief Solberg requested the support of the code for cross streets, hydrants and a cul-de-sac.

Mayor Freel asked about the cross street at the north end of the property. Craig Collins, City Planner, indicated that the street would have limited value because it is already very close to existing streets.

Councilmember Powell asked for more information about fire suppression issues with the development, including if a cross street is needed for this purpose. Fire Chief Solberg indicated that a cross street would help support fire suppression because it would provide a means to access the wildland interface.

Councilmember Cathey asked about service for residential fires in the area and expressed his concern about future connectivity as the area continues to be developed. Fire Chief Solberg indicated that access for fire suppression is important, but so is access for emergency medical support. Councilmember Hopkins shared his opinion on water service for fire suppression in the area. Councilmember Huber asked how a lack of a cross street can be dealt with. Fire Chief Solberg said that things would depend on the location of driveways, but shared that if things aren't built out now, then it is very unlikely that they will be added later.

Councilmember Huber shared his thoughts on the matter. Councilmember Cathey asked city staff if the cross street could be placed up the hill as proposed. Andrew Beamer, Public Services Director, said that it could but that switchbacks would probably be needed to lessen the grade. Councilmembers Cathey and Bates spoke about other places in the community where steep roads have been constructed and said that a cross street should be built. Councilmember Hopkins indicated that the cross street is not needed because fires can be managed from the higher elevation. Vice-Mayor Lutz asked if the unpaved easement could be used to access these homes and what driveway requirements are in place for this development. Mr. Collins said that the primary access to homes would need to be paved, but not necessarily other access, such as an alley and that the standards for this development are what we think of as typical in the City. Vice-Mayor Lutz asked if the developers had planned for this and Mr. Collins said he would need to confirm with the applicant. Councilmember Cathey expressed concerns about the compliance of the developer to the City standards.

Moved by Councilmember Bates, to add the cross street that was recommended by the Planning and Zoning Commission. Seconded by Councilmember Cathey. Council discussed the matter. Councilmembers Bates, Cathey and Powell voted aye. Mayor Freel abstained. Motion to amend failed. Council then voted on the ordinance, on third reading, as read. Councilmembers Bates and Cathey voted nay. Mayor Freel abstained. Motion passed.

#### 10. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

##### RESOLUTION NO. 20-123

A RESOLUTION AUTHORIZING A CONTRACT WITH POWERPHONE, INC. TO INSTALL A TOTAL RESPONSE COMPUTER AIDED CALL HANDLING SYSTEM TO GAIN A COMPATIBLE APPROACH TO EMERGENCY MEDICAL DISPATCH.

##### RESOLUTION NO. 20-124

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE NATRONA COUNTY RECREATION JOINT POWERS BOARD

RESOLUTION NO. 20-125

A RESOLUTION A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND AECOM TECHNICAL SERVICES, INC. FOR THE THIRD PARTY QUALITY CONTROL/QUALITY ASSURANCE OF GEOGRAPHIC INFORMATION SYSTEM OF GEOGRAPHIC INFORMATION SYSTEM DELIVERABLES FROM THE 2020 AERIAL MAPPING UPDATE IN AN AMOUNT OF \$15,850.

RESOLUTION NO. 20-126

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH CIVIL ENGINEERING PROFESSIONALS, INC., FOR THE 2020 WATER SYSTEM MASTER PLAN.

RESOLUTION NO. 20-127

A RESOLUTION AUTHORIZING AN AGREEMENT WITH 71 CONSTRUCTION, INC., FOR THE MIDWEST AVENUE RECONSTRUCTION – ELM STREET TO WALNUT STREET PROJECT NO. 18-066.

RESOLUTION NO. 20-128

A RESOLUTION AUTHORIZING AN AGREEMENT WITH ATLANTIC ELECTRIC, INC., FOR THE LUMINAIRE SERVICES FY21-FY24, PROJECT NO. 20-009.

RESOLUTION NO. 20-129

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE PROJECT AGREEMENT WITH WYOMING WATER DEVELOPMENT COMMISSION FOR FUNDING OF THE WEST CASPER ZONE II WATER SYSTEM IMPROVEMENTS, PROJECT NO. 15-59.

RESOLUTION NO. 20-130

A RESOLUTION AUTHORIZING AN AGREEMENT WITH TRETO CONSTRUCTION, LLC, FOR THE RIDGECREST ZONE 2 AND ZONE 3 WATERLINE REPLACEMENT, PROJECT NO. 19-037.

RESOLUTION NO. 20-131

A RESOLUTION ACCEPTING A GRANT FROM THE WYOMING OFFICE OF HOMELAND SECURITY.

RESOLUTION NO. 20-132

A RESOLUTION AUTHORIZING THE LEVYING OF 8 MILLS OF PROPERTY TAX BY THE NATRONA COUNTY ASSESSOR ON BEHALF OF THE CITY OF CASPER.

RESOLUTION NO. 20-133

A RESOLUTION AUTHORIZING A CONTRACT WITH COMMUNICATION TECHNOLOGIES, INC. TO PROVIDE AN EVENTIDE LOGGING RECORDER TO PROVIDE A RADIO AND PHONE CALL RECORDING AT THE PUBLIC SAFETY COMMUNICATION CENTER.

RESOLUTION NO. 20-134

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF CASPER AND THE UNIVERSITY OF WYOMING FOR THE PURPOSE OF A JOINT HORTICULTURE SERVICE.

Councilmember Hopkins presented the foregoing twelve (12) resolutions for adoption. Seconded by Vice-Mayor Lutz. Motion passed.

11. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmember Bates asked that Council support two potential upcoming events in the downtown. Councilmember Powell asked that Council consider a non-discrimination ordinance for the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community, which would protect their housing and employment rights.

Mayor Freel stated that the recycling program was being re-opened and that three pools would soon be opened. He also thanked the sponsors of the Fourth of July fireworks for their donations and staff for their work on the project.

12. 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, June 23, 2020; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, July 7, 2020, with the locations to be determined.

At 10:10 p.m., it was moved Councilmember Hopkins, seconded by Vice-Mayor Lutz, to adjourn into executive session to discuss litigation. Motion passed.

At 10:32 p.m., it was moved by Councilmember Cathey, seconded by Vice-Mayor Lutz, to adjourn the executive session. Motion passed.

13. ADJOURNMENT

At 10:33 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Huber, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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

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