

# **WORK SESSION AGENDA**

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**Casper City Council  
City Hall, Council Meeting Room  
Tuesday, November 13, 2018, 4:30 p.m.**

<b>Work Session Meeting Agenda Items</b>	<b>Recommendation</b>	<b>Allotted Time</b>	<b>Beginning Time</b>	
<b>Recommendations = Information Only, Move Forward for Approval, Direction Requested</b>				
1.	Distillery Satellite Tasting Rooms Ordinance (John Henley)	Move Forward for Approval	30 min	4:30
2.	Budget Amendments (Tom Pitlick)	Move Forward for Approval	40 min	5:00
3.	Council Leadership Discussion	Direction Requested	20 min	5:40
4.	Agenda Review		20 min	6:00
6.	Council Around the Table		20 min	6:20
			Approximate Ending	6:40

November 8, 2018

MEMO TO: J. Carter Napier, City Manager *JCN*  
FROM: John Henley, City Attorney *JHA*  
SUBJECT: An Ordinance Permitting Distillery Satellite Tasting Rooms

Meeting Type & Date:  
Work Session  
November 13, 2018

Action Type  
Obtain direction on proposed Ordinance.

Recommendation  
Direct staff to prepare Ordinance for public hearing and 1<sup>st</sup> Reading.

Summary  
The City's current Municipal Code addressing alcoholic beverages does not address an option under State law permitting a distillery to open one (1) satellite tasting room. Interest has been expressed by a Wyoming distillery to open such a room in Casper, Wyoming. Adoption of this Ordinance will permit a distillery, which has federal and state approval to produce distilled spirits, to apply to the City Council for a locally issued permit to establish a satellite tasting room.

The proposed Ordinance will make Casper's Municipal Code consistent with the Wyoming State Statute addressing the same topic.

Financial Considerations  
None

Oversight/Project Responsibility  
John Henley, City Attorney  
Carla Mills-Laatch, Licensing Specialist

Attachments  
Proposed Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 5.08  
OF THE CASPER MUNICIPAL CODE TO PERMIT  
DISTILLERY SATELLITE TASTING ROOMS

WHEREAS, state law now allows for distillery satellite tasting rooms; and,

WHEREAS, it would be in the best interest of the City of Casper to amend its ordinances to conform to these change in state law; and,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That Chapter 5.08 of the Casper Municipal Code is hereby amended as follows:

Section 5.08.010(11)(i) is created to read as follows:

Any other liquor or alcoholic beverage permit issued by the City or allowed by State law.

Section 5.08.028 is created to read as follows:

Manufacturing and rectifying.

a. A holder of a manufacturer's license who is a federally licensed distiller or rectifier may dispense free of charge at the site identified on the manufacturer's license samples in quantities not to exceed one and one-half (1.5) ounces of their product manufactured at the site identified on the manufacturer's license and no more than three (3) ounces of samples per consumer per day. The dispensing of samples shall be subject to the schedule of operating hours set pursuant to W.S. 12-5-101 and the licensed building provisions provided in W.S. 12-5-201.

b. The local licensing authority may issue to the holder of a manufacturer's license granted under subsection (a) of this section who is a federally licensed distiller or rectifier, a satellite manufacturer's permit which allows the permittee to sell product manufactured at the site identified on the manufacturer's license at not more than one (1) satellite location within Wyoming separate from its manufacturing site under the original permit. All products sold at a manufacturer's satellite location shall be obtained through the division. The satellite manufacturer's permit may be issued on application to the appropriate licensing authority. The local licensing authority may require a public hearing and the payment of an additional permit fee not to exceed one hundred dollars (\$100.00). The satellite manufacturer's permit shall be subject to the terms and conditions of W.S. 12-4-106, the schedule of operating hours set pursuant to W.S. 12-5-101 and the licensed building provisions pursuant to W.S. 12-5-201.

c. For purposes of this section:

(i) "Distiller" includes any person who:

- (A) Produces distilled spirits from any source or substance;
- (B) Brews or makes mash, wort or wash fit for distillation or for the production of distilled spirits, other than the making or using of mash, wort or wash in the authorized production of wine or beer, or the production of vinegar by fermentation;
- (C) By any process separates alcoholic spirits from any fermented substance; or
- (D) Making or keeping mash, wort or wash, has a still in operation at the site identified on the manufacturer's license.

(ii) "In operation" means is currently being operated or has been operated in the preceding twelve (12) months with all necessary permits;

(iii) "Manufacture" or "manufactured" means distilling or rectifying and bottling or packaging any spirituous fluid, substance or compound intended for beverage purposes which contains at least one-half of one percent (.5%) alcohol by volume;

(iv) "Rectifier" includes any person who colors, flavors or otherwise processes distilled spirits by distillation, blending, percolating or other processes.

Section 5.080.030 is amended to read as follows:

It is unlawful for any person to possess for sale, sell or dispense for any pecuniary advantage or give away to the public, as an inducement to the public to patronize any business, place or person within the city, any alcoholic liquor or malt beverage as defined in this chapter, or to operate a microbrewery, **winery, or manufacturing operation or tasting room** within the city without first obtaining a license to do so and paying the license fees therefor.

The first sentence of Section 5.08.070(A) – License application – Notice, hearing and appeals procedure – shall be amended to read as follows:

When an application for a license, special malt beverage permit, **satellite manufacturer's permit**, renewal, or a transfer of location or ownership thereof has been filed with the city clerk, the clerk shall promptly prepare a notice of application, place the notice conspicuously upon the premises shown by the application as the proposed place of sale, and publish the notice in a newspaper of local circulation once a week for two consecutive weeks.

PASSED on 1st reading the \_\_\_\_ day of \_\_\_\_\_, 2018.

PASSED on 2nd reading the \_\_\_\_ day of \_\_\_\_\_, 2018.

PASSED, APPROVED AND ADOPTED on 3rd and final reading the \_\_\_\_ day of \_\_\_\_\_, 2018. The effective date of this Ordinance is 21 days after approval on 3<sup>rd</sup> Reading.

APPROVED AS TO FORM:

\_\_\_\_\_


ATTEST:


\_\_\_\_\_  
Fleur D. Tremel  
City Clerk

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Ray Pacheco  
Mayor

November 20, 2018

MEMO TO: J. Carter Napier, City Manager 

FROM: Tom Pitlick, Financial Services Director   
Pete Meyers, Assistant Financial Services Director  
Kirk Gunderson, Accountant

SUBJECT: Amendment to the Fiscal Year 2019 Budget

Meeting Type & Date:  
Regular Council Meeting  
November 20, 2018

Action type:  
Public Hearing  
Resolution

Recommendation:  
That Council, by Resolution, authorize an amendment to the Fiscal Year 2019 Budget.

Summary:  
The Municipal Budget Act, Section 16-4-108, prohibits the expenditure or encumbrance of any money in excess of the amounts provided in the budget for each department. To comply with this requirement, City Council may authorize an adjustment of budgets.

During the year, a comparison is made between budget and actual expenditure. This evaluation often leads to a certain number of budget adjustments. A budget adjustment is typically done when:

- (1) Funding became available after the start of the fiscal year, often due to the receipt of a grant.
- (2) Special circumstance arose mid-year that resulted in spending more than had been originally budgeted.
- (3) The original budget was simply erroneous because an item was incorrectly entered into the formal budget document.

The amendment, if approved, would increase budgetary expenditures of \$4,994,099, including \$413,601 to the General Fund, \$1,119,383 to General Fund Dependent funds and \$3,461,115 to other municipal funds. The proposed changes are summarized throughout this document. Some of these changes will be offset by unexpected revenue sources. Specific changes, by line item, are provided in the attachments.

*Overview of General Fund Impacts*

General Fund Expenditures – Increase General Fund net expenditures by \$283,601 in the following manner:

- Increase City Manager expenditures by \$29,691
- Reduce Municipal Court expenditures by \$48,656
- Increase City Clerk expenditures by \$17,592
- Increase Finance expenditures by \$29,773
- Increase Human Resources expenditures by \$1,975
- Increase Planning expenditures by \$1,585
- Increase Police expenditures by \$206,751
- Increase Cemetery expenditures by \$9,000
- Increase City Campus expenditures by \$252,560
- Increase Health/Social/Community Services expenditures by \$38,365
- Reduce Parks expenditures by \$94,596
- Reduce Transfers Out by \$160,439

A more detailed description of the General Fund expenditure reductions is presented below and on the following pages.

City Manager – Increase net budgeted expenditures by \$29,691.

- Increase budgeted expenditures by \$18,691. An Assistant to the City Manager position is currently assigned to Municipal Court (33%), City Manager (33%) and City Clerk (34%). Staff recommends changing allocation to City Manager (50%) and City Clerk (50%). City Manager percentage of salary and benefits would increase from 33% to 50%.
- Increase budgeted expenditures by \$11,000 for transfer of legal expenses for court appointed attorney from Municipal Court.

Municipal Court – Reduce net budgeted expenditures by \$48,656.

- Decrease budgeted expenditures by \$36,285. An Assistant to the City Manager position is currently assigned to Municipal Court (33%), City Manager (33%) and City Clerk (34%). Staff recommends changing allocation to City Manager (50%) and City Clerk (50%). Municipal Court percentage of salary and benefits would decrease from 33% to 0%.
- Decrease budgeted expenditures by \$11,000 for transfer of legal expenses for court appointed attorney to City Manager.
- Decrease budgeted expenditures by \$1,371 as the one-time payment budgeted for this account is not needed.

City Clerk – Increase budgeted expenditures by \$17,592.

- Increase budgeted expenditures by \$17,592. An Assistant to the City Manager position is currently assigned to Municipal Court (33%), City Manager (33%) and City Clerk (34%). Staff recommends changing allocation to City Manager (50%) and City Clerk (50%). City Clerk percentage of salary and benefits would increase from 34% to 50%.

Finance – Increase net budgeted expenditures by \$29,773.

- Increase budgeted expense by \$29,773 for salary and benefits associated with creation of new position to perform clerical functions. Assumes position will be filled in January.

Human Resources – Increase net budgeted expenditures by \$1,975.

- Increase budgeted expense by \$1,975 for revenue collected by City Golf Tournament participants, this revenue paid for expenses paid by the Human Resources budget.

Planning – Increase budgeted expenditures by \$1,585.

- Increase budgeted expenditures of \$1,585. A purchase of cubicle dividers was intended for FY18 but was not encumbered as planned. This amendment will provide funding for that purchase.

Police– Increase net budgeted expenditures by \$206,751

- Increase budgeted expenditures by \$135,160. Two additional positions to be added for School Resource Officer program. One position would be an Officer and another a Sergeant. Would like to have both positions filled by 1/1/19 so this includes salary and benefits for a half a year of both positions along with some increase equipment and uniform costs.
- Increase budgeted expenditures by \$22,634. Current PIO is a sworn position who will be retiring shortly. Sworn position will remain in budget but PIO function would be filled by non-sworn staff. Amendment for half year of salary.
- Increase budgeted expenditures by \$31,797. This position would supervise two Property Evidence Tech I positions. Amendment for half year of salary.
- Increase budgeted expenditures by \$17,160. Provide administrative support for police department. This assumes position to be filled for half of the year.

Cemetery – Increase budgeted expenditures by \$9,000.

- Increase budgeted expenditures by \$9,000. Establish a part time Administrative Assistant position to replace vacated September of 2017.

City Campus – Increase budgeted expenditures by \$252,560.

- Increase budgeted expenditures by \$252,560. This would move the activities of the City Campus fund into the General Fund. This does not result in an increase to spending and the City Campus fund will be eliminated as a separate fund.

Health/Safety/Community Services – Increase net budgeted expenditures by \$38,365.

- Increase budgeted expenditures by \$27,500. Senior Center should have been paid additional money in FY 2018 but City was not properly invoiced.
- Increase budgeted expenditures by \$10,865. Payment for Municipal band is based on property taxes collected on our behalf by the county. Actual amount collected and paid to municipal band exceeded budgeted amount.

Parks – Reduce budgeted expenditures by \$94,596.

- Decrease budgeted expenditures by \$94,596. Transfer Parks Supervisor position and Other Materials and Supplies funding from Parks to Casper Recreation Center to better coordinate quality control of athletic fields.

General Fund Transfers Out – Decrease net budgeted expenditures by \$160,439



- Increase budgeted expenditures by \$90,124. Increase support for Casper Recreation Center.
- Decrease budgeted expenditures by \$250,563. Eliminate support for City Campus Fund as its activities are being moved into the General Fund.

*Overview of Impacts to Other Funds*

Weed and Pest – Increase budgeted expenditures by \$8,459 to support the Health Insurance fund.

CDBG – Increase budgeted expenditures by \$32,609. These funds will be used to upgrade the fire suppression system at LifeSteps Campus. These funds were awarded as a previous annual allocation of CDBG funds from HUD, and they will now be drawn down in this fiscal year.

Perpetual Care – Increase net budgeted expenditures by \$150,184.

- Increase budgeted expenditures by \$50,000 to repair issues causing tile to buckle in City Hall lobby.
- Increase budgeted expenditures by \$10,000 as quotes for Kitchen Steamer Replacement for Casper Events Center are higher than budgeted.
- Increase budgeted expenditures by \$90,184. These funds would be used to make lighting more efficient at Casper Events Center. This project would be partially offset by incentives from RMP of approximately \$39,000. This would be returned to the Perpetual Care Fund. Early estimates indicate this project would provide \$40,000 in cost savings per year.

Special Assistance Fire – Increase net budgeted expenditures by \$71,308.

- Decrease budgeted expenditures by \$125,562 for adjustments made based on review of program by Fire Department leadership.
- Increase budgeted expenditures by \$196,870 to replace six cardiac monitors used on Fire Engines and a rescue truck.

Capital Projects – Increase net budgeted expenditure by \$2,140,654.

- Increase budgeted expenditures by \$20,000 to support City's public access channel.
- Increase budgeted expenditures by \$252,339 for change in the price for the GEMS replacement software. The largest change is the addition of a module for Community Development.
- Increase budgeted expenditures by \$541,000 for updated pricing associated with equipping Police Department with body cameras. New pricing includes five years of file storage.
- Increase budgeted expenditures by \$128,288 for light equipment to support the School Resource officer program.
- Decrease budgeted expenditures by \$84,716 as carry over encumbrances associated with fire station replacements will not be needed.
- Increase budgeted expenditures by \$20,000 to purchase new ADA ramps for the Events Center.
- Increase budgeted expenditures by \$113,000 for the restoration of funding for CATC to FY18 levels.

- Increase budgeted expenditures by \$1,181,212 for the support of the Health Insurance fund. This represents the support required from all funds other than Utility Enterprise and Weed and Pest funds.
- Decrease budgeted expenditures by \$30,469 for 3 accounts with carry-over encumbrance from FY18 exceeding the original budget less actual spending and this artificially increased the budget for FY19.

Water – Increase net budgeted expenditures by \$807,067.

- Increase budgeted expenditures by \$774,845 for funding of continued work on improvements to Zone III project.
- Decrease budgeted expenditures by \$49,092 for change in the price for the GEMS replacement software.
- Increase budgeted expenditures by \$81,314 to support the Health Insurance fund.

Sewer – Increase net budgeted expenditures by \$8,377.

- Decrease budgeted expenditures by \$13,756 for change in the price for the GEMS replacement software.
- Increase budgeted expenditures by \$22,133 to support the Health Insurance fund.

WWTP – Increase net budgeted expenditures by \$82,322.

- Increase budgeted expenditures by \$26,388 for change in the price for the GEMS replacement software.
- Increase budgeted expenditures by \$55,934 to support the Health Insurance fund.

Refuse Collection – Increase net budgeted expenditures by \$37,616.

- Decrease budgeted expenditures by \$21,289 for change in the price for the GEMS replacement software.
- Increase budgeted expenditures by \$58,905 to support the Health Insurance fund.

Balefill – Increase net budgeted expenditures by \$85,496.

- Increase budgeted expenditures by \$30,476 for change in the price for the GEMS replacement software.
- Increase budgeted expenditures by \$55,020 to support the Health Insurance fund.

PSCC – Increase budgeted expenditures by \$150,000 for the replacement of microwave communication system. Systems will cover Hall of Justice to Casper Mountain and Hall of Justice to the Port of Entry. Redundancy will also be provided by new system allowing systems to back each other up in case of failure.

WTP – Increase budgeted expenditures by \$37,023 to support the Health Insurance fund.

Casper Recreation Center – Increase net budgeted expenditure by \$90,124.

- Increase budgeted expenditures by \$94,596 to transfer a Recreation Supervisor position and Other Materials and Supplies funding from Parks to Casper Recreation Center to better coordinate quality control of athletic fields.

- Decrease budgeted expenditures by \$12,472 to replace a full time recreation coordinator position with a part time position.
- Increase budgeted expenditures by \$8,000 for increase in part time Camp Leader position.

Fleet – Increase budgeted expenditures by \$998,669 to recognize expense for fuel purchased from outside organizations. This will be covered by interdepartmental revenue charges.

City Campus – Decrease budgeted expenditures by \$252,560 as this fund will be eliminated. The activities in this fund will be transferred to the General Fund.

Health Insurance – Increase budgeted expenditures by \$3,150 for funding of a health wellness program. Expense will be covered by a contribution from CIGNA.

Future Consideration - In addition to all of the amendments listed above, staff is also advising Council that two additional capital projects are currently under consideration. Neither of these projects are reflected in the budget amendment that is currently being proposed, but they will have a significant budget impact if and when they come to fruition, so they are being included in this document as an advance notice to the Council.

- The first project is the rehabilitation of the North Platte Sanitary Sewer (NPSS). The NPSS is an 8.5 mile, 54 inch diameter pipe that runs from the Wastewater Treatment Plant to Paradise Valley. Repairing this pipe will cost roughly \$8.1 million. The plan calls for paying for this project with a state loan. Because of the nature of this project, the loan might be eligible for 25% principal forgiveness. This would reduce the effective cost of the project to roughly \$6 million. Council will be asked to consider paying for this from the Opportunity Fund.
- The second project would be a resurfacing of the Goodstein parking lots that are located between David, Ash, Midwest, and Collins. This project will cost about \$1 million. With Council's permission, this project would also be paid for from the Opportunity Fund.

The Opportunity Fund has a current fund balance of approximately \$7.8 million. These projects would have the effect of reducing that balance to roughly \$800,000.

Financial Considerations:

Most of the above mentioned expense increases are offset by unanticipated revenues. The net impact of the enhancements to budgeted revenues and the reductions in budgeted expenditures will be \$757,744 which includes \$28,289 of net negative impact to the General Fund directly, \$1,472,864 of net positive impact to the General Fund Dependent funds and \$2,202,319 of net negative impact to other municipal funds.

Oversight/Project Responsibility:

Tom Pitlick, Financial Services Director

Attachments:

None