

COUNCIL WORK SESSION
Tuesday, September 22, 2015,
Following the Special Regular Council Meeting
Casper City Hall
Council Meeting Room

AGENDA

1. Events Center Management
2. Proposed Ordinance Changes to Industrial Pre-Treatment Program (IPP)
3. Executive Session – Property Acquisition & Personnel
4. Future Agenda Review
5. Council Around the Table

Mayor Powell called the meeting to order at 5:04 pm with the following Councilmembers present: Councilmen Cathey, Hopkins, Johnson, Mundell, Schlager, Miller, Pacheco, and Sandoval.

The meeting began with a motion by Councilman Mundell to enter into Executive Session at 5:04 pm for the purpose of litigation and contract discussion, and was seconded by Councilman Miller.

Councilman Johnson moved to adjourn Executive Session and move into Work Session at 5:17 pm and was seconded by Councilman Miller.

Mayor Powell began the work session by inviting the Planning and Zoning Commissioners to discuss some concerns the Commission has regarding recent appeals to Council. Commissioner Mary England began by voicing concerns about the lack of communication between Council and the Planning and Zoning Commission. She stated that in the future, she would like the two entities to work together, so that each has a better understanding of how decisions are made.

City Manager Patterson stated that he will work to better communicate Council's decision-making process. Councilman Hopkins noted that the lack of communication may stem from the fact that the Planning & Zoning Commission meetings conflict with Council meetings. The Commissioners agreed that having the presence of the Council's liaisons would be helpful, and offered to change their meeting schedule to accommodate them.

Commissioner Monte Henrie stated that he would like explanations from Council about why the Commission's decisions are overturned. Commissioner James Holloway explained that the Commission strives to make decisions based on rules and regulations of the current municipal code. He stated that he is concerned that the recent overturned decisions by Council will set a bad precedent that allows citizens to disregard the rules and regulations that are in place. Commissioner Watterbury stated that the commissioners invest a great deal of time and consideration in their decisions and that it is very discouraging when these decisions are overturned. Councilman Sandoval agreed with the commissioners that Council needs to remain dispassionate when making decisions on appeals.

Mayor Powell agreed that Council should provide the Commission with an explanation of why decisions are reversed. He stated that Council has been mindful of precedents when they make decisions and the costs associated with each decision, but that in each of these appeals Council was persuaded. He explained that each appeals case was time consuming and very carefully considered and deliberated. Councilman Johnson noted that many of the overturned appeals were cases where the Planning & Zoning Commission was also split in their decision. Council agreed that they would be willing to provide explanations about overturned decisions to the Commission in order to provide a better understanding of the reasoning behind each decision.

Councilman Mundell suggested having a commissioner at work sessions where these appeals are discussed. She noted that having insight from one of the commissioners in addition to the explanations from the citizens and Planning & Zoning staff would give Council a more rounded picture of the issue. Commissioner England stated that currently, when a commissioner does attend a work session, they are only allowed to respond to questions, and that a new format where commissioners are able to provide additional information would be preferable.

Commissioner Rhetter discussed concerns with the wording of staff's recommendations, noting that the phrasing of the staff reports are always in the affirmative. He stated that this is part of the parliamentary procedure that allows the adoption of conditions. However, it is not necessarily an endorsement of project, and there are concerns that the wording may be misleading to the public and to Council. Councilman Mundell agreed that the phrasing is unclear and confusing. Commissioner Holloway indicated that the Commission would like to work with staff to change the language so that it is easier to understand and better represents the neutrality of decisions.

Commissioner Randy Hein stated that he would like to see the public better informed about the rules. Commissioner Holloway suggested making information on rules and regulations more accessible on the website. He discussed the importance of educating the public about the correct ways to do things the first time around. Councilman Mundell suggested adding a "Building Permits FAQ's" section to the website, so the public has a quick way to get their questions answered without having to log in.

Mayor Powell summarized the discussion with the Planning and Zoning Commission by stating that they will work to have members of Council at the Commission's meetings and vice versa and will work to add a public education component.

Next, Mayor Powell introduced Liz Becher, Planning and Development Director, to update Council on the parking structure contract between the City and the Downtown Development Authority (DDA). Ms. Becher began by discussing the positive partnership between the City and the DDA. She described how the occupancy rates of both the parking structure and the Center Street parking lot have increased significantly to 70% and 100%, respectively, since the DDA took over the contract two years ago. She attributed the increase to the DDA's outreach to businesses encouraging them to use the parking structure allowing for customers to park on the street. She highlighted a couple of improvements the DDA has already completed in response to patron comments. These included picking up trash to provide a cleaner space and repainting the structure so that it will appear brighter. She also stated that the DDA pays \$363 per month in rent to the City

and the City also receives 15% of the profit from the parking structure, which is roughly \$15,000 per year.

Ms. Becher stated that in April, staff sent out a request for proposals for leasing the structure, and the DDA was the only organization that responded. Staff then met with the DDA in June to go over their requests. These requests included the City doing electrical work on the ballasts where bulbs were blowing out, installing a credit card machine, upgrading the ticketing-machine gate, and upgrading the hard drive and security cameras to hold 30 days' worth of data. In addition, the DDA requested that the City continue to maintain the restrooms and the elevator. The DDA is willing to pay electrical utilities, which are around \$100 per month. Staff also recommended that the City extend the contract from two to four years to help with marketing goals and the branding of WYOCity.

After meeting with the DDA, staff asked Council to extend the contract, so they could research and complete some of these requests. The improvements included replacing 50 halogen bulbs with more energy-efficient LED bulbs, building six new ticketing gates, and ordering an upgraded hard drive. Staff also researched the cost of restroom maintenance, which is estimated to cost \$25,000 per year, and the cost of a credit card machine, which will be \$750 in addition to the cost of an attendant to run the machine. In the future, staff would like the City to buy a fully-automated credit card system, but the cost of that system will be hundreds of thousands of dollars. They would like to work on a strong marketing strategy as the downtown area is developed, and then come back to Council with a proposal for a fully-automated system next year.

Ms. Becher recommended to Council that the City begin contract negotiations with the DDA to continue with the parking facility maintenance for four years. Councilman Hopkins suggested staff conduct research on the cost of installing an automated credit card system to see if it would be more cost effective in the long run. Council agreed to the requests, including researching an automated system.

Next, City Manager Patterson introduced Doug Barrett, Building and Code Enforcement Manager, and Chief Tim Cortez, Fire Department Division Chief, to discuss code changes. Mr. Barrett explained that every three years the international code series is updated. This year, there are very few changes to the code. Staff has decided to forgo the requirements applying to single-family residential construction sprinkler systems for now. They are going to wait to look at research data showing what other communities do in response to this issue. The contractors have met and approved the new codes to move forward, so staff is recommending to Council that they now also approve the new codes to move forward.

Next, City Manager Patterson introduced Cassia Smith, Budget Administrator, to give Council an update on the FY15 and FY16 Budgets. She described the current status of the City's finances. As of the beginning of September, the City is down \$1.045 million in sales tax revenue from what was expected. Staff is projecting a \$4.6 million deficit at year end.

She explained how the fallback provisions have helped the City. As of the last payroll, the City has saved \$389,000 from vacancies and has \$78,000 in other savings. The projected savings from vacancies is \$1.4 million, compared to the projected \$915,000 savings. This increase in savings is

partially attributed to the hiring freeze that was implemented in August. Ms. Smith explained that the personnel report does include savings from vacancies in the Police and Fire Departments. City Manager Patterson stated that the hiring freeze will not apply to them, and if they do fill the open positions they currently have, the projected savings from vacancies will be \$1.3 million as opposed to \$1.4 million. Councilman Mundell asked what the hiring freeze entails, and City Manager Patterson explained that certain key positions are still open, and that it will not prevent promotions.

The City has also used other fallback provisions to offset the downturn, including the budgeted excess, mid-year COLA, and mid-year staffing requests, and these provisions are almost depleted at this point. The City is meeting the shortfall due to these fallback provisions and savings. The savings realized to-date are \$1.1 million, which has covered the \$1.045 million shortfall. The projected savings for this year are \$3.2 million, and the projected shortfall is \$4.6 million. The differential is estimated to be \$1.39 million, which the City will have to find a way to offset.

Ms. Smith described options for how to make up this difference. These options included additional cost-cutting reductions, identifying additional revenue sources, and spending down reserves. Mayor Powell asked if he was correct that Council had already approved using a small amount of reserves. City Manager Patterson confirmed this, and also stated that Council had approved staff to stay on course with other cost-cutting measures. He also stated that staff is looking into using additional revenue sources, such as the PILT (payment in lieu of taxes) on enterprise funds, and if need be the City may have to use reserves.

City Manager Patterson reminded Council that this is just a monthly update for Council on the City's finances, and that the plan to offset the deficit has not changed. He stated that at the second work session of every month there will be a similar update to keep Council updated on the current status of the budget. Mayor Powell agreed that it is helpful for Council to look at this report once a month.

City Manager Patterson presented Council with a review of the future agenda. He reminded Council that there is a break next week, and that there will be no Council Meetings or Work Sessions. Council voted to not have a Friday meeting before the next Council Meeting.

Councilmembers reported updates for each of their respective board meetings.

There being no further business the meeting was adjourned at 7:02 pm.

CITY OF CASPER, WYOMING
ATTEST:

A Municipal Corporation

V. H. McDonald
City Clerk

Charlie Powell
Mayor