

COUNCIL WORK SESSION  
February 12, 2013

Casper City Council met in work session at 4:30 p.m., Tuesday, February 12, 2013. Present: Councilmen Bertoglio, Cathey, Goodenough, Hedquist, Hopkins, Meyer, Powell, Sandoval and Mayor Schlager.

The first item on the agenda was a presentation regarding a grant proposal for funding from the Wyoming Business Council Business Ready Grant Program for downtown restrooms. City Manager Patterson introduced Charles Walsh, Chairman of the Downtown Development Authority (DDA) Board of Directors, who outlined the history of the proposal and requested Council support for the preparation of the grant and the matching fund requirement. Mr. Walsh noted that the estimate for the construction of the restrooms in the downtown parking structure was \$250,000, which would require a \$125,000 match from the City. Funding for the grant writer would come from the allocation to the DDA which was approved in August, 2012.

David Hough, Special Projects Coordinator for the Community Development Department, presented the staff report which recommended increasing the application amount to \$500,000, in order to address other needed improvements to the parking structure, such as painting the walls and installation of interior and exterior signage. The \$250,000 match is proposed to come from Excess Optional 1%#13 Sales Tax funds.

Council members discussed the proposal and indicated their support for submission of the grant application in the amount of \$250,000 from the Wyoming Business Council and \$250,000 from City funds. The grant application will be presented to Council for formal approval at the next regular meeting.

The next item on the agenda was a request from the 12-24 Club. City Manager Patterson introduced Heidi Foy, Executive Director of the 12-14 Club, who made the presentation. The request is for \$200,000 in Excess Optional 1%#13 Sales Tax funds to support the additional capital investment for the final rental space in the building. This would allow the Club to move forward with no debt, and achieve sustainability in their programming.

Council indicated support for this request, which will be presented at a formal Council meeting to include a public hearing and consideration of a contract for services.

Mayor Schlager called a brief recess at 5:55 p.m., and at 6:10 p.m. reconvened the meeting.

Following ordinance read:

ORDINANCE NO. 4-13

AN ORDINANCE AMENDING ORDINANCE NO. 31-12 OF THE CITY OF CASPER, WYOMING; CHANGING THE SERIES DESIGNATION OF THE \$3,930,000 CITY OF CASPER, WYOMING, TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BOND (PARKWAY PLAZA PROPERTIES, INC. PROJECT); AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, the City of Casper, Wyoming (the “City”) is a legally and regularly created political subdivision, duly organized and validly existing under the provisions of the constitution and laws of the State of Wyoming (the “State”); and,

WHEREAS, the City is authorized by the Industrial Development Projects Act, Title 15, Chapter 1, Article 7, Wyo. Stat. (the “Act”), to finance one or more projects or parts thereof in order to facilitate and promote the sound economic growth of the State of Wyoming (the “State”), the development of its natural resources and to promote employment opportunities for the citizens of the State by encouraging the expansion of all kinds of business which contribute payrolls and tax base to the State, upon such conditions as the governing body of the City (the “Governing Body”) may deem advisable; and,

WHEREAS, the City is further authorized by the Act to issue its revenue bonds or other obligations for the purpose of defraying the cost of financing any such project; and

WHEREAS, the City adopted Ordinance No. 31-12 (the “Bond Ordinance”) for the purpose of authorizing and issuing its \$3,930,000 Taxable Industrial Development Revenue Bond (Parkway Plaza Properties, Inc. Project), Series 2012 (the “Bond”), for the purpose of financing the purchase of real estate, improvements, furnishings and equipment currently operated as a hotel at 123 West E Street, Casper, Wyoming, the renovation and refurbishment of said facility, and the payment of costs incidental to the authorization, issuance and sale of the Bond, on behalf of Parkway Plaza Properties, Inc., a Wyoming statutory close corporation; and,

WHEREAS, the Bond was to be sold and privately placed with the State of Wyoming, acting by and through the Wyoming State Treasurer; and,

WHEREAS, closing on the transaction did not take place in 2012, but has been rescheduled for 2013; and,

WHEREAS, the Bond Ordinance must be amended in order to affect the change in Series designation of the Bond.

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

Section 1. Amendment to Ordinance No. 31-12.

All Series designations for the Bond contained in Ordinance No. 31-12 shall be changed from 2012 to 2013. The officers and members of the Governing Body are hereby authorized to take such actions and execute and deliver such documents as may be necessary to give effect to this amendment.

Section 2. Ratification and Approval of Prior Action.

All actions heretofore taken by the officers and members of the Governing Body not inconsistent with the provisions of the Bond Ordinance and this Ordinance, relating to the authorization, sale, issuance and delivery of said Bond, are hereby ratified, approved and confirmed.

Section 3. Ordinance Irrepealable.

The Bond Ordinance, as amended by this Ordinance, shall be irrepealable until both the principal of and the interest on said Bond shall be fully paid, satisfied and discharged.

Section 4. Repealer.

All orders, bylaws, resolutions and ordinances, or parts thereof in conflict with this Ordinance, are hereby repealed to the extent that they conflict with this Ordinance.

Section 5. Severability.

Should any part or provision of this Ordinance ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this Ordinance is severable.

Section 6. Recording and Publication.

This Ordinance, after its passage and approval, shall be recorded by the City Clerk in a book kept for that purpose, and said Ordinance shall be published as required by law.

Section 7. Effective Date of Ordinance.

This Ordinance shall be in full force and effect upon its passage and publication.

PASSED on 1st reading the 28th day of January, 2013.

PASSED on 2nd reading the 5th day of February, 2013.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 12th day of February, 2013.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

s/ \_\_\_\_\_  
V. H. McDonald  
City Clerk

s/ \_\_\_\_\_  
Kenyne Schlager  
Mayor

Councilman Bertoglio presented the foregoing ordinance for adoption, on third reading. Seconded by Councilman Meyer. Motion passed unanimously.

Mayor Schlager introduced the discussion regarding the ordinance pertaining to smoking in public places, and asked City Attorney Luben to review the provisions of the ordinance. Council discussed the various provisions.

Councilman Goodenough commented that there appeared to be three choices moving forward. One was to retain the ordinance as adopted. The second was to modify the ordinance, and the third was to repeal the ordinance.

Mayor Schlager asked each Council member to indicate their preference, and the majority of Council supported modifying or repealing the ordinance.

Mayor Schlager asked the City Attorney to provide some direction on how to modify the ordinance to address the following issues: exemptions for private clubs, nursing homes, taverns, lounges and bars, taxis, and workplaces where the public was not allowed; and, changes in the penalty provisions to reduce the amount to \$100. The item will be placed on a future work session agenda for further discussion.

Councilman Bertoglio asked that Natrona County Drug Court representatives be asked to come to a future work session to update the City Council on its progress.

There being no further business, the meeting was adjourned at 6:55 p.m.