

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
August 4, 2015

Casper City Council met in regular session at 6:00 p.m., Tuesday, August 4, 2015.
Present: Councilmen Cathey, Hopkins, Johnson, Mundell, Pacheco, Sandoval, and Schlager.
Absent: Mayor Powell.

In the Mayor Powell’s absence, Mayor Pro Tem Powell assumed the chair and called the meeting to order.

Moved by Councilman Johnson, seconded by Councilman Hopkins, to, by minute action, excuse the absence of Mayor Powell. Motion passed.

Mayor Pro Tem Sandoval led the audience in the Pledge of Allegiance.

Moved by Councilman Mundell, seconded by Councilman Cathey, to, by minute action, approve the minutes of the July 14, 2015, Special Council meeting, as published in the Casper-Star Tribune on July 21, 2015. Motion passed.

Moved by Councilman Johnson, seconded by Councilman Schlager, to, by minute action, approve the minutes of the July 21, 2015, regular Council meeting, as published in the Casper-Star Tribune on July 29, 2015. Motion passed.

Moved by Councilman Mundell, seconded by Councilman Hopkins, to, by minute action, approve payment of the August 4, 2015, bills and claims, as audited by City Manager Patterson. Motion passed.

Bills & Claims
08/04/15

5TrailsRotary	Services	\$435.00
71Construction	Projects	\$901,155.00
AAALandscaping	Services	\$2,352.78
AakerSigns	Goods	\$3,069.60
AbleEquip	Supp	\$5,560.00
ABowen	Refund	\$50.04
Adecco	Services	\$2,752.20
ADeniz	Reimb	\$58.58
AKChristensen	Refund	\$50.00
ALaymon	Refund	\$52.72
AMBI	Services	\$252.41
ANelson	Reimb	\$1,045.03
Arcadis	Services	\$740.00
ArrowheadHeating	Services	\$153.00
ASundell	Reimb	\$570.51
B Raisch	Services	\$124.80
B Steinke	Reimb	\$158.52

B&BSales	Services	\$2,119.65
BankOfAmerica	Goods	\$309,982.79
Barolds	Refund	\$60.59
Brenntag	Goods	\$53,942.74
CasparBuildSystems	Services	\$512,161.90
CATC	Funding	\$286,019.00
CDLee	Refund	\$27.71
Centurylink	Services	\$417.05
ChiefHonestJohn	Goods	\$286.43
ChildrensAdvocacyProject	Funding	\$40,000.00
CIGNA	Services	\$12,117.48
CivilEngineeringProfessionals	Projects	\$17,307.40
CLake	Reimb	\$472.70
CNICHealthSolutions	Services	\$47.08
CommTech	Goods	\$3,078.78
Comtronix	Services	\$237.45
CsprArtsts	Funding	\$258,246.00
CsprMuseumConsort	Funds	\$2,000.00
CWCrvtteClb	Refund	\$200.00
D Boomsma	Reimb	\$97.94
DaleBuckinghamArchitects	Projects	\$645.78
DavidsonFixedIncome	Services	\$6,681.35
DBerry	Refund	\$60.67
DBringham	Refund	\$20.80
Dell	Goods	\$396.22
DeltaDental	Services	\$1,556.75
DHartPatrolSvc	Services	\$448,750.00
DoubleDWelding	Services	\$400.00
DSchiffers	Refund	\$19.57
DShugart	Refund	\$13.89
DWSchaffenacker	Services	\$1,117.42
E Becher	Reimb	\$372.00
EconoliteControlProducts	Goods	\$178,604.00
EEubia	Refund	\$43.81
EnvironmentalCivilSolutions	Services	\$2,817.05
FirstData	Services	\$5,049.00
FirstInterstateBank	Services	\$2,377.76
FoodSvcsOfAmerica	Goods	\$385.96
FutureProductions	Services	\$2,000.00
GolderAssociates	Services	\$7,877.23
Granicus	Services	\$725.00
GreenTreeArbor	Services	\$970.88
GrizzlyExcavating	Projects	\$949,648.90
GSGArchitecture	Services	\$9,732.91
GWhite	Refund	\$53.95
GWilliamsInvst	Services	\$450.00

HaassConstruction	Projects	\$4,562.47
HarrisWasteMgmtGroup	Services	\$1,750.02
HaseldenWYConst	Services	\$109,250.00
HDR Engineering	Projects	\$701.65
HewlettPackard	Goods	\$15,770.84
HighPlainsConstruction	Goods	\$95,864.72
HilstonAppraisals	Services	\$2,000.00
Homax	Goods	\$72,913.89
HunterIndustrialCorp	Services	\$973.62
InbergMillerEngineers	Services	\$1,013.00
Installation&Svc	Projects	\$67,690.02
InterColiseumsCo	Services	\$47,780.00
JClark	Reimb	\$486.00
JGooch	Refund	\$42.69
JLloyd	Reimb	\$112.71
JSanders	Refund	\$39.86
JTiller	Reimb	\$332.88
JTLGroup	Services	\$468,868.54
JWeickman	Refund	\$55.16
K Kraft	Reimb	\$53.99
KadrmassLeeJackson	Services	\$10,672.11
KFox	Refund	\$75.00
KJMcWain	Refund	\$29.68
KubwaterResources	Goods	\$9,678.03
LaborReady	Services	\$5,076.53
LongBuildingsTech	Services	\$13,556.00
LongBuildingTech	Services	\$40,910.40
Manpower	Services	\$469.20
McMurryReadyMix	Goods	\$1,404.88
MELewis	Refund	\$39.12
MEllis	Refund	\$15.64
MercerHouse	Funding	\$25,000.00
MFioimomov	Refund	\$5.90
MorphoTrust	Services	\$13,542.00
MorrisonMaierle	Projects	\$303.30
NatlHstrcTrlsFndtn	Supp	\$34,452.00
NC Clerk	Services	\$16,548.88
NevesUniforms	Goods	\$215.22
OBabcock	Refund	\$58.62
OfficeStateLands	Services	\$96,220.69
OhlsonLavoie	Services	\$7,740.75
ONatwick	Refund	\$54.18
Paciolan	Services	\$47,000.00
PeaksToPlainsDesign	Services	\$10,400.00
PFernandez	Refund	\$1,052.50
PlatteRiverCrossing	Funding	\$125,592.00

PorterMuirhead	Services	\$30,000.00
PostalPros	Services	\$2,607.10
PreservationSolutions	Services	\$4,000.00
PublicTechnology	Services	\$5,000.00
PvrttyRestncFoodPntry	Funding	\$10,635.02
RBMeikle	Refund	\$57.63
RHieb	Reimb	\$902.25
RockyMtnPower	Services	\$86,164.57
SamParsonsUpholstery	Services	\$265.00
SchwartzBonWalkerStuder	Services	\$6,299.08
ScienceZne	Funds	\$25,000.00
ScsAquaterra	Services	\$14,185.92
SDunnuck	Reimb	\$97.51
SFrank	Refund	\$953.27
ShoshoneDistributing	Goods	\$1,200.00
SlideExprt	Services	\$47,500.00
SNelson	Reimb	\$16.26
SolidWasteProfessionals	Services	\$56,608.54
SourceGas	Services	\$1,150.42
SPedroz	Services	\$2,450.00
SpillmanTechnologies	Services	\$137,038.00
SRomer	Reimb	\$181.07
StantecConsultingSvcsInc	Projects	\$6,604.00
StealthPartnerGroup	Services	\$65,139.40
SuperiorStructures	Goods	\$9,296.00
SyscoFoodSvcs	Goods	\$2,213.13
TCastor	Refund	\$10.70
ThatcherCo	Goods	\$7,555.79
ThePeak	Goods	\$1,080.00
TJanssen	Refund	\$9.18
TMartinez	Refund	\$19.40
TPhipps	Refund	\$43.18
TretoConstruction	Projects	\$93,640.00
TurnkeyServices	Services	\$5,122.71
Tweed'sWholesale	Goods	\$485.28
UrgentCare	Services	\$1,800.00
VentureTech/ISC	Services	\$7,303.25
Visits	Services	\$13.00
VSchuler	Reimb	\$291.60
WayneColemanConstruction	Projects	\$36,140.80
WChambers	Reimb	\$787.16
WesternPlainsLandscaping	Services	\$41,430.65
WestPlainsEngineering	Services	\$1,530.50
WilliamsPorterDay	Services	\$227.50
WorthingtonLenhart&Carpenter	Services	\$22,995.38
WrightBrothers	Projects	\$6,475.10

Wycomp	Services	\$1,380.80
WYDOT	Services	\$9,095.41
WYHomelss	Funding	\$500.00
WyLawEnforcementAcademy	Services	\$860.00
WyNotaryDivision	Goods	\$30.00
		\$6,142,940.03

Mayor Pro Tem Sandoval opened the public hearing for the consideration of the appeal of the decision of the Planning and Zoning Commission to deny a detached accessory structure at 1134 North Lincoln Street.

City Attorney Luben entered two (2) exhibits: Correspondence from Liz Becher, to John Patterson, dated July 27, 2015 and an Affidavit of Publication, as published in the Casper-Star Tribune, dated July 22, 2015. City Manager Patterson provided a brief report.

Speaking in favor of the denial of the permit was: James Holloway, Chairman of the Casper Planning and Zoning Commission; and Mary England, also with the Commission.

Speaking in opposition to the denial of the permit was: Enrique Jimenez, 1134 North Lincoln Street; Pat Sweeney, 951 North Kimball; Jeff Porambo, 3298 Salt Creek Highway; Paul Paad, 2781 Cherokee.

Also addressing Council was Linda Bergeron, 2352 South Coffman. Craig Collins, Casper City Planner, addressed questions presented by Councilmembers.

There being no others to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 15-226

A RESOLUTION UPHOLDING THE DECISION OF THE CASPER, WYOMING PLANNING AND ZONING COMMISSION IN DENYING A CONDITIONAL USE PERMIT FOR A DETACHED ACCESSORY STRUCTURE (CARPORT), IN AN R-3 (ONE TO FOUR UNIT RESIDENTIAL) ZONING DISTRICT, ON LOTS 139-140, BLOCK 24, NORTH CASPER ADDITION, CITY OF CASPER, WYOMING, LOCATED DIRECTLY NORTH OF THE PRINCIPAL BUILDING AT 1134 NORTH LINCOLN STREET.

Councilman Johnson presented the foregoing resolution for adoption. Seconded by Councilman Pacheco. Council further discussed the motion.

Councilman Cathey moved to table this item until the August 18, 2015 Council meeting. Seconded by Councilman Johnson. Councilman Hopkins and Mayor Pro Tem Sandoval voted nay. Motion to table the resolution passed.

The following ordinances were considered, on third reading, by consent agenda.

ORDINANCE NO. 15-15

AN ORDINANCE APPROVING THE FINAL PLAT OF THE YMCA ADDITION, COMPRISING 13.83 ACRES, MORE OR LESS.

WHEREAS, an application has been made for final plat approval of the YMCA Addition, creating three (3) lots (the "plat"); and,

WHEREAS, the plat consists of a vacation and replat of Block 7, Community Park Addition, and a plat of previously unplatted land located within S1/2SE1/4 Section 9 and N1/2NE1/4, Section 16, T.33N., R.79W., 6th P.M. City of Casper, Natrona County Wyoming; and,

WHEREAS, the plat 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 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 final plat of the YMCA Addition is hereby approved.

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 1st reading the 7th day of July, 2015.

PASSED on 2nd reading the 21st day of July, 2015.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 4th day of August, 2015.

ORDINANCE NO. 16-15

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 6.04 OF THE CASPER MUNICIPAL CODE, PERTAINING TO ANIMAL CARE AND CONTROL AND 17.12 OF THE CASPER MUNICIPAL CODE PERTAINING TO ZONING.

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

Section 1:

That 17.12.050 (13)(8) of the Casper Municipal Code is hereby amended to read "Beehives and/or keeping of bees, except as otherwise provided in this code".

Section 2:

Section 6.04.050 of the Casper Municipal Code shall be created to read as follows:

A. Beekeeping

- 1) Definitions. The following words, terms and phrases, when used in this section shall have the following meanings ascribed to them.
 - A. "Apiary" shall mean a place where bee colonies are kept.
 - B. "Bee" shall mean any stage of the common domestic honey bee. *Apis mellifera* species.
 - C. "Colony" shall mean a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.
 - D. "Hive" shall mean a structure intended for the housing of a bee colony.
- 2) Hives. All bee colonies shall be kept in inspectable-type hives with removable combs which shall be kept in sound and usable condition as described in WSS §, Title 11.
- 3) The applicant shall comply with State Regulations regarding the keeping of bees.
- 4) Setback. All hives shall be located at least ten (10) feet from any adjoining property with the back of the hive facing the nearest abutting private property lines. Hives may be located on the property line abutting alleyways.
- 5) Fencing of flyways. In each instance in which any is situated within twenty-five (25) feet of a developed public or private property line of the tract upon which the apiary is situated, as measured from the nearest point on the hive to the property line. The beekeeper shall establish and maintain a flyway barrier at least six feet (6') in height, consisting of a solid wall or fence parallel to the property line, and extending ten feet (10') beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet (6') aboveground level over the property in the vicinity of the apiary.
- 6) Water. Each beekeeper shall ensure that a convenient source of water is available at all times to the bees, so that the bees will not congregate at swimming pools bib cocks, pet water bowls, birdbaths or other water sources where they may cause human, bird, or domestic pet contact. The water shall be maintained so as not to become stagnant.
- 7) Any bee colony not residing in a hive structure intended for beekeeping, or any swarm of bees or any colony residing in a standard or homemade hive which by virtue of its condition, has obviously been abandoned by the beekeeper, is unlawful and may be summarily destroyed or removed from the city by the City Manager or his designee.
- 8) Violation of the regulations set forth can be grounds for seizure of the bees and criminal prosecution by citation or summons in the Casper Municipal Court. The keeping by any person of bee colonies in the city not in strict compliance with this section is prohibited.

Section 4:

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

PASSED on 1st reading the 7th day of July, 2015.

PASSED on 2nd reading the 21st day of July, 2015.

PASSED, APPROVED, AND ADOPTED on third and final reading the 4th day of August, 2015.

Councilman Mundell presented the two (2) foregoing consent agenda ordinances for adoption, on third reading. Seconded by Council Hopkins. Councilman Cathey voted nay on Ordinance No. 16-15. Motion passed.

The following ordinances were considered, on second reading, by consent agenda.

ORDINANCE NO. 17-15

AN ORDINANCE APPROVING A ZONE CHANGE FOR LOT 1, YMCA ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

ORDINANCE NO. 18-15

AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS 11, 13, AND 14 AND LOTS 16-17, BLOCK 139, AND LOTS 7-9, AND LOT 13 SOUTH 25 FEET, BLOCK 154, CASPER ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

ORDINANCE NO. 19-15

AN ORDINANCE AMENDING CHAPTER 6.04 OF THE CASPER MUNICIPAL CODE PERTAINING TO ESTABLISHING RULES AND REGULATIONS FOR THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS.

Councilman Mundell presented the foregoing three (3) ordinances for adoption, on second reading, by consent agenda. Seconded by Councilman Johnson. Councilman Cathey voted nay on Ordinance No. 19-15. Motion passed.

Following ordinance read:

ORDINANCE NO. 20-15

AN ORDINANCE AMENDING SECTION 9.24.040 OF THE CASPER MUNICIPAL CODE PERTAINING TO PROSTITUTION.

Councilman Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilman Johnson. City Attorney Luben provided a brief report.

All voted aye to approve, on first reading, the ordinance pertaining to prostitution. Motion passed.

City Attorney Luben recused himself from the discussion and left the room. Rick Koehmstedt, Attorney at Law, came forward as City Council counsel.

Following resolution read:

RESOLUTION NO. 15-210

A RESOLUTION AUTHORIZING AN AGREEMENT WITH 71 CONSTRUCTION, INC., FOR THE CARNATION STREET IMPROVEMENTS, PROJECT NO. 14-76.

Councilman Hopkins presented the foregoing resolution for adoption. Seconded by Councilman Johnson.

Mr. Koehmstedt addressed Council on the selection of the lowest bidder who is determined to be qualified and responsible and the performance related issues of Hedquist Construction.

Michael Lansing, Attorney for Hedquist Construction, addressed Council regarding the selection of the lowest qualified and responsible bidder for this project and for the next item on the agenda.

Council discussed the matter. Further discussion of bidder requirements and qualifications will occur at the August 11, 2015 Council work session. Councilman Mundell voted nay. Motion passed.

Following resolution read:

RESOLUTION NO. 15-211

A RESOLUTION AUTHORIZING AN AGREEMENT WITH KNIFE RIVER, INC., FOR THE WEST YELLOWSTONE HIGHWAY AND WALNUT STREET RECONSTRUCTION, PROJECT NO. 14-18.

Councilman Hopkins presented the foregoing resolution for adoption. Seconded by Councilman Johnson. Neither attorney wished to report additional information. Councilman Mundell voted nay. Motion passed.

City Attorney Luben rejoined the meeting.

Following resolution read:

RESOLUTION NO. 15-229

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH CASPAR BUILDING SYSTEMS, INC., FOR THE MIKE SEDAR POOL PROJECT.

Councilman Hopkins presented the foregoing resolution for adoption. Seconded by Councilman Cathey.

City Manager Patterson provided a brief report. Motion passed.

Following resolution read:

RESOLUTION NO. 14-232

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CASPER, TOWN OF MILLS, AND NATRONA COUNTY FOR THE ADOPTION AND ENFORCEMENT OF THE WEST BELT LOOP ACCESS MANAGEMENT PLAN.

Councilman Johnson presented the foregoing resolution for adoption. Seconded by Councilman Mundell.

City Manager Patterson provided a brief report.

Linda Bergeron, 2352 South Coffman Avenue, asked Council a handful of questions regarding the West Belt Loop Project. Liz Becher, City of Casper Community Development Director, further described the project and addressed these concerns. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 15-228

A RESOLUTION AUTHORIZING AN AGREEMENT WITH ABM SOFTWARE FOR THE LICENSE OF INFORMATION MANAGEMENT AND RISK MITIGATION SOFTWARE.

RESOLUTION NO. 15-230

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH GRIZZLY EXCAVATING AND CONSTRUCTION, LLC, FOR THE 1ST STREET IMPROVEMENTS PROJECT.

RESOLUTION NO. 15-231

A RESOLUTION AUTHORIZING THE RELEASE OF A MORTGAGE DEED.

RESOLUTION NO. 15-233

A RESOLUTION AUTHORIZING THE PURCHASE OF FIVE (5) MOTOROLA APX700XE PORTABLE RADIOS AND BATTERIES.

RESOLUTION NO. 15-234

A RESOLUTION DECLARING THE HOGADON RED CHAIR LIFT AS SURPLUS AND AUTHORIZING SALE OF THE SAME TO THE HIGHEST BIDDER.

RESOLUTION NO. 15-235

A RESOLUTION SUPPORTING SUBMISSION OF AN APPLICATION TO THE WYOMING BUSINESS COUNCIL THROUGH THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM, ON BEHALF OF THE ECONOMIC DEVELOPMENT JOINT POWERS BOARD (EDJPB).

RESOLUTION NO. 15-236

A RESOLUTION CONSENTING TO SALE OF THE STAR APARTMENT BUILDING COMPLEX BY THE CASPER HOUSING AUTHORITY.

RESOLUTION NO. 15-237

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CIVIL ENGINEERING PROFESSIONALS, INC., FOR TRAILS AND PATHWAYS COORDINATION SERVICES.

Councilman Johnson presented the foregoing eight (8) resolutions for adoption. Seconded by Councilman Mundell. Mayor Pro Tem voted nay on Resolution No. 15-228. Motion passed.

Moved by Councilman Hopkins, seconded by Councilman Johnson, to, by consent minute action, authorize the reappointments of Brian Scott Gamroth, Sona Rummel, and Brandon Daigle to the Downtown Development Authority Board of Directors to additional four (4) year terms; authorize the issuance of a taxicab company license to Doug Esterline, d.b.a. NC Cab, located at 304 South Kenwood Street; and acknowledge change in the corporate ownership information of a Bar and Grill application for Screamin' Hot Wyoming, LLC, d.b.a. Buffalo Wild Wings. Motion passed.

Individuals addressing the Council were: Kimberly Holloway, 2068 South Cedar, regarding zoning; Christina Stepp, 1440 Ivy Lane, regarding chickens; Jeff Porambo, 3298 Salt Creek Highway, regarding selection of the lowest, qualified bidder; Pat Sweeney, 951 North Kimball, also regarding bid awards; Paul Paad, 2781 Cherokee, regarding the selection of qualified bidders; Pam Elrod, 12920 Dusty Lane, regarding the West Belt Loop Project; Woody Giles, 290 East Magnolia, regarding property taxes.

Mayor Pro Tem Sandoval noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, August 11, 2015, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, August 18, 2015, in the Council Chambers.

Moved by Councilman Johnson, seconded by Councilman Cathey, to, by minute action adjourn. Motion passed.

The meeting was adjourned at 8:48 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

V. H. McDonald
City Clerk

Daniel Sandoval
Mayor Pro Tem