

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
May 7, 2019

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, May 7, 2019. Present: Councilmembers Bates, Freel, Hopkins, Huber, Johnson, Pacheco, Walsh and Mayor Powell. Absent: Councilmember Lutz. Moved by Councilmember Pacheco, seconded by Councilmember Hopkins, to, by minute action, excuse the absence of Councilmember Lutz. Motion passed.

2. PLEDGE OF ALLEGIANCE

Citizen Brenda Sanders led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Walsh, seconded by Councilmember Freel, to, by minute action, approve the minutes of the April 16, 2019, regular Council meeting, as published in the Casper-Star Tribune on April 23, 2019. Motion passed.

4. BILLS & CLAIMS

Moved by Councilmember Pacheco, seconded by Councilmember Johnson, to, by minute action, approve payment of the May 7, 2019, bills and claims, as audited by City Manager Napier. Motion passed.

| Bills & Claims 05/07/19 | | |
|-------------------------|----------|--------------|
| 33 MileRdImp | svcs | \$787.36 |
| 71Construction | Projects | \$2,227.20 |
| AAALandscaping | Services | \$85.00 |
| ABratton | Refund | \$52.23 |
| AClark | Refund | \$31.58 |
| AHatcher | Refund | \$56.62 |
| AllansConcrete | Services | \$3,700.00 |
| AllianceElec | Services | \$975.11 |
| AMBI | Services | \$1,153.81 |
| AmericanTitle | Services | \$125.00 |
| Ameritech | Services | \$4,242.60 |
| ARSFlood | Services | \$3,857.99 |
| Auto&Elect | Supp | \$85.00 |
| AWentz | Refund | \$46.05 |
| B32Eng | Services | \$3,042.19 |
| Balefill | Services | \$56,618.03 |
| BankOfAmerica | Goods | \$331,969.62 |
| BHEnergy | Services | \$24,907.98 |
| BMartin | Reimb | \$1,112.20 |
| BoondoggleConst | Refund | \$75.00 |

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|-------------------------------|----------|--------------|
| Boys&GirlsClubs | Funds | \$18,321.25 |
| Brenntag | Goods | \$21,721.69 |
| BThompson | Refund | \$223.87 |
| C Lynch | Reimb | \$75.00 |
| CArchibeque | Reimb | \$75.00 |
| Carus | Goods | \$8,748.00 |
| CasperElectric | Services | \$1,933.91 |
| CasperPubSafetyComm | Services | \$5,624.50 |
| CasperPubUtilities | Services | \$144.06 |
| CATC | Funding | \$135,656.92 |
| Centurylink | Services | \$1,019.45 |
| CGlarrow | Reimb | \$43.02 |
| CIGNA | Services | \$8,429.96 |
| CityofCasper | Services | \$12,695.47 |
| CivilEngineeringProfessionals | Projects | \$10,740.00 |
| CMcKee | Refund | \$52.78 |
| CommTech | Goods | \$15,814.66 |
| Comtronix | Services | \$252.00 |
| CowdinCleaning | Services | \$816.00 |
| CrwnConst | Services | \$980.00 |
| CrzyPdlerBike | Refund | \$75.00 |
| CsprPD | Funding | \$100.00 |
| CtnwoodEst | Refund | \$36.06 |
| Dell | Goods | \$54,122.62 |
| DeltaDental | Services | \$40,497.73 |
| DesertMtn | Goods | \$27,368.73 |
| DGarland | Reimb | \$100.00 |
| DonsMblCarpet | Svc | \$10,897.60 |
| DrvrAlliantIns | Ins | \$10,818.18 |
| DWestwood | Refund | \$44.56 |
| EngDsgnAssoc | Services | \$3,125.00 |
| EnvironmentalCivilSolutions | Services | \$2,773.70 |
| FirstData | Services | \$821.54 |
| FirstInterstateBank | Services | \$139.38 |
| FirstInterstateBank | Services | \$1,260.00 |
| FmlyJrnyCtr | Services | \$3,491.66 |
| GilesTransport | Svc | \$665.00 |
| GlobalSpect | Funding | \$189,166.92 |
| GMarshInc | Services | \$10.13 |
| GMoulton | Refund | \$29.38 |
| GolderAssociates | Services | \$14,598.64 |
| GSGArchitecture | Services | \$2,565.00 |
| GWMechanical | Services | \$8,768.89 |

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| HDR Engineering | Projects | \$60,750.59 |
| Hein-Bond | Services | \$4,080.00 |
| HNelson | Refund | \$75.00 |
| HolthseApprsl | Svc | \$3,000.00 |
| Homax | Goods | \$64,872.23 |
| InbergMillerEngineers | Services | \$14,925.64 |
| Interspec | Goods | \$4,680.00 |
| ISC | Supplies | \$217.35 |
| ITCElec | Services | \$722.70 |
| JcksnCrkMfg | Services | \$25,776.00 |
| JMclean | Reimb | \$87.08 |
| JPepin/CJones | Refund | \$75.00 |
| JSwift | Refund | \$33.32 |
| JTLGroup | Services | \$6,444.68 |
| KHowel | Reimb | \$90.00 |
| Kiwanis | Services | \$228.00 |
| KubwaterResources | Goods | \$5,398.90 |
| LimmerRoof | Reprs | \$7,000.00 |
| LisasSpicnSpan | Services | \$659.00 |
| LnclnNtlLife | Services | \$277.83 |
| LongBuildingTech | Services | \$695.02 |
| M Bratvold | Reimb | \$108.06 |
| M&TEnt | Refund | \$50.50 |
| MncplEmrgncy | Svcs | \$15,329.00 |
| Motorola | Services | \$13,931.87 |
| MtnWValtns | Appraisal | \$1,500.00 |
| N Lange | Reimb | \$73.47 |
| NationalBenefitServices | Services | \$861.95 |
| NCSheriffsOffice | Funding | \$118,088.10 |
| OlsonAutobody | Services | \$5,041.00 |
| OneCallofWy | Services | \$321.00 |
| Pepsi | Goods | \$113.00 |
| PinnacleConstruction | Projects | \$19,466.00 |
| PostalPros | Services | \$15,116.51 |
| PowerEquipment | Goods | \$13,726.38 |
| PPurdy | Refund | \$75.00 |
| Printworks | Supp | \$502.99 |
| PWendling | Reimb | \$257.24 |
| R Schwahn, DVM | Services | \$600.00 |
| R Weant | Reimb | \$291.07 |
| RecycledMaterials | Services | \$775.00 |
| RHerchkorn | Refund | \$52.23 |
| RockyMtnPower | Services | \$95,826.96 |

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| SamsPlumbing | Refund | \$17,350.00 |
| SDunnuck | Reimb | \$191.69 |
| StantecConsultingSvcsInc | Projects | \$13,813.38 |
| StarTribune | Services | \$143.44 |
| StarTribune | Services | \$97.44 |
| Stateline7 | Services | \$2,405.00 |
| SWood | Refund | \$41.75 |
| SZimmerman | Reimb | \$72.47 |
| TAllen | Refund | \$31.03 |
| TArellano | Reimb | \$156.52 |
| TGarcia | Reimb | \$100.00 |
| TGuoin | Refund | \$54.42 |
| TopOffice | Goods | \$163.40 |
| TransmissionDist | Supplies | \$5,071.74 |
| TTucker | Reimb | \$75.00 |
| Tweed'sWholesale | Goods | \$585.09 |
| VisionServicePlan | Services | \$1,222.24 |
| WH LLC | Services | \$585.00 |
| WMiller | Refund | \$575.00 |
| WorthingtonLenhart&Carpenter | Services | \$4,416.31 |
| WyConferenceMuniCourts | Services | \$225.00 |
| WYDOT | Services | \$69.41 |
| WyRetirementPD | Svc | \$104,128.10 |
| YouthCrisisCenter | Funding | \$15,000.00 |
| YthEmpwrmntCncl | Svc | \$11,250.00 |
| Zunesis | Services | \$16,600.01 |
| | | \$1,746,612.94 |

5. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Ron Caputa, Caputa's Catering, speaking against food truck regulation and requesting consideration for a designated parking lot for food trucks; Dave Hinton, Lefty's BBQ, also requesting a designated location for food trucks; and Brenda Sanders, Bar Nunn, sharing concerns about restrictions placed on the recent bikers awareness parade and asking about parade requirements. Councilmember Bates asked about insurance requirements. City Manager Napier addressed the questions. Also addressing Council were: Paul Paad, 2781 Cherokee, sharing his concerns with the parade requirements; and Mileage Mike Harrison, 742 N. Jefferson, asking about insurance and the parade permit application process. Mayor asked for further discussion of the recent bikers awareness parade, to review the overall process, at the next work session. Councilmembers indicated this should be added to the next work session. The following individuals also addressed Council: Pat Sweeney, 951 N. Kimball, urging Council to use common sense when managing public events; Nicholas Wales, 906 E. 17th, requesting Council turn the former Plains Furniture property into an indoor park for families; and David Fraser, the new Director of the Wyoming Association of Municipalities, introduced himself to Council.

6.A.1 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of amendments to the mobile vendor parking permit ordinance. City Attorney Henley entered one (1) exhibit: correspondence from Fleur Tremel to J. Carter Napier, dated April 22, 2019. City Manager Napier provided a brief report. Speaking in support was Pat Sweeney, 951 N. Kimball. City Manager Napier addressed a question presented by Mr. Sweeney. There being no others to speak for or against the issues involving the amendments, the public hearing was closed. Following ordinance read:

ORDINANCE NO. 10-19
AN ORDINANCE AMENDING A PORTION OF CHAPTER
10.36.031 – MOBILE VENDOR PARKING.

Councilmember Walsh presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Bates. Motion passed.

6.A.2 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the amendment to the International Fire Code regarding mobile food preparation vehicles. City Attorney Henley entered one (1) exhibit: correspondence from Tom Solberg to J. Carter Napier, dated May 2, 2019. City Manager Napier provided a brief report. Two citizens addressed Council during the public hearing. Dave Hinton, Lefty's BBQ, asked if open air carts would be included in the ordinance. City Attorney Henley read the definition. City Manager Napier indicated that the Fire Department staff felt it may not apply to open carts. Mayor Powell stated that clarification is needed. Pat Sweeney, 951 N. Kimball, also requested that Council give this topic further study. There being no others to speak for or against the issues involving the amendment, the public hearing was closed. Following ordinance read:

ORDINANCE NO. 11-19
AN ORDINANCE AMENDING PORTIONS OF CHAPTER
15.40 – INTERNATIONAL FIRE CODE OF THE CASPER
MUNICIPAL CODE.

Councilmember Johnson presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Walsh. Councilmember Freel expressed concerns with the restrictions and suggested taking more time for consideration. Councilmembers Walsh and Hopkins also shared concerns with the ordinance. Moved by Councilmember Freel, seconded by Councilmember Walsh to table the ordinance. Councilmember Bates voted aye. Motion to table failed. Council then voted on the ordinance, on first reading. Motion passed.

6.A.3 PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the amendment to authorize non-permanent modifications of sidewalks. City Attorney Henley entered one (1) exhibit: correspondence from John Henley to J. Carter Napier, dated May 2, 2019. City Manager Napier provided a brief report. There being no one to speak for or against the issues involving the amendment, the public hearing was closed. Following ordinance read:

ORDINANCE NO. 12-19
AN ORDINANCE AMENDING CHAPTER 12.24.030 OF THE
CASPER MUNICIPAL CODE.

Councilmember Pacheco presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Walsh. Councilmembers discussed the matter. City Manager Napier elaborated on the criteria for the safety aspect of the ordinance. Mayor Powell asked a few questions which City Attorney Henley addressed. Councilmember Huber recused himself from the discussion. Councilmember Hopkins moved to amend the ordinance to require a minimum of five and a half (5 1/2) feet from the structure to the back of the curb or meet the Americans with Disabilities Act (ADA) requirements. Seconded by Councilmember Bates. Councilmembers discussed the amendment. Motion to amend the ordinance passed. Council then voted on the ordinance, as amended, on first reading. Councilmember Hopkins voted nay. Motion passed.

6.B PUBLIC HEARING - MINUTE ACTION

Councilmember Huber returned to the meeting. Mayor Powell opened the public hearing for the consideration of the issuance of new Resort Liquor License No. 7 Highend Hotel Group of America, LLC d/b/a Ramada Plaza Riverside Hotel & Convention Center Casper, located at 300 West F Street. City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated March 27, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated April 25, 2019; an affidavit of website publication, as published on the City of Casper website, dated April 18, 2019; an affidavit of notice of conspicuous posting, as posted at 300 West F Street, dated April 17, 2019; and the liquor license application filed March 25, 2019. City Manager Napier provided a brief report. Speaking in support was Michael Balenoff, representing the applicant. There being no others to speak for or against the issues involving Resort Liquor License No. 7, the public hearing was closed. Moved by Councilmember Walsh, seconded by Councilmember Hopkins, to, by minute action, authorize the issuance of Resort Liquor License No. 7. Motion passed.

7.A ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 8-19
AN ORDINANCE APPROVING THE VACATION OF A
PORTION OF SOUTH ELM STREET, BETWEEN WEST
COLLINS AVENUE AND WEST 8TH STREET.

Councilmember Pacheco presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Johnson. There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

7.B ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 9-19

AN ORDINANCE APPROVING THE ANNEXATION, PLAT AND ZONING CREATING THE WEST CASPER COMMERCE CENTER ADDITION; AND THE ASSOCIATED SUBDIVISION AGREEMENT BETWEEN THE CITY OF CASPER AND SEVEN SYNERGY HOLDINGS, LLC.

Councilmember Freel presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Hopkins. There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

8. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 19-66

A RESOLUTION AUTHORIZING AN AGREEMENT WITH DYNAMIC CONTROLS INC. FOR THE PROCUREMENT AND REPLACEMENT OF A ROOFTOP HEATING AND COOLING UNIT AT 135 SOUTH ASH STREET.

RESOLUTION NO. 19-67

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH CH2M HILL ENGINEERS, INC. FOR THE SAM H. HOBBS WASTEWATER TREATMENT PLANT SECONDARY TREATMENT REHABILITATION PHASE 1, PROJECT NO. 19-007.

RESOLUTION NO. 19-68

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CENTRAL WYOMING REGIONAL WATER SYSTEM JOINT POWERS BOARD FOR CONSTRUCTION SERVICES FOR THE PLC/SCADA UPGRADE PROJECT.

RESOLUTION NO. 19-69

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CENTRAL WYOMING REGIONAL WATER SYSTEM JOINT POWERS BOARD FOR THE 2019 ROOF REPLACEMENT PROJECT FOR THE CITY OF CASPER AND THE REGIONAL WATER SYSTEM.

RESOLUTION NO. 19-70

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH WENCK ASSOCIATES, INC., FOR UPDATING THE 10 -YEAR CASPER SOLID WASTE DIVISION BUSINESS PLAN, PROJECT NO. 18-088.

RESOLUTION NO. 19-71

A RESOLUTION AUTHORIZING AN AGREEMENT WITH RAMSHORN CONSTRUCTION, INC., FOR THE 2019 13TH STREET IMPROVEMENTS, PROJECT NO. 18-075.

RESOLUTION NO. 19-72

A RESOLUTION AUTHORIZING AN AGREEMENT WITH RDO EQUIPMENT CO., FOR CRL GPS EQUIPMENT, PROJECT NO. 16-047.

RESOLUTION NO. 19-73

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 WITH WESTERN STATES FIRE PROTECTION CO. FOR THE LIFE STEPS CAMPUS BUILDING "F" FIRE SUPPRESSION AND CAMPUS FIRE ALARM SYSTEM REPLACEMENT PROJECT.

RESOLUTION NO. 19-74

A RESOLUTION AUTHORIZING AN AGREEMENT WITH RAMSHORN CONSTRUCTION, INC., FOR THE BRYAN STOCK TRAIL AND METRO ROAD IMPROVEMENTS, PROJECT NO. 18-019.

RESOLUTION NO. 19-75

A RESOLUTION AUTHORIZING AN AGREEMENT WITH TRETO CONSTRUCTION, INC., FOR THE NORTH BEVERLY STREET ROADWAY IMPROVEMENTS PROJECT NO. 18-060.

RESOLUTION NO. 19-76

A RESOLUTION RESCINDING RESOLUTION NO. 17-70 AND ESTABLISHING FEES FOR THE USE OF PARKS AND COURTS.

RESOLUTION NO. 19-77

A RESOLUTION ESTABLISHING ANNEXATION POLICY FOR PROVIDING CITY SERVICES TO OUTSIDE PROPERTY.

RESOLUTION NO. 19-78

A RESOLUTION ADOPTING THE 2019 REGION 2 HAZARD MITIGATION PLAN.

RESOLUTION NO. 19-79

A RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE ICE HOCKEY FACILITY DEVELOPMENT ESCROW AGREEMENT.

RESOLUTION NO. 19-80
A RESOLUTION AUTHORIZING AN AGREEMENT WITH
HA BASEBALL LLC, DBA CASPER HORSEHEADS
BASEBALL CLUB FOR OPERATION OF THE CONCESSION
BUILDING AT CROSSROADS COMPLEX.

RESOLUTION NO. 19-81
A RESOLUTION AUTHORIZING A LICENSE AGREEMENT
WITH LOU TAUBERT REAL ESTATE, INC., TO INSTALL A
NON-PERMANENT LANDING AND RAILING WITHIN
SOUTH WOLCOTT STREET RIGHT-OF-WAY.

Councilmember Walsh presented the foregoing sixteen (16) resolutions for adoption. Seconded by Councilmember Freel. Councilmember Huber abstained from voting on Resolution No. 19-81. Motion passed.

9. MINUTE ACTION— CONSENT

Moved by Councilmember Huber, seconded by Councilmember Johnson, to, by consent minute action:

1. authorize the appointment of Lisa R. Herr to the Leisure Services Advisory Board;
2. reject the bid on the former Beverly Street Ball Field property;
3. authorize the purchase of two (2) UTV's, from Stotz Equipment, in the total amount of \$43,900;
4. authorize the purchase of one (1) one-ton dually with platform bed and crane, from Greiner Ford, in the total amount of \$62,194; and
5. authorize the purchase of one (1) new three-quarter-ton crew cab pickup truck with eight-foot bed, from Fremont Motors, in the total amount of \$32,393.

10. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke on meetings and events they attended, and made follow-up comments on traffic and water service issues. Mayor Powell also expressed interest in discussing the pros and cons of offering food truck space as well as potential locations.

11. ADJOURN INTO EXECUTIVE SESSION

Mayor Powell noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, May 14, 2019, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, May 21, 2019, in the Council Chambers. Council will also be holding special work session on May 20 and 22, 2019 for review of the budget. At 7:43 p.m., it was moved Councilmember Freel, seconded by Councilmember Huber, to adjourn into executive session to discuss personnel and litigation. Motion passed. Council moved into the Council meeting room.

At 8:36 p.m., it was moved by Councilmember Freel, seconded by Councilmember Huber, to adjourn the executive session. Council returned to the Council Chambers.

12. ADJOURNMENT

At 8:36 p.m., it was moved by Councilmember Pacheco, seconded by Councilmember Huber, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Charles Powell
Mayor