

COUNCIL PROCEEDINGS
 Casper City Hall – Council Chambers
 November 7, 2017

Casper City Council met in regular session at 6:00 p.m., Tuesday, November 7, 2017. Present: Councilmembers Hopkins, Huckabay, Johnson, Laird, Morgan, Pacheco, Powell, and Walsh. Absent: Mayor Humphrey.

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

Moved by Councilmember Morgan, seconded by Councilmember Johnson, to, by minute action, excuse the absence of Mayor Humphrey. Motion passed.

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

Moved by Councilmember Huckabay, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the October 17, 2017, regular Council meeting, as published in the Casper-Star Tribune on October 27, 2017. Motion passed.

Moved by Councilmember Hopkins, seconded by Councilmember Powell, to, by minute action, approve payment of the November 7, 2017, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims
 11/07/17

71Construction	Projects	\$7,756.83
A-1	Services	\$130.00
Adecco	Services	\$415.80
AGiraldo	Services	\$40.00
AHiatt	Reimb	\$40.13
AllianceElec	Services	\$105.00
AllTrees	Services	\$508.62
AMBI	Services	\$282.93
AMcCluskey	Refund	\$31.47
Ameritech	Services	\$4,591.31
AndrnHunt	Services	\$298,017.67
Arcadis	Services	\$7,689.12
ArrowheadHeating	Services	\$180.00
AtlanticElectric	Services	\$3,323.60
Balefill	Services	\$142,920.49
BankOfAmerica	Goods	\$287,186.29
BFlake	Reimb	\$233.73
BHEnergy	Services	\$13,452.64
BigBrthsBigSstrs	Funding	\$4,156.28

Brenntag	Goods	\$28,064.68
C & M Cement	Supplies	\$6,100.00
C Boyle	Reimb	\$29.05
CAEDA	Funding	\$105,070.25
CarolinaSoftware	Services	\$700.00
CasperHousingAuth	Projects	\$42,884.41
CasperPubSafetyComm	Services	\$3,195.02
CATC	Funding	\$125,311.00
CByers	Refund	\$16.81
Centurylink	Services	\$1,559.65
CGerhardt	Reimb	\$59.84
Ch2mHill	Services	\$1,055.25
CIGNA	Services	\$11,410.07
CityofCasper	Services	\$9,797.73
CivilEngineeringProfessionals	Projects	\$2,312.90
CollectionCenter	Services	\$493.12
CommTech	Goods	\$6,493.00
ComprLeasing	Supp	\$909.57
Conduent	Ins	\$7,000.00
CrimeSceneInfo	Services	\$86.25
CtrlWySrSvcs	Funds	\$11,683.50
DaveLodenConstruction	Projects	\$54,040.75
Dell	Goods	\$338.35
DeltaDental	Services	\$38,893.65
DooleyOil	Fuel	\$16,579.81
DoubleDWelding	Services	\$200.00
DPCIndustries	Goods	\$12,242.82
DvdsnFxdMgmt	Services	\$3,546.69
EngDsgnAssoc	Services	\$621.23
EnvironmentalCivilSolutions	Services	\$2,626.25
FirstData	Services	\$10,828.89
FirstInterstateBank	Services	\$200.00
FischerAutoBody	Services	\$2,962.43
FmlyJrnyCtr	Services	\$803.33
FremontMotorCasper,Inc	Goods	\$21,987.00
FremontMtrCo	Services	\$75,299.40
GarlickLaw	Services	\$581.21
GlobalSpect	Funding	\$82,909.91
GolderAssociates	Services	\$7,193.01
GSGArchitecture	Services	\$9,301.10
HDR Engineering	Projects	\$4,684.52
HedquistConst	Services	\$7,279.72
HedquistConstruction	Projects	\$121,906.93
Hedqust	Svc	\$6,265.50
HinspergPoly	Svcs	\$543.45
Homax	Goods	\$42,713.17

InbergMillerEngineers	Services	\$14,142.83
ITCElec	Services	\$8,701.80
JADaughtry	Refund	\$43.51
JMagelssen	Refund	\$41.76
JTLGroup	Services	\$519,731.34
JWilliams	Reimb	\$75.00
KPivik	Services	\$1,000.00
KubwaterResources	Goods	\$9,678.02
M&MSvcs	Svcs	\$1,000.00
McMurryReadyMix	Goods	\$536.50
MillsPolice	Services	\$347.33
MOgden	Reimb	\$22.95
NCHHealthDept	Funding	\$75.00
NCSheriffsOffice	Funding	\$347.33
NevesUniforms	Goods	\$3,500.00
NorthParkTransport	Services	\$847.81
OneCallofWy	Services	\$945.75
Pepsi	Goods	\$628.17
Pittsburg Tank	Services	\$62,225.10
PostalPros	Services	\$9,419.85
Raftelis	Services	\$5,220.25
RButler	Reimb	\$143.62
RecyklingIndRepairs	Services	\$60,000.00
ResourceManagement	Goods	\$514.25
RockyMtnPower	Services	\$235,599.09
RodBarstadsPnt	Services	\$1,082.28
SamParsonsUpholstery	Services	\$344.45
SDaley	Reimb	\$156.57
SeniorPatientAdvocates	Services	\$900.00
SkylineRanches	Services	\$380.96
Smarsh	Services	\$1,765.00
SNelson	Reimb	\$45.04
Spectrum	Funding	\$135,063.00
StealthPartnerGroup	Services	\$54,275.64
TestAmLab	Services	\$6,273.50
TGaines	Reimb	\$47.77
TretoConstruction	Projects	\$270,901.86
TrihydroCorp	Projects	\$21,488.89
UrgentCare	Services	\$135.00
VGonzales	Reimb	\$40.74
VisionServicePlan	Services	\$1,491.38
VLong	Refund	\$66.35
WasteWaterTreatment	Funding	\$272,475.47
WERCSCommunications	Services	\$37.00
WestEco	Svcs	\$2,178.95
WesternPlainsLandscaping	Services	\$31,763.12

WesternWaterConsult	Services	\$31,976.76
WestlandPark	Services	\$1,542.13
WilliamsPorterDay	Services	\$57.00
WorthingtonLenhart&Carpenter	Services	\$4,301.30
WyDeptEmployment	Services	\$8,744.67
WyMachinery	Goods	\$121,748.00
WyWrkrsComp	Fees	\$4,236.59
		\$3,568,149.81

Mayor Pro Tem Pacheco then welcomed Meri Thompson, of the Department of Workforce Services, to the meeting in honor of Apprenticeship Week. Ms. Thompson thanked the Council, sponsors, and apprentices for their involvement in the program. Mayor Pro Tem Pacheco then read and presented a proclamation to Ms. Thompson in honor of the week.

Moved by Councilmember Johnson, seconded by Councilmember Powell, to, by minute action, establish November 21, 2017, as the public hearing date for the consideration of:

- a. vacate portion of South Spruce Street, between East 14th and 15th Streets, located in the Area Subdivision of City of Casper, WY;
- b. amendment to the Fiscal Year 2017/2018 annual appropriation;
- c. new Bar and Grill Liquor License No. 9 for Moreno and Moreno, LLC, d/b/a Guadalajara Family Mexican Restaurant, located at 3350 CY Avenue; and
- d. new Resort Liquor License No. 6 for City of Casper d/b/a Hogadon Basin Ski Area, located at 2500 West Hogadon Road.

Motion passed.

Mayor Pro Tem Pacheco opened the public hearing for the consideration of the appeal of the Planning and Zoning Commission's decision to deny a requested zone change of Lots 1-4, Thomas D. Ross #1 Addition, located at 802-808 North Washington Street from R-3 to C-2.

Interim City Attorney Chambers entered four (4) exhibits: correspondence from Liz Becher to J. Carter Napier, dated October 30, 2017; affidavit of publication, as published in the Casper-Star Tribune, dated September 18, 2017; exhibits introduced at the August 17, 2017 Planning and Zoning Commission meeting consisting of Exhibits A-E; and the appeal request from Becky Bulfer to Craig Collins, City of Casper Planner, dated August 18, 2017. City Manager Napier provided a brief report.

Speaking in support were: Becky Bulfer, zone change applicant; and Dennis Steensland, 533 S. Washington.

There being no others to speak for or against the issues involving the zone change, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 15-17
AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS
1-4, THOMAS D. ROSS #1 ADDITION IN THE CITY OF
CASPER, WYOMING.

Councilmember Johnson presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Huckabay.

Council discussed the matter and asked City Manager Napier about other possible solutions for this case. Mr. Napier addressed questions presented by Council. Motion passed.

The passing of Ordinance No. 15-17 made it unnecessary to consider Resolution No. 17-181, which would have denied the zone change.

Mayor Pro Tem Pacheco opened the public hearing for the consideration of the zone change of the CPH Addition from R-2 (One Unit Residential) to R-3 (One to Four Unit Residential).

Interim City Attorney Chambers entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated October 20, 2017 and an affidavit of publication, as published in the Casper-Star Tribune, dated October 13, 2017. City Manager Napier provided a brief report.

Speaking in support was Dennis Langdon, 6250 Verde Court.

There being no others to speak for or against the issues involving the zone change, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 19-17
AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS
1-8, CPH ADDITION IN THE CITY OF CASPER, WYOMING.

Councilmember Walsh presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Laird. Councilmember Huckabay abstained from voting on this item. Motion passed.

Mayor Pro Tem Pacheco opened the public hearing for the consideration of the transfer of ownership interest in Retail Liquor License No. 7, Love Holdings, LLC, d/b/a C85@ The Branding Iron. Moved by Councilmember Morgan, seconded by Councilmember Johnson, to, by minute action, continue the public hearing to the November 21, 2017 City Council meeting. Councilmember Huckabay abstained from voting on this item. Motion passed.

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

ORDINANCE NO. 17-17
AN ORDINANCE AMENDING CHAPTER 5 OF THE CASPER
MUNICIPAL CODE PERTAINING TO RESORT LIQUOR
LICENSES.

WHEREAS, Casper Municipal Code as currently written is not consistent with Wyoming State Statutes in regards to Resort Liquor License requirements; and

WHEREAS, Casper Municipal Code, as currently written, would prevent the issuance of Resort Liquor Licenses to ski areas not having large hotels on premise; and

WHEREAS, it would benefit the City of Casper to be able to issue Resort Liquor Licenses to ski areas without large on premise hotels.

NOW, THEREFORE, be it ordained by the governing body of the City of Casper, Wyoming that the Casper Municipal Code is hereby amended as follows:

SECTION 1:

Section 5.08.240 is hereby amended by removing the strike out words and replacing with language that is capitalized as follows:

A. The city council may issue resort retail liquor licenses to applicants who MEET THE REQUIREMENTS OF WYOMING STATE STATUTE 12-4-401. ALL APPLICANTS FOR ISSUANCE OR RENEWAL OF A RESORT LIQUOR LICENSE SHALL COMPLY WITH ALL APPLICABLE WYOMING STATE STATUTES AS THEY MAY BE AMENDED FROM TIME TO TIME.

SECTION 2:

This ordinance shall become in full force and effect upon passage on third reading and publication.

PASSED on 1st reading the 3rd day of October, 2017.

PASSED on 2nd reading the 17th day of October, 2017.

PASSED, APPROVED, AND ADOPTED on this 7th day of November, 2017.

ORDINANCE NO. 14-17

AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS 4, 5, 6, 7, 8, 9, 10, AND THE SOUTH FORTY (40) FEET OF LOT 11, BLOCK 22, NELSONS ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to rezone all of the above described lots from zoning classification ED (Educational District) to C-2 (General Business); and,

WHEREAS, after a public hearing on August 17, 2017, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the zone change request; and,

WHEREAS, the governing body of the City of Casper finds that the above described zone change should be approved.

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

SECTION 1:

Lots 4, 5, 6, 7, 8, 9, 10 and the south 40 feet of Lot 11, Block 22, Nelsons Addition to the City of Casper, located at 140 East K Street, are hereby rezoned from ED (Educational District) to C-2 (General Business).

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 3rd day of October, 2017.

PASSED on 2nd reading the 17th day of October, 2017.

PASSED, APPROVED, AND ADOPTED on this 7th day of November, 2017.

ORDINANCE NO. 16-17

AN ORDINANCE AMENDING SECTION 2.40.050 OF THE CASPER MUNICIPAL CODE PERTAINING TO THE HISTORIC PRESERVATION PROGRAM.

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

Section 1:

That Section 2.40.050 of the Casper Municipal Code shall be amended to read as follows:

There is hereby created the city of Casper historic preservation commission, which shall consist of AT LEAST THREE AND NO MORE THAN eleven members. Members shall be selected by the Mayor, by and with the consent of the majority vote of the City Council. In selecting the commission members, an attempt shall be made to draw on a wide range of backgrounds and interests to represent the city of Casper's diverse heritage.

PASSED on 1st reading the 3rd day of October, 2017.

PASSED on 2nd reading the 17th day of October, 2017.

PASSED, APPROVED, AND ADOPTED on this 7th day of November, 2017.

Councilmember Huckabay presented the three (3) foregoing consent agenda ordinances for adoption, on third reading. Seconded by Councilmember Powell. Motion passed.

The following ordinance was considered, on second reading, by consent agenda.

ORDINANCE NO. 18-17

AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO PACIFICORP, AN OREGON CORPORATION, DOING BUSINESS AS ROCKY MOUNTAIN POWER.

Councilmember Hopkins presented the foregoing one (1) ordinance for adoption, on second reading, by consent agenda. Seconded by Councilmember Powell. Councilmembers Huckabay, Johnson, and Morgan voted nay. Motion passed.

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 17-202

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER FROM PHILLIPS 66 PIPELINE LLC REGARDING CITY CONSENT TO TRANSFER A PIPELINE LICENSE AGREEMENT FROM PHILLIPS 66 COMPANY TO PHILLIPS 66 LP OR ITS SUBSIDIARIES.

RESOLUTION NO. 17-203

A RESOLUTION AUTHORIZING AN AGREEMENT WITH HIGH PLAINS CONSTRUCTION, INC., FOR JIM EVANS TRUCK BARN SURGE TANK AND LIFT STATION, PROJECT NO. 15-69.

RESOLUTION NO. 17-204

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH ANDREEN HUNT CONSTRUCTION, INC. FOR THE CASPER ZONE III WATER SYSTEM IMPROVEMENTS PROJECT, NO. 13-38.

RESOLUTION NO. 17-205

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND KIMLEY-HORN AND ASSOCIATES, INC. FOR AN URBAN CENTER STRATEGIC PARKING PLAN.

RESOLUTION NO. 17-206

AUTHORIZE THE MAYOR TO EXECUTE THE CERTIFIED LOCAL GOVERNMENT GRANT APPLICATION FY18 FOR FUNDING A PRESERVATION PLAN.

RESOLUTION NO. 17-207

A RESOLUTION RESCINDING RESOLUTION NUMBERS 87-126, 03-256, AND 12-256, AND ADOPTING REVISED HISTORIC PRESERVATION PROGRAM RULES AND REGULATIONS FOR THE CITY OF CASPER, WYOMING.

RESOLUTION NO. 17-208

A RESOLUTION TERMINATING A PROFESSIONAL SERVICE AGREEMENT WITH THE TOWN OF EVANSVILLE FOR BUILDING DIVISION SERVICES.

RESOLUTION NO. 17-209
A RESOLUTION TERMINATING A PROFESSIONAL
SERVICE AGREEMENT WITH THE TOWN OF BAR NUNN
FOR BUILDING DIVISION SERVICES.

Councilmember Morgan presented the foregoing eight (8) resolutions for adoption. Seconded by Councilmember Johnson. Councilman Walsh voted nay on Resolution No. 17-205. Motion passed.

Moved by Councilmember Johnson, seconded by Councilmember Morgan, to, by consent minute action, approve the correction of scrivener's error contained in the Natrona County Travel and Tourism Joint Powers Agreement Amendment No. 4; and authorize the expenditure of \$26,493.32 of budgeted revenue in the general fund for the current fiscal year to support the community promotions events, as outlined in staff's report dated November 1, 2017, and authorize City Manager to execute necessary agreements. Motion passed.

Individuals addressing the Council were: Deborah Cheatham, 333 S. Socony, requesting information be released regarding the complaint she filed; Tracy LaMont, 721 E. 12th, regarding various concerns; Dennis Steensland, 533 S. Washington, requesting Ms. Cheatham's concerns be addressed; Dale Zimmerle, 3035 Bellaire, apologizing to Council for his previous comments; Maggie Jacobson, 455 Milton, inquiring about the Verda James overpass; and Keith Goodenough, 333 S. Socony, clarifying the process to remove an item from consent, speaking of the legality of having an adult oriented store, asking about Councilmember Huckabay abstentions on votes, and requesting that Councilmembers please speak into the microphones.

Mayor Pro Tem Pacheco noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, November 14, 2017, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, November 21, 2017, in the Council Chambers.

At 7:35 p.m., it was moved Councilmember Johnson, seconded by Councilmember Hopkins, to adjourn into executive session to discuss litigation. Motion passed. Council moved into the Council meeting room.

Council returned to the Council Chambers. At 8:16 p.m., it was moved by Councilmember Walsh, seconded by Councilmember Laird, to adjourn the executive session. Motion passed. Council directed Interim City Attorney Chambers to work with Ms. Cheatham's attorney to resolve her request for information. The meeting was adjourned at 8:20 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Kenyne Humphrey
Mayor