

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
September 3, 2019

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, September 3, 2019. Present: Councilmembers Bates, Cathey, Freel, Hopkins, Huber, Johnson, Lutz, Pacheco, and Mayor Powell.

2. PLEDGE OF ALLEGIANCE

Citizen Rosalind Grenfell led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Pacheco, seconded by Councilmember Hopkins, to, by minute action, approve the minutes of the August 20, 2019, regular Council meeting, as published in the Casper-Star Tribune on August 26, 2019. Motion passed.

4. MINUTES

Moved by Councilmember Johnson, seconded by Councilmember Lutz, to, by minute action, approve the minutes of the August 27, 2019, special Council meeting, as published in the Casper-Star Tribune on September 1, 2019. Motion passed.

5. EXECUTIVE SESSION MINUTES

Moved by Councilmember Freel, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the August 27, 2019, executive session. Councilmember Cathey requested the scrivener’s error on the minutes be corrected. With the correction made, motion passed.

6. BILLS & CLAIMS

Moved by Councilmember Johnson, seconded by Councilmember Huber, to, by minute action, approve payment of the September 3, 2019, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 09/03/19		
71Const	Projects	\$163,339.40
AMBI	Services	\$850.34
AAALndsc	Services	\$1,685.96
AirCmfrt	Services	\$12,465.00
AJuarez	Reimb	\$150.00
AltitudeRecy	Services	\$47,235.00
AmeriTech	Goods	\$451.20
AndreenHunt	Projects	\$74,631.87
Arrwhead	Services	\$770.93
AtlnticElctric	Projects	\$3,322.59
B&Bsales	Goods	\$ 2,452.89
B32Eng	Projects	\$7,755.98
BankofAmerica	Goods	\$54,250.98

BarnardRealEst	Refund	\$ 50.00
BigWest	Services	\$6,385.00
BlckHillsEnergy	Utilities	\$14,592.46
BArellano	Reimb	\$460.80
Brenntag	Goods	\$77,513.95
BWilliams	Reimb	\$150.00
CarusInc	Goods	\$17,496.00
CsprHsing	Funding	\$542.90
CsprPubUtl	Utilities	\$144.06
CsprStarTrib	Ads	\$1,490.34
CntrlTrck	Goods	\$340.00
CenturyLink	Utilities	\$869.45
CH2MHill	Services	\$14,702.85
Cigna	Services	\$ 12,001.86
CityofCasper	Services	\$78,192.76
CvlEngProf	Services	\$2,575.17
CRickett	Reimb	\$135.99
CommTech	Services	\$13,348.11
CPU	Services	\$24,612.50
CrimeSceneInfo	Services	\$109.87
Dell	Goods	\$11,022.32
DeltaDental	Services	\$1,578.50
DPCInd	Goods	\$20,808.06
EastlandDev	Goods	\$560.00
EmrgncyMed	Services	\$4,973.70
Envrnmntl&CvlSol	Services	\$11,474.86
EKetchum	Reimb	\$930.61
FConaway	Services	\$200.00
FirstData	Services	\$8,830.78
FIB	Services	\$428.02
Galls	Uniforms	\$1,314.10
Geosyntec	Services	\$16,835.04
GYoneda	Reimb	\$15.00
Homax	Goods	\$14,587.78
HydroProd	Goods	\$7,445.00
InbrgMiller	Services	\$2,797.00
Installation&Svc	Services	\$19,253.00
JCraft	Reimb	\$150.00
JSpeiser	Reimb	\$440.63
JHenderson	Reimb	\$2,026.66
JKCEng	Services	\$2,984.50
JHart	Reimb	\$177.93
JStowers	Reimb	\$116.55
KellySvcs	Services	\$1,768.80
KnifeRvr	Goods	\$23,658.28

KHazelton	Reimb	\$460.80
Kubwater	Goods	\$5,618.85
KVDavisCnsling	Services	\$ 100.00
LincolnNtlLife	Services	\$269.85
LisasSpicenspan	Services	\$760.00
LongBldgTech	Services	\$2,346.00
MKFraser	Reimb	\$ 150.00
Motorola	Goods	\$30,390.06
MtnStates	Services	\$129.31
MtnWest	Services	\$500.00
Nalco	Goods	\$15,919.20
NCHHealthDept	License	\$410.00
Pepsi	Goods	\$993.60
PillarStructuralEng	Services	\$2,000.00
PostalPros	Services	\$11,358.46
PSCC	Services	\$6,703.68
RRMgmt	License	\$235.41
RckyMtnPwr	Utilities	\$63,503.96
RootrSwr	Services	\$915.68
Saltus	Services	\$292.00
Solarwinds	Services	\$7,165.00
Stantec	Services	\$ 7,881.05
StotzEquip	Goods	\$3,266.00
SummitElect	Services	\$173.59
TRoylance	Reimb	\$62.97
TGollnick	Reimb	\$ 100.00
TopOffice	Goods	\$101.97
TransmissionDist	Projects	\$152,175.91
TretoConst	Projects	\$410,643.91
Uniforms2Gear	Uniforms	\$154.96
UrgentCare	Medical	\$969.00
VRCCo	Services	\$40.00
WColemanConst	Services	\$14,230.90
WSM&T	Services	\$1,200.00
Wenck	Services	\$13,285.86
WstrnStatesFire	Services	\$450.00
WPD&N	Services	\$2,869.00
WLCEng	Services	\$3,731.73
Wydot	Services	\$108.86
		\$1,551,120.90

7. BRIGHT SPOT

Mayor Powell welcomed Susan Haines, and Rosalind Grenfell of the Wyoming Society of the United States Daughters of 1812 (Society). Ms. Grenfell, Society State Vice President, spoke about Star-Spangled Banner Day and Mayor Powell read and presented proclamations to the ladies in honor of Constitution Week and Star-Spangled Banner Day.

RESOLUTION – NOT ON AGENDA

Moved by Councilmember Cathey, seconded by Councilmember Hopkins, to by minute action suspend the rules of Council to consider an item not on the agenda. Councilmember Huber read the following resolution:

RESOLUTION NO. 19-188

A RESOLUTION AUTHORIZING ACKNOWLEDGING
FIRST RESPONDERS INVOLVED IN 9/2/19 EXPLOSION.

Council then voted on the motion to suspend the rules. Motion passed. Moved by Councilmember Huber, seconded by Councilmember Johnson to pass the foregoing resolution. Motion passed.

8. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Dennis Steensland, 533 S. Washington, asking Council to reconsider selling the former Plains Furniture Property at a loss; and Woody Giles, 290 E. Magnolia, requesting Council consider changing the property tax structure.

Mayor Powell then moved to item 10.A before proceeding to item 9 on the agenda.

10.A PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of the vacation and replat creating the Johnny J's Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated August 30, 2019 and an affidavit of publication, as published in the Casper-Star Tribune, dated August 26, 2019. City Manager Napier provided a brief report.

Speaking in support was John Johnson, 1917 Rustic Court. There being no others to speak for or against the issues involving the Johnny J's Addition, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 27-19

AN ORDINANCE APPROVING A VACATION, REPLAT,
SUBDIVISION AGREEMENT AND ZONE CHANGE
CREATING THE JOHNNY J'S ADDITION SUBDIVISION IN
THE CITY OF CASPER, WYOMING.

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

9. ESTABLISH PUBLIC HEARING

Moved by Councilmember Cathey, seconded by Councilmember Johnson, to, by minute action: establish September 17, 2019, as the public hearing date for the consideration of new Restaurant Liquor License No. 41 for El Burro Loco, LLC d/b/a El Burro Loco, located at 2333 East Yellowstone Highway. Motion passed.

10.B PUBLIC HEARING - RESOLUTION

Mayor Powell opened the public hearing for the consideration of levying a lien against real property located at 1129 East C Street.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated August 21, 2019 and an affidavit of publication, as published in the Casper-Star Tribune, dated August 26, 2019. City Manager Napier provided a brief report.

Speaking in favor was Dennis Steensland, 533 S. Washington. City Manager Napier further explained this type of lien and addressed questions presented by Council. There being no others to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 19-182
A RESOLUTION AUTHORIZING A DEMOLITION LIEN IN
THE AMOUNT OF SIX THOUSAND FOUR HUNDRED
FORTY-EIGHT DOLLARS AND 50/100.

Councilmember Huber presented the foregoing resolution for adoption. Seconded by Councilmember Lutz. Motion passed.

11.A ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 22-19
AN ORDINANCE APPROVING A ZONE CHANGE FOR LOTS
25-26, BLOCK 8 OF THE EAST BURLINGTON ADDITION
SUBDIVISION IN THE CITY OF CASPER, WYOMING.

WHEREAS, an application has been made to rezone all of the above described lots from zoning classifications M-1 (Limited Industrial) and C-2 (General Business), to entirely C-2 (General Business); and,

WHEREAS, after a public hearing on June 20, 2019, 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 25-26, Block 8, East Burlington Addition, located at 442 North Lennox Street, is hereby rezoned from zoning classifications M-1 (Limited Industrial) and C-2 (General Business), to entirely 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 6th day of August, 2019.

PASSED on 2nd reading the 20th day of August, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 3rd day of September, 2019.

Councilmember Pacheco presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Freel.

No citizens spoke on the ordinance. Mayor Powell asked for an overview of the item, which Liz Becher, Community Development Director provided. Motion passed.

11.B ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 23-19
AN ORDINANCE APPROVING A ZONE CHANGE OF THE
FORMER NORTH CASPER ELEMENTARY SCHOOL
LOCATED AT 1014 GLENARM STREET.

WHEREAS, an application has been made to rezone Lots 51-69 and 151-169, Block 29, North Casper Addition to the City of Casper, Natrona County, Wyoming, and Vacated alley Adjacent to Lots 51 through 64 and Lots 151 through 164, Block 29, North Casper Addition to the City of Casper, Natrona County, Wyoming, being also described as the North 350 Feet of the alley within Block 29, North Casper Addition to the City of Casper, Natrona County, Wyoming, from ED (Educational District) zoning to C-2 (General Business) zoning; and,

WHEREAS, after a public hearing on June 20, 2019, 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 51-69 and 151-169, Block 29, North Casper Addition to the City of Casper, Natrona County, Wyoming, and Vacated alley Adjacent to Lots 51 through 64 and Lots 151 through 164, Block 29, North Casper Addition to the City of Casper, Natrona County, Wyoming, being also described as the North 350 Feet of the alley within Block 29, North Casper Addition is hereby rezoned from zoning classification ED (Educational District) zoning to C-2 (General Business) zoning.

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 6th day of August, 2019.

PASSED on 2nd reading the 20th day of August, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 3rd day of September, 2019.

Councilmember Hopkins presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Cathey.

There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

11.C ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 25-19

AN ORDINANCE AMENDING CHAPTER 8.04 OF THE
CASPER MUNICIPAL CODE

WHEREAS, the current Casper Municipal Code regarding businesses affecting the public health requires an update to prevent duplication of effort and to promote efficiency and to accurately reflect the practices and duties of the City -County Health Department.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That Chapter 8.04 of the Casper Municipal Code, specifically, Code Sections 8.04.010, 8.04.020 and 8.04.060, are hereby amended as follows:

Paragraph B of Section 8.04.010 shall be amended to read:

B. "Businesses affecting the public health" means any business other than mobile food vehicles and their operators, within the city furnishing to the public any food and drink, lodging, body art and permanent cosmetic establishments, supervision and care of children and all like services or business, whether such services or businesses are on or off the premises."

Section 8.04.020 of the Casper Municipal Code, Paragraph A.1. is amended to read:

A. Every business affecting the public health shall, before beginning business, apply to the city for a license, and, after the business and premises are inspected and approved by the health officer and payment of the proper fee, such license shall be issued. The license fee shall be:

1. Seventy-five dollars for swimming pools, food manufacturers, food distributors, food processors, groceries, bakeries, meat markets and delicatessens; provide, however, that groceries or supermarkets shall be charged a base license fee of seventy-five dollars, plus twenty-five dollars each for meat markets, bakeries and delicatessens;

2. Twenty-five dollars for campground facilities, motels, hotels, bed and breakfasts and body art and permanent cosmetic establishments;

3. Fifty dollars for child day-care facilities;

4. One hundred dollars for bars. If a bar provides food, an additional license fee of twenty-five dollars is required;

One hundred dollars for restaurants. If a restaurant provides alcoholic liquor or malt beverage, an additional license fee of twenty-five dollars is required;

6. No license fee shall be required for food service facilities on any parochial, private or public school property.

8.04.060 — Employee health conditions.

Every person in contact directly or indirectly with the public while employed by or operating a business affecting the public health and mobile food vendor employees shall be in good health while so engaged. Any such person shall be deemed to be in "good health" when he or she is not suffering from a contagious disease or is not a carrier of a disease that is communicable in form.

PASSED on 1st reading the 6th day of August, 2019.

PASSED on 2nd reading the 20th day of August, 2019.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 3rd day of September, 2019.

Councilmember Pacheco presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Huber.

No citizens spoke on the ordinance. Councilmembers Johnson and Lutz voted nay. Motion passed.

12. ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 26-19

AN ORDINANCE APPROVING THE CITY-INITIATED ANNEXATION OF THE GREEN VALLEY MOBILE HOME PARK, COMPRISING 14-ACRES, MORE OR LESS, LOCATED AT 2760 SOUTH ROBERTSON ROAD.

Councilmember Johnson presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Lutz.

There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

13. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 19-183

A RESOLUTION APPROVING THE CITY OF CASPER'S TITLE VI PROGRAM AS REQUIRED BY THE DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AND AUTHORIZED BY THE CIVIL RIGHTS ACT OF 1964,42 U.S.C. § 2000D ET SEQ.

RESOLUTION NO. 19-184

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND RDG IA INC DBA RDG PLANNING & DESIGN FOR A CASPER AREA WAYFINDING MASTER PLAN IN AN AMOUNT OF ONE HUNDRED THOUSAND DOLLARS.

RESOLUTION NO. 19-185

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE AGREEMENT WITH WESTERN PLAINS LANDSCAPING, LLC (DBA 3 CORD CONSTRUCTION), FOR A PRICE INCREASE OF \$38,186 AND A TIME EXTENSION OF 167 DAYS FOR THE SWF LANDFILL COMPACTORS STORAGE BUILDING, PROJECT NO. 18-074.

RESOLUTION NO. 19-186
A RESOLUTION AUTHORIZING A CONTRACT FOR
OUTSIDE-CITY SEWER SERVICE WITH MG REAL
PROPERTIES, LTD.

RESOLUTION NO. 19-187
A RESOLUTION AUTHORIZING A CONTRACT WITH
CONVERGEONE, INC, TO UPGRADE THE EXISTING 911
PHONE SYSTEM.

Councilmember Johnson presented the foregoing five (5) resolutions for adoption. Seconded by Councilmember Pacheco. City Manager Napier provided a brief report. Motion passed.

14. MINUTE ACTION— CONSENT

Moved by Councilmember Freel, seconded by Councilmember Hopkins, to, by consent minute action, authorizing the purchase of one (1) new Bobcat Gas Mower, from Midland Implement, in the total amount of \$10,093. Motion passed.

15. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke on meetings and events they attended.

16. 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, September 10, 2019, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, September 17, 2019, in the Council Chambers.

At 6:55 p.m., it was moved Councilmember Huber, seconded by Councilmember Freel, to adjourn into executive session to discuss personnel matters and property acquisition. Motion passed. Council moved into the Council meeting room.

At 7:32 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Johnson, to adjourn the executive session. Motion passed. Council returned to the Council Chambers.

17. ADJOURNMENT

At 7:33 p.m., it was moved by Councilmember Pacheco, seconded by Councilmember Freel, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Charles Powell
Mayor