

WORK SESSION AGENDA



**Casper City Council
City Hall, Council Chambers
Tuesday, April 14, 2020, 4:30 p.m.**

This meeting will not be open to the public, per the order issued by Governor Gordon and the Natrona County Public Health Officer.

Work Sessions are always available for citizens to watch live on the City’s website (casperwy.gov) via YouTube and on cable channel 192. There is no public comment at work sessions, but citizens are welcome to email City Council with any questions or concerns at councilcomments@casperwy.gov before the work session.


Work Session Meeting Agenda		Recommendation	Allotted Time	Beginning Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Council Meeting Follow-up		5 min	4:30
2.	Comp & Class Study Review	Direction Requested	40 min	4:35
3.	WAM Resolutions	Direction Requested	30 min	5:15
4.	Unsafe Structures & Equipment Ordinance	Direction Requested	60 min	5:45
5.	Contract Renewal with Sustainable Strategies	Direction Requested	20 min	6:45
6.	Ordinance Establishing Enforcement Provisions Related to COVID-19	Direction Requested	20 min	7:05
7.	Agenda Review		20 min	7:25
8.	Legislative Review		10 min	7:45
9.	Council Around the Table		10 min	7:55
Approximate End Time:				8:05

Please silence cell phones during the City Council meeting.

We are CASPER

Communication Accountability Stewardship Professionalism Efficiency Responsiveness

April 7, 2020

MEMO TO: J. Carter Napier, City Manager 
FROM: Tracey L. Belser, Support Services Director
SUBJECT: Results of Compensation and Classification Study

Meeting Type & Date

Council Work Session, April 14, 2020

Action type

Direction Requested

Summary

On December 3, 2019, City Council authorized Graves Consulting to conduct a comprehensive compensation and classification study for the City of Casper. On January 14, 2020, Graves Consulting presented an overview of this project to City Council at a City Council Work Session. Since that time, Graves Consulting has completed the Compensation and Classification Study.

Due to social distancing, Graves Consulting will not be on site for their presentation of findings and recommendations for the City of Casper. Graves will conduct their presentation online including questions and answers.

Financial Considerations

Unknown at this time.

Oversight/Project Responsibility

Tracey Belser, Support Services

Attachments

Graves Consulting Executive Summary


City of Casper – Compensation Study – Executive Summary

In our Executive Summary of the Compensation Study results for the City Council we will review the following:

- Market Definition
 - Review the Market Definition and Benchmark Organizations for the City
- Custom Survey Participation and Job Matching
 - 15 organizations provided data and we were able to obtain data from 4 others from the Employer’s Council survey
 - 152 total City positions matched with external data; 40 positions slotted based on internal equity
 - Very solid foundation for this Comp Study
- Proposed Pay Structure –
 - General Government – Proposing an open range system (no predefined steps) with 24 pay grades, varying in width from 35%-40%
 - Police – revised the current step system to add an additional step to Police Officer and widen the range from 22% to 28%
- Benefits Comparison Results and Recommendations
 - The City’s plans compare favorably to market in most areas
 - Potential recommendations include increasing vacation for employees in years 1-4 and increasing retirement contributions for Police
- Overview of Proposed Classification Listing
 - 3 positions with incumbents below the Minimum of the proposed range
 - 11 positions with incumbents above the Maximum of the proposed range
 - 2-3% of City employees will be at or above Max of new range versus 53+% currently
 - New open range structure provides greater flexibility for the City and wider ranges allow employees to progress through the ranges over a longer period of time
- Implementation Recommendations
 - Open range system allows for easy implementation from the current step system. Will recommend placing everyone in the new range and only making pay adjustments for those that fall below the Minimum of the new range. Then the City can fully implement in multiple phases based on budget considerations, using compa-ratio for each employee and focusing a larger percentage of available dollars on those employees who are the farthest below midpoint.

We will address several other issues and review our methodology, findings and recommendations in much more detail in our final written report.

March 30, 2020

TO: J. Carter Napier, City Manager 

FROM: Jolene Martinez, Assistant to the City Manager

SUBJECT: Wyoming Association of Municipalities Legislative Agenda 2021

Meeting Type & Date

Work Session, April 14, 2020

Recommendation

Direction requested.

Summary

As a first step in developing the 2021 Wyoming legislative agenda for both Wyoming Association of Municipalities and the City of Casper, attached are five resolutions for Council to consider authorizing as Casper's submission to WAM. If not selected by WAM for priority, staff requests authorization to pursue the landfill remediation program credit and gaming commission legislation through work with our Natrona County delegation and the Wyoming Association of Sheriffs and Chiefs of Police. WAM will review all member-submitted resolutions at its summer meeting and select the WAM priorities for the 2021 Wyoming legislative session.

In 2019, WAM changed its strategy for the 2020 Wyoming Legislative session. It considered suggestions from its member municipalities, including four Council-approved resolutions. Submitted resolutions were reviewed and divided into four position statements and seven legislative priorities. This lobbying strategy based on a streamlined, prioritized legislative agenda resulted in a more strategic legislative effort with successful outcomes in 2020 including passage of the optional municipal sales tax and surface water diversion legislation. WAM intends to implement a similar strategy for the 2021 Wyoming legislature. This process may result in more success for municipalities as a whole; however, it may exclude important City of Casper legislative issues and may not give legislative issues the same priority Council would give. In summary, staff is seeking Council direction on the suggested resolutions to submit for WAM's 2021 Legislative Agenda.

Financial Considerations

Financial considerations include the staff time and travel expenses that would be dedicated to lobbying for the WAM-selected agenda and landfill remediation program credit, if not selected by WAM.

Oversight/Project Responsibility

J. Carter Napier, City Manager
Jolene Martinez, Assistant to the City Manager

Attachments

Suggested WAM resolutions: (1) unemployment payments for seasonal employees; (2) posting liquor licenses; (3) public records; (4) landfill remediation program credits; and (5) gaming commission

RESOLUTION No. XXXXX

A RESOLUTION TO SUPPORT AND STRENGTHEN THE WYOMING ASSOCIATION OF SHERIFFS AND CHIEFS OF POLICE LOBBYING EFFORT ON GAMING

WHEREAS, the Wyoming Para Mutual Commission was converted into the Wyoming Gaming Commission via the successful 2020 House Bill 138; and

WHEREAS, the bill grandfathers existing “games of skill” until January 1, 2021 and charges the Gaming Commission to study gaming in the state; and

WHEREAS, gaming may cause law enforcement issues for municipalities and Wyoming Association of Sheriffs and Chiefs of Police (WASCOP) was the lead lobbying group on the gaming issue in 2020; and

WHEREAS, the Wyoming Association of Municipalities can reach out to WASCOP and Wyoming County Commissioners Association to build a coalition to support lobbying efforts on gaming in 2021.

NOW, THEREFORE, BE IT RESOLVED that the City of Casper supports a broad coalition to lobby for gaming laws that are good for cities and towns.

Approved on this (date) _____

Mayor

Clerk

RESOLUTION No. XXXXX

A RESOLUTION TO AMEND STATE STATUTE TO ALLOW WDEQ TO ISSUE PAYMENT OF ELIGIBLE LANDFILL REMEDIATION PROGRAM CREDIT TO LANDFILL OWNERS

WHEREAS, State of Wyoming legislators worked with landfill owners to remediate landfills leaking into groundwater and developed a 25% landfill owner cost-share program via state statute; and

WHEREAS, landfill owners that paid for or borrowed money to pay 100% of the costs to remediate their landfills were determined to be eligible for landfill remediation credit; and

WHEREAS, the landfill remediation state statute restricts activities for which the credit can be used such that Casper, Wamsutter, and Thayne will not be able to ever collect their total estimated credits of \$1,904,719.39; and

WHEREAS, an amendment to state statutes that allows for a one-time payment to the three landfill owners to be exclusively used for landfill closure loan repayments, closure/post closure reserve funding, groundwater cleanup and remediation activities, and improving old landfill caps would address the inherent fairness.

NOW, THEREFORE, BE IT RESOLVED that the City of Casper supports such legislation as may be necessary to pay unavailable landfill credits to the three landfill owners.

Approved on this (date) _____

Mayor

Clerk

RESOLUTION No.

A RESOLUTION ENDING THE REQUIREMENT OF POSTING NOTICE OF APPLICATIONS FOR ALL LIQUOR LICENSES RENEWALS, TRANSFERS OR NEW APPLICANTS ON PREMISES.

WHEREAS, Wyoming State Statute 12-4-104 (a) requires municipalities to post notice of applications for all liquor license transfers, renewals and new requests on licensed premise; and

WHEREAS, the current law also requires advertisement in local newspaper for 2 consecutive weeks, and on local website when available; and

WHEREAS, W.S. 12-4-104 (a) requires the City Clerk to post the notices and does not allow for it to be sent to the Owner/proprietor for posting; and

WHEREAS, ending the requirement of posting notices will allow staff to work on other tasks;

NOW, THEREFORE, BE IT RESOLVED that the City of Casper supports such legislation to end the posting of notice of applications on premises.

Approved on this (date) _____

Mayor

Clerk

RESOLUTION No. XXXXX

A RESOLUTION TO PUBLISH BASE ANNUAL SALARIES AND OVERTIME PAID TO EVERY FULL-TIME EMPLOYEE AND ELECTED OFFICIAL IN EVERY GOVERNMENTAL ENTITY WITHIN WYOMING

WHEREAS, municipalities and counties are required to publish, within sixty (60) days after the end of each fiscal year, the name, position, base annual salary of and amount of overtime pay paid to each full-time employee and each elected official; and

WHEREAS, Wyoming has many political entities and sub-divisions not subject to this publishing requirement; and

WHEREAS, publishing within sixty (60) days after the end of each fiscal year, the name, position, base annual salary of and amount of overtime pay paid to each full-time employee and each elected official for every Wyoming governmental entity and sub-division including the state will give Wyoming citizens the financial transparency they request;

NOW, THEREFORE, BE IT RESOLVED that the City of Casper supports such legislation as may be necessary to improve financial transparency in Wyoming.

Approved on this (date) _____

Mayor

Clerk

RESOLUTION No. XXXXX

A RESOLUTION TO AMEND STATE STATUTE TO GIVE SEASONAL EMPLOYER STATUS TO MUNICIPALITIES SUCH THAT SEASONAL EMPLOYEES ARE EXEMPT FROM COLLECTING UNEMPLOYEMENT PAYMENTS

WHEREAS, municipalities have employment opportunities that are seasonal; and

WHEREAS, the current law of the State of Wyoming does not count these jobs as seasonal and grants seasonal employees unemployment which is charged against the municipality; and

WHEREAS, municipalities could have significant cost savings by lowering their unemployment rating and payment obligations;

NOW, THEREFORE, BE IT RESOLVED that the City of Casper supports such legislation as may be necessary to change state statute to give seasonal employer status to municipalities.

Approved on this (date) _____

Mayor

Clerk

April 6, 2020

MEMO TO: J. Carter Napier, City Manager *JCN*
FROM: Liz Becher, Community Development Director *LB*
Keith McPheeters, Police Chief
Thomas Solberg, Fire Chief
Dan Elston, Building Inspection Supervisor (Chief Building Official)
SUBJECT: Unsafe Structures and Equipment Ordinance (Part 2)

Meeting Type & Date:
Council Work Session, April 14, 2020

Action Type:
Direction Requested

Summary:
At the March 10th Council work session, City staff presented maintenance amendments to the City of Casper Municipal Code concerning the most critical life/safety requirements necessary for human habitation. Following the discussion, Council requested that staff create a portal on the City's website to accept public comment about the proposed changes. The portal was open for three weeks and included links to the photos shared at the work session of local living conditions.

Six (6) comments were received. They are included with this memo. City staff met and reviewed the comments and have provided feedback for Council relative to the comments and concerns that were shared.

Council had also requested that staff provide an overview of the enforcement process for the proposed ordinance at the next work session. The overview is also included with this memo. Enforcement of this proposed ordinance is already in place in both the International Building Code and the City of Casper Municipal Code.

The City of Casper currently enforces the 2018 International Building Code, in this code, Section 116 Unsafe Structures and Equipment has one paragraph [A] 116.1 "Conditions" that addresses unsafe conditions. This is general in nature and does not specifically address each of the nine (9) conditions proposed in the Ordinance. By adopting this Ordinance, it will give definitive parameters for interior living conditions that can be enforced to provide for the safety of the occupants. Staff believes that the proposed maintenance amendments are a pathway to enforcement, and will be complaint-initiated by renters, neighbors, employees, and social service agencies.

The nine (9) specific unsafe conditions are: (Definitions are in the proposed ordinance)

- Means of Egress
- Egress Lighting
- Ventilation
- Fire Hazard
- Heating Facilities
- Electrical systems
- Water systems
- Sanitary drainage
- Vacant structures

Community partners such as the City/County Health Department, Department of Family Services and Meals on Wheels support the City's efforts to address unsafe living conditions in Casper because of their first-hand knowledge of some of the deplorable living conditions in which their clients live. Letters of support have been attached.

Financial Considerations:

None

Oversight/Project Responsibility:

Chief Building Official, City of Casper Fire Department - Community Risk Reduction Division, Casper Police Department, and Code Enforcement/Building Inspection Division.

Attachments:

Proposed Ordinance

Public comments received through portal and associated responses

Overview of Enforcement process

Letters of support

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 15.02.120 and 15.04.070 of the
CITY OF CASPER MUNICIPAL CODE

WHEREAS, it is the desire of the governing body of the City of Casper to provide, within the City's existing Ordinance structure, a means to protect against and/or remediate STRUCTURES UNSAFE FOR HUMAN OCCUPANCY; and,

WHEREAS, the current Casper Code in Sections 15.02.010 et. seq. addresses one and two family dwellings; and,

WHEREAS, the current Casper Code in Sections 15.04.010 et. seq. addresses structures other than one and two family dwellings;

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

SECTION 1:

Section 15.02.120 of the Casper Municipal Code is created to define and control unsafe structures:

[1] **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] **Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

- A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.
- B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress, stairways shall be illuminated at all times with not less than 1-foot candle at floors, landings and treads.

- C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
- D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.
- E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.
- Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.
- F. Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.
- G. Water system. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- H. Sanitary Drainage. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.
- I. A vacant structure that is not secured against entry shall be deemed unsafe.

[3] **Structures unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by ordinance or code, or because the location of the structure or the facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] **Unlawful Structure.** An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

SECTION 2:

Section 15.04.070 – Section 105.1 is amended to read:

Section 105.1 – Structures Unsafe for Human Occupancy

[1] **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because the structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[2] **Conditions.** Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress, inadequate light, ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or hazardous maintenance as defined herein, shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

- A. Inadequate means of egress. Means a safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. Locked doors shall be able to be readily opened from the side from which egress is to be made without the use of keys, special knowledge or effort, except where permitted by the International Building Code. Emergency escape openings shall be maintained in accordance with the code in effect at the time of construction.
- B. Multi-Family Egress Lighting. Every common hall and stairway in residential multi-family occupancies shall be lighted at all times. Interior and exterior means of egress, stairways shall be illuminated at all times with not less than 1-foot candle at floors, landings and treads.
- C. Ventilation. Every habitable space shall be ventilated by natural or mechanical means. Natural ventilation means each habitable space shall have not less than one operable window. Mechanical ventilation requires supply and return or exhaust air be provided by approved equipment and produce equal amounts of supply and return or exhaust air.

Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

- D. Fire Hazard - multi-family dwellings and rental units. The required fire resistant-rated construction, including walls, fire stops, shaft enclosures, partitions, smoke barriers, floors, ceilings and sprayed fire resistant materials shall be maintained to limit the spread of fire and smoke. Existing Fire protection systems shall be inspected and maintained. Smoke alarms shall be installed and maintained in institutional and residential dwellings where required. Carbon Monoxide alarms shall be installed and maintained when applicable.
- E. Heating Facilities. Dwellings shall be provided with an approved heating appliance such as a furnace or boiler capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel burning space heaters be used, as a means to provide required heating. Electrical space heaters are allowed for supplemental heat only.

Exception: Fuel burning space heaters shall be allowed for emergency use only, until repairs are complete on the required approved heating appliance.

- F. Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.
- G. Water system. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.
- H. Sanitary Drainage. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage septic system. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. Prohibited: Sanitary waste shall not be collected, stored or disposed of on any property other than as referenced herein.
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facility or equipment within the structure constitutes a hazard to the occupants of the structure or to the public.

[4] **Unlawful Structure.** An unlawful structure is one found whole or in part to be occupied by more persons than permitted by code, or was erected, altered or occupied contrary to law.

[5] **Unlawful Activity.** It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the city, or cause or permit the same to be done, in violation of this code.

SECTION 3:

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

PASSED ON 1st reading the _____ day of _____, 2020.

PASSED ON 2nd reading the _____ day of _____, 2020.

PASSED, APPROVED, and ADOPTED on the 3rd and final reading the _____ day of _____, 2020.

APPROVED AS TO FORM:

CITY OF CASPER, WYOMING

ATTEST:

A Municipal Corporation

Fleur D. Tremel
City Clerk

Steven K. Freel
Mayor

Dan Elston

From: notification@civiclive.com
Sent: Friday, March 13, 2020 11:51 AM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-13 11:51 AM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-13 11:51 AM(MST) was submitted by Guest on 3/13/2020 1:51:18 PM (GMT-07:00) US/Mountain

Name	Value
Last Name Simmons	
First Name Peggy	
Email Address dancerwy1@yahoo.com	
Phone Number 3073157941	
Comments	Not only was I a renter for 50 years, I was also an apartment manager for 2 years. I believe this is a very needed ordinance. As a manager, we kept the apartments in good repair, when we were told of a problem. As a renter, I have dealt with landlords that are less than willing to make needed repairs. I believe when you pay your rent, certain things are the responsibility of the landlord to keep in good functioning order. Especially things like water, heat and electricity. It also works the other way. You, as a renter, need to keep the place as clean as you can, not doing damage to property that you don't own. This ordinance should be able to be used by either party, when the need arises. Having something like this will help make the "slumlords" accountable.

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16538882&contextId=15932970&returnto=submissions>

Dan Elston

To: notification@civiclive.com
Subject: RE: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-13 01:21 PM(MST) Submission Notification

From: notification@civiclive.com [mailto:notification@civiclive.com]
Sent: Friday, March 13, 2020 1:21 PM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-13 01:21 PM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-13 01:21 PM(MST) was submitted by Guest on 3/13/2020 3:21:04 PM (GMT-07:00) US/Mountain

Name	Value
Last Name	Bates
First Name	Jamie
Email Address	jamiebates97358@hotmail.com
Phone Number	307-251-5998

If the purpose of this ordinance is to address slum lords than you need to make sure this cannot apply to private homeowner living in their own homes. What is clean to one person because of their culture is not clean to another person. We should not dictate to people how they should live and take their homes away if they don't have a clean enough place. I know that isn't the intent, but the way it is currently written - it can be applied that way and it is wrong. Address landlord issues only please.

- Comments**
1. This ordinance is to address unsafe conditions, it is not to differentiate between landlords, renters or private home owners.
 2. The ordinance is not to determine cleanliness, unless that cleanliness creates an unsafe condition such as a fire hazard, lack of egress or health hazard.
 3. This ordinance is not to dictate how people should live, please recall it is complaint driven ordinance, it does not give the City the authority to enter your private residence and determine your lifestyle.
 4. There is no provision in the codes or ordinances that allows for the City to "take their homes away" under any circumstances, the ordinance states 2 options under Conditions : "Unsafe structures shall be taken down and removed, or made safe." The purpose of the option to take down and remove is that there are circumstances that it is not feasible (due to costs) to make a structure safe, therefore at the owners desire it may be removed.
 5. The Ordinance is to provide for the safety of the occupant whether it be a renter, or an owner of the structure. Because you are the owner should not allow for unsafe conditions.

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16539424&contextId=15932970&returnto=submissions>

Dan Elston

To: notification@civiclive.com
Subject: RE: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 09:51 AM(MST) Submission Notification

From: notification@civiclive.com [mailto:notification@civiclive.com]
Sent: Saturday, March 14, 2020 9:51 AM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 09:51 AM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 09:51 AM(MST) was submitted by Guest on 3/14/2020 11:51:21 AM (GMT-07:00) US/Mountain

Name	Value
Last Name	Gieske
First Name	Amy
Email Address	agieskel@gmail.com
Phone Number	3072596922

I am a (small) landlord with very well maintained properties and I definitely support a city ordinance to address substandard living conditions. However, I think it is extremely important to differentiate between issues which are the landlord's responsibility and those which rest with the tenant. Out of the photos you have included here, several are clearly landlord issues.....gross failures to maintain mechanical systems and structural elements. But three of them either are, or may be, failures on the part of tenants. Clutter beside the bed is clearly a tenant housekeeping matter or a matter of mental illness. A portable propane heater may have been set up by the tenant, and feces on the wall were no doubt put there by the residents, clearly a tenant mental health issue, although if the landlord becomes aware of it and doesn't evict the tenant and clean it up immediately then it's obviously a landlord mental health issue!

Comments In such situations any regulatory action should also apply to the tenant and there should be some provision to differentiate between the landlord's and the tenant's responsibilities. None of what I am saying is to excuse a landlord from his or her responsibility for maintenance:..I have been in some truly appalling houses around town which have been indisputably the result of gross negligence and greed on the landlord's part, and I think we all know who some of those landlords and property managers are. I just think we need to be careful to not absolve tenants of their responsibility. The Authority having Jurisdiction does not assign responsibility for code violations. It is the desire of the City of Casper that the unsafe condition be removed or repaired. It would be the owners responsibility to determine liability. If this is in a rental situation the City of Casper would require the owner to alleviate the code violation, whether it be the occupant or the owner who created the violation.

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16542115&contextId=15932970&returnto=submissions>

Dan Elston

To: notification@civiclive.com
Subject: RE: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 10:19 AM(MST) Submission Notification

From: notification@civiclive.com [mailto:notification@civiclive.com]
Sent: Saturday, March 14, 2020 10:20 AM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 10:19 AM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-14 10:19 AM(MST) was submitted by Guest on 3/14/2020 12:19:37 PM (GMT-07:00) US/Mountain

Name	Value
Last Name	Gieske
First Name	Amy
Email Address	agieske1@gmail.com
Phone Number	3072596922

After reading the ordinance, I think something should be included making it clear that, if a structure or system is well maintained, that it DOES NOT need to be brought into compliance with current codes. There are several references in the ordinance to codes fire-resistant walls etc which may be current building code requirements, but which were probably not requirements at the times the homes were built. The ordinance should have some wording about "safe and adequately maintained in accordance with building practices at the time the structure was built" or something like that. We certainly don't want the law of unintended consequences to bite us in the butt and technically condemn three quarters of our residences.

Comments It's easy to think that a reasonable person would not interpret the ordinance to, for example, condemn at least 75% of the residences in town to upwards of \$20,000 worth of electrical, plumbing, and firewall upgrades., but without attention to careful wording, it could happen. Just like how we find ourselves now unable to enforce the most basic quality of housing standards, because of, in essence, "lack of wording". The International Existing Building Code, Section 302.3 Additional Codes and Section 302.4 Existing Materials refers to this concern. "Materials already in use in a building in compliance with requirements or approvals in effect at the time of their erection or installation shall be permitted to remain in use unless determined by the Building Official to be unsafe.

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16542146&contextId=15932970&returnto=submissions>

Dan Elston

To: notification@civiclive.com
Subject: RE: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-15 07:44 PM(MST) Submission Notification

From: notification@civiclive.com [mailto:notification@civiclive.com]
Sent: Sunday, March 15, 2020 7:44 PM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-15 07:44 PM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-15 07:44 PM(MST) was submitted by Guest on 3/15/2020 9:44:15 PM (GMT-07:00) US/Mountain

Name	Value
Last Name	Carnahan
First Name	Randall
Email Address	rbcidwyo@gmail.com
Phone Number	307-577-3492 (work)

Comments The State of Wyoming has laws to deal with this situation. It is the Wyoming Residential Rental Property Act. It seems like an overreach to me for the city to get in the middle of this when laws already exist at the state level. Perhaps a better use of time and resources could be to dedicate some city official to assist tenants who are living in squalor by mediating with their landlord or helping direct them to the Natrona County Circuit Court, which already has jurisdiction over these residential rental property issues. Additionally, I have a neighbor (code enforcement is very familiar with) that is living in these conditions, but they are not renting....they are squatting in their dead relative's home and paying the taxes. Would your ordinance address this kind of problem? Because to date, your code enforcement seems largely unable to get them to clean up this health hazard in a sustainable way. The town of Mills tried something like this several years ago: There was one or two bad landlords so they tried to pass an ordinance that would substantially punish all landlords. Most landlords do a good job in this community. Maybe instead of passing another law, you could try enforcing the laws that exist, and specifically target the bad apples that are giving landlords a bad name. John Henley to reply.

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16543104&contextId=15932970&returnto=submissions>

The first paragraph of the owner's duties under the Residential Rental Property Act, sound promising, but the procedure to get relief, is a civil court suit, which requires a specific process, even before the suit is filed, and the owner as a defense to the claim may refuse to correct the unsafe, unsanitary, and uninhabitable conditions by stating the costs of repairs exceeds an amount which would be reasonable in light of the rent charged, and the nature of the rental property or the rental agreement. There are other provisions that assure that this statute is seldom, if ever used. A sample of the provisions that mitigate against a poor or less educated renter using this Act are:

If the renter is current on all payments required by the rental agreement and has reasonable cause supported by evidence to believe the residential rental unit does not comply with the standards for health and safety required under this article, the renter shall advise the owner in writing of the condition and specify the remedial action the renter requests be taken by the owner. Within a reasonable time after receipt of this notice, the owner shall either commence action to correct the condition of the residential rental unit or notify the renter in writing that the owner disputes the renter's claim. The notices required by this subsection shall be served by certified mail or in the manner specified by W.S. 1-21-1003.

The owner may refuse to correct the condition of the residential rental unit and terminate the rental agreement if the costs of repairs exceeds an amount which would be reasonable in light of the rent charged, and the nature of the rental property or rental agreement. If the owner refuses to correct the condition and intends to terminate the rental agreement, he shall notify the renter in writing within a reasonable time after receipt of the notice of noncompliance and shall provide the renter with sufficient time to find substitute housing, which shall be no less than ten (10) days and no more than twenty (20) days from the date of the notice. If the rental agreement is terminated, the rent paid shall be prorated to the date the renter vacates the unit and any balance shall be refunded to the renter along with any deposit due in accordance with W.S. 1-21-1208.

If the owner has not corrected or used due diligence to correct the conditions following notice under this section, or if the owner has notified the renter that the claim is disputed, the renter may commence a civil action in circuit court. The court shall endorse on the summons the number of days within which the owner is required to appear and defend the action, which shall not be less than three (3) and no more than twenty (20) days from the date of service. Upon a showing of an unreasonable refusal to correct or the failure to use due diligence to correct a condition described in this article, the renter may be awarded costs, damages and affirmative relief as determined by the court. Damages awarded to the renter may include rent improperly retained or collected. Affirmative relief may include a declaration terminating the rental agreement, or an order directing the owner to make reasonable repairs.

Upon regaining lawful possession of the rental unit following termination of the rental agreement, the owner may immediately dispose of any trash or property the owner reasonably believes to be hazardous, perishable or valueless and abandoned. Any

property remaining within the rental unit after termination of the rental agreement shall be presumed to be both valueless and abandoned.

Dan Elston

From: notification@civiclive.com
Sent: Monday, March 16, 2020 12:56 PM
To: Dan Elston
Subject: Public Comment Unsafe Structures and Equipment Ordinance 2020-03-16 12:55 PM(MST) Submission Notification

Public Comment Unsafe Structures and Equipment Ordinance 2020-03-16 12:55 PM(MST) was submitted by Guest on 3/16/2020 2:55:43 PM (GMT-07:00) US/Mountain

Name	Value
Last Name	Ross
First Name	Heather
Email Address	heather0ross@gmail.com
Phone Number	3072770783

Comments

With more than thirty years of experience working in the non-profit, social services field I have visited hundreds of low-income rentals in our community. I have countless stories of local Casper citizens living in horrific conditions - worse yet, they were paying to live there. I have worked for programs who were able to provide assistance for rent, where we agonized over the fact we would be paying landlords for inhumane conditions. To help you understand my experiences, I would like to provide a few specific encounters I had while visiting rentals during my employment with Head Start and/or Community Action Partnership. 1. A child and mother living in a one car garage - complete with a garage door that they entered and exited from. Heat came from a 2'x3' electric heater, a microwave to heat food, a dorm size refrigerator to store food and a utility sink - meaning my report to the Dept. of Family Service was unsubstantiated because there was food, heat and running water. The mother was receiving assistance for rent. 2. A single wide trailer park where the ceiling was falling in. The smaller of the two bedrooms had a ceiling that was sagging approximately 9-12 inches into the room. The sagging area was in the center of the bedroom, where a light fixture remained attached. There was approximately a one inch stain of water surrounding the outer sagging edges. I recommended the mother move the children's crib and toddler bed from the compromised room into the living space of the home. I'm not sure how much the rent was for the home. 3. A single wide trailer home I visited had rotten, broken steps to the door, exposed wire hanging from a broken light switch in the living room, a non-working stove, a child's bedroom wall with more than 30% of the paint peeling, and windows throughout the unit that couldn't be closed tightly. The family was requesting assistance to move into the rental property that would be \$500 a month. 4. A basement apartment where the only door to enter/exit outside could be pushed open (doorknob and lock didn't work). The area that was supposed to be considered the living room/kitchen also included the open furnace and hot water heater for the home. Additionally, there were exposed sewer pipes running along the wall about 3-4" from the cement floors (including exposed joints). This was basically an unfinished basement with an outside door that was being rented for \$400 a month. My last two examples included properties I visited with the landlord. At both locations landlords acted unaware of any hazards I mentioned, talked about how expensive repairs would be and the lack of housing regulations in the city, of which they were both very aware. These are all true stories. These all included low-income, at-risk families with children under the age of eight. Please help people who are being paid to protect children and families in our community by providing us with regulations to stand behind. As

advocates for our most vulnerable populations, we cannot do our jobs without the means to do so. Heather Ross Casper Resident Since 1989

To view this form submission online, please follow the link below:

<https://casperwy.gov/form/one.aspx?objectId=16545780&contextId=15932970&returnto=submissions>

STRUCTURES UNFIT FOR HUMAN OCCUPANCY - ENFORCEMENT

The enforcement steps of the proposed ordinance are set forth in the relevant codes and in the Casper Municipal Code. The provisions of the proposed ordinance addressing one and two family dwellings are attached to the Residential Code, Chapter 15.02 in the Casper Municipal Code; for structures other than one and two family dwellings, the proposed ordinance is attached to the Building Code, Chapter 15.04 in the Casper Municipal Code.

The violation provisions and appeals provisions in both the Residential Code and Building Codes mirror each other. The process generally is:

- **Notice of violation.** The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code.
- Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. This is basically a fix it ticket.
- **Method of Service.** Such notice shall be deemed properly served if a copy thereof is: delivered to the *owner* personally; sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested; or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's agent or on the person responsible for the structure shall constitute service of notice on the *owner*.
- **Appeal.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the provisions, there may be an appeal to the "board of appeals".
- The application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed.
- The board of appeals shall consist of members who are qualified by experience and training to pass the matters pertaining to building construction and are not employees of the jurisdiction.
- **Penalties and Remedies.** Any person who violates the provisions of the code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of

the building official or of a permit or certificate issued under the provisions of this code, shall be subject to the general penalty provision of the Casper Code up to a \$750.00 fine.

- City of Casper **Municipal Code** states:

Building Code 15.04.150 – Violation – Penalty

Any person violating any of the provisions of the code adopted by this chapter shall be deemed guilty of a misdemeanor. Each and every such day or portion thereof during which any violation of any provisions of such code is committed, continued or permitted shall be a separate offense. Upon conviction of any such violation, such person may be punished as set forth in Chapter 1.28 of this code.

- City of Casper **Municipal Code**

Chapter 1.28.010 Penalties for code violations, B. Any misdemeanor committed in the City shall be punishable only by a fine of not more than seven hundred fifty dollars, to which may be added court costs as set by the municipal court, but not to exceed ten dollars for all violations, except as otherwise provided.

- In addition, if the notice of violation is not complied with promptly, the building official is authorized to request the City Attorney to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. This most likely would be a civil procedure for an emergency safety concern.



January 6, 2020

Dan Elston
City of Casper Building Department
200 North David
Casper WY 82601

To Whom It May Concern;

This is a letter of support for the implementation of Property Maintenance Codes by the City of Casper Building Department.

Poor-quality housing is associated with various negative health outcomes, including chronic disease, injury, and poor mental health as well as have harmful effects on early childhood development.

- Lead poisoning irreversibly affects brain and nervous system development, resulting in lower intelligence and reading disabilities.
- Substandard housing such as water leaks, poor ventilation, dirty carpets and pest infestation can lead to an increase in mold, mites and other allergens associated with poor health.
- Cold indoor conditions have been associated with poorer health, including an increased risk of cardiovascular disease. Extreme low and high temperatures have been associated with increased mortality, especially among vulnerable populations such as the elderly.
- Residential crowding has been linked both with physical illness, such as tuberculosis and respiratory infections and with psychological distress among both adults and children.

The Department of Health and Human Services, Healthy People 2020, includes quality of housing as one of the social determinants of health. The Community Health Needs Assessment conducted jointly by the Casper-Natrona County Health Department and the Wyoming Medical Center identified safe and affordable housing as an area of concern and a work group is in place to attempt to address this issue through the through the Community Health Improvement Plan.

On a personal note, I am an Occupational Therapist that provided home health services for over ten years. Some of the houses that I was in were horribly cluttered and unsafe to maneuver within the house and also puts limitations on the emergency medical services that could be provided. Houses with clutter outside the home can become hazardous with risks of falls, sanitation and harboring animals that carry disease. Some of our most vulnerable populations are unable to care for the home and area which puts them at risk, as well as family and medical providers and the safety of the community at risk. I would hope and encourage that Fire and

CasperPublicHealth.org
Phone: 307.235.9340 Fax: 307.237.2036 Address: 475 S. Spruce Street, Casper, WY 82601



**CASPER-NATRONA
COUNTY HEALTH DEPARTMENT**

Police have a voice at the table as they have experienced firsthand some of the safety and health concerns that limit our overall health and protection.

The Casper-Natrona County Health Department fully supports the City of Casper Building Department in their proactive efforts to ensure safe and quality housing for the individuals living in the City of Casper.

Please let me know if you have any questions or would like additional information.

Respectfully submitted,

A handwritten signature in black ink that reads "Anna M. Kinder".

Anna M. Kinder, M.S.OTR/L

Executive Director

Casper Natrona County Health Department

CasperPublicHealth.org

Phone: 307.235.9340 Fax: 307.237.2036 Address: 475 S. Spruce Street, Casper, WY 82601



PO Box 2030 Casper, WY 82602-2030 307.265.3002 wyomission.org

February 26, 2020

Dan Elston
City of Casper
200 N David, Rm 205
Casper, WY 82601

Dear Dan:

As we serve to empower homeless and impoverished individuals and families to achieve independence and productive community engagement, we've observed through the years many challenges our guests face. In particular, one challenge low income individuals face relates to City codes, or lack thereof, defining a basic standard of habitability for rental properties.

As there are laws protecting landlords from bad tenants, we would advocate for the City to develop a simple and enforceable set of modern habitability standards to protect tenants from grossly negligent landlords. Perhaps with this the City could consider a program to financially incentivize qualifying low income landlords with assistance toward updating property in code violation with upgrades.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Brad Hopkins", with a long horizontal flourish extending to the right.

Brad Hopkins
Executive Director

April 6, 2020

MEMO TO: J. Carter Napier, City Manager *JCN*
FROM: Liz Becher, Community Development Director *LB*
SUBJECT: Contract Renewal with Sustainable Strategies DC (S2)

Meeting Type & Date:
Council Work Session, April 14, 2020

Action Type:
Direction Requested

Summary:
Last spring, Council was approached by Advance Casper (formerly CAEDA) to enter into a contract with Sustainable Strategies DC (S2) for strategic economic consulting and grant-writing. The contract was a joint agreement between Advance Casper, Natrona County, the Town of Mills, and Casper. The Casper City Council committed \$10,000 to the contract.

Over the past year, the City has engaged with Sustainable Strategies on multiple grant applications, federal agency introductions and meetings, a presentation at the National Brownfields Convention with the EPA, and ongoing development discussions with our municipal partners. Momentum has continued to increase, and the contract is now up for renewal.

Advance Casper, who initiated the original contract, has provided a letter to the City sharing the outcomes and their recommendation that the contract be renewed for another year, at the same financial commitment as last year. With Council's direction, staff would like to bring the renewal contract forward for formal approval at the next regular meeting.

Financial Considerations:
Funding for the contract will come from Council Other Contractual – existing available funds.

Oversight/Project Responsibility:
Liz Becher, Community Development Director

Attachments:
Letter from Advance Casper
Proposal for Contract Extension from Sustainable Strategies DC (S2)

To: Casper City Council
From: Advance Casper
Date: April 1, 2020
RE: Contract with Sustainable Strategies

To Whom It May Concern:

I write this memo in support of renewing our contract with Sustainable Strategies for another year. I have included, on the following page, some of the projects that they have assisted us with. More importantly, the collaboration among our communities in defining specific goals and working a plan has been the highlight of this agreement, thus far. Instead of each community working diligently in their own interest we move forward as a team understanding the desired outcome and assisting one another through the process with the professional guidance of Sustainable Strategies.

Although I was not in attendance, I believe very strongly that the trip to Washington, D.C. was a pinnacle moment. It gave us the opportunity to put faces and names with the decision makers for the programs, and the relationships made during the trip will be what set us apart from other communities in the highly competitive world of grants.

The agreement will remain the same, if accepted, with Advance Casper contributing \$20K of the proposed \$50K. The remaining \$30K will be split evenly among the City of Casper, Natrona County, and the Town of Mills.

In conclusion, I think it is imperative that we have professional guidance in Washington, D.C. in the upcoming year. The federal government is playing a much larger role in our communities and having a company help us navigate new programs while keeping a finger on the pulse of our nation's capital will be the difference maker.

Thank you for your consideration,



Justin D. Farley CEO/President
Advance Casper

PROJECTS:

Development and implementation of an Opportunity Zone Roadmap and implementation strategy, including through creating a Community Wide Investment Prospectus and assisting with stakeholder education and connection to Opportunity Funds,

- Development and implementation of a Community Wide Roadmap aligning the priorities of Advance Casper, Natrona County, Casper, and Mills,
- Monthly calls to discuss upcoming funding opportunities and Opportunity Zone strategy,
- Continuous consulting on upcoming grant funding through S2spotlight newsletters, client alerts, and on call services,
- Development and submission of a Recreation Economy for Rural Communities technical assistance grant to support a regional strategy for connection outdoor recreation to downtown growth(not awarded),
- Development of a strategy for partnering with the National Development Council to fund construction of a new Casper Police Station,
- Revision of, submission of, and advocacy for a US DOT BUILD application for the Casper Midwest Avenue Reconstruction project(resubmission in progress),
- Assistance with organizing trip for White House Office on Opportunity and Revitalization to Casper to discuss Opportunity Zones and advocate for key projects, including US DOT BUILD grant
- Organization and execution of a DC trip for Casper partners to build relationships with the US Congressional Delegation and federal agencies and to advocate for pending grant applications,
- Advocacy to IRS to ensure Opportunity Zone regulations facilitate redevelopment of brownfields properties (successfully secured key changes to regulations),
- Development of a strategy for pursuing EDA Public Works funds for the Westwinds Road Extension project for Natrona County (on hold for further developments),
- Development and submission of a FEMA Hazard Mitigation application for engineering and design funding for the restoration of the riverfront in Mills (pending),
- Development and submission of a Scotts Field Refurbishment grant for a new infield and other upgrades at a baseball field in North Casper (advanced to final round –pending),
- Development and submission of a FEMA Assistance to Firefighters grant for funding for a new pumper/engine for the Town of Mills Fire Department (pending),
- Development and submission of a DOJ COPS Hiring grant for funding to hire one new police officer (pending),
- Development and submission of an EDA Seed Funding grant for Advance Casper to launch new Breakthrough 307 funds (in progress)



March 17, 2020

To: Justin Farley, Rob Hendry, Carter Napier, Liz Becher, Kevin O'Hearn, Sabrina Foreman
From: Ashley Badesch & Andy Seth
Date: March 17, 2020
Subject: Proposal for Extending Grant-Writing & Advocacy Services in Casper, WY

Dear Casper/Natrona team:

On behalf of Sustainable Strategies DC (S²), I am pleased to provide this proposal for extending our strategic consulting and grant-writing services for the partnership between Advance Casper, Natrona County, City of Casper, and Town of Mills (hereafter "Greater Casper partners"). S² is interested in continuing to work with the Greater Casper partner to strategically leverage federal, state, foundation, and private sector resources to reach the community's goals.

We understand the current crises facing our country has created significant uncertainty about the coming months. We are prepared to help our client communities advocate for and navigate federal aid packages to local governments for coronavirus relief as they emerge. We are also prepared to continue helping our client communities to identify new funding sources to help support small businesses, workers, and vulnerable populations during this time of widespread need.

S² proposes the following approach:

SCOPE OF SERVICES

- 1.) ***Retainer Client Suite of Services:*** S²'s retainer clients receive a suite of services designed to keep them out ahead of federal, state, and philanthropic funding opportunities, as well as engaged in key policy issues that impact similarly situated municipalities. This includes our weekly S² Spotlight newsletter that advises clients of upcoming grant opportunities, as well as Client Alert memos that include detailed information about funding announcements, white papers on relevant federal policy changes, and opportunities to weigh in on issues of importance to local governments. Also, as part of our retainer services, S² will be on-call with the Greater Casper partners to provide strategic consulting and advice on project development to competitively position Casper for resource leveraging.
 - a. *Deliverables:*
 - i. Weekly S² Spotlight newsletter and bi-monthly Client Alert Memos about new funding opportunities sent to designated representatives from Advance Casper,

City of Casper, Town of Mills, & Natrona County.

- ii. On-call availability for advising for Advance Casper, City of Casper, Town of Mills, & Natrona County on funding for projects and project development for duration of 1-year retainer contract.

These strategic consulting services are designed to assist each participating jurisdiction in advancing progress on priority projects (as designated in the Resource Roadmap below) and will be provided ongoing to each participating jurisdiction for the duration of the contract.

- 2.) **Funding Needs Assessment & Resource Roadmap Update:** S² is in the process of talking with each participating community in the Casper/Natrona partnership to determine the priority projects for funding for the coming year. We understand that priorities include:

- **Advance Casper:** Breakthrough 307 funds; energy sector development; entrepreneurial ecosystem development
- **Natrona County:** Westwinds Road Extension Project; solar brownfields redevelopment
- **Casper:** Midwest Avenue Reconstruction; riverfront brownfields cleanup; police station, park upgrades
- **Mills:** Riverfront redevelopment; public safety; parks upgrades

The needs assessment update will inform the update of our Resource Roadmap to include an organized approach to pursuing the federal and state grants that align with your priority projects. The Resource Roadmap will identify the priority projects throughout the Casper area for the coming year that are best positioned to obtain competitive grant resources due to catalytic potential, strong public backing, matching commitment, and capacity for leveraging. The Resource Roadmap will include a funding matrix that describes key information for each funding opportunity, including eligible uses of funds, typical funding ranges, required matching and leveraging levels, deadlines, key competitiveness factors, and points of contact. The Roadmap will outline actionable steps that the Casper partners should follow to leverage funding and implement priority projects most effectively.

- a. **Deliverables:**

- i. Resource Roadmap with overall funding strategy recommendations and individual sections focused on each represented municipality (ADVANCE CASPER, City of Casper, Town of Mills, & Natrona County) by June 10, 2020
- ii. Presentation of Resource Roadmap by conference call with designated representatives from ADVANCE CASPER, City of Casper, Town of Mills, & Natrona County to be scheduled for June 2020

- 3.) **Grant-Writing & Advocacy Assistance:** S² will prepare up to **eight (8)** grant applications (to be distributed among the municipalities as determined by the group) to state, federal, and/or philanthropic funding opportunities that are identified within the Resource Roadmap as aligning with the community's priority needs. For each grant proposal, S² will:

- Prepare a memo outlining the steps the stakeholders must take to gather the appropriate information for the proposal (data, maps, photos, attachments, etc.);
- Prepare a briefing sheet and template letters of support for distribution to project supporters;
- Develop the grant narrative and compile all relevant attachments;

- Develop and implement an advocacy strategy for securing support from relevant agency and elected officials.
- a. *Deliverables:* Up to eight grant application submissions for priority projects selected the participating jurisdictions

4.) ***Casper Leaders D.C. Trip:*** In addition to advocacy on a per project basis, S² will plan a trip for representatives of the City, Town of Mills, Advance Casper, and the County to Washington, D.C., to meet with federal agency officials and the Wyoming Congressional delegation to build important relationships and support for Casper’s projects and pending or planned funding applications. This will of course be contingent upon the situation with the coronavirus at that time; we will also be available to plan virtual meetings whenever necessary. Preparing for advocacy meetings will include compiling briefing sheets, developing talking points, and up and attending meetings. Travel expenses for the participants will be the responsibility of each participating jurisdiction.

- a. *Deliverables:*
 - i. Meetings arranged with Congressional Delegation and key agency officials at date during retainer relationship (late summer 2020 recommended) to be mutually agreed upon by designated attendees from each participating jurisdiction (Advance Casper, City of Casper, Town of Mills, & Natrona County).
 - ii. Briefing materials prepared for participants from each jurisdiction to highlight priority projects for the trip, prepared and delivered to the participants at least 1- week ahead of the trip.

PROPOSED FEE ARRANGEMENT

S² will be paid a flat rate of \$50,000, to be paid as a monthly retainer of \$4,167 over the period of one year, to perform the Scope of Services above. S² will continue to bill Advance Casper monthly, with all jurisdictions paying in at negotiated rates.

Advance Casper shall reimburse S² for reasonable expenses (travel, materials, etc.) incurred in connection with the services rendered, as approved by Advance Casper. Reimbursable costs include travel costs that are attributable to work with Advance Casper. Any extraordinary travel expenses must receive written approval from Advance Casper. S² shall provide Advance Casper with substantiation of all costs incurred.

WORK TO DATE

Our work for the Greater Casper Partners to date has included:

- Development and implementation of an Opportunity Zone Roadmap and implementation strategy, including through creating a Community Wide Investment Prospectus and assisting with stakeholder education and connection to Opportunity Funds,
- Development and implementation of a Community Wide Roadmap aligning the priorities of Advance Casper, Natrona County, Casper, and Mills,
- Monthly calls to discuss upcoming funding opportunities and Opportunity Zone strategy,
- Continuous consulting on upcoming grant funding through S² spotlight newsletters, client alerts, and on call services,

- Development and submission of a Recreation Economy for Rural Communities technical assistance grant to support a regional strategy for connection outdoor recreation to downtown growth (not awarded),
- Development of a strategy for partnering with the National Development Council to fund construction of a new Casper Police Station,
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- Development and submission of a DOJ COPS Hiring grant for funding to hire one new police officer (pending),
- Development and submission of an EDA Seed Funding grant for Advance Casper to launch new Breakthrough 307 funds (in progress)

BACKGROUND ON SUSTAINABLE STRATEGIES DC

S² has extensive experience helping communities to plan and organize effectively to secure resources for economic development, brownfields remediation, community revitalization, and infrastructure. Examples of successful work that demonstrate our value proposition and potential return on investment in communities with brownfields challenges include:

Glenwood Springs, Colorado – Since developing a community-wide Resource Roadmap for Glenwood in the fall of 2016, S²'s grant-writing and advocacy services have helped to secure more than \$10.3 million for priority projects including: \$7 million US DOT BUILD grant to support the reconstruction of South Midland Avenue and deployment of rural broadband; \$1.3 million in Colorado Department of Local Affairs grants to support bridge replacement and a complete streets upgrade; over \$800,000 in Garfield County Federal Mineral Lease District Funds to support a variety of priorities ranging from safe routes to school to drones for the fire department; \$200,000 in EPA Brownfields Area-Wide Planning funding and Targeted Brownfield Assistance to plan for redevelopment of brownfields in the core of the downtown; \$20,000 in History Colorado State Historical Fund Grant for a downtown architectural survey; and \$20,000 National Endowment for the Arts Art Works Grant to support community visioning and design of public art for the historic 6th Street Corridor.

Carlisle, Pennsylvania – Over a period of four years, S² helped the Borough of Carlisle to secure over \$8 million in federal, state, and foundation funding for its community revitalization initiatives, focused primarily in the northwest quadrant where three major factory closures posed barriers to job creation and economic development. In developing and implementing a “Resource Roadmap” for Carlisle, S² helped Carlisle to obtain a \$5 million U.S. Department of Transportation TIGER grant, \$1.5 million PennDOT Multimodal Grant, and \$380,000 Federal Highway Administration Transportation Alternatives Program for critical transportation upgrades in the Borough's distressed northwest quadrant; a \$400,000 U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant to assess contamination at three major dead factory sites; a \$200,000 EPA Brownfields Area-Wide Planning Grant to plan for equitable redevelopment of the brownfields; a \$200,000 EPA Environmental Workforce and Job Training Grant to train and engage local workers in environmental remediation efforts, a \$43,500 Department of Justice Body-Worn Camera Pilot Implementation Grant to maintain trust and accountability between the public and law enforcement; and a \$599,000 Chesapeake Bay Stewardship Fund grant and a \$10,000 National Endowment for the Arts (NEA) Art Works grant to design and construct the innovative and artistic Carlisle Urban Stormwater Park.

Dubuque, Iowa – Since 2009, S² has helped the City of Dubuque secure approximately \$50 million in federal funding for its community revitalization initiatives, including a \$31.5 million Housing & Urban Development (HUD) National Disaster Resilience Competition grant to repair low-income homes and community infrastructure damaged by flooding; an \$8 million Federal Transit Administration (FTA) State of Good Repair grant to build a new intermodal transportation center; a \$5.6 million DOT TIGER grant and a \$600,000 FHWA TCSP grant for a Complete Streets project in the Historic Millwork District; \$200,000 in EPA Brownfields Area-Wide Planning, \$400,000 in EPA Brownfields Assessment, and \$600,000 in EPA Brownfields Cleanup grants for redevelopment of a corridor of former manufacturing sites; a \$500,000 Smart Grid Data Access grant from the U.S. Department of Energy (DOE) to help citizens reduce their electricity consumption; EPA Building Blocks assistance to identify green infrastructure measures to better manage stormwater runoff and land use. S² also helped Dubuque get designated as a 2013 EPA Smart Growth Achievement Award winner for its revitalization efforts.

PROJECT TEAM

The S² work will be performed by Andrew Seth, Ashley Badesch, and Sarah Marin. Following is some brief background on the firm and these five team members:

S² is a government affairs and strategic consulting firm that helps local communities and public agencies obtain resources for revitalization, build public-private partnerships for community projects, and create approaches for success in the green economy (www.StrategiesDC.com). Our focus is on downtown and community revitalization, infrastructure improvements, economic development, brownfields, waterfront restoration, clean energy and green technologies, smart growth, and other sustainable approaches and projects. We represent local governments and public agencies across America; coalitions of public agencies; allies of community revitalization (such as ICMA); and federal agencies (such as U.S. Environmental Protection Agency).

Andrew Seth, President: Andrew Seth is the President of Sustainable Strategies DC, where he

works with local governments across America in identifying and securing resources for their priority needs. He is a national expert on community revitalization, smart growth, brownfields redevelopment, infrastructure investment, and environmental sustainability. Andrew has established and managed multiple coalitions of cities and counties, including Climate Communities, First & Main, the National Association of Local Government Environmental Professionals, and the American Waterfront Revitalization Coalition. He was previously a partner at The Ferguson Group, providing federal advocacy for localities across America. Andrew also served as a project manager on environmental issues at the International City/County Management Association, where he directed the Local Government Environmental Assistance Network. Prior to joining ICMA, he was a member of the government affairs team at Spiegel & McDiarmid. Andrew began his career at the conservation non-profit American Rivers. He earned his Bachelor of Science in Biology from Salisbury State University and a Master of Science in Resource Administration and Management from the University of New Hampshire.

Ashley Badesch, Principal: Ashley Badesch serves as a Principal at Sustainable Strategies DC. A Colorado native, Ashley leads Sustainable Strategies DC's Mountain West practice. Her other practice areas focus on community health and wellness, as well as deploying Opportunity Zones to benefit communities. Prior to joining Sustainable Strategies DC, Ashley worked at the Center for International Policy. Ashley earned her J.D., Magna Cum Laude, at Georgetown University Law Center. She received her Master of Public Policy with a focus in Environmental Policy and a Bachelor of Arts in Spanish and Minor in Philosophy from the University of Virginia.

Sarah Marin, Client Services Manager: Sarah Marin serves as an Associate and Sustainable Strategies DC's Client Services Manager, supporting clients and staff in meeting cities' needs. She is a recent graduate of the George Washington University where she received her Bachelor's degree in International Affairs with focuses in International Environmental Studies and Global Public Health and a minor in Sustainability. Prior to joining the team, Sarah worked at Justice and Sustainability Associates, LLC where she served in a Project Coordinator capacity.

Please let us know if you would like any more information, or to discuss this proposal. We hope to have the opportunity to work with you and the Casper partnership.


Sincerely,

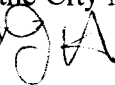
A handwritten signature in black ink, appearing to read "Ashley Badesch". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Ashley Badesch

Enclosure: (1) Success Matrix

April 10, 2020

MEMO TO: J. Carter Napier, City Manager 

FROM: Fleur Tremel, Assistant to the City Manager/City Clerk
John Henley, City Attorney 

SUBJECT: An Ordinance Establishing Enforcement Provisions for the Wyoming Statewide Public Health Orders Related to the COVID-19 Pandemic.

Meeting Type & Date:

Work Session
April 14, 2020

Recommendation:

That Council review the attached ordinance and provide feedback to staff to move forward for formal approval on April 21, 2020.

Summary:

This Ordinance creates enforcement provisions within the Casper City Code consistent with the concerns expressed in the Orders issued by the Governor of the State of Wyoming and with Public Health Orders addressing the COVID-19 pandemic.

This ordinance will make any violation of the requirements of this ordinance, which are consistent with the orders of the State Health Officer, the Natrona County Health Officer, and the Governor of the State of Wyoming, all of which were entered in response to the COVID-19 pandemic, including any continuation of those Orders, a misdemeanor punishable by a fine and jail term as established within the Ordinance. Essentially, this Ordinance will provide the police department an avenue to promote public safety and provide consistency with other Wyoming venues.

Financial Considerations:

The fines would provide minimal revenue, which may help to slightly offset some of the costs of enforcement.

Oversight/Project Responsibility:

John Henley, City Attorney

Attachments:

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING ENFORCEMENT PROVISIONS FOR THE WYOMING STATEWIDE PUBLIC HEALTH ORDERS RELATED TO THE COVID-19 PANDEMIC.

WHEREAS, the governing bodies of all cities and towns may, as part of their general powers regulate, prevent or suppress riots, disturbances, disorderly assemblies, or any other conduct which disturbs or jeopardizes the public health or safety, in any public or private place W.S. §15-1-103(a)(xviii); declare and abate nuisances and impose fines upon parties who create, continue, or permit nuisances to exist W.S. §15-1-103(a)(xix); and adopt ordinances, resolutions, and regulations including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act and, except as provided by W.S. §15-1-103(a)(xlv), enforce all ordinances by imposing fines not exceeding seven hundred and fifty dollars (\$750.00), or imprisonment not exceeding six (6) months, or both W.S. §15-1-103(a)(xli).

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

Section 1. Reserved.

Section 2. This Ordinance creates enforcement provisions within the Casper City Code in consistent with the concerns expressed in the Orders issued by the Governor of the State of Wyoming and with Public Health Orders addressing the COVID-19 pandemic. The Orders considered include: the “SECOND CONTINUATION OF STATEWIDE PUBLIC HEALTH ORDER CLOSING BARS, RESTAURANTS, THEATERS, GYMNASIUMS, CHILD CARE FACILITIES, K-12 SCHOOLS, COLLEGES, UNIVERSITIES, AND TRADE SCHOOLS STATEWIDE” issued by Alexia Harrist on April 3, 2020; and “SECOND CONTINUATION OF STATEWIDE PUBLIC HEALTH ORDER #2: FORBIDDING GATHERINGS OF TEN (10) PEOPLE OR MORE” issued by Alexia Harrist on April 3, 2020, and any further Statewide Public Health Orders issued by the State Health Officer.

Section 3. Violation of any Statewide Order of the State Health Officer entered in response to the COVID-19 pandemic, including any continuation of those Orders, is a misdemeanor punishable by a fine and jail term as established herein.

- A. First violation: \$250.00 fine. A person convicted of a first violation of this section shall be fined two hundred and fifty dollars (\$250.00).
- B. Second violation: \$750.00 fine. A person convicted of a second violation of this section shall be fined seven hundred and fifty dollars (\$750.00).
- C. Any subsequent violation: A person convicted of a third or subsequent violation of this

section shall be fined up to seven-hundred-fifty dollars (\$750.00) and/or imprisonment for a period of time not to exceed six (6) months, in the discretion of the sentencing court.

Section 4. Business establishments and venues where gatherings of people occur in numbers greater than ten (10) are required to impose conditions that ensure compliance with the Statewide orders. Failure to ensure compliance is a violation subject to the same fines noted above. Each violation of a Statewide Order, measured by the number of people in violation, is a separate offense. Managers of business establishments subject to this requirement, as well as individuals in any organization who is responsible for ensuring compliance with this requirement, are individually subject to citation, as well as the entity itself.

Section 5. That this ordinance shall sunset upon the cancellation or retraction of all orders referenced in Section 1, or as of September 1, 2020, whichever first occurs.

Section 6. That this ordinance shall be in full force and effect upon the passage of this ordinance.

Passed on 1st reading the ____ day of _____, 2020.

Passed on 2nd reading the ____ day of _____, 2020.

PASSED, APPROVED, AND ADOPTED on the 3rd and final reading the ____ day of _____, 2020.

APPROVED AS TO FORM:

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor