

COUNCIL PROCEEDINGS  
Casper City Hall – Council Chambers  
October 1, 2019

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, October 1, 2019. Present: Councilmembers Bates, Cathey, Freel, Hopkins, Huber, Johnson, Lutz, Pacheco, and Mayor Powell.

2. PLEDGE OF ALLEGIANCE

Citizen Dodge Landesman led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Bates, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the September 17, 2019, regular Council meeting, as published in the Casper-Star Tribune on September 28, 2019. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Hopkins, seconded by Councilmember Freel, to, by minute action, approve the minutes of the September 17, 2019, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Johnson, seconded by Councilmember Hopkins, to, by minute action, approve payment of the October 1, 2019, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 10/01/19		
307CollisionCtr	Services	\$8,152.11
71Const	Projects	\$ 33,004.92
AMBI	Services	\$104.01
AAALndscpng	Services	\$990.00
AceHrdware	Goods	\$30.82
AGiraldo	Services	\$40.00
AllianceElect	Services	\$260.87
ALopez	Refund	\$37.91
Alsco	Services	\$468.06
Ameri-Tech	Goods	\$1,269.64
Amerigas	Goods	\$441.13
AppliedConcepts	Goods	\$14,682.00
AShadoan	Refund	\$39.45
AtlanticElect	Services	\$7,830.76
AtlasOfficeProd	Goods	\$1,047.96
AUhrich	Reimb	\$68.15
B&Bsales	Services	\$2,070.37
BarDSigns	Services	\$1,305.75
BigWst	Services	\$4,742.00

BlckHillsEnergy	Utilities	\$10,768.85
BlkmnPropane	Goods	\$8,061.14
Brenntag	Goods	\$34,610.21
Caselle	Services	\$75.00
CsprBldgSystems	Services	\$9,214.89
CsprAreaChamber	Dues	\$550.00
CsprStarTrib	Ads	\$1,632.08
CsprTire	Goods	\$315.00
CntrlPaint	Services	\$583.10
CenturyLink	Utilities	\$1,272.51
CH2MHill	Services	\$21,776.46
CitrixSys	Services	\$7,122.38
CityofCasper	Services	\$597,197.89
CollectionCtr	Services	\$1,456.68
CommTech	Services	\$2,010.01
Comtronix	Services	\$1,610.00
Convergeone	Services	\$218.85
CPieri	Refund	\$52.23
CPU	Goods	\$29,130.45
CrimeSceneInfo	Goods	\$109.87
CSpargur	Reimb	\$100.00
DHuffman	Reimb	\$150.00
DavidsonMech	Projects	\$2,210.85
Dell	Services	\$199.99
DennisSupply	Goods	\$3,805.79
EmergencyMed	Services	\$899.40
EngDesignAssoc	Goods	\$2,082.50
Environmental&Civil	Services	\$3,400.66
FHiday	Reimb	\$341.06
FirstData	Services	\$421.82
FIB	Services	\$289.00
Galls	Services	\$444.10
Giles	Services	\$665.00
GMayhue	Reimb	\$136.99
GlobalSpectrum	Funding	\$85,909.91
GovtJobs	Services	\$10,768.56
GSGArch	Services	\$1,249.45
Hillhouse	Services	\$135.91
HitekComm	Services	\$1,190.00
Homax	Goods	\$102,591.71
HoseRubber	Goods	\$218.10
HubIntl	Services	\$2,868.00
JGall	Reimb	\$567.89
JKCEng	Services	\$925.00
KellySvcs	Services	\$2,370.12

KnifeRvr	Goods	\$36,746.84
Knowbe4	Goods	\$6,173.57
LawHYoung	Services	\$1,350.00
LincolnNatl	Services	\$267.33
LisasSpicSpan	Services	\$1,738.00
LongBldgTech	Goods	\$2,523.65
LMcCartney	Reimb	\$429.30
LRush	Refund	\$17.01
MCCI	Services	\$10,270.05
McMurry	Goods	\$4,064.75
Motorola	Goods	\$11,818.81
MtnStates	Services	\$1,072.67
MtnWest	Utilities	\$503.74
Nalco	Goods	\$16,452.00
NCMealsonWhls	Funding	\$34,722.00
NCHHealthDept	Funding	\$135,000.00
Nelson/Nygaard	Services	\$18,908.49
NrthrnLightsMfg	Goods	\$33,675.00
O'ConnorCo	Goods	\$1,170.00
OlsonAuto	Services	\$4,992.06
PepperTnk	Goods	\$2,250.00
PepsiCola	Goods	\$599.18
PoliceFacilityDsgn	Projects	\$9,479.20
PMCH	Services	\$7,500.00
PostalPros	Services	\$7,603.04
PreservationSol	Services	\$2,000.00
Printworks	Services	\$49.95
PrdtoHosttheBest	Services	\$2,612.54
PublicSafetyComm	Services	\$533.60
RDOffutCo	Services	\$160,265.00
ResourceMgmt	Services	\$1,128.00
Respnsolutions	Goods	\$26,250.00
RckyMtnPwr	Utilities	\$84,735.39
RootrSwr	Services	\$378.00
SChaney	Reimb	\$923.06
SamParsonsUph	Services	\$65.00
ShshoneDist	Goods	\$1,605.00
Simplot	Goods	\$1,960.00
Siriusware	Services	\$3,035.16
SoftDrInc	Services	\$178.00
Stateline7	Services	\$1,795.00
StealthPrtnr	Services	\$49,338.49
SterlingInfo	Services	\$176.29
SuperiorInd	Services	\$25,029.09
ThyssenkruppElvtr	Services	\$4,585.64

TopOffice	Services	\$133.50
TretoConst	Projects	\$53,620.10
TSorensen	Services	\$53.00
SMunn	Refund	\$17.62
TCarnes	Refund	\$75.00
Uniforms2Gear	Uniforms	\$6,399.19
VRC Co	Goods	\$188.00
Waters&Son	Services	\$2,959.73
WellbornSullivan	Services	\$4,200.00
WstrnBusiness	Services	\$ 495.00
WstrnStatesFire	Services	\$3,850.00
Williams,Porter,Day	Services	\$1,045.00
WLCEng	Services	\$2,748.80
WYDOT	Services	\$ 35.43
WYMachinery	Goods	\$ 27,557.10
WYCntyOfficer	Services	\$ 2,000.00
WYSteel	Goods	\$ 5,810.40
XeroxCorp	Goods	\$ 221.08
Total		\$ 1,855,674.17

6. COMMUNICATIONS FROM PERSONS PRESENT

Dennis Steensland, 533 S. Washington, addressed the Council regarding the sale of the former Plains Furniture property.

7. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Cathey, seconded by Councilmember Freel, to, by minute action: establish October 15, 2019, as the public hearing date for the consideration of a zone change of 1.65-acres, generally located at the Northwest Corner of SW Wyoming Boulevard and South Coffman Avenue, described as Tract A, Garden Creek Square Addition, from Planned Unit Development (PUD) to General Business (C-2); and transfer of location for Retail Liquor License No. 19 Ridleys Family Market, Inc, d/b/a Ridleys Family Market, located at 1375 CY Ave. to 3037 CY Ave.

Motion passed.

8.A PUBLIC HEARING - ORDINANCE

Mayor Powell opened the public hearing for the consideration of amending Chapter 10.72 – Article I – Parades.

City Attorney Henley entered one (1) exhibit: correspondence from John Henley and Fleur Tremel to J. Carter Napier, dated September 25, 2019. City Manager Napier provided a brief report. City Attorney Henley provided an extensive explanation of free speech considerations including: alternatives that would not require a permit, steps take to eliminate subjective obstacles, the appeal process for denied permits, insurance considerations, and the process to allow indigent citizens a waiver of permit costs. Mayor Powell requested questions from Council to the City Attorney to lessen potential confusion during the public hearing. Mayor Powell and Councilmember Huber had questions, which City Attorney Henley addressed.

Speaking in opposition was Pat Sweeney, 951 N. Kimball. There being no others to speak for or against the issues involving parades, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 24-19 AMENDED  
AN ORDINANCE AMENDING ARTICLE I – PARADES –  
SECTIONS 10.72.010-10.72.140

Councilmember Pacheco presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Johnson. Council discussed the matter briefly. Motion passed.

**8.B PUBLIC HEARING - RESOLUTION**

Mayor Powell opened the public hearing for the adoption of revised Historic Preservation Program rules and regulations.

City Attorney Henley entered three (3) exhibits: correspondence from Liz Becher to J. Carter Napier, dated September 27, 2019; an affidavit of publication, as published in the Casper-Star Tribune, dated August 2, 2019; and an affidavit of publication, as published in the Casper-Star Tribune, dated September 11, 2019. City Manager Napier provided a brief report.

Speaking in favor was Connie Thompson of the Casper Historic Preservation Commission. There being no others to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 19-196  
A RESOLUTION RESCINDING RESOLUTION NUMBER 17-  
207, AND ADOPTING REVISED HISTORIC  
PRESERVATION PROGRAM RULES AND REGULATIONS  
FOR THE CITY OF CASPER, WYOMING.

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

**9. ORDINANCE– THIRD READING**

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.

WHEREAS, an application has been made to vacate and replat Lots 1, 2, 3 and the north 20 feet of Lot 4, Block 95, Butler's Addition, to create the Johnny J's Addition Subdivision of the City of Casper, Wyoming; and,

WHEREAS, an application has been made to rezone the Johnny J's Addition from zoning classifications C-2 (General Business) and R-3 (One to Four Unit Residential), to entirely C-2 (General Business); and,

WHEREAS, a written subdivision agreement will be entered into with the City of Casper, which will be approved with the vacation and replat upon third reading of this ordinance; and,

WHEREAS, this vacation, platting and rezoning requires approval by ordinance following a public hearing; and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that City Council approve the vacation, replat, and zone change requests; and,

WHEREAS, the governing body of the City of Casper finds that the above described vacation, replat, zone change and subdivision agreement should be approved.

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

SECTION 1:

That the above-described vacation and replat creating the Johnny J's Addition is hereby approved.

SECTION 2:

The zone change of the Johnny J's Addition is hereby approved, and said property shall be zoned C-2 (General Business).

The Johnny J's Subdivision Agreement is hereby approved, and the Mayor is hereby authorized and directed to execute, and the City Clerk to attest said document.

SECTION 3:

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

PASSED on 1<sup>st</sup> reading the 3<sup>rd</sup> day of September, 2019.

PASSED on 2<sup>nd</sup> reading the 17<sup>th</sup> day of September, 2019.

PASSED, APPROVED, AND ADOPTED on 3<sup>rd</sup> and final reading the 1<sup>st</sup> day of October, 2019.

Councilmember Johnson 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.

10.A ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 28-19  
AN ORDINANCE AMENDING CHAPTER 12.32 OF THE  
CASPER MUNICIPAL CODE

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

Barbara Derby, 4713 Mountain Way, spoke in favor of the ordinance.

Moved by Councilmember Lutz, seconded by Councilmember Pacheco, to amend the ordinance in order to make the language gender neutral. Motion to amend passed.

Moved by Councilmember Lutz, seconded by Councilmember Cathey, to add the following language at the beginning of 12.32.080 Paragraph A; “Except as provided in § 12.32.110, abutting property owners”. Councilmember Johnson asked about the language, and City Attorney Henley addressed his concern. Motion to amend passed.

Mayor Powell opened up discussion on the ordinance, as amended. Councilmembers Huber and Johnson asked questions, which City Attorney Henley addressed. Council then voted on the ordinance on second reading, as amended. Councilmembers Bates, Cathey, and Johnson voted nay. Motion passed.

10.B ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 29-19  
AN ORDINANCE AMENDING CASPER MUNICIPAL CODE  
TO ESTABLISH A CODE OF ETHICS

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

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

11. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 19-159 AMENDED  
A RESOLUTION RECINDING RESOLUTION NUMBER 18-259 AND ADOPTING REVISED SPECIAL EVENT GUIDE AND POLICY AND APPLICATION AND FEES FOR SPECIAL EVENTS.

RESOLUTION NO. 19-197  
A RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH VISIONARY BROADBAND TO INSTALL BURIED FIBER OPTIC CABLE INFRASTRUCTURE WITHIN CITY RIGHT-OF-WAY PROPERTY.

RESOLUTION NO. 19-198  
A RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH CIVIL ENGINEERING DESIGN PROFESSIONALS, INC., FOR ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR THE EAST CASPER ZONE III WATER SYSTEM IMPROVEMENTS PROJECT.

RESOLUTION NO. 19-199

A RESOLUTION AUTHORIZING SUBMISSION OF A PRE-APPLICATION FORM TO THE STATE LOAN AND INVESTMENT BOARD FOR A LOAN THROUGH THE STATE REVOLVING FUND ON BEHALF OF THE CITY COUNCIL OF THE CITY OF CASPER FOR THE PURPOSE OF THE NORTH PLATTE SANITARY SEWER REHABILITATION PROJECT.

RESOLUTION NO. 19-200

RESOLUTION ACCEPTING A WARRANTY DEED FROM EASTGATE RANCH, LLC FOR 9.21 ACRES OF OPEN SPACE TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING.

RESOLUTION NO. 19-201

RESOLUTION ACCEPTING A WARRANTY DEED FROM EASTGATE RANCH, LLC FOR 1.49 ACRES OF OPEN SPACE TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING.

RESOLUTION NO. 19-202

RESOLUTION ACCEPTING A WARRANTY DEED FROM GRANITE PEAK DEVELOPMENT LIMITED PARTNERSHIP FOR 23.49 ACRES OF OPEN SPACE TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING.

RESOLUTION NO. 19-203

RESOLUTION ACCEPTING A WARRANTY DEED FROM NATRONA LAND HOLDINGS, LLC, FOR 9.62 ACRES OF OPEN SPACE TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING.

RESOLUTION NO. 19-204

A RESOLUTION ESTABLISHING A MEMORANDUM OF UNDERSTANDING BETWEEN THE FRIENDS OF HOGADON AND THE CITY OF CASPER FOR THE HOGADON NIGHT SKIING PROJECT.

RESOLUTION NO. 19-205

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY OF CASPER AND THE CASPER AMATEUR HOCKEY CLUB.



RESOLUTION NO. 19-206

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH PLATTE RIVER TRAILS TRUST, FOR USE OF OPTIONAL 1%#15 SALES TAX SPECIAL PROJECTS FUNDS.

RESOLUTION NO. 19-207

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH CENTRAL WYOMING SENIOR SERVICES, INC., FOR USE OF OPTIONAL 1%#15 SALES TAX SPECIAL PROJECTS FUNDS.

RESOLUTION NO. 19-208

A RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO THE LEASE AGREEMENT BETWEEN THE CITY OF CASPER AND THE BOYS AND GIRLS CLUB OF CENTRAL WYOMING.

RESOLUTION NO. 19-209

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND NELSON\NYGAARD CONSULTING ASSOCIATES, INC. FOR A MILLS MAIN STREET CORRIDOR STUDY & PLAN.

RESOLUTION NO. 19-210

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE PURCHASES AND EXECUTE CONTRACTS IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS (\$35,000).

Moved by Councilmember Cathey, seconded by Councilmember Hopkins, to remove Resolution No. 19-204 from the consent agenda. Motion passed.

Moved by Councilmember Cathey, seconded by Councilmember Johnson, to pass the foregoing fourteen (14) resolutions for adoption. Motion passed.

Moved by Councilmember Johnson, seconded by Councilmember Cathey, that Resolution No. 19-204 be considered at the November 5, 2019 Council meeting. Motion passed.

12. MINUTE ACTION— CONSENT

Moved by Councilmember Freel, seconded by Councilmember Hopkins, to, by consent minute action, authorize the purchase of one (1) new mini skid steer and attachments, from Vermeer of Colorado, Ft. Collins, Colorado, in the total amount of \$61,985; and authorize the purchase of seven (7) Zoll AutoPulse Systems in the total amount of \$109,665. Motion passed.

13. INTRODUCTION OF MEASURES AND PROPOSALS

Mayor Powell shared details for his trip to Washington D.C. with the city manager and representation from other municipalities and the country. The group went to D.C. to speak to the Wyoming delegation on the opportunity zones.

14. 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, October 8, 2019, in the Council's meeting room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, October 15, 2019, in the Council Chambers.

At 7:13 p.m., it was moved Councilmember Huber, seconded by Councilmember Freel, to adjourn into executive session to discuss security. Motion passed. Council moved into the Council meeting room.

At 7:51 p.m., it was moved by Councilmember Johnson, seconded by Councilmember Lutz, to adjourn the executive session. Motion passed. Council returned to the Council Chambers.

15. ADJOURNMENT

At 7:52 p.m., it was moved by Councilmember Hopkins, seconded by Councilmember Pacheco, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Fleur D. Tremel  
City Clerk

\_\_\_\_\_  
Charles Powell  
Mayor