

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
October 6, 2020

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, October 6, 2020. Present: Councilmembers Bates, Cathey, Hopkins, Johnson, Lutz, Pacheco, Powell and Mayor Freel. Absent: Councilmember Huber.

Moved by Councilmember Hopkins, seconded by Councilmember Johnson, to, by minute action, excuse the absence of Councilmember Huber. Motion passed.

2. PLEDGE OF ALLEGIANCE

Councilmember Pacheco led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Johnson, seconded by Councilmember Cathey, to, by minute action, approve the minutes of the September 15, 2020, regular Council meeting, as published in the Casper-Star Tribune on September 23, 2020. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Bates, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the September 15, 2020, executive session. Motion passed.

5. MINUTES

Moved by Councilmember Hopkins, seconded by Councilmember Bates, to, by minute action, approve the minutes of the September 29, 2020, special Council meeting, as published in the Casper-Star Tribune on October 4, 2020. Motion passed.

6. BILLS & CLAIMS

Moved by Councilmember Pacheco, seconded by Councilmember Powell, to, by minute action, approve payment of the October 6, 2020, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 10/06/20		
19thHole	Services	2,610.00
71Const	Services	3,948.73
AMBI	Services	1,541.75
AAALndscp	Services	2,807.96
AakerSgns	Goods	199.50
AccentPkg	Goods	2,547.43
AceHrdwr	Goods	468.13
Adecco	Services	1,716.90
ADeniz	Reimb	130.49
AhernRntls	Services	412.50
Airgas	Goods	334.04

Alsco	Services	1,608.90
AMartinez	Reimb	150.00
AmSgnl	Goods	3,320.00
AmeriTech	Goods	775.39
Amerigas	Goods	462.61
AnchorElect	Services	5,103.50
AnixterInc	Goods	99.56
ARSFlood	Services	1,852.00
AtlnticElect	Services	950.00
AtlasOffice	Goods	1,307.29
AtlasRepro	Services	159.83
B&BSales	Goods	70.00
BackflowApp	Goods	547.65
BAllen	Reimb	150.00
BnkofAmerica	Goods	108,227.57
BigWind	Services	30.00
BHEnergy	Utilities	14,346.50
Bloedorn	Goods	383.44
Bobcat	Services	174.00
BrakeSpplly	Goods	938.67
Brenntag	Goods	123,003.96
CarusCorp	Services	8,964.00
CATC	Funding	147,166.16
CsprElect	Services	4,216.00
CsprHsing	Funding	30,931.66
CsprSftballAssoc	Refund	500.00
CsprStarTrib	Services	9,247.21
CsprTire	Services	220.00
CsprWnnlsn	Goods	5,365.30
CntrlWYRegWtr	Services	26,538.00
CenturyLink	Utilities	20,015.60
CH2Mhill	Services	4,487.82
CtyofCspr	Services	163,198.04
CMITeco	Goods	19,790.39
CommTech	Goods	943.50
Comtrnx	Goods	1,068.00
Convergeone	Services	5,948.99
CPotter	Reimb	107.09
CpprlfCstm	Services	13,282.60
CPU	Utilities	149.06
CrmeSenInfo	Services	109.87
CrwnConst	Services	103,546.90
CrnElect	Goods	609.14
CSCnslt	Services	585.00
DLodenConst	Services	94,890.75

Dell	Goods	181.52
DennisSply	Goods	325.31
DKelly	Refund	1,200.00
DPCInd	Goods	15,337.91
EKbczCnslt	Services	1,172.10
EnergyLbs	Services	2,076.00
EngDsgn	Services	3,382.50
FirstData	Services	19.95
Fugro	Goods	4,154.21
GCBldg	Goods	596.76
Galls	Goods	1,931.55
Golder	Services	58,525.51
Grainger	Goods	743.57
GrizzlyExc	Services	1,557.68
HaassConst	Services	75,833.49
Hach	Goods	2,329.00
HDREng	Services	12,025.18
HerculesInd	Goods	256.76
HighPlnsConst	Services	220,790.00
Homax	Goods	1,560.89
InbergMiller	Services	2,767.00
InlandTrck	Goods	225.03
JacksTrck	Goods	46.44
JBrown	Reimb	98.00
JDCInvst	Services	500.00
JKCEng	Services	195.00
JScott	Reimb	7.19
KnifeRiver	Goods	31,880.45
KPatrick	Reimb	393.71
KPietrzak	Refund	500.00
KTWO	Services	500.00
Kubwater	Goods	11,237.70
LNCrts	Goods	158,720.00
Lisas	Services	1,440.00
LongBldg	Goods	985.30
MBrugardt	Reimb	200.00
MblCnrt	Goods	1,994.35
MtnFlw	Goods	1,431.94
Motorola	Goods	48,180.28
MtnStatesLitho	Services	958.65
MtnStatesPipe	Goods	19,322.75
MtnWst	Utilities	3,500.00
MSEC	Services	12,343.00
Napa	Goods	84,631.41
NCHCorp	Goods	750.00

NCHlth	Services	425.00
NCShrf	Services	99,464.76
Norcostco	Goods	62,172.75
NrthrnLights	Goods	1,400.00
NWContractors	Services	172.20
OneCall	Services	105.75
OpenGov	Services	9,828.00
OvrhdDr	Services	34.44
Pantheon	Goods	371.88
PCN	Goods	1,485.33
Pepsi	Goods	132.10
Prntwrks	Services	1,619.03
PrfClng	Services	1,395.00
RckyMtnAir	Services	10,508.53
RckyMtnPwr	Utilities	267,770.73
RdlphBros	Services	220.00
RtrSwrSvc	Services	4,157.73
Saltus	Services	382.00
SDunnuck	Reimb	110.22
ShtMtlSpec	Services	364,233.25
ShrwnWllms	Goods	173.82
ShosoneDist	Goods	1,241.50
SiruisWr	Services	3,247.48
SoftDr	Goods	204.85
SShipman	Reimb	150.00
StofWy-Notary	Services	60.00
StofWy	Services	6,191.75
StellarProg	Services	5,872.50
StrlingInfo	Services	663.86
SJohnston	Services	100.00
Swi	Services	89,664.35
TGracia	Reimb	150.00
Thatcher	Goods	8,896.14
TopOffice	Goods	117.40
Treto	Services	526,093.70
TriStateOil	Services	787.50
Trihydro	Services	437.50
TylerTech	Goods	25,110.00
TZagrabelny	Refund	500.00
Uniforms2gr	Goods	531.12
Verizon	Services	4,940.37
VermeerSls	Goods	5,544.71
VRCCo	Goods	494.99
WynClmnCnst	Services	53,946.22
WearPrts	Goods	17.93

WstPlnsEng	Services	1,000.00
WWCEng	Services	6,256.25
WLCEng	Services	8,164.75
Wamcat	Dues	65.00
Wydot	Services	34.65
WyMach	Goods	5,750.50
WyLwVltg	Goods	1,880.00
WYStAud	Services	14,044.33
WyStGlfAssoc	Dues	667.00
WySteel	Goods	10,039.90
Xerox	Services	243.18
Total		3,338,339.42

7. COMMUNICATIONS FROM PERSONS PRESENT

Gabriel Green, 1320 ½ Oak, addressed Council and requested that Council have a plan in place for the community because of potential civil discord over the presidential election.

8.A PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the amendment to the franchise with Rocky Mountain Power.

City Attorney Henley entered one (1) exhibit: correspondence from John Henley to J. Carter Napier, dated September 24, 2020. Acting City Manager Pitlick provided a brief report.

There being no one to speak for or against the issues involving the franchise, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 23-20
AN ORDINANCE AMENDING ORDINANCE NO. 18-17, A
FRANCHISE GRANTING AN ELECTRIC UTILITY
EASEMENT TO PACIFICORP, AN OREGON CORPORATION,
DOING BUSINESS AS ROCKY MOUNTAIN POWER.

Councilmember Hopkins presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Powell. Councilmember Johnson voted nay. Motion passed.

8.B PUBLIC HEARING - RESOLUTION

Mayor Freel opened the public hearing for the consideration of fiscal year 2021 budget amendment #2.

City Attorney Henley entered two (2) exhibits: correspondence from Tom Pitlick to J. Carter Napier, dated September 23, 2020 and an affidavit of publication, as published in the Casper-Star Tribune, dated September 24, 2020. Acting City Manager Pitlick provided a brief report.

There being no one to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 20-186
A RESOLUTION AMENDING THE CURRENT BUDGET FOR
THE FISCAL YEAR ENDING JUNE 30, 2021.

Councilmember Bates presented the foregoing resolution for adoption. Seconded by Councilmember Powell. Motion passed.

9.A ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 21-20
AN ORDINANCE AMENDING SECTION 2.60.050 TO THE
CODE OF ETHICS OF THE CASPER MUNICIPAL CODE.

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

Cheryl Hackett, 4441 Moose, addressed Council and provided additional recommendations to improve the code of ethics.

Councilmember Pacheco asked the City Attorney for his thoughts on the ordinance. City Attorney spoke on the strengths of the ordinance and addressed some options Council could consider if they wished to include some things suggested by Ms. Hackett. Council discussed the ordinance. During the discussion, City Manager Napier joined the meeting.

Councilmember Bates moved to amend the ordinance to include part of proposed amendment 2, which was included in the September 22 work session packet. The amendment would allow a citizen or citizens to bring forward a concern about a conflict of interest and would require the governing body to respond to the report. The initial report would not require the disclosure of all relevant facts. Seconded by Councilmember Powell. Council then discussed the following: possible routing of the concerns; confidentiality; public meeting requirements; the amount of information to be disclosed to the reporting citizen; and the need for an outside party to handle internal complaints. City Attorney Henley and City Manager Napier addressed questions presented by Council.

Councilmember Powell suggested that the amendment could indicate that after a Councilmember receives a complaint, the information would be forwarded to the Mayor, who would then respond to the reporting citizen. Councilmembers discussed possible ways to respond to the reporting citizen, the obligation to respond to a complaint, and ways to appropriately route the complaint. Mayor Freel confirmed that Councilmember Bates accepted the suggestion made by Councilmember Powell to have the Mayor or Vice Mayor acknowledge receipt of the complaint rather than notifying all of Council. City Attorney Henley summarized the proposed amendment. Council voted on the amendment. Councilmember Hopkins voted nay. Motion to amend passed. Council then voted on the ordinance, on second reading, as amended. Councilmember Hopkins voted nay. Motion passed.

9.B ORDINANCE– SECOND READING

Following ordinance read:

ORDINANCE NO. 22-20

AN ORDINANCE APPROVING THE VACATION OF A 0.017-ACRE PORTION OF PUBLIC RIGHT OF WAY (ALLEY) LOCATED BETWEEN LOT 17, NATRONA HEIGHTS RE-SUBDIVISION AND LOT 4 OF WHITE’S ADDITION.

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

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

10. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 20-187

A RESOLUTION AUTHORIZING A FUNDING AGREEMENT WITH THE CENTRAL WYOMING REGIONAL WATER SYSTEM JOINT POWERS BOARD FOR THE RISK AND RESILIENCE ASSESSMENT AND EMERGENCY RESPONSE PLAN UPDATE PROJECT.

RESOLUTION NO. 20-188

A RESOLUTION AUTHORIZING A UTILITY SERVICE/REPAIR PERMIT WITH THE WYOMING DEPARTMENT OF TRANSPORTATION FOR A FIRE LINE TO THE BLACK HILLS ENERGY FACILITY AT 1435 E. YELLOWSTONE HWY.

RESOLUTION NO. 20-189

A RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY TO INSTALL GROUNDWATER MONITORING WELLS ON CITY OWNED PROPERTY.

RESOLUTION NO. 20-190

A RESOLUTION AUTHORIZING A PROCUREMENT AGREEMENT WITH UV DOCTOR LAMPS, LLC FOR ULTRAVIOLET LAMPS AND QUARTZ SLEEVES FOR USE AT THE WASTEWATER TREATMENT PLANT.

RESOLUTION NO. 20-191

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH CASPER ELECTRIC, INC. FOR THE CASPER EVENTS CENTER FIRE ALARM REPLACEMENT, PROJECT NO. 17-073.

RESOLUTION NO. 20-192

A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE-CITY SEWER SERVICE WITH THE BABCOCK FAMILY TRUST.

RESOLUTION NO. 20-193

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CITY SERVICE ELECTRIC COMPANY, INC., FOR THE BALLFIELD LIGHTING REPLACEMENTS - PHASE I, PROJECT NO. 20-018.

RESOLUTION NO. 20-194

A RESOLUTION AUTHORIZING AN AGREEMENT WITH JTL GROUP, INC., DBA KNIFE RIVER, FOR THE GOODSTEIN PARKING LOT IMPROVEMENTS, PROJECT NO. 20-011.

RESOLUTION NO. 20-195

A RESOLUTION AUTHORIZING AMENDMENT NO. I TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH GOLDER ASSOCIATES, INC., FOR MONITORING AND REPORTING OF NEW METHANE AND GROUNDWATER WELLS AS PART OF THE 5-YEAR CASPER CLOSED BALEFILL MONITORING AND REPORTING, PROJECT NO. 18-005.

RESOLUTION NO. 20-196

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH HDR ENGINEERING, INC. FOR ONGOING STUDIES, TASKS, AND ACTIVITIES REGARDING WATER RIGHTS AND WATER SUPPLY ACTIVITIES.

RESOLUTION NO. 20-197

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CASPER AREA METROPOLITAN PLANNING ORGANIZATION AND WESTERN RESEARCH AND DEVELOPMENT, LTD. FOR THE LATHROP ROAD TRAFFIC STUDY IN AN AMOUNT OF \$77,133.00.

RESOLUTION NO. 20-198

A RESOLUTION ESTABLISHING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TROOPERS DRUM AND BUGLE CORPS, INC., AND THE CITY OF CASPER FOR THE FORT CASPAR FLOWER GARDEN PROJECT.

RESOLUTION NO. 20-199

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE CASPER HOUSING AUTHORITY'S (CHA CARES) APPLICATION TO THE COMMUNITY WINS GRANT PROGRAM TO SUPPORT TRANSITIONAL HOUSING ON THE LIFE STEPS CAMPUS.

RESOLUTION NO. 20-200

A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE WYOMING GAME AND FISH COMMISSION AND THE CITY OF CASPER.

RESOLUTION NO. 20-201

A RESOLUTION AUTHORIZING AN AGREEMENT FOR WATER SERVICE BETWEEN THE CITY OF CASPER, VISTA WEST WATER COMPANY, AND FREDERICK J. SCHOTT, JR.

Councilmember Hopkins presented the foregoing fifteen (15) resolutions for adoption. Seconded by Councilmember Johnson. Councilmember Bates voted nay on Resolution No. 20-201. Motion passed.

11. MINUTE ACTION— CONSENT

Moved by Councilmember Cathey, seconded by Vice Mayor Lutz, to, by consent minute action, authorize the reappointments of current board members Tim Schenk, Nicholas Grooms and William Reese to the Downtown Development Authority Board of Directors; and authorize the appointment of Dr. Matthew Wold to the Casper Natrona County Health Department Board. Motion passed.

12. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke on meetings and community items of interest. Councilmember Johnson asked about arrest logs, which Police Captain Chaney addressed. Mayor Freel requested Council consider the following two topics at a work session: a long-term City business plan; and poor contractor performance.

13. ADJOURN INTO EXECUTIVE SESSION

Mayor Freel noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, October 13, 2020, in the Council Chambers; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, October 20, 2020, in the Council Chambers.

At 7:44 p.m., it was moved Councilmember Cathey, seconded by Councilmember Bates, to adjourn into executive session to discuss personnel. Motion passed.

At 8:16 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Bates, to adjourn the executive session. Motion passed.

14. ADJOURNMENT

At 8:17 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Bates, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor