

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
February 2, 2021

1. ROLL CALL

Casper City Council met in regular session at 6:04 p.m., Tuesday, February 2, 2021. Present: Councilmembers Cathey, Engebretsen, Gamroth, Johnson, Knell, Lutz, Pacheco, Pollock and Mayor Freel.

2. PLEDGE OF ALLEGIANCE

The Casper Youth Council Treasurer led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Councilmember Pollock, seconded by Councilmember Gamroth, to, by minute action, approve the minutes of the January 19, 2021, regular Council meeting, as published in the Casper-Star Tribune on January 24, 2021. Councilmembers Johnson and Lutz abstained. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Vice Mayor Pacheco, seconded by Councilmember Pollock, to, by minute action, approve the minutes of the January 19, 2021, executive session. Councilmembers Johnson and Lutz abstained. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Knell, seconded by Councilmember Johnson, to, by minute action, approve payment of the February 2, 2021, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 02/02/21

71Const	Services	207,249.31
AMBI	Services	1,711.92
AAALndspng	Services	660.00
AceHrdw	Goods	52.12
Adbay	Services	4,102.50
Adecco	Services	1,571.40
AhernRntls	Goods	496.40
Airsltions	Goods	570.00
Airgas	Goods	1,813.09
AlSCO	Services	849.88
AltitudeRcyclng	Services	37,480.00
AmrcnEquip	Goods	2,158.75
Amerigas	Goods	31,377.00
ArrwhdHtng	Services	500.37
AtlntcElect	Services	15,657.12
AtlasOffice	Goods	4,429.52
AtlasRepro	Services	159.37
BckdrftOpco	Goods	11,629.95

BnkofAmerica	Goods	59,731.15
Bar-DSgns	Goods	1,328.00
BigHrnTire	Goods	24,394.76
BlckHllsEnrgy	Utilities	52,762.18
Bloedorn	Goods	173.37
CarolinaSftwr	Goods	250.00
Caselle	Services	75.00
CATC	Funding	11,210.00
CAEDA	Funding	92,436.59
CsprElect	Services	162,251.50
CsprFireExt	Services	534.00
CsprPblcUt	Utilities	149.06
CsprStarTrib	Services	4,484.55
CsprTire	Goods	285.00
CntrlPnt	Services	1,251.30
CntrlWyrscMssn	Funding	5,832.20
CenturyLink	Utilities	31,331.87
ChldDevCntr	Funding	4,250.00
CtyofCspr	Services	157,293.63
CLHAssoc	Services	13,608.80
CMITeco	Goods	12,094.40
CompProf	Goods	3,647.33
CommTech	Goods	5,576.19
CmpltSftySvc	Services	1,650.00
CmprssnLsing	Goods	262.50
CnsltdElect	Goods	366.37
Convergeone	Services	1,687.64
Core&Main	Goods	8,106.90
CwbySppllyHs	Goods	276.12
CrwnConst	Services	3,990.00
CSConslt	Services	785.00
DeckerAuto	Goods	267.12
DennisSpplly	Goods	2,283.48
DiamondVogel	Goods	58.48
DNelson	Reimb	247.61
DPCInd	Goods	6,886.27
EAKInc	Goods	500.00
EatonSlS	Goods	1,130.96
EdgeEng	Services	2,813.33
EldeanInc	Goods	35,695.00
EnrgyLabs	Services	1,495.50
ERud	Reimb	83.99
FarmerBros	Goods	118.02
FrstData	Services	19.95
FIB	Services	91.00

FiveTrlsRtary	Dues	650.00
FlannigansFrn	Goods	13,620.00
GCBldg	Goods	505.00
Galls	Goods	58.50
Geosyntec	Services	860.45
GlblSpectrum	Services	82,909.91
GolderAssoc	Services	3,426.85
Grainger	Goods	27.80
GreensSwrDrn	Services	150.00
GWMchncl	Services	5,600.00
HDREng	Services	1,552.50
Homax	Goods	34,356.15
InbergMllr	Services	756.00
JacobsEng	Services	2,776.40
JMDean	Reimb	98.00
KHowell	Reimb	150.00
KnifeRvr	Goods	472.70
KncklDrgr	Goods	3,645.00
KRollison	Reimb	100.00
LisasSpicSpan	Services	835.00
LumStudio	Services	427.50
MercerHse	Funding	6,401.10
MicroMtn	Goods	2,235.53
MKolker	Reimb	115.49
MLeyba	Reimb	250.00
MonsonJanit	Services	7,208.98
Motorola	Goods	12,696.67
MtnWstTlphn	Utilities	1,079.90
Napa	Goods	80,063.67
NCHlth	Services	85,500.00
NCSheriff	Services	90,229.68
Nicolaysen	Funding	3,880.43
Norco	Goods	28,170.01
NordicSnd	Services	7,901.25
NWCntrctrs	Services	2,981.86
Oceanid	Services	4,900.00
OvrhdDr	Services	1,686.72
PacificHide	Services	214.58
Pedens	Goods	505.00
PlatteRvrTrls	Funding	30,000.00
PostalPros	Services	16,110.87
PwrEquip	Goods	824.02
Printworks	Services	170.16
RecyklingInd	Services	3,500.00
RckyMtnAir	Services	3,560.48

RckyMtnPwr	Utilities	116,981.96
RouterSwr	Services	631.76
SDunnuck	Reimb	245.67
SlfHlpCtr	Funding	11,027.75
SMElect	Goods	362.75
ShrwnWllms	Goods	607.87
SmithPsych	Services	2,225.00
SNguyen	Reimb	100.00
Stantec	Services	10,788.37
SummitElect	Services	205.00
Thatcher	Goods	9,536.37
TopOffice	Goods	153.50
TrnsmssnDist	Goods	7,325.86
TretoConst	Retain	10,812.50
TriStateOil	Goods	100.00
TylerTech	Goods	4,900.00
Uniforms2gr	Goods	1,463.02
Verizon	Services	41.86
VermeerSls	Goods	2,667.44
VRCCo	Services	99.75
WasteWtr	Services	359,541.90
WestPlnsEng	Services	4,470.00
WLCEng	Services	72.50
WYWtrQlty	Services	60.00
WyLwVltg	Services	410.00
WySteel	Services	9,759.40
Xerox	Services	243.18
Total		2,134,232.39

6. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Dallas Laird, former Councilmember, requesting Council be notified if monuments or significant historic changes are being made; and Tom Hall, 4017 Somerset, requesting stronger enforcement of traffic laws.

7. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Lutz, seconded by Councilmember Cathey, to, by minute action: establish February 16, 2021, as the public hearing date for the consideration of a vacation and replat creating the Trails West Estates No. 4 Addition, a zone change of said subdivision, and the Trails West Estates No. 4 Subdivision Agreement; and creation of Local Assessment District 158–Coates Road surfacing improvements. Motion passed.

8.A.1 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the vacation of a portion of East 7th Street.

Assistant City Attorney Trembath entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated January 20, 2021 and an affidavit of publication, as published in the Casper-Star Tribune, dated January 11, 2021. City Manager Napier provided a brief report.

Speaking in support was Carter Britt, ECS Engineers. Councilmembers Gamroth, Engebretsen, and Knell had questions about the distribution and potential uses for the vacated land, which were addressed by Mr. Britt, City Manager Napier, and Assistant City Attorney Trembath.

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

Following ordinance read:

ORDINANCE NO. 5-21
AN ORDINANCE APPROVING THE VACATION OF EAST 7TH
STREET BETWEEN SOUTH JACKSON STREET AND THE
PUBLIC ALLEY BISECTING BLOCKS 62 AND 63, SHERIDAN
HEIGHTS ADDITION.

Councilmember Knell presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Engebretsen. Council discussed the matter at length. Councilmember Knell abstained from voting, but later clarified that he wished to vote nay on the matter. Motion passed.

8.A.2 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the ordinance regarding the sale of nicotine products.

Assistant City Attorney Trembath entered one (1) exhibit: correspondence from John Henley to the Casper City Council and J. Carter Napier, dated January 28, 2021. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the sale of nicotine products, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 6-21
AN ORDINANCE REPEALING ORDINANCE NO. 54-00 AS
CODIFIED BY ARTICLE IV, CHAPTER 9.40 OF THE CASPER
MUNICIPAL CODE AND CREATING A NEW ARTICLE IV –
OF CHAPTER 9.40 OF THE CASPER MUNICIPAL CODE
TITLED “SALE OF NICOTINE PRODUCTS”.

Vice Mayor Pacheco presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Lutz. Councilmember Johnson voted nay. Motion passed.

8.B PUBLIC HEARING - MINUTE ACTION

Councilmember Pollock recused herself from the discussion and left the room. Mayor Freel opened the public hearing for the consideration of the issuance of Restaurant Liquor License No. 43, for Ludovico, d/b/a Ludovico, located at 1301 Wilkins Circle.

Assistant City Attorney Trembath entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated January 18, 2021; an affidavit of publication, as published in the Casper-Star Tribune, dated January 26, 2021; an affidavit of website publication, as published on the City of Casper website, dated January 18, 2021; an affidavit of notice of conspicuous posting, as posted at 1301 Wilkins Circle, dated January 18, 2021; and the liquor license application filed January 8, 2021. City Manager Napier provided a brief report.

Speaking in support was Justin Boltz, applicant.

There being no others to speak for or against the issues involving Restaurant Liquor License No. 43, the public hearing was closed.

Moved by Councilmember Engebretsen, seconded by Councilmember Cathey, to, by minute action, authorize the issuance of Restaurant Liquor License No. 43. Motion passed. Councilmember Pollock returned to the meeting.

9.A ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 1-21 AMENDED
AN ORDINANCE AMENDING CHAPTER 9.24 OF THE
CASPER MUNICIPAL CODE - OFFENSES AGAINST PUBLIC
DECENCY, MODIFYING CERTAIN SECTIONS AND
CREATING NEW SECTIONS THEREOF.

Councilmember Johnson presented the foregoing ordinance for approval, on third reading. Seconded by Vice Mayor Pacheco.

No citizens spoke on the ordinance.

Councilmember Gamroth asked about a phone app that allows live entertainment, and how this ordinance would pertain to it. Assistant City Attorney Trembath said that the ordinance is broad and would apply in this case. Mayor Freel asked if the intent of the ordinance was for in person or physical situations. City Manager Napier suggested that this could be looked into and Council could table the third reading. Moved by Vice Mayor Pacheco to table this item until the next business meeting. Seconded by Councilmember Lutz. Assistant City Attorney Trembath recommended postponing this rather than tabling. The motion was adjusted. Motion to postpone passed.

9.B ORDINANCE– THIRD READING

Following ordinance read:

ORDINANCE NO. 2-21

AN ORDINANCE AMENDING SECTION 10.24.010 OF THE
CASPER MUNICIPAL CODE PERTAINING TO TWENTY
MILE PER HOUR SPEED ZONES.

WHEREAS, Casper City Council and City Staff support revising the core downtown 20 mile per hour area.

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

That Section 10.24.010.A of Chapter 10.24 of the Casper Municipal Code is hereby amended to read as follows:

A. Center Street from B Street to Collins Drive; 2nd Street from David Street to Kimball Street; Midwest Avenue from Poplar Street to Durbin Street; Yellowstone Hwy from Poplar Street to David Street; Collins Drive from Center Street to Kimball Street; Kimball Street from 1st Street to Collins Drive; Beech Street from 1st Street to Collins Drive; Durbin Street from 1st Street to Collins Drive; Wolcott Street from 1st Street to Collins Drive; Ash Street from BC Street to Collins Drive; Elm Street from 1st Street to Midwest Avenue; Oak Street from Industrial Avenue to Midwest Avenue; Spruce Street from Industrial Avenue to Midwest Avenue; Walnut Street from Yellowstone Hwy to Collins Drive; Chestnut Street from Midwest Avenue to Wimborne Street; Wimborne Street; Industrial Avenue from Spruce Street to David Street; 2nd Street from Nichols Avenue to Ash Street; Nichols Avenue from B Street to 2nd Street; B Street from Nichols Avenue to A Street; A Street from Nichols Avenue to David Street; A Street from Center Street to Wolcott Street; Market Street; David Street from north of BC Street by the railroad tracts to Collins Drive. This Ordinance shall become in full force and effect upon passage on third reading and publication.

PASSED on 1st reading the 5th day of January, 2021.

PASSED on 2nd reading the 19th day of January, 2021.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 2nd day of February, 2021.

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

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. 3-21

AN ORDINANCE APPROVING THE PLAT OF HIGHLAND
PARK CEMETERY ADDITION NO. 2

Councilmember Pollock 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.

10.B ORDINANCE– SECOND READING

Following ordinance read:

ORDINANCE NO. 4-21

AN ORDINANCE APPROVING THE CITY-INITIATED ANNEXATION OF THE EAST ROBERTSON ROAD ADDITION; AND A COUNCIL-INITIATED REZONE OF THE PROPERTY LOCATED AT 3489 SOUTH ROBERTSON ROAD.

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

No citizens spoke on the ordinance. Councilmember Engebretsen and Mayor Freel abstained. Motion passed.

11.A RESOLUTION

Following resolution read:

RESOLUTION NO. 21-13

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CROWN CONSTRUCTION, LLC, FOR THE RECYCLE DEPOT IMPROVEMENTS, PROJECT NO. 16-004.

Vice Mayor Pacheco presented the foregoing resolution for adoption. Seconded by Councilmember Lutz. City Manager Napier provided a brief report.

Councilmember Cathey shared his concerns about this item. Councilmember Pollock asked about the citizen poll on this matter and the means for payment of the costs. Councilmember Cathey spoke to the polling issue and City Manager Napier indicated that utility bills are currently being charged \$1.70 for this cost with the income being set aside for the depots. Councilmember Knell asked for more information on recycling. Cindie Langston, Solid Waste Manager, spoke about the likely changes to recycling should the depots be closed. Councilmember Knell spoke in favor of the depots. Councilmember Gamroth asked about the operational costs and contamination rate of the recycling program. Ms. Langston addressed both topics and indicated that the contamination rate was decreasing and would continue to improve as education efforts increase. Councilmember Engebretsen asked about proceeds from the recycling program. Ms. Langston addressed this and indicated that the improvements to the materials recovery facility will also increase profits going forward. Mayor Freel spoke in favor of the depots. Councilmember Cathey voted nay. Motion passed.

11.B CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 21-10

A RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS AWARDED FROM THE DRUG ENFORCEMENT ADMINISTRATION TO BE USED FOR OVERTIME REIMBURSEMENT.

RESOLUTION NO. 21-11

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASPAR BUILDING SYSTEMS, INC., FOR THE BALER BUILDING LOCKER ROOM REMODEL, PROJECT NO. 19-071.

RESOLUTION NO. 21-12

A RESOLUTION AUTHORIZING AN AGREEMENT WITH WAYNE COLEMAN CONSTRUCTION, INC., FOR THE HORIZON PARK, PROJECT NO. 20-021.

RESOLUTION NO. 21-14

A RESOLUTION AUTHORIZING AN AGREEMENT WITH INSTALLTION & SERVICE CO., INC., FOR THE 2ND STREET MILL & OVERLAY PROJECT NO. 20-040.

RESOLUTION NO. 21-15

A RESOLUTION TO RESCIND THE JOINT DELEGATION OF AUTHORITY FOR COVID-19 RESPONSE.

RESOLUTION NO. 21-16

A RESOLUTION ACCEPTING A DONATION FROM SINCLAIR CASPER REFINING COMPANY AND AUTHORIZING A RELEASE, ACKNOWLEDGEMENT AND WAIVER BETWEEN THE CITY OF CASPER AND SINCLAIR CASPER REFINING COMPANY.

Councilmember Cathey presented the foregoing six (6) resolutions for adoption. Seconded by Councilmember Lutz. City Manager Napier provided a brief report. Councilmembers Johnson and Pollock voted nay on Resolution No. 21-10. Motion passed.

12. MINUTE ACTION— CONSENT

Moved by Councilmember Pollock, seconded by Councilmember Johnson, to, by consent minute action, acknowledge the receipt of financial disclosure information from City officials with public fund investment responsibility; and reappoint Mr. Bruce English to the Casper Public Utilities Advisory Board for a six-year term ending December 31, 2026. Motion passed.

13. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmember Knell requested that Council discuss the limited visitation at Fort Caspar during the winter months at a future work session. Councilmembers also spoke on meetings and events they attended.

14. 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, February 9, 2021, in the Council Chambers; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, February 16, 2021, in the Council Chambers.

At 7:31 p.m., it was moved Councilmember Knell, seconded by Councilmember Pollock, to adjourn into executive session to discuss land acquisition, and potential litigation. City Manager Napier indicated that personnel would not be discussed. Motion passed.

At 8:53 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Lutz, to adjourn the executive session. Motion passed.

15. ADJOURNMENT

At 8:53 p.m., it was moved by Councilmember Cathey, seconded by Vice Mayor Pacheco, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor