

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
February 16, 2021

1. ROLL CALL

Casper City Council met in regular session at 6:15 p.m., Tuesday, February 16, 2021. Present: Councilmembers Cathey, Engebretsen, Gamroth, Johnson, Lutz, Pacheco, Pollock and Mayor Freel. Absent: Councilmember Knell.

Moved by Councilmember Pollock, seconded by Councilmember Cathey, to, by minute action, excuse the absence of Councilmember Knell. Motion passed.

2. PLEDGE OF ALLEGIANCE

Mayor Freel led the audience in the Pledge of Allegiance.

3. MINUTES

Moved by Vice Mayor Pacheco, seconded by Councilmember Lutz, to, by minute action, approve the minutes of the February 2, 2021, regular Council meeting, as published in the Casper-Star Tribune on February 10, 2021. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Councilmember Pollock, seconded by Councilmember Johnson, to, by minute action, approve the minutes of the February 2, 2021, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Engebretsen, seconded by Vice Mayor Pacheco, to, by minute action, approve payment of the February 16, 2021, bills and claims, as audited by City Manager Napier. Motion passed.

| Bills & Claims 02/16/21 | | |
|-------------------------|----------|-----------|
| 307Cllsn | Services | 2,146.02 |
| 71Const | Services | 1,675.63 |
| AMBI | Services | 1,101.57 |
| AakerSgns | Services | 1,317.60 |
| ABaedke | Reimb | 44.10 |
| AceHrdw | Goods | 404.37 |
| ActiveNtwrk | Services | 437.00 |
| Adecco | Services | 1,164.00 |
| AhernRntls | Goods | 757.45 |
| Airgas | Goods | 690.80 |
| AllianceElect | Services | 254.19 |
| AlphaMed | Goods | 10,849.50 |
| AlSCO | Services | 1,593.52 |
| AltitudeRcyclng | Services | 7,980.00 |
| AMSignal | Goods | 502.00 |
| Ameritech | Services | 1,338.19 |

| | | |
|---------------|-----------|------------|
| Amerigas | Goods | 15,159.89 |
| ArrwhdHtng | Services | 500.40 |
| AtlasOffice | Goods | 2,338.74 |
| Automtn&Elct | Services | 1,441.80 |
| B&Bsales | Goods | 23.50 |
| B&Cproperty | Services | 1,302.29 |
| B32Eng | Services | 3,914.25 |
| BarD | Services | 2,425.00 |
| BlckHllsEnrgy | Utilities | 6,218.03 |
| Bloedorn | Goods | 77.31 |
| Caselle | Services | 75.00 |
| CsprFireExt | Services | 133.25 |
| CsprMtnSki | Services | 2,458.29 |
| CsprMuniBnd | Funding | 134,561.69 |
| CsprSoccer | Refund | 500.00 |
| CsprStarTrib | Services | 3,281.47 |
| CsprTire | Goods | 319.00 |
| CntrlWYRegWtr | Services | 297,116.86 |
| CenturyLink | Utilities | 14,692.49 |
| CAsbe | Services | 2,800.00 |
| CtyofCspr | Services | 91,411.56 |
| CMITeco | Goods | 50,346.58 |
| CompProf | Goods | 1,561.00 |
| CnsltdElect | Goods | 487.54 |
| Convergeone | Services | 2,865.72 |
| CRacki | Reimb | 150.00 |
| DavidsonFxd | Services | 4,044.64 |
| DavidsonMech | Services | 2,166.00 |
| DBackus | Reimb | 100.00 |
| DeckerAuto | Goods | 455.29 |
| Dell | Goods | 8,684.89 |
| DennisSpplly | Goods | 313.26 |
| DiamondVogel | Goods | 200.43 |
| DooleyOil | Goods | 16,545.14 |
| EatonSlS | Goods | 1,292.18 |
| EdgeEng | Services | 805.45 |
| EMoore | Reimb | 89.15 |
| EmrgencyMedD | Services | 899.40 |
| EnrgyLabs | Services | 682.00 |
| EnvrnmntlCvl | Services | 9,340.60 |
| Ferguson | Goods | 189.93 |
| FHiday | Reimb | 194.15 |
| FIB | Services | 15,978.59 |
| ForemansQltyM | Goods | 1,824.66 |
| GCBldg | Goods | 1,841.02 |

| | | |
|-----------------|-----------|------------|
| Galls | Goods | 648.88 |
| GolderAssoc | Services | 8,098.14 |
| Grainger | Goods | 297.06 |
| GWebb | Reimb | 25.19 |
| GWilliamsInvest | Services | 750.00 |
| HDREng | Services | 29,434.89 |
| Homax | Goods | 19,411.60 |
| HydroOpt | Services | 200.00 |
| InbergMllr | Services | 2,700.00 |
| JacksTrck | Services | 813.23 |
| JGall | Reimb | 15.00 |
| JGreenwood | Reimb | 150.00 |
| JMosler | Reimb | 143.99 |
| JohnnyAppleseed | Goods | 2,000.00 |
| JRenville | Reimb | 268.98 |
| Kubwater | Goods | 5,618.85 |
| LWood | Reimb | 150.00 |
| LisasSpicSpan | Services | 1,320.00 |
| LongBldg | Goods | 2,885.00 |
| MDolbare | Reimb | 286.49 |
| MooreAssoc | Services | 23,856.64 |
| Motorola | Goods | 9,457.67 |
| MtnSttsPipe | Goods | 9,849.21 |
| Napa | Goods | 70,199.69 |
| NCHlth | Services | 42,750.00 |
| NCWeed&Pest | Funding | 65,000.00 |
| Norco | Goods | 424.41 |
| NordicSnd | Services | 999.00 |
| NWCntrctrs | Services | 164.24 |
| OlsonAuto | Services | 1,569.96 |
| OneCall | Services | 439.25 |
| PCN | Goods | 665.27 |
| PeakGeo | Services | 16,329.21 |
| Pedens | Goods | 1,862.50 |
| PrnterPros | Services | 415.00 |
| ProfClning | Services | 1,395.00 |
| Ricoh | Services | 298.74 |
| RckyMtnPwr | Utilities | 207.88 |
| RouterSwr | Services | 1,327.20 |
| SCole | Reimb | 274.13 |
| S&Melect | Services | 5,724.82 |
| ShamrockEnv | Services | 553,314.30 |
| SheetMEtalSpec | Services | 17,630.00 |
| ShrwnWllms | Goods | 192.74 |
| ShoshoneDist | Goods | 528.00 |

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|-------------------|----------|--------------|
| SDLime | Services | 25.00 |
| Smarsh | Services | 1,863.00 |
| SoftDr | Goods | 113.50 |
| SprecherElect | Services | 21.28 |
| StateofWy-DeptofA | Services | 40.00 |
| SummitElect | Services | 3,091.21 |
| ThreeTrails | Services | 29,636.00 |
| Thyssenkrupp | Services | 6,874.40 |
| TopOffice | Goods | 632.04 |
| TretoConst | Retain | 67,737.60 |
| TylerTech | Goods | 700.00 |
| VeoliaESTech | Goods | 7,738.85 |
| Verizon | Services | 575.34 |
| VilanceLng | Services | 25.00 |
| VRCCo | Services | 84.00 |
| WamcoLabs | Services | 1,800.00 |
| WardwellWtr | Services | 62.68 |
| WasteWtr | Services | 373,736.10 |
| WearPrts | Goods | 75.16 |
| WWCEng | Services | 10,533.08 |
| WLCEng | Services | 1,620.00 |
| WYMchnry | Services | 707.08 |
| WyStFiremens | Services | 75.00 |
| WyStAuditors | Services | 15,682.99 |
| WyComp | Goods | 1,129.75 |
| WCSCorp | Goods | 225.00 |
| YouthCrsCtr | Funding | 13,962.00 |
| Total | | 2,172,922.60 |

6. COMMUNICATIONS FROM PERSONS PRESENT

No citizens addressed the Council.

7.A.1 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the rezoning, vacation and replat creating the Trails West Estates No. 4 Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated February 3, 2021 and an affidavit of publication, as published in the Casper-Star Tribune, dated January 31, 2021. City Manager Napier provided a brief report.

Speaking in support were: Bill Fehringer, Civil Engineering Professionals, Inc. and Keith Tyler, consultant for the applicant.

There being no others to speak for or against the issues involving the Trails West Estates No. 4 Addition, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 7-21
AN ORDINANCE APPROVING A VACATION/REPLAT,
SUBDIVISION AGREEMENT AND ZONE CHANGE FOR THE
TRAILS WEST ESTATES NO. 4 ADDITION SUBDIVISION IN
THE CITY OF CASPER, WYOMING.

Councilmember Pollock presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Johnson. Mayor Freel and Councilmember Engebretsen abstained. Motion passed.

7.A.2 PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of Local Assessment District 158 – Coates Road.

City Attorney Henley entered six (6) exhibits: correspondence from Andrew Beamer to J. Carter Napier, dated January 29, 2021; an affidavit of publication, as published in the Casper-Star Tribune, dated January 31, 2021; correspondence from Seth Coursen; correspondence from Paul and Suzanne Gulley; property owner notification package; and correspondence from Julia Olsen.

City Manager Napier provided a brief report.

Speaking in support was Andrea Strohman, 4145 Coates Road.

Speaking in opposition was Seth Coursen, 4270 Coates Road.

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

Following ordinance read:

ORDINANCE NO. 8-21
AN ORDINANCE CREATING CITY OF CASPER, WYOMING,
LOCAL ASSESSMENT DISTRICT NO. 158; ORDERING THE
CONSTRUCTION OF IMPROVEMENTS THEREIN;
DESCRIBING THE SAME, DIRECTING THE PREPARATION
OF PLANS AND SPECIFICATIONS THEREFOR; PROVIDING
FOR THE PUBLICATION OF NOTICE TO CONTRACTORS;
FIXING THE BOUNDARIES OF SAID DISTRICT; RATIFYING
ACTION PREVIOUSLY TAKEN; AND, PRESCRIBING
DETAILS IN CONNECTION WITH SAID DISTRICT.

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

Councilmembers had questions about the neighborhood meetings, and division of the LAD costs, which City Manager Napier addressed. Motion passed.

7.B PUBLIC HEARING—ANNEXATION

Mayor Freel opened the public hearing to consider if the annexation of the East Robertson Road Addition complies with W.S. 15-1-402.

City Attorney Henley entered four (4) exhibits: correspondence from Liz Becher to J. Carter Napier, dated February 3, 2021; an affidavit of publication for the hearing date, as published in the Casper-Star Tribune, dated January 6, 2021; affidavit of publication for the annexation report summary, as published in the Casper-Star Tribune, dated January 26, 2021; and the South Robertson Road Addition annexation report. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the East Robertson Road Addition, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 21-17
A RESOLUTION FINDING FACTS PURSUANT TO
WYOMING STATUTE 15-1-402 REGARDING THE
ANNEXATION OF THE EAST ROBERTSON ROAD
ADDITION.

Councilmember Engebretsen presented the foregoing resolution for adoption. Seconded by Councilmember Pollock. Mayor Freel and Councilmember Engebretsen abstained. Motion passed.

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.

WHEREAS, the Casper City Council approved Resolution No. 20-235, initiating the annexation of the East Robertson Road Addition, consisting of fifteen (15) lots located east of Robertson Road, and north of the Robertson Road river crossing/bridge, and more particularly described in the annexation exhibit, attached hereto as Exhibit A, which is hereby incorporated into this ordinance as though fully set forth; and,

WHEREAS, the East Robertson Road Addition is one hundred percent (100%) surrounded by properties currently located within the Casper corporate limits; and, WHEREAS, pursuant to Section 17.12.180 of the Casper Municipal Code, the City Council may impose zoning on the property to be annexed; and,

WHEREAS, the 2017 Generation Casper Comprehensive Land Use Plan supports the zoning of the property as AG (Urban Agriculture); and,

WHEREAS, an annexation report will be completed prior to third reading, and final approval of the annexation, in accordance with Section 15-1-402 of the Wyoming State Statutes, as amended; and,

WHEREAS, the City received a request from the property owner of 3489 South Robertson Road, more particularly described as Lot 1, Loraas Addition to the City of Casper, to rezone her property

from R-2 (One Unit Residential) to AG (Urban Agriculture), so that the zoning of her property is consistent with the zoning of the surrounding area being annexed; and,
 WHEREAS, pursuant to Section 17.12.160 of the Casper Municipal Code, the City Council may initiate zone changes.

WHEREAS, the City of Casper Community Development Director recommends the rezoning of 3489 South Robertson Road to AG (Urban Agriculture), in that the rezone will be consistent with surrounding zoning and the 2017 Generation Casper Comprehensive Land Use Plan.

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

SECTION 1:

The annexation of the East Robertson Road Addition, as described in Exhibit A, is hereby approved, and said area is included within the corporate limits of the City of Casper and all rights, privileges, and duties pertaining to such inclusion shall apply to said development and the inhabitants thereof.

SECTION 2:

AG (Urban Agriculture) zoning of the East Robertson Road Addition is hereby approved.

SECTION 3:

All utility franchises shall be furnished a copy of this ordinance, and other information required by the franchises, as official notice of the expansion of the City limits.

SECTION 4:

3489 South Robertson Road, more particularly described as Lot 1, Loraas Addition to the City of Casper, is hereby rezoned from R-2 (One Unit Residential) to AG (Urban Agriculture).

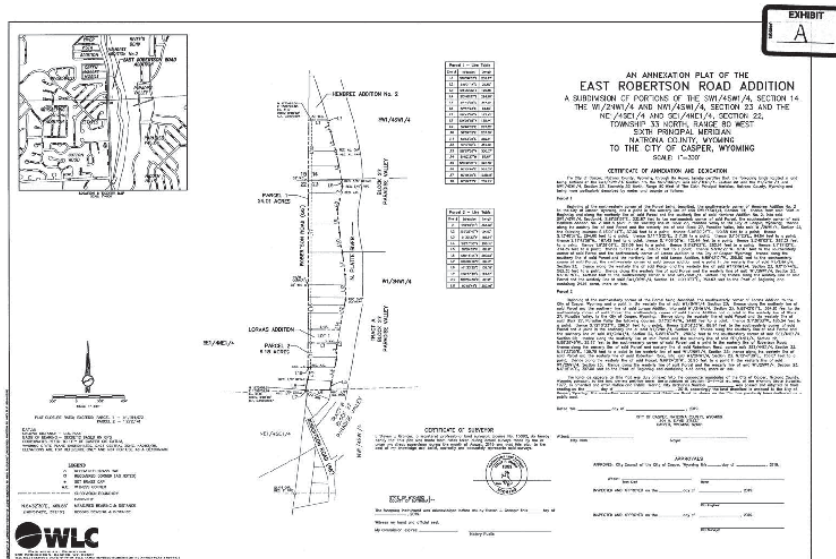
SECTION 5:

This ordinance shall, pursuant to W. S. § 15-1-408, be in full force and effect on the 21st business day following third reading approval by the City Council, and following publication.

PASSED on 1st reading the 19th day of January, 2021.

PASSED on 2nd reading the 2nd day of February, 2021.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 16th day of February, 2021.



Vice Mayor Pacheco presented the foregoing ordinance for adoption, on third reading. Seconded by Councilmember Cathey. Mayor Freel and Councilmember Engebretsen abstained. Motion passed.

7.C PUBLIC HEARING - MINUTE ACTION

Mayor Freel opened the public hearing for the consideration of the annual renewal of liquor licenses for the license year April 1, 2021 through March 31, 2022.

City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated January 26, 2021; an affidavit of publication for the majority of licenses, as published in the Casper-Star Tribune, dated January 18, 2021; an affidavit of publication for Ludovico, as published in the Casper-Star Tribune, dated February 9, 2021; an affidavit of website publication, as published on the City of Casper website, dated February 5, 2021; and an affidavit of notice of conspicuous posting, dated February 5, 2021.

Councilmember Pollock recused herself from the discussion and left the room. City Manager Napier provided a brief report.

Mayor Freel indicated that representatives from the Pizza Ranch were asked to speak at this meeting, but were unable to attend because of the weather. He also stated that a meeting would be set up with them for a later time. Mayor Freel recused himself from the discussion and left the room.

Vice Mayor Pacheco requested that Travis Taylor address Council. Mr. Taylor provided an overview of his ownership of Retail Liquor License No. 5. Councilmember Gamroth asked about the renewal and transfer of liquor licenses, which City Attorney Henley addressed. Councilmembers had specific questions about the use of the license, which Mr. Taylor addressed. Councilmember Lutz asked about the ownership and sale of licenses, and City Attorney Henley shared further information.

Vice Mayor Pacheco stated that he would like to set September 1st as a deadline for action on this license. Councilmember Cathey asked if a stipulation could be placed on the license, much like those on some of the existing licenses. City Attorney Henley indicated that Council could request an explanation of progress and that without it the 2022 renewal would be in jeopardy. Councilmember Cathey shared his concerns about the renewal of this license. Vice Mayor Pacheco shared that he would like an update from Mr. Taylor at the first meeting in September and that if changes have not occurred then the license would not be renewed going forward. Mr. Taylor requested some assurances, should he be in the middle of construction in September, for example. City Attorney Henley offered some suggestions for language and criteria for the condition for this renewal. City Manager Napier pointed out that the end of the calendar year coincides roughly with the application for the 2022 licensing year.

Mayor Freel rejoined the meeting. There being no one to speak for or against the issues involving the renewal of the liquor licenses, the public hearing was closed.

Moved by Councilmember Cathey, seconded by Councilmember Engebretsen, to, by minute action, authorize the renewal of the liquor licenses. Motion passed. Councilmember Pollock returned to the meeting.

8.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 Cathey presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Lutz. No citizens spoke on the ordinance.

Moved by Councilmember Gamroth to add amend Section 9.24.040 A. 3 to add the word “touched” and to add the following phrase at the end of the paragraph “and who is in the same building, structure, vehicle or area as the person(s) touched or touching”. Seconded by Councilmember Johnson. Motion to amend passed. Council voted on the ordinance, on third reading, as amended. Motion passed.

Ordinance as amended follows:

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.

WHEREAS, the governing body of the City of Casper has the authority granted by Wyoming State Statute §15-1-103(a)(xiii) and (xli) to adopt ordinances and resolutions necessary to protect the health, safety and welfare of the City and of its citizens; and,

WHEREAS, the governing body of the City of Casper may perform all acts in relation to the concerns of the city necessary to the exercise of its corporate powers; and,

WHEREAS, those powers include the stated action of suppressing or prohibiting houses of prostitution and other disorderly houses illegal sexual services; and,

WHEREAS, the Casper Municipal Code needs updated and modified from time to time; and,

WHEREAS, the governing body of the City of Casper desires to update and amend the following Sections of Chapter 9.24 Offenses Against Public Decency.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: that the following Sections of Chapter 9.24 Offenses Against Public Decency, are hereby updated and amended as follows:

9.24.040 - Prostitution—Defined—Prohibited.

A. For the purposes of this section:

"Prostitution" means any person who performs, offers or agrees to perform any act of:

a. Sexual intrusion as defined or referenced in this section or, any touching, manipulation or fondling of the sex organs of one person, whether by touch or the physical use of other items, by

another person for any money, property, token, object or article or anything of value, for the purpose of sexual arousal or gratification of any or all of the participants.

b. Performance prostitution as defined and/or referenced in this section for any money, property, token, object, article or anything of value.

2. "Sexual intrusion" means and is defined as in Section 6-2-301 of the Wyoming Statutes,

a. Any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification or abuse, or

b. Sexual intercourse, cunnilingus, fellatio, anilingus or anal intercourse with or without emission.

3. "Performance prostitution" means any touching, manipulation or fondling of the sex organs and/or areola by one person upon themselves or by one person upon the person of another, whether by touch or the physical use of other items (touched), for the purpose of sexually arousing or sexually gratifying the person, who paid for and/or financed the sexual arousal or sexual gratification, and who is in the same building, structure, vehicle or area as the person(s) touched or touching.

B. No person shall keep, set up, maintain or operate any place, structure, building or conveyance in which an act or acts of prostitution are performed or for the purpose of prostitution, with knowledge or reasonable cause to know that the same is or is to be used for such purpose, or receive or offer to agree to receive any person in any place, structure, building or conveyance for the purpose of prostitution, or permit any person to remain therein for such purpose.

C. No person shall direct, take, transport or offer or agree to take or transport, any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is for an act of prostitution.

D. No person shall reside in, enter or remain in any place, structure or building, or enter or remain in any conveyance for the purpose of prostitution.

E. No person shall engage in or solicit prostitution, aid or abet prostitution or obtain financial or pecuniary benefit from prostitution, by solicitation or by any means whatsoever.

F. No person shall solicit an act of prostitution, whether such person is requesting an act of prostitution or offering an act of prostitution.

(Ord. 17-87 § 1, 1987: prior code § 26-33) (Ord. No. 20-15, § 1, 9-1-2015)

9.24.045 - Prostitution—Evidence in prosecutions.

In the trial of any person charged with the violation of any of the provisions of Section 9.24.040, consistent with the United States Constitution, the Wyoming Constitution and the Wyoming Rules of Evidence, testimony of a prior conviction or testimony concerning the reputation of any place, structure or building and of the persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge. (Prior code § 26-34)

9.24.050 — Prostitution and Public Indecency Penalties — Administrative Consequences.

A. No owner, lessee, lessor, operator, manager, agent or employee of a business, place, structure, or conveyance or any licensee thereof, shall permit an act of prostitution under Wig Statutes Section 6-4-101 or Section 9.24.040 of this Code, public indecency under Section 9.24.020 of this Code or Wyoming Statutes Section 6-4-201, or shall engage in the sexual exploitation of children under Wyoming Statutes Section 6-4-303.

B. Any owner convicted of violating the statutes or ordinances referenced in this Section or aiding, abetting or inciting any violation thereof, shall in addition to the penalties prescribed by ordinance or statute, be subject to the administrative suspension or revocation of such individuals or entities license(s) and/or permits) for all business operations and activities at the location where the act(s)

of prostitution were committed; aiding and abetting or inciting a violation is also sufficient cause for the revocation or suspension of the individuals or entities license(s) and/or permit(s).

9.24.055 — Severability.

If any one or more section, subsection, sentence, clause, phrase, word, provision or application of this code chapter, shall for any person or circumstance, be held to be illegal, invalid, and/or unconstitutional such decision shall not affect the validity of any other sections, subsections, sentence, clause, phrase, word, provision or application of this code chapter which is operable without the offending section, subsection, sentence, clause, phrase, word, provision or application shall remain effective notwithstanding such illegal, invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, phrase, word, provision or application, and every section, subsection, sentence, clause, phrase, word, provision or application of this code chapter are declared severable. The governing body hereby declares that it would have passed each part, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, word, provision or application be declared illegal, invalid, and/or unconstitutional.

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 third and final reading the 16th day of February, 2021.

8.B ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 3-21

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

WHEREAS, the City of Casper has applied for plat approval to create the Highland Park Cemetery Addition No. 2, consisting of a vacation and replat of Highland Park Cemetery, and incorporating un-platted portions of the N1/2SE1/4 of Section 10 T33N, R79W, 6th PM, Natrona County, Wyoming (the "plat"); and,

WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that the City Council approve the requested plat; and,

WHEREAS, the final plat requires approval by ordinance, following a City Council public hearing; and,

WHEREAS, the governing body of the City of Casper finds that the above described plat and should be approved.

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

SECTION 1:

The final plat creating the Highland Park Cemetery Addition No. 2 is hereby approved.

SECTION 2:

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

PASSED on 1st reading the 19th day of January, 2021.

PASSED on 2nd reading the 2nd day of February, 2021.

PASSED, APPROVED, AND ADOPTED on third and final reading the 16th day of February, 2021.

Councilmember Pollock presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Engebretsen.

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

9.A ORDINANCE– SECOND READING

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

Individuals addressing the Council were: Dennis Steensland, 533 S. Washington, in favor of the vacation and gifting of the land; and Carter Britt, ECS Engineers, on behalf of the neighbors. Councilmembers had questions about the possibility of selling the vacated land and the maintenance of the area. City Manager Napier provided further information on these issues. Motion passed.

9.B ORDINANCE– SECOND READING

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”.

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

Those speaking in favor were: Whitney Lamb, Natrona County Prevention Coalition Chair; and Kenzie Martini, Casper Youth Council Chair. Councilmembers had questions for both speakers, which they addressed.

Councilmembers Cathey, Engebretsen, and Johnson voted nay. Motion passed.

10. CONSENT RESOLUTION

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 21-18
A RESOLUTION AUTHORIZING THE PURCHASE OF
BLUEBAM STUDIO PRIME LEVEL 1 LICENSING.

RESOLUTION NO. 21-19

A RESOLUTION ACCEPTING A GRANT FROM THE WYOMING STATE HISTORIC PRESERVATION OFFICE FOR THE COMPLETION OF A CULTURAL RESOURCE SURVEY OF AFRICAN AMERICAN HISTORICAL SITES/BUILDINGS IN CASPER.

RESOLUTION NO. 21-20

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO THE AGREEMENT WITH HIGH PLAINS CONSTRUCTION, INC., FOR THE CY BOOSTER STATION REPLACEMENT, PROJECT NO. 16-024.

RESOLUTION NO. 21-21

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH WLC ENGINEERING AND SURVEYING FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE INDUSTRIAL AVENUE DRAINAGE AND STREET IMPROVEMENTS PROJECT.

RESOLUTION NO. 21-22

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CROWN CONSTRUCTION, LLC, FOR THE COLLINS DRIVE MILL AND OVERLAY PROJECT NO. 20-041.

RESOLUTION NO. 21-23

A RESOLUTION AUTHORIZING A DONATION AGREEMENT AND BILL OF SALE BETWEEN THE CITY OF MILLS AND THE CITY OF CASPER.

RESOLUTION NO. 21-24

A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE-CITY WATER SERVICE WITH WAYNE AND MARY COLEMAN.

Councilmember Pollock presented the foregoing seven (7) resolutions for adoption. Seconded by Councilmember Gamroth. Motion passed.

11. MINUTE ACTION— CONSENT

Moved by Vice Mayor Pacheco, seconded by Councilmember Pollock, to, by consent minute action, authorize the purchase of one (1) new 2021 Mack transport tractor truck, in the total amount of \$108,181.07, from CMI TECO. Motion passed.

12. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke on upcoming meetings as well as meetings they attended.

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, February 23, 2021, in the Council Chambers; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, March 2, 2021, in the Council Chambers.

At 8:09 p.m., it was moved Councilmember Pollock, seconded by Councilmember Gamroth, to adjourn into executive session to discuss personnel and litigation. Motion passed.

At 8:50 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Johnson, to adjourn the executive session. Motion passed.

14. ADJOURNMENT

At 8:50 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Pollock, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor