

COUNCIL PROCEEDINGS  
Casper City Hall – Council Chambers  
August 16, 2022

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, August 16, 2022. Present: Councilmembers Johnson, Sutherland, Gamroth, Engebretsen, Knell, Cathey, Pollock, Vice Mayor Freel and Mayor Pacheco.

2. PLEDGE OF ALLEGIANCE

Mayor Pacheco led the audience in the pledge of allegiance.

3.A. SPECIAL MEETING MINUTES

Moved by Vice Mayor Freel, seconded by Councilmember Engebretsen to, by minute action, approve the minutes of the July 26, 2022 special Council meeting, as published in the Casper Star Tribune on August 3, 2022. Councilmember Pollock abstained from voting. Motion passed.

3.B. EXECUTIVE SESSION MINUTES

Moved by Councilmember Engebretsen seconded by Councilmember Cathey to, by minute action, approve the minutes of the July 26, 2022 Executive Session. Councilmember Pollock abstained from voting. Motion passed.

3.C. REGULAR MEETING MINUTES

Moved by Councilmember Pollock, seconded by Vice Mayor Freel to, by minute action, approve the minutes of the August 2, 2022 regular Council meeting, as published in the Casper Star Tribune on August 13, 2022. Motion passed.

3.D. EXECUTIVE SESSION MINUTES

Moved by Councilmember Pollock seconded by Councilmember Sutherland to, by minute action, approve the minutes of the August 2, 2022 Executive Session. Motion passed.

4. BILLS & CLAIMS

Moved by Councilmember Engebretsen, seconded by Councilmember Pollock to, by minute action, approve payment of the August 16, 2022, bills and claims, as audited by City Manager Napier. Motion passed.

<u>Bills &amp; Claims 08/16/22</u>		
307CllsnCntr	Services	1,398.60
307Jntrl	Services	5,823.35
6HGroup	Goods	492.50
71Const	Goods	23,619.05
AAALndscpng	Services	3,669.24
AceHrdwr	Goods	630.22
ACZLbrtrs	Services	401.00
AhrnRntls	Services	1,230.06
AirInnvtns	Services	247.00
Airgas	Goods	1,149.15

AllOutFireExt	Goods	60.00
AlphaFeltsSltn	Services	3,528.78
Alsco	Services	2,498.85
AMBI	Services	1,300.42
Amrgs	Goods	177.92
AmrTech	Services	12,770.78
AppldCncpts	Services	7,380.00
AT&T	Services	8,620.86
Atlas	Goods	4,522.57
BdgrMtr	Services	159.31
BarDSgns	Services	23,200.00
BntzTwnPmp	Goods	35.09
BigHrnTire	Services	990.00
BlkHillsEnrgy	Utilities	370.72
BrntagPac	Goods	41,822.80
Brian'sGoTo	Services	714.10
CptlBusnsSystem	Services	61.80
CaraEntrprs	Services	760.00
CsprAreaCnvntn	Services	14,970.00
CsprDwntwnDvlpmt	Goods	2,000.00
CsprStrTrb	Services	1,296.52
CsprTinShop	Services	290.00
CsprTire	Services	2,374.00
CsprVtrnry	Services	1,650.91
CntrlPaint&Body	Services	738.00
CWRWS	Goods	1,440,213.80
CWSS	Services	53,117.25
CntryLnk	Utilities	17,496.83
CtyCspr	Services	71,778.36
CMITeco	Services	35,943.77
CommTech	Services	309.00
CmptrPrjcts	Services	1,188.00
Cnvrgn	Goods	13,940.83
CPSDstrbtrs	Goods	737.02
CPU	Goods	4,767.48
CreedCmpns	Services	691.60
CrwnCnstrctn	Services	19,254.91

CunninghamElectrc	Services	1,012.00
DJones	Reimb	150.00
DckrAuto	Services	744.99
Dell	Goods	359.32
DnnsSply	Goods	141.07
DPCIndstrs	Goods	23,130.01
DynmcCtrls	Services	60.00
E&FTowng	Services	1,895.00
EdgEngnrng	Services	4,137.50
EliteK-9	Goods	764.85
Endress&Hauser	Goods	1,829.25
EnrgyLabs	Services	3,875.00
FIB	Goods/Invstmnts	5,522.42
GCBldgSply	Services	1,870.90
Galls	Goods	1,053.26
GloblEquip	Services	883.39
GloblSpctrm	Services	149,897.32
GldrAssoc	Services	4,224.69
GoodYrTire	Services	320.52
Grngr	Goods	434.36
HrcIsInd	Goods	948.88
Hollnd&Hart	Services	273.00
Homax	Goods	94,689.23
HowrdSply	Goods	207.45
HydroOptmztn	Services	100.00
IME	Services	2,490.00
ITCElctrel	Services	727.00
JChilds	Refund	125.00
JCGTchnlgs	Goods	5,273.00
JungBrosEngnrs	Services	1,453.00
KRollison	Reimb	105.37
Kinsco	Goods	8,944.00
KnfRvr	Services	9,623.11
KncklDrgrTctics	Services	2,650.00
LawsnPrdcts	Services	1,800.00
LeewrdTree	Goods	2,915.00
Lisa'sSpcNSpn	Services	840.00

Lower&Co	Services	600.00
MBratvold	Reimb	116.94
MHuss	Reimb	930.60
MlgrdCnstrctn	Services	51,328.21
MileHighShootng	Goods	7,577.50
MillsPD	Services	598.10
MLAuto	Services	299.00
MoblCnerte	Goods	508.00
MdrnElctrc	Services	104.00
Motn&FlowCntrl	Goods	23.68
MotorlaSltns	Services	13,663.37
MtnStLitho	Services	1,128.02
MtnStsPipe	Goods	2,135.09
MtnWstTech	Services	1,691.42
Napa	Goods	113,492.66
NCSO	Services	598.10
NCHallOfJstc	Services	7,288.83
Norco	Goods	1,674.17
NrthrnLights	Services	2,050.00
NWstContr	Goods	699.67
OlsnAutoBdy	Services	3,504.26
OneCall	Services	1,592.25
OvrHeadDr	Services	154.96
PaxWtrTech	Goods	7,790.00
PepprTnk&Cntrctrs	Services	650.00
PstlPros	Services	3,801.70
PrfsnlCIng	Services	1,395.00
RailRdMgmt	Services	313.34
RmshrnCnstrctn	Services	108,292.40
ReebWldng	Services	2,163.00
Rlntls	Services	649.00
Ricoh	Services	855.46
RKREntrprs	Services	150.00
RekyMtnAirSltns	Goods	7,964.75
RekyMtnPwr	Utilities	138,841.10
RootrSwr	Services	4,719.65
SftyKleenSystem	Goods	1,801.06

SeaWstrn	Goods	55,681.80
ShrwnWlms	Goods	781.12
Simplot	Goods	1,582.40
SrchAcqstn	Goods	113.34
SkyIneRnchs	Services	6.54
SmthPsych	Services	1,000.00
SftDr	Services	16.25
SouthernPrprtyCnsltnts	Goods	4,700.00
Stnrd&Assoc	Goods	7,155.50
StOfWyoNtry	Goods	60.00
StOfWyo	Services	442,516.88
StrIngInfosystms	Services	568.15
StrtgcGvrnmnt	Services	554.00
SummitFire	Services	265.25
TMarkovich	Reimb	361.69
TacOneCnsltng	Services	2,450.00
Thtchr	Goods	10,188.62
ThomsnReutrs	Goods	848.74
TKElvtr	Services	15,992.79
TopOffc	Goods	938.61
Toro	Services	7,755.00
TrnsUnionRsk	Services	198.40
TretoCnstrctn	Services	198,573.60
TriStOilReclm	Services	861.00
TriStTrk&Eqpmnt	Services	2,437.36
TWEntrprs	Services	2,831.11
TylerTech	Services	165,714.30
Unifrms2Gear	Goods	446.31
UrgntCareOfCspr	Services	28.00
VrznWrsls	Services	2,452.12
WardwlWtr	Goods	135.68
WyneColemnConst	Services	99,750.69
WlbrnSlvn	Services	10,000.00
WstPlainsEngnrng	Services	1,350.00
WstrnSign&Design	Services	246.00
WWCEngnrng	Services	1,932.95
WstlndPrk	Services	1,662.26

WyoDOT	Services	5.42
WyoLowVltge	Goods	705.00
WyoMchnry	Services	17,038.50
Xerox	Goods	213.49
ZonrSystms	Services	20.36
Total		3,717,146.86

5. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing Council were: Lyle Bothel, 2014 Laramie Ave, regarding speed and traffic issues on Casper Street and Laramie Ave; and Turner Logan and Seth Hollier, 128 East 2<sup>nd</sup> Street, regarding amendments to an ordinance prohibiting bottling clubs. Council directed staff to work with Mr. Bothel on the traffic issue and to add the ordinance amendment to a future work session agenda.

6. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Cathey, seconded by Councilmember Pollock, to, by minute action, establish September 6, 2022, as the public hearing date for the consideration of:

- a. Correcting a Scrivener's Error in the Legal Description of Ordinance No. 34-19 Pertaining to the Mistaken Inclusion, Via Annexation, of the West Half of Lots 26 & 27, South Garden Creek Acres No. 2 Addition in the Casper Municipal Limits; and
- b. Approving a Partial Plat Vacation, Replat, Vacation of Public Parkland and a Zone Change for the North Platte River Park No. 2 Subdivision in the City of Casper, Wyoming.

Motion passed.

6. PUBLIC HEARING – RESOLUTION

Mayor Pacheco opened the public hearing for the consideration of Budget Amendment #1 to the FY2023 Budget.

City Attorney Henley two (2) exhibits: correspondence from Jill Johnson, to J. Carter Napier, dated August 10, 2022; an affidavit of publication, as published in the Casper-Star Tribune, dated August 9, 2022. City Manager Napier provided a brief report.

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

Following resolution read:

RESOLUTION NO. 22-151  
A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE  
FISCAL YEAR ENDING JUNE 30, 2023 (FIRST AMENDMENT TO  
THE ORIGINAL ADOPTED BUDGET).

Councilmember Pollock presented the foregoing resolution for adoption. Seconded by Councilmember Cathey. Councilmember Knell asked about the likelihood of the rolled over projects being completed in this fiscal year. Council directed staff to add this issue to a future work session agenda. Councilmember Knell abstained from voting. Motion passed.

7. ORDINANCE— SECOND READING

Following ordinance read:

ORDINANCE NO. 13-22  
AN ORDINANCE AMENDING SECTIONS 17.20-070 AND 17.105.010  
OF THE CASPER MUNICIPAL CODE.

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

8. ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 11-22  
AN ORDINANCE AMENDING ORDINANCE NO. 35-12 AN  
ORDINANCE GRANTING A FRANCHISE TO WERCS  
COMMUNICATIONS, INC., DBA MOUNTAIN WEST TELEPHONE,  
FOR THE CONSTRUCTION AND OPERATION OF A  
TELECOMMUNICATIONS SERVICE SYSTEM.

WHEREAS, under Wyoming Statute Section 15-1-103(a)(xxxiii), a city may grant franchises for such terms as the governing body deems proper to any utility company; and,  
WHEREAS, on December 18, 2012, the governing body of the City of Casper, Wyoming, passed, approved, and adopted Ordinance No. 35-12, An Ordinance Granting a Franchise to WERCS Communications, Inc., D.B.A. Mountain West Telephone, for the Construction and Operation of a Telecommunications Service System; and,  
WHEREAS, the term of the Franchise expired on December 18, 2020; but the parties have continued to perform their obligations thereunder as if the Ordinance term is still in effect; and,  
WHEREAS, the parties desire to ratify the terms and conditions of Ordinance 35-12 as being in full force and effect from the time of the expiration of the term until this Ordinance is in full force and effect; and,  
WHEREAS, the City of Casper and WERCS Communications, Inc., D.B.A. Mountain West Technologies Corporation, wish to extend the Franchise term established by Ordinance 35-12, to April 26, 2037.  
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

The party identified in Ordinance No. 35-12 as "WERCS Communications, Inc., d.b.a. Mountain West Telephone" and "Franchisee" updates its name to Mountain West Technologies Corporation, and its address to 400 West First Street, Casper, Wyoming 82601 (physical) and P.O. Box 2588 Casper, Wyoming 82602 (mailing).

SECTION 2:

SECTION 5. TERM. of Ordinance No. 35-12 is amended, and replaced to read as follows:  
"The right and authority herein granted shall continue for a period through April 26, 2037."

SECTION 3:

SECTION 7 FRANCHISE FEE AND PERMITTING, subparagraph D., is amended, and replaced to read as follows:

"The City reserves the right to renegotiate the franchise fee up to and no more than four (4) times during the term of this Agreement."

SECTION 4:

The terms and conditions of Ordinance 35-12 are ratified as being in full force and effect from the expiration date thereof until this Ordinance is passed on third reading and takes full force and effect.

SECTION 5:

The terms and conditions of Ordinance 35-12, except as modified by this Ordinance, are ratified and shall remain in full force and effect.

Councilmember Pollock presented the foregoing ordinance for approval, on third reading. Seconded by Vice Mayor Freel. Councilmember Gamroth abstained from voting. Motion passed.

9. ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 12-22  
AN ORDINANCE CORRECTING A SCRIVENER’S ERROR IN THE  
LEGAL DESCRIPTION OF ORDINANCE NO. 29-21 PERTAINING  
TO THE TRAILS WEST ESTATES SUBDIVISION AND THE TRAILS  
WEST ESTATES NO. 6 SUBDIVISION AGREEMENT.

WHEREAS, the City of Casper Wyoming, passed and enacted Ordinance No. 29-21 following the third reading on May 3, 2022, which approved the Trails West Estates No. 6 Subdivision Agreement with the legal description of the lots being replatted as Lots 2-18, Block 21; and,

WHEREAS, Lots 2-18, Block 21 was a scrivener’s error, and the correct legal description should have read as Lots 2-36, Block 21; and,

WHEREAS, the intent of Ordinance No. 29-21 was to describe the lots being replatted as Lots 2-36, Block 21, which matches the actual plat of the property; and,

WHEREAS, it is necessary to amend the legal description contained and set forth in Ordinance No. 29-21 to reflect that Trails West Estates No. 6 is a replat of Lots 2-36, Block 21.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That due to a scrivener’s error the legal description for Trails West No. 6 Subdivision Agreement, “Lots 2-18, Block 21” was erroneously and mistakenly identified as the legal description of the lots being replatted in Ordinance No. 29-21, and the legal description of the Subdivision Agreement is hereby changed to read as Lots 2-36, Block 21.

BE IT FURTHER RESOLVED: that Ordinance No. 29-21 is hereby amended to read Lots 2-36, Block 21.

Councilmember Cathey presented the foregoing ordinance for approval, on second reading. Seconded by Councilmember Knell. Motion passed.

10. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 22-152  
A RESOLUTION AUTHORIZING A CONTRACT FOR  
PROFESSIONAL SERVICES WITH ENGINEERING ECONOMICS,  
INC., FOR COMMISSIONING SERVICES REGARDING THE  
RENOVATION OF 123 W. FIRST STREET, CASPER, WYOMING.

RESOLUTION NO. 22-153  
A RESOLUTION AUTHORIZING THE FISCAL YEAR 2023  
CONTRACT WITH THE STATE OF WYOMING OFFICE OF THE  
ATTORNEY GENERAL, DIVISION OF VICTIM SERVICES.

RESOLUTION NO. 22-154  
A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 16  
PASSENGER BUS FOR USE IN THE CITY’S TRANSIT SYSTEM  
FROM DAVEY COACH SALES IN AN AMOUNT OF ONE  
HUNDRED FORTY-EIGHT THOUSAND THREE HUNDRED SIXTY-  
ONE DOLLARS (\$148,361.00)



RESOLUTION NO. 22-155

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 24 PASSENGER BUS FOR USE IN THE CITY’S TRANSIT SYSTEM FROM HOMETOWN MFG INC. IN AN AMOUNT OF ONE HUNDRED NINETY-SIX THOUSAND EIGHT HUNDRED TWENTY-SIX DOLLARS (\$196,826.00)

RESOLUTION NO. 22-156

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH BAR D SIGNS, INC., TO INSTALL A NEW DOUBLE-SIDED MONUMENT SIGN WITH A SINGLE EMC DIGITAL DISPLAY.

Councilmember Pollock presented the foregoing five (5) resolutions for adoption. Seconded by Councilmember Gamroth. Councilmember Knell abstained from voting on Resolution No. 22-154 and Resolution No. 22-155. Motion passed.

11. MINUTE ACTION– CONSENT

Moved by Councilmember Engebretsen, seconded by Councilmember Johnson to, by consent minute action:

1. Approve the Purchase of 49 Motorola Portable Radios from Motorola Solutions; and,
2. Authorize the appointment of One New Member, Kate Maxwell, to Fill an Open Position and the Reappointment of an Existing Member, Errol Miller, to the Central Wyoming Senior Services Board.

Motion passed.

12. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmembers spoke on meetings and events they attended as well as matters of public interest.

13. ADJOURN INTO EXECUTIVE SESSION

At 6:54 p.m., it was moved Councilmember Knell, seconded by Vice Mayor Freel to adjourn into executive session to discuss litigation and land acquisition. Motion passed. Council moved into the Council Meeting Room.

At 7:53 p.m., it was moved by Councilmember Cathey, seconded by Vice Mayor Freel, to adjourn the executive session. Motion passed.

14. ADJOURNMENT

The meeting was opened to the public. At 7:53 p.m., it was moved by Councilmember Cathey, seconded by Vice Mayor Freel, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

\_\_\_\_\_  
Fleur Tremel  
City Clerk

\_\_\_\_\_  
Ray Pacheco  
Mayor