

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
November 15, 2022

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, November 15, 2022. Present: Councilmembers McIntosh, Pollock, Sutherland, Gamroth, Engebretsen, Cathey, Humphrey, Vice Mayor Knell, and Mayor Pacheco.

2. PLEDGE OF ALLEGIANCE

Mayor Pacheco led the audience in the pledge of allegiance.

3.A. REGULAR MEETING MINUTES

Moved by Vice Mayor Knell, seconded by Councilmember Engebretsen to, by minute action, approve the minutes of the October 18, 2022 Regular Council Meeting, as published in the Casper Star Tribune on November 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 October 18, 2022 Executive Session. Councilmember Pollock abstained from voting. Motion passed.

3.C. SPECIAL MEETING MINUTES

Moved by Councilmember Sutherland, seconded by Councilmember Engebretsen to, by minute action, approve the minutes of the October 25, 2022 Special Council Meeting, as published in the Casper Star Tribune on November 3, 2022. Motion passed.

3.D. EXECUTIVE SESSION MINUTES

Moved by Vice Mayor Knell, seconded by Councilmember Pollock to, by minute action, approve the minutes of the October 25, 2022 Executive Session. Motion passed.

4. BILLS & CLAIMS

Moved by Councilmember Pollock, seconded by Councilmember Engebretsen to, by minute action, approve payment of the November 15, 2022, bills and claims, as audited by City Manager Napier. Motion passed.

<u>Bills & Claims 11/15/22</u>		
307Jntrl	Services	4,143.07
71Const	Goods	3,452.30
ASveda	Reimb	150.00
AceHrdwr	Goods	103.05
ACZLbrtrs	Services	1,162.50
Airgas	Goods	1,138.63
Alsco	Services	1,829.54
AltdVtrnry	Services	127.00
AMBI	Services	755.61

AmrcnTitle	Goods	600.00
AmrTech	Services	5,333.97
AMSgnl	Goods	1,750.00
ArrwheadHeat	Services	383.75
AT&T	Services	1,118.98
Atlas	Goods	18,197.49
Atdsk	Services	3,340.00
BDanysh	Reimb	150.00
BdgrMtr	Services	162.87
BamBlnds	Goods	1,449.25
BarDSgns	Services	10,790.00
BigHrnTire	Services	130.00
BlkHillsEnrgy	Utilities	711.62
BlkmnPrpn	Goods	351.00
Boys&GirlsClub	Services	14,372.75
BrntagPac	Goods	17,635.72
Brian'sGoTo	Services	1,490.92
BrndlCrk	Services	4,050.00
BsbyIndstrs	Goods	19,750.00
CKrugler	Reimb	115.95
CLynch	Reimb	150.00
ClbrHldngs	Services	4,943.00
CsprAreaEcnmcDvlpmnt	Services	10,000.00
CsprTire	Services	4,245.00
CWRWS	Goods	466,874.19
CntryLnk	Utilities	18,122.22
ChlkButtesLndscpng	Services	55,106.14
ChpmnVldz&Lnsng	Services	2,000.00
CtyCspr	Services	198,384.32
CivilEngnrng	Services	15,307.50
CMI	Goods	246.99
CMITeco	Services	286,652.52
CoastlChmcl	Goods	153.16
CocaCola	Services	16.50
CommTech	Services	21,300.98
CmprsnLeasng	Services	7,167.92
Cmtrnx	Goods	56.00

Cnvrgn	Goods	574.54
CPU	Goods	14,783.00
Core&Main	Goods	1,272.50
CPSDstrbtrs	Goods	1,527.08
CrwnCnstrctn	Services	23,197.81
DKpnr	Services	29.00
DckrAuto	Services	1,169.72
Dell	Goods	567.36
DnvrIndstrlPmps	Goods	5,205.83
DsrtMtn	Goods	24,240.62
DLTSltns	Services	6,051.50
DPCIndstrs	Goods	12,505.68
E&FTowng	Services	80.00
EcnltSystem	Goods	14,251.27
EnrgyLabs	Services	1,846.00
EngnrngDsgn	Services	125.00
FrgsnEnt	Goods	17,891.14
FIB	Invstmnts	8,424.29
FoxstrOpco	Goods	1,110.00
Galloway&Co	Services	7,050.00
Galls	Goods	1,874.99
GilletteSteel	Goods	3,627.00
GloblSpctrm	Services	85,000.00
GldrAssoc	Services	9,676.79
GoodYrTire	Services	1,188.38
Grngr	Goods	978.10
GrrrMotr	Services	363.34
Hach	Goods	300.54
HzrdCntrlTchnlgs	Goods	3,221.25
HDREngnrng	Services	1,846.25
Homax	Goods	7,266.70
HonnenEquip	Services	306.02
HoodsEqpmt	Goods	1,684.90
HydroOptmztn	Services	6,651.00
IME	Services	145.10
IndstrlScrn	Services	9,281.84
InstfrmTchnlgs	Services	652,576.20

ITCElctrel	Services	688.80
JGreenwood	Reimb	122.84
JDCInvstgtns	Services	700.00
JRAutoUphlstry	Services	1,300.00
KJohnston	Reimb	150.00
KKraft	Reimb	90.68
Kinsco	Goods	277.98
KnfRvr	Services	4,932.45
LHubbard	Services	150.00
LJacobs	Reimb	97.11
LawsnPrdcts	Services	900.00
LtzsAplnc	Goods	339.95
Lisa'sSpcNSpn	Services	270.00
LongBldgTech	Services	1,177.90
MEllis	Services	760.00
MWilhelms	Reimb	125.99
MillsPD	Services	103.90
MidIndImplmnt	Goods	2,138.22
MidwstLbrtrs	Services	388.00
MLAuto	Services	182.00
MdrnElctrc	Services	100.00
MtnStLitho	Services	81.28
MtnWstTech	Refund/Services	1,113.32
NCSO	Services	108,461.31
NCHallofJstcDetentnPwrsBrd	Services	434.25
NCHallofJstcJntPwrsBrd	Services	768.58
Norco	Goods	201.21
NWstContr	Goods	2,097.76
NovaBiomdcl	Goods	1,262.14
OlsnAutoBdy	Services	262.50
OneCall	Services	922.50
OvrHeadDr	Services	1,180.60
PaceAnlytclSrvc	Services	640.90
PacificHide&Fur	Goods	707.14
Pedens	Goods	1,237.95
PepprTnk&Cntrctrs	Services	1,200.00
PtrsnEqmnt	Services	600.00

PstlPros	Services	4,027.00
PrfsnlCIng	Services	1,395.00
ROgden	Reimb	150.00
RTasler	Reimb	143.99
RmshrnCnstrctn	Services	115,125.76
Rescuegear	Goods	1,640.00
Rexel	Services	793.12
Ricoh	Services	400.36
RckyMtnAirSltns	Goods	6,335.92
RckyMtnPwr	Utilities	38,307.12
RootrSwr	Services	1,822.77
SftyKleenSystms	Goods	701.74
SeaWstrn	Goods	7,726.35
ShoshneDstrbtng	Goods	999.50
SkylnRnchs	Services	144.03
SlsHbckCnvs	Goods	200.00
Snomax	Goods	6,510.00
StOfNEDMV	Services	7.50
StOfWyo	Services	702,884.22
StotzEqpmnt	Services	4,853.31
SummitElectrc	Services	5,531.53
SynrgyPntng	Services	3,230.00
ThomsnReutrs	Goods	993.42
ThreeTrlsAssmnt	Services	33,280.00
TopOffc	Goods	6,515.72
TotalMchnclSrvcs	Services	6,894.00
Unifrms2Gear	Goods	331.96
ValorCnstrctn	Services	15,243.00
VrznWrls	Services	3,449.49
WAhrndt	Reimb	282.28
Wamco	Services	1,100.00
WardwlWtr	Goods	86.37
WtrTech	Goods	11,085.00
WyneColemnConst	Services	2,000.00
WstPlainsEngnrng	Services	765.00
WstrnStatesFirePrtctn	Services	5,115.00
WstlndPrk	Services	2,062.44

WH	Services	8,285.00
WrdElctrc	Services	5,360.00
WyoMchnry	Services	7,330.61
WyoRents	Services	1,413.40
Wyo1stAid	Goods	174.06
WyoSteel&Rcycling	Goods	1,725.00
Total		3,285,951.38

5. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing Council were: Steve Freel, 211 W Collins, regarding flag pole lots; Alissa Ruckle, 718 Divine Ave, Sara Lockery, 3431 Belmont Dr., Beau Griffith, 915 S Lincoln, and Anna Kempstead, 4438 E 43rd Street, spoke regarding updates and youth assessment surveys for the Casper Youth Council; and Jessica Novotny, regarding security cameras and safe rooms at fire stations.

6.A.1. ESTABLISH DATE OF PUBLIC HEARINGS

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

- a. Transfer of ownership for Liquor License No. 37 from Charger Holdings, LLC dba Yellowstone Garage, located at 355 West Yellowstone to 307 Repair Inc, dba Yellowstone Garage Bar & Grill, located at 355 West Yellowstone.
- b. New Restaurant Liquor License No. 49 for MWKW Corp. dba Little Shop of Burgers, located at 1040 North Center Street.

Councilmember Pollock abstained from voting on both items. Motion passed.

7.A. PUBLIC HEARING – ORDINANCE

Mayor Pacheco opened the public hearing for the consideration of an ordinance approving a vacation, replat, subdivision agreement and zone change for the Pasadena Addition.

City Attorney Henley entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated November 10, 2022; and an affidavit of publication, as published in the Casper Star-Tribune, dated October 31, 2022. City Manager Napier gave a brief report.

Speaking in favor was: Bill Fehring, 6080 Enterprise Drive. There was no one to speak in opposition of the item. There being no other citizens to speak for or against the issue, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 19-22
AN ORDINANCE APPROVING A VACATION, REPLAT,
SUBDIVISION AGREEMENT AND ZONE CHANGE FOR THE
PASADENA ADDITION.

Councilmember Cathey presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Engebretsen. Councilmember McIntosh abstained from voting. Motion passed.

7.B. PUBLIC HEARING – MINUTE ACTION

Mayor Pacheco opened the public hearing for the consideration of the transfer of ownership for Retail Liquor License No. 36 to Occasions by Cory Bar LLC. He noted that the LLC has been updated from Occasions by Cory LLC to Occasions by Cory Bar LLC.

City Attorney Henley entered four (4) exhibits: correspondence from Fleur Tremel to J. Carter Napier, dated November 1, 2022; an affidavit of publication, as published in the Casper Star-Tribune, dated November 8, 2022; an affidavit of website publication, dated November 9, 2022, and a liquor license application, filed October 12, 2022.

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

Moved by Councilmember Gamroth, seconded by Councilmember Humphrey to, by consent minute action transfer the ownership for Liquor License No. 36 from Urban Market Wines, LLC, dba Urban Bottle Wine & Spirits, located at 410 South Ash Street to Occasions by Cory Bar, LLC dba The Drinkery – Modern Bar + Venue by Cory, located at South Ash Street. Councilmember Pollock abstained from voting. Motion passed.

8.A. ORDINANCE– SECOND READING

Following ordinance read:

ORDINANCE NO. 17-22
AN ORDINANCE REPEALING AND REPLACING ORDINANCE 16-97 CODIFIED AS CHAPTER 8.08 OF THE CASPER MUNICIPAL CODE.

Councilmember Pollock presented the foregoing ordinance for adoption, on second reading. Seconded by Councilmember Sutherland. There being no citizens to speak on the ordinance, no discussion, and no amendments, the motion passed.

8.B. ORDINANCE– SECOND READING

Following ordinance read:

ORDINANCE NO. 18-22
AN ORDINANCE AMENDING CHAPTER 9.08 – OFFENSES AGAINST THE PERSON, OF THE CASPER MUNICIPAL CODE TO ADD SECTION 9.08.020 “MALICIOUS HARMS BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, NATIONAL ORIGIN, OR DISABILITY.”

Vice Mayor Knell presented the foregoing ordinance for adoption, on second reading. Seconded by Councilmember Sutherland.

Individuals addressing Council were: Skylar Cooper, 1st Street; Kate Allen, LGBTQ Advisory Committee Member; Sara Lockery, 3431 Belmont Drive; Dennis Steinsland, 533 S Washington; Brad Shirley, 834 E 13th St; Seth Hollier, 128 East 2nd St; Keith Nachbar, 1st Street; Kyle True, 1541 Diamond Dr.; Terry Drake, 6231 S Spruce; Riley Jorgenson, 4432 Moonbeam; Anna Kempstead, 4438 E 24th St; and Tim Calbert, 4311 Mink St.

Vice Mayor Knell and Councilmember Sutherland spoke about the intention of the ordinance and the that intention of a crime should be taken into consideration in the law. Councilmember Pollock and Mayor Pacheco discussed that this is not a new idea, and other cities around the country have passed similar ordinances in order to provide additional layers of protections to citizens. Councilmember McIntosh discussed that the majority of people who have reached out to Council regarding the ordinance have been in support of it. He also asked that those who wish to write to or address Council do so respectfully. Councilmember Humphrey asked about the effects of the ordinance on church's, specifically bidding process. City Attorney Henley responded that churches would be protected as religious institutions under the circumstances presented, but if they were to branch away from their religious works, such as bidding on a project for a restaurant they owned, the ordinance would apply then. Councilmember Cathey explained why he will not vote in favor of the ordinance, stating that in his opinion it is not necessary.

Vice Mayor Knell moved to amend Section 9.08.020, Subsection F, changing the title to "Exceptions and Definitions," and incorporating the written changes shown on the attachment to the City Attorney's memo concerning Subsection F.1. and F.2., and adding Section F.3. titled "Definitions". Seconded by Councilmember McIntosh. Motion passed.

Mayor Pacheco called for a vote on the ordinance as amended. Councilmember Cathey voted nay and all other Councilmembers voted aye. Motion passed.

9. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 22-200

A RESOLUTION APPROVING AND RATIFYING THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM GRANT FFY2023 SUB-AWARD AGREEMENT BETWEEN THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM AND CASPER POLICE DEPARTMENT.

RESOLUTION NO. 22-201

A RESOLUTION APPROVING AND RATIFYING THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM GRANT FFY2023 SUB-AWARD AGREEMENT BETWEEN THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM AND CASPER POLICE DEPARTMENT.

RESOLUTION NO. 22-202

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 WITH CHALK BUTTES LANDSCAPING INC., FOR A CONTRACT INCREASE AND A TIME EXTENSION FOR THE CEMETERY IRRIGATION IMPROVEMENTS PROJECT NO 21-029.

RESOLUTION NO. 22-203

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CROWN CONSTRUCTION LLC., FOR THE CASPER REGIONAL LANDFILL LEACHATE FORCE MAIN EXTENSION, PROJECT NO. 21-012B.

RESOLUTION NO. 22-204

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH THE HA BASEBALL, LLC, DBA CASPER HORSEHEADS FOR THE USE AND OPERATION OF THE MIKE LANSING CONCESSIONS STAND.

RESOLUTION NO. 22-205

A RESOLUTION AUTHORIZING A PROCUREMENT OF GOODS AGREEMENT WITH CORE AND MAIN LP FOR SUPPLYING WATER METERS AND WATER METER COMPONENTS FOR USE IN THE CITY OF CASPER WATER DISTRIBUTION SYSTEM.

RESOLUTION NO. 22-206

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH BCV SYSTEMS LLC, FOR THE BLOWER CONTROLS UPGRADES PROJECT AT THE SAM H. HOBBS WASTEWATER TREATMENT PLANT.

RESOLUTION NO. 22-207

A RESOLUTION APPROVING THE VACATION AND REPLAT OF VALLEY WEST BUSINESS CENTER, LOTS 1 THROUGH 6 ADDITION, AND A PORTION OF COMMERCIAL TRACT 1, PARADISE VALLEY SUBDIVISION, TO CREATE THE VALLEY WEST BUSINESS CENTER NO. 2 ADDITION.

RESOLUTION NO. 22-208

A RESOLUTION APPROVING THE VACATION AND REPLAT OF EASTWARD HEIGHTS VIII ADDITION, LOTS 1-5, TO CREATE EASTWARD HEIGHTS VIII LOT 17; AND THE ASSOCIATED SUBDIVISION AGREEMENT.

RESOLUTION NO. 22-209

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM.

RESOLUTION NO. 22-210

A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE NATRONA COUNTY SCHOOL DISTRICT FOR USE OF LOT 12 AT THE FORD WYOMING CENTER TO CONDUCT DRIVERS' EDUCATION CLASSES FOR THE NATRONA COUNTY SCHOOL DISTRICT STUDENTS.

Councilmember Pollock presented the foregoing eleven (11) resolutions for adoption. Seconded by Councilmember Sutherland. Vice Mayor Knell abstained from voting on Resolution No. 22-201, Councilmember Pollock abstained from voting on Resolution No. 22-204, Councilmember McIntosh abstained from voting on Resolution No. 22-207 and Resolution No. 22-208, and Councilmember Engebretsen abstained from voting on 22-208. Motion passed.

10. INTRODUCTION OF MEASURES AND PROPOSALS

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

Council agreed to the flag lot issue to a future work session agenda.

11. ADJOURN INTO EXECUTIVE SESSION

At 7:59 p.m., it was moved by Vice Mayor Knell, seconded by Councilmember Engebretsen, to adjourn into executive session to discuss land acquisition. Motion passed. Council moved into the Council Meeting Room.

At 8:39 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Sutherland, to adjourn the executive session. Motion passed.

12. ADJOURNMENT

The meeting was opened to the public. At 8:39 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

Ray Pacheco
Mayor