

COUNCIL PROCEEDINGS  
Casper City Hall – Council Chambers  
March 21, 2023

1. ROLL CALL

Casper City Council met in regular session at 6:04 p.m., Tuesday, March 21, 2023. Present: Councilors Pollock, Gamroth, Engebretsen, Cathey, Jensen, Haskins, and Vice Mayor Pacheco. Councilor Bond attended the meeting virtually. Mayor Knell was absent, and Vice Mayor Pacheco acted as Mayor Pro Tem for the meeting.

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

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Pacheco led the audience in the pledge of allegiance.

3. BILLS & CLAIMS

Moved by Councilor Gamroth seconded by Councilor Engebretsen to, by minute action, approve payment of the March 21, 2023, bills and claims, as audited by City Manager Napier. Motion passed.

<u>Bills &amp; Claims 03/21/23</u>		
307Jntrl	Services	3,536.00
6HGroup	Goods	1,981.80
71Const	Goods	1,057.50
AAALndscpng	Services	2,264.67
ABYMnfctrng	Goods	265.00
ACTreeSrvc	Goods	850.00
AccntPckgng	Goods	81,936.00
AceHrdwr	Goods	134.97
ActvNtwrk	Services	1,400.00
Alsco	Services	2,470.09
AMBI	Services	561.10
AmrTech	Services	67.50
ArchtctrlSales&Prdcts	Services	2,310.00
AT&T	Services	18,740.75
Atlas	Goods	4,920.55
AxonEntrprs	Goods	6,834.00
BHarrison	Reimb	314.30
BKegler	Reimb	150.00
BdgrMtr	Services	162.87
BrgnEllngsn	Goods	202.62
BntzTwnPmp	Goods	32.26

BlkHillsEnrgy	Utilities	21,716.89
BlkmnPrpn	Goods	4,281.19
CRacki	Reimb	145.79
CsprNCHealth	Services	48,169.43
CsprStrTrb	Services	909.18
CsprTire	Services	655.00
CsprVtrnry	Services	304.24
CsprWlnsn	Goods	12.75
CWRWS	Goods	324,325.38
CntryLnk	Utilities	6,660.34
ChpmnVldz&Lnsng	Services	2,001.68
CtyCspr	Services	468,057.46
CivilEngnrng	Services	5,312.50
CMITeco	Services	16,159.45
CoastlChmcl	Goods	127.92
CommTech	Services	30,404.00
CmprsnLeasng	Services	475.00
CnsnsCloudSltns	Services	179.90
Cnvrngn	Goods	14,271.00
CPSDstrbtrs	Goods	20.50
CPU	Goods	902.00
CrwnCnstrctn	Services	77,987.06
CSCnsltng	Services	624.00
DckrAuto	Services	722.65
Dell	Goods	191.88
DsrtMtn	Goods	33,160.15
DscntDoors-Garage	Services	518.50
DynmcCntrls	Services	375.00
EdgEngnrng	Services	1,216.80
EnrgyLabs	Services	2,800.00
ExpSvcs	Services	1,999.75
FlcnEnvrnmntl	Services	113,462.00
FlsbrgHolt&Ullevig	Services	11,587.05
FrgsnEnt	Goods	23,552.23
FIB	Goods/Invstmnts	14,651.77
FoxstrOpco	Goods	1,110.00
Galls	Goods	334.32

GeosyntcCnsltnts	Services	4,641.49
GloblSpctrm	Services	75,000.00
GrtrWyoBB/BS	Services	21,400.47
GrrrMotr	Services	3,343.35
GSGArchctr	Services	52,909.48
Hach	Goods	558.87
HallsCstmPavng	Services	12,825.00
HDREngnrng	Services	11,195.75
Homax	Goods	65,862.84
HonnenEquip	Services	704.97
HowrdSply	Goods	298.53
HydroOptmztn	Services	5,476.00
InstfrmTchnlgs	Services	20,549.79
IntrntnlEcnmcDvlpmntCncl	Dues	455.00
ITCElctrel	Services	1,263.60
JHarvey	Reimb	1,530.00
JKegler	Reimb	100.00
JMcGirr	Goods	110.36
JJKlr&Assoc	Services	305.73
JacksTrk&Trlr	Services	3,329.98
JDCInvstgtns	Services	1,400.00
KSexson	Reimb	100.00
LChristensen	Reimb	94.49
LGomez	Refund	114.32
LMedoff	Services	1,400.00
LawsnPrdcts	Services	900.00
LionhrtEntrprs	Services	5,714.88
LongBldgTech	Services	437.34
LvlyFleur	Goods	119.00
MChand	Reimb	7.99
MHuss	Reimb	501.81
MQuirin	Reimb	199.50
MlgrdCnstretn	Services	71,784.01
MLAuto	Services	157.00
MillsPD	Services	49.95
MtnAlrmFire&Scrty	Services	26.00
MtnStLitho	Services	1,251.57

MtnWstTech	Services	599.32
MuniEmrgncySrvc	Goods	2,709.73
NNoblitt	Reimb	325.00
Napa	Goods	127,828.92
NCSD	Refund	30.00
NCSO	Services	158,053.42
NESCmpny	Goods	3,673.28
Norco	Goods	1,316.46
NrthwstCntrctrs	Goods	1,641.65
NovaBiomdel	Goods	4,406.11
NtchSpelts	Goods	1,650.75
OffcShop	Services	174.54
OneCall	Services	829.00
PCNStrtgs	Goods	344.57
PeakGeosltns	Services	7,056.00
Pedens	Goods	688.20
Pelicncrp	Services	3,013.57
Pepsi	Goods	783.80
PoliceFciltyDsgnGrp	Services	259,816.41
PrfsnlClng	Services	1,395.00
ProfrcMrktng	Goods	17,888.80
RGrauberger	Reimb	100.00
RHarned	Reimb	150.00
RMoore	Reimb	47.19
RSchwahn	Services	900.00
RailRdMgmt	Services	344.67
RapidFirePrtctn	Services	1,675.00
Ricoh	Services	762.08
RckyMtnAirSltns	Goods	3,433.27
RckyMtnPwr	Utilities	161,498.28
RootrSwr	Services	663.30
SeaWstrn	Goods	2,344.90
SkylnRnchs	Services	56.85
Smrsh	Services	2,251.36
SftDr	Services	203.00
SolsbryHill	Goods	422,878.62
StOfWyo	Services	160,939.37

StatelineNo7	Services	58,575.00
StrIngInfosystms	Services	592.45
SWI	Services	1,480.00
TArmijo	Reimb	150.00
TEdwards	Reimb	1,161.00
TrgtSpeltyPrdcts	Goods	503.67
TheWash	Services	111.48
ThrmoScntfc	Goods	9,175.00
33MileRd	Services	78.64
ThomsnReutrs	Goods	1,010.39
TopOffc	Goods	1,001.73
TrnsUnionRsk	Services	184.00
Unifrms2Gear	Goods	744.56
UnvrstyOfWyo	Services	32.26
VrznWrsls	Services	3,023.90
Wamco	Services	1,100.00
WardwlWtr	Goods	31.17
WstrnStatesFirePrctctn	Services	805.00
WH	Services	3,601.88
Wyo1stAid	Goods	112.03
WyoMchnry	Services	2,014.52
Xerox	Goods	205.63
YamahaMtrFinance	Goods	3,225.00
ZonrSystms	Services	2,570.25
Total		3,169,657.79

4. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing Council were: Ryan Stepp, regarding the City’s handling of a hit and run incident.

5.A.1. ESTABLISH DATE OF PUBLIC HEARINGS

Moved by Councilor Cathey seconded by Councilor Gamroth, to, by minute action, establish April 4, 2023, as the public hearing date for consideration of an ordinance approving amendments to the liquor license code sections 5.08.150 and 5.08.390. Councilor Pollock abstained from voting. Motion passed.

6.A. PUBLIC HEARING - RESOLUTION

Mayor Pro Tem Pacheco opened the public hearing for the consideration of a resolution approving a real estate trade agreement with West Center Hospitality, D Center, and D Cap.

City Attorney Nelson entered two (2) exhibits: correspondence from Liz Becher to J. Carter Napier, dated March 17, 2023; and an affidavit of publication, as published in the Casper Star Tribune, dated March 21, 2023. City Manager Napier provided a brief report.

Speaking in favor of the resolution was: Paul Diamond. There were no citizens speaking in opposition. There being no other citizens to speak for or against the issue, the public hearing was closed.

Following resolution read:

RESOLUTION NO. 23-40  
A RESOLUTION APPROVING A REAL ESTATE TRADE  
AGREEMENT BETWEEN WEST CENTER HOSPITALITY RE LLC,  
D CENTER LLC, D CAP LLC, AND THE CITY OF CASPER.

Councilor Engebretsen presented the foregoing resolution for adoption. Seconded by Councilor Pollock. Councilor Gamroth and Councilor Pollock stated they were in support of the land swap and that it improves land that is accessible to the public. Motion passed.

6.B.1. PUBLIC HEARING – MINUTE ACTION

Councilor Pollock left the Council Chambers for the public hearings and discussions for Item 6.B.1. and Item 6.B.2.

Mayor Pro Tem Pacheco opened the public hearing for the consideration of new Restaurant Liquor License No. 17 for La Cocina.

City Attorney Nelson entered four (4) exhibits: correspondence from Fleur Tremel to J. Carter Napier, dated March 6, 2023; an affidavit of publication, as published in the Casper Star-Tribune, dated March 13, 2023; an affidavit of website publication, March 14, 2023; and a liquor license application filed February 10, 2023.

Speaking in favor of the issuance of the liquor license was: Jim Childs, owner of La Cocina, who stated the new location will open in August. There were no citizens speaking in opposition. There being no other citizens to speak for or against the issue, the public hearing was closed.

Moved by Councilor Haskins, seconded by Councilor Cathey to, by consent minute action authorize the issuance of new Restaurant Liquor License No. 17 to Childs Corp, dba La Cocina Mexican Restaurant, located at 321 East E Street. Councilor Pollock abstained from voting on this item. Motion passed.

6.B.2. PUBLIC HEARING – MINUTE ACTION

Mayor Pro Tem Pacheco opened the public hearing for the consideration of the transfer of ownership for Retail Liquor License No. 37 to Charger Holdings, LLC.

City Attorney Nelson entered four (4) exhibits: correspondence from Fleur Tremel to J. Carter Napier, dated March 7, 2023; an affidavit of publication, as published in the Casper Star-Tribune, dated March 13, 2023; an affidavit of website publication, dated March 14, 2023; and a liquor license application filed February 9, 2023.

Speaking in favor of the transfer of the liquor license was: John Huff, owner of Charger Holdings. He explained what his plans are for the license. There were no citizens speaking in opposition. There being no other citizens to speak for or against the issue, the public hearing was closed.

Moved by Councilor Cathey, seconded by Councilor Jensen to, by consent minute action authorize the transfer of ownership for Retail Liquor License No. 37 from 307 Repair, Inc. dba Yellowstone Garage Bar and Grill, located at 355 West Yellowstone to Charger Holdings, LLC, dba Charger Holdings, LLC, located at 355 West Yellowstone. Councilor Gamroth noted that this retail license is tied to the West Yellowstone location and cannot be transferred to a different location. Councilor Pollock abstained from voting on this item. Motion passed.

Councilor Pollock returned to the Chambers.

7. ORDINANCE– THIRD READING

Following ordinance read:

ORDINANCE NO. 4-23  
AN ORDINANCE AMENDING SECTION CASPER MUNICIPAL CODE  
CHAPTER 1.04 – GENERAL PROVISIONS.

The amendments included updating the definition of “City Council” in Section 1.04.020 to read: “City Council” or “council” means the city council of Casper, Wyoming. The words council member, public member, public official, council person, councilor, councilman, councilwoman, councilmen, and councilwomen are all synonymous with each other and reference the member(s) of the council. The preferred reference for individual council members is councilor.

The amendment also included adding Section 1.04.025 Procedures Adopted, which reads: The Wyoming Rules of Civil Procedure; the Wyoming Rules of Criminal Procedure; the Wyoming Rules Governing Access to Court Records; The Wyoming Rules Governing Redactions from Court Records; the Wyoming Rules of Evidence, the Wyoming Rules of Appellate Procedure; the Rules and Fees and Costs for Municipal Courts, Sections 7-2-101 to 7-2-107 inclusive, of the Wyoming Statutes, as they may be amended from time to time, except as provided below, are adopted by reference and incorporated in this section as part of this section as fully as if completely set out in full herein except the following section of Wyoming Statute Section 7-2-105(s) shall be amended to read as follows:

Section 7-2-105(s): Whoever willfully or maliciously destroys, alters, conceals or tampers with evidence that is required to be preserved under subsection (r) of this section with the intent to impair the integrity of that evidence, to prevent that evidence from being subjected to DNA testing or to prevent the production or use of that evidence in an official proceeding shall upon conviction be subject to a fine of not more than seven hundred and fifty dollars (\$750.00),-imprisonment for not more than one hundred and eighty (180) days, or both.

Councilor Engebretsen presented the foregoing ordinance for adoption, on third reading. Seconded by Councilor Gamroth. There was no discussion and no amendments. Motion passed.

8. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 23-41  
A RESOLUTION AUTHORIZING A CONTRACT FOR

PROFESSIONAL SERVICES WITH BASELINE ENGINEERING CORPORATION (BASELINE) FOR THE 2023-2027 CLOSED BALEFILL MONITORING AND REPORTING, PROJECT NO. 22-071.

RESOLUTION NO. 23-42

A RESOLUTION AUTHORIZING AN AGREEMENT WITH INSTALLATION & SERVICE CO., INC., FOR THE 2023 CPU ASPHALT REPAIR PROJECT NO. 23-007.

RESOLUTION NO. 23-43

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE WYOMING DEPARTMENT OF HEALTH, BEHAVIORAL HEALTH DIVISION, AND THE CITY OF CASPER FOR MENTAL HEALTH SERVICES AND SUPPORT FOR FIRST RESPONDERS.

RESOLUTION NO. 23-44

A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL TRANSPORTATION ASSISTANCE.

RESOLUTION NO. 23-45

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A GRANT UNDER 49 U.S.C. CHAPTER 53; TITLE 23, U.S.C. SECTION 5311, AS AMENDED BY THE BIPARTISAN INFRASTRUCTURE LAW (BIL), PUBLIC LAW NO. 117-58, NOVEMBER 15, 2021, AND OTHER AUTHORIZING LEGISLATION TO BE ENACTED.

RESOLUTION NO. 23-46

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A GRANT UNDER 49 U.S.C. CHAPTER 53; TITLE 23, U.S.C. SECTIONS 5310 AND 5339, AS AMENDED BY THE BIPARTISAN INFRASTRUCTURE LAW (BIL), PUBLIC LAW NO. 117-58, NOVEMBER 15, 2021, AND OTHER AUTHORIZING LEGISLATION TO BE ENACTED.

RESOLUTION NO. 23-47

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH PEAK GEOSOLUTIONS, INC. FOR THE 2023 THROUGH 2027 OPERATION, MAINTENANCE, AND MONITORING SERVICES FOR THE CASPER CLOSED BALEFILL GAS COLLECTION AND CONTROL SYSTEM, PROJECT NO. 23-073.

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

9. INTRODUCTION OF MEASURES AND PROPOSALS

Councilors spoke on meetings and events they attended as well as matters of public interest. Mayor Pro Tem Pacheco asked to discuss Municipal Court proceedings at a future work session, and Council gave their thumbs up to add this to the list of future agenda items. City Attorney Nelson



stated that the Deputy City Attorney Brown indicated that the hit and run case discussed during public comment is being prepared for transfer to District Court.

10. ADJOURN INTO EXECUTIVE SESSION

At 6:35 p.m., it was moved by Councilor Cathey, seconded by Councilor Engebretsen, to adjourn into executive session to discuss litigation. Motion passed. Council moved into the Council Meeting Room.

At 7:00 p.m., there being no further business, Mayor Pro Tem Pacheco asked for a motion to adjourn the executive session. Moved by Councilor Cathey seconded by Councilor Gamroth. Motion Passed.

12. ADJOURNMENT

Council opened the meeting to the public. At 7:01 p.m. Mayor Pro Tem Pacheco called for a motion to adjourn the regular meeting. Moved by Councilor Cathey, seconded by Councilor Pollock. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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Fleur Tremel  
City Clerk

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Bruce Knell  
Mayor