

COUNCIL PROCEEDINGS
 Regular Council Meeting - The Lyric
 October 17, 2023

1. ROLL CALL

Casper City Council met in regular session at 5:28 p.m., Tuesday, October 17, 2023. Present: Councilors Gamroth, Haskins, Jensen, Cathey, Vice Mayor Engebretsen, and Mayor Pacheco. Councilors Bond and Pollock attended the meeting virtually.

2. PLEDGE OF ALLEGIANCE

Mayor Pacheco led the audience in the pledge of allegiance.

3.A. CONSENT MINUTE ACTION

Moved by Vice Mayor Engebretsen, seconded by Councilor Bond to, by consent minute action, approve the minutes of the October 3, 2023 Regular Council Meeting, as published in the Casper Star Tribune on October 17, 2023. Motion passed.

4. APPROVAL OF GENERAL BILLS & CLAIMS

Moved by Councilor Gamroth, seconded by Vice Mayor Engebretsen to, by minute action, approve payment of the October 17, 2023, general bills and claims, as audited by City Manager Napier. Motion passed.

<u>General Bills & Claims 10/17/23</u>		
6HGroup	Goods	2,242.60
71Const	Goods	1,570.87
AMontes	Reimb	104.99
AAALndscpng	Services	1,432.13
AceHrdwr	Goods	14.34
AllncComm	Services	147.92
Alsco	Services	1,123.56
AMBI	Services	270.13
AssctdPoolBldrs	Goods/Services	6,211.75
AT&T	Services	2,291.12
Atlas	Goods	2,017.30
AvidXchnng	Refund	1,300.00
BBoldt	Refund	223.02
BKegler	Reimb	150.00
BdgrMtr	Services	162.87
BasinCnert	Refund	731.78
BigHrnTire	Goods	299.30
BlkHillsEnrgy	Utilities	40.96
BrntagPac	Goods	74,575.17
BrntnMnfctrng	Goods	2,619.34

CStewart	Reimb	1,660.63
CrlnaSftwr	Goods	700.00
CsprStrTrb	Services	2,095.78
CsprTire	Services	270.00
CsprVtrnry	Services	293.58
CWRWS	Goods	8,598.00
CntryLnk	Utilities	3,654.94
ChlkButtesLndscpng	Services	4,786.13
CtyCspr	Services	589,966.50
CivilEngnrng	Services	442.94
ClnClb307	Services	1,950.00
CMITeco	Services	12,613.40
CocaCola	Services	43.75
CommTech	Services	728.29
Cnvrgn	Goods	77.07
CPSDstrbtrs	Goods	3,158.08
CPU	Goods	15,376.85
CoreMain	Goods	28,400.00
CowboySplyHse	Goods	210.10
CrwnCnstrctn	Services	200,323.93
DElliott	Reimb	111.55
DckrAuto	Services	250.28
DvlpmntDprtmnt	Refund	40.00
Dscentcell	Services	1,434.84
DPCIndstrs	Goods	13,160.39
DynmcCntrls	Services	3,096.00
EBecher	Reimb	240.50
Eco-Cntr	Services	3,460.00
EnrgyLabs	Services	1,141.00
EngnrngDsgn	Services	125.00
EngnrngEcnmcs	Services	1,540.00
ExpSvcs	Services	2,350.93
FIB	Goods/Investments	15,899.41
FoxstrOpco	Goods	2,546.50
FrntlnFirePrctcn	Services	1,749.00
Galls	Goods	70.25
GHPhippsWyo	Services	61,827.82

GloblSpctrm	Services	183.60
Glf&SprtSltns	Goods	2,214.10
Grngr	Goods	921.03
GSGArchtr	Services	3,893.60
Hach	Goods	905.26
HrdlnEquip	Services	6,322.46
HrvrdDrugGrp	Goods	1,571.20
Hollnd&Hart	Services	7,800.00
Homax	Goods	92,285.53
Instltn&Svc	Services	234,248.61
IntrdoIntrctv	Services	4,725.00
JStowers	Reimb	150.00
JTanner	Refund	292.45
JThompson	Refund	425.48
JungBrosEngnrs	Services	2,060.98
KPietrzak	Refund	1,660.00
KLundine	Services	3,750.00
KnfRvr	Goods/Services	606,960.37
KubwtrRes	Goods	16,600.00
LDixon	Reimb	204.55
LzrWash	Refund	678.74
Lower&Co	Services	600.00
MtrnFarnier	Goods	4,130.00
Motn&FlowCntrl	Goods	1,596.74
MtnAlrmFire&Scrtty	Services	1,987.97
MtnWstTech	Services	580.69
NCSD	Services	9,934.00
NCSO	Services	276,368.67
Norco	Goods	587.27
NrthrnLights	Services	4,950.00
OffcShop	Services	86.45
OneCall	Services	929.25
PaceAnlytclSrvc	Services	881.00
PDFSplyCmpny	Goods	3,152.62
Pedens	Goods	87.75
PinnclCnstrctn	Services	221,183.75
PlatteRvrCrosng	Services	10,466.00

PrfsnlCIng	Services	1,395.00
RHolman	Refund	338.14
RSlattery	Refund	207.20
Ricoh	Services	450.25
RckyMtnPwr	Utilities	11,097.23
RootrSwr	Services	2,604.86
SMoore	Refund	350.00
SlfHelpCntr	Services	28,462.70
ShrwnWlms	Goods	680.50
SmthPsych	Services	400.00
Sonny'sRV	Goods	154.31
StOfWyo	Services	33,781.27
StrIngInfosystms	Services	552.34
SummitElctrc	Services	2,669.68
SummitFire&Scrty	Services	866.25
T-Mbl	Services	21.14
TrgtSpeltyPrdcts	Goods	3,300.00
ThomsnReutrs	Goods	1,157.97
TopOffc	Goods	391.15
TreetopPrdcts	Goods	3,500.00
TretoCnstrctn	Services	274,515.32
TriStOilReclm	Services	669.00
TylerTech	Services	34.50
Unifirms2Gear	Goods	869.17
UrgntCareOfCspr	Services	2,592.00
VrznWrsl	Services	1,024.90
VRC	Services	86.58
WearPrts	Goods	286.87
WstrnPlainsLgstcs	Services	24,859.60
WWCEngnrng	Services	6,152.00
WndrvrEnvrnmntlSltns	Services	40,725.36
WyoDOT	Services	3,283.81
WLEA	Services	4,614.75
WyoMchnry	Refund	878.09
WyoSteel&Rcyclng	Services	6,160.00
WyoTrnsfr&Strg	Services	1,200.00
ZollMdclCorp	Services	12,089.00

Total

3,079,718.65

5. ADJOURN INTO EXECUTIVE SESSION

At 5:29 p.m., it was moved by Councilor Gamroth, seconded by Councilor Cathey to adjourn into executive session to discuss personnel issues related to the City Council vacancy appointment. Motion passed.

At 6:14 p.m., it was moved by Councilor Cathey, seconded by Vice Mayor Engebretsen, to adjourn the executive session. Motion passed.

6.A. APPOINTMENT OF WARD I COUNCILOR

Moved by Councilor Haskins, seconded by Councilor Gamroth, to appoint Jai-Ayla Sutherland to fill the Ward I Council seat vacancy created by the resignation of Councilor Knell. This term will terminate on January 7, 2025. Motion passed.

Several Councilors made statements to thank the candidates for their interest, compliment their qualifications, and encourage them to continue to be active in our community.

6.B. OATHS OF OFFICE

Mayor Pacheco issued the oath of office to newly-appointed Ward I Councilor Sutherland.

6.C. NEW COUNCILOR COMMENTS

Mayor Pacheco acknowledged that Councilor Sutherland joined City Council for the remainder of the regular Council meeting. Councilor Sutherland thanked City Council for her appointment.

7. BRIGHT SPOTS IN OUR COMMUNITY: SENIOR SIDEWALKERS

Mayor Pacheco introduced members of Senior Sidewalkers and read a statement acknowledging and thanking them for their significant contributions cleaning up litter and the benefits it has to the Casper community. In attendance were Don Hunter, June Hunter, Mark Hopkins, and Sandy Butcher (Gordon Butcher's wife). The attendants made comments about their Senior Sidewalker group.

8. COMMUNICATIONS FROM PERSONS PRESENT

Speaking to Council were: Mr. Pryor, regarding damage to his property by a fiber optic installation company. City Council discussed ways to address and fix this issue and stated they have heard of other residents having these issues as well. They directed staff to reach out to Mr. Pryor to aid him in these complaints.

9.A.1. ESTABLISH DATE OF PUBLIC HEARINGS

Moved by Councilor Cathey, seconded by Councilor Gamroth, to, by minute action, establish November 7, 2023, as the public hearing date for:

- a. an ordinance approving a zone change of 350 and 410 SE Wyoming Blvd, from PUD (Planned Unit Development) to C-2 (General Business);
- b. new Bar & Grill Liquor License No. 14 for MTB Entertainment Group, LLC, dba America, located at 119 S Center St.;
- c. new Bar & Grill Liquor License No. 15 for MTB Entertainment Group, LLC, dba Rialto, located at 100 E 2nd St.; and,

- d. new Bar & Grill Liquor License No. 16 for Old Town Family Fun, LLC, dba Old Town Family Fun, located at 307 West E Street.

Councilor Pollock abstained from voting on items 9.A.1.b, 9.A.1.c. and 9.A.1.d. Motion passed.

10. PUBLIC HEARING

Mayor Pacheco opened the public hearing for the consideration of the City’s application for a BRC Community Readiness Grant for the North Platte Park Foundational Infrastructure Project.

City Attorney Nelson entered two (2) exhibits: correspondence from Tom Brauer to J. Carter Napier, dated October 12, 2023; and a Casper Star-Tribune Proof of Publication, published on September 29, 2023. City Manager Napier gave a brief report.

Speaking in favor of the grant application was: Pat Sweeney. There were no citizens to speak in opposition of the item. The public hearing was closed.

Councilor Gamroth discussed the North Platte Impact Analysis report that was discussed at the pre-meeting, and asked that it be made available to the public. City Manager Napier responded that it would be made available, but emphasized that the grant application is a separate item and the resolution that will be considered next week is only for the submission of the grant and is not approving the plan discussed earlier. He also reminded Council that tonight is the public hearing for this item, but there is no action taken by Council tonight. There will be a resolution presented for City Council approval next week during a Special Meeting on October 24th.

11.A. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 18-23
AN ORDINANCE AMENDING SECTION 10.52.030 OF THE CASPER
MUNICIPAL CODE REGARDING DRIVING OR HAVING
CONTROL OF A VEHICLE WHILE UNDER THE INFLUENCE OF
INTOXICATING LIQUOR OR CONTROLLED SUBSTANCE.

Councilor Gamroth presented the foregoing ordinance for approval on second reading. Seconded by Councilor Jensen. There was no public comment. There was no discussion, abstentions or amendments. Motion passed unanimously.

11.B. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 19-23
AN ORDINANCE AMENDING CHAPTER 9.48 OF THE CASPER
MUNICIPAL CODE.

Councilor Gamroth presented the foregoing ordinance for approval on second reading. Seconded by Vice Mayor Engebretsen. There was no public comment. There was no discussion, abstentions or amendments. Motion passed unanimously.

11.C. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 20-23

AN ORDINANCE AMENDING SECTION 17.104.170 – PARKING AND DWELLING USE RESTRICTIONS – PERMIT, OF THE CASPER MUNICIPAL CODE.

Councilor Jensen presented the foregoing ordinance for approval on second reading. Seconded by Councilor Cathey. There was no public comment. Councilor Haskins clarified that this ordinance specifically addresses people living in their RVs, which is a separate issue from parking of RVs. There were no abstentions or amendments. Motion passed unanimously.

12. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 23-235

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH ALSICO, INC., FOR PROVIDING PROFESSIONAL LAUNDRY SERVICES TO THE PUBLIC SERVICES AND SUPPORT SERVICES DEPARTMENTS.

RESOLUTION NO. 23-236

A RESOLUTION APPROVING THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM GRANT FFY2024 SUB-AWARD AGREEMENT BETWEEN THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM AND CASPER POLICE DEPARTMENT FOR THE ENFORCEMENT OF SEAT BELT USE TO REDUCE UNBELTED INJURIES.

RESOLUTION NO. 23-237

A RESOLUTION APPROVING THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM GRANT FFY2024 SUB-AWARD AGREEMENT BETWEEN THE WYOMING DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY PROGRAM AND CASPER POLICE DEPARTMENT FOR THE ENFORCEMENT AND REDUCTION OF IMPAIRED DRIVING.

RESOLUTION NO. 23-238

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

RESOLUTION NO. 23-239

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE CONTRACT BETWEEN THE CITY OF CASPER AND CONVERGEONE INC., FOR BLADE SERVER HARDWARE, INSTALLATION, AND CONFIGURATION AT CITY HALL.

RESOLUTION NO. 23-240

A RESOLUTION AUTHORIZING A NUISANCE AND ABATEMENT LIEN TO BE EXECUTED TO RECOVER COSTS ASSOCIATED

WITH THE ABATEMENT OF JUNK AND LITTER LOCATED AT 1027 W 14TH STREET, CASPER, WYOMING, PURSUANT TO CHAPTER 8.36 OF THE CASPER MUNICIPAL CODE.

RESOLUTION NO. 23-241

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH GLOBAL SPECTRUM, LP, DBA OVG360, FOR SERVICES TO SECURE ADVERTISING, CORPORATE SPONSORSHIPS AND NAMING RIGHTS FOR CITY FACILITIES.

Councilor Engebretsen presented the foregoing seven (7) consent resolutions for adoption. Seconded by Councilor Jensen. Motion passed unanimously.

13. NON-CONSENT MINUTE ACTION

Mayor Pacheco introduced a Wyoming Association of Municipalities (WAM) minute action item that was removed from consent and postponed to October 17th on October 3rd. He asked City Attorney Nelson to explain the options available to Council for discussing and voting on the item at tonight's meeting. City Attorney Nelson explained that if Council wishes to vote on the WAM resolution pertaining to the real estate transfer tax separate from the other WAM resolutions, they will need to first make a motion to approve the minute action item, and then make a motion to divide the motion to approve into two separate motions. The language for this motion is included in the script.

Moved by Councilor Gamroth, seconded by Councilor Haskins to, by minute action, authorize staff to advocate for the Wyoming Association of Municipalities legislative resolutions for the upcoming Wyoming legislative session.

Councilor Cathey made a motion to divide the motion so that WAM Resolution No. 23-06 regarding the real estate transfer tax (Motion A) can be considered and voted on separately from the other WAM resolutions (Motion B). Vice Mayor Engebretsen seconded the motion. Motion passed.

Mayor Pacheco asked for discussion on Motion A. Vice Mayor Engebretsen explained that she was not in support of the real estate transfer tax resolution, because she feels it is not relevant for the Casper community. Councilor Cathey stated he is against the resolution, because he feels it is a redistribution of wealth and taxing the rich to pay for the poor. Councilors Pollock, Gamroth, Haskins, Bond, and Mayor Pacheco stated they were in support of advocacy for the resolution, because it will most likely not impact Casper but does allow for more municipal control for communities. Councilors Engebretsen, Cathey, and Jensen voted nay on Motion A and all other Councilors voted aye. Motion passed.

Mayor Pacheco asked for Council to consider Motion B to approved advocacy for the remaining WAM resolutions. Moved by Councilor Cathey, seconded by Councilor Gamroth. The motion passed unanimously.

14. CONSENT MINUTE ACTION

Moved by Councilor Cathey, seconded by Councilor Haskins to, by consent minute action:

1. Appoint one new member, Sarah Bieber, to Casper’s Council of People with Disabilities for a term of three-year beginning October 17, 2023;
2. Approve the purchase of 14 Motorola All Band Portable Radios from Motorola Solutions;
3. Acknowledge a change of corporate ownership for Bar & Grill Liquor License No. 8, Marco’s Coal Fired Pizza Casper, LLC, dba Racca’s Pizzeria Napoletana, located at 430 South Ash Street; and,
4. Authorize the discharge of uncollectible local assessment district lien regarding 2904 Coulter Drive.

Councilor Pollock abstained from Item 14.A.3. Motion passed.

15. INTRODUCTION OF MEASURES AND PROPOSALS

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

16. ADJOURN INTO EXECUTIVE SESSION

At 7:52 p.m., it was moved by Councilor Cathey, seconded by Councilor Haskins, to adjourn into executive session to discuss an attorney-client privileged matter. Motion passed.

At 8:10, it was moved by Councilor Cathey, seconded by Councilor Gamroth, to adjourn the executive session. Motion passed.

17. ADJOURNMENT OF REGULAR MEETING

Moved by Councilor Cathey to adjourn the regular Council meeting, seconded by Vice Mayor Engebretsen. Motion passed. The meeting was adjourned at 8:11 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Ray Pacheco
Mayor