

COUNCIL PROCEEDINGS
 Regular Council Meeting - The Lyric
 December 5, 2023

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, December 5, 2023. Present: Councilors Gamroth, Bond, Pollock, Jensen, Cathey, Sutherland, Vice Mayor Engebretsen, and Mayor Pacheco.

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

2. PLEDGE OF ALLEGIANCE

Mayor Pacheco led the audience in the pledge of allegiance.

3.A. CONSENT MINUTE ACTION

Moved by Councilor Cathey, seconded by Councilor Jensen to, by consent minute action, approve the minutes of the:

1. November 21, 2023 Regular Council Meeting, as published in the Casper Star Tribune on December 5, 2023; and,
2. November 21, 2023 Executive Session.

Motion passed.

4. APPROVAL OF GENERAL BILLS & CLAIMS

Moved by Councilor Bond, seconded by Councilor Sutherland to, by minute action, approve payment of the December 5, 2023, general bills and claims, as audited by City Manager Napier. Motion passed.

<u>General Bills & Claims 12/05/23</u>		
4CUnlmtD	Refund	964.92
6HGroup	Goods	1,019.40
71Const	Goods	14,572.90
ABreck	Refund	78.98
AHusted	Reimb	649.00
ARoy	Refund	180.28
AAALndscpng	Services	612.95
ABYMnfctrng	Goods	494.40
Airgas	Goods	1,559.77
AllCntyCwbyPrprty	Refund	47.22
AllOutFireExt	Goods	44.00
Alsco	Services	1,055.54
AltdVtrnry	Services	1,139.99
AMBI	Services	117.21
AmrcnTitle	Goods	125.00
AmlnIndstrs	Goods	2,177.01

AndrsnCrptClnng	Refund	261.11
AT&T	Services	393.31
AtlnctElctrc	Services	553.68
Atlas	Goods	5,428.30
BLEclair	Refund	49.18
BRodriguez	Refund	29.48
B&BValleySele	Services	550.00
BdlnsTnkLns	Refund	27.78
BrgnEllngsn	Goods	39,667.08
BigHrnTire	Goods	1,280.55
BlkHillsEnrgy	Utilities	12,103.38
BlkmnPrpn	Goods	3,402.30
Brian'sGoTo	Services	1,228.02
CBecker	Refund	82.08
CBezzant	Refund	273.04
CDecook	Refund	167.23
CGranados	Refund	112.70
CMiller	Reimb	283.50
CPatterson	Refund	19.77
CptlBusnsSystm	Services	61.80
CsprBldngSystms	Services	41.05
CsprNCHealth	Services	47,916.67
CsprRcrtnlLgsAsctn	Services	4,284.36
CsprStrTrb	Services	1,372.23
CsprTire	Services	2,125.00
CntrlLndscpng	Refund	20.00
CntrlWyoSnrSrvcs	Refund	60.00
CntryLnk	Utilities	12,091.64
CtznsForCvcAdtrm	Services	1,000.00
CtyCspr	Services	61,020.87
CivilEngnrng	Services	2,315.00
CMITeco	Services	17,096.33
CocaCola	Services	35.00
ClctnCntr	Services	9,851.44
CommTech	Services	11,075.50
CmprsnLeasng	Services	6,247.50
CntnrCmpnts	Goods	1,669.50

CmnrstnFree	Refund	55.44
CowboySplyHse	Goods	4,095.68
CPU	Goods	3,381.00
CrimeScnInfo	Services	122.00
CrwnCnstrctn	Services	105,037.70
ClgnOfCspr	Refund	134.00
CrumElctrcSply	Goods	181.92
CSCnsltng	Services	120.00
CurbApplPaintng	Services	6,300.00
DCotton	Refund	64.05
DKnight	Refund	85.98
DRogers	Refund	198.88
DnvrIndstrlPmps	Goods	2,947.17
DynmcCntrls	Services	105,221.00
EJohnson	Refund	158.18
EcnmcDvlpmnt	Services	111,534.25
EmrgncyMdcl	Services	600.00
EnrgyLabs	Services	392.00
ExpSvcs	Services	369.88
FBanke	Goods	78.00
FShort	Refund	104.28
FeldFire&FeldSerty	Goods	17,505.00
FrgsnEnt	Goods	3,258.95
FIB	Goods	275.15
FlydsTrckCntr	Services	3,313.69
FrmnsQltyMchn	Goods	2,206.81
FrnrPresn	Goods	761.88
GMyron	Refund	262.98
GCBldgSply	Services	2,178.00
Galls	Goods	402.27
GeosyntcCnsltnts	Services	2,399.65
GrnrMotr	Services	7,124.03
HSchaible	Refund	44.78
Hach	Goods	100.58
HrvrdDrugGrp	Goods	762.66
HDREngnrng	Services	4,678.69
Homax	Goods	2,246.20

ITCElctrel	Services	896.40
JDecker	Refund	149.57
JMaher	Refund	47.22
JTaylor	Services	875.00
JacobsEngnrng	Services	8,583.92
JonasSftwr	Services	349.00
KChampagne	Refund	27.78
KLamb	Refund	70.35
KMcPheeters	Reimb	59.97
KMacy	Refund	152.78
KMullenix	Refund	26.35
KRocco	Refund	53.28
KennyElctrc	Services	1,869.27
KtlThorstenson	Services	24,745.50
Kinsco	Goods	126.00
KnfRvr	Goods/Services	4,527.28
KncklDrgrTctics	Services	1,980.00
LngBldgTech	Services	614.25
MCoss	Refund	41.10
MDay	Reimb	150.00
MGettys	Refund	45.60
MHughes	Reimb	649.00
MMcLaughlin	Refund	43.93
MPrewitt	Refund	43.44
MReese	Refund	71.20
McMryReadyMix	Refund	13.29
MrcI RcrtnEqpmnt	Goods	789.98
MdrnElctrc	Services	77,016.50
MonsnJntrlSrvc	Services	5,469.16
Motn&FlowCntrl	Goods	3,215.36
MotorlaSltns	Services	25,118.98
MtnAlrmFire&Scrty	Services	826.21
MtnStLitho	Services	1,031.57
MtnWstTech	Services	518.00
NLeon	Refund	233.37
Napa	Goods	277,740.80
NCSO	Services	594,200.79

Norco	Goods	435.94
NWstContr	Goods	208.14
NPT	Services	175.78
NtchSpelts	Goods	618.21
OilCptlTreeSrv	Refund	83.52
OvrHeadDr	Services	339.30
PaceAnlytclSrvcs	Services	448.00
Pedens	Goods	2,759.30
PstlPros	Services	19,733.91
PrfsnlClng	Services	1,046.25
ProfrcMrktng	Goods	109,771.88
REImore	Refund	180.67
RGreiner	Refund	46.17
RHolman	Refund	33.62
RDH	Goods	6,368.00
RpblicPrkng	Services	202.00
RslvHomebyrs	Refund	33.62
RckyMtnAirSltns	Goods	6,571.42
RckyMtnPwr	Utilities	89,465.39
RootrSwr	Services	1,326.11
SAmend	Refund	177.84
SSuffel	Refund	47.60
SZupanik	Refund	28.15
Sawyer	Services	150.97
SeeBenRlty	Refund	20.00
ShwPlygrphSrvcs	Services	6,090.00
ShrwnWlms	Goods	31,152.90
Shrts&More	Goods	2,019.00
ShoshneDstrbtng	Goods	1,766.50
Siriuswre	Services	3,320.55
SmthPsych	Services	2,000.00
SpelzdMdelSrv	Refund	67.06
StOfWyo	Services	18,248.79
SummitElectrc	Services	973.42
SummitRfng	Services	9,000.00
TMilner	Refund	262.07
TheWash	Services	49.51

TwNOfBarNunn	Goods	33.38
TwNOfEvnsvl	Refund	86.01
TrnsUnionRsk	Services	185.40
TriStOilReclm	Services	396.00
TriStTrk&Eqmnt	Services	791.82
TylerTech	Services	2,301.00
VCameron	Refund	187.32
VeoliaEsTech	Services	15,806.53
VrznWrsls	Services	1,059.34
VRC	Services	175.88
WstrnCoop	Services	1,920.00
WstrnSign&Design	Services	861.64
WLEA	Services	775.00
WWCEngnrng	Services	2,748.60
WyoDOT	Services	236.21
WyoMchnry	Services	50,824.26
WyoLock&Safe	Goods	72.00
Total		2,083,791.86

5. COMMUNICATIONS FROM PERSONS PRESENT

There were no citizens wishing to speak to Council.

6.A. ESTABLISH DATES OF PUBLIC HEARING

Moved by Councilor Bond, seconded by Vice Mayor Engebretsen, to, by minute action:

1. Establish December 19, 2023, as the public hearing date for the transfer of Microbrewery Liquor License No. 10 for Bull Horn Brewing, LLC, dba Bull Horn Brewing, located at 2027 East Yellowstone Unit B, to Bull Horn Brewing, LLC, dba Bull Horn Brewing, located at 355 West Yellowstone Hwy; and,
2. Establish January 16, 2023, as the public hearing date for Council to sit as a Board of Equalization, for the purpose of considering and approving the Assessment Roll for Local Assessment District No. 160 – Chinook Trail Improvements.

Councilor Pollock abstained from item 6.A.1. Motion passed.

7. PUBLIC HEARING – ORDINANCE

Mayor Pacheco opened the public hearing for the consideration of an ordinance amending Chapter 2.64 of the Casper Municipal Code, removal or censor of public officials.

City Attorney Nelson entered two (2) exhibits: correspondence from Eric Nelson to City Council and J. Carter Napier, dated November 29, 2023; and a Casper Star-Tribune Ad Proof for Publication on December 2, 2023. City Manager Napier gave a brief report.

There were no citizens to speak in favor or in opposition of the item. The public hearing was closed.

Following ordinance read:

ORDINANCE NO. 24-23
AN ORDINANCE AMENDING CHAPTER 2.64 OF THE CASPER
MUNICIPAL CODE REGARDING THE REMOVAL OR CENSOR OF
PUBLIC OFFICIALS.

Vice Mayor Engebretsen presented the foregoing ordinance for approval on first reading. Seconded by Councilor Sutherland. Council discussed the public hearing option within the ordinance. There were no amendments. Motion passed unanimously.

8.A.1. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 21-23
AN ORDINANCE APPROVING A ZONE CHANGE OF LOTS 59 AND
60, "LONGVIEW ADDITION NO. 2" AND LOT 9A OF THE "LOT 91
& LOT 9B, LUKER ADDITION" FROM PUD (PLANNED UNIT
DEVELOPMENT) TO C-2 (GENERAL BUSINESS).

Councilor Pollock presented the foregoing ordinance for approval on second reading. Seconded by Councilor Gamroth. Speaking on the ordinance were: Robert Sweeney, land developer, and Jay Darling, resident living near the development. City Manager Napier reminded Council that the traffic study that occurs during the development will help to answer questions and will anticipate modifications that are necessary to minimize impacts to traffic. City Attorney Nelson also reiterated that Council cannot add a condition to the zone change, and that the current zone change is a better fit for the land, and will actually be more restrictive in its allowances. Council asked about the history of the zoning and City Attorney Nelson described the history of the law suits related to the land, but stated that he does not think it has much bearing on the zone change being considered currently. Councilor Sutherland asked if there would be a neighborhood meeting when the traffic study occurs during development, and City Manager Napier responded that staff can include that in the plans as the neighborhood input could be useful in this instance. Motion passed unanimously.

8.A.2. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 22-23
AN ORDINANCE AMENDING CHAPTER 15.12 OF THE CASPER
MUNICIPAL CODE, BOARD OF EXAMINERS AND APPEALS, AND
CONTRACTOR LICENSING.

Councilor Cathey presented the foregoing ordinance for approval on second reading. Seconded by Councilor Bond. Speaking on the ordinance was: Ross Schriftman. Council discussed how the current process requires the board to approve licenses and also serve on the appeals board which presents an inherent conflict of interest. Council discussed how having the appeals board members only do appeals and Community Development staff approve the licenses makes more sense and will help alleviate that conflict of interest. Craig Collins, City Planner, added that the proposed change in process will allow licenses to be issued faster. There were no amendments. Motion passed unanimously.

8.A.3. SECOND READING ORDINANCE

Following ordinance read:

ORDINANCE NO. 23-23
AN ORDINANCE APPROVING A PLAT, SUBDIVISION
AGREEMENT AND ZONE CHANGE FOR THE LOWER BROTHERS
ADDITION SUBDIVISION IN THE CITY OF CASPER, WYOMING.

Councilor Cathey presented the foregoing ordinance for approval on second reading. Seconded by Councilor Bond. Speaking on the ordinance was: Jeffrey Schneider, representing Mt. Hope Lutheran Church and Luther Classical College. There was no Council discussion and there were no amendments. Motion passed unanimously.

9. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 23-265
A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO THE
AGREEMENT WITH CASPAR BUILDING SYSTEMS, INC., FOR
THE CITY HALL PROJECT S.A.F.E. BUILDING REMODEL,
PROJECT NO. 20-004.

RESOLUTION NO. 23-266
A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASPER
ELECTRIC, INC., FOR THE BALLFIELD LIGHTING
REPLACEMENTS – PHASE III, PROJECT NO. 22-045.

RESOLUTION NO. 23-267
A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE
AGREEMENT WITH GH PHIPPS WYOMING, LLC, FOR THE
CASPER FAMILY AQUATICS CENTER NATATORIUM
IMPROVEMENTS, PROJECT NO. 21-031.

RESOLUTION NO. 23-268
A RESOLUTION AUTHORIZING A CONTRACT FOR
PROFESSIONAL SERVICES WITH VEOLIA ES TECHNICAL
SOLUTIONS, L.L.C., FOR HAZARDOUS WASTE DISPOSAL
SERVICES, PROJECT NO. 23-043.

RESOLUTION NO. 23-269
A RESOLUTION AUTHORIZING A GRANT AWARD AGREEMENT
BETWEEN THE WYOMING OFFICE OF HOMELAND SECURITY
AND THE CITY OF CASPER IN THE AMOUNT OF \$12,000 TO
PROCURE MOBILE RADIOS.

RESOLUTION NO. 23-270
A RESOLUTION AUTHORIZING A GRANT AWARD AGREEMENT
BETWEEN THE WYOMING OFFICE OF HOMELAND SECURITY
AND THE CITY OF CASPER IN THE AMOUNT OF \$28,000 TO
PROCURE PORTABLE RADIOS.

RESOLUTION NO. 23-271

A RESOLUTION AUTHORIZING A GRANT AWARD AGREEMENT BETWEEN THE WYOMING OFFICE OF HOMELAND SECURITY AND CITY OF CASPER IN THE AMOUNT OF \$12,000 TO PROCURE A METHANE LEAK DETECTOR.

RESOLUTION NO. 23-272

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE 2023 BJA EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CASPER AND NATRONA COUNTY REGARDING THE DISTRIBUTION AND EXPENDITURE OF THE GRANT FUNDS.

RESOLUTION NO. 23-273

A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH THE SPUDS BASEBALL CLUB LLC, FOR USE OF THE MIKE LANSING CONCESSIONS STAND.

RESOLUTION NO. 23-274

A RESOLUTION AUTHORIZING THE RELEASE OF LOCAL ASSESSMENT DISTRICT LIEN REGARDING 246 NORTH NEBRASKA, CASPER, WYOMING.

RESOLUTION NO. 23-275

A RESOLUTION AUTHORIZING THE RELEASE OF LOCAL ASSESSMENT DISTRICT LIEN REGARDING 2904 COULTER DRIVE, CASPER, WYOMING.

RESOLUTION NO. 23-276

A RESOLUTION AUTHORIZING THE EXECUTION OF THE AT WILL CLAUSE OF THE EMPLOYMENT AGREEMENT WITH CALLY E. LUND (MARTINEZ), AS MUNICIPAL JUDGE.

RESOLUTION NO. 23-277

A RESOLUTION AUTHORIZING A NOTICE OF SATISFACTION AND RELEASE OF A NUISANCE ABATEMENT LIEN CONCERNING 1027 W 14TH STREET, CASPER, WYOMING.

Councilor Pollock presented the foregoing thirteen (13) consent resolutions for adoption. Seconded by Councilor Cathey. Motion passed unanimously.

10. CONSENT MINUTE ACTION

Moved by Councilor Bond, seconded by Councilor Pollock to, by consent minute action:

1. authorize the purchase of one (1) new side loading 27 cubic yard sanitation truck, in the total amount of \$394,028.00, for use by the Solid Waste Division of the Public Services Department; and,
2. authorize the purchase of one (1) new one-ton crew cab 4x4 pickup truck with tilt bed, in the total amount of \$74,737.00, for use by the Solid Waste Division of the Public Services Department.

Motion passed.

11. INTRODUCTION OF MEASURES AND PROPOSALS

Councilors spoke on meetings and events they attended as well as matters of public interest. Vice Mayor Engebretsen asked for a work session agenda item regarding compliance checks to reduce DUI's. Council agreed to put this item on a future work session agenda.

12. ADJOURN INTO EXECUTIVE SESSION

At 7:12 p.m., it was moved by Councilor Pollock, seconded by Vice Mayor Engebretsen, to adjourn into executive session to discuss matters related to personnel and security. Motion passed unanimously.

At 8:32 p.m., it was moved by Councilor Gamroth, seconded by Councilor Pollock, to adjourn the executive session. Motion passed.

13. ADJOURNMENT OF REGULAR MEETING

Moved by Councilor Bond to adjourn the regular Council meeting. Seconded by Vice Mayor Engebretsen. Motion passed unanimously. The meeting was adjourned at 8:33 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Amanda Ainsworth
City Clerk

Ray Pacheco
Mayor