

COUNCIL PROCEEDINGS
Casper City Hall – Council Chambers
November 1, 2022

1. ROLL CALL

Casper City Council met in regular session at 6:00 p.m., Tuesday, November 1, 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. REGULAR MEETING MINUTES

Moved by Councilmember Cathey, seconded by Councilmember Sutherland to, by minute action, approve the minutes of the October 4, 2022 Regular Council Meeting, as published in the Casper Star Tribune on October 19, 2022. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Vice Mayor Knell, seconded by Councilmember Engebretsen to, by minute action, approve the minutes of the October 4, 2022 Executive Session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Pollock, seconded by Councilmember Engebretsen to, by minute action, approve payment of the November 1, 2022, bills and claims, as audited by City Manager Napier. Motion passed.

<u>Bills & Claims 11/01/22</u>		
307CllsnCntr	Services	4,319.07
71Const	Goods/Refund	1,530.00
AAALndscpng	Services	8,280.88
ACTreeSrvc	Goods	420.00
ActnGlass	Services	453.89
AceHrdwr	Goods	134.02
ACZLbrtrs	Services	381.50
AhrnRntls	Services	585.00
Airgas	Goods	83.84
AllAmrcnSprts	Goods	1,664.50
AllTrees	Services	1,900.00
Alsco	Services	1,097.49
AMBI	Services	2,941.20
AmrTech	Services	2,217.88
Amrgs	Goods	757.77
AndrnHuntCnstrctn	Refund	75.00
ArrwheadHeat	Services	1,994.95

AT&T	Services	1,284.98
AtlntcElctrc	Services	10,576.50
Atlas	Goods	1,845.42
Atmtn&Elctrncs	Services	2,344.08
BRaisch	Goods	187.20
BrgmEllngsn	Goods	205.88
BiddleCnsltng	Services	2,532.43
BlkHillsEnrgy	Utilities	20,398.22
BobCatOfCspr	Goods	3,110.63
CLuse	Services	125.00
CMiller	Reimb	69.29
CptlBusnsSystem	Services	61.80
CsprStrTrb	Services	123.99
CsprTire	Services	450.00
CsprVtrnry	Services	1,529.17
CsprWndw&Door	Services	438.29
CntrlWyoHospice&Trnstns	Services	9,583.31
CntrlWyoRescueMission	Services	7,290.25
CntryLnk	Utilities	1,923.78
ChpmnVldz&Lnsng	Services	2,000.00
ChildDvlpmnt	Services	10,625.00
CtyCspr	Services	471,312.15
CivilEngnrng	Services	30,639.33
CMI	Goods	216.95
CMITeco	Services	5,103.99
CoastlChmcl	Goods	209.62
CommTech	Services	4,055.00
Cmtrnx	Goods	730.74
Cnvrgn	Goods	62,839.79
CPU	Goods	1,073.50
CrimeScnInfo	Services	122.00
CrwnCnstrctn	Services	68,881.93
DckrAuto	Services	512.96
Dell	Goods	28,703.75
DsrtMtn	Goods	27,904.47
Dreamseats	Goods	250.00
EcnmcDvlpmnt	Services	110,430.00

EmrgncyMdcl	Services	700.00
EnrgyLabs	Services	4,336.00
ExpSvcs	Services	1,563.60
FrgsnEnt	Goods	27,388.39
FrmntMtr	Services	5,468.88
Galls	Goods	818.04
GloblSpctrm	Services	75,000.00
GldrAssoc	Services	757.56
GreensSewr&Drain	Goods	165.00
GrrrMotr	Services	2,902.22
HLockhart	Reimb	91.92
HaassConst	Services	71,750.00
Hach	Goods	230.22
HrvrdDrugGrp	Goods	1,122.25
HDREngnrng	Services	35,950.46
Hollnd&Hart	Services	14,250.00
Homax	Goods	74,839.41
HydroOptmztn	Services	3,002.00
IME	Services	1,450.90
InstfrmTchnlgs	Services	153,207.25
JPike	Reimb	150.00
JSlotsve	Reimb	100.00
JKCEngnrng	Services	7,024.50
JonasSftwr	Services	349.00
KtlThorstenson	Services	46,472.78
Kinsco	Goods	4,141.52
KLMWyoHstrn	Goods	40.00
KnfRvr	Services	7,224.65
LawsnPrdcts	Services	119.23
MOgden	Reimb	545.40
MLAuto	Services	3,665.02
MoblCncrte	Goods	824.50
MdrnElctrc	Services	228.00
MtnStLitho	Services	221.38
MunicplTrtmnt	Goods	1,798.03
Napa	Goods	128,561.45
Norco	Goods	688.51

NrdcSound	Services	8,139.49
NWstContr	Goods	769.22
NWstPipeFittngs	Goods	10,190.00
OlsnAutoBdy	Services	10,570.65
Pedens	Goods	1,198.50
Pepsi	Goods	2,692.56
PstlPros	Services	11,249.80
ProTecAuto	Services	1,327.00
ReedsAuto	Services	123.20
RileyIndstrlSrvc	Services	2,957.15
RvrOaksComm	Services	935.00
RckyMtnAirSltns	Goods	1,262.23
RckyMtnPwr	Utilities	237,716.40
RootrSwr	Services	2,097.86
RuffKuttKstmz	Services	7,100.00
ScienceZone	Services	83,611.00
SlfHelpCntr	Services	13,748.75
SrchAcqstn	Goods	706.70
Smrsh	Services	1,985.50
SmthPsych	Services	900.00
SftDr	Services	8.20
SolidWstAssoc	Dues	245.00
SpareLabs	Services	2,895.83
StatelineNo7	Services	5,975.00
SummitElctrc	Services	377.39
SummitFire	Services	1,315.50
SynrgyPntng	Services	11,263.29
ThomeVtrnrnHspl	Services	544.87
TopOffc	Goods	143.06
TretoCnstrctn	Services	170,297.95
Unifrms2Gear	Goods	1,671.21
USPS	Goods	2,000.00
VrznWrsl	Services	2,415.93
VRC	Services	218.79
WThornton	Reimb	753.76
WardLbrtrs	Services	520.00
WearPrts	Goods	22.98

WstrnCoop	Services	1,454.40
WstrnRsrch	Goods	31,969.65
WstrnSign&Design	Services	3,036.00
WstrnStatesFirePrctcn	Services	1,140.00
WrdElctrc	Services	25,642.26
WLCEngrng	Services	32,586.66
WWCEngrng	Services	12,811.50
Wyo1stAid	Goods	417.13
WyoDOT	Services	9,634.53
WLEA	Services	1,080.00
WyoPlantCmpny	Goods	1,477.12
WyoSteel&Recyng	Goods	1,650.00
Total		2,318,525.48

6. COMMUNICATIONS FROM PERSONS PRESENT

No citizens addressed the Council.

7.A.1. ESTABLISH DATE OF PUBLIC HEARINGS

Moved by Councilmember Engebretsen, seconded by Councilmember Cathey, to, by minute action, establish November 1, 2022 as the public hearing date for the consideration of:

- a. Transfer of 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, LLC, dba The Drinkery – A Modern Bar + Venue by Cory, located at 410 South Ash Street.
- b. An ordinance approving a vacation, replat, subdivision agreement and zone change for the Pasadena Addition.

Councilmember Pollock abstained from voting on Item 7.A.1.a. Motion passed.

8.A.1. PUBLIC HEARING – ORDINANCE

Mayor Pacheco opened the public hearing for the consideration of an ordinance pertaining to issues involving private intrusion alarms.

City Attorney Henley entered two (2) exhibits: correspondence from Keith McPheeters to J. Carter Napier, dated October 6, 2022; and an affidavit of publication, as published in the Casper Star-Tribune, dated October 26, 2022. City Manager Napier gave a brief report.

Speaking in favor was: Scott Lehner, 1622 S Elm Street, General Manager of Comtronix. 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. 17-22
AN ORDINANCE REPEALING AND REPLACING ORDINANCE 16-97 CODIFIED AS CHAPTER 8.08 OF THE CASPER MUNICIPAL CODE.

Councilmember Cathey presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Pollock. Councilmembers commented on the high amount of false alarms and the need to address this issue. Motion passed.

8.A.2. PUBLIC HEARING – ORDINANCE

Mayor Pacheco opened the public hearing for the consideration of an ordinance amending Chapter 9.08 – Offenses Against the Person, of the Casper Municipal Code.

City Attorney Henley entered two (2) exhibits: correspondence from John Henley to J. Carter Napier, dated October 21, 2022; and an affidavit of publication, as published in the Casper Star-Tribune, dated October 24, 2022. City Manager Napier gave a brief report.

Speaking in favor of the item was: Pat Sweeney, 951 N Kimball. Speaking in opposition was: Keith Nachbar, 123 W 1st St; Kyle True, S Poplar St.; and Dennis Steinsland, 533 S Washington. Councilmembers addressed questions presented by speakers and explained the need for the ordinance. There being no other citizens to speak for or against the issue, the public hearing was closed.

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.”

Councilmember Sutherland presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Pollock. Mayor Pacheco, Vice Mayor Knell and Councilmembers Pollock, Gamroth, Sutherland, and Engebretsen explained why they support the ordinance and the need for this ordinance in order to protect every citizen from harassment or discrimination. Councilmembers Gamroth and Pollock explained why a crime violating this ordinance should receive a sentence enhancement. Councilmember Cathey explained that he would be voting against the ordinance, because he felt it protects some citizens more than others.

Vice Mayor Knell moved to amend the ordinance to include the word “age”, following the word “national origin” in Section 9.08.020A. Seconded by Councilmember Humphrey. Motion passed.

Moved by Councilmember Sutherland, seconded by Councilmember Pollock, to approve the ordinance on first reading as amended. Councilmember Cathey voted nay, and all other Councilmembers voted aye. Motion passed.

8.B.1. PUBLIC HEARING – RESOLUTION FOR ANNEXATION

Mayor Pacheco opened the public hearing to consider if the annexation of Tract 8 Dowler Subdivision No. 2 complies with W.S. 15-1-402.

City Attorney Henley entered three (4) exhibits: correspondence from Liz Becher to J. Carter Napier, dated October 19, 2022; an affidavit of publication for Notice of Public Hearing, as

published in the Casper-Star Tribune, dated August 29, 2022; an affidavit of publication for Notice of Public Hearing and Annexation Report Summary, as published in the Casper-Star Tribune, dated October 6, 2022, and the Tract 8, Dowler No. 2 Subdivision 2022 annexation report. City Manager Napier provided a brief report.

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

Following resolution read:

RESOLUTION NO. 22-190
A RESOLUTION FINDING FACTS PURSUANT TO
WYOMING STATUTE § 15-1-402 REGARDING THE
ANNEXATION OF 2.0-ACRES DESCRIBED AS TRACT 8,
DOWLER NO. 2 SUBDIVISION.

Councilmember Pollock presented the foregoing resolution for adoption. Seconded by Councilmember Sutherland. Councilmember McIntosh abstained from voting. Motion passed.

9. ORDINANCE— THIRD READING

Following ordinance read:

ORDINANCE NO. 16-22
AN ORDINANCE APPROVING THE ANNEXATION OF 2.0 ACRES
DESCRIBED AS TRACT 8, DOWLER NO. 2 SUBDIVISION (3025
PARADISE DRIVE), ESTABLISHING THE ZONING OF SAID
PARCEL AS C-2 (GENERAL BUSINESS), AND REZONING 8.2-
ACRES DESCRIBED AS THE PARADISE ACRES ADDITION (3041
PARADISE DRIVE) AS C-2 (GENERAL BUSINESS).

WHEREAS, Paradise Valley Christian Church has applied to annex 2.0 acres, located at 3025 Paradise Drive, and described as Tract 8, Dowler No. 2 Addition; and,

WHEREAS, the applicant has applied to zone Tract 8, Dowler No. 2 Addition, as C-2 (General Business); and,

WHEREAS, the applicant has also applied to rezone 8.2-acreas of property located at 3041 Paradise Drive, described as the Paradise Acres Addition, as C-2 (General Business); and,

WHEREAS, a petition requesting annexation has been signed by a majority of the landowners owning a majority of the area sought to be annexed, excluding public streets and alleys and tax-exempt property, and said petition has been submitted to the City of Casper for approval pursuant to Section 15-1-403 of the Wyoming State Statutes, as amended; and,

WHEREAS, an annexation report will be completed prior to the final approval of the annexation, in accordance with Section 15-1-402 of the Wyoming State Statutes, as amended; and,

WHEREAS, the City of Casper Planning and Zoning Commission recommended that the Council approve the annexation and the zoning, as requested, following a public hearing on August 18, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING:

SECTION 1:

The annexation of 2.0 acres, located at 3025 Paradise Drive, and described as Tract 8, Dowler No. 2 Addition, is hereby approved, said property is included within the corporate limits of the City of Casper and all rights, privileges, and duties pertaining to such inclusion shall apply to said development and the inhabitants thereof.

SECTION 2:

The 2.0 acres described as Tract 8, Dowler Addition No. 2 is hereby zoned C-2 (General Business).

SECTION 3:

The 8.2-acres described as Paradise Acres Addition is hereby rezoned from PUD (Planned Unit Development) to C-2 (General Business).

SECTION 4:

All utility franchises shall be furnished a copy of this ordinance, and other information required by the franchises, as official notice of the expansion of the City limits.

SECTION 5:

This ordinance shall, pursuant to W.S. § 15-1-408, be in full force and effect on the 21st business day following third reading approval by the City Council, and following publication.

PASSED on 1st reading the 20th day of September, 2022.

PASSED on 2nd reading the 4th day of October, 2022.

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the 1st day of November, 2022.

Councilmember Cathey presented the foregoing ordinance for adoption, on third reading. Seconded by Vice Mayor Knell. Councilmember McIntosh abstained from voting. Motion passed.

10. CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 22-191

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH CIVIL ENGINEERING PROFESSIONALS, INC., FOR THE WATER SYSTEM UPDATES AND MODELING PROJECT.

RESOLUTION NO. 22-192

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH HDR ENGINEERING, INC. FOR ONGOING STUDIES, TASKS, AND ACTIVITIES REGARDING WATER RIGHTS AND WATER SUPPLY ACTIVITIES.

RESOLUTION NO. 22-193

A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE-CITY WATER AND SEWER SERVICE WITH MEADOR ENVIRONMENTAL CONSULTING, LLC.

RESOLUTION NO. 22-194

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH CIVIL ENGINEERING PROFESSIONALS, INC., FOR DESIGN, BIDDING, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE WOLF CREEK ROAD IMPROVEMENTS, PROJECT NO. 21-066.

RESOLUTION NO. 22-195

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH WWC ENGINEERING FOR ENGINEERING SERVICES FOR THE COLLEGE DRIVE IMPROVEMENTS, PROJECT NO. 21-060.

RESOLUTION NO. 22-196

A RESOLUTION AUTHORIZING AN AGREEMENT WITH HALL'S

CUSTOM PAVING AND EXCAVATION, INC., FOR THE TRANSIT FACILITY PARKING IMPROVEMENTS, PROJECT NO. 22-040.

RESOLUTION NO. 22-197

A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASPAR BUILDING SYSTEMS, FOR THE MRF DOOR REPAIRS PROJECT NO. 22-076.

RESOLUTION NO. 22-198

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CITY OF CASPER AND FELSBURG, HOLT, & ULLEVIG, INC., FOR THE CASPER AREA IMPACT FEE STUDY.

RESOLUTION NO. 22-199

A RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH JTL GROUP, INC., DBA KNIFE RIVER, FOR THE DRILL TOWER TRAINING PAD, PROJECT NO. 22-059.

Councilmember Southerland presented the foregoing five (5) resolutions for adoption. Seconded by Councilmember Engebretsen. City Manager Napier stated that Resolution No. 22-194 was for a project being done in conjunction with Natrona County. Vice Mayor Knell abstained from voting on Resolution No. 22-194. Motion passed.

11.A. CONSENT MINUTE ACTION

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

1. Appoint three new members to Casper's Council of People with Disabilities for a term of three years, beginning November 1, 2022; and
2. Accept a grant from the Rocky Mountain Power Foundation, in the amount of \$8,000, to be used to fund elements of the First Street Gateway.

Councilmember Sutherland abstained from voting on 11.A.1. 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 7:16 p.m., it was moved Councilmember McIntosh, seconded by Councilmember Pollock, to adjourn into executive session to discuss land acquisition, personnel, and litigation. Motion passed. Council moved into the Council Meeting Room.

At 8:33 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Cathey to adjourn the executive session. Motion passed.

12. ADJOURNMENT

The meeting was opened to the public. At 8:34 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Engebretsen, to adjourn the regular Council meeting. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Ray Pacheco
Mayor