

COUNCIL PROCEEDINGS  
Casper City Hall – Council Chambers  
April 20, 2021

1. ROLL CALL

Casper City Council met in regular session at 6:03 p.m., Tuesday, April 20, 2021. Present: Councilmembers Cathey, Engebretsen, Gamroth, Knell, Lutz, Pacheco, Pollock and Mayor Freel. Absent: Councilmember Johnson.

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

2. PLEDGE OF ALLEGIANCE

Mayor Freel led the audience in the Pledge of Allegiance.

Mayor Freel recognized the contributions of former Mayors Robert L. Pettigrew, Jr., and Robert Hildebrand, both having recently passed away. A moment of silence was held in their honor.

3. MINUTES

Moved by Councilmember Knell, seconded by Councilmember Lutz, to, by minute action, approve the minutes of the April 6, 2021, regular Council meeting, as published in the Casper-Star Tribune on April 14, 2021. Motion passed.

4. EXECUTIVE SESSION MINUTES

Moved by Vice Mayor Pacheco, seconded by Councilmember Engebretsen, to, by minute action, approve the minutes of the April 6, 2021, executive session. Motion passed.

5. BILLS & CLAIMS

Moved by Councilmember Pollock, seconded by Councilmember Knell, to, by minute action, approve payment of the April 20, 2021, bills and claims, as audited by City Manager Napier. Motion passed.

Bills & Claims 04/20/21		
307CIs	Services	5,029.26
71Cst	Services	57,707.20
AMBI	Services	921.78
ACTree	Services	11,000.00
ActPkg	Goods	1,834.60
ActGls	Services	154.00
Adecco	Services	1,047.00
AirInn	Services	148.75
AllncCnslt	Services	232.20
Alsco	Services	1,446.58
Amrigs	Goods	33,673.83
ArwhdHting	Services	301.67
AtIntcElect	Services	8,995.00

AtlasOff	Goods	878.68
AtlasRep	Services	84.00
AceHrdw	Goods	141.01
BBurgess	Reimb	42.00
BigHrnTire	Services	270.00
BlkHillsEnergy	Utilities	5,985.42
Bloedorn	Goods	229.30
CrlnaSftwr	Goods	700.00
CrptStat	Goods	3,990.50
Caselle	Services	75.00
CsprAmatHcky	Services	1,264.69
CsprArTrans	Funding	121,222.03
CsprElct	Goods	14,079.50
CsprStarTrib	Services	4,628.96
CsprStarTrib	Services	45.00
CntrlWyRegWtr	Services	338,623.07
CntrWYRes	Funding	5,832.20
Centurylink	Services	3,896.64
CAsbe	Services	1,400.00
CtyofCspr	Services	30,697.94
CsprPublicUtl	Services	151.79
CtyofCsprBale	Services	107,754.46
PublicSftyCmm	Services	4,581.10
CLH	Services	1,323.40
CMITeco	Goods	33,493.29
ColctnCntr	Services	527.78
Convergeone	Services	1,788.76
CwbySupplyHse	Goods	414.18
CmptrPrfs	Goods	3,711.00
DKepner	Goods	2,556.00
DvdsnFxdInc	Services	3,974.90
DeckerAuto	Goods	360.29
Dell	Goods	53,771.33
DmndVglPts	Goods	268.63
EmrgncyMedDire	Services	899.40
EBecher	Dues	68.00
RCasados	Reimb	50.00
JBrown	Goods	17.84
MBrattis	Reimb	92.39
JHagan	Reimb	300.00
MBrummond	Reimb	300.00
CParke	Reimb	300.00
NNoblitt	Reimb	300.00
ADeveraux	Reimb	300.00
AJividen	Reimb	146.94

EnrgyLabs	Services	458.00
ExpSrv	Services	2,715.57
FrgsonEnt	Goods	1,344.13
1stDataMer	Services	39.90
FIB	Services	1,367.00
FoxFldSrv	Services	1,115.92
Galls	Goods	894.79
GeosyntcCnslt	Services	10,217.45
Grainger	Goods	72.67
Gunners	Goods	1,953.00
HDREng	Services	14,960.80
HeinBond	Services	17,833.50
Hercules	Goods	75.61
Homax	Goods	47,034.11
Indentisys	Goods	340.00
IndScrn	Goods	9,281.84
KLevesque	Goods	813.00
KnckleDrggr	Services	855.00
Kubwtr	Goods	5,618.85
LisasSpicSpan	Services	440.00
McGee	Funding	4,500.00
MercrHouse	Funding	6,401.10
Moore	Services	15,465.17
Mtorola	Services	9,457.67
MtnStatesLitho	Services	977.92
MtnStatesPipe	Goods	7,070.48
MtnWestPhone	Services	49.95
MuniCode	Goods	706.60
Myers&Son	Services	643,500.00
Napa	Goods	140,653.67
NatlAllnce	Services	478.20
NCTreasr	Funding	161.18
NCHlth	Services	42,750.00
NCH	Services	1,275.00
Norco	Goods	724.44
NrdcSound	Services	1,366.25
OneCall	Services	589.50
OrgWtrmen	Goods	2,401.73
Pedens	Services	234.00
PrterMuir	Services	220,000.00
PwrScrn	Goods	1,069.54
Prnwrks	Services	1,431.41
PrfClean	Services	1,395.00
Ricoh	Services	352.09
RckyMtnPwr	Utilities	53,949.23

RooterSwr	Services	4,455.77
Rotary	Dues	68.00
SaltusTech	Services	20,210.00
SMahoney	Goods	756.40
SheetMetalSp	Services	29,437.40
ShrwnWllms	Goods	15.70
SkylnRanch	Services	326.21
SmithPsych	Services	1,600.00
StateofWy	Services	6,803.67
Stateline#7	Services	14,887.75
StrlngInf	Services	1,571.60
Ten-E-Pack	Goods	1,140.00
TharpleCnslt	Services	275.00
Thatcher	Services	9,241.16
TopOffice	Services	239.26
Trihydro	Services	2,241.00
TylerTech	Services	7,674.00
UrgntCare	Goods	255.00
Verizon	Services	4.91
Volance	Services	50.34
WardwellWtr	Goods	30.03
WayneColeman	Services	27,865.30
WesRsrch	Services	17,777.39
WstlndPark	Services	2,342.34
Wstnt	Services	84,267.16
WYAssocMuni	Dues	65.00
StateofWy	Services	530.07
YouthCrisis	Funding	13,962.00
Total		2,396,513.02

#### 6. BRIGHT SPOT

Angela Emery, Executive Director of the Platte River Trails Trust, notified Council that the organization had presented the City of Casper with a check for \$100,000 for the Poplar Street bridge bump-outs project. She spoke on the need for the project and the fund raising efforts that made this donation possible. David Hough, Board Chair, thanked everyone involved in the project for supporting this project.

#### 7. BRIGHT SPOT

Mayor Freel welcomed Shelly McAlpin, Executive Director of Serve Wyoming, in honor of National Service Recognition Day. Ms. McAlpin was joined by staff members, and she shared information about the various projects and programs that AmeriCorp members are involved with.

8. COMMUNICATIONS FROM PERSONS PRESENT

Individuals addressing the Council were: Mileage Mike Harrison, 742 N. Jefferson, requesting Council remove the leash law for dogs; Keith Rolland, 542 S. Durbin, asking Council to reconsider the funding and structure of Advance Casper; and Lou Grunewald, Casper Area Transportation Coalition (CATC) Board President, requesting further information and assistance from the City regarding the recent actions to change the management of transportation.

9. ESTABLISH PUBLIC HEARINGS

Moved by Councilmember Cathey, seconded by Councilmember Lutz, to, by minute action: establish May 4, 2021, as the public hearing date for the consideration of replat creating Harmony Hills Addition No. 3; replat creating Kensington Heights Addition No. 3; and new Restaurant Liquor License No. 40 Yang & Zhang, Inc., d/b/a Lime Leaf Asian Bistro. Councilmember Pollock abstained on the liquor license item. Councilmember Engebretsen and Mayor Freel abstained on the two land items. Motion passed.

10.A PUBLIC HEARING - ORDINANCE

Mayor Freel opened the public hearing for the consideration of the parking regulations and restrictions.

City Attorney Henley entered one (1) exhibit: correspondence from John Henley to the Casper City Council and J. Carter Napier, dated April 16, 2021. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving the parking regulations, the public hearing was closed.

Following ordinance read:

ORDINANCE NO. 11-21  
AN ORDINANCE AMENDING VARIOUS SECTIONS OF  
CHAPTER 10.36 – PARKING, OF THE CASPER MUNICIPAL  
CODE.

Vice Mayor Pacheco presented the foregoing ordinance for approval, on first reading. Seconded by Councilmember Knell. Council briefly discussed the requirements and restrictions of property owners regarding the removal of live trees from the parkway. City Attorney Henley clarified that property owners can trim and maintain the trees, but further action must be authorized by the City. Mayor Freel requested that a copy of the applicable ordinance be forwarded to Council. Motion passed.

10.B.1 PUBLIC HEARING - MINUTE ACTION

Mayor Freel opened the public hearing for the consideration of the transfer of ownership of Retail Liquor License No. 28, from Proper Management, LLC d/b/a 307 Sunrise to 307 Bar, LLC.

Councilmember Pollock abstained and recused herself from all liquor license discussions and left the room.

City Attorney Henley entered five (5) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated April 6, 2021; an affidavit of publication, as published in the Casper-Star Tribune, dated April 13, 2021; an affidavit of website publication, as published on the City of Casper website, dated April 6, 2021; an affidavit of notice of conspicuous posting, as posted at 4370 South Poplar, dated April 6, 2021; and the liquor license application filed March 23, 2021. City Manager Napier provided a brief report.

There being no one to speak for or against the issues involving Retail Liquor License No. 28, the public hearing was closed.

Moved by Councilmember Gamroth, seconded by Councilmember Lutz, to, by minute action, authorize the transfer of ownership of Retail Liquor License No. 28. With the abstention of Councilmember Pollock noted, motion passed.

#### 10.B.2 PUBLIC HEARING - MINUTE ACTION

Mayor Freel opened the public hearing for the consideration of the following:

- a. Transfer of location for Retail No. 12 FireRock Hospitality Group, LLC d/b/a FireRock Steakhouse located at 6100 East 2<sup>nd</sup> Street to Mesa Liquors, LLC, d/b/a Mesa Liquor located at 3243 Talon Drive Suite 200.
- b. New Bar and Grill License No. 2 for FireRock Hospitality Group, LLC d/b/a FireRock Steakhouse located at 6100 East 2<sup>nd</sup> Street.
- c. Transfer of location for Retail Liquor License No. 15 OC Casper, LLC, d/b/a Old Chicago Restaurant, located at 3580 East 2<sup>nd</sup> Street to Wyoming Liquor, LLC, d/b/a Wyoming Discount Liquor located at 4330 East 2<sup>nd</sup> Street.
- d. New Bar and Grill Liquor License No. 12 for OC Casper, LLC d/b/a Old Chicago Restaurant Located at 3580 East 2<sup>nd</sup> Street.
- e. Transfer of location for Retail No. 23 Johnson Restaurant Group, Inc., d/b/a CY Discount Liquor, located at 840 CY Avenue to Johnson Restaurant Group, Inc., d/b/a CY Discount Liquor located at 1375 CY Avenue Suite 100.
- f. New Bar and Grill License No. 10 for Casper Taco Shop, LLC, d/b/a Fuzzy's Taco Shop located at 3243 Talon Dr. Suite 400.

City Attorney Henley entered fifteen (15) exhibits: correspondence from Fleur Tremel, to J. Carter Napier, dated April 6, 2021; an affidavit of publication, as published in the Casper-Star Tribune, dated April 13, 2021; an affidavit of website publication, as published on the City of Casper website, dated April 6, 2021; an affidavit of notice of conspicuous posting, for the following addresses dated April 6, 2021, 3243 Talon Dr., 6100 E. 2<sup>nd</sup>, 4330, E. 2<sup>nd</sup>, 3580 E. 2<sup>nd</sup>, 1375 CY, 3243 Talon Dr.; and liquor license applications for each license filed March 8, 2021 or March 17, 2021. City Manager Napier provided a brief report.

Speaking in support was John Johnson, license applicant.

There being no others to speak for or against the issues involving the liquor licenses, the public hearing was closed.

Moved by Councilmember Cathey, seconded by Councilmember Knell, to, by minute action, authorize the transfer of location for three retail liquor licenses and the issuance of three bar and grill liquor licenses. With the abstention of Councilmember Pollock noted, motion passed. Councilmember Pollock rejoined the meeting

11.A ORDINANCE– THIRD READING

Following ordinance read:

Ordinance No. 9-21

AN ORDINANCE AMENDING SECTION 13.04.060 OF THE  
CASPER MUNICIPAL CODE.

WHEREAS, the governing body of the City of Casper may perform all acts in relation to the concerns of the City necessary to the exercise of its corporate powers; and,

WHEREAS, the governing body of the City of Casper has the authority granted by Wyoming State Statute §15-1-103(a)(xli), to adopt ordinances and resolutions necessary to protect the health, safety and welfare of the City and its citizenry; and,

WHEREAS, Ordinance No. 26-95, was adopted on September 5, 1995, creating Chapter 13.04 of the Casper Municipal Code concerning permits to construct, install, or modify water distribution or sanitary sewer collection facilities; and,

WHEREAS, the Casper Municipal Code needs modified and updated from time to time; and,

WHEREAS, the governing body of the City of Casper desires to amend Section 13.04.060 of the Casper Municipal Code for the purpose of updating references to Wyoming Statutes within the Code that have since been repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: Section 13.04.060 — Application requirements and procedures is amended as follows:

13.04.060 - Application requirements and procedures.

The following procedures will be followed in an application for the permit:

A. Any person who proposes to construct, install or modify a facility required to be permitted under Section 13.04.050 shall submit a written application on forms provided by the city of Casper.

B. The initial application for a permit must be accompanied by two complete sets of plans and specifications, design data and any additional information required by the city. After the plans and specifications have been reviewed by the city, the applicant's engineer shall make such revisions as are required and submit five revised sets for final review. All plans and specifications submitted shall carry the seal or signature of the design engineer in accordance with Wyoming Statutes Sections 33-29-601 *et seq.* All plans and specifications shall conform to city of Casper Water Distribution Facilities Design Standards, city of Casper Sanitary Sewage Collection Facilities Design Standards, and the Wyoming Department of Environmental Quality, Water Quality Rules and Regulations, Chapter XI and Chapter XII.

C. The city shall review every application and take final action within thirty days from the date the application is received.

D. If an application is incomplete, additional information shall be requested in detail, or if requested, the application may be returned to the applicant. The applicant shall have ninety days to comply with the request for additional information. After this time period, if no information is submitted, the entire application shall be returned.

E. The city manager or his appointed designee shall promptly notify the applicant in writing of the final action taken on the application. If the conditions of the permit are different from the proposed

application submitted by the applicant for review, the notification shall include reasons for the changes made.

F. If, upon review of an application, the city determines that a permit is not required under this chapter, the city manager or his appointed designee shall notify the applicant of this determination in writing. Such notification shall constitute final action on the application.

G. If, upon review of an application, the city determines that a permit should not be granted, the city manager or his appointed designee shall notify the applicant in writing of the permit denial and state the reasons for denial.

H. If the applicant is dissatisfied with the conditions or denial of any permit issued by the city, he may request a hearing in accordance with Section 13.04.090.

PASSED on 1<sup>st</sup> reading the 16<sup>th</sup> day of March, 2021.

PASSED on 2<sup>nd</sup> reading the 6<sup>th</sup> day of April, 2021.

PASSED, APPROVED, AND ADOPTED on third and final reading the 20<sup>th</sup> day of April, 2021.

Vice Mayor Pacheco presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Engebretsen.

There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

#### 11.B ORDINANCE— THIRD READING

Following ordinance read:

##### ORDINANCE NO. 10-21

##### AN ORDINANCE APPROVING THE VACATION AND REPLAT CREATING THE CENTRAL SERVICES ADDITION NO. 2.

WHEREAS, an application has been made to vacate and replat the Central Services Addition to the City of Casper, Wyoming, to create the Central Services Addition No. 2, located in portions of the S1/2NW1/4, NE1/4 & NW1/4SE1/4 Section 35, T34N, R 79W, 6<sup>th</sup> PM, Natrona County; and, WHEREAS, after a public hearing, the City of Casper Planning and Zoning Commission passed a motion recommending that the City Council approve the requested vacation and replat; and, WHEREAS, the vacation and replat requires approval by ordinance, following a City Council public hearing; and,

WHEREAS, the governing body of the City of Casper finds that the above-described vacation and replat should be approved.

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

#### SECTION 1:

That the vacation and replat creating the Central Services Addition No. 2 is hereby approved.

#### SECTION 2:

This ordinance shall be in full force and effect from and after passage on three readings and publication pursuant to law.

PASSED on 1<sup>st</sup> reading the 16<sup>th</sup> day of March, 2021.

PASSED on 2<sup>nd</sup> reading the 6<sup>th</sup> day of April, 2021.

PASSED, APPROVED, AND ADOPTED on third and final reading the 20<sup>th</sup> day of April, 2021.

Councilmember Cathey presented the foregoing ordinance for approval, on third reading. Seconded by Councilmember Lutz.

There being no one to speak regarding the ordinance, and no discussion or amendments, motion passed.

12.A RESOLUTION

Following resolution read:

RESOLUTION NO. 21-44  
A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE  
NEW DELTA ADDITION SUBDIVISION AGREEMENT,  
DATED AUGUST 3, 1999.

Councilmember Gamroth presented the foregoing resolution for adoption. Seconded by Vice Mayor Pacheco. City Manager Napier provided a brief report.

Speaking in opposition was John Ramsey, President of the Home Owner's Association for Stafford Court. Councilmembers had questions for Mr. Ramsey, which he addressed.

Speaking in favor were: Martin Axlund, representative for the applicant; Jens Hansen, 1342 Heathrow; Greg Dixon, President/CEO of Hilltop Bank; Bob Cerkovnik, Hilltop Bank Officer; and Charlie Shopp, Remax Reality. Councilmembers had questions for the speakers regarding the design and future plans for the development, which were addressed.

Council discussed the item briefly and voted on the resolution. Councilmember Pollock and Mayor Freel abstained. Motion passed.

12.B CONSENT RESOLUTIONS

The following resolutions were considered, by consent agenda:

RESOLUTION NO. 21-45  
A RESOLUTION APPROVING THE REPLAT CREATING THE  
MOUNTAIN PLAZA PATHWAY ADDITION.

RESOLUTION NO. 21-46  
A RESOLUTION AUTHORIZING A CONTRACT WITH AAA  
LANDSCAPING, LLC FOR WEED MOWING AND LITTER  
ABATEMENT.

RESOLUTION NO. 21-47  
A RESOLUTION AUTHORIZING A CONTRACT WITH B & B  
SALES AND SERVICE FOR WEED MOWING AND LITTER  
ABATEMENT.

RESOLUTION NO. 21-48  
A RESOLUTION AUTHORIZING A CONTRACT WITH  
BRIAN'S GO TO SERVICE FOR WEED MOWING AND  
LITTER ABATEMENT.

RESOLUTION NO. 21-49

A RESOLUTION AUTHORIZING A CONTRACT WITH TWO BROTHERS LAWN SERVICES AND SNOW REMOVAL, LLC FOR WEED MOWING AND LITTER ABATEMENT.

RESOLUTION NO. 21-50

A RESOLUTION AUTHORIZING A CONTRACT WITH XTREME LANDSCAPING, LLC FOR WEED MOWING AND LITTER ABATEMENT.

RESOLUTION NO. 21-51

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF CASPER AND HDR ENGINEERING, INC.

RESOLUTION NO. 21-52

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ZONAR SYSTEMS, INC., FOR AVL AND EVIR® SYSTEMS PROJECT.

RESOLUTION NO. 21-53

A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE-CITY SEWER SERVICE WITH THE JR & HEATHER BOYLES LIVING TRUST.

RESOLUTION NO. 21-54

A RESOLUTION AUTHORIZING A CONTRACT FOR OUTSIDE-CITY WATER AND SEWER SERVICE WITH JACOB CARSON AND SADIE CARSON.

RESOLUTION NO. 21-55

A RESOLUTION ACCEPTING THE REVISED WYOMING ASSOCIATION OF RISK MANAGEMENT PROPERTY INSURANCE JOINT POWERS AGREEMENT.

Councilmember Pollock presented the foregoing eleven (11) resolutions for adoption. Seconded by Councilmember Lutz. Motion passed.

13. INTRODUCTION OF MEASURES AND PROPOSALS

Councilmember Knell asked about better communication with the Leisure Services Advisory Board and possibly assigning a Council liaison to the Board. Councilmember Pollock asked if the Drug Enforcement Agency grant discussion could be held sooner than it is tentatively scheduled (after July 1<sup>st</sup>). City Manager Napier indicated that it may be difficult to do so because of the upcoming budget sessions. Councilmembers also spoke on meetings they attended and upcoming events.

14. ADJOURN INTO EXECUTIVE SESSION

Mayor Freel noted the next meetings of the City Council will be a work session to be held at 4:30 p.m., Tuesday, April 27, 2021, in the Council Meeting Room; and, a regular Council meeting to be held at 6:00 p.m., Tuesday, May 4, 2021, in the Council Chambers.

At 7:59 p.m., it was moved Councilmember Knell, seconded by Councilmember Engebretsen, to adjourn into executive session to discuss litigation. Motion passed. Council moved into the Council meeting room.

At 8:57 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Gamroth, to adjourn the executive session. Vice Mayor Pacheco vote nay. Motion passed. Council returned to the Council Chambers.

15. ADJOURNMENT

At 8:59 p.m., it was moved by Councilmember Cathey, seconded by Councilmember Pollock, to adjourn the regular Council meeting. Vice Mayor Pacheco voted nay. Motion passed.

ATTEST:

CITY OF CASPER, WYOMING  
A Municipal Corporation

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Fleur Tremel  
City Clerk

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Steven K. Freel  
Mayor