

COUNCIL WORK SESSION

Tuesday, January 23, 2018 at 4:30 p.m.

Casper City Hall

Council Meeting Room

AGENDA

1. Minor in Possession Ordinance (Judge Nicole Collier)
2. Snow Removal and Ordinance Change (Will Chambers)
3. Council Sponsored Resolutions & Ordinances (Carter Napier)
4. Boards and Commissions Assignments (Ray Pacheco)
5. Legislative Update
6. Council Around the Table

Mayor Pacheco called the meeting to order at 4:35 p.m. with the following Councilmembers present: Laird, Humphrey, Morgan, Hopkins, Huckabay, Walsh, Vice Mayor Powell, and Mayor Pacheco. Councilmember Johnson was absent. Council decided to change the sequence of agenda items, because Judge Collier was still in court.

Mayor Pacheco introduced Interim City Attorney Chambers to discuss a snow removal and ordinance change. Interim City Attorney Chambers stated that there was recently a concern brought forward regarding people, especially commercial entities, plowing snow from their parking lots into the street which causes issues with traffic flow and creates problems for City snow plows. He stated that staff has worked on a proposed ordinance, enclosed within the Council packet, to address this problem and make it unlawful to push snow into a public right of way. He stated that he researched the issue and although there is a state statute that prohibits obstructing a public right of way, there is not an ordinance or state statute that specifically targets snow removal into public right of ways. He explained that the purpose of the proposed ordinance is not to target homeowners but to help with enforcement with commercial property owners that are creating the hazardous problems. Enforcement of the ordinance would be the responsibility of police officers or code enforcement officers and the penalty would be a standard misdemeanor with up to a \$750 fine. Public Services Director Andrew Beamer stated that this is a problem and currently there is no mechanism of enforcement for the City.

Council discussed concerns about the ordinance penalizing homeowners. Councilmember Walsh suggested using the obstruction statute as a means of enforcement, and Interim City Attorney Chambers responded that it would be difficult to define obstruction under the current statute in relation to snow. Councilmember Humphrey stated that she sees a need for the proposed ordinance for safety reasons. Mayor Pacheco asked who was in favor of the ordinance as is, and half the Councilmembers supported it and half did not. He stated that he will speak with Councilmembers Johnson about his opinion on the issue and then give staff direction based on which way the majority of Councilmembers are leaning.

Mayor Pacheco introduced City Manager Napier to discuss Council sponsored resolutions and ordinances. City Manager Napier stated that there was a suggestion that resolutions and

ordinances that come forward for approval in Council meetings should be sponsored by a member of the body. He stated that Cheyenne does this and their process is outlined in the Council packet, but he would not recommend doing it the way Cheyenne does it. Councilmember Walsh stated that he likes the idea, and he feels that each item should have the responsibility of a Councilmember attached to it. Councilmember Hopkins stated that Cheyenne is a mayor form of government which is different than the city manager form of government, therefore the need for sponsorship is different. He stated that doing this is overcomplicating the process and adds too much bureaucracy to the process. Council agreed that they would like to have sponsorship, but would like a more simplified version. They directed staff to draft a policy statement of a protocol for sponsorship that could be used moving forward.

Mayor Pacheco began a discussion on boards and commissions assignments. He stated that he sent an email to Council asking for requests for board and commission seats. He stated that he volunteered to step down from Community Action Partnership and Casper Housing Authority, and Councilmember Huckabay volunteered to take his place on those boards. Councilmember Hopkins stated that he would step down from Central Wyoming Water if someone else wanted that experience. Councilmember Humphrey brought up the issue of the value of sitting on boards and commissions where the Councilmember is not a voting member. Council agreed that they would have a more in depth discussion on this issue at their strategic planning session.

Mayor Pacheco asked Councilmember Powell to give Council a legislative update. Councilmember Powell encouraged all members of Council to attend the WAM (Wyoming Association of Municipalities) conference in Cheyenne in February. He explained several of the benefits of attending the conference including networking, valuable trainings, and finding solutions to problems that affect Casper. He then discussed upcoming committee meetings that will affect Casper, including the Joint Revenue Committee and School Funding. He reviewed some of the bills that will be up for debate, including bills to lower speeding fines, changes to daylight savings time, roadside waiver of property rights, and the creation of a Purple Heart day. He stated that there has been good response to the funding request from municipalities for \$105M. They are running into trouble with the extra territorial jurisdiction bill, which could cause problems for cities like Casper. There are ongoing negotiations between WAM and the Wyoming County Commissioners Association to work this issue out. Councilmember Powell added that there will be a legislative reception at the WAM Conference, and it will be a good opportunity for Councilmembers to discuss issues with legislators. City Manager Napier also reminded Council that there will be a legislative forum in Bar Nunn on Wednesday.

City Manager Napier then updated Council on the status of the Consensus Fund Agreement. He explained that at the last meeting it was suggested that each entity that is receiving money break out \$25K for Mills to replace their playground equipment. He stated that there is room in Casper's contingency for the radio towers to give \$25K to the Mills project, and that this will not negatively affect the project because the original contingency amount was set when the projected cost of the project was higher than what the project is now expected to cost.

Mayor Pacheco stated that the judges would like to reschedule their presentation, because Judge Collier is still hearing a case in court. Councilmember Laird expressed his thoughts on increasing

the penalty for MIP (minor in possession) charges, and stated that he is not comfortable with the proposed penalty of jail time. He added that this would also mean that those individuals charged with MIPs are entitled to a lawyer and jury trial which could be costly and time consuming for the City. Councilmember Huckabay stated that she would like the City to instead move from a punitive model to a restorative model for these minors. Councilmembers Morgan, Walsh, and Humphrey stated that they support the proposed changes and they would like to give the judges options. Mayor Pacheco stated that because Council is split on this issue, the presentation by the judges needs to be rescheduled.

Next, Council went around the table to discuss their respective board and committee meetings and share ideas and concerns related to public matters of interest. Councilmember Morgan stated that he would like late fees for utility bills looked into, and City Manager Napier stated that that is a policy call for Council which they can look into when setting fee structures. Councilmember Morgan stated that he would like to attend two trainings and would like to know if he has Council's support in using City funds to do those trainings. The first training is in Washington D.C. and is focused on the energy industry. The other is a guardian training attended by City fire and police personnel. Council supported Councilmember Morgan attending the training in Washington D.C. but did not think it was appropriate for him to attend training where City staff is present. Councilmember Laird stated that he would like the City to build a new police station, and City Manager Napier responded that the ideal opportunity to discuss this would be when giving direction with regards to the capital plan during the budget preparation process. Councilmember Powell stated that this could also be one of the projects proposed for OneCent#16.

City Manager Napier introduced the new Parks and Recreation Director, Timothy Cortez, to Council. City Manager Napier stated that he did not bring the grid to review the agenda for the next Council meeting, but that information will be sent out to Council.

The meeting was adjourned at 6:30 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Ray Pacheco
Mayor