

WORK SESSION AGENDA



Casper City Council
City Hall, Council Meeting Room
Tuesday, August 14, 2018, 4:30 p.m.

Work Session Meeting Agenda Items		Recommendation	Allotted Time	Beginning Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	WAM Resolutions - Discussion/Review (Councilmember Powell)		20 min	4:30
2.	Sole Source Purchase – Baler, Steel Belt Conveyor, & Wire Tier (Andrew Beamer)	Move Forward for Approval	10 min	4:50
3.	Open Containers Downtown (Chief McPheeters)		20 min	5:00
4.	Restorative Justice Presentation (Chief McPheeters)		20 min	5:20
5.	Innkeeper & Registration Ordinance		20 min	5:40
6.	Agenda Review		10 min	6:00
7.	Council Around the Table	Information Only	20 min	6:10
	Executive Session – Personnel			6:30

WAM RESOLUTION NO. 18-01

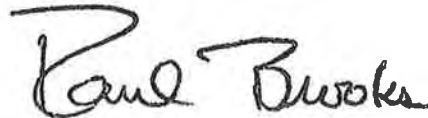
A RESOLUTION OF THE WYOMING ASSOCIATION OF MUNICIPALITIES RELATING TO THE 63rd ANNUAL CONVENTION IN PINEDALE, WYOMING, JUNE 2018

WHEREAS, the 2018 Annual Convention of the Wyoming Association of Municipalities on June 13-15, in Pinedale, Wyoming has proven to be an outstanding session focusing on the education of elected officials and municipal staff members and enhancing the tools available to them in order to provide the best service to their communities; and

WHEREAS, the success of this Convention is due in large measure to the generous contribution of time, effort and resources on the part of the staff and elected officials from the Town of Pinedale and sponsors who hosted, planned, and arranged logistics and activities of the 2018 WAM Convention.

THEREFORE, BE IT RESOLVED by the Wyoming Association of Municipalities on this 14th day of June 2018 in Pinedale, Wyoming that the Association gratefully extends its appreciation to every person and organization in Pinedale and with the Town of Pinedale who devoted time, effort and resources in the planning, arranging, providing and presenting of the programs and activities of the 63rd Annual WAM Convention.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-02

**A RESOLUTION TO CREATE UTILITY AND OTHER
MUNICIPAL SERVICES LIEN AUTHORITY FOR
MUNICIPALITIES AND JOINT POWERS BOARDS**

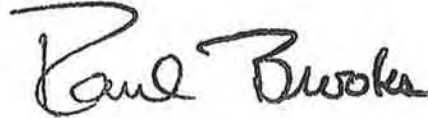
WHEREAS, municipalities in Wyoming have become aware of problems relating to the ability of the municipalities and joint powers boards to collect past due utility and other municipal service bills; and

WHEREAS, the current law of the State of Wyoming allows irrigation districts, water and other improvement districts to create liens under the right circumstances or have statutorily been granted automatic and perpetual liens under certain circumstances; and

WHEREAS, there is nothing similar to the creation of a lien found in zoning regulations or any other powers granted to a municipality or joint powers board in current state laws of the State of Wyoming,

THEREFORE, BE IT RESOLVED that the Wyoming Association of Municipalities supports such legislation as may be necessary to provide authority to a municipality or joint powers board to create a lien arising from past due bills for public utilities and other municipal services necessary to correct hazardous conditions.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-04

A RESOLUTION SUPPORTING LEGISLATION ALLOWING MUNICIPALITIES THE AUTHORITY TO IMPLEMENT LOCAL OPTION SALES TAXES WITHIN DEFINED LOCAL BOUNDARIES

WHEREAS, municipalities have little to no control over most revenue sources, including sales tax; and

WHEREAS, Wyoming cities and towns are the most reliant of any state in the nation upon the State government for revenue; and

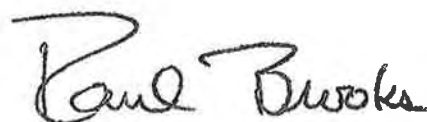
WHEREAS, for those cities and towns with significant sales tax base, independent revenue authority will help fund critical infrastructure projects, economic development initiatives, or supplement tourism projects without additional state aid and upon which the municipalities are currently dependent on the State; and

WHEREAS, lodging tax dollars may not be spent on capital projects according to Wyoming Statute; and

WHEREAS, the local option sales tax for economic development is poorly defined and underutilized in the state.

NOW, THEREFORE, BE IT RESOLVED, the Wyoming Association of Municipalities supports such legislation as may be necessary to provide local taxing authority, to expand alternatives for the local option economic development tax to include any combination of one quarter percent (0.25%) for transportation OR tourism impacts OR economic development OR municipal infrastructure projects up to one percent (1%) AND the ability for a local government agency or a consortium of agencies to impose this option with a city or town-wide vote.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-06

**A RESOLUTION ADVOCATING FOR STATE LEGISLATION
TO REPEAL AND REPLACE THE NON-TRANSIENT LODGING
TAX DEFINITION OF TRANSIENT GUEST**

WHEREAS, Wyoming State Statute §39-15-101(xiv) defines “transient guest” as a guest who remains for less than thirty [30] continuous days; and

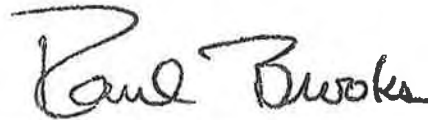
WHEREAS, Wyoming State Statute §39-15-103(G) states “the sale price paid for living quarters in hotels, motels, tourist courts and similar establishments providing lodging for transient guests”; and

WHEREAS, municipalities across the state are in the midst of another economic downturn and reductions in both use and lodging taxes are impacting operating budgets; and

WHEREAS, the unpredictability of the temporary workforce places great demands on a community’s lodging inventory and thereby reduces the availability of lodging for tourists traveling through a community. This reduction in tourism impacts collection of visitor dollars across our community.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities support and advocate to the Wyoming Legislature a repeal and replace the non-transient definition striking the following: “remains for less than thirty [30] days’ and replace with “who is not a resident of that county”.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-07

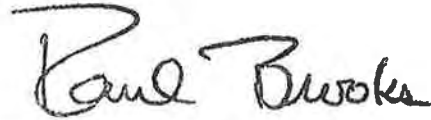
**A RESOLUTION ADVOCATING FOR STATE LEGISLATION
TO REPEAL WYOMING STATE STATUTE §39-15-105(a)(vi)(E)
SALES TAX EXEMPTION OF FOOD FOR DOMESTIC HOME
CONSUMPTION FROM SALES TAX IMPOSITION**

WHEREAS, in 2006 the Wyoming Legislature enacted legislation that effectively removed tax on food sales for domestic consumption from taxation by both the state and local governments and partially funded the local governments with “backfill” payments which were terminated on July 1, 2010; and

WHEREAS, taxation on food is a stable and vital source of revenue and funding to local governments and the loss of this funding stream has resulted in significant and profound financial losses to local government operating revenues; and

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities supports and advocates the Wyoming Legislature to repeal the sales tax exemption of food for domestic home consumption and return this stable and vital source of revenue for both state and local governments.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-09

A RESOLUTION SUPPORTING A REVISION TO THE WYOMING STATE STATUTES PROVIDING THE OPTION FOR MUNICIPALITIES TO PARTICIPATE IN THE STATE OF WYOMING INSURANCE PROGRAMS

WHEREAS, in order for municipal governments in the State of Wyoming to be competitive, municipal employees strive to offer employees the best health insurance options; and

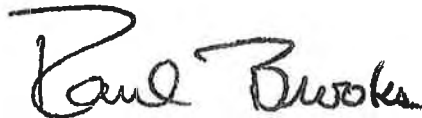
WHEREAS, cities and towns commonly pay a percentage of health insurance premiums as a benefit to the employee; and

WHEREAS, Wyoming State Statutes 9-3-201 through 9-3-218 currently allow employees of the State of Wyoming, its political subdivision, and school districts to obtain group health insurance; and

WHEREAS, cities and towns recognize the potential value of the health insurance programs offered by the State of Wyoming as provided to other political subdivisions and school districts;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities support changes to Title 9, Article 2 of Wyoming State Statutes to include the option for municipalities to elect insurances as otherwise provided to other entities included in Article 2 of Title 9 for health, dental, vision, life, accident, and/or hospitalization through the State's health insurance program.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.n



President

WAM RESOLUTION NO. 18-08

A RESOLUTION ADVOCATING FOR LEGISLATION TO CLARIFY THE LIEN AND ASSESSMENT PROCESS BY WHICH MUNICIPAL EXPENSES FOR ABATING NUISANCES AND DANGEROUS BUILDINGS MAY BE RECOVERED

WHEREAS, Wyoming State Statute §15-1-103 permits cities to abate dangerous buildings; and

WHEREAS, Wyoming Statute §15-1-119 permits municipalities to adopt any national building code which includes but is not limited to the 1997 Uniform Code for Abatement of Dangerous Buildings; and

WHEREAS, the 1997 Uniform Code for the Abatement of Dangerous Buildings, Section 905.1, provides authority for the governing body of a city or town to thereupon order that said [costs] shall be made a personal obligation of the property owner or assess said [cost]s against the property involved; and

WHEREAS, the 1997 Uniform Code for the Abatement of Dangerous Buildings, Section 905.3, provides that the legislative body of this jurisdiction orders that [costs] shall be assessed against the property, it shall confirm the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien upon the property; and

WHEREAS, municipalities across the state are facing another economic downturn and reduction in direct and indirect funding streams, the need to recoup these abatement costs is more vital than ever before; and

WHEREAS, the property is enriched by the removal and abatement of the dangerous conditions and/or dangerous buildings; and

WHEREAS, this abatement shouldn't be wholly funded by public funds without a clear process in place for municipalities to recoup these abatement costs; and

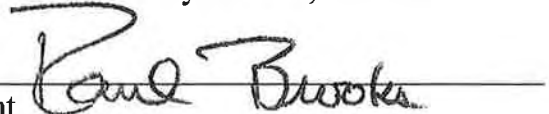
WHEREAS, municipalities are created statutorily, and all rights are enabled through legislation and Wyoming Statutes are silent regarding this special lien assessment relief; and

WHEREAS, Wyoming Statutes do not succinctly provide either a lien procedure or an assessment process on the real property involved thus hindering municipalities ability to recoup expenses incurred by municipalities as a result of abating nuisances and dangerous buildings.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities support and advocate for Wyoming legislation to clarify the lien and assessment process by which municipal expenses for abating nuisances and dangerous buildings may be recovered.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.

President



WAM RESOLUTION NO. 18-10

A RESOLUTION SUPPORTING STATEWIDE ANTI-DISCRIMINATION LEGISLATION

WHEREAS, diversity is necessary for any thriving city or town; and

WHEREAS, discrimination still occurs on the basis of race, color, religion, national origin, sex, pregnancy, gender identify, age, sexual orientation family status, veteran status, disability and marital status; and

WHEREAS, there are no state statutes protecting against discrimination based on sexual orientation and gender identity; and

WHEREAS, a commitment to diversity and the creation of a community welcoming to all which will enhance our local economies, encourage a positive forward-thinking environment that will help attract and retain businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities should encourage and support state wide anti-discrimination legislation, prohibiting discrimination based on perceived sexual orientation or gender identity in housing, employment and public accommodations.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-11

A RESOLUTION SUPPORTING PILT (PAYMENT IN LIEU OF TAXES) FOR STATE-OWNED PROPERTIES

WHEREAS, cities and towns receive most of their revenue to provide basic governmental services such as police and fire protection from sales tax and property tax; and

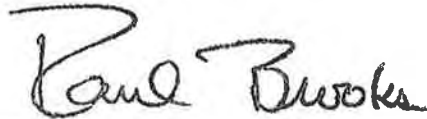
WHEREAS, all state-owned properties are tax exempt and therefore not required to pay property tax or sales tax; and

WHEREAS, in multiple communities across Wyoming, state agencies own and operate considerable property that require basic city services; and

WHEREAS, Payment in Lieu of Taxes (PILT) to local municipalities is a federal and nationwide practice which replaces lost revenue and allows municipalities to serve all their residents and property owners with basic services.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities should present legislation during the 2019 Wyoming legislative session establishing a PILT program for state owned properties.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-12

**A RESOLUTION SUPPORTING LOCAL AIR SERVICE AS
ESSENTIAL TO WYOMING'S PROSPERITY**

WHEREAS, local air service that provides connections to major cities is a critical component of a thriving economy; and

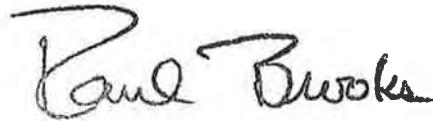
WHEREAS, Wyoming's rural nature makes traditional private air service very difficult to sustain; and

WHEREAS, during the 2018 Legislative Session, a bill was passed which provides money to airports across Wyoming in sustaining their air service, but essentially excludes Essential Air Service airports; and

WHEREAS, the continued funding of air enhancement programs, including providing funding for EAS airports is critical to the future of Wyoming cities and towns.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association Municipalities work during the 2019 Legislative Session to continue funding for Wyoming airports and develop air enhancement opportunities for EAS eligible airports.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-13

A RESOLUTION SUPPORTING GREATER FINANCIAL INDEPENDENCE AND AUTHORITY FOR WYOMING CITIES AND TOWNS

WHEREAS, Wyoming's ninety-nine (99) cities and towns are responsible to provide basic and essential services like safe streets, police protection and fire suppression for sixty-nine percent (69%) of all Wyoming residents who reside in those communities; and

WHEREAS, the State of Wyoming does not grant local taxation authority to municipal governing bodies sufficient to empower these elected officials to provide consistent services required by city and town residents; and

WHEREAS, numerous reports at the national state and local level substantiate that Wyoming municipalities have the least local fiscal authority and the absolute lowest local revenue generating capacity of any of the 50 States; and

WHEREAS, the taxation system established by States directly affects the overall economic vitality of the State and can either drive, or suppress, economic prosperity; and

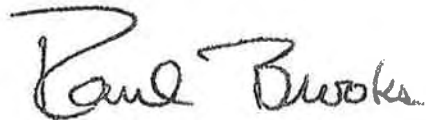
WHEREAS, because municipalities are not allowed local taxation authority, State government has directly appropriated funding to cities and towns, but this historical practice is not sustainable for Wyoming's long-term future.

WHEREAS, to ensure a sustainable financial future with economic prosperity generated locally and throughout Wyoming for both current and future generations of Wyomingites, Wyoming must consider implementing the Principles of High-Quality State Revenue Systems as they pertain to State-to-Local government relationships and recommended by the National Conference of State Legislatures, among other national and state agencies.

NOW, THEREFORE, BE IT RESOLVED, the Wyoming Association of Municipalities supports legislation to request that the State of Wyoming empower municipalities to raise sufficient revenues to meet the needs of residents by granting to their governing bodies all of the three key elements of local taxation authority including:

- a) authority to directly levy taxes,
- b) control of the local rate of taxation, and
- c) authority to allocate local tax revenue to municipal purposes and services.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-14

**A RESOLUTION SUPPORTING MUNICIPAL STORM WATER
ENTERPRISE FUNDS**

WHEREAS, the majority of Wyoming residents live in cities and towns and rely upon their municipal governments for essential surface water drainage and utility infrastructure that keeps the public safe and protects both public and private properties from damage from storm water run-off; and

WHEREAS, Wyoming statutes do not authorize cities to create storm water enterprise funds for operation of storm water drainage systems and, consequently, there are millions of dollars of unmet financing needs for surface water drainage within the City of Laramie.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities requests that the State of Wyoming authorize cities and towns to establish and operate surface water drainage systems as public utility services and make available by statute similar financing options as are provided for potable water and sanitary sewer utilities; and that the State of Wyoming allow municipal governing bodies to establish user fees to support financial operations of surface water drainage systems.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-15

**A RESOLUTION SUPPORTING EQUAL AND ACCESSIBLE
STATE-TO-MUNICIPAL FUNDING SUFFICIENT TO SUSTAIN
SERVICES FOR MUNICIPAL RESIDENTS**

WHEREAS, sixty-nine percent (69%) of all Wyoming residents reside within the corporate limits of a city or town; and,

WHEREAS, the majority of Wyomingites rely upon their municipal government for basic and essential services like safe streets, police protection and fire suppression; and,

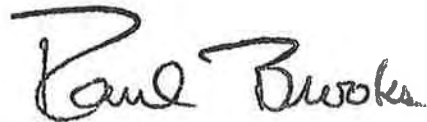
WHEREAS, Wyoming cities have no authority to generate revenue locally and must, therefore, utilize revenue appropriated directly from the State to provide essential municipal services; and,

WHEREAS, significant fluctuations in the amount of shared, state-to-municipal funding occur each year, preventing municipal officials from planning responsibly for either the current or future needs of Wyoming's municipal residents; and,

WHEREAS, State-to-municipal funding is shared disproportionately among Wyoming's cities, with the FY2018 direct distribution ranging widely from \$30 per resident to \$2500 per resident.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming Association of Municipalities requests that the State of Wyoming implement proportionate per capita funding equitably among Wyoming's municipalities and municipal residents; and requests that the State of Wyoming establish a consistent amount of recurring annual funding sufficient to sustain the critical health and human safety services municipal governments provide to Wyoming residents.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-16

A RESOLUTION SUPPORTING APPROPRIATION OF STATE FUNDING FOR ALL 99 WYOMING CITIES AND TOWNS DURING THE 2019 REGULAR SESSION OF THE WYOMING LEGISLATURE

WHEREAS, the 2019 Regular Session of the Wyoming Legislature is scheduled to commence in January 2019 and the Wyoming Association of Municipalities has developed a legislative agenda relating to municipal funding issues that will be considered by the Wyoming Legislature during the upcoming session; and

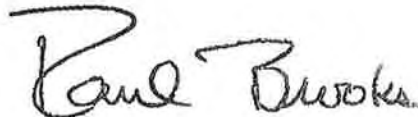
WHEREAS, all 99 Wyoming cities and towns, which comprise of the membership of the Wyoming Association of Municipalities, rely on legislatively determined funding models for over 70% of the operations and services of direct benefit to residents and businesses of their respective community and maintain vital services for its communities which involve the health, safety and welfare of its citizens; and

WHEREAS, the cap placed on the Severance and Mineral Royalty Taxes in 2000 has never been adjusted for inflation, and cities and towns have had to become heavily reliant upon the direct distribution provided by the Wyoming State Legislature to offset the cost of providing for the Citizens within their respective boundaries; and

WHEREAS, All the other sources of legislatively provided funding streams rise and fall with inflation and the state of the Wyoming's economy, and the cap on Federal Mineral Royalties and Severance Tax should also be adjusted to reflect the rising cost of inflation.

NOW, THEREFORE, BE IT RESOLVED, that the 2019 Wyoming Association of Municipalities' legislative agenda and the Association's efforts in seeking to raise the cap on mineral royalties and severance tax appropriation of state funding for all 99 Wyoming Cities and Towns during the 2019 Session of the Wyoming Legislature is hereby supported for the benefit of all Wyoming community residents and businesses.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-17

**A RESOLUTION SUPPORTING AMENDMENT OF THE
WYOMING CONSTITUTION FOR THE REMOVAL OF LIMITS ON
INDEBTEDNESS FOR SEWAGE DISPOSAL SYSTEMS**

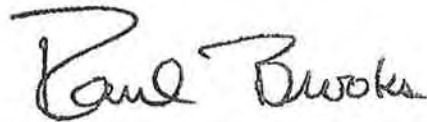
WHEREAS, Article 16 Section 5 of the Wyoming Constitution states no city or town shall in any manner create any indebtedness exceeding four percent (4%) of the assessed value of the taxable property therein, except that an additional indebtedness of four percent (4%) of the assessed value of the taxable property therein may be created for sewage disposal systems; and

WHEREAS, municipal sewage disposal systems must be self-sustaining per Wyoming Statute 15-7-407; and

WHEREAS, municipalities increasingly rely on the state grant and funding programs especially since county-wide consensus funds have been eliminated this will make securing this type of funding very competitive in the future.

NOW, THEREFORE, BE IT RESOLVED, the Wyoming Association of Municipalities supports a constitutional amendment to Article 16, Section 5 such that sewer debt is excepted from the limitations of Article 16, Section 5 of the Constitution.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-19

A RESOLUTION SUPPORTING LEGISLATION TO ALLOW MUNICIPALITIES TO REQUIRE UNIFORM INFRASTRUCTURE STANDARDS IN EXTRATERRITORIAL AREAS WITHIN ONE MILE OF A MUNICIPALITY'S CORPORATE LIMITS.

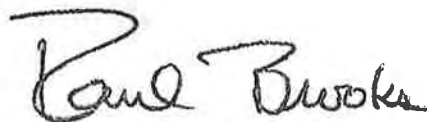
WHEREAS, statutory language in Wyo. Stat. §34-12-103(b), as recently amended by HB0014, and signed by the Governor on March 3, 2018, requires counties solicit input from a city or town for developments located within one (1) mile the corporate limits of the city or town, but limits the implementation of a city or town's request "to the extent practical"; and

WHEREAS, municipalities have an interest in ensuring compatible and efficient streets, utilities, and other infrastructure for future annexation and subsequent connections; and,

WHEREAS, the burden to improve streets and related infrastructure prior to annexation to the standards required by cities or towns creates hardship for both landowners and the municipality;

NOW, THEREFORE, BE IT RESOLVED that the Wyoming Association of Municipalities support and advocate for changes to legislation as may be necessary to ensure compatible infrastructure for new development which occurs within one (1) mile of the corporate limits of municipalities.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-20

A RESOLUTION SUPPORTING LEGISLATION TO ALLOW MUNICIPALITIES THE ABILITY TO TRACK AND COLLECT THE MUNICIPAL SHARE OF LOCAL SALES, USE AND LODGING TAXES.

WHEREAS, municipalities in Wyoming currently receive their portion of sales, use, and lodging tax revenue from the State of Wyoming after the Wyoming Department of Revenue has collected the taxes from local retailers and lodging entities; and

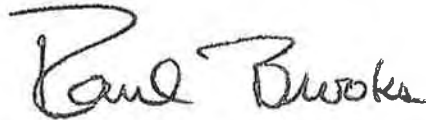
WHEREAS, the collections are received by municipalities at an irregular interval; and

WHEREAS, municipalities have both the capability and interest in ensuring sales, use, and lodging taxes are collected in a timely manner from local tax generators; and,

WHEREAS, municipalities have a unique understanding of the businesses and their owners and the ability to form local partnerships and relationships as it relates to tax collection;

NOW, THEREFORE, BE IT RESOLVED that the Wyoming Association of Municipalities support and advocate for legislation as may be necessary to allow for municipalities to track and collect the municipal share of sales, use, and lodging taxes locally by municipal officials.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2018.



President

WAM RESOLUTION NO. 18-21

A RESOLUTION OF THE WYOMING ASSOCIATION OF MUNICIPALITIES THANKING AND RECOGNIZING GOVERNOR MATTHEW H. MEAD

WHEREAS, Governor Matthew H. Mead has served the State of Wyoming with distinction and honor as the 32nd Governor of the Equality State; and

WHEREAS, Governor Mead has served Wyoming from January 2011 to January 2019; and

WHEREAS, Wyoming's 99 incorporated cities and towns, and most importantly the citizens, have benefitted from his steadfast and non-wavering support; and

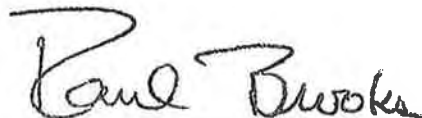
WHEREAS, through Governor Mead's leadership and commitment, the legacy and viability of Wyoming cities and towns has been enhanced, protected and preserved for generations; and

WHEREAS, Governor Mead is to be highly commended for his years of selfless public service and caring for Wyoming's municipalities and citizens.

THEREFORE, BE IT RESOLVED that the Wyoming Association of Municipalities gratefully extends its full appreciation and thanks to the Honorable Governor Matthew H. Mead for his service and support; and,


BE IT FURTHER RESOLVED, that Governor Matthew H. Mead be, and hereby is bestowed with the position of Honorary Member of the Wyoming Association of Municipalities.


PASSED, APPROVED AND ADOPTED this 14TH day of June 2018.



President

July 27, 2018

MEMO TO: J. Carter Napier, City Manager 

FROM: Andrew Beamer, Public Services Director 
Cynthia Langston, Solid Waste Division Manager
Sean Orszulak, Solid Waste Superintendent

SUBJECT: Authorizing the Sole Source Purchase of one new International Baler Company TR10N-75 Two-Ram Baler, Steel Belt Conveyor, and Wire Tier, in the amount of \$472,350, from Altitude Recycling Equipment, to be used in the Solid Waste Division.

Meeting Type & Date:

Work Session

August 14, 2018

Action Type:

Direction to move forward with a sole source purchase at the August 21, 2018, Regular Council Meeting

Recommendation:

That Council, by minute action, authorize the sole source purchase of one new International Baler Company (IBC), TR10N-75 two-ram baler, steel belt conveyor, and wire tier, in the amount of \$472,350, from Altitude Recycling Equipment, to be used in the Solid Waste Division.

Summary:

City Council approved, by resolution, at the April 3, 2018 Regular Council Meeting to award a contract to Caspar Building Systems, Inc., to construct the expansion of the baler building including the Materials Recovery Facility (MRF). Equipment to be used in the operation of the MRF was not included in the construction contract to keep general contractor costs low. City staff developed baler specifications to insure low cost baler maintenance and a life of 40 years. The specifications developed included the following.

- i. Removable end-wall – a removable end-wall allows the head to be removed for maintenance relines and unjamming bales. The removable end-wall eliminates confined space entry, decreases maintenance relines by a minimum of 48 hours (up to a cost savings of \$18,000 every 2 years), allows clearing garbage jams within two (2) hours versus 24 to 36 hours (up to a cost savings of \$5,200 per jam or up to \$62,400 per year), and allows using the gather cylinder to remove the garbage versus removing with a skid steer and an auger (eliminating the potential for accidents).
- ii. Solid plate frame design – solid plate frames versus welded pieced frames significantly reduces stress fractures resulting in reduced maintenance costs.
- iii. Enhanced cross-member frame design – all structural cross members are the same grade steel as the frame to protect structural frame from high pressures reducing the likelihood of any major costly structural damage.

- iv. Fully lined chamber – protects structural frame from wear resulting in reduced maintenance costs and extended life of the baler.
- v. Two ram baler – provides ability to bale all types of recycling materials and garbage if needed to serve as an emergency backup garbage baler.
- vi. Integrated operators console and main PLC panel – streamlines trouble shooting and maintenance activities.

The baler specifications were provided to Altitude Recycling Equipment to find baler manufacturers who meet the City's specifications. Altitude Recycling Equipment is located in Denver, Colorado which is the closest baling equipment support service company to Casper. Altitude Recycling Equipment determined there was only one baler manufacturer who could meet the City specifications.

The baling system meeting the specifications is an IBC Baler, model TR10N-75 two-ram baler with a steel belt finned conveyor and wire tier. The specifications unique to the IBC Baler model TR10N-75 include a removable end-wall, solid plate frame design, fully-lined chamber and an integrated operator console and main PLC panel. These unique features are essential for keeping maintenance costs low and meeting a 40-year replacement life based on the quantity of materials estimated to be baled.

The dimensions and size of the above mentioned baling system were used during design of the MRF to specify the location of the baler and conveyor (referred to as the baling system) to be mounted and recessed, respectively in the floor.

Financial Considerations:

Project funding is from Balefill Fund Reserves and included in the Balefill FY19 budget.

Oversight/Project Responsibility:

Cindie Langston, Solid Waste Manager

Sean Orszulak, Solid Waste Division Superintendent

August 6, 2018

TO: J. Carter Napier, City Manager *JCN*
FROM: Keith McPheeters, Chief of Police *KMcP 307*
SUBJECT: Open Container Policy Considerations

Meeting Type & Date

Work Session, August 14, 2018

Recommendation

Information provided for Council consideration.

Summary

The Casper Police Department has been asked to consider the impact of allowing open containers of alcohol for pedestrians in the Downtown and Old Yellowstone District. Currently, the possession of alcohol while in public places within the City is prohibited by 5.08.420 - Open Container Restrictions.

It is the opinion of the Casper Police Department that allowing Open Containers of Alcohol in the Downtown and Old Yellowstone District will only aggravate an already troublesome existing issue with street inebriates. The street inebriate population generates one of the largest segments of calls for police services. Their *de facto* occupation of the common public areas adjacent to the Natrona County Library, the Nicolaysen Art Museum, and the Gazebo at Beech Street Plaza already deters families from a critical public service hub and a cultural icon of our City. The lasting, first impression made by this concentrated population cannot be favorable upon our visitors and tourists.

Significant resources are expended at reducing the adverse impact of illegal activities of the street inebriate population. Although these calls for service occur throughout the City's center, they are generally concentrated in a small area. The primary concern with allowing open containers in the Downtown and Old Yellowstone District is that the street inebriate population will quickly identify methods of taking advantage of any new, allowable, open container provisions and migrate those activities to a wider expanse of the economic, cultural, and social heart of the city. By so doing, the Casper Police Department will have fewer tools with which to discourage illegal and unwanted activity, and the adverse impact of this activity will harm the very business area the City has worked so hard to develop.

Research consistently shows that the absence of alcohol regulation tends to facilitate disturbing increases in crime and violence. The current regulation of open containers is an effective tool at reducing calls for police services, violence, and the related blight and debris associated with chronic alcohol abuse. The Casper Police Department recognizes the need for restaurants, nightclubs, bars, and similar establishments and the legitimate, lawful benefits that they provide to a vibrant city.

As such, we strongly recommend not pursuing a course that would endanger the amazing progress we enjoy today in a redeveloped Downtown and Old Yellowstone District.

Financial Considerations

Financial considerations are difficult to predict; however, as we respond to street inebriate issues, calls for police services can be expected to increase in the Downtown and Old Yellowstone District as a result of an allowable Open Container zone.

Oversight/Project Responsibility

Casper Police Department Command Staff

Attachments

Powerpoint Presentation

1 **City of Casper**
Alcohol Ordinances and Philosophies

August 14, 2018
Casper Police Department

2 **Alcohol and Violence**

- "Alcohol Causes Violence" Parker, R.N., Materials for Alcohol and Health 10, Report to the National Institute on Alcoholism and Alcohol Abuse, 1998.

3

4

5 **Alcohol Outlet Density**

- Alcohol Outlet Density can be described as the total number of locations authorized to dispense or distribute alcohol within a specific geographic area.
- Recent studies have linked "alcohol outlet density" and crime.

6 **Alcohol Outlet Density**

- Factors recognized as influencing violent crime: median household income and rate of employment.
- Small changes in the density of alcohol outlets resulted in a change in the rate of violent crime.

7 **Alcohol Outlet Density**

- 1% Increase in Alcohol Outlet Density resulted in .54% increase in alcohol related accidents.
- 1% Decrease in Violent Crime Rate could be achieved through:
 - .91% Decrease in Alcohol Outlet Density
 - 8.3% Increase in Employment Rate
 - 4.5% Increase in Median Household Income

8 **Alcohol Outlet Density**

- In New Orleans, the presence of just 2 alcohol distributors in a neighborhood generated a homicide rate 24% higher than neighborhoods with only one alcohol distributor.

9 **Regulation and Alcohol**

- A ten percent increase in the tax on beer manifested in the crime rate with a reduction of 0.3% in murder, a 1.32% decline in rape, a 0.9% decline in robbery, and a 0.3% decline in assaults.
- A ten percent increase in alcohol consumption generated a 0.9% increase in murders, a 5.9% increase in assaults, and a 9.1% increase in robbery.

10 **Regulation and Alcohol**

- Barrow Alaska 1993-1997
 - Outlawed Possession, Sale, and Importation of Alcohol.
 - Repealed by Legal Challenge
 - Reinstated by Voters
 - Repealed by Voters in 1997

11 **Regulation and Alcohol**

- Barrow Alaska 1993-1997
 - During initial ban (October 1994–October 1995)
 - Felony Assaults declined 86%
 - Fights Broken up by Police declined 61%
 - DWI arrests declined 79%
 - Suicide Attempts declined 34%
 - Domestic Violence calls declined 27%
 - School attendance *climbed*
 - Alcohol-related injuries declined 43%
 - "Harm to Children" declined 32%

12 **Regulation and Alcohol**

- Barrow Alaska 1993-1997
 - Following the October 7, 1997 election that repealed the ban, there were 2 deaths and 36 Outpatient Hospital Visits that were Alcohol Involved in the first week.

13 **Regulation and Alcohol**

Norway

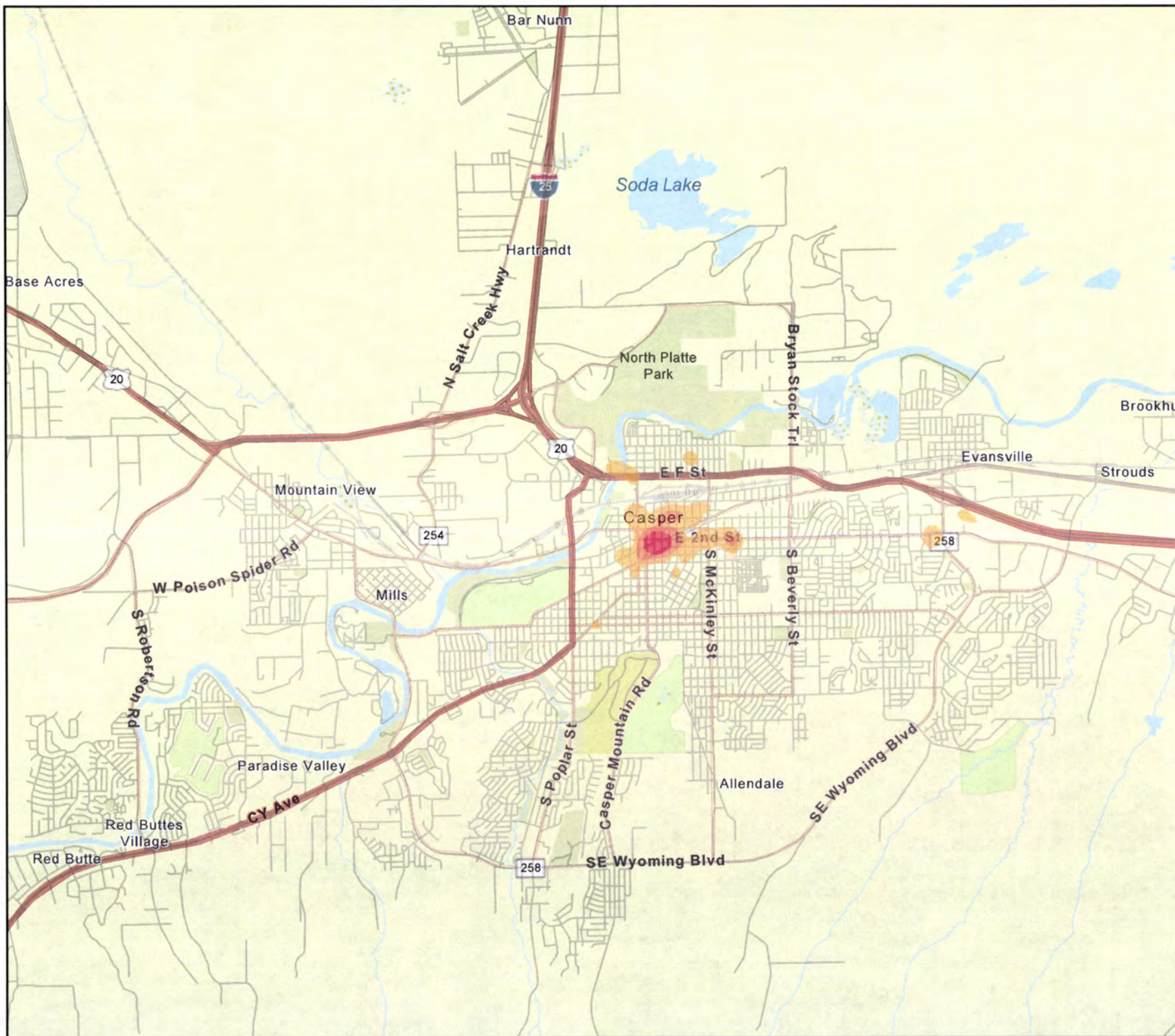
- A nine week strike by delivery workers resulted in a nationwide decrease between 20-30% in per capita alcohol consumption.
- Domestic Disturbances declined 22%.
 - Violent Crimes declined 15%.

14 **Local Considerations**

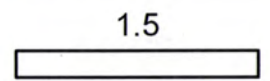
15 **Local Considerations**

16

YTD Calls For Service Public Intox



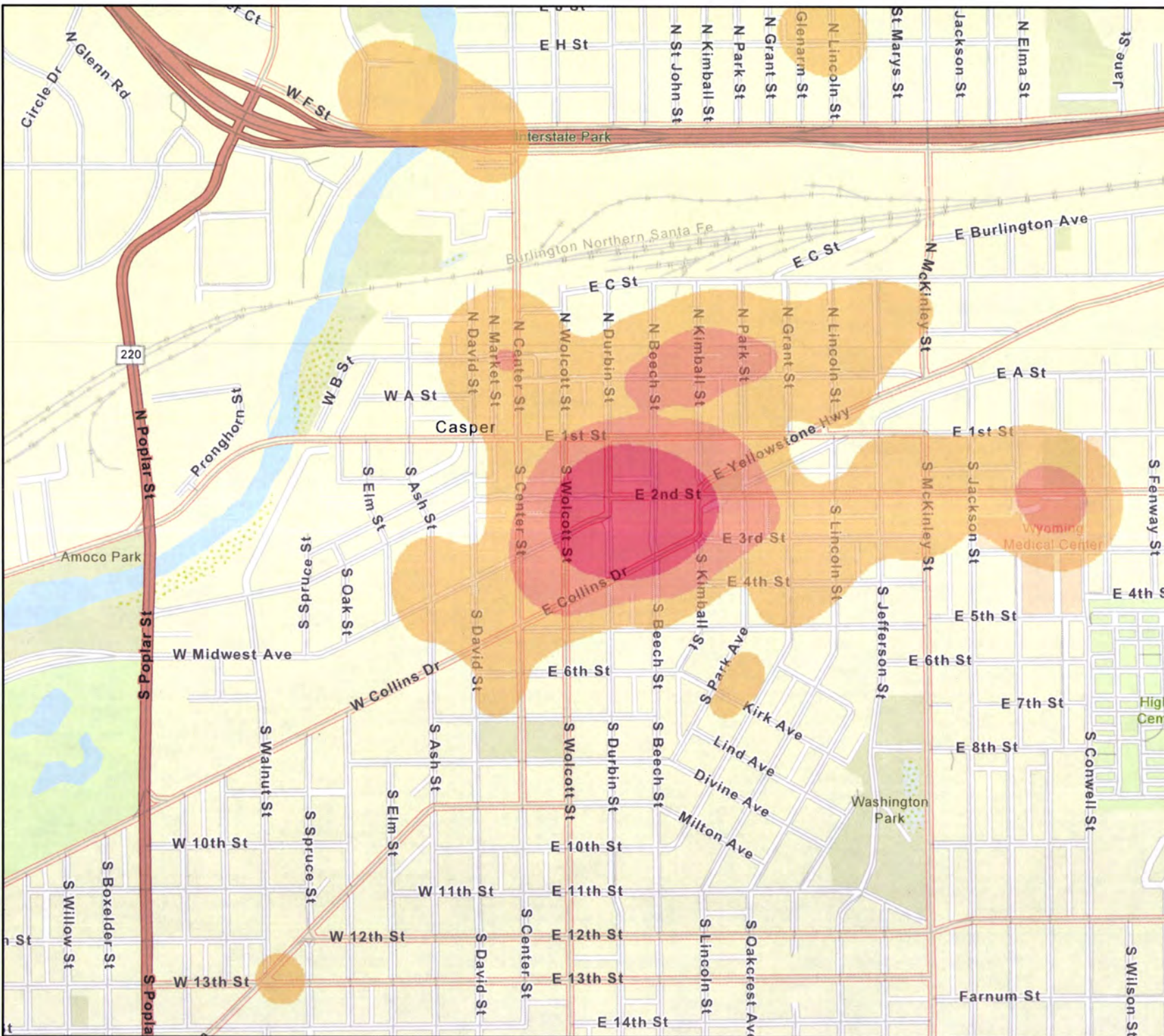
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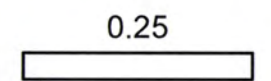
Miles



YTD Calls For Service Public Intox



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Date Exported 8/7/2018 2:39 PM

DATE WRITTEN/REVISED: August 10, 2018

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Jennifer Miner, Program Coordinator
Casper Police Department
Youth & Adult Community Service Program
Natrona County Restorative Justice

SUBJECT: Restorative Justice

Meeting Type & Date

Council Work Session, August 14, 2018

Action type

Consideration to endorse restorative justice efforts

Recommendation

Formal resolution for the support of restorative justice efforts within the City of Casper and financial support for program staffing.

Summary

Immediately upon conclusion of NCRJ's restorative justice conference in March of 2017, the group reconvened to develop the *Juvenile RJ Conferencing Pilot Program*. An *RJ conference* is a process based on restorative principles that includes a series of structured meetings. First, in order to qualify as a participant in the program, an individual must accept responsibility and be willing to sit in a circle process with others who have been impacted by his actions. Each of the pre-conference meetings (with the offender and victim separately) are designed to allow the offender to take accountability, identify the harms, and to allow all parties to have a voice and offer input. The final conference meeting includes the offender and victim and their support person(s), trained facilitators, a police officer, volunteer community members, and others as deemed appropriate. The final conference allows for truth telling, accountability, and voice. Ultimately, the circle works in consensus to create an RJ Contract that includes various tasks that allow the offender to make meaningful reparation to those affected and for needs to be met of all circle participants. So long as the offender completes these tasks by the assigned deadline, his or her case remains out of court. Should the offender not complete his RJ Contract by the deadline, the case is referred back to the DA's office / single point of entry team for further action.

The juvenile pilot is a unique partnership among NCRJ, the Casper Police Department, the Natrona County District Attorney's Office. All juvenile cases are referred by the DA's office (single point of entry team) and are in lieu of prosecution and/or revocation. Our initial goal was to process a minimum of 10 cases (individuals); we have now exceeded that goal, please see Attachment A for data. On April 19th, a total of 14 sworn officers received restorative justice training. NCRJ, via grant funding from the Wyoming Community Foundation, was able to contract with trainers from the Longmont Police Department and the Longmont Community Justice Partnership. This training covered the concept of restorative justice in general, as well as officer specific training on case criteria for an RJ referral and how to participate in an RJ process. The pilot program will now expand to allow for RJ trained officers to make an "RJ Recommendation" within their report. With regard to juveniles, these cases will be flagged

via single point of entry, which is the process already in place. Adult cases with appropriate misdemeanor level charges are also now eligible for the program with an RJ Recommendation from the investigating officer, and as approved by the district attorney or city attorney's office.

NCRJ (a 501(c)(3) nonprofit) is a hybrid municipal / nonprofit organization of the Casper Police Department. The NCRJ board currently consists of three directors: Johnna Bigelow with Big Brothers Big Sisters serves as vice chair, Jen Dyer with The Self Help Center serving as treasurer / secretary, and myself as chair. We have numerous members-at-large, representing a variety of justice stakeholders. The board recently concluded a SWOT analysis followed by the completion of a strategic plan, please see Attachment B. We have approximately 13 active volunteers who serve as facilitators and community members in the circle process.

Potentials:

- Increased community and justice partnerships
- Increased volunteerism
- Creates more options for officers when dealing with citizens
- Meaningful alternatives to traditional court
- Provide gap services – restorative options for our Municipal Court such as a RESTORE or 21 or None program (programs based on RJ principles that address shoplifting and drug/alcohol cases).

Barriers:

- Lack of infrastructure
- Lack of sustainability
- No full-time staff
- May have to decline opportune cases due to lack of program resources
- Program growth is exceptionally slow

As Council is well aware, the restorative justice efforts here in Casper have been a work in progress. Much work has been done not only to keep our community informed of RJ efforts, but to actively engage our community by providing a hands-on opportunity to make a difference – serving as an RJ volunteer. Remarks from citizens and justice professionals alike have been overwhelmingly favorable, having found considerable support from various justice stakeholders and citizens; please see Attachment C. From numerous community presentations, to hosting the first ever restorative justice conference in March of 2017, to initiating a juvenile pilot this past September, we are now at a juncture; and this pivotal time will, in part, determine Casper's RJ future. Until we are able to secure full-time staff, the program will continue to a function on a 'one case at a time' basis, with slow to minimal growth. As representatives of our city, I ask for your favorable consideration in the endorsement and support of CPD and NCRJ's restorative justice efforts so that we may move forward in achieving our goals.

Financial Considerations

Through NCRJ's nonprofit status, the program has been able to secure two separate grant awards from the Wyoming Community Foundation. To date, these funds have primarily been used for training purposes. Though other grant applications have failed to produce successful results, it is our intent to continue seeking other funding via the nonprofit. The restorative justice program has no full-time staff as the current community service program coordinator has been the acting coordinator for all RJ efforts. There currently is no budget impact on the City of Casper.

Upon expansion of the program, the immediate budget impact would be the associated costs of two full-time positions; a Program Specialist (possibly a C7) and a Lead RJ Facilitator (most likely a B23).

Oversight/Project Responsibility

Jennifer Miner has been the Community Service Program coordinator since 2009. Restorative justice efforts began in 2015, with Natrona County Restorative Justice (NCRJ) formally organizing in 2016. Jennifer has been the acting chair and coordinator of the restorative justice efforts since that time. Direct supervisors are Lt. Ben Mattila and Scott Hoffman.

Attachments

A: Pilot Data/ NCRJ Timeline

B: NCRJ Strategic Plan

C: Letters of support

JUVENILE RESTORATIVE JUSTICE CONFERENCING PILOT PROGRAM September 1, 2017 through May 3, 2018

18 Referrals

4 Denied

(pending charges,
declined)

14 Accepted

14 – Final Conference

7 – Completed RJ Contact

1 – Did not complete, returned
to court

6 – Pending RJ Contract

Deadline

0 – Still in Pre-Conference

All male with the exception of one (1)

Average age: 14.64 (ages 12 – 18)

Offense: Curfew (5), Trespassing (2), Interference (2), Property Destruction (8), Breach of Peace (2), Fighting in Public (1), Assault & Battery (1), Conspiracy to Commit Auto Burglary (1)

Total Volunteer Community Members & Volunteer Facilitators events to date: 29

Total hours for volunteers: 54.5

Total Law Enforcement officer participants to date: 5

Total hours for law enforcement: 11

Total Other Community Members (school personnel): 6

Total Victim Participants to date: 11

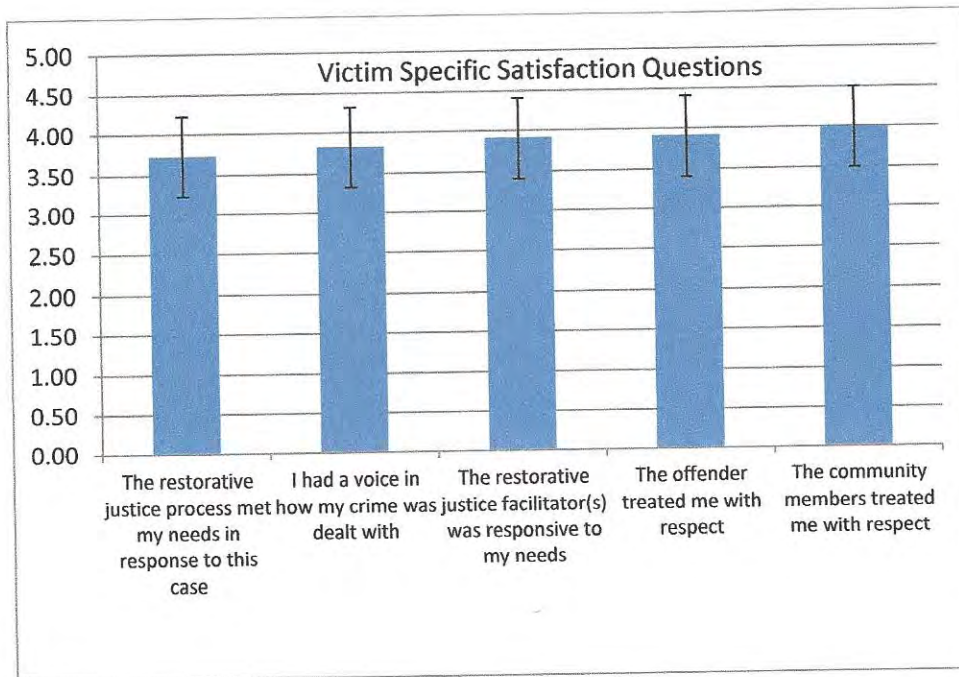
Re-offense: 1 (one), but was allowed to complete RJ Contract.

Recidivism checks will begin June 2018.

Natrona County Restorative Justice

History / Timeline:

- Spring 2015 – initiated within PD, attended national RJ conference
- Fall 2015 - Initial formation / RJ monthly discussion meetings
- Summer 2016 - Formation of NCRJ as nonprofit
- Winter 2016/17 - Received symposium sponsorship from City of Casper
- March 2017 - RJ Symposium: Introduction to a New Frontier
- March 2017 - Wyoming Community Foundation – awarded grant for training purposes
- On-going - Research, development, and RJ program site visits (Colorado)
- Spring & Summer 2017 – drafted RJ Juvenile Conferencing Pilot Program
- August 2017 - Informational Mtg and Volunteer Training (community members and facilitators)
- September 2017 - Pilot commenced
- April 2018 – met goal of 10 cases for pilot
- April 2018 – Law enforcement officer RJ training



**NATRONA COUNTY RESTORATIVE JUSTICE
STRATEGIC PLAN
APRIL 27, 2018**

GOVERNANCEGoal 1: Board policy

- A. Will establish functions of annual meeting, to include but not limited to:
- 1) annual budget review and creation of next year's budget
 - 2) elect officers
 - 3) review by-laws

Action plan: The board will effectively address the above 3 items.

Target date: December, 2018

Goal 2: Job description for executive director

- A. Will write job description for executive director

Action plan: Will obtain sample job descriptions from other RJ programs or nonprofit, and create a job description specific to NCRJ / CPD needs.

Target date: June 30, 2018

Goal 3: Executive director

- A. Will hire executive director

Action plan: In conjunction with submitting a program proposal to the City of Casper and once approved, fill the position of executive director.

Target date: June 30, 2018

Goal 4: Board recruitment

- A. Will devise a plan for board recruitment and elect / re-elect board directors

Action plan: By working in consensus board members will create a plan to recruit new board members through various means to ensure a well-rounded board that represents the Casper community and elect / re-elect on or before November board meeting.

Target date: November, 2018

SUSTAINABILITY / REVENUEGoal 1: Secure backing / endorsement from City of Casper

- A. Will prepare and submit a proposal to the City of Casper for the official adopting of the restorative justice program and the establishment of a formal partnership between NCRJ and CPD.

Action plan: Current NCRJ chairperson will prepare a proposal for the formal adoption and establishment of a city run restorative justice program, to be housed within the Casper Police Department that will oversee restorative justice programing and other programs as deemed appropriate.

Target date: June 30, 2018

Goal 2: Secure funding for full-time program director

- A. Will prepare and submit a proposal to the City of Casper for the funding of at least one (1) full-time position dedicated to the Casper Police Department.

Action plan: Current NCRJ chairperson will prepare a proposal for the creation of at least one (1) full-time position to act as program director.

Target date: June 30, 2018

Goal 3: Contract coordinator

A. Will explore opportunities for job sharing various RJ coordinating duties

Action plan: NCRJ board will explore funding opportunities to help fund / provide coordinating duties in order to meet program needs.

Target date: December, 2018

Goal 4: Stewardship

A. Will develop plan for maintaining good stewardship with all donors, funders, and other supporters.

Action plan: The board will develop effective protocol for nurturing our partnerships with our supporters.

Target date: December, 2018

Goal 5: Fundraising / Revenue

A. Will explore viable opportunities for fundraising, and other funding and revenue sources.

Action plan: The board will explore and identify fundraising opportunities and will create a sub-committee if deemed necessary.

Target date: May, 2019

PROGRAM DEVELOPMENT

Goal 1: Program policy

A. Will create a standard MOU form to use with stakeholders / partners.

B. Will write general organizational policy

Action plan: Will create a Memorandum of Understanding template for use in establishing partnerships with program stakeholders. NCRJ Chair or executive director will write program policy.

Target date: December, 2018

Goal 2: Program procedure

A. Will create standard operating procedure for NCRJ's current program(s).

Action plan: Will write standard operating procedure regarding current program and RJ services offered, to include a comprehensive flowchart and structure.

Target date: December, 2018

Goal 3: Training

A. Will develop plan to provide RJ training to NCRJ board members.

B. Will develop method to track community presentations and how to engage with new community organizations.

C. Will create RJ training curriculum specific to law enforcement

Action plan: NCRJ board will create a comprehensive training plan.

Target date: December, 2018

Goal 4: Program Evaluation

A. Establish method(s) for data tracking and program evaluation.

Action plan: Will ascertain current and credible evaluation methods in the RJ field that address both program evaluation and data tracking, and may include case management software.

Target date: June, 2019

Goal 5: Future growth

A. Establish methods for identifying gaps in community services (resources) and potential for RJ to assist in fulfilling community need.

Action plan: NCRJ will invite justice stakeholders to board meetings, schedule individual meetings, and otherwise be cognizant of community need for which RJ practices may offer relief or assistance.

Target date: June, 2019

MARKETING / COMMUNITY RELATIONSHIPS

Goal 1: Community outreach

A. Will continue to provide informational RJ presentations proactively and as requested to various community groups and stakeholders.

B. Will increase community partnerships.

Action plan: NCRJ will continue to be responsive to community requests for RJ presentations and will identify other key groups / stakeholders with whom to partner.

Target date: November, 2018 and then perpetual

Goal 2: Marketing plan

A. Will create a marketing plan to aid in program awareness and growth.

Action plan: Will create a marketing plan that will include, but is not limited to: utilization of social media, other media outlets, print materials, and advertising. A sub-committee will be created if deemed necessary.

Target date: June, 2019

Goal 3: Community awareness

A. Will create an annual event to increase community awareness of the program.

Action plan: Will plan and host an event that brings awareness of the program to community and honors our volunteers and supporters. A sub-committee will be created if deemed necessary.

Target date: June, 2019

VOLUNTEERS

Goal 1: Training

A. Will create standard RJ training module(s) specific to the RJ process being used.

Action plan: Will create a standard training curriculum for volunteers serving in the roles of Community Member and Facilitator.

Target date: June, 2018

Goal 2: Volunteer Management

A. Will create volunteer policy to include defining criteria and procedure to become a volunteer.

B. Will establish standard practice for the recruitment and retention of volunteers.

C. Will develop a process for collecting and tracking volunteer data.

Action plan: Will create an overall volunteer management plan to address the above.

Target date: December, 2018

Within the next 2 months

Within this calendar year

Within the next 13 months

I MISSION STATEMENT

NCRJ's purpose is to provide a restorative and balanced approach to crime and conflict that promotes justice and resolution for victims, reparation for the community, along with offender accountability, personal development and re-integration into the community.

II CORE BELIEF

It is the core belief of NCRJ that conflict and crime within our community has a ripple effect that causes adverse effects to all parties involved, weakens community bonds, and negatively impacts public safety; and in response to the harm done victims, community, and offenders should equally be afforded the opportunity to express these impacts. In a collaborative effort, and when appropriate, the parties should work together to identify these harms and work toward reparation.

III VISION STATEMENT

- That all victims of crime be afforded the opportunity to have a safe and facilitated conversation with their offender;
- That all victims and harmed communities be afforded the opportunity for input and involvement in the determination of reparation;
- And that all offenders, when appropriate, be afforded the opportunity to become personally accountable to their victims and community.

VALUE STATEMENT

We recognize the significance of dignity, empowerment, and fairness through relationships among victims, offenders, our partnerships and community.

Victim: We believe victims have a voice and should have the opportunity to participate in the justice process in a manner that values dignity, empowerment, and fairness.

Community / Partnerships: We believe in the inherent goodness of our community members and partners, and value their participation in the restorative justice process.

Offender: We believe in the value of personal accountability. We value applying the offender's assets in the promotion of justice and participation in reparation efforts.



Attachment C 1

**SCHOOL OF SOCIAL &
BEHAVIORAL SCIENCES**

Dean

Brandon Kosine, Ph.D.
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Academic Assistant

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Addictionology

Diana Quealy-Berge, Ph.D.

Communication

Doug Hall, M.A.
Terry Rogers, Ph.D.
Peter Van Houten, Ph.D.
Grant Wilson, Ph.D.

Criminal Justice

Heather Lloyd, J.D.
Art Washut, M.P.A.

Early Childhood Education

Kerri Mahlum, Ed.D.
Cammy Rowley, Ph.D.

Education

Thom De Voogd, M.A.
Renee Griffith, M.A.

Paralegal Studies

Mary Kubichek, J.D.

**Political Science, History,
& International Studies**

Nathan Blank, Ph.D.
Jason Charrette, Ph.D.
Erich Frankland, M.A.
Tanis Lovercheck-Saunders, D.A.

Psychology

Greg Denke, M.S.
John Ordiway, M.S.
Diana Quealy-Berge, Ph.D.
Kim Talbott, M.S.

Social & Cultural Studies

Chad Hanson, Ph.D.
Evin Rodkey, Ph.D.
Georgia Wheatley, M.A.

May 5 2018

To Whom It May Concern:

Please accept this letter of support for the Restorative Justice Program. Jen Miner, Program Coordinator and the Restorative Justice team of professionals, community members, and volunteers have brought a breath of fresh air to the criminal justice practices in Natrona County. The importance of Evidence Based Justice is clearly demonstrated across the communities over the many years Restorative Justice has been implemented.

As an educator and mental health professional the possibilities of Restorative Justice inspire me. Some of the benefits include: improved outcome for victims of crime, the rehabilitation of those who commit crime and cost savings for our community. As we come to the close of the first year of this project the initial goals have been exceeded. The City of Casper, County of Natrona and State of Wyoming will only continue to benefit as Restorative Justice Practices expand and grow. If you have questions or concerns please call me. Thank you for your consideration.

Sincerely,

Diana Quealy-Berge, PhD WY LPC/LAT
White Bison Firestarter and Recovery Coach



Journey Elementary School

2401 HICKORY STREET • CASPER, WY 82604
PHONE (307) 253-3700 • FAX (307) 253-3791

May 3, 2018

Dear City Manager and Council Members:

I am writing this letter in support of the work that is being done with the pilot on Restorative Justice through Jennifer Miner's office. I am the principal at Journey Elementary; I've been a principal for over 16 years in Natrona County and an educator for over 20 years. My work with students through the years and supporting them in making good choices as they learn and grow has always been through the lens of the Restorative Justice concept.

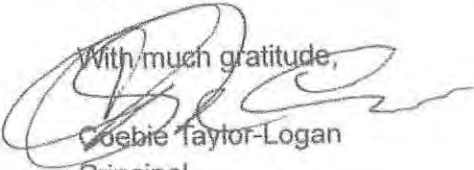
The work that is being done with this project greatly impacts the learning and understanding for youth and adults in a way that still holds compassion, dignity, and relationships intact. I truly believe that this work will make a huge positive impact on many resources and we will see a change in our community to one that is filled with compassion and understanding. This program creates mutual accountability and strengthens communities by bringing people around the table to support one another.

All behaviors are linked to a deeper root cause and many of those causes center around mental/emotional health, trauma, attention seeking, and boredom with not feeling a sense of hope or knowing what their place is in life. Our nation as a whole has gotten used to things being easy and taking the easy way through popping a pill or throwing things, including people, away.

Restorative Justice takes time and people are worth time. People were not meant to be thrown away. As communities center around this kind of work we can build peace and stronger relationships for our youth to lean on in support. The three underlying values that support this foundation are: respect, responsibility, and relationship. These values build a better community and I know that is the work all of you are striving for as community servants.

As we move out of our current school year and into a new one I have several staff members that will be traveling with me to be trained in the Restorative Justice practices for schools this Spring and the Fall of 2018. This work is important to us in our small school community and we greatly appreciate your support in making this a continued project in the larger community.

With much gratitude,



Coebie Taylor-Logan
Principal

BRETT DOVALA

704 W. 20TH STREET
CASPER, WY 82601
307-259-0031
bddovala@bresnan.net

December 14, 2017

To Whom It May Concern,

I went through some life changing events when I started to be terrorized by three to five or more juveniles in November of 2016. I am pretty sure I was targeted but cannot prove this. The terrorizing finally ended October 17, 2017. The juveniles were caught this day and I was so grateful. I commend the Casper Police Department for helping catch the juveniles terrorizing me.

I was asked by Jen Minor if I would consider participating in the Restorative Justice Program (which I was familiar with), and I agreed to participate.

I went through the process and was amazed with the passion and commitment that Jen and Johnna had in this program.

I feel strongly that the juveniles will make some changes in their lives to be better people. The Restorative Justice Program is a great program and I support it 100 %. I have lived it and am living proof that this program works for the majority of the people involved.

Thank you for your consideration on continuing this program.

Please feel free to contact me for any additional information

Sincerely,



Brett Dóvala

Peter C. Nicolaysen
P.O. Box 0007
Casper, WY 82602

December 8, 2017

To Whom It May Concern:

I am writing this letter in strong support for the Natrona County Restorative Justice Program ("the Program") and its application for funding to granting agencies and others inquiring about the Program. I am an attorney and business owner in Casper, Wyoming. The primary focus of my legal practice is real estate and business law. I do not practice criminal law.

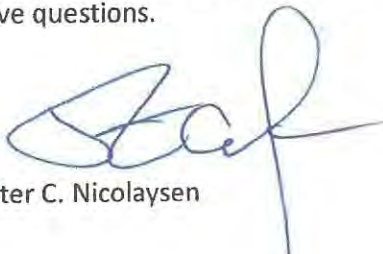
In October and early November of 2017 I participated in the Program as a result of an incident of vandalism and property damage occurring at a property I own in Casper. I had no familiarity with the Program prior to being contacted by its Coordinator, Jen Miner. The incident involved minor children of the middle school age.

I was very impressed with the Program and its staff. The Program's clear process and progression – from the initial one-on-one meeting, to the round-table meeting with all parties attending, to the performance of the agreements - fit my situation very well.

I believe in justice, but also feel that in some cases a conviction, sentence and punishment meet only some of the victim's and societal goals. In some cases, those goals, including victim and community restitution, are better met through a non-traditional process that doesn't focus on courtrooms, prosecuting and defense criminal attorneys, and sentences. Where appropriate and possible, providing an opportunity for direct communication, for people to take self-responsibility, and for people to apologize and forgive serves us well.

I support reduction in recidivism, reduction in court back-log, and reduction in attorney fees and court costs and I believe that I am witness to the Program accomplishing the same in my case. I will hope that by participating in the Program, these middle-school boys will have learned life lessons about community impact and taking responsibility for their wrongful actions, and that they will seek to avoid bad decisions in the future. That can truly make a difference in our world.

The Natrona County Restorative Justice Program warrants all of our support. You may contact me if you have questions.


Peter C. Nicolaysen

Natrona County Restorative Justice

Recap of May Informational Packet:

- History of RJ efforts
- What is RJ / the conferencing model
- How the program is structured
- Program data
- Strategic plan
- Moving forward

JUVENILE RESTORATIVE JUSTICE CONFERENCING PILOT PROGRAM

September 1, 2017 through May 3, 2018

18 Referrals

4 Denied

(pending charges,
declined)

14 Accepted

14 – Final Conference

13 – Completed RJ Contact

1 – Did not complete, returned
to court

All male with the exception of one (1)

Average age: 14.64 (ages 12 – 18)

Offense: Curfew (5), Trespassing (2), Interference (2), Property Destruction (8), Breach of Peace (2), Fighting in Public (1), Assault & Battery (1), Conspiracy to Commit Auto Burglary (1)

Total Volunteer Community Members & Volunteer Facilitators events to date: 29

Total hours for volunteers: 54.5

Total Law Enforcement officer participants to date: 5

Total hours for law enforcement: 11

Total Other Community Members (school personnel): 6

Total Victim Participants to date: 11

Re-offense: 1 (one), but was allowed to complete RJ Contract.

Recidivism checks will begin June 2018.

Program data since May...

- An additional 16 cases referred
- All juvenile, no adults as of yet
- 10 accepted, 3 returned, 3 pending intake
- 6 of the 10 have gone to Final Conference
- 7 victim participants thus far (since May)
- 2 new RJ volunteers. Currently 13 active volunteers serving in the Facilitator and Community Member roles.

A few things to know...

- RJ is not a packaged program
- A philosophy from which various formal practices emerge
- This is a way of doing business; a fundamental belief system of how we approach and respond to conflict and crime that recognizes that relationships have been violated and trust broke
- It goes beyond application to the justice system. It bleeds over into how we treat our citizens and our employees



What I Envision...

- A Community Justice Unit that will house, at a minimum, the restorative justice and community service programs
- Unit would consist of 1 FT program specialist, 1 FT RJ lead facilitator, and 1 FT community service coordinator; all civilian
- Increase partnerships within the PD and an extensive expansive of community and justice system partnerships
- To maintain momentum, we will move forward with the existing strategic plan
- Hold a volunteer training as soon as possible
- Expanding RJ services offered to our Municipal Court

Program needs...

- Formal endorsement from the City of Casper of the RJ philosophy and its practices – a resolution with long term commitment
- Funding / staffing
- An RJ office in proximity to officers and sergeants
- A neutral room / space dedicated solely to RJ for holding pre-conference and final conference circles

August 8, 2018

MEMO TO: J. Carter Napier, City Manager 
FROM: John Henley, City Attorney 
SUBJECT: Hotel Guest Registration Ordinance

Meeting Type & Date:
Work Session Council Meeting
August 14, 2018

Action Type
Ordinance

Recommendation
That Council approve an Ordinance to Repeal and Replace Section 5.24.070 (Guest Registration) of the Casper Municipal Code.

Summary
Section 5.24.070 (Guest Registration) of the Casper Municipal Code currently governs the City's regulation of hotel guest registers. The City needs to update its Guest Registration Ordinance following a Supreme Court ruling which addressed law enforcement access to hotel guest registers.

In the United States Supreme Court case titled City of L.A. v. Patel the Court ruled that municipal ordinances must allow lodging operators the opportunity to complete a pre-compliance review of all law enforcement requests for access to the hotels guest registers. The operator may choose to deny their request for access if the officers do not have a judicial warrant authorizing the search of the register.

The proposed changes to Section 5.24.070 would bring the Casper Municipal Code into compliance with the Supreme Court's ruling in City of L.A. v. Patel, by requiring law enforcement officers to request lodging operators' consent prior to inspecting their guest registries.

Financial Considerations
The proposed Ordinance does not impact the City's budget.

Attachments
Ordinance
Previous Ordinance
Link to City of L.A. v. Patel Decision

ORDINANCE NO. ____

AN ORDINANCE REPEALING AND REPLACING SECTION
5.24.070 OF THE CASPER MUNICIPAL CODE PERTAINING
TO THE GUEST REGISTRATION OF HOTELS, MOTELS
AND ROOMINGHOUSES

WHEREAS, the City Council of Casper, Wyoming, has determined that hotels' and other lodging operations' guest registration information is helpful and necessary to address the City's public safety responsibilities; and,

WHEREAS, in a United States Supreme Court case titled City of L.A. v. Patel, 192 L.Ed.2d 435 (U.S. 2015), the Court ruled that municipal ordinances may permit law enforcement officers to request guest registration information, but cannot force a lodging operator to divulge guest registration information without such a request and an opportunity for pre-compliance review, which may require a warrant at the option of the lodging operator; and,

WHEREAS, the City's ordinance regulating lodging operations should be amended to comply with the Supreme Court's Ruling in City of L.A. v. Patel; and,

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

That Section 5.24.070 of Chapter 5.24 of the Casper Municipal Code is hereby repealed and replaced with the following:

5.24.070 Every person to whom a license is issued to conduct a hotel, motel, rooming house, lodging house (hereafter lodging operation) shall, at all times, keep a hotel register, which shall contain the names of all guests or persons renting or occupying rooms in such lodging operation and their vehicle information, which register shall be signed by the person renting a room or by someone under the person's direction. After the registration, the manager of the lodging operation, or the manager's agent, shall write the number of the room which such guest or person is to occupy, together with the time when such room is rented, all of which shall be done before such person and the party of such person are permitted to occupy such rooms. Any peace officer of the City or State may request the consent of the manager of the lodging operation, or the manager's agent to inspect the record or a part of it pertaining to specific names or vehicles as part of the Police and Sheriff's Departments' public safety responsibilities."

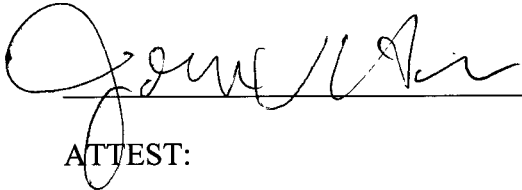
This Ordinance shall become in full force and effect twenty-one (21) days after passage on third reading and publication.

PASSED on 1st reading the ____ day of ____, 2018

PASSED on 2nd reading the ____ day of ____, 2018

PASSED, APPROVED, AND ADOPTED on third and final reading the ____
day of ____, 2018

APPROVED AS TO FORM:



ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur D. Tremel
City Clerk

Ray Pacheco
Mayor

Current Ordinance

5.24.070 - Guest registration.

Every person to whom a license is issued to conduct a hotel, roominghouse or lodging house shall at all times keep a standard hotel register, in which shall be inscribed the names of all guests or persons renting or occupying rooms in such house, which register shall be signed by the person renting a room or by someone under his direction. Such registration must be made, and after the name so inscribed or registered, the manager of the house, or his agent, shall write the number of the room which such guest or person is to occupy, together with the time when such room is rented, all of which shall be done before such person is permitted to occupy such room. Such register shall be at all times open to inspection by any guest of the house wherein such register is kept and to any executive or peace officer of the city or of the state.

Link to City of L.A. v. Patel decision-

<https://supreme.justia.com/cases/federal/us/576/13-1175/>