

WORK SESSION AGENDA



**Casper City Council
City Hall, Council Meeting Room
Tuesday, May 25, 2021, 4:30 p.m.**



Work Session Meeting Agenda		Recommendation	Allotted Time	Beginning Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Council Meeting Follow-up		5 min	4:30
2.	Link Drive	Direction Requested	30 min	4:35
3.	Agenda Review		20 min	5:05
4.	Legislative Review		20 min	5:25
5.	Council Around the Table		10 min	5:45
Approximate End Time:				5:55

Please silence cell phones during the meeting

We are CASPER

Communication Accountability Stewardship Professionalism Efficiency Responsiveness

May 11, 2021

MEMO TO: J. Carter Napier, City Manager 
FROM: Andrew Beamer, P.E., Public Services Director 
SUBJECT: 5051 Link Drive Request

Meeting Type & Date:
May 25, 2021
Council Work Session

Action Type:
Direction Requested

Recommendation:
That Council provide direction on allowing a property owner contiguous, but outside, City of Casper limits to receive city services without having to annex and make off-site improvements as required by Casper Municipal Code.

Summary:
The property at 5051 Link Drive is contiguous, but outside, City of Casper limits. Citing the excessive cost of having to extend a water main and bringing up the adjacent streets to city standards, the property owner is requesting instead that he be allowed to extend the water main approximately 50-ft in order to run a domestic service line to the property. In exchange, the owner will agree to annex upon notice from the city and agree to participate in any future area-wide assessment district for purposes of extending Link Drive and Magnolia Street.

Historically, properties that are contiguous to city limits requesting to receive city services have been required to annex immediately and make off-site improvements in accordance with Casper Municipal Code. These policies were ratified by passage of City Resolution No. 20-69. Randy Hall of Broker One Real Estate, representing the property owner, will be available at the May 25th, 2021, work session to answer any questions.

Financial Considerations:
N/A.

Oversight/Project Responsibility:
N/A – direction requested.

Attachments:
Letter from Randall S. Hall on behalf of the property owner
Map of 5051 Link Drive
Resolution No. 20-69

Randall S. Hall, CCIM

Principal Broker



550 N. Poplar, Suite 300A
Casper, Wyoming 82601
Office: 307-234-2385
FAX: 307-995-3599
e-mail: rshall@ccim.net
Website: www.broker1realestate.com
April 26, 2021

Carter Napier
City Manager
City of Casper
200 N. David Street
Casper, Wyoming 82601

RE: Water Service, 5051 Link Drive

Dear Carter,

Per our brief discussion last week on the subject of extension of water to the above property, At the direction of Jim Brusaw, manager for the property owner, Brusaw Mechanical Company, LLC, I forwarded a letter to Andrew Beamer dated 2/28/21 requesting an outside city water & sewer agreement to allow him to extend an existing water line in Link Drive some 30' or so to his property so he could run domestic water service to his building. The line ends just shy of Mr. Brusaw's east boundary line. For some unknown reason, though the waterline terminates before reaching the Brusaw property, an 8" sanitary sewerline was previously extended west to Magnolia and south about 100' or so south of the Brusaw property, essentially along the north and west boundaries of my client's property. Mr. Brusaw's engineer estimated the cost to construct a city street west to Magnolia to be ±\$76,000 and to continue down Magnolia would add ±\$130,000. Obviously either of these costs are significantly more than one property can ever recover. Mr. Brusaw presently hauls water from the Town of Evansville.

Let this letter serve as a formal request to the City of Casper for an outside-the-city water and sewer agreement between the owner and the City. In exchange, the owner will agree to extend the existing water line west, in the existing Link Drive ROW, approximately 50' at its expense where they will tap the waterline to extend into his property. In addition, the property owner will pay for any tap fees, gate valves, hydrant, fire line and water service fees. Further, as part of the agreement, Mr. Brusaw will agree to annex upon notice from the city and agree to participate in any future area-wide assessment district for purposes of extending Link Drive and Magnolia Street. He will agree to bind his property and future successors-in-interest to this agreement.

Respectfully

Randall S Hall

Randall S. Hall CCIM
Principal Broker

RSH/ctx

Cc: Andrew Beamer, City Engineer

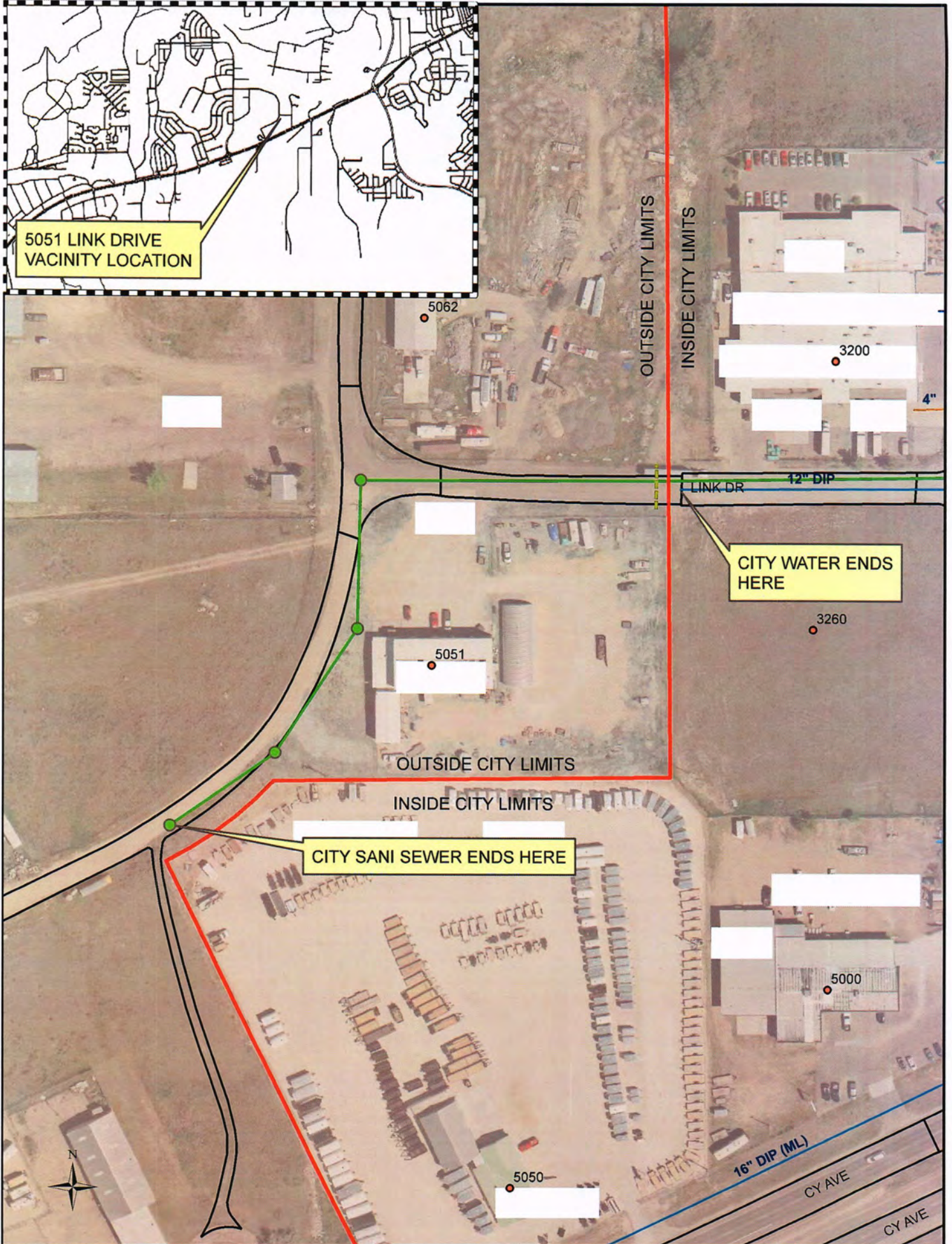
Acknowledged and Agreed this ____ day of April, 2021.

Jim Brusaw

Jim Brusaw, Manager, Brusaw Mechanical Company, LLC



5051 LINK DR. AS IT RELATES TO THE CITY OF CASPER CITY LIMITS AND EXISTING UTILITIES



RESOLUTION NO. 20-69

A RESOLUTION ESTABLISHING ANNEXATION POLICY
FOR PROVIDING CITY SERVICES TO OUTSIDE PROPERTY.

WHEREAS, the City of Casper ("City") provides water, sanitation, and/or sanitary sewer services ("City Services") to those within its corporate limits; and,

WHEREAS, owners of real property outside the corporate limits of the City ("Outside Property), but within reach of City Services exist; and,

WHEREAS, it is sometimes more practical for Outside Property owners to provide their own water and/or sanitary services; and,

WHEREAS, other times, Outside Property owners request the City of Casper to provide City Services; and,

WHEREAS, when the City agrees to provide City Services to Outside Property, it requires the execution of a contract therefor ("Contract"); and,

WHEREAS, it is a substantial benefit to Outside Property Owners and their successors in interest ("Outside Property Owners") to receive City Services; and,

WHEREAS, when a property is eligible for annexation under Wyoming Statutes, it may benefit the City to annex the Outside Property; and,

WHEREAS, significant costs may be incurred in bringing the off-site improvements of a property into compliance with City codes and ordinances; and,

WHEREAS, City Council wants to set a basic policy about annexation requirements for receiving City Services for Outside Property.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That the following annexation policy for providing City Services to Outside Property is hereby established and any previous annexation policy is hereby rescinded.

1. Before the City provides any City Services to Outside Property, it shall require the Outside Property Owner, on behalf of itself and its successors to execute a Contract that runs with the Outside Property and which addresses annexation requirements.

2. City staff shall include provisions in the Contract that address the following:

(a) The Outside Property Owner must annex its property to the City upon request of City Council in accordance with the Contract and Wyoming Statutes; and,

(b) Upon annexation and thereafter, off-site improvements (as defined by Casper Municipal Code Section 16.08.280) must be made and brought up to City Code, and Outside Property Owners

must agree to pay for their and/or their pro-rata share of such improvements should Council require such; and,

(c) Upon annexation and thereafter, Outside Property Owners shall dedicate all rights of way and easements deemed necessary to the City, all in a form acceptable to the City and meeting Casper Municipal Code requirements ; and,

(d) Upon annexation and thereafter, Outside Property Owners, at their sole cost and expense, shall plat any unplatted property in accordance with requirements set forth in the Casper Municipal Code; and,

(e) Upon annexation and thereafter, Outside Property Owners shall agree to waive any statutory right to oppose City zoning requirements or designations as set forth in the Casper Municipal Code; and,

(f) Needed water and sewer main extensions/improvements including, but not limited to, planning, design, land acquisition, and construction are the responsibility of the Outside Property Owner. Water and sewer main extensions must extend to and through the property. Water and sewer service lines must not extend in rights of way beyond the property line without approval of the City Engineer. Outside Property Owners are responsible for the costs associated with the extensions/improvements; and,

(g) The costs referenced above for off-site improvements must be funded or paid by the Outside Property Owners, and/or where reasonable, by:

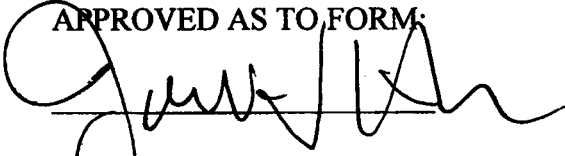
- (1) Local Assessment Districts (LAD), for which Outside Property Owners shall not object or protest; and/or,
- (2) Other methods approved by the Casper Municipal Code, Wyoming State Statute and the City Council;

(h) Payment of reasonable attorneys' fees, court costs, and litigation costs if the City must enforce the provisions of the Contract in a court of law; and, at the option of the City, discontinuance of City Services if the Outside Property Owner fails to meet the requirements of the Contract.

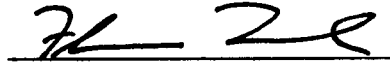
3. For good and substantial cause, the City Manager may allow exceptions to provisions that are required in the Contract. By way of example, and not as a limitation, an exception to the requirement of an Outside Property Owner to annex its property upon request of City Council could be allowed if the Outside Property Owner provides an easement for a City public improvement project (e.g., provides a new easement in its property for a City water main) in exchange for receiving City Services to water its horses.

PASSED, APPROVED, AND ADOPTED this 7th day of April, 2020.

APPROVED AS TO FORM:

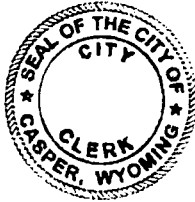



ATTEST:



Fleur Tremel
City Clerk

CITY OF CASPER, WYOMING
A Municipal Corporation





Steven K. Freel
Mayor