

WORK SESSION AGENDA


Casper City Council
 City Hall, Council Meeting Room
 Tuesday, April 12, 2022, 4:30 p.m.




Work Session Meeting Agenda		Recommendation	Beginning Time	Allotted Time
Assist Ride for Councilmembers 3:30 & 4:00 p.m.				
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Council Meeting Follow-up		4:30	5 min
2.	Clerk of Court Introduction		4:35	5 min
3.	311 Council Training	Information Only	4:40	15 min
4.	Project Safe	Direction Requested	4:55	45 min
5.	Police Response to Alarms	Direction Requested	5:40	30 min
6.	Hotels/Lodging Ordinance Changes	Direction Requested	6:10	30 min
7.	Agenda Review		6:40	20 min
8.	Legislative Review		7:00	20 min
9.	Council Around the Table		7:20	20 min
Approximate End Time:				7:40

Please silence cell phones during the meeting

April 7, 2022

MEMO TO: J. Carter Napier, City Manager 

FROM: Andrew Beamer, P.E., Public Services Director 
Alex Sveda, P.E., City Engineer AS
Zulima Lopez, Parks, Recreation & Public Facilities Director
Scott R. Baxter, P.E., Associate Engineer

SUBJECT: Bids Received for the City Hall Project S.A.F.E. Building Remodel

Meeting Type & Date
Council Work Session
April 12, 2022

Action Type
Direction Requested

Recommendation

That Council provide direction on accepting or rejecting bids received for the City Hall Project S.A.F.E. Building Remodel, Project No. 20-004.

Summary

On March 18, 2022, bids were received from five (5) contractors for construction of the City Hall Project S.A.F.E. Building Remodel Project. The bids for the work were as follows:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BASE BID</u>
Transmission Distribution Service	Glenrock, Wyoming	\$6,041,339.37
Casper Building Systems	Casper, Wyoming	\$6,053,000.00
GH Phipps of Wyoming	Laramie, Wyoming	\$6,191,994.00
FCI Constructors of Wyoming	Cheyenne, Wyoming	\$6,240,000.00
Sampson Construction	Cheyenne, Wyoming	\$6,300,000.00

The estimate for the project was \$4,500,000, prepared by the City's architect, State Line No. 7 Architects.

Casper's City Hall was built in 1978 to serve as the primary facility for citizens to communicate with City officials and conduct City business. The building remains the cornerstone of City business and is in need of significant improvements. A holistic approach has been taken to determine improvements needed for City Hall's safety/security, aesthetics, functionality, and efficiency (S.A.F.E.)

Primary objectives for the City Hall Renovations and Addition Project include:

- Correct exterior/interior vulnerabilities with safety for employees and visitors.
- Improve deficiencies identified in the fire suppression system that violate current fire code.
- Address deficiencies on both floors that hinder customer service and operational efficiency.

- Remedy non-compliance with current ADA regulations in all bathrooms and other access challenges throughout the building.
- Add space that is needed to accommodate current and future staffing needs.
- Make improvements to the exterior of the building to be more inviting to visitors, direct visitors to a primary entrance that engages customers with employees, and provide useful space for employees to gather or take breaks.
- Provide general maintenance improvements such as track off mats, flooring, repaired overhead lighting, and fresh paint.
- Improve HVAC system throughout the facility which is failing due to age and construction materials.
- Improve Atrium lighting and setup which is not currently conducive to public meetings that are important for public communication and interaction.

The project was to be funded with Capital Reserves already on hand in the amount of \$2,681,202, although significant HVAC upgrades were expected to require an additional \$1,700,000. Prices were generally expected to be near or just above the architect's estimate. However, recent high prices for most materials resulted in much higher bids than expected. The bid range was extremely small at just four percent (4%) variation, indicating competitive bids that reflect current construction costs.

City Staff met with State Line No. 7 Architects and Transmission Distribution Service to consider possible cost savings with a reduced scope and value engineering. The primary items that were considered for cost savings included interior product substitutions; elimination of new furniture; exterior substitutions and eliminations; reduction in landscaping density; elimination of the enlarged Council Meeting Room; elimination of upgrades in the Council Chambers; elimination of permit fees and solid waste fees; and elimination of safety features for which a DHS grant could be applied. The total cost reduction for these items was \$988,415.

It is recommended to reject these bids, and complete design changes to reduce the scope, provide value engineering, and change product selections to reduce the overall costs. The project can then be re-bid in FY23.

Financial Considerations

Funding for the project is from Capital Reserves.

Oversight/Project Responsibility

Scott R. Baxter, P.E., Associate Engineer, Public Services Department.

Attachments

None

TABULATION OF BASE BIDS

PROJECT: City Hall Project S.A.F.E. Building Remodel
LOCATION: 200 N David St., Casper, WY 82601

PROJECT #: 20-004

DATE: 18 March 2022 @ 2:00 p.m.

Name and Address of Bidders	Addendum #1	Addendum #2	Addendum #3	Bidding as Wyoming Resident	5% Bid Bond or 5% Security	Base Bid Total (Engineer Estimate \$4,250,000.00)	Alternate #1 (Building Addition)	Alternate #2 (Council Work Ceiling Upgrade)	Alternate #3 (Finance Dept. Offices)	Alternate #4 (Second Floor Restroom Upgrade)	Alternate #5 (Engineering Dept. Offices)	Alternate #6 (H.R. Dept. Offices)	Alternate #7 (Council Chambers HVAC Upgrade)	Total Bid (Including All Alternates)
TDS Construction 109 North 4 th Street Glenrock, WY 82637 Ph 307-436-9605	X	X	X	X	X	\$6,041,339.37 (Apparent low bidder)	\$916,985.27	\$10,022.00	\$28,518.54	\$118,033.72	\$24,721.18	\$42,163.97	\$119,018.10	\$7,300,802.15
Caspar Building Systems 1975 Old Salt Creek Highway Casper, WY 82601 Ph 307-235-5690	X	X	X	X	X	\$6,053,000.00	\$863,244.00	\$103,218.00	\$42,477.00	\$167,162.00	\$47,415.00	\$61,083.00	\$127,262.00	\$7,464,861.00
GH Phipps Wyoming 1482 Commerce Dr. Unite Y, Laramie, WY 82070 Ph 307-745-4866	X	X	X	X	X	\$6,191,994.00	\$1,166,380.00	\$56,889.00	\$30,977.00	\$136,166.00	\$29,929.00	\$44,017.00	\$106,852.00	\$7,763,204.00



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FCI Constructors of Wyoming 1023 E Lincolnway, Cheyenne, WY 82001 Ph 307-286-3485	X	X	X	X	X	\$6,240,000.00	\$992,000.00	\$45,000.00	\$35,000.00	\$128,000.00	\$41,000.00	\$51,000.00	\$122,000.00	\$7,654,000.00
Sampson Construction 2701 Westland Ct, Cheyenne, WY, 82001 Ph 307-286-2568	X	X	X	X	X	\$6,300,000.00	\$770,000.00	\$40,000.00	\$35,000.00	\$130,000.00	\$33,000.00	\$55,000.00	\$120,000.00	\$7,483,000.00

*****Please Note: In order to complete your bid if you are a Wyoming Resident Contractor, you are REQUIRED to submit your subcontractor list of first tier subcontractors for proof of 70% Wyoming subcontractors within 7 days of the bid date to the owner.**



March 24, 2022

MEMO TO: J. Carter Napier, City Manager *son*
FROM: Keith McPheeters, Police Chief *McP 307*
SUBJECT: Police Response to False Alarms

Meeting Type & Date

April 12, 2022, Work Session

Action type

Direction Requested

Recommendation

That Council authorize the Casper Police Department, in conjunction with the City Finance Department and the City Clerk's Office, to take reasonable steps to reduce the frequency and occurrence of false alarm notifications. That Council, in compliance with City Ordinance 8.08.160 (A), establish, by resolution, *the service fees and collection procedures* by which the user of false Private Intrusion alarms should be encouraged to eliminate or diminish the occurrence of false alarms.

Summary

Chapter 8.08, Private Intrusion Alarms, of the City of Casper Ordinances regulates private intrusion alarms in our community. Alarms, alarm systems, and the alarm companies which provide for such services which, as a function of the alarm, notify police or police dispatchers, are required to be registered, pay an annual fee, maintain a current list with Dispatch of responsible persons for the alarm, and to maintain the alarm in good working order. Many of the provisions of this Chapter have not been enforced or fully regulated for many years. Additionally, Hold-up or panic alarms are not addressed nor regulated by existing ordinance.

Ordinance 8.08.110 prohibits the emittance of false alarms.

Ordinance 8.08.130 allows for the discontinuation of police responses to chronic false alarm offenders. (This ordinance, as currently written, may not be lawful, or, at the least, unduly subjects the City to liability if it were to be enforced.)

Ordinance 8.08.160 provides for service charges related to false alarms to be established by resolution of the Council.

The occurrence and frequency of false alarm calls to which the Casper Police Department consistently responds drains resources away from crime prevention tasks and the timely achievement of the Department's Public Safety goals.

Since January 1, 2017, through March 20, 2022, the Public Safety Communication Center and the Casper Police Department have fielded and responded to 6,182 Private Intrusion False Alarms:

Year	False Alarms
2017	1,153
2018	1,090
2019	1,258
2020	1,246
2021	1,195
2022 (YTD)	241

Of the total 6,182 Private Intrusion alarm calls, 6,131 were deemed to have been a false alarm (99.2%).

The highest number of alarms per day of the week occurs on Saturday, consistent with staff and occupants being unfamiliar with the alarm system and its correct and timely deactivation.

The single greatest number of alarms per hour occurs on Monday mornings, between 7:00am and 7:59am, a failure that is reflective of distracted workers arriving at the commencement of the workweek and failing to correctly deactivate the alarm for the workday.

A 99% rate of alarms turning out to be false encourages officer safety complacency, where officers are reasonably trapped, by the routine occurrence of past false alarms, into believing the alarm to which they are currently responding to be “just another false alarm.” Complacency can lead to tragic results if the officers are not duly cautious and observant as they respond to and approach the location of a Private Intrusion Alarm.

Each Private Intrusion Alarm requires a call taker and a dispatcher. Upon the arrival of police officers at the scene of the alarm, a dispatcher is required to research a responsible person for the home or business, contact or attempt to contact them, and to document the resolution of the call.

Private Intrusion alarms, by their very nature, require a minimum of two police officers. Some calls to high-risk locations require additional resources. Since 2017, police officers averaged 16 minutes per officer, per false Private Intrusion Alarm, (32 minutes for two officers, combined).

From 2017 to 2021, the Casper Police Department expended 3,169 hours, (an average of 633.8 hours, per year), responding to false Private Intrusion Alarms. At the same time, working in the background, the staff of the PSCC also wasted an intolerable number of hours on those same false alarms. Fuel for police vehicles and wear and tear on police vehicles and equipment also serve to further drain police resources as a result of responding to false Private Intrusion Alarms.

In addition to the Private Intrusion Alarms, in 2021, the Casper Police Department also responded to 133 Hold-up Alarms, 126 of which turned out to be false (91%). Of the seven (7) remaining

Hold-up Alarms, none were, in fact, a robbery, other serious crime, or emergency safety hazard although reasonable circumstances existed in which the responding officers deemed the alarm to not qualify as having been *false*.

Hold-up Alarms, by definition, require additional resources and usually result in all available officers responding to the alarm. Such a response terminates all other public safety efforts throughout their duration and involves significantly more time spent on scene to investigate, even if it is perceived to be a false alarm. The unduly high percentage of false Hold-up Alarms again poses a significant threat to officer safety by encouraging complacency in responding officers.

In 2020, sixteen (16) chronic false Private Intrusion alarms offender locations in our City had more than 10 false alarm responses, with the worst offender at 30 false alarms. In 2021, eleven (11) locations posed similar problems, with the worst offender at 28 false alarms.

Therefore, the Casper Police Department asks that Council consider modifying portions of Chapter 8.08, Private Intrusion Alarms, to bring specific deficiencies in the Ordinances up to date and consistent with current best practices and sound policy.

Further, the Casper Police Department strongly encourages Council to set, by resolution of the Council, meaningful service fees designed to encourage a reduction in the number and frequency of false Private Intrusion Alarms and the drain they cause on the valuable resources and operational efficiency of the Casper Police Department.

The Casper Police Department recommends that Council consider adopting a graduated service charge associated with false Private Intrusion Alarms:

That each registered and licensed alarm user be allowed no more than six (6) false Private Intrusion alarms per calendar year.

That, upon the 7th and subsequent false Private Intrusion alarm during any calendar year, the alarm user be assessed a \$250 fee, per false alarm.

That, on the occurrence of the 15th false Private Intrusion alarm during any calendar year, the alarm user be assessed a \$500 fee for each additional false alarm.

The Casper Police Department recommends that Council consider adopting a graduated service charge associated with false Hold-up Alarms.

That, each registered and licensed alarm user be allowed no more than two (2) false Hold-up or panic alarms per calendar year.

That, upon a 3rd through 5th false Hold-up or panic alarms, the alarm user be assessed a \$250 service fee.

That, upon a 6th or subsequent false Hold-up or panic alarm, the alarm user be assessed a \$500 service fee.

It is the belief of the Casper Police Department that, with the support of the Council, the frequency and occurrence of false Private Intrusion Alarms and false Hold-up Alarms can be greatly reduced, thereby increasing crime prevention opportunities and the operational efficiency of the public safety efforts of the Department.

Financial Considerations

None


Oversight/Project Responsibility


Keith McPheeters, Police Chief

Attachments

None

April 6, 2022

MEMO TO: City Council
J. Carter Napier, City Manager 

FROM: John Henley, City Attorney 

SUBJECT: Licensing and regulation of hotels, vacation homes, etc., within the City of Casper.

Meeting Type & Date

Work Session
April 12, 2022

Action type

Information and direction requested.

Recommendation

That City Council review the information provided herein regarding the licensing and regulation of hotels and short-term rentals within the City of Casper and provide direction.

Summary

Chapter 5.24 of the Casper Municipal Code was passed on July 19, 1920. This chapter of the Municipal Code needs updated. A proposed ordinance to update the archaic language was discussed at the March 8, 2022, work session and a public hearing was scheduled for April 5, 2022. However, the public hearing was canceled after a question surfaced in the Council's initial discussion regarding Airbnb and short-term rentals, or the like.

Short-term rentals are usually located in residential neighborhoods. There can be tension between full-time neighbors and short-term renters based on quality of life issues. As of this time, city staff is not aware of issues of this sort in Casper. This question arose prior to the August 2017 Solar Eclipse; at the time no issues were noted and no action was taken. A quick internet search shows there are approximately 124 Airbnb and approximately 47 VRBO rentable properties depending on date and length of stay. Given the relatively significant numbers of those types of operations, I wanted to give you an opportunity to revisit the topic.

Short-term rentals have increased in number due to the use of internet platforms for booking; short-term rental properties, which include: (1) residences (houses or apartments) owned by individuals and rented sporadically as short-term rentals; (2) a portion of a privately owned or leased residence, with the primary resident staying on site during the short-term rental, and (3) corporate-owned property (apartments or houses) available as short-term rental throughout the year, with no permanent resident.

Short-term rentals are also called vacation rentals. Home-sharing can refer to a type of short-term rental where the resident remains on site during the rental period.

Four of the larger websites list the properties and allow potential renters to choose which property they want to rent include Airbnb, VRBO (vacation rental by owner), Couch Surfing, and FlipKey. Some local governments also provide information such as dedicating space on their website (with links to other sites) explaining regulatory tax requirements for short-term rentals.

The use of property as a short-term rental is not limited to urban areas. There has been an increase in short-term rentals in small towns and rural areas.

Like most issues that come before you, there are “pros” and “cons”: the most basic are:

- Property owners (individuals and companies) are in favor of short-term rentals as a way to make money from their property.
- Communities may be in favor of short-term rentals as a way to boost needed transient lodging, especially for events that happen infrequently such as state-wide tournaments, concerts and regional sporting events.

Questions arise regarding zoning regulations, lodging taxes, sales tax, transient use negative effects on residential neighborhoods, noise, excessive parties, trash, damage to surrounding properties and parking issues.

Cities have adopted various measures in response to the growing use of short-term rentals in residential neighborhoods. These regulations may be categorized as:

- Prohibitions of short-term rentals;
- Minimal regulations of short-term rentals, such as registration;
- More extensive regulations of short-term rentals.

Prohibition:

Some regulations completely ban short-term rentals anywhere in the jurisdiction. Other regulations prohibit short-term rentals according to:

- Area (prohibited in certain parts of the city or in certain zoning districts)
- Time (prohibited if over a certain number of days)
- Other: (1) for example regulations that allow home sharing rentals where the host is present but disallow rentals without the host or disallowing short-term rentals if the property does not meet basic legal requirements or (2) neighborhood requirements such as parking, health safety inspections or if the property has code violations.

Minimal regulation:

Some cities choose to allow short-term rentals in all or most of their residential areas with minimal regulation. Regulations sometimes consist only of a registration or permit requirement and payment of applicable taxes.

Greater regulation:

Greater regulations cover several issues, including:

- Regulation or permit requirements;
- Health and safety requirements including:
 - Food handling requirements;
 - Sanitation requirements;
 - Evacuation diagrams;
 - Smoke and carbon monoxide detectors;
 - Identification (name, telephone number, and address) of a local contact person or entity.
- Location limitations regarding where all short-term rentals can be located in the city or where short-term rentals without the owner present can be located, but allowing broadly home-sharing;
- Recordkeeping requirements;
- Limitations upon the number of days per year the property can be leased as a short-term rental;
- Insurance and indemnity requirements;
- Payment of applicable taxes;

Currently, the City does not have regulations regarding owner occupied residential properties vs. rentals. It is difficult to draw the line between a 1 year lease, a 6 month lease, a month to month rental, and a vacation rental. Potential regulations regarding short term rentals are not consistent with how the City currently treats other rental/leased properties (carbon monoxide detectors, etc). and enforcement may be difficult.

Collecting taxes from short-term rentals can be more difficult because it is not always apparent who the short-term rental operators are. However, registration or permitting requirements for short-term rentals can also provide notification of tax collecting responsibilities (apparently Airbnb collects and remits applicable sales taxes, but VRBO does not). Lodging taxes is limited to transient guests who remain for less than thirty continuous days.

Find attached an ordinance that was passed in Georgia (the shortest I found) regarding the licensing and permitting of short-term rentals. I have other much more voluminous ordinances if you want to review those.

Financial Considerations

None at this time.

Oversight/Project Responsibility

John Henley, City Attorney

Attachments

Georgia ordinance regarding licensing and permitting of short-term rentals.

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA TO AMEND CHAPTER 26 (LICENSES, PERMITS AND MISCELLANEOUS REGULATIONS) ARTICLE 10 (SHORT-TERM RENTAL UNITS) TO PROVIDE FOR NOTICE OF SHORT TERM RENTAL UNITS TO ADJACENT PARCELS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Sandy Springs (“City Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Sandy Springs; and

WHEREAS, the City Council has determined that it is appropriate to modify the Code of Ordinances of the City of Sandy Springs (“Code”) to reflect changes in state law.

BE IT ORDAINED by the Mayor and City Council of the City of Sandy Springs, Georgia that the City’s Code of Ordinances is amended as follows:

SECTION I: Chapter 26, relating to Licenses, Permits and Miscellaneous Regulations is hereby amended by adding subsection (g) to Section 26-322, to provide for notice of a Short-Term Rental Unit to adjacent parcels, and will read as follows:

Sec. 26-322. – Short-Term Rental Unit Permitted.

- (a). Short-Term Rental Units may only be operated in the City pursuant to this section.
- (b). The owner, platform or manager operating a Short-Term Rental Unit shall hold a valid City business license. The business license number shall be included in any advertisement of the Short-Term Rental Unit.
- (c). Each individual Short-Term Rental Unit shall be permitted with the City. Prior to issuance of a permit for a Short-Term Rental Unit, each property containing a Short-Term Rental Unit shall be inspected for compliance with all building and fire codes. A Short-Term Rental Unit permit is valid for one (1) year from the date of issuance.
- (d). All parking for Short-Term Rental Units shall be accommodated on the same lot as the Short-Term Rental Unit.
- (e). All owners or hosts shall post the City’s noise ordinance in a visible location in the Short-Term Rental Unit.
- (f). All owners, platforms and managers of multiple Short-Term Rental Units shall register and provide detailed records of rental activity and taxes by rental unit.
- (g). All owners or hosts shall give notice of the operation of a Short-Term Rental Unit to all residential parcels and/or homeowner’s association(s) immediately adjacent to the Short-Term Rental Unit.

SECTION II: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Sandy Springs, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

SECTION III: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

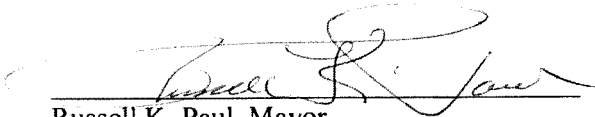
SECTION IV: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any

particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

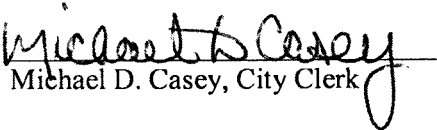
SECTION V: This Ordinance shall become effective on May 1, 2018.

APPROVED AND ADOPTED this the 3rd day of April, 2018.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)

