

COUNCIL PRE-MEETING

Tuesday, April 21, 2020 5:00 p.m.
Casper City Hall - Council Meeting Room

AGENDA

1. Sole Source Purchase of Ticket Printers from Paciolan for use at the Casper Events Center
2. Chapter 8.40 Litter Control Text Amendment
3. Follow-up for Enforcement Provisions Related to COVID-19
4. Agenda Review

Mayor Freel began the pre-meeting session at 5:00 p.m. with Vice-Mayor Lutz and Mayor Freel present at City Hall. Councilmembers Bates, Cathey, Hopkins, Huber, Pacheco, and Powell attended via conference call. Absent: Johnson.

Tim Cortez, Parks and Recreation Manager, explained the request to purchase proprietary ticket printers for the Casper Events Center. Councilmembers asked if there is flexibility in the quantity of printers being purchased at this time, and Mr. Cortez indicated that there is flexibility and that the contract with Paciolan would be reviewed in a few years. Councilmembers shared their thoughts on buying between one and four printers at this time. Council provided a thumbs up to purchase four printers.

City Manager Napier then spoke on the ordinance changes that would require trash containers to have covers to control litter at construction/demolition sites. Councilmembers had questions about the cost of covering dumpsters and about the responsibility for these costs. City Manager Napier indicated that the ordinance does not clearly address responsibility for the costs. Andrew Beamer, Public Services Director, shared that in the past the customer would provide the cover for a roll off but that could be changed. Council discussed possible arrangements for providing covers for the dumpsters. City Manager Napier explained that tonight council would only be establishing the public hearing and that no additional decisions are required at this time.

City Manager Napier shared that the City Attorney had been working with leadership at the State and County levels to determine if the health orders and State Statutes allowed enforceability of the COVID-19 health orders, or if the City of Casper would need to have an additional ordinance to ensure compliance with the health orders. City Attorney Henley spoke about three templates that were provided to Council in the April 17, 2020 information packet. These templates are public health isolation and quarantine letters that were drafted by the Wyoming Department of Health. He elaborated on the details of letters and the factual nature of these orders. He shared the serious nature of non-compliance with these orders, including civil liability. He spoke on the appeal process available to people and shared that the concerns about delays would decrease as testing capabilities increase. He complimented Councilmember Huber for drafting language for Council to consider, should they wish to. He offered to answer questions or suggested Council could discuss the matter.

Vice-Mayor Lutz asked about the time required to pass an ordinance on this matter. City Attorney Henley outlined the timing of passing an ordinance and the possibility of passing an emergency ordinance. Councilmembers asked about the enforcement and prosecution of the health orders, which City Attorney Henley addressed. Councilmember Powell asked specifics about the Natrona County Health Department sending formal notices and if the City needs to be involved in that process. City Attorney Henley stated that the Health Department has been sending notices, and that they are not required to involve the City. City Manager Napier complimented the City Attorney, County Attorney and the State for their work on the health orders.

Mayor Freel asked about a hypothetical scenario involving someone breaking the isolation and quarantine orders. City Attorney Henley indicated that these orders are much like a court order and could be prosecuted. He also said that it would be difficult to find a facility to hold people that may be ill but that alternatives have been discussed and there may be options. Mayor Freel asked more about detaining people if they have stopped being isolated after being ordered to do so. City Attorney Henley said that alternatives to detaining people had been discussed and that the District Attorney could get a warrant if needed. Councilmembers Huber and Hopkins shared concerns about the inadequacy of this process and felt that something more needs to be in place. Councilmember Bates shared his concerns about civil liberties.

Mayor Freel asked what City staff needed at this time. City Manager Napier requested direction only if Council wants staff to work on an ordinance. He said that if the health orders are actionable and Council is comfortable, then the current concern is how to safely incarcerate someone that may be infectious. He suggested that the person may be returned home, or stay in a different setting, but that the traditional jail setting is not ideal. Mayor Freel asked if an ordinance was needed or if the health orders are adequate. City Manager Napier said that Council needs to be comfortable with the issues, but that the orders are likely actionable, and the matter of concern is the manner to safely incarcerate someone if necessary. He also shared that a facility could be improved to be used as a holding facility but that he is not comfortable that the medical staff needed for the facility could be met at this time. Councilmember Powell asked about the confidentiality of those charged with violating health orders and if the language of the notices sent could be more severe. City Attorney Henley indicated that the charges are public but that the Attorney General may have concerns about changes to the health order notices. Councilmembers Hopkins and Pacheco also shared their opinions. Mayor Freel suggested continuing with the orders that are in place and to further research a holding facility, should it be needed. Councilmembers provided a thumbs up to this.

Mayor Freel adjourned the meeting at 6:17 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor