

**RECORD OF PROCEEDINGS FOR THE GOVERNING BODY
OF THE CITY OF CHEYENNE
Office of City Clerk**

July 13, 2015

The Governing Body of the City of Cheyenne met in regular session on this date beginning at 6:00 p.m. in Council Chambers. Present were: MAYOR - Richard L. Kaysen; COUNCIL MEMBERS - Mr. Brown, Mr. Cook, Mr. Johnson, Mr. Luna, Dr. Rinne, Mr. Roybal, Mr. Shanor, Mr. Valdez and Ms. Williams. Also present: Carol Intlekofer, City Clerk, and Dan White, City Attorney. The pledge of allegiance was recited.

Consent Agenda. (All agenda items listed with the designation of [CA] are considered to be routine items by the governing body and will be enacted by one motion. There will be no separate discussion on these items unless a member of the governing body so requests and support by two other members is received. Any item removed from the Consent Agenda will be considered in its normal sequence on the agenda. Upon request by Ms. Williams, and pursuant to support being received by Mr. Shanor and Mr. Cook, agenda items #19 (c) (d) (e) (g) and (h) were removed from the Consent Agenda. Roybal moved to approve remaining Consent Agenda items, seconded by Mr. Johnson. Motion carried. Voting "yes" -- all members of the governing body.

[CA] Minutes from Regular Meeting of the Governing Body on June 22, 2015. Motion (per Consent Agenda) carried.

Mr. Brown declared a conflict of interest (business interest in voucher payable to Ameri-Tech HVAC Services) and vacated Council Chambers. Mr. Luna moved to approve payment of vouchers as presented, seconded by Mr. Valdez. Motion carried. Voting "yes" -- all members of the governing body present in Council Chambers. Following announcement of the vote, Mr. Brown returned to Council Chambers.

ORDINANCE - Amending Chapter 5.12, Alcoholic Beverages, Section 5.12.060, Sales and Consumption - Restrictions, of Title 5, Business Licenses and Regulations, of the Cheyenne City Code pertaining to sales and consumption of alcoholic liquor and malt beverages within Frontier Park. Reporting for Finance Committee, Mr. Brown moved to approve on third and final reading, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body. (#4080)

ORDINANCE - Annexing to the City of Cheyenne, Wyoming, a portion of Tract 1, H and B Tracts, situated in the NW¼ of Section 13, T.13N., R.66W., 6th P.M., Laramie County, Wyoming, to be known as Heiduck Addition Annexation (located at the southeast corner of the intersection of Southwest Drive and Interstate 80). Reporting for Public Services Committee, Dr. Rinne moved to approve on second reading, seconded by Ms. Williams. Upon inquiry, Casey Palma, Steil Surveying Services, agent for owner, advised there are no current plans as to proposed use of the property and that annexation is to assist with making the property available for future industrial use. Motion carried. Voting "yes" -- all members of the governing body.

ORDINANCE - Pursuant to Section 2.2.1, Zoning Map Amendments, Section 5.1.2, Zoning Districts Established, and Section 5.1.3, Official Zoning Map, of the Cheyenne Unified Development Code, changing the zoning classification from HI Heavy Industrial to AG Agricultural for Lot 2, Block 1, Cheyenne Business Parkway, Eighth Filing, Cheyenne, Wyoming (located between Campstool Road and I-80, west of Campstool Road) -- referred to Public Services Committee (sponsor - Mr. Cook).

ORDINANCE - Pursuant to Section 2.2.1, Zoning Map Amendments, Section 5.1.2, Zoning Districts Established, and Section 5.1.3, Official Zoning Map, of the Cheyenne Unified Development Code, changing the zoning classification from HI Heavy Industrial to LI Light Industrial for Lots 2-4, and HI Heavy Industrial to AG Agricultural for Lot 5, Block 1, Cheyenne Business Parkway, Ninth Filing, Cheyenne, Wyoming (replat in process) (located north of and adjacent to Campstool Road, west of Commerce Circle) -- referred to Public Services Committee (sponsor - Mr. Cook).

ORDINANCE - Pursuant to Sections 1.1.6 and 2.4.1(b) of the Cheyenne Unified Development Code (UDC), Amending Article 6, Design Regulations, Section 6.5.8, Billboards, for the purpose of establishing which zoning districts allow billboards -- referred to Public Services Committee (sponsor - Mr. Cook).

CHARTER ORDINANCE - Establishing the position of City Administrator and exempting the City of Cheyenne, as a First Class City, from certain sections of the Wyoming Statutes -- referred to Committee of the Whole (sponsors - Mr. Cook, Mr. Luna, Mr. Roybal, Mr. Shanor, Ms. Williams). Under other business, it was noted that, due to the City's schedule during Cheyenne Frontier Days, the Committee of the Whole meeting would be held Tuesday, July 21, 2015 at 6:00 p.m. in City Council Chambers.

RESOLUTION - Authorizing the Mayor and the City Clerk to sign a Final Plat for Waterford Square, a replat of the North 286.5 feet of Tract 36, Cheyenne Irrigated Gardens, 2nd Filing; NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4; and a portion of Sections 4 and 5, T.13N., R.66W., 6th P.M., Cheyenne, Wyoming (located at the northeast corner of the intersection of Morrie Avenue and E. Fox Farm Road) (postponed from June 22, 2015). Kelly Hafner, Benchmark Engineers, agent for the applicant, requested a postponement of the item to allow time to finalize a Memorandum of Understanding affiliated with the Final Plat. Dr. Rinne moved to adopt with staff conditions #1 and 2, seconded by Ms. Williams. Dr. Rinne moved to postpone to July 27, 2015, seconded by Ms. Williams. Motion to postpone carried. Voting "yes" -- all members of the governing body.

[CA] RESOLUTION - Adopting Liquor License General Guidelines for the review and evaluation of applications for a retail liquor license available through the City of Cheyenne, and establishing a time frame in which applications may be submitted to the City Clerk. Motion (per Consent Agenda) carried. (#5692)

[CA] RESOLUTION - Supporting the submission of an application by the City of Cheyenne to the Wyoming Business Council's Business Ready Community, Community Enhancement Grant Program, to assist in funding the West Edge Streetscape and Civic Center Commons Project -- referred to Finance Committee (sponsor - Mr. Brown).

[CA] RESOLUTION -Authorizing the Mayor and City Clerk to execute a Wyoming Cultural Trust Fund Grant Agreement for Phase 1-A Stabilization of the Warren Rest House in Holliday Park -- referred to Finance Committee (sponsor - Mr. Brown).

[CA] RESOLUTION - Whereby the Governing Body of the City of Cheyenne authorizes a special Cheyenne Downtown Development Authority District Election to be held October 20, 2015 as provided by Wyo. Stat. §15-9-217 (b) which, upon affirmative majority vote of the qualified voters within the district, will authorize a special assessment of twenty (20) mills upon real property within the district, excluding real property used exclusively for residential purposes, for a period of four (4) years -- referred to Finance Committee (sponsor - Dr. Rinne).

[CA] Preliminary Plat for a replat of all of Lot 2 and a portion of Lot 3, Block 1, Saddle Ridge Subdivision, Cheyenne, Wyoming (located at the southeast corner of the intersection of US Highway 30 and Whitney Road) -- referred to Public Services Committee.

[CA] Preliminary Plat for platting a portion of the E½ of Section 25, T.14N., R.66W., 6th P.M., Laramie County, Wyoming (located at the northwest corner of the intersection of Pershing Boulevard and Christensen Road) -- referred to Public Services Committee.

[CA] Agreement between the City of Cheyenne and Safe Harbor, A Children's Justice Center, to provide a safe and supportive environment for abused and neglected children. Motion (per Consent Agenda) carried (amount not to exceed \$12,000.00). (#6372)

[CA] Contract between the City of Cheyenne and Peak Wellness Center, Inc., Alcohol Receiving Center, to provide mental health and substance abuse services -- referred to Finance Committee. Motion (per Consent Agenda) carried (amount not to exceed \$85,000.00). (#6373)

Contract between the City of Cheyenne and Cheyenne Housing Authority to provide services as described in the Older Americans Act of 1965 as amended. Mr. Brown moved to approve in an amount not to exceed \$45,000.00, seconded by Mr. Roybal. Upon inquiry, Vicki Nemecek, Public Works Director, provided information on services provided to recipients. Motion carried. Voting "yes" -- all members of the governing body. (#6374)

Agreement between the City of Cheyenne and United States of America for limited hunting within the boundaries of the Central Great Plains Field Station. Mr. Brown moved to approve, seconded by Mr. Luna. It was advised the limited hunting area was located at the agricultural experimental station off Round Top Road. Upon inquiry, Carol Intlekofer, City Clerk, provided information involving limited hunting provisions, noting purpose of the agreement is to assist with controlling the deer population in the area. Motion carried. Voting "yes" -- all members of the governing body. (#6375)

Professional Services Agreement between the Cheyenne Metropolitan Planning Organization and Olsson Associates for the Cheyenne Regional Freight Mobility Plan (MPO Planning funds). Mr. Brown moved to approve, seconded by Mr. Roybal. Upon inquiry, Tom Mason, MPO Director,

provided an explanation of the termination clause contained in the agreement. Motion carried. Voting “yes” -- all members of the governing body with the exception of Ms. Williams voting “no”. (#6376)

[CA] Professional Services Agreement between the City of Cheyenne, Public Works Department, and United Way of Laramie County for Technical Assistance to Human Services Community Programs (2015-2018 1% Sales Tax). Motion (per Consent Agenda) carried (amount not to exceed \$500,000.00 (2 year agreement in the amount of \$250,000.00 annually)). (#6377)

Agreement between the City of Cheyenne and Cheyenne Airport Board for land to be used for the Weed and Pest Division (2015-2018 1% Sales Tax). Mr. Brown moved to approve in an amount not to exceed \$15,000.00 (4 year agreement in the amount of \$3,750.00 annually), seconded by Mr. Valdez. Comments followed on leasing the property vs. locating City-owned property and constructing a building for the Weed and Pest Division and affiliated cost, and community services provided by the Division, which is not a revenue generating Division. Motion carried. Voting “yes” -- all members of the governing body with the exception of Ms. Williams voting “no”. (#6378)

Agreement between the City of Cheyenne and Cheyenne Airport Board for land to be used for the Street and Alley and Compost Divisions (2015-2018 1% Sales Tax). Mr. Brown moved to approve in an amount not to exceed \$131,248.00 (4 year agreement in the amount of \$32,812.00 annually), seconded by Mr. Roybal. In response to inquiry, Mayor Kaysen advised finding a different location for current operations at the leased site would be cost prohibitive based on the size of area needed and distance from businesses/residences, and provided information on the mobile trailer and porta-potties on site for employee accommodations. Upon inquiry, Vicki Nemecek, Public Works Director, provided further information on year ‘round composting operations; use of port-potties for employees as there is no existing sanitary sewer system in the nearby area, and non-ADA accommodation issues as customer service is provided outside at customers’ vehicles. Motion carried. Voting “yes” -- all members of the governing body with the exception of Ms. Williams voting “no”. (#6379)

[CA] Agreement between the City of Cheyenne and Cheyenne Airport Board for land to be used for Parks and Recreation softball and baseball fields (2015-2018 1% Sales Tax). Motion (per Consent Agenda) carried (amount not to exceed \$98,752.00 (4 year agreement in the amount of \$23,438.00 annually)). (#6380)

[CA] Contract between the City of Cheyenne and WINhealth Partners for Employee Risk Sharing Program for the term of July 1, 2015 through June 30, 2016. Motion (per Consent Agenda) carried. (#6381)

[CA] Agreement between the City of Cheyenne and Ashley Hope Carlisle for the purchase of a sculpture exhibiting an enlarged Western Salsify Flower to be placed in the roundabout intersection at the entrance to South High School. Motion (per Consent Agenda) carried (amount not to exceed \$20,000.00). (#6382)

[CA] Lease Agreement between the City of Cheyenne and the Cheyenne Downtown Development

Authority for parking spaces in the downtown parking garage. Motion (per Consent Agenda) carried (revenue to City in an amount not to exceed \$152,920.00 (3 year agreement in the amount of \$52,920.00 annually). (#6383)

[CA] Contract between the City of Cheyenne, Police Department, and Laramie County School District No.1 for School Resource Officers for the 2015-2016 school year -- referred to Finance Committee.

[CA] Professional Services Agreement between the City of Cheyenne and DHM Design for the West Edge Area Wide Planning Grant Project (EPA Brownfield Area Wide Planning Grant) -- referred to Finance Committee.

[CA] Contract Modification No. 5 to Contract No. 6115 between the City of Cheyenne and FCI Constructors of Wyoming, LLC, to modify the time for substantial and final completion of the Cheyenne Public Safety Center Project, and authorizing the use of construction contingency funds for additional construction management services. Motion (per Consent Agenda) carried. (#6115)

[CA] Amendment Number One to Contract No. 6171 between the Wyoming Department of Family Services and the City of Cheyenne, Office of Youth Alternatives, regarding the provision of Diversion Services. Motion (per Consent Agenda) carried (revenue to the City in the amount of \$315,600.00). (#6171)

[CA] Amendment Number One to Contract No. 6238 between the City of Cheyenne, Office of Youth Alternatives, and Wyoming Department of Family Services regarding the provision of Prevention Services. Motion (per Consent Agenda) carried (revenue to the City in the amount of \$265,200.00). (#6238)

[CA] Contract Modification No. 1 to Contract No. 6222 between the City of Cheyenne, Fire and Rescue Department, and Richardson Construction, Inc., Cheyenne, Wyoming, for the Fire and Rescue/Police Department Storage Building Project to add a required fire separation wall (Impact Assistance fund) -- referred to Finance Committee.

[CA] Contract Modification No. 5 to Contract No. 5781 between the City of Cheyenne and Ayres Associates for additional strategic grant writing services to enable securing of additional grant funding for the Cheyenne West Edge (Lower Capital Basin) Project (1% Specific Purpose Sales & Use Tax) -- referred to Finance Committee.

[CA] Consideration of Bid #R-32-15 for furnishing one new hydraulic excavator and one new 30 ton articulated dump truck for the City's Landfill Division (Solid Waste Management). Motion (per Consent Agenda) carried (accepted bid from Wyoming Machinery Company, Cheyenne, WY, in an amount not to exceed \$309,375.00, which includes trade-ins).

[CA] Consideration of Bid #R-35-15 for furnishing one new 30 yard roll-off truck for the Sanitation Division (Solid Waste Management) -- referred to Finance Committee.

[CA] Consideration of Bid #R-31-15 for furnishing two new ten yard tandem dump trucks with spreader and snow plow for the Street & Alley Division (2011 - 2014 1% Sales Tax) -- referred to Finance Committee.

[CA] Consideration of Bid #E-4-16 for one new motorized trash compactor for the Landfill Division (Solid Waste Management) -- referred to Finance Committee.

Appointments of Allison Anderson and Kiersti Willms to the Laramie County Community Juvenile Services Joint Powers Board. Mr. Shanor moved to approve, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body with the exception of Mayor Kaysen who did not vote (Mayoral appointees).

[CA] Request to approve an additional dispensing room for City of Cheyenne Limited Retail Liquor Licensee Fraternal Order of Eagles Aerie #128, located at 1600 Thomes Avenue, Cheyenne, Wyoming. Motion (per Consent Agenda) carried.

Announcement was made of a Public Hearing to be held July 27, 2015 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, for a restaurant liquor license application filed with the City Clerk's Office, for East Coast Pizza - Frontier, LLC d/b/a East Coast Pizza, 1400 Dell Range Boulevard, Space 80, Cheyenne, Wyoming.

Announcement was made of a Public Hearing to be held July 27, 2015 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, for a transfer of ownership for a retail liquor license application filed with the City Clerk's Office for Cheyenne Club, Inc., 1617 Capitol Avenue, Cheyenne, Wyoming (License formerly held by JKLL, Inc. d/b/a Drunken Skunk, 1617 Capitol Avenue, Cheyenne, Wyoming).

Announcement was made of the Re-appointments of Wallace Erickson and Alane M. West to the Cheyenne Downtown Development Authority Board (DDA), to be confirmed July 27, 2015.

Announcement was made of a Public Hearing to be held July 27, 2015 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, Cheyenne, Wyoming, for a microbrewery permit application filed with the City Clerk's Office for Danielmark's Brewing Company, Inc. d/b/a Danielmark's Brewing Company, Inc., 209 E. 18th Street, Cheyenne, Wyoming.

Under other business, Ms. Williams expressed concerns involving the women's rest room facilities at the Converse softball field; drainage issues at West Leisher and Stanfield, and reported on a complaint she had received from a resident involving curb and gutter installation. In response to comments, Todd Feezer, Assistant Director, Parks and Recreation Department, noted he would follow up on the concerns regarding the rest rooms; Nathan Beauheim, Acting City Engineer, advised staff is reviewing the West Leisher/Stamfield site to determine the feasibility of potential improvements, and Mayor Kaysen noted he was aware of the complaint involving curb and gutter installation.

There being no further business to come before the governing body, the meeting was officially adjourned at 6:42 p.m.

Submitted by,

Carol Intlekofer, MMC
City Clerk

This notice is available in alternative, accessible formats upon request.

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