

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, May 16, 2016, in Committee Room 122, starting at 11:00 A.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Jim Brown, Chairman; Mike Luna, Jeff White, and Annette Williams.

CITY STAFF: Vicki Nemecek, Public Works Director; Dan White, City Attorney; Nathan Beauheim, Deputy City Engineer; Lois Huff, City Treasurer; Sara Vasquez, Purchasing; Tom Mason, MPO Director; Rick Parish, Parks & Recreation Director; Kristy Anderson, Deputy City Clerk; Carol Intlekofer, City Clerk; John Ridge, Deputy City Attorney; Ben Rowland, Staff Attorney; Kim Stevens, 1% Construction Manager; Steve McDonald, Director of Special Events and Services; Renae Jording, Transit Director; Tyler Nelson, Information Technology Director; Dustin Swalla, Information Technology; Craig LaVoy, Deputy Public Works Director; Nancy Olson, MPO; Alessandra McCoy, Assistant City Attorney; Tim Wilson, BOPU Director; Randy Hays, Casey Whitman, Dena Egenhoff, Clint Bassett, and Jim Hughes, BOPU; and Chief Brian Kozak, Lt. Mark Munari, Det. Jim Harper, and John Gay, Police Department.

OTHERS PRESENT: Mayor Rick Kaysen; James Chilton, WTE; Doug Randall, KGAB; Tiffany Logan, News Channel 5; Suzy Gudenkauf, Outlaw Liquors; Randy Reed, Dray, Dyekman, Reed and Healy Law Firm; Tom Kingham, Cloud 9; Kevin Georges, DT's Liquor; Alisha David, Walmart South; John Moran, Jr., 4-Winds; Ashley Asmus; Pete Laybourn; Donna Marion; Ron Newnum and Bill Berg, Cheyenne Frontier Days (CFD); Jim Hearne; Darren Rudloff, Visit Cheyenne; Anja Bendel, LEADS; Dave Hatch; and Cody Nelson, Debbie Herron, Kristine Mare, Iris Cruz, Courtney Steege, Anthony Daves, Mariah Sharp, James Raiford, Heather Allen, David Ross, Romona Garner, William Dooley, Cindy Thompson, Maria Maestas, Chantel Aceves, Linda Rachel, Marissa Merrill, Matthew Borden, Ryan Heidelberg, Ed Lif, and Jodi Henson, Sam's Club.

AGENDA ITEMS

7. a) Microbrewery permit application filed with the City Clerk's Office for WRCH Accomplice, LLC d/b/a Accomplice Beer Co., 115 W. 15th Street, Suite 1, Cheyenne, Wyoming.

Mr. Luna moved to approve, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Kristy Anderson, Deputy City Clerk, provided a staff report and advised agenda items #7 (a) and #7 (b) are companions and reported all required documents have been submitted and reviewed by the appropriate agencies and upon inquiry, provided information

relating to dispensing room requirements and use clarification for Microbrewery permits and Restaurant liquor licenses.

b)

Restaurant liquor license application filed with the City Clerk's Office for WRCH Accomplish, LLC d/b/a Accomplish Beer Co., 115 W. 15th Street, Suite 1, Cheyenne, Wyoming.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Kristy Anderson, Deputy City Clerk, provided a staff report and advised agenda items #7 (a) and #7 (b) are companions and reported all required documents have been submitted and reviewed by the appropriate agencies and upon inquiry, provided information relating to dispensing room requirements and use clarification for Microbrewery permits and Restaurant liquor licenses.

c)

Transfer of ownership and transfer of location for a retail liquor license application filed with the City Clerk's Office for Sam's West, Inc. d/b/a Sam's Club, 1948 Dell Range, Boulevard (license currently held by Cloud 9, Inc. d/b/a Cloud 9 Liquorland, 1958 Dell Range Boulevard, Suite C, Cheyenne, Wyoming).

Mr. Luna moved to approve, seconded by Mr. White. Motion failed with Mr. Luna voting "YES" and Mr. White and Mrs. Williams voting "NO".

DISCUSSION: Chairman Brown asked for consideration regarding repetitive comments from the public. Kristy Anderson, Deputy City Clerk, provided a staff report and advised all required documents have been submitted and reviewed by the appropriate agencies. Randy Reed, Dray, Dyekman, Reed and Healey Law Firm, provided information relating to Sam's Club eligibility relating to required criteria of holding a Retail Liquor license. Debbie Herron and Cody Nelson, Sam's Club, provided information relating to Sam's Club community involvement, revenue generation, and responsible liquor sales and employee training. Tom Kingham, Cloud 9, requested approval and spoke in favor of diversity relating to Retail Liquor license ownership, and upon inquiry, provided information relating to past opposition. The following individuals spoke in opposition: Kevin Georges, DT's Liquor, Suzy Gudenkauf, Outlaw Liquors, and Ashley Asmus, providing information relating to expected revenue decline to local businesses, big box pricing and expansion, current status of parked Retail Liquor licenses, and support for local liquor businesses.

10. ORDINANCE – 3rd READING - Amending the City of Cheyenne's Solid Waste Fee Schedule.

Mr. White moved to approve on 3rd and final reading, seconded by Mrs. Williams. Motion failed with Mr. White voting "YES" and Mr. Luna and Mrs. Williams voting "NO".

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised staff continues to support approval, and upon inquiry, provided information relating to the yard waste program and billing procedures and expense.

12. ORDINANCE – 2nd READING - Approving and establishing revised water and sewer rates, tap and system development fees, administrative fees, service charges and penalties, and septic and commercial waste dump rates, as recommended by the Board of Public Utilities. (SPONSOR - JIM BROWN)

Mr. Luna moved to approve on 2nd reading, seconded by Mr. White. Motion carried with Mr. Luna and Mr. White voting “YES” and Mrs. Williams voting “NO”.

DISCUSSION: Randy Hays, BOPU, provided a staff report and advised staff supports approval and provided details relating to the proposed fees and service charges, and upon inquiry, provided information relating to current BOPU loans and payment status.

20. RESOLUTION - Authorizing submission of an application to the Wyoming Department of Transportation for a Wyoming Rural Public Transportation Grant, for the purpose of assisting in providing the local match for operating funds for the City of Cheyenne for its Transit Program, as authorized by 49 U.S.C. § 5311. (SPONSOR - JIM BROWN)

Mr. Luna moved to adopt, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Renae Jording, Transit Director, provided a staff report and advised staff supports approval and upon inquiry, provided information relating to operational funding and bus token program.

21. RESOLUTION – Adopting approving the Title VI Program for the Cheyenne Transit Program, Cheyenne, Wyoming. (SPONSOR - JIM BROWN)

Mr. White moved to adopt, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Nancy Olson, MPO, provided a staff report and advised staff supports approval.

22. RESOLUTION - Re-appropriating the Fiscal Year 2016 budget of the City of Cheyenne according to the provisions of W.S. §16-4-112 and 16-4-113. (SPONSOR - JIM BROWN)

Mr. Luna moved to adopt, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the proposed re-appropriation includes grant funding, transportation planning carryover funds, and miscellaneous agency fund revenues.

26. RESOLUTION - Authorizing submission of an application to the Wyoming Business Council under the Business Ready Community Grant and Loan Program for a Downtown Development Project on behalf of the Governing Body of the City of Cheyenne for assistance in funding the Jack R. Spiker Downtown Parking Structure SkyPath Connector Project.

Mr. Luna moved to adopt, seconded by Mr. White. Motion carried with Mr. Luna and Mr. White voting "YES" and Mrs. Williams voting "NO".

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the proposed grant request would provide for funding for the SkyPath Connector Project that would promote downtown economic growth. Anja Bendel, LEADS, and David Hatch provided information relating to the proposed development of the Hynds Building and advised the proposed access to parking is essential for the Hynds development and revitalization of downtown.

27. LEASES/CONTRACTS/LEGAL:

- g) Memorandum of Understanding between the City of Cheyenne and the Tourism Promotion Joint Powers Board, d/b/a Laramie County Convention and Visitors Bureau and Visit Cheyenne, for the distribution of Lodging Tax Revenues to the City of Cheyenne in the amount of \$74,889.00.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Darren Rudloff, Visit Cheyenne, requested approval and provided information relating to Lodging Tax Revenues, the Way Finding Project, and the Downtown Core Plan.

32. f) Agreement between the City of Cheyenne and Cheyenne Frontier Days, Inc., for buses owned by the Laramie County School District Number One to be used and operated for public transportation services during the 2016 Cheyenne Frontier Days Celebration.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Ron Newnum, Cheyenne Frontier Days (CFD), requested approval and upon inquiry, provided information relating to the agreements necessary to provide for parking, transportation services, bus use and operation, and reimbursement process relating to the annual Cheyenne Frontier Days Celebration involving agenda items #32, (f), (g), (h), and (i). Upon inquiry, Carol Intlekofer, City Clerk, provided information relating to agreement and memorandum of understanding requirements relating to the services provided.

- g) Agreement between the City of Cheyenne and Cheyenne Frontier Days, Inc., for United States Department of the Air Force owned land located at F.E. Warren Air Force Base to

be used and operated as a parking lot for public transportation services during the 2016 Cheyenne Frontiers Days Celebration.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Ron Newnum, Cheyenne Frontier Days (CFD), requested approval and upon inquiry, provided information relating to the agreements necessary to provide for parking, transportation services, bus use and operation, and reimbursement process relating to the annual Cheyenne Frontier Days Celebration involving agenda items #32, (f), (g), (h), and (i).

h)

Memorandum of Understanding between Cheyenne Frontier Days, Inc., the City of Cheyenne and Laramie County School District Number One, for buses owned by the Laramie County School District Number One to be used and operated for public transportation services during the 2016 Cheyenne Frontier Days Celebration.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Ron Newnum, Cheyenne Frontier Days (CFD), requested approval and upon inquiry, provided information relating to the agreements necessary to provide for parking, transportation services, bus use and operation, and reimbursement process relating to the annual Cheyenne Frontier Days Celebration involving agenda items #32, (f), (g), (h), and (i). Upon inquiry, Mr. Newnum confirmed CFD security operations for agenda item #32 (g).

i)

Memorandum of Understanding between the City of Cheyenne and Cheyenne Frontier Days, Inc., for the use of City-Owned land and buildings for parking, camping, and other activities during the 2016 Cheyenne Frontier Days Celebration.

Mr. Luna moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Rick Parish, Parks & Recreation Director, provided a staff report and advised staff supports the annual request.

28. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- c) Contract Modification No. 1 to Contract No. 6053 between the City of Cheyenne, and Pappas & Pappas Architects, P.C., to provide for additional architectural and engineering services for the Cheyenne Public Safety Center (1% Specific Purpose Sales & Use Tax). (Postponed from 05-09-16)

Mrs. Williams moved to approve in the amount of \$101,323.00, seconded by Mr. Luna. Mr. Luna moved to postpone to 06-13-16, seconded by Mr. White. Motion to postpone carried with Mr. Luna and Mr. White voting "YES" and Mrs. Williams voting "NO".

DISCUSSION: Lt. Mark Munari, Police Department, provided a staff report and advised staff requests an additional postponement to 06-13-16 to allow for additional discussion with the agent regarding the proposed modification amount.

- d) Contract Modification No. 1 to Contract No. 6457 between City of Cheyenne, Public Works Department and FCI Constructors of Wyoming, LLC, to establish the Guaranteed Maximum Price (GMP) for the Waste Transfer Station Additions and Renovations Project (Solid Waste Fund, 1% Specific Purpose Sales & Use Tax).

Mr. White moved to approve, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Craig LaVoy, Deputy Public Works Director, provided a staff report and advised staff supports approval.

29. CONSIDERATION OF BIDS:

- c) Consideration of Bid #E-28-16 for furnishing police car equipment for new police vehicles for the Cheyenne Police Department (2011-2014 1% Sales Tax, Miscellaneous Federal Funds).

Mr. Luna moved to accept the bid from Wireless Advanced Communications, Evans, CO, in an amount not to exceed \$167,517.00, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Chief Brian Kozak, Police Department, provided a staff report and advised staff supports approval and upon inquiry, reported the equipment will be installed in 10 new vehicles and that the bid documents were sent to 31 vendors with only one vendor responding, noting the bid required certified equipment installation which may have resulted in a low bid response.

- d) Consideration of Bid #S-17-16, for a Contract between the City of Cheyenne, 1% Construction Division, and Simon Contractors, Cheyenne, Wyoming, for the Current Year 2016 Miscellaneous Concrete Project (2015 - 2018 1% Sales Tax).

Mr. Luna moved to accept the bid from Simons Contractors, Cheyenne, in an amount not to exceed \$609,460.00, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Kim Stevens, 1% Construction Manager, provided a staff report and advised staff supports approval.

- e) Consideration of Bid #E-29-16 for furnishing miscellaneous Cisco computer hardware for the new Public Safety Center from Vology, Inc., Oldsmar, Florida (1% Specific Purpose Sales & Use Tax).

Mrs. Williams moved to accept the bid from Vology, Inc., Oldsmar, FL, in an amount not to exceed \$50,460.00, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Dustin Swalla, Information Technology, provided a staff report and advised staff supports approval.

- f) Consideration of Bid #S-15-16, for a Contract between the City of Cheyenne, Engineering Department, and Mechanical Systems, Inc., Cheyenne, Wyoming, for the Dry Creek Crossing at Campstool Road Project (2011 - 2014 1% Sales Tax).

Mr. Luna moved to reject all bids, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Nathan Beauheim, Deputy City Engineer, provided a staff report and advised staff requests rejection of the 2 bids submitted, noting bids received (\$310,363.00 & \$350,127.00) came in above the engineer's estimate of \$180,000.00.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 12:36 p.m.

Submitted by,

Kris Jones
Executive Assistant
to the City Council