

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, June 20, 2016, in Committee Room 122, starting at 11:00 A.M. Those in attendance were as follows:

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

CITY STAFF: Vicki Nemecek, Public Works Director; Lois Huff, City Treasurer; Sara Vasquez, Purchasing; Tom Mason, MPO Director; Rick Parish, Parks & Recreation Director; John Ridge, Deputy City Attorney; Ben Rowland, Staff Attorney; Steve McDonald, Director of Special Events and Services; Alessandra McCoy, Assistant City Attorney; Frank Strong, BOPU; Cpt. Mitch Maxwell, Police Department; Jason Sanchez, Parks & Recreation Assistant Director/Projects and Cheyenne Public Employees Association (CPEA) President; Denise Freeman, Human Resources Director; Chief Jim Martin, Cheyenne Fire & Rescue Department; Carol Intlekofer, City Clerk; Colleen Price, Cheyenne Public Employees Association (CPEA); Jeff Wiggins, Parks & Recreation; and Sam Berta, Staff Engineer.

OTHERS PRESENT: Mayor Rick Kaysen; Richard Johnson, City Council Ward III; James Chilton, WTE; Darren Rudloff, Visit Cheyenne; Anja Bendel, Cheyenne LEADS; Bob Fecht, Cheyenne Animal Shelter; Lindsey Reynolds, Cheyenne Symphony Orchestra; Pete Laybourn; Kerry Hall, Delta Dental of Wyoming; Gregg Crisp; Patti Riesland, Mayor's Council for People with Disabilities (MCPW/D); Dave Meeker, Ameritech Equipment; Mark Stewart and Amanda Esch, Davis & Cannon, LLP; and James Balzer, Peterbilt of Wyoming

AGENDA ITEMS

Mr. Luna moved to suspend the rules to change the order of the agenda by moving agenda item #38 to follow agenda item #42 (h) and advised it was brought to his attention there are agenda items affiliated with this agenda item that require action under other items for the agenda, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

15. ORDINANCE – 3rd READING - Amending Ordinance No. 4077 defining the terms and conditions of employment for non-uniformed employees of the City of Cheyenne.

Mrs. Williams moved to approve on 3rd and final reading, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the ordinance was amended at the 06-13-16 meeting of the Governing Body to include a 2.5% wage increase for eligible fulltime non-uniformed employees. Jason Sanchez, Cheyenne Public Employees Association (CPEA) President, requested consideration of approval.

16. ORDINANCE – 3rd READING - Amending Ordinance No. 4078 defining the terms and conditions of employment for sworn officers of the City of Cheyenne Police Department.

Mr. Luna moved to approve on 3rd and final reading, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the ordinance was amended at the 06-13-16 meeting of the Governing Body to include wage increases to the pay scale for eligible sworn officers of the Cheyenne Police Department.

32. RESOLUTION - Authorizing the Mayor and City Clerk to enter into a Memorandum of Understanding with the Board of County Commissioners of Laramie County, Wyoming to submit a joint application for a grant award under the Edward Byrne Memorial Justice Assistance Grant Program. (SPONSOR - JIM BROWN)

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

DISCUSSION: Cpt. Mitch Maxwell, Police Department, provided a staff report and advised staff supports approval of the standard grant request which does not require a grant match, and provides funding for overtime costs associated with community policing efforts for the City and the County, noting the City will provide policing services including the Greenway, Downtown, and Parks. Upon inquiry, Cpt. Maxwell explained the City would receive \$29,132.00 and the County would receive \$16,095.00.

33. RESOLUTION - Approving the budget of the Laramie County Community Juvenile Services Joint Powers Board for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017. (SPONSOR - JIM BROWN)

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

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the Laramie County Community Juvenile Services Joint Powers Board is required to submit their budget annually for approval by the Governing Body.

35. RESOLUTION - Certifying that the Governing Body of the City of Cheyenne concurs with the application of the Board of County Commissioners of Laramie County, Wyoming, for an award of Fiscal Year 2013 - 2014 Countywide Consensus Block Grant Funding in the amount of \$41,201.00, and Fiscal Year 2015 - 2016 Countywide Consensus Block Grant Funding in the amount of \$44,093.00 for an RV Campsite Area on the Archer Fairgrounds property. (SPONSOR - JIM BROWN)

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

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised a resolution of support by the Governing Body is a requirement for submittal of applications for Consensus

Block Grant funding requests. Upon inquiry, Ms. Huff advised a typographical error was made in the 2015-2016 amount and should read \$44,093.00.

36. RESOLUTION - Supporting the City of Cheyenne's Application for Transportation Alternatives Program (TAP) Funds for Continuation of the Greenway System, Specifically, the Avenues Connector. (SPONSOR - RICHARD JOHNSON)

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

DISCUSSION: Jeff Wiggins, Parks & Recreation Department, provided a staff report and requested approval, noting a project total of \$312,500.00, grant request of \$250,000.00 and 20% match of \$60,500.00. Upon inquiry, Mr. Wiggins explained it is anticipated that the Airport Board will participate in the project by donating a 25' to 30' property easement and perform earth work.

45. RESOLUTION – Authorizing the use of City reserves to fund the design and construction of a pedestrian crosswalk at the intersection of Pershing Boulevard and Duff Avenue. (SPONSOR – ANNETTE WILLIAMS)

Mr. Luna moved to adopt, seconded by Mrs. Williams. Mrs. Williams moved to amend by striking the 4th and 5th Whereas clauses in their entirety, and by changing the language in the Now Therefore clause to read as follows: NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, that the sum of One Hundred Thousand Dollars (\$100,000.00) be released from the City's Specific Reserves fund to fund the cost of design and construction of the pedestrian improvements recommended in Phase I of the Pershing Boulevard Complete Streets study as noted on pages 35 & 36 of the study, seconded by Mr. Luna. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Mayor Rick Kaysen advised a request was made by Mrs. Williams to draft the resolution. The following individuals provided supportive comments relating to the proposed project: Pete Laybourn, Gregg Crisp, and Patti Riesland, Mayor's Council for People with Disabilities (MCPW/D). Upon inquiry, Mayor Kaysen provided information relating to communication efforts relating to the proposed resolution language prepared by the City Attorney's office. Upon inquiry, Tom Mason, MPO, advised the Pershing Boulevard Complete Streets Study detailed cost estimate for the project is between \$110,000 and \$128,000.85.

40. LEASES/CONTRACTS/LEGAL:

- e) Agreement for services between the City of Cheyenne and the Church of St. Mary, defining the responsibilities for ground maintenance, operations, and Office Administrative services for the Church at Olivet Cemetery.

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

DISCUSSION: Jason Sanchez, Parks & Recreation Assistant Director/Projects, provided a staff report and advised staff supports approval, noting the agreement term is typically renewed every 3 years.

- f) Agreement between the City of Cheyenne and Cheyenne Animal Shelter/Services for animal shelter services.

Mr. Luna moved to approve in an amount of \$26,572.92, seconded by Mrs. Williams. Mr. Luna moved to amend by substitute dated 06-14-16 which changes the amount to \$26,666.67, seconded by Mrs. Williams. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the proposed substitute incorporates funding amount changes due to an approved amendment to the FY 2017 budget ordinance.

- g) Agreement between the City of Cheyenne and Cheyenne Animal Shelter/Services for animal control services.

Mr. Luna moved to approve in an amount of \$15,362.50, seconded by Mrs. Williams. Mr. Luna moved to amend by substitute dated 06-14-16 which changes the amount to \$15,416.67, seconded by Mrs. Williams. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Lois Huff, City Treasurer, provided a staff report and advised the proposed substitute incorporates funding amount changes due to an approved amendment to the FY 2017 budget ordinance.

- h) Agreement between the City of Cheyenne and the Cheyenne Symphony Orchestra for use of the Cheyenne Civic Center for the 2016 - 2017 Concert Season.

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

DISCUSSION: Mayor Rick Kaysen, advised the annual agreement provides the City with revenue in the amount of \$3,500.00 per performance, noting a total of 6 performances per year.

- i) Agreement between the City of Cheyenne and the Cheyenne Symphony Orchestra for use of the Cheyenne Civic Center for Youth Education Concerts.

Mr. Luna moved to approve in an amount of \$6,450.00, seconded by Mrs. Williams. Mr. Luna moved to amend by substitute dated 06-14-16 which changes the amount to \$6,500.00, seconded by Mrs. Williams. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Mayor Rick Kaysen advised the proposed substitute incorporates funding amount changes due to an approved amendment to the FY 2017 budget ordinance.

- j) Agreement between the City of Cheyenne and Davis & Cannon, LLP, to provide civil legal services as the Interim City Attorney.

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

DISCUSSION: John Ridge, Deputy City Attorney, provided a staff report and advised the agreement would provide for an interim City Attorney, reporting the resignation of the current City Attorney will take place in early July. Upon inquiry, Mr. Ridge confirmed the law firm will provide civil legal services as necessary from July 2016 through December 2016, and explained an extension maybe be required in January 2017 until a new City Attorney is appointed by the new Mayor and approved by the Governing Body.

- k) Human Services Agreement between the City of Cheyenne and United Way of Laramie County for revenues derived from the one percent Sales Tax years 2011 thru 2014.

Mrs. Williams moved to approve in an amount not to exceed \$183,500.00, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised staff supports approval, noting 15 local agencies receive the funding.

- l) Agreement between the City of Cheyenne and Delta Dental of Wyoming, for dental benefits plan for city employees.

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

DISCUSSION: Denise Freeman, Human Resources Director, provided a staff report and advised staff supports approval of the annual agreement.

41. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- c) Contract Modification No. 1 to Contract No. 6440 between the City of Cheyenne and Reiman Corporation for the 19th Street Rehabilitation Project - Phase II (2011 - 2014, 2015 - 2018 1% Sales Tax, BOPU).

Mr. Luna moved to approve in an amount not to exceed \$321,565.40, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Sam Berta, Staff Engineer, provided a staff report and advised staff supports approval. Mr. Berta explained the modification provides for additional expenses

incurred related to unexpected delays and additional items requested by BNSF Railway and Union Pacific Railroad in obtaining permits to cross the railroad spur at Reed Ave. and an additional quantity of imported trench backfill.

42. CONSIDERATION OF BIDS:

- d) Consideration of Bid #S-18-16 for a contract between the City of Cheyenne, Engineering Department, and Pole Mountain Electric, Inc., Cheyenne, Wyoming, for the LED Lighting Upgrade Project (2011 - 2014 1% Sales Tax).

Mr. Luna moved to accept the bid from Pole Mountain Electric, Inc., Cheyenne, in an amount not to exceed \$99,007.08, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised staff supports approval and upon inquiry, reported the upgrade will provide for energy savings and is located in the Norris Viaduct area.

- e) Consideration of Bid #E-32-16 for furnishing two (2) new Cab & Chassis with Rear Load Refuse Collection bodies, 25-Cubic Yard with Tippers for the Sanitation Division (Solid Waste Management).

Mr. Luna moved to accept the bid from Peterbilt of Wyoming, Cheyenne, in an amount not to exceed \$390,348.00, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised staff supports approval and upon inquiry, reported the bid includes trade-in value and is a part of the lease purchase program.

- f) Consideration of Bid #S-20-16 for a contract between the City of Cheyenne, Engineering Department, and Kolbe Striping, Inc., Castle Rock, Colorado, for 2016 City of Cheyenne Pavement Markings Project (2015 - 2018 1% Sales Tax).

Mr. Luna moved to accept the bid from Kolbe Striping, Inc, Castle Rock, CO, in an amount not to exceed \$73,828.20, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Steve McDonald, Director of Special Events and Services, provided a staff report and advised staff supports approval, noting the project includes pavement marking improvements to the round-about at Converse Ave. & Pershing Blvd. Upon inquiry, Mr. McDonald provided information relating to the varying bid prices submitted, noting material was reviewed and the quantity was verified.

- g) Consideration of Bid #S-21-16 for a contract between the City of Cheyenne, Park Division, and Signature Underwriters, Lakewood, CO, for the Lake Absaraca and Sloans Lake Boat Docks project (State Park Grant, 2015 - 2018 1% Sales Tax).

Mrs. Williams moved to reject the bid submitted by Signature Underwriters, Lakewood, CO, in the amount of \$295,417.00, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Rick Parish, Parks & Recreation Director, provided a staff report and advised staff supports rejection of the sole bid submitted, reporting it came in substantially above the bid estimate. Upon inquiry, Mr. Parish provided information relating to project cost estimation process.

- h) Consideration of Bid #E-34-16 for furnishing two (2) new Ten -Yard Tandem Dump Trucks with Spreader and Snowplow for the City's Street & Alley Division (2015 - 2018 1% Sales Tax).

Mr. Luna moved to accept the bid from Peterbilt of Wyoming, Cheyenne, in an amount not to exceed \$429,208.00, seconded by Mrs. Williams. Motion carried by unanimous voice vote.

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised staff supports approval, noting the bid includes trade-ins.

- 38. RESOLUTION - Amendment to Resolution No. 5774 adopted on May 23, 2016 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 Connection Project. (SPONSOR - JIM BROWN)

Mr. Luna moved to adopt, seconded by Mrs. Williams. Motion carried with Mr. Luna voting "YES", Mrs. Williams voting "NO", and Chairman Brown voting "YES" to break the tie.

DISCUSSION: Mayor Rick Kaysen reported an additional agenda item will need to be acted upon following consideration of the SkyPath Project affiliated items that inadvertently was left of the agenda relating to an offer to sell real property to the Department of Veterans Affairs which was postponed at the 06-13-16 meeting of the Governing Body. Mayor Kaysen reported the proposed resolution amendment and following 3 agenda items are affiliated with the proposed project and provided information involving the proposed project relating to funding, construction and development management, administration, and access.

OTHER ITEMS FOR THE AGENDA:

Project Development and Administration Agreement for a SkyPath from the Jack R. Spiker Downtown Parking Structure to Capitol Avenue, between the City of Cheyenne, Cheyenne Development Partners LLC, the Greater Cheyenne Chamber of Commerce, and the Greater Cheyenne Foundation.

Mr. Luna moved to approve, seconded by Mrs. Williams. Motion carried with Mr. Luna voting "YES", Mrs. Williams voting "NO", and Chairman Brown voting "YES" to break the tie.

DISCUSSION: Mayor Rick Kaysen advised the proposed agreement provides for clarification regarding project development and administration obligations involving the City of Cheyenne and the development partners. Committee members discussed the merits of the proposed project and economic development potential.

Access Agreement for the SkyPath from the Jack R. Spiker Downtown Parking Structure to Capitol Avenue, between the City of Cheyenne and Cheyenne Development Partners LLC.

Mr. Luna moved to approve, seconded by Mrs. Williams. Motion carried with Mr. Luna voting “YES”, Mrs. Williams voting “NO”, and Chairman Brown voting “YES” to break the tie.

DISCUSSION: Mayor Rick Kaysen advised the proposed agreement provides for clarification regarding access for the SkyPath from the Jack R. Spiker Downtown Parking Structure. Upon inquiry, Mayor Kaysen provided information relating to security, tenant access, and leasing of parking spaces.

Operations and Maintenance Agreement for the SkyPath from the Jack R. Spiker Downtown Parking Structure to Capitol Avenue, between the City of Cheyenne, Cheyenne Development Partners LLC, and the Greater Chamber of Commerce.

Mr. Luna moved to approve, seconded by Mrs. Williams. Motion carried with Mr. Luna voting “YES”, Mrs. Williams voting “NO”, and Chairman Brown voting “YES” to break the tie.

DISCUSSION: Mayor Rick Kaysen advised the proposed agreement addresses operations and maintenance of the proposed SkyPath. Discussion included support for continued downtown development.

40. d)
Offer to Sell real property owned by the City of Cheyenne, being Tract 2, Hildreth Subdivision, a portion of the S½ and S½NW¼ of Section 16, T. 14 N., R. 67 W., of the 6th P.M., Laramie County, Wyoming, consisting of five (5) acres, more or less, and having an appraised value of \$62,500.00, to the United States of America, for and on behalf of the Department of Veterans Affairs, to be used for the establishment of a National Veterans Cemetery.

Mrs. Williams moved to approve, seconded by Mr. Luna. Mrs. Williams moved to postpone to 07-11-16, seconded by Mr. Luna. Motion carried by unanimous voice vote.

DISCUSSION: Rick Parish, Parks & Recreation Director, provided a staff report and advised staff requests a postponement to the 07-11-16 meeting of the Governing Body to provide additional time for the parties involved to finalize documents relating to the proposed purchase.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 12:16 p.m.

Submitted by,

Kris Jones
Executive Assistant
to the City Council