

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

December 28, 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 - Jim Brown, Bryan Cook, Richard Johnson, Mike Luna, Dr. Mark Rinne, Scott Roybal, Dicky Shanor, and Jeff White. Absent: Annette Williams. Also present: Kristy Anderson, Deputy 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.) Mr. Shanor recused himself from participation in voting due to any appearance of influence on a Consent Agenda item involving the State Loan and Investment Board, and vacated Council Chambers. Mr. Luna moved to approve Consent Agenda items, seconded by Dr. Rinne. Motion carried. Voting "yes" -- all members of the governing body present in Council Chambers. Following announcement of the vote, Mr. Shanor returned to Council Chambers.

[CA] Minutes from Regular Meeting of the Governing Body on November 23, 2015. Motion (per Consent Agenda) carried.

Mr. Roybal moved to approve payment of vouchers as presented, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body present.

Mayor Kaysen opened a public hearing to receive comments and input for a transfer of ownership for a resort liquor license application filed with the City Clerk's Office for 204 Fox Holdings, LLC d/b/a Holiday Inn Cheyenne, Cheyenne, Wyoming (License currently held by Hotel West I, LP d/b/a Holiday Inn Cheyenne, Cheyenne, Wyoming). Jennifer Thayer, General Manager and 204 Fox Holdings, LLC representative, noted the two additional dispensing rooms listed on the application are no longer being utilized. Upon inquiry, Ms. Thayer advised only the one dispensing room located within the Fireside Lounge is being used. There being no further comments and purpose of the hearing having been met, Mayor Kaysen closed the public hearing and referred the item to Finance Committee.

ORDINANCE - 3rd READING - Pursuant to Sections 1.1.6 and 2.4.1(b) of the Cheyenne Unified Development Code (UDC), amending Section 5.1.5 for the purpose of increasing maximum total lot coverage allowed in some residential lot types. Reporting for Public Services Committee, Mr. Shanor moved to approve on third and final reading, seconded by Mr. Cook. Motion carried. Voting "yes" -- all members of the governing body present with the exception of Dr. Rinne voting "no". (#4109)

ORDINANCE - 3rd READING - Pursuant to Sections 1.1.6 and 2.4.1(b) of the Cheyenne Unified Development Code (UDC), amending Article 5, Zoning Regulations, Table 5-1, Districts

and Uses, contained in Section 5.1.4, and Section 5.7.3, Accessory Dwelling Units, for the purpose of modifying the existing regulation of accessory dwelling units and to provide an expanded as-of-right path after administrative review. Mr. Shanor moved to approve on third and final reading, seconded by Mr. Cook. Motion carried. Voting “yes” -- all members of the governing body present with the exception of Mayor Kaysen voting “no”. (#4110)

ORDINANCE - 3rd READING - Amending Section 2.64.030, Definitions, and deleting Section 2.64.090, Demolition Permit Review, and re-creating Section 2.64.090, Demolition Permit and Moving Permit Review, of Chapter 2.64, Historic Preservation Board, of Title 2, Administration and Personnel, of the City Code of the City of Cheyenne, Wyoming. Mr. Shanor moved to approve on third and final reading, seconded by Mr. Johnson. Mr. Shanor moved to amend by changing the definition of Demolition to read as follows: “Demolition” means the removal of a building or structure, or a portion thereof, or removing or destroying significant architectural elements of the exterior of a building or structure. Demolition does not include routine maintenance, simple repairs, painting, cleaning or the replacement or repair of existing features using similar or like materials,” seconded by Dr. Rinne. Upon inquiry, it was advised the amendment was to provide a more specific definition with parameters for the meaning of “demolition”. Motion to amend carried. Voting “yes” -- all members of the governing body present. Main motion as amended carried. Voting “yes” -- all members of the governing body present. (#4111)

ORDINANCE - 2nd READING - 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 Unified Development Code, changing the zoning classification from MR-1 Medium-Density Residential-Established to MUB Mixed-Use Business Emphasis for the N½ of Lots 3 and 4; and Lot 2, Block 252, Original City, Cheyenne, Wyoming (located at the southeast corner of the intersection of E. 21st Street and Alexander Avenue). Mr. Shanor moved to approve on second reading, seconded by Mr. Johnson. Motion carried. Voting “yes” -- all members of the governing body present with the exception of Dr. Rinne voting “no”.

ORDINANCE - 2nd READING - Amending Ordinance No. 4081, annexing to the City of Cheyenne, Wyoming, a portion of Tract 1, H and B Tracts, situated in the NW¼ of Section 12, T.13N., R.67W., 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). Mr. Shanor moved to approve on second reading, seconded by Mr. Johnson. Motion carried. Voting “yes” -- all members of the governing body present.

ORDINANCE - 2nd READING - Annexing to the City of Cheyenne, Wyoming, parcels of land of approximately 8.86 acres of land situated in a portion of Dell Range Addition, Second Filing, Tract 31, Laramie County, Wyoming (located at the southeast corner of the intersection of Ridge Road and Summit Drive); and a portion of Summit Drive right-of-way, Laramie County, Wyoming (located between Ridge Road and College Drive. Mr. Shanor moved to approve on second reading with staff condition #1, seconded by Mr. Johnson. Motion carried. Voting “yes” -- all members of the governing body present.

ORDINANCE - 2nd READING - 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 Unified

Development Code, changing the zoning classification from County A-1 Agricultural and Rural Residential to NR-3 Neighborhood Residential - High Density for a portion of Dell Range Addition, Second Filing, Tract 31, Cheyenne, Wyoming, to be known as Summit Park (located at the southeast corner of the intersection of Ridge Road and Summit Drive). Mr. Shanor moved to approve on second reading, seconded by Mr. Johnson. Motion carried. Voting "yes" -- all members of the governing body present.

[CA] RESOLUTION - Designating the Sundays during 2016 that annual liquor licensees may extend dispensing room hours of operation for sales until 2:00 a.m. the following day. Motion (per Consent Agenda) carried. (#5735)

[CA] 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. Motion (per Consent Agenda) carried. (#5736)

[CA] RESOLUTION - Designating local banks as depositories for municipal funds. Motion (per Consent Agenda) carried. (#5737)

[CA] RESOLUTION - Certifying that the Governing Body of the City of Cheyenne supports the application to be submitted by the Board of County Commissioners of Laramie County, Wyoming, to the State Loan and Investment Board for BFY 2015-2016 Countywide Consensus Block Grant Funding in the amount of \$135,000 for the Town of Albin's three projects (Community Center Gym, Rodeo Arena Completion and Town Vehicle Purchase). Motion (per Consent Agenda) carried. (#5738)

[CA] RESOLUTION - Authorizing the Mayor and City Clerk to execute a State Historic Preservation Office Certified Local Government Grant Agreement for attendance at the 2016 Saving Places Conference. Motion (per Consent Agenda) carried. (#5739)

RESOLUTION - Amending the Neighborhood Traffic Management Program (NTMP) - 2015 which was adopted by Resolution No. 5657. Mr. Shanor moved to adopt, seconded by Mr. Roybal. Mr. Shanor moved to postpone to January 11, 2016, seconded by Dr. Rinne. Upon inquiry, it was noted the postponement is to allow NTMP to come up with one proposal to submit combining two current proposals. Motion to postpone carried. Voting "yes" -- all members of the governing body present with the exception of Mr. Roybal voting "no".

[CA] RESOLUTION - Authorizing the Mayor and the City Clerk to sign a Final Plat for Summit Park, a replat of a portion of Tract 31, Dell Range Addition, Second Filing, Cheyenne, Wyoming (located at the southeast corner of the intersection of Ridge Road and Summit Drive) -- referred to Public Services Committee (sponsor -- Mr. Cook).

[CA] RESOLUTION - Adopting the Evers Boulevard Road Rehabilitation 35% Design Plan -- referred to Public Services Committee (sponsor -- Dr. Rinne).

Cooperative Agreement between the City of Cheyenne and the Wyoming Department of Transportation for epoxy striping (2015 - 2018 1% Sales Tax). John Hall, City Engineer, advised this is an opportunity to participate in an annual agreement with WYDOT's striping project, providing better pricing for the City. He reviewed history on bid pricing and the standard WYDOT agreement indirect cost allocation. Reporting for Finance Committee, Mr. Brown moved to approve, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body present. (#6446)

[CA] Professional Services Agreement between the City of Cheyenne, Fire & Rescue Department, and Plan 1 Architects for professional design services for emergency response facilities (2011 - 2015 1% Sales Tax). Motion (per Consent Agenda) carried. (#6447)

[CA] Agreement between the City of Cheyenne, Laramie County and Laramie County Community Juvenile Services Joint Powers Board for Juvenile Compliance and Diversion Officer services. Motion (per Consent Agenda) carried (in an amount not to exceed \$75,625.00; revenue to the City). (#6448)

[CA] Land Exchange Agreement with Cheyenne Baptist Temple for a portion of East 23rd Street in exchange for the dedication of an additional six feet of right-of-way for Pershing Boulevard. Motion (per Consent Agenda) carried. (#6449)

[CA] Grant Award Agreement between the City of Cheyenne and State of Wyoming Office of Homeland Security for a grant in the amount of \$98,000.00 for WyoLink compatible mobile radios for the Police Department (U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate, State Homeland Security Program, Grant Fiscal Year 2015). Motion (per Consent Agenda) carried. (#6450)

[CA] Contract Modification No. 6 to Contract No. 6115 between the City of Cheyenne, Police Department, and FCI Constructors of Wyoming, LLC, to increase the construction contingency and Guaranteed Maximum Price for the Cheyenne Public Safety Center Project. Motion (per Consent Agenda) carried. (#6115)

[CA] Contract Modification No. 2 to Contract No. 6219 between the City of Cheyenne, Parks & Recreation Department, and RECCO, Inc., dba Five-R Company, for the Cheyenne Botanic Gardens Project to increase the Guaranteed Maximum Price. Motion (per Consent Agenda) carried (in an amount not to exceed \$17,458.95). (#6219)

[CA] Consideration of Bid #E-19-16 for furnishing protective jacket and pants for structural fire fighting for the City of Cheyenne, Fire & Rescue Department. Motion (per Consent Agenda) carried (accept the bid from CoPro EFP, Eastlake, CO, in an amount not to exceed \$277,575.00).

[CA] Consideration of Bid #E-17-16 for furnishing one new 2015-2016 compact skid loader for the Street & Alley Division (2015 - 2018 1% Sales Tax). Motion (per Consent Agenda) carried (accept the Bid from Bobcat of the Rockies, Cheyenne, in an amount not to exceed \$79,328.00).

[CA] Consideration of Bid #S-10-16 for a contract between the City of Cheyenne, Forestry Division, and Green Lawn and Tree Care, Inc., Cheyenne, Wyoming, for cemetery tree removals project -- referred to Finance Committee.

[CA] Transfer of ownership for a retail liquor license application filed with the City Clerk's Office for Scooters Scoreboard, LLC d/b/a Scooters Scoreboard Bar, 507 E. Lincolnway, Cheyenne, Wyoming (License currently held by Community Investments, Inc., 507 E. Lincolnway, Cheyenne, Wyoming). Motion (per Consent Agenda) carried.

[CA] Transfer of ownership for a restaurant liquor license application filed with the City Clerk's Office for Anong's Thai Cuisine LLC d/b/a Anong's Thai Cuisine, 620 Central Avenue, Cheyenne, Wyoming (License currently held by Anong and Brett Larson d/b/a Anong's Thai Cuisine, 620 Central Avenue, Cheyenne, Wyoming). Motion (per Consent Agenda) carried.

Appointments of Nicole Novotny Smith to the City Planning Commission, and Susan Garrett to the Housing & Community Development Advisory Council. Mr. Roybal moved to approve, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body present with the exception of Mayor Kaysen who did not vote (Mayoral appointees).

Re-Appointments of Kurt A. Zunker to the Fire Civil Services Commission; Rita Watson to the Personnel Commission; Gene MacDonald to the City Planning Commission; Brent Groesbeck and Joe Patterson to the Contractor Licensing Board. Mr. Shanor moved to approve, seconded by Mr. Johnson. Motion carried. Voting "yes" -- all members of the governing body present with the exception of Mayor Kaysen who did not vote (Mayoral appointees).

Announcement of Appointments of Michael Beeman to the Personnel Commission, and Jamie Davis to the Police Civil Service Commission, to be confirmed January 11, 2016.

Announcement of Re-Appointments of Randy Byers, Robert D. Clary and Michael Peel to Building Code Board of Appeals; Blithe McAndrew, Martha Mullikin and Megin B. Rux to the Historic Preservation Board, to be confirmed January 11, 2016.

Announcement of a Public Hearing to be held January 11, 2016 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, Cheyenne, Wyoming, to determine whether compliance of annexation conditions required by Wyoming Statute §15-1-402 exist for Tract 318, Sunnyside Addition, 7th Filing, Laramie County, Wyoming (located at the northwest corner of the intersection of Polk Avenue and Rock Springs Street).

There being no further business to come before the governing body, the meeting was officially adjourned at 6:26 p.m.

Submitted by,

Kristy B. Anderson, CMC
Deputy City Clerk

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

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