

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

December 12, 2016

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, Jeff White and Annette Williams. Also present: Carol Intlekofer, City Clerk, and Mark Stewart, representing Davis and Cannon, LLP, Interim 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 Mr. Shanor, and pursuant to support received by Mr. Roybal and Mr. Brown, Agenda Item #9 was removed from the Consent Agenda. Mr. Luna moved to approve remaining Consent Agenda items, seconded by Mr. White. Motion carried. Voting "yes" -- all members of the governing body.

[CA] Minutes from Regular Meeting of the Governing Body on November 28, 2016. Motion (per Consent Agenda) carried.

Mr. Brown and Mr. Roybal each declared a conflict of interest (business interest in vouchers payable to Ameri-Tech HVAC Services and Tyrrell Chevrolet respectively) and vacated Council Chambers. Mr. Luna moved to approve payment of vouchers as presented, seconded by Mr. Johnson. Upon inquiry, Mayor Kaysen provided information available on a voucher payable to PeopleReady Inc. (temporary employment services for Solid Waste) and Rick Parish, Director of Parks and Recreation, provided information on a voucher payable to Summit Engineering LLC (engineering services to design the Saddle Ridge Connector project for use by the contractor). Motion carried. Voting "yes" -- all members of the governing body present in Council Chambers. Following announcement of the vote, Mr. Brown and Mr. Roybal returned to Council Chambers.

ORDINANCE - 1ST READING - Amending Exhibit C of Ordinance No. 4139 defining the terms and conditions of employment for sworn officers of the Cheyenne Police Department – referred to Finance Committee. (Sponsors - Mr. Brown and Mr. Shanor)

ORDINANCE - 1ST 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 MUB - Mixed Use Business to CB - Community Business for Lots 1 and 2, Block 4 of Anderson Estates 2nd Filing, City of Cheyenne, Laramie County, Wyoming (located north of and adjacent to Dell Range Boulevard and west of Windmill Road) – referred to Public Services Committee. (Sponsor - Dr. Rinne)

RESOLUTION - To name the building located at 2416 Snyder Avenue, Cheyenne, Wyoming, currently known as the Board Of Public Utilities' Administration/Engineering Building, to the 'Timothy E. Wilson Board Of Public Utilities' Administration/Engineering Building'. Reporting for Public Services Committee, Mr. Shanor moved to adopt, seconded by Ms. Williams. Concern was expressed that the City does not have any criteria or policies in place for naming buildings after individuals. Members of the Governing Body expressed their appreciation to Mr. Wilson for his 38 years of service to the Board of Public Utilities and noted his pending retirement. Motion carried. Voting "yes" -- all members of the governing body with the exception of Dr. Rinne voting "no". (#5814)

[CA] RESOLUTION - Supporting the City of Cheyenne's Application for a Land and Water Conservation Fund Grant for a large picnic shelter in Lions Park. Motion (per Consent Agenda) carried. (#5815)

RESOLUTION - Authorizing the Mayor to sign an amendment to the State Small Business Credit Initiative Allocation Agreement accepting an additional \$59,561.00 in funding to be allocated to the Collateral Support Program, bringing the total allocation to the Credit Guarantee Program to \$12,776,080.17 and the total allocation to the Seed Capital Network Program to \$451,830.83 – referred to Finance Committee. Reporting for Finance Committee, Mr. Brown advised that due to timing involving a funding allocation time line, the item was reviewed under other items for the agenda at the December 5, 2016 Finance Committee meeting, therefore, provisions of Title 2 of City Code had been met. Mr. Brown moved to adopt, seconded by Mr. Luna. Upon inquiry, Mayor Kaysen explained the State of Wyoming previously had the opportunity to receive the allocation funds and had declined the opportunity, and provided brief information on the City's participation in the SSBCI consortium, which also includes other municipalities in the state. Motion carried. Voting "yes" -- all members of the governing body. (#5816)

[CA] RESOLUTION - Designating local banks as depositories for municipal funds – referred to Finance Committee. (Sponsor - Mr. Brown)

[CA] RESOLUTION - Re-appropriating the Fiscal Year 2017 budget of the City of Cheyenne according to the provisions of W.S. §16-4-112 and 16-4-113 – referred to Finance Committee. (Sponsor - Mr. Brown)

[CA] RESOLUTION - Authorizing an offer to sell a City-owned property legally described as Tract 2, Hildreth Subdivision, Laramie County, Wyoming, to the Department of Veterans Affairs, for and on behalf of the United States of America, to be used for the establishment of a Veterans' Cemetery, pursuant to Wyo. Stat. Ann. § 15-1-112(b)(i)(B) – referred to Finance Committee. (Sponsors - Mr. Brown and Mayor Kaysen)

[CA] RESOLUTION - Approving a proposition to impose the 1% Specific Purpose Sales and Use Tax in Laramie County, State of Wyoming, for the exclusive purpose of funding specific purposes for specific amounts; the propositions to be voted on at a special election to be held May 2, 2017 – referred to Finance Committee. (Sponsor - Mr. Brown)

[CA] Professional Services Agreement between the City of Cheyenne, Wyoming, and NewGen Strategies & Solutions, LLC, for the Right-of-Way Cost Study Project. Motion (per Consent Agenda) carried (amount not to exceed \$64,680.00). (#6609)

[CA] Contract between The Nature Conservancy, the City of Cheyenne, Wyoming, and the County of Larimer County, Colorado, for the cooperative management of 1,800 acres of land (known generally as the Laramie Foothills Red Mountain Ranch - Wyoming, also known as the Big Hole) – referred to Finance Committee.

[CA] Contract Modification No. 2 to Contract No. 5932 between the City of Cheyenne, Public Works Department, and Solid Waste Professionals of Wyoming, for Happy Jack Landfill Expansion to extend the contract to December 1, 2020 (Solid Waste Management fund) – referred to Finance Committee.

[CA] Contract Modification No. 1 to Contract No. 6541 between the City of Cheyenne, Leisure Services Division, and Becker Arena Products, Inc., Savage, Minnesota, to increase the arena surface flooring area at the Ice and Event Center and to increase the contract amount an additional \$17,288.37 (Recreation Programs funding) – referred to Finance Committee.

Consideration of Bid #S-6-17 for a contract between the City of Cheyenne, Parks & Recreation Department, and Simon Contractors, Cheyenne, Wyoming, for the Cheyenne Greenway, Saddle Ridge Greenway Connector Project (Grant Funding, Special Purpose Sales & Use Tax). Mr. Brown moved to approve the base bid plus Alternate #1 in a total amount of \$375,579.50, seconded by Mr. Luna. Motion carried. Voting “yes” -- all members of the governing body with the exception of Ms. Williams voting “no”. Mr. Brown advised a motion to approve to include Alternate #2 in the amount of \$100,951.45 with funding coming from the General Fund Reserves was not made at the Finance Committee meeting. Mr. Brown moved to approve to include Alternate #2 in the amount of \$100,951.45 with funding coming from the General Fund Reserves, seconded by Mr. Johnson. Discussion topics included: Potential postponement of the item until the next state CREG report is issued; lack of available 6th penny funding to include Alternate #2; concern with approving base bid with Alternate #1 and possible approval, at a later date, of Alternate #2; project construction starting time frame (spring 2017), and funding available in general fund reserves. Upon inquiry, Mark Stewart, Interim City Attorney, advised there may be some practical and legal concerns regarding delaying action on the bid relative to Alternate #2, noting the governing body had just approved the base bid with Alternate #1. Also upon inquiry, Rick Parish, Director of Parks and Recreation, stated he was unsure how long the contractor would “hold” the bid offer amount, and suggested a contract modification could perhaps be considered in the future. Discussion continued on rationale of having Alternate #2 included while the contractor was onsite to do work under the base bid and Alternate #1; approving Alternate #2 to enable complete connectivity of the greenway in the area; use of reserves for this type of project; 6th Penny projects and funding; seeking alternative funding, and treating this project differently than a similar past funding request from reserves for the Pershing/Duff pedestrian crossing project. Motion to approve Alternate #2 with funding from the general fund reserves carried. Voting “yes” -- Mr. Brown, Mr. Cook, Mr. Johnson, Mr. Luna, Mr. Roybal, Mr. Shanor and Mr. White. Voting “no” -- Dr. Rinne, Ms. Williams and Mayor Kaysen. (#6610)

[CA] Consideration of Bid #S-5-17 for a contract between the City of Cheyenne, 1% Construction Division, and Intermountain Slurry Seal, Inc., North Salt Lake, Utah, for the 2017 Slurry Seal Project (2015 - 2018 1% Sales Tax). Motion (per Consent Agenda) carried (amount not to exceed \$431,270.92). (#6611)

[CA] Transfer of ownership for a retail liquor license application filed with the City Clerk's Office for One East Sixteenth, LLC d/b/a TBD, 1601 Central Avenue, Cheyenne, Wyoming (License currently held by Los Abuelos Mexican Restaurant, d/b/a Los Abuelos Mexican Restaurant, 1601 Central Avenue, Cheyenne, Wyoming). Motion (per Consent Agenda) carried.

Appointments of Noah Bell, Maggie Black, Hannah Brown, Dawson Eldred, Dylan Fertig, Julia Horst, Taylor Hulburt, Hannah Jankovsky, Keiran Loughran, Hannah Lumsden, Shelbi Moore, Tanner Robertson, Sawyer Ruben, Carolyn Rude, and Kenitra Shanks to the 2016 - 2017 Mayor's Youth Council. Mr. Shanor moved to approve, seconded by Mr. Roybal. Motion carried. Voting "yes" -- all members of the governing body with the exception of Mr. Johnson voting "no", and Mayor Kaysen who did not vote (Mayoral appointees).

[CA] Designation of Official Voting Delegate and Alternate Delegate for the City of Cheyenne at the January 12, 2017 Wyoming Association of Municipalities Business Meeting in Cheyenne. Motion (per Consent Agenda) carried (Carol Intlekofer, City Clerk, Official Voting Delegate; Bryan Cook, City Councilman, Alternate Voting Delegate).

[CA] Consideration to purchase Thermo-Scientific Gemini Analyzer from Thermo Scientific Portable Analytical Instruments, Inc., Tewksbury, Massachusetts, for Fire and Rescue Department (Miscellaneous Federal Grants – Homeland Security) – referred to Finance Committee.

[CA] Consideration to purchase Motorola dual-band portable radios, with vehicle chargers, lapel speaker-microphones and battery clamshells from Wireless Advanced Communications, Evans, Colorado, for Fire and Rescue Department (Miscellaneous Federal Grants - Homeland Security) – referred to Finance Committee.

Announcement was made of the Re-Appointments of Jeffie J. Wiggins-McMullen to the Fire Civil Service Commission; George Parks to the Police Civil Service Commission; Pete Illoway to the Cheyenne Regional Airport Board; Jody Shields and Chuck West to the Board of Adjustment; Michael A. Metzler, Jason Stephen and Paul Pomeroy to the Contractor Licensing Board; Greg Palmquist to the City Planning Commission; Carol J. Martin, Patricia Riesland, Howard A. Hill Sr., Betty Jean Pearson, Daryl Hensel and Mary E. Richey to the Mayor's Council for People with Disabilities; Morgan Martin to the Historic Preservation Board; Ray Fertig, Jr. and Nicholas Pickering to the Building Code Board of Appeals; and Ted Gertsch and April Mattie to the Housing and Community Development Advisory Council, to be confirmed December 27, 2016.

Announcement was made of the Appointments of Alice J. Hall and Gunnar Malm to the City Planning Commission; Jeff Deisch to the Building Code Board of Appeals; Kristi Racines and Palmer D. Trujillo to the Historic Preservation Board; Tracy Kamm, Julie Tucker and Dana Wood to the Mayor's Council for People with Disabilities; Edwin G. Avery to the Cheyenne Housing Authority; Patrick W. Green and Lorraine Fresquez to the Personnel Commission; and Dennis Humphrey to the Contractor Licensing Board, to be confirmed December 27, 2016.

Announcement was made of a Public Hearing to be held December 27, 2016 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, Cheyenne, Wyoming, to receive public comment on a proposed sale of real property owned by the City of Cheyenne, being a parcel of land located in Tract 2, Hildreth Subdivision, located generally north of Polo Ranch Road, in Section 16, T14N, R67W 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 Department of Veterans Affairs, for and on behalf of the United States of America, to be used for the establishment of a Veterans' Cemetery.

Announcement was made of a Public Hearing to be held December 27, 2016 at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, Cheyenne, Wyoming, to receive public comment regarding the intent of the City of Cheyenne to submit an application to the Wyoming Business Council's Business Ready Community, Business Committed Grant Program, to assist in funding Project Edible.

Announcement was made that due to the Christmas Holiday and City offices being closed on Monday, December 26, 2016, the regularly scheduled meeting of the Governing Body will instead be held on Tuesday, December 27, 2016 beginning at 6:00 p.m. in City Council Chambers, 2101 O'Neil Avenue, Cheyenne, Wyoming.

Under other business:

Ms. Williams inquired as to repair of a damaged guard rail on W. 19th St. and Deming with Vicki Nemecek, Director of Public Works, providing information on the status of repair and difficulty in finding someone to respond to the bid to do the work, which is complex in nature.

There being no further business to come before the governing body, the meeting was officially adjourned at 6:34 p.m.

Submitted by,

Carol Intlekofer, MMC
City Clerk

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

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