

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

January 9, 2017

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 - Marian J. Orr; COUNCIL MEMBERS - Rocky Case, Bryan Cook, Richard Johnson, Pete Laybourn, Mike Luna, Dr. Mark Rinne, Scott Roybal, Dicky Shanor and Jeff White. Also present: Carol Intlekofer, City Clerk, and Sylvia Hackl, 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. Luna moved to approve the Consent Agenda, seconded by Mr. Johnson. Motion carried. Voting "yes" -- all members of the governing body.

[CA] Minutes from Regular Meeting of the Governing Body on December 27, 2016. Motion (per Consent Agenda) carried.

[CA] Minutes from "Sine Die" Session of the Governing Body on January 3, 2017. Motion (per Consent Agenda) carried.

[CA] Minutes from the First Regular Meeting of the Governing Body on January 3, 2017. Motion (per Consent Agenda) carried.

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

Mayor Orr opened a public hearing to receive comments and input to determine whether compliance of annexation conditions required by Wyoming Statute §15-1-402 exists for Tract 71 and portions of Tracts 70 & 72, Allison Tracts, 2nd Filing and adjacent right of way, being situated in a portion of the SW¹/₄, NW¹/₄, and the NW¹/₄, SW¹/₄ of Section 8, T13N, R66W of the 6th Principal Meridian in Cheyenne, Laramie County, Wyoming (located northeast of the intersection of W. Allison Road and Walterscheid Blvd.). Eric Hammer, Development Department, provided information on the property requested by the landowners to be annexed and reviewed requirements of and compliance with annexation conditions contained in state statutes. Bonnie Reider, adjacent property owner, read a message she had sent to the governing body expressing her concerns with the proposed annexation and affiliated zone change ordinance which would involve annexing only a portion of Walterscheid Blvd. and West Allison Road, which will affect her property; creating county pockets; curb, gutter and sidewalk maintenance, and emergency responders and law enforcement jurisdiction. Ms. Reider requested consideration to either include all of Walterscheid Blvd. or exclude Walterscheid and West Allison Road from the annexation area, and to postpone action on the item to obtain more information on annexation impact. Curt Buchhammer, general

counsel for South Cheyenne Water and Sewer (SCWS) District, expressed his opinion that not all statutory requirements had been met relative to certified mailing notification to landowners within the territory (i.e. the District) and protection of health, safety and welfare of persons residing in the area to be annexed. He questioned what purpose the annexation would serve; noted services already being provided to the property by the District and those involving County and City emergency response and law enforcement services; commented that additional investigation and research is needed, and requested postponement. Ben Marszalek, Vice President, SCWS District, referenced the 1970 agreement between the City and the District and expressed his opinion that there was nothing in the agreement that provided for the City to annex only a portion of the District. Brad Emmons, AVI, agent for the applicant, provided a brief background on purpose of the applicant requesting annexation and replatting of the property, which is to address a legal property trust issue. Mr. Emmons noted they had met recently with the District and the District had recommended that the summary of annexation report (i.e. under Annexation Report Data (iii) contained in the Annexation Report and Staff Report supporting documentation) include wording that extension of services initiated by the property owner would be to the SCWS District, which would clarify that if the property is annexed applicable services would be through the SCWD District and not the City's Board of Public Utilities. Mayor Orr noted for those present that there would be no action taken on the proposed annexation at the conclusion of the public hearing as the purpose of the hearing is to allow the opportunity for public comment. She further noted Agenda Items #13 and #14 are ordinances related to the public hearing and would not be discussed or acted upon at the meeting as they are on first reading and would be referred to Public Services Committee for review and recommendation, including additional opportunity for public comment. Mayor Orr advised the Committee will meet January 18, 2017 at noon in Room #122, Municipal Building. There being no further comments or input and purpose of the hearing having been met, Mayor Orr closed the public hearing.

ORDINANCE - 3rd READING - Amending Exhibit C of Ordinance No. 4139 defining the terms and conditions of employment for sworn officers of the Cheyenne Police Department. Reporting for Finance Committee, Mr. Luna moved to approve on third and final reading, seconded by Mr. White. Comment was made regarding research of state statutes relative to individuals who would like to enter Police Department employment at an upper level vs. entry level position. Motion carried. Voting "yes" -- all members of the governing body. (#4162)

ORDINANCE - 3rd 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). Reporting for Public Services Committee, Mr. Roybal moved to approve on third and final reading, seconded by Mr. Luna. Motion carried. Voting "yes" -- all members of the governing body. (#4163)

ORDINANCE – 1ST READING – Pursuant to Sections 1.1.6 and 2.4.1 (b) of the Cheyenne Unified Development Code (UDC), amending Section 2.1.1 for the purpose of creating a subdivision plat waiver process for limited lot line adjustments of platted properties -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

ORDINANCE – 1ST READING – Annexing to the City of Cheyenne, Wyoming, Tract 71 and portions of Tracts 70 & 72, Allison Tracts, 2nd Filing and adjacent right of way, being situated in portions of the SW¼, NW ¼, and the NW¼, SW¼, of Section 8, T13N, R66W of the 6th Principal Meridian in Cheyenne, Laramie County, Wyoming (located northeast of the intersection of W. Allison Road and Waltersheid Blvd.) -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

ORDINANCE – 1ST READING – Pursuant to Sections 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 – Medium Density Residential to MR-2 – Medium Density Residential – Developing for Tract 71 and portions of Tracts 70 & 72, Allison Tracts, 2nd Filing located in the SW¼, of Section 8, T13N, R66W of the 6th Principal Meridian in Cheyenne, Laramie County, Wyoming (located near the intersection of W. Allison Road and Walterscheid Boulevard) to be known as Rorabaugh Subdivision -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

ORDINANCE – 1ST READING – Pursuant to Sections 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 LR-1 Low Density Residential – Established to NR-1 Neighborhood Residential – Moderate Density for Lot 1, Block 5, Eastridge Third Filing Subdivision, City of Cheyenne, Laramie County, Wyoming (located at 1800 Milton Drive) -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

[CA] RESOLUTION - Authorizing the Mayor and City Clerk to execute a State Historic Preservation Office Certified Local Government Grant Agreement for attendance at the 2017 Saving Places Conference. Motion (per Consent Agenda) carried. (#5825)

RESOLUTION - To name the building complex located at 1328 Talbot Court in the City of Cheyenne as the ‘Ronald J. Jeffrey Youth Complex’. Commenting in support of the resolution were Jay Sullivan and Dr. Dick Berry, Youth Alternatives office; Diane Humphrey, former Laramie County Commissioner; John Sanford, Karen Brooks-Lyons, principal, Henderson Elementary School, Floyd Esquibel and Paulette Gadlin. Mr. Roybal moved to adopt, seconded by Mr. White. Comments in support of the resolution recognizing the community services provided by Mr. Jeffrey were made by City Council members as well as non-support, due to lack of established criteria on honoring individuals with this type of recognition and to voice opposition on behalf of the “unsung youth” who have not been positively affected by services provided by Youth Alternatives. Motion carried. Voting “yes” -- all members of the governing body with the exception of Dr. Rinne and Mr. Johnson voting “no”. (#5826)

[CA] RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for Eastridge Fifth Filing, a replat of Lot 1 Block 5 of ‘Eastridge Third Filing’ located at 1800 Milton Drive, City of Cheyenne, Laramie County, Wyoming (located at the southeast corner of Milton Drive and Durham Road) -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

[CA] RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for South Ridge Addition, a replat of Lot 2, Block 1 and a 20’ wide alley of Estevan’s Subdivision, situate

within a portion of the SW¼ NW¼ Section 34, T.14N., R.66W., 6th P.M., Cheyenne, Laramie County, Wyoming (located south of and adjacent to Randy Road, west of Ridge Road) -- referred to Public Services Committee. (Sponsor - Mr. Roybal)

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

[CA] Use Agreement between the City of Cheyenne and Saddlehorn Pipeline Company, LLC, to install a crude oil pipeline within a portion of the City’s public right-of-way and setting a fee. Motion (per Consent Agenda) carried. (#6613)

[CA] Memorandum of Understanding between the City of Cheyenne and the Pointe Homeowners Association to install and enhance landscaping along a portion of the Greater Cheyenne Greenway -- referred to Finance Committee.

[CA] Contract Modification No. 2 to Contract No. 6307 between the City of Cheyenne and Ayres Associates for additional design services and construction management for the Lake Minnehaha Remediation Phase 2 Project (County Consensus Block Grant). Motion (per Consent Agenda) carried (in the amount of \$20,140.00). (#6307)

Announcement was made that due to the Martin Luther King Holiday on Monday, January 16, 2017, regularly scheduled City Council Committee meetings will instead be held in the Municipal Building, 2101 O’Neil Avenue, Room 122, Cheyenne, Wyoming, as follows: Finance Committee will meet Tuesday, January 17, 2017 at 11:00 a.m. and Public Services Committee will meet Wednesday, January 18, 2017 at Noon.

Under other business, Mr. Johnson congratulated the local Sean Curtis Band for receiving awards at the 2016 Rocky Mountain Country Music Awards; thanked individuals providing snow removal services to those residents who are unable to do so and those who have donated to several other recent community based efforts involving toilet paper for the Comea Shelter, shoes for the homeless and toy drive benefitting youth recipients of Youth Alternatives’ Kinship Program. He advised of current community efforts to provide donations of trash bags to the Comea Shelter and paperback books for Laramie County Sheriff’s Department prisoners.

There being no further business to come before the governing body, the meeting was officially adjourned at 6:53 p.m.

Submitted by,

Carol Intlekofer, MMC
City Clerk

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

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