

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, March 1, 2021 via an Electronic meeting, starting at 12:00 P.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Scott Roybal, Chairman; Dr. Michelle Aldrich, Ken Esquibel, and Richard Johnson.

CITY STAFF: Charles Bloom, Planning & Development Director; Lisa Pafford, Planning & Development Deputy Director; Robin Lockman, City Treasurer; TJ Barttelbort, Purchasing Manager; Teresa Moore, Community Recreation & Events Director; Tom Mason, Metropolitan Planning Organization (MPO) Director; Interim Chief John Kopper and Division Chief Byron Matthews, Cheyenne Fire and Rescue Department; Vicki Nemecek, Public Works Director; Mike O'Donnell, City Attorney; Alessandra McCoy-Fakelman, Deputy City Attorney; Mark Munari, Police Department Facilities & Fleet Manager; Lieutenant Rob Dafoe, and Officer Padilla; Police Department; Jason Kivisto, Irrigation Foreman; Renae Jording, Transit Director; Tom Cobb, City Engineer; Wes Bay, Deputy City Engineer; Brenda Moureaux, Deputy City Treasurer; Tyler Nelson, IT Administrator; Roy Kroeger, City/County Health Environmental Health Director; Mark Christensen, Planning & Development; Jason Sanchez, Community Recreation & Events Deputy Director; Lara White, City Attorney's Office Manager; and Kris Jones, City Clerk.

OTHERS PRESENT: Mayor Patrick Collins; Pete Laybourn, City Councilman Ward I; Patti Reiland, Mayor's Council for People with Disabilities (MCPD), Amber Ash, Downtown Development Authority (DDA) Executive Director; T. Cordier; Margaret Austin, Wyoming Tribune Eagle; Sativa Osiris, Diamond Dog Body Piercing; Steven Martinez, Bad Ass Tattoo; Suzy Gudenkauf, Outlaw Liquors; Greg Wardell; Robert Slaughter, Preserve Historic Wyoming Executive Director; and TJ Haws, Cheyenne Firefighters Local Union #279 President.

AGENDA ITEMS

Prior to reading the first item Mr. Esquibel moved to suspend the rules by changing the order of the day to allow item #21 (b) to be considered prior to item #9, seconded by Dr. Aldrich. Motion carried by unanimous voice vote. Chairman Roybal advised this request was made by staff and the representative of Preserve Historic Wyoming due to a scheduling conflict.

21. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- b) Contract Modification #1 for Renewal and Amendment of Agreement #7033 (Contract #7033) between the City of Cheyenne and Preserve Historic Wyoming, a Wyoming Non-Profit Organization, to remediate hazardous substances to renovate the building located at 1605 Central Avenue, Cheyenne, Wyoming. (EPA Revolving Loan Fund)

Dr. Aldrich moved to approve in an amount not to exceed \$24,632.51, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Mark Christensen, Planning & Development, provided a staff report and advised this amendment is to complete remediation and the EPA will be providing funds for the modification. Mr. Christensen thanked the committee for allowing the item to be considered first on the agenda. Dr. Aldrich advised she has observed the remediation process at this location and noted it is impressive. Robert Slaughter, Preserve Historic Wyoming Executive Director, made himself available for any questions and thanked the committee for the help with the remediation process.

9. ORDINANCE –3rd READING – Amending various sections of Chapter 12.04, Streets, Sidewalks, and Driveways Generally, of Title 12, Streets, Sidewalks and Public Places, of the Code of the City of Cheyenne, Wyoming.

Mr. Johnson moved to approve on 3rd and final reading, seconded by Dr. Aldrich. Mr. Johnson moved to amend Section 12.04.108 (B) by striking “cement and concrete” and replacing \$5,000.00 with \$20,000.00, seconded by Mr. Esquibel. Motion to amend carried by unanimous voice vote. Main motion as amended carried by unanimous voice vote.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised a proposed amendment will be addressed by the City Engineer’s office. Wes Bay, Deputy City Engineer, proposed an amendment to section 12.04.180 (B) to include an increase from \$5,000.00 to \$20,000.00 and that the words “cement and concrete” be removed. Mr. Laybourn, City Councilman Ward I, ordinance sponsor, advised he is supportive of the proposed amendment. Patti Reiland, MCPD and Amber Ash, DDA Executive Director, voiced support for the ordinance and the amendment.

11. ORDINANCE –2nd READING – Amending Chapter 5.68, Body Art Establishments and Operations, of the Code of the City of Cheyenne, Wyoming. (SPONSOR – DR. MICHELLE ALDRICH)

Dr. Aldrich moved to approve on 2nd Reading, seconded by Mr. Esquibel. Motion to approve failed on 2nd reading with Mr. Esquibel and Mr. Johnson voting “NO” and Dr. Aldrich voting “YES”.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised this is a council-initiated ordinance change regulating body art licensing. Ms. McCoy-Fakelman provided an overview of changes including tattooing of minors and ear-piercing regulations. Dr. Aldrich, ordinance sponsor, advised a public forum was held and provided information on the removal of the wording “outer perimeter or lobe ear piercing by a single use stud” and the exclusion of body art work on, around or requiring exposure of the genital and breast areas of a minor child under the age of eighteen (18) years. Sativa Osiris, Diamond Dog Body Piercing, recommended both piercing and tattooing be excluded in the genital and breast areas of a minor child. Steven Martinez, Bad Ass Tattoo, spoke against the removal of the “outer perimeter or lobe piercing” regulation and recommended a new category be drafted to include an “Ear-

Piercing Specialist.” In addition, Mr. Martinez voiced concerns on the language concerning minors and suggested the language should be less broad and include only the areola (nipple) which was supported by Ms. Osiris. Mr. Esquibel voiced concerns on costs to bring up environmental standards in some businesses and noted he has no concerns with the standards related to a single stud piercing. Dr. Aldrich advised additional changes would be considered. Ms. McCoy-Fakelman provided information related to male and female breast language.

12. ORDINANCE –2nd READING – Amending Section 5.12.150, Suspension or Revocation of License; Denial of Permit, of Chapter 5.12, Alcoholic Liquor and Malt Beverages, of Title 5, Business Licenses and Regulations, of the Code of the City of Cheyenne, Wyoming. (SPONSOR – SCOTT ROYBAL)

Mr. Esquibel moved to approve on 2nd Reading, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised several City administrative procedures are under review and this amendment would allow City Council the authority to revoke a liquor license based not only on unpaid state sales taxes, but also violations of Wyoming State Statutes and City Code. Ms. McCoy-Fakelman provided information on the appeals and hearing process as currently stated in City Code. Kris Jones, City Clerk, advised in the future a 3rd party, nonpolitical review may be a recommended through an ordinance change and noted that currently violations of non-compliance may only be acknowledged during the renewal liquor license period.

18. RESOLUTION – Reappropriating the Fiscal Year 2021 Budget of the City of Cheyenne according to the provisions of W.S. 16-4-112 & 16-4-113. (SPONSOR – SCOTT ROYBAL)

Mr. Esquibel moved to adopt, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and highlighted items within the re appropriation and noted funds from Recreation Programs Reserves would be used to supplement donations for a new projector at the Civic Center.

Mr. Johnson following discussion and vote on this item excused himself for the remainder of the meeting due to a previous employment commitment at 12:55 P.M.

19. RESOLUTION – Authorizing submission of a Federal Emergency Management Agency Preparedness Grant under the Staffing for Adequate Fire and Emergency Response (SAFER) Program, on behalf of the Governing Body of the City of Cheyenne, for the purpose of providing additional staffing. (SPONSOR – SCOTT ROYBAL)

Mr. Johnson moved to adopt, seconded by Mr. Esquibel. Motion to adopt failed with Dr. Aldrich and Chairman Roybal voting “NO” and Mr. Esquibel and Mr. Johnson voting “YES”.

DISCUSSION: Interim Chief John Kopper, Cheyenne Fire and Rescue Department, provided a staff report and advised this grant would enhance safety by providing 12 additional firefighters to staff for 3 years with 100% funding. Interim Chief Kopper provided information on the compliance with NFPA 1710 regulations and the impact of the additional staff. Upon inquiry Interim Chief Kopper advised the same grant may not be applied for at the end of the 3 years noting upon expiration of the grant, the City would be responsible to fund those position and advised he is not aware of any CARES Act funding for positions.

20. LEASES/CONTRACTS/LEGAL

- e) Section 5307 COVID-19 Emergency Relief for Operations Grant Agreement between the City of Cheyenne and the Federal Transit Administration to fund Transit operations and purchase PPE related to COVID-19. (5307-Emergency Relief Grant)

Mr. Esquibel moved to approve in an amount not to exceed \$1,156,906.00, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

DISCUSSION: Renae Jording, Transit Director, provided a staff report and advised this grant will fund 100% of payroll in the transit department through December of 2021.

21. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- c) Contract Modification #8 to Contract #6162 between the City of Cheyenne and CenturyLink Communications, LLC, for modification to the City's Metro Ethernet network servicing outlying offices.

Mr. Esquibel moved to approve, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

DISCUSSION: Tyler Nelson, IT Administrator, provided a staff report and advised this modification extends the contract term and includes service modifications and removal of 3 locations resulting in a small savings each month.

22. CONSIDERATION OF BIDS/PURCHASES/REQUESTS FOR PROPOSALS:

- b) Consideration of Bid #S-11-21 for a Contract between the City of Cheyenne and CXT, Inc. an LB Foster Company, Spokane, WA, for the Cheyenne Junior League Pre-Cast Restroom and Concession Building Project. (Community Facility Fees and Recreation Mill Grant)

Dr. Aldrich moved to accept the bid from CMT Inc., an LB Foster Company, Spokane, WA in an amount not to exceed \$385,522.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised grant funding and funds from Community Facility Fees will be used to replace the restrooms and noted they will be compliant with the American's with Disabilities Act.

- c) Consideration of Bid #E-13-21 for furnishing eight (8) new four-door 2021 Model Utility (SUV) Police Interceptors, and one (1) 2021 Utility Cargo Vehicle (Van) for the City of Cheyenne, Cheyenne Police Department. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to accept the bid from Spradley Barr Motors, Cheyenne, WY in an amount not to exceed \$546,979.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Mark Munari, Police Department Facilities & Fleet Manager, provided a staff report and advised this purchase for 8 marked unit police vehicles and one crime investigation van.

- d) Consideration of Bid #E-14-21 for furnishing eight (8) Motorola APX8500 Mobile Radios for the City of Cheyenne, Cheyenne Police Department. (2019-2022 1% Sales Tax)

Mr. Esquibel moved to accept the bid from Bearcom/Motorola, Evans, CO in an amount not to exceed \$49,836.88, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Mark Munari, Police Department Facilities & Fleet Manager, provided a staff report and advised the 8 radios will be installed in the 8 new police vehicles previously discussed.

23. APPLICATIONS/LICENSES/PERMITS:

- a) Request to expand retail liquor license premise dimensions for HEJE, Inc. d/b/a Outlaw Liquors, 4503 Western Way, Suite C.

Dr. Aldrich moved to approve, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the application for expansion has been reviewed by the required agencies and determined eligible. Suzy Gudenkauf, Outlaw Liquors, made herself available for questions.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:08 P.M.

Submitted by,



Jennifer McClelland

Executive Assistant to the City Council