

## **FINANCE COMMITTEE MINUTES**

A meeting of the Finance Committee was held on Monday, May 17, 2021 in Committee Room 104 and via electronic meeting, starting at 12:00 P.M. Those in attendance were as follows:

**COMMITTEE MEMBERS:** Scott Roybal, Chairman; Dr. Michelle Aldrich, Richard Johnson, Jeff White, and Pete Laybourn.

**CITY STAFF:** Charles Bloom, Planning & Development Director; Robin Lockman, City Treasurer; TJ Barttelbort, Purchasing Manager; Jason Sanchez, Community Recreation & Events Deputy Director; Teresa Moore, Community Recreation & Events Director; Michael O'Donnell, City Attorney; Alessandra McCoy-Fakelman, Deputy City Attorney; Lara White, City Attorney's Office Manager; Division Chief Byron Mathews, Cheyenne Fire and Rescue Department; Tom Cobb, City Engineer; Brad Brooks Board of Public Utilities (BOPU) Director; Ashley Miller, BOPU Administration Manager; Jason Sanchez, Community Recreation & Events Deputy Director; Vicki Nemecek, Public Works Director; Seth Lloyd, Cheyenne Public Employees Association (CPEA); Darrin Hass, Human Resources Director; Brenda Moureaux, Deputy City Treasurer; and Kris Jones, City Clerk.

**OTHERS PRESENT:** Ken Esquibel, City Councilman Ward III; Mayor Patrick Collins; Patti Riesland, Mayor's Council for People with Disabilities; Suzy Gudenkauf, Outlaw Liquors; Tom Hirsig, Cheyenne Frontier Days (CFD); Stacy McDonald, Visionary Communications; Joe Dougherty; Diane Magley, Noble Benefits; Jeron Boemer; Haylee Chenchar and Amber Ash, Downtown Development Authority (DDA); and Margaret Austin, Wyoming Tribune Eagle.

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### **AGENDA ITEMS.**

**6. APPLICATIONS/LICENSES/PERMITS:**

- d) Application for a bar and grill liquor license filed with the City Clerk's Office for HRARG DH Cheyenne, WY, LLC, d/b/a Dog Haus, 3838 Atkin St., Cheyenne Wyoming.

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

**DISCUSSION:** Kris Jones, City Clerk, provided a staff report and advised the application has been reviewed by the City Clerk, Police Department and Wyoming Liquor Division staff and the requirements pursuant to state statute and city code have been met.

- e) Application for a restaurant liquor license filed with the City Clerk's Office for Tres Amigos Incorporated d/b/a Tres Amigos Family Mexican Restaurant, 2414 W. Lincolnway, Cheyenne, Wyoming.

Mr. Laybourn moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Kris Jones, City Clerk, provided a staff report and advised the application has been reviewed by the City Clerk, Police Department and Wyoming Liquor Division staff and the requirements pursuant to state statute and city code have been met.

11. ORDINANCE –3<sup>rd</sup> READING – Amending the City of Cheyenne’s Solid Waste Fee Schedule.

Mr. Laybourn moved to approve on 3<sup>rd</sup> and final reading, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Vicki Nemecek, Public Works Director, provided a staff report and advised that no additional information has been provided since approval on second reading at the May 10, 2021 meeting of the governing body and staff continues to support approval. Joe Dougherty, voiced concerns with pick up locations. Upon inquiry, Ms. Nemecek, supported the need for consistency regarding pick up locations and advised due to varying political views, this has been difficult to achieve.

13. ORDINANCE –3<sup>rd</sup> READING – Creating Chapter 8.29, Hood System Cleaning Companies, of Title 8, Health and Safety, of the Code of the City of Cheyenne, Wyoming.

Dr. Aldrich moved to approve on 3<sup>rd</sup> and final reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

**DISCUSSION:** Division Chief Byron Mathews, Cheyenne Fire and Rescue Department, provided a staff report and advised that no additional information has been provided since approval on second reading at the May 10, 2021 meeting of the governing body.

14. ORDINANCE –2<sup>nd</sup> READING – Amending Section 5.12.030, Licenses and Permits-Types, 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 – MR. ROYBAL)

Mr. Laybourn moved to approve on 2<sup>nd</sup> reading, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

**DISCUSSION:** Kris Jones, City Clerk, provided a staff report and advised this ordinance is to comply with recent state statute revisions to clarify state law relating to microbrewery and winery licenses and reported changes become effective July 1, 2021.

15. ORDINANCE –2<sup>nd</sup> READING – Amending various sections 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 – MR. ROYBAL)

Dr. Aldrich moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Johnson. Motion carried with Dr. Aldrich and Mr. Johnson voting “YES”, Mr. Laybourn voting “NO”.

**DISCUSSION:** Kris Jones, City Clerk, provided a staff report and advised the changes are a result of legislative changes to delivery of alcoholic and malt beverages, noting statute has always allowed for delivery services. Ms. Jones explained although the City has historically restricted delivery services, the governing body approved the ability to deliver during the COVID-19 pandemic under a sunset clause which has expired. Ms. Jones reported the proposed amendment would allow for delivery services permanently as long as regulation are met relating to city code and state requirements. Upon inquiry, Ms. Jones provided information relating to Black Tooth Brewer’s sidewalk patio. special malt beverage permits which allows licenses and permits to deliver alcohol. Suzy Gudenkauf, Outlaw Liquors, voiced support of the ordinance. Comments were voiced regarding concerns with easing of alcohol restrictions.

16. ORDINANCE –2<sup>nd</sup> READING – Amending various sections 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 – MR. ROYBAL)

Mr. Johnson moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Laybourn. Motion carried with Dr. Aldrich and Mr. Johnson voting “YES”, Mr. Laybourn voting “NO”.

**DISCUSSION:** Kris Jones, City Clerk, provided a staff report and advised the changes are a result of legislative changes to restaurant liquor licenses which has relaxed restrictions and allows for flexibility in issuing licenses. Ms. Jones explained the requirement to have a single dispensing room has been removed and instead state statute allows for multiple dispensing areas as approved by the licensing authority. Ms. Jones noted convenience stores have been listed as their primary purpose is for off premise consumption of food, therefore, they do not meet the definition of a “restaurant” in state statute.

19. ORDINANCE –2<sup>nd</sup> READING – Granting a non-exclusive franchise to Visionary Communications, Inc., within the rights-of-way of the City of Cheyenne, Wyoming. (SPONSOR – MR. WHITE)

Mr. Laybourn moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Michael O’Donnell, City Attorney, provided a staff report and advised this grant is to allow for cable and other services to be installed by Visionary Communications. Upon inquiry, Mr. O’Donnell advised there is no limitations on the number of franchise agreements and this agreement is on-going with no end date and does include compensation. Stacey McDonald, Visionary Communications, thanked staff for their assistance in bringing the franchise agreement forward.

27. ORDINANCE –2<sup>nd</sup> READING – Approving and establishing revised water and sewer rates, tap and system development fees, administrative fees, service charges and penalties,

and septic and commercial waste dump rates, as recommended by the Board of Public Utilities. (SPONSOR – MR. LAYBOURN)

Mr. Laybourn moved to approve on 2<sup>nd</sup> reading, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

**DISCUSSION:** Ashley Miller, BOPU Administration Manager, advised this ordinance is to increase all fees across the board by 5%. Committee members voiced support and expressed appreciation for BOPU's efforts.

34. RESOLUTION – Rescinding Resolution No. 6023 which establishes that all revenue from City Contract No. 5902 be split evenly between the City of Cheyenne Solid Waste Enterprise Fund, the Board of Public Utilities, and the newly established Belvoir Ranch Recreation Special Revenue Fund. (SPONSOR – MR. SEGRAVE)

Mr. Laybourn moved to adopt, seconded by Dr. Aldrich. Mr. Laybourn moved to amend by substitute dated May 17, 2021, seconded by Dr. Aldrich. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried with Dr. Aldrich and Mr. Laybourn voting "YES", Mr. Johnson voting "NO".

**DISCUSSION:** Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised the resolution establishes the split of funds. Dr. Aldrich, City Councilwomen Ward III, for the record, voiced support.

35. RESOLUTION – Authorizing the Downtown Development Authority (DDA) to generate revenue for general operating funds. (SPONSORS – MR. JOHNSON, MR. ROYBAL AND MR. WHITE)

Mr. Laybourn moved to adopt, seconded by Dr. Aldrich. Dr. Aldrich moved to postpone until June 14, 2021, seconded by Mr. Laybourn. Motion to postpone carried with Dr. Aldrich and Mr. Laybourn voting "YES", Mr. Johnson voting "NO".

**DISCUSSION:** Amber Ash, Downtown Development Authority Director, advised this resolution will allow the Downtown Development Authority (DDA) to generate general sources of funding needed for revenue diversification and will provide the ability of the DDA to be more self-efficient and not rely on City funding. Committee members voiced concerns with the vagueness of the resolution and requested a postponement to allow for more time to review.

36. LEASES/CONTRACTS/LLEGAL:

- b) Memorandum of Understanding between the City of Cheyenne and Cheyenne Frontier Days, Inc., for the use of city-owned land and buildings for parking, camping, and other activities during the 2021 Cheyenne Frontier Days Celebration.

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

**DISCUSSION:** Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised this allows for parking, camping and other activities during the 2021 Cheyenne Frontier Days Celebration. Tom Hirsig, Cheyenne Frontier Days (CFD), advised any fire work show increases is absorbed by CFD but all other increases and revenue is split.

- c) Lease Agreement between the City of Cheyenne and the Cheyenne Artist Guild, Inc., for the Van Tassell Carriage House located at 1701 Morrie Avenue, Cheyenne, Wyoming.

Mr. Johnson prior to the vote on agenda item 36(a) excused himself for the remainder of the meeting due to a previous employment commitment at left 12:54 p.m. Mr. White, City Council President, replaced Mr. Johnson for the remainder of the meeting as a voting member of the committee.

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

**DISCUSSION:** Teresa Moore, Community Recreation & Events Director, provided a staff report and advised the Artist Guild has been leasing this building since 1967 and will continue to do so and explained the lease has been increased to \$2,400.00 annually. Upon inquiry, Ms. Moore advised the Artist Guild has the ability to apply for grant funding and noted they are actively fundraising.

#### CONSIDERATION OF BIDS/PURCHASES/REQUESTS FOR PROPOSALS:

- i) Consideration to purchase between the City of Cheyenne, and Wyoming Machinery Company, Cheyenne, Wyoming, to replace the undercarriage, track shoes, and related components on a Caterpillar D5K Dozer (City Block #5901) (Fleet Maintenance Fund)

Mr. Laybourn moved to approve in an amount not to exceed \$45,398.64, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

**DISCUSSION:** Vicki Nemecek, Public Works Director, provided a staff report and advised Wyoming Machinery is the only company authorized to work on Caterpillar noting, the costs are worst case scenario.

#### 39. OTHER BUSINESS:

##### LEASES/CONTRACTS/LEGAL:

- a) Payment Agreement between the City of Cheyenne and Blue Cross Blue Shield to provide a rebate payment to the City of Cheyenne in the amount \$275,000.00 for group health insurance benefits for City employees.

Mr. Laybourn moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

**DISCUSSION:** Darrin Hass, Human Resources Director, provided a staff report and advised there were no premium rate increases for FY 2022 and Blue Cross Blue Shield is also providing a rebate in the amount of \$275,000.00. Upon inquiry, Mr. Hass advised the City is still looking into going self-insured noting, it is anticipated it will take an additional year. Mr. Hass advised 10% of the rebate will be applied to employee premiums and the remaining amount will be applied to the self-insurance fund.

**CHANGE ORDERS/CONTRACT MODIFICATIONS:**

- b) Renewal of Contract #6836 between the City of Cheyenne and Blue Cross Blue Shield for group health insurance benefits for City employees.

Mr. Laybourn moved to approve, seconded by Mr. White. Motion carried by unanimous voice vote.

**DISCUSSION:** Darrin Hass, Human Resources Director, provided a staff report and advised there were no rate increases. Diane Magley, Noble Benefits, provided a detailed explanation of the negotiation process and explained the decrease in medical claims are due to the COVID-19 pandemic which resulted in no rate increases due to the lack of utilization of coverage.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:11 p.m.

Submitted by,



Mary Salas

Administrative Assistant to the City Council