

PUBLIC SERVICES COMMITTEE MINUTES

A meeting of the Public Services Committee was held on Tuesday, May 19, 2021, in Committee Room 104 and via an electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Dr. Mark Rinne, Chairman; Bryan Cook, Pete Laybourn and Tom Segrave.

CITY STAFF: Michael O'Donnell, City Attorney; Alessandra McCoy-Fakelman, Deputy City Attorney; Charles Bloom, Planning & Development Director; Tom Cobb, City Engineer; Mark Christensen, Planning & Development Department; Seth Lloyd, Planning & Development Department and Cheyenne Public Employee Association (CPEA) Board Member; Jason Kivisto, Irrigation Foreman and CPEA Secretary; Mark Ellison, Urban Forestry Manager; Lanna Donn, Botanic Garden's Office Manager and CPEA Vice President; Dennis Rafferty, Public Works Administrative Assistant and Employee Representative for the Personnel Commission; Teresa Moore, Community Recreation & Events Director; interim Chief John Kopper and Division Chief Byron Matthews, Fire & Rescue Department; Jason Sanchez, Community Recreation & Events Deputy Director; Kris Jones, City Clerk; Tom Mason, Metropolitan Planning Organization (MPO) Director; Moniet Flores, Public Works Operations Manager and Supervisor Representative for the Personnel Commission; and Lara White, City Attorney's Office Manager.

OTHERS PRESENT: Mayor Patrick Collins; Brad Emmons, AVI Engineering; Patti Riesland, Mayor's Council for People with Disabilities; John Sayers, WJE, LLC; Margaret Austin, Wyoming Tribune Eagle; and D. Stephan Melchior.

AGENDA ITEMS

12. **ORDINANCE –3rd READING** – Amending the Unified Development Code (UDC) to increase the total lot coverage of the MD1, MD2, P-CV1, P-CV2, and P-CV3 lot types to 80%.

Mr. Cook joined the meeting at 12:03 p.m. during discussion of this item, following the motion and prior to a vote being taken.

Mr. Segrave moved to approve on 3rd and final reading, seconded by Mr. Laybourn. Motion failed with Mr. Cook and Mr. Segrave voting "YES" and Mr. Laybourn and Dr. Rinne voting "NO".

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised the text amendment will increase the maximum total lot coverage to 80% in the stated lot types and advised no additional information has been provided since approval on second reading at the May 10, 2021 meeting of the governing body. Mr. Segrave spoke in support of the

ordinance change noting the conservation of water and the creation of affordable housing. Mr. Laybourn noted his opposition is not specific to this ordinance and recommended a review of the landscape ordinance including enforcement of those ordinances beyond the initial development. Mr. Cook spoke in support of the ordinance and also supported a comprehensive review of the landscape ordinances.

17. ORDINANCE –2nd READING – Repealing Chapter 2.52, Personnel Commission, and creating a new Chapter 2.52, Personnel System, of Title 2, Administration and Personnel, of the Code of the City of Cheyenne, Wyoming. (SPONSORS – MR. JOHNSON, DR. RINNE AND MR. SEGRAVE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Michael O'Donnell, City Attorney, provided a staff report and advised the ordinance is related to item #18 and repeals language that creates the "Personal Commission". Mr. O'Donnell provided a history of the State of Wyoming's administrative hearing process and advised this proposed change is modeled after the State's system. Mr. O'Donnell reviewed various hearing types covered under this change. Mr. O'Donnell advised the new process allows the employee to provide their own representation and provided information on employing a hearing officer. Mayor Patrick Collins spoke in support of using professional legal counsel during personnel, business licensing and appeal hearings. Seth Llyod, CPEA Board Member, advised members of the CPEA Board and the Personnel Commission were not notified of the change and request additional information on the proposed process. Mr. Lloyd advised in general, City employees feel the current process is fair and adequate and noted CPEA supported changes in the business licensing and appeal process. Upon inquiry, Mr. Lloyd provided information related to CPEA consulting with an attorney and/or a hearing officer. Mr. Laybourn offered to meet with the CPEA to discuss the process further. Moniet Flores, Supervisor Representative for the Personnel Commission, requested further review of the Personnel Commission and provided an overview of the commission's duties and responsibilities. Upon inquiry, Ms. Flores, advised no formal training has been provided to the commission and noted the commission is a collaboration of experience. Upon inquiry, Alessandra McCoy-Fakelman, Deputy City Attorney, confirmed all personnel matters are confidential unless the employee agrees the details may be made public. Mr. O'Donnell, provided an overview of the members of the Personal Commission and upon inquiry, advised the 45-day review period would remain in effect. Members of the committee spoke in support of the change to continue along in the process of approval but requested additional information prior to the next reading including meeting with CPEA.

18. ORDINANCE –2nd READING – Repealing Chapter 2.92, Personnel System, and creating a new Chapter 2.92, Administrative Procedure, of Title 2, Administration and Personnel, of the Code of the City of Cheyenne, Wyoming. (SPONSORS – MR. JOHNSON, DR. RINNE AND MR. SEGRAVE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Mike O'Donnell, City Attorney, provided a staff report and advised this new chapter will incorporate the new administrative hearing procedure including the appointment of a hearing officer. Seth Llyod, CPEA, advised multiple hearing processes are incorporated in this change and the CPEA does not oppose the processes for hearings related to business licensing and appeals.

20. ORDINANCE –2nd READING – Amending the Unified Development Code (UDC) to align the UDC fee schedule with the fee adoption practices of the City. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Charles Bloom, Planning & Development Director, provided a staff report and advised the purpose of the text amendment is to allow the fee schedule to be adopted by Resolution making it consistent with current practices.

21. ORDINANCE –2nd READING – Annexing to the City of Cheyenne, Wyoming, land located north of Pershing Boulevard, west of Christensen Road. (SPONSOR – DR. RINNE)

Mr. Cook moved to approve on 2nd reading, seconded by Mr. Segrave. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the annexation is for 4.3 acres to be used for future single-unit residential development. Upon inquiry, John Sayers, WJE, LLC, provided an overview of the types of homes to be developed in the area and advised the alley width will allow parking on one side and two-way traffic.

22. ORDINANCE – 2nd READING – Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County A-1 Agricultural and Rural Residential to MR Medium-Density Residential for land located north of Pershing Boulevard, west of Christensen Road. (SPONSOR – DR. RINNE)

Mr. Cook moved to approve on 2nd reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the zone change is in conjunction with the annexation in item #21 and the proposed zoning is consistent with the future development patterns.

23. ORDINANCE –2nd READING – Annexing to the City of Cheyenne, Wyoming, land located east of and including South Greeley Highway (US 85), north of Chalk Bluff Road. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the annexation is for 481 acres of land for future industrial development and includes South Greeley Highway right-of-way. Mr. Llyod advised a maintenance agreement is under consideration with the Wyoming Department of Transportation (WYDOT) for the right-of-way and if an agreement is not reached, it may be necessary to exclude the right-of-way. Brad Emmons, AVI Engineering, advised this continuation of Bison Business Park is for infrastructure for Black Hills Energy. Tom Cobb, City Engineer, provided information on the maintenance agreement with WYDOT including the continuation of maintenance by the State. Upon inquiry, Mr. Cobb advised public safety services are included in the agreement.

24. ORDINANCE – 2nd READING – Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County A-2 Agricultural to AG Agricultural, LI Light Industrial, and HI Heavy Industrial for land located east of South Greeley Highway (US 85), north of Chalk Bluff Road. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the zone change is in conjunction with the annexation in item #23 and the proposed zoning is anticipated to be developed in the future with industrial style uses and staff recommends approval.

25. ORDINANCE – 2nd READING – Annexing to the City of Cheyenne, Wyoming, land located southwest of the intersection of Braehill Road, Parkhill Road, and Panorama Drive. (SPONSOR – DR. RINNE)

Mr. Laybourn moved to approve on 2nd reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the annexation is for 1.4 acres of land for a future single-unit residential development and staff recommends approval. Brad Emmons, AVI Engineering, advised twin homes will be developed on the land.

26. ORDINANCE – 2nd READING – Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County AR Agricultural Residential to MR Medium-Density Residential for land located southwest of the intersection of Braehill Road, Parkhill Road, and Panorama Drive. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the zone change is consistent with the future development patterns and staff recommends approval.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 1:14 p.m.

Submitted by,



Jennifer McClelland

Executive Assistant to the Cheyenne City Council