

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

October 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, Scott Roybal, Dr. Mark Rinne, 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.) Upon request by Mr. Case, and pursuant to support received by Mr. Johnson and Mr. Shanor, Agenda Item #17 was removed from the Consent Agenda. Mr. Roybal moved to approve remaining Consent Agenda items, seconded by Mr. Luna. Motion carried. Voting “yes” – all members of the governing body.

[CA] Minutes from Regular Meeting of the Governing Body on September 25, 2017. Motion (per Consent Agenda) carried.

Mr. Luna moved to approve payment of vouchers as presented, seconded by Mr. Case. Inquiry was made regarding vouchers payable to: Affordable Lawn Care and Maintenance, LLC (mowing/weeding nuisance abatements); The Elemental Dog, LLC (K9 dog training services); HDR, Inc. (Prairie Ave./Frontier Mall intersection improvements (roundabout)), and Novo Benefits, LLC (health insurance consultation services). Providing information available on the vouchers of interest were: Chief Brian Kozak, Police Department; Jim Voeller, City Engineer; Ron Downey, City Treasurer; Jason Sanchez, Deputy Director, Community Recreation and Events Department, and Mayor Orr. Motion carried. Voting “yes” – all members of the governing body. Under other business, Mr. Sanchez clarified the services provided by The Elemental Dog related to dog training for the Police Department.

Mayor Orr opened a Public Hearing to determine whether compliance of annexation conditions required by Wyoming Statute §15-1-402 exists for a portion of Section 9, all of the W½ Section 14, all of Section 15, a portion of Section 16, and all of Section 21; Township 13 North, Range 66 West of the 6th P.M., Laramie County, Wyoming (located to the southeast of the intersection of E. College Drive and Avenue C). Eric Hammer, Planning and Development office, provided information on the property requested by the landowner to be annexed, and reviewed requirements of and compliance with annexation conditions contained in state statutes. Upon inquiry, Mr. Hammer confirmed the property owners decided to request annexation of all of the area that will be developed at this time. There being no further comments or input and purpose of the public hearing having been met, Mayor Orr closed the hearing.

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 A-1 – Agriculture and Rural Residential (County) to AR Agricultural Residential for all of Blocks 146, 147, 148 and 149, Inclusive, Interior Heights, Second Filing, City of Cheyenne, Laramie County, Wyoming; along with all of those adjacent rights-of-way contained within the plat boundary (including all of those intervening 15' alleys and all of those intervening portions of Kelley Avenue, Gadds Avenue and Holmes Avenue); and the remaining one-half (1/2) of those adjacent rights-of-way as shown (including E.40' York Avenue, N.30' 12th Street, W.40' Talbot Avenue and S.30' 11th Street), City of Cheyenne, Laramie County, Wyoming (located to the northwest of the intersection of W. College Drive and Grand Harmony Boulevard). Reporting for Public Services Committee, Mr. Roybal moved to approve on third and final reading, seconded by Mr. Cook. Mr. Roybal moved to amend by revised zone change map, seconded by Dr. Rinne. Motion to amend carried. Voting “yes” – all members of the governing body. Main motion as amended carried. Voting “yes” – all members of the governing body. (#4204)

ORDINANCE – 3rd READING – Repealing Chapter 5.32, Bingo and Pull Tabs, in its entirety; amending Chapter 5.04, Business Licenses Generally, Section 5.04.030, Types of businesses, activities and events, and Chapter 5.08, Business License Fees, Section 5.08.050, Bingo and pull tabs, of Title 5, Business Licenses and Regulations; amending Chapter 9.08, Offenses Against Public Peace and Decency, Section 9.08.030, Gambling-Permitted if authorized by state law-Limitation, and repealing Chapter 9.08, Offenses Against Public Peace and Decency, Section 9.08.040, Violations by owner or occupant of premises where gambling conducted, of Title 9, Public Peace and Welfare, of the code of the City of Cheyenne, Wyoming. Mr. Roybal moved to approve on third and final reading, seconded by Mr. Johnson. Motion carried. Voting “yes” – all members of the governing body. (#4205)

ORDINANCE – 3rd 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. Reporting for Finance Committee, Mr. Luna moved to approve on third and final reading, seconded by Mr. Johnson. Mr. Luna moved to amend by substitute dated October 2, 2017, seconded by Mr. Cook. It was advised the amendment provides flexibility by allowing staff to add additional areas that can be allowed for consumption permits without requiring future ordinance changes. Motion to amend carried. Voting “yes” – all members of the governing body. Main motion as amended carried. Voting “yes” – all members of the governing body with the exception of Mr. Johnson voting “no”. (#4206)

ORDINANCE – 1st READING – Annexing to the City of Cheyenne, Wyoming, a portion of Section 9, all of the W½ Section 14, all of Section 15, a portion of Section 16, and all of Section 21; Township 13 North, Range 66 West of the 6th P.M., Laramie County, Wyoming (located to the southeast of the intersection of E. College Drive and Avenue – referred to Public Services Committee. (Sponsor – Mr. Roybal)

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 MR Medium-Density Residential to

CB Community Business for Lot 4, Block 2, Moore-Haven Heights Addition, 3rd Filing, Cheyenne, Wyoming (located south of 8th Avenue west of Central Avenue) – referred to Public Services Committee. (Sponsor – Mr. Roybal)

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 HR High-Density Residential to CB Community Business for Lot 3, Lot 4, and the W 22' of Lot 2, Block 745, Stanfield Addition; and Lots 1, 2, & 5, Block 1, Stanfield Addition, 3rd Filing, Cheyenne, Wyoming (located west of the intersection of Deming Drive and Walterscheid Boulevard) – referred to Public Services Committee. (Sponsor – Mr. Roybal)

ORDINANCE – 1st READING – Vacating the eastern one-half of the 16-foot wide alley located west of House Avenue, south of Evans Avenue, adjacent to Lots 1, 2, 3, 12, 13 and 14 of Block 2, Pershing Heights Addition, Second Filing, City of Cheyenne, Laramie County, Wyoming – referred to Public Services Committee. (Sponsor – Mr. Roybal)

ORDINANCE – 1st READING – Pursuant to Section 2.2.1, Zoning Map Amendment, Section 5.1.2, Zoning Districts Established, and Section 5.1.3, Official Zoning Map, of the Cheyenne Unified Development Code, changing the zoning classification from Swan Ranch Rail Park Planned Unit Development to Light Industrial for a portion of Lots 11, 12, 13, 14 and 15, Block 2 of the Swan Ranch Rail Park Eleventh Filing Subdivision, Cheyenne, Wyoming (located north of Tundra Drive, south of W. Wallick Road and west of Clear Creek Parkway) – referred to Public Services Committee. (Sponsor – Mr. Roybal)

RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for Interior Heights, Fourth Filing, a replat of all of Blocks 146, 147, 148 and 149, Inclusive, Interior Heights, Second Filing, City of Cheyenne, Laramie County, Wyoming; along with all of those adjacent rights-of-way contained within the plat boundary (including all of those intervening 15' alleys and all of those intervening portions of Kelley Avenue, Gadds Avenue and Holmes Avenue); and the remaining one-half (1/2) of those adjacent rights-of-way as shown (including E.40' York Avenue, N.30' 12th Street, W.40' Talbot Avenue and S.30' 11th Street), City of Cheyenne, Laramie County, Wyoming (located to the northwest of the intersection of W. College Drive and Grand Harmony Boulevard). Mr. Roybal moved to adopt, seconded by Mr. White. Mr. Roybal moved to amend by revised Final Plat map, seconded by Dr. Rinne. Motion to amend carried. Voting “yes” – all members of the governing body. Main motion as amended carried. Voting “yes” – all members of the governing body. (#5884)

RESOLUTION – Authorizing the City’s Director of Community Recreation and Events, the City Treasurer and the City’s Events Coordinator to establish a process for expedited review and approval of contracts for events scheduled at City venues. David Soules, Events Coordinator, Community Recreation and Events Department, provided information on the purpose of the resolution, noting the process will expedite procedures involving contracts for performance acts at the Civic Center, Ice and Events Center and other City-owned venues. Mr. Luna moved to adopt, seconded by Mr. White. Upon inquiry, Mr. Soules explained a template contract document has been prepared and reviewed by the City Attorney which will result in a more efficient and quicker

turn-around time for booking acts for performances; summarized past procedures and the need for timely contract offerings, and commented on the department's goal of booking more acts at the Civic Center. Sylvia Hackl, City Attorney, provided additional information on past practices involving contracts for acts at the Civic Center; purpose of the new process; review by the City Attorney and City Treasurer for any contract acts requesting deviation from the template format, and quarterly reports, including type of content, that will be provided to the governing body pursuant to the resolution. Discussion included how the expedited process would be structured; oversight by City Attorney and City Treasurer; timing of reports; proof of insurance requirements, and mechanism used to determine ticket prices to recognize a break-even point. (#5885)

[CA] RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for the Swan Ranch Rail Park, Eleventh Filing Subdivision, a replat of Lots 1 through 10, Block 1 and Lots 1 through 17, Block 2 of the Swan Ranch Rail Park Eighth Filing and being situated in portions of Sections 14, 15, 22, 23 and 27, Township 13 north, Range 67 west of the 6th Principal Meridian, City of Cheyenne, Laramie County, Wyoming (located north of Tundra Drive, south of W. Wallick Road and west of Clear Creek Parkway) – referred to Public Services Committee. (Sponsor – Mr. Roybal)

[CA] RESOLUTION – Granting an exception to the '201 Agreement' for development of a new office building to be served by an on-site septic system located generally within Township 14, Range 66, Section 25, Laramie County, Wyoming (south of Dell Range Blvd. at its intersection with US 30) – referred to Public Services Committee. (Sponsor – Mr. Roybal)

[CA] Preliminary Plat for Whitney Ranch, 1st Filing, a replat of all of Tracts 31 and 32 and that portion of James Drive intervening; and a portion of Tract 39, Hill Heights Addition, situate in Section 23, Township 14 North, Range 66 West, 6th P.M., County of Laramie, State of Wyoming (located east of and adjacent to Van Buren Avenue, north of Dell Range Boulevard) – referred to Public Services Committee.

[CA] Conditional Approval of a Concept Preliminary Plat for the Sweetgrass Subdivision, consisting of unplatted lands being all of the SE ¼ SE ¼ Section 10, S ½ S ½ W ½ Section 11, S ½ Section 14, all of Section 15, a portion of Section 16, and all of Section 21; Township 13 North, Range 66 West of the 6th P.M., Laramie County, Wyoming (located south of College Drive and east of Avenue C) – referred to Public Services Committee.

[CA] State Real Property Lease Agreement No. 8-09466 between the City of Cheyenne and State of Wyoming, Department of Administration and Information, General Services, for rental of parking spaces located at the Cox Parking Structure (revenue to the City). Motion (per Consent Agenda) carried. (#6732)

[CA] Professional Services Agreement for CB&Q Rail Trail and Avenues Connector between City of Cheyenne and Western Research & Development Ltd. Motion (per Consent Agenda) carried. (#6733)

[CA] Rental Agreement renewal between City of Cheyenne Ice and Events Center and Cheyenne Capitals Youth Hockey Association (revenue to City). Motion (per Consent Agenda) carried. (#6734)

[CA] Contract between the City of Cheyenne, Transit Division, and the Wyoming Department of Health, Aging Division, to provide supportive services to persons 60 years or older under Title III-B Program Grant for FY18. Motion (per Consent Agenda) carried. (#6735)

[CA] Agreement between the City of Cheyenne and the Wyoming Department of Transportation for Wyoming Rural Public Transit funds to assist in providing local match for operating funds for the Transit program for FY2018. Motion (per Consent Agenda) carried. (#6736)

[CA] Professional Services Agreement for drafting and negotiation of Charter Communications Cable Franchise renewal and CenturyLink Cable Television Franchise agreements with River Oaks Communications Corporation – referred to Finance Committee.

[CA] Consideration of Bid #E-4-18 for furnishing two new 2017 four-wheel steering street sweepers for the Street & Alley Division (2015-2018 1% Sales Tax). Motion (per Consent Agenda) carried (amount not to exceed \$443,134.00).

[CA] Consideration of Bid #E-3-18 for furnishing one new 2017 1500 chipper for the Forestry Division (2015-2018 1% Sales Tax). Motion (per Consent Agenda) carried (amount not to exceed \$40,675.00).

[CA] Consideration of Bid #S-2-18 for a contract between the City of Cheyenne, Public Works Department, and Reiman Corp., Cheyenne, WY, for the Pershing and Duff Crosswalk Project (2015-2018 1% Sales Tax) – referred to Finance Committee. Under other business and upon inquiry, Mayor Orr confirmed the item was referred to Finance Committee and noted the project design has been completed.

Appointment of Bruce Heimback and Del Lummis to the Downtown Development Authority Board. Mr. Luna moved to approve, seconded by Mr. Roybal. Upon request, Mayor Orr provided information on Mr. Heimback's professional background involving knowledge of DDA/Main Street programs. Motion carried. Voting "yes" – all members of the governing body with the exception of Mayor Orr who did not vote (Mayoral appointees).

[CA] Satellite Manufacturing Permit application filed with the City Clerk's office for Chronicles Distilling, LLC, d/b/a Chronicles Distilling, 1506 Thomes Avenue, Cheyenne, Wyoming – referred to Finance Committee.

In addition to comments made under other business previously referenced above, the following topics were raised:

Upon inquiry regarding discontinuation of the annual City sponsored Halloween Goblin Walk, Jason Sanchez, Deputy Director, Community Recreation and Events Department, explained there are two new events planned for this year in lieu of the Goblin Walk which will be more cost effective, and review of the new events will be conducted to determine how successful they were.

Mr. Case commented for the record on an opinion piece that was recently published in the Washington Examiner about FEMA funds the City is receiving for the Civic Center Commons Project relative to FEMA funding needed for hurricane relief efforts in Puerto Rico, and how it painted the City in a negative light. Upon inquiry regarding evacuation shelters available in the community in the event of a disaster, Mayor Orr explained a disaster recovery plan is in the process of being finalized through the City's membership in the Wyoming Association of Risk Management, and the plan will be shared with Council members when it is completed.

Also under other business and pursuant to inquiry: Mayor Orr advised she would communicate with Council members when her schedule includes out of town absences; Carol Intlekofer, City Clerk, provided information on the status of 3 "parked" liquor licenses pursuant to state statute changes that became effective July 1st, and Sylvia Hackl, City Attorney, advised she would forward monthly reports she receives from the Animal Shelter to the governing body.

There being no further business to come before the governing body, the meeting was officially adjourned at 6:52 p.m.

Submitted by,

Carol Intlekofer, MMC
City Clerk

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

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