

PUBLIC SERVICES COMMITTEE MINUTES

Due to the Thanksgiving Holiday, a meeting of the Public Services Committee was instead held on Monday, November 19, 2018, in Committee Room 104, starting at 12:00 P.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Scott Roybal, Chairman, Bryan Cook, Dicky Shanor and Pete Laybourn.

CITY STAFF: Logan Sharpe, Staff Attorney; Eric Fountain, Mayor's Chief of Staff; Susana Montana, Planning and Development Department; Thomas Kunz, Blas Hernandez, and Bruce Trembath II, Building Department; Charles Bloom, Planning & Development Director; Chief Greg Hoggatt and Byron Mathews, Cheyenne Fire & Rescue Department; Carol Intlekofer, City Clerk; Amy Allen, City Engineer; and Kris Jones, Executive Assistant to the City Council.

OTHERS PRESENT: Mayor Marian Orr; Dr. Mark Rinne, City Council President; Rocky Case, City Councilman Ward III; Austin Huguélet, WTE; Brad Emmons, AVI; Tom Hirsig, CFD; Lori Gafner, Greenberg Furrow; Philip Regeski; Bud Spillman; Amy Smith; Scott Meyer; Cotton Jones, Jones Land Surveying, Inc.; Joe Patterson, Guardian Development; and Michael Moore.

AGENDA ITEMS

10. **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 County A-1 Agricultural and Rural Residential to MUR Mixed-Use Residential Emphasis for a portion of the west half, of the west half of Section 17, T14N, R66W, of the 6th Principal Meridian, Cheyenne, Wyoming (located west of and adjacent to Powderhouse Road, north of Spirit Lane). (SPONSOR – MR. ROYBAL)

Mr. Shanor moved to approve on 3rd and final reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised staff supports approval and upon inquiry, provided project information relating to the proposed zone change. Brad Emmons, AVI, requested approval and provided information involving a neighborhood traffic study.

11. **ORDINANCE – 2nd 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 HR, High Density Residential to CB, Community Business for a parcel of land consisting of Lots 9 through 12, Block 9, Meadowbrooke Park Subdivision, Cheyenne, Wyoming

(located at the south east corner of Edgewater Avenue and Bluegrass Circle). (SPONSOR – MR. ROYBAL)

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

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval and upon inquiry, provided information relating to area drainage. Lori Gafner, Greenberg Furrow, requested approval.

12. **ORDINANCE – 2nd 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 CB, Community Business to HR, High Density Residential for a parcel of land consisting of a portion of Lot 1, Block 1, Plaza Del Range, Second Filing Subdivision, Cheyenne, Wyoming (located at 3110 Dell Range Blvd., between Hilltop Avenue and Ridge Road). (SPONSOR – MR. ROYBAL)

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

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval and reported that the zone change request is to provide zoning clarification and compliance. Ms. Montana provided the history of the development, parking, and access information. Cotton Jones, Jones Land Surveying, Inc. requested approval.

13. **ORDINANCE – 2nd READING –** Amending, creating, deleting and re-creating various chapters and sections within Title 15, Buildings and Construction, of the Cheyenne City Code relating to general provisions, and including adoption of the International Building Code and other related Codes, 2018 edition. (SPONSOR – MR. ROYBAL)

Mr. Laybourn moved to approve on second reading, seconded by Mr. Cook. Motion failed with Mr. Laybourn voting “YES” and Mr. Cook and Mr. Shanor voting “NO”.

DISCUSSION: Blas Hernandez, Building Department, provided a staff report and advised staff supports approval and provided details to the proposed amendments. Joe Patterson voiced general support of the proposed amendments and upon inquiry, provided cost information relating to sprinkler system requirements for multi-family residential units. Discussion included: Sprinkler system requirements, recommended fee increases, inspection process, development costs, and State Statute code requirements and compliance.

14. **ORDINANCE – 2nd READING –** Amending, deleting and re-creating sections within Chapter 8.12 International Fire Code adopted, of Title 8, Health and Safety, of the Cheyenne City Code relating to general provisions pertaining to fire protection and regulations, and adoption of the International Fire Code, 2018 edition, and certain Codes

and practices promulgated by the National Fire Protection Association. (SPONSOR – MR. ROYBAL)

No motion to approve on 2nd reading was made, therefore, there will be no recommendation from the Public Services Committee on this item.

DISCUSSION: Chief Greg Hoggatt, Cheyenne Fire & Rescue Department, provided a staff report and advised staff supports approval. Philip Regeski and Colin Kostalecky voiced opposition to the multi-family residential sprinkler system amendments. Discussion included: Development costs relating to amendments, State Statute code requirements, and public safety.

15. ORDINANCE – 2nd READING – Amending Chapter 2.32, Fire Department, Section 2.32.020, Department Personnel, and Chapter 2.84, Miscellaneous Boards and Commissions, Section 2.84.050, International Fire Code Board of Appeals, of Title 2, Administration and Personnel, of the Cheyenne City Code pertaining to the Fire and Rescue Department. (SPONSOR – MR. ROYBAL)

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

DISCUSSION: Chief Greg Hoggatt, Cheyenne Fire & Rescue Department, provided a staff report and advised staff supports approval.

16. ORDINANCE – 2nd READING – Creating Section 1.08.030, Official Song-Recognition and Use, of Chapter 1.08, Official Seal and Emblem, of Title 1, General Provisions, of the Code of the City of Cheyenne, Wyoming, pertaining to designation of ‘Cheyenne Anthem’ (©2018) as the official song of the City of Cheyenne. (SPONSORS – MR. COOK, MR. LAYBOURN AND MR. ROYBAL)

Mr. Shanor moved to approve on 2nd reading, seconded by Mr. Laybourn. Mr. Shanor moved to amend by combining Sections B and C into a new Section B to read as follows: “The City shall have non-exclusive gratis right to use the entire song or any portion thereof, the name of the song, for any and all official City commercial and/or non-commercial uses including merchandise, and by relabeling Section D to Section C”, seconded by Mr. Cook. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Scott Meyer requested approval and upon inquiry, voiced support of the proposed amendments. Upon inquiry, Logan Sharpe, Staff Attorney, provided information relating to combining Sections B & C. Discussion included commercial and non-commercial uses and proposed amendments.

20. RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for the Clear Creek Industrial Park Subdivision, a replat of a portion of Block 10, Lots 1 and 12 of Block 11 and Lots 1 and 17 of Block 12, Interior Heights Addition, and portions of adjacent streets and alleys thereto, situated in the SW1/4 of Section 6, Township 13N, Range 66W, of the 6th P.M., Cheyenne, Laramie County, Wyoming (located at the

northeast corner of Arp Avenue and Van Tassell Court, east of S. Parsley Blvd.).
(SPONSOR – MR. ROYBAL)

Mr. Shanor moved to adopt, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval and upon inquiry, provided information relating to public access to the Greenway and public park, drainage flow, and reported the lot is unbuildable. Philip Rejeski requested approval and provided information relating to drainage and easement, and public access.

21. RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for Aspen Creek, a plat of a portion of the west half, of the west half of Section 17, T14N, R66W, of the 6th Principal Meridian, Laramie County, Wyoming (located west of and adjacent to Powderhouse Road, north of Spirit Lane). (SPONSOR – MR. ROYBAL)

Mr. Shanor moved to adopt, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval, noting staff condition #1 has been satisfied. Brad Emmons, AVI, requested approval.

22. RESOLUTION – Authorizing the Mayor and the City Clerk to sign a Final Plat for Swan Ranch Rail Park, Fifteenth Filing, a plat of a portion of the northwest one-quarter of Section 27, Township 13 North, Range 67 West of the Sixth Principal Meridian, Cheyenne, Laramie County, Wyoming (located east of Berwick Drive, north of Tundra Drive). (SPONSOR – MR. ROYBAL)

Mr. Shanor moved to adopt, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval, noting staff condition #1 has been satisfied. Brad Emmons, AVI, requested approval.

24. PRELIMINARY PLATS/PRELIMINARY ZONE CHANGES:

- a) CFD Park N Ride Planned Unit Development Preliminary Plan for a portion of the SE1/4, Section 11 and the NE1/4, Section 14, T13N, R67W, of the 6th P.M., Laramie County, Wyoming (located east of and adjacent to I-25, north of College Drive).

Mr. Shanor moved to acknowledge the Planning Commission's recommendation to approve with Planning Commission recommendations #1, 2, & 3 and by adding a 4th recommendation which

reads as follows: "The applicant, City staff and County staff work together to find solutions to mitigate any negative impacts to adjacent property owners from this proposed development", seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Susana Montana, Planning and Development Department, provided a staff report and advised the Planning Commission recommended approval, with conditions #1, 2 & 3, noting staff supports approval with conditions #1 & 2. Brad Emmons, AVI, requested approval and upon inquiry provided information relating to land uses and Planned Unit Development (PUD) request. Tom Hirsig, CFD, requested approval and provided details relating to the use of the property for the annual CFD Park & Ride program and upon inquiry, provided information relating to additional traffic within the area during the time the program is operational. Michael Moore, adjacent property owner, requested consideration relating to increased traffic and road maintenance regarding a road that is currently located in the County which is not maintained by the County, noting he and other area property owners use personal funds and time to maintain the roadway. Discussion included proposed amendments and options for compromise regarding maintenance of adjacent County roadway.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 1:53 P.M.

Submitted by,



Kris Jones
Executive Assistant to the City Council