

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, June 15, 2020 via an Electronic meeting, starting at 11:00 A.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Mike Luna, Chairman; Ken Esquibel, Pete Laybourn and Jeff White.

CITY STAFF: Charles Bloom, Planning & Development Director; Mike O'Donnell, City Attorney; Alessandra McCoy-Fakelman, Deputy City Attorney; Robin Lockman, City Treasurer; Tom Cobb, City Engineer; Jason Sanchez, Community Recreation & Events Deputy Director; Eric Fountain, Mayor's Chief of Staff; TJ Bartelbort, Purchasing Manager; Kris Jones, City Clerk; Craig LaVoy, Public Works Deputy Director; Ashley Miller, Board of Public Utilities (BOPU) Administration Manager; Dustin Swalla, IT Manager; Amy Gorbey, Civic Center Vender Coordinator; Michael Skinner, Public Information Officer; Brendan Ames, Chief Economic Development Officer; Wes Bay, Deputy City Engineer; Tina Worthman, Botanic Gardens Manager and Brenda Moureaux, Deputy City Treasurer.

OTHERS PRESENT: Mayor Marian Orr; Margaret Austin, Wyoming Tribune Eagle; Amber Ash, Downtown Development Authority (DDA) Executive Director; Todd Mattson; Megin Rux; Daniel Chavez; Todd Mattson; Clyde Mead; and Rich Bolkovatz, Rieman Construction.

AGENDA ITEMS

6. APPLICATIONS/LICENSES/PERMITS

- a) Transfer of retail liquor license application filed with the City Clerk's Office for Big D Oil Co., d/b/a Big D Oil #29, 100 North Greeley Hwy., Cheyenne, Wyoming. (license currently held by Appaloosa Enterprises LLC d/b/a Sanford's Grub & Pub)

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

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the application for transfer of a retail liquor license has been reviewed by the required agencies and has been deemed eligible. Upon inquiry, Ms. Jones advised the next agenda item would grant the previous owner a Bar and Grill License.

- b) Application for a bar and grill liquor license filed with the City Clerk's Office for Appaloosa Enterprises, LLC d/b/a Sanford's Grub & Pub, 115 E. 17th St., Cheyenne, Wyoming.

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

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the application has been reviewed by the required agencies and has been deemed eligible.

12. **ORDINANCE – 3rd READING – Amending Section 5.12.110, Open Container-Sales and Consumption-Exceptions, and Section 5.12.120, Special Use Areas-Special Event Permit of Chapter 5.12, Alcoholic Liquor and Malt Beverages, of Title 4, Business Licenses and Regulations, of the Municipal Code of the City of Cheyenne, Wyoming.**

Mr. White moved to approve on 3rd and Final Reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised on the amendment approved on 2nd reading allowing open containers in a specific district during a specific timeframe, as set forth by resolution and with approval by the governing body. Ms. McCoy-Fakelman advised that changes to the ordinance would allow for consumption of alcohol in the right of way without having a sidewalk café. Upon inquiry, Ms. McCoy-Fakelman explained that the Police Department recommend a marked vessel (cup) for the open container area during a special event and that further amendments may be brought forward in the future. Mr. White expressed thanks to staff for expediting this change.

13. **ORDINANCE – 3rd READING – Amending Section 8.40.063, Food Service Establishments-Sidewalk Cafes, of Chapter 8.40, Food and Food Service Establishments, of Title 8, Health and Safety, of the Municipal Code of the City of Cheyenne, Wyoming.**

Mr. White moved to approve on 3rd and Final Reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised the amendment pertains only to pass through windows in establishments serving both food and alcoholic beverages.

14. **ORDINANCE – 3rd READING – Granting a Non-Exclusive Franchise to Union Telephone Company within the rights-of-way of the City of Cheyenne, Wyoming. (SPONSOR – MR. WHITE)**

Mr. Laybourn moved to approve on 3rd and Final Reading, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised there have been no changes since 2nd Reading on June 8, 2020.

22. **RESOLUTION – Re-appropriating the Fiscal Year 2020 Budget of the City of Cheyenne according to the provisions of W.S. §16-4-112 & 16-4-113. (SPONSOR – MR. LUNA)**

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

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and advised no general fund reserves are requested however, a transfer from the insurance and liabilities fund will be made to the City accounting department to cover software costs, outsourcing of payroll services and an employee change in benefits status. Ms. Lockman explained re-appropriation of grants and donations to the Splash Pad.

23. RESOLUTION – Directing all sale proceeds received from the disposal of the City-Owned real property located at 610 West 7th Street, Cheyenne, Wyoming, to be deposited into the “Real Property Revolving Fund”. (SPONSOR – DR. RINNE)

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

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and advised as a result of passing the resolution monies from the sale of the Neighborhood Facility will be directed into the fund. Ms. Lockman reviewed the governing body’s options for moving monies into the account or allowing them to roll into the general fund reserve balance. Upon inquiry, Jason Sanchez, Community Recreation & Events Deputy Director, advised on the status of the gymnastics program and continued use of the Neighborhood Facility. Mr. Laybourn spoke in favor of this fund to assist in developing funding for capital improvement projects. Upon inquiry, Ms. Lockman advised on moving monies out of the Real Property Revolving Fund back to the general fund.

25. RESOLUTION - Authorizing the City Treasurer to discharge uncollectible debts in the amount of \$26,901.43 for the Board of Public Utilities pursuant to W.S. §16-4-502. (SPONSOR – MR. LAYBOURN)

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

DISCUSSION: Ashley Miller, BOPU Administration Manager, provided a staff report and advised debts has been reviewed by City staff and collection efforts have been exhausted.

26. RESOLUTION – Creating a Special District for the ‘Summertime on the Streets Event’ to be held June 20, 2020, in which the possession of open containers is permitted between the hours of 11:00 a.m. and 4:00 p.m. (SPONSOR – MR. ROYBAL)

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

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised this resolution accompanies the previous ordinance to waive open consumption laws for this special event. Amber Ash, DDA Executive Director, advised the event is to encourage the public to visit and shop local and explained precautions to be taken concerning open

containers including: Special drink cups and break away arm bands. Upon inquiry, Ms. Ash advised she has contacted City/County Health for a variance on single use cups and that additional stickers can be used if there are not enough designated cups for the event and reported that other events are being considered. Upon inquiry, Ms. Ash advised this would cover the entire district to allow for appropriate social distancing and reported the DDA has been working with the Police Department in the interest of public safety.

28. CHANGE ORDERS/CONTRACT MODIFICATIONS

- e) Contract Modification #1 to Contract #6960 between the City of Cheyenne and Reiman Corp. for the Christensen Railroad Overpass & Corridor Project for cost impacts associated with unforeseen site conditions which required design and construction modifications. (6th Penny Sales Tax)

Mr. White moved to approve in an amount not to exceed \$491,363.64, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Tom Cobb, City Engineer, provided a staff report and advised the modification is due to unforeseen site conditions which require design and construction modifications including: Earth work, bridge supports, retaining wall, complications with coordination with UP Railroad and major staff changes. Upon inquiry, Mr. Cobb reported that this change is within the projects budget.

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

- a) Consideration of Bid #E-23-20 for One (1) New 2019-2020 Daihatsu Hi-Jet S510P Mini-Truck for the City of Cheyenne, Cheyenne Botanic Gardens. (2015-2018 1% Sales Tax)

Mr. Laybourn moved to accept the bid from Woody's Mini Truck, Poplar Grove, IL in an amount not to exceed \$23,584.00, seconded by Mr. White. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised this equipment will replace a 25-year old truck that is used as a smaller version of a dump truck for hauling throughout the community.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 11:48 A.M.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council