

PUBLIC SERVICES COMMITTEE MINUTES

A meeting of the Public Services Committee held on Tuesday, April 7, 2020, via an Electronic Meeting, starting at 12:00 P.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Rocky Case, Chairman; Dicky Shanor; Scott Roybal and Bryan Cook.

CITY STAFF: Alessandra McCoy-Fakelman, Deputy City Attorney; Mike O'Donnell, City Attorney; Charles Bloom, Planning & Development Director; Tom Cobb, City Engineer; Chief Brian Kozak, Cheyenne Police Department; Mark Christensen and Seth Lloyd, Planning & Development Department; Jennifer McClelland, Executive Assistant to the City Council; Kris Jones, City Clerk; Joe Chenchar, Assistant City Attorney; Eric Fountain, Mayor's Chief of Staff; Brendan Ames, Chief Economic Development Officer; Deanne Widauf, Program Manager Housing & Community Development; Lisa Pafford, Planning & Development Deputy Director; and

OTHERS PRESENT: Dr. Mark Rinne, City Council President; Ken Esquibel, Councilman Ward III; Pete Laybourn, Councilman Ward I; Jeff White, City Councilman Ward I; Maggie Austin, Wyoming Tribune Eagle; Tom Montoya, Wyoming Liquor Commission; and Darin and Misha Westby.

AGENDA ITEMS

9. **ORDINANCE – 3rd READING –** Annexing to the City of Cheyenne, Wyoming, a portion of the South ½ of Section 36, T14N, R67W, 6th PM, Laramie County, Wyoming (located between Westland Road and I-25, adjacent to Crow Creek).

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

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised that no additional information has been provided since second reading at the March 23, 2020 meeting of the governing body and staff continues to support approval.

10. **ORDINANCE – 3rd READING –** Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County LI (Light Industrial) to P (Public District) for a tract of land generally located west of Westland Road at Crow Creek.

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

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised that no additional information has been provided since second reading at the

March 23, 2020 meeting of the governing body and staff continues supports approval. Upon inquiry, Mr. Christensen advised there is currently no start date for construction.

11. **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 LI Light Industrial to MUB Mixed-Use Business Emphasis for Lots 5, 6, 7, and 8, Block 271, Original City, Cheyenne, Wyoming (located at the northwest corner of the intersection of West 20th Street and Bent Avenue).

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

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised that no additional information has been provided since second reading on at the March 23, 2020 meeting of the governing body and staff continues supports approval. Darin and Misha Westby requested consideration for support and acknowledged City Staff's efforts on the project.

12. **ORDINANCE – 3rd READING –** Pursuant to Sections 1.1.6 and 2.4.1 of the Cheyenne Unified Development Code (UDC), amending Section 5.1.5.a-Detached Dwelling (“Single-Family”) Lot Types and Building Standards to reduce the required frontage of Detached Dwelling (“Single-Family”) lots for DD7: Detached Dwelling/Small Lot Type from 48 feet to 40 feet and from 60 feet to 45 feet on corner lots.

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

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised that no additional information has been provided since second reading at the March 23, 2020 meeting of the governing body and staff continues supports approval.

18. **RESOLUTION –** Approving the City of Cheyenne’s Analysis of Impediments to Fair Housing Choice Prepared by the Cheyenne Housing and Community Development Office. (SPONSOR – MR. CASE)

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

DISCUSSION: Deanne Widauf, Housing & Community Development, provided a staff report and explained the four barriers to fair housing noting, no public comment was received during the 30-day comment period and has incorporated into the City 5-year consolidated plan.

OTHER ITEMS FOR THE AGENDA:

ORDINANCE – 1st READING – Amending Chapter 5.12, Alcoholic Liquor and Malt Beverages, of Title 5, Business Licenses and Regulations, of the Municipal Code of the City of Cheyenne, Wyoming, concerning the delivery of alcoholic liquor or malt beverages. (SPONSOR’S – JEFF WHITE, SCOTT ROYBAL, BRYAN COOK)

Mr. Roybal moved to approve on 1st reading, seconded by Mr. Shanor. Motion carried by unanimous voice vote.

DISCUSSION: Jeff White, Councilman Ward I, advised the intent was to provide another avenue for retail liquor business to remain viable. Brian Kozak, Police Chief, Mr. White and Mr. Cook voiced support and acknowledged City Staff's efforts on the project.

ORDINANCE – 1ST READING – Establishing Enforcement Provisions for the Wyoming Statewide Public Health Orders related to the COVID-19 Pandemic. (SPONSOR'S – MR. WHITE, MR. LAYBOURN)

Mr. Cook moved to approve on 1st reading, seconded by Mr. Roybal. Mr. Shanor moved to amend by substitute dated April 7, 2020, seconded by Mr. Roybal. Amended motion carried unanimous voice vote. Main motion, as amended, carried with Mr. Roybal and Mr. Cook voting "YES" and Mr. Shanor voting "NO".

DISCUSSION: Mike O'Donnell, City Attorney, advised the intent of the ordinance is to allow law enforcement to enforce public health orders issued by the health department or the Governor. Mr. Shanor, Councilman Ward II, requested information as why the Police Department could not enforce W.S. 35-1-106. Upon inquiry, Brian Kozak, Police Chief, advised the Police Department can enforce the state statute but felt the punitive damages were excessive noting, the District Attorney requested the City to create a local ordinance to make this a civil issue. Mr. Shanor proposed an amendment that would sunset and cease any of the Orders when the aspect ceases effect. Mr. Laybourn, Councilman Ward 1, voiced support and requested colleagues to consider approving this in an urgent fashion.

RESOLUTION – In appreciation of State and Local Leaders for their exceptional efforts during the COVID-19 Crisis. (SPONSOR'S – DR. RINNE, JEFF WHITE, MIKE LUNA, ROCKY CASE, BRYAN COOK, KEN ESQUIBEL, PETE LAYBOURN, SCOTT ROYBAL, DICKY SHANOR)

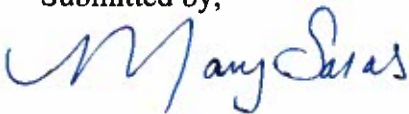
Mr. Cook excused himself for the remainder of the meeting prior to discussion and vote on this item due to a previous commitment.

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

DISCUSSION: No comments were voiced on this item.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 12:51 P.M.

Submitted by,



Mary Salas,
Administrative Assistant to the City Council