

PUBLIC SERVICES COMMITTEE MINUTES

A meeting of the Public Services Committee was held on Monday, June 1, 2026, in City Council Chambers and via electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Dr. Michelle Aldrich, Chairwoman; Dr. Kathy Emmons; and Pete Laybourn; and Dr. Mark Rinne.

AGENDA ITEMS

7. ORDINANCE – 3rd READING – Amending Section 13.20.050, General Prohibitions, and Section 13.20.070, Local Limits, of Chapter 13.20, Wastewater Treatment and Disposal, of the Code of the City of Cheyenne, Wyoming, to revise local discharge limits and related provisions in compliance with NPDES and WPDES permit requirements. (POSTPONED FROM MAY 26, 2026)

Dr. Rinne moved to approve on 3rd and final reading, seconded by Dr. Emmons. Motion carried by unanimous voice vote.

Matt Buelow, Board of Public Utilities Water Reclamation Manager, advised that the EPA has completed their comment period and the item can move forward for final approval.

10. ORDINANCE – 3rd READING – Amending the Official Zoning Map of the City of Cheyenne, changing the zoning classification for land located southwest of the intersection of HR Ranch Road and Judy Lee Drive, and southeast of HR Ranch Road and Judy Lee Drive, from JL Ranch PUD – Planned Unit Development to NR-2 Neighborhood Residential – Medium Density.

Dr. Emmons moved to approve on 3rd and final reading, seconded by Dr. Rinne. Motion carried by unanimous voice vote.

Morgan Dennis, Planning & Development Department Planner, provided a staff report and advised there have been no changes since approval on 2nd reading. Brandon Swain, applicant, advised the proposed change will provide relief related to landscaping requirements and provide for more affordable development options.

12. ORDINANCE – 3rd READING – Amending the Official Zoning Map of the City of Cheyenne, changing the zoning classification for land located in Cheyenne Business Park and Campstool Business Park in eastern Cheyenne along I-80 from LI – Light Industrial, HI – Heavy Industrial, and CB – Community Business to BP – Business Park.

Dr. Emmons moved to approve on 3rd and final reading, seconded by Dr. Rinne. Dr. Rinne moved to amend by substitute dated June 1, 2026, seconded by Dr. Emmons. Motion to amend carried by unanimous voice vote. Main motion, as amended carried by unanimous voice vote.

Connor White, Planning & Development Department Senior Planner, provided a staff report and presented a substitute which removed two landowners from the proposed zone change.

16. ORDINANCE – 2nd READING – Amending Section 1.4.3 and 5.8.8 of the Unified Development Code and creating Section 5.8.9 Carports to create definitions and standards for carports. (SPONSOR – MR. MOODY)

Dr. Rinne moved to approve on 2nd reading, seconded by Dr. Emmons. Dr. Rinne moved to amend section 5.8.9(c)(1) and (c)(3) to remove the ability for the Director to allow, through administrative adjustment, for a 0 feet setback from a current or future sidewalk, seconded by Dr. Emmons. Motion to amend failed with all members voting “NO.” Dr. Rinne moved to amend by substitute dated May 28, 2026, seconded by Dr. Emmons. Motion to amend by substitute carried by unanimous voice vote. Dr. Rinne moved to amend section 5.8.9 (c)(1) and (c)(3) to remove the ability for the Director to allow, through administrative adjustment, for a 0 feet setback from a current or future sidewalk, seconded by Dr. Emmons. Motion to amend the substitute carried by unanimous voice vote. Main motion, as substituted and amended, carried by unanimous voice vote.

Connor White, Planning & Development Department Senior Planner, provided a staff report and an overview of the proposed ordinance changes. Ward III City Councilman Mark Moody, and sponsor, voiced support for the proposed ordinance. John Brodie, City Attorney, provided a procedural recommendation regarding the substitute and proposed amendment. Committee members Emmons, Laybourn and Rinne commented on the item. Public comment was made by Kay Sheehan.

17. ORDINANCE – 2nd READING – Amending Section 1.3.11 Nonconformities; 1.4.4 Definitions; 1.4.5 Interpretation of Zoning Map; 2.2.7 Special Use Approval; 5.1.2 Zoning Districts Established; and 5.1.4 Use Table; and creating 5.6.10 Regional Entertainment (RE) Overlay District; and 5.7.13 Gaming Center Development Standards and setting an effective date for compliance. (SPONSORS – DR. ALDRICH, MR. MOODY, DR. RINNE, MR. SEGRAVE AND MR. WHITE)

Dr. Rinne moved to approve on 2nd reading, seconded by Dr. Emmons. Motion carried by unanimous voice vote.

Charles Bloom, Planning & Development Department Director, provided a staff report and an extensive overview of the proposed ordinance changes and additions. Chairwoman Aldrich and all committee members commented on the item. Public comments were made by Ward III City Councilman Mark Moody, Ward I City Councilman Lawrence Wolfe, and Traci Lacock, General Counsel for Wyoming Downs, LLC.

18. ORDINANCE – 2nd READING – Amending Chapter 15.20, National Electrical Code Adopted – Appendix K, International Building Code – Administrative Provisions Adopted, of Title 15, Buildings and Construction, of the Municipal Code of the City of Cheyenne, Wyoming, updating the Incorporated National Electrical Code Provisions as specified. (SPONSOR – DR. EMMONS)

Dr. Rinne moved to approve on 2nd reading, seconded by Dr. Emmons. Motion carried by unanimous voice vote.

Antony Pomerleau, Chief Building Inspector, provided a staff report.

26. RESOLUTION – Authorizing the Mayor to execute limited site access and due diligence agreements for City-owned property commonly known as Belvoir Ranch. (SPONSOR – MR. SEGRAVE)

Dr. Rinne moved to approve on 2nd reading, seconded by Dr. Emmons. Motion carried by unanimous voice vote.

Mayor Patrick Collins provided information related to the proposed resolution. Will Robinson, Belvoir Ranch Manger, voiced support for the proposed resolution. Amber Ash, Mayor's Chief of Staff, provided information related to a possible postponement of the item. Chairwoman Aldrich and committee members Laybourn and Rinne commented on the item with member Laybourn requesting an email from Ward I City Councilman Wolfe be added to the record (attached to these minutes). Ward I City Councilman Larry Wolfe commented on the item.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 1:41 p.m.

Submitted by,



Jennifer McClelland
City Council Administrative Assistant

Jennifer McClelland

From: Lawrence Wolfe
Sent: Sunday, May 31, 2026 7:51 PM
To: Tom Segrave; John Brodie; Pete Laybourn; Jeff White; Jennifer McClelland
Cc: Patrick Collins; Amber Ash
Subject: Fw: [EXTERNAL] Resolution ref. Belvoir Ranch access for due diligence
Attachments: City Council - Belvoir Ranch proposed resolution on site access LJWolfe prompt Gemini AI analysis may 31 2026 .docx

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From: Larry Wolfe <larry@ljwolfepc.com>
Sent: Sunday, May 31, 2026 7:36 PM
To: Lawrence Wolfe <lwolfe@cheyennecity.org>; Pete Laybourn <playbourn@cheyennecity.org>; Larry Wolfe <larry@ljwolfepc.com>
Subject: [EXTERNAL] Resolution ref. Belvoir Ranch access for due diligence

President Segrave and City Attorney Brodie: I dealt with the issues in this proposed Resolution in my energy practice. The draft is a good start but it leaves unaddressed or only partially addressed a number of key issues. Perhaps you have discussed them, in which case I look forward to addressing them with you. If not the draft needs to be amended or a substitute prepared. Here is a summary of the issues. I asked AI to generate more details, its analysis is attached.

1. The City should charge for allowing these investigations. It is common practice for land owners to charge such trespass fees. The fees can be substantial. The Resolution should address the fee amount(s), which will vary depending on what the company wants to do.
2. The Resolution should define temporary. It also needs to address the company entering and exiting the property repeatedly over time.
3. Ownership of the data. The City should own the data or have a right to get all copies of every type of data. See the memo.
4. There are other types of surveys that are not mentioned. Cultural resources, wildlife, placement of monitoring stations (weather, solar, air quality). Establishing monitoring stations may require protracted periods. If surveying is allowed can they place survey markers? If we allow geotechnical work, do we also allow drilling? If so what kind, for how long and how deep? Exploration for groundwater? Are there types of surveys we want to prohibit? Many ranchers did not want to allow surveying for cultural resources or endangered species.

I am happy to work with you on this or to speak to these issues at the PS Committee and during Council meetings. Thanks. Larry

****EXTERNAL****

The above message was received from someone outside the city. Please do not open any attachments or click on any links unless you can 100% verify the sender is authentic.

Analysis of Proposed Resolution: Belvoir Ranch Limited Site Access & Due Diligence

LJWolfe prompt, analysis by Gemini AI.

May 31, 2026

The proposed resolution provides a solid foundational framework for granting revocable, non-exclusive, and limited licenses for due diligence on City-owned property. However, from a municipal and risk-management perspective, the language is quite broad and leaves several critical operational, legal, and financial parameters open to interpretation. To protect the City of Cheyenne's interests, ensure administrative clarity, and retain legislative oversight, the Governing Body should consider several explicit additions, substitutions, and corrections before adopting this resolution.

1. Data Ownership, Sharing, and Disclosure

The resolution currently does not address the data generated during these due diligence activities. Because this data directly concerns City-owned asset infrastructure and environmental baselines, it represents significant value.

- **Who should own the data?** The City should structure the underlying agreements so that the data is either jointly owned or, at minimum, the City is granted an **irrevocable, perpetual, royalty-free, non-exclusive license** to use, copy, and distribute the data for any municipal purpose.
- **Should all data be provided to the City?** Yes. A provision should be added requiring the entity to provide copies of all raw data, reports, GIS layers, mapping, and environmental findings to the City within a set timeframe (e.g., 30 days of completion).
- **Are there reasons not to?** Entities may argue that certain proprietary information (like proprietary engineering models or financial underwriting) should be withheld. The resolution can accommodate this by allowing narrow exceptions for trade secrets, but **environmental, cultural, geotechnical, and public infrastructure data must be mandated**.
- **Wyoming Public Records Act (WPROA) Warning:** The resolution or the boilerplate agreement must explicitly state that any data submitted to the City becomes a public record subject to disclosure under the WPROA unless a statutory exemption strictly applies. The City cannot contract away its statutory duties under the WPROA.

2. Defining "Temporary" and Access Parameters

Leaving "temporary" undefined creates a risk of perpetual or open-ended access, which could cloud City operations or interfere with Board of Public Utilities (BOPU) infrastructure.

- **Suggested Definition:** "Temporary" should be defined with an explicit upper limit in the boilerplate agreement, which can be referenced in the resolution. A standard timeframe for preliminary due diligence is **60 to 90 days**, with an option

for a single extension upon written approval by the City Risk Manager or City Engineer.

- **"On and Off" (Intermittent) Access:** The resolution should clarify that access is *intermittent* during the active term of the agreement. They can come on and off the property without needing a new agreement, provided they give **48-hour advance notice** to designated City/BOPU personnel before each entry to ensure no conflict with ranching, utility operations, or public recreation.

3. Scope of Permitted Physical Activities

The phrase "other similar temporary activities" in the text is a bit too elastic. The resolution should explicitly draw the line between low-impact observation and intrusive physical disruption.

- **Surveying for Roads & Placing Markers:** Traditional land surveying, topographic mapping, and placing temporary wooden stakes or survey flags are standard due diligence items and should be permitted. However, the placement of permanent iron pins, concrete monuments, or cutting/clearing of vegetation for sightlines must be explicitly prohibited without separate, written engineering approval.
- **Seismic Surveying & Geotechnical Drilling:** These are highly intrusive activities. Seismic surveying (especially using thumper trucks or explosive charges) and geotechnical boring can cause severe subsurface disruption, affect aquifers, or damage archaeological sites.
 - *Recommendation:* Do not allow seismic surveying under a blanket "due diligence" resolution. Geotechnical investigation should be limited to "preliminary, non-intrusive, or shallow hand-augering" unless a specific, comprehensive reclamation bond and utility clearance plan are submitted and approved.

4. Financial Considerations: Should the City Charge for Access?

Yes, the City should absolutely charge an administrative access fee. Belvoir Ranch is a public asset purchased for the benefit of Cheyenne's citizens.

- **Application/Access Fee:** The City should charge a non-refundable administrative fee (e.g., \$500 to \$1,500) to cover the cost of staff time spent reviewing the application, coordinating access, and verifying insurance compliance.
- **Commercial Use Fee:** If the due diligence is for a commercial energy, data center, or industrial project, the City should consider a per-acre or flat-rate weekly/monthly use fee.
- **Damage/Reclamation Deposit:** The City should require a refundable cash bond or letter of credit to ensure that the site is fully restored to its original condition, trash is removed, and any disrupted soils are reseeded according to local agricultural/weed-control standards.

Specific Textual Recommendations for the Resolution

To implement these controls, the following specific amendments are suggested for the operative (NOW, THEREFORE...) paragraphs:

Addition: Data Delivery and Ownership

BE IT FURTHER RESOLVED that any agreement executed under this Resolution shall require the accessing entity to deliver to the City, at no cost to the City, copies of all final

data, reports, surveys, GIS mapping, and environmental or geotechnical assessments generated during the access period within thirty (30) days of completion, subject to the disclosure requirements of the Wyoming Public Records Act.

Correction/Clarification: Scope of Intrusive Activities

BE IT FURTHER RESOLVED that permitted activities shall be limited to low-impact, non-intrusive operations. Standard land surveying, mapping, and placement of temporary survey flags are permitted; however, deep geotechnical boring, seismic surveying, clearing of timber/vegetation, or construction of temporary access roads are strictly prohibited under this authority and shall require separate authorization from the Governing Body.

Addition: Fee Schedule and Financial Protections

BE IT FURTHER RESOLVED that the authorization granted herein is conditioned upon the establishment of an administrative review fee and the requirement of a refundable damage and restoration deposit, in amounts determined by the City Treasurer, to protect City resources and offset administrative costs.

Substitution: Definition of Temporary and Notice

In the first "NOW, THEREFORE" paragraph:

"...allowing limited, temporary (**not to exceed ninety days per agreement**), non-exclusive, and revocable access... provided that each agreement requires a minimum of 48-hour advance notice to the City and the Board of Public Utilities prior to physical entry."

Summary Recommendation

The resolution is a practical tool to streamline administrative requests, and limiting the Mayor's authority to his current term of office is an excellent governance safeguard. However, by explicitly adding **data sharing requirements, charging an administrative fee, defining the time limits, and barring high-impact actions like seismic surveying**, the City Council will maintain the proper stewardship expected over the Belvoir Ranch asset.

LJWolfe Prompt - Belvoir Ranch access due diligence. Please evaluate the attached proposed resolution. Please suggest any additions, substitutions, corrections for consideration by the City Council. For instance, what other issues should be explicitly covered? Who should own the data that is generated? Is there any reason why all the data generated should not be provided to the City? How should temporary be defined? Two weeks, two months, not to exceed? Can they come on and off the property and still be under the same agreement? Can they survey for roads? Can they place survey markers? Can they do seismic surveying? Should the City charge for this access?

END