

COMMITTEE OF THE WHOLE MINUTES

A meeting of the Committee of the Whole was held on Wednesday, March 9, 2022, via an electronic meeting, starting at 6:00 P.M. Those in attendance were as follows:

COMMITTEE MEMBERS: Scott Roybal, Chairman; Dr. Michelle Aldrich, Bryan Cook, Ken Esquibel, Richard Johnson, Pete Laybourn, Dr. Mark Rinne, Tom Segrave and Jeff White.

CITY STAFF: Stefanie Boster, City Attorney; Chief Mark Francisco, Police Department; Vicki Nemecek, Public Works Director; Chief John Kopper, Fire & Rescue Department; and Michael Skinner, Public Information Officer.

OTHERS PRESENT: Mayor Patrick Collins; Steve Melia; Dale Steenbergen and Amber Leyba, Cheyenne Chamber of Commerce; Matt Freeman; Bob Wilson; Robin Goodspeed; Shaun Sells; Ed Boenisch, Compassion Cheyenne and the Wyoming Independent Citizen Coalition; Keil Bergeron; Tom Perea; Sam Koehn; and Stuart Campbell.

AGENDA ITEMS

13. **ORDINANCE –3rd READING –** Creating a new Section 9.08.120, Malicious Harassment Based on Race, Color, Religion, Ancestry, Sex, Sexual Orientation, Gender Identity and Expression, National Origin, Disability, or Political Affiliation, of Chapter 9.08, Offenses Against Public Peace and Decency, of Title 9, Public Peace and Welfare, of the Code of the City of Cheyenne, Wyoming.

This meeting was held through electronic means only due to the inclement weather closure of Laramie County School District #1.

Mr. Johnson moved to approve on 3rd and final reading, seconded by Mr. Cook. Motion carried with Mr. Cook, Mr. Esquibel, Mr. Laybourn, Dr. Rinne, Mr. Segrave, and Mr. White voting “YES” and Dr. Aldrich voting “NO”.

DISCUSSION: Mr. Johnson, sponsor of the item, advised at the request of the police department and many constituents, an accompanying ordinance will be referred at the Monday, March 14, 2022, meeting of the governing body which includes definitions for “assault”, “batter”, and “harass”. Ed Boenisch, Compassion Cheyenne and the Wyoming Independent Citizen Coalition, spoke in favor of the ordinance and expressed his belief that free speech, is responsible speech. Mr. Boenisch also shared a quote related to “kindness”. Matt Freeman expressed that everyone is judged at one time or another and this ordinance will be judged too. Stuart Campbell spoke in support of the ordinance noting the specific language used including: to intimidate or harass another person based on a person race or sexuality. Robin Goodspeed spoke against the ordinance noting it will be used to target Christian voices speaking God’s word. Keil Bergeron spoke in support of the ordinance and advised it’s a start toward improving Wyoming’s reputation and

creating a safe environment. Amber Leyba, Cheyenne Chamber of Commerce and the Wyoming Retail Association, expressed continued support of the ordinance. Tom Perea spoke against the ordinance, advised he feels protected already and expressed concerns that more harm may come from approval of the ordinance. Bob Wilson advised he is intrigued by the changes discussed by Mr. Johnson and recommends occurrences that do not include physical harm be excluded from this ordinance. Sam Koehn asked council to increase financial liability for offenders of the ordinance and made additional recommendations including the removal of language related to electronic messaging. Dale Steenbergen, Cheyenne Chamber of Commerce, expressed continued support and shared that 48 other states have continued to thrive after approving similar laws and advised Wyoming ranks 50th in economic development. Mr. Steenbergen related the low ranking to a lack of social obligation in the state. Steve Melia spoke against the ordinance and expressed concerns that Wyoming is being painted as hateful when it is not. Shaun Sells advised his research into similar laws found the language gender expression were rarely used. Mr. Sells recommended that businesses that act inappropriately be exposed for their bad behavior instead of the entire community being accused. Mr. Esquibel spoke against the removal of language related to electronic messaging. Dr. Aldrich thanked the public for their engagement and expressed concerns with passing this proposed ordinance and not continuing the conversation.

There being no further items for the agenda to come before the Committee of the Whole, the meeting was adjourned at 6:40 p.m.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council