

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, November 1, 2021 at the Kiwanis Community House (due to Municipal Building closure) and via electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Scott Roybal, Chairman; Dr. Michelle Aldrich, Ken Esquibel and Richard Johnson.

CITY STAFF: TJ Barttelbort, Purchasing Manager; Robin Lockman, City Treasurer; Vicki Nemecek, Public Works Director; Wes Bay, Deputy City Engineer; Teresa Moore, Community Recreation & Events Director; Jason Sanchez, Community Recreation & Events Deputy Director; Stefanie Boster, City Attorney; Tom Mason, Metropolitan Planning Organization (MPO) Director; Chief John Kopper, Division Chief's Andrew Dykshorn and Byron Matthews, Fire and Rescue Department; Renee Smith, Grants Manager; Clint Bassett, Board of Public Utilities (BOPU) Water Treatment Manager; Charles Bloom, Planning and Development Director; Alessandra McCoy-Fakelman, Deputy City Attorney; Captain David Janes and Lieutenant Joel Hickerson, Police Department; Lara White, City Attorney Office Manager; and Kris Jones, City Clerk.

OTHERS PRESENT: Mayor Patrick Collins; Patti Riesland, Mayor's Council for People with Disabilities; Todd Matthison; Maeke Ermarth; Eric Dalton, Bella Fuoco; and Casey Palma, Steil Surveying.

AGENDA ITEMS

6. APPLICATIONS/LICENSES/PERMITS:

- a) Restaurant liquor license application filed with the City Clerk's Office for Penstemon Business LLC d/b/a Bella Fuoco, 2115 Warren Ave., Cheyenne, Wyoming.

Dr. Aldrich moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the new restaurant liquor license application has been reviewed by the required agencies and determined eligible. Upon inquiry, Ms. Jones advised previous failed compliance checks would not be held against the new owners as they occurred under previous ownership.

- 11. ORDINANCE –3rd READING – Creating a new Section 10.04.110, Amnesty Program, of Chapter 10.04, General Provisions, of Title 10, Vehicles and Traffic, of the Code of the City of Cheyenne, Wyoming.

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

DISCUSSION: Alessandra McCoy-Fakelman, Deputy City Attorney, provided a staff report and advised the creation of the proposed code will establish the ability to approve amnesty programs for various fines and fees, related to offenses in Municipal Court, and noted no changes have been made since 2nd reading at the meeting of the governing body on October 25, 2021. Dr. Aldrich voiced concerns with language related to amnesty of late fees verses the initial parking fine. Ms. McCoy-Fakelman further explained underlying violations will continue to be the responsibility of the recipient and only additional (late) fees or administrative costs will be considered under the amnesty program. Mr. Johnson spoke in favor of the current language and supported additional language related to individual amnesty programs be clarified in future resolutions. Patti Riesland, Mayor's Council for People with Disabilities, provided information related to parking fines and fees related to accessible parking.

15. ORDINANCE –2nd READING – Amending Section 15.08.031, Building Permit Fees-Exceptions for Incentivization Program, of Chapter 15.08, International Building Code Adopted, of Title 15, Buildings and Construction, of the Code of the City of Cheyenne, Wyoming, to reinstate the City of Cheyenne Core Development Incentivization Program. (SPONSORS – MR. COOK, MR. ESQUIBEL, MR. JOHNSON, DR. RINNE, MR. ROYBAL AND MR. WHITE)

Mr. Johnson moved to approve on 2nd reading, seconded by Mr. Esquibel. Motion carried with Mr. Esquibel and Mr. Johnson voting “YES” and Dr. Aldrich voting “NO”.

DISCUSSION: Mr. Johnson, Ward III City Councilman, advised this constituent driven request to review and reinstate the ordinance, which sunset on June 30, 2019, will incentivize development in areas surrounding downtown. Dr. Aldrich voiced concerns with the designated area and would prefer the program be available City wide. Upon inquiry, Charles Bloom, Planning and Development Director, advised the program would not be retroactive and the effective date will be upon approval by the governing body and publication.

20. LEASES/CONTRACTS/LEGAL:

- d) Grant Award Agreement between the City of Cheyenne and the Wyoming Office of Homeland Security for the purchase of two complete bomb suits.

Dr. Aldrich moved to approve in an amount of \$71,318.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the grant will provide the department with funds to purchase 2 new bomb suits. Upon inquiry, Captain Janes advised matching funds are not required and provided information related the fit of the suits.

- e) Grant Award Agreement between the City of Cheyenne and the Wyoming Office of Homeland Security for the purchase of two Recon Robot Throwbot 2.

Dr. Aldrich moved to approve in an amount of \$34,978.64, seconded by Mr. Esquibel. Motion carried with Dr. Aldrich and Mr. Esquibel voting "NO" and Mr. Johnson voting "YES".

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the grant will provide funds to purchase 2 new throwbots which will be equipped with both video and audio capabilities and noted matching funds are not required. Mr. Johnson spoke against the purchase based on the lack of information related to the use of robotics and the 4th Amendment.

- f) Telecommunications Right-of-Way and Use Agreement between Uniti National LLC and the City of Cheyenne.

The item died due to the lack of a motion.

DISCUSSION: Stefanie Boster, City Attorney, provided a staff report and advised staff requests the committee postpone the contract indefinitely to allow time for Uniti National LLC to prove their authorization to do business in Wyoming. Upon inquiry, Ms. Boster provided information on standard fees collected by the City for use of the right-of-way and the contract term.

- g) Juvenile Housing Agreement between the City of Cheyenne and Laramie County for the housing of juvenile detainees in the Laramie County Juvenile Services Center located at the Archer Complex.

Dr. Aldrich moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the proposed contract term is through fiscal year 2023 for a rate of \$195.00 per night and will provide housing of juvenile detainees in the custody of the City noting it is not standard practice to hold juveniles.

- h) Grant Award Agreement with the State of Wyoming Office of Homeland Security for a grant from the U.S. Department of Homeland Security (DHS), FEMA, Grant Programs Directorate, SHSP Grant Fiscal Year 2021 in the amount of \$106,817.35 for the Cheyenne Regional Response Team #7.

Dr. Aldrich moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Division Chief Andrew Dykshorn, Fire and Rescue Department, provided a staff report and an overview of the Regional Response Team's duties and noted funding will be used for training and equipment

- i) Memorandum of Understanding between the City of Cheyenne and the Tourism Promotion Joint Powers Board, d/b/a Visit Cheyenne regarding the partnership to develop planning and design and implementation for a first phase of the Belvoir Ranch/Big Hole Project.

Dr. Aldrich moved to approve in an amount not to exceed \$100,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Charles Bloom, Planning and Development Director, provided a staff report and advised the agreement is to partner for phase 1 design and development of a trailhead and multi-purpose trails with Visit Cheyenne. Upon inquiry, Mr. Bloom provided information on the allocation of funds, explained the role of Visit Cheyenne as a resource to complete the project and advised no timeline has been determined. Jennifer McClelland, Executive Assistant to the City Council and committee clerk, advised two members of the public noted their support of the project through the Zoom chat.

- j) Memorandum of Understanding between the City of Cheyenne and Robert Chamberlin to authorize filing of platting applications(s) for City-owned lands for the purpose of access and future development.

Dr. Aldrich moved to approve, seconded by Mr. Esquibel. Motion carried with Dr. Aldrich and Mr. Esquibel voting “YES” and Mr. Johnson voting “NO”.

DISCUSSION: Charles Bloom, Planning and Development Director, provided a staff report and advised the agreement would authorize the developer of land adjacent to City owned lands to plat land and dedicate right-of-way at no cost to the City. Mr. Johnson voiced concerns with the approval process and upcoming documents to be provided during an Urban Renewal Area (URA) board meeting on November 4, 2021 and noted he could not support the agreement at this time. Casey Palma, Steil Surveying, provided information related to right-of-way to City owned property and explained this agreement will allow for a cleanup and completion of platting the property. Mr. Palma advised the forthcoming documents at the URA meeting are unrelated to this agreement and will be available to staff momentarily.

- k) Subgrantee Agreement between the City of Cheyenne and Laramie County for the 2021 Byrne Justice Assistance Grant for community-oriented policing overtime and benefits and firearms accessories. (JAG21 Grant)

Dr. Aldrich moved to approve in an amount of \$49,554.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the grant will fund the purchase of optics and lights for 20 officer’s firearms and provide for costs and benefits associated with overtime. Upon inquiry, Captain Janes confirmed firearms are provided to officers by the department.

- l) Subgrantee Agreement between the City of Cheyenne and Laramie County for FY 2021 Law Enforcement Mental Health and Wellness Act Grant. (LEMHWA Grant)

Dr. Aldrich moved to approve in an amount of \$39,937.50, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the grant will allow provide funds for 14 officers to attend 40 hours of peer support training, contract mental health service providers and fund overtime expenses. Captain Janes provided statistical information on mental health issues with police officers.

- m) Lease Agreement between the State of Wyoming, Department of Wyoming State Parks and Cultural Resources, Division of State Parks, Historic Sites and Trails and the City of Cheyenne for lands in Curt Gowdy State Park.

Dr. Aldrich moved to approve, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Clint Bassett, BOPU Water Treatment Manager, provided a staff report and advised the proposed lease is for City lands surrounding Granite, Crystal and North Crow Reservoirs which are critical to the formation of Curt Gowdy State Park. Mr. Bassett provided information on the history of the lease and explained changes in the proposed lease include access for emergency vehicles, allows bicycles in previously designated walk-in areas and an extended term of the lease from 25 to 30 years. Upon inquiry, Mr. Bassett reported trash and sanitation services within the park are provided by the State.

- n) Professional Services Agreement between the City of Cheyenne and HDR Engineering, Inc., for the 5th Street Bridge Over Crow Creek Design Project. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$709,095.60, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the agreement will provide design and construction management services for the Crow Creek Bridge and detailed issues with the current bridge. Mr. Bay advised the project was approved by the voters as a top priority and upon inquiry provided information related to existing Greenway and the bridge inspection process.

21. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- b) Contract Modification #1 to Contract #7286 between the City of Cheyenne and Summit Engineering for additional construction management services for the Construction Management Services for Multi-Use Underpass for Pedestrian and Bicycles on College Drive connecting the Laramie County Community College and Sweetgrass Development (LCCC Greenway Underpass Project). (6th Penny Greenway Funds)

Dr. Aldrich moved to approve in an amount not to exceed \$38,784.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the modification will provide additional construction management services and extend the completion date to November 1, 2022. Upon inquiry, Mr. Bay explained the need for an additional inspector is related to staffing shortage in the City Engineer's office. Mr. Johnson requested an update on available Greenway funds.

- c) Contract Modification #1 to Contract #6959 between the City of Cheyenne and Short Elliot Hendrickson, Inc., for additional engineering and construction management services for the Airport Parkway Pavement Rehabilitation Project. (2018-2022 1% Sales Tax)

Mr. Johnson moved to approve in an amount not to exceed \$103,979.12, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the original contract only included design services and the proposed modification will add construction management fees for completion of the project. Mr. Johnson requested special attention be given to the area southeast of the cemetery at Morrie Avenue/Airport Parkway and Pershing Boulevard intersection. Mr. Bay noted repairs to the retaining wall and a snow fence system are planned for the area.

- d) Contract Modification #1 to Contract #6606 between the City of Cheyenne and Trihydro Corporation for additional ground and surface water sampling at the Snyder-Ames Pumphouse Property. (2018-2022 1% Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$11,565.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

DISCUSSION: Wes Bay, Deputy City Engineer, provided a staff report and advised the modification will extend groundwater sampling related to E. coli and the effectiveness of the Pumphouse Wetlands Project as required by the Wyoming Department of Environmental Quality. Upon inquiry, Mr. Bay provided details on the exact area to require sampling, advised the additional sampling is not related to the homeless camps in the area and noted other safety concerns in the area have contributed to the closure of the Greenway connector including erosion and lack of lighting. Alessandra McCoy-Fakelman, Deputy City Attorney, added a line-item proposal was previously presented to Council to open the area but was not funded and noted she would provide that information the Council. Mr. Esquibel voiced concerns with contract modifications and the information provided to the entire Council.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:11 p.m.

Submitted by,

A handwritten signature in blue ink that reads "J. McClelland". The signature is written in a cursive, flowing style.

Jennifer McClelland

Executive Assistant to the City Council