

## **FINANCE COMMITTEE MINUTES**

A meeting of the Finance Committee was held on Monday, December 20, 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 and Division Chief Andrew Dykshorn, Fire and Rescue Department; Renee Smith, Grants Manager; Charles Bloom, Planning and Development Director; Lara White, City Attorney Office Manager; Brenda Moureaux, Deputy City Treasurer; Darrin Haas, Human Resources Director; Keith McQueen, Transit Assistant Director; Andrew Worshek, Mayor's Chief of Staff; Tina Worthman, Botanic Gardens Manager; Eric Fountain, Compliance Director; Lanna Donn, Seth Lloyd, and Andrew Hays, Cheyenne Public Employee Association (CPEA); and Kris Jones, City Clerk.

**OTHERS PRESENT:** Mayor Patrick Collins; Pete Laybourn, City Councilman Ward I; Patti Riesland, Mayor's Council for People with Disabilities; Britney Tennant, Cheyenne Animal Shelter CEO; Craig Sanne; M. Webster; Dale Steenbergen, Cheyenne Chamber of Commerce President/CEO; Jeff Holder, Marvin Nash, and John Robitaille, Encore Green Environmental.

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### **AGENDA ITEMS**

11. **ORDINANCE –2<sup>nd</sup> READING –** Amending Ordinance No. 4396 Defining the Terms and Conditions of Employment for Sworn Officers of the Cheyenne Police Department for Fiscal Year 2021-2022. (SPONSORS – DR. ALDRICH, MR. ESQUIBEL, MR. JOHNSON, MR. ROYBAL AND MR. WHITE)

Dr. Aldrich moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Robin Lockman, City Treasurer, provided a staff report and advised the proposed amendment will reinstate longevity pay for sworn officers and provided background information on the removal of longevity pay in the fiscal year 2021 budget. Ms. Lockman reviewed the longevity pay schedule for sworn officers. Dr. Aldrich spoke in support of the amendment and thanked the City Treasurer for her work. Seth Lloyd, CPEA, spoke in support of the amendment.

19. **RESOLUTION –** Designating local banks as depositories for Municipal Funds. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Brenda Moureaux, Deputy City Treasurer, provided a staff report and advised state statute requires municipalities to deposit funds in national and state banks and that those depositories be annually designated. Upon inquiry, Ms. Moureaux provided information on the selection process.

20. RESOLUTION – Supporting the City of Cheyenne’s application for the Community Development Block Grant for a covered picnic structure at Pioneer Park. (SPONSOR – MR. WHITE)

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

**DISCUSSION:** Teresa Moore, Community Recreation & Events Director, provided a staff report and advised the grant will assist in financing the installation of a cement pad, eight picnic tables and a shade structure at Pioneer Park at an estimated cost of \$150,000.00 and noted the City’s match is fifty percent of the cost, or \$75,000.00.

21. RESOLUTION – Reinstating longevity pay for eligible City of Cheyenne non-uniformed employees. (SPONSORS – DR. ALDRICH, MR. ESQUIBEL, MR. JOHNSON, MR. ROYBAL AND MR. WHITE)

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

**DISCUSSION:** Robin Lockman, City Treasurer, provided a staff report and advised the resolution will reinstate longevity pay for non-uniformed employees and provided background information on the removal of longevity pay in the fiscal year 2021 budget. Ms. Lockman reviewed the longevity pay schedule for non-uniformed employees and upon inquiry, provided information on the difference in the pay schedule for uniformed and non-uniformed employees. Seth Lloyd, CPEA, spoke in support of the resolution. Dr. Aldrich requested a breakdown of cost differences to make the pay schedule the same for both non-uniformed and uniformed employees.

22. RESOLUTION – Authorizing a salary increase of one dollar and fifty cents (\$1.50) per hour to eligible employees of the City of Cheyenne. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Robin Lockman, City Treasurer, provided a staff report and advised the resolution will provide all eligible employees with a \$1.50 per hour raise and provided information on current inflation information and turnover costs. Ms. Lockman provided wage increase cost information and advised a reappropriation will be referred at the next meeting of the governing body. Dr. Aldrich spoke in support of the resolution. Chairman Roybal supported the hourly versus a percentage raise. Seth Lloyd, CPEA, spoke in support of the resolution however, questioned the exemption of employees who received salary increases since July 1, 2021. Ms. Lockman provided information on the twenty-nine (29) employees who received raises since July 1, 2021, and upon inquiry, advised if the raise was less than \$1.50, the difference will be provided

to the employee. Mr. Lloyd supported salary increases previously given for inflationary reasons however did not support denial of this \$1.50 raise for those employees who had received merit-based increases since July 1, 2021. Ms. Lockman advised that each employee that previously received an increase could be reviewed and further considered for this proposed raise. Vicki Nemecek, Public Works Director, provided information on employees within her department and advised in some cases employees not eligible for the proposed raise could potentially be making less per hour than new hire employees. Jason Sanchez, Community Recreation & Events Deputy Director, thanked the committee for consideration of the increase.

23. RESOLUTION – Authorizing submission of a Federal Emergency Management Agency Preparedness Grant application under the Assistance to Firefighters Grant Program, on behalf of the Governing Body of the City of Cheyenne, for the purpose of purchasing new lift air bag kit. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Chief John Kopper, Fire and Rescue Department, provided a staff report and advised the proposed grant will provide financial assistance for replacement of aging air lift kits used for vehicle and small space extrications. Chief Kopper advised a 5% match is required for the grant in the amount of \$7,929.25 and will be funded with 1% Sales Tax funds. Upon inquiry, Chief Kopper advised this equipment is in addition to American Rescue Plan Act (ARPA) requests.

24. RESOLUTION – Authorizing submission of a Federal Emergency Management Agency Preparedness Grant application under the Assistance to Firefighters Grant Program, on behalf of the Governing Body of the City of Cheyenne, for the purpose of purchasing new fire hose and nozzles. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Chief John Kopper, Fire and Rescue Department, provided a staff report and advised the proposed grant will provide financial assistance to replace fire hose and nozzles used on front line and reserve apparatus. Chief Kopper advised a 5% match is required for the grant in the amount of \$4,731.25 and will be funded with 1% Sales Tax funds.

25. RESOLUTION – Authorizing the City Treasurer to allocate Revenue Recovery Funds for identified purposes from the U.S. Department of Treasury for the American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds in the amount of \$986,645.00. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Renee Smith, Grants Manager, provided a staff report and provided information on American Rescue Plan Act (ARPA) funds received by the City including funds for revenue recovery and advised the resolution will allow Community Recreation & Events to use the lost revenue to meet the immediate need to purchase a sound system and pay off the balance on a previously purchased lighting system. Ms. Smith advised additional lost revenue funds will be

used by the Ice & Events Center to purchase a new laser tag system and additional funds may be used towards a gymnastics or basketball facility. Upon inquiry, Ms. Smith advised this amount is not included in the prioritization lists recently provided to council for usage of other ARPA funds.

26. **RESOLUTION** – Proposing the City of Cheyenne to become the ‘Climate Wellness Capitol’ of the world by working with the Carbon Asset Network for the benefit of soil health and soil organic carbon capture. (SPONSOR – MR. SEGRAVE)

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

**DISCUSSION:** Stefanie Boster, City Attorney, provided a staff report and advised the proposed resolution will help ensure climate wellness through increased soil health and create a partnership between the City and Carbon Asset Network. Upon inquiry, Marvin Nash, Encore Green Environmental, advised Darlene Nash is the owner of the Carbon Asset Network and provided information on the proposed relationship between the City and the Carbon Asset Network. Dale Steenbergen, Cheyenne Chamber of Commerce President/CEO, provided information on the block chain, crypto currency, and carbon capture.

27. **LEASES/CONTRACTS/LEGAL:**

- b) Memorandum of Understanding between the City of Cheyenne, Transit Division, and Laramie County to provide public transportation services to Laramie County Community College and for an area of Laramie County immediately adjacent to the City.

Dr. Aldrich moved to approve in an amount of \$83,816.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Keith McQueen, Transit Assistant Director, provided a staff report and advised the annual agreement is for non-federal funding to provide public transportation services to the college and surrounding areas.

- c) Professional Services Agreement between the City of Cheyenne, Cheyenne Metropolitan Planning Organization (MPO), and West Edge Collective, LLC, for Public Engagement and Web Support Services. (MPO Federal Funds)

Dr. Aldrich moved to approve in an amount not to exceed \$31,200.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Tom Mason, MPO Director, provided a staff report and advised the proposed agreement is to provide public engagement, social media, and website services noting a requirement of transportation planning projects is public participation. Upon inquiry, Mr. Mason advised he is very satisfied with the services provided by West Edge Collective, LLC.

- d) Professional Services Agreement between the City of Cheyenne and Onsite Electronics Recycling, LLC, d/b/a I.T. Refresh, for the Electronics Recycling Services Project. (Solid Waste Fund)

Dr. Aldrich moved to approve in an amount not to exceed \$200,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Vicki Nemecek, Public Works Director, provided a staff report and advised the proposed agreement is for 2 years (with a possible 2-year extension) and noted the increase is due to the amount of electronics being recycled. Upon inquiry, Ms. Nemecek provided information on the collection process and advised on the fees collected from commercial customers.

- e) Purchase Agreement between the City of Cheyenne and Ned Murray Co., a Partnership, Jane D. Forbes Trustee of Jane D. Forbes Revocable Living Trust for Lots 1-9 and 14-22, Block 654, South Cheyenne Plat, City of Cheyenne, County of Laramie, State of Wyoming. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$116,000.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Wes Bay, Deputy City Engineer, provided a staff report and advised the purchase of this property is related to the reconstruction of the 5<sup>th</sup> Street and Deming Bridge project and will allow the opportunity to modify both the horizontal and vertical alignment of the bridge and allow for the bridge and roadway to remain open longer during construction. Mr. Bay advised purchasing the property will allow grading within the floodway and expansion of the greenway/park area. Mr. Johnson thanked staff for their work on this project.

## 28. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- a) Amendment #1 to City Contract #7268 with the State of Wyoming Office of Homeland Security for a grant for the Cheyenne Regional Response Team #7, extending the term of the grant through January 31, 2023.

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 advised the proposed extension is due to current issues with manufacturing and delivery of the equipment to be purchased.

- b) Amendment #2 to Contract #2511 amending and restating the City of Cheyenne, Laramie County, Wyoming, Industrial and Economic Development Joint Powers Board Agreement.

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

**DISCUSSION:** Stefanie Boster, City Attorney, provided a staff report and advised the proposed revision to the agreement includes duties of the board in the case of a potential 7<sup>th</sup> Penny tax and noted the revision was requested by the board's attorney and completed in coordination with the county attorney. Upon inquiry, Ms. Boster provided information on the flow through of potential 7<sup>th</sup> Penny tax funds and advised there is no fee to the board for the pass through. Upon inquiry, Robin Lockman, City Treasurer, supported the revision and the flow through of 7<sup>th</sup> Penny funds.

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

- c) Consideration of Bid #E-5-22 for furnishing two (2) Five Gang Fairway Mowers for the City of Cheyenne, Community Recreation & Events Department-Golf Division. (Golf Fund)

Dr. Aldrich moved to accept the bid from Stotz Equipment, Evansville, Wyoming in an amount not to exceed \$101,700.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed equipment will replace aging equipment and noted two pieces of equipment would be traded in at a value of \$2,100.00.

- d) Consideration of Bid #E-6-22 for furnishing one (1) new 2021-2022 65-foot aerial device, XT60 Pro Rear Mount Aerial Device or approved equal for the City of Cheyenne, Community Recreation & Events Department-Forestry Division. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to accept the bid from Floyd's Truck Center, Cheyenne, Wyoming, in an amount not to exceed \$167,295.00, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed equipment will replace aging equipment and provided information on a cost analysis of continued maintenance of current equipment.

**OTHER ITEMS FOR THE AGENDA:**

- a) Agreement between the City of Cheyenne and the Cheyenne Animal Shelter for Animal Shelter Services for Fiscal Year 2022.

Dr. Aldrich moved to approve in an amount not to exceed \$528,000.00 for sheltering services and \$20,000.00 for miscellaneous Animal Control Equipment, seconded by Mr. Johnson. Motion carried by unanimous voice vote.

**DISCUSSION:** Eric Fountain, Compliance Director, provided a staff report and advised the proposed contract for animal sheltering services is for the period through June 30, 2022, and noted the nightly charge per animal at \$35.00 and \$45.00 if an animal is kept past 10 days. Mr. Fountain advised the Cheyenne Animal Shelter (CAS) Board approved the City liaison as a voting member

of the board. Dr. Aldrich voiced concerns with the nightly charge. Britney Tennant, Cheyenne Animal Shelter CEO, thanked members of the committee and advised the CAS board is in full support of the contract.

- b) RESOLUTION – Authorizing the Mayor to execute settlement participation forms for the City of Cheyenne to participate as provided in the settlement agreements designated as the “Janssen Settlement” and “Distributor Settlement” dated July 21,2021. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Stefanie Boster, City Attorney, provided a staff report and advised the proposed resolution is for the City to participate in the opioid settlement and recommend participation in the litigation. Ms. Boster reviewed the distribution of funds from the litigation which is outlined in detail in the following resolution.

- c) RESOLUTION – Authorizing OCHS Law Firm P.C., to enter into the OneWyo Opioid Settlement Memorandum of Agreement – a distribution plan to resolve the City of Cheyenne’s claims in a lawsuit regarding the National opioid epidemic. (SPONSOR – MR. ROYBAL)

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

**DISCUSSION:** Stefanie Boster, City Attorney, provided a staff report and advised the proposed resolution provides details of the settlement and noted this agreement and the previous agreement require signatures by January 3, 2022.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:10 p.m.

Submitted by,



Jennifer McClelland  
Executive Assistant to the City Council