

## **FINANCE COMMITTEE MINUTES**

A meeting of the Finance Committee was held on Monday, March 7, 2022, 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:** Jeff White, Chairman; Dr. Michelle Aldrich; Ken Esquibel; and Richard Johnson.

**CITY STAFF:** TJ Barttelbort, Purchasing Manager; Robin Lockman, City Treasurer; Tom Cobb, City Engineer; Stefanie Boster, City Attorney; Chief John Kopper and Battalion Chief John Fitzgerald, Fire and Rescue Department; Charles Bloom, Planning and Development Director; Seth Lloyd, Planning & Development Department; Renee Smith, Grants Manager; Briana Ralda-Quinonez, City Attorney Office Assistant; Jennifer Brown, City Clerk's Office; Allyson Montgomery, Youth Alternatives Foster Grandparent Coordinator; Nathan Chapman and Bobby Lamb, Cemetery; Brenda Moureaux, Deputy City Treasurer; Clint Bassett, Water Treatment Manger Board of Public Utilities (BOPU); Doug Klahn, Construction Manager; Tom Mason, Metropolitan Planning Organization (MPO) Director; Tina Worthman, Botanic Gardens Manager; Jeanne Vetter, Parks & Greenway Planner; Erin Lamb, BOPU Administrative & Public Affairs Coordinator; Teresa Moore, Community Recreation & Events Director; and Kylie Soden, Deputy City Clerk.

**OTHERS PRESENT:** Councilman Pete Laybourn, Ward I; Brad Emmons, AVI Engineering; Wendy Volk and Lori Schoene, Cheyenne Regional Air Service Focus Team (CRAFT); Joe Patterson, Guardian Homes and Southeast Wyoming Building Association (SEWBA); John Fender, SEWBA; Michael Rauzi, Poor Richard's; Kevin Georges, DT's Liquor Stores; Suzy Gudenkuf, Outlaw Liquors; Gino DiMarzio, Dell Range Liquors; Patti Riesland, Mayor's Council for People with Disabilities; Sydney Huckfeldt; Max and Becky Minnick, Pine Rock Realty; Matt-Kim Miller; Teresa Dietz; Kim Brokaw; and Justin Flohr.

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### **AGENDA ITEMS**

#### **6. APPLICATIONS/LICENSES/PERMITS:**

- a) Renewal applications for existing City liquor licenses (retail, restaurant, limited retail, resort, bar and grill licenses, microbrewery, satellite distillery, special malt beverage and winery permits) filed with the City Clerk's Office.

Mr. Johnson moved to approve, seconded by Mr. Esquibel. Dr. Aldrich moved to divide out Poor Richards and those individuals who did not provide a TIPS List during compliance checks including Eagle's Nest Bar; Big D Exxon; Vino's Wine & Spirits; Accomplice Beer Co.; Plains Hotel; Redwood Tavern Bar; China Buffet Restaurant; Four Winds Bar; and Peppermill, seconded by Mr. Esquibel. Motion to divide carried with Dr. Aldrich and Mr. Esquibel voting "YES" and

Mr. Johnson voting “NO”. Main motion, as divided, carried with Dr. Aldrich and Mr. Esquibel voting “YES” and Mr. Johnson voting “NO”.

**DISCUSSION:** Kylie Soden, Deputy City Clerk, provided a staff report and advised the annual renewal applications have been reviewed by City staff and are currently under review at the Wyoming Liquor Commission noting City Codes and State Statutes have been met. Ms. Soden advised one license is currently parked, Poor Richard’s, and is requesting an additional year in a “parked” status. Upon inquiry, Ms. Soden provided information on the completion of review by the Wyoming Liquor Commission noting completion by the meeting of the governing body on March 14, 2022. Dr. Aldrich expressed concerns with the nine establishments that sold to minors during compliance checks, those who did not provide their TIPS Lists and with the request to extend the “parked” status of a license. Mr. Esquibel voiced support of dividing the question to require establishments to provide the required information. Dr. Aldrich agreed with her colleague and expressed the importance of following the rules.

- b) Transfer of ownership and location of retail liquor license application filed with the City Clerk’s Office for Dillon Companies, LLC, a Kansas limited liability company d/b/a King Soopers, 3702 Dell Range Blvd., Cheyenne, Wyoming (license currently held by Avanti, Inc., d/b/a Dell Range Liquor, 3806 Dell Range Blvd. #4, Cheyenne, Wyoming).

Mr. Johnson moved to approve. Motion died due to the lack of a second

**DISCUSSION:** Kylie Soden, Deputy City Clerk, provided a staff report and advised the requested transfer of ownership application has been reviewed by the required agencies and deemed eligible.

- 14. **ORDINANCE –3<sup>rd</sup> READING –** Amending various sections of Chapter 12.20, Cemeteries, of Title 12, Streets, Sidewalks and Public Places, of the Code of the City of Cheyenne pertaining to Cemetery fees.

Dr. Aldrich moved to approve on 3<sup>rd</sup> and final reading, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Teresa Moore, Community Recreation & Events Director, provided a staff report and advised no additional information has been provided since 2<sup>nd</sup> reading at the meeting of governing body on February 28, 2022, and upon inquiry, advised the last fee update was in 2009.

- 20. **RESOLUTION –** Adopting a fee schedule for Planning and Development projects. (POSTPONED FROM 02-28-22)

Mr. Johnson moved to adopt, seconded by Dr. Aldrich. Mr. Johnson moved to amend by substitute dated March 4, 2022, seconded by Dr. Aldrich. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

**DISCUSSION:** Charles Bloom, Planning and Development Director, provided a staff report and reviewed the changes in the proposed substitute including a requirement to review the fee schedule

every five (5) years; removal of the appraisal cost fee from street/alley vacation by ordinance application; the addition of a \$2,500.00 limit for preliminary and final plat applications; and the addition of a \$5,200.00 limit for expedited plat applications. Upon inquiry, Mr. Bloom provided clarification on the maximum fees to be assessed for preliminary and final plat applications. Brad Emmons, AVI Engineering, expressed thanks to staff for reconsidering the appraisal cost fee from the street/alley vacation by ordinance application. Joe Patterson, Guardian Homes and SEWBA, expressed thanks to staff and reminded the committee of the current efforts of the Affordable Housing Task Force, recommending a postponement of this proposed fee schedule until the task force can provide recommendations. Upon inquiry, Becky Minnick provided information on the airman housing study noting recommendations of the Affordable Housing Task Force would be available once the study is completed. Councilman Laybourn expressed support for the proposed fee schedule. Dr. Aldrich expressed thanks to staff and the task force for their work and requested clarification on the opportunity to waive or adjust fees. Mr. Bloom advised that fees could be waived or adjusted through a memorandum of understanding and noted fees were adjusted previously in 1993. Mr. Esquibel provided a comparison between affordable housing and low-income housing. Mr. Johnson advised he was previously approached, during his first term as a councilman, to review the fee schedule and expressed thanks to staff for completing the task.

22. **RESOLUTION** – To authorize the application for the continuation grant in the amount of \$318,375.00 from the Corporation for National and Community Service for the City of Cheyenne Office of Youth Alternatives Foster Grandparent Program. (SPONSOR – MR. WHITE)

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

**DISCUSSION:** Allyson Montgomery, Youth Alternatives Foster Grandparent Coordinator, provided a staff report and advised the proposed resolution will allow the continuation of a previously approved grant.

26. **LEASES/CONTRACTS/LLEGAL:**

- g) Agreement between the City of Cheyenne and Cheyenne Regional Air Service Focus Team (CRAFT) for Minimum Revenue Guarantee Payment. (General Fund)

Dr. Aldrich moved to approve in an amount not to exceed \$240,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Robin Lockman, City Treasurer, provided a staff report and advised the proposed contract is to pay a portion of the minimum revenue guarantee and provided a breakdown of the payment by entity. Upon inquiry, Ms. Lockman advised the funds from the 6<sup>th</sup> Penny ballot will be used in fiscal year 2023 and that funds were previously budgeted in fiscal year 2022's budget for this payment. Wendy Volk, CRAFT, provided information on current air service and the partnership with SkyWest Airlines. Upon inquiry, Ms. Volk advised on the load capacity of the aircraft and the reliability of the service. Dr. Aldrich expressed thanks to Ms. Volk for her time.

- h) Professional Services Agreement between the City of Cheyenne, Fire and Rescue Department, and UC Health c/o Cheyenne Medical Specialist to provide occupational medical exams. (General Fund)

Mr. Johnson moved to approve in an amount not to exceed \$50,000.00, seconded by Dr. Aldrich. Motion carried by unanimous voice vote.

**DISCUSSION:** Battalion Chief John Fitzgerald, Fire and Rescue Department, provided a staff report and advised the proposed agreement will allow for occupational health and safety medical exams as required. Upon inquiry, Battalion Chief Fitzgerald provided information on the requirement of heavy metal labs.

- i) Memorandum of Understanding between the City of Cheyenne and the Carbon Asset Network (CAN) establishing terms and conditions for land manager partnerships.

Mr. Esquibel moved to approve, seconded by Dr. Aldrich. 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 memorandum of understanding is to establish processes, concerns, and expectations between CAN and the City. Councilman Laybourn expressed support of the concept of the CAN but voiced concerns as it relates to the city and its property. Dr. Aldrich expressed concerns with management of the program and if the return from the agreement would cover the expenses of a staff member. Mr. Esquibel expressed support of the partnership.

Mr. Johnson following discussion and vote on agenda item #22(i) excused himself for the remainder of the meeting due to a previous employment commitment at 12:55 p.m.

- j) Agreement between the Board of Public Utilities and Polo Ranch Company regarding Quarter Circle Five subdivision well development and associated water entitlement.

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

**DISCUSSION:** Clint Bassett, Water Treatment Manager BOPU, provided a staff report and advised the proposed agreement will allow for the development of twelve (12) lots and explained the history of the water agreement between the City and the Polo Ranch Company.

## 27. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- c) Contract Modification #1 to Contract #7405 for the Contingency and Development Agreement between the City of Cheyenne and Project Bison to perform duties as outlined in the Wyoming Business Council Business Ready Community Grant Program for a Managed Data Center Cost Reduction Grant to recoup accrued utility

expenses to replace "Project Bison" with "Microsoft" throughout. (WBC Managed Data Center Grant)

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

**DISCUSSION:** Renee Smith, Grants Manager, provided a staff report and advised the proposed contract modification will remove all references to "Project Bison" and replace them with "Microsoft".

28. CONSIDERATION OF BIDS/PURCHASES/REQUESTS FOR PROPOSALS:

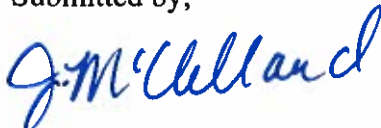
- b) Consideration of Bid #S-11-22 for a contract between the City of Cheyenne and Z & Z Asphalt, for the 2022 Crack Seal #1 Project. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$518,477.96, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

**DISCUSSION:** Doug Klahn, Construction Manager, provided a staff report and advised the proposed bid will provide maintenance for approximately ninety-nine (99) lane miles of city streets. Councilman Laybourn requested a meeting to discuss previous contracts and performance issues. Upon inquiry, Mr. Klahn advised this contract is with a new contractor.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 1:05 p.m.

Submitted by,



Jennifer McClelland  
Executive Assistant to the City Council