

FINANCE COMMITTEE MINUTES

A meeting of the Finance Committee was held on Monday, May 2, 2022, in Committee Room 104 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 Division Chief Byron Matthews, Fire and Rescue Department; Vicki Nemecek, Public Works Director; Bryan Bell, Fleet Maintenance Manager; Randy Hickman, Street & Alley Manager; Renae Jording, Transit Director; Craig LaVoy, Public Works Deputy Director; Deanne Widauf, Housing & Community Development Program Manager; Tyler Nelson, I.T. Administrator; Charles Bloom, Planning & Development Director; Jason Sanchez, Community Recreation & Events Deputy Director; Brenda Moureaux, Deputy City Treasurer; Sam Berta, Construction Engineer; Renee Smith, Grants Manager; Wes Bay, Deputy City Engineer; Andy Worshek, Mayor's Chief of Staff; Eric Fountain, Compliance Director; Marilyn Sutherland, Compliance & Risk Administrator; Darrin Hass, Human Resources Director; Sam Payne, Parks Manager; Tom Mason, Metropolitan Planning Organization (MPO) Director; Captain David Janes and Lieutenant Joel Hickerson, Police Department; and Kris Jones, City Clerk.

OTHERS PRESENT: Mayor Patrick Collins; Councilman Pete Laybourn, Ward I; Patti Riesland, Mayor's Council for People with Disabilities; Kyle Ridgeway, 307 Horse Racing Inc.; Richard Braithwaite, VP of Commercial Lending, Banner Capital Bank; Marianne Shanor; Jim Ridgeway; Brenda Birkle and Keith Azhill.

AGENDA ITEMS

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

- c) Transfer of ownership of retail liquor license application filed with the City Clerk's Office for 307 Horse Racing, Inc. d/b/a The Derby Club - Cheyenne, 1510 E. Pershing, Cheyenne, WY (license currently held by Stults Management, LLC d/b/a The Office Bar & Eatery, 1600 E. Pershing Blvd.).

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

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the application has been reviewed by all the required agencies and deemed eligible. Kyle Ridgeway, 307 Horse Racing Inc., made himself available for questions and noted the opening of the facility may be delayed due to current supply chain issues. Jim Ridgeway (not related to Kyle Ridgeway) expressed concerns with three liquor and/or bar establishments currently operating in the area and

requested a definition of a “retail” liquor license. Ms. Jones provided a definition and information related to uses for a “retail” liquor license noting the recently approved new retail license had specific criteria set forth through resolution by the governing body. Dr. Aldrich expressed dissatisfaction with current liquor license availability. Upon inquiry, Kyle Ridgeway explained the layout of the proposed location including the placement of a drive-up window and a patio. Charles Bloom, Planning & Development Director, provided information related to Board of Adjustment conditions that have been added to the property including the one-way use of the alleyway from the front of the building to the back and the requirement of a western buffer to mitigate noise and headlight nuisances into the adjacent neighborhood. Mr. Esquibel voiced concerns related to the alleyway traffic and recommended consideration of a pedestrian only alleyway connection.

- d) Bar and grill license application filed with the City Clerk’s Office for Stults Management LLC d/b/a The Office Bar & Eatery, 1600 E. Pershing Blvd. #100, Cheyenne, WY.

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

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the application has been reviewed by all the required agencies and deemed eligible noting the business owner is no longer interested in opening a package liquor store at the location. Mr. Esquibel expressed satisfaction with the redevelopment of the entire shopping area. Dr. Aldrich voiced support and expressed the need for more establishments to fully review the use of their “retail” liquor licenses and consider other options.

15. **ORDINANCE – 2nd READING – Amending Section 10.52.230 Downtown Construction/Maintenance Worker Parking in an Established Timed Parking Zone, of Chapter 10.52, Stopping, Standing and Parking Generally, of Title 10, Vehicles and Traffic, of the Code of the City of Cheyenne. (SPONSOR – MR. WHITE)**

Dr. Aldrich moved to approve on 2nd reading, seconded by Mr. Esquibel. Dr. Aldrich moved to amend by removing in paragraph #5 “rectangular area within and including the following streets: 15th Street to 28th Street and House Avenue to Bent Avenue” and replacing it with “the Downtown Development Authority Defined District”, seconded by Mr. Esquibel. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Tom Cobb, City Engineer, provided a staff report and advised the proposed ordinance amendment was reviewed by several city departments and noted parking violations were being issued in designated construction zones. Upon inquiry, Mr. Cobb advised no changes were made to the verbiage describing the designation of the downtown area. Councilman Pete Laybourn, Ward I, expressed the need for consistency when describing the downtown area boundaries.

17. **RESOLUTION – Adopting the City of Cheyenne Annual Action Plan 2022, prepared by the Cheyenne Housing and Community Development Office. (SPONSOR – DR. ALDRICH)**

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

DISCUSSION: Deanne Widauf, Housing & Community Development Program Manager, provided a staff report and provided a summary of agencies and organizations recommended to receive funding. Ms. Widauf reviewed the public participation process and noted no public comments were received. Chairman White and Mr. Esquibel expressed their appreciation to Ms. Widauf.

18. **RESOLUTION – Adopting a City of Cheyenne Healthcare Plan, a City of Cheyenne Health Benefit Trust, and appointing fiduciaries for the Plan and Trust. (SPONSOR – MR. WHITE)**

Dr. Aldrich moved to adopt, seconded by Mr. Esquibel. Motion carried with Dr. Aldrich and Mr. Esquibel voting “YES” and Mr. Johnson abstaining (employment affiliation).

DISCUSSION: Darrin Hass, Human Resources Director, provided a staff report and advised the proposed resolution will allow for the creation of a trust fund and move the city to self-funded health insurance. Upon inquiry, Mr. Hass advised the beginning of self-funded health insurance would coincide with the new budget cycle and provided information related to employee input from the Cheyenne Public Employees Association.

19. **RESOLUTION – Accepting a U.S. Department of Homeland Security Federal Emergency Management Agency Fiscal Year 2020 Building Resilient Infrastructure and Communities Grant. (SPONSOR – MR. WHITE)**

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

DISCUSSION: Renee Smith, Grants Manager, provided a staff report and advised the proposed resolution is a continuation of the Dry Creek grant. Charles Bloom, Planning & Development Director, provided information related to the Greenway crossing and communications to acquire/develop a suitable crossing. Upon inquiry, Tom Cobb, City Engineer, advised the tall box arch masonry structure and area will be designed to allow for a separate drainage function and pedestrian traffic.

20. **RESOLUTION – Declaring that the Municipalities of Laramie County have agreed that the current State Statutes regarding the designation of liquor licenses issued by the governing bodies of said municipalities are stifling economic growth, and are requesting the State Legislative committees and State Legislature review, consider, and adopt modifications to state statutes regarding said licenses. (SPONSORS – DR. ALDRICH, MR. COOK, MR. ESQUIBEL, MR. JOHNSON, DR. RINNE, MR. ROYBAL AND MR. WHITE)**

Dr. Aldrich moved to adopt, seconded by Mr. Esquibel. Dr. Aldrich moved to amend by adding “food trucks” following “gaming facilities” in the 7th WHEARAS clause, seconded by Mr. Esquibel. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Mr. Johnson advised in recent conversations with other elected officials' topics have revolved around the state's current liquor licensing laws and during the recent Laramie County Elected Officials dinner the smaller communities in Laramie County wished to voice their support along with the City of Cheyenne to lobby the legislature to review those laws. Dr. Aldrich expressed the need to also review laws related to the popular use of food trucks as they relate to liquor laws.

21. RESOLUTION – Authorizing submission of an application to the Wyoming Department of Transportation for a Wyoming Rural Public Transportation Program Grant to provide the local match for operating funds for the City of Cheyenne for its Transit Program, as authorized by 49 U.S.C § 5311. (5311 WYDOT Grant) (SPONSOR – MR. WHITE)

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

DISCUSSION: Renae Jording, Transit Director, provided a staff report and advised the proposed resolution is for an annual grant to provide grant match funds. Upon inquiry, Ms. Jording provided information related to staffing issues as it relates to restoring full transit service noting a transit study is currently being conducted to establish more efficient services.

22. RESOLUTION – Approving an amendment to the Hitching Post Urban Renewal Plan and the Hitching Post Urban Renewal Project Pursuant to Wyoming Statute §15-9-110. (SPONSOR – MR. SEGRAVE)

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

DISCUSSION: Charles Bloom, Planning & Development Director, provided a staff report and advised the proposed resolution will allow drainage and detentions facilities to be eligible as part of the Urban Renewal Plan. Upon inquiry, Mr. Bloom provided information related to county pockets in the area and the use of an Urban Renewal Area to help with costs associated with annexation. Additional discussion included drainage to Crow Creek.

24. RESOLUTION – Re-appropriating the Fiscal Year 2022 Budget of the City of Cheyenne according to the provisions of W.S. §§ 16-4-112 & 16-4-113. (SPONSOR – MR. WHITE)

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

DISCUSSION: Robin Lockman, City Treasurer, provided a staff report and highlighted the proposed re-appropriation including funding from general fund reserves for public defender services, nuisance abatement, animal shelter services, jail costs, elevator repairs at the Jack Spiker Parking Garage, and various Police Department insurance losses. Upon inquiry, Captain David Janes, Police Department, provided information related to the department's insurance losses.

25. RESOLUTION – Supporting the City of Cheyenne's application for a United States Department of Commerce, Economic Development Administration American Rescue Plan Act Travel, Tourism, and Outdoor Recreation Grant for the 15th Street Railcar Renovation Project. (SPONSOR – MR. WHITE)

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

DISCUSSION: Renee Smith, Grants Manager, provided a staff report and advised the proposed resolution will allow funds for the relocation of three (3) railcars, including the engine from Lions Park and requires a twenty (20) percent match from the city's 6th Penny funds. Dr. Aldrich expressed interest in a work session to review the 15th Street Project and Reed Avenue Corridor. Chairman White agreed with the request for a work session and congratulated Mr. Esquibel on his recent retirement. Additional discussion included parking, traffic flow, and the difficulty and costs related to moving of "Big Boy" form Holiday Park.

26. LEASES/CONTRACTS/LEGAL:

- b) Memorandum of Understanding between Laramie County Weed & Pest Control District and the City of Cheyenne Weed & Pest Department for funding of the goat grazing on the Dry Creek and Crow Creek drainage projects. (Revenue to the City)

Dr. Aldrich moved to approve in an amount of \$80,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed memorandum will allow for a larger project scope related to the use of goats for weed management. Upon inquiry, Sam Berta, Construction Engineer, advised a project scope has yet to be determined and explained funding needed to be secured first.

- c) Memorandum of Understanding between the City of Cheyenne and Laramie County School District Number One to provide Civic Center usage to Laramie County School District Number One Music Department.

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

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provided a staff report and advised the proposed memorandum will officially establish guidelines for usage of the Civic Center by Laramie County School District Number One. Dr. Aldrich recommended the memorandum include verbiage to clarify the guidelines are on an annual basis for a period of five years.

- d) Consideration of second Development Agreement between the City of Cheyenne, Swagger Construction, LLC, and Banner Capital Bank for Tax Increment Financing for the Hitching Post Urban Renewal Plan & Project. (TIF Funding)

Dr. Aldrich moved to approve in an amount not to exceed \$460,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Charles Bloom, Planning & Development Director, provided a staff report and advised due to costs related to the environmental remediation and cleanup at the Hitching Post

property, the owner is requesting additional TIF funding assistance. Richard Braithwaite, VP of Commercial Lending, Banner Capital Bank, provided information related to a second loan related to the request by the property owner.

27. CHANGE ORDERS/CONTRACT MODIFICATIONS:

- a) Contract Modification #1 to Contract #7465 between the City of Cheyenne and Plan One / Architects for the Emergency Response Facility Design and Construction Administration Services Project adding civil infrastructure design. (Specific Purpose Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$45,000.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Chief John Kopper, Fire and Rescue Department, provided a staff report and advised the proposed site of Station #5, at Dutcher Field, requires design of a sewer line extension to provide services to the site noting the cost to install the extension is unknown at this time.

- b) Contract Modification #1 to Bid #E-7-21 for Ice Control Product for the City of Cheyenne Street & Alley Division. (2019-2022 1% Sales Tax)

Dr. Aldrich moved to approve in an amount not to exceed \$50,000.00, seconded by Mr. Esquibel. Motion carried with Dr. Aldrich and Mr. Esquibel voting "YES" and Mr. Johnson voting "NO".

DISCUSSION: Vicki Nemecek, Public Works Director, provided a staff report and advised the proposed modification is to include a fuel escalator. TJ Barttelbort, Purchasing Manager, provided information related to the original bid. Randy Hickman, Street & Alley Manager, provided information related to the delivery of the product. Additional discussion included using ice slicer verses sand.

- c) Contract Modification #1 to Contract #7379 between the City of Cheyenne and Lance & Hall LLP for renewal of public defense services. (General Fund)

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 modification is due to the increased volume of cases in Municipal Court.

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

- c) Consideration of Bid #E-18-22 for furnishing twenty-nine (29) trucks for the City of Cheyenne, Community Recreation & Events Department, Fleet Maintenance Division and Animal Control Division. (2015-2018 & 2019-2022 1% Sales Tax Funding and Specific Purpose Sales Tax Funding)

Dr. Aldrich moved to accept the bid from Ken Garff Cheyenne, Cheyenne, WY, in an amount not to exceed \$1,624,663.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: TJ Barttelbort, Purchasing Manager, provided a staff report and advised the proposed bid is to purchase twenty-nine (29) trucks and noted two (2) bids were received noting one (1) bid was rejected due to the multiple bid exceptions. Jason Sanchez, Community Recreation & Events Deputy Director, provided information on the condition of the current fleet and the benefits of replacing so many vehicles at one time. Vicki Nemecek, Public Works Director, expressed her departments' support and upon inquiry, provided information related to replacing city vehicles with hybrid styles and the continued need for automotive mechanics.

- d) Consideration of Bid #E-24-22 for the surplus sale of City of Cheyenne, Cheyenne Police Department evidence seized firearms. (Revenue to the City)

Dr. Aldrich moved to accept the bid from Proforce Law Enforcement, Prescott, AZ, in an amount not to exceed \$13,198.70, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the proposed bid is for seventy-one (71) firearms and upon inquiry advised the bidder specializes in buying and reselling firearms. Upon inquiry, TJ Barttelbort, Purchasing Manager, reported he believed concerns previously reported by a constituent related to the sale of both seized and department owned firearms had been resolved.

- e) Consideration of Bid #E-23-22 for the surplus sale of City of Cheyenne, Cheyenne Police Department owned firearms. (Revenue to the City)

Dr. Aldrich moved to accept the bid from Proforce Law Enforcement, Prescott, AZ, in an amount not to exceed \$5,326.65, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Captain David Janes, Police Department, provided a staff report and advised the proposed bid is for department owned firearms noting one bid was received.

- f) Consideration of Bid #E-26-22 for furnishing a digital storage hardware expansion for the City of Cheyenne, Cheyenne Police Department. (Specific Purpose Sales Tax Funding and Byrne Justice Assistance Grant (JAG))

Dr. Aldrich moved to accept the bid from Lewan Technology, Greenwood Village, CO, in an amount not to exceed \$43,766.00, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Lieutenant Joel Hickerson, Police Department, provided a staff report and advised the proposed bid will provide additional digital evidence storage space and upon inquiry provided information related to the deletion of evidence.

- g) Consideration of Bid #S-15-22 for a Contract between the City of Cheyenne and Great Western Installations for the synthetic turf safety surfacing for Romero Park and Sun Valley Park Playgrounds Project. (Development Impact Fees and Land and Water Conservation Grants)

Dr. Aldrich moved to accept the bid from Great Western Installations, Logan, UT, in an amount not to exceed \$143,051.88, seconded by Mr. Esquibel. Motion carried by unanimous voice vote.

DISCUSSION: Jason Sanchez, Community Recreation & Events Deputy Director, provide a staff report and advised the proposed bid will replace the current wood fibers with synthetic turf.

30. ANNOUNCEMENTS/REPORTS/MOTIONS:

- f) Designation of Official Voting Delegate and Alternate Delegate for the City of Cheyenne at the June 9, 2022 Wyoming Association of Municipalities Summer Convention Business Meeting to be held in Laramie, Wyoming.

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

DISCUSSION: Kris Jones, City Clerk, provided a staff report and advised the annual designation would be for Dr. Mark Rinne to be the Official Voting Delegate and Mayor Patrick Collins to be the Alternate Voting Delegate.

There being no further items for the agenda to come before the Finance Committee, the meeting was adjourned at 2:01 p.m.

Submitted by,



Jennifer McClelland
Executive Assistant to the City Council