

MINUTES
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
April 2, 2019

1. AGENDA

Regular Meeting of the City Council was called to order by Mayor Shumway at 6:30 p.m.

2. Pledge of Allegiance

Mayor Shumway led the Pledge of Allegiance.

3. Roll Call

Roll call showed present: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Absent: None.

Staff present: Janine Jordan, City Manager; Todd Feezer, Assistant City Manager; Nancy Bartholomew, City Clerk; Bob Southard, City Attorney; Malea Brown, Chief Operating Officer; Lori Curry, Human Resources; Brooks Webb, Interim Public Works Director; Kevin Lam, Training Division Chief for Fire Chief; and Robert Terry, Assistant Police Chief.

4. Consideration of Changes in Agenda and Setting the Agenda

A. MOTION BY GABRIEL, seconded by O'Doherty, that the following changes to the Agenda be approved: to delete Item #10 and replace with Resolution 2019-25, authorizing the submission of a proposal to host the WAM 2020 Convention, and add an Executive Session regarding Litigation WY § 16-4-405(a)(iii).

MOTION CARRIED by voice vote.

B. MOTION BY GABRIEL, seconded by Pearce, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

5. PROCLAMATIONS/NOTIFICATIONS/PUBLIC HEARINGS

5.A. PROCLAMATIONS & PRESENTATIONS

5.A.i. PROCLAMATION: Community Cleanup Day (Read Second)

5.A.ii. PROCLAMATION: Sarcoidosis Awareness Month (Read First)

5.B. PUBLIC HEARING

5.B.i. PUBLIC HEARING: Original Ordinance No. 1996 amending LMC Chapter 15.14.060.E.2.d.(iv) and 15.18.010.A.2. of the Unified Development Code to allow for roads to be constructed based upon engineering design principles and practices.

5.C. ANNOUNCEMENTS

Brooks Webb (Interim Public Works Director) - Project of the Year Award- William Winkler and Tony Shifflet.

Jodi Guerin- Youth Basketball Tournament. LPAC (Michelle Visser)

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6. Disclosures by City Council Members

7. Approval of Consent Agenda

Items listed on the Consent Agenda are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless a Councilor or citizen so requests, in which case the item will be removed from the Consent Agenda and will be considered on the Regular Agenda.

MOTION BY GABRIEL, seconded by Pearce, that the Consent Agenda be approved and that each specific action on the Consent Agenda be approved as indicated.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

8. CONSENT AGENDA

8.A. MINUTES: City Council Meetings

Action:

that Council approve the Minutes of the City Council Regular Meeting of March 19, 2019 and the Public Hearings on March 19, 2019, and have them placed on file for public inspection.

8.B. CEMETERY DEEDS: Cemetery Deeds for March 16-31, 2019

Action:

that the Cemetery Deeds for March 16-31, 2019 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

8.C. VOUCHERS: March 2019

Action:

that the following Resolution be adopted: BE IT RESOLVED: that all vouchers approved by the Finance Committee be allowed, warrants drawn on proper City funds in payment thereof, and the vouchers be placed on file in the Treasurer's Office subject to public inspection; and that Council authorize payment for the month-end payroll, light and gas charges, telephone charges, employee travel, other employee reimbursements, pay advances, refunds for City services, recording fees, postage, lease purchase and bond payments, self-funded employee health insurance claims, miscellaneous insurance claims, Council-approved bid items, outside attorney fees, other consulting fees, before normal City Council approval on the first Tuesday of April. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.

8.D RESOLUTION: Resolution 2019-27, appointing one member to the Laramie Advisory Commission on Disabilities.

Action:

to approve Resolution 2019-27, appointing Emmalee Moore to the Laramie Advisory Commission on Disabilities for a term expiring October 31, 2019, and authorize the Mayor and Clerk to sign.

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8.E. AGREEMENT: Consideration of a fee for services agreement between the City of Laramie and the Wyoming Community Foundation, fiscal sponsor for the Laramie Public Art Coalition for the provision of public art in Laramie, Wyoming.

Action:

that the Laramie City Council support the fee for services agreement between the City of Laramie and the Wyoming Community Foundation, fiscal sponsor for the Laramie Public Art Coalition, setting forward the framework for the development of public art projects instigated by either party and authorize the Mayor and Clerk to sign.

8.F. AGREEMENT: 2019 Wild Land Fire Management Annual Operating Plan.

Action:

to approve the 2019 Wild Land Fire Management Annual Operating Plan between the City of Laramie, Wyoming and the United States Forest Service; and authorize the Fire Chief and the Mayor to sign.

8.G. AMENDMENT: Consideration of an amendment to the agreement for professional services between the City of Laramie and TW Enterprises, Inc., for preventive maintenance and service of City owned standby power equipment.

Action:

to approve amendment number one to the agreement for professional services between the City of Laramie and TW Enterprises, Inc. of Billings Montana, for preventive maintenance and service of City owned standby power equipment, in the amount of \$10,000.00, over the term of the agreement, and authorize the Mayor and City Clerk to sign.

8.H. LIQUOR LICENSE: 2019 Liquor License Renewals

Action:

that Council approve all applications received for the 2019 Liquor License Renewal period to include Retail Liquor Licenses, Restaurant Liquor Licenses, Bar and Grill Licenses, Microbrewery Licenses, Club/Limited Liquor Licenses, Golf Club License, Resort Licenses, Special Malt Beverage Permit, and Winery License as indicated in the public hearing notice for the license term of May 8, 2019 thru May 7, 2020, and authorize the Mayor and City Clerk to sign the licenses.

8.H.i. Applications for renewal

Retail Liquor Licenses:

- 1 Laramie Lanes, Inc., dba Laramie Lanes, 1270 N. 3rd St
- 2 High Elevation Investments, LLC, dba Mulligan's, 1115 S 3rd St
- 3 Wal-Mart Stores, Inc., dba Wal-Mart Supercenter #1412, 4308 Grand Ave
- 4 Hensley Property Holdings, LLC, dba Roxie's On Grand, 221 Grand Ave
- 5 Coyote Land, Inc., dba Cowboy Saloon and Dance Hall, 108 S. 2nd St
- 6 E & K Smith Enterprises, dba The Alibi Pub, 404 S. 4th St
- 7 Big D Oil Co dba Big D Oil Co #44, 1561 Snowy Range Road, Laramie, WY 82070.
- 8 The 307 Office, LLC, dba Coppers Corner, 867 N. 3rd St
- 9 Boxcar Murphy LLC, dba Buds Bar, 354 W University Ave

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- 10 Safeway Stores 46, Inc., dba Safeway Stores 46, Inc., 554 N. 3rd St
- 11 Sweet Melissa, Inc., dba Sweet Melissa Café & Front Street Tavern, 213 S. 1st St
- 12 RMH Franchise Corporation, dba Applebee's Neighborhood Grill & Bar, 3209 Grand Ave
- 13 JASA, Inc., dba Reeds Liquor, 310 S. 5th St
- 14 Corner Pocket of Laramie, Inc., dba Mingles of Laramie, 3206 Grand Ave
- 15 WRCH-Laramie, LLC dba Wyoming's Rib and Chop House, 2415 Grand Ave
- 16 Buckhorn Enterprises, Inc., dba Buckhorn Bar, 114 Ivinson Ave
- 17 SDR LLC, dba O'Dwyers, 1622 E. Grand Ave
- 18 AKME, LLC, dba The Still, 1602 Spring Creek
- 19 Ridley's Family Markets, Inc., dba Ridley's Family Markets, 3112 Grand Ave
- 20 Wagon Wheel, Inc., dba Wagon Wheel, Inc., 334 Fillmore St
- 21 Gateway Fuels, LLC, dba Gateway Liquors, 2471 Jackson St
- 22 First Street Station, Inc., dba Altitude Chophouse & Brewery, 320 S. 2nd St
- 23 Ranger Liquor Mart & Bar, LLC, dba Ranger Liquor Mart and Bar, 463 N. 3rd St
- 24 Northridge Discount Liquors, Inc., dba Northridge Discount Liquors, 1660-A N. 4th St
- 25 Ya' Sou, Inc., dba 3rd Street Bar & Grill, 220 Grand Ave
- 26 Crowbar and Grill, LLC, dba Crowbar and Grill, 202 S. 2nd St
- 27 Chalk n Cheese, LLC, dba Chalk 'n Cheese, 209 S. 2nd St

Restaurant Liquor Licenses:

- R4 The New Mandarin, Inc., dba The New Mandarin, 1254 N. 3rd St, the location being a 30' X 18' ROOM IN CENTER OF BLDG;
- R6 Jeffrey's Bistro, Inc., dba Jeffrey's Bistro, 123 Ivinson Ave, the location being a 4' X 6' ROOM IN CENTER OF BLDG;
- R25 Bernie's Mexican Restaurant, LLC, dba Bernie's Mexican Restaurant, 367 Snowy Range Rd, the location being a 7' X 8' ROOM IN NE CORNER OF BLDG;
- R29 Guerin Enterprises, Inc., dba Coal Creek Coffee Co., 110 E. Grand Ave, the location being a 4' X 3' ROOM IN SW PORTION OF BLDG;
- R32 Estrellas, Inc., dba Corona Village Andale Rapido, 2900 E. Grand Ave, Unit 108, the location being a 4' X 5' ROOM IN NW CORNER OF BLDG;
- R40 Villas, Inc., dba Corona Village, 513 Boswell Dr, the location being a 176 SQ FT ROOM IN NE CORNER OF BLDG;
- R42 Bighorn Associates, L.C., dba Chili's Grill, 2523 Grand Ave, Suite F, the location being a 7' X 10' ROOM IN NORTH CENTER OF BLDG;
- R43 Yellowstar Restaurants, Inc., dba Mizu Sushi, 307 S. 3rd St, location being a 5' X 14' ROOM IN SE CORNER OF BLDG;
- R46 Anong's Thai Cuisine, LLC, dba Anong's Thai Cuisine, 101 E. Ivinson Ave, the location being a 6' X 4' ROOM IN SE PORTION OF BLDG;
- R53 Niko Sushi and Japanese Food, LLC, dba Niko Sushi & Steak, 1702 Grand Ave, the location being a 12' X 14' ROOM IN NW PORTION OF BLDG;
- R54 Thai Spice, LLC, dba Thai Spice, 204 S. 3rd St, Ste B & C, the location being a 12' X 10' ROOM IN SW PORTION OF BLDG;

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- R60 DNP Investments, LLC dba Dickey's Barbecue Pit, 2410 Grand Ave, the location being a 6' X 8' ROOM IN SW CORNER OF BLDG;
- R61 J's Prairie Rose Inc, dba Prairie Rose Café, 410 South 2nd St, the location being a 12' X 7' ROOM IN SW CORNER OF BLDG;

Bar and Grill Liquor Licenses:

- BG-1 Sherlock Investments, LLC, dba The Library Sports Grille & Brewery, 201 E. Custer St
- BG-3 Sushi Boat, LLC, dba Sushi Boat, 421 Boswell Dr
- BG-4 Scholl Reece LLC, dba Born in a Barn, 100 East Ivinson Ave.
- BG-5 RS Development, LLC, dba Lovejoy's Bar & Grill, 101 Grand Ave
- BG-6 Speedgoat Laramie LLC, dba Speedgoat, 213 Grand Ave

Microbrewery Licenses:

- M-5 First Street Station, Inc, dba Altitude Chophouse & Brewery, 320 S. 2nd St
- M-6 Sherlock Investments, LLC, dba The Library Sports Grille & Brewery, 201 E. Custer St
- M-7 Coal Creek TAP, Inc., dba Coal Creek TAP, 108 E. Grand Ave
- M-8 Bond's Brewing Company, LLC dba Bond's Brewing Company, 411 South 2nd St

Club/Limited Liquor Licenses:

- F1 Laramie Moose Lodge No. 390, Loyal Order of Moose, 409 S. 3rd St
- F2 B.P.O. Elks Lodge No. 582, Laramie Elks Club, 103 S. 2nd St
- F3 Husted Pendleton Post No. 14, American Legion, 417 Ivinson Ave
- F4 Veterans of Foreign Wars, Post No. 2221, 2142 E. Garfield St
- F6 Fraternal Order of Eagles, AERIE No. 3493, 126 Lyons St

Golf Club Liquor License:

- G-1 Jacoby Golf Club, dba Jacoby Golf Club, 3501 Willett St

Resort Liquor Licenses:

- RT-2 Timberline Hospitalities, LLC, dba Holiday Inn, 204 S. 30th St
- RT-4 Hotel Investment Services-GI, Inc., dba Hilton Garden Inn, 2229 Grand Ave

Special Retail Malt Beverage Permit:

- SPECIAL-1 The Trustees of the University of Wyoming, dba University of Wyoming, Wyoming Union Building, University of Wyoming Campus, City of Laramie.

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Winery:

- W-1 The Great Untamed, LLC, dba The Great Untamed, 209 S. 3rd St.

8.I. EASEMENT: Easement Agreement with Douglas G. Madden - First Amendment.

Action:

to approve the First Amendment to Agreement to Grant Right of Water Transmission Pipeline Easement between the City of Laramie and Douglas G. Madden and authorize the Mayor and City Clerk to sign.

8.J. ORDINANCE: Original Ordinance 1994, amending Chapter 10 of the LMC by deleting sections 10.32.020 through 10.2.080, and renumbering the remaining sections.

Third and Final Reading. (Introduced by McKinney)

Action:

to approve original Ordinance 1994 on third and final reading, amending Chapter 10 of the LMC by deleting sections 10.32.020 through 10.32.080, and renumbering the remaining sections and authorize the Mayor and Clerk to sign.

8.K. ORDINANCE: Original Ordinance No. 1995, amending Chapter 12.52 of the Laramie Municipal Code by amending Sections 12.52.010 through 12.52.060.

Third and Final Reading (Introduced by Gabriel)

Action:

to approve Original Ordinance No. 1995, amending Chapter 12.52 of the Laramie Municipal Code by amending Sections 12.52.010 through 12.52.060, on third and final reading and authorize the Mayor and Clerk to sign.

9. REGULAR AGENDA

10. ~~Liquor License Renewals with Concerns. [Bartholomew, CC]~~ replaced with Resolution 2019-25, authorizing the submission of a proposal to host the WAM 2020 Convention.

MOTION BY STALDER, seconded by Shuster, to reconsider the motion to approve Resolution 2019-25, authorizing the submission of a proposal to host the WAM 2020 Convention, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Shuster, Stalder, Gabriel, and Shumway. Nay: Pearce and Weaver. Absent: None. MOTION CARRIED.

MOTION BY STALDER, seconded by Shuster, to approve Resolution 2019-25, authorizing the submission of a proposal to host the WAM 2020 Convention, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: Pearce. Absent: None. MOTION CARRIED.

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11. Amendment to the Contract for Plan One Architects on the Municipal Operations Center-North Campus.

MOTION BY HARRINGTON, seconded by Gabriel, to approve an Amendment to the Municipal Operations Center - North Campus project Professional Service Agreement with Plan One Architects for an amount not to exceed of \$336,444 and add a contingency to include travel and reimbursables of \$46,879 in the total amount of \$383,323.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

12. Approve Change Order No. 3 to the Turner Tract Detention Pond Project.

MOTION BY O'DOHERTY, seconded by Pearce, to approve Change Order No. 3 for the Turner Tract Detention Pond project in the amount of \$1,609,782.28 with a contingency of \$160,978.22 for a total amount of \$1,770,760.50, and amend the FY 2018-19 Major Capital Construction Fund Budget for \$1,119,511, funded by the Crystal Court Property Sale (\$532,849) and cash reserves (\$1,237,912), and transfer the reserved grant match for a total project budget of \$1,770,761.00.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

13. Original Ordinance No. 1996, amending LMC Chapter 15.14.060.E.2.d.(iv) and 15.18.010.A.2 of the Unified Development Code to allow for roads to be constructed based upon engineering design principles and practices.

Second Reading. (Introduced by Shuster)

MOTION BY SHUSTER, seconded by Weaver, to approve Original Ordinance No. 1996 as recommended by the Planning Commission, on second reading, in accordance with findings of fact and conclusions of law; and noting a public hearing was held on April 2, 2019.

MOTION BY SHUSTER, seconded by O'Doherty, to amend Original Ordinance No. 1996, amending the Title of LMC 15.18.010.A.2 from "Minimum Right-of-Way Widths and Construction Widths" to "Minimum Right-of-Way Widths and Roadway Widths."

Roll call on Amendment showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

Roll call on Main Motion showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

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14. WAM (Wyoming Association of Municipalities) 2019 Summer Workshop Official Voting Delegates.

MOTION BY GABRIEL, seconded by Pearce, to appoint Councilor Harrington as the Official Voting Delegate and Councilor O'Doherty as the Official Alternate Voting Delegate for the 2019 WAM Summer Convention Business Meeting.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

15. Discussion and Action on 2019 Resolutions for the Sheridan WAM Summer Convention.

MOTION BY GABRIEL, seconded by McKinney, to approve Resolution 2019-30, supporting PILT (Payment in Lieu of Taxes) for State-Owned properties, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

MOTION BY GABRIEL, seconded by Pearce, to approve Resolution 2019-31, supporting Local Air Service as essential to Wyoming's prosperity, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

MOTION BY GABRIEL, seconded by Pearce, to approve Resolution 2019-32, supporting state-wide Anti-Discrimination Legislation, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

MOTION BY GABRIEL, seconded by Pearce, to approve Resolution 2019-33, supporting greater financial independence and authority for Wyoming cities and towns, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

MOTION BY GABRIEL, seconded by O'Doherty, to approve Resolution 2019-34, supporting Municipal Storm Water Enterprise Funds, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

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16. Resolution 2019-28, supporting the nomination for the 2019 WAM Community Hero Award.

MOTION BY HARRINGTON, seconded by Shuster, to pass Resolution 2019-28 approving the nomination of Interfaith-Good Samaritan for the 2019 WAM Community Hero Award and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

17. Resolution 2019-29, supporting the nomination for the distinction of WAM Honorary Member.

MOTION BY PEARCE, seconded by Shuster, to pass Resolution 2019-29 approving the nomination of Klaus Hanson for the distinction of WAM Honorary Member and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Harrington, McKinney, O'Doherty, Pearce, Shuster, Stalder, Weaver, Gabriel, and Shumway. Nay: None. Absent: None. MOTION CARRIED.

18. Public Comments on Non-Agenda Items

Mr. Greaser – Frustrated with Traffic Commission.

19. Consideration of future Council work session topics

Pearce- WAM (already on the list).

20. Adjournment to Executive Session regarding Litigation WY § 16-4-05 (a) (iii).

MOTION BY PEARCE, seconded by Gabriel, to adjourn to Executive Session regarding Litigation WY § 16-4-05 (a) (iii).

MOTION CARRIED by voice vote.

Council adjourned at 7:49 p.m.

Respectfully submitted,

Nancy Bartholomew
City Clerk