

**AGENDA  
CITY OF LARAMIE, WYOMING  
CITY COUNCIL MEETING  
CITY HALL  
JULY 5, 2016 6:30 pm**

*City Council Meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.*

*Please be advised no additional agenda item will be introduced at a Regular City Council meeting after the hour of 9:30 p.m., unless the majority of the City Council members present vote to extend the meeting.*

**1. AGENDA**

**2. Pledge of Allegiance**

**3. Roll Call**

**4. PRE-MEETING ITEMS**

**4.A. PROCLAMATIONS & PRESENTATIONS**

**4.A.i. PROCLAMATION: Leadership Laramie Wayfinding Structure.**

**4.B. PUBLIC HEARING**

**4.B.i. PUBLIC HEARING: Original Ordinance No. 1947, vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition**

Documents: [1.Cover Sheet.pdf](#), [2.Legal Ad.pdf](#)

**4.B.ii. PUBLIC HEARING: Original Ordinance No. 1948, vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition**

Documents: [1.Cover Sheet.pdf](#), [2.Legal Ad.pdf](#)

**4.B.iii. PUBLIC HEARING: Original Ordinance No. 1949, amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements**

Documents: [1.Cover Sheet.pdf](#), [2.Legal Ad.pdf](#), [3.Original Ordinance No. 1949.pdf](#), [4.Planning Commission Staff Report.pdf](#)

**4.C. ANNOUNCEMENTS**

**5. Consideration of Changes in Agenda and Setting the Agenda**

A. MOTION BY \_\_\_\_, seconded by \_\_\_\_, that the following changes to the Agenda be approved:

B. MOTION BY \_\_\_\_, seconded by \_\_\_\_, that the Agenda be set as submitted or changed.

**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 \_\_\_\_\_, seconded by \_\_\_\_\_, that the Consent Agenda be approved and that each specific action on the Consent Agenda be approved as indicated.

## 8. CONSENT AGENDA

### 8.A. MINUTES: City Council Meetings

**Action:**

that Council approve the Minutes of the City Council Regular Meeting of June 21, 2016, the Public Hearing of June 21, 2016, and have them placed on file for public inspection.  
[Johnson, CClk]

Documents: [Minutes 06.21.2016.pdf](#), [Public Hearing 06.21.16.TurnerTractResidential Req..pdf](#)

### 8.B. CEMETERY DEEDS: For June 16-30, 2016

**Action:**

that the Cemetery Deeds for June 16-30, 2016 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk. [Feezer, P/R Dir]

### 8.C. VOUCHERS: June 2016

**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, Pioneer Canal-Lake Hattie Irrigation District lease, 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 July. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.

[Brown, City Treasurer]

### 8.D. MINUTES: of the May 18, 2016 Parks, Tree & Recreation Advisory Board. (Item 6 postponed from June 21, 2016 Regular Meeting of City Council)

**Action:**

that Council acknowledge receipt of the Minutes from the May 18, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board:  
6) Supporting the MOU between the City of Laramie and the Rotary Club of Laramie and the Laramie Sunrise Rotary Club outlining the details related to permanently renaming Optimist Park to Rotary Park. (Failed) (Postponed from June 21, 2016 Regular Meeting of City Council)

[Feezer, P&R Dir]

Documents: [5.18.16 PTR Advisory Board Minutes Item 6 Cover Sheet.pdf](#), [Advisory Board Minutes May 18, 2016.pdf](#)

**8.E. MINUTES: of the June 8, 2016 Parks, Tree & Recreation Advisory Board.**

**Action:**

that Council acknowledge receipt of the Minutes from the June 8, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board:

- 1) To approve the minutes from the May 18, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (approved)
- 2) To approve resolution 2016-46 authorizing co-sponsorship of possible events with the Friends of Community Recreation Foundation during 2016 including a Family Duathlon in August, Zombie Run in October and an Indoor 5K in December. (approved)
- 3) To approve resolution 2016-47 authorizing co-sponsorship of Freedom Has a Birthday to be held at Washington Park on July 4, 2016. (approved)
- 4) To proclaim the week of June 26-July 2, 2016 as National Mosquito Control Awareness Week in Laramie and forward to City Council for their consideration. (approved)
- 5) To approve an Administrative Policy and Procedure for Naming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgment. (tabled pending further discussion)
- 6) To approve Resolution AB2016-08 and recommend that the Laramie City Council support the submission of a grant to the National Endowment of the Arts "Art Works" grant for installations on Cirrus Sky Trail. (approved)

**[Feezer, P&R Dir]**

Documents: [PTR Advisory Board Minutes 6.8.16 Cover Sheet.pdf](#), [PTR Advisory Board Minutes 6.8.16.pdf](#)

**8.F. MINUTES: Monolith Ranch Advisory Committee**

**Action:**

that Council accept the Minutes of the Monolith Ranch Advisory Committee of April 14, 2016, and have them placed on file for public inspection.

**[Smith, PW Dir]**

Documents: [CS RAC Minutes 4.14.16 for 7.5.16 LCC.pdf](#), [MRAC 4-14-16 Minutes Combined.pdf](#)

**8.G. LICENSE: approval of temporary use of Retail Liquor License No. 2, Literature & Libations, LLC in Albany County.**

**Action:**

to grant permission to Literature & Libations, LLC, dba Mulligans Pub, Retail Liquor License No. 2, to file an application for alcohol catering with Albany County Commissioners to locate their license at Libby Lodge in Albany County on July 16, 2016 from 4:00 pm to 12:00 am, for a private wedding reception.

**[Johnson, CC]**

Documents: [Cover Sheet, temp use in county Mulligans Pub 2016.pdf](#), [Mulligans Pub Temp Use in County Application.pdf](#)

**8.H. MOU: between the City of Laramie and Leadership Laramie supporting the development and maintenance of a wayfinding structure and associated improvements located on City owned property at the intersection of Boswell Dr. and 3rd Street, Laramie, Wyoming.**

**Action:**

that council approve the Memorandum of Understanding between the City of Laramie and Leadership Laramie supporting the development and

maintenance of a wayfinding structure and associated improvements located on City owned property at the intersection of Boswell Dr. and 3rd Street and authorize the Mayor and Clerk to sign.

**[Feezer, P&R Dir]**

Documents: [Leadership Laramie MOU Cover Sheet.pdf](#), [Leadership Laramie and City MOU Boswell Improvements.pdf](#), [Leadership Laramie MOU Conceptual Drawings.pdf](#)

**8.I. RESOLUTION: Resolution 2016-\_\_\_\_, authorizing the City of Laramie to enact a Reimbursement Resolution for equipment expenditures and seek reimbursement from proceeds of one or more tax exempt leases**

**Action:**

to approve Resolution 2016-\_\_\_\_, authorizing the City of Laramie to enact a Reimbursement Resolution to pay for equipment expenditures and seek reimbursement from proceeds of one or more tax exempt leases for the biennium FY2016-FY2017 and FY2017-FY2018 and authorize the Mayor and Clerk to sign.

**[Brown - AS Dir]**

Documents: [Cover Sheet Lease Reimb. proceeds.pdf](#), [Reimbursement Resolution 2016.pdf](#)

**8.J. RESOLUTION: Resolution 2016-\_\_\_\_\_, authorizing the submission of a grant application to the National Endowment for the Arts for an "Art Works" grant.**

**Action:**

that Council support the submission of a grant application to the National Endowment for the Arts for an "Art Works" grant, and authorize the Mayor and Clerk to sign.

**[Feezer, P&R Dir]**

Documents: [Agenda Cover NEA Art Works Application .pdf](#), [NEA Art Works Application Resolution.pdf](#)

**8.K. CONTRACT AMENDMENT: Amendment Number 1 to the agreement for professional services between the City of Laramie and Fremont Electric, Inc. for electrical repair and installation services for City owned facility electrical systems and equipment.**

**Action:**

that Council approve amendment number one to the agreement for professional services between the City of Laramie and Fremont Electric, Inc. for electrical repair and installation services for City owned facility electrical systems and equipment for a two-year period and authorize the Mayor and Clerk to sign.

**[Feezer, P&R Dir]**

Documents: [Agenda Cover Electrical Repair and Installation Services 7-5-16.pdf](#), [Amendment One Electrical Service and Installation Services.pdf](#)

**8.L. AGREEMENT: Maintenance Agreement between the City of Laramie, Wyoming and White Family/Laramie Property, LLC for maintenance of a hydrodynamic separator at a property located at 3609 Grand Avenue**

**Action:**

that Council approve the Maintenance Agreement between the City of Laramie, Wyoming and White Family/Laramie Property, LLC for

maintenance of a hydrodynamic separator at a property located at 3609 Grand Avenue, and authorize the Mayor and Clerk to sign the Agreement.  
**[Derragon, ACM]**

Documents: [1.Cover Sheet.pdf](#), [2.Maintenance Agreement Separator WF Laramie Property, LLC City of Laramie FINAL.pdf](#)

**8.M. AGREEMENT: Letter of Agreement between the City of Laramie, Laramie Main Street Alliance and the Wyoming Main Street Program**

**Action:**

that Council approves the agreement for a one year period between the City of Laramie, Laramie Main Street Alliance and the Wyoming Main Street Program detailing the responsibilities of each entity to implement the Wyoming Main Street Program in the City of Laramie, Wyoming, to promote the revitalization of the designated downtown Main Street district and authorize the Mayor and City Clerk to sign.

**[Derragon, ACM]**

Documents: [1. MainStreet Cover Sheet 7-5-16.pdf](#), [2. MainStAgreement.pdf](#)

**8.N. ORDINANCE: Original Ordinance No. 1946, amending Title 15 of Laramie Municipal Code for the purposes of amending Chapter 15.08.040.B.3.b eliminating differential residential development standards for garages within the Turner Tract Overlay Zone**

Third and Final Reading. (Introduced Shuster)

**Action:**

to approve Original Ordinance No. 1946 on third and final reading contrary to the recommendation by the Planning Commission, that would amend Chapter 15.08.040.B.3.b – Turner Tract Overlay – Development Standards of the Unified Development Code, based on finding of fact and conclusions of law; specifically finding that it does conform to the Turner Tract Plan, and authorize the Mayor and Clerk to sign the Ordinance.

**[Derragon, ACM]**

Documents: [1.Cover Sheet.pdf](#), [2.Ordinance 3rd reading.pdf](#), [3.New Applicant Letter.PDF](#), [4.Planning Commission Staff Report.pdf](#)

**8.O. RIGHT-OF-WAY DEED: Acceptance of a Quitclaim Deed from Albany County, for right-of-way .86 acres in size and generally considered part of Banner Road and Carroll Drive**

**Action:**

that Council accept the Quitclaim Deed from Albany County, for right-of-way .86 acres in size and generally considered part of Banner Road and Carroll Drive and authorize the Clerk to record the Quitclaim Deed.

**[Derragon, ACM]**

Documents: [1.Cover Sheet.pdf](#), [2.Quitclaim Deed- City of Laramie -Portion of Carroll Ave and McCue.pdf](#)

**8.P. SCHEDULE MEETING(S)**

**Action:**

that Council schedule the following meeting(s):

**1. July 26, 2016, Work Session:** Joint Meeting with County Commissioners regarding the Youth Sports Initiative

**9. REGULAR AGENDA**

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**10. Liquor License serving area modification for Coal Creek Tap  
[Johnson, CC]**

Documents: [Cover Sheet, Coal Creek Tap outdoor patio 2016.pdf](#), [Coal Creek Tap patio letter.pdf](#), [Coal Creek Tap map 6-16.pdf](#)

**11. Liquor License serving area modification for Coal Creek Coffee.  
[Johnson, CC]**

Documents: [Cover Sheet, Coal Creek Coffee outdoor patio 2016.pdf](#), [Coal Creek Coffee patio letter.pdf](#), [Coal Creek Coffee map 6-16.pdf](#)

**12. Original Ordinance No. 1947, vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition  
Second Reading. (Introduced by Henry)  
[Derragon, ACM]**

Documents: [1.Cover Sheet.pdf](#), [2.Original Ordinance No. 1974.pdf](#), [3.Planning Commission Staff Report.pdf](#)

**13. Original Ordinance No. 1948, vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition  
Second Reading. (Introduced by Summerville)  
[Derragon, ACM]**

Documents: [1.Cover Sheet.pdf](#), [2.Original Ordinance No. 1948.pdf](#), [3.Planning Commission Staff Report.pdf](#)

**14. Original Ordinance \_\_\_\_\_ to delete Section 10.24.030(H) of the Laramie Municipal Code First Reading  
Introduction and First Reading  
[Loos]**

Documents: [Cover Sheet First Reading.pdf](#), [Official Ordinance Deleting 10.24.030 H.pdf](#)

**15. Original Ordinance No. \_\_\_\_\_, amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to regulate Solid Waste Fees in the City of Laramie Introduction and First Reading  
Introduction and First Reading  
[Smith, PW Dir]**

Documents: [CS SW Rate Ordinance.pdf](#), [SW Rate Ordinance v2.pdf](#), [2016 SW Rate Increase Budget Presentation.pdf](#), [SW Rate Memo to Mayor Paulekas 6-27-16 with attachments.pdf](#)

**16. Consideration of future Council work session topics**

Documents: [June-28-16 Upcoming Meetings.pdf](#), [Future Work Session Topics 6-7-16.pdf](#)

**17. Public Comments on Non-Agenda Items by sign-in requests**

(Members of the public may address the City Council on items not on the printed Agenda. Please observe the time limit of five (5) minutes.)

**18. Adjourn to executive session regarding Land Negotiations**



**CITY OF LARAMIE COUNCIL PUBLIC HEARING      July 5, 2016**



**Agenda Item: Original Ordinance - Public Hearing**

**Title: Original Ordinance No. 1947 vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition**

**Recommended Council MOTION:**

Public hearing; no action can be taken.

**Administrative or Policy Goal:**

Vacation of the unbuilt right-of-way removes an isolated alley right-of-way from the interior of a block and allows the developer to utilize the land area for future development.

**Background:**

The City Council considered this item on June 21, 2016, and voted (7 yes, 0 no, 1 abstention, 1 absent) to approve on first reading and to set this public hearing. The Planning Commission heard this item on June 13, 2016 and recommend that the City Council approve the vacation (5 yes, 1 no, 1 absent). Please see the related agenda item for additional background information and the Planning Commission Staff Report.

**Legal/Statutory Authority:**

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes 15-4-305.
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$765.00	Application Fee
Grants for Projects		
Loans on Project		
Total	\$765.00	

**Responsible Staff:**

Charles W. Bloom, AICP, Principal Planner, 721-5232

**Attachments:**

Legal Advertisement  
Vacation Ordinance

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1 <sup>st</sup> Reading	June 21, 2016
2 <sup>nd</sup> Reading	July 5, 2016
3 <sup>rd</sup> Reading	July 19, 2016

CITY OF LARAMIE NOTICE OF PUBLIC HEARING(S)

The City Council will hold the following public hearings at 6:30 p.m. on July 5, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

- An Ordinance submitted by the City of Laramie, requesting amendments to LMC 15.14.050, Landscaping (TA-16-05)
- An Ordinance submitted by JS Building Co., LLC, requesting vacation of an alley within Block 46 Downey's Addition (VAC-16-01)
- An Ordinance submitted by the Trustees of the Univ. of Wyoming, requesting vacation of an alley within Block 1 University Place Addition (VAC-16-02)

All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Community Development Department, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting. Written comments may be mailed to: City Council c/o City of Laramie Community Development Department, P.O. Box C, Laramie, WY 82073. For questions or information, contact the Community Development Department, at the address above, by telephone at 307-721-5207 or by email at [planning@cityoflaramie.org](mailto:planning@cityoflaramie.org).

Publish: June 18, 2016

BILL TO: City of Laramie Clerk, Attn: Angie Johnson, P.O. Box C, Laramie, WY 82073

AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

**CITY OF LARAMIE COUNCIL PUBLIC HEARING      July 5, 2016**



**Agenda Item: Original Ordinance - Public Hearing**

**Title: Original Ordinance No. 1948 vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition**

**Recommended Council MOTION:**

Public hearing; no action can be taken.

**Administrative or Policy Goal:**

Vacation of the right-of-way would facilitate development in this area which is consistent with the City's Comprehensive Plan for the area and the University's Long Range Development Plan.

**Background:**

The City Council considered this item on June 21, 2016, and voted (8 yes, 0 no, 1 absent) to approve on first reading and to set this public hearing. The Planning Commission heard this item on June 13, 2016 and recommend that the City Council approve the vacation (5 yes, 0 no, 1 abstention, 1 absent). Please see the related agenda item for additional background information and the Planning Commission Staff Report.

**Legal/Statutory Authority:**

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes 15-4-305.
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$765.00	Application Fee
Grants for Projects		
Loans on Project		
Total	\$765.00	

**Responsible Staff:**

Charles W. Bloom, AICP, Principal Planner, 721-5232

Future dates are subject to change

Attachments:

Legal Advertisement  
Vacation Ordinance

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1 <sup>st</sup> Reading	June 21, 2016
2 <sup>nd</sup> Reading	July 5, 2016
3 <sup>rd</sup> Reading	July 19, 2016

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- An Ordinance submitted by the Trustees of the Univ. of Wyoming, requesting vacation of an alley within Block 1 University Place Addition (VAC-16-02)

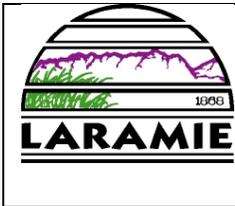
All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Community Development Department, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting. Written comments may be mailed to: City Council c/o City of Laramie Community Development Department, P.O. Box C, Laramie, WY 82073. For questions or information, contact the Community Development Department, at the address above, by telephone at 307-721-5207 or by email at [planning@cityoflaramie.org](mailto:planning@cityoflaramie.org).

Publish: June 18, 2016

BILL TO: City of Laramie Clerk, Attn: Angie Johnson, P.O. Box C, Laramie, WY 82073

AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

**CITY OF LARAMIE COUNCIL PUBLIC HEARING      July 5, 2016**



**Agenda Item: Original Ordinance - Public Hearing**

**Title: Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements**

**Recommended Council MOTION:**

Public hearing; no action can be taken.

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**Administrative or Policy Goal:**

“... this code should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law. All city or citizen initiated amendments must be adequately vetted through the public hearing processes identified in the code.” (Sec. 15.02.050, LMC)

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**Background:**

July, 5 2016 Update

The City Council considered this item on June 21, 2016, and voted (6 yes, 2 no, 1 absent) to approve on first reading and delay second reading to August 2, 2016. The Council requested that additional information be provided to provide them with better guidance, including real world examples, when making a decision. The Public Hearing was scheduled prior to delay of second reading and staff views this as an opportunity for public comment.

Prior Information

The amendment is initiated by the City of Laramie as part of the continual effort to keep the Unified Development Code (UDC) accurate, correct concerns, and remove potential avenues of confusion. All prior revisions to LMC Chapter 15 (Unified Development Code) can be found online at [www.cityoflarmie.org/UDC](http://www.cityoflarmie.org/UDC).

Staff frequently receives complaints regarding our landscaping requirements- specifically that they are perceived as too burdensome and too costly for development to install and maintain. Staff analyzed the existing landscaping requirements and propose several amendments to address problems that frequently arise.

Notable changes are as follows:

- A reduction in the overall required landscaping from 20% of a development area (excluding building(s) or use footprint) to 15% of a lot or parcel area (excluding building(s) or use footprint). This effectively reduces landscaping you would see internal to the site and along the perimeter. (LMC 15.14.050.C.1)
- Addition of a Xeriscape/Water Conserving Landscaping option to allow for a low water use landscaping option in nonresidential development applications. (LMC 15.14.050.C.4)

- A reduction in the amount of required living landscaping materials from 75% to 65% of the ground cover. This will result in less living landscape such as grass, bushes and shrubs and more hardscape such as rock, bark and decorative pavers. (LMC 15.14.050.C.5)
- Modification to the size requirements of plantings to reflect industry standards (LMC 15.14.050.D.2)
- Change the way perimeter lengths are calculated for required landscape units to exclude measurement for driveways and pedestrian connections. This results in less required planting and landscape units along a property line with a driveway or pedestrian connection. (LMC.15.14.050.F.3.a – page 8)
- Reduction in Site Perimeter landscaping units required based on development project size. The larger the development, the less landscape units required. (LMC.15.14.050.F.3.b – page 9)
- Reduction in bufferyard requirements, L2, L3 and L4 bufferyard widths and reduction in required landscape units for all bufferyards. (LMC Tables 15.14.050 2 and 3 – pages 9 and 10)

The above mentioned changes will ultimately have a reduction in the amount of required landscaping within and on the perimeter of development sites. The reduction in landscaping requirements and introduction of a Commercial xeriscape option will also result in lower irrigation costs for development.

The Planning Commission heard this item on June 13, 2016. Citizen comments were made at the meeting expressing concern that the sliding scale site perimeter landscaping requirements were unfair since they only benefitted larger developments. Additionally, a comment was received requesting that development targeting low income housing should be granted flexibility to have reduced landscaping standards.

At the meeting a motion to remove the sliding scale perimeter landscaping requirements for larger developments (proposed LMC 15.14.050.F3.b on page 9 of the Ordinance) failed due to a tie vote (3-3) vote. Ultimately, the Planning Commission recommend that the City Council approve the text amendment as recommended by staff (5 yes, 1 no, 1 absent).

The Planning Commission staff report is included. The attachment, the proposed Ordinance, has been removed because it is attached separately. Otherwise, no changes have been made.

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**Legal/Statutory Authority:**

- Laramie Municipal Code: Title 15 (Unified Development Code)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

**BUDGET/FISCAL INFORMATION:**

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**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$0.00	Application Fee
Grants for Projects		
Loans on Project		
Total	\$0.00	

**Responsible Staff:**

Future dates are subject to change

Charles W. Bloom, AICP, Principal  
Planner, 721-5232

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1 <sup>st</sup> Reading	June 21, 2016
2 <sup>nd</sup> Reading	August 2, 2016
3 <sup>rd</sup> Reading	August 16, 2016

Attachments:

Legal Advertisement  
Proposed Ordinance  
June 13, 2016 Planning Commission Staff Report

CITY OF LARAMIE NOTICE OF PUBLIC HEARING(S)

The City Council will hold the following public hearings at 6:30 p.m. on July 5, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

- An Ordinance submitted by the City of Laramie, requesting amendments to LMC 15.14.050, Landscaping (TA-16-05)
- An Ordinance submitted by JS Building Co., LLC, requesting vacation of an alley within Block 46 Downey's Addition (VAC-16-01)
- An Ordinance submitted by the Trustees of the Univ. of Wyoming, requesting vacation of an alley within Block 1 University Place Addition (VAC-16-02)

All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Community Development Department, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting. Written comments may be mailed to: City Council c/o City of Laramie Community Development Department, P.O. Box C, Laramie, WY 82073. For questions or information, contact the Community Development Department, at the address above, by telephone at 307-721-5207 or by email at [planning@cityoflaramie.org](mailto:planning@cityoflaramie.org).

Publish: June 18, 2016

BILL TO: City of Laramie Clerk, Attn: Angie Johnson, P.O. Box C, Laramie, WY 82073

AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

ORIGINAL ORDINANCE NO.: 1949  
ENROLLED ORDINANCE NO.: \_\_\_\_\_

INTRODUCED BY: Pearce

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSE OF AMENDING THE LANDSCAPING REQUIREMENTS

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards.

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the unified development code with an effective date of July 1, 2010.

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law.

WHEREAS, on June 13, 2016 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of amendments to the Unified Development Code as shown in this ordinance;

WHEREAS, the Laramie City Council shall hold a public hearing on July 5, 2016 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That LMC 15.14.050.A-F be **amended** as shown in Attachment A which is attached hereto and incorporated herein;

**Section 2.** That if any section, subsection, sentence, clause, phrase, graphic, or portion of this ordinance is for any reason held invalid or deemed unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance; and

**Section 3.** That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
David A. Paulekas, Mayor and President of the  
City Council

Attest: \_\_\_\_\_  
Angie Johnson  
City Clerk

First Reading: June 21, 2016

Public Hearing: July 5, 2016

Second Reading: August 2, 2016

Third Reading and Final Action: August 16, 2016

Duly published in the Laramie Boomerang this \_\_\_\_\_ day of \_\_\_\_\_, 2016

**15.14.050.A. Purpose**

The purpose of this chapter is to provide landscaping standards which: enhance and promote an improved image for the Laramie area; ensure that landscaping is an integral part of the site design and development process. This chapter’s purpose also includes protecting the public health, safety and welfare by: improving parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds; minimizing noise, air, water and visual pollution; increasing screening and buffering between incompatible land uses; reducing the amount of reflected glare and heat absorbed in and around developments; breaking up large expanses of parking lots; preserving residential neighborhoods by lessening the impacts of potentially incompatible uses; and providing screening from the wind.

**15.14.050.B. Applicability**

**1. General Applicability**

The provisions of this section are applicable to the following development types:

	Single Family, Two Family and Multifamily Developments (Less than four dwelling units)	Multifamily (four or more dwelling units) and Mixed Use	Commercial, Institutional and Industrial
Landscape Area (15.14.050.C)		✓	✓
Landscape Material (15.14.050.D)		✓	✓
Residential Front-Yard Landscaping (15.14.050.E)	✓		
Site Perimeter Landscaping (15.14.050.F)		✓	✓
Off-Street Parking Lot (15.14.050.G)		✓	✓
Screening (15.14.050.H)		✓	✓
Off-Street Utility Dumpster, Recycling, Trash Handling and Recycling Facilities (15.14.050.I)		✓	✓

(Ord. 1596 § 50, 2011)

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**2. Alternative Equivalent Compliance – Landscaping and Screening Applicability**

Alternative Equivalent Compliance provisions in subsection 15.06.060.K shall be available to satisfy landscaping standard requirements, provided that in addition to the requirements and criteria of subsection 15.06.060.K, the following specific procedures are followed:

- a. Any and all plans and documents submitted shall be approved by a professional specialist with demonstrable expertise in landscaping, such as a landscape architect or landscape contractor. Such approval shall be in written form and shall state that the specialist has reviewed and approved the specific plans and documents presented.
- b. In order to grant a request for alternative equivalent compliance, the decision-making entity shall find, in addition to the criteria in subsection 15.06.060.K.6, that the following criteria are met:
  - (i) The proposed alternative landscape design will conserve water and/or reduce long-term maintenance costs; and
  - (ii) The proposed alternative landscape design is compatible with the character and ambiance of vegetation and environmental design traditional to Wyoming and interior Western communities.

**15.14.050.C. General Provisions for Multifamily (Four or more Dwelling Units), Commercial, Institutional and Industrial Uses**

**1. Landscaping Area Requirements**

As identified in subsection 15.14.050.B, Applicability, most development sites, excluding single family, two family and multifamily developments (less than four dwelling units), shall be required to be landscaped pursuant to this subsection. A minimum of ~~20~~ 15 percent of the lot or parcel area, excluding the building(s) or use footprint, shall be landscaped in accordance with the requirements of this chapter (Equation: Landscaped area = ~~.1520~~ .1520 × (lot area - primary building and use footprint)). For the purposes of this section, use footprint shall include any outdoor storage or display areas. At least 50 percent of the required landscape area shall be placed so that it abuts the adjoining public street rights-of-way, excluding alleys.

**2. Landscaping Treatments Not Counted**

No area required to be landscaped shall include any artificial trees, plants, or turf, impervious surfacing, or any carpeting designed as a visual substitute for lawn or other groundcover. Areas devoted to pasture, farm crops or undeveloped areas of a lot or parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

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### 3. Water-Conserving Landscaping

Low-water, drought-tolerant plants shall be used for all new landscaping. Plant materials shall be selected from the plant list maintained by the city. The city plant list may be found in the Administrative Manual. Materials not on the list may be approved if it is determined that they are equally suitable for local soil conditions and climate and would provide the same level of visual benefits and have the desired growth habits.

### 4. Xeriscape/Water Conserving Landscaping Option

Xeriscaping improves aesthetic appearance and mitigates water usage. A xeriscape option is set forth as an alternative to conventional landscaping requirements. A Xeriscape plan shall include the following:

- a. Low-water, drought-tolerant plant materials shall make up 85% of all plant materials used and shall be selected from the Recommended Trees and Shrubs for Laramie, Wyoming list maintained by the city. Alternative plant materials may be approved if it is determined through Alternative Equivalent Compliance (LMC 15.06.060.K) that the alternative plan satisfactorily meets the intent of this chapter, that proposed plantings are equally suitable for local soil conditions and climate, would provide the same level of visual benefits and have the same desired growth habits.
- b. Shall be prepared and signed/sealed by a licensed Landscape Architect.
- c. All required landscaped areas shall contain a minimum of 45% living organic landscape material and no more than 25% planted turf grass.

### 4.5. Cover in Landscaped Areas

All required landscaped areas shall contain:

- a. ~~a~~ A minimum of ~~75~~65 percent living organic landscaping material, with a maximum of ~~25~~35 percent nonliving landscaping materials.
- b. All required landscaping, living and non-living, shall be calculated cumulative for the whole site, unless landscaped in accordance with section 4 above.
- c. At a minimum, 25% of the required living landscaping shall be planted adjacent to each street frontage associated with the site. ~~The use of a mix of coniferous and deciduous trees is encouraged. Where low water use and drought-tolerant landscaping is proposed, the department may reduce the percentage of required organic landscape material. No more than 50 percent of the landscaped area shall be planted in turf grass.~~

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#### **5-6. Irrigation Systems for Landscaped Areas**

All required landscaping and landscape areas shall include a permanently installed irrigation system unless the department determines that the planting and maintenance plan is not dependent on a permanent system. [Such alternative determination shall be specifically approved by the department.](#) Applicable irrigation plans shall be submitted with the site plan as required by subsection 15.06.060.O (Ord. 1671 § 21, 2014).

#### **6-7. Maintenance**

The responsibility for the maintenance of landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with these standards. All required landscaped areas shall be kept free of weeds, debris, and litter. In addition, all walls and fences shall be maintained in good condition, and when necessary, be repaired or replaced. Any required landscape material, including any tree, grass or shrubs, that dies shall be replaced by [July-October 31](#) of each year. All required landscaping shall be cleared of all unplanned vegetation including weeds at least once each year prior to [July-October 31](#).

#### **7-8. Landscaping Plan Preparation**

For all multifamily (four or more units), commercial, institutional and industrial uses [requiring Site Plan review and approval](#), a professional horticulturist, nurseryman, or design professional shall be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized. All nursery stock shall generally conform to the ANSI standard for nursery stock.

#### **8-9. Installation and Final Inspection**

The planting of the required landscaping may be delayed for a period up to twelve (12) months after issuance of the [temporary](#) certificate of occupancy. Unless all such landscaping is installed, inspected and approved prior to issuance of the [temporary](#) certificate of occupancy, a financial security for one hundred twenty five (125) percent of the landscaping materials and labor costs shall be required to be posted by the developer to ensure the placement of the required landscaping. [All landscaping for multifamily, commercial, institutional and industrial uses requiring Site Plan review and approval shall be installed, inspected and approved by the department prior to certificate of occupancy issuance, per Chapter 15.18 \(Improvements\) and other applicable section of this Title.](#)

#### **9-10. Sight-Obscuring Fence**

Chain link [Byzantine Antimachia Castle](#) or wire fencing shall be prohibited where a sight-obscuring fence is required in a bufferyard or landscaped area. [\(Byzantine Antimachia Castle 15.14.100, Fences and Walls.](#)

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### ~~10.11.~~ Utilities

All utilities within the exterior property lines of the site shall be installed underground. Freestanding utility boxes shall be integrated into the landscaping as much as possible and screened from view pursuant to 15.14.050.H Screening Standards.

### ~~11.12.~~ Location of Landscaping and Measurement

All landscaping shall be located so that it does not interfere with utilities, easements, street lighting, or fire hydrants. The placement and design of the landscaping shall be generally at the discretion of the developer, but shall be approved by the department, ~~which may require design changes as reasonably necessary to meet the standards established in this code or in keeping with the Laramie comprehensive plan.~~ The landscape area width is measured from the property line inward, ~~unless alternatively approved pursuant to LMC 15.14.050.F.2.d. specifically provided elsewhere in this Chapter and approved by the department.~~

### ~~12.13.~~ Retention / Detention Ponds

Retention and Detention ponds shall be landscaped and approved by the applicable decision making body. Landscaping shall ensure aesthetic appearance and screening of the facility, provide suitable grass mixes or plantings (ground cover) within the pond, provide suitable ground cover outside the pond as needed to ensure long-term stability of the structure, and shall prevent invasive plant species from growing with the retention / detention pond. Native species of shrubs and trees indigenous to Laramie shall be preferred over exotic plant species. ~~Drought tolerant plant species shall be preferred over species requiring irrigation for survival in all landscaping areas.~~

## 15.14.050.D. Landscaping Material Standards

### 1. Plants to Conform

Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan. ~~(see plan requirements in the Laramie Administrative Manual).~~

### 2. Size of Required Landscape Materials

Required landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken ~~12-6~~ inches above grade.

~~a. Minimum height for deciduous trees shall be eight feet.~~

~~b.a.~~ Minimum size for deciduous trees shall be a 1 ½ inch caliper.

~~c.b.~~ Minimum size for evergreen trees shall be ~~five~~ four feet in height.

~~d.c.~~ Minimum size for shrubs shall be 1 gallon ~~or #1~~ container for low and medium shrubs and 5 gallon ~~or #5~~ container for tall shrubs.

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~~e-d.~~ Minimum sizes may be reduced at the discretion of the department where a developer proposes a reasonable alternative planting size and/or more landscaping or plantings than are required. ~~Generally, street frontage landscaping should not be reduced in size in commercial, institutional, or industrial developments.~~

**3. Trees**

A mixture of canopy and ornamental trees shall be permitted. Generally, street frontage trees shall be canopy trees unless impractical and other tree types are approved by the department.

**15.14.050.E. Residential Front Yard Landscaping**

**1. Applicability**

The front-yard areas between the building and back of curb within all new developments containing three or fewer dwelling units on lots or parcels less than 16,000 square feet in size shall be landscaped pursuant to this subsection. The landscaping shall be located within the entirety of the front yard between the front plane of the building or front fence(s), whichever is greater, and the roadway. For the purposes of calculating landscape area, driveways and sidewalks shall not be included (Ord. 1596 § 46, 2011).

**2. Landscape Plan**

A landscape plan shall be submitted with an application for a building permit and become part of the building permit. The landscape plan shall be approved prior to installation of the landscaping. Any modifications to the approved plan shall be reviewed and approved by the department. The plan shall include a calculation of landscaped areas and a list of proposed plant species. An underground irrigation system is recommended.

**3. Installation and Final Inspection**

The landscaping shall be completed by the developer, builder or property owner and inspected by the department prior to the issuance of a certificate of occupancy. The planting of the required landscaping may be delayed for up to 12 months past the certificate of occupancy. Failure to install the required landscaping within twelve months of issuance of a certificate of occupancy may result in a citation and fine issued by the city.

**4. Gardenscape Option**

- a. The required landscaping shall consist of at least 75% living ground cover. Up to 50% of the living ground cover area may be used for flower or garden beds, shrubbery planters or other similar accent features. At least two trees shall be planted in the front yard area. Trees may be a combination of evergreen and/or deciduous. At planting time evergreen trees shall be at least ~~five~~~~four~~ feet tall. Deciduous trees shall be at least 1.5 inches caliper at breast height. Tree wells of 5-foot diameter or less may be excluded from calculating the 75% living groundcover requirement. It is recommended that tree wells and other exposed planter areas be covered with organic

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material such as bark or mulch.

- b. In order to reduce dust and soil erosion, any remaining area not covered by living groundcover shall be covered by materials such as bark, decorative rock or mulch.

### 5. Xeriscape Option

As an alternative to the gardenscape option identified above, xeriscape landscaping is permissible and shall be in compliance with the city's xeriscape guidelines. The design may include a mix of decorative rock, mulch, plants, and native grasses. A maximum of 50% of the front yard area may be without plants, but shall be covered with materials such as decorative rock, bark, or mulch. Plants species used shall be of appropriate variety to tolerate low watering and high altitude climate.

### 6. Modifications After Initial Installation

Landscaping may be modified by the property owner after initial installation without approval by the department, provided that the front-yard area remains landscaped, meets the purpose of this chapter and does not violate the provisions of Laramie municipal code chapter 8.28.

## 15.14.050.F. Site Perimeter Landscaping

### 1. Applicability

Site perimeter landscaping shall be provided along the perimeter property line of all multifamily (four or more dwelling units), commercial, institutional and industrial development sites except for approved points of pedestrian or vehicle access, in accordance with Table 15.14.050-2 (see Figure 15.14.050-1). Site perimeter landscaping ~~is not~~ shall not be defined as parking lot perimeter landscaping, which is provided for in subsection 15.14.050.G.



**Figure 15.14.050-1:** Site perimeter landscaping is required on site perimeter of any commercial, institutional, industrial or multifamily development exceeding three dwelling units.

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## 2. Exceptions

- ~~a.~~ Site perimeter requirements for ~~lots and parcels~~ development in the DC (~~Downtown Commercial~~) District shall be required pursuant to subsection 15.08.030.E.2.c, Development Standards.
- ~~a.b.~~ Site perimeter requirements for ~~lots and parcels~~ development in the TO (~~Technology and Office~~) District shall be required pursuant to subsection 15.08.030.L.2.d, Landscaping and Screening.
- ~~b.c.~~ Site perimeter requirements may be reduced up to 100 percent for projects on lots and parcels allowing setbacks less than the required site perimeter yard width through the Alternative Equivalent Compliance requirements of subsection 15.06.060.K. Reductions shall only apply to lots and parcels where ~~the primary~~ any given building setback is less than the specific required perimeter landscaping width as shown in Table 15.14.050.A. Reductions shall only apply to specific required site perimeter areas between the property line and proposed principal building. ~~A zero side setback requirement shall not be construed to allow a reduced rear yard setback.~~
- ~~c.d.~~ ~~As part of alternative equivalent compliance review,~~†The city may consider landscaping in the adjacent public right-of-way as a substitution for some or all of the required onsite street frontage landscaping, where in the ~~opinion-judgment~~ of the department the proposed public right-of-way landscaping meets the intent of this chapter. Any property owner requesting to landscape the public right-of-way as an alternative shall be required to maintain the landscaping into perpetuity unless the landscaped area is accepted for maintenance by the city. ~~Such acceptance shall be reviewed and approved pursuant to LMC 15.06.060.K, Alternative Equivalent Compliance.~~ In addition to substituting for street frontage landscaping, public right-of-way landscaping may be substituted for other required landscaping if approved by the department. This may include the landscaping of public right-of-way or public lands within the city on a separate unrelated site in some cases where in the ~~opinion-judgment~~ of the department the public landscaping proposed will have significantly greater community benefit.

### 3. Specifications for Site Perimeter Landscaping

- a.** In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of landscaping required in Table 15.14.050-3 shall be measured per linear foot of property line or street frontage. Access driveways and walkways/pedestrian connections shall ~~not~~ be subtracted from the linear frontage in calculations of the amount of landscaping required. ~~If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.~~
- b.** In any area where site perimeter landscaping is required according to Table 15.14.050-2, the planting requirements in Table 15.14.050-3 shall apply. The amount of required landscaping units required in Table 15.14.050-3 shall be reduced on each perimeter length as follows:
- (i) 15% reduction in required units for sites 2-5 acres in size.
  - (ii) 20% reduction in required units for sites 5-10 acres in size.
  - (iii) 25% reduction in required units for sites 10 acres in size or greater

**TABLE 15.14.050-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING**

District of Proposed Development	Required Level of Site Perimeter Landscaping (Level 1, 2 or 3) Adjacent to the Following Zoning Districts or Streets:								
	AG, RR, O	LR, R1, R2, R2M	R3	NB, B1, B2	DC, C2	LM, IP, I1, AV AE	I2	Freeway	Collector, Arterial, Expressway
<b>AG, RR, O</b>	N/A	<del>L1</del> <sup>2</sup>	<del>L1</del> <sup>2</sup>	L3	L4	<del>L2</del> <sup>3</sup>	L4	L4	L2
<b>LR, R1, R2, R2M</b>	<del>L1</del> <sup>2</sup>	L1	L1	<del>L2</del> <sup>+</sup>	L2	L3	L4	L4	L2
<b>R3</b>	L3	L2	L1	L1	<del>L1</del> <sup>2</sup>	L3	L4	<del>L3</del> <sup>4</sup>	L2
<b>NB, B1, B2</b>	L3	<del>L2</del> <sup>3</sup>	<del>L2</del> <sup>3</sup>	L1	L1	<del>L2</del> <sup>3</sup>	<del>L3</del> <sup>4</sup>	<del>L2</del> <sup>4</sup>	L2
<b>DC, C2</b>	L3	L3	<del>L2</del> <sup>3</sup>	<del>L2</del> <sup>3</sup>	L1	L2	<del>L3</del> <sup>4</sup>	<del>L2</del> <sup>4</sup>	L2
<b>LM, IP, I1, AV, AE</b>	L3	L3	L3	<del>L2</del> <sup>3</sup>	L2	L1	<del>L1</del> <sup>2</sup>	<del>L2</del> <sup>4</sup>	L2
<b>I2</b>	L4	L4	L4	<del>L3</del> <sup>4</sup>	<del>L3</del> <sup>4</sup>	L2	<del>L1</del> <sup>2</sup>	<del>L2</del> <sup>4</sup>	L2
<b>Non-residential use in R zone</b>	L3	L2	<del>L1</del> <sup>2</sup>	<del>L1</del> <sup>2</sup>	<del>L1</del> <sup>2</sup>	<del>L2</del> <sup>3</sup>	<del>L3</del> <sup>4</sup>	<del>L2</del> <sup>4</sup>	L2

**TABLE 15.14.050-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING**

<b>Requirement</b>	<b>L1 Edge Treatment</b>	<b>L2 Buffer</b>	<b>L3 Separation</b>	<b>L4 Screening [2]</b>
Planting Area Width (minimum average) [1]	3_ft	<del>8-5</del> ft	<del>15-10</del> ft	<del>30-20</del> ft.
Planting Area Width (minimum at any point) [1]	3_ft	<del>8-5</del> ft	<del>12-8</del> ft	<del>20-15</del> ft
Total Landscape Units[4] Required per linear foot of property line or street frontage	<del>0-300.20</del> units per linear foot	<del>0-400.30</del> units per linear foot	<del>0-60.40</del> units per linear foot	<del>1-0-0.65</del> units per linear foot
Minimum number of landscape units that shall be trees	none	25% of the total required units,	35% of the total required units,	40% of the total required units,
Minimum number of landscape units that shall be evergreen trees	none	none	20% of the total required units,	30% of the total required units,
Minimum number of landscape units that shall be shrubs	20% of the total required units, either hedge or fence	5% of the total required units,	10% of the total required units,	10% of the total required units,

**Additional Standards:**

[1] Minimum width of planting area shall be measured as the width of the planting beds between the back of edge curbing. Where there will be vehicle overhang along any curb edge, add two feet to the required minimum width.

[2] Existing natural vegetation in any required L4 Screening perimeter landscaping area shall not be disturbed, provided that, if that vegetation does not meet the standards for L4 Screening, screening landscaping shall be planted. Existing vegetation cannot be disturbed to achieve the screening standard through supplemental plantings. If disturbed, it shall be restored.

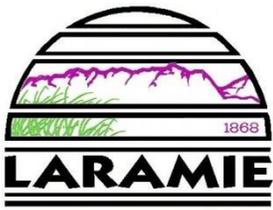
[3] Landscape units are identified in Table 15.14.050-4 Landscape Units Awarded. (Ord. 1625 § 26, 2012; Ord. 1622, § 4, 2012; Ord. 1596 § 51, 2011).

#### 4. Landscape Units Awarded

To provide for flexibility, allow design creativity, encourage use of larger trees, and retention of natural vegetation, the required amount of planting material for site enhancement, site perimeter, parking lot or tree retention landscaping shall be based on a “landscape units” point system. The number of units awarded to each landscaping element shall be as follows:

TABLE 15.14.050-4: LANDSCAPE UNITS AWARDED		
Landscape Material	Landscape Units Awarded	
	Newly Installed	Existing Retained [1]
Landmark or Signature Tree	n/a	16.0
Evergreen Tree, >10 ft high	8.0	14.0
Evergreen Tree, >8 – 10 ft high	8.0	11.0
Evergreen Tree, 6 – 8 ft high	6.0	9.0
Deciduous Tree, > 8” caliper	n/a	14.0
Deciduous Tree, >4 – 8” caliper	n/a	11.0
Deciduous Tree, >2.5 – 4” caliper	7.0	7.0
Deciduous Tree, 1.5” – 2.5” caliper or multi-stem	4.0	4.0
Shrubs, 36” high	1.0	1.2
Shrubs, 24” high	0.8	0.9
Shrubs, 18” high	0.5	0.6
Perennials/ground cover	1 per 400 sq ft	
Annual flower bed	1 per 400 sq ft	
Lawn Grass	1 per 800 sq ft	
Flower Basket Support	0.2 per basket	
Earthen Berm, minimum 18” high	0.05 per linear foot	
Hardscape Material	Units Awarded	
Decorative (Ornamental) Fence	0.2 per linear foot	
Screening (Opaque) Fence (6 ft high or greater)	0.4 per linear foot	
Shredded bark or 3”+ rock mulch such as river rock	1.0 per 500 sq ft	
Ornamental pavers/ <a href="#">Decorative Concrete</a>	1.0 per 250 sq ft	
Landscape Boulders, 3’ or greater in height	1.0 per boulder	
Seating	0.4 per linear foot	
Landscape lighting, sculpture, art, water feature, and/or sheltering structure/landmark	As determined by department	
Retained Existing Vegetation Mass [1]	Bonus Landscaping Units Awarded	
300+ square feet with a minimum of 3 deciduous trees (4” caliper or greater), 3 evergreen trees (minimum six feet high) or any combination thereof	15%	
500+ square feet with a minimum of 5 deciduous trees (4” caliper or greater), 5 evergreen trees (minimum six feet high) or any combination thereof	20%	
800+ square feet with a minimum of 8 deciduous trees (4” caliper or greater), 8 evergreen trees (minimum six feet high) or any combination thereof	25%	

[1] Points may only be applied in the buffer area along the same lot line or street frontage where the vegetation is found.



## City of Laramie

Community Development Department  
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### LARAMIE PLANNING COMMISSION JUNE 13, 2016 STAFF REPORT

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**FILE:** TA-16-05 Amending LMC 15.14.050, Landscaping and Screening Standards

**REQUEST:** An amendment to LMC Sections 15.14.050 Landscaping and Screening Standards

**APPLICANT:** City of Laramie

**PURPOSE:** To reduce specific landscaping standards associated with development

**PREPARED BY:** Charles W. Bloom, AICP, Principal Planner

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#### RECOMMENDED MOTION:

Move to recommend that the City Council **approve** amendments to LMC 15.14.050 (Landscaping and Screening Standards) for the purposes of reducing landscaping requirements associated with development as recommended by staff.

#### APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan

#### BACKGROUND AND SUMMARY:

The present amendment is initiated by the City of Laramie as part of the continual effort to keep the Unified Development Code (UDC) accurate, correct concerns, and remove potential avenues of confusion. All prior revisions to LMC Chapter 15 (Unified Development Code) can be found online at [www.cityoflaramie.org/UDC](http://www.cityoflaramie.org/UDC).

Beginning in early 2015 City staff began what has been dubbed the “Laramie Economic Initiative” (LEI) with the intent to address perceptions that elements of Laramie Municipal Code’s Unified Development Code (Title 15) were prohibiting development due to development costs. In response, City staff has been working on three components of the

LEI. Component 1 involved modifications to the fee schedule which was presented to the Planning Commission on May 9, 2016 and at the drafting of this staff report, is set for City Council consideration on June 7, 2016. Components 2 and 3 involved modifications to the “Landscaping and Screening” standards (LMC 15.14.050 and “Parking and Off-Street Loading” standards (LMC 15.14.040). This amendment focuses on Component 2, “Landscaping and Screening Standards”.

The proposed amendments have been presented to the Laramie Chamber Business Alliance’s Community Development Liaison Committee (CDLC) for review. The CDLC has indicated support of the reduction in landscaping requirements.

#### Proposed Landscaping Revisions:

Staff frequently receives complaints regarding our landscaping requirements. Specifically that they are perceived as too burdensome and too costly for development to install and maintain. Staff analyzed the existing landscaping requirements and propose several amendments to address problems that frequently arise.

Notable changes are as follows:

- A reduction in the overall required landscaping from 20% of a development area (excluding building(s) or use footprint) to 15% of a lot or parcel area (excluding building(s) or use footprint). This effectively reduces landscaping you would see internal to the site and along the perimeter. (LMC 15.14.050.C.1)
- Addition of a Xeriscape/Water Conserving Landscaping option to allow for a low water use landscaping option in nonresidential development applications. (LMC 15.14.050.C.4)
- A reduction in the amount of required living landscaping materials from 75% to 65% of the ground cover. This will result in less living landscape such as grass, bushes and shrubs and more hardscape such as rock, bark and decorative pavers. (LMC 15.14.050.C.5)
- Modification to the size requirements of plantings to reflect industry standards (LMC 15.14.050.D.2)
- Change the way perimeter lengths are calculated for required landscape units to exclude measurement for driveways and pedestrian connections. This results in less required planting and landscape units along a property line with a driveway or pedestrian connection. (LMC.15.14.050.F.3.a – page 8)
- Reduction in Site Perimeter landscaping units required based on development project size. The larger the development, the less landscape units required. (LMC.15.14.050.F.3.b – page 9)
- Reduction in bufferyard requirements, L2, L3 and L4 bufferyard widths and reduction in required landscape units for all bufferyards. (LMC Tables 15.14.050 2 and 3 – pages 9 and 10)

The above mentioned changes will ultimately have a reduction in the amount of required landscaping within and on the perimeter of development sites. The reduction in landscaping requirements and introduction of a Commercial xeriscape option will also result in lower irrigation costs for development.

Note: The attached Ordinance only shows subsection of the LMC 15.14.050, Landscaping and Screening Standards that are proposed for modification (subsections A-F). LMC 15.14.050 subsections G-I are not included because they remain unchanged.

#### **PUBLIC COMMENTS:**

This amendment was legally advertised in the Laramie Boomerang on May 28, 2016. Staff has received no comments regarding this proposed amendment to Laramie Municipal Code.

#### **FINDINGS OF FACT:**

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie code and best planning practice.

#### **CONCLUSIONS OF LAW:**

The amendment is proceeding in accordance with applicable law, including LMC Title 15.

#### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission recommend that the City Council **approve** amendments to LMC 15.14.050 (Landscaping and Screening Standards) for the purposes of reducing landscaping requirements associated with development as shown in Attachment A.

#### **ATTACHMENTS:**

- ~~1. Attachment A – Proposed Ordinance (See Ordinance)~~

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**1. AGENDA**

Regular Meeting of the City Council was called to order by Mayor Paulekas at 6:34 p.m.

**2. Pledge of Allegiance**

Mayor Paulekas led the Pledge of Allegiance.

**3. Roll Call**

Roll call showed present: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Absent: Vitale.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Angie Johnson, City Clerk; Jason Loos, City Attorney (by Skype); Todd Feezer, Parks & Recreation Director; Earl Smith, Public Works Director; and Dale Stalder, Police Chief.

**4. PRE-MEETING ITEMS**

**4.A. PROCLAMATIONS & PRESENTATIONS**

Proclamation: Recognition and Thanks to the High Plains Curmudgeon Society:

Proclamation: Recognizing June 26 through July 2, 2016 as National Mosquito Control Awareness Week

**4.B. PUBLIC HEARING**

Original Ordinance No. 1946, amending Title 15 of Laramie Municipal Code for the purposes of amending Chapter 15.08.040.B.3.b.(i) eliminating differential residential development standards for garages within the Turner Tract Overlay Zone.

**4.C. ANNOUNCEMENTS**

**5. Disclosures by City Council Members**

Shuster, Item No 12. Requesting to be recused as it affects his parents.

**6. Consideration of Changes in Agenda and Setting the Agenda**

A. MOTION BY PEARCE, seconded by Shumway, that the following changes to the Agenda be approved: Consent Agenda: Item 8C #6 to become Item 10A.; to Item 8J add #3 June 28, 2016, Work Session for the possible renaming of Optimist Park, and #4 June 28, 2016, Public Hearing for the possible renaming of Optimist Park. Regular Agenda, add 10A as stated, and remove Items 14 and 16.

MOTION CARRIED by voice vote.

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B. MOTION BY PEARCE, seconded by Summerville, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

**7. Approval of Consent Agenda**

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

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**8. CONSENT AGENDA**

**8.A. MINUTES: City Council Meetings**

**Action:** that Council approve the Minutes of the City Council Regular Meeting of June 7, 2016, the Public Hearing and Special Meeting of June 14, 2016, and have them placed on file for public inspection

**8.B. CEMETERY DEEDS: For June 1-15, 2016**

**Action:** that the Cemetery Deeds for June 1-15, 2016 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. MINUTES: of the May 18, 2016 Parks, Tree and Recreation Advisory Board**

**Action:** that Council acknowledge receipt of the Minutes from the May 18, 2016 meeting of the Parks, Tree & Recreation Advisory Board and the following recommendations be approved as indicated:

- 1) To approve the minutes from the April 13, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board.
- 2) To approve the Adopt A Park Agreement with Naughty Pines Derby Dames at Harbon Park.
- 3) To approve the acceptance of a grant in the amount of \$500 from Rocky Mountain Power for purchase trees for the Arbor Day Celebration.
- 4) To approve the Arbor Day Resolution and forward to City Council for approval.
- 5) To approve the invoice to Laramie Rotary Clubs for the request of \$2,000 to replenish the Shawver Tree Fund account.
- 6) Moved to 10A.
- 7) Presentation from Leadership Laramie addressing the redevelopment of the Boswell Park area to include a way finding structure.
- 8) Consideration of Parks, Tree and Recreation Advisory Board Goals for 2016.
- 9) Annual Overview of Ice & Event Center Operations as presented by staff.

**8.D. MOU: Memorandum of Understanding with the Albany County Attorney's Office for Crime Victim Witness services in Laramie Municipal Court.**

**Action:** that Council approve a Memorandum of Understanding between the City of Laramie and the Albany County Attorney's Office for Crime Victim Witness services in Laramie

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Municipal Court, and authorize an expenditure of \$9,000.00 pursuant to the MOU, and authorize the Mayor and Clerk to sign.

**8.E. AGREEMENT: Vertical expansion and water balance closure cover of Laramie Landfill Stage 1**

**Action:** that Council award the Professional Services Agreement for the design and major permit amendment for a vertical expansion and water balance closure cover of Stage 1 at the Laramie Landfill to Trihydro Corporation, in the amount of \$49,334.00 together with a contingency of \$4,933.00 for a total not to exceed \$54,267.00 and authorize the Mayor and Clerk to sign the Agreement.

**8.F. AGREEMENT: Acceptance from the Wyoming Department of Transportation for Huron Street.**

**Action:** that Council approve the Agreement of Acceptance from the Wyoming Department of Transportation for Huron Street and authorize the Mayor and Clerk to sign the Agreement.

**8.G. RESOLUTION: Resolution 2016-46, authorizing co-sponsorship of the Friends of Community Recreation events.**

**Action:** to approve Resolution 2016-46 authorizing co-sponsorship of the Friends of Community Recreation Family Duathlon, Zombie Run and an Indoor 5k allowing for the use of associated shelters and facilities for these fundraising events and authorize the Mayor and Clerk to sign.

**8.H. RESOLUTION: Resolution 2016-47, authorizing co-sponsorship of the Freedom has a Birthday community event.**

**Action:** to approve Resolution 2016-47 authorizing co-sponsorship of the Freedom has a Birthday community event allowing for the use of associated shelters and facilities for this event and authorize the Mayor and Clerk to sign.

**8.I. RESOLUTION: Resolution 2016-48, extending Mobile Home Park and Recreational Vehicle Park licenses through June 30, 2017.**

**Action:** to approve City Council Resolution 2016-48, regarding Mobile Home Park and Recreational Vehicle Park licenses and authorize the Mayor and Clerk to sign the Resolution.

**8.J. SCHEDULE MEETING(S)**

**Action:** that Council schedule the following meeting(s):

- 1. August 9, 2016, 6:00 pm - WORK SESSION:** Taxi Law Update
- 2. August 23, 2016, 6:00 pm - WORK SESSION:** Development Review Update
- 3. June 28, 2016, 6:00 pm - Work Session:** Possible Renaming of Optimist Park,
- 4. June 28, 2016, 6:00 pm -Public Hearing:** Possible Renaming of Optimist Park.

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**9. REGULAR AGENDA**

**10. Consideration of Notice of Calcutta.**

MOTION BY SHUSTER, seconded by Pearce, that Council acknowledge receipt of the June 7, 2016 Notice of Calcutta Letter from Laramie Jubilee Days to hold a Calcutta on August 4, 2016, at approximately 6:00 p.m., in front of the grand stands at the Albany County Fairgrounds.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**10A. MOU between the City of Laramie and the Rotary Club of Laramie and the Laramie Sunrise Rotary Club outlining the details related to permanently renaming Optimist Park to Rotary Park.**

MOTION BY SUMMERVILLE, seconded by Shuster, that Council acknowledge the receipt of the MINUTES from the May 18, 2016 Regular Meeting Parks, Tree and Recreation Advisory Board, specifically Item No. 6, supporting the MOU between the City of Laramie and the Rotary Club of Laramie and the Laramie Sunrise Rotary Club outlining the details related to permanently renaming Optimist Park to Rotary Park.

MOTION BY SUMMERVILLE, seconded by Shuster, that Council postpone this item to July 5, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**11. Consideration to accept a contract with Venture Technologies for the installation of a new 911 telephone system.**

MOTION BY SHUSTER, seconded by Summerville that Council approve a contract with Venture Technologies in the amount of \$201,503.54, with a 15% contingency, for a total not to exceed \$231,729.07, for the purpose of installing a new 911 telephone system in the Laramie / Albany County Records and Communications (LARC) Division of the Laramie Police Department, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

MOTION BY SHUSTER, seconded by Summerville that Council recuse Shuster from Item No. 12.

MOTION CARRIED by voice vote.

**12. Original Ordinance No. 1947, vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition.** Introduction and First Reading

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MOTION BY HENRY, seconded by Weaver, that Council approve Original Ordinance No. 1947, vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition, based on findings of fact and conclusions of law and set a public hearing for July 5, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Recused: Shuster. Absent: Vitale. MOTION CARRIED.

**13. Original Ordinance No. 1948, vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition.** Introduction and First Reading

MOTION BY SUMMERVILLE, seconded by Weaver, that Council approve Original Ordinance No. 1948 vacating a 4,224 sq. ft. area of alley of right-of-way within Block 1, University Place Addition, based on findings of fact and conclusions of law and set a public hearing for July 5, 2016.

Roll call showed Aye: Hanson, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: Henry. Absent: Vitale. MOTION CARRIED.

**14. Deleted**

**15. Resolution 2016-49, to appoint one member to the Parks, Tree and Recreation Advisory Board.**

MOTION BY WEAVER, seconded by Pearce, that Council approve Resolution 2016-49 declaring that one vacancy exists on the Parks, Tree and Recreation Advisory Board and that Dylan Esquivel be appointed to fill the vacancy on the Parks, Tree and Recreation Advisory Board for term expiring on December 31, 2016 and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**16. Deleted**

**17. Original Ordinance No. 1922A, amending Title 8 of the Laramie Municipal Code for the purposes of creating health and safety standards for mobile homes, manufactured homes, recreational vehicles and tents.** Third and Final Reading

MOTION BY HENRY, seconded by Pearce, that Council approve Original Ordinance No. 1922A on third and final reading, based on findings of fact and conclusions of law, and authorize the Mayor and Clerk to sign the ordinance.

MOTION BY HENRY, seconded by Summerville, that Council postpone Original Ordinance No. 1922A to July 19, 2016.

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Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**18. Original Ordinance No. 1924, amending Title 15 of the Laramie Municipal Code for the purposes of amending LMC Chapters 15.14 and 15.28 regarding Mobile Home Parks, Manufactured Home Communities and Recreational Vehicle Parks.** Third and Final Reading (Introduced by Henry)

MOTION BY HENRY, seconded by Pearce, that Council approve Original Ordinance No. 1924 on third and final reading, based on findings of fact and conclusions of law, and authorize the Mayor and Clerk to sign the ordinance.

MOTION BY HENRY, seconded by Summerville, that Council postpone Original Ordinance No. 1924 to July 19, 2016.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**19. Original Ordinance No. 1946, amending Title 15 of Laramie Municipal Code for the purposes of amending Chapter 15.08.040.B.3.b.(i) eliminating differential residential development standards for garages within the Turner Tract Overlay Zone.** Second Reading (Introduced by Shuster)

MOTION BY SHUSTER, seconded by Pearce that Council approve Original Ordinance No. 1946 on second reading contrary to the recommendation by the Planning Commission, that would amend Chapter 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards of the Unified Development Code, based on finding of fact and conclusions of law; specifically finding that it does conform to the Turner Tract Plan.

Roll call showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**20. Original Ordinance No. 1949, amending Title 15 of Laramie Municipal Code for the purposes of amending the Landscaping Requirements.** Introduction and First Reading.

MOTION BY PEARCE, seconded by Shuster, that Council approve Original Ordinance No. 1949 amending LMC 15.14.050, Landscaping and Screening Standards, based on findings of fact and conclusions of law and set a public hearing for July 5, 2016.

MOTION BY HENRY, seconded by Summerville, that Council delay Second Reading to August 2, 2016.

Roll call ON DELAY showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

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Roll call ON MAIN MOTION AS AMMENDED showed Aye: Hanson, Shumway, Shuster, Weaver, Pearce, and Paulekas. Nay: Henry and Summerville. Absent: Vitale. MOTION CARRIED.

**21. Right of First Refusal Agreement between the City of Laramie and Laramie County Community College.**

MOTION BY WEAVER, seconded by Shuster, that Council approve the Right of First Refusal Agreement between the City of Laramie and LCCC (Laramie County Community College) to give LCCC the right to meet any offer to purchase Lots 6-11, Block 2, Turner Tract Addition to the City of Laramie for ten years, and authorize the Mayor and Clerk to sign.

MOTION BY SHUSTER, seconded by Weaver, that Council postpone to July 5, 2016.

Roll call ON POSTPONEMENT showed Aye: Hanson, Henry, Shumway, Shuster, Summerville, Weaver, Pearce, and Paulekas. Nay: None. Absent: Vitale. MOTION CARRIED.

**22. Consideration of future Council work session topics**

None.

**23. Public Comments on Non-Agenda Items by sign-in requests**

None.

**24. Adjournment**

MOTION BY HANSON, seconded by Pearce, that Council adjourn.

MOTION CARRIED by voice vote.

Council adjourned at 8:44 p.m.

Respectfully submitted,

Angie Johnson

City Clerk

LARAMIE CITY COUNCIL  
PUBLIC HEARING  
Original Ordinance No. 1946 Residential Standards for the Turner Tract  
June 21, 2016

Public Hearing was called to order by Mayor Paulekas at 6:43 p.m.

City Council present: Klaus Hanson, Vicki Henry, Joe Shumway, Bryan Shuster, Andi Summerville, Paul Weaver, Jayne Pearce, and Dave Paulekas. Absent: Joe Vitale.

The City Clerk read the notice:

The City Council will hold the following public hearings at 6:30 p.m. on June 21, 2016 in the City Council Chambers, Laramie City Hall, 406 Iverson Avenue, Laramie, WY, to take public comments following: - TA-16-04: Submitted by Grand View Heights (John Edwards), requesting a Text Amendment to allow for changes to 15.08.040.B.3.b.(i) which would modify the requirements for the location of front loading garages in the Turner Tract. All applications, plans and specifications relative to these matter(s) are available for review at the City of Laramie Community Development Department, at 405 Grand Avenue, Laramie, WY. Anyone wishing to be heard should be present or may be represented by his or her agent at the meeting.

Mayor Paulekas asked if there were any comments.

There were no comments.

Public Hearing was closed at 6:44 p.m.

Respectfully submitted

Angie Johnson  
City Clerk

# CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



**Agenda Item: Minutes**

**Title:** Minutes of the May 18, 2016 Parks, Tree and Recreation Advisory Board – Item 6 (Postponed from June 21, 2016 Regular Meeting of the City Council)

**Recommended Council MOTION:**

I move that Council acknowledge receipt of the Minutes from the May 18, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board – Item 6 postponed from the June 21, 2016 Regular Meeting of the City Council: 6) Supporting the MOU between the City of Laramie and the Rotary Club of Laramie and the Laramie Sunrise Rotary Club outlining the details related to permanently renaming Optimist Park to Rotary Park. (Failed) (Postponed from June 21, 2016 Regular Meeting of City Council)

**Administrative or Policy Goal:**

Council Goals: Preserve park land, open space, and public trails for future generations. Continue public relations outreach to engage residents in municipal government.

**Background:**

Minutes from the May 18, 2016 Parks, Tree and Recreation Advisory Board meeting.

**Legal/Statutory Authority:**

N/A

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

N/A

**EXPENSE**

N/A

**Responsible Staff:**

Todd Feezer, Director  
 Parks & Recreation Department  
 (307) 721-5260  
[tfeezer@cityoflaramie.org](mailto:tfeezer@cityoflaramie.org)

Future dates are subject to change

Work Session	June 28, 2016
Advertised	June 25, 2016
Public Hearing Held	June 28, 2016
Pub. Hearing Advertised	June 25, 2016
Introduction/1 <sup>st</sup> Reading	Click here to enter a date.
2 <sup>nd</sup> Reading	Click here to enter a date.
3 <sup>rd</sup> Reading	Click here to enter a date.
	Click here to enter a date.

**Attachments:** Minutes from the May 18, 2016 Parks, Tree and Recreation Advisory Board meeting.

**CITY OF LARAMIE**  
**PARKS, TREE & RECREATION ADVISORY BOARD**  
**May 18, 2016**  
**Minutes of Meeting**

MEMBERS PRESENT: Marius Favret, Jacque Stonum, Larry Foianini, Helen Coates, Chris Dixon, Dave Hammond, Steve Ropp

MEMBERS NOT PRESENT: Amy Williamson

COUNCIL LIASON: Paul Weaver

GUESTS: Jan Lawrence, Gustave Anderson, Lawrence Struempf, Dean Twitchell, Jo Korpitz, Bruce King, Dave Mullens, Sara Haugen

CITY STAFF PRESENT: Todd Feezer, Parks & Recreation Director; Jodi Guerin, Recreation Manager; Keith Wardlaw, Parks/Mosquito Crew Supervisor; Devin Garcia, Ice and Events Coordinator; Inez Wildenborg, Administrative Coordinator

The regular meeting was called to order by Madam Chair Stonum at 6:38 pm.

**Consent Agenda:**

1. To approve the minutes from the April 13, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Feezer, pages 2-3)
2. To approve the Adopt A Park Agreement with Naughty Pines Derby Dames at Harbon Park (Feezer, pages 4-6)
3. To approve the acceptance of a grant in the amount of \$500 from Rocky Mountain Power for purchase trees for the Arbor Day Celebration (Overstreet, pages 7-10)
4. To approve the Arbor Day Resolution and forward to City Council for approval (Overstreet, page 11-12)
5. To approve the invoice to Laramie Rotary Clubs for the request of \$2,000 to replenish the Shawver Tree Fund account (Overstreet, page 13-14)

Motion by Favret, seconded by Foianini, that the consent agenda be approved and that each specific action on the consent agenda be approved as indicated within the staff reports. Motion carried 6-0.

**Regular Agenda:**

1. **MOU between the City of Laramie and the Rotary Club of Laramie and the Laramie Sunrise Rotary Club outlining the details related to permanently renaming Optimist Park to Rotary Park. (Feezer, pages 15-41)**

Questions were asked and discussion was made.

Motion by Favret, seconded by Coates, that the Parks, Tree & Recreation Advisory Board approve the Memorandum of Understanding between the City of Laramie and Laramie's two Rotary Clubs related to Optimist Park and forward to City Council for approval and Mayor's signature. Motion failed 1-6.

2. **Presentation from Leadership Laramie addressing the redevelopment of the Boswell Park area to include a way finding structure.**

Presentation discussed the idea presented by Leadership Laramie to provide for improvements and a way finding structure at Boswell Park.

Motion by Hammond, seconded by Favret, that the Parks, Tree & Recreation Advisory Board direct staff to develop a resolution supporting Leadership Laramie and forward to City Council for approval. Motion carried 7-0.

**3. Consideration of Parks, Tree and Recreation Advisory Board Goals for 2016.**

Motion by Hammond, seconded by Coates that the Parks, Tree & Recreation Advisory Board approve the 2016 Goals and incorporate them into the operations of the board until replaced by future board actions. Motion carried 7-0.

**4. Annual Overview of Ice & Event Center Operations as presented by staff.**

Presentation discussed annual cost recovery, operations, performance, revenue, expenses, and future growth.

**Staff Reports FYI:**

- Feezer presented the Facilities Division staff report to the Board.
- Wardlaw presented the Parks Division staff report to the Board
- Guerin presented the Recreation Division staff report to the Board.

**Upcoming Items:**

PT&R Board interviews to take place on Friday, May 20 at 4:00pm.  
Director Feezer to write a policy on park naming process guidelines.

**Other Business:**

None at this time.

**Advisory Board Open Items:**

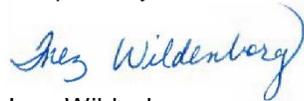
\*Next Regular Meeting Date: Wednesday, June 8, 2016 at 6:30pm

**Public Comments:**

None

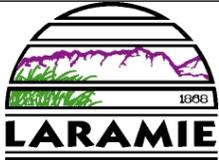
Meeting adjourned at 8:36pm.

Respectfully Submitted,



Inez Wildenborg  
Administrative Coordinator  
Parks and Recreation, City of Laramie

## CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



**Agenda Item:** Minutes

**Title:** Minutes of the June 8, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board.

### **Recommended Council MOTION:**

I move that Council acknowledge receipt of the Minutes from the June 8, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board: 1) To approve the minutes from the May 18, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (approved) 2) To approve resolution 2016-46 authorizing co-sponsorship of possible events with the Friends of Community Recreation Foundation during 2016 including a Family Duathlon in August, Zombie Run in October and an Indoor 5K in December. (approved) 3) To approve resolution 2016-47 authorizing co-sponsorship of Freedom Has a Birthday to be held at Washington Park on July 4, 2016. (approved) 4) To proclaim the week of June 26-July 2, 2016 as National Mosquito Control Awareness Week in Laramie and forward to City Council for their consideration. (approved) 5) To approve an Administrative Policy and Procedure for Naming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgment. (tabled pending further discussion) 6) To approve Resolution AB2016-08 and recommend that the Laramie City Council support the submission of a grant to the National Endowment of the Arts "Art Works" grant for installations on Cirrus Sky Trail. (approved)

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### **Administrative or Policy Goal:**

*Council Goals:* Preserve park land, open space, and public trails for future generations. Continue public relations outreach to engage residents in municipal government.

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### **Background:**

Minutes from the June 8, 2016 Parks, Tree and Recreation Advisory Board meeting.

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### **Legal/Statutory Authority:**

N/A

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### **Budget/Fiscal Information:**

### **Responsible Staff:**

Todd Feezer, Director, Parks & Recreation Department  
(307) 721-5260, tfeezer@cityoflaramie.org

**Attachments:** PTR Advisory Board Minutes 6.8.16

**CITY OF LARAMIE**  
**PARKS, TREE & RECREATION ADVISORY BOARD**  
**June 8, 2016**  
**Minutes of Meeting**

MEMBERS PRESENT: Amy Williamson, Jacque Stonum, Larry Foianini, Helen Coates, Chris Dixon, Dave Hammond, Steve Ropp

MEMBERS NOT PRESENT: Marius Favret

COUNCIL LIASON: Paul Weaver

GUESTS: None

CITY STAFF PRESENT: Jodi Guerin, Recreation Manager; Keith Wardlaw, Parks/Mosquito Crew Supervisor; Scott Stevenson, Facilities Management; Inez Wildenborg, Administrative Coordinator

The regular meeting was called to order by Madam Chair Stonum at 6:38 pm.

**Consent Agenda:**

1. To approve the minutes from the May 18, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Feezer, pages 2-3)
2. To approve resolution 2016- authorizing co-sponsorship of possible events with the Friends of Community Recreation Foundation during 2016 including a Family Duathlon in August, Zombie Run in October and an Indoor 5K in December. (Feezer, pages 4-5)
3. To approve resolution 2016- authorizing co-sponsorship of Freedom Has a Birthday to be held at Washington Park on July 4, 2016. (Feezer, pages 6-7)
4. To proclaim the week of June 26-July 2, 2016 as National Mosquito Control Awareness Week in Laramie and forward to City Council for their consideration. (Wardlaw, pages 8-9)

Motion by Williamson, seconded by Hammond, that the consent agenda be approved and that each specific action on the consent agenda be approved as indicated within the staff reports. Motion carried 7-0.

**Regular Agenda:**

2. **To approve Resolution AB2016-08 and recommend that the Laramie City Council support the submission of a grant to the National Endowment of the Arts "Art Works" grant for installations on Cirrus Sky Trail. (Guerin, pages 17-18)**

Guerin gave a brief background on Cirrus Sky Trail art installation proposal.

Motion by Williamson, seconded by Coates, that the Parks, Tree & Recreation Advisory Board approve Resolution # 2016- and recommend that the Laramie City Council support the submission of a grant to the National Endowment of the Arts "Art Works" grant for installations on Cirrus Sky Trail.

Motion carried 7-0.

1. **To approve an Administrative Policy and Procedure for Naming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgment. (Feezer, pages 10-16)**

Questions were asked and discussion was made.

Motion by Williamson, seconded by Ropp, that the Parks, Tree & Recreation Advisory Board amend the Administrative Policy and Procedure for naming City of Laramie, Parks & Recreation Department Parks and Facilities, where any such wording which refers to the approval of any motion by the Parks, Tree & Recreation Advisory Board, be a majority of a quorum of the members present, and specifically state: "Any entire or portion of any park, parkway, recreation building, swimming pool, ball field or any other facility managed and controlled by the City of Laramie, Parks & Recreation Department hereinafter called park and/or facility, shall be named or renamed only by the Parks, Tree and Recreation Advisory Board on an affirmative vote of 2/3 majority of a quorum of the members present." Motion carried 7-0.

Motion by Williamson, seconded by Foianini, that the Parks, Tree & Recreation Advisory Board approve the Administrative Policy and Procedure for naming City of Laramie, Parks & Recreation Department Parks and Facilities and forward to City Council for acknowledgement of the adopted policy. Motion tabled and Board asked staff to review and present at next meeting.

**Staff Reports FYI:**

- Stevenson presented the Facilities Division staff report to the Board.
- Wardlaw presented the Parks Division staff report to the Board
- Guerin presented the Recreation Division staff report to the Board.

**Upcoming Items:**

None at this time.

**Other Business:**

None at this time.

**Advisory Board Open Items:**

1. Leadership Laramie MOU Attached (Feezer, pages 22-35)
2. Adoption of the Parks, Tree and Recreation Advisory Board Goals for 2016.

Motion by Hammond, seconded by Coates that the Parks, Tree & Recreation Advisory Board approve the 2016 Goals and incorporate them into the operations of the board until replaced by future board actions. Motion carried 7-0.

\*Next Regular Meeting Date: Wednesday, July 13, 2016 at 6:30pm

**Public Comments:**

None

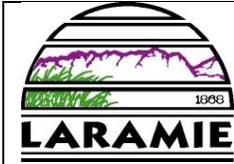
Meeting adjourned at 8:08pm.

Respectfully Submitted,



Inez Wildenberg  
Administrative Coordinator  
Parks and Recreation, City of Laramie

## CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



### Agenda Item: Minutes

**Title:** Acknowledgement of Ranch Advisory Committee Minutes from April 14, 2016

### Recommended Council MOTION:

I move to acknowledge the Ranch Advisory Committee minutes from April 14, 2016.

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### Administrative or Policy Goal:

Ongoing review of the operation and stewardship efforts on Monolith Ranch.

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### Background:

A meeting of the Ranch Advisory Committee was held on April 14, 2016. Discussion items from this meeting include:

- I. NEW BUSINESS**
  - A. Welcome New Member Amy Nagler
  - B. Mountain Cement Purchase Offer Discussion
- II. OLD BUSINESS**
  - A. Goforth Reservoir Update
  - B. Lease Negotiation and House Inspection Update
  - C. Standing Report from Parks, Trails and Recreation Master Plan Ad Hoc Advisory Committee – no report at this time
  - D. Quarterly Report from Water Resource Administrator
  - E. Hunter Management Plan Update
- III.** Set date for next regular meeting: July 14, 2016 (*has been changed to July 22, 2016 since the date of these minutes*)
- IV.** Set agenda for next meeting

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**Legal/Statutory Authority:** N/A

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### Responsible Staff:

Earl Smith, Public Works Director  
Cal Van Zee, Utility Manager

Attachments: Minutes from April 14, 2016

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**MINUTES**  
**Monolith Ranch Advisory Committee**  
**April 14, 2016, 1:00 PM**  
**405 Grand Ave., Laramie, WY**  
**Annex Conference Room**

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**The regular meeting of the Monolith Ranch Advisory Committee met at the Historic Carnegie Building, 405 Grand Avenue, 1<sup>st</sup> Floor Conference Room and was called to order at 1:14 PM.**

**I. ROLL CALL**

Members Present: Joe Lord, Jason Sherwood, Paul Rechard, Amy Nagler, Jayne Pearce  
Staff Present: David Derragon, Earl Smith, Darren Parkin, Cindy Williams  
Absent: Cal VanZee  
Guests Present: Joel Funk (Laramie Boomerang), Marius Favret (citizen), Thomas Hamp (Mountain Cement Company, owner), Mitch Edwards (Nicholas & Tangeman, Mountain Cement Company attorney)

**II. APPROVAL OF AGENDA**

**MOTION BY Sherwood**, seconded by Rechard, to approve the agenda. **MOTION CARRIED UNANIMOUSLY.**

**III. APPROVAL OF MINUTES**

**MOTION BY Sherwood**, seconded by Rechard, to approve the minutes from the January 14, 2016 meeting as sent via email. **MOTION CARRIED UNANIMOUSLY.**

**IV. NEW BUSINESS**

**A. Welcome New MRAC Member Amy Nagler!**

**B. Mountain Cement Purchase Offer Discussion**

Mountain Cement Company (MCC) currently mines the Bath Quarry for shale which is used in the cement manufacturing process. MCC is looking to expand their operation onto the Monolith Ranch property. A 2012 exploration was done where minerals were found. These minerals are owned by the Federal Government. MCC will be working with BLM and DEQ to acquire those minerals for mining purposes. MCC would like to acquire the surface ownership of the property in order to make it easier to control such things as trespassing. MCC currently has two active mining pits at the Bath Quarry and as reserves are expended they would like to expand to the East (Monolith Ranch).

With respect to the Dowlin Ditch and the land irrigated by the Dowlin Ditch there are no surface water rights or ditches on the proposed mine expansion property. It is essentially dry pastureland. There are two wells: one is collapsed, the other is shallow and meant for livestock watering. It is high in sulfates and may not even be fit for cattle consumption.

Regarding the impact on current ranching operations with respect to grazing, MCC is purchasing shale from the Federal Government and also getting a permit to mine from DEQ. MCC would first do baseline studies on the vegetation as is required. Grazing

would be restricted during that time on the property. DEQ requires a full growth of vegetation to do the studies to establish what kind of reclamation and seed cover is needed to put down at the end of the mining operations. MCC already has other properties with grazing lessees. MCC would need to control and restrict where the grazing would happen to protect both MCC interests and also the cattle. During the mining phase other areas of the property could be utilized for grazing but there would not be any grazing allowed near the mine.

MCC is hoping to get the purchase done this summer and to start working with BLM with respect to the minerals and the permitting. It will take a couple of years to obtain all the permits. MCC would like to see a decision from Council by this July. As of right now, the current lessee (Baer) is agreeable to the purchase. Approximately 80 acres would be MCC mineral rights, with the rest being Federal. 400-500 acres will be mined.

Recreational access is not feasible in an active mining area with respect to safety and trespassing issues.

This is a 100 year program. It is unknown at this point what will happen after 100 years. MCC is potentially looking to expand by investing more than \$200 Million by building a new manufacturing facility that is more efficient. Purchasing this land would make it easier to make this investment as adequate shale mineral resources will be secured for the next 100 years.

Any revenue obtained by the sale would go back into the City of Laramie's Enterprise Fund. It would not be specifically earmarked for the Monolith Ranch, but the ranch would benefit through the Enterprise Fund.

A visit out to the ranch may be arranged for any committee members and council members who may be interested. A work session may also be scheduled in the near future.

## **V. OLD BUSINESS**

### **A. Goforth Reservoir Update**

Ducks Unlimited (D.U.) has applied for a NAWCA grant. We will know in mid-June if it was approved. If the money is awarded, the project may proceed as early as next spring. D.U. has a three year window from the time they are given the money to complete the project. D.U. will provide all the engineers and construction for the project.

### **B. Lease Negotiation and House Inspection Update – Water Resource Administrator**

Baer would like to plant oats instead of alfalfa this year and then go back to alfalfa next year. Production was great last year and he thinks it will help control the gophers as well. He will pay all the expenses if the City agrees. Last year the City spent over \$20,000 putting in oats. He is also asking for a one year lease extension to keep us on the alfalfa rotation and make the lease negotiation eight years from now potentially less difficult.

It is recommended by the committee that oats are acceptable this year if Baer wants to pay for it, but there will be no extension on the lease.

Baer would like at least one new house, possibly modular, for his workers and their families to live in instead of the houses on the property. He would like to vacate the Simpson house

and the Headquarters house, turn the Headquarters house into a lunchroom for staff, and keep the Hunziker house for his own use. In exchange for vacating, he would like the City to cost-share for a new modular. If Baer is to pay a portion, he would like a lease extension for his portion of investing in the ranch.

Committee's recommendation is "not at this time", but if Baer would put his proposal in writing it can be reviewed for further consideration by the committee.

**C. Standing Report from Parks, Trails and Recreation Master Plan Ad Hoc Advisory Committee – Joe Lord**

No report at this time.

**D. Quarterly Report/Pivot Update – Water Resource Administrator**

- Cattle will be shipping out in the next ten days.
- The head gate at the Haul Road Ditch was washed out and is being fixed.
- Fertilizer will be spread on the flat ground.
- Baer has been assisting with ditch maintenance.
- All water recorders are installed and have been tested. We are not running water yet due to the cattle still on the property.
- Next Board of Control Meeting is May 9.

**E. Hunter Management Plan Update – Jason Sherwood**

The renewal agreement has been sent in. If the ranch property is sold to MCC, the agreement will have to be re-written. There are an additional twenty five doe/fawn licenses to provide more opportunities. The season is extended in December, so any whitetail licenses will turn into doe/fawn tags. *See attached map for current area and ranch rules.* The map can also be downloaded to a smartphone with a free app.

**VI. SET DATE FOR NEXT MEETING**

The next meeting is set for Thursday July 14, 2016, at 1:00 p.m. in the Annex conference room.

**VII. SET AGENDA FOR NEXT MEETING**

**VIII. ADJOURNMENT**

**MOTION BY Lord**, seconded by Rechar, to adjourn. **MOTION CARRIED UNANIMOUSLY.**

Meeting adjourned at 3:22 p.m.

Respectfully Submitted,

*S/ Cindy Williams*

Staff Liaison

Monolith Ranch Advisory Committee

APPROVED BY CITY COUNCIL

Date



**MOUNTAIN  
CEMENT COMPANY**

5 Sand Creek Rd.  
Laramie, Wyoming 82070  
(307) 745-4879 Fax (307) 742-4534

December 21, 2015

City of Laramie  
Attn: Ms. Janine Jordan, City Manager  
406 Ivinson Street  
Laramie, WY 82070  
**VIA HAND DELIVERY**

Re: Purchase of Land

Dear Ms. Jordan:

As you are aware, Mountain Cement Company operates a Portland cement manufacturing facility just south of Laramie, located at 5 Sand Creek Road. As part of our operations MCC employs 120 people in various positions; we are one of the largest private employers and economic contributors in Albany County. In order to manufacture cement MCC operates quarries, extracting raw materials used in the manufacturing process. One of these raw materials is shale. As MCC looks into the future, at some point, MCC will need to progress its quarry operations to mine additional shale minerals owned by the United States adjacent to our existing Bath Shale Quarry. In January of 2012, MCC and the City of Laramie entered into an agreement relating to MCC's exploration of shale minerals, reserved and owned by the United States, underlying surface lands owned by the City of Laramie. These are the same lands over which MCC maintains a haul road under an easement agreement with the City.

MCC would like to purchase land owned by the City of Laramie, adjacent to its Bath Shale Quarry, which we anticipate permitting and mining shale owned by the United States. We believe a sale/purchase of land would be beneficial to both the City and to MCC. The property that MCC would like to purchase from the City consists of approximately 722.60 acres, more or less:

**Township 14 North, Range 74 West, 6<sup>th</sup> P.M., Albany County, Wyoming**

- Section 1:** All that portion lying North and West of County Road 34 (Sand Creek Road)
- Section 2:** All that portion lying North and West of County Road 34 (Sand Creek Road), excepting therefrom the SWSW
- Section 11:** All that portion lying North and West of County Road 34 (Sand Creek Road).

In order to facilitate a potential transaction with the City, MCC ordered an appraisal of the property, prepared by Hastings & Associates of Cheyenne, Wyoming. It is our understanding that this firm is very well respected and knowledgeable when it comes to appraising rural properties in Albany County. The property that MCC desires to purchase from the City appraised for \$397,500.00. Enclosed for your records is a copy of the Uniform Rural Appraisal Report, dated May



**MOUNTAIN  
CEMENT COMPANY**

5 Sand Creek Rd.  
Laramie, Wyoming 82070  
(307) 745-4879 Fax (307) 742-4534

12, 2015. MCC has discussed the potential purchase internally: If the City is willing to sell the property, MCC is authorized to purchase the property from the City for \$400,000.00.

We would ask that you discuss this matter with the City Council at the Council's earliest convenience. If the Council is interested, we would be happy to have a buy-sell agreement prepared to more fully outline the terms of the transaction for the City's consideration and review, and to assist the City in complying with State law relating to the sale of real property. If you or the Council have any questions, myself and others from MCC would be happy to meet with you to discuss.

We wish you a Merry Christmas and Happy New Year!

Sincerely,

---

Tom Hamp, President

Enclosures: As Stated

File No.MCC, LLC

# Uniform Rural Appraisal Report

City of Laramie  
Sand Creek Road  
Laramie, WY 82070

**Prepared For:**

Mountain Cement Company  
Mr. Jeff Brasher, PhD  
5 Sand Creek Road  
Laramie, WY 82070

**Intended User:**

Mountain Cement Company  
Mr. Jeff Brasher, PhD  
5 Sand Creek Road  
Laramie, WY 82070

**Prepared By:**

Hastings & Associates  
Michael J. Hastings, ARA  
1520 Logan Avenue  
Cheyenne, WY 82001

**Date Prepared:**

5/12/15

## Letter of Transmittal



**HASTINGS & ASSOCIATES APPRAISALS**  
 1520 LOGAN AVENUE  
 CHEYENNE, WY 82001  
 (307) 637-3930

James A. Hastings  
 Michael J. Hastings, ARA  
 General Certified in  
 Colorado, Nebraska,  
 & Wyoming

May 21, 2015

Mountain Cement Company  
 Mr. Jeff Brasher, PhD.  
 RE: Appraisal Laramie Monolith Ranch  
 5 Sand Creek Road  
 Laramie, WY 82070

Dear Mr. Brasher,

As per the faxed request, the appraiser has prepared an Appraisal Report using the traditional approach to value for vacant land. The approach to value provides a high degree of reliability for the subject as an interim ranch add-on unit. The appraisal is for the city of Laramie's Monolith Ranch property. The subject property is located approximately 5 miles south of Laramie in Albany County, Wyoming. The appraisal has been prepared to estimate the Market Value of the surface rights only. The potential for minerals was not investigated except that it is normally included in the surface value if minerals are purely speculative where there are no known or proven reserves. The appraiser's analysis, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The report is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organization with which the appraiser is affiliated, the American Society of Farm Managers & Rural Appraisers.

Market value is defined as follows: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specific date and the passing of title from seller to buyer.

The property is valued to reflect current and existing conditions. There has not been a significant change in property values within the past twelve months. The subject property is unimproved. In the appraiser's opinion, the Market Value of the subject property, as of May 1, 2015 is:

Letter of Transmittal

\$397,500.00

THREE HUNDRED NINETY-SEVEN THOUSAND FIVE HUNDRED DOLLARS

The supporting data, analyses and conclusions upon which the value is based are enclosed. This report contains consecutive pages, including exhibits, addendum and is submitted to you for your use. I greatly appreciate the opportunity to complete this assignment. If I can be of additional service or if you have any questions, please let me know.

Respectfully,  
Michael J. Hastings, ARA



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## Uniform Agricultural Appraisal Report

Property Identification

Owner/Occupant: <u>City of Laramie, Monolith Ranch Land</u>	Total Deeded Acres: <u>722.60</u>
Property Address: <u>Sand Creek Road</u>	Effective Unit Size: <u>722.60</u>
State/County: <u>WY / Albany</u>	Zip Code: <u>82070</u>
Property Location: <u>5 miles south of Laramie, WY</u>	Property Code #: _____
Highest & Best Use: <u>Interim Agriculture "As If" Vacant</u>	FAMC Comd'ty Gp: _____
<u>Interim Agriculture "As Improved"</u>	Primary Land Type: <u>Rangeland</u>
Zoning: <u>Agriculture</u>	Primary Commodity: <u>Agricultural</u>
Unit Type: <input type="checkbox"/> Economic Sized Unit <input checked="" type="checkbox"/> Supplemental/Add-On Unit	
FEMA Community # <u>560001</u> FEMA Map # <u>560001C 1765E</u> FEMA Zone/Date: <u>06/16/2011</u>	
Legal Description: <u>Lengthy see attached</u> SEC <u>1</u> TWP <u>14</u> RNG <u>74</u> Attached <input checked="" type="checkbox"/>	
Purpose of Report: <u>Market Value Estimate</u>	
Use/Intended User(s): <u>To make an offer to purchase subject property</u>	
Rights Appraised: <u>Effective Fee simple surface estate</u>	
Value Definition: <u>Market value</u> Attached <input type="checkbox"/>	
Assignment: <u>Appraise "as is"</u> Report Type: <u>Appraisal Report</u>	

Extent of Process/Scope of Work: The appraiser first observed and photographed the subject property along with interviewing one of the potential property purchasers. The appraiser searched county records for information on the subject property. Prepared a thorough sales comparison analysis, which adjusted the sales to the subject property for differences in land mix, improvement contributions, market condition, size along various other factors. Reconciled and concluded to an estimated opinion of market value. See scope of work comments next page.

## Summary of Facts and Conclusions

Appraisal Report Summary

Date of Inspection: <u>05/01/15</u>	Effective Date of Appraisal: <u>05/01/15</u>
Value Indication - Cost Approach: \$ <u>N/A</u>	
- Income Approach: \$ <u>N/A</u>	
- Sales Comparison Approach: \$ <u>397,500</u>	
Opinion of Value: (Estimated Marketing Time <u>3-36</u> months) \$ <u>397,500</u>	
Cost of Repairs: \$ <u>0</u> Cost of Additions: \$ <u>0</u>	
Allocation:	
Land: \$ <u>397,500</u> \$ <u>550</u> / Acre ( <u>100</u> %)	
Land Improvements: \$ <u>0</u> \$ <u>0</u> / ( <u>0</u> %)	
Structural Improvement Contribution: \$ <u>0</u> \$ <u>0</u> / ( <u>0</u> %)	
Non-Realty Items: \$ <u>0</u> \$ <u>0</u> / ( <u>0</u> %)	
Leased Fee Value (Remaining term of encumbrance <u>0</u> ) \$ <u>0</u> \$ <u>0</u> / ( <u>0</u> %)	
Leasehold Value: \$ <u>0</u> \$ <u>0</u> / ( <u>0</u> %)	
Overall Value: \$ <u>550</u> / ( <u>100</u> %)	
Income and Other Data Summary: <input checked="" type="checkbox"/> Cash Rent <input type="checkbox"/> Share <input type="checkbox"/> Owner/Operator <input type="checkbox"/> FAMC Suppl. Attached	
Income Multiplier _____ ( ) Income Estimate: \$ _____ / _____ (unit)	
Expense Ratio _____ % Expense Estimate: \$ _____ / _____ (unit)	
Overall Cap Rate: _____ % Net Property Income: \$ _____ / _____ (unit)	

### Area-Regional-Market Area Data and Trends:

	Above Avg.	Avg.	Below Avg.	N/A
Value Trend	X			
Sales Activity Trend		X		
Property Compatibility		X		
Effective Purchase Power		X		
Demand		X		
Development Potential		X		
Desirability		X		

### Subject Property Rating:

	Above Avg.	Avg.	Below Avg.	N/A
Location		X		
Soil Quality/Productivity		X		
Improvement Rating				X
Compatibility		X		
Rentability		X		
Market Appeal		X		
Overall Property Rating		X		

## USPAP, Organizational, or Other Requirements

**Report Type:** Appraisal Report  
**Date of Inspection:** 05/01/15 **Date of Value Opinion:** 05/01/15 **Date of Report:** 5/12/15

**Scope of Work** (Describe the amount and type of information researched and the analysis applied in this assignment. The Scope of Work includes, but is not limited to the degree and extent of the property inspection; the extent of research into physical and economic factors affecting the property; the extent of data research; and the type and extent of analysis applied to arrive at the opinions or conclusions. Additionally, describe sales availability & ability to demonstrate market - "as vacant" - and "as improved" if applicable - or describe sales available to form value opinion "as completed" or proposed if requested; describe income sources and ability of income to support existing or proposed construction; discuss extent of third party verification of RCN, if applicable.):

The scope of work included defining the appraisal problem an opinion of a market value estimate for the subject property. The assignment conditions and written instructions did not limit the scope of work performed. The intended use or users of the assignment or clients objectives did not cause assignment results to be biased. The appraiser investigated and researched vacant and improved and unimproved small to medium sized land sales for the local market area. The primary market areas for sales were Albany, Laramie and Goshen Counties, with Platte and Converse Counties being secondary market areas. These local market areas were researched for small to medium land sales with similar legal, physical, functional and economic characteristics as the subject property. The period of the sales search was the past 5 years. The appraiser collected and confirmed the sales data with assumed to be knowledgeable market participants. The sales were located, mapped, photographed and analyzed. The appraiser analyzed the sales data and formed a single conclusion of estimated market value for the subject property. The appraiser followed the practice of gathering sales from various sources, including realtors, courthouse records and other reliable real estate sources. The typical measure of value for the market area is price per acre. As part of this appraisal process, the appraiser made a number of independent investigations and analyses. The appraiser relied on data retained in the continually updated office files. Major sources of data and information were the real-estate brokers, MLS, County Planner, County Clerks, County Treasurers, Natural Resources Conservation Service, Laramie, Albany and Goshen Counties Agriculture Extension Offices, County Officials, State Water Engineer and the University of Wyoming. The primary and secondary areas were researched for improved and unimproved sales with similar legal, physical and economic characteristics as the subject property. The appraiser researched sales and subject through county records and MLS, typically not available in the normal course of business in Wyoming as it is a non-disclosure state. Other applicable research included land use regulations, covenants, availability and cost of utilities and economic status reports of the various counties. Sales are collected on a continual basis in the primary and secondary markets. The appraiser used the most current similar sales possible for the market area. The sales used are considered to be in the market area of the subject property. All the assumptions and limiting conditions that affect the analysis or conclusions are set forth in the limiting conditions page of this report. This is an appraisal report.

**Subject Property Sale & Marketing History:** (Analyze and report any agreements of sale, options, or current listings as of the date of the appraisal - and all sales within three (3) years prior to the effective date of appraisal. For UASFLA assignments, report the details of the LAST SALE OF THE SUBJECT - no matter when it occurred): The subject property has been owned longer than 36 months. The subject property was reported not to have been actively listed for sale prior to 12 months preceding the proposed purchase.

**Market Conditions** (Volume of Competing Listings, Volume of Sales, Amenities Sought by Buyers): It appears the Albany County land market is somewhat in balance from a supply and demand perspective, although estimated exposure and marketing time remains somewhat extended at 12 plus months. Sales volume has increased since the economic slump of 2008-2009 with an increasing number of sales being sold over the past 24 to 36 months. Buyers continue to seek hobby type property and add-on units to larger properties. Prices paid when measured on a \$/acre basis have been slightly increasing indicating strengthening demand and slightly appreciating markets. The sale of properties in the general market area appears to be average and there appears to be an average to moderate demand. The national economy appears to be tightening and appears to be in a state of turmoil, although the economists want it to be projected to remain stable. There have not been any sales/re-sales the appraiser is aware of to indicate a down turn in the local market. See additional comments page 7:

**Approaches to Value** (Explain Approaches Used and/or Omitted): All of the approaches to value were considered for this assignment, and only the Sales Comparison Approach was determined to be applicable to produce credible results. The appraiser utilized the one traditional approach to value for vacant land, the Sales Comparison Approach. The Income Approach was not used as leasing the land for interim grazing would not be a reliable indicator and is not needed to produce credible results. The Cost Approach was not used as there are no buildings on the subject property and the Cost Approach is not needed to produce credible results.

## MARKET VALUE DEFINITION

Regulations published by federal regulatory agencies pursuant to title XI of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA)

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure on the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

### Other:

The definition of Market Value is derived from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) of 1989 between July 5, 1990 and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of the Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS and the FDIC on June 7, 1994, and the Inter agency Appraisal and Evaluation Guidelines, dated October 27, 1994, various USPAP editions.

## EXPOSURE AND MARKETING TIME ESTIMATES

Market value (see above definition) conclusion and the costs and other estimates used in arriving at conclusion of value is as of the date of the appraisal. Because markets upon which these estimates and conclusions are based upon are dynamic in nature, they are subject to change over time. Further, the report and value conclusion is subject to change if future physical, financial, or other conditions differ from conditions as of the date of appraisal.

In applying the market value definition to this appraisal, a reasonable exposure time of 3-36 months has been estimated. Exposure time is the estimated length of time the property interest being appraised would have been offered in the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; exposure time is always presumed to precede the effective date of the appraisal.

Marketing time, however, is an estimate of the amount of time it takes to sell a property interest at the market value conclusion during the period after the effective date of the appraisal. An estimate of marketing time is not intended to be a prediction of a date of sale. It is inappropriate to assume that the value as of the effective date of appraisal remains stable during a marketing period. Additionally, the appraiser(s) have considered market factors external to this appraisal report and have concluded that a reasonable marketing time for the property is 3-36 months.

**Comments:** Reasonable exposure time is one of a series of conditions, in most market-value definitions. Exposure time is always presumed to precede the effective date of the appraisal. Exposure time is defined as follows: the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. A retrospective opinion based on an analysis of past events assuming a competitive and open market. Exposure time is explained in the Uniform Standards of Professional Appraisal Practice (USPAP) 2014-2015. Exposure Time is deemed to expire as of the effective date of the appraisal; it examines the time frame leading up to the effective date of valuation, linking the value estimate to how long the property would have required exposure in order to sell at the estimated market value.

## Assumptions and Limiting Conditions

The certification of the Appraiser(s) appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth in the report.

1. The Appraiser(s) assume no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser(s) render any opinion as to title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Sketches in the report may show approximate dimensions and are included only to assist the reader in visualizing the property. The Appraiser(s) have made no survey of the property. Drawings and/or plats are not represented as an engineer's work product, nor are they provided for legal reference.
3. The Appraiser(s) are not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made.
4. Any distribution of the valuation in the report applies only under the existing program of utilization. The separate valuations of components must not be used outside of this appraisal and are invalid if so used.
5. The Appraiser(s) have, in the process of exercising due diligence, requested, reviewed, and considered information provided by the ownership of the property and client, and the Appraiser(s) have relied on such information and assumes there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser(s) assume no responsibility for such conditions, for engineering which might be required to discover such factors, or the cost of discovery or correction.
6. While the Appraiser(s)  have  have not inspected the subject property and  have  have not considered the information developed in the course of such inspection, together with the information provided by the ownership and client, the Appraiser(s) are not qualified to verify or detect the presence of hazardous substances by visual inspection or otherwise, nor qualified to determine the effect, if any, of known or unknown substances present. Unless otherwise stated, the final value conclusion is based on the subject property being free of hazardous waste contaminations, and it is specifically assumed that present and subsequent ownerships will exercise due diligence to ensure that the property does not become otherwise contaminated.
7. Information, estimates, and opinions furnished to the Appraiser(s), and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser(s) can be assumed by the Appraiser(s).
8. Unless specifically cited, no value has been allocated to mineral rights or deposits.
9. Water requirements and information provided has been relied on and, unless otherwise stated, it is assumed that:
  - a. All water rights to the property have been secured or perfected, that there are no adverse easements or encumbrances, and the property complies with Bureau of Reclamation or other state and federal agencies,
  - b. Irrigation and domestic water and drainage system components, including distribution equipment and piping, are real estate fixtures;
  - c. Any mobile surface piping or equipment essential for water distribution, recovery, or drainage is secured with the title to real estate; and
  - d. Title to all such property conveys with the land.
10. Disclosure of the contents of this report is governed by applicable law and/or by the Bylaws and Regulations of the professional appraisal organization(s) with which the Appraiser(s) are affiliated.
11. Neither all nor any part of the report, or copy thereof, shall be used for any purposes by anyone but the client specified in the report without the written consent of the Appraiser.
12. Where the appraisal conclusions are subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner consistent with the plans, specifications and/or scope of work relied upon in the appraisal.
13. Acreage of land types and measurements of improvements are based on physical inspection of the subject property unless otherwise noted in this appraisal report.
14. **EXCLUSIONS.** The Appraiser(s) considered and used the three independent approaches to value (cost, income, and sales comparison) where applicable in valuing the resources of the subject property for determining a final value conclusion. Explanation for the exclusion of any of the three independent approaches to value in determining a final value conclusion has been disclosed in this report.
15. **SCOPE OF WORK RULE.** The scope of work was developed based on information from the client. This appraisal and report was prepared for the client, at their sole discretion, within the framework of the intended use. The use of the appraisal and report for any other purpose, or use by any party not identified as an intended user, is beyond the scope of work contemplated in the appraisal, and does not create an obligation for the Appraiser.
16. Acceptance of the report by the client constitutes acceptance of all assumptions and limiting conditions contained in the report.
17. Other Contingent and Limiting Conditions:

It is critical that the reader of this report understands that the state of Wyoming is a non-disclosure state and does not require full disclosure of real estate transactions. Consequently, if the parties to a real estate transaction are not available or if they are not willing to disclose the information of the price and terms of the sale, or if it is sold without the use of a realtor/broker or MLS board member authorized by the seller to release such information, the appraiser is unable to record or investigate the terms and sales price.

The value estimate in this report is based upon the assumption the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The appraiser is not an expert in the identification of hazardous substances or detrimental conditions. The appraiser's observation of and inquiries about the subject property did not develop any information indicating any apparent hazardous substances or detrimental environmental conditions, which would affect the property negatively. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the presence of hazardous material and environmental conditions on or around the property that would have a negative effect on its value.

UAAR®

Area-Regional Description	<p><b>Area-Regional Boundary:</b> Wyoming is the tenth largest state of the union with roughly 97,914 square miles according to USGS, with approximately 48% in public ownership. Wyoming has 23 counties and 97 incorporated cities and towns with a state population estimated at 562,600 people. <u>The southern portion of Albany County, Wyoming.</u></p>	<p><b>On and Off Property:</b></p> <table border="0"> <tr> <td></td> <td style="text-align: center;">Up</td> <td style="text-align: center;">Stable</td> <td style="text-align: center;">Down</td> </tr> <tr> <td>Value Trend:</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sales Activity Trend:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Population Trend:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Employment Trend:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		Up	Stable	Down	Value Trend:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sales Activity Trend:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Population Trend:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Employment Trend:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
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<p><b>Major Commodities:</b> Livestock grazing along with mainly irrigated meadows, irrigated pasture with some interspersed mixed uses as recreational and rural residential sites.</p>	<p><b>Market Availability:</b></p> <table border="0"> <tr> <td></td> <td style="text-align: center;">Under Supply</td> <td style="text-align: center;">Balanced</td> <td style="text-align: center;">Over Supply</td> <td style="text-align: center;">No Influence</td> </tr> <tr> <td>Cropland Units:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Livestock Units:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Recreational Tracts:</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><u>Rural Residential Sites</u></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		Under Supply	Balanced	Over Supply	No Influence	Cropland Units:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Livestock Units:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Tracts:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Rural Residential Sites</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Off Property Employment:	Above Avg.	Avg.	Below Avg.	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change in Economic Base:	Unlikely	Likely	Taking Place	
From	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
To				

**Forces of Value:** *(Discuss social, economic, governmental, and environmental forces.)*  
 Wyoming was the 44th state to be admitted to the Union on July 10, 1890. Wyoming is the tenth largest state of the union with roughly 97,914 square miles according to USGS, with approximately 48% in public ownership. Wyoming has 23 counties and 97 incorporated cities and towns with a state population estimated at 532,600 people or slightly more. There are 31 county, regional or municipal airports and two international airports. The appraised property is located in Albany County, Wyoming, which is in the southeast corner of the State of Wyoming. Albany County has approximately 4,304 square miles or roughly 2,755,136 acres. Albany County is bordered by Carbon County on the west, Converse County on the north, Larimer and Jackson Counties, Colorado on the south and Laramie and Platte Counties, Wyoming on the east. The subject property is located roughly 9 miles southwest of Laramie, Wyoming. Laramie is the largest community in the county. Other small communities in the market area are Bosler and Rock River to the north, Centennial and Albany to the west and Woods Landing and Foxpark to the south.

**Exposure Time:** 3-36 months. *(See attached definition and discussion)*

**Specific Market Area Boundaries:** The southern portion of Albany County, to the north is the Albany County line, the Laramie County line to the east, to the west is the Snowy Range Mountains and to the south is the Colorado border.

Market Area Description	<p><b>Market Area:</b></p> <table border="0"> <tr> <td>Type</td> <td style="text-align: center;">Rural</td> <td style="text-align: center;">Suburb</td> <td style="text-align: center;">Urban</td> </tr> <tr> <td></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Value Trend</td> <td style="text-align: center;">Up</td> <td style="text-align: center;">Stable</td> <td style="text-align: center;">Down</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sales Activity Trend</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Population Trend</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Development Trend</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Type	Rural	Suburb	Urban		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Value Trend	Up	Stable	Down		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sales Activity Trend	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Population Trend	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Development Trend	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><b>Market Area:</b></p> <table border="0"> <tr> <td></td> <td style="text-align: center;">Above Avg.</td> <td style="text-align: center;">Avg.</td> <td style="text-align: center;">Below Avg.</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Property Compatability</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Effective Purchase Power</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Demand</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Development Potential</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Desirability</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		Above Avg.	Avg.	Below Avg.	N/A	Property Compatability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effective Purchase Power	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Demand	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development Potential	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Desirability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Analysis/Comments:** *(Discuss positive and negative aspects of market area.)*  
 The typical measure of value for the market area is price per acre. The major crops in Albany County are irrigated hay and pasture, with an area average between 1.0 to 3.0 tons of hay per acre. Yields vary considerably because of moisture and soil productivity. The hay that is harvested is fed to livestock during the winter months, sold, or both. Very little feed grain is grown in Albany County. According to Wyoming agricultural statistics as of July 2014, the reported number of all cattle in Albany County was estimated at 52,000 head, down 3,000 head from 2013. Sheep production remains fairly stable at 2,900 head in the county, the same from 2013. Markets for livestock are available at public auctions and commercial feed lots in eastern Wyoming in Torrington and in western Nebraska and northern Colorado, at Fort Collins and Greeley. The typical share for landlord is 1/2 on irrigated or 1/3 for dry hay production and cash rent on pasture grass. There are some ranching operations that run cows all year as a cow/calf operation. Hay is normally harvested and used as feed during the winter months. The properties in the market area range from small homesites, small recreation tracts and small recreational ranches to large ranches along with interspersed government property. The large expanse of the Medicine Bow National Forest is to the east, south and west of the county seat.

## Market Area Continued

All levels of schools are available in Laramie, as well as the University of Wyoming. There are eight elementary schools, one junior high school, one high school and two private schools. Medical facilities in Laramie include Ivinson Memorial Hospital with a 100 - bed capacity and ambulance service. Fire service is provided by a 44-man fire department, with city police and county sheriff's offices also providing protection by a full time force. Major employers are the hospital, the University of Wyoming and the Albany County School District. There are several banks, a newspaper and all the other full service companies and businesses which make up a community.

The county population for 1990 was 30,797 people, while the town of Laramie had a 1990 population estimated at 26,687 people. The county population for 2000 was approximately 32,014 people, while the town of Laramie had a 2000 population of 27,204 people. The county population for 2010 was approximately 32,758 people, while the town of Laramie had a 2010 population reported at 30,816 people.

Because the University of Wyoming is the largest employer with roughly 5,500 employees, the government sector ranks number one in contribution to personal income. The second most important is retail trade. Agriculture in Albany County is noted for its large ranches with a typical size of nearly 8,000 acres. Employment for the local market area appears to be stable. The national unemployment rate is the highest in years. The local Albany County median household income is reported at roughly \$37,500, which is below the national median reported at approximately \$42,000.

Rural Electric Service is available to every established farm or ranch operation headquarters, as is telephone service.

The mountains to the west and east provide recreational and natural attractions. The forest lies on both sides of the county seat and is easily accessed from Laramie. The mountains to the west have good attractions including and are not limited to boating, fishing, skiing, hiking, snowmobiling, and deer and elk hunting. The Medicine Bow National Forest and Curt Gowdy State Park with Granite and Crystal Reservoirs are to the east. There are many other attractions in the county including the Como Bluffs Fossil Beds, Hutton National Wildlife Refuge and the Jelm Mountain Observatory, along with many other natural and man-made attractions. There are several reservoirs in the area, providing fishing and agricultural use including stored irrigation water and storage of municipal water.

In the area around the subject, recreational opportunities are many. The market area has changed over the past 10 to 15 years with subdivision developments, which may include, but are not limited to; Aspen Country, Boulder Ridge, Rockaway Ranch, Windsong, Harney Creek, Vedauwo Springs, Rainbow Ranches, The Buttes, Lake Hattie Vistas, Sheep Mountain Estates, Wild Horse Ranch and the North Fork area. Because of the mountain views and the recreation available, the area west and southwest of Laramie and north and northwest of Fort Collins is in moderate demand, especially if there is easy access. Premium views, the proximity to the mountains and national forest and ease of access all combine to enhance property values in the market area.

The market area can be summarized as southern Albany County, consisting of undulating to gently undulating to rolling to steeply rolling topography with rock outcrop with small homesite's, small recreational tracts to medium to large-sized ranches and government property in an area of recreational opportunities and open rangelands for the production of livestock during the summer months. There are some ranching operations that run cows all year as a cow/calf operation. Hay is normally harvested and used as feed during the winter months. The market area where the subject property is located is used principally for grazing activities, with smaller recreational sites in the area with some energy production and livestock production.

There are an estimated 212 miles of groomed snow trails in the Snowy Range Mountains. Laramie is the largest community in Albany County. Other unincorporated communities may include and are not limited to Bosler and Rock River to the north, Centennial, Albany and Keystone to the west and Woods Landing and Foxpark to the southwest of Laramie. Albany County is bordered by the Medicine Bow National Forest on the east & west sides. Albany County is comprised of mountains and vast open plains. The plains extend through the center of the county and are roughly 90 miles long and approximately 30 miles wide. The plains are surrounded by the Laramie Mountains to the east and by the Snowy Range Mountains to the west. The mountains vary in elevation from 7,000 to 12,000 feet above sea level, with Laramie Peak located in the extreme northeast corner of the county, at roughly 10,300 feet above sea level. The county can be divided into regions based on the mountains and the plains. The Snowy Range Mountains to the west comprise a climate zone that has an annual precipitation of over 18 inches, with most of that falling as snow. There is no assured growing season in these mountains. The Laramie Range to the east has an elevation of 6,000 to 10,000 feet above sea level and annual precipitation of roughly 16 inches. The growing season is approximately 80 to 100 days.

**Market Area Continued**

**The properties in the market area range from small homesites, small recreation tracts and small recreational ranches to large ranches along with interspersed government lands. The large expanse of the Medicine Bow National Forest is to the east, south and west of the county seat. The subject property is located roughly 6 miles south of Laramie, Wyoming.**

**Property Description: (Location, use and physical characteristics)** The soils mapping of Albany County is complete. The data and photographs from the NRCS in Albany County help depict the subject property. The aerial google map gives a representative view of the overall property from above.

The estimated land class is native pasture with roughly 722.6 acres. The property is nearly level to gently sloping. The general slope, aspect, and drainage are to the south and east for the bulk of the property. The property is located in the North Platte drainage system. The purchaser provided the estimated acreage figures, which were also confirmed through county records and office mapping programs. There are no structural building improvements located on the subject property. There are no known water rights associated with the subject property. There is a livestock stock pond located on the subject property. The elevation is approximately 7,215 feet above sea level.

Land Use	Deeded Acres	Unit Type	Unit Size	Subject Description:	Above Avg.	Avg	Below Avg.	N/A
			( 0.0%)	Location	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Legal Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Physical Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Contiguity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interim Pasture	722.60	Acres	( 100.0%)	Shape/Ease Mgt.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Adequacy Utilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Rentability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	Market Appeal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			( 0.0%)	FEMA Zone/Date	06/16/2011			
<b>Total Deeded Acres</b>	<b>722.60</b>	<b>Total Units</b>	<b>( 100 % )</b>	Building Location	N/A			

**Climatic:** 9-13 " Annual Precipitation 7,200 ' to 7,220 ' Elevation 85-110 Frost-Free Days  
**Utilities:** Near by Water Stock Pond Electric Near By Sewer None Gas Near by Telephone  
**Distance To:** 7 miles Schools 8 miles Hospital 12 miles Markets 2 miles Major Hwy. 6 miles Service Center

**Comments Identification of the Subject Property:** The subject property is interim pasture owned by the City of Laramie. The subject property consists of one contiguous parcel. The property is fenced, but may not be on the exact property lines. There are subdivisions in the market area, but have slowed tremendously due to the national economy and the numerous active listings. There is no personal property included in this appraisal. The property is located approximately 5 miles south of Laramie, Wyoming via paved Highway 287, via Saad Creek Road, via a short trail road which, is typical of the Albany County market area. The physical access to the property is considered average for the area and access was reported to be legal. This is not a warranty.

The tract is irregularly shaped, approximately 1 mile long (north to south) and up to roughly 1 mile wide (east to west), both the length and width vary. The views are typical for the surrounding rural area. The terrain on the subject property is similar to the surrounding area. The subject varies from nearly level to gently undulating. Native pasture is the cover type on the subject at the current time. The pasture appears to be typical for the market area. The grasses and vegetation are typical for this altitude and are mainly bunch grasses, which may include, but are not limited to, Wheatgrasses, Needle and Thread grass, forbs and shrubs. The main soils on the subject are sandy loams to gravely sandy loams and are on 0-10 percent slopes or less. These light brown to brownish tan soils are moderately deep, well-drained on terraces, fans and hills of uplands and foothills. The soils formed from alluvium material and derived from mixed sources. Permeability is rated from moderate to rapid. Available water capacity is rated moderate to low. Effective rooting depth is 60" or more. Runoff is rated as medium, and the hazard of water erosion is medium. The hazard of wind erosion is rated as moderate. The main limitation is the low annual precipitation. The soils are in the gravely to sandy range sites, Southern plains.

Ownership Longer Than 3 Years

Owner	Recording/Reference	Date	Price Paid	Terms
Previous:			\$	
Present:	City of Laramie		\$	

Currently:  Optioned  Under Contract Contract Price: \$ \_\_\_\_\_  
 Buyer:  Currently Listed Listing Price: \$ \_\_\_\_\_ Listing Date: \_\_\_\_\_

Mountain Cement Company is considering an offer to purchase the subject property.  
 The subject property is not known to be currently listed for sale.

Current Zoning: Agriculture Zoning Conformity:  Yes  No  
 Zoning Change:  Unlikely  Probable To: \_\_\_\_\_

Comments: The county zoning on the tract is agriculture for Albany County. There is effective zoning that governs this part of Albany County. It is on a permit basis, meaning that to build, a permit is required and is usually granted. There are few restrictions on buildings as long as they are used for agriculture, residential or recreational purposes. The subject parcel is of legal size. The property is currently tax exempt, accordingly the taxes are estimated based on assessor information.

Tax Base:	Assessment Year	2015	Forecast:
<input checked="" type="checkbox"/> Agricultural	Land	\$ 18,790	Current Tax \$ 0
<input type="checkbox"/>	Building(s)	\$ 0	Estimated/Stabilized \$ 1,290
<input type="checkbox"/>		\$	Or ( 722.60 Ac.) = \$ 1.79 /acre
Parcel #:	Total Assessed Value	\$ 18,790	Trend: <input type="checkbox"/> Up <input type="checkbox"/> Down <input checked="" type="checkbox"/> Stable

Comments: Wyoming has one of the lowest tax levels in the United States with low real estate taxes, no corporate taxes and no personal state income tax. Utility costs are among the lowest in the country, but have and are projected to increase slightly. The property is taxed as a stone alone unit. The above taxes are estimated based on county assessor data.

Highest & Best Use is defined as that reasonable and probable use that supports the highest present value, as defined, as of the effective date of the appraisal. Alternatively, that use, from among reasonably probable and legally alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in the highest land value.

**Analysis:** (Discuss legally permissible, physically possible, financially feasible, and maximally productive uses)  
 The most profitable use cannot always be interpreted in terms of money. Return occasionally takes on the form of amenities. Implied is the determination of Highest and Best Use results from the appraiser's judgment and analytical skill, an opinion, not a fact to be found. There are two tests of Highest and Best Use; 1. Is as if the subject property was unimproved and vacant.  
 2. Is as if the subject property was improved. There are no known deed restrictions, covenants, or environmental controls that would hinder the development of the site to its Highest and Best Use, as vacant or improved. The views, location and average vegetative cover appear to be favorable for an agricultural add-on unit use. The size, topography and shape appear favorable as an agricultural add-on unit use. Access appears favorable as well. Financially, there are no limitations relating to competition and demand for higher uses. The properties in the market area are being purchased for expansion and other agricultural uses with spot subdivisions along the main highway arteries and closer to Laramie. Maximally productive: Analyses of the returns for the potential uses indicate that an agricultural use has the greatest potential to yield the maximum profit. There is money available for financing, and an agricultural add-on unit use appears Maximally Productive at the current time.

**Highest and Best Use:** "As if" Vacant Interim Agriculture  
 "As Improved" Interim Agriculture

**Discussion:** The subject property does not have buildings. Accordingly, the appraisal concept of consistent use between the lands use as if vacant and the structural contribution as improved has been reviewed and focused on for this assignment. There are no buildings on the subject property. Additional buildings could enhance the property value, but not significantly.

**Valuation Methods:**  Cost Approach  Income Approach  Sales Comparison Approach  
 (Explain and support exclusion of one or more approaches) The three approaches to value are the Cost Approach, the Income Approach and the Sales Comparison Approach. All three approaches are based on the principle that no buyer will pay more for a property than it would cost to buy another equally desirable substitute property. All of the approaches to value were considered for this assignment, and only the Sales Comparison Approach was determined to be applicable to produce credible results. There are no buildings on the subject property, therefore, the Cost Approach was not applicable. The Income Approach was not used as the subject is too small to be income producing and is not applicable. The subject property is not large enough to be a stand alone unit. Neither the Cost nor Income Approaches are needed to produce credible results.

## Sales Comparison Comments

### Summary of Appraisal Problem:

The appraisal report is for a small sized add-on unit ranch property located south of Laramie, Wyoming. The appraiser did encounter some difficulties in discovering data to appraise the subject property, with the limited sales data in the market area. The sales may be some distance away, which is normal for rural Wyoming. The subject of this appraisal is an add-on unit ranch property. The appraiser searched for sales similar to the subject property. A large market area search for sales of small to medium sized properties was made that covered an extensive area. Both sales of recreational farm/ranch properties and add-on unit ranch property along with other lands for this specific use were sought. Accordingly, sales of add-on unit ranch/agricultural lands were investigated, of which several were discovered and are included in this report. The sales used in this report were selected because they required the least amount of adjustments for the typical market area. Other sales considered are located in the addendum. The best sales from the market area were selected and are presented in this report.

### Method of Adjustments:

The subject is valued by using the bracketing method. The method employs the use of a Unit Adjustment Grid and market data, cited above. Adjustments are made on the grid for differences between the subject and sale. Dollar adjustments are applied for market conditions when necessary. Adjustments that cannot be reasonably quantified are indicated with a plus (+) or a minus (-), indicating an upward or downward adjustment to the sale. A plus (+) means the comparable sale is inferior to the subject, and an upward adjustment is indicated. A minus (-) means the comparable sale is superior to the subject, and a downward adjustment is indicated. Being equal is indicated by the equal (=) sign in the overall adjustment column. Please remember the plus (+) and the minus (-) are not always the same or equivalent value. Where adjustments are not positively identified, and it becomes a matter of interpretation, the plus and minus adjustments are the best basis for the appraiser's final opinion of value and, in the appraiser's opinion, most clearly represent the actions or process used by buyers and sellers in the market area.

The local real estate market gives every indication of being average to slow as there are few sales in the market area. Sales have slowed according to the realtors because of a lack of quality inventory and over pricing, long term ownership and the stringent requirements being placed on borrowers. The local Albany County economy appears and is projected to remain stable. All others for size, location, access, water, views and trees will be addressed subjectively based on the bracketing method. No adjustments are indicated for terms or condition of sale or utilities.

The primary differences between the sales and the subject are the degree of size, location, view amenities, trees and recreational amenities, development and water. All these factors relate to buyer motivation for an add-on unit property. The important factor is the property's potential as agricultural add-on unit with average grass, views and average water for livestock. The subject property was considered on the basis of land mix, size, location, water, soils, proximity to town and recreational potentials in arriving at a final conclusion of estimated value. A physical inspection of the property was performed with relevant factors extracted and considered. Sales were examined, market factors were weighted, and their influence on the subject was estimated. The sales are all closed sales that occurred during the month indicated in this report under the market comparison approach. The subject and the sales are comparable type properties and in competitive market areas.

### Sales Comparison Approach (1-5)

Sale Data		Subject	Sale #1 1	Sale #2 2	Sale #3 3	Sale #4 4	Sale #5 5
Grantor (Seller)			DSS Holdings, LLC	King, Tom	Tronstad, Ryan	X Bar Ranch, LLC	Horse Creek Cattle, LLC
Grantee (Buyer)			King, Tom	DSS Holdings	Rogers, Casey	Baer, Stanely	Berry, Ty
Source			Broker/CR/MLS	Broker/CR/MLS	MLS/Broker/CR	Seller/CR/Contract	Seller/CR/Contract
Date	Eff 05/15		07/12	07/12	06/14	10/13	08/12
Eff Unit Size/Unit	722.60 / Acres		620	640	123	1,747	1,280
Sale Price			299,000	320,000	90,000	1,048,000	700,000
Finance Adjusted			Cash to seller 0	Cash to seller 0	Cash 0	Cash to seller 0	Cash 0
CEV Price			299,000	320,000	90,000	1,048,000	700,000
Multiplier							
Expense Ratio			52.31	60.86	28.08	38.90	37.17

The Appraiser has cited sales of similar property to the subject and considered these in the market analysis. The description below includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and the sales documented. When significant items are superior to the property appraised, a negative adjustment is applied. If the item is inferior, a positive adjustment is applied. Thus, each sale is adjusted for the measurable dissimilarities and each sale producing a separate value indication. The indications from each sale are then reconciled into one indication of value for this approach.

CEV Price/ Acres		482.26	500.00	730.52	599.89	546.88
<b>LAND AND IMPROVEMENT ADJUSTMENTS</b>						
Land Adjustment		0.00	0.00	0.00	0.00	-46.88
Impvt. Adjustment		0.00	0.00	0.00	0.00	0.00
Adjusted Price		482.26	500.00	730.52	599.89	500.00

#### TIME ADJUSTMENTS

X Yr	Mo	Periods	0	0	0	0	0
X Smp1	Cmp	Rate	0.00	0.00	0.00	0.00	0.00
Auto	X Man	Time Adjustment	0.00	0.00	0.00	0.00	0.00
		Time Adj. Price	482.26	500.00	730.52	599.89	500.00

#### OTHER ADJUSTMENTS

Location	Adjustment	Inferior	Inferior	Superior	Superior	Inferior
		+	+	-	-	+
Size	Adjustment	Similar	Similar	Superior	Inferior	Similar
		=	=	-	+	=
Access	Adjustment	Inferior	Inferior	Similar	Superior	Superior
		+	+	=	-	+
Water	Adjustment	Similar	Similar	Similar	Similar	Inferior
		=	=	=	=	-
Potential	Adjustment	Superior	Superior	Superior	Superior	Inferior
		+	+	-	-	+
Net Adjustments		0	0	0	0	-47
<b>ADJUSTED PRICE</b>		<b>482</b>	<b>500</b>	<b>731</b>	<b>600</b>	<b>500</b>

**Analysis/Comments: (Discuss positive and negative aspects of each sale as they affect value)**

The Sales Comparison Approach to value analyzes the subject property in terms of similar sales transactions. The wide range in value by this method is shown below with the difference from a relatively narrow bracket (\$249) between the low and high per acre price as adjusted, based on the above chart and considering the adjustments to each of the sales. The estimated value for the subject property is best indicated by sales #2, #4 and #5. These sales clearly indicate to the appraiser a value of \$550.00 per acre as adjusted. The middle to upper range of value was estimated because the subject has an average to good location, water is appears to be average for the market area and the access is average to good. The subject has rural residential potential in the future as well. The primary differences between the sales and the subject are the degree of size, location, view amenities and future development potentials. All these factors relate to buyer motivation for an interim agricultural add-on unit property. See exhibits for complete sales data sheets. Additional sales used as support are in the addendum as well.

**Sales Comparison Approach Summary:**

Property Basis (Value Range):	\$	482.00	to	\$	731.00
Unit Basis:	\$	550.00	/ Acres X	722.60	Acres = \$ 397,430.00
Multiplier Basis:	\$	X	(multiple) =	\$	

<b>Sales Comparison Indication:</b>
\$ 397,500

## Sales Comparison Comments

### Appraisal Search Parameters and Estimated Conclusions:

The appraiser's initial similar sale searches on MLS focused on sales, listings and pending sales with transaction dates within the last 1 year to current, located within 30 miles from the subject, within a reasonable site size range in acres. The initial sale search resulted in 2 sales in the market area within the past twelve months, which were not very similar. The second search was expanded to include sales from 1-2005 forward in which case there were roughly 26 sales that populated the MLS data sheet in Albany County, Wyoming. There were approximately 5 listings on the MLS for Albany County for acreages 100 acres to 1,500 acres, which is on the low side most likely due to the national economy being sluggish along with the stringent requirements by the lenders. One needs a high credit score and approximately 25% to 35% down. Sales #2, #4 and #5 are given the most weight out of the 5 sales. Sales #2, #4 and #5 are similar to the subject in site size, location and access. All the sales used have sold within the 3 year time frame. The subject is bracketed in lot size, potential, condition, and access. All of the sales are within 60 miles of the subject property. The subject's market area is an imperfect market and there are many factors purchasers are looking for. The subject is somewhat superior to most of the sales as it does have livestock water, average to good future potential and is accessible year round.

### Market Participants:

The appraiser interviews assumed to be knowledgeable market participants every time a sale is confirmed. Sales confirmation may include and is not limited to: John Phillips, Real Estate broker from Casper, Wyoming. John Pearson, Real Estate broker from Buffalo, Wyoming. Corey Clark, Real Estate broker from Lusk, Wyoming. James Rinehart, Real Estate broker from Laramie, Wyoming. Dianne Watson, Real Estate broker from Centennial, Wyoming. Ron Morris ranch Real Estate broker from Colorado. Will Speer Real Estate Broker from Saratoga, Wyoming. Laurie Forester Real Estate Broker from Saratoga, Wyoming. Hall and Hall monthly publications "From Our Corner". Karla Spiegelberg, Real Estate broker from Laramie, Wyoming. The network of appraiser's colleagues. USDA publications from their national website. Publications from the USDA, University of Wyoming and Colorado agricultural statistics yearly publications on market values. The most pertinent comments from the Real Estate brokers are that buyers are waiting on the sidelines "clammed up" waiting to see what kind of deals can be acquired. There is no evidence that the land market is declining at this point. According to some of the brokers, some of the listings were overpriced for the market area, and it appeared that some of the sellers were getting greedy. The local Albany County economy appears to be stable at present. The influence of prevailing market conditions on the estimated market value for the subject property with the most recent sales data available to the appraiser appears to be minimal. Some of this is because of long-term ownership in a small college town market area and the stringent requirements being placed on potential buyers by the lenders.











## Reconciliation and Opinion of Value

Summary

<b>Cost Approach</b> .....	\$	N/A
<b>Income Approach</b> .....	\$	N/A
<b>Sales Comparison Approach</b> .....	\$	397,500

Discussion & Correlation of Values

**Analysis of Each Approach and Opinion of Value:** Only one approach to value was used to estimate the market value of the subject property. The following discussion will summarize the method used and the value indicated by this analytical process.

The Sales Comparison Approach was used to estimate the add-on unit/site value for the subject property. The weakness of this approach is that no two properties are exactly alike and amenities and purchasing considerations are intangible and difficult to compare and measure in the market area. The strength of this approach as it is presented is that it measures the actions of the actual buyers and sellers in the market. For this appraisal there were sales of properties that were similar enough to make a direct comparison to the subject property.

The Income Approach and Cost Approaches were not used and not needed to produce credible results.

The foregoing data, as obtained and presented, is strongly defined from the standpoint of being concordant. If the property is truly improved to its Highest & Best Use and the sales are similar, a reasonable relationship is indicated by the Sales Comparison Approach. Investors in similar type properties anticipate rent increases, or the price of their commodities will increase over a period of years. The Sales Comparison Approach reflects this anticipation and the market's disposition toward the future, which appears to be stable. Consideration was given to all of the data and the relativeness of the information collected. The information for the Sales Comparison Approach appears the most favorable and strongly suggests \$25,000.00 for a recreational site with similar amenities as found on the sales. Properties such as the subject reflect somewhat higher current prices because of the quality of the available access, utilities and amenities, over those with inferior access, inferior location and fewer amenities, as found on some of the sales.

In the conclusion to value, the Sales Comparison Approach is considered to be a reliable indicator because it tends to reflect market intentions with consideration to properties that are similar to the subject property.

Allocation of Value

Opinion Of Value -	(Estimated Marketing Time	3-36	months, see attached)	\$	397,500
Cost of Repairs	\$	0			
Cost of Additions	\$	0			
<b>Allocation: (Total Deeded Units: <u>722.60</u>)</b>					
Land:	\$	<u>397,500</u>	\$	<u>550</u>	/ Acre ( <u>100</u> %)
Land Improvements:	\$	<u>0</u>	\$	<u>0</u>	/ ( <u>0</u> %)
Structural Improvement Contribution:	\$	<u>0</u>	\$	<u>0</u>	/ ( <u>0</u> %)
<b>Value Estimate of Non-Realty Items:</b>					
Value of Personal Property (local market basis)	\$	<u>0</u>			
Value of Other Non-Realty Interests:	\$	<u>0</u>			
Non-Realty Items:	\$	<u>0</u>	\$	<u>0</u>	/ ( <u>0</u> %)
Leased Fee Value (Remaining Term of Encumbrance 0 )	\$	<u>0</u>	\$	<u>0</u>	/ ( <u>0</u> %)
Leasehold Value	\$	<u>0</u>	\$	<u>0</u>	/ ( <u>0</u> %)
Overall Value	\$	<u>397,500</u>	\$	<u>550</u>	/ ( <u>100</u> %)

### Appraiser Certification

I certify that, to the best of my knowledge and belief:

- 1. the statements of fact contained in this report are true and correct.
- 2. the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analysis, opinions, and conclusions.
- 3. I have  no  the specified present or prospective interest in the property that is the subject of this report and I have  no  the specified personal interest with respect to the parties involved.
- 4. I have performed  no  the specified services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- 5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- 6. my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- 7. my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 8. my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- 9. I  have  have not made a personal inspection of the property that is the subject of this report.
- 10.  no one  the specified persons provided significant real property appraisal assistance to the person signing this certification.

The appraiser's analysis, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice. The report is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organization with which the appraiser is affiliated, the American Society of Farm Managers & Rural Appraisers.

The appraiser has made a personal inspection of the appraised property that is the subject of this report and all similar sales used in developing the estimate of market value.

The appraiser is competent through training and experience to complete the appraisal and is properly certified to prepare the appraisal.

The appraiser certifies he has met the requirements for continuing education as set forth by the American Society of Farm Managers and Rural Appraisers and the State of Wyoming. The appraiser is not subject to any investigation regarding ethical conduct and has not been charged with violating any ethical rules of the professional organization.

No Employee, director, officer, or agent of Mountain Cement Company, or any other third party acting as a joint venture partner, independent contractor, appraisal management company, or partner on behalf of the client has influenced or attempted to influence the development, reporting, result, or review of this assignment through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner. I have not been contacted by anyone other than the intended user (Client as identified in the report), purchaser, or designated contact to make an appointment to enter the subject property. The potential purchaser was contacted to make an appointment for the inspection and the potential purchaser made no attempt to influence the appraiser in anyway.

**Definition of inspection:**

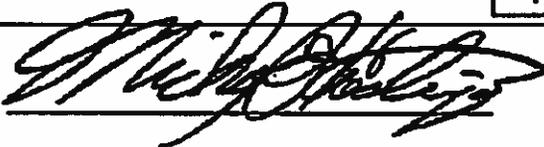
The term inspection as used in this report is not the same level of inspection that is required for a "Professional Inspection". The appraiser does not fully inspect the electrical system, plumbing system, mechanical system, foundation, floor structure or subfloor. The appraiser is not an expert in construction materials and the purpose of the appraisal is to make an economic evaluation of the subject property.

This report has been electronically prepared in compliance with USPAP guidelines which includes a secure digital signature and adequate security measures in place to protect the data produced by the appraiser.

The estimated opinion of value is based upon the market data available to the appraiser and not a guarantee or warranty of value.

Effective Date of Appraisal: 05/01/15

Opinion of Value: \$ 397,500

Appraiser:  
Signature: 

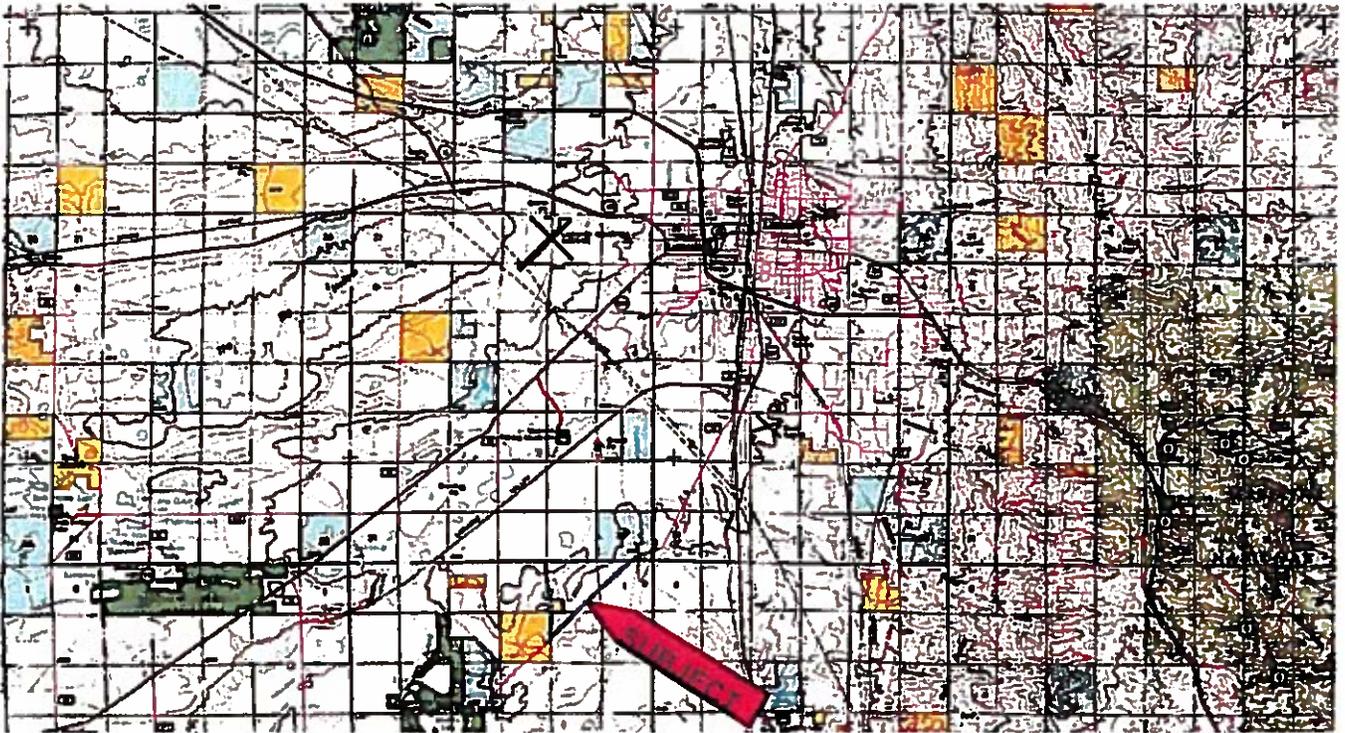
Property Inspection:  Yes  No  
Inspection Date: 05/01/15

Name: Michael J. Hastings, ARA  
License #: \_\_\_\_\_  
Certification #: 325

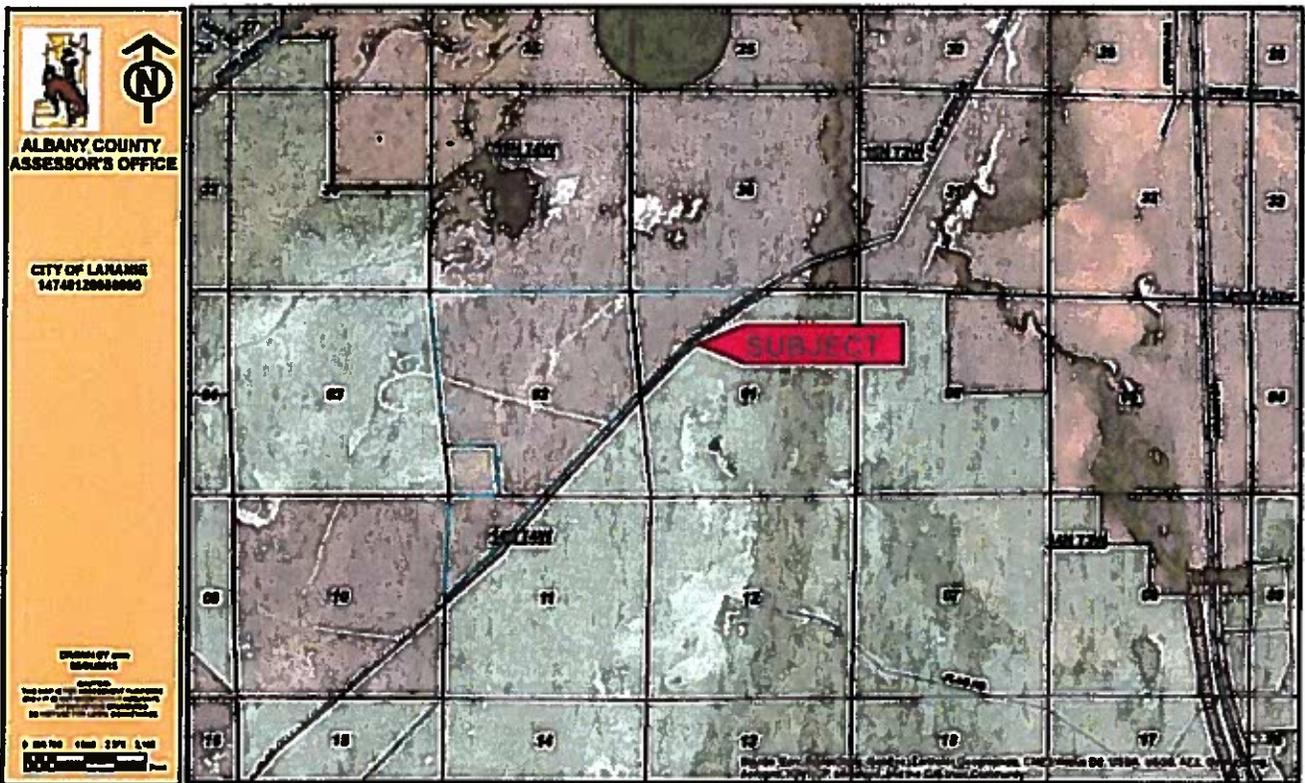
Appraiser has  inspected  verified  analyzed the sales contained herein.

Date Signed: 05/23/15

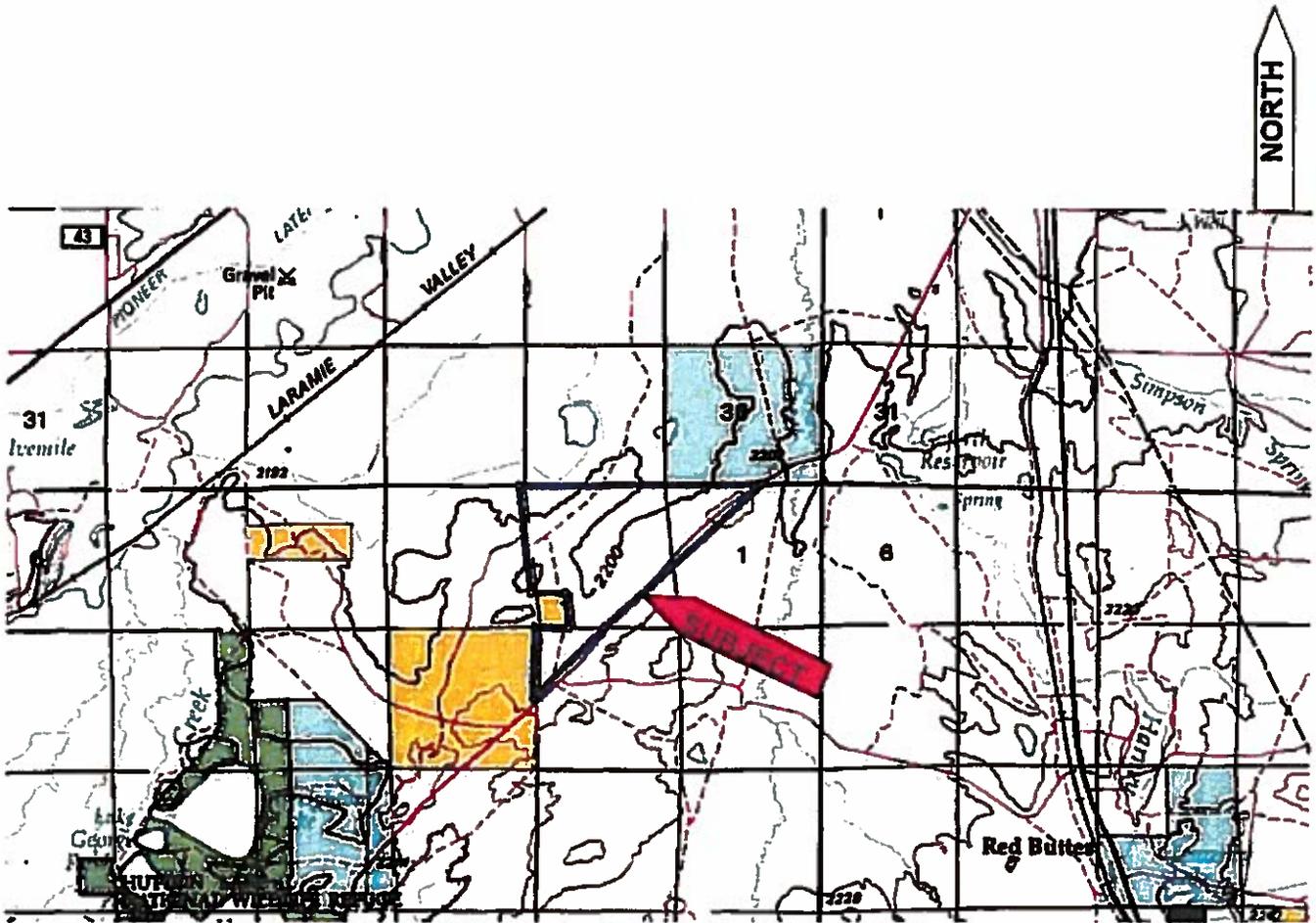
General Location Map



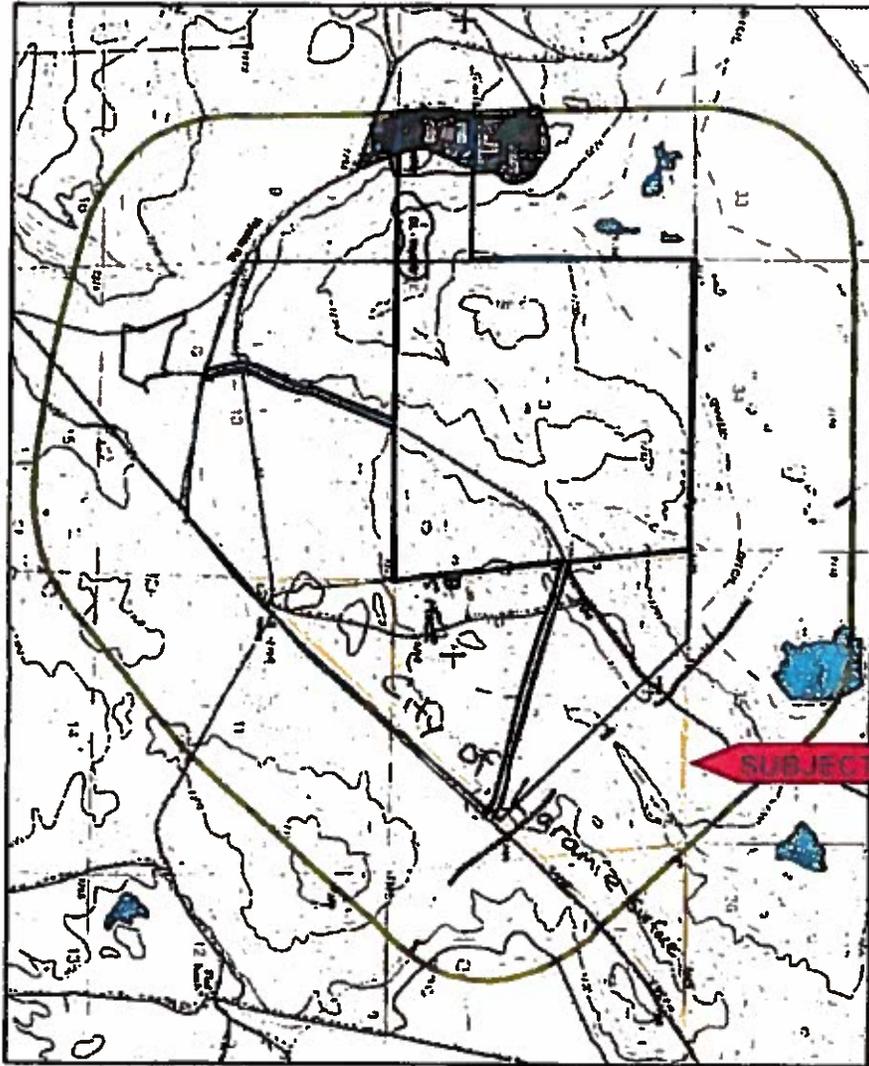
County Data map



Location Map



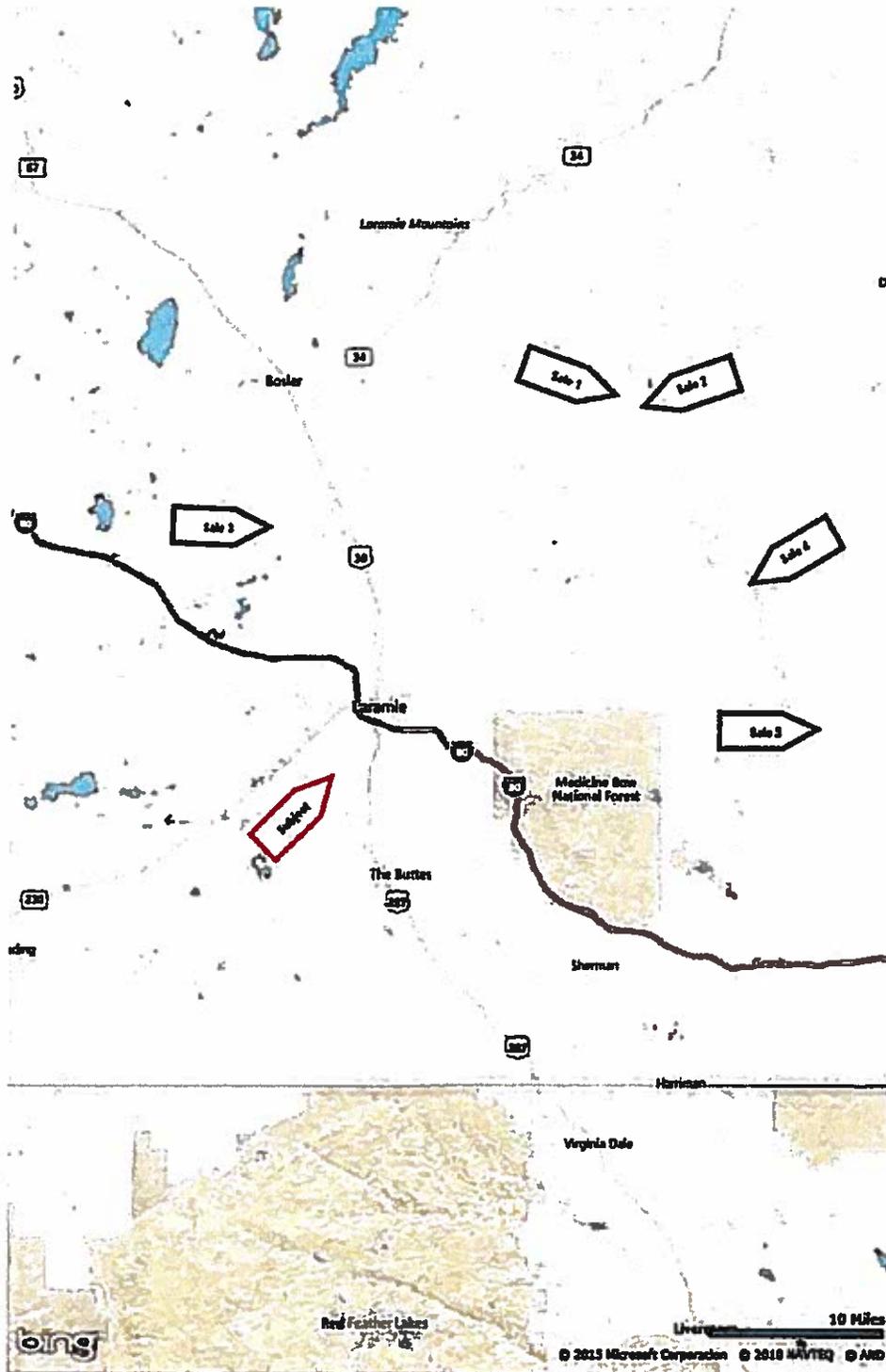
Location Map Provided



Google Earth Map



Sales Location Map



Subject Photos

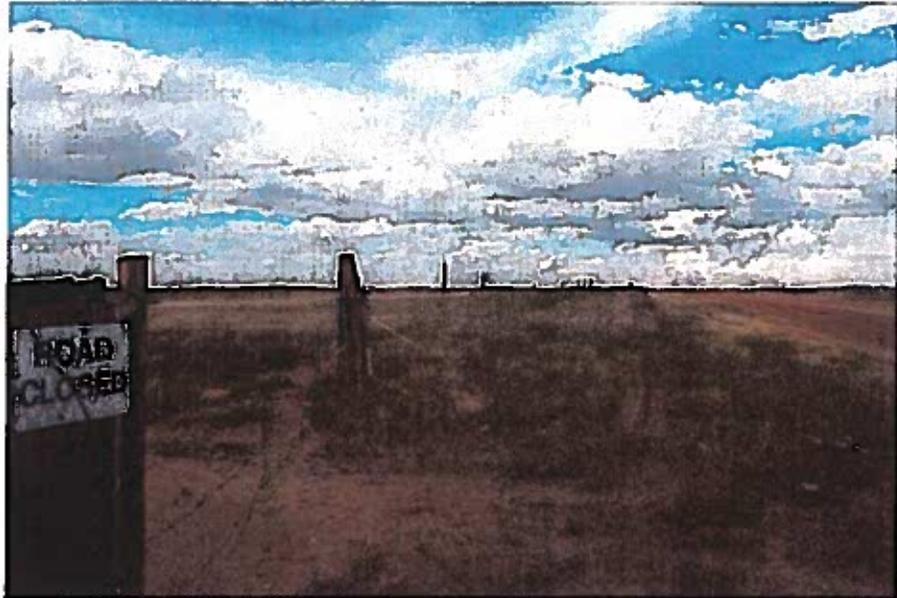


**ABOVE:** From the cattle guard gate looking west

**BELOW:** From near the cattle guard gate looking SW



Subject Photos



ABOVE: From the gate looking northerly along Sand Creek Road

BELOW: From southern end of property looking NW



County Data

**ALBANY COUNTY ASSESSOR  
PROPERTY SUMMARY**

Account #: R0004113  
Local #: 0000000

Parcel #: 14740120080000

Appr Year: 2015      Tax Dist: 8101      LEA: 0561      Acct Type: Exempt

Owner's Name and Address:

Property Address:

CITY OF LARAMIE  
ATTN: CITY MANAGER  
PO BOX C

Street: 14-74-1  
City: LARAMIE

LARAMIE WY 820700000

Business: MONOLITH RANCH LAND

Legal Description

14 N 74 W 1 TRACT N & W OF SAND CREEK ROAD 80.000, 2 ALL N OF CD RD LESS SWSW 565.800, 11 TRACT N & W OF 77.000, TOTAL ACRES: 722.800

Land Valuation Summary

Land Type	Ag Code	Abst Code	Square Feet	Value By	Unit of Measure	Number Of Units	Value Per Unit	Attr Adj	Fair Market Value
Agricultural	RA 3-4 R-	40318	25,997,044	Producing	Acres	596.81	\$22.0000	1.00	\$13,130
Agricultural	RA 3-4 R-	40315	5,479,412	Producing	Acres	125.79	\$45.0000	1.00	\$5,661
<b>Land Subtotal:</b>						<b>722.6</b>			<b>\$18,790</b>

Land Attributes

Land Attributes	Description	Adjustment
Street	Dir	0.0000
Topography	Level	0.0000
Utilities	None	0.0000

**Total Fair Market Value      \$18,790**



Index # Albany 249 Database # 387 Sale # 1

**Improvement Analysis**

Item:	Impt. #1	Impt. #2	Impt. #3	Impt. #4	Impt. #5	Impt. #6	Impt. #7	Impt. #8	Impt. #9	Impt. #10
Type										
Size										
Unit										
Utility										
Condition										
Age										
Remaining Life										
RCN/Unit										
RCN										
% Physical Depreciation										
RCN Remainder After Phys. Depr.										
% Functional Obsolescence										
RCN Rem. After Phys./Funct. Depr.										
% External Obsolescence										
Total Impt. Contribution										
Contribution \$/Unit										

Improvement Analysis

Physical Depreciation \_\_\_\_\_% Functional Obsolescence \_\_\_\_\_% External Obsolescence \_\_\_\_\_% Total Depreciation \_\_\_\_\_%  
 Total RCN \$ \_\_\_\_\_ Total Improvement Contribution: \$ \_\_\_\_\_ Improvement As % of Price \_\_\_\_\_%

The purchaser bought this property to replace the property is sold to DSS Holdings. The property was undulating to rolling foothills pasture.

Comments

Index # Albany 249

Database # 387

Sale # 1



Index #	Albany 7-12	Database #	388	Sale #	2	Unimproved Sale
Grantor	King, Tom	Sales Price	320,000	Property Type	Recreational	
Grantee	DSS Holdings	Other Contrib.		Primary Land Use	Recreational	
Deeded Acres	640.00	Net Sale Price	320,000	Soils	Gravelly	
Sale Date/DOM	07/18/12 / 1Yrs	\$/Deeded Acre	500.00	Elevation	6,800'	
Prior Sale Date		Financing	Cash to seller	Topo	Undulating to rolling	
Prior CEV Price		% Fin. Adj.	0	Water	Small Creek	
Analysis Code	3133	CEV Price	320,000	H&BU	Recreational	
Source	Broker/CR/MLS	SCA Unit Type	Acres	Zoning	Agriculture	
Motivation	Recreational	Eff. Unit Size	640.00	Rainfall	9"-14"	
Highest & Best Use	Recreational	SCA \$/Unit	500.00			
Address		Multiplier Unit				
City	Laramie	Multiplier No.				
County	Albany	Legal Access	Yes			
State/Zip	WY / 82070	Physical Access	Poor			
Region/Area/Zone	SE / Wst / WY	View	Foothills	Tax ID/Recording		
Location	30 miles Wst Laramie	Utilities	Available in area	Sec/Twp/Rge	14 / 18 / 72	
Legal Description:	T. 18 N., R. 72 W. of the 6th P.M. Section 14: All;					

Sale Analysis

Land Mix Analysis

Income Analysis

**Land-Mix Analysis**

Land Use	Ratios	Acres	\$/Acre	Unit Size	Unit Type	\$/Unit	Total Unit Value
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
Recreational Pasture	%	640.00 Ac.	500.00		X	\$	= \$ 320,000
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
<b>Totals</b>		640.00 Ac.	500.00		X	\$	= \$ 320,000
<b>CEV Price \$</b>	320,000	<b>- Land Contribution \$</b>		320,000	<b>= Improvement Contribution \$</b>		

**Income Analysis**

Income Estimate Basis:		Cash	Share	<input checked="" type="checkbox"/> Owner/Operator			
Income Source	Units	Unit Measure	Stabilized Yield	Total Production	Cash/Share/Owner Income		
<input type="checkbox"/> Actual <input checked="" type="checkbox"/> Estimated				Stabilized \$/Unit	Gross Income	Share %	Income \$
Pasture	640.00	Acres	0.30	20.00	3,840	100	3,840
Improvements				Improvements included in Land Rent	/mo	/yr	
				Stabilized Gross Income = \$		3,840	
<b>Expense Items:</b>		<b>Expenses (cont.):</b>		<b>Expenses (cont.):</b>			
Real Estate Tax	\$ 800		\$		\$		
Insurance	\$ 832		\$		\$		
Maintenance	\$ 330		\$		\$		
Management	\$ 375		\$		\$		
<b>Total Expenses</b>	2,337	/ Stabilized G.I.	3,840	= Expense Ratio	60.86 %	<b>Total Expenses = \$</b>	2,337
<b>Net Income</b>	1,503	/ CEV Price	320,000	= Cap Rate	0.47 %	<b>Net Income = \$</b>	1,503

Index #	Albany 7-12	Database #	388	Sale #	2
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**Improvement Analysis**

Item:	Impt. #1	Impt. #2	Impt. #3	Impt. #4	Impt. #5	Impt. #6	Impt. #7	Impt. #8	Impt. #9	Impt. #10
Type										
Size										
Unit										
Utility										
Condition										
Age										
Remaining Life										
RCN/Unit										
RCN										
% Physical Depreciation										
RCN Remainder After Phys. Depr.										
% Functional Obsolescence										
RCN Rem. After Phys./Funct. Dept.										
% External Obsolescence										
Total Impt. Contribution										
Contribution \$/Unit										

Improvement Analysis

Physical Depreciation \_\_\_\_\_% Functional Obsolescence \_\_\_\_\_% External Obsolescence \_\_\_\_\_% Total Depreciation \_\_\_\_\_%  
 Total RCN \$ \_\_\_\_\_ Total Improvement Contribution: \$ \_\_\_\_\_ Improvement As % of Price \_\_\_\_\_%

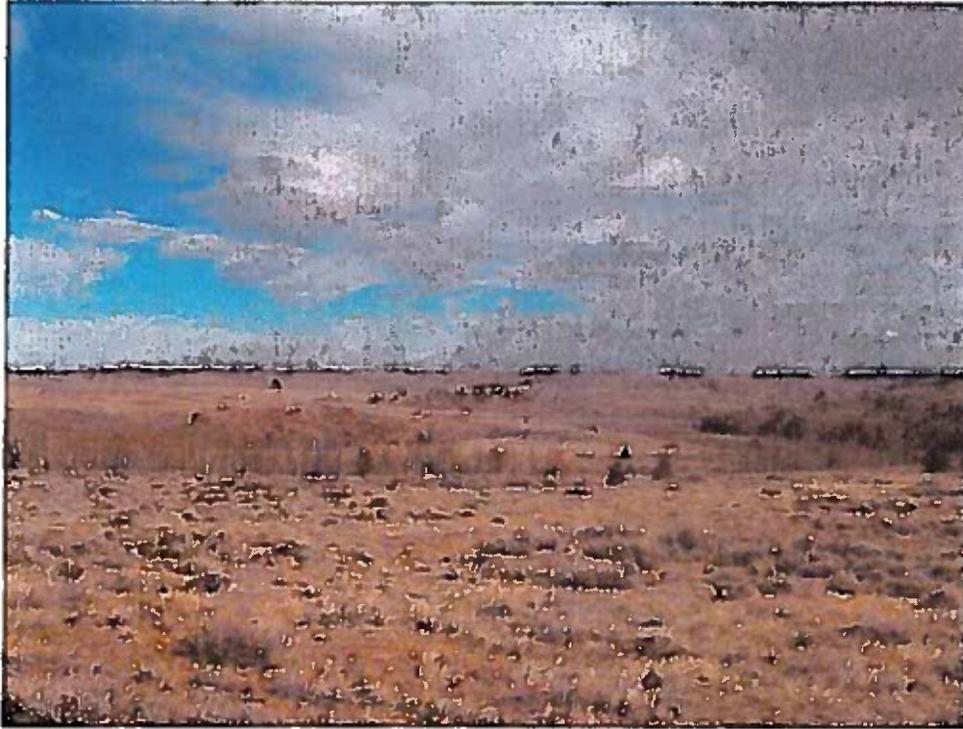
The purchaser owns other large recreational property in the area and is blocking up borders. The property was mostly open pastures with rock out cropping.

Comments

Index # Albany 7-12

Database # 388

Sale # 2



Index #	AL14-001	Database #	98	Sale #	3	Unimproved Sale
Grantor	<u>Tronstad, Ryan</u>	Sales Price	<u>90,000</u>	Property Type	<u>Ag/Rec</u>	
Grantee	<u>Rogers, Casey</u>	Other Contrib.		Primary Land Use	<u>Mixed Ag/Rec</u>	
Deeded Acres	<u>123.20</u>	Net Sale Price	<u>90,000</u>	Elevation	<u>7.300</u>	
Sale Date/DOM	<u>06/27/14 / 422</u>	\$/Deeded Acre	<u>730.52</u>	Water	<u>None</u>	
Prior Sale Date		Financing	<u>Cash</u>	Live Water	<u>Pond</u>	
Prior CEV Price		% Fin. Adj.	<u>0</u>	Zoning	<u>County</u>	
Analysis Code	<u>MH</u>	CEV Price	<u>90,000</u>			
Source	<u>MLS/Broker/CR</u>	SCA Unit Type	<u>Acres</u>			
Motivation	<u>Rural Life Style</u>	Eff. Unit Size	<u>123.20</u>			
Highest & Best Use	<u>Agricultural - Part Time</u>	SCA \$/Unit	<u>730.52</u>			
Address	<u>Howell Road</u>	Multiplier Unit				
City	<u>Laramie</u>	Multiplier No.				
County	<u>Albany</u>	Legal Access	<u>Yes</u>			
State/Zip	<u>WY / 82070</u>	Physical Access	<u>Yes</u>			
Region/Area/Zone	<u>SE / Laramie /</u>	View	<u>Mountains</u>	Tax ID/Recording	<u>2014-3011</u>	
Location	<u>8 miles Nth Laramie</u>	Utilities	<u>Near by</u>	Sec/Twp/Rge	<u>6 / 16 / 73</u>	
Legal Description:	<u>T. 16 N., R. 73 W. of the 6th P.M. Section 6: All of Lots 2 and 3;</u>					

Sale Analysis

**Land-Mix Analysis**

Land Use	Ratios	Acres	\$/Acre	Unit Size	Unit Type	\$/Unit	Total Unit Value
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
Pasture	%	<u>123.20</u> Ac.	<u>730.52</u>		X \$	= \$	<u>90,000</u>
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
<b>Totals</b>		<u>123.20</u> Ac.	<u>730.52</u>		X \$	= \$	<u>90,000</u>
<b>CEV Price \$</b>	<u>90,000</u>	<b>- Land Contribution \$</b>		<u>90,000</u>	<b>= Improvement Contribution \$</b>		

Land Mix Analysis

**Income Analysis**

Income Estimate Basis:		<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> Share	<input type="checkbox"/> Owner/Operator			
Income Source	Units	Unit Measure	Stabilized Yield	Total Production	Cash/Share/Owner Income		
<input type="checkbox"/> Actual <input checked="" type="checkbox"/> Estimated				Stabilized \$/Unit	Gross Income	Share %	Income \$
Pasture	123.20	AUM's	0.23	20.00	2,464	100	2,464
Improvements	Improvements Included in Land Rent		/mo	/yr			
					<b>Stabilized Gross Income = \$</b>		<u>2,464</u>
<b>Expense Items:</b>		<b>Expenses (cont.):</b>		<b>Expenses (cont.):</b>			
Real Estate Tax	\$ 156		\$		\$		
Insurance	\$ 93		\$		\$		
Maintenance	\$ 234		\$		\$		
Management	\$ 209		\$		\$		
Total Expenses	<u>692</u>	/ Stabilized G.I.	<u>2,464</u>	= Expense Ratio	<u>28.08</u> %	Total Expenses = \$	<u>692</u>
Net Income	<u>1,772</u>	/ CEV Price	<u>90,000</u>	= Cap Rate	<u>1.97</u> %	Net Income = \$	<u>1,772</u>

Income Analysis

Index #	AL14-001	Database #	98	Sale #	3
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**Improvement Analysis**

Item:	Impt. #1	Impt. #2	Impt. #3	Impt. #4	Impt. #5	Impt. #6	Impt. #7	Impt. #8	Impt. #9	Impt. #10
Type										
Size										
Unit										
Utility										
Condition										
Age										
Remaining Life										
RCN/Unit										
RCN										
% Physical Depreciation										
RCN Remainder After Phys. Depr.										
% Functional Obsolescence										
RCN Rem. After Phys./Funct. Depr.										
% External Obsolescence										
Total Impt. Contribution										
Contribution \$/Unit										

Improvement Analysis

Physical Depreciation \_\_\_\_\_ % Functional Obsolescence \_\_\_\_\_ % External Obsolescence \_\_\_\_\_ % Total Depreciation \_\_\_\_\_ %  
 Total RCN \$ \_\_\_\_\_ Total Improvement Contribution: \$ \_\_\_\_\_ Improvement As % of Price \_\_\_\_\_ %

The property was fenced on all sides. There was a large pond on the property, which fluctuates with area rainfall. The property is currently zoned agriculture. The property sold for list price. The property was on the market roughly 422 days.

Comments

UAAR®

File No #

MCC, LLC

<b>Index #</b>	LA13-009	<b>Database #</b>	141	<b>Sale #</b>	4	<b>Unimproved Sale</b>	
<b>Grantor</b>	X Bar Ranch, LLC	<b>Sales Price</b>	1,048,000	<b>Property Type</b>	Interim Agriculture		
<b>Grantee</b>	Baer, Stanely	<b>Other Contrib.</b>		<b>Primary Land Use</b>	Ag/RR/Rec		
<b>Deeded Acres</b>	1,747.00	<b>Net Sale Price</b>	1,048,000	<b>Elevation</b>	6,800		
<b>Sale Date/DOM</b>	10/30/13 /	<b>\$/Deeded Acre</b>	599.89	<b>Live Water</b>	None		
<b>Prior Sale Date</b>		<b>Financing</b>	Cash to seller	<b>Terrain</b>	Undulating		
<b>Prior CEV Price</b>		<b>% Fin. Adj.</b>	0	<b>Vegetation</b>	Grasses, Forbes		
<b>Analysis Code</b>	MH	<b>CEV Price</b>	1,048,000	<b>Zoning</b>	County		
<b>Source</b>	Seller/CR/Contract	<b>SCA Unit Type</b>	Acres	<b>Water</b>	2 Stock wells		
<b>Motivation</b>	Expansion	<b>Eff. Unit Size</b>	1,747.00				
<b>Highest &amp; Best Use</b>	Interim Agriculture	<b>SCA \$/Unit</b>	599.89				
<b>Address</b>	1500 Horse Creek	<b>Multiplier Unit</b>					
<b>City</b>	Horse Creek	<b>Multiplier No.</b>					
<b>County</b>	Laramie	<b>Legal Access</b>	Yes				
<b>State/Zip</b>	WY / 82061	<b>Physical Access</b>	Yes				
<b>Region/Area/Zone</b>	SE / Cheyenne /	<b>View</b>	Rural	<b>Tax ID/Recording</b>	Rep. #623988		
<b>Location</b>	15 miles NW of Cheyenne	<b>Utilities</b>	On site	<b>Sec/Twp/Rge</b>	11 / 15 / 69		
<b>Legal Description:</b>	T. 15 N., R. 69 W. of the 6th P.M. All of Secs., 11 & 12; T. 15 N., R. 68 W. Sec., 7: N2, N2S2;						

**Land-Mix Analysis**

Land Use	Ratios	Acres	\$/Acre	Unit Size	Unit Type	\$/Unit	Total Unit Value
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
Interim Pasture	%	1,747.00	Ac. 599.89		X \$	= \$	1,048,008
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
	%	Ac.			X \$	= \$	
<b>Totals</b>		1,747.00	Ac. 599.89		X \$	= \$	1,048,008
<b>CEV Price \$</b>	1,048,000	<b>- Land Contribution \$</b>		1,048,008	<b>= Improvement Contribution \$</b>		- \$

**Income Analysis**

Income Estimate Basis:		Cash	Share	Owner/Operator
Income Source	Units	Unit Measure	Stabilized Yield	Total Production
<input type="checkbox"/> Actual <input type="checkbox"/> Estimated				Stabilized \$/Unit
				Gross Income
				Share %
				Income \$
Pasture	1,747.00	AUM's	0.35	20.00
				12,229
				100
				12,229
<b>Improvements</b>				<b>Stabilized Gross Income = \$</b>
<b>Improvements Included in Land Rent</b>				<b>12,229</b>
<b>Expense Items:</b>		<b>Expenses (cont.):</b>		<b>Expenses (cont.):</b>
Real Estate Tax	\$ 1,355		\$	\$
Insurance	\$ 1,200		\$	\$
Maintenance	\$ 1,162		\$	\$
Management	\$ 1,040		\$	\$
<b>Total Expenses</b>	<b>4,757</b>	<b>/ Stabilized G.I.</b>	<b>12,229</b>	<b>= Expense Ratio 38.90 %</b>
<b>Net Income</b>	<b>7,472</b>	<b>/ CEV Price</b>	<b>1,048,000</b>	<b>= Cap Rate 0.71 %</b>
<b>Total Expenses = \$</b>				<b>4,757</b>
<b>Net Income = \$</b>				<b>7,472</b>

Index # LA13-009 Database # 141 Sale # 4

**Improvement Analysis**

Item:	Impt. #1	Impt. #2	Impt. #3	Impt. #4	Impt. #5	Impt. #6	Impt. #7	Impt. #8	Impt. #9	Impt. #10
Type										
Size										
Unit										
Utility										
Condition										
Age										
Remaining Life										
RCN/Unit										
RCN										
% Physical Depreciation										
RCN Remainder After Phys. Depr.										
% Functional Obsolescence										
RCN Rem. After Phys./Funct. Depr.										
% External Obsolescence										
Total Impt. Contribution										
Contribution \$/Unit										

Improvement Analysis

Physical Depreciation \_\_\_\_\_% Functional Obsolescence \_\_\_\_\_% External Obsolescence \_\_\_\_\_% Total Depreciation \_\_\_\_\_%  
 Total RCN \$ \_\_\_\_\_ Total Improvement Contribution: \$ \_\_\_\_\_ Improvement As % of Price \_\_\_\_\_%

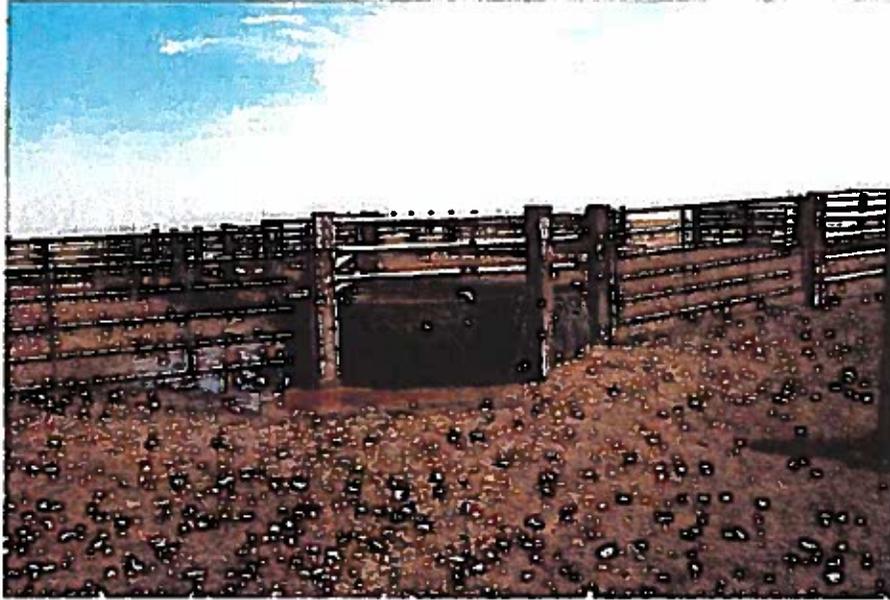
The sale never made the open real-estate market, therefore the DOM is left blank. The purchaser had leased the property over the past several years from the seller. The agreed upon price was market based from the sellers extensive and active knowledge of real-estate values in the market area. The sale appears to be consistent with other pasture land sales in the market area.

Comments

Index # LA13-009

Database # 141

Sale # 4



ABOVE:

BELOW:



UAAR®

File No #

MCC, LLC

Index #	LA12-0013	Database #	91	Sale #	5	Unimproved Sale
Grantor	Horse Creek Cattle, LLC	Sales Price	700.000	Property Type	Transitional	
Grantee	Berry, Ty	Other Contrib.		Primary Land Use	Interim Grazing	
Deeded Acres	1.280.00	Net Sale Price	700.000	Soils	Sandy loams	
Sale Date/DOM	08/08/12 /	\$/Deeded Acre	546.88	Elevation	6.150	
Prior Sale Date		Financing	Cash	Terrain	Undulating	
Prior CEV Price	700.000	% Fin. Adj.	0	Water	Horse Creek	
Analysis Code	3133	CEV Price	700.000	H&BU	Interim Pasture	
Source	Seller/CR/Contract	SCA Unit Type	Acres	Zoning	County	
Motivation	Expansion	Eff. Unit Size	1.280.00	Rainfall	12"-18"	
Highest & Best Use	Interim Agriculture	SCA \$/Unit	546.88			
Address		Multiplier Unit				
City	Cheyenne	Multiplier No.				
County	Laramie	Legal Access	Marginal			
State/Zip	WY / 82009	Physical Access	Yes			
Region/Area/Zone	SE / Cheyenne /	View	Rural	Tax ID/Recording	Recp #597295	
Location	22 miles NW of Cheyenne	Utilities	Near-by	Sec/Twp/Rge	14 / 16 / 69	
Legal Description:	T. 16 N., R. 69 W.; Section 14: All; Section 23: All;					

Sale Analysis

**Land-Mix Analysis**

Land Use	Ratios	Acres	\$/Acre	Unit Size	Unit Type	\$/Unit	Total Unit Value
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
Bottom/Subby Pasture	%	100.00	Ac. 1,100.00		X	\$	= \$ 110,000
Interim Pasture	%	1,180.00	Ac. 500.00		X	\$	= \$ 590,000
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
	%	Ac.			X	\$	= \$
<b>Totals</b>		1,280.00	Ac. 546.88		X	\$	= \$ 700,000
<b>CEV Price \$</b>	700,000	<b>- Land Contribution \$</b>		700,000	<b>= Improvement Contribution \$</b>		

Land Mix Analysis

**Income Analysis**

Income Estimate Basis:		Cash	Share	Owner/Operator			
Income Source	Units	Unit Measure	Stabilized Yield	Total Production			
<input type="checkbox"/> Actual <input type="checkbox"/> Estimated				Stabilized \$/Unit			
				Gross Income			
				Share %			
				Income \$			
Bottom Pasture	100.00	AUM's	1.00	25.00	2,500	100	2,500
Interim Pasture	1,180.00	AUM's	0.35	20.00	8,260	100	8,260
<b>Improvements</b>	<b>Improvements Included in Land Rent</b>		<b>/mo</b>	<b>/yr</b>	<b>Stabilized Gross Income = \$</b>		<b>10,760</b>
<b>Expense Items:</b>		<b>Expenses (cont.):</b>		<b>Expenses (cont.):</b>			
Real Estate Tax	\$ 850		\$		\$		
Insurance	\$ 500		\$		\$		
Maintenance	\$ 1,150		\$		\$		
Management	\$ 1,500		\$		\$		
<b>Total Expenses</b>	<b>4,000</b>	<b>/ Stabilized G.I.</b>	<b>10,760</b>	<b>= Expense Ratio</b>	<b>37.17 %</b>	<b>Total Expenses = \$</b>	<b>4,000</b>
<b>Net Income</b>	<b>6,760</b>	<b>/ CEV Price</b>	<b>700,000</b>	<b>= Cap Rate</b>	<b>0.97 %</b>	<b>Net Income = \$</b>	<b>6,760</b>

Income Analysis

UAAR®

Index # LA12-0013 Database # 91 Sale # 5

**Improvement Analysis**

Item:	Impt. #1	Impt. #2	Impt. #3	Impt. #4	Impt. #5	Impt. #6	Impt. #7	Impt. #8	Impt. #9	Impt. #10
Type										
Size										
Unit										
Utility										
Condition										
Age										
Remaining Life										
RCN/Unit										
RCN										
% Physical Depreciation										
RCN Remainder After Phys. Depr.										
% Functional Obsolescence										
RCN Rem. After Phys./Funct. Depr.										
% External Obsolescence										
Total Impt. Contribution										
Contribution \$/Unit										

Improvement Analysis

Physical Depreciation \_\_\_\_\_% Functional Obsolescence \_\_\_\_\_% External Obsolescence \_\_\_\_\_% Total Depreciation \_\_\_\_\_%  
 Total RCN \$ \_\_\_\_\_ Total Improvement Contribution: \$ \_\_\_\_\_ Improvement As % of Price \_\_\_\_\_%

The property had been leased for sometime by the purchaser. There is a small water right for the bottom pasture from Horse Creek. The property was part of a larger agricultural unit. The seller is liquidating and scaling back his operation. The sale had a lack of legal access, except to the purchaser. The sale never made the open real-estate market, therefore the DOM is left blank. The agreed upon price was market based from the sellers extensive and active knowledge of real-estate values in the market area. The sale appears to be consistent with other pastureland sales in the market area.

Comments

Index # LA12-0013

Database # 91

Sale # 5



ABOVE:

BELOW:



Faxed Appraisal Request

Apr. 13. 2015 10:40AM  
 6 Sand Creek Road  
 Laramie, WY  
 82070  
**MOUNTAIN**  
 CEMENT COMPANY (307) 745-4878 (Phone)

Mtn. Cement Main Office

No. 1642 P. 1

**FAXED**

**PURCHASE ORDER**

4.13.15  
 1-307-637-3589

PO Number 082814  
 PO Date 4/13/2015  
 Req Ctr 1  
 Page No. 1 of 1

**VENDOR**

Hastings & Assoc. Appraisal Svc  
 1520 Logan Ave.  
 Cheyenne, WY 82001

**SHIP TO**

Mountain Cement Company  
 6 Sand Creek Road  
 Laramie, WY 82070

SHIP VIA	F. O. B.	TERMS	REQ BY	CONFIRM TO	VENDOR ID
Vendor	FOB PLANT	Per Agreement	JEFF BRASHER	FAX N	HAAPT

INVENTORY ID	PROMISED	REQUIRED	UNIT	QUANTITY	UNIT PRICE	EXTENDED PRICE
000EA S11800	4/12/2016	4/12/2016	EACH	1.0000	2,160.0000	2,160.00

(For Land To Be Included in Bath Shale Quarry Permit Amendment)

Retainer Fee To Be Paid With Execution Of Agreement \$967.50

Balance to Be Paid After Reports Completed, Before Reports Delivered \$1,192.50

<b>TOTAL</b>	<b>2,160.00</b>
--------------	-----------------

Vendor PO No. must appear on all orders, invoices, and other documents; ALL SHIPMENTS must include packing slip or invoice copy; prices shown are estimates; notify if unable to deliver as specified, as a default unless otherwise specified. This order constitutes an offer which may be revised by Purchaser at any time prior to completion by Seller.

Not Valid Unless Signed By Purchasing Agent

*Michael D. Hastings*

AUTHORIZED SIGNATURE

## Appraiser Qualifications

**QUALIFICATIONS OF APPRAISER  
MICHAEL J. HASTINGS, ARA**

**EDUCATION:**

UNIVERSITY OF WYOMING, B.S. DEGREE, COLLEGE OF AGRICULTURE, RANGE MANAGEMENT:

**REAL ESTATE COURSES:****AMERICAN SOCIETY OF FARM MANAGERS & RURAL APPRAISERS**

A-10 PRINCIPLES APPRAISAL SCHOOL, AUSTIN, TX 2-93  
 A-12 STANDARDS OF PROFESSIONAL PRACTICE AND  
 CODE OF ETHICS, BILLINGS, MT 3-94, PART III 3-95  
 A-15 REPORT WRITING FOR APPRAISALS, DENVER, CO 3-93  
 A-20 PRINCIPLES OF RANCH APPRAISAL, AUSTIN, TX 2-93  
 A-29 HIGHEST AND BEST USE SEMINAR, CASPER, WY 8-93  
 A-30 ADVANCED RURAL APPRAISALS, DENVER, CO 7-93  
 A-25 EMINENT DOMAIN, ALBUQUERQUE, NM, 2-96  
 VALUATION OF CONSERVATION EASEMENTS, 1-08  
 A-360 INTRODUCTION TO APPRAISAL REVIEW, 4-08  
 A-370 APPRAISAL REVIEW UNDER USPAP, 4-08  
 A-300 ADVANCED APPROACHES TO VALUE FOR RURAL APPRAISALS, DENVER, CO, 10-08

**APPRAISAL INSTITUTE COURSES**

APPRAISAL PRINCIPLES 110, ALBUQUERQUE, NM, 11-94  
 APPRAISAL PROCEDURES 120, ALBUQUERQUE, NM, 11-94  
 BASIC INCOME CAPITALIZATION 310, DENVER, CO, 3-02

**SPECIAL SEMINARS**

HIGHEST & BEST USE 6-93, ENVIRONMENTAL LIABILITY AND RISK MANAGEMENT IN REAL-  
 ESTATE 6-93, SALES ANALYSIS 6-94, FAIR LENDING 1-95, SALES COMPARISON APPROACH  
 2-96, EQUAL HOUSING AND FAIR LENDING 7-97, EMINENT DOMAIN & CONDEMNATION 12-97,  
 INTERNET AND THE APPRAISER 5-98, LITIGATION SKILLS FOR THE APPRAISER 1-99,  
 USPAP 9-98, COST APPROACH 12-98, APPRAISING MANUFACTURED HOUSING 1-99, USPAP  
 UPDATE 2-99, USPAP UPDATE 11-99, RANCH APPRAISAL 2-00, WATER RIGHTS 2-00, RURAL  
 RESIDENTIAL VALUATION 7-00, EASEMENT VALUATION 7-00, URBAN ANALYSIS 7-00,  
 DEMONSTRATION REPORT WRITING 1-02, USPAP UPDATE 2-02, UNIFORM STANDARDS FOR  
 FEDERAL LAND ACQUISITIONS 9-02, USPAP UPDATE 1-03, USPAP UPDATE 2-04, USPAP  
 UPDATE 1-05, APPRAISING CONSERVATION EASEMENTS 3-05, APPRAISING AGRICULTURE  
 LAND IN TRANSITION 9-05, USPAP UPDATE 5-06, AICR 1-07, USPAP UPDATE 2-07,  
 ADVANCED SALES CONFIRMATION AND ANALYSIS 9-07, CODE OF ETHICS 9-07, APPRAISING  
 RBO'S & FORECLOSURES 12-07, UNIFORM STANDARDS FOR FEDERAL LAND ACQUISITIONS 7-  
 08, ADVANCED CONSERVATION EASEMENTS ISSUES, 10-08, USPAP UPDATE 1-09, VALUATION  
 OF CONSERVATION EASEMENTS AND OTHER PARTIAL INTERESTS IN REAL ESTATE 10-09,  
 USPAP UPDATE 1-10, WIND ENERGY SEMINAR 7-10, MOST COMMON USPAP VIOLATIONS IN  
 THE URAR 1-11, MOST COMMON USPAP VIOLATIONS IN NON-RESIDENTIAL APPRAISALS 1-11,  
 CURRENT ENVIRONMENTAL ISSUES AFFECTING REAL PROPERTY APPRAISAL 1-11, USPAP  
 UPDATE 1-12, APPRAISING RESIDENTIAL PROPERTIES IN WYOMING, 1-12, APPRAISALS  
 THROUGH THE EYES OF THE REVIEWER, 1-12, RANGE CAMP 6-12, RESIDENTIAL APPRAISAL  
 REVIEW 1-13, LOSS PREVENTION PROGRAM FOR REAL ESTATE APPRAISERS 1-13, MINERALS  
 VALUATION 9-13, USPAP 1-14; WATER RIGHTS VALUATION 9-14;

**BACKGROUND**

U.S. ARMY 1983 TO 1986  
 WYOMING ARMY NATIONAL GUARD, 1986 TO 1990  
 OFFICER IN THE WYOMING ARMY NATIONAL GUARD, 1990 TO 2003  
 (Retired Honorably 11/03)  
 GENERAL CERTIFIED APPRAISER, HASTINGS & ASSOCIATES, JAN 1991 TO July 2013  
 GENERAL CERTIFIED APPRAISER WY State Lands Office July, 2013 to Present

**STATE CERTIFICATIONS**

WYOMING CERTIFIED GENERAL REAL ESTATE APPRAISER, PERMIT #325  
 COLORADO CERTIFIED GENERAL REAL ESTATE APPRAISER, PERMIT #40016750

## Appraiser Qualifications

PROFESSIONAL MEMBERSHIPS

AMERICAN SOCIETY FARM MANAGERS & RURAL APPRAISERS, ACCREDITED RURAL APPRAISER  
 AMERICAN SOCIETY FARM MANAGERS & RURAL APPRAISERS, WY CHAPTER PAST PRESIDENT  
 UW ALUMNI LIFE MEMBER  
 DUCKS UNLIMITED MEMBER  
 ROCKY MOUNTAIN ELK FOUNDATION MEMBER  
 TROUT UNLIMITED MEMBER  
 THE AMERICAN LEGION MEMBER

PROPERTY TYPES APPRAISED

FARMS AND RANCHES OF ALL TYPES AND SIZES, RURAL RESIDENTIAL AND COMMERCIAL AG  
 PROPERTIES, SALES, EASEMENTS/CONDEMNATION, PURCHASES AND MORTGAGES,  
 LAND EXCHANGES, CONSERVATION EASEMENTS:

CLIENTS/REFERENCES

ALEX DAVISON, ATTORNEY, (307) 635-4111  
 DEVON O'CONNELL, ATTORNEY, (307) 745-3626  
 DAVE BERRY, RANCHER, (307) 638-2910  
 DOUG SAMUELSON, RANCHER (307) 637-3300  
 TIM HANSEN, RPRA, USFS (303) 969-5368  
 STEVE GLEASON, ARA, (307) 577-4700  
 STEVE FREUDENTHAL, ATTORNEY, 123 E 17<sup>TH</sup> ST., CHEYENNE, WY 82001, 307-634-2240  
 BRENDA L. ARNOLD, ADMINISTRATOR DEP. OF REVENUE (307) 777-5235  
 LOUIS J. GARONE, MAI, SRA, SENIOR APPRAISER (720)956-4551

## ADDITIONAL REFERENCES UPON REQUEST:

LONG REIMER & WINEGAR, LP	BERGER CATTLE COMPANY, LP
LARAMIE, RAWLINS AND CHEYENNE ATTORNEYS	FARM SERVICE AGENCY, WY
UNIVERSITY OF WYOMING	RAWLINS NATIONAL BANK
GRAND VALLEY NATIONAL BANK	AMERICAN NATIONAL BANK
WYOMING ARMY NATIONAL GUARD	WYOMING GAME & FISH
CHEYENNE PARKS & RECREATION	BLM & U.S. FOREST SERVICE
FIRST INTERSTATE BANK	THE NATURE CONSERVANCY
WYOMING STOCK GROWERS AG LAND TRUST	FARM CREDIT SERVICES OF AMERICA
WYOMING OFFICE OF STATE LANDS & INVESTMENTS	WYOMING BANK & TRUST
FRENODA, LEONARD & EDWARDS, LLC	FIRST NATIONAL BANK OF WYOMING
ALBANY COUNTY COURT	RABO AGRIFINANCE
JONAH BANK OF WYOMING	USDA RURAL DEVELOPMENT
FENCE & MACHILLAN, LLC	PATTON & DAVISON
FIRST DAKOTA NATIONAL BANK	McKELLAR, TIEDEKEN & SCOGGIN, LLC
NICOLAS & TANGEMAN LLC	COOK & ASSOCIATES PC

DECLARED EXPERT WITNESS FOR JACOBY VS. JACOBY BY JUDGE KALOKATHIS, LARAMIE COUNTY 2/2003  
 DECLARED EXPERT WITNESS FOR STONE VS. STONE BY JUDGE KALOKATHIS, LARAMIE COUNTY 2/2003  
 DECLARED EXPERT WITNESS FOR HADDEN VS. HADDEN BY JUDGE DONNELL, ALBANY COUNTY 11/2006  
 TESTIFIED AS EXPERT WITNESS FOR ARAGON VS. ARAGON BEFORE JUDGE DONNELL, ALBANY COUNTY 5/2008  
 TESTIFIED AS EXPERT WITNESS BEFORE JUDGE DONNELL, ALBANY COUNTY 1/2013

Additional Sale

Sale Analysis Sheet

STATE	WYOMING	COUNTY:	Coshie
FROM	T. Hensley	TO:	H&A et al
DATE:	Jul-10	TYPE OF DOCUMENT:	WD
RECORDED:	Yes		
LEGAL DESCRIPTION	T. 22 N. R. 65 W. 6th PM		
	T. 21 N. R. 64 W. 6th PM Longty legal description on file in appraiser office		
	T. 22 N. R. 64 W. 6th PM		
DOM	480 days	TOTAL	
PRICE PER ACRE	\$711 PRICE	\$1,300,000	ACRES 7,521.48
TERMS	Cash to		
VERIFIED WITHBY:	Broker/Third party	WITH:	Hastings
REMARKS F&BTR	None known	DATE:	9/4/10
EASEMENTS	Checked road and utilities	INSPECTED BY:	Hastings
UTILITIES	Available		
LOCATION	18 miles southwest of Victor, WY		
SOILS	Dundley-Thorne complex, 3 to 35 percent slopes		
NEIGHBORHOOD	Agricultural		
ACCESS	County		
TOPOGRAPHY:	Level to		
VEGETATION:	CRP, Native grasses, forbs and shrubs		
CURRENT USE:	Agriculture		
WATER:	7 wells, creeks, dams and 13 springs		
ELEVATION:	Approximately 5,000+ feet		
ZONING:	None		
RAINFALL:	12"-16"		
H & B/L	Present use, ranching/agriculture		
IMPROVEMENTS:	One story house with 1,304 Sq/ft, garage with 1,162 Sq/ft CRP expires in 2010 and 2011 Property is known as Deer Ranch.		
REMARKS:	State lease on 480 acres, 280 acres BLM		
LANDFORD BASED			
EST GROSS INCOME	ESTIMATED NET INCOME	\$/ACRE	GM 38.97
EST EXPENSES	\$0.300 CRP RATE	1.87%	EX RATIO 22.70%
LAND TYPE	ACRES	Per ACRE	TOTAL
Improved pasture	734.52	\$800	\$570,816
Bonus for oil and hunting			\$2,200,000
Dry Crp/CRP	1,388.29	\$600	\$832,974
Bottom Pasture	100	\$2,000	\$200,000
Pasture Avg	5,238.67	\$600	\$3,143,200
Site	20	\$2,000	\$40,000
BLM	130	\$75	\$9,750
State lease	42	\$60	\$2,520
TOTAL LAND	7,521.48	\$862	\$7,382,060
Improvements		\$17	\$125,000
TOTAL CONSIDERATION		\$711	\$7,507,060

net 3-04

Additional Sale

Sale Analysis Sheet

STATE:	Wyoming	COUNTY:	Albany
FROM:	Irwin Livestock Company	TO:	Dorley Oil, Inc.
DATED:	5/09		
RECORDED:	2009-2858	TYPE OF DOCUMENT:	WD
LEGAL DESCRIPTION: T. 27 N., R. 76 W., 6th P.M.			
Sec. 11, S&SE; Sec. 12, SWSW, Sec. 14, SW, NWSE, SWNE, N&NE; Sec. 15, E2SE, SWSE;			
Sec. 22, E2, E2SW; Sec. 23, W2NW, SW; Sec. 28, NW, N2SW, SWSW with exceptions;			
Sec. 27, W2NE, E2NW, N&SW, S&NE, S2SE; Sec. 34, N&NE, portion S2NE;			
Sec. 38, N2NW, portion N&NW;			
DOM	<2 yrs	TOTAL	
PRICE P/A:	\$684	PRICE \$1,300,000	ACRES: 1,900
TERMS:	Cash to Seller		
VERIFIED WITHBY:	Broker/CR/Files	WITH: Hastings	DATE: Jun-09
RSVN & RSTR:	None known	SUSPECTED BY:	Hastings
EASEMENTS:	Observed road and utilities		
UTILITIES:	Available		
LOCATION:	70 miles north of Laramie, WY		
SOIL:	Mountain Plains sandy loams		
NEIGHBORHOOD:	Recreational/agriculture		
ACCESS:	Highway 30 via County gravel roads #10 and private road		
TOPOGRAPHY:	Rolling to steep with rock outcrop		
VEGETATION:	Native grasses, forbs shrubs and trees		
CURRENT USE:	Recreational/agriculture		
WATER:	North Fork Cottonwood Creek		
ELEVATION:	8,250'		
ZONING:	County		
RAINFALL:	10'-15"		
H & SU:	Recreational/agriculture		
IMPROVEMENTS:	None of any value		
REMARKS: Buyer sold 480 acres in the Elk Mountain Valley area and purchased this property as a replacement property. The parcel is roughly 1.5 miles east of Marshal, WY on an old post office site. The tract appears to be rolling to steep with trees and rocks. Water is from the North Fork Cottonwood Creek and Middle Fork Cottonwood Creek.			
LANDLORD BASED			
EST GROSS INCOME	\$9,405	ESTIMATED NET INCOME	\$5,242 GIM 134.22
EST EXPENSES	\$4,163	CAP RATE	0.40% EX RATIO 44.3%
LAND TYPE	AUM's	ACRES	Per AUM PR/AC TOTAL
Irrigated Meadow			
Irrigated Pasture			
Sobby Pasture			
F.H Pasture		1,900	\$684 \$1,290,600
State lease			
BLM			
Site			
TOTAL LAND		1,900	\$684 \$1,290,600
Improvements			
TOTAL CONSIDERATION			\$684 \$1,290,600

Form 3-04

Additional Sale

Sale Analysis Sheet

STATE:	Wyoming	COUNTY:	Fresno		
FROM:	D. Senter	TYPE OF DOCUMENT:	1st Post		
DATED:	9/10		WD		
RECORDED:	Yes				
LEGAL DESCRIPTION:	T. 28 N., R. 67 W., 6th P.M. Section 17, Part SW1/4SW1/4; Section 18, Part SW1/4NE1/4, SW1/4SE1/4SW1/4, Part SW1/4SW1/4, Part SW1/4 Part W1/2SE1/4, SE1/4SE1/4; Section 19, NW1/4NE1/4, SE1/4SE1/4; Section 20, Part W1/2SW1/4, SW1/4, SE1/4SE1/4, SE1/4SE1/4; Section 20, NW1/4, SW1/4, W1/2SE1/4, SE1/4SE1/4; Section 30, NE1/4NE1/4, SW1/4NE1/4, SE1/4 Section 31, NE1/4, SW1/4, SW1/4, NW1/4SE1/4, SW1/4SE1/4; Sec 32, NE1/4, W1/2 T. 27 N., R. 67 W., Sec 5, SW1/4, NW1/4, NE1/4SW1/4; Sec 6, NE1/4, SE1/4SW1/4, NW1/4SE1/4				
DOM:	<1 yr	TOTAL			
PRICE/ACR:	\$1,428	PRICE	\$5,300,000		
TERMS:	Cash to Seller	ACRES:	3,728		
VERIFIED WITH:	Buyer WITH	Hearings	DATE		
FORM & INSTR:	None known	INSPECTED BY:	Hastings		
EASMENTS:	Conserved Road and Utilities				
UTILITIES:	Available				
LOCATION:	11 miles southeast of Glendo, WY				
SOILS:	Fadusa-Poolhenge-Bralic; sandy loam, prairie soils, somewhat shallow with rock outcroppings				
NEIGHBORHOOD:	Agriculture				
ACCESS:	Near the end of the county road, 408 & 407 Cassa Rd.				
TOPOGRAPHY:	Level to steeply rolling				
VEGETATION:	All native grass with trees				
CURRENT USE:	Agriculture and recreation				
WATER:	300 acres of water right 200 to land. Spring, wells, dams and windmills				
ELEVATION IN FEET:	4,820				
ZONING:	None				
RAINFALL:	12"-16"				
HABITABLE:	Agriculture and recreational				
IMPROVEMENTS:	2,133 SQF house built in 1994 hardwood siding, covered deck, deck and front porch and fireplace, attached 8'x8' garage, 1230 SQF brick house built in 1929 with porch, and finished basement, 1134 SQF brick house built in 1925, horse barn built in 1997 is 1728 SQF, 229 SQF shed.				
REMARKS:	The sale rolls are not included in sale. 4 lower center plot, 120 acre State of Wyoming lease. Borders the Platte River for nearly 4 miles. Sold 1990 BUCK, 7-12-01 for 1,000,000. Purchased for a recreation property. Buyer assumed existing limited				
LANDFOLD BASED:					
EST GROSS INCOME:	\$10,510	ESTIMATED NET INCOME:	\$47,511		
EST EXPENSES:	\$2,080	CAP RATE:	0.69%		
		EX RATIO:	32.7%		
LAND TYPE	ALM	ACRES	Per Acre	PRAC	TOTAL
First Irrigated Crop		116.00		\$2,300	\$250,000
Road Irrigated Crop		190.00		\$2,000	\$380,000
Dry cropland					
Pasture		3,416.00		\$650	\$2,220,400
State lease WY	24			\$100	\$2,400
River Storage	4		\$500,000		\$2,000,000
Site		10.00		\$2,300	\$23,000
TOTAL LAND		3,728.00		\$1,329	\$4,678,800
Improvements				\$115	\$400,000
TOTAL CONSIDERATION				\$1,428	\$5,078,800

Additional Sale

Sale Analysis Sheet

STATE:	Wyoming	COUNTY:	Albany		
FROM:	Swerve Creek Angus Ranch	TO:	Absaroka Holdings		
DATED:	8/10				
RECORDED:	2010-1711	TYPE OF DOCUMENT:	WD		
LEGAL DESCRIPTION:	T. 17 N., R. 75 W., 6th P.M. Sec. 28; NE 1/4, part of W 22nd long north of I-80; Sec. 30; part north of I-80; Sec. 21, 22, 23 and 24 north of I-80;				
TERM:	3 yrs	TOTAL			
PRICE PER ACR:	\$448	PRICE	\$600,000		
		ACRES:	1,340		
TERMS:	Cash to Seller				
VERIFIED WITH/ BY:	Survey, Copies	WITH:	Hastings		
		DATE:	Dec-10		
REVN & ESTN:	None Input	INSPECTED BY:	Hastings		
REMARKS:	Observed road and utilities				
UTILITIES:	Available				
LOCATION:	15 miles west of Laramie, WY				
SOILS:	High Plains sandy loams				
NEIGHBORHOOD:	Agriculture & recreational				
ACCESS:	Hunt Road and I-80				
TOPOGRAPHY:	Nearly level to gently undulating				
VEGETATION:	Native grasses, forbs and shrubs				
CURRENT USE:	Agriculture & recreational				
WATER:	North Fork Little Laramie and stock reservoir				
ELEVATION:	7,120'				
ZONING:	County agriculture				
DEVELOPMENT:	10'-18"				
H & SU:	Recreational/agriculture				
IMPROVEMENTS:	None at time of sale				
REMARKS:	The unit is an all pasture tract north of I-80. Access is from Hunt Road, a county gravel road. The pasture is typical for the market area. The parcel is close to Laramie.				
<b>LANDING BASED</b>					
EST GROSS INCOME	\$5,768	ESTIMATED NET INCOME	\$4,300		
EST EXPENSES	\$1,328	CAP RATE	0.71%		
		EX RATIO	26.4%		
<b>LAND TYPE</b>	<b>ALM's</b>	<b>ACRES</b>	<b>Per ALM</b>	<b>PR/AC</b>	<b>TOTAL</b>
Irrigated Meadow					
Irrigated Pasture					
Subdry Pasture					
Pasture		1,340		\$448	\$600,320
State lease					
BLM					
Sta					
<b>TOTAL LAND</b>		<b>1,340</b>		<b>\$448</b>	<b>\$600,320</b>
Improvements					
<b>TOTAL CONSIDERATION</b>				<b>\$448</b>	<b>\$600,320</b>

form 3-00

Additional Sale

Sale Analysis Sheet

STATE: Wyoming COUNTY: Albany  
 FROM: W. Castle TO: S. Smith  
 DATED: 10/1 TYPE OF DOCUMENT: WD  
 RECORDED:  
 LEGAL DESCRIPTION: T. 20 N., R. 72 W., 6th P.M.,  
 Section 32, 4E

SOIL: < 1 yr TOTAL  
 PRICE PAID: \$0.00 PRICE: \$90,000 ACRES: 640.00  
 TERMS: Cash to seller  
 VIEWED WITH: Seller DATE: Mar-12  
 BY: Steve A. Rison Inspected By: Hastings  
 EASEMENTS: No Utilities on property, but they are in the area and Private Road Agreements  
 UTILITIES: Available  
 LOCATION: 20 miles southeast of Laramie, WY  
 SOILS: Typical prairie soils  
 NEIGHBORHOOD: Agricultural  
 ACCESS: Paved and gravel road  
 TOPOGRAPHY: Level to slope  
 VEGETATION: Native grasses with some shrub trees  
 CURRENT USE: Agriculture  
 WATER: Small creek and low spring fed ponds  
 ELEVATION IN FEET: 7,400  
 ZONING: None  
 RAINFALL: 17-18"  
 H & B: Recreational small grazing and  
 IMPROVEMENTS: None

REMARKS: Sold all mineral rights  
 Property has a valley of wildlife.  
 AKA known as Red Rocks Canyon sale

LANDLORD BASED				
EST GROSS INCOME	\$/ACR	ESTIMATED NET INCOME	\$/ACR	EST
EST EXPENSES	\$1,287	CAP RATE	0.92%	EXPENSE RATIO 23.6%

LAND TYPE	ACRES	Per ACR	PRAC	TOTAL
Pivot Irrigated Crop				
Flood Irrigated Crop				
Improved pasture/DryCrop				
Bobby Pasture				
Pasture	640.00		\$900	\$579,040
State lease WY				
BLM				
Site				
TOTAL LAND	640.00		\$900	\$579,040
Improvements				
TOTAL CONSIDERATION			\$900	\$579,040



# Monolith Ranch 2016

The Monolith Ranch Hunter Management Area is open to hunt only antelope in Hunt Areas 44 and 37 and white-tailed deer (on City of Laramie property ONLY) in Hunt Area 77 during the specific species season as published in the current Game & Fish Commission Regulations:

- **Archery Antelope Hunting Access:**
  - **Hunt Area 44 (Type 1 & 6 licenses)**
    - Unlimited number of permission slips will be issued for August 15 - September 14.
  - **Hunt Area 37 (Type 1 & 7 licenses)**
    - Unlimited number of permission slips will be issued for August 15 - September 19.
- **Firearms Antelope Hunting Access:**
  - **Hunt Area 44: (Type 1 & 6 licenses)**
    - Thirty (30) permission slips will be issued for September 15 – 30, and,
    - Unlimited number of permission slips will be issued for September 21 – October 31.
  - **Hunt Area 37: (Type 1 & 7 licenses)**
    - Fifteen (15) permission slips will be issued for September 20 - 30, and,
    - Fifteen (15) permission slips will be issued for October 1 - 14.
- **White-tailed Deer Hunting Access:**
  - **Hunt Area 77:**
    - Ten (10) permission slips will be issued for Oct. 1 – Dec. 31 (Type 3 licenses – any whitetail).
    - Ten (10) permission slips will be issued for Oct. 1 – Nov. 15 (Type 8 licenses – doe/fawn only).
    - Fifteen (15) permission slips will be issued for December 1 – 31 (Type 8 licenses – doe/fawn only).
- Each hunter must have a **permission slip** and a **vehicle pass** to the specific hunter management area and species they are hunting. **Anyone without Department permission shall be subject to trespass charges.**
  - Non-hunting/ non-permitted persons may assist in game retrieval on the HMA as long as they are accompanying a permitted hunter and do not possess a firearm.
  - **Persons may not scout or trespass** prior to their designated hunting access period!
  - One permission slip will allow a hunter with multiple licenses to hunt additional animals of the same species, provided the permission slip is less restrictive than the license (*IE, additional doe/fawn antelope licenses may be filled by a holder of a single "any" antelope permission slip, but a buck white-tailed deer may not be taken by a "doe/fawn" permission slip holder.*)
- **You may receive either a Monolith or a Spiegelberg Ranch HMA antelope permission slip, NOT BOTH.**
- Violation of Ranch Rules by a hunter will result in denial of their access permission to the Hunter Management Area in subsequent years.
- Hunters must maintain proper safety procedures regarding firearms. Hunters must maintain a no hunting or shooting zone within two hundred (200) yards of any building and around all other designated areas. All firearms shall be unloaded while in vicinity of all vehicles and buildings.
- **Hunters are urged to use lead-free ammunition on City of Laramie property.**
- Motorized travel is allowed on **designated roads ONLY**.
  - Roads open to vehicular travel will be marked with a white arrow.
- Use or construction of blinds is prohibited.
- No overnight camping or campfires are allowed. Do not litter. Close all gates behind you.
- Abide by all signs and posted areas. Do not shoot in the direction of livestock, buildings, roads, fences, windmills, stock tanks, or any object other than the animal you are hunting.
- Do not damage fences, range improvements, or harass livestock. Livestock has the right of way.
- **Report all wildlife violations by calling 1-877-WGFD-TIP (1-877-943-3847).** Future hunting opportunities depend on hunter compliance with all ranch rules as well as Game and Fish laws and regulations.
- If you harvest an animal on deeded land, deposit the landowner coupon in the drop box or mail to:

City of Laramie  
PO Box C  
Laramie, WY 82070

RJDB  
619 South 8<sup>th</sup>  
Laramie, WY 82070

Stephen Roberts  
PO Box 14  
Laramie, WY 82070



# Monolith Ranch Hunter Management Area



**Hunter Management Area rules apply only to those lands enrolled in the HMA.**

Whitetailed deer hunting is permitted only on City of Laramie property.

Only designated roads are open to motorized vehicles. Designated roads are marked with a departmental white arrow sign.

See Ranch Rules for more information.

This map is for visual use assistance and general location only; does not represent a survey, and is not to be used for legal conveyance. Hunt Area boundaries are approximate. consult Game and Fish Hunting Regulations for descriptions and restrictions.

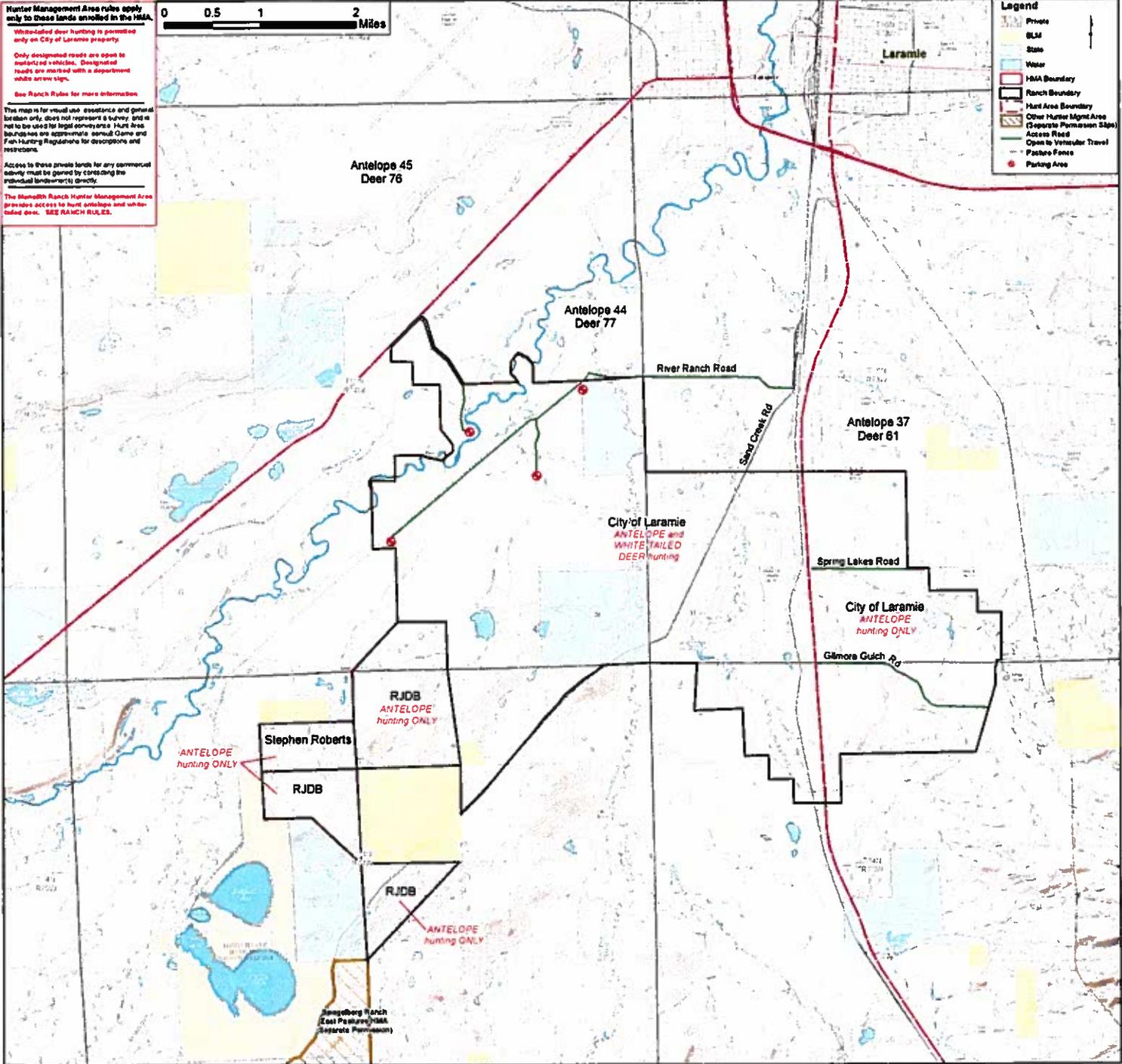
Access to these private lands for any commercial activity must be gained by contacting the individual landowner(s) directly.

The Monolith Ranch Hunter Management Area provides access to hunt antelope and whitetailed deer. SEE RANCH RULES.

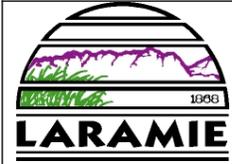


**Legend**

- Private
- BLM
- State
- Water
- HMA Boundary
- Ranch Boundary
- Hunt Area Boundary
- Other Hunter Mgmt Area (Separate Permission Slips)
- Access Road
- Open to Vehicular Travel
- Fences/Fence
- Parking Area



**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item:** Licensing

**Title:** Temporary use of Retail Liquor License No. 2, Literature & Libations, LLC in Albany County.

**Recommended Council MOTION:**

That City Council grant permission to Literature & Libations, LLC, dba Mulligans Pub, Retail Liquor License No. 2, to file an application for alcohol catering with Albany County Commissioners to locate their license at Libby Lodge in Albany County on July 16, 2016 from 4:00 pm to 12:00 am, for a private wedding reception.

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**Administrative or Policy Goal:**

To fulfill the legal requirements of the Wyoming State Liquor Laws.

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**Background:**

The City Clerk's Office received the attached Event Permit Application on June 28, 2016, which serves as Literature & Libations, LLC request to secure permission to file an application for catering alcohol with Albany County Commissioners.

Mulligans Pub is catering a private wedding reception at Libby Lodge in Albany County on July 16, 2016 from 4:00 pm to 12:00 am.

If approval of this request is granted by the City Council, Mulligans Pub's application with the Albany County Commissioners for an alcohol permit for this event will be considered. The permit fee will be paid by Mulligans Pub to Albany County.

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**Legal/Statutory Authority:**

As per Wyoming State Statute 12-4-502(d) “. . . Any applicant applying for a permit authorized by this section and having licensed premises located within a jurisdiction other than that jurisdiction that to which application is made, shall secure the written approval of the licensing authority of the jurisdiction in which the licensed premises are located prior to filing an application for a permit.”

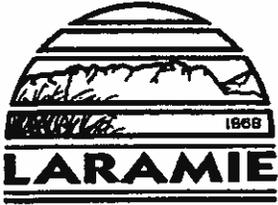
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**BUDGET/FISCAL INFORMATION: n/a**

**REVENUE: \$0.00**

**Responsible Staff:**

Angie Johnson, City Clerk



City of Laramie  
Special Events Permit Application

RECEIVED  
JUN 28 2016  
BY: [Signature]

The completed special events application must be submitted to the City Manager's Office or City Clerk's Office (if applying for an alcohol permit) at least fourteen (14) days prior to the event.

**Applicant Information**

Responsible party's name: Literature & Libations, LLC

Organization: Mulligans Pub

Address: 1115 South 3<sup>rd</sup> St Laramie, WY 82070

Home Phone: n/a Work Phone: (307) 745-9954 Cell: (307) 761-2331

E-mail mulliganspub1115@gmail.com

**Event Information**

Name of event: Frank Wedding

Person in charge of event: Tim Frank Phone: (719) 760-2924

Purpose of event (e.g. fund raiser): Wedding

Event location: Libby Lodge located west of Centennial

Description of event Wedding

Event date(s): July 16, 2016

Event time(s): Start: 4pm End: 12am

Set up begins: Date: July 16, 2016 Time 2pm

Estimated number of attendees: 100

- If more than 50 people in attendance, please contact the Fire Department, Prevention Officer at 721-5397.

Estimated number of vehicles: 60

Estimated number of floats, animals and structures which will be used 0

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Description of any sound equipment to be used: D.J. Booth

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Will vendors be present: ( x ) No ( ) Yes

Will the event be supervised: ( ) No ( x ) Yes

Will the Police Department need to be present: ( x ) N ( ) Y

- If yes, please contact the Laramie Police Department at 721-3547.

**Street Closures, Park Closures, Sidewalk Closures or No Parking Signs**

Please complete attached form if streets will be closed four (4) hours or more. Include detailed map of street and areas where "no parking" signs will be placed.

Streets, sidewalks or parks to be closed: N/A

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Traffic cones or barricades needed: ( x ) N ( ) Y

- If yes, contact the Street Division at 721-5277

Will any items be placed on the sidewalk: ( x ) N ( ) Y

- If yes, contact Engineering at 721-5250

**Food Service and /or Temporary Structures**

Will food be served: ( ) No ( x ) Yes

- If yes, contact the Environmental Health Specialist at 721-5283 for proper license.

Will a canopy, tent, air supported or inflated device be utilized at the event? ( ) No ( x ) Yes

- If yes, contact the Fire Department, Prevention Officer at 721-5397 for proper tent permit

**Clean Up Procedures**

Person or business responsible for clean up: Tim Frank

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Address: N/A

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Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Cell Phone: 719-760-2924

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E-mail: \_\_\_\_\_

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Date and time clean up will be completed: July 17, 2016

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**Alcohol**

If you are applying for an alcohol permit, you are required to contact the City Clerk's Office, 721-5220, for additional instructions.

Permit fees: \_\_\_\_\_ Malt Beverage: \$50.00/Day (Includes open container permit)  
 \_\_\_\_\_ Alcohol Catering Permit: \$50.00/Day (Includes open container permit and must be Licensed liquor dealer)  
\_\_\_\_\_ Open Container Permit for Special Events: \$25.00/Day

Name of applicant: Literature & Libations, LLC

Address: 1115 South 3<sup>rd</sup> St Daytime phone number: (307) 761-2331

Is alcohol being sold: ( ) No (  ) Yes

Alcohol beverages served/sold: Date(s): July 16, 2016 Time(s): 4pm-12am

Do you have property's owner permission for this event and to serve alcohol: ( ) No (  ) Yes

Who will be allowed to attend:

( ) Members Only (  ) Invited Guests ( ) Ticket Holders Only ( ) General Public ( ) Other: \_\_\_\_\_

How will this event be publicized: N/A

Type of alcohol being served/sold: (  ) Beer/Malt Beverages (  ) Liquor/Wine

Are minors allowed in the permitted area: ( ) No (  ) Yes

If yes, describe how you will ensure that alcoholic beverages will be consumed only by people 21 years or older:

TIPS trained management /staff will be onsite at all times carding

If no, how will they be kept out of the permitted area:

Will you be checking I.D's prior to dispensing alcohol: ( ) N (  ) Y

If no, please explain: \_\_\_\_\_

Are your servers trained in accordance with the requirements of LMC 5.09.105? ( ) N (  ) Y

Please explain how you plan to secure the area and inform guests that alcohol consumption must be kept in a designated area? DOOR SIGNS / VERBAL

Who will help supervise and check I.D's for the function (must be at least 21 years of age):

MANAGEMENT / OWNERS WILL BE ONSITE AT ALL TIMES

Please explain any additional fees or charges, including donations that will be occurring at the event:

N/A

Location for permit (Please include a building or area site plan map with measurements and description of dispensing room or area): \_\_\_\_\_

**All applicants please read the following statement and sign below:**

I understand and agree that right of entry by the City of Laramie Police Department to the above described event is granted upon approval of this permit. I have read and understand the application and agree to abide by the laws which regulate the dispensing and consumption of alcohol in the City of Laramie. I will post the open container permit sign issued to me by the City in a location so that it will be clearly visible to those in attendance.

Signature of Applicant: [Signature] Date: 6/23/16

Catering Permit Only:

Signature of Licensee: [Signature]  
Db: Mulligans Pub License Number: 2

Receipt #: \_\_\_\_\_

Permit #: \_\_\_\_\_

**Insurance**

I understand I will need to possess or obtain public liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the specified event. Insurance coverage is required as a condition of an event, and the City Manager shall determine the amount of insurance required, minimum of \$500,000, based upon the considerations routinely taken into account by the City in evaluating loss exposures, including, but not limited to, whether the event poses a substantial risk of damage or injury due to the anticipated number of participants, the nature of the event, the activities involved and the physical characteristics of the proposed site and activity. Such insurance shall name on the policy or by endorsement as additional insureds, the city, its officers, employees and agents.

*I understand and will comply with the conditions of this permit. If I fail to answer all questions completely and accurately, this permit will not be approved. I understand that an approved permit may be cancelled at the discretion of the City Manager's Office, Laramie Police Department, University of Wyoming Police Department, Parks and Recreation Department and Fire Department for failure to obey the terms of the permit*

Applicant Signature: [Signature] Date: 6/23/16

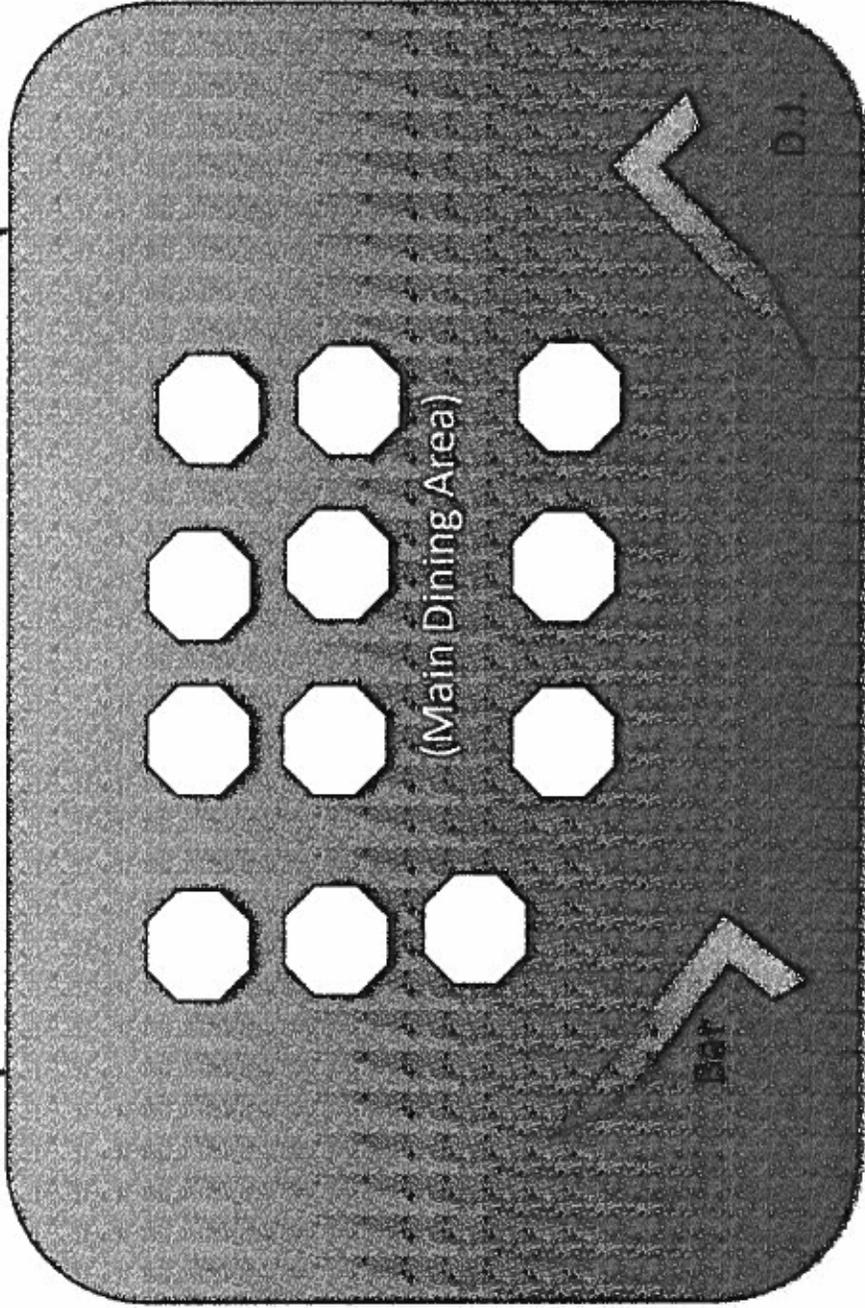
City Manager Signature: \_\_\_\_\_

Approved: \_\_\_\_\_ (Please See Disclaimer Below) Denied: \_\_\_\_\_

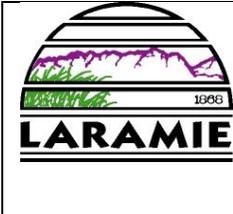
**Disclaimer:** Permission is granted to use public property at specified location on the date and time stipulated on this permit. This permit is issued with the understanding that the holder acknowledges that conflicts may arise which necessitate the revocation of this permit. Upon receiving such notification from the City, the permit holder may relocate event with City Approval.

LIBBY LODGE

-----FOOD SERVED ON PATIO-----



**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item:** Memorandum of Understanding

**Title:** Memorandum of Understanding between the City of Laramie and Leadership Laramie supporting the development and maintenance of a wayfinding structure and associated improvements located on City owned property at the intersection of Boswell Dr. and 3rd Street, Laramie, Wyoming.

**Recommended Council MOTION:**

I move that council approve the Memorandum of Understanding between the City of Laramie and Leadership Laramie supporting the development and maintenance of a wayfinding structure and associated improvements located on City owned property at the intersection of Boswell Dr. and 3<sup>rd</sup> Street and authorize the Mayor and Clerk to sign.

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**Administrative or Policy Goal:**

Council Goal: Strengthen relationships with other community partners. Designate 3<sup>rd</sup> Street from I-80 to Curtis Street as a critical beautification and walkability corridor for the community and pursue enhancements.

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**Background:**

At the May meeting of the Parks, Tree & Recreation Advisory Board Gustave Anderson and other members of the 2016 Leadership Laramie Class, a program of the Laramie Chamber Business Alliance, presented a concept (conceptual drawings attached) outlining the development of a wayfinding structure and general improvements at the intersection of Boswell Dr. and 3<sup>rd</sup> Street. The board voted to support the presented concept and directed staff to develop an MOU outlining the responsibilities of the parties associated with the project.

The MOU outlines the City’s responsibilities to modify the current irrigation system to provide for the installation of the wayfinding structure and associated amenities for the provision of water to associated plantings with the improvements, to provide overall project management, to review and approve, or recommend alternates to the landscape improvements associated with this project and to provide for maintenance and upkeep of the area, planting and wayfinding structure into perpetuity.

The MOU outlines Leadership Laramie’s responsibilities to supply all funding, materials and supplies for the creation of the wayfinding structure and associated improvements, to be responsible for the coordination of contractors, in-kind labor and City forces until the completion of this project, to provide all design and construction documents associated with the creation of the wayfinding structure to the City at the completion of this project, to ensure that any contractor performing work on this project signs and adheres to the Small Project Contract with Insurance and to ensure that any volunteers that assist with self-performed work on this project signs and adheres to the Volunteer Liability & Release Consent Form attached as Exhibit B.

The City of Laramie, Parks & Recreation Department is currently providing maintenance in the way of mowing, trimming, snow removal and upkeep of structures in this area. The improvements proposed by Leadership Laramie have been very well received by the Parks, Tree & Recreation Advisory Board and the Parks and Recreation Department and will not adversely affect the Department’s maintenance budget or operations.

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**Legal/Statutory Authority:**

N/A

**Budget/Fiscal Information:**

**Revenue:**

Source	Amount	Type
Fees/Charges for Service		
Grants for Projects		
Loans on Project		
Other	\$0.00	
<b>Total</b>	<b>\$0.00</b>	

**Expense:**

Proposed Project Cost.

Project Budget	Amount	Funds
Project Cost	\$15,000.00	Estimated for wayfinding/improvements.
Loans on Project		
Grants for Project		
Other/Outside Projects	\$14,750.00	Estimated fundraising/in-kind by Leadership Laramie
City's Amount	\$250.00	Estimated for irrigation modification.
Contingency     0%	\$0.00	
<b>Total Amount</b>	<b>\$15,000.00</b>	

Amount spent to date (approved and adopted by Council)

Budget	Amount	Funds
Total Budget Allocation		
Less Amount Spent to Date		
<b>Remainder of Budget</b>	<b>\$0.00</b>	

Proposed Cost (Approval of this item authorizes preparation of a budget revision for the proposed amount)

Expenditures	Amount	Fund
Proposed Expenditure		
Current Budget		
Additional Amount Requested		
<b>Total Proposed Budget</b>	<b>\$0.00</b>	

**Responsible Staff:**

Todd Feezer, Director, Parks & Recreation Department  
 (307) 721-5260, tfeezer@cityoflaramie.org

**Attachments:** Leadership Laramie and City MOU Boswell Improvements  
 Leadership Laramie MOU Conceptual Drawings

\_\_\_\_\_ City Manager    \_\_\_\_\_ City Attorney    \_\_\_\_\_ Choose an item.

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF LARAMIE, WYOMING AND LEADERSHIP LARAMIE**

1. **Parties.** This Memorandum of Understanding (hereinafter referred to as “Agreement”) is made and entered into this \_\_\_\_ day of July, 2016 by and between the City of Laramie, Wyoming, a municipal corporation (hereinafter referred to as “City”) whose address is 406 Iverson St., Laramie, Wyoming 82070 and Leadership Laramie (hereinafter referred to as “LEADERSHIP”) whose address is 800 South 3<sup>rd</sup> Street, Laramie, Wyoming 82070 (hereinafter collectively referred to as “Parties”).

2. **Purpose.** The purpose of this Agreement is for the Parties to develop and maintain a wayfinding structure and associated improvements located on City owned property at the intersection of Boswell Dr. and 3<sup>rd</sup> Street, Laramie, Wyoming. In consideration of matters described above, and the mutual benefits and obligations set forth in this agreement, the parties agree as follows.

3. **Term of Agreement and Required Approvals.** This Agreement is effective when all parties have executed it and all required approvals have been granted. The term of the Agreement is from the date of execution through June 30, 2017 unless otherwise terminated or extended as outlined herein.

4. **Consideration.** This Agreement is not expected to require the expenditure of any funds from one of the Parties of the other Party, but the mutual promises contained herein are acknowledged by the parties to be good and sufficient consideration.

5. **Responsibilities of City.** City is responsible for the following:

A. City shall modify the current irrigation system to provide for the installation of the wayfinding structure and associated amenities for the provision of water to associated plantings with the improvements.

B. City shall provide overall project management.

C. City shall review and approve, or recommend alternates to the landscape improvements associated with this project.

D. City shall provide for maintenance and upkeep of the area, planting and wayfinding structure into perpetuity.

6. **Responsibilities of LEADERSHIP.** LEADERSHIP is responsible for the following:

A. LEADERSHIP shall supply all funding, materials and supplies for the creation of the wayfinding structure and associated improvements.

B. LEADERSHIP shall be responsible for the coordination of contractors, in-kind labor and City forces until the completion of this project.

C. LEADERSHIP shall provide all design and construction documents associated with the creation of the wayfinding structure to the City at the completion of this project.

D. LEADERSHIP shall ensure that any contractor performing work on this project signs and adheres to the Small Project Contract with Insurance attached as Exhibit A.

E. LEADERSHIP shall ensure that any volunteer including members of LEADERSHIP that assist with self-performed work on this project signs and adheres to the Volunteer Liability & Release Consent Form attached as Exhibit B.

**7. Responsibilities of Parties.**

A. The Parties agree that the wayfinding structure and associated improvements shall remain open and accessible to the public at all times under the Laramie Municipal Code, chapter 12.48.010, closed areas.

**8. Special Provisions.**

**A. Insurance.**

(i) The City is a self-insured governmental entity and a member of a statutory self-insurance pool, Wyoming Association of Risk Management, with statutory limits for liability and such immunities from liability as are permitted by statute. Such liability coverage extends to its employees, agents and representatives as provided by the relevant statutes and it is intended that such coverage apply to all occurrences which may arise under this Agreement. All claims arising hereunder shall be processed as specified in Paragraph 8 of this document.

**B. Monitor Activities.** City shall have the right to monitor all related activities of LEADERSHIP and all subcontractors. This shall include, but not be limited to, the right to make site inspections at any time, to bring experts and consultants on site to examine or evaluate completed work or work in progress, and to observe all LEADERSHIP personnel in every phase of performance of related work on City property.

**C. Ownership of Documents/Work Product.** All documents, reports, records, field notes, materials, and data of any kind resulting from performance of this Agreement are at all times the property of the Parties.

**D. Indemnification.** Each of the parties in the Agreement shall assume the risk of any liability arising from its own conduct. Neither party agrees to insure, defend, or indemnify the other.

**E. Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of a third party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this Agreement shall operate only between the parties to this Agreement, and shall inure solely to the benefit of the

parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement.

**F. Governmental Claims.** The City does not waive its sovereign immunity or governmental immunity by entering into this MOU and fully retain all immunities and defenses provided by law with regard to any action based on this Agreement. Any actions or claims against either Party under this Agreement must be in accordance with and are controlled by the Wyoming Governmental Claims Act, W.S. 1-39-101 *et. seq.*

**G. Interpretation.** The Parties hereto agree that (i.) the laws of Wyoming shall govern this Agreement, and (ii.) any questions arising hereunder shall be construed according to such laws, (iii.) this Agreement has been negotiated and executed in the State of Wyoming and is enforceable in the courts of Wyoming.

**H. Termination.** Either party to this Agreement may terminate such by giving notice of not less than thirty (30) days in writing of official action that has been taken by the governing body of the party which terminates the Agreement.

**I. Publicity.** Any publicity given to the program or services provided herein including, but not limited to, notices, information, pamphlets, press releases, research, reports, signs, and similar public notices shall identify City and LEADERSHIP as the sponsoring agency and shall not be released without prior written approval from City and LEADERSHIP.

**J. Americans with Disabilities Act.** LEADERSHIP and City shall not discriminate against a qualified individual with a disability and shall comply with the Americans with Disabilities Act, P.L. 101-336, 42 U.S.C. 12101 *et seq.* and any properly promulgated rules and regulations related thereto.

**K. City Policies.** LEADERSHIP acknowledges familiarity with the City Policies as applicable to this contract and listed below:

(i). The City of Laramie seeks to integrate energy efficiency practices into all aspects of day-to-day operations, from capital construction to staff behaviors, to ensure economic and environmental sustainability. The City encourages bidder submissions that 1) enhance to efficiency of City projects and ongoing operations, and/or 2) consider all energy types, including traditional and renewable sources.

(ii). Preference is hereby given to materials, supplies, equipment, machinery and provisions produced, manufactured, supplied or grown in Wyoming, quality being equal to articles offered by competitors outside the State, as provided in W. S. §§ 16-6-101 through 16-6-119.

**L. Amendments.** Any changes, modifications, revisions or amendments to this Agreement which are mutually agreed upon by the parties to this Agreement shall be incorporated by written instrument, executed and signed by all parties to this Agreement.

**M. Force Majeure.** Neither party shall be liable for failure to perform under this Contract if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the party failing to perform immediately notifies the other party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays. This provision shall not be effective unless the failure to perform is beyond the control and without the fault or negligence of the nonperforming party.

**N. Entirety of Agreement.** This Agreement, consisting of five (5) pages represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.

**O. Liaison and Notice** City's and LEADERSHIP's Designated Representatives.

(i) City's designated representative is Todd Feezer, Parks & Recreation Director, P.O. Box C Laramie, WY 82073: telephone number: (307) 721-5260 and facsimile: (307) 721-5284 or his/her designee.

(ii) LEADERSHIP's representative is Gustave Anderson, 800 South 3<sup>rd</sup> Street, Laramie, Wyoming 82070: telephone number: (307) 760-9977 or his/her designee.

(iii) All notices and invoices required in this Agreement shall be in writing, properly addressed to the liaison above, and mailed first-class, postage prepaid. All notices sent via U.S. Postal Services are deemed effective on the date of postmark. Notices and invoices mailed through another carrier (e.g., UPS or FedEx) are effective upon receipt.

**INTENTIONALLY LEFT BLANK**

IN WITNESS WHEREOF, the Laramie City Council has caused this Memorandum of Understanding to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and LEADERSHIP has signed and executed this Agreement, the day and year first written above.

**CITY OF LARAMIE, WYOMING:**

By: \_\_\_\_\_  
David A. Paulekus, Mayor & President  
City Council, City of Laramie

Attest: \_\_\_\_\_  
Angie Johnson, City Clerk  
City of Laramie

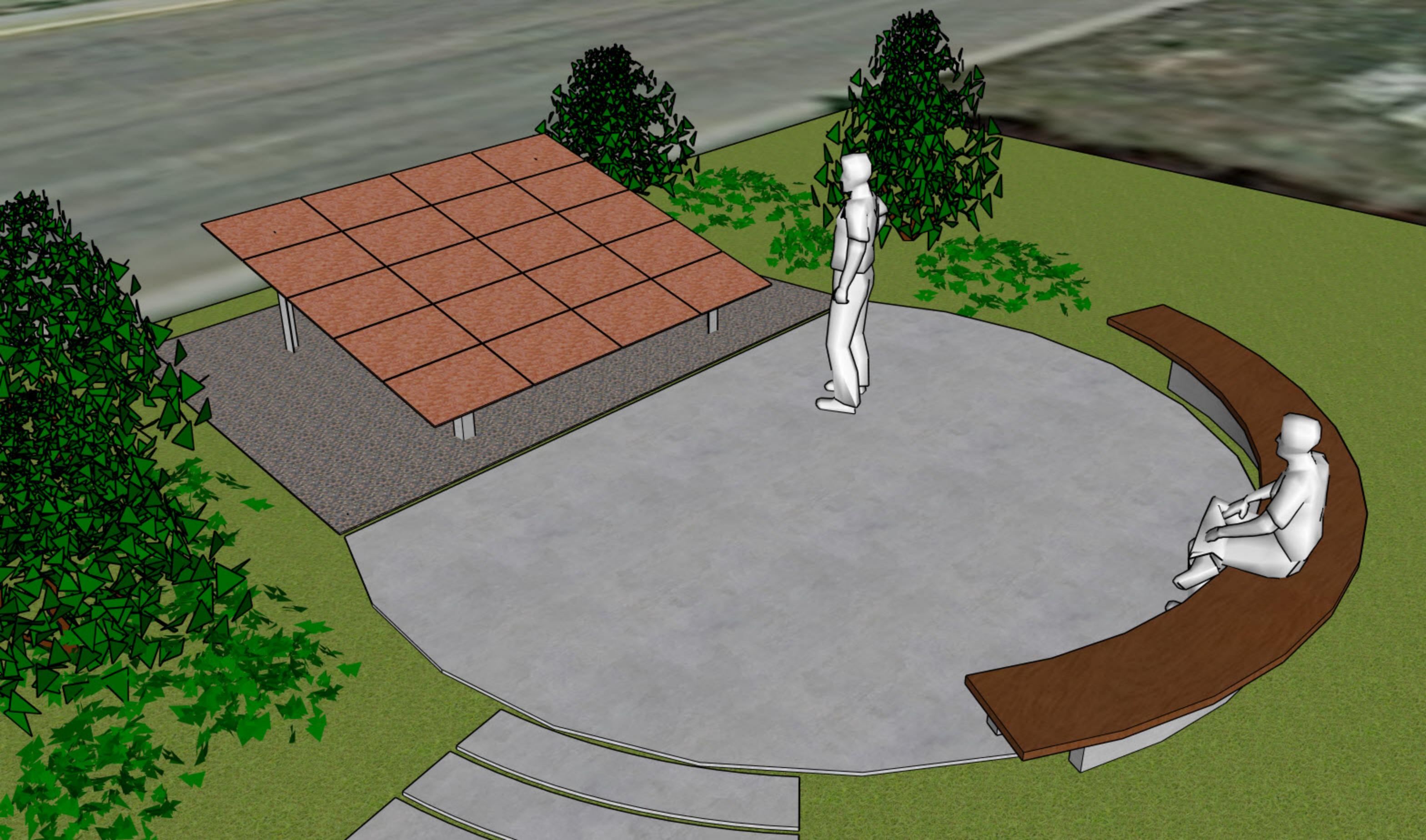
**LEADERSHIP LARAMIE:**

Recommended by:

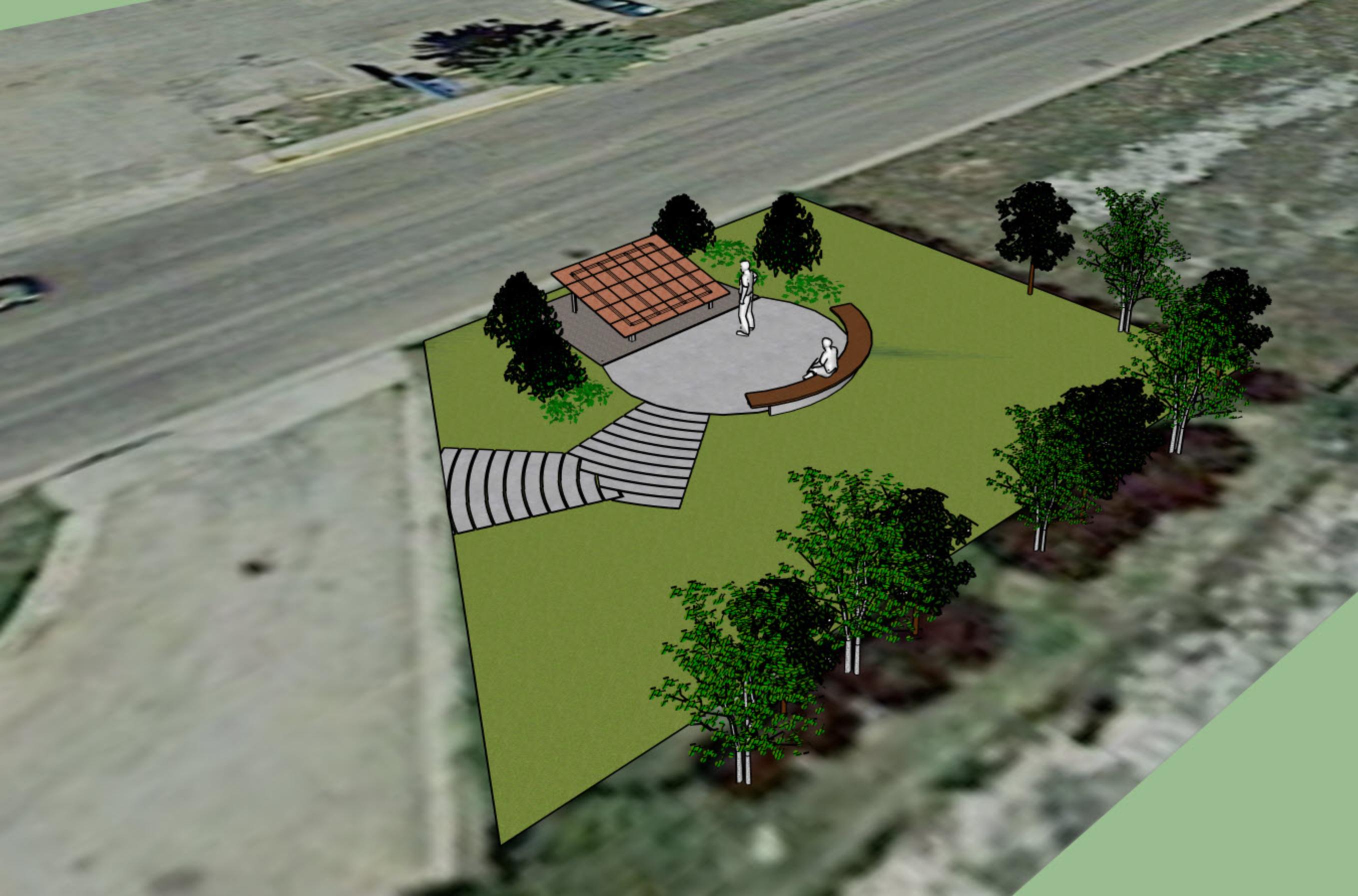
By: \_\_\_\_\_

Title: \_\_\_\_\_

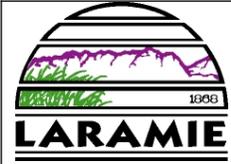
Witness: \_\_\_\_\_







**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item: Resolution**

**Title:** Resolution authorizing the City of Laramie, Wyoming to enact a Reimbursement Resolution to pay for Equipment Expenditures and seek reimbursement from proceeds of one or more tax-exempt leases

**Recommended Council MOTION:**

Move to Approve Resolution \_\_\_\_ authorizing the City of Laramie, Wyoming to enact a Reimbursement Resolution to pay for equipment expenditures and seek reimbursement from proceeds of one or more tax exempt leases through the biennium budget FY2016-FY2017 and FY2017-FY2018 and authorize the Mayor and Clerk to sign.

**Administrative or Policy Goal:**

The Finance department must bid and contract with banking authorities for lease purchases which can cause a time delay or timing issue with departments bidding and taking delivery of equipment.

**Background:**

Large equipment is often funded by a lease purchase agreement. The Finance department cannot issue a lease purchase without appropriate timing of the equipment (once bid and contracted). In order to seek lease purchases from banking authorities, the City requests bids for the best available rates. The City must then contract with the banking agency for the lease terms and conditions and seek council approval for the lease purchase contract. This usually takes about a month due to timing of Council meetings. This resolution will allow the City to pay the vendor and relieve the City Departments with constraints of lease purchase timing issues. This resolution allows the City to seek reimbursement from expenditures from lease proceeds after payment of the equipment.

We are recommending that you allow this proposal to be in place for the equipment schedule to be leased purchased for the biennium budget FY2016-FY2017 & FY2017-FY2018. This resolution will cover all funds leasing needs including Water, Wastewater, Major Capital, General Fund and E911. The resolution requires an amount to allow to lease to which we are recommending \$5,000,000 over the biennium for all funds. .

**Legal/Statutory Authority:**

W.S. 15-1-702, IRS Code 103

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Fees/Charges for Service		
Grants for Projects		
Loans on Project		
Other	\$5,000,000.00	Lease revenues pertaining to all funds
Total	\$5,000,000.00	

**EXPENSE**

Proposed Project Cost.

Project Cost		
Lease purchases	\$5,000,000.00	Lease Purchase Equip Expenditures - All Funds
Grants for Project		
Other/Outside Projects		
City's Amount		
Contingency	0%	\$0.00
Total Amount	\$0.00	Nets (cost of lease finance/ principal reimbursed)

Amount spent to date (approved and adopted by Council)

Budget	Amount	Funds
Total Budget Allocation		
Less Amount Spent to Date		
Remainder of Budget	\$0.00	

Proposed Cost (Approval of this item authorizes preparation of a budget revision for the proposed amount)

Expenditures	Amount	Fund
Proposed Expenditure		
Current Budget		
Additional Amount Requested		
Total Proposed Budget	\$0.00	

**Responsible Staff:**

Malea Brown, Administrative Services Director 721-5223

Attachments:

**RESOLUTION AUTHORIZING THE CITY OF LARAMIE, WYOMING TO ENACT A REIMBURSEMENT RESOLUTION TO PAY FOR EQUIPMENT EXPENDITURES AND SEEK REIMBURSEMENT FROM PROCEEDS OF ONE OR MORE TAX EXEMPT LEASES FOR THE BIENNIM FY2016-FY2017 AND FY2017-2018**

WHEREAS, the City of Laramie Wyoming (the “City”) may incur and pay from its General Fund, Utility Fund, Major Capital Fund, Solid Waste Fund, and E911 fund for certain expenditures (the “Expenditures”) including expenditures for the purpose of acquiring equipment or vehicles on behalf of the City as approved within the City’s budget.

WHEREAS, the City has an option to either lease with option to purchase with the vendor or use this Reimbursement Resolution to pay for the authorized equipment and seek reimbursement through a one or more tax exempt leases.

WHEREAS, the City reasonably expects to reimburse vehicle and equipment expenditures with the proceeds of one or more tax-exempt lease financings; and

WHEREAS, the Internal Revenue Service (the “IRS”) has issued regulations (the “Regulations”) under Section 103 of the Internal Revenue Code (the “Code”) clarifying when the allocation of the bond or lease proceeds to reimburse expenditures made by an entity will be treated as an expenditure of proceeds within the meaning of Section 103 of the Code; and

WHEREAS, to satisfy the IRS requirements with respect to the foregoing, the City desires to declare its “official intent” in compliance with the Regulations, to reimburse vehicle and equipment expenditures from proceeds of one or more tax exempt leases expected with a maximum principal amount \$5,000,000

THEREFORE, BE IT RESOLVED, that the City hereby declares its “official intent” to reimburse itself for the vehicle and equipment expenditures with a maximum principal amount of \$5,000,000 million by incurring lease obligations, the interest on which is excludable from gross income under Section 103 of the Code (the “Reimbursement Bonds”).

FURTHER RESOLVED, the City expects to pay lease payments on the leases from the appropriate fund revenues or investments of the City over the term of the respective lease obligations.

FURTHER RESOLVED, that all resolutions of the City inconsistent with these Resolutions are hereby repealed to the extent of such inconsistency and all actions of officers, agents and employees of the City which are furtherance of or in conformance with the purposes and intent of these Resolutions are hereby in all respects ratified, approved and confirmed.

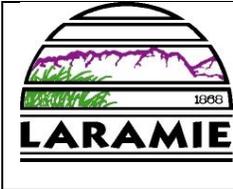
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF LARAMIE, WYOMING

\_\_\_\_\_  
David A. Paulekas, Mayor and President of the Laramie City Council

ATTEST:

\_\_\_\_\_  
Angie Johnson – City Clerk, City of Laramie



**Agenda Item:** Grant

**Title:** Application to the National Endowment for the Arts “Art Works” grant to implement artwork along the Cirrus Sky Trail.

**Recommended Council MOTION:**

I move that Council support the submission of a grant application to the National Endowment for the Arts for an “Art Works” grant, and authorize the Mayor and Clerk to sign.

**Administrative or Policy Goal:**

City Council Goal: Community Relations: Support the implementation of the Laramie Art Plan.

**Background:**

When the Laramie Art Plan was supported by the Laramie City Council through its adoption on September 1, 2015 a first step was completed on the path for Laramie to become the Cultural Capitol of Wyoming. The Plan sets forth a framework for implementing public art throughout the community using best practices and community driven policies.

The first grant supporting the creation of the Laramie Art Plan was from the NEA, and with that document in hand we are now seeking a grant to begin the implementation of a project in one of the City’s premier capital construction projects, the Cirrus Sky Trail.

The art work was designed as part of the construction documents to help minimize the cost of execution and the cost for the art work is broken down into the individual locations for installation. Using these costs for estimation and soon to be received bid amounts, staff anticipate pursuing a grant of up to \$50,000.00 depending upon funds that will be available for the match.

The NEA requires that the grant match be a 1:1 match for direct costs only, meaning that no trail costs can be utilized for the matching component. When bids are back and the amount of funds available for the match are established, the number and locations for the individual art pieces will be finalized along with the budget.

**Legal/Statutory Authority:**

N/A

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Grants for Projects	\$50,000.00	National Endowment for the Arts "Art Works" Grant
Local Matching Funds	\$50,000.00	Potential remaining project funding
<b>Total</b>	<b>\$100,000.00</b>	

**EXPENSE**

Proposed Project Cost.

Construction	\$100,000.00	This amount could be reduced depending on the award
Total Project Cost	\$100,000.00	Total estimated costs for all art work and installation cost

**Responsible Staff:**

Todd Feezer, Director, Parks & Recreation  
(307) 721-5260, [tfeezer@cityoflaramie.org](mailto:tfeezer@cityoflaramie.org)

Jodi Guerin, Recreation Manager, Parks & Recreation Department  
(307) 721-5259, [jguerin@cityoflaramie.org](mailto:jguerin@cityoflaramie.org)

**Attachments:** Art Works Grant Resolution

\_\_\_\_\_ City Manager    \_\_\_\_\_ City Attorney    \_\_\_\_\_ **Parks & Recreation**

**RESOLUTION 2016-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL ENDOWMENT FOR THE ARTS FOR FUNDING TO INSTALL ART ALONG THE CIRRUS SKY TRAIL AS DESIGNED IN CONSTRUCTION DOCUMENTS AND SPECIFIED IN THE LARAMIE ART PLAN.**

**WHEREAS**, in 2012/13, the City of Laramie, in partnership with the Laramie Beautification Committee, the Laramie Main Street Alliance and the University of Wyoming Art Museum, sought grants from the National Endowment for the Arts, the Wyoming Arts Council and the Wyoming Cultural Trust Fund to develop a community wide strategic plan for public art; and

**WHEREAS**, the project was in response to a growing demand for art in public spaces as well as recognition that a plan to guide the acquisition and placement allows the artwork to enhance community appearance and economic development; and

**WHEREAS**, the Plan specified that the City of Laramie should seek to include the design of art in the development of public works projects in order to maximize public resources and increase the locations considered for public art; and

**WHEREAS**, on September 1, 2015 the Laramie City Council adopted the Laramie Art Plan and expressed support for its implementation; and

**WHEREAS**, as a result of Council support, the Cirrus Sky Trail was designed with art work located along look-out points on the trail to enhance the pedestrian walkway and reflect the materials and landscape components indigenous to the Laramie area; and

**WHEREAS**, funds available for the project are likely to fall short of amounts sufficient to build the art pieces as designed; and

**WHEREAS**, the completion of a public art plan puts Laramie in a good position with the sponsoring agency to be considered favorably for funding a project following the guidance and framework of the plan; and

**WHEREAS**, the Parks, Tree and Recreation Advisory Committee met on June 8<sup>th</sup>, 2016 to review and consider a resolution supporting the submission of an application and after discussion and consideration they unanimously approved a resolution recommending adoption to the Laramie City Council;

**NOW THEREFORE THE CITY COUNCIL OF LARAMIE, WYOMIING, RESOLVES:**

**SECTION 1.** That the foregoing recitals are incorporated in and made part of this resolution by this reference.

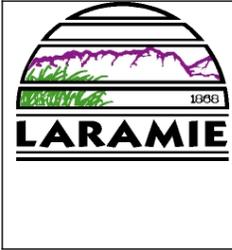
**SECTION 2.** That the Laramie City Council supports the application of a grant to the NEA for implementation of the art specified for the Cirrus Sky Trail.

**PASSED, APPROVED, AND ADOPTED THIS 5th day of July 2016.**

\_\_\_\_\_  
David A. Paulekas, Mayor and President of  
the Laramie City Council

ATTEST: \_\_\_\_\_  
Angela Johnson, MMC  
City Clerk

**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item:** Professional Services Agreement

**Title:** An amendment to the agreement for professional services between the City of Laramie and Fremont Electric, Inc. for electrical repair and installation services for City owned facility electrical systems and equipment.

**Recommended Council MOTION:**

I move that Council approve amendment number one to the agreement for professional services between the City of Laramie and Fremont Electric, Inc. for electrical repair and installation services for City owned facility electrical systems and equipment for a two-year period and authorize the Mayor and Clerk to sign.

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**Administrative or Policy Goal:**

Department Objective: Continue to integrate energy efficiency practices and procedures into all aspects of our operations, from capital construction to continuing maintenance and environmental/custodial services.

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**Background:**

Until June 2014, the City had been utilizing several different local electrical contractors to provide electrical repair and installation services for City owned electrical systems. The vast majority of the electrical contractor calls are for potential emergency electrical repairs. The City’s purchase policy requires that multiple written quotes be obtained for purchases that involve materials and labor. With that being the case, occasionally potential emergency electrical repairs were un-intentionally delayed while obtaining written quotes to complete the work.

The Facilities Management staff believed that a professional services agreement with an electrical contractor vetted through the Request for Qualifications (RFQs) process would eliminate the delays in emergency repairs, therefore saving City staff time and operational efficiencies. The RFQ submittals stipulated set hourly labor rates and discounted parts markup remain constant for a two-year period, and that emergency call response time must be within one (1) hour. Requests for Qualifications for Electrical Repair and Service were legally advertised and sent out to six (6) local electrical contractors in March of 2014. Council approved a professional services agreement with Fremont Electric in June 2014.

The agreement with Fremont Electric expires in June 2016 so Requests for Qualifications for Electrical Repair and Service were legally advertised and sent out to six (6) local electrical contractors in May of 2016. Only one submittal, from Fremont Electric, was received. Normally with the RFQ process a committee of City staff, representing four (4) different divisions/departments would review and evaluate the qualifications received and determined the contractor that best fit the needs of the City of Laramie. Because only one qualification was received, the committee, that was formed to evaluate the 2014 proposals, was polled regarding Fremont Electric’s performance under the 2014 contract, and whether or not they felt that the contract should be extended. The staff unanimously recommended that the current agreement with Fremont Electric for Electrical Service and Installation be extended.

Fremont Electric’s submittal included a schedule of values for hourly labor costs for both normal working hours, and after hours/weekends, and a discounted parts/materials rate. This schedule of values reflected no increase from the 2014 contract.

The attached amendment number one to the professional services agreement extends the term of the agreement for a period of two years, beginning on July 5, 2016 through June 30, 2018.

**BUDGET/FISCAL INFORMATION:**

**EXPENSE**

Proposed Project Cost.

Project	Amount	Funds
Project Cost	\$38,000.00	This amount is approximate and represents the average annual expense of contracted electrical work City wide.
Loans on Project		
Grants for Project		
Other/Outside Projects		
City's Amount	\$38,000.00	
Contingency		
Total Amount	\$38,000.00	

**Responsible Staff:**

Todd Feezer, Parks and Recreation Director at 721-5260 or Scott Stevenson, Facilities Maintenance Manager at 721-3585

\_\_\_\_\_ City Manager    \_\_\_\_\_ City Attorney    \_\_\_\_\_ **Parks & Recreation**

**AMENDMENT NUMBER ONE  
TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF LARAMIE, WYOMING AND  
FREMONT ELECTRIC, INC. FOR ELECTRICAL REPAIR AND  
INSTALLATION SERVICES**

**1. Parties.** This Amendment is made and entered into this \_\_\_\_ day of July, 2016 by and between the City of Laramie, Wyoming, a Wyoming municipal corporation (hereinafter referred to as “City”), whose address is 406 Ivinson Street, Laramie, Wyoming 82070 and Fremont Electric, Inc., (hereinafter referred to as “Contractor”), whose address is 910 South Adams Street, Laramie, Wyoming 82070.

**2. Purpose of Amendment.** This Amendment shall constitute the first amendment to the Original Agreement between City and Contractor which was duly executed on the 3<sup>rd</sup> day of June, 2014 for contractor to provide professional electrical repair and installation services on facility electrical systems owned by the City of Laramie. In consideration of the matters described above, and of the mutual benefits and obligations set forth in this Contract, the parties agree as follows:

**3. Additional Terms of Agreement.** It is mutually agreed by and between the parties to revise the following paragraphs in the Original Contract to read as follows.

**3. Term of Contract.** The term of the Contract is from the date of execution of this Contract through June 30, 2018. The term of this Contract may be extended through mutual agreement of the parties by the amount of time caused by any delays in the work, which were caused through no fault of Contractor.

**4. Same Terms and Conditions.** With the exception of items explicitly delineated in this Amendment, all terms and conditions of the Original Contract between the City and Contractor shall remain unchanged and in full force and effect.

**5. Entirety of Amendment.** This Amendment, consisting of two (2) pages presents the entire and integrated Amendment between the parties and supersedes all prior negotiations, representation, and agreements, whether written or oral concerning the subject hereof.

**INTENTIONALLY LEFT BLANK**

**IN WITNESS WHEREOF**, the Laramie City Council has caused this Agreement to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and Contractor has signed and executed this Agreement, the day and year first written above.

**CITY OF LARAMIE, WYOMING:**

By: \_\_\_\_\_  
David A. Paulekas, Mayor & President  
City Council, City of Laramie

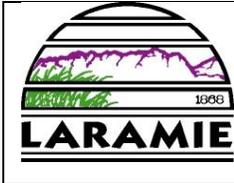
Attest: \_\_\_\_\_  
Angie Johnson, City Clerk  
City of Laramie

**FREMONT ELECTRIC, INC.:**

By: \_\_\_\_\_

Attest: \_\_\_\_\_  
Witness

**CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016**



**Agenda Item: Agreement**

**Title: Maintenance Agreement Between the City of Laramie, Wyoming and White Family/Laramie Property, LLC for maintenance of a hydrodynamic separator at a property located at 3609 Grand Avenue.**

**Recommended Council MOTION:**

Move to **approve** the Maintenance Agreement between the City of Laramie, Wyoming and White Family/Laramie Property, LLC for maintenance of a hydrodynamic separator at a property located at 3609 Grand Avenue. and authorize the Mayor and Clerk to sign the Agreement.

**Administrative or Policy Goal:**

Completion of this agreement was a required condition of approval for an approved Variance (VAR-15-04).

**Background:**

On July 27, 2015 the Laramie Planning Commission approved a Variance (VAR-15-04) related to the expansion of the display lot for White’s University Motors, located at 3609 Grand Avenue. One of the Conditions of Approval was the following:

“3. The maintenance schedule for the hydrodynamic separator shall be followed as recommended by the manufacturer. The hydrodynamic separator shall remain in good working order and be functioning at all times as long as the property is in use or occupied by any user or owner. The property owner shall maintain records of the maintenance and shall provide copies of all maintenance records to the City, including any indication of contamination. This requirement shall be memorialized within a maintenance agreement with the City at the Site Plan approval stage.”

The hydrodynamic separator is an engineering method used to separate contaminants from stormwater, such as hydrocarbons (oil and gas), by passing water through a sand/gravel filter, before releasing back into the natural water system.

The attached maintenance agreement fulfills this requirement for the applicant and allows them to continue with the Site Plan Review application process which is currently under review.

**Responsible Staff:**

Derek T. Teini, AICP, Principal Planner,  
721-5245

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	
Pub. Hearing Advertised	
Introduction/1 <sup>st</sup> Reading	July 5, 2016
2 <sup>nd</sup> Reading	
3 <sup>rd</sup> Reading	

Attachments: Maintenance Agreement

**MAINTENANCE AGREEMENT  
BETWEEN  
THE CITY OF LARAMIE, WYOMING AND  
WHITE FAMILY/LARAMIE PROPERTY, LLC**

This Agreement dated the \_\_\_ day of \_\_\_\_\_, 2016 between the City of Laramie, a municipal corporation (hereinafter referred to as the “City”), whose address is City Hall, 406 Ivinson Street, Laramie, Wyoming 82072, and White Family/Laramie Property, LLC, a Wyoming close limited liability company (hereinafter referred to as “White”), whose address is 3609 East Grand, Laramie WY.

WHEREAS, on July 27, 2015 White was granted a variance to expand their display lot and operate a motor vehicle dealership at 3609 East Grand, Laramie, WY legally described as Upland Heights Block 3, Lot 2 and part of Lot 1.

WHEREAS, one of the conditions of the variance is that White maintain a hydrodynamic separator, which has already been installed by White at its dealership location, in the manner recommended by the manufacturer (hereinafter referred to as the “Separator”), the manufacturer and specifications of which are identified on Exhibit A, attached hereto and made an integral part of this Agreement and that consist of pages 6 through 9, inclusive.

Therefore, the City and White agree as follows:

1. This Agreement binds the City and White, their respective successors and assigns, to the maintenance provisions depicted in this Agreement. White acknowledges that the variance for the expansion is conditioned on the continued maintenance of the Separator and that such variance may be terminated, subject to the terms and conditions of this Agreement, by the City if this Agreement is not followed by White. Whenever White is mentioned in this Agreement, “White” shall include its successors and assigns.

2. White shall maintain the Separator in the manner recommended by the manufacturer, which recommendations are set forth on Exhibit A, attached hereto and made an integral part of this Agreement. The City acknowledges that the maintenance of the Separator under this Agreement may be performed by an independent contractor hired by, for and on behalf of White. The Separator shall be maintained to operate in good working order, reasonable wear and tear excepted, and, except as otherwise herein provided, shall be functioning at all reasonable times so long as the property is in use or occupied; provided, however, that the City understands and agrees that the Separator may have to be shut down and not be operable during reasonable periods of time for repair, maintenance and replacement. White shall maintain records of all maintenance done on the Separator and shall provide the City, or cause its independent contractor to provide the City, with copies of all maintenance records within three business days of a written request therefore by the City.

3. White shall be responsible for all expenses related to the maintenance of the Separator.

4. White shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the Separator except in accordance with written approval of the City, which approval shall not be unreasonably withheld, delayed or conditioned.

5. White shall undertake, or cause to be undertaken, necessary repairs, maintenance and replacement of the Separator at the direction of the City provided that such repairs, maintenance and/or replacement are in accordance with the recommendations of the manufacturer and are necessary to maintain the Separator in good working order, reasonable wear and tear excepted.

6. This Agreement shall be recorded with the Albany County Recorder for the above described property; provided, however, that upon termination of this Agreement, the City shall record an appropriate document that evidences such termination and releases White's obligations hereunder.

7. White hereby grants the City an exclusive license to enter upon the property at any reasonable time or times following reasonable notice to White for the purpose of periodic inspection by the City to ensure that the Separator is maintained in accordance with the terms of this Agreement.

8. If the City reasonably determines that White has failed to maintain the Separator in accordance with this Agreement or White has failed to undertake corrective action specified by the City in writing within a reasonable time, in each case after giving to White written notice of such failure and a reasonable time to cure such failure, the City is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the Separator and the cost of any work performed plus an administrative fee of 20% shall be charged to White.

9. Notwithstanding anything contained in this Agreement to the contrary, if White is unable to perform its obligations under this Agreement as a result of the occurrence of an Event of Force Majeure (as hereinafter defined), White shall have a reasonable time in which to cure such default provided such curative action is pursued diligently and in good faith by White. For purposes of this Agreement, the term "Event of Force Majeure" shall mean (i) an act of God, (ii) war, (iii) act of terrorism, commotion, fire or other casualty, (iv) flood, (v) extreme weather conditions, (vi) labor difficulties, (vii) shortages of labor, materials, parts or equipment or (viii) other causes beyond the reasonable control of White, its independent contractors, agents, suppliers and employees.



**WHITE FAMILY/LARAMIE PROPERTY, LLC:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF ALBANY    )

The foregoing instrument was acknowledged before me by \_\_\_\_\_  
this \_\_\_\_ day of \_\_\_\_\_, 2016.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

My commission expires:

# EXHIBIT A



## CDS® Inspection and Maintenance Guide

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## Maintenance

The CDS system should be inspected at regular intervals and maintained when necessary to ensure optimum performance. The rate at which the system collects pollutants will depend more heavily on site activities than the size of the unit. For example, unstable soils or heavy winter sanding will cause the grit chamber to fill more quickly but regular sweeping of paved surfaces will slow accumulation.

## Inspection

Inspection is the key to effective maintenance and is easily performed. Pollutant transport and deposition may vary from year to year and regular inspections will help ensure that the system is cleaned out at the appropriate time. At a minimum, inspections should be performed twice per year (e.g. spring and fall) however more frequent inspections may be necessary in climates where winter sanding operations may lead to rapid accumulations, or in equipment washdown areas. Installations should also be inspected more frequently where excessive amounts of trash are expected.

The visual inspection should ascertain that the system components are in working order and that there are no blockages or obstructions in the inlet and separation screen. The inspection should also quantify the accumulation of hydrocarbons, trash, and sediment in the system. Measuring pollutant accumulation can be done with a calibrated dipstick, tape measure or other measuring instrument. If absorbent material is used for enhanced removal of hydrocarbons, the level of discoloration of the sorbent material should also be identified during inspection. It is useful and often required as part of an operating permit to keep a record of each inspection. A simple form for doing so is provided.

Access to the CDS unit is typically achieved through two manhole access covers. One opening allows for inspection and cleanout of the separation chamber (cylinder and screen) and isolated sump. The other allows for inspection and cleanout of sediment captured and retained outside the screen. For deep units, a single manhole access point would allow both sump cleanout and access outside the screen.

The CDS system should be cleaned when the level of sediment has reached 75% of capacity in the isolated sump or when an appreciable level of hydrocarbons and trash has accumulated. If absorbent material is used, it should be replaced when significant discoloration has occurred. Performance will not be impacted until 100% of the sump capacity is exceeded however it is recommended that the system be cleaned prior to that for easier removal of sediment. The level of sediment is easily determined by measuring from finished grade down to the top of the sediment pile. To avoid underestimating the level of sediment in the chamber, the measuring device must be lowered to the top of the sediment pile carefully. Particles at the top of the pile typically offer less resistance to the end of the rod than consolidated particles toward the bottom of the pile. Once this measurement is recorded, it should be compared to the as-built drawing for the unit to determine whether the height of the sediment pile off the bottom of the sump floor exceeds 75% of the total height of isolated sump.

## Cleaning

Cleaning of a CDS system should be done during dry weather conditions when no flow is entering the system. The use of a vacuum truck is generally the most effective and convenient method of removing pollutants from the system. Simply remove the manhole covers and insert the vacuum hose into the sump. The system should be completely drained down and the sump fully evacuated of sediment. The area outside the screen should also be cleaned out if pollutant build-up exists in this area.

In installations where the risk of petroleum spills is small, liquid contaminants may not accumulate as quickly as sediment. However, the system should be cleaned out immediately in the event of an oil or gasoline spill should be cleaned out immediately. Motor oil and other hydrocarbons that accumulate on a more routine basis should be removed when an appreciable layer has been captured. To remove these pollutants, it may be preferable to use absorbent pads since they are usually less expensive to dispose than the oil/water emulsion that may be created by vacuuming the oily layer. Trash and debris can be netted out to separate it from the other pollutants. The screen should be power washed to ensure it is free of trash and debris.

Manhole covers should be securely seated following cleaning activities to prevent leakage of runoff into the system from above and also to ensure that proper safety precautions have been followed. Confined space entry procedures need to be followed if physical access is required. Disposal of all material removed from the CDS system should be done in accordance with local regulations. In many jurisdictions, disposal of the sediments may be handled in the same manner as the disposal of sediments removed from catch basins or deep sump manholes.



CDS Model	Diameter		Distance from Water Surface to Top of Sediment Pile		Sediment Storage Capacity	
	ft	m	ft	m	yd3	m3
CDS2015-4	4	1.2	3.0	0.9	0.9	0.7
CDS2015	5	1.5	3.0	0.9	1.3	1.0
CDS2020	5	1.5	3.5	1.1	1.3	1.0
CDS2025	5	1.5	4.0	1.2	1.3	1.0
CDS3020	6	1.8	4.0	1.2	2.1	1.6
CDS3030	6	1.8	4.6	1.4	2.1	1.6
CDS3035	6	1.8	5.0	1.5	2.1	1.6
CDS4030	8	2.4	4.6	1.4	5.6	4.3
CDS4040	8	2.4	5.7	1.7	5.6	4.3
CDS4045	8	2.4	6.2	1.9	5.6	4.3
CDS5640	10	3.0	6.3	1.9	8.7	6.7
CDS5653	10	3.0	7.7	2.3	8.7	6.7
CDS5668	10	3.0	9.3	2.8	8.7	6.7
CDS5678	10	3.0	10.3	3.1	8.7	6.7

Table 1: CDS Maintenance Indicators and Sediment Storage Capacities



**Support**

- Drawings and specifications are available at [www.contechstormwater.com](http://www.contechstormwater.com).
- Site-specific design support is available from our engineers.

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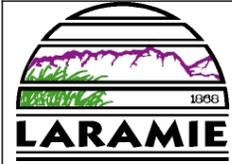
The product(s) described may be protected by one or more of the following US patents: 5,322,629; 5,624,576; 5,707,527; 5,759,415; 5,788,848; 5,985,157; 6,027,639; 6,350,374; 6,406,218; 6,641,720; 6,511,595; 6,649,048; 6,991,114; 6,998,038; 7,186,058; 7,296,692; 7,297,266; 7,517,450 related foreign patents or other patents pending.

cdsMaintenance 11/14

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**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item: Agreement**

**Title: Letter of Agreement between the City of Laramie, Laramie Main Street Alliance and the Wyoming Main Street Program**

**Recommended Council MOTION:**

I move to approve the agreement for a one year period between the City of Laramie, Laramie Main Street Alliance and the Wyoming Main Street Program detailing the responsibilities of each entity to implement the Wyoming Main Street Program in the City of Laramie, Wyoming, to promote the revitalization of the designated downtown Main Street district and authorize the Mayor and City Clerk to sign.

---

**Administrative or Policy Goal:**

Support the economic vitality of the historic downtown business district through implementation of the Main Street Program.

---

**Background:**

In 2005, Laramie became a Main Street community through the Main Street Program initiated by the State of Wyoming and the Wyoming Main Street Program.

This program assists promotion of downtown through the comprehensive revitalization strategy following the Main Street Four-Point Approach™ established by the National Main Street Center. Standing committees in the area of Organization, Promotion, Design and Economic Restructuring are maintained.

Laramie Main Street Alliance continues being successful in promoting and enhancing downtown Laramie through implementation of the 4 point program. The City continues to support LMSA and fulfill the requirements outlined in Section 1 of the agreement as to the City's responsibilities.

There will be no additional costs incurred by the City through this agreement. The City's fee for service contract recently provided \$40,000 annually to LMSA.

---

**Legal/Statutory Authority:**

---

**Responsible Staff:**

David M Derragon    721-5304

Attachments: Agreement

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE WYOMING BUSINESS COUNCIL,  
THE CITY OF LARAMIE AND  
LARAMIE MAIN STREET ALLIANCE

1. **Parties.** The parties to this Memorandum of Understanding (MOU) are the Wyoming Business Council (Council) whose address is: 214 W. 15<sup>th</sup> Street, Cheyenne, WY 82002, the City of Laramie (City), whose address is: 40 Ivinson Street, Laramie, WY 82070, and the Laramie Main Street Alliance (Local Program), whose address is: 207 Grand Avenue, Laramie, WY 82070.
2. **Purpose.** The purpose of this MOU is to implement the Wyoming Main Street Program in the City of Laramie, Wyoming, to promote the revitalization of the designated downtown Main Street district of the City.
3. **Term of MOU.** This MOU shall commence upon the day and date last signed and executed by the duly authorized representatives of the parties to this MOU and shall terminate December 31, 2017. This MOU may be terminated, without cause, by either party upon thirty (30) days written notice, which notice shall be delivered by hand or by certified mail.
4. **Payment.** No payment shall be made to either party by the other party as a result of this MOU.
5. **Responsibilities of Council.**
  - A. Serve as the state-wide program coordinator for the Main Street program, also known as Wyoming Main Street. Council will maintain a working partnership with the National Main Street Center.
  - B. Provide technical assistance to the Local Program according to its needs, as funds are available, according to the Program Guidelines as described in Attachment A.
  - C. Attend interviews, at the request of the Local Program, for the Local Program's Manager position whenever the position is open.
  - D. Organize and conduct a manager training orientation for new Main Street managers. This session will be conducted by Council staff.
  - E. Organize and conduct training for board members, committee members, Main Street managers, and community volunteers, providing comprehensive training on the content and methodology of the Main Street program at the local level.
  - F. Provide the Wyoming Main Street and the Main Street America logos electronically to the Local Program for use in printed publications. Logos must be used only in

conjunction with the celebration and promotion of Main Street. The style of the logos must not be modified in any way. The logos should be presented in either original colors, or black and white.

- G. Provide an annual funding allocation to the Local Program to help send its Manager, board and committee members, and volunteers to the annual National Main Street Conferences and Best Practices Workshops as funds are available. These funds must be applied for by the Local Program as part of the annual Technical Assistance funding. These funds are only available to communities that are in compliance with this Memorandum of Understanding.

6. **Responsibilities of the City.**

- A. Designate the Local Program as the local Main Street organization which shall be responsible for the implementation of Wyoming Main Street goals and objectives.
- B. Promote economic revitalization of those portions of the City's downtown which are within the Local Program's District through the preservation and rehabilitation of its historic buildings and through such other and further measures as determined to be appropriate by the Wyoming Main Street.

7. **Responsibilities of the Local Program.**

- A. Maintain an active volunteer Board of Directors representing downtown stakeholders, including representatives of downtown business and property owners and other community entities, to oversee the continuing development of the Local Program for the term of this MOU.
- B. Commit to actively participate in the Wyoming Main Street program including, but not limited to, maintaining an operating budget. The Board of Directors will be the primary fundraisers for the Local Program's basic operating budget. All communities must designate a representative to be the lead and contract for the program.
  - i. For Certified communities, the operating budget must include necessary staff, travel and operating expenses. A Local Manager/Director must be employed for the day-to-day responsibilities of program administration. The Board shall develop a job description setting forth the administrative responsibilities.
- C. Implement a comprehensive revitalization strategy following the Main Street Four-Point Approach™ established by the National Main Street Center. The Four-Points (Organization, Promotion, Design and Economic Vitality) should be utilized for program stability. An annual work plan using the four-point approach must also be developed and submitted to Wyoming Main Street annually.

- D. Submit monthly reinvestment reports to Wyoming Main Street that track key performance measures and progress of the Local Program. The monthly reinvestment reports shall describe downtown improvements, local economic data, local volunteer utilization and the progress of technical assistance projects. Reports are due on the 15<sup>th</sup> of each month following the reported month.
- E. Provide Wyoming Main Street with copies of all published materials relating to the Local Program.
- F. Have the Local Manager/Director/Representative participate, as requested by Wyoming Main Street, in all required training sessions.
- G. Promote and encourage board member and volunteer attendance at local, state and national training opportunities, as identified by Wyoming Main Street. Attendance minimums at on-site presentations may be set by Wyoming Main Street in advance.
- H. Complete an annual review as directed by Wyoming Main Street.
- I. The Local Program will illustrate the acknowledgement of the receipt of the Wyoming Main Street's services by crediting its participation, and as a beneficiary of, the statewide program through the appropriate methods (i.e., printed acknowledgement in public notices, press releases, project signs, publications, verbal recognition at public meetings, etc.).
- J. The Local Program will maintain an active membership in the National Main Street Center.
- K. Return all Wyoming Main Street signs to the Council if the Local Program withdraws from the Main Street program or no longer fulfills the requirements of the Program Guidelines.

8. **General Provisions.**

- A. **Amendments.** Either party may request changes in this MOU. Any changes, modifications, revisions, or amendments to this MOU which are mutually agreed upon by the parties to this MOU shall be incorporated by written instrument, executed and signed by all parties to this MOU.
- B. **Applicable Law.** The construction, interpretation, and enforcement of this MOU shall be governed by the laws of the State of Wyoming. The courts of the State of Wyoming shall have jurisdiction over any action arising out of this MOU and over the parties, and the venue shall be the First Judicial District, Laramie County, Wyoming.

- C. **Entirety of Agreement.** This MOU, consisting of five pages (5) and Attachment A, consisting of three (3) pages represent(s) the entire and integrated agreement between the parties and supersede(s) all prior negotiations, representations and agreements, whether written or oral.
- D. **Prior Approval.** This MOU shall not be binding upon either party unless this MOU has been reduced to writing before performance begins as described under the terms of this MOU, and unless this MOU is approved as to form by the Attorney General or his representative.
- E. **Severability.** Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and the parties may renegotiate the terms affected by the severance.
- F. **Sovereign Immunity.** The State of Wyoming, Council, and the City do not waive sovereign or governmental immunity by entering into this MOU, and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.
- G. **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties, and obligations contained in this MOU shall operate only between the parties to this MOU and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU.

**THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK**

9. **Signatures.** The parties to this MOU, through their duly authorized representatives, have executed this MOU on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOU is the date of the signature last affixed to this page.

**WYOMING BUSINESS COUNCIL**

\_\_\_\_\_  
Thomas Johnson, Chief Performance Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Molly Spangler, Director  
Investment Ready Communities Division

\_\_\_\_\_  
Date

**CITY OF LARAMIE**

\_\_\_\_\_  
Dave Paulekas, Mayor

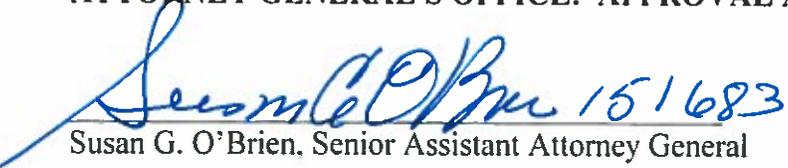
\_\_\_\_\_  
Date

**LARAMIE MAIN STREET ALLIANCE**

  
\_\_\_\_\_  
Jodi Shea, Chair

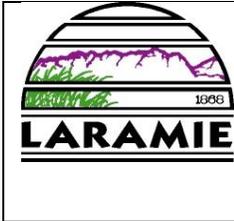
06/15/2014  
Date

**ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM**

  
\_\_\_\_\_  
Susan G. O'Brien, Senior Assistant Attorney General

May 10, 2016  
Date

## CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



### Agenda Item: Original Ordinance - 3rd Reading

**Title:** Original Ordinance No. 1946 amending Title 15 of Laramie Municipal Code for the purposes of amending Chapter 15.08.040.B.3.b eliminating differential residential development standards for garages within the Turner Tract Overlay Zone.

### Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1946 on third and final reading contrary to the recommendation by the Planning Commission, that would amend Chapter 15.08.040.B.3.b – Turner Tract Overlay – Development Standards of the Unified Development Code, based on finding of fact and conclusions of law; specifically finding that it does conform to the Turner Tract Plan, and authorize the Mayor and Clerk to sign the Ordinance.

---

### Administrative or Policy Goal:

“... this code should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law. All city or citizen initiated amendments must be adequately vetted through the public hearing processes identified in the code.” (Sec. 15.02.050, LMC)

---

### Background:

NOTE: Staff and Planning Commission recommendation still remains as it was originally stated during first reading below. Staff has provided the approval motion for the convenience of Council if the Council wishes to follow Staff and Planning Commission’s recommendation, the following motion is recommended:

Move to **deny** Original Ordinance No. 1946 on second reading as recommended by the Planning Commission, that would amend Chapter 15.08.040.B.3.b – Turner Tract Overlay – Development Standards of the Unified Development Code, based on finding of fact and conclusions of law; specifically finding that it does not conform to the Turner Tract Plan.

Single Family residential garages found within the Turner Tract have never been allowed to be closer to the front setback line than the main part of the house. This is the only development standards in the Turner Tract Overlay District that applies specifically to residential structures. The Turner Tract Overlay zone is generally located south of Garfield Street and Grand Avenue, bounded on the east by Vista Drive and the west by the future extension of 30<sup>th</sup> Street.

Presently only one single family developer is currently constructing homes within the Turner Tract. However, other residential land does exist within the Turner Tract; about 100 acres, that will likely be developed with single family homes and be subject to the same rules and regulations current development has been required to follow. To date 141 single family homes have been constructed under these regulations.

The applicant, John Edwards is requesting that garages within the Turner Tract should be allowed to follow the same requirements as those found within the rest of the community. Those provisions can be found in

15.14.080.C.4. This section of code basically states that within the rest of the City, garages are allowed to be 12 feet closer to the front property line than the rest of the house.

The applicant requests the following Text Amendment to modify garage location standards of LMC 15.08.040.B.3.b, Turner Tract Overlay – Development Standards. Within this section of code, specific standards exist for garages within the Turner Tract, as follows:

**b. Development Standards**

Chapter 15.14 Development Standards and the standards of this chapter are applicable to development in the TTO. In addition, the following specific development standards shall apply in the TTO:

(i) For front-loading garages of single-family detached dwelling units, the garage façade shall not be closer to the front setback line than the exterior wall of the dwelling closest to the front setback line. Front loading garages for single-family attached dwelling units shall be allowed closer to the front setback line than the front exterior wall, provided that adjacent attached dwelling structures shall be offset a minimum of five feet from each other relative to the front setback line. For purposes of this subsection, ‘Adjacent attached dwelling structures’ are those physically separated structures that are on one or two sides of an attached dwelling structure, on the same side of the street.

If the amendment requested is approved, garages within the Turner Tract would be allowed to be 12 feet closer to the front property line than the rest of the house, versus now where garages in the Turner Tract have to be even or set back farther back with the rest of the house. The 12-foot offset is the standard elsewhere in the City, as noted.

On May 23, 2016 the Laramie Planning considered the amendment and recommended denial [4 yes (to deny), 1 no and 2 absent].

On June 7, 2016 the City Council amended the original motion to deny, and recommended approval of Original Ordinance 1946 [8 yes, 0 no and 1 absent] on 1<sup>st</sup> Reading.

On June 21, 2016 the City Council held a public hearing and 2<sup>nd</sup> Reading on Original Ordinance 1946, and recommended approval of the Ordinance [8 yes, 0 no and 1 absent] on 2<sup>nd</sup> Reading.

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**Legal/Statutory Authority:**

Per UDC adoption stipulation (see quoted section above); also per W.S. 15-1-5 (Cities – Planning), W.S. 15-1-6 (Cities – Zoning), W.S. 34-12 (Platting and Dedication), and related statutes.

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**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$635.00	Application & Sign Fee
Grants for Projects		
Loans on Project		
Other		
Total	\$635.00	

**Responsible Staff:**

Derek T. Teini, AICP, Principal Planner  
721-5245

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	June 21, 2016
Pub. Hearing Advertised	June 4, 2016
Introduction/1 <sup>st</sup> Reading	June 7, 2016
2 <sup>nd</sup> Reading	June 21, 2016
3 <sup>rd</sup> Reading	July 5, 2016

Attachments: Original Ordinance  
No. 1946, New Applicant Letter, Planning Commission Staff Report 5/23/2016

ORIGINAL ORDINANCE NO.: 1946 \_\_\_\_\_  
ENROLLED ORDINANCE NO.: \_\_\_\_\_

INTRODUCED BY: SHUSTER

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF AMENDING CHAPTER 15.08.040.B.3.b-~~(i)~~ (TURNER TRACT OVERLAY – DEVELOPMENT STANDARDS)

WHEREAS, on August 21, 2007, the City Council adopted the Laramie Comprehensive Plan which lists as one of its recommendations to create a unified development code that would combine the zoning and subdivision ordinances in into a single, unified document consisting of multiple parts or sections, including administrative procedures, zoning, subdivision regulations and improvement standards.

WHEREAS, on June 22, 2009 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council adoption of the Unified Development Code subject to modifications;

WHEREAS, on March 2, 2010, the City Council adopted the unified development code with an effective date of July 1, 2010.

WHEREAS, 15.02.050 of the Laramie Municipal Code (LMC) calls for the Unified Development Code to be amended from time to time so as to become or remain consistent the Comprehensive Plan, and should be regularly reviewed, evaluated and amended, if necessary, based on private and city economic conditions, vision for the community, changing planning and zoning principles, frequent difficulty in implementing or enforcing any specific standard(s), or changes in the state, federal or case law.

WHEREAS, on April 27, 2016, John Edwards of Grand View Heights submitted a Code Text Amendment application recommending revisions to 15.08.040.B.3.b-~~(i)~~ (Turner Tract Overlay – Development Standards) to allow for residential garages within the Turner Tract to follow development standards found within the rest of the community;

WHEREAS, on May 23, 2016 the Laramie Planning Commission affirmatively voted to recommend to the Laramie City Council denial of amendments to the Unified Development Code as shown in this ordinance;

WHEREAS, on June 8, 2016 the Laramie City Council amended the denial recommendation of Planning Commission and approved on 1<sup>st</sup> Reading Original Ordinance 1946 as shown in this ordinance;

WHEREAS, the Laramie City Council ~~shall hold~~ held a public hearing on June 21, 2016 to take and consider public comments;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That ~~subsection-LMC~~ **subsection** 15.08.040.B.3.b.(i) be amended to read as follows:

b. Development Standards

Chapter 15.14 Development Standards and the standards of this chapter are applicable to development in the TTO. ~~In addition, the following specific development standards shall apply in the TTO:~~

~~(i) For front loading garages of single family detached dwelling units, the garage façade shall not be closer to the front setback line than the exterior wall of the dwelling closest to the front setback line. Front loading garages for single family attached dwelling units shall be allowed closer to the front setback line than the front exterior wall, provided that adjacent attached dwelling structures shall be offset a minimum of five feet from each other relative to the front setback line. For purposes of this subsection, 'Adjacent attached dwelling structures' are those physically separated structures that are on one or two sides of an attached dwelling structure, on the same side of the street.~~

**Section 2.** That if any section, subsection, sentence, clause, phrase, graphic, or portion of this ordinance is for any reason held invalid or deemed unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance; and

**Section 23.** That this ordinance shall become effective after its passage, approval and its publication.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
David A. Paulekas, Mayor and President of the  
City Council

Attest: \_\_\_\_\_  
Angie Johnson  
City Clerk

First Reading: June 7, 2016  
Public Hearing: June 21, 2016  
Second Reading: June 21, 2016  
Third Reading and Final Action: July 5, 2016

Duly published in the *Laramie Boomerang* this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**Developer Packet for Laramie City Council Members**  
**Garage off-set modification request**

**Grand View Heights Subdivision**

Dear City Council members,

I have been working as the principal project manager for Grand View Heights Subdivision since we formally began construction in 2006. I write to you today to ask for your careful consideration in a matter that continues to hinder our neighborhood and all those involved, especially the homeowner or family who wishes to live here.

The full outline of the issue is provided in my original application cover letter, and I ask that you review that for more of the finer details outlined in this proposal.

The main purpose of this letter is to provide an update on how things have progressed to date, and to ask for specific reasoning and a logical discussion when this item is presented at the next City Council meeting.

With the recent adoption of the UDC and it's modern industry design standards, the homebuilders and potential homeowners, local real estate professionals, and we the developers are very confused as to why front garages are not allowed to extend past the front façade of single family homes in any fashion.

**Before continuing, please read the attached letter from a local real estate professional, and note the 4 different homebuilder's comments and reactions to this garage restriction. Some will not come to Grand View Heights anymore specifically because of this restriction. Please feel free to contact them personally with the information provided.**

We wish to create the most modern, dynamic, and appealing neighborhood possible. No one, including the City, wants to create a "cookie cutter" neighborhood where everything looks the same. Part of the spirit of the original Turner Tract guidelines was aimed at avoiding this outcome. The irony is that we are now in danger of producing just that with the unreasonable requirement that all single family homes within the Turner Tract must have a flush front façade. It is creating a "box" look that we all wish to avoid. Grand View Heights is now approximately 50% built out, and we have opportunity now, along with the adoption of the new UDC, to correct this issue before it's too late.

A standard residential garage is 24' in length. We as developers do not want full garages extending out towards the street in front of the façade which would create what is known as a "snout" look. The new UDC standards do not allow this in any other part of the city as well. The new standards also guard against have duplicate

facades next to each other, and many other design requirements that allow for some flexibility for the homeowner while maintaining quality standards from the City. The new UDC standards do allow for up to a 12' offset on the garage, **which is half of the standard length**. This makes very good sense, and there is a reason this is a national standard of quality design.

I respectfully ask you to consider your own homes. Does your front garage extend past the front exterior of your own home? What if you loved an area such as the Turner Tract, and were unable to build to your dream home in this location due to a restriction that no one can understand or given clear logical reason why? Demanding that homeowners have a flush front façade dramatically reduces square footages of homes and requires extra engineering costs at their expense to get around this. We want to continue to make these homes as affordable as possible. Allowing the garage to extend out to a reasonable degree gives homeowners the option of an entire extra room in their floor plans, while at the same time has no negative impact to aesthetics or being a pedestrian friendly community. In fact, a certain degree of garage offset allowance makes the neighborhood more dynamic. The UDC covers these conditions sufficiently.

As far as Grand View Heights being pedestrian friendly...**please review the attached master plan of the neighborhood**, which shows the extensive open space and trail system. This system not only unifies the neighborhood, but also directly connects to various improvements in the area including the new High School and Rec Center. This open space system will be substantially completed by the end of this year with the construction of Bill Nye Avenue and the Grand View Heights 6<sup>th</sup> Filing. Open space and pedestrian friendly environments have always been extremely important in our designs. We believe this fits both our intentions, and that of the original Turner Tract vision.

I have been working with City staff on this process before and during the submission of this proposal. They are aware of the issues, some very recently, that the current restriction is causing. We have asked them why this one restriction is being held in place after the adoption of the UDC. Their answers were predominantly that the Turner Tract was always intended to be a pedestrian friendly neighborhood, and this language was intended to protect that. After over 45 minutes of discussion on this one item at the last planning commission meeting, even the planning commission asked City staff if they had any other choice in their recommendation. City staff, as they should, has to side with the current regulations.

Both Planning Commission and City staff are confused as to why this restriction is being held in place, and we the development community have not gotten any clear logical answers. Please ask for verification but Planning Commission wasn't sure how to vote and finally reluctantly put in a motion for non-approval in order to keep the meeting moving. **As part of this current request, I respectfully ask that you carefully consider this proposal with a fresh and logical set of eyes.**

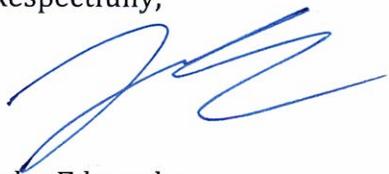
There are several dangers moving forward with the current garage restrictions. I'll cover a one or two of them. First is that not only will our neighborhood have more of the "cookie cutter" look the more it is built out, but every new single family home project in the Turner tract will have the same. One of our concerns is that this will be amended one day because it is the modern standard to allow for a reasonable garage off-set as outlined in the UDC. We are deeply concerned that Grand View Heights and it's residents will have had to live with this burden, while others will be freed from it in the future.

There are other residential projects being built within the Turner Tract, but Grand View Heights is the only one to date that offers Single Family Homes. Therefore not only are we the only single family home project in town being handicapped by this garage restriction, we are the only source of hard data that shows how it might be working or not working. We wish to have the same set of rules and advantages applied to Grand View Heights that the rest of the City is afforded. Given the conditions, our own set of restrictive covenants, and new UDC coverage, this is highly reasonable request. It is to everyone's advantage to adjust this restriction, and we have that opportunity before us at this critical time in the process.

We would be willing to explore an option that would allow less than a 12' garage maximum offset compared to the rest of the UDC, but reducing the 12' maximum to say for example 8' is only a 4' difference and we don't see how this is a noticeable or valuable improvement over the already half sized 12' garage offset. Your professional input would be appreciated.

In closing I want to thank you for your careful consideration, and reading my long-winded letter. This is a very important issue with long-term ramifications, and has a simple solution. I wanted to cover some of these points so you could be informed at the City Council meeting before I present. Thank you again for your time, and I will see you at the meeting.

Respectfully,



John Edwards  
Grand View Heights  
(307) 634-8800 ex. 103



**Subject – Grand View Heights: Turner Tract Guidelines**

**Subject : Front loading garages**

I am a Real Estate Broker in Laramie Wyoming since 1997. My main focus has been new construction since 2001. I have been working with Country Club LLC and several builders since 2006 when Grand View Heights (GVH) was just a field. The Turner Tract guidelines for front loading garages have been challenging for every builder since the first homes were built in 2007. It is an engineering challenge to create an open floorplan that has to work around the garage. *Basically, the Square footage of the home has to be increased in order to create a functional living area. It cost more money to build homes with the garage pushed into the living are! Furthermore, creating a flush front façade and in an effort to build affordable housing, these costs get passed along directly to the Buyer!*

*I have contacted several builders who have given me permission to forward their names and phone numbers. They all agree that this guideline creates an extreme “OPEN Floor plan design challenge” and they all have looked for other subdivisions to build.*

**\* Ed Rust Lifestyle Homes ( 307-689-7570)** has 27 established floor plans – 4 of which comply to this guideline.

**\*Rob Schutterle- ( 307-760-1670)** Pheasant Ridge construction/Sheets construction – have no floor plans that comply to this guideline. And has for this reason avoided GVH.

**\*Kevin Nelson – Summit Structures ( 307-745-5278)-** Have built “very few” homes that comply to this guideline.

**\* Daren Roberson – Sage Homes, ( 970- 219-4501)** is no longer going to build in SFH’s Laramie, sited “not being able to build our biggest selling floorplans (built in Colorado) is baffling”.

The city of Laramie should perform due diligence. Feel free to ask any builder currently building in Coghlin Pole Mountain or Laramie Ridge and get their opinion on design. If the city of Laramie mandated flush front garages in every subdivision in Laramie... My guess is you would face a fierce barrage of criticism. Also, if you get on any home design website... or look at any of the new subdivisions in Colorado, Very few designs do not allow for the garage to extend in front of the home. It is just common sense to allow this design feature!

It is my opinion that the underlying premise of the UDC and the Turner Tract guidelines for residential construction, is to build homes and neighborhoods that not only have great curb appeal but also create continuity within any Laramie Subdivision! If you drive around Laramie Ridge or Coughlin Pole Mountain, these neighborhoods are quite attractive. Having a 12’ front garage extension does not appear to be a visual problem.

It is also my opinion that the UDC is a great tool and has led Laramie in the right direction. I also think the one sentence in the Turner Tract Guidelines prohibiting front loading garages, served its purpose, but is an antiquated idea and needs to be amended or removed all together. The UDC is quite capable of covering everyone’s needs and GVH needs to be included, not penalized based on geographic location.

Lastly, Grand View Heights has been an excellent example of a well-designed subdivision. We should all remember that until Grand View Heights came along, there was no UDC and GVH was leading Laramie into the 21<sup>st</sup> century with Architectural control, front yard landscaping as well as open spaces and bike paths.

Please feel free to email any questions/comments!!

Thank You for your time

Daniel Brain [dangcre@msn.com](mailto:dangcre@msn.com) 307.760.2794  
Broker/ Owner GCRE

706 South 3rd ~ Laramie, WY 82070  
307.742.9990  
307.742.9984 Fax

**GENERAL LANDSCAPE NOTES**

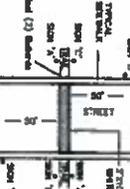
- 1) All dimensions shown are finished conditions.
- 2) All elevations are in feet above sea level.
- 3) Erosion control measures shall be installed.
- 4) Final landscape plan shall be submitted to the local health department for review.
- 5) Final landscape plan shall be submitted to the local health department for review.
- 6) Final landscape plan shall be submitted to the local health department for review.
- 7) Final landscape plan shall be submitted to the local health department for review.

**OPEN SPACE/TRAIL PLANT SCHEDULE:**

CODE	SYMBOL	PLANT NAME	QUANTITY	SIZE
01		1 1/2\"/>	12	1 1/2"
02		2 1/2\"/>	12	2 1/2"
03		3 1/2\"/>	12	3 1/2"
04		4 1/2\"/>	12	4 1/2"
05		5 1/2\"/>	12	5 1/2"
06		6 1/2\"/>	12	6 1/2"
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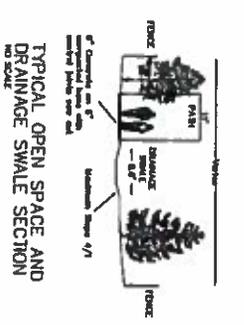
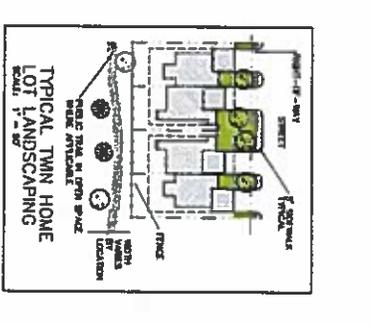
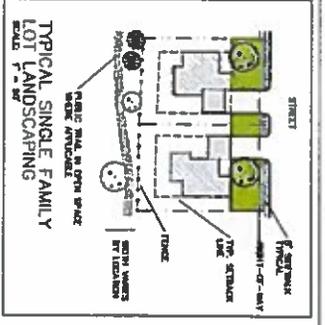
**LEGEND**

- Proposed Open Space
- 11 FT. PAVE
- Proposed Intersecting Box
- Proposed Intersecting Box
- Proposed Ornamental Tree



**SYMBOLS AND NOTES**

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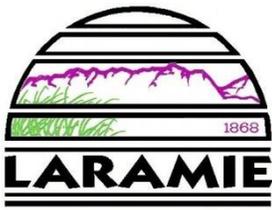


**GRAND VIEW BRICKS LANDSCAPE PLAN**

PLANTING Schedule 2013

**Charles R. de la Torre Landscape**

506 S. Woodland Street  
Cheyenne, Wyoming 82009  
Office: 307-634-1800  
Fax: 307-634-1800



# City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

Code Administration: (307) 721-5271  
Engineering: (307) 721-5250  
Planning: (307) 721-5207  
Fax: (307) 721-5248

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## LARAMIE PLANNING COMMISSION MAY 23, 2016 STAFF REPORT

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**FILE:** TA-16-04: Turner Tract Overlay Zone Development Standards for Garages.

**REQUEST:** An amendment to Chapter 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards of the Unified Development Code to allow for residential garages within the Turner Tract to follow development standards found within the rest of the community.

**APPLICANT:** John Edwards, Grand View Heights

**PURPOSE:** To allow residential garages within the Turner Tract to follow development standards found within the rest of the community which would allow garages to be located no more than 12 feet closer to the front property line than the house.

**PREPARED BY:** Derek T. Teini, AICP, Principal Planner

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### STAFF RECOMMENDATION:

Move to recommend that the City Council **deny** an amendment to Chapter 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards of the Unified Development Code, according to the findings of fact and conclusions of law.

### APPLICABLE CODE SECTION(S):

Text Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan
- Turner Tract Plan 2013

### BACKGROUND AND SUMMARY:

At the request of the applicant an application for a Text Amendment was made regarding revisions to 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards. Within this section of code, specific standards exist for garages within the Turner Tract. Currently this section reads as follows:

**b. Development Standards**

Chapter 15.14 Development Standards and the standards of this chapter are applicable to development in the TTO. In addition, the following specific development standards shall apply in the TTO:

- (i) For front-loading garages of single-family detached dwelling units, the garage façade shall not be closer to the front setback line than the exterior wall of the dwelling closest to the front setback line. Front loading garages for single-family attached dwelling units shall be allowed closer to the front setback line than the front exterior wall, provided that adjacent attached dwelling structures shall be offset a minimum of five feet from each other relative to the front setback line. For purposes of this subsection, 'Adjacent attached dwelling structures' are those physically separated structures that are on one or two sides of an attached dwelling structure, on the same side of the street.

In summary, garages associated within the Turner Tract are not allowed to be closer to the front setback line than the main part of the house. This is the only development standards in the Turner Tract Overlay District that applies specifically to residential structures.

The applicant is requesting that garages within the Turner Tract should be allowed to follow the same requirements as those found within the rest of the community. Those provisions can be found in 15.14.080.C.4. This section of code basically states that within the rest of the City, garages are allowed to be 12 feet closer to the front property line than the rest of the house.

If the amendment requested is approved, garages within the Turner Tract would be allowed to be 12 feet closer to the front property line than the rest of the house, versus now where garages in the Turner Tract have to be even or set back farther back with the rest of the house.

**Background:**

During the development of the Unified Development Code (UDC) in 2010 it was initially proposed that all garages for residential units throughout the City meet the Turner Tract Standards (No garage closer to the front property line – No "Snout").

Following debate by the Planning Commission and City Council during the adoption process of the UDC in 2009 and 2010, it was decided that the Turner Tract garage standard would not be adopted City-wide and the existing garage provision would only remain in the Turner Tract. Multiple variations for projecting garages were proposed for the rest of the City; 5 feet, 10 feet, etc., with 12 feet being settled on. 12 feet was settled on after Planning Commissioner Dave Paulekas, who was serving as a member of the steering committee, indicated that 12 feet was f an industry standard length for a projecting garage.

The topic of changing the garage requirement to the industry standard for the Turner Tract was discussed, however it was ultimately decided that the standard should remain the same since it was already in place and to not change the character of the existing neighborhood.

**Comprehensive Plan and Turner Tract Plan 2013**

Two documents provide guidance regarding the amendment request; The Comprehensive Plan (2007) and the Turner Tract Plan (2013). Within the Comprehensive Plan, Chapter 3 – Community Character describes Auto-Urban Single Family development as their fronts being dominated by garages. This description is contrary to the general desire of the Turner Tract Plan 2013 which desires a more pedestrian oriented development for all users including residential and commercial uses. Page 17 of the Turner Tract Plan states, “Develop at a human scale: Design standards from the City’s Unified Development Code and the Turner Tract Declaration of Covenants, Conditions and Restrictions will ensure that streets and public spaces will be functional, attractive, pleasant, and safe places for people.”

Chapter 5 of the Comprehensive Plan also states that new neighborhoods should include a pedestrian-friendly environment, which supports keeping the regulations in the Turner Tract the same. Aside from these few references, guidance within the planning documents is fairly limited.

Staff Recommendation:

With no new information or direction from the Planning Commission or City Council on this topic, staff believes it should be up to Planning Commission and City Council to approve this request contrary to their earlier decisions. Staff’s judgment, and recommendation to the Commission, is that the request be denied.

**PUBLIC COMMENTS:**

This amendment was legally advertised in the *Laramie Boomerang* on May 7, 2016. Staff has received no comments regarding this proposed amendment to the UDC.

**FINDINGS OF FACT:**

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie code, however it is not found to be in accordance with the adopted Turner Tract Plan 2013.

**CONCLUSIONS OF LAW:**

The amendment is proceeding in accordance with applicable law.

**RECOMMENDED MOTION:**

Move to recommend that the City Council **deny** an amendment to Chapter 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards of the Unified Development Code, according to findings of fact and conclusions of law.

Note: If the Planning Commission wishes to recommend approval of the applicants request, staff recommends the following motion:

Move to recommend that the City Council **approve** an amendment to Chapter 15.08.040.B.3.b.(i) – Turner Tract Overlay – Development Standards of the Unified Development Code, that would eliminate all of part (i) and the last sentence in 15.08.040.B.3.b as shown below.

b. Development Standards

Chapter 15.14 Development Standards and the standards of this chapter are applicable to development in the TTO. ~~In addition, the following specific development standards shall apply in the TTO:~~

~~(i) For front-loading garages of single-family detached dwelling units, the garage façade shall not be closer to the front setback line than the exterior wall of the dwelling closest to the front setback line. Front loading garages for single-family attached dwelling units shall be allowed closer to the front setback line than the front exterior wall, provided that adjacent attached dwelling structures shall be offset a minimum of five feet from each other relative to the front setback line. For purposes of this subsection, 'Adjacent attached dwelling structures' are those physically separated structures that are on one or two sides of an attached dwelling structure, on the same side of the street.~~

A motion for approval will also require Planning Commission to come up with alternative findings of fact, and to state those in a motion for approval.

**ATTACHMENT:**

Grand View Heights Subdivision: Application for code text amendment – Cover Letter (3 pages)



**Grand View Heights Subdivision**  
Application for code text amendment  
**Cover Letter**

BY: .....

This proposal aims to solve a problem which has burdened The Grand View Heights Subdivision since it's inception in 2005. It is extremely important to us, the developers of Grand View Heights, to create the highest quality neighborhood possible. Everything from the large-scale neighborhood layout, to the small-scale aesthetics of the homes is taken into careful consideration. It was because of this approach that developing within the Turner Tract overlay zone was a welcomed relationship. In addition to the original Turner Tract guidelines, Grand View Heights maintains a strict set of covenants to ensure a certain product, and neighborhood feel. By and large, there has been no issue or conflict from these dual restrictions with the exception of one, which has caused unnecessary difficulties for various business and private interests within Grand View Heights. It also threatens the overall residential look of the Tuner Tract the longer it is held in place.

A few years ago the UDC was adopted by the City of Laramie. During this process a zoning advisory committee was formed to offer input on some of the newly proposed design standards. The question was raised in terms of should the City apply higher design standards, like those in the Turner Tract Overlay zone, to the rest of the City of Laramie. The answer was yes and the new standards are now enforced City wide. The new standards are more restrictive to preserve a certain community type, yet laid out in a way which allows for homeowners to customize to a certain degree. Much of the new regulations are borrowed from the modern industry and national standards. This made a lot of sense and the City will see its benefit for years to come. Unfortunately for Grand View Heights, the only residential home project building within the Turner Tract Overlay zone, there is one restrictive sentence left within the UDC that only applies to our project. Please see the following:

Chapter 15.14 Development Standards and the standards of this chapter are applicable to development in the TTO. In addition, the following specific development standards shall apply in the TTO:

(i) For front-loading garages of single-family detached dwelling units, the garage façade shall not be closer to the front setback line than the exterior wall of the dwelling closest to the front setback line. Front loading garages for single-family attached dwelling units shall be allowed closer to the front setback line than the front exterior wall, provided that adjacent attached dwelling structures shall be offset a minimum of five feet from each other relative to the front setback line. For purposes of this subsection, 'Adjacent attached dwelling structures'

are those physically separated structures that are on one or two sides of an attached dwelling structure, on the same block, and on the same side of the street. (Ord. 1596 § 29, 2011)

Essentially what the above says is that the garages on the single family homes in Grand View Heights are not allowed to extend past the front façade of the home in any way shape or form. The spirit of this language is well intended, and in large part an attempt to avoid a “cookie cutter type” look in a neighborhood where everything looks the same. The irony here is that we are now in jeopardy of creating the very thing this language was intended to avoid. Some builders and home owners have found ways to step the garage back from the garage towards the interior of the lot, but it alters floor plans and square footage significantly, and most folks build their garage even with their front façade. This means Grand View Heights and the Turner Tract are getting more and more homes which look similar, and it is threatening to rob the area of character and quality.

To date, Grand View Heights as a whole is approximately 50% built out. With your consideration, we have an opportunity now before it's too late to give the neighborhood a more dynamic feel. We ask that the reader think of the future projects in the Turner Tract while considering this proposal as well. It would be wise to create variety without the expense of quality for this entire area. The newly adopted UDC design standards were carefully drafted to do just that.

As stated previously, we are the only single family residential home project within the Turner Tract that is currently bound by this TTO sentence. It was drafted with good intentions, but we are the only source of hard data thus far that demonstrates it's effectiveness or lack thereof. With the adoption of the new UDC design standards, this is an unnecessary, and damaging restriction. It damages the look of the neighborhood. It damages the homeowner who wants a certain floor plan or square footage, and has to go elsewhere. It damages the homebuilder, who has to afford extra costs to custom designs and engineering, and in many cases loses customers to other neighborhoods. It damages all the sub-contractors who have lost that much more work. Finally it damages us as a developer because we lose potential homebuilders who would have otherwise come to Grand View Heights.

People want to live in Grand View Heights for many reasons. It is close to the rec center, LCCC, and now the new high school. It's a difficult and now unnecessary situation to love an area, but not be able to build your dream home. In addition, the new UDC standards in combination with our existing internal restrictive covenants place another layer of protection on an area we all want to see developed to it's highest potential. Grand View Heights would like to request the same opportunities and advantages afforded to the rest of the community, and will continue to offer the highest quality community we can provide.

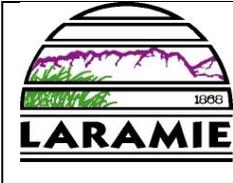
In conclusion, please consider this proposal to allow homeowners within Grand View Heights and the Turner Tract to achieve the same industry standard and UDC regulations afforded to the rest of the City. One of the main points being, allowing typical industry standard house plans to be constructed which include an offset in the garage to minimal & varying degrees without repeating or duplicate facades. As stated above, the new UDC standards were thoughtfully drafted by seeking a higher standard for Laramie as a whole, and borrowing successful models from both the national industry and the original Turner Tract Guidelines. We as the developers of Grand View Heights want to be restrictive in terms of what is built because it preserves quality if enforced correctly. There is a line of becoming too restrictive which starts to damage the very vision we all wish to create, and damages local business and community members in the process. Grand View Heights currently finds ourselves over that line, and are requesting some relief. Thank your for your consideration of this proposal and I look forward to collectively building a successful neighborhood for many years to come.

Respectfully,



John Edwards  
Grand View Heights  
(307) 634-8800 ex. 103

**CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016**



**Agenda Item: Quitclaim Deed**

**Title: Acceptance of a Quitclaim Deed from Albany County, for right-of-way .86 acres in size and generally considered part of Banner Road and Carroll Drive.**

**Recommended Council MOTION:**

Move to **accept** the Quitclaim Deed from Albany County, for right-of-way .86 acres in size and generally considered part of Banner Road and Carroll Drive and authorize the Clerk to record the Quitclaim Deed.

**Administrative or Policy Goal:**

Acceptance of this Quitclaim Deed from Albany County will deed right-of-way that was recently annexed as part of the future Love’s Travel Center Development to the City.

**Background:**

On April 19, 2016 the Laramie City Council approved Annexation and Zoning for a property 93 acres in size located at the northeast corner of I-80 and Curtis Street and generally known as the future Love’s Travel Center development site. As part of the annexation, County right-of-way was annexed into the City. This right-of-way is part of Banner Road and Carroll Avenue. This Quitclaim Deed transfers this right-of-way to the City due to the fact it is now located within the City.

The attached Quitclaim Deed was approved by the Albany County Commissioners at their June 21, 2016 regular meeting.

**Responsible Staff:**

Derek T. Teini, AICP, Principal Planner,  
721-5245

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	
Pub. Hearing Advertised	
Introduction/1 <sup>st</sup> Reading	July 5, 2016
2 <sup>nd</sup> Reading	
3 <sup>rd</sup> Reading	

Attachments: Quitclaim Deed

# Quitclaim Deed

Albany County, Wyoming, GRANTOR, body corporate and political subdivision of the State of Wyoming, whose address is 525 Grand Avenue, Suite 202, Laramie, Wyoming 82070, for and in consideration of ten (\$10.00) dollars and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, hereby conveys and quitclaims to the City of Laramie, a municipal corporation, as tenants by the entirety with rights of survivorship, whose address P.O. Box C, Laramie, Wyoming 82073, the following described real property situated in Albany County, Wyoming:

A PARCEL OF LAND LOCATED IN SECTION 29, TOWNSHIP 16 NORTH, RANGE 73 WEST OF THE 6TH P.M., ALBANY COUNTY WYOMING AND BEING A PORTION OF CARROLL AVENUE AS SHOWN ON PLAT OF LOTS 1 AND 2, BLOCK 4, RIVER VIEW FIRST ADDITION, FILED OCTOBER 10, 1975 AS INSTRUMENT NO. 622944, AND PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334, AND MCCUE STREET PER PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334 AND BOOK 237 PAGE 145, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29 BEING AN IRON PIPE FOUND;

THENCE ALONG THE NORTH LINE OF SAID SECTION 29, SOUTH 89°57'09" EAST, A DISTANCE OF 1,573.14 FEET AND BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 00°06'51" EAST, A DISTANCE OF 1,459.26 FEET ALONG THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN WARRANTY DEED FROM AMERICAN NATIONAL BANK, N.A., TRUSTEE OF THE HOWARD T. CARROLL TRUST DATED DECEMBER 29, 1976, AS AMENDED, TO 9H RANCH LLC, A WYOMING LIMITED LIABILITY COMPANY RECORDED OCTOBER 19, 2007 AS DOCUMENT NO. 2007 8178 TO THE NORTHWEST CORNER OF THE PLAT OF LOTS 1 AND 2, BLOCK 4, RIVER VIEW FIRST ADDITION, FILED OCTOBER 10, 1975 AS INSTRUMENT NO. 622944, BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE NORTH 89°50'43" EAST, A DISTANCE OF 10.00 FEET ALONG THE NORTH LINE OF LOTS 1 AND 2, BLOCK 4, RIVER VIEW FIRST ADDITION, FILED OCTOBER 10, 1975 AS INSTRUMENT NO. 622944 TO A POINT ON THE CORPORATE LIMITS OF THE CITY OF LARAMIE, WYOMING AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 4, RIVER VIEW FIRST ADDITION, FILED OCTOBER 10, 1975 AS INSTRUMENT NO. 622944;

THENCE SOUTH 00°09'17" EAST, A DISTANCE OF 1119.46 FEET ALONG SAID CORPORATE LIMITS OF THE CITY OF LARAMIE, WYOMING, TO A POINT ON THE SOUTH RIGHT-OF-WAY OF BANNER ROAD AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334;

THENCE SOUTH 74°24'43" WEST, A DISTANCE OF 11.75 FEET ALONG SAID SOUTH RIGHT-OF-WAY OF BANNER ROAD AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334, TO A POINT ON AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 80.32 FEET;

THENCE CONTINUING ALONG SAID CURVE TO THE LEFT, ALSO BEING THE EAST RIGHT-OF-WAY OF MCCUE STREET AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334, THROUGH A CENTRAL ANGLE OF 79°30'29", AN ARC DISTANCE OF 111.46 FEET, (CHORD BEARING SOUTH 34°39'29" WEST, A DISTANCE OF 102.73 FEET) TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 530.00 FEET;

THENCE CONTINUING ALONG SAID CURVE TO THE RIGHT, ALSO BEING THE EAST RIGHT-OF-WAY OF MCCUE STREET AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334, THROUGH A CENTRAL ANGLE OF 04°26'14", AN ARC DISTANCE OF 41.04 FEET (CHORD BEARING SOUTH 02°52'39" EAST, A DISTANCE OF 41.03 FEET);

THENCE SOUTH 00°39'29" EAST, A DISTANCE OF 62.44 FEET ALONG THE EAST RIGHT-OF-WAY OF MCCUE STREET AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334, TO A POINT ON THE NORTH RIGHT-OF-WAY OF A STATE OF WYOMING HIGHWAY;

THENCE NORTH 80°18'15" WEST, A DISTANCE OF 81.36 FEET ALONG SAID HIGHWAY RIGHT-OF-WAY, TO A POINT ON THE WEST RIGHT-OF-WAY OF MCCUE STREET AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334;

THENCE NORTH 00°39'29" WEST, A DISTANCE OF 47.82 FEET ALONG THE SAID WEST RIGHT-OF-WAY OF MCCUE STREET TO A POINT ON THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 449.98 FEET;

THENCE CONTINUING ALONG SAID CURVE TO THE LEFT, ALONG THE SAID WEST LINE OF MCCUE STREET, THROUGH A CENTRAL ANGLE OF 21°16'50", AN ARC LENGTH OF 167.13 FEET (CHORD BEARING NORTH 11°17'53" WEST, A DISTANCE OF 166.17 FEET);

THENCE NORTH 74 °26'31" EAST, A DISTANCE OF 176.51 FEET ALONG THE NORTH LINE OF A COUNTY ROAD AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334 TO A POINT ON THE WEST RIGHT-OF-WAY OF CARROLL AVENUE, AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 4, RIVER VIEW FIRST ADDITION FILED OCTOBER 10, 1975 AS INSTRUMENT NO. 522944 AND AS SHOWN ON THE PLAT OF LOTS 1 AND 2, BLOCK 3, RIVER VIEW FIRST ADDITION FILED DECEMBER 3, 1974 AS INSTRUMENT NO. 613334;  
THENCE NORTH 00°09'17" WEST, A DISTANCE OF 1,038.69 FEET ALONG THE WEST RIGHT-OF-WAY OF CARROLL AVENUE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.86 ACRES, MORE OR LESS AND AS DESCRIBED IN EXHIBIT A, AND IS SUBJECT TO ANY EASEMENTS AND OR RIGHTS-OF-WAY THAT HAVE BEEN LEGALLY REQUIRED.

SUBJECT to easements, reservations, covenants and restrictions presently of record in the office of the County Clerk for Albany County, Wyoming.

GRANTOR releases and waives all rights in and to said property under and by virtue of the laws of the State of Wyoming.

DATED this 21<sup>st</sup> day of June, 2016.



Jackie Gonzales  
County Clerk

GRANTOR:  
BOARD OF COMMISSIONERS OF THE  
COUNTY OF ALBANY, WYOMING:

Tim Sullivan, Chairperson

ACKNOWLEDGEMENT

STATE OF WYOMING     )  
  ) SS  
COUNTY OF ALBANY    )

The foregoing instrument was acknowledged before me by Tim Sullivan, the Chairperson for the Board of County Commissioners of the County of Albany, Wyoming and Jackie Gonzales, the County Clerk, this 21<sup>st</sup> day of June, 2016.

Witness my hand and official seal.

Notary Public

My Commission expires 09/01/17



EXHIBIT A

A parcel of land located in Section 29, Township 16 North, Range 73 West of the 6th P.M., Albany County Wyoming and being a portion of Carroll Avenue as shown on plat of Lots 1 and 2, Block 4, River View First Addition, filed October 10, 1975 as Instrument No. 622944, and plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334, and McCue Street per plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334 and Book 237 page 145, and being more particularly described as follows:

Commencing at the Northwest Corner of said Section 29 being an iron pipe found;

Thence along the North line of said Section 29, South 89°57'09" East, a distance of 1,573.14 feet and basis of bearings for this description;

Thence South 00°06'51" East, a distance of 1,459.26 feet along the West line of a parcel of land described in Warranty Deed from American National Bank, N.A., Trustee of the Howard T. Carroll Trust dated December 29, 1976, as amended, to 9H Ranch LLC, a Wyoming Limited Liability Company recorded October 19, 2007 as Document No. 2007 8178 to the Northwest corner of the Plat of Lots 1 and 2, Block 4, River View First Addition, filed October 10, 1975 as Instrument No. 622944, being the POINT OF BEGINNING for this description;

Thence North 89°50'43" East, a distance of 10.00 feet along the North line of Lots 1 and 2, Block 4, River View First Addition, filed October 10, 1975 as Instrument No. 622944 to a point on the Corporate Limits of the City of Laramie, Wyoming as shown on the plat of Lots 1 and 2, Block 4, River View First Addition, filed October 10, 1975 as Instrument No. 622944;

Thence South 00°09'17" East, a distance of 1119.46 feet along said Corporate Limits of the City of Laramie, Wyoming, to a point on the South right-of-way of Banner Road as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334;

Thence South 74°24'43" West, a distance of 11.75 feet along said South right-of-way of Banner Road as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334, to a point on at the beginning of a curve to the left, having a radius of 80.32 feet;

Thence continuing along said curve to the left, also being the East right-of-way of McCue Street as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334, through a central angle of 79°30'29", an arc distance of 111.46 feet, (chord bearing South 34°39'29" West, a distance of 102.73 feet) to a point on a curve to the right, having a radius of 530.00 feet;

Thence continuing along said curve to the right, also being the East right-of-way of McCue Street as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334, through a central angle of 04°26'14", an arc distance of 41.04 feet (chord bearing South 02°52'39" East, a distance of 41.03 feet);

Thence South 00°39'29" East, a distance of 62.44 feet along the East right-of-way of McCue Street as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334, to a point on the North right-of-way of a State of Wyoming Highway;

Thence North 80°18'15" West, a distance of 81.36 feet along said highway right-of-way, to a point on the West right-of-way of McCue Street as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334;

Thence North 00°39'29" West, a distance of 47.82 feet along the said West right-of-way of McCue Street to a point on the beginning of a curve to the left, having a radius of 449.98 feet;

Thence continuing along said curve to the left, along the said West line of McCue Street, through a central angle of 21°16'50", an arc length of 167.13 feet (chord bearing North 11°17'53" West, a distance of 166.17 feet);

Thence North 74°26'31" East, a distance of 176.51 feet along the North line of a county road as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334 to a point on the West right-of-way of Carroll Avenue, as shown on the Plat of Lots 1 and 2, Block 4, River View First Addition filed October 10, 1975 as Instrument No. 522944 and as shown on the Plat of Lots 1 and 2, Block 3, River View First Addition filed December 3, 1974 as Instrument No. 613334;

Thence North 00°09'17" West, a distance of 1,038.69 feet along the West right-of-way of Carroll Avenue to the POINT OF BEGINNING.

Said parcel contains 0.86 acres, more or less.



**COFFEY**  
ENGINEERING & SURVEYING  
902 S. 3rd St., Laramie, WY 82070  
[P] 307-742-7425 [F] 307-742-7403

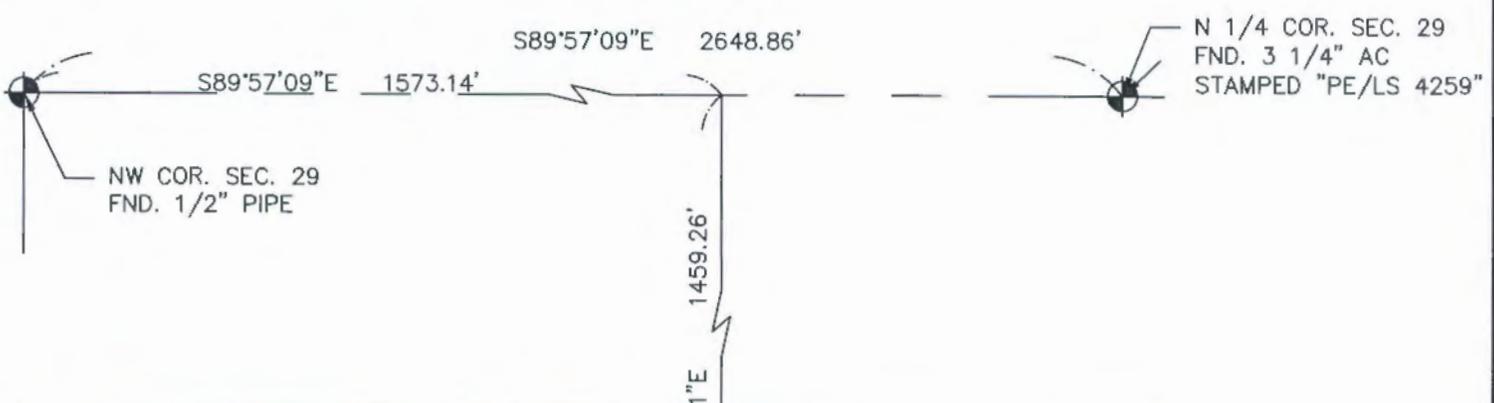
EXHIBIT "A"  
PORTION OF CARROLL AVENUE  
AND McCUE STREET

SEC. 29, T16N, R73W, 6TH P.M.  
ALBANY COUNTY, WYOMING

Project: 2159.00  
Drawing: 2159.00AX  
Drafted By: MAL  
Date: 01/18/16  
Revised: 05/19/16  
Checked By: DRC

Sheet:

1  
2

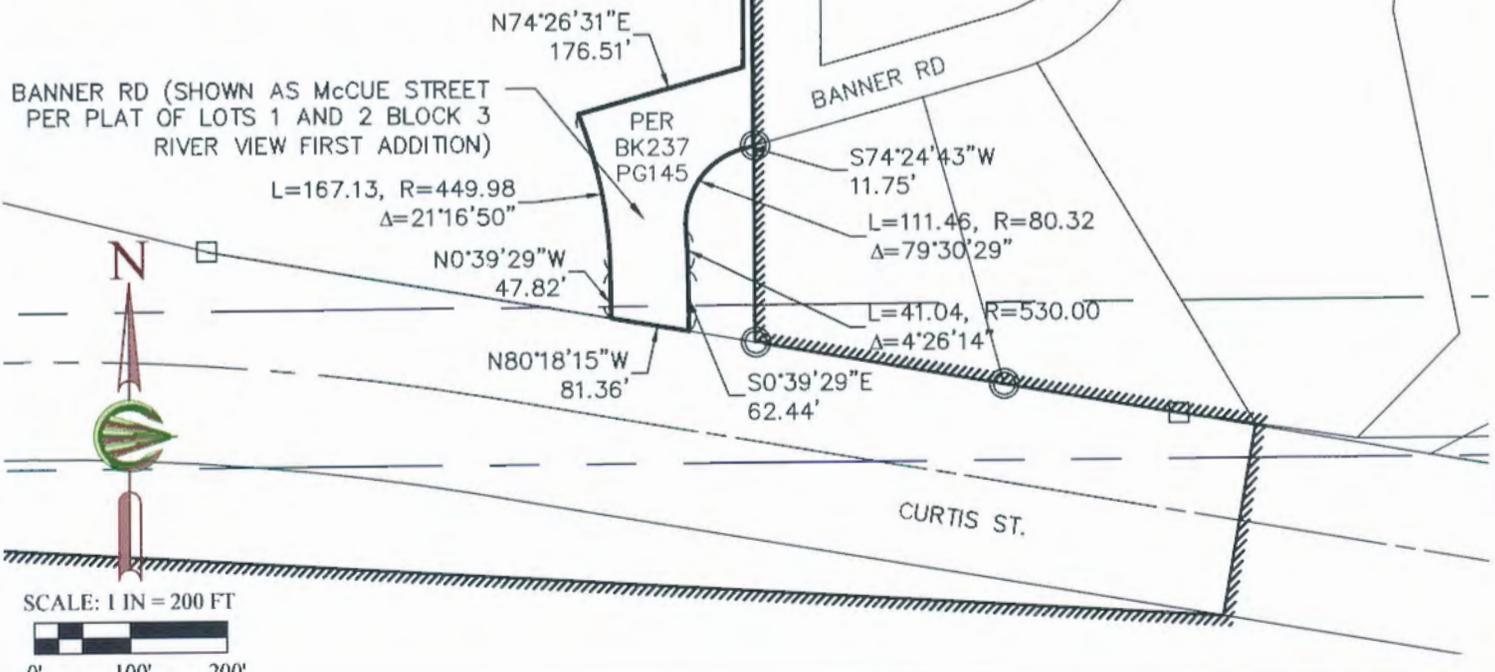


SCALE: 1 IN = 1000 FT

VICINITY MAP - SECTION 29, T.16N., R.73W., 6th P.M., ALBANY COUNTY, WYOMING

**LEGEND:**

- FOUND SECTION MONUMENT - AS DESCRIBED
- FOUND MONUMENT
- EXISTING CORPORATE LIMITS



SCALE: 1 IN = 200 FT



**COFFEY**

ENGINEERING & SURVEYING  
902 S. 3rd St., Laramie, WY 82070  
[P] 307-742-7425 [F] 307-742-7403

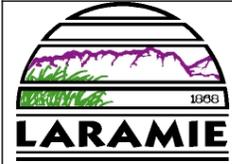
**EXHIBIT "A"**  
**PORTION OF CARROLL AVENUE**  
**AND McCUE STREET**

SEC. 29, T16N, R73W, 6TH P.M.  
ALBANY COUNTY, WYOMING

Project: 2159.00  
Drawing: 2159.00AX  
Drafted By: MAL  
Date: 01/18/16  
Revised: 05/19/16  
Checked By: DRC

Sheet:  
**2**  
**2**

**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item:** Licensing

**Title:** Coal Creek Tap alcohol serving area expansion

**Recommended Council MOTION:**

That City Council approve the addition of an enclosed outdoor patio alcohol serving area along the north side of the building to Coal Creek Tap, Microbrewery license No. M7.

---

**Administrative or Policy Goal:**

To fulfill the legal requirements of the Wyoming State Liquor Laws.

---

**Background:**

The City Clerk’s Office received a request by Coal Creek Tap, Inc, to expand their alcohol serving area to an enclosed outdoor patio area on the north side of the existing location for Coal Creek Tap.

The Wyoming Liquor Division has reviewed the request and has no objections to the described expansion area.

---

**Legal/Statutory Authority:**

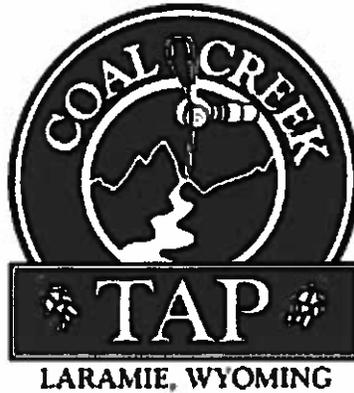
As per Wyoming State Statute 12-5-201(a) “Alcoholic beverages secured in the licensed room by a server may be served only in the building in which the licensed room is located and in an immediately adjacent fenced or enclosed area as approved by the local licensing authority”.

---

**BUDGET/FISCAL INFORMATION: n/a**

**Responsible Staff:**

Angie Johnson, City Clerk



**To:** City of Laramie  
City Clerk's Office  
P.O. Box C  
Laramie, WY 82070

06/29/2016

**From:** John Guerin  
Coal Creek TAP, Inc.  
108 E. Grand Ave.  
Laramie, WY 82070

**To Whom It May Concern:**

I am writing to request that Coal Creek TAP be permitted to expand our serving area to include our front, sidewalk patio area within the scope of our Micro Brewery License. The patio is located on the north of our brewery/tap room on Grand Avenue. Its size is approximately five feet deep by thirty feet long and contains three table and chair settings. If we are allowed the expansion we will shield the patio area from the public right of way by means of a short, black, wrought iron type fence.

Please be advised I have applied for a "Right of Way Obstruction Permit" with the City of Laramie engineering department to allow for our sidewalk patio area.

Thank you for your consideration.  
Respectfully,

A handwritten signature in black ink that reads "John Guerin". The signature is written in a cursive style with a large, sweeping flourish at the end.

John Guerin, President: Coal Creek TAP, Inc.

curb

12'

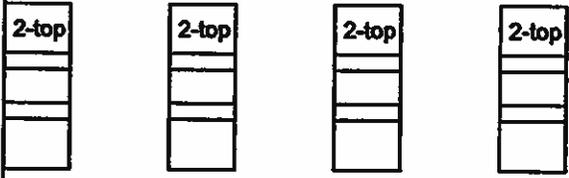
Patio Fence

Grand Ave.

4.5'



Main Entry



Proposed

2-top

2-top

2-top

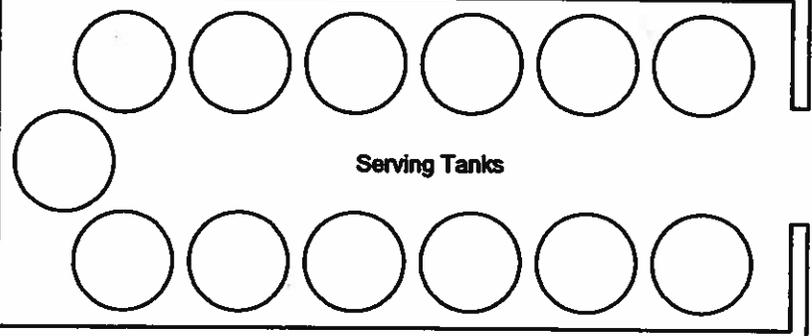
1st Street Plaza

Booth

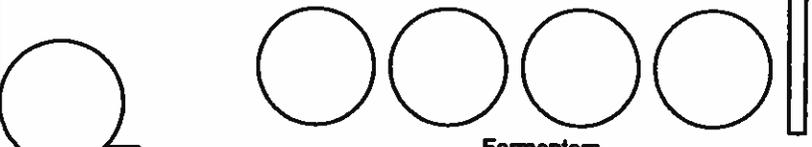
Bar

Taps

Coal Creek Coffee



Serving Tanks



Fermenters

Brewhouse

Utility

ADA Restroom

Overhead door

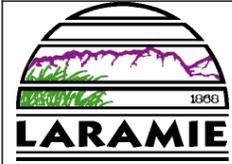
Emerg Ex

Parking lot

**Coal Creek Tap**

**John Guerin**  
Owner/ Master Brewer  
Office: 307.255.0705  
Cell: 307.760.7404  
email: CoalCreekTap@gmail.com

**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item:** Licensing

**Title:** Coal Creek Coffee alcohol serving area expansion

**Recommended Council MOTION:**

That City Council approve the addition of an enclosed outdoor patio alcohol serving area along the north side of the building to Coal Creek Coffee, Restaurant license No. R29.

---

**Administrative or Policy Goal:**

To fulfill the legal requirements of the Wyoming State Liquor Laws.

---

**Background:**

The City Clerk's Office received a request by Guerin Enterprises, Inc, to expand their alcohol serving area to an enclosed outdoor patio area on the north side of the existing location for Coal Creek Coffee.

The Wyoming Liquor Division has reviewed the request and has no objections to the described expansion area.

---

**Legal/Statutory Authority:**

As per Wyoming State Statute 12-5-201(a) "Alcoholic beverages secured in the licensed room by a server may be served only in the building in which the licensed room is located and in an immediately adjacent fenced or enclosed area as approved by the local licensing authority".

---

**BUDGET/FISCAL INFORMATION: n/a**

**Responsible Staff:**

Angie Johnson, City Clerk



To: City of Laramie  
City Clerk's Office  
P.O. Box C  
Laramie, WY 82070

06/29/2016

From: John Guerin  
Coal Creek Coffee Co.  
110 E. Grand Ave.  
Laramie, WY 82070

To Whom It May Concern:

I am writing to request that Coal Creek Downtown be permitted to expand our serving area to include our front, sidewalk patio area within the scope of our Restaurant Liquor license. The patio is located on the north of our coffeehouse on Grand Avenue. Its size is approximately five feet deep by thirty feet long and contains three table and chair settings. If we are allowed the expansion we will shield the patio area from the public right of way by means of a short, black, wrought iron type fence.

Please be advised I have applied for a "Right of Way Obstruction Permit" with the City of Laramie engineering department to allow for our sidewalk patio area.

Thank you for your consideration.  
Respectfully,

A handwritten signature in cursive script, appearing to read "John Guerin".

John Guerin, President: Coal Creek Coffee Co.



## CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



**Agenda Item: Original Ordinance - 2nd Reading**

**Title: Original Ordinance No. 1947 vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition**

### **Recommended Council MOTION:**

Move to **approve** Original Ordinance No. 1947 on second reading, vacating a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition, based on findings of fact and conclusions of law and note a public hearing was held on July 5, 2016.

---

### **Administrative or Policy Goal:**

Vacation of the unbuilt right-of-way removes an isolated alley right-of-way from the interior of a block and allows the developer to utilize the land area for future development.

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### **Background:**

The request for vacation is for 1,145.61 sq. ft. of unused right-of-way within Block 46 Downey's Addition. The applicant filed this application on January 14, 2016 and requested the item be delayed until after Enrolled Ordinance No. 1705 was approved which assigned an effective value of \$0 for unbuilt and unmaintained public rights-of-way and eliminated the appraisal requirement for alleys that were unbuilt or unmaintained. To the best of staff's knowledge and based on aerial imagery from 1976, this alley appears to have never been developed.

The City Council considered this item on June 21, 2016, and voted (7 yes, 0 no, 1 abstention, 1 absent) to approve on first reading. The Planning Commission heard this item on June 13, 2016 and recommend that the City Council approve the vacation (5 yes, 1 no, 1 absent).

The Planning Commission staff report is included. No changes have been made to the report subsequent to the Planning Commission action.

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### **Legal/Statutory Authority:**

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes 15-4-305.
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

**BUDGET/FISCAL INFORMATION:**

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**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$765.00	Application Fee
Grants for Projects		
Loans on Project		
Total	\$765.00	

**Responsible Staff:**

Future dates are subject to change

Charles W. Bloom, AICP, Principal  
Planner, 721-5232

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1 <sup>st</sup> Reading	June 21, 2016
2 <sup>nd</sup> Reading	July 5, 2016
3 <sup>rd</sup> Reading	July 19, 2016

**Attachments:**

Vacation Ordinance  
June 13, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1947  
ENROLLED ORDINANCE NO.:

INTRODUCED BY: Henry

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF LARAMIE, WYOMING VACATING A 1,145.61 SQ. FT. ALLEY RIGHT-OF-WAY LOCATED WITHIN BLOCK 46, DOWNEY'S ADDITION

WHEREAS, on January 14, 2016, Dustin J. Richards filed an application on behalf of JS Building Company, LLC, for vacation of a 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition;

WHEREAS, on March 2, 2016, the City Council approved Enrolled Ordinance No. 1705 amending Title 15 of Laramie Municipal Code creating LMC 15.06.060.W.4 to provide for an effective determination of value for rights-of-way proposed for vacation;

WHEREAS, it has been determined that 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition meets the criteria of LMC 15.06.060.W.4 establishing a value of zero (0) and as such an appraisal is not required pursuant to Laramie Municipal Code;

WHEREAS, on June 13, 2016 the Laramie Planning Commission affirmatively voted to recommend approval of the vacation to the Laramie City Council;

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602(b) shall be published in the *Laramie Boomerang* on June 11, 2016 which notice was given at least fifteen (15) days prior to the public hearing; and

WHEREAS, the Laramie City Council ~~shall hold~~ **HELD** a public hearing on July 5, 2016 to take and consider public comments.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That pursuant to W.S. § 15-6-104, W.S. § 15-4-305 and W.S. § 34-12-106 through § 34-12-108, the City Council finds that the vacation of the following described area will not abridge or destroy any of the rights and privileges of other proprietors in said plat and further finds that the vacation is in the best interest of the City of Laramie, Wyoming (City).

**Section 2.** That the City Council hereby vacates the entirety of the 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition, more particularly described as:

A TRACT OF LAND IN BLOCK 46, DOWNEY'S ADDITION TO THE CITY OF LARAMIE, SECTION 28, T16N, R73W OF THE 6TH P.M., ALBANY COUNTY, WYOMING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE INTERIOR 16 FOOT ALLEY OF SAID BLOCK 46 AS BOUNDED ON THE SOUTH BY THE NORTH LINE OF CURTIS STREET

VACATED AND AS BOUNDED ON THE NORTH BY A LINE PARALLEL WITH AND 6.0 FEET NORTHERLY OF THE SOUTHERLY LINE OF LOT 2 AND LOT 7 OF SAID BLOCK 46.

SAID TRACT CONTAINS 1,146 SQUARE FEET MORE OR LESS (0.026 ACRES).

**Section 3.** That the Clerk of Albany County, Wyoming, in whose office the aforesaid plat is recorded, shall cause the right-of-way vacation to be indicated in plain legible letters and symbols across the plat so modified, and shall also make a reference on the same to the volume and page number on which the ordinance vacating the easement is recorded.

**Section 4.** That the pursuant to LMC 15.06.060.W.4 the City Council establishes a value of zero (0) and waives its request for payment.

**Section 5.** That prior to execution of the Quitclaim Deed transferring vacated property to the adjacent landowner, the following stipulations shall be met:

1. A signed copy of a Public Utility Easement granting an easement for public utilities to the City within the entirety of the vacated alley. Said Public Utility Easement shall grant the City a perpetual easement for the purposes of installing, operating, inspecting, maintaining, repairing, replacing, substituting, relocating and removing public utilities within utility easements on, under, along, and across the easement area. Signed copies of the Public Utility Easement shall be provided to the City for review and approval.
2. That the adjacent landowner shall enter into a Maintenance Agreement with the City. The Maintenance Agreement shall state that in the event of excavation the City shall be responsible to backfill and grade such area to the specifications as defined and adopted by City. The landowner shall repave with asphalt to the specifications as defined and adopted by City within twelve (12) months of completion of City backfill and grade unless agreed otherwise between the parties. Any costs for restoration other than backfill and grading shall be borne by landowner, their successors and assigns. Signed copies of the Public Utility Easement shall be provided to the City for review prior to execution of the quitclaim deed to the adjacent property owner.
3. That the applicant shall provide the City letters from affected Franchise Utilities approving the vacation.
4. That the Public Utility Agreement and Maintenance Agreement shall be approved by the City Council. The Public Utility and Maintenance Agreement shall be recorded concurrently with the Quitclaim Deed conveying the property.

**Section 6.** That this ordinance shall become effective after its passage, approval, publication, and recordation.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.**

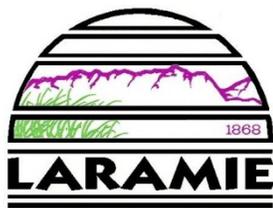
\_\_\_\_\_  
David A. Paulekas  
Mayor and President of the City Council

ATTEST:

\_\_\_\_\_  
Angie Johnson  
City Clerk

First Reading: June 21, 2016  
Public Hearing July 5, 2016  
Second Reading: July 5, 2016  
Third Reading and Final Action: July 19, 2016

Duly published in the *Laramie Boomerang* this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



## City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

Code Administration: (307) 721-5271  
Engineering: (307) 721-5250  
Planning: (307) 721-5207  
Fax: (307)721-5248

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### LARAMIE PLANNING COMMISSION JUNE 13, 2016 STAFF REPORT

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**FILE:** VAC-16-01 Block 46 of Downey's Addition Alley

**REQUEST:** Vacation of alley within Block 46 of Downey's Addition

**LOCATION:** Within the block bounded by Mitchell, 5<sup>th</sup>, Reynolds and Curtis Streets

**APPLICANT(S):** JS Building Company, LLC (Janice Shuster, Manager)

**PURPOSE:** To vacate undeveloped alley right-of-way located within the applicant's property.

**PREPARED BY:** Charles W. Bloom, AICP, Principal Planner

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#### RECOMMENDED MOTION:

Move to recommend that City Council **approve** the vacation of a 1,145.61 sq. ft. area of alley right-of-way within Block 46, Downey's Addition, based on findings of fact and conclusions of law and subject to staff's recommended conditions.

#### BACKGROUND:

The request for vacation is for 1,145.61 sq. ft. of unused right-of way within Block 46 Downey's Addition. The applicant filed this application on January 14, 2016 and requested the item be delayed until after [Enrolled Ordinance No. 1705](#) was approved which assigned an effective value of \$0 for unbuilt and unmaintained public rights-of-way and eliminated the appraisal requirement for alleys that were unbuilt or unmaintained. To the best of staff's knowledge and based on aerial imagery from 1976, this alley appears to have never been developed.

#### History:

On July 20, 1976 the City approved Enrolled Ordinance No. 494 vacating the alley south of Curtis Street and Reynolds Street within block 39, Downey's Addition south of the requested alley vacation. The alley was developed as a two-track dirt road. That vacation application was initiated by the present property owners, JS Building Company, LLC, for construction of the Ideal grocery store. As part of the vacation ordinance approval, the applicant was required to relocate the water and sewer utilities around the proposed store and compensate the City \$778.64 (\$50 for the appraisal and \$728 for payment of the alley). The City Council also retained a right-of-way easement for access to the relocated utilities. At the time the petitioners (JS Building Company, LLC) did not own the land north of Curtis Street leaving the alley between Curtis and Mitchell Streets.

On September 21, 1976 the City approved Enrolled Ordinance No. 502 vacating undeveloped Curtis Street right-of-way between 4<sup>th</sup> and 5<sup>th</sup> Street which lies immediately south of the requested alley vacation. That vacation application was initiated by the present property owners, JS Building Company, LLC for construction of the Ideal grocery store. As part of the vacation ordinance approval, the applicant JS Building Company, LLC was required to compensate the City \$3,974 (\$100 for the appraisal and \$3,874 for payment of the alley). The City Council also retained a right-of-way easement within the vacated area.

On February 7, 2006 the City approved Enrolled Ordinance No. 1686 vacating a portion of alley north of the subject vacation. That vacation application was initiated by the adjacent property owners who owned the land to the east and west of the alley proposed for vacation. The City Council did not require monetary compensation for the alley vacated and retained an easement to construct, repair and maintain and service public utilities within the vacated area.

The petitioner eventually acquired lands north of former Curtis Street, including former Curtis Street right-of-way, and developed this area as additional parking for the Ideal Center. The alley had never been developed as an alley and was paved over during parking lot construction.

The net result of these various prior vacations has been to leave an approximate 1,145.61 sq. ft. alley that is landlocked on all sides. This is the area proposed for vacation, as shown on the Vicinity Map.

#### **SURROUNDING LAND USE AND ZONING:**

	<b>Future Land Use Designation (Map 3.2)</b>	<b>Zoning District</b>	<b>Land Use</b>
<b>Subject Property</b>	(AUC) Auto Urban Commercial	West half B2 (Business) East half B1 (Limited Business)	Parking lot
<b>North</b>	(UR) Urban Residential	B2 (Business) B1 (Limited Business)	Apartment complex
<b>South</b>	(AUC) Auto Urban Commercial	B2 (Business) B1 (Limited Business)	Parking lot
<b>East</b>	(AUC) Auto Urban Commercial	B1 (Limited Business)	Parking lot
<b>West</b>	(AUC) Auto Urban Commercial	B2 (Business)	Parking lot

#### **ANALYSIS:**

The 16-foot wide alley is paved, however it is paved as a part of a parking area which surrounds it on three sides; the east, south and west. The alley is accessible to the City, public utilities, and the public through recorded public "Right-of-way Easements" from the east, west and south. The alley is also available to public utility providers via the "public utility easement" that runs between the apartment buildings to the north. Vacating the alley right-of-way will have no effect on the City, provided a public utility easement is reserved.

### Utilities

A waterline exists within the alley right-of-way and will remain at this location. In conjunction with the prior alley vacation to the north the City reserved a Public Utility Easement. In conjunction with the Curtis Street vacation and alley vacation to the south the City reserved a public Right-of-way Easement for public utilities and access. Staff recommends a condition that a Public Utility Easement and Maintenance Agreement regarding access to the underground utilities be provided within the vacated alley. This would result in a 16' wide Public Utility Easement within the former alley right-of-way. The City's standard practice regarding Maintenance Agreement indicates that the property owner is responsible for repaving of disturbed areas in the event excavation is required.

The applicant is presently working with franchise utilities regarding approval of the alley. At this time staff is unaware of any franchise utilities within the segment of alley. Staff has recommended a condition of approval be that prior to execution of the quitclaim deed transferring the land to the adjacent landowners, the applicant provide letters from the utilities stating their approval of the vacation.

### Appraisal

The applicant filed this application on January 14, 2016 and requested the item be delayed until after [Enrolled Ordinance No. 1705](#) was approved. Approval of [Enrolled Ordinance No. 1705](#) assigned an effective value of \$0 for unbuilt and unmaintained at public rights-of-way and eliminated the requirement for appraisal since the alley had never been constructed or maintained by the City. To the best of staff's knowledge and based on aerial imagery from 1976, this alley appears to have never been developed.

### **PUBLIC NOTICE AND COMMENTS:**

Public notice was published in the Laramie Boomerang on May 28, 2016 and mailed notices were sent to area residents within 300 feet on May 25, 2016. To date staff has received no public comment on this vacation application.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

#### Findings of Fact:

- The request complies with the applicable vacation requirements of Laramie Municipal Code, Title 15 and W.S. 15-4-305.
- Public utilities exist within the alley-right-of-way.

#### Conclusions of Law:

- The vacation is being processed pursuant to Laramie Municipal Code, Title 15 and W.S. 15-4-305.
- Staff has recommended a condition that prior to transferring the vacated alley to the adjacent landowner, the adjacent landowner grant the City a Public Utility Easement and enter into a Maintenance Agreement since public utilities exist within the alley requested for vacation.

**ALTERNATIVES:**

1. Approve the request as recommended by staff, based on findings of fact and conclusion of law. (Staff Recommendation)
2. Approve the request subject to alternative conditions, based on findings of fact and conclusion of law.
3. Deny the request based on findings of denial. Since staff recommends approval, the Planning Commission and City Council must conclude that the request does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone action on the request until issues identified during the meeting can be resolved.

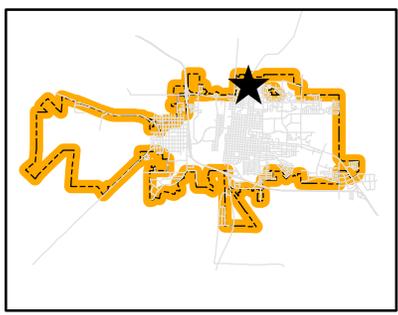
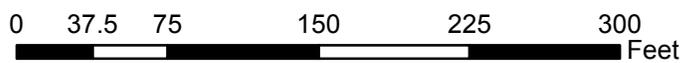
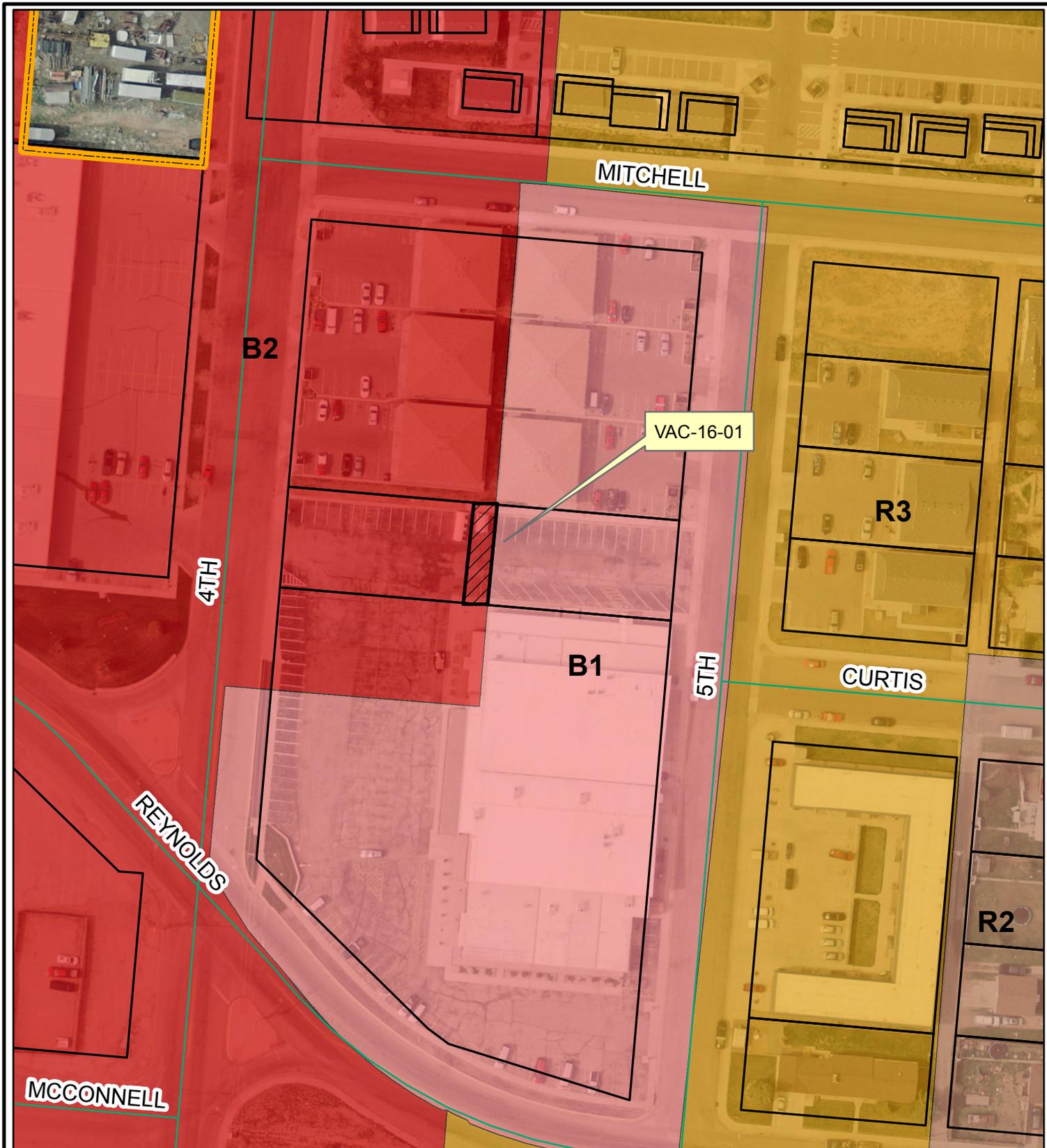
**STAFF RECOMMENDATION:**

Staff recommends **approval** of the vacation of 1,145.61 sq. ft. of alley of right-of-way within Block 46, Downey's Addition, based on findings of fact and conclusions of law and subject to staff's recommended conditions:

1. Prior to execution of the Quitclaim Deed transferring vacated property to the adjacent landowner, the landowner owner shall provide to the City for review and approval, a signed copy of a Public Utility Easement granting an easement for public utilities to the City within the entirety of the vacated alley. Said Public Utility Easement shall grant the City a perpetual easement for the purposes of installing, operating, inspecting, maintaining, repairing, replacing, substituting, relocating and removing public utilities within utility easements on, under, along, and across the easement area. Signed copies of the Public Utility Easement shall be provided to the City for review and approval.
2. Prior to execution of the Quitclaim Deed transferring vacated property to the adjacent landowner, the adjacent landowner shall enter into a Maintenance Agreement with the City. The Maintenance Agreement shall state that in the event of excavation the City shall be responsible to backfill and grade such area to the specifications as defined and adopted by City. The landowner shall repave with asphalt to the specifications as defined and adopted by City within twelve (12) months of completion of City backfill and grade unless agreed otherwise between the parties. Any costs for restoration other than backfill and grading shall be borne by landowner, their successors and assigns. Signed copies of the Public Utility Easement shall be provided to the City for review prior to execution of the quitclaim deed to the adjacent property owner.
3. Prior to execution of the Quitclaim Deed conveying the property to the adjacent landowner, the applicant shall provide the City letters from affected franchise Utilities (Charter, Source Gas, Rocky Mountain Power and Century Link) approving the vacation.
4. Prior to execution of the Quitclaim Deed conveying the property to the adjacent landowner, the Public Utility Agreement and Maintenance Agreement shall be approved by the City Council. The Public Utility and Maintenance Agreements shall be recorded concurrently with the Quitclaim Deed conveying the property.

**ATTACHMENTS:**

1. Vicinity Map (1 page)
2. Submitted materials, including: Cover Letter, Application, Letter of Consent, Location of Alley (7 pages)



VAC-16-01  
 Block 46 Downey's Addition  
 Alley Vacation



This Data contained herein was compiled from various sources for the sole use of the City of Laramie. REVIEW OF THIS DATA FOR ACCURACY AND ANY NECESSARY EDITING HAS NOT BEEN COMPLETED AT THIS TIME. Any use of the data by anyone other than the City of Laramie, and its members, is at the sole risk of the user; and by acceptance of this data, the user does hereby hold the City of Laramie, and its members, harmless and without liability from any claims, costs, or damages of any nature against the City of Laramie, including cost of defense arising from improper use of data, or use by other party. Acceptance or use of this data is done without any expressed or implied warranties.

**PENCE AND MACMILLAN LLC**  
**A WYOMING LIMITED LIABILITY COMPANY**

ALFRED M. PENCE (1905-1980)  
GEORGE J. MILLETT (1913-2003)  
PAUL D. SCHIERER, P.C.  
GREG A. VON KROSIGK, P.C.  
M. GREGORY WEISZ, P.C.\*  
DEVON O'CONNELL, P.C.\*  
REBECCA A. LEWIS\*  
MEGAN OVERMANN GOETZ, P.C.\*

JODI D. SHEA  
ROBERT W. SOUTHARD\*\*  
DUSTIN J. RICHARDS\*  
COLE N. SHERARD  
ISAIAH R. GROSS  
CHRISTINE STICKLEY\*  
SCOTT W. MEIER\*  
ERIC BOYER\*

\* Also Admitted in Colorado  
\*\* Also Admitted in Michigan

Attorneys at Law  
501 Garfield  
P.O. Box 1285  
Laramie, Wyoming 82073-1285  
Telephone: (307) 745-3626  
Facsimile: (307) 745-8669  
www.penceandmac.com

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Sender's e-mail: drichards@penceandmac.com

**OTHER OFFICES LOCATED IN:**  
SHERIDAN, WY  
CHEYENNE, WY

BECKY KLEMT MACMILLAN, OF COUNSEL  
FREUDENTHAL & BONDS P.C., OF COUNSEL  
STEVEN F. FREUDENTHAL  
BARBARA E. BONDS

January 14, 2016

City of Laramie  
Community Development Department  
405 East Grand Avenue  
Laramie, WY 82070

Re: Application for Vacation of Public Way

To Whom It May Concern:

Enclosed is an Application for Vacation of Public Way, concerning an a remnant of an alley right of way between 4th and 5th Streets, South of Mitchell Street and North of previously-vacated Curtis Street in Laramie, Wyoming. More specifically, the area to be vacated is approximately the southern 72.9 feet of what was once a north-south 16-foot wide alley in Block 46, Downey's Addition to the City of Laramie, Wyoming.

The City previously vacated the interior 16 foot alley of Block 46 that was north of a line parallel with and 6 feet northerly of the southerly line of Lots 2 and 7. That left an interior 16 foot-wide alley in Block 46 running south from that line parallel with and 6 feet northerly of the southerly line of Lots 2 and 7 to the southerly line of Lots 1 and 8. The area of alley to be vacated is surrounded by private property and is approximately 1,166.4 square feet (72.9 feet long x 16 feet wide). Enclosed is a map of the area highlighting the alley to be vacated. In particular, it should be noted that:

- The alley was never constructed by prior or current property owners.
- The alley north of this remnant was previously vacated.
- The alley and street south of this area was previously vacated.
- This alley is not necessary to access property on either end.
- This alley remnant we are requesting to be vacated is surrounded by private property.

Due to the unique circumstances here and nature of the property at issue, the applicant requests a variance from the usual appraisal requirement under section 15.06.060(V) of the UDC. There is no longer an "alley." Instead, there is just a very small, locked remnant of an alley that the City has no legal ability to use. The parcel has no net economic value and this fragment provides no access to any other public street or alley. Supporting our request to waive the appraisal requirement is a realtor's opinion as to negligible value of the land to the City. As the value and use of the land by the city is limited to the course of the waterline underlying the area, an appraisal for this vacation should not be required. Instead, in consideration for the vacation, the owners will grant the City an easement for the existing waterline in that area.

The area here is appropriate for vacation as there is no necessity for the alley at issue. The vacation of this area will not abridge or destroy any of the rights and privileges of other landowners in the area and is in the best interest of the City of Laramie.

JS Building Company, LLC recently sold the South 6 feet of Lots 2 and 7 and all of Lots 1 and 8 of Block 46 and all of Block 39 to Goodwill Industries of Wyoming, Inc. Goodwill Industries of Wyoming, Inc. consents to this Application for Vacation, and to the extent it might be required to be the applicant, it consents to be treated as such.

Thank you for your attention to this matter.

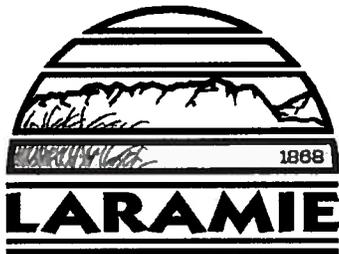
Sincerely,  
PENCE AND MACMILLAN LLC



Dustin J. Richards

Cc: Client  
Encl.

**COMMUNITY DEVELOPMENT DEPARTMENT**



**PLANNING DIVISION**

**APPLICATION FOR:  
Vacation of Public Way**

ALL REQUIRED MATERIALS SHALL BE SUBMITTED TO THE CITY OF LARAMIE COMMUNITY DEVELOPMENT DEPARTMENT, 405 GRAND AVENUE, LARAMIE, WYOMING. ALL SUBMITTED MATERIALS WILL REMAIN THE PROPERTY OF THE CITY OF LARAMIE COMMUNITY DEVELOPMENT DEPARTMENT. APPLICATIONS, PLANS, AND/OR SUPPORTING DOCUMENTATION THAT ARE INCOMPLETE OR ILLEGIBLE WILL NOT BE ACCEPTED. PLEASE REVIEW THE ENTIRE APPLICATION AND PRINT CLEARLY. STAFF PREFERENCES THE APPLICATION BE SIGNED IN BLUE INK.

<b>Date Submitted:</b> _____ (Assigned by Staff)		<b>File Number: VAC-</b> _____ (Assigned by Staff)	
<b>APPLICANT:</b> JS Building Company, LLC			<b>PRIMARY CONTACT?</b> <input type="checkbox"/>
<b>ADDRESS:</b> 530 Beaufort St., Unit 119		<b>E-MAIL:</b>	
<b>CITY:</b> Laramie	<b>STATE:</b> WY	<b>ZIP CODE:</b> 82072	
<b>PHONE :</b>	<b>MOBILE:</b>	<b>FAX:</b>	
<b>REPRESENTATIVE (If different than Applicant):</b> Dustin J. Richards			<b>PRIMARY CONTACT?</b> <input checked="" type="checkbox"/>
<b>ADDRESS:</b> Pence and MacMillan LLC, PO Box 1285		<b>E-MAIL:</b> drichards@penceandmac.com	
<b>CITY:</b> Laramie	<b>STATE:</b> WY	<b>ZIP CODE:</b> 82073	
<b>PHONE :</b> 307-745-3626	<b>MOBILE:</b>	<b>FAX:</b>	
<b>PROJECT NAME (To be assigned by Staff):</b>			
<b>PROJECT LOCATION (Street Address or General Location):</b> A portion of an original alley right of way which lies between 4th and 5th Streets, South of Mitchell Street and North of Previously vacated Curtis Street in Laramie, Wyoming			
<b>ZONING:</b> Commercial		<b>COMPREHENSIVE PLAN LAND USE DESIGNATION:</b>	
<b>TOTAL VACATION ACREAGE/SIZE:</b> approx. 16' x 72.9'		<b>NO. OF PROPERTY OWNERS ABUTTING PUBLIC WAY AND 300' EXTENSION:</b> 3 owners	
<b>PROPERTY APPRAISAL AMOUNT:</b> N/A		<b>PROPOSED USE:</b> Parking Lot	
<p>A vacation of a public way (right-of-way or public easement) may only be requested by a landowner abutting or adjacent to such public way. The consent of the majority of the property owners of a majority of the land abutting the area proposed to be vacated and extending 300 feet in either direction from the area to be vacated shall be required.</p>			

**APPLICANT:**

Janice Shuster  
(PRINT NAME)  
 JS Building Co LLC

Janice Shuster  
(SIGNATURE)

1-14-16  
(DATE)

**LETTER OF AUTHORIZATION**

This letter shall serve to notify and verify that I am/we are the legal owner(s) of a property abutting the way being considered under this application, and do hereby authorize the below applicant(s) and representative(s) to file and represent my/our interest in this application.

I am/we are the legal owner(s) of said property; have read this "Letter of Authorization" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

**OWNER(S) OF RECORD: (All owners of record must sign; provide extra sheets if necessary.)**

JS Building Company, LLC  
By: Janice Shuster, Manager  
\_\_\_\_\_  
(Print Name)

*Janice Shuster*  
\_\_\_\_\_  
(Signature)

1-14-16  
\_\_\_\_\_  
(Date)

Goodwill Industries of Wyoming, Inc.  
By: Jana Conine, Executive Director  
\_\_\_\_\_  
(Print Name)

*Jana Conine*  
\_\_\_\_\_  
(Signature)

1/14/16  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

I certify under penalty of perjury that I am the applicant and that the foregoing statements and answers contained herein and the information herein submitted, are in all respects true and correct. I grant permission to City staff and officials to enter the property to conduct inspections/site visits necessary for the review of the project.

**APPLICANT (LLCs, Corporations and Partnerships shall identify a specific applicant.):**

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**APPLICANT'S REPRESENTATIVE:**

Dustin J. Richards  
\_\_\_\_\_  
(Print Name)

*Dustin Richards*  
\_\_\_\_\_  
(Signature)

1/14/2016  
\_\_\_\_\_  
(Date)

The Community Development Director or his designee shall provisionally determine the completeness of an application at the time of submittal to the Community Development Department. A formal determination of completeness will be made no later than 21 calendar days after the submittal deadline (please see separate Application Submittal Schedule for deadlines). A determination of completeness shall not constitute a determination of compliance with substantive requirements of this development code.

**LETTER OF CONSENT**

This letter shall serve to notify and verify that I am/we are the legal owner(s) of property abutting or adjacent to such public way requested for vacation and / or within a 300-foot-extension of such public way requested for vacation. I/we consent to the vacation of such public way. I understand I may withdraw my consent by written letter prior to final consideration of this vacation by the Laramie City Council.

I am/we are the legal owner(s) of said property; have read the foregoing "Letter of Consent" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

PROPERTY LANDOWNER ABUTTING OR ADJACENT TO SUCH PUBLIC WAY: (Provide extra sheets if necessary.)

1) 1575 4th St  
000000010527  
Property Address: Goodwill Industries of Wyoming, Inc.  
By: Jana Conine, Executive Director  
(Print Name)  
Property ID Number (Assessor's Office)  
*Jana Conine*  
(Signature)  
1/14/16  
(Date)

2) SUN CHASE VLG B 1 L 3  
0000R0028864  
Property Address: Laramie MF Housing Partners LLC  
By:  
(Print Name)  
Property ID Number (Assessor's Office)  
(Signature) (Date)

3)  
Property Address: \_\_\_\_\_  
(Print Name)  
Property ID Number (Assessor's Office)  
(Signature) (Date)

4)  
Property Address: \_\_\_\_\_  
(Print Name)  
Property ID Number (Assessor's Office)  
(Signature) (Date)

January 11, 2016

City of Laramie  
Community Development Department  
405 East Grand Avenue  
Laramie, WY 82070

Re: Consent to and Joining of Application for Vacation of Public Way

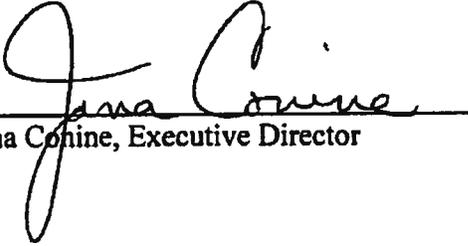
To Whom It May Concern:

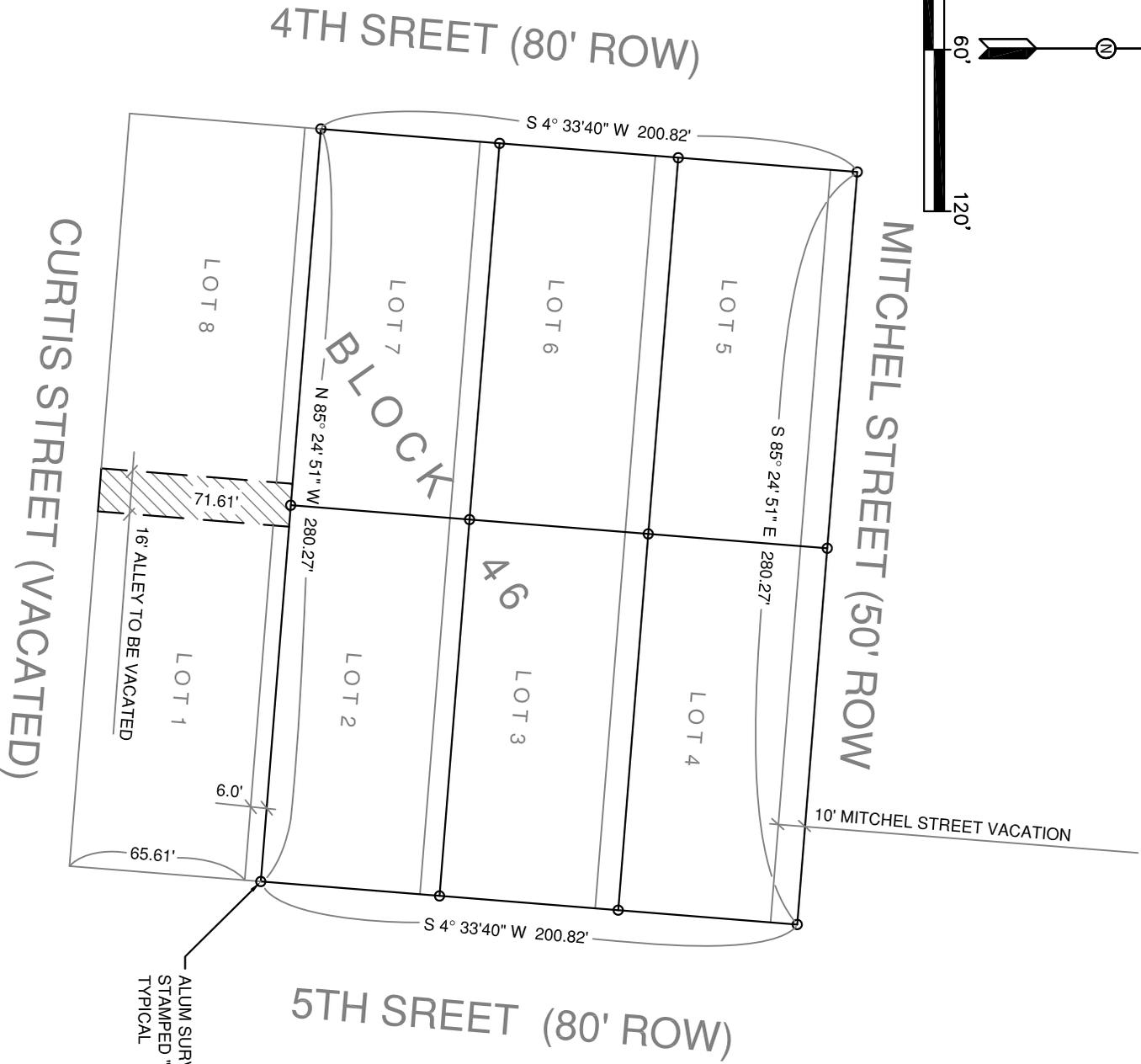
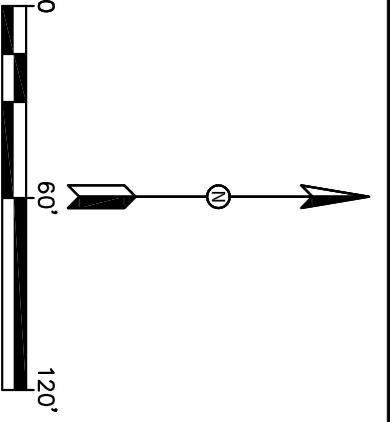
On behalf of Goodwill Industries of Wyoming, Inc. ("Goodwill"), I have reviewed the Application for Vacation of Public Way and cover letter prepared by JS Building Company, LLC, concerning the vacation of an interior 16 foot-wide alley in Block 46 running south from that line parallel with and 6 feet northerly of the southerly line of Lots 2 and 7 to the southerly line of Lots 1 and 8.

This letter shall serve to notify and verify that Goodwill is the legal owner of property abutting the alley remnant requested for vacation. Goodwill consents to the vacation of such public way and to the extent it might be required to be the applicant, it consents to be treated as such and joins the application with JS Building Company, LLC.

**Goodwill Industries of Wyoming, Inc.**

By: \_\_\_\_\_

  
Jana Conine, Executive Director

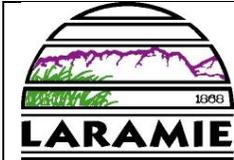


**AREA TO BE VACATED**

A TRACT OF LAND IN BLOCK 46, DOWNEY'S ADDITION TO THE CITY OF LARAMIE, SECTION 28, T16N, R73W OF THE 6TH P.M., ALBANY COUNTY, WYOMING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 ALL OF THE INTERIOR 16 FOOT ALLEY OF SAID BLOCK 46 AS BOUNDED ON THE SOUTH BY THE NORTH LINE OF CURTIS STREET VACATED AND AS BOUNDED ON THE NORTH BY A LINE PARALLEL WITH AND 6.0 FEET NORTHERLY OF THE SOUTHERLY LINE OF LOT 2 AND LOT 7 OF SAID BLOCK 46.  
 SAID TRACT CONTAINS 1146 SQUARE FEET MORE OR LESS (0.026 ACRES).

ALUM SURVEYOR'S CAP  
 STAMPED "LS 4276"  
 TYPICAL

## CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016



**Agenda Item: Original Ordinance - 2nd Reading**

**Title: Original Ordinance No. 1948 vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition**

### **Recommended Council MOTION:**

Move to **approve** Original Ordinance No. 1948 on second reading, vacating a 4,224 sq. ft. area of alley of right-of-way within Block 1, University Place Addition, based on findings of fact and conclusions of law and note a public hearing was held July 5, 2016.

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### **Administrative or Policy Goal:**

Vacation of the right-of-way would facilitate development in this area which is consistent with the City's Comprehensive Plan for the area and the University's Long Range Development Plan.

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### **Background:**

The request for vacation is for 4,224 sq. ft. of alley right-of way within Block 1 University Place Addition. The applicant filed this application on April 14, 2016. The alley vacation is required to allow for construction of the University of Wyoming Engineering Education & Research Building (EERB). The Trustees of the University of Wyoming have already approved this project and the State has funded the project.

The University has been working with the City and Franchise Utilities regarding relocation of utilities presently located within the alley. Work including the demolition and relocation of several structures has also begun within the block. Vacation of the alley is required prior to issuance of a building permit since the building will be located on top of the alley.

The vacation request is in accordance with City Council Resolution No. 2012-04; the Lewis Street License and Transfer Plan that was approved by the City Council on January 17, 2012; and the October 7, 2014 Memorandum of Understanding (MOU) concerning traffic flow, utilities within Lewis Street, vacation of Lewis Street and vacation of alleys and side streets between Lewis and Bradley Streets (attached to the Planning Commission Staff Report). The Resolution, License Transfer Plan and MOU acknowledged future conveyance of the Lewis Street right-of-way between 9th and 14th Streets and details that the City will not seek compensation for the land vacated.

The City Council considered this item on June 21, 2016, and voted (8 yes, 0 no, 1 absent) to approve on first reading. The Planning Commission heard this item on June 13, 2016 and recommend that the City Council approve the vacation (5 yes, 0 no, 1 abstention, 1 absent).

The Planning Commission staff report is included. No changes have been made to the report subsequent to the Planning Commission action.

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**Legal/Statutory Authority:**

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes 15-4-305.
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

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**BUDGET/FISCAL INFORMATION:**

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**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$765.00	Application Fee
Grants for Projects		
Loans on Project		
Total	\$765.00	

**Responsible Staff:**

Charles W. Bloom, AICP, Principal  
Planner, 721-5232

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	July 5, 2016
Pub. Hearing Advertised	June 18, 2016
Introduction/1 <sup>st</sup> Reading	June 21, 2016
2 <sup>nd</sup> Reading	July 5, 2016
3 <sup>rd</sup> Reading	July 19, 2016

**Attachments:**

Vacation Ordinance  
June 13, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1948  
ENROLLED ORDINANCE NO.:

INTRODUCED BY: Summerville

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF LARAMIE, WYOMING VACATING A 4,224 SQ. FT. AREA OF ALLEY RIGHT-OF-WAY WITHIN BLOCK 1, UNIVERSITY PLACE ADDITION

WHEREAS, on October 7, 2014, the City Council entered into a Memorandum of Understanding (MOU) with the University of Wyoming concerning traffic flow, utilities within Lewis Street, vacation of Lewis Street and vacation of alleys and side streets between Lewis and Bradley Streets and said Memorandum of Understanding agreed that the City would not seek compensation for the rights-of-way vacated alleys and side streets between Lewis and Bradley Streets and between 9<sup>th</sup> and 14<sup>th</sup> Streets;

WHEREAS, on April 14, 2016, the Trustees of the University of Wyoming filed an application for vacation of a 4,224 sq. ft. area of alley of right-of-way within Block 1, University Place Addition;

WHEREAS, on June 13, 2016 the Laramie Planning Commission affirmatively voted to recommend approval of the vacation to the Laramie City Council;

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602(b) shall be published in the *Laramie Boomerang* on June 11, 2016 which notice was given at least fifteen (15) days prior to the public hearing; and

WHEREAS, the Laramie City Council ~~shall hold~~ **HELD** a public hearing on July 5, 2016 to take and consider public comments.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

**Section 1.** That pursuant to W.S. § 15-6-104, W.S. § 15-4-305 and W.S. § 34-12-106 through § 34-12-108, the City Council finds that the vacation of the following described area will not abridge or destroy any of the rights and privileges of other proprietors in said plat and further finds that the vacation is in the best interest of the City of Laramie, Wyoming (City).

**Section 2.** That the City Council hereby vacates the entirety of the 1,145.61 sq. ft. alley right-of-way located within Block 46, Downey's Addition, more particularly described as:

THE ENTIRETY OF THE EAST-WEST ALLEY WITHIN BLOCK 1,  
UNIVERSITY PLACE ADDITION TO THE CITY OF LARAMIE, ALBANY  
COUNTY WYOMING

SAID TRACT CONTAINS 4,224 SQUARE FEET MORE OR LESS (0.097  
ACRES).

**Section 3.** That the Clerk of Albany County, Wyoming, in whose office the aforesaid plat is recorded, shall cause the right-of-way vacation to be indicated in plain legible letters and symbols across the plat so modified, and shall also make a reference on the same to the volume and page number on which the ordinance vacating the easement is recorded.

**Section 4.** That the City Council waives its request for payment in accordance with the October 7, 2014 Memorandum of Understanding with the University of Wyoming.

**Section 5.** That prior to execution of the Quitclaim Deed transferring vacated property to the adjacent landowner, the following stipulations shall be met:

1. All City Utilities within the alley shall be relocated in accordance with City Standards and utility plans shall be reviewed and approved by the City Engineer.
2. The applicant shall provide to the City final utility plans for review and approval showing all rerouted utilities of all affected Franchise Utilities

**Section 6.** That this ordinance shall become effective after its passage, approval, publication, and recordation.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.**

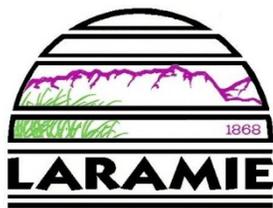
\_\_\_\_\_  
David A. Paulekas  
Mayor and President of the City Council

ATTEST:

\_\_\_\_\_  
Angie Johnson  
City Clerk

First Reading: June 21, 2016  
Public Hearing July 5, 2016  
Second Reading: July 5, 2016  
Third Reading and Final Action: July 19, 2016

Duly published in the *Laramie Boomerang* this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



## City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

Code Administration: (307) 721-5271  
Engineering: (307) 721-5250  
Planning: (307) 721-5207  
Fax: (307)721-5248

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### LARAMIE PLANNING COMMISSION JUNE 13, 2016 STAFF REPORT

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**FILE:** VAC-16-02 Block 1 University Place Addition Alley

**REQUEST:** Vacation of alley within 1 University Place Addition

**LOCATION:** Within the block bounded by 11<sup>th</sup>, Bradley, 12<sup>th</sup> and Lewis Streets

**APPLICANT(S):** University of Wyoming

**PURPOSE:** To vacate the entirety of the east – west alley right-of-way within the block for construction of the University of Wyoming Engineering Building

**PREPARED BY:** Charles W. Bloom, AICP, Principal Planner

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#### RECOMMENDED MOTION:

Move to recommend that City Council **approve** the vacation of 4,224 sq. ft. area of alley of right-of-way within Block 1, University Place Addition, based on findings of fact and conclusions of law and subject to staff's recommended conditions.

#### BACKGROUND:

The request for vacation is for 4,224 sq. ft. of alley right-of way within Block 1 University Place Addition. The applicant filed this application on April 14, 2016. The alley vacation is required to allow for construction of the University of Wyoming Engineering Education & Research Building (EERB). The Trustees of the University of Wyoming have already approved this project and the State has funded the project.

The University has been working with the City and Franchise Utilities regarding relocation of utilities presently located within the alley. Work including the demolition and relocation of several structures has also begun within the block. Vacation of the alley is required prior to issuance of a building permit since the building will be located on top of the alley.

The vacation request is in accordance with City Council Resolution No. 2012-04; the Lewis Street License and Transfer Plan that was approved by the City Council on January 17, 2012; and the October 7, 2014 Memorandum of Understanding (MOU) concerning traffic flow, utilities within Lewis Street, vacation of Lewis Street and vacation of alleys and side streets between Lewis and Bradley Streets (attached). The Resolution, License Transfer Plan and MOU acknowledged future conveyance of the Lewis Street right-of-way between 9<sup>th</sup> and 14<sup>th</sup> Streets and details that the City will not seek compensation for the land vacated.

**SURROUNDING LAND USE AND ZONING:**

	<b>Future Land Use Designation (Map 3.2)</b>	<b>Zoning District</b>	<b>Land Use</b>
<b>Subject Property</b>	(UU) Urban University	West half B2 (Business) East half B1 (Limited Business)	Single-family homes
<b>North</b>	(UR) Urban Residential	B2 (Business) B1 (Limited Business)	Apartment complex
<b>South</b>	((UU) Urban University	B2 (Business) B1 (Limited Business)	University of Wyoming College of Engineering
<b>East</b>	(UU) Urban University	B1 (Limited Business)	University of Wyoming Anthropology Building and Parking lot
<b>West</b>	(UU) Urban University	B2 (Business)	University of Wyoming Enzi S.T.E.M. Building

**ANALYSIS:**

The 16-foot wide alley runs east – west, has previously been developed as a gravel alley and provided secondary access to adjacent residential properties. The university has acquired all properties adjacent to the alley and alley access is no longer required.

Utilities

Public utilities exist within the alley right-of-way. The University has been working with the City and has Franchise Utilities regarding relocation of utilities presently in the alley. Staff has recommended a condition of approval be that prior to execution of the quitclaim deed transferring the land to the adjacent landowners, the applicant provide final plan and profile drawings from affected utilities.

Relationship to the Comprehensive Plan

The Comprehensive Plan Land Use Map 3.2 shows this area as Urban University. The Urban University classification is intended to increase density and intensity of uses adjacent to the campus of the University. Furthermore, the Urban University classification is intended “To promote urban living and walking in close proximity to the campus, taller residential buildings are envisioned to have first floor retail uses, thereby offering convenient services to student residents. An urban-scaled campus-town environment could also be created, being careful not to directly compete with downtown, but offering student hang-outs, a vending depot, study areas, a book store, campus health services, and other needed outlets and services” (Comprehensive Plan Chapter 3, pg 3-21).

Vacation of the alley would allow for expansion of the University’s core campus. Specifically, the University is presently prepping the site for construction of the Engineering Education & Research Building (EERB). The EERB will deliver modern educational and research spaces in a new multi-story building north of Lewis Street and between 11th and 12th Streets on the University of Wyoming campus. The EERB will encompass approximately 100,000 gross square feet (GSF) and will include the following program elements: Simulation lab, Student Innovation Center (SIC) and adjoining

student project space, Student Entrepreneurship Center (SEC), active learning classrooms, Modern, reconfigurable research lab spaces to support interdisciplinary research, and offices and collaborative work areas. Overall the EERB meets the intent of the UU Land Use classification.

#### Relationship to the University of Wyoming Long Range Development Plan

Vacation of the alleyway is consistent with the University of Wyoming's Long Range Development Plan (LRDP). According to the LRDP, this block is to be developed with as part of the Core Campus with a large multi-story academic building. The north side of the building will front on a green space and bicycle / pedestrian / transit corridor.

The University of Wyoming's Long Range Development Plan is not an adopted City planning document and no legal or regulatory status is attached to the Plan. Nevertheless, the City and University agree that development of campus facilities according to the LRDP is desirable and beneficial for both parties.

#### Compensation / Valuation:

Section 5 (Alleys and Side Streets between Lewis and Bradley Streets) of the attached 2014 MOU, discussed compensation for any alleys and side streets proposed for vacation in the area bounded by 9<sup>th</sup>, Bradley, 14<sup>th</sup> and Lewis Streets. Section 5 a) iv) of the MOU states that within the area covered MOU, the City will not request compensation for vacated alleys or side streets in recognition of the estimated \$1,625,000 cost to the University to replace and relocate utility lines in the area.

#### **PUBLIC NOTICE AND COMMENTS:**

Public notice was published in the Laramie Boomerang on May 28, 2016 and mailed notices were sent to area residents within 300 feet on May 25, 2016. To date staff has received no public comment on this vacation application.

#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

##### Findings of Fact:

- The request complies with the applicable vacation requirements of Laramie Municipal Code, Title 15 and W.S. 15-4-305.

##### Conclusions of Law:

- The vacation is being processed pursuant to Laramie Municipal Code, Title 15 and W.S. 15-4-305.

**ALTERNATIVES:**

1. Approve the request as recommended by staff, based on findings of fact and conclusion of law. (Staff Recommendation)
2. Approve the request subject to alternative conditions, based on findings of fact and conclusion of law.
3. Deny the request based on findings of denial. Since staff recommends approval, the Planning Commission and City Council must conclude that the request does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone action on the request until issues identified during the meeting can be resolved.

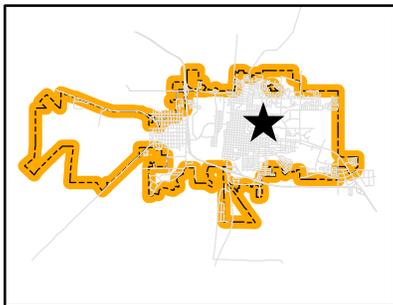
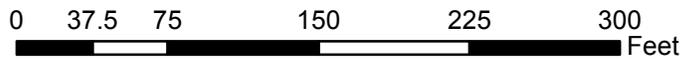
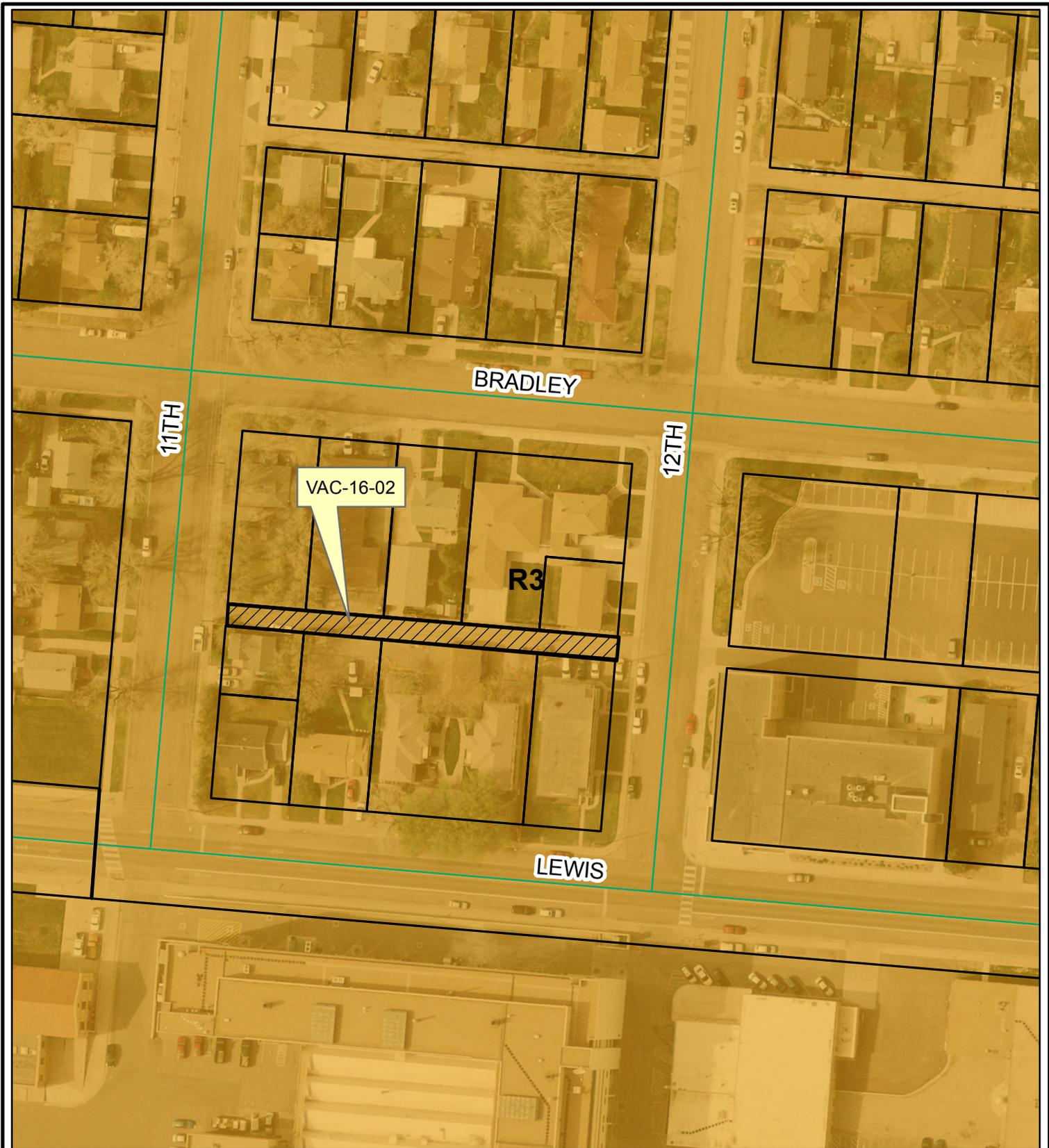
**STAFF RECOMMENDATION:**

Staff recommends that City Council **approve** the vacation of 4,224 sq. ft. of alley of right-of-way within Block 1, University Place Addition, based on findings of fact and conclusions of law, based on findings of fact and conclusions of law and subject to staff's recommended conditions:

1. Prior to execution of the Quitclaim Deed transferring vacated property to the adjacent landowner all City Utilities within the alley shall be relocated in accordance with City Standards and utility plans shall be reviewed and approved by the City Engineer.
2. Prior to execution of the Quitclaim Deed conveying the property to the adjacent landowner, the applicant shall provide to the City final utility plans for review and approval showing all rerouted utilities of all affected franchise Utilities (Charter, Source Gas, Rocky Mountain Power and Century Link)

**ATTACHMENTS:**

1. Vicinity Map (1 page)
2. Cover Letter (2 pages)
3. Application and Letter of Consent (5 pages)
4. Location of Alley (1 page)
5. City Council Resolution No. 2012-04; Lewis Street License and Transfer Plan; and the October 7, 2014 Memorandum of Understanding (14 pages)



# VAC-16-02 Block 1 University Place Alley Vacation



This Data contained herein was compiled from various sources for the sole use of the City of Laramie. REVIEW OF THIS DATA FOR ACCURACY AND ANY NECESSARY EDITING HAS NOT BEEN COMPLETED AT THIS TIME. Any use of the data by anyone other than the City of Laramie, and its members, is at the sole risk of the user; and by acceptance of this data, the user does hereby hold the City of Laramie, and its members, harmless and without liability from any claims, costs, or damages of any nature against the City of Laramie, including cost of defense arising from improper use of data, or use by other party. Acceptance or use of this data is done without any expressed or implied warranties.



Vice President for Administration  
Dept. 3982 • Room 202H, Old Main • 1000 E. University Ave. • Laramie, WY 82071  
(307) 766-5766 • fax: (307) 766-3436

February 2, 2016

Randy Hunt, Director  
Community Development Department  
City of Laramie  
P.O. Box C  
405 Grand Ave.  
Laramie, WY 82073

Re: Petition for Vacation – Alley-way, Block 1, University Place Addition

City of Laramie Staff, Planning Commission and Council:

The University of Wyoming is filing an application for the vacation of the alley-way of Block 1, University Place Addition within the Laramie city limits. Enclosed with this letter is the Application for Vacation of Public Way, the application fee, and all required supporting materials.

The proposed location of the vacation is the platted alley running east-west on the block between 11<sup>th</sup> and 12<sup>th</sup> Streets, and Lewis and Bradley Streets. The University of Wyoming owns all of the property abutting and adjacent to the alley that is requested to be vacated. The University of Wyoming Board of Trustees approved the block as the site for the Engineering Education & Research Building (EERB) as part of the Tier-1 Engineering Initiative to elevate the College of Engineering and Applied Science to a nationally recognized institution of academic excellence and world class research. Funds were appropriated by the State to the University for the purposes of designing and constructing the facility. University owned residential buildings on the site were advertised for sale and removal to the public. Removal of the sold buildings is to be substantially complete no later than May 31, 2016. The site is planned to be cleared this summer/fall and the University of Wyoming presently anticipates for construction to start on the new EERB facility in the first half of 2017. More information regarding the Tier-1 Engineering Initiative can be found on the following website:

<http://www.uwyo.edu/ceas/engineering-initiative/index.html>

This alley is covered under the conditions of the November 2014 Memorandum of Understanding (MOU) for Lewis Street Infrastructure between the City and UW as part of the Transition Plan for future expansion of the West Campus in the University's Long Range Development Plan. Section 5 of the MOU, a copy of which I have included with the application materials, outlines the processes and conditions for vacating the alley including: City utilities, franchise utilities, and consideration for the vacation.

**RECEIVED**  
APR 14 2016

Please feel free to contact Josh Decker, Real Estate Operations Manager, at (307) 766-2937 or Larry Blake, University Facilities Planning Director, at (307) 766-2250 with any further questions. We appreciate your consideration of this application.

Respectfully,



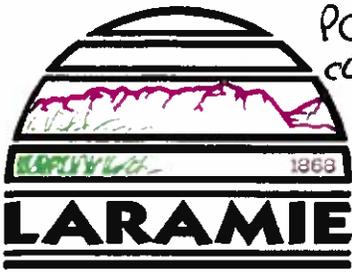
William Mai  
Vice President for Administration

Enc.: Application for Vacation of Public Way  
MOU for Lewis Street Infrastructure

**RECEIVED**  
APR 14 2016

BY: .....Page 2 of 2

COMMUNITY DEVELOPMENT DEPARTMENT



PLANNING DIVISION

PC) 5/23  
 cc) 1) 6/23  
 2) 7/12  
 3) 7/19  
 2/8/2

APPLICATION FOR:

**Vacation of Public Way**

ALL REQUIRED MATERIALS SHALL BE SUBMITTED TO THE CITY OF LARAMIE COMMUNITY DEVELOPMENT DEPARTMENT, 405 GRAND AVENUE, LARAMIE, WYOMING. ALL SUBMITTED MATERIALS WILL REMAIN THE PROPERTY OF THE CITY OF LARAMIE COMMUNITY DEVELOPMENT DEPARTMENT. APPLICATIONS, PLANS, AND/OR SUPPORTING DOCUMENTATION THAT ARE INCOMPLETE OR ILLEGIBLE WILL NOT BE ACCEPTED. PLEASE REVIEW THE ENTIRE APPLICATION AND PRINT CLEARLY. STAFF PREFERS THE APPLICATION BE SIGNED IN BLUE INK.

Date Submitted: <u>4/14</u> (Assigned by Staff)		File Number: VAC- <u>15-02</u> (Assigned by Staff)	
APPLICANT: Trustees of the University of Wyoming			PRIMARY CONTACT? <input type="checkbox"/>
ADDRESS: 1000 E. University Ave.		E-MAIL:	
CITY: Laramie	STATE: WY	ZIP CODE: 82071	
PHONE :	MOBILE:	FAX:	
REPRESENTATIVE (If different than Applicant): Josh Decker			PRIMARY CONTACT? <input checked="" type="checkbox"/>
ADDRESS: UW Real Estate, Dept. 4308, 1000 E. University Ave.		E-MAIL: jdeck@uwyo.edu	
CITY: Laramie	STATE: WY	ZIP CODE: 82071	
PHONE : (307) 766-2937	MOBILE: (307) 399-0051	FAX:	
PROJECT NAME (To be assigned by Staff):			
PROJECT LOCATION (Street Address or General Location): East/West Alley between 11th and 12th Streets from Lewis to Bradley			
ZONING: R3	COMPREHENSIVE PLAN LAND USE DESIGNATION: Urban University		
TOTAL VACATION ACREAGE/SIZE: 4,224 sq. ft.	NO. OF PROPERTY OWNERS ABUTTING PUBLIC WAY AND 300' EXTENSION: 1		
PROPERTY APPRAISAL AMOUNT:	PROPOSED USE: Engineering Education and Research Building		
A vacation of a public way (right-of-way or public easement) may only be requested by a landowner abutting or adjacent to such public way. The consent of the majority of the property owners of a majority of the land abutting the area proposed to be vacated and extending 300 feet in either direction from the area to be vacated shall be required.			

APPLICANT:

William Mai  
 (PRINT NAME)

*William Mai*  
 (SIGNATURE)

2/3/16  
 (DATE)

Vice President for Administration  
 Deputy Treasurer, Board of Trustees

PAID

RECEIVED  
 APR 14 2016

BY: *[Signature]*

**LETTER OF AUTHORIZATION**

This letter shall serve to notify and verify that I am/we are the legal owner(s) of a property abutting the way being considered under this application, and do hereby authorize the below applicant(s) and representative(s) to file and represent my/our interest in this application.

I am/we are the legal owner(s) of said property; have read this "Letter of Authorization" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

OWNER(S) OF RECORD: (All owners of record must sign; provide extra sheets if necessary.)

<u>William Mai</u> (Print Name)	<u></u> (Signature)	<u>2/3/16</u> (Date)
<u>Vice President for Administration</u> (Print Name)	<u></u> (Signature)	<u></u> (Date)
<u>Deputy Treasurer, Board of Trustees</u> (Print Name)	<u></u> (Signature)	<u></u> (Date)
<u></u> (Print Name)	<u></u> (Signature)	<u></u> (Date)
<u></u> (Print Name)	<u></u> (Signature)	<u></u> (Date)

I certify under penalty of perjury that I am the applicant and that the foregoing statements and answers contained herein and the information herein submitted, are in all respects true and correct. I grant permission to City staff and officials to enter the property to conduct inspections/site visits necessary for the review of the project.

APPLICANT (LLCs, Corporations and Partnerships shall identify a specific applicant.):

<u>Trustees of the University of Wyoming</u> (Print Name)	<u></u> (Signature)	<u></u> (Date)
<u></u> (Print Name)	<u></u> (Signature)	<u></u> (Date)

APPLICANT'S REPRESENTATIVE:

<u>Josh Decker</u> (Print Name)	<u></u> (Signature)	<u>2/10/16</u> (Date)
------------------------------------	---	--------------------------

The Community Development Director or his designee shall provisionally determine the completeness of an application at the time of submittal to the Community Development Department. A formal determination of completeness will be made no later than 21 calendar days after the submittal deadline (please see separate Application Submittal Schedule for deadlines). A determination of completeness shall not constitute a determination of compliance with substantive requirements of this development code.

LETTER OF CONSENT

This letter shall serve to notify and verify that I am/we are the legal owner(s) of property abutting or adjacent to such public way requested for vacation and / or within a 300-foot-extension of such public way requested for vacation. I/we consent to the vacation of such public way. I understand I may withdraw my consent by written letter prior to final consideration of this vacation by the Laramie City Council.

I am/we are the legal owner(s) of said property; have read the foregoing "Letter of Consent" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

PROPERTY LANDOWNER ABUTTING OR ADJACENT TO SUCH PUBLIC WAY: (Provide extra sheets if necessary.)

1) 465 N 11TH ST/1102 BRADLEY 16733316501000
Property Address Property ID Number (Assessor's Office)
William Mai (Signature) 2/3/16 (Date)
Vice President for Administration
Deputy Treasurer, Board of Trustees

2) 1108 BRADLEY ST 16733316500900
Property Address Property ID Number (Assessor's Office)
William Mai (Signature) 2/3/16 (Date)
Vice President for Administration
Deputy Treasurer, Board of Trustees

3) 1112 BRADLEY ST 16733316500800
Property Address Property ID Number (Assessor's Office)
William Mai (Signature) 2/3/16 (Date)
Vice President for Administration
Deputy Treasurer, Board of Trustees

4) 1118 BRADLEY ST 16733316500700
Property Address Property ID Number (Assessor's Office)
William Mai (Signature) 2/3/16 (Date)
Vice President for Administration
Deputy Treasurer, Board of Trustees



**LETTER OF CONSENT**

This letter shall serve to notify and verify that I am/we are the legal owner(s) of property abutting or adjacent to such public way requested for vacation and / or within a 300-foot-extension of such public way requested for vacation. I/we consent to the vacation of such public way. I understand I may withdraw my consent by written letter prior to final consideration of this vacation by the Laramie City Council.

I am/we are the legal owner(s) of said property; have read the foregoing "Letter of Consent" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

PROPERTY LANDOWNER ABUTTING OR ADJACENT TO SUCH PUBLIC WAY: (Provide extra sheets if necessary.)

1)  
460 N 12TH ST  
Property Address  
16733316500600  
Property ID Number (Assessor's Office)  
William Mai  
(Print Name)  
Vice President for Administration  
Deputy Treasurer, Board of Trustees  
  
(Signature)  
2/3/16  
(Date)

2)  
456 N 12TH ST  
Property Address  
16733316500500  
Property ID Number (Assessor's Office)  
William Mai  
(Print Name)  
Vice President for Administration  
Deputy Treasurer, Board of Trustees  
  
(Signature)  
2/3/16  
(Date)

3)  
1111 E LEWIS ST  
Property Address  
16733316500400  
Property ID Number (Assessor's Office)  
William Mai  
(Print Name)  
Vice President for Administration  
Deputy Treasurer, Board of Trustees  
  
(Signature)  
2/3/16  
(Date)

4)  
1107 LEWIS ST  
Property Address  
16733316500300  
Property ID Number (Assessor's Office)  
William Mai  
(Print Name)  
Vice President for Administration  
Deputy Treasurer, Board of Trustees  
  
(Signature)  
2/3/16  
(Date)

**LETTER OF CONSENT**

This letter shall serve to notify and verify that I am/we are the legal owner(s) of property abutting or adjacent to such public way requested for vacation and / or within a 300-foot-extension of such public way requested for vacation. I/we consent to the vacation of such public way. I understand I may withdraw my consent by written letter prior to final consideration of this vacation by the Laramie City Council.

I am/we are the legal owner(s) of said property; have read the foregoing "Letter of Consent" and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the information contained in this application is true and correct.

PROPERTY LANDOWNER ABUTTING OR ADJACENT TO SUCH PUBLIC WAY: (Provide extra sheets if necessary.)

1)

459 N 11TH ST  
Property Address

16733316500200  
Property ID Number (Assessor's Office)

William Mai  
(Print Name)  
Vice President for Administration  
Deputy Treasurer, Board of Trustees

William Mai  
(Signature)

2/3/16  
(Date)

2)

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
Property ID Number (Assessor's Office)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

3)

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
Property ID Number (Assessor's Office)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

4)

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
Property ID Number (Assessor's Office)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**RECEIVED**  
APR 14 2016

BY: .....

**RESOLUTION NO. 2012-04**

**A RESOLUTION SUPPORTING THE VACATION OF LEWIS STREET  
BETWEEN NINTH AND FOURTEENTH STREETS IN THE LARAMIE  
CITY LIMITS.**

**WHEREAS**, in 2011 Laws, Chapter 88, Section 346(h), the Wyoming State Legislature specified that the construction of the Michael B. Enzi science, technology, engineering and mathematics (STEM) undergraduate teaching laboratory would not commence until several conditions are met. Specifically:

*(h) No construction of the science, technology, and engineering and mathematics building specified in paragraph (c) (iii) of this section shall commence until after the City of Laramie has resolved to vacate Lewis street between ninth and fourteenth streets, subject to the following:*

*(i) The city may, if necessary, reserve easements for access and utilities:*

*(ii) The university shall offer to acquire all real property in Laramie located on Lewis street between tenth and fourteenth streets;*

*(iii) The university shall develop, in consultation with the city of Laramie, a plan for the vacated Lewis street to allow for access for transit buses and vehicles including for special events, for access for emergency and utility vehicles and for continued access to any remaining privately owned parcels;*

*(iv) The city may vacate Lewis street in stages to accommodate community needs; (and)*

*(v) The university shall develop a plan to incorporate consistent landscaping for the growth of the campus to the north of Lewis street*

**WHEREAS**, prior to this legislative action, the University's Long Range Development Plan (LRDP), Utility Master Plan and Transportation and Parking Master Plan had recommended the University seek to acquire Lewis Street, from Ninth to Fourteenth Streets, and which is now the subject of the above State legislation, as a logical and progressive step in the future planning for the north edge of the University campus; and,

**WHEREAS**, the University and City have met on numerous occasions to plan for the transfer of Lewis Street from Ninth to Fourteenth Streets; and,

**WHEREAS**, a resolution to transfer Lewis Street from Ninth to Fourteenth Streets must occur in a timely fashion to avoid delays in the construction of the Michael B. Enzi STEM undergraduate teaching laboratory, which could jeopardize the \$50 million in State funding; and,

**WHEREAS**, the surface of Lewis Street from Ninth to Fourteenth Streets is needed and desired for the expansion of the University, and it appears to be consistent with the public interest that a transfer be granted; and,

WHEREAS, even though the City may, at times, request compensation for transfer of public property, the value of this construction project to the Laramie economy is such that the City will forego such compensation; and,

WHEREAS, the University has agreed to consult with the City in a comprehensive planning effort for future development along Lewis Street from Ninth to Fourteenth Streets and the north edge of the University campus; and,

WHEREAS, in consideration of the consultation in a comprehensive joint planning effort and in recognition of the importance of this action relative to the timely construction of the Michael B. Enzi STEM undergraduate teaching laboratory and future University development on the north edge of the UW campus.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LARAMIE, WYOMING:**

**Section 1:** To grant to the University immediate control of the surface and subsurface areas of that portion of Lewis Street necessary for the construction of the Michael B. Enzi STEM undergraduate teaching laboratory, and

**Section 2:** To complete a 3-year license agreement with the University for the transfer of the necessary property for the completion of the Michael B. Enzi STEM facility and to transfer the remainder of Lewis Street upon application by the University of Wyoming, and

**Section 3:** To reserve the necessary subsurface areas with a utility easement.

Specific segments of the street will be transferred upon application by the University of Wyoming. The City will not require compensation for such transfers and will timely grant the University's application to transfer.

**IT IS FURTHER RESOLVED** that copies of this Resolution, following passage and execution by the Mayor and Clerk, be delivered to the University of Wyoming Board of Trustees and members of the Wyoming State Legislature's Joint Appropriations Committee.

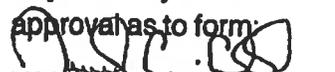
  
\_\_\_\_\_  
Scott A. Mullner  
Mayor and President of the Laramie City Council

Attest:

  
\_\_\_\_\_  
Sue Morris-Jones, MMC  
City Clerk

City Attorney's Office

approval as to form:

  
\_\_\_\_\_  
Date: 7/13/12

**AGREEMENT TO GRANT TEMPORARY LICENSE AND PLAN FOR TRANSFER OF  
LEWIS STREET BETWEEN THE CITY OF LARAMIE, WYOMING AND  
UNIVERSITY OF WYOMING**

1. **Parties.** This Agreement is entered into as of this 17<sup>th</sup> day of January, 2012, by and between the City of Laramie, Wyoming, a municipal corporation (hereinafter referred to as "City"), whose address is City Hall, 406 Ivinson Street, P.O. Box C, Laramie, Wyoming, 82073, and the University of Wyoming, (hereinafter referred to as "University"), whose address is Old Main Building, 1000 East University Avenue, Laramie, WY 82072.

2. **Purpose.**

A. **The Legislation.** In 2011 Laws, Chapter 88. Section 346(h), the Wyoming State Legislature specified that: "(h) No construction of the science, technology, engineering and mathematics building specified in paragraph (c) (iii) of this section shall commence until after the City of Laramie has resolved to vacate Lewis street between ninth and fourteenth streets. subject to the following:

(i) The city may, if necessary, reserve easements for access and Utilities;

(ii) The university shall offer to acquire all real property in Laramie located on Lewis street between tenth and fourteenth streets;

(iii) The university shall develop, in consultation with the city of Laramie, a plan for the vacated Lewis street to allow for access for transit buses and vehicles including for special events, for access for emergency and utility vehicles and for continued access to any remaining privately owned parcels;

(iv) The city may vacate Lewis street in stages to accommodate community needs; (and)

(v) The university shall develop a plan to incorporate consistent landscaping for the growth of the campus to the north of Lewis street.

B. **The University's Long Range Development Plan.** Prior to this legislative action, the University's Long Range Development Plan (LRDP), Utility Master Plan and Transportation and Parking Master Plan had recommended the transfer of this section of Lewis Street as a logical and progressive step in future planning for the north edge of the University campus.

C. **University Collaboration with the City.** The University and City have met on numerous occasions to plan for the transfer of Lewis Street from Ninth to Fourteenth Streets; and.

D. **City and University Joint Planning Process.** In these meetings with the City staff, the University has agreed to participate in a comprehensive joint planning effort with the City regarding development along the Lewis Street from Ninth to Fourteenth Streets and the north edge of the University campus.

E. **Necessity of a License.** In order to accomplish the above, the City intends to grant the University a license for the purposes of complying with the legislative requirement contained in Section A of this paragraph, granting immediate use of a portion of Lewis Street as described in Paragraph 3, and referred to as "Lewis Street" in this Agreement, to facilitate immediate construction of improvements necessary for completion of the STEM facility. In consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the Parties agree as follows:

3. **Description of Land.** The property is located on a portion of the street situated in Laramie, Albany County, State of Wyoming designated as Lewis Street from the East line of the intersection with Ninth Street to the West line of the intersection with Eleventh Street. Additionally, the portion from the West line of intersection with Eleventh Street to the West line of the intersection with Fourteenth Street shall be added to the license at a later date when requested by the University.

4. **Term.** The rights granted in this Agreement shall be possessed and enjoyed by the University for a period not to exceed Three (3) years, subject to the conditions found in Paragraph 6.

5. **Responsibilities of City.**

A. **Grant of License.** The City hereby grants to the University, to the extent the City has the right to do so, right-of-way (hereinafter referred to as "License") to construct, maintain and use the surface of those certain lands described in Section 3, and the specified subsurface use as herein specified for the steam heating tunnels, fiber-optic communications conduits, landscaping and other improvements.

B. **Right of Access.** The License shall carry with it the right of the University and its employees and agents at all times to have free and unimpaired ingress, egress, regress and access over, across and through said street for the construction, maintenance, operation and deconstruction of such amenities as may be placed there by the University.

C. **Exclusivity.** The University's use of the License hereunder shall be exclusive except that the City shall be permitted to access its water lines and distribution systems, sewer lines and collection systems, power and communication lines across and under the License and subject to any franchisee's existing use.

6. **Responsibilities of the University.**

A. **Construction of Street Improvements.** The University may construct the street with its surface design, and any and all improvements thereto, within this License at its sole expense. Further, during the term of the agreement, the University shall maintain the street at its sole expense.

**B. Use of Surface.** The University may construct such improvements on the surface of the property as may be desired by the University subject to subsurface improvements, and the maintenance or replacement, in place presently, and those which may be added City.

**C. Abandonment.** It is expressly made a condition of the License that if the University shall abandon the License or any portion of said License for the stated purposes of the License, then and in the event, all the rights herein granted shall cease and terminate with respect to the License so abandoned, and the title to said License shall be freed from the burden of said License; and it is further agreed that nonuse of the License or any portion thereof for the purposes of said License for the period of one (1) year along with an intent to abandon shall constitute an abandonment. In the event of an abandonment of the License, the University shall deliver to the City a recordable instrument evidencing that the title to the License so abandoned is free and clear of the burden of said License and free and clear of liens, encumbrances, clouds upon or defects in the title to said License created or permitted to be created by the University.

**D. Damages.** In the event that the University damages any of the subsurface improvements owned or operated by the City, or its franchisees, that the owner of the improvement shall have the right to repair, or replace such damaged improvement, at the sole option of the owner, at the expense of the University, and without the requirement of replacement of the surface improvements. The surface improvements shall continue to be the responsibility of the University.

**E. Planning.** The University shall collaborate and consult with the City to develop a Transition Plan for the area of the license and that area identified as future expansion of the West Campus as defined in Map 2A of the University's LRDP, specifically to include the future use of the Lewis Street corridor and all additional rights-of-way entirely or partially located within the Map 2A. The Transition Plan shall provide a long term plan for treatment and ongoing management of the infrastructure systems of the parties, including, but not limited to, water, sanitary sewer, storm sewer, steam heating tunnels, communications and motorized and non-motorized travel ways. At such time as the Transition Plan for the West Campus Extension Area is completed and mutually agreed upon by the parties or the expiration of this agreement, whichever occurs first, the City shall transfer or vacate ownership of the licensed portion of Lewis Street forgoing compensation for it and upon request of the University.

The City agrees to transfer or vacate the remaining sections of Lewis Street between 11<sup>th</sup> street and 14<sup>th</sup> streets effective upon application by the University. All transfer or vacation of Lewis Street will be done in accordance with Wyoming Statutes and the Laramie Municipal Code.

## **7. General Provisions.**

**A. Amendments.** Any changes, modifications, revisions or amendments to this Agreement which are mutually agreed upon by the Parties to this Agreement shall be incorporated by written instrument, executed and signed by all parties to this Agreement.

**B. Applicable Law/Venue.** The construction, interpretation and enforcement of this Agreement shall be governed by the laws of the State of Wyoming. The

Courts of the State of Wyoming shall have jurisdiction over this Agreement and the Parties, and the venue shall be the Second Judicial District, Albany County, Wyoming.

C. **Compliance with Law.** The University shall comply with all present and future applicable federal, state and local laws, rules, regulations, orders and other requirements applicable to the University's operations under this Agreement, including without limitation, laws, rules, regulations, orders and other requirements relating to the public or employee health and safety, pollution or protection of the environment, and any permits, approvals or judicial or administrative orders issued thereunder. The terms of this License may be modified from time to time with additional consideration to comply with any future modification to federal, state and local laws, rules, regulations, orders or other requirements;

D. **Entirety of License.** This Agreement, consisting of six (6) pages represents the entire and integrated Agreement between the Parties and supercedes all prior negotiations, representations, and agreements, whether written or oral concerning this piece of property.

E. **Force Majeure.** Neither Party shall be liable for failure to perform under this Agreement if such failure to perform arises out of causes beyond the control and without the fault or negligence of the nonperforming party. Such causes may include, but are not limited to, acts of God or the public enemy, fires, floods, epidemics, quarantine restrictions, freight embargoes, and unusually severe weather. This provision shall become effective only if the Party failing to perform immediately notifies the other Party of the extent and nature of the problem, limits delay in performance to that required by the event, and takes all reasonable steps to minimize delays. This provision shall not be effective unless the failure to perform is beyond the control and without the fault or negligence of the nonperforming Party.

F. **Termination.** The University agrees that this Agreement is specifically enforceable, and in the event of the University's default with respect to any of the covenants and agreements hereunder on its part to be kept and performed, and the University is found to be liable due to judicial proceedings, the University shall pay to the City all costs and expenses of enforcing this Agreement, or in pursuing any remedy provided hereunder or by the statutes of the State of Wyoming, whether such remedy is pursued by filing suit or otherwise, including reasonable attorney's fees. The City agrees that this Agreement is specifically enforceable, and in the event of the City's default with respect to any of the covenants and agreements hereunder on its part to be kept and performed and the City is found to be liable due to judicial proceedings, the City shall pay to the University all costs and expenses of enforcing this Agreement, or in pursuing any remedy provided hereunder or by the statutes of the State of Wyoming, whether such remedy is pursued by filing suit or otherwise, including reasonable attorney's fees. In the event that termination of the rights granted in this agreement occurs due to University's default, the University shall execute and deliver to the City, within thirty (30) days after service of a written demand, a good and sufficient quitclaim deed to all rights granted in this Agreement. Should the University fail or refuse to deliver the deed to the City, a written notice by the City reciting the failure or refusal of the University to execute and deliver the deed, and terminating this grant, shall, after sixty (60) days from the date of recording of the notice, be conclusive

evidence against the University, and all persons claiming under the University, of the termination of this grant.

**G. Notices.** Any notice to be given to City or the University hereunder shall be in writing and shall be delivered personally, sent by overnight courier, sent by facsimile, or mailed in the United States Mail, certified mail, return receipt requested, to the addresses as follows:

The University of Wyoming, Office of General Counsel  
1000 E, University, Dept. 3434  
Laramie, Wyoming 82071

City of Laramie, City Manager  
P.O. Box C  
Laramie, WY 82073

**H. No Representations or Warranties.** The City makes no warranty, express, implied or statutory with respect to the lands described above, the license or the ownership thereof.

**I. Sovereign Immunity.** Neither the City nor the University waives sovereign immunity by entering into this Agreement, and specifically they retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. § 1-39-104(a) and all other state law.

**J. Third Party Beneficiary Rights.** The Parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this Agreement shall operate only between the Parties to this Agreement, and shall inure solely to the benefit of the Parties to this Agreement. The provisions of this Agreement are intended only to assist the Parties in determining and performing their obligations under this Agreement. The Parties to this Agreement intend and expressly agree that only Parties signatory to this Agreement shall have any legal or equitable right to seek to enforce this Agreement, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this Agreement, or to bring an action for the breach of this Agreement.

**K. Limitation on Assignment.** During the term of this Agreement, the University shall not assign or transfer any interest in this Agreement, or in the property that is the subject of this Agreement, without the prior written consent of the City, and any attempt to do so may be grounds for termination of this Agreement at the sole discretion of the City.

**L. Time is of the Essence.** Time is of the essence in all provisions of the Agreement.

**M. Titles Not Controlling.** Titles of paragraphs are for reference only, and shall not be used to construe the language in this Agreement.

N. Waiver. The waiver of any breach of any term or condition in this Agreement shall not be deemed a waiver of any prior or subsequent breach.

IN WITNESS WHEREOF, the Laramie City Council has caused this Agreement to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and University has signed and executed this Agreement. the day and year first written above.

CITY OF LARAMIE, WYOMING, as Grantor:

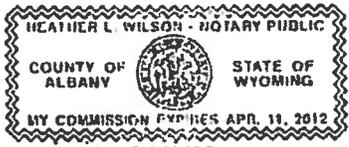
By: *Scott A. Mullner*  
Scott A. Mullner, Mayor and President of the  
City Council

City Attorney's Office  
approval as to form:  
*[Signature]*  
Date: 1/12/12

Attest: *Sue Morris-Jones*  
Sue Morris-Jones, MMC  
City Clerk

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF ALBANY    )

The foregoing instrument was acknowledged before me by Scott A. Mullner this 15 day of January, 2012. Witness my hand and official seal.

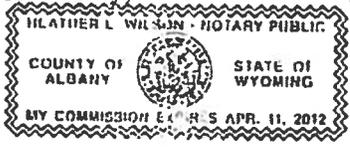


*Heather L. Wilson*  
Notary Public

My commission expires:

STATE OF WYOMING     )  
  ) ss.  
COUNTY OF ALBANY    )

The foregoing instrument was acknowledged before me by Sue Morris-Jones this 18 day of January, 2012. Witness my hand and official seal.



*Heather L. Wilson*  
Notary Public

My commission expires:

UNIVERSITY OF WYOMING, as Grantee

By: Mark A. Collins

for Douglas H. Yinzant, Vice President, Administration

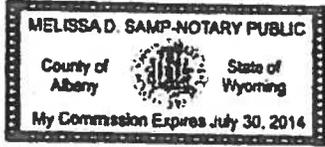
Witness Susan C. Weidel

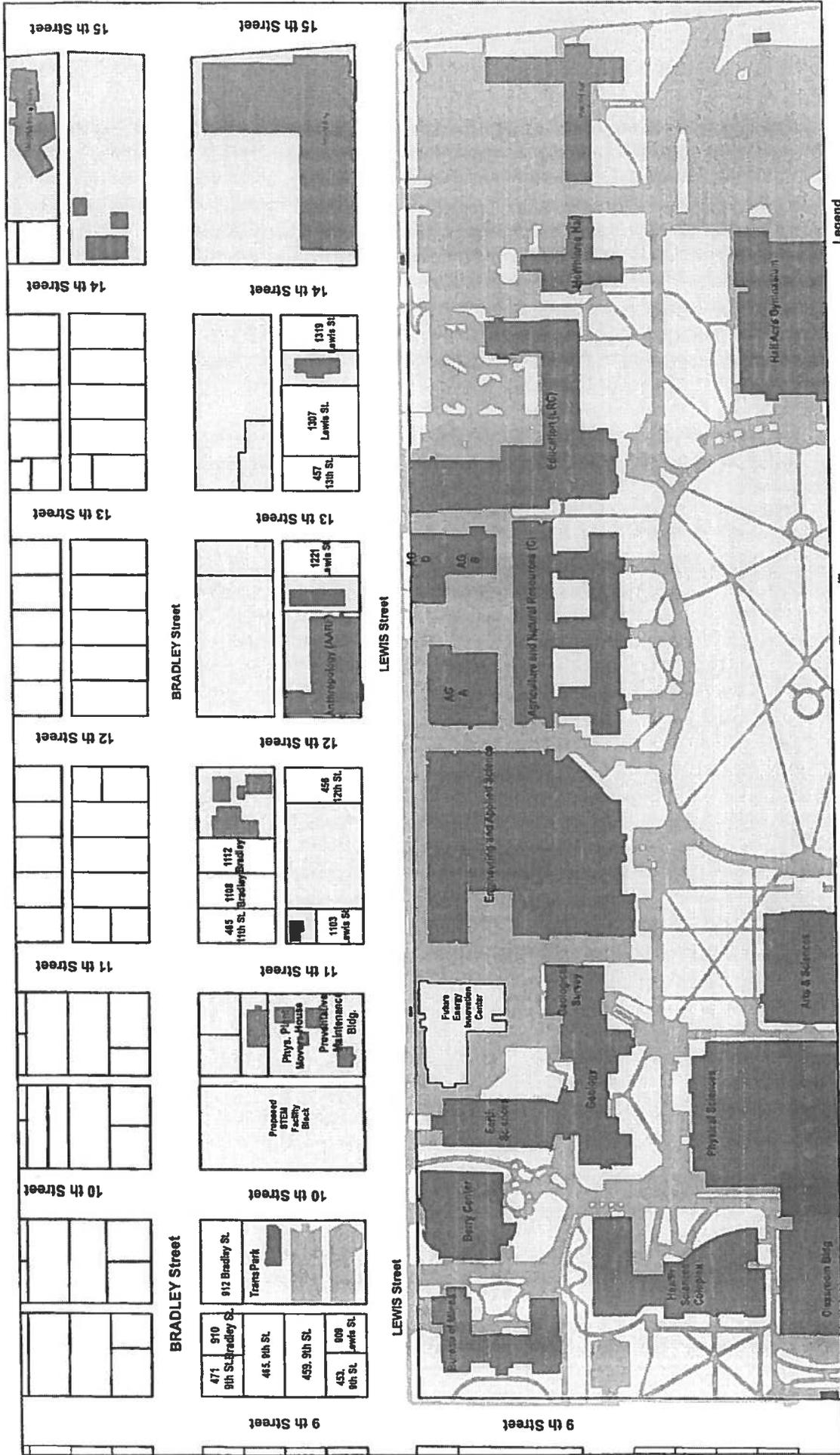
STATE OF WYOMING )  
 ) ss.  
COUNTY OF ALBANY )

The foregoing instrument was acknowledged before me by Mark A. Collins this 30<sup>th</sup> day of January, 2012. Witness my hand and official seal.

Melissa D. Samp  
Notary Public

My commission expires:





**LEWIS STREET OWNERSHIP**  
 06/27/2012  
 UNIVERSITY OF WYOMING CAMPUS  
 LARAMIE, WY



Map prepared by:  
 UNIVERSITY OPERATIONS  
 DEPT. JHK, 3rd OLD MAIN  
 1000 E UNIVERSITY AVENUE  
 LARAMIE, WY 82071  
 307.462.2917

This map is provided as a general guide and is not intended to be used for legal purposes. Dimensions and area shown on this map are approximate and should not be used for legal purposes. The University of Wyoming is not responsible for any errors or omissions on this map. The University of Wyoming is not responsible for any errors or omissions on this map.

**BRADLEY STREET**

471 9th St	510 Bradley St	912 Bradley St	TransPark
453 9th St	455 9th St	459 9th St	
457 9th St	459 9th St	463 9th St	

**BRADLEY STREET**

485 11th St	1103 Lewis St	1103 Bradley Street	1103 Lewis St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St

**BRADLEY STREET**

485 11th St	1103 Lewis St	1103 Bradley Street	1103 Lewis St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St

**BRADLEY STREET**

485 11th St	1103 Lewis St	1103 Bradley Street	1103 Lewis St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St

**BRADLEY STREET**

485 11th St	1103 Lewis St	1103 Bradley Street	1103 Lewis St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St
485 11th St	1112 Lewis St	1112 Bradley Street	458 12th St

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE UNIVERSITY OF WYOMING  
AND THE CITY OF LARAMIE  
for the  
Lewis Street Area Infrastructure**

- 1) **Parties.** This Memorandum of Understanding for the Lewis Street Area Infrastructure (hereinafter “MOU”) is made and entered into by and between the University of Wyoming (hereinafter “University”) and the City of Laramie (“City”), which may be referred to individually as “party” or collectively as “parties.”
- 2) **Term.** The provisions in this MOU will commence upon execution of all necessary signatures and shall remain in effect until January 1, 2024. This date may be extended with the mutual written agreement of the City and UW.
- 3) **Purpose:** This MOU is a result of implementing Section 6(E), “Planning” of the 2012 Agreement to Grant Temporary License and Plan for Transfer of Lewis Street Between the City of Laramie, Wyoming and University of Wyoming. This provision states:

“The University shall collaborate and consult with the City to develop a Transition Plan for the area of the license and that area identified as future expansion of the West Campus as defined in Map 2A of the University’s LRDP, specifically to include the future use of the Lewis Street corridor and all additional rights-of-way entirely or partially located within the Map 2A. The Transition Plan shall provide a long term plan for treatment and ongoing management of the infrastructure systems of the parties, including, but not limited to, water, sanitary sewer, storm sewer, steam heating tunnels, communications and motorized and non-motorized travel ways. At such time as the Transition Plan for the West Campus Extension Area is completed and mutually agreed upon by the parties or the expiration of this agreement, whichever occurs first, the City shall transfer or vacate ownership of the licensed portion of Lewis Street forgoing compensation for it and upon request of the University.”

This MOU pertains to the areas in Laramie, Wyoming between Lewis and Flint streets and 9<sup>th</sup> and 15<sup>th</sup> streets. As part of the transition plan, the parties agree to address the following three sections: Lewis Street; Alleys and Side Streets between Lewis and Bradley Streets; and Traffic Flow. These three sections contain the details of the agreement the City and UW have reached regarding utilities (water, sewer, steam, communication lines and traffic flow) and the vacation of allies and side streets.

- 4) **Lewis Street.** This section of the MOU consists of three elements:
  - a) **Steam Line and Cemetery Water Line:** The City has already granted UW a license and easement for this element of the Agreement. The license and easement allow

larger than 8". The estimated cost to UW for this 8" water line is \$1 million. The City and UW will agree upon who will pay what share of the construction costs.

5) **Alleys and Side Streets between Lewis and Bradley Streets.**

- a) The 2012 Lewis Street Licensure Agreement contains provisions for the vacancy of Lewis Street, and the 2013 City Council action provided for the vacancy of the Enzi Alley. This MOU sets the conditions under which the other alleys and the numbered side streets between Lewis and Bradley streets and between (but not including) 9th and 15th streets will eventually be vacated. The following conditions will apply to these vacancies:
  - i) Any applications to vacate the above-described alleys and side streets will proceed under the same City processes and the same regulatory provisions that governed UW's application to vacate the 9 ½ block to 11th Street of Lewis Street.
  - ii) All City utilities within the alley or street shall be relocated in accordance with City standards and shall be reviewed and approved by the City Engineer. UW agrees to assume ownership of any water or sewer line under the proposed vacated alley or street unless the City and UW mutually agree in writing otherwise.
  - iii) All franchise utilities within the alley or street shall be relocated in accordance with City standards, shall be placed underground, and shall be reviewed and approved by the City Engineer.
  - iv) UW has paid \$625,000 to replace the City's water line through the cemetery as part of this Agreement. UW agrees to pay its cost share for the water line in 15<sup>th</sup> Street to Bradley and Flint streets and down those streets to the intersections with 14<sup>th</sup> Street (see above provision for details). The estimated cost to UW is \$1 million. In recognition of UW's payment of approximately \$1.625 million to replace and install new City water lines, the City will not assess a charge to vacate the alleys and side streets covered under this section of the MOU.
  - v) UW will not, and shall not be required to, apply for any vacation of Bradley and Flint streets between 9th and 15th streets or any alleys or side streets between Bradley and Flint streets under the provisions of this MOU.
- 6) **Traffic Flow.** The City is updating its traffic flow plan for the area bordered by Harney and Lewis streets and 9<sup>th</sup> and 15<sup>th</sup> streets. When the study is updated, the City and UW will discuss and finalize a plan for managing traffic in the affected area and determine if this MOU should be amended to include any provisions from the study **no later than January 30, 2015.**
- 7) **Amendments.** Either party may request changes in this MOU. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon

shall be incorporated by written instrument, executed and signed by all parties to this MOU.

- 8) **Applicable Laws.** Both parties shall fully adhere to all applicable local, state and federal law, including equal employment opportunity. The University's policy has been, and will continue to be, one of nondiscrimination, offering equal opportunity to all employees and applicants for employment on the basis of their demonstrated ability and competence without regard to such matters as race, gender, color, religion, national origin, disability, age, veteran status, sexual orientation, genetic information, political belief, or other status protected by state and federal statutes or University Regulations
- 9) **Assignment.** Without prior written consent of the other party, neither party may assign this MOU. This MOU shall inure to the benefit of, and be binding upon, permitted successors and assigns of the parties.
- 10) **Entirety of MOU.** This MOU represents the entire and integrated MOU between the parties and supersedes all prior negotiations, representations and MOUs, whether written or oral.
- 11) **Sovereign Immunity.** The University and the City do not waive their sovereign or governmental immunity by entering into this MOU, and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.
- 12) **Indemnification.** Neither party shall indemnify, defend or hold harmless the other for any cause of action, or claim or demand arising out of this MOU. Each party shall be responsible for their own negligent actions or omissions.
- 13) **Governmental Claims.** Any actions or claims against the University or the City under this MOU must be in accordance with and are controlled by the Wyoming Governmental Claims Act, W.S. 1-39-101 et seq. (1977) as amended.
- 14) **Interpretation.** The construction, interpretation and enforcement of this MOU shall be governed by the laws of the State of Wyoming. The courts of the State of Wyoming shall have jurisdiction over any action arising out of this MOU and over the parties, and the venue shall be the Second Judicial District, Albany County, Wyoming.
- 15) **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties and obligations contained in this MOU shall operate only between the parties to this MOU, and shall inure solely to the

benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU. The parties to this MOU intend and expressly agree that only parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOU, or to bring an action for the breach of this MOU.

16) **Legal Authority.** Each party to this MOU warrants that it possesses the legal authority to enter into this MOU and that it has taken all actions required by its regulations, procedures, bylaws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this MOU and to bind it to its terms. The person(s) executing this MOU on behalf of a party warrant(s) that such person(s) have full authorization to execute this MOU.

17) **Signatures.** In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

APPROVED BY:

University of Wyoming

City of Laramie

William Mai 9/22/14  
Signature Date  
William Mai  
Vice President for Administration

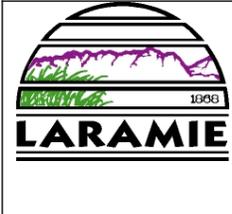
David Trubkus 10-4-14  
Signature Date

Name  
Title:

Name David Trubkus  
Title Mayor

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**CITY OF LARAMIE COUNCIL REGULAR MEETING July 5, 2016**



**Agenda Item:** Orig. Ordinance - 1st Reading  
**Title:** An Ordinance to delete Section 10.24.030(H) of the Laramie Municipal Code First Reading

**Recommended Council MOTION:**

1. I move to approve Original Ordinance and set it for second reading on July 19, 2016.

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**Administrative or Policy Goal:**

To comply with a Wyoming Supreme Court Ruling.

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**Background:**

In 2010 the City Council enacted Section 10.24.030(H) of the LMC to require mandatory jail time for those convicted of drinking and driving with a blood alcohol level over .15. According to the Wyoming Supreme Court, Wyoming Statute requires all traffic laws to be identical or consistent with state law. The Court found that Section 10.24.030(H) was not consistent with State law and struck it down.

The Court's decision is not retroactive and there is no liability concerns from those previously convicted under this section of code. Law enforcement has been notified of this ruling and our office believes passage of this ordinance will resolve the issue.

**Responsible Staff:**

Future dates are subject to change

Introduction/1 <sup>st</sup> Reading	7/5/2016
2 <sup>nd</sup> Reading	7/19/2016
3 <sup>rd</sup> Reading	8/2/2016
	<a href="#">Click here to enter a date.</a>

ORIGINAL ORDINANCE NO.

INTRODUCED BY: \_\_\_\_\_

ENROLLED ORDINANCE NO.

AN ORDINANCE TO DELETE SECTION 10.24.030(H) OF THE LARAMIE MUNICIPAL CODE

WHEREAS, Laramie Municipal Code Section 10.24.030(H) created mandatory minimum sentences for “enhanced driving while under the influence” charges.

WHEREAS, the Wyoming Supreme Court found that LMC Section 10.24.030(H) was not “identical or consistent” to State Law.

WHEREAS, the Laramie City Council intends to comply with this ruling by deleting LMC Section 10.24.030(H).

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING that:

Section 1. Laramie Municipal Code Section 10.24.030(H) shall be deleted.

Section 2. This ordinance shall become effective after passage, approval and publication.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
David A. Paulekas, Mayor and President  
of the City Council of the City of  
Laramie, Wyoming

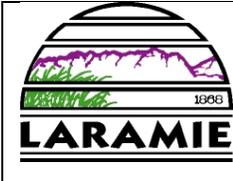
ATTEST:

\_\_\_\_\_  
Angie Johnson  
City Clerk

First Reading	July 5, 2016
Second Reading	July 19, 2016
Third Reading	August 2, 2016

Duly published in the *Laramie Daily Boomerang* this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF LARAMIE COUNCIL REGULAR MEETING      July 5, 2016**



**Agenda Item: Original Ordinance - 1st Reading**

**Title: Original Ordinance No. \_\_\_\_\_, amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to regulate Solid Waste Fees in the City of Laramie**

**Recommended Council MOTION:**

“I move to approve First Reading of Original Ordinance No. \_\_\_\_\_ amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to modify solid waste fees.”

---

**Administrative or Policy Goal:**

Maintain a sustainable revenue stream capable of supporting the Solid Waste Enterprise.

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**Background:**

During the FY 16-17 and FY 17-18 Budget Work session on May 19<sup>th</sup>, 2016, Chris Bell of Bell & Associates presented City Council information concerning operating expenses, capital costs, and equipment needs related to the City’s collection, disposal, and recycling costs for the biennium. The expenses and revenue requirements presented to Council indicate the need for a 9.3% revenue increase in 2017 and an additional 4.1% revenue increase in 2018. The revenue requirements are based upon detailed information collected by the new scale software at the landfill. The data was analyzed and utilized to determine an appropriate revenue requirement necessary to cover the cost of service for 2017 and 2018. The attached ordinance includes the above sited rate increases for household and commercial collection, disposal, and recycling fees as well as updated fees for the landfill.

The proposed fees for the upcoming biennium were developed based on good data collected at the scale and recent operating history of the collection, disposal, and recycling system. All capital costs are developed from the long range financial plan (LRFP) which anticipates a major permit modification allowing the volumetric increase to Stage 1 of the landfill for construction and demolition debris. The LRFP has also been revised to provide construction of the next 3 cells of the lined portion all at once. By building Stage 2 to include 3 cells at once we gain economies of scale and save roughly \$2M over previous estimates.

Of note, the draft ordinance eliminates the outside City fee differential. The new fee structure assesses the same fee to all customers regardless of jurisdiction. This will allow for greater operational efficiency and creates a uniform, equitable rate.

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**Legal/Statutory Authority:**

Laramie City Council has legal authority to modify solid waste rate.

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**Responsible Staff:**

Earl Smith, Public Works Director  
Brooks Webb, Solid Waste Manager

Attachments: Ordinance No. \_\_\_\_\_  
2016 Solid Waste Rate Increase Budget Presentation  
Bell & Associates Rate Memo to Mayor Paulekas

ORIGINAL ORDINANCE NO.: \_\_\_\_\_  
ENROLLED ORDINANCE NO.: \_\_\_\_\_

INTRODUCED BY: \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 13, DIVISION IV, CHAPTER 62 OF  
THE LARAMIE MUNICIPAL CODE TO REGULATE SOLID WASTE  
FEES IN THE CITY OF LARAMIE**

**TITLE 13, DIVISION IV, CHAPTER 62,  
SOLID WASTE FEES**

**SECTION 4**

- 13.IV.62.010--Collection Fees -- Households—Generally**
- 13.IV.62.020--Collection Fees -- Households – Basic Receptacles**
- 13.IV.62.030--Collection Fees -- Households—Additional Receptacles**
- 13.IV.62.040--Collection Fees -- Non-Single Kitchen Units or Businesses**
- 13.IV.62.050--Collection Fees -- Petition for Waiver**
- 13.IV.62.060--Collection Rate Schedule for City-Provided Receptacles**
- 13.IV.62.070--Disposal Fees--Generally**
- 13.IV.62.080--Tire Disposal Fees**
- 13.IV.62.090--Community Clean-up Days Fee Waiver**
- 13.IV.62.100--Miscellaneous Charges**

**13.IV.62.010 Collection Fees – Households -- Generally**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- A.** “Construction and demolition (c&d) debris” is debris that results from the construction, renovation and/or demolition of buildings, roads, bridges, fences or other structures. It includes (but is not limited to) brick, concrete, asphalt material, drywall, flooring, pipe, lumber, roofing, soil and rocks.
- B.** “Container” refers to any disposable bag, box, or similar item into which refuse is placed prior to being placed within a receptacle.
- C.** “Garbage” means and includes all kitchen refuse, rejected or waste food, meats, fish, fowl, offal, carrion or other refuse accumulation, use, cooking of or the dealing in or storing of meats, fish, fowl, fruits, vegetables or anything whatsoever which will or may decompose and become foul, offensive, insanitary or dangerous to health.
- D.** “Receptacle” means any non-disposable container used for the purpose of containing refuse.

**E.** “Refuse” means and includes all hay, straw, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles and the residue from the burning or other destruction of all combustible material whatsoever, and all other material commonly known as rubbish or refuse of whatever kind or character or by whatever name known, except as excluded by this chapter.

**F.** “Kitchen Unit” - the main function of a kitchen unit serves as a location for storing, cooking and preparing food. A residential kitchen unit is typically equipped with a cooking appliance, a sink with running water, a refrigerator, counters and cabinets.

#### **13.IV.62.020 Collection Fees – Households -- Basic Receptacles**

**A.** Except in cases where contracts have been entered into with licensed haulers as provided in Section 8.16.110, all households utilizing automated collection within the city shall be charged the following fees for the supervision and regular once-per-week pickup of garbage and refuse, and bi-weekly pickup of curbside recyclables which shall be prorated on a weekly basis. (Ord. 522 § 1 (part), 1977: prior code § 15-9(a) (part)).

**B.** For all households utilizing automated collection, fees shall apply to once-per-week pickup

**C.** For automated refuse collection from January 1, 2017 to December 31, 2017, the basic fee of nine dollars and 16 cents (\$9.16) per month shall be assessed for one city provided receptacle with a total capacity of ninety-six gallons, in addition to the landfill fees.

**D.** For automated refuse collection beginning January 1, 2018, the basic fee of nine dollars and 34 cents (\$9.34) per month shall be assessed for one city provided receptacle with a total capacity of ninety-six gallons, in addition to the landfill fees.

**E.** For curbside recycling from January 1, 2017 to December 31, 2017, a fee of four dollars and 39 cents (\$4.39) per month shall be assessed for one receptacle.

**F.** For curbside recycling beginning January 1, 2018, a fee of four dollars and 48 cents (\$4.48) per month shall be assessed for one receptacle.

**G.** Automated trash and recycling containers must be placed a minimum of two feet from any object, i.e., vehicles, trailers, fences, poles, trees, other containers, etc., and be sure the area in front of the container (toward the street) is clear of obstructions. A Container Placement Fee of \$5.00 may be charged each time a driver must exit the vehicle to move a container so it may be safely dumped without striking a nearby object. The fee will not apply if a container is blown over by the wind or other act of nature.

#### **13.IV.62.030 Collection Fees—Households—Additional receptacles**

**A.** For automated refuse collection from January 1, 2017 to December 31, 2017, the sum of nine dollars and 16 cents (\$9.16) per month shall be assessed for each additional receptacle in addition to the landfill fees.

**B.** For automated refuse collection beginning January 1, 2018, the sum of nine dollars and 34 cents (\$9.34) per month shall be assessed for each additional receptacle in addition to the landfill fees.

**C.** For curbside recycling from January 1, 2017 to December 31, 2017, a fee of four dollars and 39 cents (\$4.39) per month shall be assessed for each additional receptacle.

**D.** For curbside recycling beginning January 1, 2018, a fee of four dollars and 48 cents (\$4.48) per month shall be assessed for each additional receptacle.

#### **13.IV.62.040 Collection Fees—Non-Single Kitchen Units or Businesses**

Where there is more than one kitchen unit at one street address or in the same building, the owner must assume liability for the garbage fee for all the units. The fees for each city provided receptacle with a total capacity of ninety-six gallons shall be nine dollars and 16 cents (\$9.16) per month plus a separate landfill disposal fee for each kitchen unit as provided in **13.IV.62.070**, from January 1, 2017 to December 31, 2017.

Where there is more than one kitchen unit at one street address or in the same building, the owner must assume liability for the garbage fee for all the units. The fees for each city provided receptacle with a total capacity of ninety-six gallons shall be nine dollars and 34 cents (\$9.34) per month plus a separate landfill disposal fee for each kitchen unit as provided in **13.IV.62.070**, beginning January 1, 2018.

At the request of the owner, the city may provide curbside recycling services to places of business, hotels, motels, schools, institutions, trailer courts and residences or apartments containing more than two kitchen units and the fee shall be \$4.39 per receptacle per month from January 1, 2017 to December 31, 2017, and shall be \$4.48 per receptacle per month beginning January 1, 2018. Residences containing two or fewer kitchen units shall be required to utilize city refuse, collection, disposal and curbside recycling services. (Ord. 1518 § 3, 2007; Ord. 1490 § 3, 2006; Ord. 1464 § 3, 2005; Ord. 1391 § 3, 2002; Ord. 1364 § 3, 2001; Ord. 1319 § 3, 2000; Ord. 1068 § 2, 1992; Ord. 808 § 2, 1984; Ord. 753 § 4, 1983; Ord. 522 § 1 (part), 1977; prior code § 15-9(a)(3)).

#### **13.IV.62.050 Collection Fees—Petition for waiver**

Upon petition accompanied by an affidavit to the extent that any individual does not have the financial capacity to pay the fees for collection of garbage and refuse as they are set forth in this chapter, the City Manager may in its sole discretion, adjust or completely waive the fees therein contained. (Ord. 522 § 1 (part), 1977; prior code § 15-9(d)).

#### **13.IV.62.060 Collection Rate Schedule for City-Provided Commercial Receptacles**

**A.** The city will, upon request, provide receptacles for rental at the following monthly rates based upon receptacle size and frequency of collection as follows:

**MONTHLY COMMERCIAL COLLECTION RATES 2017  
TWO CUBIC YARDS AND LARGER**

RECEPTACLE SIZE	COLLECTIONS PER WEEK					
	1	2	3	4	5	6
2 Cubic Yards	\$38.03	\$60.83	\$83.59	\$106.39	\$129.16	\$151.94
4 Cubic Yards	\$45.56	\$71.22	\$96.88	\$122.54	\$148.20	\$173.84
6 Cubic Yards	\$52.50	\$81.62	\$110.15	\$139.87	\$168.33	\$198.04

**MONTHLY COMMERCIAL COLLECTION RATES BEGINNING 2018  
TWO CUBIC YARDS AND LARGER**

RECEPTACLE SIZE	COLLECTIONS PER WEEK					
	1	2	3	4	5	6
2 Cubic Yards	\$38.55	\$61.87	\$85.15	\$108.47	\$131.76	\$155.06
4 Cubic Yards	\$46.60	\$73.30	\$100.00	\$126.69	\$153.39	\$180.07
6 Cubic Yards	\$54.06	\$84.74	\$114.82	\$146.10	\$176.13	\$207.40

**B.** The above rates are based upon costs to the city for maintenance of receptacles, pickup, and hauling of garbage. (Ord. 1518 § 4, 2007: Ord. 1490 § 4, 2006: Ord. 1464 § 4, 2005: Ord. 1391 § 4, 2002: Ord. 1364 § 4, 2001: Ord. 1319 § 4, 2000: Ord. 1068 § 3, 1992: Ord. 808 § 3, 1984: Ord. 753 § 5, 1983: Ord. 522 § 1 (part), 1977: prior code § 15-9(b)).

**13.IV.62.070 Disposal Fees – Generally**

**A.** The following landfill fees will be charged to all in-city users:

- 1.** The sum of seven dollars and 23 cents (\$7.23) per month, for up to ninety- six gallons capacity for a household unit containing one kitchen unit serving one family group, from January 1, 2017 to December 31, 2017;
- 2.** The sum of seven dollars and 82 cents (\$7.82) per month, for up to ninety- six gallons capacity for a household unit containing one kitchen unit serving one family group, beginning January 1, 2018;
- 3.** Where there is more than one kitchen unit at one street address or in the same building, the owner must assume liability for the landfill fees for all the units, and the fee shall be seven dollars and 23 cents (\$7.23) per month for each kitchen unit from January 1, 2017 to December 31, 2017;
- 4.** Where there is more than one kitchen unit at one street address or in the same building, the owner must assume liability for the landfill fees for all the units, and the fee shall be seven dollars and 82 cents (\$7.82) per month for each kitchen unit beginning January 1, 2018;
- 5.** Places of business, hotels, motels, schools, and institutions in the city which have commercial refuse collection by the city shall be assessed disposal fees according to volume; payable per month:

**MONTHLY COMMERCIAL DISPOSAL RATES –2017  
TWO CUBIC YARD AND LARGER**

CONTAINER SIZE	COLLECTIONS PER WEEK					
	1	2	3	4	5	6
2 Cubic Yards	\$30.51	\$61.01	\$91.54	\$122.04	\$152.56	\$183.06
4 Cubic Yards	\$61.02	\$122.03	\$183.06	\$244.09	\$305.11	\$366.13
6 Cubic Yards	\$91.61	\$183.06	\$274.60	\$366.13	\$457.67	\$549.20

**MONTHLY COMMERCIAL DISPOSAL RATES –BEGINNING 2018  
TWO CUBIC YARD AND LARGER**

CONTAINER SIZE	COLLECTIONS PER WEEK					
	1	2	3	4	5	6
2 Cubic Yards	\$32.60	\$65.19	\$97.79	\$130.38	\$162.99	\$195.58
4 Cubic Yards	\$65.20	\$130.37	\$195.58	\$260.78	\$325.97	\$391.16
6 Cubic Yards	\$97.86	\$195.58	\$293.37	\$391.16	\$488.96	\$585.75

**B.** If a commercial customer requests an extra collection the charge shall be ten dollars (\$10.00) per cubic yard.

**C.** The fee imposed by this subsection shall apply to all private businesses which haul material to the city landfill for profit; to all residents and nonresidents whose loads are accepted by the solid waste manager for disposal; to all governmental entities other than the city of Laramie; and, to all private businesses which haul material to the city landfill incidental to other goods or services which they provide (such as construction trades).

Each person or business who hauls any material to the city landfill for disposal, shall pay a fee of sixty dollars (\$60.00) per ton with a minimum charge of twelve dollars (\$12.00) per entry from January 1, 2017 to December 31, 2017. All cash transactions at the landfill will be rounded to the nearest dollar (\$1.00).

Each person or business who hauls any material to the city landfill for disposal, shall pay a fee of sixty-three dollars (\$63.00) per ton with a minimum charge of twelve dollars (\$12.00) per entry beginning January 1, 2018. All cash transactions at the landfill will be rounded to the nearest dollar (\$1.00).

Compacted waste shall include any construction and demolition debris delivered to the landfill. Any person or business that fails, neglects, or refuses to pay the required fee shall be denied access to the landfill until the fee is paid.

If the scale at the Laramie Landfill is inoperable for any reason, the rate for each person or business shall be four dollars and 67 cents (\$4.67) per cubic yard for un-compacted waste and sixteen dollars and 33 cents (\$16.33) per cubic yard for compacted waste with a minimum charge of twelve dollars (\$12.00) per entry. All cash transactions at the landfill will be rounded to the nearest dollar (\$1.00).

**D.** The Solid Waste Manager or his designee shall impose a charge of ten dollars (\$10.00) per ton with a ten dollar (\$10.00) minimum, if in his opinion the load is not adequately secured or

contained to prevent the transported material from blowing or falling out of the vehicle. The fee established by this section is a charge to help with the cost of litter pickup and is not a criminal fine. (Ord. 1518 § 5, 2007; Ord. 1464 § 5, 2005; Ord. 1392 § 1, 2002; Ord. 1365 § 1, 2001; Ord. 1273 § 1, 1999; Ord. 1199 §§ 4, 5, 1996; Ord. 1068 § 4, 1992; Ord. 808 § 4, 1984; Ord. 753 § 6, 1983; Ord. 523 § 1, 1977; prior code § 15-24.1). (Ord. No. 1563, 8-4-2009)

**E.** The Solid Waste Manager or his designee may impose a charge of fifteen dollars (\$15.00) per ton with a fifteen dollar (\$15.00) minimum for items that require Special Handling. Waste materials that require special handling or take extra care when handling include but are not limited to large and bulky items such as mobile homes, campers and trailers. Stumps and branches over eighteen inches in diameter and/or more than eight feet long may require special handling. Items that require special attention and/or immediate cover such as asbestos, petroleum contaminated soils and dead animals shall be considered Special Handling.

**F.** The Solid Waste Manager may designate up to two days per calendar year as Free Compost Days. Limitations on quantities, businesses and City or County will be set dependent on the supply of finished compost.

#### **13.IV.62.080 Tire Disposal Fees**

**A.** In addition to all other charges provided by law, the following landfill fees will be charged to all users;

1. Automobile and light truck tires, four dollars (\$4.00) each.
2. Heavy truck and light industrial tires, ten dollars (\$10.00) each.
3. Heavy equipment tires, seventy-five dollars (\$75.00) each.
4. Mounted, solid or foam filled tires will double the fee.

**B.** Tire disposal fees shall be collected from the person who brings tires to the city landfill at the time the tires are brought to the landfill.

**C.** Tires shall be placed at a location designated by the City Manager or designee and not at any other location.

**D.** Any person who disposes of a tire or tires without paying the required fee at the time of disposal, or who places tires upon property owned or controlled by the city in a location not designated for tire disposal is guilty of a violation of this section and upon conviction shall be punished as provided in the general penalty section of this code.

#### **13.IV.62.090 Community Clean-up Days Fee Waiver**

**A.** The City Manager, or designee, is authorized to waive such landfill fees for those events which are previously identified and approved by the office of the City Manager, and contribute to the overall cleanliness and appearance of the community including the following instances:

1. One day per year for all City and County residents. This day shall be coordinated with the Spring Time Community Clean-up Day.

2. Any community clean-up activity wherein a group wishes to collect trash, litter, and other debris, at a specified time and date with prior authorization for waiver of fees upon delivery of the collected refuse to the City sanitary landfill.

**B.** No waiver of fees shall occur to the County residents for the items for which the City incurs a cost of disposal beyond the limit of reimbursement from the County.

**C.** Local groups may apply for approval of community service events by contacting the office of the City Manager and completing the appropriate form. All fees for trash collected within the City limits on public property shall be waived for the approved event.

### **13.IV.62.100 Miscellaneous Charges**

**A.** Disposal of refrigeration units - thirty dollars and no cents (\$30.00).

**B.** Disposal of dead animals – the per ton fee shall be the same as disposal with a fifteen dollar (\$15.00) minimum.

**C.** Collections – roll off service with 7 yard container: two hundred dollars (\$200.00) per load (includes delivery, pickup and disposal), containers held over fourteen days will be assessed an additional fee of five dollars (\$5.00) per day.

**D.** Short term/Special event polycart rental – five dollars (\$5.00) per cart/per dump and a twenty five dollar (\$25.00) delivery charge for up to 8 polycarts.

**E.** Business Electronic waste recycling –business rate is three hundred sixty dollars (\$360.00) per ton.

**F.** Finished compost – fifteen dollars (\$15.00) per cubic yard or twenty five dollars (\$25.00) per ton with a one dollar (\$1.00) minimum.

**G.** Single Stream Recycling Drop Off - the per ton fee shall be the same as disposal with a minimum charge of five dollars (\$5.00).

**H.** No charge to residents:

1. Wood mulch
2. Green waste for recycling
3. Metal for recycling
4. Household hazardous waste
5. Residential electronic waste recycling

This ordinance shall become effective January 1, 2017 after passage, approval and publication.

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David Paulekas, Mayor and President  
of the City Council of the City of  
Laramie, Wyoming

ATTEST:

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Angie Johnson  
City Clerk

Duly published in the Laramie Daily Boomerang this \_\_\_\_ day of \_\_\_\_\_, 2016.

First Reading	July 5, 2016
Second Reading	August 2, 2016
Public Hearing	July 19, 2016
Third/Final Reading	August 16, 2016



# Laramie Solid Waste Operations

Budget Presentation FY 16-17 and FY 17-18

# Solid Waste and Recycling Operations

- Current Employees: 18 full time / 2 provisional
- Residential Customers – March 2016: 8,558
- Commercial Customers – March 2016: 238
- Disposed Waste Tons in 2015: 36,200
- Scalehouse Transactions in 2015: 27,665
- Collected Recyclable Material Tons in 2015: 1,363
- FY 16-17 Operational Budget: \$4,510,000
- FY 17-18 Operational Budget: \$4,380,000

# Solid Waste and Recycling Collection

- No program changes for FY16-17 / FY17-18.
- Proposed increase covers labor and other costs impacted by inflation.
- Increase for collection operations is **2%** each year
- **Update: 2% of commercial collection costs is \$4,325 which is allocated over an expected 75,000 yards. The collection increase per yard is \$0.06.**
- Last increase for SW collection rates was March 2014.
- Last increase for recycling collection rates was 2011.

Service	2016	2017	2018
SW Collection	\$8.98	\$9.16	\$9.34
Curbside Recycling	\$4.30	\$4.39	\$4.48
SW Com 2 CY	\$37.51	<del>\$38.49</del> <b>(\$38.03)</b>	<del>\$39.46</del> <b>(\$38.55)</b>
SW Com 4 CY	\$44.52	<del>\$46.68</del> <b>(\$45.56)</b>	<del>\$46.84</del> <b>(\$46.60)</b>
SW Com 6 CY	\$50.94	<del>\$52.27</del> <b>(\$52.50)</b>	<del>\$53.59</del> <b>(\$54.06)</b>

# Landfill Operations

- Disposal cost will increase due to new regulations from Wyoming DEQ.
- Stage 1 of the landfill (unlined section) will require a non-permeable cover. The estimated cost is \$7.5 million.
- Prior estimate from Western Water Consultants in 2009 estimated the cost at \$3.2 million for a clay / earth cover.
- City has applied for an amended closure method with DEQ called the Water Balance system that would be comparable to the 2009 estimate.

Stage 1 has 5 years of capacity; however, City has applied for a vertical expansion to dispose of inert waste that could extend the life for an additional 30 years.



# Stage 2 Expansion (cont.)

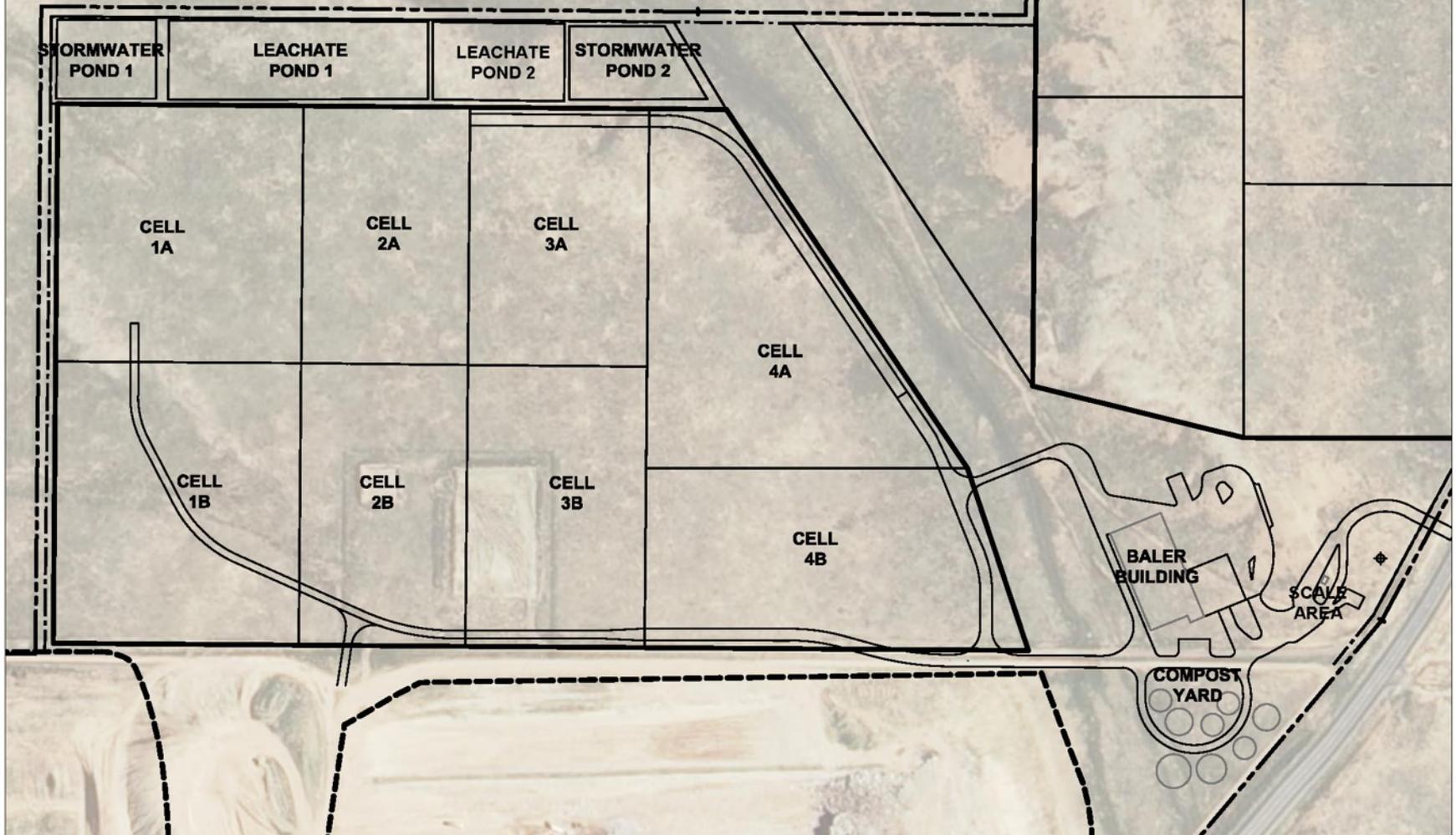
- Next build-out is for three cells instead of one.
- \$1.4 million savings on mobilization.
- Engineering and project management cost savings of \$200,000.
- Liner costs are reduced by 15-25% when large quantities are purchased.
- Estimated build cost is \$4.5 million.



# Stage 2 Expansion



# PRELIMINARY LANDFILL CELL AND LEACHATE POND LAYOUT



# Proposed Disposal Rates

Landfill Cost	2015	2016	2017
Operations	\$42.78	\$44.04	\$44.07
Cell Build Cost	\$8.69	\$11.03	\$12.93
Closure Cost	\$1.53	\$4.93	\$6.00
Total Rate	\$53.00	\$60.00	\$63.00

City Service	2015	2016	2017
Residential	\$5.74	\$7.23	\$7.82
SW Com 2 CY	\$25.24	<del>\$30.44</del> (\$30.51)	<del>\$32.51</del> (\$32.60)
SW Com 4 CY	\$50.48	<del>\$60.87</del> (\$61.02)	<del>\$65.03</del> (\$65.20)
SW Com 6 CY	\$75.79	<del>\$91.38</del> (\$91.61)	<del>\$97.61</del> (\$97.86)

- Disposal increase is allocated over an estimated 75,000 yards of waste. The presentation amounts used the prior year's actual amount, which was slightly that the rate model.

# Combined Residential Service Rates

<b>Service</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
SW Collection	\$8.98	\$9.16	\$9.34
SW Disposal	\$5.74	\$7.23	\$7.82
Recycling	\$4.30	\$4.39	\$4.48
Total Invoice	\$19.02	\$20.78	\$21.64
Increase		\$1.76	\$0.86
% Increase		9.3%	4.1%

# In-State Disposal Comparison

Facility	Rate	Notes
Casper	\$46	
Laramie Landfill	\$53	
Cheyenne C&D Landfill	\$53	
Green River / Rock Springs	\$55	Plus mill levy
Cheyenne Transfer Station	\$59	Will build MSW Landfill
Proposed Laramie	\$60	
Douglas Landfill	\$63	
Johnson Landfill	\$65	
Campbell County (Gillette)	\$75	Increase in July
Lander Landfill	\$80	3 mills (\$2.5M)
Dubois Landfill	\$80	3 mills (\$2.5M)
Riverton Bale Operation	\$80	3 mills (\$2.5M)
Cody Landfill	\$90	
Sundance Transfer Station	\$100	
Sheridan Landfill	\$105	
Jackson Transfer Station	\$110	

# Other Requested Changes

- Eliminate the out-of-city fee for other users of the Laramie Landfill – Establish one rate for disposal.
- Cease the “Fall Free Day” for Albany County residents.
  - The screening procedure is to ask the origin of the waste. No proof is required for service.
  - Honest people pay the out-of-city fee.



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**Bell & Associates, Inc.**  
1628 NW 33<sup>rd</sup> Way, Camas, WA 98607  
Phone 360-210-4344

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Date: June 27, 2016

To: Mayor Paulekas and Laramie City Council Members

From: Chris Bell

Re: Corrected Solid Waste Collection and Disposal Rates

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On May 12, I presented collection rates to you and to attending members of the City Council on proposed waste / recycling collection and solid waste disposal rates. The rates that I presented within the presentation for commercial collection and commercial disposal were incorrect. The commercial rates presented were from an initial computation and were not updated to reflect the 2% collection increase communicated earlier to Council members in the budget book from the Finance Manager. In addition to the collection, disposal rates were also incorrect due to an adjustment in the allocated yards. The overall impact to commercial collection and disposal rates is a decrease from the amounts presented in May.

I have corrected, in red font, the rates on sheet 3 (collection rates) and on sheet 9 (disposal rates) from May's presentation and included that with this memo. I have also included a copy of the proposed commercial collection rates with this memo.

I sincerely apologize for this error. I appreciate the past opportunities to work with City staff on this project and hope this oversight has not caused you or other members of the City Council and undue burden.

Respectfully,

Chris Bell

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# Laramie Solid Waste Operations

Budget Presentation FY 16-17 and FY 17-18

# Solid Waste and Recycling Operations

- Current Employees: 18 full time / 2 provisional
- Residential Customers – March 2016: 8,558
- Commercial Customers – March 2016: 238
- Disposed Waste Tons in 2015: 36,200
- Scalehouse Transactions in 2015: 27,665
- Collected Recyclable Material Tons in 2015: 1,363
- FY 16-17 Operational Budget: \$4,510,000
- FY 17-18 Operational Budget: \$4,380,000

# Solid Waste and Recycling Collection

- No program changes for FY16-17 / FY17-18.
- Proposed increase covers labor and other costs impacted by inflation.
- Increase for collection operations is **2%** each year
- **Update: 2% of commercial collection costs is \$4,325 which is allocated over an expected 75,000 yards. The collection increase per yard is \$0.06.**
- Last increase for SW collection rates was March 2014.
- Last increase for recycling collection rates was 2011.

Service	2016	2017	2018
SW Collection	\$8.98	\$9.16	\$9.34
Curbside Recycling	\$4.30	\$4.39	\$4.48
SW Com 2 CY	\$37.51	<del>\$38.49</del> <b>(\$38.03)</b>	<del>\$39.46</del> <b>(\$38.55)</b>
SW Com 4 CY	\$44.52	<del>\$46.68</del> <b>(\$45.56)</b>	<del>\$46.84</del> <b>(\$46.60)</b>
SW Com 6 CY	\$50.94	<del>\$52.27</del> <b>(\$52.50)</b>	<del>\$53.59</del> <b>(\$54.06)</b>

# Landfill Operations

- Disposal cost will increase due to new regulations from Wyoming DEQ.
- Stage 1 of the landfill (unlined section) will require a non-permeable cover. The estimated cost is \$7.5 million.
- Prior estimate from Western Water Consultants in 2009 estimated the cost at \$3.2 million for a clay / earth cover.
- City has applied for an amended closure method with DEQ called the Water Balance system that would be comparable to the 2009 estimate.

Stage 1 has 5 years of capacity; however, City has applied for a vertical expansion to dispose of inert waste that could extend the life for an additional 30 years.



# Stage 2 Expansion (cont.)

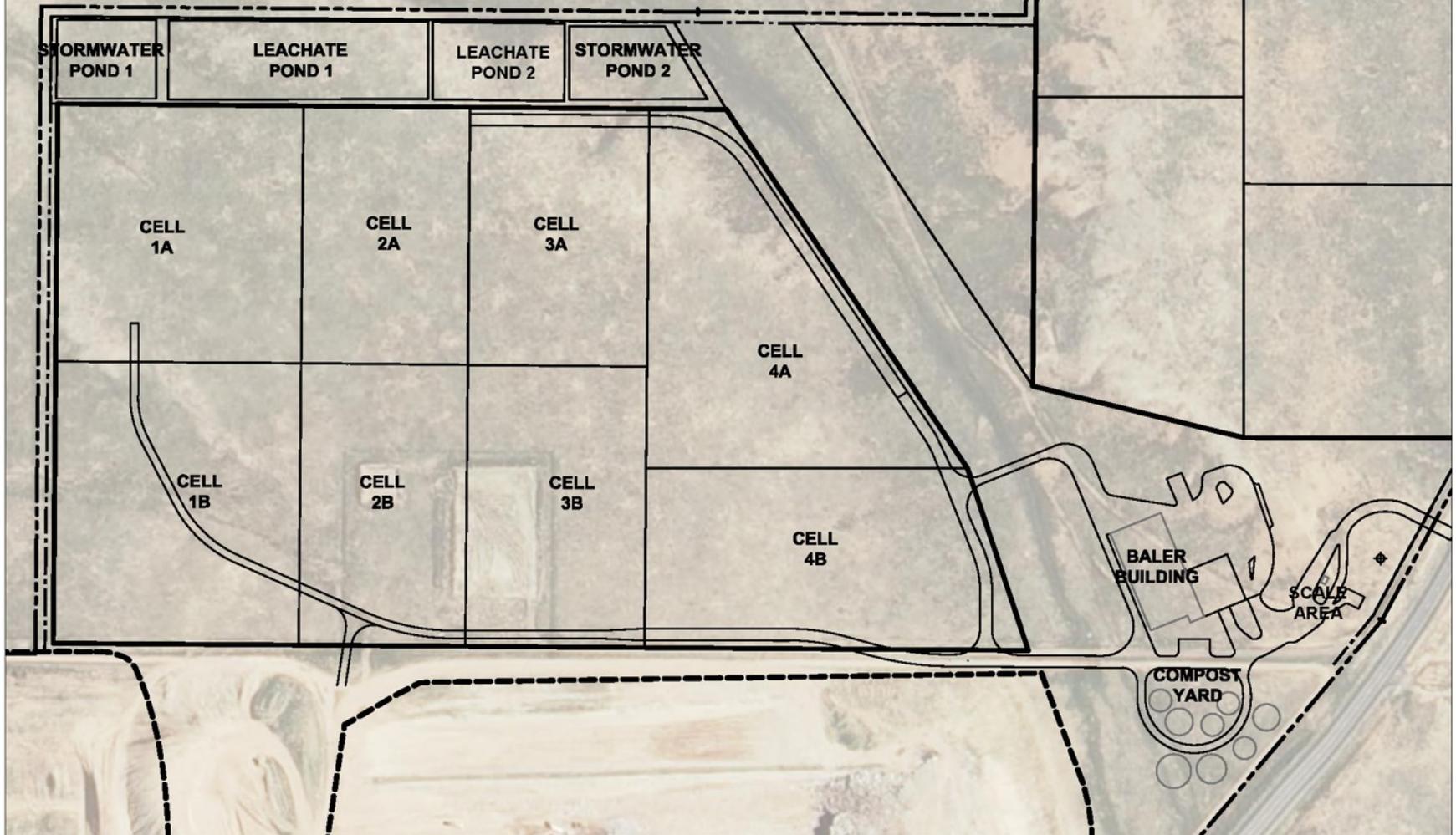
- Next build-out is for three cells instead of one.
- \$1.4 million savings on mobilization.
- Engineering and project management cost savings of \$200,000.
- Liner costs are reduced by 15-25% when large quantities are purchased.
- Estimated build cost is \$4.5 million.



# Stage 2 Expansion



# PRELIMINARY LANDFILL CELL AND LEACHATE POND LAYOUT



# Proposed Disposal Rates

Landfill Cost	2015	2016	2017
Operations	\$42.78	\$44.04	\$44.07
Cell Build Cost	\$8.69	\$11.03	\$12.93
Closure Cost	\$1.53	\$4.93	\$6.00
Total Rate	\$53.00	\$60.00	\$63.00

City Service	2015	2016	2017
Residential	\$5.74	\$7.23	\$7.82
SW Com 2 CY	\$25.24	<del>\$30.44</del> (\$30.51)	<del>\$32.51</del> (\$32.60)
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Jackson Transfer Station	\$110	

# Other Requested Changes

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  - Honest people pay the out-of-city fee.

**City of Laramie**  
**Commercial Container Collection**

	2017	2018
Commercial Collection Cost	\$216,253	\$220,578
Collection Increase	2.0%	2.0%
Container Rev. Increase	\$ 4,325	\$ 4,412
Annual Yards	75,000	75,000
Cost per Yard	\$ 0.06	\$ 0.06

	2017	2018
Rate Adjustment	\$ 45,660	\$ 18,066
Annual Collected Yards	75,000	75,000
Increase Per Yard	\$ 0.61	\$ 0.24

**CURRENT MONTHLY COLLECTION RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$37.51	\$59.79	\$82.03	\$104.31	\$126.56	\$148.82
4	4 cubic yard	\$44.52	\$69.14	\$93.76	\$118.38	\$143.00	\$167.60
6	6 cubic yard	\$50.94	\$78.50	\$105.47	\$133.63	\$160.54	\$188.69

**2017 Increase**

2	2 Cubic yard	\$0.52	\$1.04	\$1.56	\$2.08	\$2.60	\$3.12
4	4 cubic yard	\$1.04	\$2.08	\$3.12	\$4.16	\$5.20	\$6.24
6	6 cubic yard	\$1.56	\$3.12	\$4.68	\$6.24	\$7.79	\$9.35

**2017**

**PROPOSED MONTHLY COLLECTION RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$38.03	\$60.83	\$83.59	\$106.39	\$129.16	\$151.94
4	4 cubic yard	\$45.56	\$71.22	\$96.88	\$122.54	\$148.20	\$173.84
6	6 cubic yard	\$52.50	\$81.62	\$110.15	\$139.87	\$168.33	\$198.04

**2018 Increase**

2	2 Cubic yard	\$0.52	\$1.04	\$1.56	\$2.08	\$2.60	\$3.12
4	4 cubic yard	\$1.04	\$2.08	\$3.12	\$4.16	\$5.20	\$6.24
6	6 cubic yard	\$1.56	\$3.12	\$4.68	\$6.24	\$7.79	\$9.35

**2018**

**PROPOSED MONTHLY COLLECTION RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$38.55	\$61.87	\$85.15	\$108.47	\$131.76	\$155.06
4	4 cubic yard	\$46.60	\$73.30	\$100.00	\$126.69	\$153.39	\$180.07
6	6 cubic yard	\$54.06	\$84.74	\$114.82	\$146.10	\$176.13	\$207.40

**CURRENT MONTHLY DISPOSAL RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$25.24	\$50.47	\$75.72	\$100.95	\$126.20	\$151.43
4	4 cubic yard	\$50.48	\$100.94	\$151.43	\$201.91	\$252.39	\$302.86
6	6 cubic yard	\$75.79	\$151.43	\$227.15	\$302.86	\$378.59	\$454.30

**2017 Increase**

2	2 Cubic yard	\$5.27	\$10.54	\$15.82	\$21.09	\$26.36	\$31.63
4	4 cubic yard	\$10.54	\$21.09	\$31.63	\$42.18	\$52.72	\$63.27
6	6 cubic yard	\$15.82	\$31.63	\$47.45	\$63.27	\$79.08	\$94.90

**2017**

**PROPOSED MONTHLY DISPOSAL RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$30.51	\$61.01	\$91.54	\$122.04	\$152.56	\$183.06
4	4 cubic yard	\$61.02	\$122.03	\$183.06	\$244.09	\$305.11	\$366.13
6	6 cubic yard	\$91.61	\$183.06	\$274.60	\$366.13	\$457.67	\$549.20

**2018 Increase**

2	2 Cubic yard	\$2.09	\$4.17	\$6.26	\$8.34	\$10.43	\$12.52
4	4 cubic yard	\$4.17	\$8.34	\$12.52	\$16.69	\$20.86	\$25.03
6	6 cubic yard	\$6.26	\$12.52	\$18.77	\$25.03	\$31.29	\$37.55

**2018**

**PROPOSED MONTHLY DISPOSAL RATES - TWO CUBIC YARDS AND LARGER**

	Size	Collections per Week					
		1	2	3	4	5	6
2	2 Cubic yard	\$32.60	\$65.19	\$97.79	\$130.38	\$162.99	\$195.58
4	4 cubic yard	\$65.20	\$130.37	\$195.58	\$260.78	\$325.97	\$391.16
6	6 cubic yard	\$97.86	\$195.58	\$293.37	\$391.16	\$488.96	\$586.75

**UPCOMING COUNCIL MEETINGS June 28, 2016**

All meetings at City Hall, 406 Ivinson Street, unless noted.

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**June 28, 2016**

- 6:00 p.m. - Public Hearing:** Optimist Park Rename
- 6:00 p.m. - Work Session:** Public Comments
- 6:00 p.m. - Work Session:** Optimist Park Rename
- 6:00 p.m. - Work Session:** City Council Updates/Council Comments
- 6:00 p.m. - Work Session:** Agenda Review
- 6:00 p.m. - Work Session:** Public Comments

**July 5, 2016**

- 6:00 p.m. - Pre-Council**
- 6:30 p.m. - Public Hearing:** Ordinance 1947, vacate alley right of way, Block 46, Downey's Add.
- 6:30 p.m. - Public Hearing:** Ordinance 1948, vacate alley right of way, Block 1, University Place
- 6:30 p.m. - Public Hearing:** Ordinance 1949, amend Title 15 of LMC, Landscape Requirements
- 6:30 p.m. - Regular Meeting**
- 6:30 p.m. - Regular Meeting**

**July 12, 2016**

- 6:00 p.m. - Work Session:** Public Comments
- 6:00 p.m. - Work Session:** City Council Updates/Council Comments
- 6:00 p.m. - Work Session:** Agenda Review
- 6:00 p.m. - Work Session:** Public Comments

**July 19, 2016**

- 6:00 p.m. - Pre-Council**
- 6:30 p.m. - Regular Meeting**

**July 26, 2016**

- 6:00 p.m. - Work Session:** Public Comments
- 6:00 p.m. - Work Session:** Joint Meeting with Commissioners on Youth Sports Initiative  
*(tentative)*
- 6:00 p.m. - Work Session:** Public Art Committee Update
- 6:00 p.m. - Work Session:** City Council Updates/Council Comments
- 6:00 p.m. - Work Session:** Agenda Review
- 6:00 p.m. - Work Session:** Public Comments

**August 2, 2016**

- 6:00 p.m. - Pre-Council**
- 6:30 p.m. - Regular Meeting**

**August 9, 2016**

- 6:00 p.m. - Work Session:** Public Comments
- 6:00 p.m. - Work Session:** Taxi Law Update
- 6:00 p.m. - Work Session:** City Council Updates/Council Comments
- 6:00 p.m. - Work Session:** Agenda Review
- 6:00 p.m. - Work Session:** Public Comments

**August 16, 2016**

- 6:00 p.m. - Pre-Council**
- 6:30 p.m. - Regular Meeting**

**UPCOMING COUNCIL MEETINGS June 28, 2016**

All meetings at City Hall, 406 Ivinson Street, unless noted.

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**August 23, 2016**

- 6:00 p.m. - Work Session:** Public Comments
- 6:00 p.m. - Work Session:** Development Review Update
- 6:00 p.m. - Work Session:** City Council Updates/Council Comments
- 6:00 p.m. - Work Session:** Agenda Review
- 6:00 p.m. - Work Session:** Public Comments

## **FUTURE CITY COUNCIL WORK SESSIONS 6/21/2016**

### Requested by Council Formal Action:

City Curb & Gutter Policy (Paulekas)  
Review general process of Boards & Commissions Program (Weaver/Vitale)  
Review of Inter-Agency City/County Agreements (Hanson)  
\*UDC WAM Members Poll Results (Shuster)  
Review of funding allocation for Child Care providers (Paulekas)  
Open 311 (Summerville)  
Turner Tract Plan Update (Summerville)  
ACTA (Albany County Transportation Authority)/MPO (Summerville)  
Tech Hire Grant Program (Summerville)  
Homeless/Homeless Veterans (Shumway/Summerville)  
\*Update on taxi laws (Summerville)  
\*Public Art (Summerville)  
Urban Renewal (Weaver)

### Requested by Staff:

Policy on Annexation & Extra-Territorial City Services Action Plan (Jordan)  
Downtown Design Guidelines Revisions (Hunt)  
Restaurant and Pool Inspection Program Future (Jordan)  
Fluoridation of Municipal Water Supply (Jordan/Citizen requested)  
Storm Water Program and Funding (Jaap/Jordan)

\* Scheduled, not held.