AGENDA
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
CITY HALL
OCTOBER 4, 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. Roll Call

3. Pledge of Allegiance

4. PRE-MEETING ITEMS

4.A. PROCLAMATIONS & PRESENTATIONS

4.A.i. PROCLAMATION: Community Planning Month

Documents:

Proclamation 2016-Community Planning Month City Council.pdf

4.A.ii. PROCLAMATION: Domestic Violence Awareness Month

4.B. PUBLIC HEARING

4.B.i. PUBLIC HEARING: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue). [Derragon, ACM]

Documents:

Cover Sheet.pdf
Public Hearing Notice .pdf
Ordinance No. 1955.pdf
Planning Commission Packet.pdf

4.C. ANNOUNCEMENTS

5. Disclosures by City Council Members

6. 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.

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 September 20, 2016, the Public Hearings of September 20 & 27, 2016, the Special Meeting of September 27, 2016 and have them placed on file for public inspection.
[Johnson, CC]

Documents:

Minutes 09.20.2016min.doc
Public Hearing 09.20.16LL.HighhPlainsPizza.doc
Special Mtng Min 09.27.2016.doc
Public Hearing 09.27.16 ORD 1954.doc

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

Action:

that the Cemetery Deeds for September 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]**

8.C. VOUCHERS: September 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 October. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.
[Brown, City Treasurer]

8.D. MINUTES: of the September 14, 2016 Parks, Tree & Recreation Advisory Board.

Action:

that Council accept the minutes of the Parks, Tree & Recreation Advisory Board from September 14, 2016, and have them placed on file for public inspection.

1) to approve the minutes from the July 20, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Approved)
2) to approve resolution 2016- authorizing co-sponsorship the Friends of Community Recreation 2016 Skateboard Competition to be held on September 24, 2016 at the LaBonte Skate Park. (Approved - forward to City Council for Consideration)
3) to approve placement of a memorial boulder and plaque in remembrance of Kim Sullivan at the base of the stairs on the east side of the foot bridge. (Approved)
4) introduction of new board member Nick Carlson to fulfill the position vacated by Jacque Stonum, term expires December 2018. (No Action)
5) election of Board Chair and Vice Chair for remainder of 2016 - Foianini Chair/Favret Vice-Chair. (Approved)
6) presentation of the concept for the development of a full pipe addition to the LaBonte Skate Park (Approved - forward to City Council for Consideration)
7) discussion regarding Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements. (Discussed – Comments to Planning)
8) consideration of Memorandum of Understanding between Albany County School District Number One and City of Laramie outlining the use, care and expenses related to community use of the "original" Deti Stadium. (Approved – forward to City Council for Consideration)
9) to discuss an Administrative Policy and Procedure for Naming/Renaming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgement. (Approved – forward to City Council for Consideration)
[Feezer, P&R Dir]

Documents:

PTR Advisory Board Minutes 9.14.16 Cover Sheet.pdf
Advisory Board Minutes September 14, 2016.pdf

8.E. GRANT: Grant award from the Wyoming Office of Homeland Security

Action:
to accept a grant award from the Wyoming Office of Homeland Security for Law Enforcement Terrorism Prevention Activities (LETPA) in the amount of $45,000.00 (CFDA #97.067) and authorize the City Manager and Chief of Police to sign the grant award between the Laramie Police Department and Wyoming Office of Homeland Security.
[Chief Stalder, PD]

Documents:

HOMELAND SECURITY 2016 COVER SHEET.pdf
HOMELAND SECURITY GRANT 2016.pdf

8.F. SCHEDULE MEETING(S)

Action:
that the Cuoncil schedule the following meeting(s):
1. October 18, 2016, 6:30 pm, Public Hearing: Original Ordinance No. 1956

9. REGULAR AGENDA

10. **Temporary Relocation of Albany County Liquor License Cavalryman Steakhouse into City Limits.**
[Johnson, CC]

Documents:

Cover Sheet, temp use in city Cavalryman Steakhouse 10-8-16.pdf
Alcohol Catering Cavalryman County LL 10-08-16.pdf
letter to City Clerk.pdf

11. **Memorandum Of Understanding between the City of Laramie and the Laramie Town & Gown Association**
[Jordan, CM]

Documents:

LTGA COVER SHEET OCT 16.pdf
LTGA MOU DOCUMENT.pdf

12. **Resolution 2016-72, supporting the development of a full pipe addition at the LaBonte Skate Park.**
[Feezer, P&R]

Documents:

Full Pipe Resolution Cover Sheet.pdf
Full Pipe LaBonte Skate Park Resolution.pdf
Full Pipe Renderings.pdf

13. **Original Ordinance No. 1954, amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**
Third and Final Reading. (Introduced by Vitale)
[Derragon, ACM]

Documents:

Cover Sheet.pdf
Original Ordinance No. 1954.pdf
Planning Commission Staff Report.pdf

14. **Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue)**
Second Reading. (Introduced by Shumway)
[Derragon, ACM]

Documents:

Cover Sheet.pdf
Original Ordinance No. 1955.pdf
Planning Commission Packet.pdf

15. **Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest**

corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District. Introduction and First Reading. [Derragon, ACM]

Introduction and First Reading
[Derragon, ASM]

Documents:

1st Reading Cover Sheet.pdf
1st Reading Ordinance.pdf
Z-16-04 PC Staff Report.pdf

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

Documents:

Upcoming Meetings 10-4-2016.pdf
Future Work Session Topics 9-20-2016.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. **Adjournment**

PROCLAMATION

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of Laramie, Wyoming, and

WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of Laramie, Wyoming, and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2016 is hereby designated as

COMMUNITY PLANNING MONTH

in the City of Laramie, Wyoming, in conjunction with the celebration of National Community Planning Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City to be affixed this Fourth Day of October, 2016.

_____

David A. Paulekas, Mayor of the City of Laramie

Attest:

_____

Angie Johnson, City Clerk

CITY OF LARAMIE COUNCIL PUBLIC HEARING October 4, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - Public Hearing** **Title: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue).**

Recommended Council MOTION:

Public hearing, no action can be taken.

Administrative or Policy Goal:

Rename Ivinson Street to Ivinson Avenue to restore the historic name of the thoroughfare.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

In recent decades street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street. It has been concluded that the street name was accidentally changed and this Ordinance is required to rename it.

On September 20, 2016, the City Council approved this ordinance (8 yes, 0 no, 1 absent).

The Planning Commission heard this item on September 12, 2016. The Planning Commission recommend that the City Council approve the Amendment to the zoning map reflecting the name Ivinson Avenue (6 yes, 0 no, 1 absent).

The Planning Commission staff report is included. No changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Chapter 2.38 (Street Naming Committee)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

BUDGET/FISCAL INFORMATION:

REVENUE

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

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

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

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	October 4, 2016
Pub. Hearing Advertised	August 27, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	October 4, 2016
3rd Reading	October 18, 2016

Attachments:

Public Hearing Notice
Proposed Ordinance No. 1955
September 12, 2016 Planning Commission Staff Report

CITY OF LARAMIE NOTICE OF PUBLIC HEARING(S)

The Laramie Planning Commission/ Board of Adjustment will hold public hearings at 4:30 p.m. on September 12, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Street, Laramie, WY, to take public comments or protests on the following application(s):

-A request by Kim Viner to rename the entirety of Ivinson Street to Ivinson Avenue.

-CUP-16-10: Submitted by Kayla Winslow, requesting a Conditional Use Permit to allow for a Type 2 Child Care (up to 10 children) located at 1972 Franklin St in Laramie, WY.

-VAR-16-05: Submitted by BLT, LLC, requesting a variance to LMC § 15.16.040.J requiring the undergrounding of all communication and power lines. The area is located generally on the NW corner of 22nd and Beaufort Streets.

-Z-16-04: Submitted by Chad Wagner, requesting the establishment of the ROB (Residential Overlay for Business) zoning at a property located at 2159 Snowy Range Road.

The City Council will hold the following public hearings at 6:30 p.m. on October 4, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

-An Ordinance renaming the entirety of Ivinson Street to Ivinson Avenue.

All applications, plans and specifications relative to this/these matter(s) are available for review at the City of Laramie Planning Office, 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: Laramie Planning Commission c/o City of Laramie Planning Office, P.O. Box C, Laramie, WY 82073. For questions or information, contact the City Planning Office, at the address above, by telephone at 307-721-5207 or by email at planning@cityoflaramie.org.

Publish: August 27, 2016

BILL TO: City of Laramie Planning Office, Attn: Kathy Wickersham, P.O. Box C, Laramie, WY 82073

AFFIDAVIT REQUIRED; PLEASE SEND TO ABOVE

ORIGINAL ORDINANCE NO.: 1955 INTRODUCED BY:
ENROLLED ORDINANCE NO.:

AN ORDINANCE REDESIGNATING THE NAME OF IVINSON STREET (REDESIGNATING AS IVINSON AVENUE).

WHEREAS, 41 of 77 (53.2%) property owners abutting and adjacent to the street in question have timely filed a petition with the City of Laramie, Wyoming, requesting that one (1) previously dedicated right-of-way, known and designated as Ivinson Street (full), be redesignated as Ivinson Avenue, which rights-of-way are more fully described in Sections 2 of this Ordinance;

WHEREAS, said petitioners (Albany County; Andersen, Matthew A & Chamois L; Anderson, Edwin A; Christie D; Arsenio Lemus Holdings, LLC, a WY LLC; Barnes, Timothy J; Buckhorn Enterprises, Inc; City Of Laramie; Cossitt, Gordon A & Brenda R; Cupps, Charles Mark; Episcopal Diocese Of Wyoming; The First Nat Bank Of Laramie; Foust, Peter; Frausto Enterprises Inc; Gonzales, Don & Nora E; Hanson, Janell Rev Liv Trust; Heineke LLC, a WY LLC; Klages, Ricki L; Laramie Plains Museum Assoc; Laramie Plains Properties Ltd Partnership; Ludwig Photo Enterprises, a Partnership; MEC Corporation; Romero, Casandra 2009 Rev Trust; Schutterle, John E Liv Trust; St Matthew Cathedral; Timchula, Judith A; University Of Wyoming; Voigt, Karen; and Williamson, Amy K Trust) constitutes a majority of the owners of real property abutting said right-of-way;

WHEREAS, this right-of-way has been platted, and has permanent residents and structures at this time;

WHEREAS, the City Clerk, in compliance with Laramie Municipal Code § 2.38.050.B, gave notice of a public hearing concerning this Petition at least fifteen (15) days in advance by publishing the required notice in the *Laramie Boomerang* on August 27, 2016; and

WHEREAS, a public hearing shall be held by the City Council on October 4, 2016.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LARAMIE, WYOMING:

Section 1. That pursuant to the petition of the majority of owner(s) of property abutting the dedicated right-of-way known and designated as Ivinson Street (full) as described in Section 2, and pursuant to the authority of Laramie Municipal Code § 2.38.040 through Code § 2.38.070, the City Council finds that the redesignation of the following dedicated right-of-way name will not abridge or destroy any of the rights and privileges of other proprietors in said plat, and further finds that the redesignations are in the best interest of the City of Laramie, Wyoming (City).

Section 2. That the following described dedicated right-of-way is hereby designated with a different name, by abandoning the name “Ivinson Street” and designating same as “Ivinson Avenue.”

ALL OF IVINSON STREET AS SHOWN AND DESIGNATED WITHIN THE

BOUNDARIES OF THE FINAL PLAT FOR HENRY D. HODGEMAN'S ADDITION AND ORIGINAL TOWN OF LARAMIE PLAT.

Section 3. That the Clerk of Albany County, Wyoming, in whose office the aforesaid plats are recorded, shall cause the redesignated rights-of-way to be indicated in plain legible letters and symbols across the parts of each plat so modified, by striking through the words "Ivinson Street" in it stead, and adding the words "Ivinson Avenue" and shall also make a reference on the same to the volume and page number on which the ordinance redesignating the right-of-way is recorded.

Section 4. That the City Clerk shall cause written notification of such redesignations to be given to the owners of real property abutting the streets as such owners appear on the assessment records of the county assessor, to the United States Post Office, and to such other persons, agencies and offices who may have a direct interest in the redesignation.

Section 5. That this ordinance shall become effective after its passage, approval, publication, and recordation.

Passed and approved this _____ day of _____, 2016.

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

Attest:_____
Angie Johnson
City Clerk

First Reading: September 20, 2016
Second Reading: October 4, 2016
Public Hearing: October 4, 2016
Third Reading and Final Action: October 16, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie
Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5207
Fax: (307) 721-5248

MEMORANDUM

Date: **September 12, 2016**

To: **Planning Commission**

From: **Charles Bloom, AICP, Principal Planner**

Subject: **Renaming of Ivinson Street to Ivinson Avenue**

Recommended Motion:

Move to recommend that the City Council **approve** the request to rename Ivinson Street to Ivinson Avenue.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

History:

According to Kim Viner, discussion began on renaming Thornburgh Street to Ivinson Avenue in 1921. These finally gathered traction in 1928 when A. C. Jones, Vice President of First Interstate Bank, began to gather signatures to rename the Street to Ivinson Avenue According to Viner, on January 21, 1928 an Ordinance was signed officially changing the street name to Ivinson Avenue shortly before Edward Ivinson passed away.

In recent decade street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street.

How did it Change?

The short answer is “on accident.” Laramie Municipal Code § 12.12.010 “Street names” states that the streets of the city shall be designated and known by the names shown on the "zoning district map of the city of Laramie." Staff has narrowed down the date to the mid-1980s when the City Engineering Department was responsible for maintain the Official Zoning Map of the City. During that time the street was accidentally labeled as Ivinson Street on the map that was prepared in AutoCAD. Since the zoning map officially designates street names, the street has since been legally named Ivinson Street.

Cost:

Public Works Staff estimate that renaming of the street back to its correct name Ivinson Avenue will cost the City approximately $2,500 in materials and labor. This includes the cost to manufacture new signs and staff time to install the new signage.

Findings of Fact and Conclusions of Law:

Findings of Fact:

- A majority of property owners abutting the street have signed the petition

Conclusions of Law:

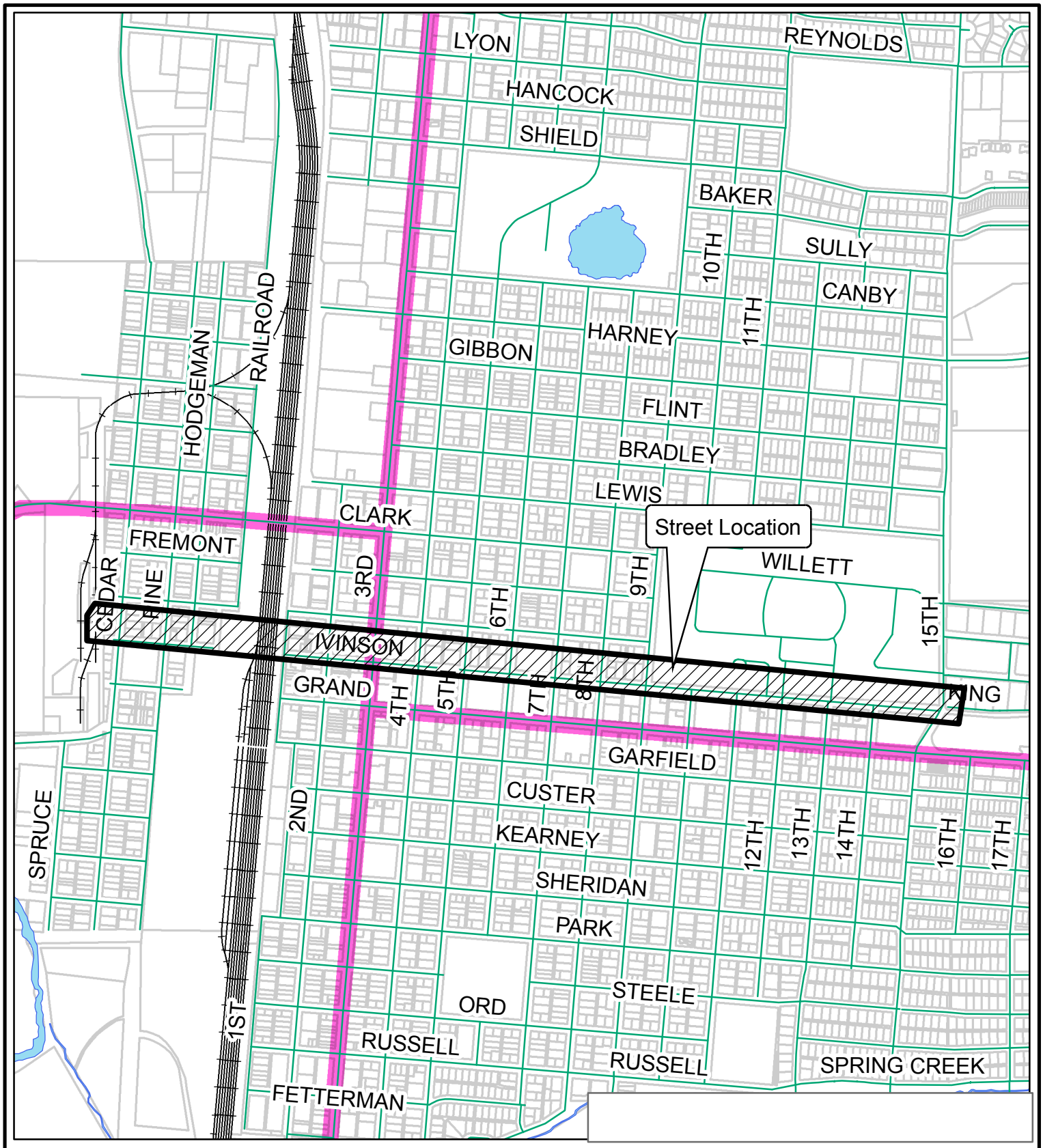
- The applicant is proceeding in accordance with the requirements of LMC 2.38.
- The redesignation of the following dedicated rights-of-way names will not abridge or destroy any of the rights and privileges of other proprietors in said plat,
- The redesignation is in the best interest of the City of Laramie, Wyoming.

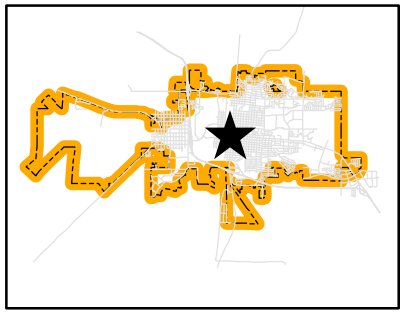
Staff Recommendation:

Staff recommends that the Planning Commission **approve** the request to rename Ivinson Street to Ivinson Avenue.

Attachments:

1. Vicinity Map
2. Request Letter and Supporting Information





Redesignation to Ivinson Avenue

N

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.

IVINSON STREET OR IVINSON AVENUE?

Over the next two years the city of Laramie will reconstruct part of the street that runs through the heart of historical Laramie. It passes Laramie's oldest banking establishment, St. Matthew's Cathedral, city hall, the county courthouse, the Laramie Plains Museum and the University of Wyoming. The question arises, is it Ivinson Street or Ivinson Avenue?

After Grenville Dodge, chief civil engineer of the Union Pacific Railroad, laid out the city in July 1867, the streets in the town were given very simple names. Streets running north and south were numbered and streets running east and west were given letters for names. From Center Street they were South A, North A etc.

No changes were made until the University of Wyoming came along in 1886. Center Street was renamed University Avenue. In 1889 the remaining east-west streets were given the names that they bear today, with one exception.

That exception is the street that was renamed in 1889 from South A to Thornburgh Street (often misspelled Thornburg). It had been named for Major Thomas Thornburgh who was a unit commander at Fort Steele and was killed in a skirmish with the Ute tribe in 1879 in Colorado.

As early as 1921 it was suggested that the street be renamed to honor Laramie banker and philanthropist, Edward Ivinson. Ivinson had given money to the county to build a modern hospital, deeded his mansion to the Episcopal Church for use as a girls boarding school and donated the money to finish St Matthew's Cathedral.

Opposition arose from an unlikely source, Ivinson's neighbor Melville C. Brown. Brown lived on Thornburgh Street, opposite the Ivinson Mansion block. He was a longtime friend of the Ivinson family but was reported by the Laramie Republican newspaper as being opposed to the change. Brown stated that "General Thornburg" deserved the honor because of his long history in the state. Notably, Brown got Thornburgh's name, rank and importance to Wyoming wrong.

More likely Brown opposed the move because for nearly a decade he tried to get Ivinson to enter into a real estate deal that Brown felt would make him a lot of money. Ivinson did not sell, rather he gave the property to the local orphanage.

The 1921 attempt did not bear fruit, but in 1928, A. C. Jones, vice president of the First National Bank, tried again. Jones collected signatures from everyone who lived on the street and supported the change to Ivinson Avenue. He presented them to the city council. Local history says the only person who would not sign was M. C. Brown.

Despite Brown's opposition, Mayor Stephen Downey signed a city ordinance on 21 January, 1928 changing the name of the street to Ivinson Avenue. Ivinson died 10 weeks later.

But today the street signs read "Ivinson Street." How did the change come about? It seems that no one really knows. Maps produced by the Wyoming Highway Department (1977) the Laramie City Engineer (1982), and the University of Wyoming Architect (1983) all clearly label the street "Ivinson Avenue." Additionally, a photo taken of the corner of Second and Ivinson in 1982 shows a street sign titled "Ivinson Ave."

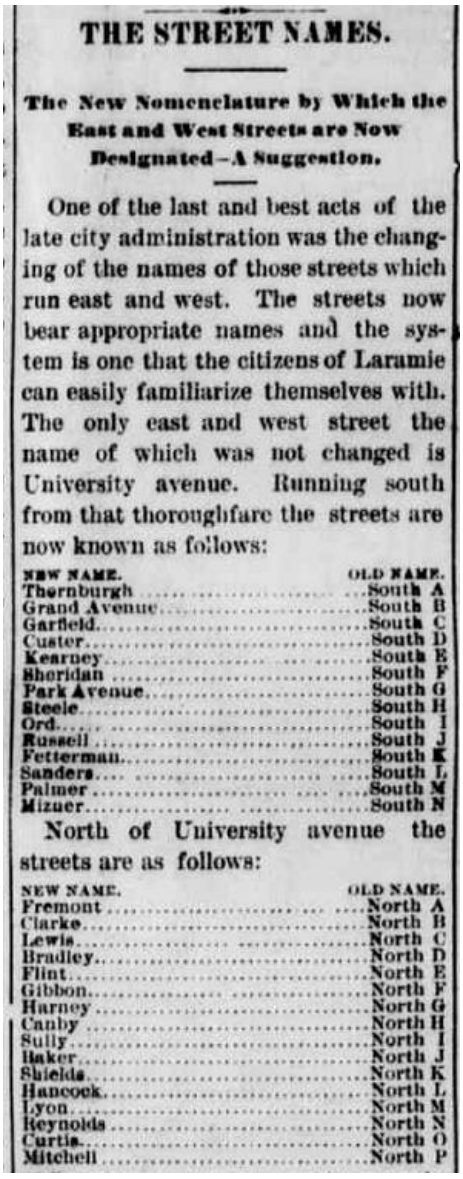
There are no city records showing that a name change to Ivinson Street was mandated by the city council. Consultations with the city planner yielded no existing records explaining the change. So we are left with the question unanswered. However, available evidence indicates that the name of the street should be Ivinson Avenue not Ivinson Street. Perhaps the reconstruction project would be a good time to change it back.

the frame pla
2ND ST
UNION AVE

Paula:

Here is the follow-up pertaining to our discussion about Ivinson Avenue (or Street). Current city street signs show Ivinson Street. The story of why they should show Ivinson Avenue follows (some of this is taken from an article I wrote for the *Boomerang* which was published last month).

When the city was originally platted, the east-west streets were not given names; they were designated by letters. The middle street of the town was Center (some maps spelled it Centre) and south of there was South A, north was North A etc. Center was changed to University Avenue shortly after the U.W. was founded in 1886. On February 19, 1889, the editors at the *Boomerang* stated that the original 1868 east – west street names of A, B, C etc. and the north – south numbered streets were not becoming of a modern metropolis in the late 1800's. So, on that day the paper suggested an update was necessary.



THE STREET NAMES.

The New Nomenclature by Which the East and West Streets are Now Designated—A Suggestion.

One of the last and best acts of the late city administration was the changing of the names of those streets which run east and west. The streets now bear appropriate names and the system is one that the citizens of Laramie can easily familiarize themselves with. The only east and west street the name of which was not changed is University avenue. Running south from that thoroughfare the streets are now known as follows:

NEW NAME.	OLD NAME.
Thornburgh	South A
Grand Avenue	South B
Garfield	South C
Custer	South D
Kearney	South E
Sheridan	South F
Park Avenue	South G
Steele	South H
Ord	South I
Russell	South J
Fetterman	South K
Sanders	South L
Palmer	South M
Mizuer	South N

North of University avenue the streets are as follows:

NEW NAME.	OLD NAME.
Fremont	North A
Clarke	North B
Lewis	North C
Bradley	North D
Flint	North E
Gibbon	North F
Harney	North G
Canby	North H
Sully	North I
Baker	North J
Shields	North K
Hancock	North L
Lyon	North M
Reynolds	North N
Curtis	North O
Mitchell	North P

The paper proposed that the streets should be renamed for early settlers or well-known locations. Names such as Trabing, Hutton, Holliday and Fillmore and famous sites such as Yellowstone were initially suggested.

Within a week, however, the *Boomerang* published another article that offered a different suggestion. This one came from local businessman W.H. Root. He suggested to the paper that the streets be named after "well known military officers who have served in this vicinity." The *Boomerang's* suggestion, with Root's modification, took hold and soon the Laramie city council appointed a three person committee to study the proposal.

On March 15, 1889, they reported to the council a list of names that should be considered and the recommendation that the numbered streets not be changed. For the east – west streets they chose mostly military officers and some pioneers. Over the next week, the list was changed. The proposed Bonneville Street was changed to Grand Avenue and proposed Bridger Street was changed to Sheridan Street. On 21 March the *Boomerang* listed the names for all the streets that were to be voted upon by the city council.

The list was adopted by city ordinance on May 8, 1889, and the formal list published by the paper on May 14 (shown left). The paper praised the actions of the council noting it was one of the last acts of the outgoing administration following the election of new council members on April 2, 1889 (who took office in June).

There was confusion over the changes. In early June, new mayor Augustus Trabing asked at a council meeting if the change had been approved. He said that several local residents where not sure of the name of the street in front of their houses. Councilman Hicks assured the mayor that the changes were official and

lamented that people would know that if they simply read the paper. To rectify the situation, H. D. Beemer was hired to paint street signs that were placed where the newly named streets intersected Second Street.

The new street names north of University to Mitchell have remained the same as they were adopted in 1889. Two changes happened south of University. Mizner Street was never built and the name not used. Thornburgh would eventually be renamed.

Thornburgh was used for several years after 1889. An 1894 map online at the state archives shows the route as "Thornburgh St" in original typeset (not added later). That verified the 1889 change from South A. [1]

Thornburgh was an interesting selection. He was an Army officer who had been commander of Fort Steele and was killed in a skirmish with Ute Indians in Colorado in 1879. Oddly, he had nothing really to do with Laramie and he was buried in Omaha, Nebraska, and was reburied in Arlington National Cemetery at a later date! Why the citizens of Laramie decided to name a street after him was strange.

The street (often misspelled Thornburg in the papers) retained the name until 1928. Just after the New Year, A.C. Jones, the vice president of the First National Bank and a longtime friend of Edward Ivinson, circulated a petition asking citizens of Thornburgh Street to support his call to the city council to rename the thoroughfare "Ivinson Avenue." Local newspapers reported on 4 January 1928 that out of 40 property owners on the street only three or four did not sign the petition (legend has it that prominent resident Melville C Brown would not sign – he lived across the street from the Ivinson mansion). The paper also reported that the city council voted five to zero on the 3rd to direct the city attorney to draft an ordinance to change the name of Thornburgh Street to Ivinson Avenue.

On the 18th, papers reported that the city council passed the ordinance renaming the street Ivinson Avenue. Mayor Downey was out of the city on that day but signed the ordinance on 21 January 1928. The paper put it this way:

> Mayor S.C. Downey, who returned last night from Denver, today signed the ordinance, passed unanimously by the city council Tuesday, in his absence, changing in the name of Thornburg (sic) street (sic) to Ivinson avenue (sic)…..The ordinance changing the name of the street to Ivinson avenue (sic) is in honor of Edward Ivinson the oldest citizen of Laramie and its first banker. For a long time he was president of the First National Bank.

So, as of that date the official name was Ivinson Avenue.

Because street signs show "Ivinson Street" and the evidence seemed to indicate "Ivinson Avenue," I called the Albany County Geographical Information Systems team and asked them what they used to denote the street. They replied (and their online maps state), Ivinson Avenue.[2] Then I called the city manager's office and asked what they called the street (mentioning that there may be a discrepancy). They directed me to the city street department. They had access to an 1885 map done up by the (then) city engineer (also online at the state archives), that showed BOTH "S A" and Ivinson St. for the same street but in different fonts. This obviously meant that someone had gone back and added "Ivinson St" to the original map. So that was not much help, but may explain where the confusion originated.

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[1] It can be seen at http://wyoarchives.state.wy.us/Archives/Maps.aspx as can the 1884 map and 1940 map referenced below.

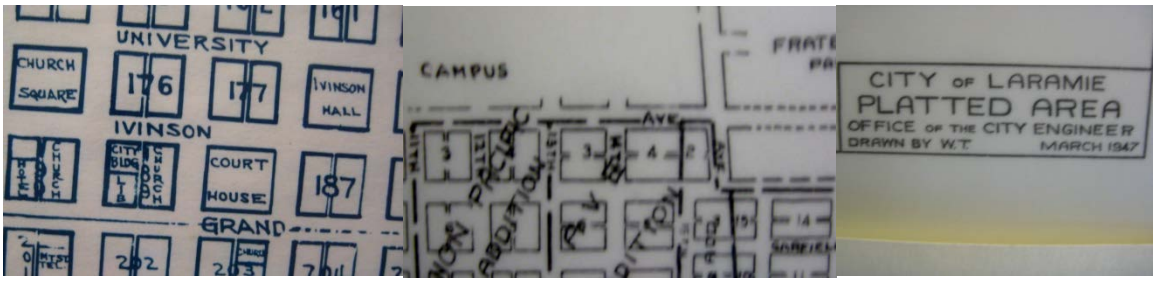
[2] Their maps can be seen at http://www.co.albany.wy.us/gis.aspx

They then directed me to the City Planner's office. I talked to both the planners in the office on that day and subsequently exchanged several emails with Mr. Bloom. I recapped the whole story. They checked all the older street maps that they had and could not tell me why someone put up "Ivinson Street" street signs. We all agreed that it would cost a bunch of money to change them and that it was unlikely that it would ever be done. Finally, I wondered aloud if someone had just made a mistake and they agreed that was a possibility.

Mr. Bloom queried Harold Colby (former street division manager) and he recalled that at one point in the 70's the businesses on the western end of Ivinson asked that it be changed from "Street to Avenue" to make it more appealing. I believe Mr. Colby may have the story correct but the order reversed as the city definitely changed it to Avenue in 1928.

Here are images which show that the city still called it Ivinson Ave through 1985:

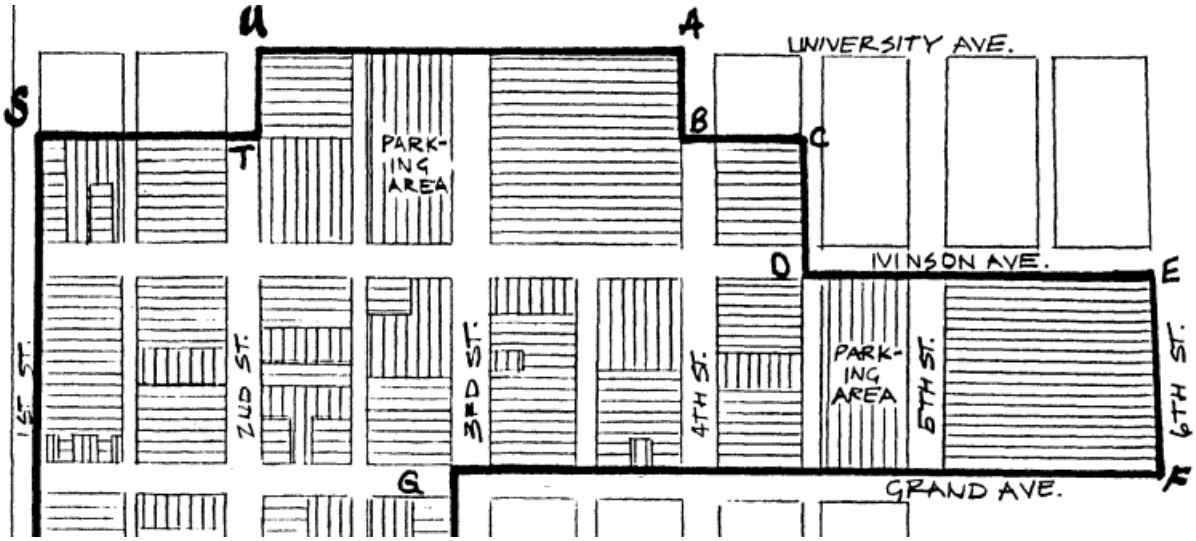
These three images are from the official city map of 1947 showing it as Ivinson Ave. I could not place the entire avenue in a readable form in one image. So the two on the left are separate portions of the same map. One can clearly see though that Ivinson was "Ave" as it ran past the U.W. Campus.



The image below was included for the 1988 submission for the Laramie Historic Downtown Distirct. This photo was taken in 1985. So, here is another clue that the name was never officially changed to Ivinson Street. Of note, is that the submission called it either Aveune or Street in different parts of the document.

Finally a couple of other facts: the U.S. Postal Service calls the lane in question, "Ivinson Street." On the other hand, the letters stamped into the concrete of the curb and gutter along the street say "AVE" not street. I am not sure when those were installed, but I do know that the ones by our house (corner 12th and Steele) were done before 1954. Additionally, a hand drawn map of downtown Laramie

by “Cash” Carroll done in 1949 (he was a property appraiser and real estate agent) and held in the Laramie Plains Museum’s collection lists it as Ivenson (sic) Avenue. Finally, the National Register of Historic Places 1988 submission (approved 11/10/88) for the Laramie Downtown Historic District also has a map that shows the street as “Ivinson Ave.”



Taken in aggregate, I am very confident that the street in question should still be officially Ivinson Avenue.

Kim Viner

307-761-0797

1. AGENDA

Regular Meeting of the City Council was called to order by Mayor Paulekas at 6:30pm.

2. Pledge of Allegiance

Mayor Paulekas led the Pledge of Allegiance.

3. Roll Call

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

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Angie Johnson, City Clerk; Bob Southard, City Attorney; Todd Feezer, Parks & Recreation Director; and Earl Smith, Public Works Director.

4. PRE-MEETING ITEMS

4A. PROCLAMATIONS & PRESENTATIONS

4.B. PUBLIC HEARING

4.B.i. PUBLIC HEARING: High Plains Pizza, Inc Liquor License Transfer Application

4.C. ANNOUNCEMENTS

5. Disclosures by City Council Members

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: Add "and personnel" to Item #26.

MOTION CARRIED by voice vote.

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 Henry, that the Consent Agenda be approved and that each specific action on the Consent Agenda be approved as indicated.

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

8. CONSENT AGENDA

8.A. MINUTES: City Council Meetings

Action: that Council approve the Minutes of the City Council Regular Meeting of September 6, 2016, the Public Hearing of September 6, 2016, the Special Meeting of September 13, 2016 and have them placed on file for public inspection.

8.B. CEMETERY DEEDS: For September 1-15, 2016
Action: that the Cemetery Deeds for September 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. RESOLUTION: Resolution 2016-61 authorizing co-Sponsorship of the Friends of Community Recreation Skate Boarding Competition.

Action: that council approve Resolution 2016-61 authorizing co-sponsorship of the Friends of Community Recreation Skate Boarding Competition to be held on September 24, 2016 at the LaBonte Park Skate Board Park and authorize the Mayor and Clerk to sign.

8.D. ORDINANCE: Original Ordinance 1953, amending sections 9.12.010, 9.12.020, 9.12.030 and 9.16.070 of the Laramie Municipal Code.
Action: to approve Original Ordinance 1953 to amend sections 9.12.010, 9.12.020, 9.12.030 and 9.16.070 of the Laramie Municipal Code on Third and Final Reading and authorize the Mayor and Clerk to sign.

8.E. SCHEDULE MEETING(S)
None

9. REGULAR AGENDA

10. Transfer of Restaurant Liquor License, from Pizza Hut of Laramie, Inc to High Plains Pizza, Inc.

MOTION BY HENRY, seconded by Shuster, that City Council approve the Application for Transfer of Restaurant Liquor License No. R-7, from Pizza Hut of Laramie, Inc. to High Plains Pizza, Inc. 1460 N 3rd Street, Laramie, Wyoming for the licensing term September 20, 2016 thru May 07, 2017, and authorize the mayor and clerk to sign

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

11. Temporary use of Retail Liquor License No. 4, Hensley Property Holdings, LLC in Albany County.

MOTION BY VITALE, seconded by Henry, that City Council grant permission to Hensley Property Holdings, LLC, dba Roxie's on Grand, Retail Liquor License No. 4, to file an application for alcohol catering with Albany County Commissioners to locate their license at the Vee Bar Guest Ranch in Albany County on October 1, 2016 from 2:00 pm to 2:00 am the next day for a private wedding reception.

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

12. Vehicle for Hire License Application from Fareride.

MOTION BY HENRY, seconded by Vitale, that Council approve a Vehicle For Hire License to Fareride, (Owner: Gary Hopkins/Mike Hopkins) 2275 Snowy Range Rd, Laramie, Wyoming, for the period of September 20, 2016 to December 31, 2016.

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

13. Award of Professional Services Agreement for the Wastewater Master Plan

MOTION BY PEARCE, seconded by Henry, that City Council award the Professional Services Agreement for the Wastewater Master Plan to Burns and McDonnell, of Centennial, CO, in the total amount of $446,950.00 plus a contingency of $45,000.00 for a total amount not to exceed $491,950.00 and authorize the Mayor and Clerk to sign and to authorize the necessary budget revision.

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

14. Memorandum of Understanding between Albany County School District #1 and the City of Laramie outlining use, care and expenses related to community use of the "original" Deti Stadium.

MOTION BY SHUSTER, seconded by Weaver, that City Council approve the Memorandum of Understanding between the Albany County School District #1 and the City of Laramie outlining use, care and expenses related to community use of the "original" Deti Stadium.

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

15. Original Ordinance No. 1954 amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses use in the DC District
Introduction and First Reading

MOTION BY VITALE, seconded by Shuster, that City Council approve amendments to Title 15, Development Code to the Laramie Municipal Code, for the purpose of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

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

16. Original Ordinance No. 1955 Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue)
Introduction and First Reading.

MOTION BY SHUMWAY, seconded by Shuster, that City Council approve Original Ordinance No. 1955 redesignating Ivinson Street as Ivinson Avenue, based on findings of fact and conclusions of law and set a public hearing for October 4, 2016.

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

17. Resolution 2016-71, authorizing submission of a Level III Construction Funding Request

MOTION BY HENRY, seconded by Weaver, that City Council approve Resolution 2016-71, in support of a Wyoming Water Development Commission Level III application for

construction funding of the North Side Tank Project and authorize the Mayor and Clerk to sign.

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

18. Resolution 2016-64, appointing four (4) members to the Monolith Ranch Advisory Committee

MOTION BY PEARCE, seconded by Henry, that City Council approve Resolution No. 2016-64, appointing Amy Nagler, Marius Favret, Paul Rechard, and Keith Rittle to the Monolith Ranch Advisory Committee and authorize the Mayor and Clerk to sign.

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

19. Resolution 2016-69, appointing three (3) members to the Traffic Commission.

MOTION BY WEAVER, seconded by Pearce, that City Council approve Resolution 2016-69, appointing Harold Colby, Nancy Sindelar, and Naomi Wright to the Traffic Commission for a three year term each, beginning November 1, 2016 and expiring on October 31, 2019 and authorize the Mayor and Clerk to sign the Resolution.

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

20. Resolution 2016-65, appointing one (1) member to the Building and Fire Code Board of Appeals.

MOTION BY SHUSTER, seconded by Weaver, that City Council approve Resolution 2016-65, appointing Brian Peach to the Building and Fire Code Board of Appeals for the remainder of a three (3) year term expiring October 31, 2018; and to authorize the Mayor and Clerk to sign the Resolution.

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

21. Resolution 2016-66, appointing one (1) member to the Planning Commission. [Derragon, ACM]

MOTION BY SHUSTER, seconded by Vitale, that City Council approve Resolution 2016-66, appointing Jim McGrath, to the Planning Commission to serve a three (3) year term from November 1, 2016, through October 31, 2019; and to authorize the Mayor and Clerk to sign the Resolution.

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

22. Resolution 2016-67, appointing one (1) member to the Board of Health.

MOTION BY HENRY, seconded by Shuster, that City Council approve Resolution 2016-67, appointing Aaron C Taft, DDS to the Board of Health to serve a five (5) year term beginning on January 1, 2017 and expiring on December 31, 2021; and authorize the Mayor and Clerk to sign the Resolution.

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

23. Resolution 2016-68, appointing one (1) member to the Environmental Advisory Committee.

MOTION BY HENRY, seconded by Weaver, that City Council approve Resolution 2016-68, appointing Guillermo Brizuela Sr. to the Environmental Advisory Committee for a three year term, beginning November 7, 2016 and expiring on November 4, 2019, and authorize the Mayor and Clerk to sign the Resolution.

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

24. Consideration of future Council work session topics

None.

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

Judy Snoke, League of Women Voters, encouraged people to vote, and discussed various candidate forums of October 6th (State, House, and Senate), October 27th (Hospital Board, Laramie River Conservation District, and Fire District), and November 3rd (School Board). Annual Fall Luncheon October 2nd Alice Hardy Stevens Center.

26. Adjourn to Executive Session regarding land negotiations.

MOTION BY WEAVER, seconded by Pearce, that Council adjourn to executive session regarding Land Negotiations and personnel.

MOTION CARRIED by voice vote.

Council adjourned at 7:51 p.m.

Respectfully submitted,

Angie Johnson
City Clerk

LARAMIE CITY COUNCIL
PUBLIC HEARING
Transfer of Restaurant Liquor License, High Plains Pizza
September 20, 2016

Public Hearing was called to order by Mayor Paulekas at 6:32 p.m.

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

The City Clerk read the notice:

NOTICE OF A PUBLIC HEARING:

NOTICE IS HEREBY GIVEN THAT ON THE 23 RD DAY OF AUGUST 2016, AN APPLICATION WAS RECEIVED IN THE OFFICE OF THE CITY CLERK FOR A TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R7, FROM PIZZA HUT OF LARAMIE, INC, TO HIGH PLAINS PIZZA, INC, 1460 N 3 RD ST, LARAMIE, WYOMING THE PLACE AND PREMISES BEING A PART OF LOTS 1 & 2, BLOCK 36, DOWNEY ADDITION, ZONE B2, CITY OF LARAMIE, ALBANY COUNTY, WYOMING. PUBLIC HEARING TO HEAR COMMENTS OR PROTESTS RELATIVE TO THE APPLICATION FOR THIS LICENSE WILL BE HELD TUESDAY, SEPTEMBER 20, 2016, AT 6:30 P.M. IN COUNCIL CHAMBERS OF CITY HALL. ACTION ON THIS APPLICATION WILL BE CONSIDERED AT THE REGULAR MEETING OF THE CITY COUNCIL ON TUESDAY, SEPTEMBER 20, 2016, AT 6:30 P.M. IN COUNCIL CHAMBERS.

Mayor Paulekas asked if there were any comments.

There were no comments.

Public Hearing was closed at 6:33 p.m.

Respectfully submitted

Angie Johnson
City Clerk

LARAMIE CITY COUNCIL
SPECIAL MEETING AND WORK SESSION
September 27, 2016

SPECIAL MEETING

Special Meeting was called to order by Mayor Paulekas at 6:36 p.m.

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

The City Clerk read the notice:

CITY OF LARAMIE NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special Meeting of the Laramie City Council will be held Tuesday, September 27, 2016, 6:00 p.m., in Council Chambers of City Hall, 406 Ivinson Street, for the following purposes:

1. An Ordinance amending Title 15 of LMC regarding the DC District, Second Reading.
2. Adjournment.

1. Original Ordinance No. 1954 amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District

MOTION BY VITALE, seconded by Shuster, to approve Original Ordinance No. 1954 amending LMC 15.10.000.E, to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District on second reading, based on findings of fact and conclusions of law and note a public hearing was held on September 27, 2016.

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

2. Adjourn

MOTION BY WEAVER, seconded by Henry, that Council adjourn.

MOTION CARRIED by voice vote.

Council adjourned at 7:28 p.m.

Respectfully submitted,

Angie Johnson
City Clerk

LARAMIE CITY COUNCIL
PUBLIC HEARING
ORD 1954 AMENDING LMC 15.10.000.E TABLE OF ALLOWED USES
September 27, 2016

Public Hearing was called to order by Mayor Paulekas at 6:06 p.m.

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

The City Clerk read the notice:

NOTICE OF PUBLIC HEARING:

The City Council will hold the following public hearings at 6:00 p.m. on September 27, 2016 in the City Council Chambers, Laramie City Hall, 406 Ivinson Avenue, Laramie, WY, to take public comments following:

-TA-16-06: An Ordinance proposing an amendment to LMC 15.10.000.E Table of Allowed Uses, to allow for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)" as conditional uses in the Downtown Commercial (DC) Zone District. (Applicant: E&D Enterprises, LLC).

Mayor Paulekas asked if there were any comments.

There were no comments.

Public Hearing was closed at 6:08 p.m.

Respectfully submitted

Angie Johnson
City Clerk

CITY OF LARAMIE COUNCIL REGULAR MEETING October 4, 2016

Agenda Item: Minutes

Title: Minutes of the September 14, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board.

Recommended Council MOTION:

I move that Council that Council accept the minutes of the Parks, Tree & Recreation Advisory Board from September 14, 2016, and have them placed on file for public inspection: 1) to approve the minutes from the July 20, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Approved) 2) to approve resolution 2016- authorizing co-sponsorship the Friends of Community Recreation 2016 Skateboard Competition to be held on September 24, 2016 at the LaBonte Skate Park. (Approved) 3) to approve placement of a memorial boulder and plaque in remembrance of Kim Sullivan at the base of the stairs on the east side of the foot bridge. (Approved) 4) introduction of new board member Nick Carlson to fulfill the position vacated by Jacque Stonum, term expires December 2018. (No Action) 5) election of Board Chair and Vice Chair for remainder of 2016 - Foianini Chair/Favret Vice-Chair. (Approved) 6) presentation of the concept for the development of a full pipe addition to the LaBonte Skate Park (Approved - forward to City Council for Consideration) 7) discussion regarding Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements. (Discussed – Comments to Planning) 8) consideration of Memorandum of Understanding between Albany County School District Number One and City of Laramie outlining the use, care and expenses related to community use of the "original" Deti Stadium. (Approved – forward to City Council for Consideration) 9) to discuss an Administrative Policy and Procedure for Naming/Renaming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgement. (Approved – forward to City Council for Consideration)

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 September 14, 2016 Parks, Tree and Recreation Advisory Board meeting.

Legal/Statutory Authority:

N/A

Budget/Fiscal Information:

Responsible Staff:

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

Attachments: PTR Advisory Board Minutes 9.14.16

CITY OF LARAMIE
PARKS, TREE & RECREATION ADVISORY BOARD
September 14, 2016
Minutes of Meeting

MEMBERS PRESENT: Amy Williamson, Larry Foianini, Helen Coates, Chris Dixon, Dave Hammond, Dylan Esquivel, Nick Carlson
MEMBERS NOT PRESENT: Stephen Ropp, Marius Favret
COUNCIL LIASON: Paul Weaver
GUESTS: Josh Kaffer, Clinton Robinson, Hannah Robinson, Jentry Bair
CITY STAFF PRESENT: Todd Feezer, Director; Jodi Guerin, Recreation Manager; Scott Stevenson, Facilities Manager; Scott Hunter, Parks Interim Manager; Randy Overstreet, City Arborist; Inez Wildenborg, Administrative Coordinator

The regular meeting was called to order by Foianini at 6:37 pm.

Consent Agenda:

1. To approve the minutes from the July 20, 2016 regular meeting of the Parks, Tree and Recreation Advisory Board. (Feezer, pages 2-3)
2. To approve resolution 2016- authorizing co-sponsorship the Friends of Community Recreation 2016 Skateboard Competition to be held on September 24, 2016 at the LaBonte Skate Park. (Feezer, pages 4-5)
3. To approve placement of a memorial boulder and plaque in remembrance of Kim Sullivan at the base of the stairs on the east side of the foot bridge. (Overstreet, pages 6-10)

Motion by Hammond, seconded by Williamson, 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:

1. Introduction of new board member Nick Carlson to fulfill the position vacated by Jacque Stonum, term expires December 2018. (Feezer, pages 11-18)

Director Feezer introduced and welcomed, its newest member, Mr. Nick Carlson.

2. Election of Board Chair and Vice Chair for remainder of 2016. (Feezer, pages 19)

Hammond nominated Larry Foianini as Chair, seconded by Williamson. Motion carried 7-0.
Larry Foianini nominated Marius Favret as Vice-Chair, seconded by Williamson. Motion carried 7-0.

3. Presentation of the concept for the development of a full pipe addition to the LaBonte Skate Park (Kaffer, pages20-24)

Kaffer gave a presentation on the new design concept for the development of a full pipe addition to the LaBonte Skate Park. Motion by Williamson, seconded by Foianini that staff draft a resolution between the City of Laramie and Friends of Community Recreation sub-committee: Friends of Skate Park. Motion carried 7-0.

4. Discussion regarding Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements. (Bloom, pages 25-54)

The Parks, Tree, and Recreation Advisory Board directed staff to receive, review, and compile questions and comments pertaining to Original Ordinance No. 1949 amending Title 15 of Laramie Municipal Code for the purpose of amending the Landscaping Requirements and forward onto City Council for consideration.

5. Consideration of Memorandum of Understanding between Albany County School District Number One and City of Laramie outlining the use, care and expenses related to community use of the "original" Deti Stadium. (Feezer, pages 55-58)

Motion by Hammond, seconded by Coates, that the Parks, Tree & Recreation Board approve the Memorandum of Understanding between Albany County School District Number One and the City of Laramie outlining use, care and expenses related to community use of the "original" Deti Stadium and surrounding areas and forward it to City Council for consideration. Motion carried 7-0.

6. To discuss an Administrative Policy and Procedure for Naming/Renaming City of Laramie, Parks & Recreation Department Parks and/or Facilities and forward to City Council for acknowledgement. (Feezer, pages 59-62)

There was a continued discussion related to an administrative policy and procedure for naming City of Laramie, Parks & Recreation Department Parks and Facilities. This was the third reading and discussion of this proposed policy.

Motion by Hammond, Seconded by Williamson, 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 carried 6-1.

Staff Reports FYI:

1. Monthly Managers Report (pages 63-72) –

Guerin presented Recreation Division Staff Report
Stevenson presented Facilities Division Staff Report
Hunter presented Parks Division Staff Report
Feezer presented Administration Report

Upcoming Items:

No upcoming items.

Other Business:

No other business at this time.

Advisory Board Open Items:

No open items.

*Next Regular Meeting Date: Wednesday, October 12, 2016 at 6:30pm

Public Comments:
None

Meeting adjourned at 8.12pm.

Respectfully Submitted,

Inez Wildenborg
Administrative Coordinator
City of Laramie, Parks and Recreation

CITY OF LARAMIE COUNCIL REGULAR MEETING October 4, 2016

Agenda Item: Grant

Title: Consideration to accept a grant award from the State of Wyoming Office of Homeland Security (WOHS) for Law Enforcement Terrorism Prevention Activities (LETPA) in the amount of $45,000.00

Recommended Council MOTION:

I move that Council accept a grant award from the State of Wyoming Office of Homeland Security (WOHS) for Law Enforcement Terrorism Prevention Activities (LETPA) in the amount of $45,000.00 (CFDA #97.067) and authorize the City Manager and Chief of Police to sign the grant award agreement between the Laramie Police Department and the Wyoming Office of Homeland Security.

Administrative or Policy Goal:

The Police Department has been awarded a Law Enforcement Terrorism Prevention Activities grant through the Wyoming Office of Homeland Security for $45,000.00. This is the yearly award of this type and requires no matching funds. The grant is a reimbursement fund to be used by law enforcement for equipment needs and critical infrastructure protection in the prevention, detection and response to terrorist events as per the WOHS FY 2013 statewide initiatives and core capabilities (Prevention, Protection, Mitigation, Response, and recovery) of emergency response to terroristic events.

The grant for 2016 differs from previous awards, which were essentially a direct distribution to all Wyoming law enforcement entities. This year was a competitive process in which a project plan and budget were submitted to the Wyoming Office of Homeland Security. Our project plan and budget was for replacement of portable radios. Our current radios were purchased in 2004 and 2005 and are at end of their functional life. In 2015 we submitted a request of over $268,000.00 which would have replaced all LPD portable radios. We received $134,350 in 2015 and replaced 38 radios. This grant award will allow us to replace the remaining portable radios that we have.

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service		
Grants for Projects	$45,000.00	
Loans on Project		
Other		
Total	$45,000.00	

Responsible Staff: Dale A. Stalder, 721.3552

Attachments: Homeland Security Grant Agreement

_____ City Manager _____ City Attorney _____ **Police Department**

Matthew H. Mead
Governor

Office of Homeland Security

Telephone: (307) 777-Home (4663) Fax: (307) 635-6017
Website: http://hls.wyo.gov
5500 Bishop Blvd., Cheyenne, WY 82002

THE STATE OF WYOMING

Guy Cameron
Director

Grant Award for U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), Grant Programs Directorate, State Homeland Security Program (SHSP) Grant Fiscal Year 2016

Political Subdivision:	**Laramie Police Department**
Award Amount:	**$45,000.00**
Award Period:	**September 1, 2016 through May 31, 2019**
CFDA #:	**97.067**
DHS Grant Code:	**EMW-2016-SS-00037**
Project ID:	**16-GPD-LAR-LP-HLE16**

1. **Parties:** The parties to this Grant Award Agreement [Grant] are the **Wyoming Office of Homeland Security**, whose principal address is 5500 Bishop Blvd, Cheyenne, WY 82002 (Homeland Security) and **Laramie Police Department**, whose mailing address is 406 Ivinson St., Laramie, WY 82070 (Subrecipient).

2. **Contact Information:** Subrecipient's submission of required reports and forms designated herein will be made using online tools when required by the procedures and protocol of the U.S. Department of Homeland Security, State Homeland Security Grant Program. All other reports, forms, and communications regarding this Grant shall be directed to the attention of Wyoming Office of Homeland Security's designated contact person. Subrecipient must keep Homeland Security up-to-date as to the name of the person acting as Subrecipient's primary contact person for this Grant award using the Point of Contact Information Form attached and incorporated herein as Attachment One, including any change of contact person, address, or telephone information. Subrecipient's primary contact person shall cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this Grant. An e-mail address must be provided for the contact person and that e-mail account must be regularly checked for new messages.

3. **Funding Authority:** The funds Homeland Security will distribute to Subrecipient are drawn from grant funds distributed to the State of Wyoming by the Fiscal Year 2016 Homeland Security Grant Program, State Homeland Security Program. The program is authorized by the *Homeland Security Act of 2002* (Public Law 107-296), as amended by section 101 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53).

4. **Term of Grant Award and Required Approvals:** This Grant is effective when all parties have executed it and all required approvals have been secured. The term of this Grant is from September 1, 2016 through May 31, 2019. The total amount of this Grant is Forty five thousand dollars and zero cents ($45,000.00)

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5. **Federal Grant References:** The Fiscal Year 2016 Homeland Security Grant Program (HSGP) Program Notice of Funding Opportunity (NOFO) can be found at http://www.fema.gov/media-library-data/1455569937218-3daa3552913b8affe0c6b5bc3b448635/FY_2016_HSGP_NOFO_FINAL.pdf.

6. **Purpose of Grant Award:** The FY 2016 HSGP plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (the Goal) of a secure and resilient Nation. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. The FY 2016 HSGP supports core capabilities across the five mission areas of Prevention, Protection, Mitigation, Response, and Recovery based on allowable costs.

   The National Preparedness System is the instrument the Nation employs to build, sustain, and deliver core capabilities in order to achieve the Goal of a secure and resilient Nation. Complex and far-reaching threats and hazards require a collaborative and whole community approach to national preparedness that engages individuals, families, communities, private and nonprofit sectors, faith-based organizations, and all levels of government. The guidance, programs, processes, and systems that support each component of the National Preparedness System allows for the integration of preparedness efforts that build, sustain, and deliver core capabilities and achieve the desired outcomes identified in the Goal. The purpose of the HSGP is to prevent terrorism and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States; therefore, HSGP funded investments must have a terrorism-nexus.

   To evaluate National progress in building, sustaining, and delivering the core capabilities outlined in the Goal, FEMA annually publishes the National Preparedness Report (NPR). Looking across all thirty one (31) core capabilities outlined in the Goal, the NPR provides a National perspective on critical preparedness trends for whole community partners to use to inform program priorities, allocate resources, and communicate with stakeholders about issues of shared concern.

   Grantees are expected to consider National areas for improvement identified in the 2015 NPR, which include cybersecurity, housing, enhancing the resilience of infrastructure systems, and long-term vulnerability reduction. Addressing these areas for improvement will enhance preparedness nationwide.

   In addition, the DHS expects grantees to prioritize grant funding to address gaps identified through the annual State Preparedness Report (SPR) in achieving capability targets set through the annual Threat and Hazard Identification and Risk Assessment (THIRA). These assessments identify the jurisdictions' capability targets and current ability to meet those targets.

   A. Project related expenditures must align with the approved application information contained in Attachment A.

7. **Payment:** Homeland Security agrees to pay Subrecipient for the services described herein during the performance period of the Grant. The total payment under this Grant shall not exceed $45,000.00 (Forty five thousand dollars and zero cents). No payment shall be made for services rendered outside the performance period of the grant or for activities commenced without prior approval, if prior approval is required. Payment will be made to Subrecipient by Homeland Security upon receipt and approval of a Reimbursement Request Form, Expense Claim Form, applicable invoices and proof of payment provided the expenditures comply with the FY2016 Notice of Funding Opportunity (NOFO), the Authorized Equipment list found at http://beta.fema.gov/authorized-equipment-list, and all applicable federal and state laws. Payment for one invoice may not be split between different grant years. Quarterly reports must be current in order to receive reimbursements. There will be no extensions for the 2016 State Homeland

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Security Program Grant reimbursement or performance period. Requests for reimbursement will not be accepted after June 30, 2019.

8. **Responsibilities of Subrecipient:** Subrecipient agrees to and acknowledges the following limitations and special conditions:
   A. Subrecipient must be familiar with all the requirements and restrictions of the Homeland Security Grant Program, including:
      (i) Subrecipient must be familiar with the 2016 HSGP objectives and priorities identified in the FY 2016 Homeland Security Grant NOFO.
      (ii) Subrecipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2016 Homeland Security Grant Program NOFO. Allocations and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies. Allocations and use of grant funding must also support the Investments identified in the Investment Justifications which were submitted as part of the FY 2016 application. Subrecipient may not use this grant funding to purchase equipment not specifically authorized in the Authorized Equipment List (AEL) unless the proposed acquisition is reviewed by Homeland Security and approved by DHS in writing prior to purchase.
      (iii) Subrecipient agrees to comply with the exercise and evaluation requirements set forth in the current edition of the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate, Fiscal Year 2013 Homeland Security Exercise and Evaluation Program (HSEEP) guidance. An HSEEP Fact Sheet can be found at http://www.fema.gov/media-library-data/20130726-1914-25045-8890/hseep_apr13_.pdf
      (iv) Subrecipient agrees to comply with the financial and administrative requirements set forth in the FY 2016 HSGP NOFO.
      (v) Subrecipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States and Local Governments, and Non-Profit Organizations.
      (vi) Subrecipient further agrees to comply with the standards put forth in 2 CFR part 225 (OMB Circular A-87), Cost Principles for State, Local, and Indian Tribal Governments.
      (vii) Subrecipient may use its own procurement procedures, provided its procurement process conforms to applicable federal and state laws and the standards identified in 44 CFR part 13 (OMB Circular A-102), per 44 CFR Section 13.36, whichever may be more restrictive must be followed. All sole-source procurement in excess of $10,000 must receive prior approval of Homeland Security. Contractors must develop or draft specifications, requirements, statements of work, and/or Requests for Proposals (RFPs) for a proposed procurement to be excluded from the competitive bidding requirements. Any request for exemption must be submitted to Homeland Security and approved by the Grants Program Directorate in writing prior to obligation or expenditure of such funds using the Purchase Pre-Approval Request form.
      (viii) Subrecipient shall ensure all equipment purchased with these grant funds is maintained and available for response to terrorist incidents. Subrecipient agrees that, when practicable, any equipment or supplies purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security and administered by the Wyoming Office of Homeland Security."** Subrecipient agrees that all publications created with funding under this Grant shall prominently contain the following statement: **"This document was prepared under a grant from the FEMA's National Preparedness Directorate, U.S. Department of Homeland Security administered by the Wyoming Office of Homeland Security (WOHS). Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's National Preparedness Directorate of the U.S. Department of Homeland Security, the State of Wyoming or WOHS."** Additionally, Subrecipient acknowledges that DHS/FEMA and Homeland Security reserve a royalty-free, non-exclusive, and irrevocable license

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to reproduce, publish, or otherwise use, and authorize others to use, for federal and Wyoming state government purposes: (1) the copyright in any work developed under this Grant; and (2) any rights of copyright to which Subrecipient purchases ownership under this Grant. Subrecipient must consult with DHS/FEMA and Homeland Security regarding any patent rights that arise from, or are purchased with, this Grant.

(ix) Subrecipient agrees to acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations and other documents describing projects or programs funded in whole or in part with Federal funds.

(x) Subrecipient agrees to cooperate with any assessments, national evaluation efforts and requests for information or data including, but not limited to, information required for the assessment or evaluation of activities within this Grant.

(xi) Subrecipient agrees that federal funds under this award will be used to supplement but not supplant state or local funds.

(xii) Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the U.S. Department of Homeland Security, Office of Grants and Training.

(xiii) When implementing National Preparedness Directorate (NPD) funded activities, Subrecipient must comply with all federal civil rights laws, to include Title VI of the Civil Rights Act, as amended. Subrecipient is required to take reasonable steps to ensure persons of limited English proficiency have meaningful access to language assistance services regarding the development of proposals and budgets and conducting NPD-funded activities.

(xiv) Subrecipient may only fund Investments that were approved project(s) listed in section six (6).

(xv) Subrecipient shall comply with all applicable "Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898)." **Failure of Subrecipient to meet federal, state and local EHP requirements and obtain applicable permits may jeopardize federal funding.** Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, including but not limited to communications towers, physical security enhancements, new construction, and/or modifications to structures or ground disturbance. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, Subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, Subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation Office.

(xvi) Subrecipient agrees to complete/actively participate a THIRA/CPR update annually by September 1 of each year during the entire performance period of this award.

(xvii) Subrecipient agrees to complete an Emergency Operations Plan (EOP) or provide current EOP, if updated within the last two years, by September 1, 2017.

(xviii) Subrecipient agrees to provide a copy of the inventory report of all equipment purchased with Homeland Security grant funds in accordance with 44 C.F.R. § 13.32(1) annually, no later than July 1 during the entire performance period of this award.

(xix) Subrecipient agrees to enter all shareable resources and equipment into the *Wyoming Comprehensive Resource Management System (Salamander)* prior to seeking reimbursement or within 30 calendar days from the receipt of the item, whichever occurs first.

B. This Grant cannot be changed or altered in any way without prior written authorization from the Wyoming Office of Homeland Security.

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C. Subrecipient may not commingle or transfer funds under this Grant with the funds of any other state or federal grants.

D. As mandated by Homeland Security Presidential Directive/HSPD-5 (HSPD-5), *Management of Domestic Incidents,* the adoptions of the National Incident Management System (NIMS) is a requirement to receive federal preparedness assistance, through grants, contracts and other activities. Subrecipient shall update and/or modify their operational plans, and training and exercise activities, as necessary, to achieve conformance with the National Response Framework (NRF) and NIMS implementation guidelines.

E. Subrecipient agrees to submit quarterly progress reports through March 31, June 30, September 30, and December 31 to Homeland Security by April 20, July 20, October 20, and January 20, respectively for the entirety of the grant performance period, regardless of expenditure(s). Quarterly reports will be submitted electronically via:
https://docs.google.com/forms/d/1DVzeQD7gkTqzSFSVLBJ2WukshFc3A8wstpKbtfXhr3M/viewform?usp=send_form.
Quarterly reports will include:
   (i) The number of people trained in a given capability to support a reported number defined resource typed teams (e.g., 63 responders were trained in structural collapse to support 23 Type 2 Urban Search and Rescue (USAR) Teams);
   (ii) The total number of a defined type of resource and capabilities built utilizing the resources of this Grant;
   (iii) Status of NIMS compliance and training for personnel;
   (iv) Status of THIRA and EOP updates; and
   (v) What equipment was purchased, what typed capability it supports, and plans for sustainment.

9. **Responsibilities of Homeland Security:**

A. Homeland Security will be available to provide necessary and feasible technical advice, which may be reasonably required by Subrecipient.

B. Homeland Security will pay Subrecipient as stated in paragraph 7 above.

C. Homeland Security shall notify Subrecipient of any state or federal determination of noncompliance. Homeland Security will provide Subrecipient written notice of intent to impose immediate measures and will make reasonable efforts to resolve the problem informally.

D. Homeland Security shall notify Subrecipient at the earliest possible time of the services, which may be affected by a shortage of funds.

E. Homeland Security shall notify Subrecipient of information and updates received from FEMA or other federal agencies, which may affect or otherwise restrict the availability of funds awarded to Subrecipient herein.

10. **Special Provisions:**

A. **Assumption of Risk:** Subrecipient shall assume the risk of any loss of state or federal funding, either administrative or program dollars, due to failure on behalf of the Subrecipient to comply with state or federal requirements.

B. **Cost Principles:** Subrecipient agrees to comply with the standards set forth in 2 CFR part 225 (OMB Circular A-87), Cost Principles for State, Local, and Indian Tribal Governments.

C. **Debarment or Suspension:** By signing this agreement, Subrecipient certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency in accordance with Executive Order 12549 and 12689, Debarment and Suspension and CFR 2 § Part 180 or are on the disbarred vendors list at www.epls.gov.

D. **Disadvantaged Business Requirement:** To the extent Subrecipient uses contractors or subcontractors, Subrecipient shall use small, minority, women-owned or disadvantaged business concerns and

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contractors or subcontractors to the extent practicable.

E. **Drug-Free Workplace:** Subrecipient shall certify that a drug-free workplace is maintained in accordance with the Drug-Free Workplace Act of 1988, and implemented in 2 CFR § Part 3001.

F. **Duplication of Benefits:** There may not be a duplication of any federal assistance, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any costs allocable to a particular Federal award or cost objective under the principles provided for in this Circular may not be charged to other federal awards to overcome fund deficiencies, to avoid restrictions improved by law or terms of the federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs allowable under two or more awards in accordance with existing program agreements.

G. **Education Amendments of 1972-Title IX:** Subrecipient agrees to comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjects to discrimination under any educational program or activity receiving Federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

H. **Energy Policy and Conservation Act:** Subrecipient agrees to comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

I. **False Claims Act and Program Fraud Civil Remedies:** Subrecipient agrees to comply with the requirements of 31 U.S.C. § 3729-3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

J. **Federal Debt Status:** Subrecipients are required to be non-delinquent in their repayment of any Federal debt including, but not limited to, delinquent payroll and other taxes, audit disallowances and benefit overpayment. See OMB Circular A-129.

K. **Federal Leadership on Reducing Text Messaging while Driving:** Subrecipient agrees to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the Federal Government.

L. **Financial and Compliance Audit Report:** Subrecipients that expend an aggregate amount of $500,000 or more in federal funds during their fiscal year are required to undergo an organization-wide financial and compliance single audit. Subrecipient agrees to comply with the organizational audit requirements of the U.S. General Accounting Office Government Auditing Standards and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the fiscal year for the Subrecipient. Subrecipient shall retain financial records and all other documentation as specified in the Financial Guide. Subrecipient shall give the Wyoming Office of Homeland Security or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers or documents related to this Grant. Subrecipient shall provide one (1) copy of the audit report to Homeland Security and require release of the audit report by its auditor be held until adjusting entries are disclosed and made to Homeland Security's records. Subrecipient shall provide the Wyoming Office of Homeland Security one (1) copy of all other audits performed which cover any part of this Grant.

M. **Fly America Act of 1974:** Subrecipient agrees to comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to the Comptroller General Decision B-138942.

N. **Freedom of Information Act (FOIA):** Information submitted in the course of applying for funding or provided in the course of grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. While this information is subject to requests made

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pursuant to the Freedom of Information Act, 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the DHS FOIA Office. Subrecipient should consult state and local laws and regulations regarding the release of information. Subrecipient should be familiar with the regulations governing protected critical infrastructure information, 6 CFR § Part 29, and sensitive security information, 49 CFR § Part 1520, as these designations may provide additional protection to certain classes of homeland security information.

O. **Hotel and Motel Fire Safety Act of 1990:** Subrecipient agrees to comply with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. § 2225a, ensuring that all conference, meeting, convention or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. § 2225.

P. **Human Trafficking:** As required by 22 U.S.C. 7104(g) and 2 CFR § Part 175, this agreement may be terminated without penalty if a private entity that receives funds under this agreement:
   (1) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
   (2) Procures a commercial sex act during the period of time that the award is in effect; or
   (3) Uses forced labor in the performance of the award or sub awards under the award.

Q. **Individuals with Disabilities in Emergency Preparedness:** In accordance with Executive Order #13347, *Individuals with Disabilities in Emergency Preparedness*, signed July 2004, Subrecipient is encouraged to use funding for activities that integrate people with disabilities into their planning and response processes.
   Further guidance is available at http://www.fema.gov/pdf/media/2008/301.pdf; http://www.LLIS.gov; http://www.fema.gov/oer/reference/; http://www.disabilitypreparedness.gov.

R. **Kickbacks:** Subrecipient certifies and warrants that no gratuities, kickbacks or contingency fees were paid in connection with this Grant, nor were any fees, commissions, gifts, or other considerations made contingent upon the award of this Grant. If Subrecipient breaches or violates this warranty, Homeland Security may, at its discretion, terminate this Grant without liability to Homeland Security, or deduct from this Grant price or consideration, or otherwise recover, the full amount of any commission, percentage, brokerage, or contingency fee.

S. **Limitations on Lobbying Activities:** Subrecipient agrees that none of the funds provided under this award will be expended by the Subrecipient to pay any person to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal in accordance with 31 U.S.C. §1352.

T. **Limited English Proficient (LEP) Persons:** Subrecipient must certify that Limited English Proficiency Persons have meaningful access to the services under this program. National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act of 1964, as amended, Subrecipient is required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The guidance document can be accessed at www.lep.gov.

U. **Monitoring Activities:** Subrecipient may be monitored periodically by the staff of Homeland Security, DHS/FEMA, or Grant Program Directorate (GPD), and/or the authorized contractors thereof, to ensure the program goals, objectives, timelines, budgets and other related Grant criteria are being met.

V. **National Preparedness Reporting Compliance:** Subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within their grant agreement. This includes any assessments, audits, or investigations conducted by the Department of Homeland Security, Office of Inspector General, or the Government Accountability Office.

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W. No Finder's Fees: No finder's fee, employment agency fee, or other such fee related to the procurement of this Grant, shall be paid by either party.

X. Nondiscrimination: Subrecipient shall comply with all state and federal civil rights laws, to include Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000 *et. seq.*), the Wyoming Fair Employment Practices Act (Wyo. Stat. § 27-9-105 *et. seq.*), the Americans With Disabilities Act, (42 U.S.C. 12101 *et. seq.*), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 *et. seq.*) and the Age Discrimination Act of 1975, as amended (20 U.S.C. 6101 *et. seq.*). Subrecipient shall not discriminate against any individual on the grounds of age, sex, color, race, religion, national origin or disability in connection with the performance of this Grant.

Y. Non-Supplanting Certification: Subrecipient hereby affirms that Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Subrecipient should be able to document that any reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds under this agreement.

Z. Procurement of Recovered Material: Subrecipient agrees to comply with Section 6002 of the *Solid Waste Disposal Act*, as amended by the *Resource Conservation and Recovery Act*. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

AA. Program Income: Subrecipient shall not deposit funds in an interest-bearing account without prior approval by Homeland Security. Income attributable to the Grant shall be reported to Homeland Security. Any income attributable to the grant funds distributed under this agreement must be used to increase the scope of the program or returned to Homeland Security.

BB. Records Retention: Subrecipient shall retain financial records and all other documentation for a minimum of three (3) years following the close of the Grant or audit. Subrecipient will give Homeland Security and any of its representatives, access to all books, documents, papers, and records which are pertinent to this Grant.

CC. SAFECOM: Subrecipient agrees to comply with the SAFECOM Guidance for Emergency Communications Grants, including provisions on technical standards that ensure and enhance interoperable communications.

DD. Technology Requirements:

(i) FEMA requires all grantees to use the latest National Information Exchange Model (NIEM) specification and guidelines regarding the use of Extensible Markup Language (XML) for all grant awards. Further information about the required use of NIEM specifications and guidelines is available at http://www.niem.gov.

(ii) FEMA requires any information technology system funded or supported by these funds comply with 28 CFR § Part 23, Criminal Intelligence Systems Operating Policies, if this regulation is determined to be applicable.

(iii) Subrecipient is encouraged to align any geospatial activities with the guidance available on the FEMA website at http://www.fema.gov/grants.

EE. Terrorist Financing: Subrecipient agrees to comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the subrecipients to ensure compliance with the Order and laws.

FF. USA Patriot Act of 2001: Subrecipient agrees to comply with the requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA Patriot Act), which amends 18 U.S.C. § 175-175c.

GG. Use of DHS Seal, Logo, and Flags: Subrecipient agrees to obtain permission prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard

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officials.

HH. Whistleblower Protection Act: Subrecipient agrees to comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. § 2409, 41 U.S.C. 4712, and 10 U.S.C § 2324, 41 U.S.C. §§ 4304 and 4310.

11. General Provisions:

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

B. Applicable Law/Venue: The laws of the State of Wyoming shall govern the construction, interpretation and enforcement of this Grant. The courts of the State of Wyoming shall have jurisdiction over this Grant and the parties, and the venue shall be the First Judicial District, Laramie County, Wyoming.

C. Assignment/Grant Not Used as Collateral: Neither party shall assign or otherwise transfer any of the rights or delegate any of the duties set forth in this Grant without the prior written consent of the other party. Subrecipient may not use this Grant, or any portion thereof, for collateral for any financial obligation without the prior written permission of Homeland Security.

D. Availability of Funds: Each payment obligation of Homeland Security is conditioned upon the availability of government funds, which are appropriated or allocated for the payment of this obligation. If funds are not allocated and available for the continuance of the services performed by Subrecipient, Homeland Security may terminate this Grant at the end of the period for which the funds are available. No penalty shall accrue to Homeland Security in the event this provision is exercised, and Homeland Security shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed to permit Homeland Security to terminate this Grant to acquire similar services from another party.

E. Award of Related Contracts: Homeland Security may undertake or award supplemental or successor contracts for work related to this Grant. Subrecipient shall cooperate fully with other subrecipients, contractors and Homeland Security in all such cases.

F. Compliance with Law: Subrecipient shall keep informed of and comply with all applicable federal, tribal, state and local laws and regulations in the performance of the agreement.

G. Confidentiality of Information: Notwithstanding the release of records as required by the Wyoming Public Records Act, Wyo. Stat. § 16-4-201 *et seq.*, all documents, data compilations, reports, computer programs, photographs, and any other work provided to or produced by Subrecipient, exclusive to the performance of this Grant, shall be kept confidential by Subrecipient unless written permission is granted by Homeland Security for its release.

H. Conflicts of Interest: Subrecipient shall immediately notify Homeland Security of any potential or actual conflicts of interest arising during the course of Subrecipient's performance under this Grant. This Grant may be terminated in the event Homeland Security discovers an undisclosed conflict of interest. Termination of this Grant will be subject to a mutual settlement of accounts.

I. Entirety of Grant: This Grant, consisting of twelve (12) pages plus Attachment One, Point-of-Contact Information Form, consisting of one (1) page, which is attached and incorporated herein, represent the entire and integrated agreement between the parties and supersede all prior negotiations, representations, and agreements, whether written or oral.

J. Ethics: Subrecipient shall keep informed of and comply with the Wyoming Ethics and Disclosure Act (Wyo. Stat. § 9-13-101, *et seq.*), and any and all ethical standards governing Subrecipient.

K. Force Majeure: Neither party shall be liable for failure to perform under this Grant 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

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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.

L. **Indemnification:** Each party to this agreement shall be responsible for any liability arising from its own conduct. Neither party agrees to insure, defend or indemnify the other.

M. **Independent Contractor:** Subrecipient shall function as an independent contractor for the purposes of this Contract and shall not be considered an employee of the State of Wyoming for any purpose. Consistent with the express terms of this Contract, the Contractor shall be free from control or direction over the details of the performance of services under this Contract. The Contractor shall assume sole responsibility for any debts or liabilities that may be incurred by the Contractor in fulfilling the terms of this Contract and shall be solely responsible for the payment of all federal, state, and local taxes which may accrue because of this Contract. Nothing in this Contract shall be interpreted as authorizing the Contractor or its agents and/or employees to act as an agent or representative for or on behalf of the State of Wyoming or the Agency or to incur any obligation of any kind on the behalf of the State of Wyoming or the Agency. The Contractor agrees that no health/hospitalization benefits, workers' compensation, unemployment insurance and/or similar benefits available to State of Wyoming employees will inure to the benefit of the Contractor or the Contractor's agents and/or employees as a result of this Grant Award Agreement.

N. **Modifying Grant:** Nothing in this Grant document, or any other guidance from Homeland Security, shall be interpreted to modify, change, or supersede pertinent state statutes and regulations, or federal grant guidance, rules, regulations, and statutes.

O. **Notices:** All notices arising out of, or from, the provisions of this Grant shall be in writing and given to the parties using the contact information provided in paragraph 2, or as subsequently updated, either by regular mail or delivery in person.

P. **Patent or Copyright Protection:** Subrecipient recognizes that certain proprietary matters or techniques may be subject to patent, trademark, copyright, license or other similar restrictions, and warrants that no work performed by Subrecipient will violate any such restriction. Subrecipient agrees to affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

Q. **Prior Approval:** This Grant shall not be binding upon either party, no services shall be performed under the terms of this Grant, and the Wyoming State Auditor shall not draw warrants for payment on this Grant, until this Grant has been reduced to writing, approved as to form by the Office of the Wyoming Attorney General, filed with and approved by A&I Procurement, and approved by the Governor of the State of Wyoming or his designee if required by Wyo. Stat. § 9-2-1016(b)(iv)(D).

R. **Severability:** Should any portion of this Grant be judicially determined to be illegal or unenforceable, the remainder of the Grant shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

S. **Sovereign Immunity:** The State of Wyoming and the Wyoming Office of Homeland Security do not waive sovereign immunity by entering into this Grant and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. § 1-39-104(a) and all other applicable law. If applicable, subrecipient retains all immunities and defenses provided by law including Wyo. Stat. § 1-39-101 *et seq.*

T. **Taxes:** Subrecipient shall pay all taxes and other such amounts required by federal, state and local law, including but not limited to federal and social security taxes, workers' compensation, unemployment insurance and sales taxes.

U. **Termination of Grant Award:** This Grant may be terminated upon mutual agreement by Homeland Security and Subrecipient and subject to settlement of all accounts. Grant funding may be suspended or terminated for cause if Subrecipient fails to perform in accordance with the terms of this Grant, including: failure to make satisfactory progress, failure to follow the requirements herein, failure to

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submit the required reports, and false certification in any report or other document. Homeland Security will provide Subrecipient written notice of intent to impose immediate measures and will make reasonable efforts to resolve the problem informally without termination.

V. **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 Grant shall not be construed so as to create such status. The rights, duties and obligations contained in this Grant shall operate only between the parties to this Grant, and shall inure solely to the benefit of the parties to this Grant. The provisions of this Grant are intended only to assist the parties in determining and performing their obligations under this Grant. The parties to this Grant intend and expressly agree that only parties signatory to this Grant shall have any legal or equitable right to seek to enforce this Grant, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this Grant.

W. **Time is of the Essence:** Time is of the essence in all provisions of this Grant.

X. **Titles Not Controlling:** Titles of paragraphs are for reference only, and shall not be used to construe the language in this Grant.

Y. **Waiver:** The waiver of any breach of any term or condition in this Grant shall not be deemed a waiver of any prior or subsequent breach. Failure to object to a breach shall not constitute a waiver.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

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12. **Signature:** By signing this Grant, the parties certify that they have read and understood it, that they agree to be bound by the terms of the Grant and that they have the authority to sign it.

The effective date of this Grant is the date of the signature last affixed to this page.

WYOMING OFFICE OF HOMELAND SECURITY

Guy Cameron, Director — Date

CITY OF LARAMIE

Dale Stalder, Chief
Laramie Police Department — Date

Janine Jordan, City Manager
City of Laramie — Date

Attested by: City Clerk — Date

Approved as to Form:

City Attorney — Date

ATTORNEY GENERAL'S OFFICE APPROVAL AS TO FORM

Samantha Caselli #157759 — 9/1/14

Samantha Caselli, Assistant Attorney General — Date

Attachments:

A. Approved Application Information
B. Point of Contact Information Form

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2016 State Homeland Security Program (SHSP)
APPROVED APPLICATION INFORMATION

Jurisdiction Name: **LARAMIE POLICE DEPARTMENT**
Project ID: **16-GPD-LAR-LP-HLE16**
Award Amount: **$45,000.00**

The following submitted project(s) have been approved for the Federal Fiscal Year 2016 U.S. Department of Homeland Security State Homeland Security Program Grant. Only expenditures within the scope of the below projects will be reimbursed by the Wyoming Office of Homeland Security.

A. Purchase of interoperable WYOLINK compatible portable radios
B. Purchase of ballistic body worn armor and allowable accessories

For questions regarding individual project allowability, the scope of an approved project or the 2016 SHSP grant, please contact:

Casi Crites
SHSP Grant Manager
Wyoming Office of Homeland Security
307-777-5768

Security Unit Chief
Wyoming Office of Homeland Security
307-777-4908

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2016 State Homeland Security Program (SHSP)
GRANT POINT OF CONTACT INFORMATION FORM

Jurisdiction Name:	
Grant Project ID:	
Mailing Address:	
City, ST ZIP	
DUNS number (required)	

Grant Administrator Name:	
Title:	
Phone Number:	
Email:	

Authorized Point of Contact:	
Title:	
Phone Number:	
Email:	

Form must be complete and signed by a signator on the Grant Award Agreement

I certify the following by my signature, under penalty of false swearing pursuant to W.S. 6-5-303: I have read and understood the incorporated references and requirements in the 2016 State Homeland Security Program Grant Award Agreement.

Signature _____ **Date** _____

Printed Name _____ **Title** _____

Please complete and return along with signed original Grant Award Agreement to:

Casi Crites
Wyoming Office of Homeland Security
5500 Bishop Boulevard, Cheyenne, WY 82009

CITY OF LARAMIE COUNCIL REGULAR MEETING October 4, 2016

Agenda Item: Licensing

Title: Temporary use of Albany County Liquor License from Cavalryman Steakhouse for an event within city limits.

Recommended Council MOTION:

That City Council approve the alcohol catering application for Cavalryman Steakhouse, Albany County Liquor License, to locate their license within city limits at Corbett Lobby on the University of Wyoming campus on October 8, 2016 from 11:30 am to 1:30 pm for a homecoming tailgate party.

Administrative or Policy Goal:

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

Background:

The City Clerk's Office received the attached Special Event Permit Application on September 23, 2016, from Cavalryman Steakhouse requesting to secure permission to locate their Albany County liquor license within city limits.

Cavalryman Steakhouse is catering a BBQ and Tailgate party in the Corbett Lobby on the University of Wyoming campus on October 8, 2016 from 11:30 am to 1:30 pm.

The Albany County Commissioners approved the temporary relocation of this license at their September 20, 2016 meeting.

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."

BUDGET/FISCAL INFORMATION: **REVENUE: $50.00**

Responsible Staff:

Angie Johnson, City Clerk

County lic.

CL# 3195

RECEIVED SEP 23 2016 BY:

City of Laramie
Special Events Permit Application

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: Jane Crabb

Organization : Cowboy Steakhouse

Address: 4425 S. 3rd St. Laramie, WY

Home Phone: _____ Work Phone (307) 745-5551 Cell Phone: _____

E-mail jcrabb@laramiesteakhouse.com

Event Information

Name of event: College of Health Science Alumni and Friends Tailgate

Person in charge of event: Winnie Hanson Phone: (307) 766-3495

Purpose of event (e.g. fund raiser): Tailgate/Homecoming

Event location: Corbett lobby (UW campus)

Description of event BBQ Buffet + Tailgate with wine and beer

Event date(s): Sat 10/8/16

Event time(s): Start: 11:30 A End: 1:30 P

Set up begins: Date: Sat 10/8/16 Time: 10 A

Estimated number of attendees: 180

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

Estimated number of vehicles: 75 off street

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

Description of any sound equipment to be used: N/A

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 N/A

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

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? (X) No ( ) 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: Cavalryman Steakhouse

Address: 4425 S. 3rd St.

Home Phone: _____ Work Phone: (307) 745-5551 Cell Phone: (307) 343-5032 - DIRECTOR

E-mail: manager@laramiesteakhouse.com

Date and time clean up will be completed: 10/8/16 1:30 pm

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)
- X 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: BEN MARKS

Address: 4425 S. 3rd St. Daytime phone number: (307) 343-5032

Is alcohol being sold: (X) No ( ) Yes

Alcohol beverages served/sold: Date(s): 10/8/16 Time(s): 11:30A - 1:30P

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

Who will be allowed to attend:
( ) Members Only (X) Invited Guests ( ) Ticket Holders Only ( ) General Public ( ) Other: ____

How will this event be publicized: Through Campus dept.

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

Are minors allowed in the permitted area: ( ) No (X) Yes
If yes, describe how you will ensure that alcoholic beverages will be consumed only by people 21 years or older:
Wristbands provided for those verified as 21 and up

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

Will you be checking I.D's prior to dispensing alcohol: ( ) N (X) Y
If no, please explain: ~~FIPS II~~

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

Please explain how you plan to secure the area and inform guests that alcohol consumption must be kept in a designated area? Signs posted at all entrances and exits

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

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): COLBETT LOBBY (UW CAMPUS)

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: _____ Date: 9/14/16

Catering Permit Only:

Signature of Licensee: CAVALRYMAN II LLC _____
Dba: CAVALRYMAN STEAKHOUSE License Number: 2016-01

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

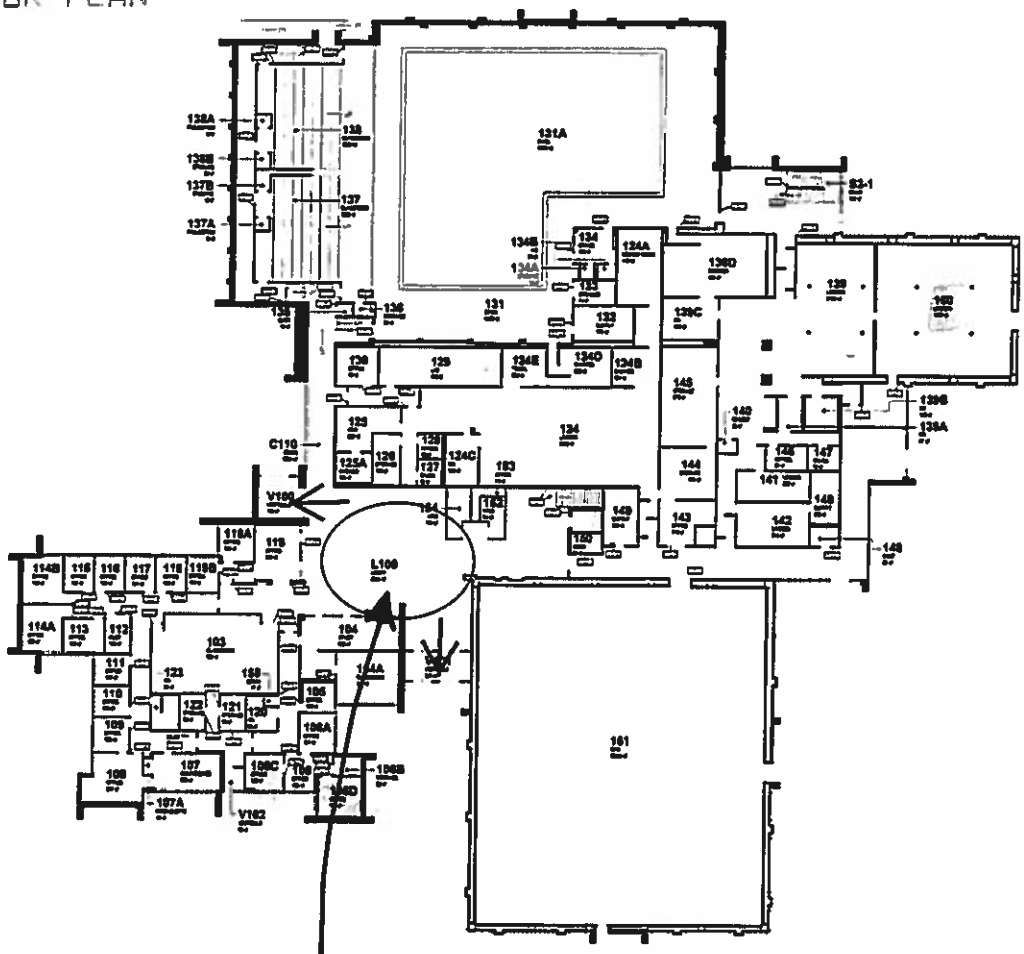
Applicant Signature:_____ **Date:** 9/14/16

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.*

FIRST FLOOR PLAN



Lobby

JACKIE R. GONZALES

ALBANY COUNTY CLERK

525 GRAND AVE ROOM 202 · LARAMIE, WYOMING 82070

(307) 721-2541 · FAX (307) 721-2544

JGONZALES@CO.ALBANY.WY.US

September 20, 2016

Ms. Angie Johnson
Laramie City Clerk
PO Box C
Laramie, WY 82073

Dear Angie:

Pursuant to W.S. §12-4-502(d) notice is hereby given that the Board of Albany County Commissioners' at their regular meeting today authorized the Cavalryman II LLC, dba Cavalryman Steakhouse, a County Retail Liquor License holder, to apply for a Catering Permit with the City of Laramie. The event is for the College of Health Sciences Alumni and Friends Tailgate to be held at the Corbett Lobby on the UW Campus on Saturday, October 8, 2016 from 11:30 a.m. to 1:30 p.m.

In the event you should have questions, please do not hesitate to contact me.

Sincerely,

Jackie R. Gonzales
Albany County Clerk

cc: Jane Crabb, Cavalryman Steakhouse

UNIVERSITY
OF WYOMING

Central Scheduling, Division of Administration
Dept. 3982 • 1000 E. University Avenue • Classroom Building, Room 204 (office) • Laramie, WY 82071
(307) 766-6717 • fax (307) 766-3557 • e-mail: cbennett@uwyo.edu

September 22, 2013

Ben Marks
Director, Food & Beverage
Blue Sky Restaurants
Laramie, Wyoming, 82070

Dear Ben:

Authorization is granted for The Cavalryman to provide the service of beer and wine for the Health Sciences Homecoming Tailgate Event in the Corbett Building on October 8, 2016 from 11:30 a.m. – 1:30 p.m.

Please take this letter to the City Clerk, to obtain permits, and forward a copy of the permit to me by e-mail (cbennett@uwyo.edu) or fax (766-3557) prior to the event.

This authorization is contingent upon complete adherence to all pertinent laws of this state, provisions of the Laramie Municipal Code relating to the regulation of alcoholic beverages, and University Regulation 39. It is my understanding that no University funds will be expended for the service or purchase of alcoholic beverages.

Sincerely,

Crystal R.M. Bennett
Manager, Central Scheduling

/cb

cc: UW Police

JACKIE R. GONZALES

ALBANY COUNTY CLERK

525 GRAND AVE ROOM 202 · LARAMIE, WYOMING 82070

(307) 721-2541 · FAX (307) 721-2544

JGONZALES@CO.ALBANY.WY.US

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In the event you should have questions, please do not hesitate to contact me.

Sincerely,

Jackie

Jackie R. Gonzales
Albany County Clerk

cc: Jane Crabb, Cavalryman Steakhouse

CITY OF LARAMIE Choose an item. **October 4, 2016**

LARAMIE 1868	**Agenda Item: Memorandum of Understanding** **Title:** Consideration to enter into a memorandum of understanding with the Laramie Town & Gown Association

Recommended Council MOTION: I move that Council approve the memorandum of understanding between the City and the University of Wyoming, Laramie County Community College, Wyoming Technical Institute, Albany County, and the Prevention Management Organization, for the purposes stated in the MOU, and to appoint a Councilmember as a liaison to the Laramie Town & Gown Association for the remainder of the 2016 calendar year, and thereafter include appointment of a Councilmember when those appointments are made by Council, and authorize the Mayor to sign the MOU.

Administrative or Policy Goal:

To foster collaboration, cooperation, and open dialog as a means of addressing challenges, emerging issues, and opportunities between and amongst institutions of higher learning, governing bodies, and the community at large.

Background:

The City has been interested in Town & Gown issues for several years. About a year ago, the local Prevention Management Organization (PMO) brought together stakeholders from the City, County, UW, LCCC, and WTI, and discussions were held about how we could all address common interests regarding off-campus housing, public safety, community/neighborhood relations, and community wellness. Each entity has had consistent attendance at monthly meetings and it was felt that some level of formalized relationships would strengthen the commitment to continue to discuss these issues and find solutions collectively as possible. The MOU does not commit any of the entities to anything beyond the rotational payment of dues to the International Town & Gown Association, which provides information and resources for addressing the identified common issues within the MOU. The PMO has committed to paying the dues during year one of this venture.

Currently, Councilor Andrea Summerville and Chief Dale A. Stalder represent the City at LTGA meetings, but as necessary other City staff may be called upon to attend.

BUDGET/FISCAL INFORMATION:

EXPENSE

Proposed Project Cost.

Project Budget		Amount	Funds
Project Cost			
Loans on Project			
Grants for Project			
Other/Outside Projects			
City's Amount		$1,200.00	General funds budgeted rotationally every 5 years
Contingency	0%	$0.00	
Total Amount		$1,200.00	

Responsible Staff: Councilor Andrea Summerville

Attachments: Laramie Town & Gown Association (LTGA) MOU

MEMORANDUM OF UNDERSTANDING

For the

LARAMIE TOWN GOWN ASSOCIATION

BETWEEN THE
CITY OF LARAMIE
ALBANY COUNTY
UNIVERSITY OF WYOMING
LARAMIE COUNTY COMMUNITY COLLEGE-ALBANY COUNTY CAMPUS
WYOTECH
AND PREVENTION MANAGEMENT ORGANIZATION OF WYOMING (ALBANY COUNTY)
(Collectively referred to as the "Parties")

Purpose

The purpose of this agreement is to foster cooperation, collaboration and open dialogue as a means of addressing challenges, emerging issues and opportunities between and amongst institutions of higher education and the community in which they reside.

Commitments

The parties hereby agree to the following:

1) Establishment of the Laramie Town Gown Association (LTGA)

The Parties agree to establish this association as a means of cooperation, collaboration and open dialogue on areas of mutual concern. These areas may include but are not limited to:

- Laramie off campus student life and off campus student housing
- Public Safety
- Community neighborhood relations
- Community wellness

The LTGA shall hold an Annual Stakeholder Summit to provide information, education and progress to a larger base of interested stakeholders across the community.

The collective parties agree to join the International Town Gown Association (ITGA) as a single city/higher education member in the interest of utilizing best practices and innovative solutions.

2) Establishment of the Leadership Advisory Group.

The Leadership Advisory Group (LAG) shall serve as the regular meeting body to carry forth the purpose of this agreement, meeting a minimum of quarterly during any calendar year.

Each party shall assign appropriate personnel to serve on the Leadership Advisory Group such as policy makers, administrators or staff as deemed appropriate by each party.

It shall be the responsibility of the LAG to make recommendations to the originating Parties when deemed appropriate on challenges, emerging issues and opportunities.

This group shall elect its own Chair to be rotated equally between all parties for a one year term to begin on July 1 of each year. The Chair's organization agrees to host meetings, prepare agendas and pay that year's dues to ITGA.

The Leadership Advisory Group shall create Ad Hoc or additional standing committees in the best interest of furthering goals and collaboration as needed.

GENERAL PROVISIONS

3) **Applicable Laws.** All parties shall fully adhere to all applicable local, state and federal law.

4) **Assignment.** Without prior written consent of the other parties, no party may assign this MOU. This MOU shall inure to the benefit of, and be binding upon, permitted successors and assigns of the parties.

5) **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.

6) **Sovereign Immunity.** The parties 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.

7) **Indemnification.** No party shall indemnify, defend of hold harmless any other party 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.

8) **Governmental Claims.** Any actions or claims against the University of Wyoming, City of Laramie, Albany County, Laramie County Community College or Prevention Management Office of Wyoming 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.

9) **Termination.** Any party may terminate their involvement in this Agreement and with the LTGA upon written notice.

10) **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.

11) **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 it 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.

12) **Signatures.** In witness whereof, the parties to this MOU through their fully authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, agreed to the terms and conditions of this MOU as set forth herein.

APPROVED BY:

City of Laramie

Signature Date

Name
Title

University of Wyoming

Laurie J. Nichols 9/1/2016
Signature Date

Laurie Nichols, President
Name
Title

WyoTech

Caleb Perriton 9/6/16
Signature Date

Campus Director & Academic Dean
Name
Title

Caleb Perriton

Laramie County Community College-Albany County Campus

9/6/16
Signature Date

JOE SCHAFER, PRESIDENT
Name
Title

Albany County

Signature Date

Name
Title

Prevention Management Office of Wyoming-
Albany County

Tracy Young 9/16/2016
Signature Date

Tracy Young - Community Prevention Specialist
Name
Title

CITY OF LARAMIE REGULAR COUNCIL MEETING October 4, 2016

Agenda Item: Resolution

Title: Resolution2016-____, supporting the development of a full pipe addition at the LaBonte Skate Park.

Recommended Council MOTION:

"I move that council approve Resolution 2016-____ supporting the development of a full pipe addition at the LaBonte Skate Park and authorize the Mayor and Clerk to sign."

Administrative or Policy Goal:

Strengthen relationships with other community partners.
Preserve park land, open space and public trails for future generations.
Continue public relations outreach to engage resident in municipal government.

Background:

The Friends of the Skate Park (FSP), a division of the Friends of Community Recreation, has approached the Parks & Recreation Department with the concept to develop a full pipe addition at the LaBonte Skate Park. The FSP has been deeply involved with the LaBonte Skate Park assisting with maintenance, observation and reporting of misuse, repairs, painting and the development of an expansion plan.

The FSP presented the concept of the full pipe addition at the September 14, 2016 regular meeting of the Parks, Tree & Recreation Advisory Board. The board was in unanimous support of a resolution supporting the concept and the development of an ancillary Memorandum of Understanding outlining the responsibilities of the FSP and the City related to funding, design, engineering and construction upon approval of the resolution by City Council.

The development of the full pipe would fit well with the overall expansion plan. The FSP has provided two 3D renderings of how the full pipe concept would possibly look upon completion. Some of the materials and means of construction have already been secured by FSP through donations from various local businesses.

The Parks & Recreation Department and the Parks, Tree & Recreation Advisory Board support the concept and recommend approval.

Legal/Statutory Authority:

N/A

BUDGET/FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service		
Grants for Projects		
Loans on Project		
Other	$3,000.00	Funds to be raised by FSP for Engineering/In-Kind.
Total	$3,000.00	

EXPENSE

Proposed Project Cost.

Project Budget	Amount	Funds
Project Cost	$3,000.00	
Loans on Project		
Grants for Project		
Other/Outside Projects		
City's Amount	#VALUE!	From funds raised by FSP toward the project.
Contingency 0%	$0.00	
Total Amount	$3,000.00	

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:

Todd Feezer, Director, Parks & Recreation Department, 307.721.5260, tfeezer@cityoflaramie.org

Attachments: Full Pipe LaBonte Skate Park Resolution, Full Pipe Renderings

RESOLUTION NO. 2016- ____

A RESOLUTION SUPPORTING THE DEVELOPMENT OF A FULL PIPE ADDITION TO THE LABONTE SKATE PARK.

WHEREAS, the LaBonte Skate Park has become a popular amenity within the City of Laramie Parks System, and;

WHEREAS, the City has received a request from the Friends of the Skate Park, a division of the Friends of Community Recreation, to develop a full pipe addition to the LaBonte Skate Park, and;

WHEREAS, the Friends of the Skate Park is a non-profit organization that raises funds to improve the LaBonte Skate Park and further grow the sport of skateboarding in Laramie, Wyoming, and;

WHEREAS, the Friends of the Skate Park has presented, to the Parks, Tree & Recreation Advisory Board, the location, plans and estimated expense to develop and implement a full pipe addition to the LaBonte Skate Park, and;

WHEREAS, the Parks, Tree & Recreation Advisory Board approved the information as presented and forwarded it to City Council for consideration, and;

NOW THEREFORE, THE CITY COUNCIL OF LARAMIE, WYOMING RESOLVES:

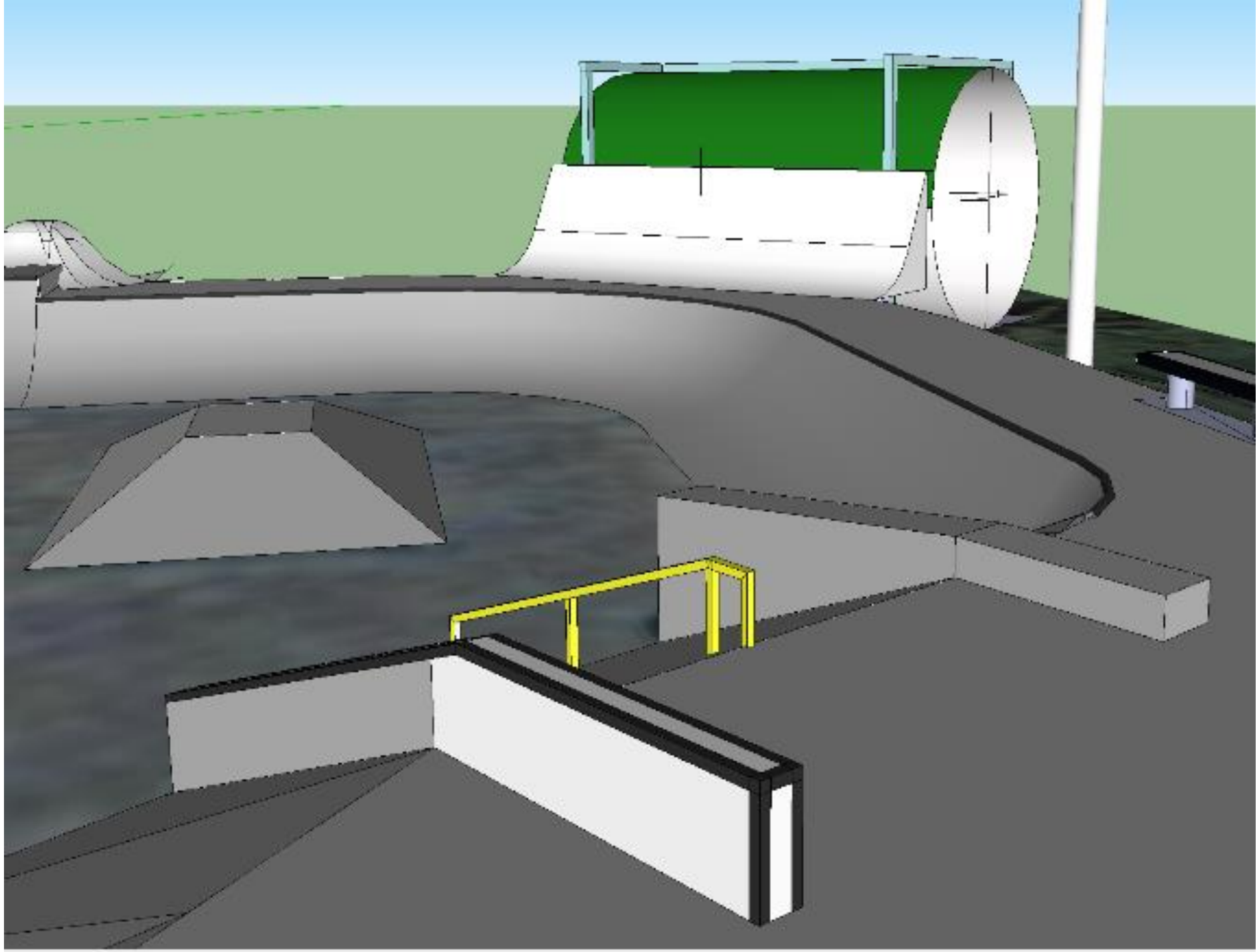
That the foregoing recitals are incorporated in and made a part of this resolution by this reference and that the City Council hereby approves the Resolution supporting the development of a full pipe addition to the LaBonte Skate Park.

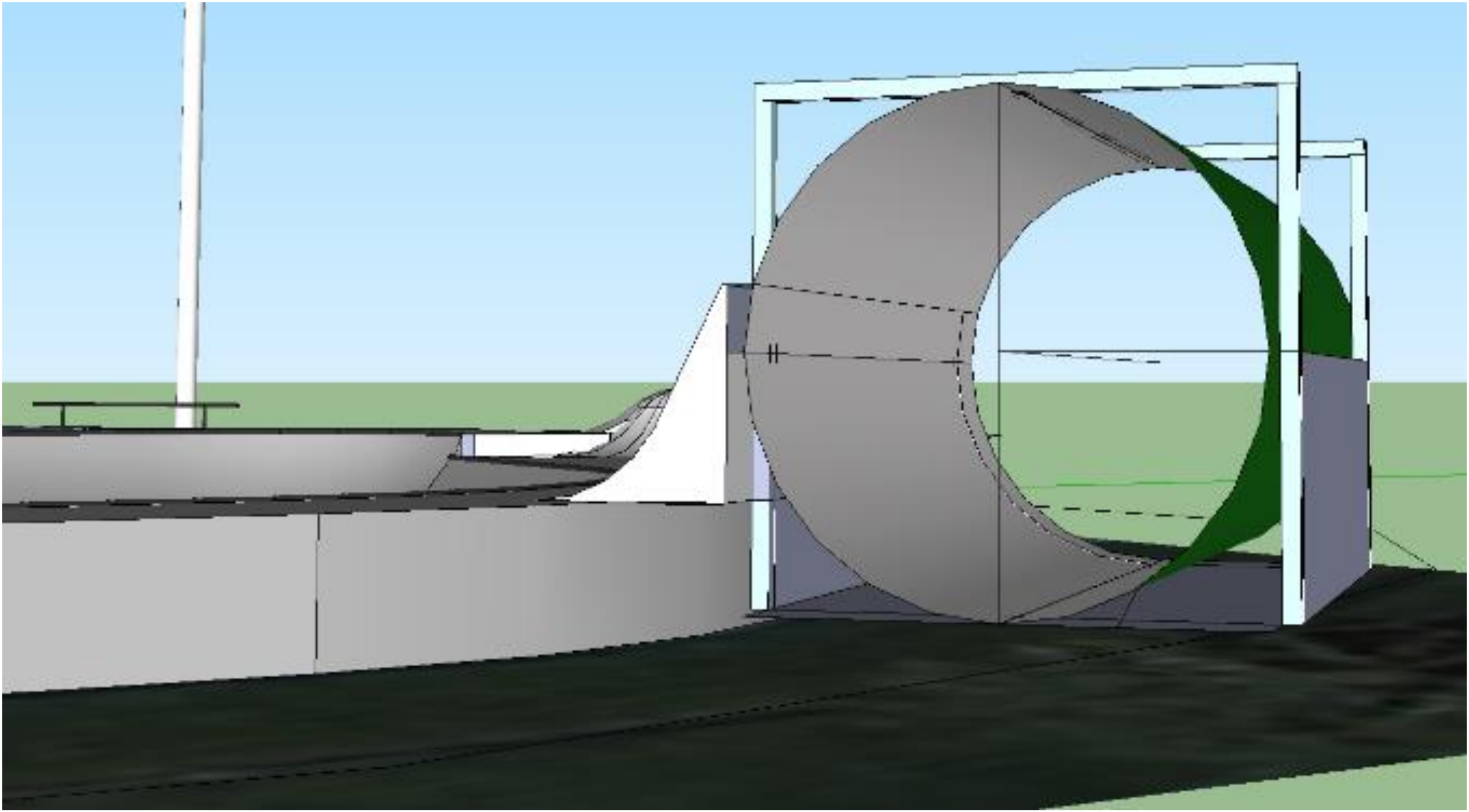
PASSED AND APPROVED this ___ Day of _____, 2016.

_____
David A. Paulekas, Mayor and President
City of Laramie, City Council

Attest:

_____
Angie Johnson, City Clerk





CITY OF LARAMIE COUNCIL SPECIAL MEETING October 4, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - 3rd Reading** **Title: Original Ordinance No. 1954, amending Title 15 of Laramie Municipal Code for the purposes of allowing "Automobile Service Stations (Minor Repairs Included)" and "Vehicle/equipment sales and rentals (Other Than Motor Vehicles)" as a Conditional Uses in the DC District**

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1954 amending LMC 15.10.000.E, to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District on third and final reading, based on findings of fact and conclusions of law 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)

All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes.

Background:

The present amendment is initiated by E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone

On September 20, 2016, the City Council approved this ordinance (6 yes, 2 no, 1 absent). On September 27, 2016, the City Council held a Public Hearing and approved this ordinance (5 yes, 3 no, 1 absent). No public comments were made in opposition of the Ordinance.

The Planning Commission heard this item on August 22, 2016. The Planning Commission recommend that the City Council approve amendments to allow "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District (7 yes, 0 no).

The Planning Commission staff report is included. No changes have been made.

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:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$625.00	Application Fee
Grants for Projects		
Loans on Project		
Total	$625.00	

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

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

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	September 27, 2016
Pub. Hearing Advertised	September 10, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	September 27, 2016
3rd Reading	October 4, 2016

Attachments:

Proposed Ordinance
August 22, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1954 INTRODUCED BY: Vitale
ENROLLED ORDINANCE NO.: _____

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE FOR THE PURPOSES OF ALLOWING "AUTOMOBILE SERVICE STATIONS (MINOR REPAIRS INCLUDED)" AND "VEHICLE/EQUIPMENT SALES AND RENTALS (OTHER THAN MOTOR VEHICLES)" AS A CONDITIONAL USES IN THE DC DISTRICT.

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 with 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 August 22, 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; and

WHEREAS, the Laramie City Council held a public hearing on September 27, 2016 to take and consider public comments;

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

Section 1. That Table 15.10-1 shown in LMC 15.10.000.E is **amended** as to allow the following as a conditional uses in the DC District: "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"; and

Section 2. 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: September 20, 2016
Public Hearing: September 27, 2016
Second Reading: September 27, 2016
Third Reading and Final Action: October 4, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie

Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5271
Fax: (307) 721-5248

LARAMIE PLANNING COMMISSION
AUGUST 22, 2016
STAFF REPORT

FILE:	**TA-16-06 Amending the Use Table for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)"**
REQUEST:	An amendment to Chapter 15.10 of the Unified Development Code to allow for "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles)" as permitted uses in the Downtown Commercial (DC) Zone District.
APPLICANT:	Andrew and Joy Thompson (E&D Enterprises, LLC)
PURPOSE:	To allow for development of an "Automobile Service stations (Minor repairs included)" or "Vehicle/equipment sales and rentals (other than motor vehicles)" at 269 3rd Street. (Former Vojtek Distillery)
PREPARED BY:	Charles W. Bloom, AICP, Principal Planner

RECOMMENDED MOTION:

Move to recommend that the Council **approve** amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

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 E&D Enterprises, LLC who own a property in the Downtown Commercial (DC) District at the southeast corner of Third and Clark. Most recently their property was used as Wojtek Distillery and Tasting Room which was approved as a conditional use (CUP-14-13) in 2014. The applicant contacted City staff on August 3rd after learning that "Automobile Service

stations (Minor repairs included)" were not a permissible use in the DC District. The requested amendment is to allow the prior use of the building and future minor automobile repair facilities as permitted uses in the Downtown Commercial District. Any approval would apply to the entirety of the DC Zone District (DC Zone District Map is attached).

In conjunction with creation of the Unified Development Code, several uses were excluded from the DC Zone District. Uses removed generally were auto-oriented and included automobile repair shops, service stations, drive through facilities (restaurants and financial institutions) and auto dealerships. After adoption of the Unified Development Code in 2010, City staff rezoned several blocks in accordance with applicable notice requirements which included public notice and mailings to property owners. In addition to the required notice, staff held a series of public meetings and worked with local news outlets to raise public awareness. The Table of Allowed Uses (LMC 15.10.000.E) details what is permissible in the DC Zone District.

"Automobile Service stations (Minor repairs included)" includes minor vehicle repair such as brake repair, tire shops and oil change facilities. Typically vehicles are dropped off for a limited period of time and are stored in an operable condition for periods less than 24 hours. "Vehicle/equipment sales and rentals (other than motor vehicles)" includes sale and rental of motorcycles and ATVs and limited repair to those vehicles. Not included in this amendment are "Major Vehicle/equipment repair" which includes auto body repair, paint shops, and major repair shops where vehicles are typically stored in an inoperable or unlicensed condition for extended periods of time.

Relationship to Comprehensive Plan

Chapter 3 (Community Character) of the Comprehensive Plan evaluates the existing land use of the City and provides guidance for future development and redevelopment of the City. The section "Downtown Success and Economic Sustainability" outlines the community's vision of the downtown. Overall, citizens recognize the downtown as an important element of downtown and have established the following priorities: to enhance aesthetics, attract retail anchors, preserve local business, strengthen its ties to the University and other areas of the community, improve access an parking, provide for a mix of commercial and residential uses and to require that new development honor the building form of downtown. A priority identified in the plan was to create a pedestrian-scale Downtown streetscape that contributes to the enclosure of space reminiscent of an urban environment (2007 Laramie Comprehensive Plan p 3-10).

Downtown Laramie is shown as Urban Commercial in the Future Land Use Plan. The Urban Commercial category is classified as "an urban character as a result of its high floor-to-site area ratios (multiple stories) with zero setbacks along the street front, uses that are common of today's downtown environments, and a mixed pedestrian and vehicular orientation. Increased population, a residential component, infill, redevelopment, appropriately scaled streetscape improvements, kiosks, awnings or canopies, projecting business signs, public plazas and gathering areas, and employment in these areas can further enhance the Urban Commercial classification" (2007 Laramie Comprehensive Plan p 3-21).

Relationship to Downtown Plan

The Downtown Plan was completed in November 2011 by Arnett Muldrow and Associates in partnership with the Orion Planning Group and Mahan Rykiel Associates Community Design Solutions. The plan's intent was to encourage revitalization and to promote continued growth in Downtown. The plan evaluated the physical conditions of downtown, the opportunities to better market downtown as a destination, and the tools necessary to entice investment in downtown.

Recommendations of the plan included consistent application of development standards in the Downtown Commercial Zone District. In addition, the plan included the following recommendation: "Amend Unified Development Code: The 2010 Code dedicates an entire zoning category for downtown, the Downtown Commercial (DC) District. It includes district-specific standards and is listed in Table 15.10-1, Table of Allowed Uses. Recommendations related to the Code are:

- Expand language supporting mixed-use development. By doing so, a number of action statements and goals of the Laramie Comprehensive Plan will be addressed, including support for development that increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Allow More Uses: Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Sign Section: Refine the sign section for downtown signs to address issues that have been identified by the City.
- Adjust Parking Standards. Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan section 5.2.8 p 68)

In addition, the Chapter 6.0 (Implementation Strategy and Action Plan) promotes development that:

- Increases walkability, offering a variety of housing types, promoting infill options, and increasing population and employment in the downtown area.
- Consider amending the uses found in the DC District to allow more uses that generate foot traffic and activity. Examples include community centers, child care facilities, and community gardens, all of which are currently permitted as conditional uses.
- Refine the sign section for downtown signs to address issues that have been identified by the City.
- Investigate and where necessary adjust parking standards that will encourage downtown residential uses, particularly housing that is incorporated into mixed use developments." (2011 Downtown Development Plan Chapter 6.0 p 69)

Discussion:

All of the adopted plans for the City recognize the Downtown as an important asset to the community. Neither of the plans specifically prohibit “Automobile Service stations (Minor repairs included)” or “Vehicle/equipment sales and rentals (other than motor vehicles) in the Downtown District; however business that increase employment, promote activity, walkability and an active streetscape are encouraged.

Allowing the above mentioned uses could meet the goals of the Comprehensive Plan and the Downtown Development Plan provided they encompass the pedestrian scale and urban form

envisioned in the plans. In addition expanding the use spectrum conforms to the Downtown Plan's goal of allowing additional uses in the Downtown.

Staff believes that the proposed uses could be accommodated in the DC Zone District provided they meet code requirements and the vision of applicable plans. The applicant's requested amendment is to simply allow for an administrative review of a development application. Staff believes that a more public and detailed review is necessary. This can best be accomplished via the Conditional Use Permit process. Conditional Use Permit review would allow for a case-by-case review where each property can be reviewed in the context of its individual surroundings.

In the specific case of the applicant, they are requesting that a tire shop be allowed to relocate into an existing building. Through the Conditional Use Permit review process, staff and the Planning Commission could review the development for conformance with code requirements and applicable elements of relevant plans. In addition, the review could look at the developments relationship to adjacent properties and evaluate existing and proposed access points. Improvements to an existing site that could make it more compatible with the Downtown would include pedestrian amenities, increased landscaping and screening of internal parking lots or service areas.

PUBLIC COMMENTS:

This amendment was legally advertised in the Laramie Boomerang on August 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.

CONCLUSIONS OF LAW:

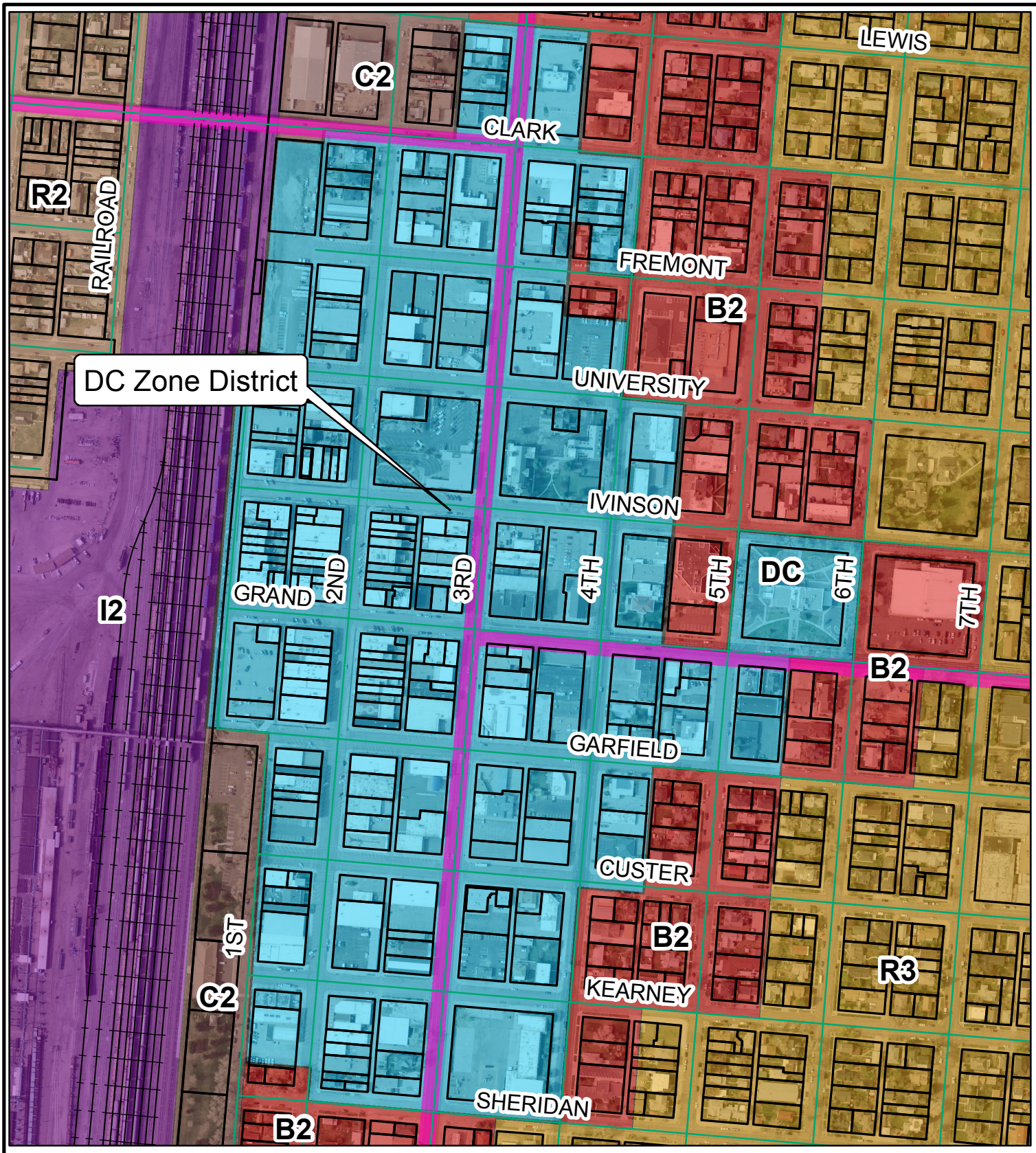
The amendment is proceeding in accordance with applicable law, including LMC Title 15.

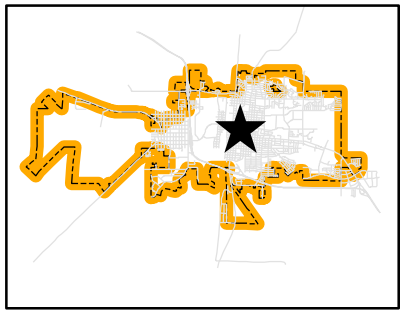
STAFF RECOMMENDATION:

Staff recommends **approval** of amendments to Title 15 (Unified Development Code) of the Laramie Municipal Code for the purposes of allowing "Automobile Service stations (Minor repairs included)" and "Vehicle/equipment sales and rentals (other than motor vehicles) as Conditional Uses in the DC Zone District.

ATTACHMENTS:

1. Downtown Commercial District Boundary
2. Application
3. Cover Letter
4. Historic Photos





0 125 250 500 750 1,000 Feet

Downtown Commercial Zone District

N

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.

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August 10, 2016

Charles Bloom, Principal Planner
City of Laramie Community Development
405 East Grand Avenue
Laramie, WY 82070

Dear Mr. Bloom:

On behalf of E&D Enterprises, I am writing to formally request a zone variance to allow the relocation of Plains Tire & Battery to 269 North 3rd Street.

As you are aware, the property involved in this application was built as an automotive sales and service establishment and for over sixty years had been used within the automotive and motorsports industries. After TNT Motorsports moved to its current location a portion of this property was leased to Vanetta Liquors, LLC for their use as a vodka distillery and tasting room. After less than two years, this liquor bottling business was found to not be profitable at this location. They have since moved.

I respectfully request that zoning for this building be amended to allow it to service the automotive industry for which it was built. I believe allowing Plains Tire to upgrade to this larger building will be a benefit to the City of Laramie generating additional tax revenue as their business prospers.

Feel free to contact me if you have any questions or concerns about this proposal.

Sincerely,

Andy Thompson, Member
E&D Enterprises, LLC

CITY OF LARAMIE COUNCIL REGULAR MEETING October 5, 2016

LARAMIE 1868	**Agenda Item: Original Ordinance - 2nd Reading** **Title: Original Ordinance No. 1955, Redesignating the Name of Ivinson Street (Redesignating as Ivinson Avenue).**

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1955 redesignating Ivinson Street as Ivinson Avenue on second reading, based on findings of fact and conclusions of law and note a public hearing was held on October 4, 2016.

Administrative or Policy Goal:

Rename Ivinson Street to Ivinson Avenue to restore the historic name of the thoroughfare.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

In recent decades street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street. It has been concluded that the street name was accidentally changed and this Ordinance is required to rename it.

On September 20, 2016, the City Council approved this ordinance (8 yes, 0 no, 1 absent).

The Planning Commission heard this item on September 12, 2016. The Planning Commission recommend that the City Council approve the Amendment to the zoning map reflecting the name Ivinson Avenue (6 yes, 0 no, 1 absent).

The Planning Commission staff report is included. No changes have been made.

Legal/Statutory Authority:

- Laramie Municipal Code: Chapter 2.38 (Street Naming Committee)
- Wyoming State Statutes: Title 15, Chapter 4, Article 3: Property, Financial Affairs, Contracts, Streets, Subdivisions and Utilities

BUDGET/FISCAL INFORMATION:

BUDGET/FISCAL INFORMATION:

REVENUE

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

Responsible Staff:

David Derragon, Assistant City Manager, 721-5304

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

Future dates are subject to change

Work Session	
Advertised	
Public Hearing Held	October 4, 2016
Pub. Hearing Advertised	August 27, 2016
Introduction/1st Reading	September 20, 2016
2nd Reading	October 4, 2016
3rd Reading	October 18, 2016

Attachments:

Proposed Ordinance No. 1955
September 12, 2016 Planning Commission Staff Report

ORIGINAL ORDINANCE NO.: 1955 INTRODUCED BY: Shumway
ENROLLED ORDINANCE NO.:

AN ORDINANCE REDESIGNATING THE NAME OF IVINSON STREET (REDESIGNATING AS IVINSON AVENUE).

WHEREAS, 41 of 77 (53.2%) property owners abutting and adjacent to the street in question have timely filed a petition with the City of Laramie, Wyoming, requesting that one (1) previously dedicated right-of-way, known and designated as Ivinson Street (full), be redesignated as Ivinson Avenue, which rights-of-way are more fully described in Sections 2 of this Ordinance;

WHEREAS, said petitioners (Albany County; Andersen, Matthew A & Chamois L; Anderson, Edwin A; Christie D; Arsenio Lemus Holdings, LLC, a WY LLC; Barnes, Timothy J; Buckhorn Enterprises, Inc; City Of Laramie; Cossitt, Gordon A & Brenda R; Cupps, Charles Mark; Episcopal Diocese Of Wyoming; The First Nat Bank Of Laramie; Foust, Peter; Frausto Enterprises Inc; Gonzales, Don & Nora E; Hanson, Janell Rev Liv Trust; Heineke LLC, a WY LLC; Klages, Ricki L; Laramie Plains Museum Assoc; Laramie Plains Properties Ltd Partnership; Ludwig Photo Enterprises, a Partnership; MEC Corporation; Romero, Casandra 2009 Rev Trust; Schutterle, John E Liv Trust; St Matthew Cathedral; Timchula, Judith A; University Of Wyoming; Voigt, Karen; and Williamson, Amy K Trust) constitutes a majority of the owners of real property abutting said right-of-way;

WHEREAS, this right-of-way has been platted, and has permanent residents and structures at this time;

WHEREAS, the City Clerk, in compliance with Laramie Municipal Code § 2.38.050.B, gave notice of a public hearing concerning this Petition at least fifteen (15) days in advance by publishing the required notice in the *Laramie Boomerang* on August 27, 2016; and

WHEREAS, a public hearing ~~shall be~~ **WAS** held by the City Council on October 4, 2016.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LARAMIE, WYOMING:

Section 1. That pursuant to the petition of the majority of owner(s) of property abutting the dedicated right-of-way known and designated as Ivinson Street (full) as described in Section 2, and pursuant to the authority of Laramie Municipal Code § 2.38.040 through Code § 2.38.070, the City Council finds that the redesignation of the following dedicated right-of-way name will not abridge or destroy any of the rights and privileges of other proprietors in said plat, and further finds that the redesignations are in the best interest of the City of Laramie, Wyoming (City).

Section 2. That the following described dedicated right-of-way is hereby designated with a different name, by abandoning the name "Ivinson Street" and designating same as "Ivinson Avenue."

ALL OF IVINSON STREET AS SHOWN AND DESIGNATED WITHIN THE BOUNDARIES OF THE FINAL PLAT FOR HENRY D. HODGEMAN'S ADDITION AND ORIGINAL TOWN OF LARAMIE PLAT.

Section 3. That the Clerk of Albany County, Wyoming, in whose office the aforesaid plats are recorded, shall cause the redesignated rights-of-way to be indicated in plain legible letters and symbols across the parts of each plat so modified, by striking through the words "Ivinson Street" in it stead, and adding the words "Ivinson Avenue" and shall also make a reference on the same to the volume and page number on which the ordinance redesignating the right-of-way is recorded.

Section 4. That the City Clerk shall cause written notification of such redesignations to be given to the owners of real property abutting the streets as such owners appear on the assessment records of the county assessor, to the United States Post Office, and to such other persons, agencies and offices who may have a direct interest in the redesignation.

Section 5. That this ordinance shall become effective after its passage, approval, publication, and recordation.

Passed and approved this _____ day of _____, 2016.

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

Attest:_____
Angie Johnson
City Clerk

First Reading: September 20, 2016
Second Reading: October 4, 2016
Public Hearing: October 4, 2016
Third Reading and Final Action: October 16, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie
Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5207
Fax: (307) 721-5248

MEMORANDUM

Date: **September 12, 2016**

To: **Planning Commission**

From: **Charles Bloom, AICP, Principal Planner**

Subject: **Renaming of Ivinson Street to Ivinson Avenue**

Recommended Motion:

Move to recommend that the City Council **approve** the request to rename Ivinson Street to Ivinson Avenue.

Background:

Kim Viner, Historian for the Laramie Plains Museum, has made a request to rename Ivinson Street to Ivinson Avenue. On August 9, 2016 Mr. Viner submitted to the City a petition to the City signed by a majority of the property owners adjacent to Ivinson Street requesting the name be changed to Ivinson Avenue meeting the requirements of LMC Chapter 2.38. Presently the City recognizes the street as Ivinson Street.

History:

According to Kim Viner, discussion began on renaming Thornburgh Street to Ivinson Avenue in 1921. These finally gathered traction in 1928 when A. C. Jones, Vice President of First Interstate Bank, began to gather signatures to rename the Street to Ivinson Avenue According to Viner, on January 21, 1928 an Ordinance was signed officially changing the street name to Ivinson Avenue shortly before Edward Ivinson passed away.

In recent decade street signs were changed stating a name of Ivinson Street. Mr. Viner and staff could not find an information in City or County records indicating that it had been to Ivinson Street. Over the last year Mr. Viner has been working with staff in trying to determine when and how Ivinson Street became labeled as Ivinson Street.

How did it Change?

The short answer is “on accident.” Laramie Municipal Code § 12.12.010 “Street names” states that the streets of the city shall be designated and known by the names shown on the "zoning district map of the city of Laramie." Staff has narrowed down the date to the mid-1980s when the City Engineering Department was responsible for maintain the Official Zoning Map of the City. During that time the street was accidentally labeled as Ivinson Street on the map that was prepared in AutoCAD. Since the zoning map officially designates street names, the street has since been legally named Ivinson Street.

Cost:

Public Works Staff estimate that renaming of the street back to its correct name Ivinson Avenue will cost the City approximately $2,500 in materials and labor. This includes the cost to manufacture new signs and staff time to install the new signage.

Findings of Fact and Conclusions of Law:

Findings of Fact:

- A majority of property owners abutting the street have signed the petition

Conclusions of Law:

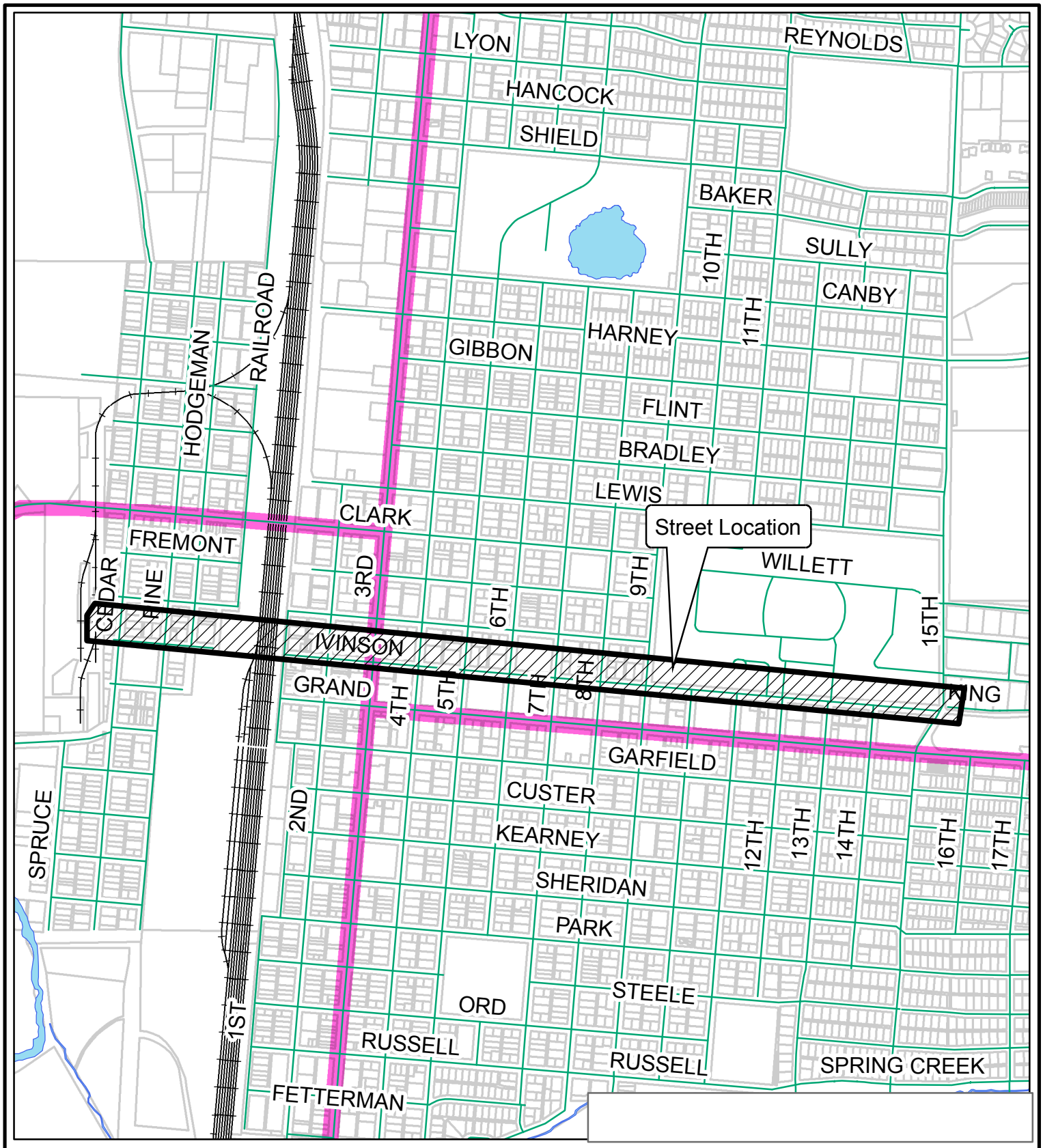
- The applicant is proceeding in accordance with the requirements of LMC 2.38.
- The redesignation of the following dedicated rights-of-way names will not abridge or destroy any of the rights and privileges of other proprietors in said plat,
- The redesignation is in the best interest of the City of Laramie, Wyoming.

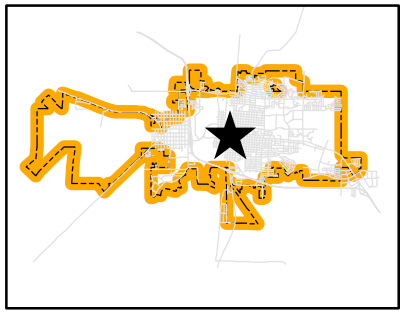
Staff Recommendation:

Staff recommends that the Planning Commission **approve** the request to rename Ivinson Street to Ivinson Avenue.

Attachments:

1. Vicinity Map
2. Request Letter and Supporting Information





Redesignation to Ivinson Avenue

N

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.

IVINSON STREET OR IVINSON AVENUE?

Over the next two years the city of Laramie will reconstruct part of the street that runs through the heart of historical Laramie. It passes Laramie's oldest banking establishment, St. Matthew's Cathedral, city hall, the county courthouse, the Laramie Plains Museum and the University of Wyoming. The question arises, is it Ivinson Street or Ivinson Avenue?

After Grenville Dodge, chief civil engineer of the Union Pacific Railroad, laid out the city in July 1867, the streets in the town were given very simple names. Streets running north and south were numbered and streets running east and west were given letters for names. From Center Street they were South A, North A etc.

No changes were made until the University of Wyoming came along in 1886. Center Street was renamed University Avenue. In 1889 the remaining east-west streets were given the names that they bear today, with one exception.

That exception is the street that was renamed in 1889 from South A to Thornburgh Street (often misspelled Thornburg). It had been named for Major Thomas Thornburgh who was a unit commander at Fort Steele and was killed in a skirmish with the Ute tribe in 1879 in Colorado.

As early as 1921 it was suggested that the street be renamed to honor Laramie banker and philanthropist, Edward Ivinson. Ivinson had given money to the county to build a modern hospital, deeded his mansion to the Episcopal Church for use as a girls boarding school and donated the money to finish St Matthew's Cathedral.

Opposition arose from an unlikely source, Ivinson's neighbor Melville C. Brown. Brown lived on Thornburgh Street, opposite the Ivinson Mansion block. He was a longtime friend of the Ivinson family but was reported by the Laramie Republican newspaper as being opposed to the change. Brown stated that "General Thornburg" deserved the honor because of his long history in the state. Notably, Brown got Thornburgh's name, rank and importance to Wyoming wrong.

More likely Brown opposed the move because for nearly a decade he tried to get Ivinson to enter into a real estate deal that Brown felt would make him a lot of money. Ivinson did not sell, rather he gave the property to the local orphanage.

The 1921 attempt did not bear fruit, but in 1928, A. C. Jones, vice president of the First National Bank, tried again. Jones collected signatures from everyone who lived on the street and supported the change to Ivinson Avenue. He presented them to the city council. Local history says the only person who would not sign was M. C. Brown.

Despite Brown's opposition, Mayor Stephen Downey signed a city ordinance on 21 January, 1928 changing the name of the street to Ivinson Avenue. Ivinson died 10 weeks later.

But today the street signs read "Ivinson Street." How did the change come about? It seems that no one really knows. Maps produced by the Wyoming Highway Department (1977) the Laramie City Engineer (1982), and the University of Wyoming Architect (1983) all clearly label the street "Ivinson Avenue." Additionally, a photo taken of the corner of Second and Ivinson in 1982 shows a street sign titled "Ivinson Ave."

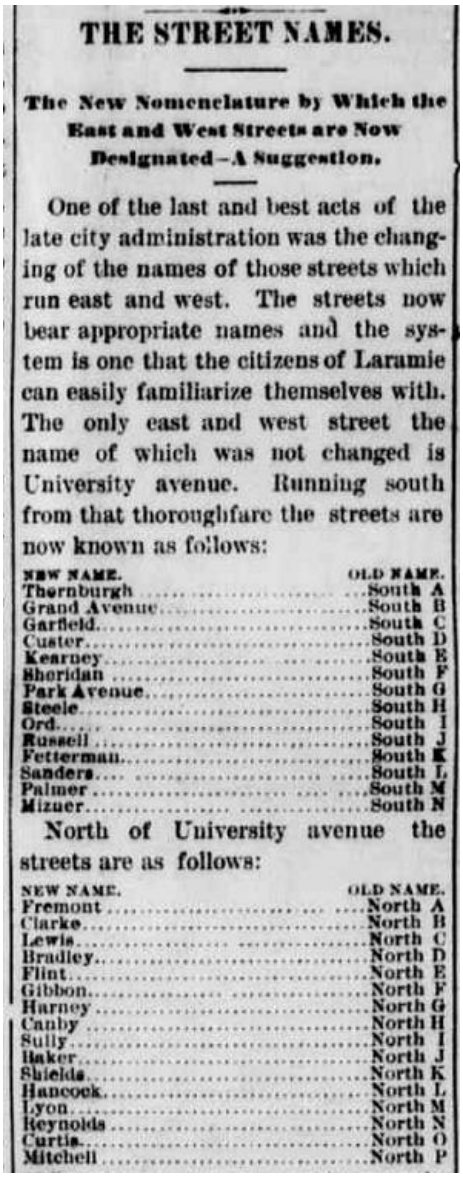
There are no city records showing that a name change to Ivinson Street was mandated by the city council. Consultations with the city planner yielded no existing records explaining the change. So we are left with the question unanswered. However, available evidence indicates that the name of the street should be Ivinson Avenue not Ivinson Street. Perhaps the reconstruction project would be a good time to change it back.

the frame pla
2ND ST
UNION AVE

Paula:

Here is the follow-up pertaining to our discussion about Ivinson Avenue (or Street). Current city street signs show Ivinson Street. The story of why they should show Ivinson Avenue follows (some of this is taken from an article I wrote for the *Boomerang* which was published last month).

When the city was originally platted, the east-west streets were not given names; they were designated by letters. The middle street of the town was Center (some maps spelled it Centre) and south of there was South A, north was North A etc. Center was changed to University Avenue shortly after the U.W. was founded in 1886. On February 19, 1889, the editors at the *Boomerang* stated that the original 1868 east – west street names of A, B, C etc. and the north – south numbered streets were not becoming of a modern metropolis in the late 1800's. So, on that day the paper suggested an update was necessary.



THE STREET NAMES.

The New Nomenclature by Which the East and West Streets are Now Designated—A Suggestion.

One of the last and best acts of the late city administration was the changing of the names of those streets which run east and west. The streets now bear appropriate names and the system is one that the citizens of Laramie can easily familiarize themselves with. The only east and west street the name of which was not changed is University avenue. Running south from that thoroughfare the streets are now known as follows:

NEW NAME.	OLD NAME.
Thornburgh	South A
Grand Avenue	South B
Garfield	South C
Custer	South D
Kearney	South E
Sheridan	South F
Park Avenue	South G
Steele	South H
Ord	South I
Russell	South J
Fetterman	South K
Sanders	South L
Palmer	South M
Mizuer	South N

North of University avenue the streets are as follows:

NEW NAME.	OLD NAME.
Fremont	North A
Clarke	North B
Lewis	North C
Bradley	North D
Flint	North E
Gibbon	North F
Harney	North G
Canby	North H
Sully	North I
Baker	North J
Shields	North K
Hancock	North L
Lyon	North M
Reynolds	North N
Curtis	North O
Mitchell	North P

The paper proposed that the streets should be renamed for early settlers or well-known locations. Names such as Trabing, Hutton, Holliday and Fillmore and famous sites such as Yellowstone were initially suggested.

Within a week, however, the *Boomerang* published another article that offered a different suggestion. This one came from local businessman W.H. Root. He suggested to the paper that the streets be named after "well known military officers who have served in this vicinity." The *Boomerang's* suggestion, with Root's modification, took hold and soon the Laramie city council appointed a three person committee to study the proposal.

On March 15, 1889, they reported to the council a list of names that should be considered and the recommendation that the numbered streets not be changed. For the east – west streets they chose mostly military officers and some pioneers. Over the next week, the list was changed. The proposed Bonneville Street was changed to Grand Avenue and proposed Bridger Street was changed to Sheridan Street. On 21 March the *Boomerang* listed the names for all the streets that were to be voted upon by the city council.

The list was adopted by city ordinance on May 8, 1889, and the formal list published by the paper on May 14 (shown left). The paper praised the actions of the council noting it was one of the last acts of the outgoing administration following the election of new council members on April 2, 1889 (who took office in June).

There was confusion over the changes. In early June, new mayor Augustus Trabing asked at a council meeting if the change had been approved. He said that several local residents where not sure of the name of the street in front of their houses. Councilman Hicks assured the mayor that the changes were official and

lamented that people would know that if they simply read the paper. To rectify the situation, H. D. Beemer was hired to paint street signs that were placed where the newly named streets intersected Second Street.

The new street names north of University to Mitchell have remained the same as they were adopted in 1889. Two changes happened south of University. Mizner Street was never built and the name not used. Thornburgh would eventually be renamed.

Thornburgh was used for several years after 1889. An 1894 map online at the state archives shows the route as "Thornburgh St" in original typeset (not added later). That verified the 1889 change from South A. [1]

Thornburgh was an interesting selection. He was an Army officer who had been commander of Fort Steele and was killed in a skirmish with Ute Indians in Colorado in 1879. Oddly, he had nothing really to do with Laramie and he was buried in Omaha, Nebraska, and was reburied in Arlington National Cemetery at a later date! Why the citizens of Laramie decided to name a street after him was strange.

The street (often misspelled Thornburg in the papers) retained the name until 1928. Just after the New Year, A.C. Jones, the vice president of the First National Bank and a longtime friend of Edward Ivinson, circulated a petition asking citizens of Thornburgh Street to support his call to the city council to rename the thoroughfare "Ivinson Avenue." Local newspapers reported on 4 January 1928 that out of 40 property owners on the street only three or four did not sign the petition (legend has it that prominent resident Melville C Brown would not sign – he lived across the street from the Ivinson mansion). The paper also reported that the city council voted five to zero on the 3rd to direct the city attorney to draft an ordinance to change the name of Thornburgh Street to Ivinson Avenue.

On the 18th, papers reported that the city council passed the ordinance renaming the street Ivinson Avenue. Mayor Downey was out of the city on that day but signed the ordinance on 21 January 1928. The paper put it this way:

> Mayor S.C. Downey, who returned last night from Denver, today signed the ordinance, passed unanimously by the city council Tuesday, in his absence, changing in the name of Thornburg (sic) street (sic) to Ivinson avenue (sic)…..The ordinance changing the name of the street to Ivinson avenue (sic) is in honor of Edward Ivinson the oldest citizen of Laramie and its first banker. For a long time he was president of the First National Bank.

So, as of that date the official name was Ivinson Avenue.

Because street signs show "Ivinson Street" and the evidence seemed to indicate "Ivinson Avenue," I called the Albany County Geographical Information Systems team and asked them what they used to denote the street. They replied (and their online maps state), Ivinson Avenue.[2] Then I called the city manager's office and asked what they called the street (mentioning that there may be a discrepancy). They directed me to the city street department. They had access to an 1885 map done up by the (then) city engineer (also online at the state archives), that showed BOTH "S A" and Ivinson St. for the same street but in different fonts. This obviously meant that someone had gone back and added "Ivinson St" to the original map. So that was not much help, but may explain where the confusion originated.

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[1] It can be seen at http://wyoarchives.state.wy.us/Archives/Maps.aspx as can the 1884 map and 1940 map referenced below.

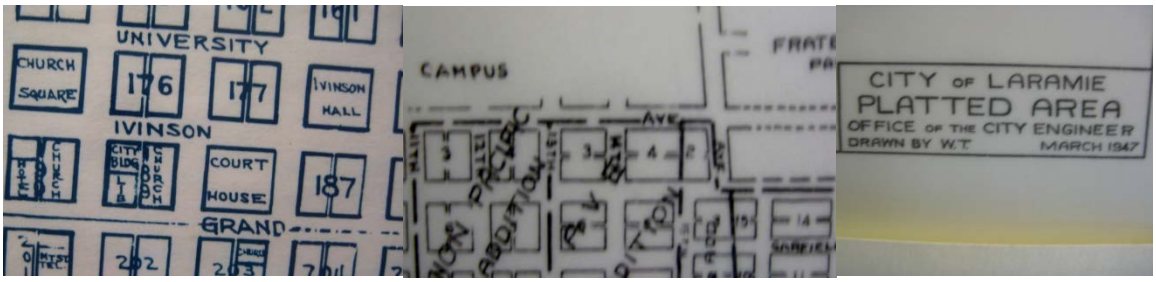
[2] Their maps can be seen at http://www.co.albany.wy.us/gis.aspx

They then directed me to the City Planner's office. I talked to both the planners in the office on that day and subsequently exchanged several emails with Mr. Bloom. I recapped the whole story. They checked all the older street maps that they had and could not tell me why someone put up "Ivinson Street" street signs. We all agreed that it would cost a bunch of money to change them and that it was unlikely that it would ever be done. Finally, I wondered aloud if someone had just made a mistake and they agreed that was a possibility.

Mr. Bloom queried Harold Colby (former street division manager) and he recalled that at one point in the 70's the businesses on the western end of Ivinson asked that it be changed from "Street to Avenue" to make it more appealing. I believe Mr. Colby may have the story correct but the order reversed as the city definitely changed it to Avenue in 1928.

Here are images which show that the city still called it Ivinson Ave through 1985:

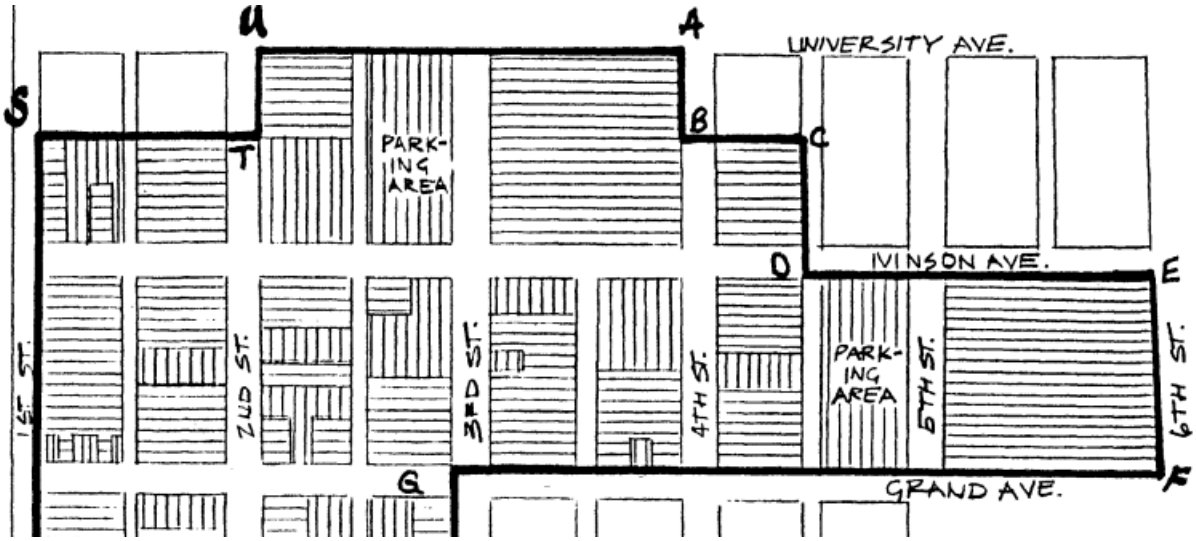
These three images are from the official city map of 1947 showing it as Ivinson Ave. I could not place the entire avenue in a readable form in one image. So the two on the left are separate portions of the same map. One can clearly see though that Ivinson was "Ave" as it ran past the U.W. Campus.



The image below was included for the 1988 submission for the Laramie Historic Downtown Distirct. This photo was taken in 1985. So, here is another clue that the name was never officially changed to Ivinson Street. Of note, is that the submission called it either Aveune or Street in different parts of the document.

Finally a couple of other facts: the U.S. Postal Service calls the lane in question, "Ivinson Street." On the other hand, the letters stamped into the concrete of the curb and gutter along the street say "AVE" not street. I am not sure when those were installed, but I do know that the ones by our house (corner 12th and Steele) were done before 1954. Additionally, a hand drawn map of downtown Laramie

by “Cash” Carroll done in 1949 (he was a property appraiser and real estate agent) and held in the Laramie Plains Museum’s collection lists it as Ivenson (sic) Avenue. Finally, the National Register of Historic Places 1988 submission (approved 11/10/88) for the Laramie Downtown Historic District also has a map that shows the street as “Ivinson Ave.”



Taken in aggregate, I am very confident that the street in question should still be officially Ivinson Avenue.

Kim Viner

307-761-0797

CITY OF LARAMIE COUNCIL REGULAR MEETING October 4, 2016

	Agenda Item: Orig. Ordinance – 1st Reading **Title:** Original Ordinance No. 1956, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District.

Recommended Council MOTION:

Move to **approve** Original Ordinance No. 1956 on first reading, rezoning approximately 18,000 sq. ft. of land located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie, from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business) District, based on findings of fact and conclusions of law; set a public hearing for October 18, 2016.

Administrative or Policy Goal:

The Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2) designates this area as AUC (Auto-Urban Commercial). Rezoning of the area to include ROB (Residential Overlay for Business Districts is in conformance with the Comprehensive Plan as it does not change the base zoning of B2 and allows a historically permitted use to continue to be permitted.

Background:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area approximately 18,000 sq. ft. size located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie. The area proposed for rezoning represents 1 lot zoned B2 (Business) District, which is developed with a single-family house currently being used as a residential dwelling.

The Laramie Planning Commission unanimously recommended the Council approve the Zoning Amendment at their September 12, 2016 meeting (6 yes, 0 no, 1 absent).

The September 12, 2016 Planning Commission staff report is included. No changes have been made to the report subsequent to the Planning Commission action.

Legal/Statutory Authority:

- Laramie Municipal Code. Chapter 15 Unified Development Code
- Wyoming State Statutes Title 15 Article 1 Section 502
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

- All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes

BUDGET FISCAL INFORMATION:

REVENUE

Source	Amount	Type
Fees/Charges for Service	$0.00	No fee for ROB. Resolution 2014-81
Grant		
Loan		
Other		
Total	$0.00	

Responsible Staff:

David Derragon, Assistant City Manager, 307-721-5304

Eric Conner, Associate Planner: 307-721-5344

Work Session	
Advertised	
Public Hearing (PH) Held	10/18/2016
PH Advertised	10/1/2016
Introduction/1st Reading	10/4/2016
2nd Reading	10/18/2016
3rd Reading	11/1/2016

Attachments: Zoning Ordinance
Planning Commission Staff Report dated September 12, 2016

_____ City Manager _____ City Attorney _____ Planning

ORIGINAL ORDINANCE NO.: 1956 INTRODUCED BY:
ENROLLED ORDINANCE NO.:

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, BY REZONING APPROXIMATELY 18,000 SQ. FT. OF LAND LOCATED AT 2159 SNOWY RANGE ROAD, GENERALLY LOCATED ON THE NORTHWEST CORNER OF COLORADO AVENUE AND SNOWY RANGE ROAD IN LARAMIE FROM B2 (BUSINESS) DISTRICT TO B2 (BUSINESS) DISTRICT WITH ROB (RESIDENTIAL OVERLAY FOR BUSINESS DISTRICTS).

WHEREAS, on August 9, 2016, Chad Wagner (applicant) filed with the City an application to rezone approximately 18,000 sq. ft. of property located at 2159 Snowy Range Road, generally located on the northwest corner of Colorado Avenue and Snowy Range Road in Laramie from B2 (Business) District to B2 (Business) District with ROB (Residential Overlay for Business Districts); based on findings of fact and conclusions of law; and

WHEREAS, on September 12, 2016 City staff presented the rezoning application to the Planning Commission with a recommendation of approval for the City Council for the proposed amendment; and

WHEREAS, on September 12, 2016 the City Planning Commission reviewed the rezoning application and by majority vote of its members entertained a motion to recommend approval of rezoning the subject property; and

WHEREAS, notice of a public hearing in compliance with Wyo. Stat. §15-1-602 shall be published in the *Laramie Boomerang* on October 1, 2016;

WHEREAS, a public hearing will be held on October 18, 2016 which notice shall be given at least fifteen (15) days prior to the public hearing in compliance with Wyo. Stat. § 15-1-602.

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

Section 1. That the foregoing recitals are incorporated in and made a part of this Ordinance by this reference.

Section 2. That the Zoning District Map of City is hereby amended by rezoning the subject property from B2 District to B2 District with ROB, which is described as follows:

W LAR B 90 L 4 TR IN 131’6” X 136’

Section 3. That the foregoing described property contains .41 acres more or less, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all improvements thereon.

Section 4. That this ordinance shall become effective after its passage, approval and 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: October 4, 2016
Public Hearing: October 18, 2016
Second Reading: October 18, 2016
Third Reading and Final Action: November 1, 2016

Duly published in the *Laramie Boomerang* this _____day of _____, 2016.

City of Laramie

Planning Division
P.O. Box C
Laramie, WY 82073

Telephone: (307) 721-5207
Fax: (307)721-5248

LARAMIE PLANNING COMMISSION
SEPTEMBER 12, 2016
STAFF REPORT

FILE:	**Z-16-04: 2159 Snowy Range Road**
REQUEST:	Establishment of ROB (Residential Overlay for Business Districts) for an area zoned B2 (Business) District and measuring approximately 18,000 sq. ft. in size.
LOCATION:	2159 Snowy Range Road is located on the northwest corner of Snowy Range Road and Colorado Avenue.
APPLICANT(S)/AGENT:	Chad Wagner
OWNER:	John & Constance Wallace
PURPOSE:	Establishment of ROB (Residential Overlay for Business Districts) to recognize the existing residential use as a single-family home
CURRENT ZONING:	B2 (Business)
PREPARED BY:	Eric Conner, Associate Planner

RECOMMENDED MOTION:

Move to recommend **approval** to the City Council to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

APPLICABLE CITY CODE SECTION(S):

Laramie Comprehensive Plan
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

BACKGROUND:

This zoning would establish ROB (Residential Overlay for Business Districts) for an area of B2 (Business) zoned property approximately 18,000 sq. ft. in size, which is located at the northwest corner of the intersection of Snowy Range Road and Colorado Avenue in west Laramie. The area proposed for rezoning represents 1 parcel with an existing single-family home that is being used residentially. The applicant wishes to re-zone the property to recognize the residential use which

would allow for a new residential addition to be constructed. In order to do so, the parcel needs to be zoned to allow for residential uses. Permitted uses in the B2 district do not include single-family residential uses. However, in recognition that residential and business uses can be compatible in specific locations and under specific criteria, an overlay district to allow this coexistence in B1, B2, C2, and DC districts may be established. The ROB was created with this vision in mind and staff believes this overlay is applicable in this case.

APPLICABILITY TO THE COMPREHENSIVE PLAN:

Future Land Use:

	Future Land Use Designation (Map 3.2)	**Zoning**	**Land Use**
Subject Property	(AUC) Auto Urban Commercial	B2 (Business)	Single-family home
North	(AUC/AUR) Auto Urban Commercial/ Auto Urban Residential	B2 (Business)	Single-family homes
South	(AUR) Auto Urban Residential	B2 (Business)	Snowy Range Road/Commercial
East	(AUC) Auto Urban Commercial	B2 (Business)	TNT Motorsports
West	(AUC) Auto Urban Commercial	B2 (Business)	McKim's Upholstery

Zoning districts associated with Auto-Urban Commercial designations are NB (Neighborhood Business), B1 (Limited Business) and C2 (Limited Commercial). The property is currently zoned B2 (Business), which technically is not aligned with the Future Land Use Plan designation. However, staff has concluded in numerous previous cases that the exclusion of the B2 zone district as a compatible zone is an error in the Comprehensive Plan and should be included. This correction is being recommended in the forth coming Comprehensive Plan updates.

Staff agrees with the Comprehensive Plan's designation of this area being Auto-Urban Commercial. Adding the ROB overlay accommodates the existing land use but does not change the underlying zoning district. Snowy Range Road is a major commercial corridor in Laramie and should remain zoned B2.

LAND USE AND ZONING:

This zoning request does not change the current designation of B2 (Business) District, but includes an overlay district (Residential Overlay for Business Districts). The ROB district applies R3 (Multi-Family Residential) standards to the property. There are currently five ROB overlay districts in west Laramie; four of those are located in the B2 zoning strip along Snowy Range Road. The subject property is also located in the Snowy Range B2 zoning strip. Although not legally necessary, for clarity, staff recommends the motion specify that B2 zoning is to be retained underlying the ROB overlay.

There are several properties zoned B2 along Snowy Range Road in west Laramie that are developed with commercial uses and residential uses. The farther north from Snowy Range Road, the more prominent residential uses are.

PUBLIC COMMENTS:

Public notice was mailed to properties within 300 feet of this property on August 25, 2016. A legal advertisement was published in the Laramie Boomerang on Saturday, August 27, 2015. To date, staff has received no public comment.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Findings of Fact:

- The request complies with the applicable zoning requirements of Laramie Municipal Code, Title 15.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Future Land Use Map (Map 3.2) and related goals and policies of the Comprehensive Plan (2007).

Conclusions of Law:

- The amendment to the zoning map is being processed pursuant to Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning.
- Establishing B2 (Business) District zoning with ROB (Residential Overlay for Business Districts) for the property is consistent with the Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2).

ALTERNATIVES:

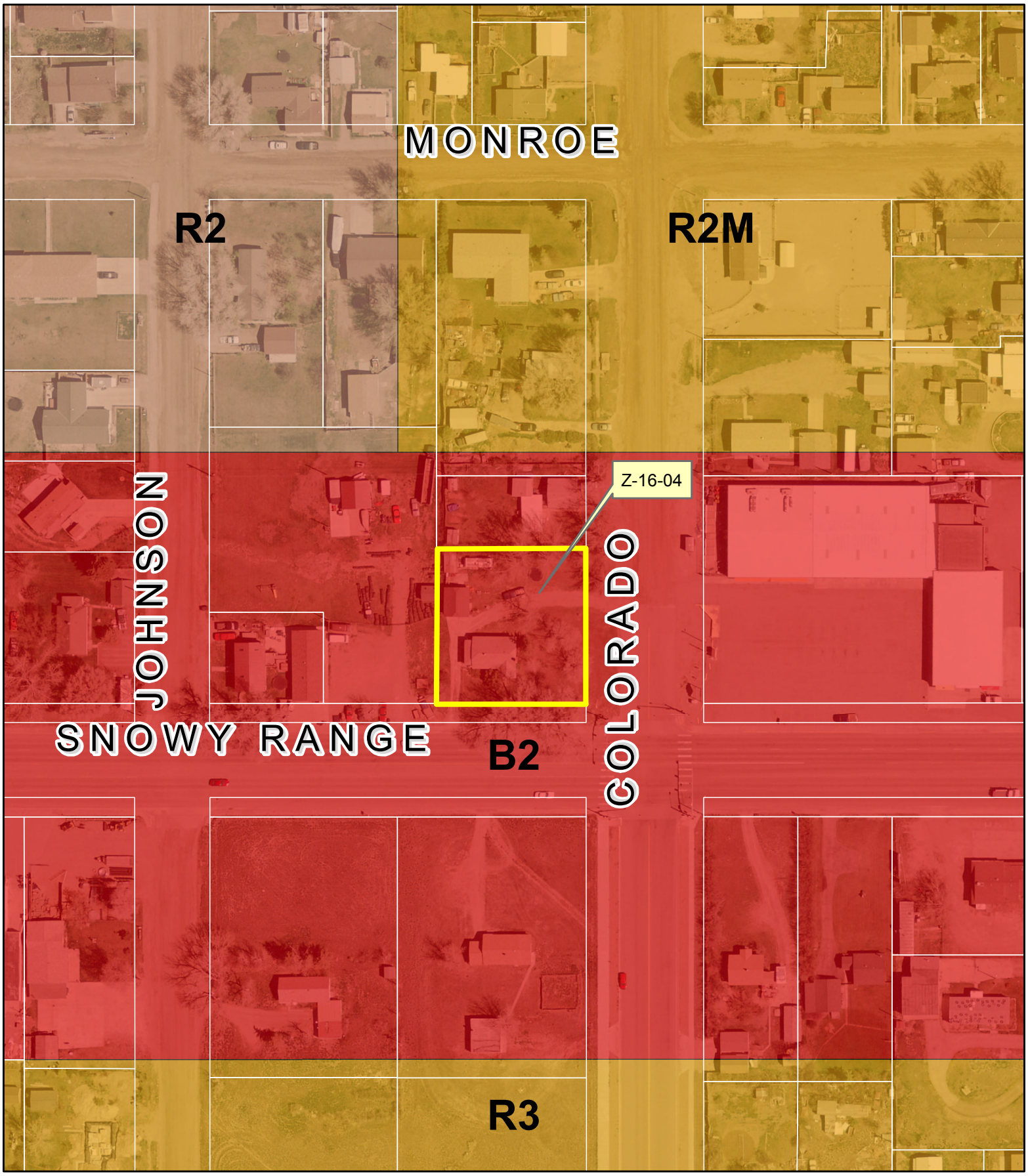
1. Approve the rezoning as recommended by staff, based on findings of fact and conclusion of law. **(Staff's recommendation)**
2. Approve the rezoning with other modifications, based on findings of fact and conclusion of law.
3. Deny the rezoning based on findings of denial. Since staff recommends approval, the Planning Commission must conclude that the rezoning does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone the rezoning until issues identified during the meeting can be resolved with the applicant.

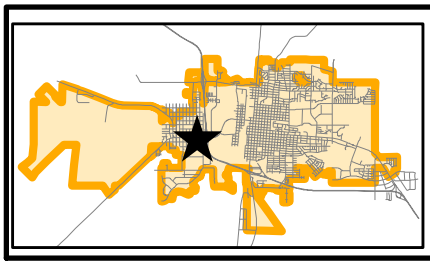
STAFF RECOMMENDATION:

Staff recommends **approval** of the request to establish ROB (Residential Overlay for Business Districts) and to retain B2 (Business) Zoning for 2159 Snowy Range Road which encompasses an area approximately 18,000 sq. ft. in size, based on findings of fact and conclusions of law.

ATTACHMENTS

1. Vicinity Map (1 page)
2. Applicant Cover Letter (1 page)
3. Site Plan (1 page)





Z-16-04
ROB Overlay Zoning

0 40 80 160 240 320 Feet

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N

Chad R Wagner

522 S Johnson

Apt A

Laramie, WY 82070

City of Laramie

Planning Division

406 Ivinson Street

Laramie, WY 82070

August 8, 2016

To whom it may concern:

This letter is in regards to the rezoning application for Property located at 2159 Snowy Range Rd. Laramie, WY 82070.

I Chad R Wagner am writing in request of zone change of property 2159 Snowy Range Rd, From B2 zoning to B2/ROB. I am requesting this change as I am very interested in purchasing the property for my family, and making it a home. We are very attracted to the house and its beautiful surroundings; the large trees and corner lot. This house would be perfect as it is close to our children's school and near family.

As we moved further into the purchase of the property at 2159 Snowy Range Rd we were informed that the current B2 zoning would not allow us to add on to the home itself in a sufficient manor; the addition we are proposing would be a 450 sq. ft. addition to allow for a 3 bedroom two bath home. Unfortunately the property needs numerous updates and is too small for my family to live in. By changing the zoning from B2 to B2/ROB, I would be able to make this house beautiful and large enough for my family; a place my children can call home.

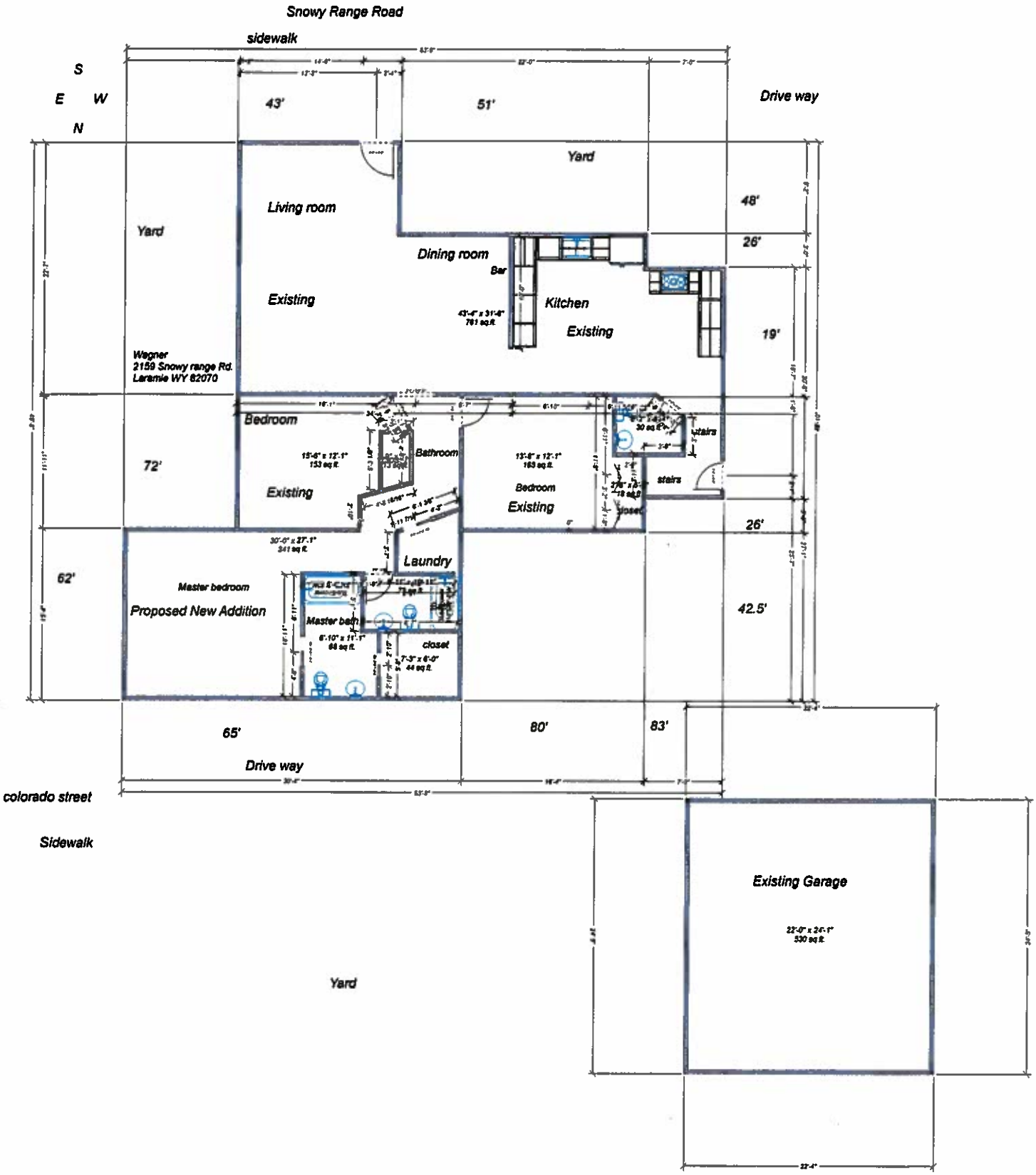
I ask that you consider my request with the knowledge that this can be a home to meet our family's needs.

Thank you,

Chad Wagner

Chad R Wagner

RECEIVED
AUG 09 2016
BY: .....



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<u>UPCOMING COUNCIL MEETINGS</u> October 4, 2016

All meetings at City Hall, 406 Ivinson Street, unless noted.

October 4, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Public Hearing: Original Ordinance No. 1955, renaming the entirety of Ivinson Street to Ivinson Avenue.

6:30 p.m. – Regular Meeting

October 11, 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

October 18, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Public Hearing: Original Ordinance No. 1956, rezone at 2159 Snowy Range Rd *(tentative)*

6:30 p.m. – Regular Meeting

October 25, 2016

6:00 p.m. – Work Session: Public Comments

6:00 p.m. – Work Session: WAM Financial Recommendations and Feedback

6:00 p.m. – Work Session: Fire Rating Review

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

November 1, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Regular Meeting

November 8, 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

November 15, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Regular Meeting

November 22, 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

December 6, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Regular Meeting

<u>UPCOMING COUNCIL MEETINGS</u> **October 4, 2016**

All meetings at City Hall, 406 Ivinson Street, unless noted.

December 13, 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

December 20, 2016

6:00 p.m. – Pre-Council

6:30 p.m. – Regular Meeting

FUTURE CITY COUNCIL WORK SESSIONS 9/20/2016

~~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)
*Urban Renewal (Weaver)

~~Requested by Staff:~~
Downtown Design Guidelines Revisions (CD)
Restaurant and Pool Inspection Program Future (Jordan)
Storm Water Program and Funding (Jaap/Jordan)

* Scheduled, not held.