

MINUTES
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
AUGUST 2, 2016
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1. AGENDA

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

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. Hanson connected telephonically about 6:40 p.m.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; LaDene Culver, City Clerk's Administrative Assistant; Jason Loos, City Attorney; Todd Feezer, Parks & Recreation Director; Earl Smith, Public Works Director; Dan Johnson, Fire Chief; and Dale Stalder, Police Chief.

4. PRE-MEETING ITEMS

4.A. PROCLAMATIONS & PRESENTATIONS

4.B. PUBLIC HEARING

Original Ordinance No. 1951

4.C. ANNOUNCEMENTS

5. Disclosures by City Council Members

None.

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: On the Consent Agenda 8K will now be Vouchers, and add 8L Schedule Meetings.

MOTION CARRIED by voice vote.

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

MOTION CARRIED by voice vote.

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7. Approval of Consent Agenda

MOTION BY PEARCE, seconded by Summerville, 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: Henry on 8D. 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 July 19, 2016, the Special Meeting of July 26, 2016, and have them placed on file for public inspection.

8.B. CEMETERY DEEDS: For July 16-31, 2016

Action: that the Cemetery Deeds for July 16-31, 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. LICENSING: Temporary use of Retail Liquor License No. 2, Literature & Libations, LLC in Albany County.

Action: to grant permission to Literature & Libations, LLC, dba Mulligans Pub, Retail Liquor License No. 2, to file an application for alcohol catering with Albany County Commissioners to locate their license at 251 Mandel Lane in Albany County on August 13, 2016 from 3:00 pm to 12:00 am, for a private wedding reception.

8.D. ORDINANCE: Original Ordinance No. 1948, vacating a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition and consideration of related Quitclaim Deed. Third and Final Reading. (Introduced by Summerville)

Action:

a. to approve Original Ordinance No. 1948 on third and final reading, vacating a 4,224 sq. ft. area of alley of right-of-way within Block 1, University Place Addition, based on findings of fact and conclusions of law, authorize the Mayor and Clerk to sign the Ordinance and authorize the Clerk to record the Ordinance with the County Clerk.

b. to approve the Quitclaim Deed conveying a 4,224 sq. ft. area of alley right-of-way within Block 1, University Place Addition to the University of Wyoming, authorize the Mayor and Clerk to sign the Quitclaim Deed and authorize the Clerk to record the Quitclaim Deed with the County Clerk.

8.E. ORDINANCE: Original Ordinance 1950 to delete Section 10.24.030(H) of the Laramie Municipal Code Driving Under the Influence. Third and Final Reading. (Introduced by Weaver). Third and Final Reading. (Introduced by Weaver).

Action: to approve Original Ordinance 1950 and authorize the Mayor and Clerk to sign

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8.F. AGREEMENT MODIFICATION: Consideration of a modification to the term of the Agreement between the City of Laramie and Wyoming State Parks and Cultural Resources for a Wyoming Cultural Trust Fund grant for improvements to the Edgar J. Lewis Band Shell in Washington Park.

Action: to approve the modified agreement extending the term from June 30, 2016 to October 1, 2016 between the City of Laramie and Wyoming State Parks and Cultural Resources for a Wyoming Cultural Trust Fund grant for improvements to the Edgar J. Lewis Band Shell in Washington Park and authorize the Mayor and Clerk to sign.

8.G. AGREEMENT: Operational Agreement Between the City of Laramie and the Albany County Rural Fire District No. 1

Action: that Council approves the operational agreement between the City of Laramie and Albany County Fire District No. 1 for the 2016 - 2017 fiscal year, in the amount of \$118,320.00, and authorize the Mayor and City Clerk to sign.

8.H. AGREEMENT: Professional Services Agreement with Ayres Associates for a bicycle/pedestrian corridor feasibility study.

Action: to approve the Professional Services Agreement between the City of Laramie and Ayers Associates of Cheyenne, WY for a bicycle/pedestrian feasibility study in the amount of \$47,500.00 plus a contingency of \$2,500.00 for a total not to exceed amount of \$50,000.00, to approve the agreement therefore, and authorize the Mayor and Clerk to sign.

8.I. ADOPTION: Albany County Emergency Operations Plan

Action: that Council adopts the Albany County Emergency Operations Plan for the City of Laramie, Town of Rock River, and Albany County, Wyoming, and authorizes the Mayor and City Clerk to sign.

8.J. MOU: Memorandum of Understanding between the Laramie Police Department and Albany County School District #1 for School Resource Officers

Action: to approve a memorandum of understanding between the Laramie Police Department and Albany County School District #1 to provide School Resource Officers for the 2016-2017 school year.

8.K. Vouchers

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 August. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.

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8L. SCHEDULE MEETING(S)

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

- 1. August 15, 2016, 6:30 pm, Public Hearing:** Ordinance amending various sections of the Laramie Municipal Code related to parking.
- 2. August 17, 2016, 4:00 pm, Work Session:** LCCC Tour (LCCC Cheyenne campus)
- 3. August 18, 2016, 6:00 pm, Special Meeting:** Adjourn into Executive Session regarding personnel
- 4. August 19, 2016, 6:00 pm, Special Meeting:** Public Comments re city attorney selection; Recess to Executive Session regarding: personnel; Consideration to direct City Attorney to enter into contractual negotiations with selection for position of City Attorney; Adjournment.

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9. REGULAR AGENDA

10. Resolution 2016-55, accepting the donation of funds from Mr. Raj Patel to be used towards the purchase of trees in the Boulder Drive medians.

MOTION BY WEAVER, seconded by Pearce, that Council move to approve Resolution 2016-55, accepting the donation of funds from Mr. Raj Patel to be used towards the purchase of trees in the Boulder Drive medians 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. Stagecoach Preliminary Plat

MOTION BY SHUSTER, seconded by Weaver, that Council approve the Stagecoach Subdivision Preliminary Plat, based on findings of fact and conclusions of law, and subject to all Planning Commission's recommended conditions.

MOTION BY SHUSTER, seconded by Shumway, that Council amend Planning Commission condition 2a) and 3 as recommended by staff.

Hanson joined telephonically about 6:40 p.m.

MOTION BY SHUSTER, seconded by Shumway, that Council amend the amendment that the sidewalk between the two properties in the twenty foot easement now become a five foot standard City approved sidewalk.

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

MOTION BY SHUSTER, seconded by Shumway, that Council amend that the twenty foot Right-of-Way, ten feet out of each one of these that was just an easement, now becomes a twenty foot gap between the two lots, that will be completely owned by the City, and the sidewalk would be a five foot sidewalk, standard width, meeting all City standards.

Roll call ON RIGHT-OF-WAY AMENDMENT showed Aye: Henry, Shumway, Shuster, Vitale, and Paulekas. Nay: Hanson, Summerville, Weaver, and Pearce. Absent: None. MOTION CARRIED.

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

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

12. Resolution 2016-56, supporting the petition regarding the street name change of Iverson Street to Iverson Avenue, for the address of 406 Iverson only."

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MOTION BY HENRY, seconded by Shuster, that Council approve Resolution 2016-56 authorizing the approval of resident petition to formally return the naming of Iverson Street to Iverson Avenue, and authorize the Mayor and Clerk to sign the resolution and the petition.

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

13. Approval of Buy-Sell Agreement in the Amount of \$400,000 for Monolith Ranch acreage (722.60 acres) between the City of Laramie and Mountain Cement

MOTION BY VITALE, seconded by Shuster, that Council approve the buy-sell agreement between the City of Laramie and Mountain Cement for sale of 722.60 acres located on the Monolith Ranch in the amount of \$400,000 and authorize the Mayor and City Clerk to sign.

MOTION BY SUMMERVILLE, seconded by Pearce, that council postpone this item until September 6, 2016, direct staff to negotiate and include in the contract an economic development description and benchmarks.

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

MOTION BY SUMMERVILLE, seconded by Pearce, that Council amend so Laramie retains the First Right of Refusal in the event that they do not receive the mining permit or when they sell the land in the future.

Council recessed at 8:21 p.m.

Council reconvened at 8:30 p.m.

Roll call ON FIRST RIGHT AMENDMENT showed Aye: Hanson, Henry, Summerville, and Pearce. Nay: Shumway, Shuster, Vitale, Weaver, and Paulekas. Absent: None. MOTION FAILED.

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

Vitale exited the meeting at 8:40 p.m.

14. Amendment I to the Business Ready Community Grant and Loan Program Grant Agreement between the Wyoming Business Council and the City of Laramie for the Tungsten Heavy Powder and Parts Project

MOTION BY SHUSTER, seconded by Henry, that Council approve Amendment I to the Business Ready Community Grant and Loan Program Grant Agreement between the Wyoming Business Council and the City of Laramie for the THPP Project and authorize Mayor and Clerk to sign.

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

15. Original Ordinance No. 1951, Amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to Regulate Solid Waste Fees in the City of Laramie Second Reading (Introduced by Hanson)

MOTION BY WEAVER, seconded by Pearce, that Council approve Second Reading of Original Ordinance No. 1951 amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to modify solid waste fees and to authorize the Mayor and City Clerk to sign.

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

16. Agreement with the University of Wyoming to extend Jacoby Water Agreement through the end of the year.

MOTION BY SHUMWAY, seconded by Summerville, that Council approve the Agreement to extend the Jacoby Water Agreement through the end of the year 2016 and authorize the Mayor and Clerk to sign.

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

MOTION BY SUMMERVILLE, seconded by Shuster, that Council consider item No. 19 and No. 20 out of order.

MOTION CARRIED by voice vote.

19. Resolution 2016 - 57, setting the time and date of the Regular Council Meeting normally held on Tuesday, August 16, 2016.

MOTION BY SHUMWAY, seconded by Shuster, that Council approve Resolution 2016-57, setting the time and date of the Regular City Council Meeting normally held on Tuesday, August 16, 2016 to be changed to Monday, August 15, 2016, and authorize the Mayor and Clerk to sign.

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

20. Resolution 2016 - 58 appointing one (1) member of the Environmental Advisory Committee in concurrence with the Board of County Commissioners.

MOTION BY HENRY, seconded by Weaver, that that Council approve Resolution 2016 - 58, appointing Geoffrey Thyne to the Environmental Advisory Committee for the remainder of a

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three year term, expiring on November 7, 2016, and authorize the Mayor and Clerk to sign the Resolution.

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

17. Original Ordinance 1952 to add section 10.36.330; amend sections 10.36.010, 10.36.020, 10.36.080, 10.36.090, 10.36.120, 10.36.130, 10.36.140, 10.36.150, 10.36.220, 10.36.280, 10.36.300, 10.36.310, 10.36.350; delete Sections 10.36.050, 10.36.160, 10.36.170, 10.36.180, 10.36.190, 10.36.200 of the Laramie Municipal Code.
Introduction and First Reading

AN ORDINANCE TO ADD SECTION 10.36.330; AMEND SECTIONS 10.36.010, 10.36.020, 10.36.080, 10.36.090, 10.36.120, 10.36.130, 10.36.140, 10.36.150, 10.36.220, 10.36.280, 10.36.300, 10.36.310, 10.36.350; DELETE SECTIONS 10.36.060, 10.36.160, 10.36.170, 10.36.180, 10.36.190, 10.36.200 OF THE LARAMIE MUNICIPAL CODE
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING

MOTION BY SUMMERVILLE, seconded by Shumway, that Council approve Original Ordinance 1952 to add section 10.36.330; amend sections as enumerated, and delete sections as enumerated, of the Laramie Municipal Code, set it for second reading on August 16, 2016, and set a Public Hearing August 16, 2016.

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

~~**18. Original Ordinance No. 1949, amending Title 15 of LMC for the purposes of amending the Landscaping Requirements.**~~ Second Reading. (Introduced by Pearce)

~~**21. Consideration of future Council work session topics**~~

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

None.

23. Adjournment

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

MOTION CARRIED by voice vote.

Council adjourned at 9:40 p.m.

Respectfully submitted,

Angie Johnson
City Clerk