

**MINUTES**  
**CITY OF LARAMIE, WYOMING**  
**CITY COUNCIL MEETING**  
**May 01, 2012**  
**Page 1**

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

**1. Pledge of Allegiance.**

Mayor Mullner led the Pledge of Allegiance.

**2. Roll Call.**

Roll call showed Present: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Absent: None.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Sue Morris-Jones, City Clerk; David Clark, City Attorney; Malea Brown, Administrative Service Director; Randy Hunt, Community Development Director; Paul Harrison, Parks and Recreation Director; Richard Elliott, Public Works Director; and Dale Stalder, Police Chief.

**3. Disclosures by City Council Members.**

Molvar related that there was no conflict with Item No. 6

Mullner requested recusal on Item No. 8.

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

A. MOTION BY MCCRAKEN, seconded by Shumway, that the following changes to the Agenda be approved: Item No. 13 to 6A, Norris Addition Final Plat; Item No. 14 to 6B, Fox Addition Final Plat; Delete Item 5K4, Work Session on May 22, 2012; and move Item 5E to 17, the minutes to the Traffic Commission.

MOTION CARRIED by voice vote.

B. MOTION BY MCCRAKEN, seconded by Hanson, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

**5. Approval of Consent Agenda.**

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

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**CONSENT AGENDA**

5A. Minutes of City Council Meetings.

Action: that Council approve the Minutes of the City Council Regular Meeting of April 17, 2012, Special Meeting of April 24, 2012 and Public Hearings of April 24, 2012, and have them placed on file for public inspection.

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- 5B. Cemetery Deeds for April 16-30, 2012.  
Action: that the Cemetery Deeds for April 16-30, 2012 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.
- 5C. Vouchers for April 2012.  
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 June. These expenditures are to be paid subject to audit by the City of Laramie Finance Department.
- 5D. Minutes.  
Action: that Council acknowledge receipt of the Minutes of the Parks, Tree and Recreation Advisory meeting of April 11, 2012, and that the following recommendations be approved:  
  1. To approve the placement of five (5) interpretive signs for the Laramie River Restoration Project along the Laramie River Greenbelt Park;
  2. To authorize the staff to permit land negotiations on a 60 acre parcel adjacent to Optimist Park and the Laramie River Greenbelt;
  3. To approve a fifty percent reduction in the facility use fees for the Wyoming Special Olympics to hold their state summer games at the Laramie Community Recreation Center and the Ice & Event Center on May 10-12, 2012;
  4. To approve the Memorandum of Understanding between the City of Laramie and Laramie Youth Baseball Association for the 2012 baseball season;
  5. To approve the use of vending machines to dispense feminine products in the Laramie Community Recreation Center women's locker room and in the Ice & Event Center women's restroom.
- 5E. Minutes.  
Moved to 17.
- 5F. Minutes.  
Action: that Council acknowledge receipt of the Minutes of the Parks, Trails and Recreation Ad Hoc Advisory Committee meeting of April 11, 2012.
- 5G. Agreement.  
Action: that Council approve the Professional Services Agreement between the City of Laramie, Wyoming and Borstad Consulting, Ft. Collins, CO, for inspection/analysis of asphalt street pavement, in the amount of \$42,000.00, and authorize the Mayor and City Clerk to sign.
- 5H. Bid.  
Action: that Council award the Backwash Pump Rebuild Project Bid to Sargent Drilling Company, Broken Bow, NE, in the amount of \$78,072.00 plus a contingency of

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\$7,800.00 for a total amount not to exceed \$85,872.00, to approve the Contract therefore, and authorize the Mayor and City Clerk to sign. [

- 5I. Bid.  
Action: that Council award the Public Works Solid Waste Division Pickup Bid to Wolf's Pinedale Dodge, Pinedale, WY, in the amount of \$22,385.00.
- 5J. Contract Amendment.  
Action: that Council approve the Amendment to Recycling Services Contract between City of Laramie, WY and Waste Management of Colorado, Inc., to establish a monthly billing and equipment fee, to set the commencement date for such, and authorize the Mayor and City Clerk to sign.
- 5K. Schedule Meeting(s):  
Action: that Council schedule the following meeting(s):
1. Public Hearing, May 08, 2012, 6:00 p.m., Application Restaurant Liquor License, Boomer's BBQ, LLC;
  2. Work Session at Civic Center, May 17, 2012, 6:00 p.m., Laramie Plains Civic Center Board Presentation;
  3. Work Session, May 22, 2012, 6:00 p.m., South Gateway Drainage;
  4. ~~Work Session, May 22, 2012, 6:00 p.m., Presentation on North Laramie Drainage Master Plan;~~
  5. Work Session, May 22, 2012, 6:00 p.m., Presentation of 2012 Citizens' Survey.

**REGULAR AGENDA**

**6. Resolution No. 2012-27, in support of reducing greenhouse gas pollution under the Clean Air Act and Notice of such being sent to Environmental Protection Agency Administrator Lisa P. Jackson.**

The City Clerk read Resolution No. 2012-27 by title only.

RESOLUTION OF THE CITY OF LARAMIE IN SUPPORT OF REDUCING GREENHOUSE GAS POLLUTION UNDER THE CLEAN AIR ACT AND NOTICE OF SUCH BEING SENT TO ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATOR LISA P. JACKSON.

MOTION BY MOLVAR, seconded by Hanson, that Council approve Resolution 2012-27, supporting the reduction of greenhouse gas pollution and authorize the Mayor and Clerk to sign and send a copy of such to the Administrator of the EPA.

QUESTION CALLED BY SHUMWAY, seconded by McKinley.

Roll call showed Aye: Paulekas, McKinley, Kempert, Shumway, and McCracken. Nays: Molvar, Vitale, Hanson, and Mullner. Absent: None. QUESTION CARRIED.

Roll call showed Aye: Kempert, Molvar, and Hanson. Nays: Paulekas, McKinley, Vitale, Shumway, McCracken, and Mullner. Absent: None. MOTION FAILED.

**6A. Consideration of Norris Addition Final Plat (location: west of Overland Rd between Whitman & Bonneville Sts; owner: Jay Deveraux).**

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MOTION BY VITALE, seconded by Kempert, that Council approve the Norris Addition final plat based on findings of fact and conclusions of law; noting that a subdivision security and improvement deferral acknowledgment and the required financial security have been received, and that a check for required parks in-lieu of fees in the amount of \$7,588.35 has been received for service area 9; and authorize the Mayor and City Clerk to sign the final plat.

Roll call showed Aye: Paulekas, McKinley, Kempert, Vitale, Hanson, Shumway, and McCracken. Nays: Molvar and Mullner. Absent: None. MOTION CARRIED.

**6B. Consideration of Fox Addition Final Plat (location: Lot 1, Blk 8, Wesfield Village 2<sup>nd</sup> Filing; 9.1 acres; owner: Paul Hoffman).**

MOTION BY MCKINLEY, seconded by Molvar, that Council approve the Fox Addition final plat based on findings of fact and conclusions of law; noting that a check for required parks in-lieu of fees in the amount of \$22,765 has been received for service area 3; and to authorize the Mayor and City Clerk to sign the final plat; provided, however, that the final plat shall not be released to the developer or his agent for recordation until the following actions are complete:

- a. All subdivision improvements as may be required by the City Engineer are completed, inspected, and approved by the City, and
- b. any and all remaining subdivision improvements are acknowledged by the developer, and financial security acceptable to the City is provided, such securities specifically to include the twenty-five (25%) one year warranty amount.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**7. Resolution No. 2012-28, in support of Enrolled Ordinance No. 1612, designating dog friendly/dog park areas and times within City parks when a dog is not at-large.**

The City Clerk read Resolution No. 2012-28 by title only.

A RESOLUTION DESIGNATING DOG FRIENDLY AREA S AND TIMES WITHIN CITY PARKS WHEN A DOG IS NOT AT LARGE.

MOTION BY MOLVAR, seconded by Vitale, that Council approve Resolution 202-28 designating Optimist Park (new fenced dog park) from dawn to dusk, the north side of Depot Park (excluding parking lots and playgrounds) from dawn to 10:00 a.m. and from 3:00 p.m. to dusk with time adjusted during Daylight Savings Time (DST) to be dawn to 10:00 a.m. and 5:00 p.m. to dusk when a dog is not at large and authorize the Mayor and City Clerk to sign.

MOTION BY PAULEKAS, seconded by Kempert, that Council amend to eliminate (6<sup>th</sup> whereas paragraph). Whereas the Parks, Tree and Recreation Advisory Board recommended the City Council explore additional fenced dog parks areas to be located in LaBonte Park, the undeveloped side of LaPrele Park, and an area outside of the APO within the Turner Tract.

Roll call ON AMENDMENT showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

Roll call ON MAIN MOTION AS AMENDED showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

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**8. Consideration of the issuance of the newly authorized retail liquor licenses to appropriate applicants.**

MOTION BY MOLVAR, seconded by Kempert, that Council recuse Mayor Mullner for Item No. 8, consideration of the issuance of the newly authorized retail liquor licenses to appropriate applicants.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, and McCracken. Nays: McKinley. Abstain: Mullner. MOTION CARRIED.

Mayor Mullner left mayor's seat and relocated to Council Chambers, Vice-Mayor McCracken assumed position.

Council recessed at 8:15 p.m.

Council reconvened at 8:25 p.m.

MOTION BY HANSON, seconded by Vitale, that Bailey's of Laramie, Inc., be awarded a retail liquor license at such a time as the following conditions have been met, and that the City Clerk be authorized to issue such license at such time as when the applicant has demonstrated compliance with the specified conditions, and has paid the pro-rata cost of the license.

Conditions:

1. That the construction of the proposed building, as proposed to the Council, at the specified location, be completed to the point that a certificate of occupancy has been issued, and that such construction meet the applicable building code within the period of 1 year from the date of approval, within a period of no more than one year.
2. That once a commitment for construction has been received from a financing institution for the construction of the building, that the license may be utilized as an asset in the financing package, and that the license shall be issued when the building has been completed.
3. That the license be in operation within a period of no more than one year.

Roll call showed Aye: Vitale, Hanson, and McCracken. Nays: Paulekas, McKinley, Kempert, Molvar, and Shumway. Recused: Mullner. MOTION FAILED.

MOTION BY PAULEKAS, seconded by Molvar, that the Fox Hole Enterprises, LLC, dba Fox Hole, be awarded a retail liquor license for the address of 110 South 2<sup>nd</sup> Street at such a time as the following conditions have been met, and the City Clerk be authorized to issue such license at such time as when the applicant has demonstrated compliance with specific conditions, and has paid the pro-rated cost of the license.

Conditions:

1. That the proposed building has been completed to the point that a certificate of occupancy has been issued for the first floor restaurant and liquor establishment.
2. The building has been constructed in accordance with the design guidelines established by the Downtown Development Authority and Main Street.
3. The building has been constructed with not less than three stories and with the proposed historic façade and in accordance with the proposal submitted to Council dated October 31, 2011 at the location specified therein.
4. In the event that a financing institution requires a commitment of the issuance of the license in order to provide the financing necessary for construction of the building, the applicant may use this commitment conditioned on the completion of the building as collateral for the loan, and the financial institution may obtain the liquor license if the applicant defaults on the provisions of the loan, subject to conditions specified herein. The financial institution may transfer the right to obtain the license to another, but not to a different location.

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5. The Certificate of Occupancy for the first floor restaurant and liquor establishment must be obtained within two years six months from the date of the passage of this motion.

Roll call showed Aye: Paulekas, Kempert, Molvar, Shumway, McCracken. Nays: McKinley, Vitale, and Hanson. Recused: Mullner. MOTION CARRIED.

MOTION BY MOLVAR, seconded by Vitale, that the Crowbar and Grille, LLC, dba Crowbar and Grille, be awarded a retail liquor license for the address of 202 South 2<sup>nd</sup> Street at such a time as the following conditions have been met, and the City Clerk be authorized to issue such license at such time as when the applicant has demonstrated compliance with specified conditions, and has paid the pro-rata cost of the license.

Conditions:

1. That the proposed renovations have been completed to the point that a certificate of occupancy has been issued for the establishment.
2. The renovations have been completed in accordance with applicable building codes as well as applicable design guidelines established by the Downtown Development Authority and Main Street within 2 years from the date of approval.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, and McCracken. Nays: McKinley. Recused: Mullner. MOTION CARRIED.

MOTION BY MCKINLEY, seconded by Kempert, that Council deny the applications of Luciano's Italian Restaurant, 3626 East Grand; Luciano's Italian Restaurant, 100 East Iverson; and Arsenio Lemus Holdings, LLC.; for Retail Liquor License.

Roll call showed Aye: McKinley, Paulekas, Kempert, Molvar, and Shumway. Nays: Vitale, Hanson, and McCracken. Recused: Mullner. MOTION CARRIED.

Council recessed at 10:15 p.m.

Council reconvened at 10:20 p.m.

Mayor Mullner resumed his position.

MOTION BY MCCRAKEN, seconded by Molvar, that Council continue to 11:00 p.m.

Roll call showed Aye: Paulekas, Molvar, Vitale, Shumway, and Mullner. Nays: McKinley, Kempert Hanson, and McCracken. Absent: None. MOTION CARRIED

**9. Consideration of Firefighters Local 946, IAFF Union Contract 2012-2013 (\$33,904.00).**

MOTION BY KEMPERT, seconded by Molvar, that Council approve and ratify FY 2012-2013 collective bargaining agreement between City of Laramie and Firefighters Local 946, IAFF and authorize the Mayor and City Clerk to sign.

QUESTION BY VITALE, seconded by Kempert.

Roll call ON QUESTION showed Aye: McKinley, Kempert and Vitale. Nays: Paulekas, Molvar, Hanson, Shumway, McCracken, and Mullner. Absent: None. QUESTION FAILED.

Roll call ON MOTION showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway,

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McCraken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**10. Consideration of Professional Service Agreement between City of Laramie, Wyoming and Community Builders, Inc., in collaboration with Coffey Engineering and Surveying, BHA Design, Inc., and TMNG Global, for creation of a Development Plan for the Cirrus Sky Data Center/Technology Park.**

MOTION BY SHUMWAY, seconded by Molvar, that Council approve the Professional Services Agreement with Community Builders, Inc., in an amount not to exceed \$63,731; and authorize the Mayor and City Clerk to sign the agreement.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCraken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**11. Consideration of Professional Services Agreement for SPT 2 Schedule 3 Engineering Services.**

MOTION BY PAULEKAS, seconded by Shumway, that Council approve the Professional Services Agreement between the City of Laramie and Short Elliott Hendrickson, Laramie, WY, for the Specific Purpose Tax Phase 2 Bid Schedule 3 Project in the amount of \$75,900.00, plus \$7,590.00 in contingency for a total amount not to exceed \$83,490.00, to approve the contract therefore, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCraken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**12. Consideration of Professional Services Agreement between City of Laramie, WY and Vector Disease Control, Inc. for 2012 aerial application services of mosquito control pesticides.**

MOTION BY PAULEKAS, seconded by Molvar, that Council approve the Contract between the City of Laramie and Vector Disease Control Incorporated (VDCI) of Little Rock, Arkansas for the professional aerial application services of mosquito control pesticides for the 2012 season in an amount not to exceed \$51,000 for approximately 4,000 acres of aerial larviciding and approximately 15,000 acres of aerial adulticiding along with authorizing a contingency of \$10,000 and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCraken, and Mullner. Nays: Hanson. Absent: None. MOTION CARRIED.

**13. Moved to 6A.**

**14. Moved to 6B.**

**15. Original Ordinance No. 1848, amending Section 2.04.014 of LMC to provide sufficient time for inclusion of resigned position on Council on Primary Election ballot and adequate notice to public for candidates to apply. (Introduced by Kempert) Second Reading.**

MOTION BY KEMPERT, seconded by McCraken, that Original Ordinance No. 1848, Procedure for Filling council Vacancies be passed on Second Reading.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCraken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

~~16. Resolution No. 2012-29, appointing a member of the Planning Commission to the eleven member~~

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~~Citizen Ad Hoc Advisory Committee for the City of Laramie, Wyoming, to assist with the completion of a Parks, Trails and Recreation Master Plan for the City and all City-owned properties.~~

~~17A. — Action: that Council acknowledge receipt of the Minutes of the Traffic Commission meeting of February 09, 2012, and approve the following recommended actions:~~

~~1. — To approve lowering the speed limit from 30 mph to 20 mph in front of Slade School on 11<sup>th</sup> Street, from Baker St. to Sully Street;~~

~~2. — To approve lowering the speed limit from 30 mph to 20 mph along Grand Avenue and Cedar Street adjacent to the Montessori School.~~

~~17. — Consideration of future Council work session topics.~~

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

None.

**19. Adjournment.**

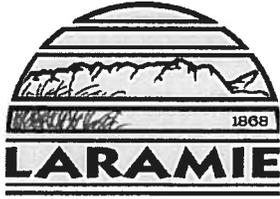
MOTION BY HANSON, seconded by Shumway, that Council adjourn.

MOTION CARRIED by voice vote.

Council adjourned at 11:00 p.m.

Respectfully submitted,

Sue Morris-Jones, MMC  
City Clerk



## City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

Planning: (307) 721-5207  
Code Administration: (307) 721-5271  
Fax: (307) 721-5248  
Engineering: (307) 721-5291  
Fax: (307) 721-5216  
TTD: (307) 721-5295

### MINUTES

#### Laramie Planning Commission

Monday, June 25, 2012 at 4:30 PM  
City Council Chambers, City Hall  
406 Ivinson, Laramie, WY

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*The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Community Development Department 48 hours in advance of the meeting.*

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#### 1. CALL TO ORDER/ ROLL CALL

Meeting convened at 4:31PM

Members present: Vicki Henry, Jim McGrath, Randy Vickers, Paul Weaver (left at 5:39 PM), Kaye Willis (Chair)

Members absent: Jon Gardzelewski

There was a quorum present at all times.

Council Liaison: Erik Molvar (absent)

Staff Present: Randy Hunt, Janine Jordan, Larry Ketcham, Derek Teini, and Kathleen Wickersham

#### 2. APPROVAL OF AGENDA AND MINUTES

##### 2-A. AGENDA: Changes and Approval of Agenda.

Approval of the Agenda as written.

##### 2-B. MINUTES: Monday, June 4, 2012 Planning Commission Meeting

**MOTION BY HENRY, seconded by Vickers,** to approve the Minutes from the June 4, 2012 Planning Commission meeting as written.

Aye: 5

Nay: 0

**Motion carried.**

#### 3. CITIZEN COMMENTS - Non-Agenda Related Topics – No Action Can Be Taken

No comments

#### 4. PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS

##### 4-A. Monthly Report

A copy of the Community Development Department's Monthly Report was provided to each Commissioner in their agenda packet.

No comments

#### 5. DISCLOSURES

No disclosures

#### 6. CURRENT PLANNING PROJECTS

##### OLD BUSINESS:

No items

**NEW BUSINESS:**

**6-A. Cirrus Sky Technology Park: Draft Report Presentation & Discussion**

A PowerPoint presentation was given on the concept plan for the north Laramie Data Center/Technology Park. Each Commissioner was provided a paper copy of the slides.

The following representatives addressed the Commission on this matter:

Joe Coyne, Community Builders, Inc.  
Roger Sherman, BHA Design  
Gary Odehnal, Coffey Engineering & Surveying  
Joseph Sharkey, TMNG Global  
Gaye Stockman, Laramie Economic Development Corp

**7. LONG RANGE PLANNING PROJECTS**

No items

**8. VARIANCES (sitting as Board of Adjustment)**

No items

**9. ADJOURNMENT**

**MOTION BY VICKERS, seconded by Henry, to adjourn the meeting.**

Aye: 4 (Weaver absent)

Nay: 0

**Motion carried.**

Meeting adjourned at 5:57 PM.

VALIDATED:

KAYE WILLIS	07/09/2012
Kaye Willis, Planning Commission Chair	Date
KATHLEEN WICKERSHAM	07/09/2012
Kathleen Wickersham, Planning Commission Secretary and Clerk	Date

The original Minutes were approved and signed on July 9, 2012.  
The signed document is on file.

**UPCOMING COUNCIL MEETINGS 26 June 2012**

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

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**June 26, 2012**

1. 6:00 p.m. – **Public Hearing:** Orig. Ordinance No. 1849, rezoning Fox Addition
  2. 6:00 p.m. – **Work Session:** Draft Plan for Cirrus Sky Tech Park Plan *Presentation*
  3. 6:00 p.m. – **Work Session:** Litter Control *Attached*
  4. 6:00 p.m. – **Work Session:** Agenda Review
- 

**July 03, 2012**

- 6:00 p.m. – **Pre-Council**
- 6:30 p.m. – **Regular Meeting**

**July 10, 2012**

- 6:00 p.m. – **Public Hearing:** Original Ordinance No. 1850, amending Title 15 of LMC
- 6:00 p.m. – **Work Session:** Presentation of EMS Study by Fitch & Associates
- 6:00 p.m. – **Work Session:** Agenda Review
- 6:00 p.m. – **Work Session:** City Council Updates

**July 17, 2012**

- 6:00 p.m. – **Pre-Council**
- 6:30 p.m. – **Regular Meeting**

**July 24, 2012**

- 6:00 p.m. – **Work Session:** Agenda Review
  - 6:00 p.m. – **Work Session:** Parks, Trails, Recreation Master Plan Ad Hoc Advisory Committee Update
  - 6:00 p.m. – **Work Session:** Low income ordinance
- 

**August 07, 2012**

- 6:00 p.m. – **Pre-Council**
- 6:30 p.m. – **Regular Meeting**

**August 14, 2012** – Open

August 21, 2012 – Primary Election

**August 22, 2012**

- 6:00 p.m. – **Pre-Council**
- 6:30 p.m. – **Regular Meeting**

August 28, 2012 – Open



**Community Builders, Inc.  
Coffey Engineering & Surveying  
BHA Design  
TMNG Global**

# **CIRRUS SKY TECH PARK**

**Progress report on  
Concept Plan for the north Laramie  
Data Center/Technology Park**



# PROJECT GOALS

- Create a business environment in north Laramie that is suitable and attractive to:  
Data Centers; High Tech Businesses;  
Research & Development Institutions; and  
other compatible uses.
- Maximize flexibility to allow for a variety of development options.

# PROJECT GOALS

- Add value to greatest amount of property with an efficient extension of the public infrastructure
- Make available a series of “shovel ready” and “business-ready” sites.
- Create a source of community pride and build upon Laramie’s community values

**Now is the time to act!**

# MISSED OPPORTUNITIES

During the last four years 37 high tech firms were not able to expand or relocate to Laramie.

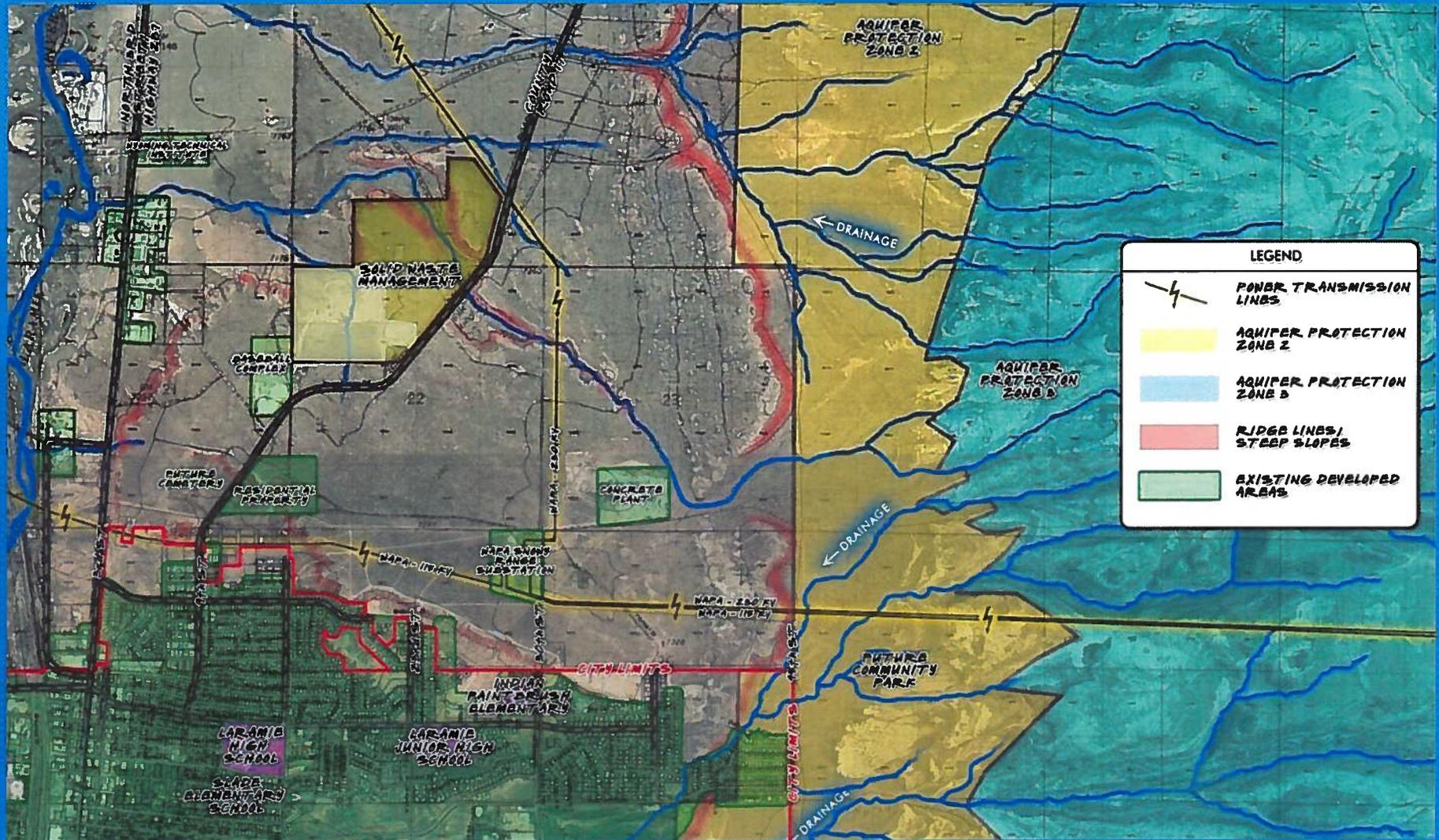
**Ex: Microsoft's new location in Cheyenne**

**"We are very pleased to welcome Microsoft to our community... I believe that this announcement, once again, illustrates how important it is to have property available and ready for economic development." –**

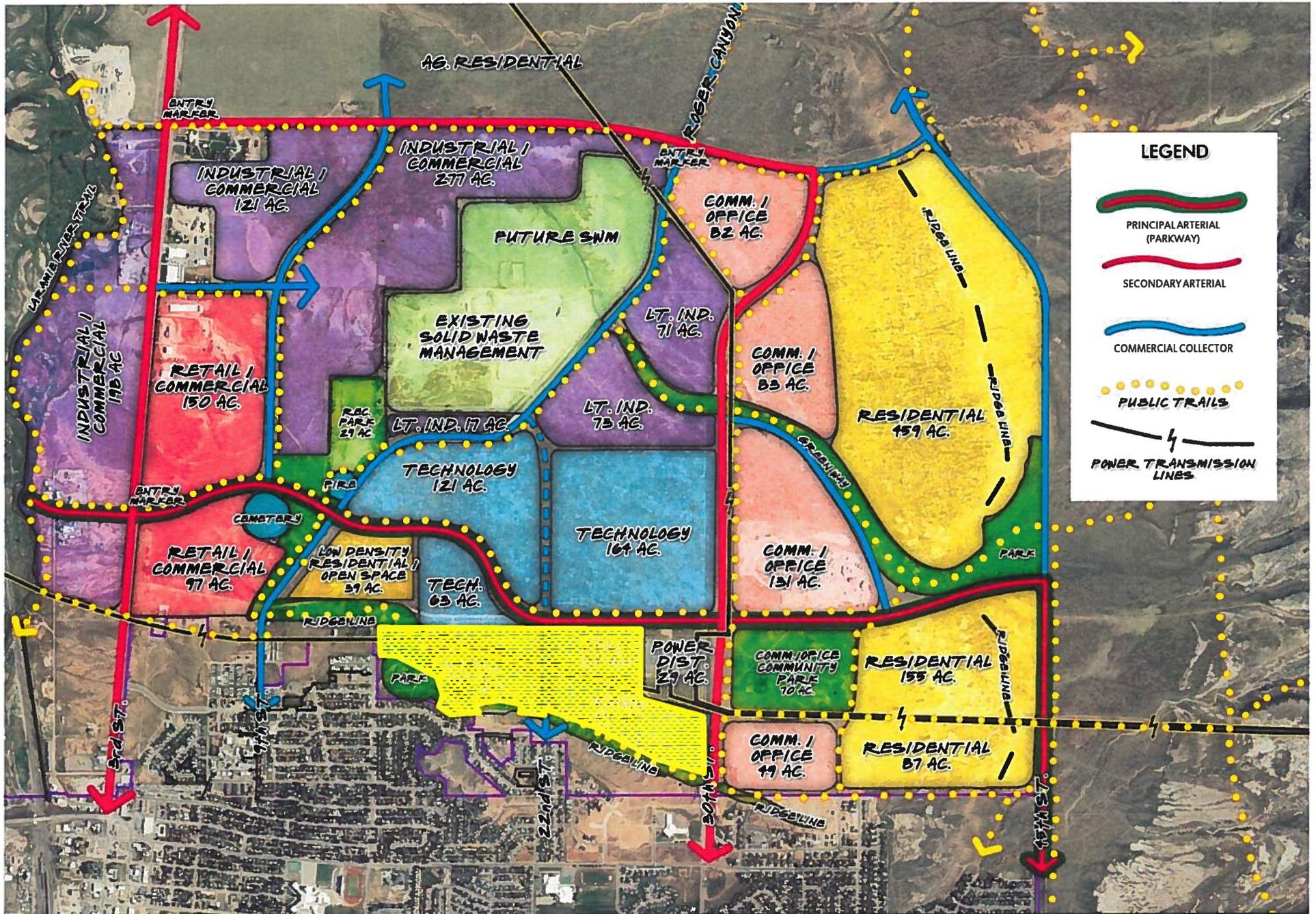
***Randy Bruns, CEO, Cheyenne LEADS Development***

**"Laramie has advantages that, in our opinion, make it the best data center location in Wyoming from the standpoint of operating costs, fiber optics, geography, and talent availability." -**

***Gary Crum, LEDC 2011/2012 Board Chair***



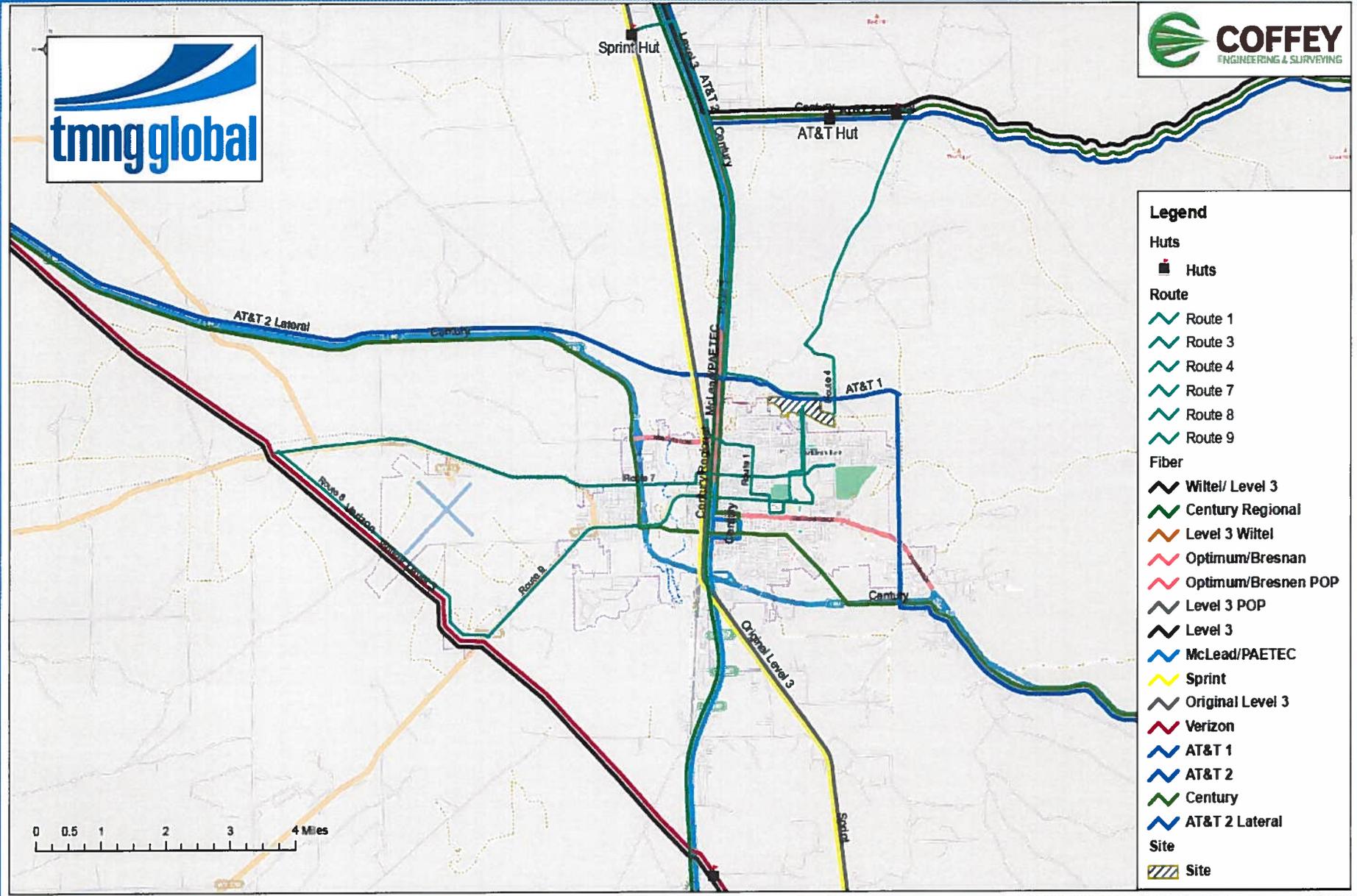


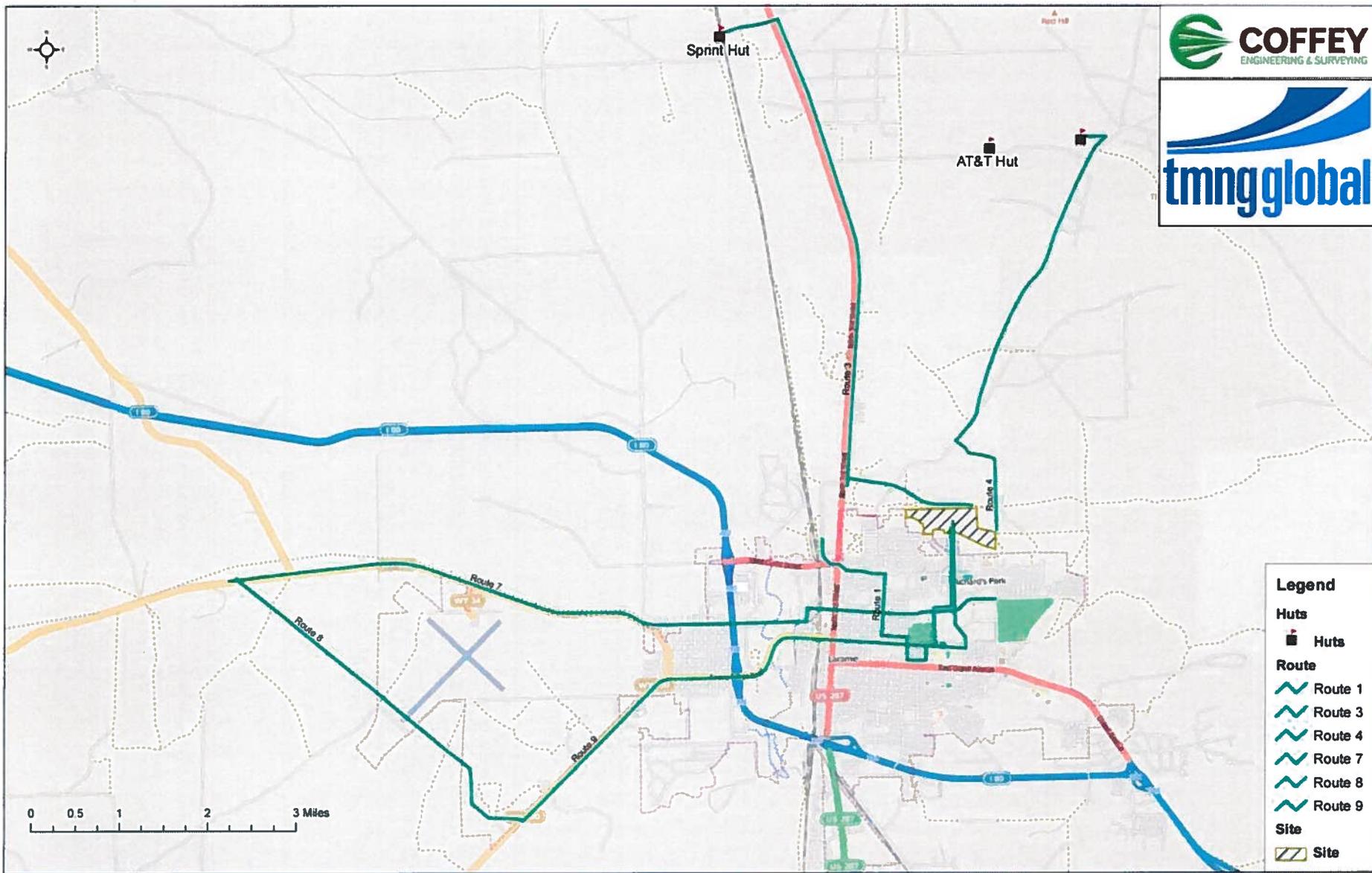


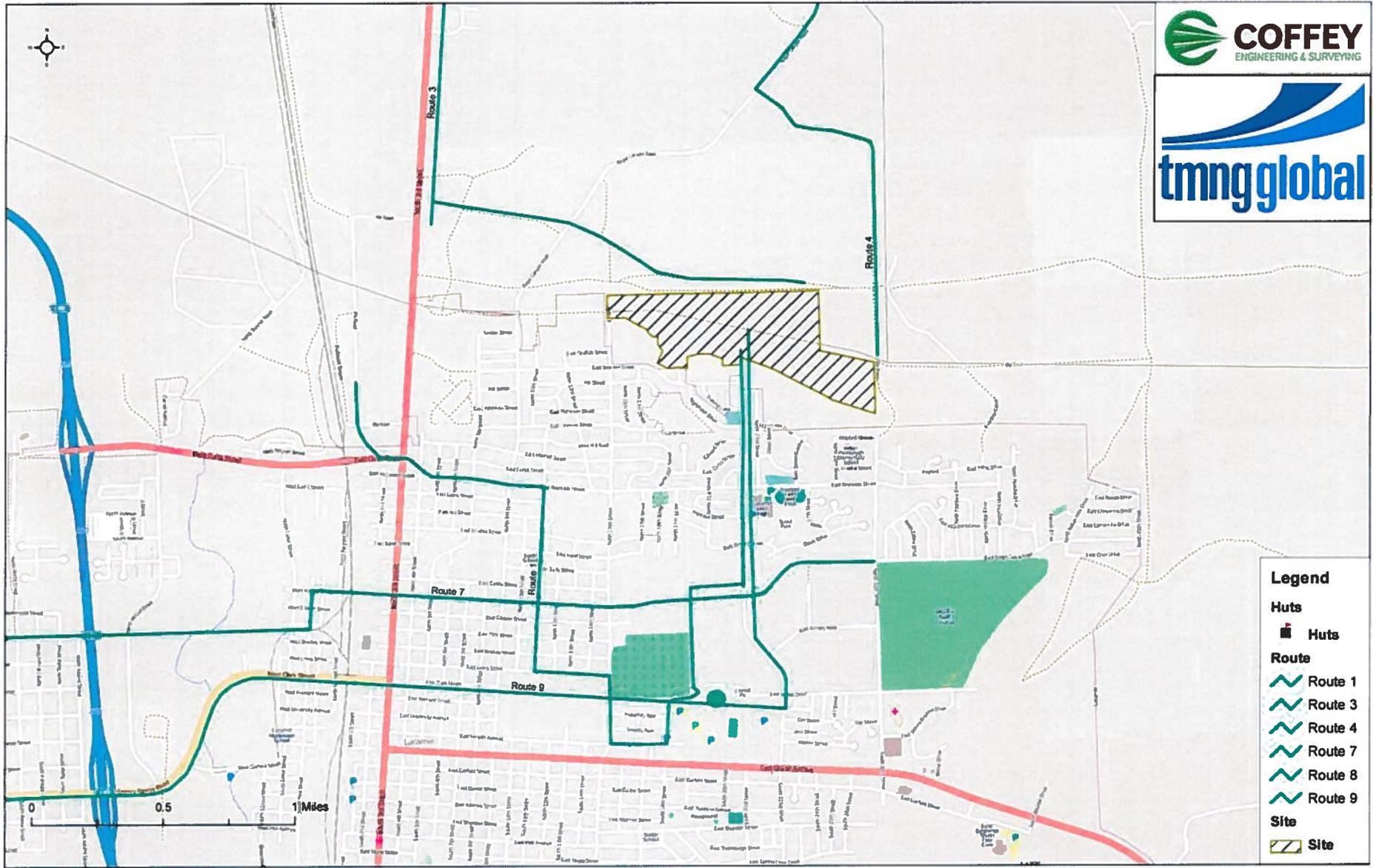
**LEGEND**

-  PRINCIPAL ARTERIAL (PARKWAY)
-  SECONDARY ARTERIAL
-  COMMERCIAL COLLECTOR
-  PUBLIC TRAILS
-  POWER TRANSMISSION LINES



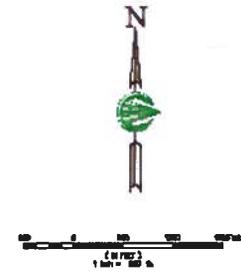
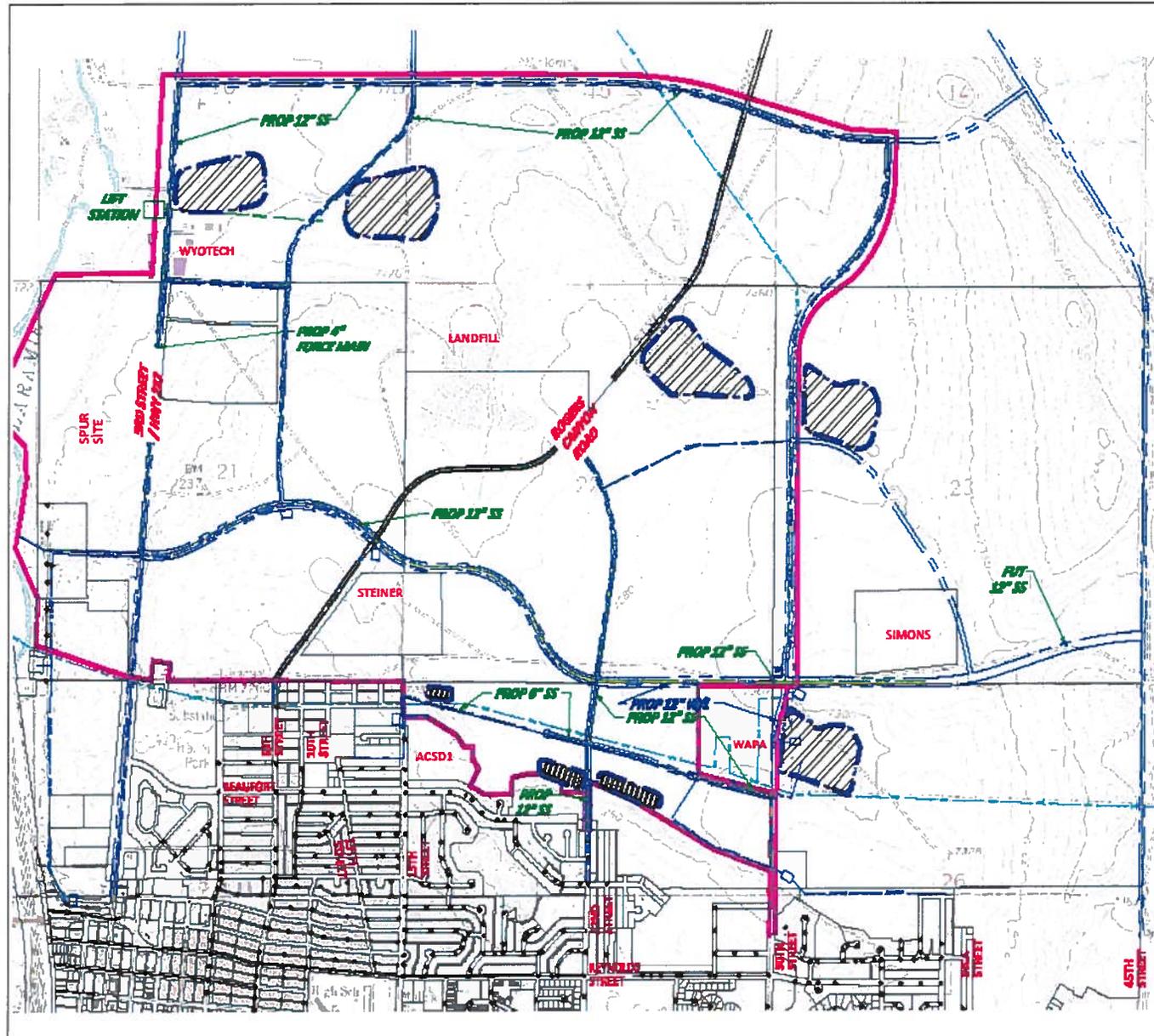






### Select Fiber Routes

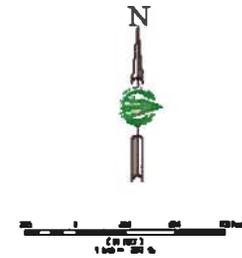
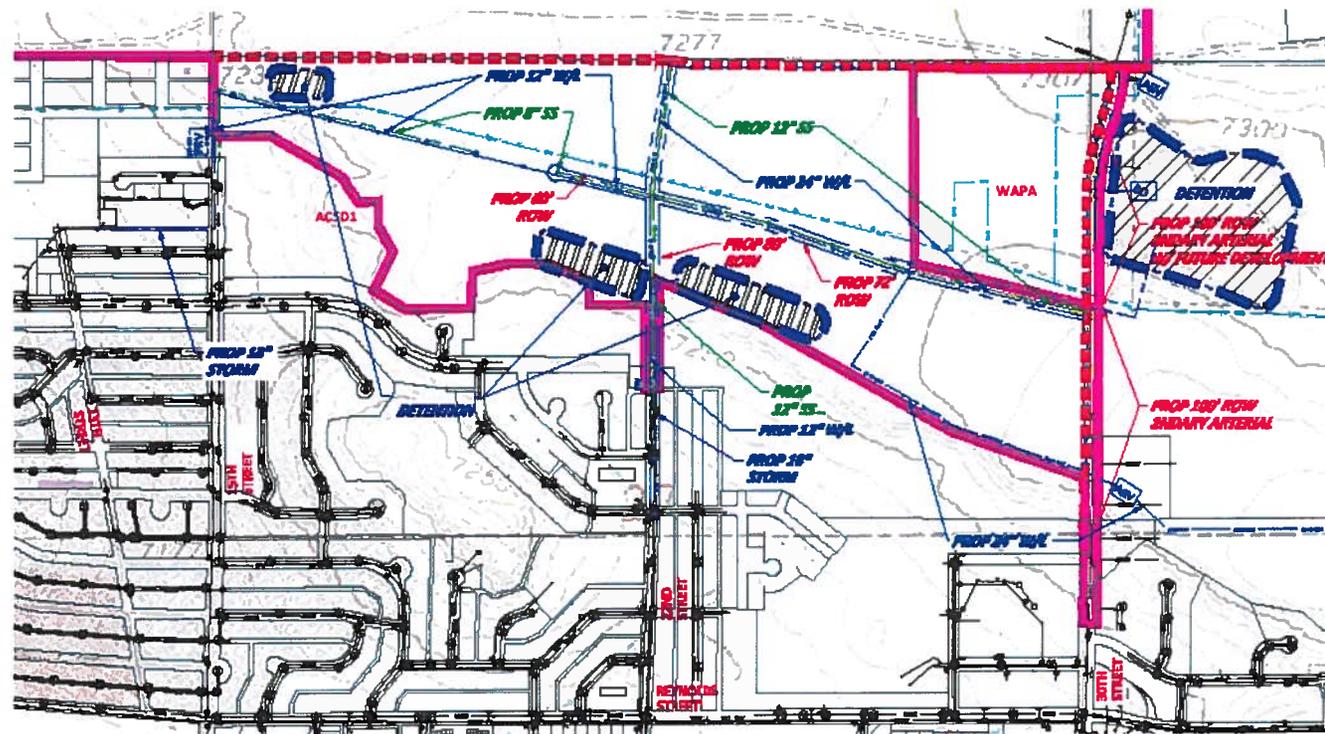
Route	Location	High Case	Best Case	Pre-Plan Only Case
1	Route #1 - Level 3 Hut South Route to Site - Could be Part of Route 9, if 9 is built	\$ 543,223	\$ 484,615	\$ 271,119
3	Route 3 North site to 287/30 N past Warren Ranch Rd to Howell Rd & UPRR	\$ 752,900	\$ 586,664	\$ 64,350
4	Route 4 North Site N on Rogers Canyon to Haul Rd	\$ 474,659	\$ 367,485	\$ 31,389
7	Route 7 - Alternate to Rt 5 - Airport to North Site	\$ 1,149,823	\$ 922,797	\$ 84,370
8	Route 8A West of Airport to Country Club Driveway	\$ 438,977	\$ 365,446	\$ 70,313
9	Route 9 Country Club driveway to North Laramie Site	\$ 778,740	\$ 617,260	\$ 86,205
		<b>\$ 4,138,324</b>	<b>\$ 3,344,271</b>	<b>\$ 607,748</b>



**LEGEND**

PHASE LINE	
ROW LINE	
CENTERLINE	
CEMENT LINE	
WATER BONE LINE	
STUDY BOUNDARY	
EXISTING OVERHEAD POWER	
PROPOSED PRESSURE VALVE	
PROPOSED AIR RELIEF VALVE	
MANHOLE	
ELECTRICAL VALVE	
12\"/>	
12\"/>	
12\"/>	
STORM DRAIN	

**COFFEY**  
 ENGINEERING & SURVEYING  
 CURRUS SKY TECHNOLOGY PARK  
 EXHIBIT B  
 SANITARY SEWER EXHIBIT



**LEGEND**

PHASE LINE	---
ROW LINE	---
CENTERLINE	---
EASEMENT LINE	---
WATER ZONE LINE	---
STUDY BOUNDARY	---
EXISTING OVERHEAD POWER	---
PRESSURE REDUCING VAULT	PRV
AIR RELIEF VAULT	ARV
BLOW OFF	BO
ELECTRONIC VALVE	EV
12" SAN SEWER	---
24" WATERLINE	---
12" WATERLINE	---
STORM SEWER	---

**EXHIBIT NOTES**

1. COST FOR FRANCHISE UTILITIES NOT INCLUDED IN REPORT AS OF 06/21/12
2. ROW ACQUISITION NOT INCLUDED WITH COSTS IN REPORT AS OF 06/21/12
3. PAVEMENT ZONE 1 REQUIRES MORE EXPENSIVE PAVEMENT THAN PAVEMENT ZONE 4- USED FOR ALL ROADS IN PHASE 3
4. PHASE 1 INCLUDES THE NECESSARY INFRASTRUCTURE TO SERVICE 162 ACRES OF THE PHASE 1 PROPERTY BORDERING THE EXTENSION OF 22ND STREET. IT ALSO INCLUDES THE EXTENSION OF THE 24-INCH WATERLINE FROM INCA TO 22ND AND CIRRIUS SKY. IT ALSO INCLUDES SOME ONSITE DETENTION WITH STORM SEWER OUTFALL TO THE SOUTH & WEST. STREETS INCLUDE EXTENSIONS OF 22ND TO CIRRIUS SKY, AN EAST WEST COMMERCIAL COLLECTOR, AN EXTENSION OF 30TH ST. TO THE EAST WEST COMMERCIAL COLLECTOR AND A LOCAL CUR-DE-SAC TO ACCESS THE PORTION OF THE PROPERTY ON THE WEST SIDE OF 22ND ST.
5. CIRRIUS SKY IMPROVEMENTS WILL BE CONSTRUCTED WITH FUTURE DEVELOPMENT.
6. FUTURE DEVELOPMENT INCLUDES THE NECESSARY INFRASTRUCTURE TO SERVICE THE REMAINDER OF THE PROPERTY INCLUDING A 24-INCH WATERLINE CONNECTING TO AN EXISTING 10-INCH AND CONSTRUCTION OF A LOCAL STREET ROW INTO THE WRI PROPERTY FROM 287 AND A LIFT STATION, MULTIPLE DETENTION PONDS, EXTENSIVE SEWER AND WATERLINES ALONG WITH PARKWAY, 2NDARY ARTERIAL AND INDUSTRIAL COLLECTOR ROADS.



CIRRIUS SKY TECHNOLOGY PARK  
EXHIBIT F  
PHASE 1 PARCEL EXHIBIT

## Cirrus Sky Technology Park Cost Estimate

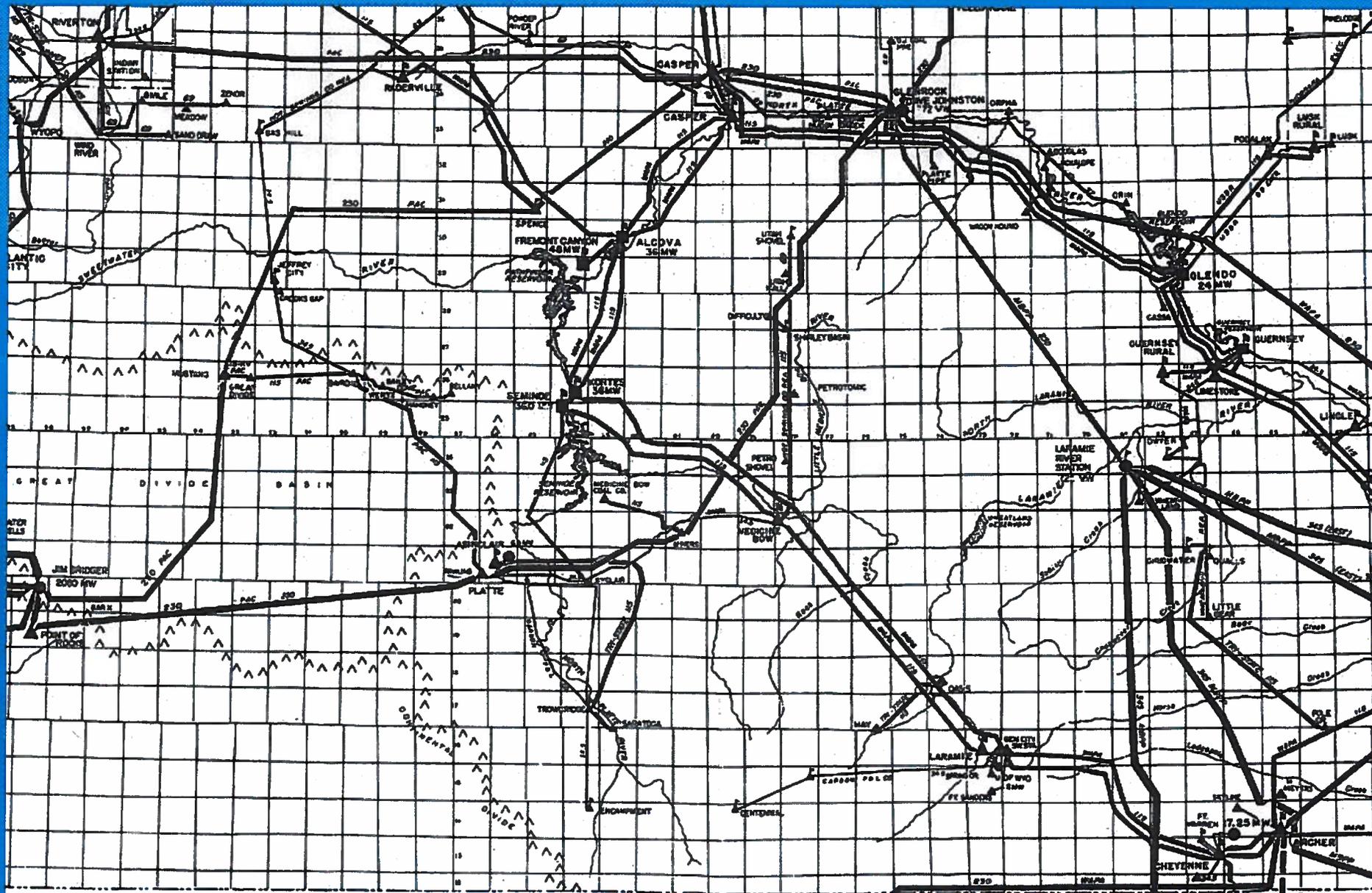
	Phase I	Future	All Phases
<b>Area ac</b>	162	1974	2136
<b>Total Streets Improvements</b>	\$1,320,244	\$7,763,067	\$9,083,311
<b>Total Sanitary Sewer Improvements</b>	\$356,200	\$2,223,825	\$2,580,025
<b>Total Water Improvements</b>	\$976,000	\$3,653,880	\$4,629,880
<b>Total Drainage Improvements</b>	\$242,813	\$3,002,500	\$3,245,313
<b>Total Franchise Utility Improvements</b>	\$ -	\$ -	\$ -

<b>Subtotal of Improvements</b>	\$2,895,257	\$16,643,272	\$19,538,529
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<b>Engineering/Survey/Geotech (10%)</b>	\$289,526	\$1,664,327	\$1,953,853
<b>Construction Staking/Testing (3%)</b>	\$86,858	\$499,298	\$586,156

<b>Mobilization (LS) (5%)</b>	\$144,763	\$832,164	\$976,926
<b>Contingency (LS) (10%)</b>	\$289,526	\$1,664,327	\$1,953,853

<b>Total Improvements</b>	\$3,705,929	\$21,303,388	\$25,009,317
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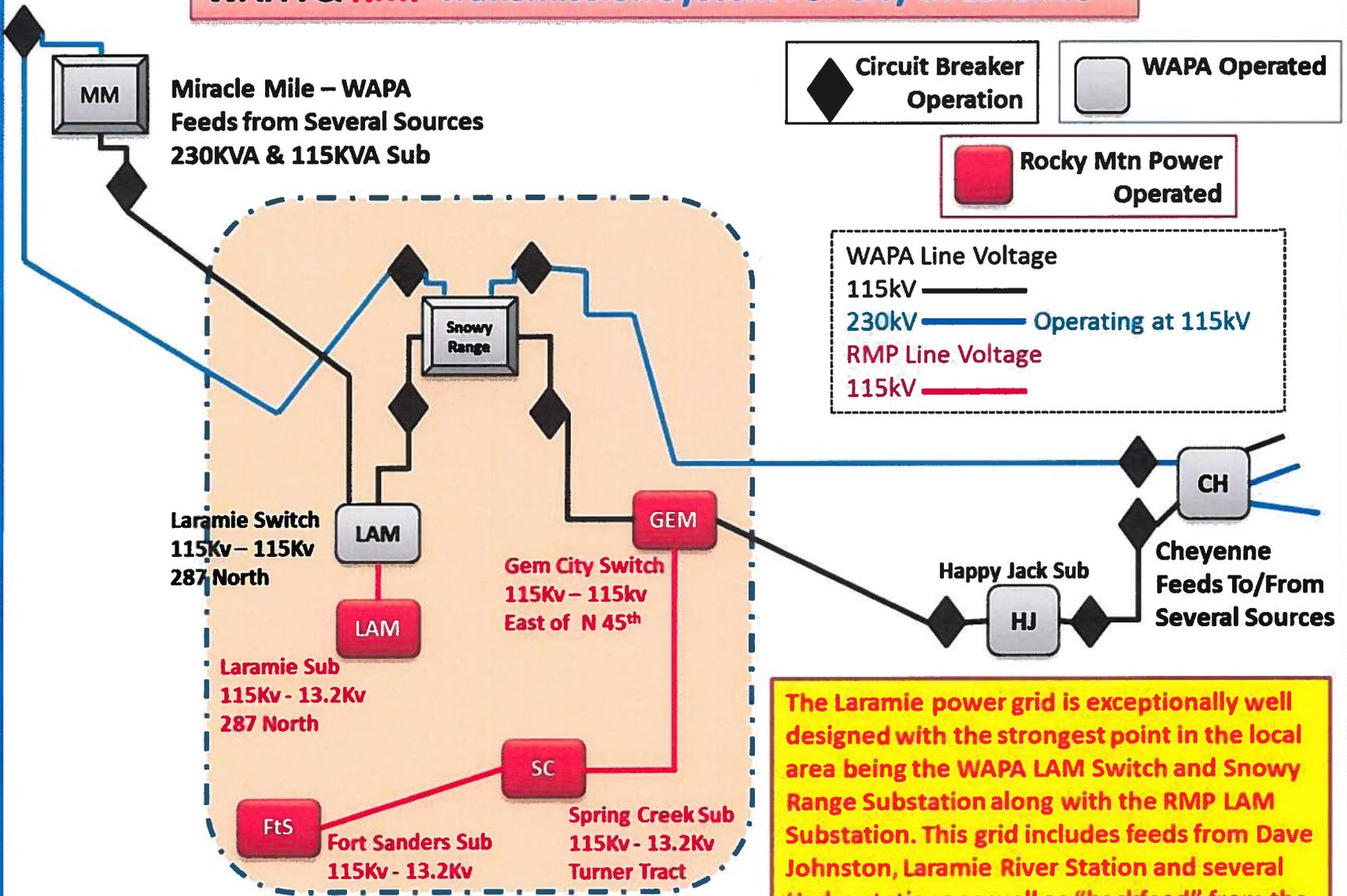


# Power Study Costs

**It is our opinion that only an ESA and perhaps an EMPA study will be needed**

- **Preliminary discussions with Rocky Mountain Power indicate that an initial power study (ESA) would be:**
  - RMP = \$30,000 – 3 to 4 months to complete
  - WAPA = \$50,000 – could take up to 9 months to complete
  - Total cost for the ESA for both RMP and WAPA could be about \$80,000
- **The Secondary power engineering “agreement” Engineering, Materials and Procurement Agreement (EMPA) would only be needed when a technology company needing more than 4 MW has selected the site.**
  - RMP = \$30,000 to \$45,000 – 3 to 4 months to complete
  - WAPA = \$50,000 to \$75,000 – could take up to 6 to 12 months to complete
  - Total cost for both RMP and WAPA for the EMPA would be about \$80,000 to \$120,000.

# WAPA & RMP Transmission System For City of Laramie

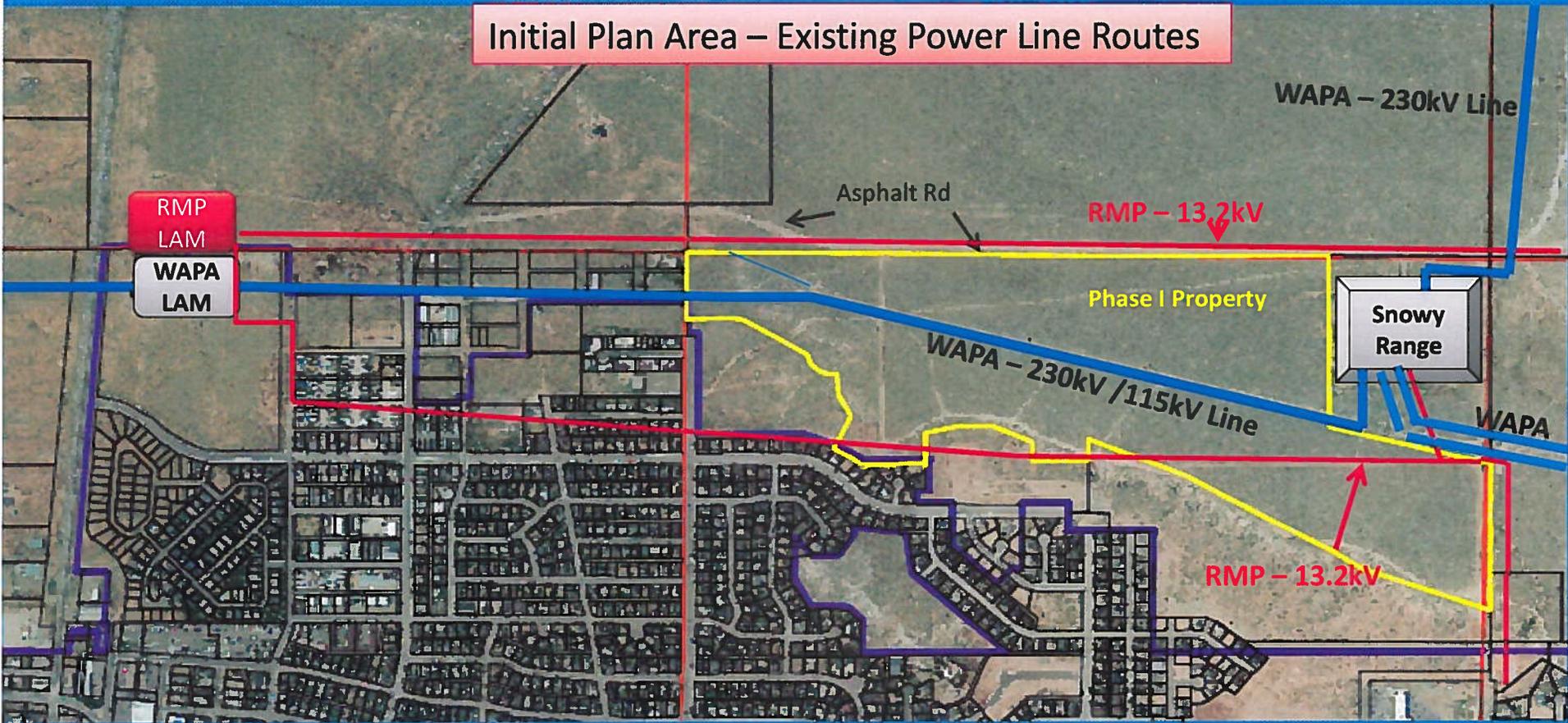


The Laramie power grid is exceptionally well designed with the strongest point in the local area being the WAPA LAM Switch and Snowy Range Substation along with the RMP LAM Substation. This grid includes feeds from Dave Johnston, Laramie River Station and several Hydro stations as well as “backfeed” from the Cheyenne & Archer Substations

# Other Power Related Issues

- **Rocky Mountain Power Local Distribution Route – Bisecting the Southeast Quadrant of the Property.**
- **Rocky Mountain Power currently has two (2) distribution level (13.2kV) power lines running adjacent to the north boundary of the property and one (under ROW agreement) which bisects the south east quadrant of the property.**
  - These lines are much lower to the ground than the major transmission lines and would not allow for use of the land underneath the lines.
  - This would effectively restrict sizing any parcels to less than 20 to 25 acres which would not be the best use of the land as shown on following slide
- **We met with Rocky Mountain Power on site and discussed options.**
  - We discovered that we would be looking at relocating between 25 and 30 poles
  - We decided upon a route that would NOT run along the cliff edge for aesthetic purposes.
- **We also confirmed that Optimum (Bresnan Cable) currently has fiber and/or Coax cable collocated on the same RMP poles that need to be relocated.**

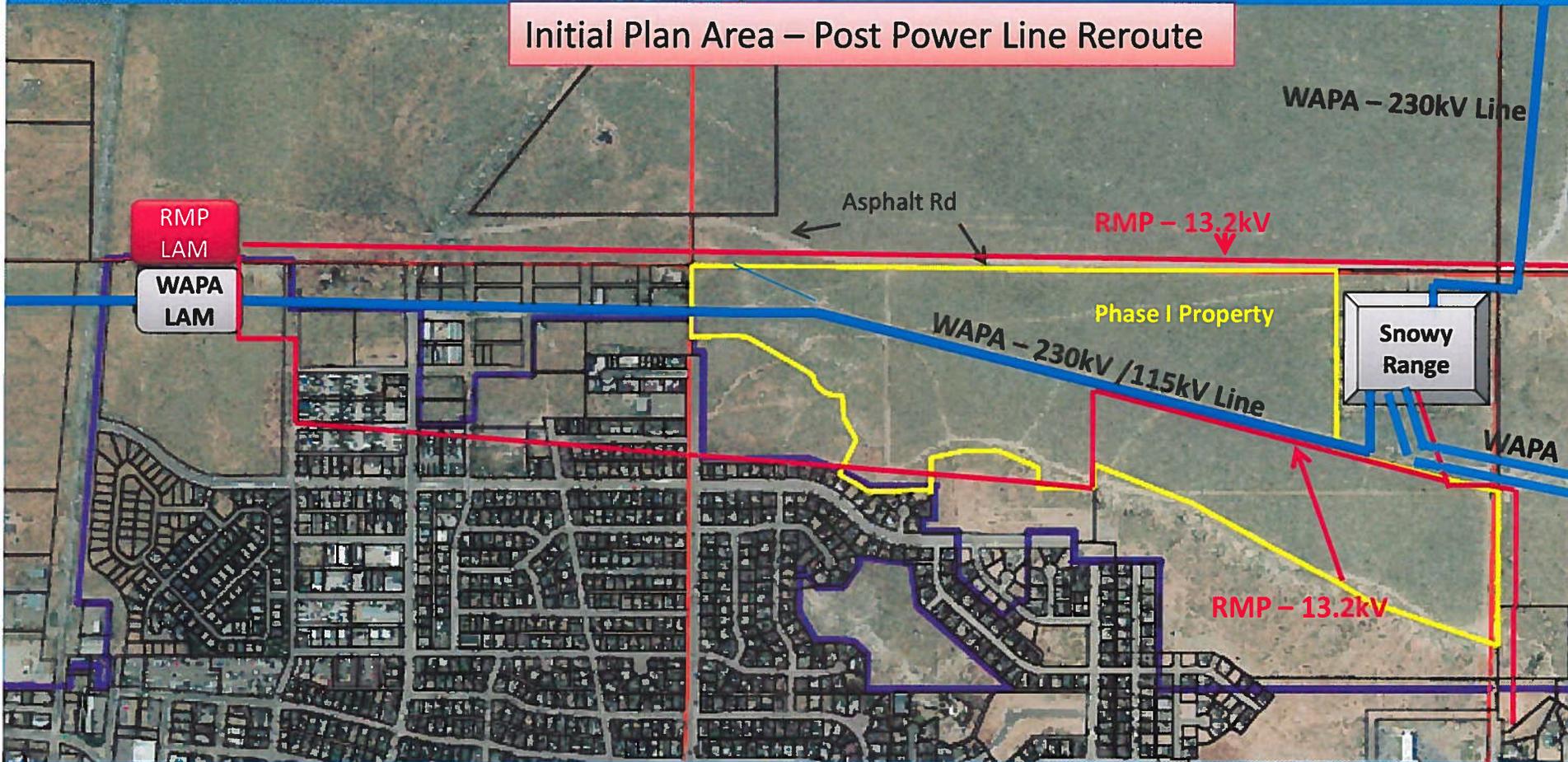
Initial Plan Area – Existing Power Line Routes



# Rocky Mountain Power Solution

- RMP provided a cost estimate to relocate 2,950 to 3,200 feet of Bisecting pole line of between \$88,500 and \$96,000 for the power lines only.
- Relocation of the Optimum fiber/coax on the same pole line would cost between \$14,750 and \$19,200.
- The total combined relocation costs therefore would run between \$103,250 and \$115,200.
- It should be noted that this relocation expense would not need to be incurred until such time as a buyer selects a location that currently has this power line on it.

Initial Plan Area – Post Power Line Reroute



# NEXT STEPS

- **Planning Commission – June 25, 2012**
- **City Council – June 26, 2012**
- **Revisions based on comments received**
- **Submit DRAFT Report to Staff – Mid July**
- **City and LEDC will make decisions on specific business opportunities – Mid July**
- **Finalize Report – End of July**
- **City Grant Applications – Sept 1, 2012**
- **SLIB Decision – Early Jan, 2013**
- **Phase One Construction Complete – October 2013**



**LARAMIE CITY COUNCIL  
PUBLIC HEARING  
2012 Business Ready Community Grant and Loan Program  
August 7, 2012**

Public Hearing was called to order by Mayor Scott Mullner at 6:33 p.m.

City Council present: Dave Paulekas, Lee Kempert, Joe Vitale, Eric Molvar, Karl McCracken, and Scott Mullner.  
Absent: Roger McKinley, Joe Shumway, and Klaus Hanson.

The City Clerk read the notice:

THE WYOMING BUSINESS COUNCIL IS SEEKING GRANT AND LOAN APPLICATIONS FROM COUNTIES, INCORPORATED CITIES, TOWNS, JOINT POWERS BOARDS, AND TRIBES FOR THE 2012 BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM. THE INTENT OF THIS PROGRAM IS TO READY A COMMUNITY FOR NEW BUSINESS DEVELOPMENT THROUGH ECONOMIC OR EDUCATIONAL DEVELOPMENT PROJECTS.

THE CITY OF LARAMIE INTENDS TO SUBMIT AN APPLICATION FOR A COMMUNITY READINESS GRANT, FOR THE CIRRUS SKY TECHNOLOGY PARK ON THE NORTHERN BOUNDARY OF THE CITY OF LARAMIE, BOUNDED BY THE LARAMIE RIVER AND 45<sup>TH</sup> STREETS ON THE WEST AND EAST, AND IS SEEKING CITIZEN INPUT REGARDING THIS PROJECT.

David Derragon, Assistant City Manager, gave an overview of the project.

Randy Hunt, Community Development Director, gave the details of the project.

Paul Harrison, Parks and Recreation director, provided information on trails, green space, ridgeline viewscapes, park area, and open space in project.

Jodi Guerin, Grant Writer, detailed the grant application.

Megan Goetz, Chair of the Board of Directors of Laramie Economic Development Corporation (LEDC), commented that this development would be an asset and would be an asset to the City of Laramie.

Gaye Stockman, CEO of LEDC, discussed the economic impact of this park

Dave Coffey, Vice Chair of LEDC, spoke of the vision of growth to shape the future of Laramie, and stated that fiber optics were part of the design when queried. He also addressed the stages of planning involved in this project.

Guerin explained that conduit for the fiber lines with the utility conduit.

Mayor Mullner asked if there were any public comments.

There were no comments.

Public Hearing was closed at 7:01 p.m.

Respectfully submitted

  
Sue Morris-Jones, MMC,  
City Clerk

**LARAMIE CITY COUNCIL  
PUBLIC HEARING  
2012 Business Ready Community Grant and Loan Program Application  
For Cirrus Sky Technology Park  
August 22, 2012**

Public Hearing was called to order by Mayor Scott Mullner at 6:35 p.m.

City Council present: Dave Paulekas, Roger McKinley, Lee Kempert, Joe Vitale, Eric Molvar, Klaus Hanson, Joe Shumway, Karl McCracken, and Scott Mullner. Absent: None.

The City Clerk read the notice:

NOTICE OF PUBLIC HEARING 2012 BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM FOR A COMMUNITY READINESS PROJECT APPLICATION.

THE WYOMING BUSINESS COUNCIL IS SEEKING GRANT AND LOAN APPLICATIONS FROM COUNTIES, INCORPORATED CITIES, TOWNS, JOINT POWERS BOARDS, AND TRIBES FOR THE 2012 BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM. THE INTENT OF THIS PROGRAM IS TO READY A COMMUNITY FOR NEW BUSINESS DEVELOPMENT THROUGH ECONOMIC OR EDUCATIONAL DEVELOPMENT PROJECTS WHICH MAY INCLUDE, BUT NOT LIMITED TO, WATER, SEWER, STREETS AND ROADS, TELECOMMUNICATIONS, AIRPORTS, PURCHASE OF RIGHTS OF WAY, PURCHASE OF LAND, BUILDINGS, FACILITIES, INDUSTRIAL AND BUSINESS PARKS, INDUSTRIAL SITE OR BUSINESS DEVELOPMENT, AMENITIES WITHIN A BUSINESS OR INDUSTRIAL PARK, LANDSCAPING, RECREATIONAL AND CONVENTION FACILITIES, AND OR OTHER PHYSICAL PROJECTS.

THE RULES GOVERNING THE BRC GRANT AND LOAN PROGRAM ARE AVAILABLE THROUGH THE WYOMING BUSINESS COUNCIL.

THE CITY OF LARAMIE INTENDS TO SUBMIT AN APPLICATION FOR A COMMUNITY READINESS GRANT, FOR THE CIRRUS SKY TECHNOLOGY PARK ON THE NORTHERN BOUNDARY OF THE CITY OF LARAMIE, BOUNDED BY THE LARAMIE RIVER AND 45<sup>TH</sup> STREETS ON THE WEST AND EAST, AND IS SEEKING CITIZEN INPUT REGARDING THIS PROJECT.

Jodi Guerin, Grant Analyst, gave background information regarding this project.

Randy Hunt, Community Development Director, gave the details of the project.

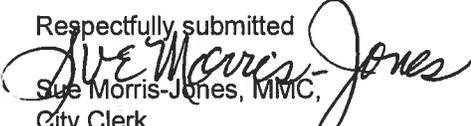
Mayor Mullner asked if there were any comments.

Brett Glass was concerned at the expense and degree of the City's commitment to this project, with little benefit to local businesses, community, or resident; the additional tax strains citizens coping with a poor economy and increased utility rates, and encourages shopping elsewhere. He encouraged the Council to abandon the project.

Tim Hale stated that competition could be good. He was concerned that an outside firm could settle in the Park and get assistance that others at a different location would not get, that LEDC should do more to help local businesses versus helping new businesses with ventures, and objected to using public funds to support private businesses.

Megan Goetz, Chairperson for LEDC, wanted to thank the City for their help on this project, which is beneficial to the businesses inside of Laramie as well as potential business development from outside of Laramie, enhancing the vision for the future of the City of Laramie.

Public Hearing was closed at 6:54 p.m.

Respectfully submitted  
  
Sue Morris-Jones, MMC,  
City Clerk

**MINUTES**  
**CITY OF LARAMIE, WYOMING**  
**CITY COUNCIL MEETING**  
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Regular Meeting of the City Council was called to order by Mayor Mullner at 6:58 p.m.

**1. Pledge of Allegiance.**

Mayor Mullner led the Pledge of Allegiance.

**2. Roll Call.**

Roll call showed Present: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Absent: None.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Sue Morris-Jones, City Clerk; David Clark, City Attorney; Randy Hunt, Community Development Director; Paul Harrison, Parks and Recreation Director; Richard Elliot, Public Works Director; Dale Stalder, Police Chief; and Dan Johnson, Fire Chief.

**3. Disclosures by City Council Members.**

None.

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

A. MOTION BY MCCRACKEN, seconded by Shumway, that the following changes to the Agenda be approved: Move the Turner Tract Land Work Session from August 28, 2012 to October 9, 2012, at 6:00 p.m., and move Item 5L, Compact Excavator bid to 6B.

MOTION CARRIED by voice vote.

B. MOTION BY MCCRACKEN, seconded by Paulekas, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

**5. Approval of Consent Agenda.**

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

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**CONSENT AGENDA**

5A. Minutes of City Council Meetings.

Action: that Council approve the Minutes of the City Council Regular Meeting of August 07, 2012, Special Meeting of August 31, 2012, and Public Hearings of August 07 and August 14, 2012, and have them placed on file for public inspection.

5B. Cemetery Deeds for August 01-15, 2012.

Action: that the Cemetery Deeds for August 01-15, 2012 be

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accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

- 5C. Minutes.  
Action: that Council acknowledge receipt of the Minutes of the Ranch Advisory Committee Meetings of April 26, 2012 and June 14, 2012.
- 5D. Agreement.  
Action: that Council approve the Facility Use Agreement between the City of Laramie, Wyoming and the Laramie Swim Club for use of the City's 8-lane pool at the Laramie Recreation Center for a two year period, and authorize the Mayor and City Clerk to sign.
- 5E. Agreement.  
Action: that Council approve the Open Space Agreement between the City of Laramie, Wyoming and Gemstone Holdings, LLC, for subdivider to build pathway and drainage improvements associated with the Coughlin-Pole Mountain 3<sup>rd</sup> Addition, 5<sup>th</sup> Filing, and authorize the Mayor and City Clerk to sign.
- 5F. Memorandum of Understanding.  
Action: that Council approve the Wyoming Law Enforcement Extraterritorial Assistance Memorandum of Understanding between the City of Laramie, Wyoming Police Department and the University of Wyoming Police Department to provide, upon request, law enforcement a mutual aid, as it may benefit both agencies, and rescind the previous MOU signed July 03, 2012, and authorize the Mayor and City Clerk to sign.
- 5G. Memorandum of Understanding.  
Action: that Council approve the Memorandum of Understanding between the City of Laramie, Wyoming and the University of Wyoming for providing standby ambulance service at athletic events for the 2012-13 season, and authorize the Mayor and City Clerk to sign.
- 5H. Surplus Property.  
Action: that Council declare the salvaged metals pile at the City Landfill as surplus property, and authorize City staff to solicit bids, sell the material to the highest qualified bidder and deposit the proceeds unto the appropriate Solid Waste Fund Account.
- 5I. Bid.  
Action: that Council award the One-Ton Dump Truck Bid 2012 (Park's Division) to Spradley-Barr Motors, Cheyenne, WY, in the amount of \$24,821.00.
- 5J. Bid.  
Action: that Council award the Dump Truck Bid 2012 (Unit 219) to Spradley-Barr Motors, Cheyenne, WY, in the amount of \$41,541.00.
- 5K. Bid.

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**Page 3**

Action: that Council award the 4x4 Pickup Bid 2012 (Utility Division Unit 354) to Spradley-Barr, Cheyenne, WY, in the amount of \$19,346.00.

5L. Moved to 6B.

5M. Bid.

Action: that Council award the Engineering Van Bid 2012 to Spradley-Barr Motors, Cheyenne, WY, in the amount of \$23,964.00.

5N. Schedule Meeting(s):

Action: that Council schedule the following meeting(s):  
1. Work Session, August 28, 2012, 6:00 p.m.,  
LEDC Economic Development Tax Proposal;  
2. Public Hearing, September 18, 2012, 6:30 p.m.,  
Application for Limited Retail Golf Club Liquor License, BCR, Inc..

**REGULAR AGENDA**

**6A. Consideration of Application for Bar & Grill Liquor License to Luciano's Restaurante Italiano, LLC.**

MOTION BY VITALE, seconded by Molvar, that Council approve the Application for Bar & Grill Liquor License No. BG2, to Luciano's Restaurante Italiano, LLC. dba Luciano's Italian Restaurant, 3626 E. Grand Avenue, Laramie, Wyoming, for the licensing term October 15, 2012 thru May 07, 2013, conditioned upon receipt of applicant of valid food license.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**6B. Consideration of Compact Excavator Bid 2012 Award .**

MOTION BY PAULEKAS, seconded by Kempert, that Council award the Utilities Excavator Bid 2012 to Wyoming Machinery, Casper, WY, in the amount of \$62,711.00.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**6. Resolution No. 2012-50, authorizing submission of application to the Business Ready Community Grant and Loan Program for a Business Ready Community Grant Project on behalf of the Governing Body for the City of Laramie for an amount not to exceed \$5,165,020.62, to purchase property and develop the First Phase of infrastructure for a Data Center Business Park on the north edge of town between 15<sup>th</sup> and 30<sup>th</sup> Streets.**

The City Clerk read Resolution No. 2012-50 by title only.

A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM FOR A BUSINESS READY COMMUNITY GRANT PROJECT ON BEHALF OF THE GOVERNING BODY FOR THE CITY OF LARAMIE FOR AN AMOUNT

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NOT TO EXCEED \$5.4 MILLION, TO PURCHASE PROPERTY AND DEVELOP THE FIRST PHASE OF INFRASTRUCTURE FOR A DATA CENTER BUSINESS PARK ON THE NORTH EDGE OF TOWN BETWEEN 15<sup>TH</sup> AND 30<sup>TH</sup> STREETS.

MOTION BY MOLVAR, seconded by Vitale, that Council approve Resolution 2012-50 authorizing submission of a grant application to the Wyoming Business Council in an amount not to exceed \$5.4 million for the development of a Technology Park located on the Northern boundary of the City of Laramie between 15<sup>th</sup> and 30<sup>th</sup> Streets.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**7. Resolution No. 2012-51, regarding extraterritorial sewer service at 258 Hayes Street (applicant: Travis Miller).**

The City Clerk read Resolution No. 2012-51 by title only.

A RESOLUTION AUTHORIZING AN EXTRATERRITORIAL SEWER SERVICE CONNECTION FOR A PROPERTY OWNED BY TRAVIS AND KIMBERLY MILLER.

MOTION BY MCKINLEY, seconded by Molvar, that Council approve Resolution No. 2012-51, and authorize the Mayor and City Clerk to sign the resolution and annexation agreement.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Hanson, Shumway, McCracken, and Mullner. Nays: Vitale. Absent: None. MOTION CARRIED.

Council recessed at 9:08 p.m.

Council reconvened at 9:19 p.m.

**8. Resolution No. 2012-52, Joint Appointment of persons to Crime Victims/Witness Board.**

The City Clerk read Resolution No. 2012-52 by title only.

A RESOLUTION APPOINTING MEMBERS TO THE ALBANY COUNTY CRIME VICTIM/WITNESS PROGRAM JOINT POWERS BOARD.

MOTION BY HANSON, seconded by Vitale, that Council approve Resolution No. 2012-52, that University of Wyoming Police Chief Mike Samp and Laramie SAFE Project Director Becca Fisher be appointed by the City in conjunction with the appointment by the Albany County Commissioners, to serve on the Albany County Crime Victim/Witness Program Joint Powers Board for a period of three (3) years, or until their replacement has been appointed and sworn to serve.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**9. Original Ordinance No. 1854, vacating a 30-foot "underground surface water easement" located on the east and west side of the most northerly end of 13<sup>th</sup> Street. (Introduced by Molvar) Second Reading. Public Hearing: August 14, 2012.**

MOTION BY MOLVAR, seconded by Kempert, that Council approve Original Ordinance No. 1854 on

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**Page 5**

Second Reading, vacating a 30-foot "underground surface water easement" located on the east and west side of the most northerly end of 13<sup>th</sup> Street, based on findings of fact and conclusions of law , noting a Public Hearing was held on August 14, 2012.

MOTION BY MCCRAKEN, seconded by Vitale, that the \$1,840.00 (fair market value for easement) not be collected, based on similar procedure concerning University of Wyoming and other people.

Roll call showed Aye: Vitale and McCracken. Nays: Paulekas, McKinley, Kempert, Molvar, Hanson, Shumway, and Mullner. Absent: None. MOTION FAILED.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**10. Original Ordinance No. 1853, amending Title 15 of the LMC providing for the adoption of the 2012 International Fire Code (IFC). (Introduced by Shumway) Second Reading. Public Hearing: August 22, 2012.**

MOTION BY SHUMWAY, seconded by Kempert, that Council approve Original Ordinance No. 1853 on Second Reading, which adopts the 2012 International Fire Code by reference, with the listed exceptions to the IFC that are identified in the ordinance and repeal the present fire code, note that a Public Hearing was held on July 24, 2012.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**11. Original Ordinance No. 1850, amending Title 15 of Laramie Municipal Code. (Introduced by Paulekas) Second Reading. Public Hearing: July 10, 2012.**

MOTION BY PAULEKAS, seconded by McKinley, that Council approve Original Ordinance No. 1850 on Second Reading, based on findings of fact and conclusions of law.

MOTION BY PAULEKAS, seconded by McKinley, that Council amend by accept the amendments presented by staff, the four of them, on the front cover page of staff memorandum dated August 22, 2012.

Roll call ON COVER PAGE AMENDMENTS showed Aye: Paulekas, McKinley, Kempert, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: Molvar. Absent: None. MOTION CARRIED.

MOTION BY PAULEKAS, seconded by McCracken, that Council amend to allow use of chain link fence by eliminating "vinyl clad" (Page 3, item 1 of Memorandum) in the residential districts.

Roll call ON PLAIN CHAIN LINK FENCE showed Aye: Paulekas, McKinley, Kempert, Vitale, Hanson, Shumway, McCracken. Nays: Molvar and Mullner. Absent: None. MOTION CARRIED.

Roll call ON MAIN MOTION AS AMENDED showed Aye: Paulekas, McKinley, Kempert, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: Molvar. Absent: None. MOTION CARRIED.

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

Vitale: Review the CAPP policy, specifically as it applies to site specific investigations costs, working with the county, and revisions to the code, and I-80 study and well protection updates.

**MINUTES**  
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Paulekas: City policy on annexation and extra territorial water services at the start of the new year.

McCraken: Whitman Study review, for newer Council Members and the oncoming Council Members.

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

Tim Hale related that he had asked a question regarding the disposition of the cost of an accident where a Police Officer had struck two other cars, and was told it would be handled by WARM. He stated that the WARM payments by the City for WARM coverage was "way up there." He also related when he asked how much the investigation on an employee cost, he was told that was "personnel", and they couldn't relay that information. He felt the Council was not exposed to various incidents and issues.

**14. Adjournment.**

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

MOTION CARRIED by voice vote.

Council adjourned at 10:39 p.m.

Respectfully submitted,

Sue Morris-Jones, MMC  
City Clerk

**MINUTES**  
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5I. Schedule Meeting(s):

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

1. Public Hearing, September 25, 2012, 6:00 p.m., Original Ordinance No. 1855;
2. Public Hearing, September 25, 2012, 6:00 p.m., Original Ordinance No. 1856;
3. Work Session, September 25, 2012, 6:00 p.m., Risk Management Update;
4. Work Session, October 09, 2012, 6:00 p.m., Comparison of City & County Aquifer Regulations w/Historical Recap;
5. Work Session, October 23, 2012, 6:00 p.m., CD Waste Recycling.

**REGULAR AGENDA**

**6. Resolution No. 2012-53, transferring unencumbered or unexpended appropriation balance from one fund to another and amending the appropriations for the mid -year FY2012-2013 Budget of the City of Laramie, Wyoming, (wastewater treatment plant roof).**

MOTION BY HANSON, seconded by Molvar, that Council approve Resolution 2012-53, to make an Amendment to the 2012-13 Budget, transferring unencumbered or unexpended appropriations balance from one fund to another and amending the appropriations for the mid-year FY2012-2013 Budget of the City of Laramie, Wyoming, specifically in the Wastewater Treatment Plant, for the roof.

Roll call showed Aye: Paulekas, Kempert, Molvar, Hanson, McCracken, and Mullner. Nays: Vitale. Absent: McKinley and Shumway. MOTION CARRIED.

**7. Consideration of Amendment No. 1 (Scope of Services) to Professional Services Agreement with Community Builders, Inc., for Creation of a Development Plan for the Cirrus Sky Data Center/Technology Park (\$95,000.00).**

MOTION BY VITALE, seconded by Kempert, that Council approve the Amendment No. 1 to Professional Service Agreement with Community Builders, Inc., in an amount not to exceed \$25,000; and authorize the Mayor and City Clerk to sign the Agreement as amended.

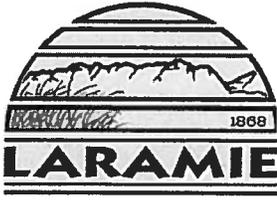
Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale,\*Hanson, McCracken, and Mullner. Nays: None. Absent: McKinley and Shumway. MOTION CARRIED.

**8. Resolution No. 2012-54, transferring unencumbered or unexpended appropriation balance from one fund to another and amending the appropriations for the mid-year FY2012-2013 Budget of the City of Laramie, Wyoming (North Laramie Land Use Dev. Plan).**

MOTION BY VITALE, seconded by Molvar, that Council approve Resolution No. 2012-54, approving an Amendment to the 2012-13 Budget in conjunction with the North Laramie Land Use Development (i.e., Cirrus Sky Technology Park) Plan.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, McCracken, and Mullner. Nays: None. Absent: McKinley and Shumway. MOTION CARRIED.

**9. Resolution No. 2012-55, allowing a quarter-cent economic development excise tax to be placed on the November 2012 ballot in Albany County.**



# City of Laramie

Community Development Department  
P.O. Box C  
Laramie, WY 82073

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## MINUTES

### Laramie Planning Commission

Monday, September 10, 2012 at 4:30 PM

City Council Chambers, City Hall

406 Ivinson, Laramie, WY

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*The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Community Development Department 48 hours in advance of the meeting.*

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#### 1. CALL TO ORDER/ ROLL CALL

Meeting convened at 4:32PM

Members present: Bob Boysen, Jon Gardzelewski (arrived at 4:33 PM), Vicki Henry, Jim McGrath, Randy Vickers (arrived at 4:35 PM), Paul Weaver (arrived at 4:34 PM), Kaye Willis (Chair)

Members absent: None

There was a quorum present at all times.

Council Liaison: Erik Molvar (present)

Staff Present: Charles Bloom, Randy Hunt, Cody Jennings, Larry Ketcham, Ryan Swanson, Derek Teini, Kathleen Wickersham

#### 2. APPROVAL OF AGENDA AND MINUTES

##### 2-A. AGENDA: Changes and Approval of Agenda.

The Commission approved the Agenda as written.

##### 2-B. MINUTES: Monday, August 27, 2012 Planning Commission Meeting

**MOTION BY BOYSEN, seconded by McGrath,** to approve the Minutes from the August 27, 2012 Planning Commission meeting as written.

Aye: 4 (Gardzelewski, Vickers, and Weaver were absent)

Nay: 0

**Motion carried.**

#### 3. CITIZEN COMMENTS - Non-Agenda Related Topics – No Action Can Be Taken

No comments

#### 4. PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS

##### 4-A. Nighthawk Drive Drainage Concerns

A letter dated August 29, 2012 signed by nine residents was provided to the Commissioners in their agenda packet.

Hunt informed the Commissioners that the Unified Development Code (UDC)-Round 2 was approved by City Council. Staff will begin working on Round 3.

The Tree Area Overlay Plan will be before the City Council in October. Staff will keep the Commission updated.

On September 11<sup>th</sup> the City Council will have a work session on the Greater Casper Aquifer (City/County). They will review the comprehensive plan that includes the I-80 Telephone Canyon Study and the East Laramie Wastewater Feasibility Study. Planning Commissioners are invited to attend.

**5. DISCLOSURES**

No disclosures

**6. CURRENT PLANNING PROJECTS**

**OLD BUSINESS:**

No items

**NEW BUSINESS:**

**6-A. VAC-12-02 Alleyway North of Lewis**

Bloom stated that the applicant had not yet provided the appraisal as required on the project and requested the Commission to postpone this item.

**MOTION BY HENRY, seconded by Vickers,** to postpone action on the vacation of an approximate 264 foot long right-of-way (alley) that runs north-south between Bradley and Lewis Streets between 10<sup>th</sup> Street and 11<sup>th</sup> Street to September 24, 2012, based on findings of fact and conclusions of law, noting that the applicant has not provided the appraisal required pursuant to LMC 15.06.060.W.3.b.(ii).

Aye: 7

Nay: 0

**Motion carried.**

**6-B. TA-12-02 Creation of Technology and Office (TO) Zone District**

Hunt presented the staff report. The applicant, The City of Laramie requested a Unified Development Code text amendment creating a Technology and Office Zone District. The new zoning district (15.08.030.L) would provide for the development of a mix of office, research and production and technology uses with the emphasis on office, research uses and technology in campus or park-like settings.

The following citizens spoke on this matter:

Erik Molvar, City Council Liaison  
James Johnson, 2621 Sheridan Street, Laramie  
Becky Riley, 1065 Arapahoe Drive, Laramie  
Janet Wilkey, 1814 Beaufort Street, Laramie  
Shane Murphy, 1720 Beaufort Street, Laramie  
Donal O'Toole, 1615 Beaufort Street, Laramie

**MOTION BY WEAVER, seconded by Gardzelewski,** to table the amendments to the Unified Development Code as shown on Attachment A, providing for a Technology and Office (TO) Zoning District, and to table agenda items: 6-C. CPA-12-02 – Cirrus Sky Comprehensive Plan Amendment; 6-D. A-12-02 – Cirrus Sky Annexation; and 6-E. Z-12-04 – Cirrus Sky Zoning until the October 8, 2012 Planning Commission meeting.

Aye: 7

Nay: 0

**Motion carried.**

**7. LONG RANGE PLANNING PROJECTS**

No items

**8. VARIANCES (sitting as Board of Adjustment)**

No items

**9. ADJOURNMENT**

**MOTION BY WEAVER, seconded by Henry, to adjourn the meeting.**

Aye: 7

Nay: 0

**Motion carried.**

Meeting adjourned at 6:04 PM.

VALIDATED:

KAYE WILLIS	09/24/2012
Kaye Willis, Planning Commission Chair	Date

KATHLEEN WICKERSHAM	09/24/2012
Kathleen Wickersham, Planning Commission Secretary and Clerk	Date

The original Minutes were approved and signed on September 24, 2012.  
The signed document is on file.

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

**1. Pledge of Allegiance.**

Mayor Mullner led the Pledge of Allegiance.

**2. Roll Call.**

Roll call showed Present: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Absent: Hanson.

Staff present: Janine Jordan, City Manager; Sue Morris-Jones, City Clerk; David Clark, City Attorney; Paul Harrison, Parks and Recreation Director; and Richard Elliot, Public Works Director.

**3. Disclosures by City Council Members.**

None.

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

A. MOTION BY MCCRAKEN, seconded by Shumway, that the following changes to the Agenda be approved: Add Item 10A, Contract with Water Systems Drilling, Inc. for the Simpsons Springs Well and Test Pump Project.

MOTION CARRIED by voice vote.

B. MOTION BY MCCRAKEN, seconded by Shumway, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

**5. Approval of Consent Agenda.**

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

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

**CONSENT AGENDA**

- 5A. Minutes of City Council Meetings.  
Action: that Council approve the Minutes of the City Council Regular Meeting of September 18, 2012, and Public Hearings of September 18 and 25, 2012, and have them placed on file for public inspection.
- 5B. Cemetery Deeds for September 16-30 2012.  
Action: that the Cemetery Deeds for September 16-30, 2012 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

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5C.

Vouchers for September 2012.

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

5D.

Minutes:

Action: That the Council acknowledge receipt of the Minutes from the Traffic Commission Minutes

1. April 12, 2012 Traffic Commission meeting and that the following items be approved as indicated:

a. To approve a specifically reserved handicapped parking space at 1012 Grand Avenue.

b. To approve installation of temporary signage of "Rough Road Ahead" or a similar signage at the railroad crossing at Lewis and Cedar Streets.

2. May 10, 2012 Traffic Commission meeting and that the following items be approved as indicated:

a. To approve a specifically reserved handicapped parking space at 406 Ivinson Avenue.

b. To approve a 20 mph school zone in front of Slade School on 11th Street, from Baker Street to Sully Street, and add flashing lights at either end of the posted zone.

3. June 14, 2012 Traffic Commission meeting.

5E.

Minutes:

Action: That the Council acknowledge receipt of the Minutes from the September 12, 2012 of the Parks, Trails and Recreation Master Plan Ad Hoc Advisory.

5F.

Minutes:

Action: That the Council acknowledge receipt of the Minutes from the September 13, 2012 meeting of the Parks, Tree and Recreation Advisory Board and that the following recommendations be approved: a) To accept the donation of \$1,060.00 for a bench and memorial plaque in honor of Rich Koschnitzki to be placed along the Laramie Greenbelt Park; b) To approve the proposed Eagle Scout Project by Kevin Baldwin to restore LaPrele Park Shelter #1; c) To accept the donation of \$500.00 for two trees and a memorial plaque in memory of Jack Routson from the Laramie Garden Club; d) To approve the request from Eric Wright,

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representing cyclocross enthusiasts in Laramie, to hold cyclocross training in LaPrele Park and the undeveloped area of the Recreation Center lot on the Turner Tract.

- 5G. Agreement  
Action: that Council Approve Memorandum of Agreement among the FHWA, WYSHPO, Laramie Railroad Depot Association, and the Advisory Council on Historic Preservation Regarding Mitigation of Adverse Effects to the Laramie Hahn's Peak and Pacific Railroad Project, and authorize the Mayor and Clerk to sign.
- 5H. Schedule Meeting(s):  
Action: that Council schedule the following meeting(s):  
1. Public Hearing, October 23, 2012, 6:00 p.m., Original Ordinance No. 1858;  
2. Public Hearing, October 23, 2012, 6:00 p.m., Original Ordinance No. 1859; and,  
3. Work Session, October 23, 2012, 6:00 p.m., on Turner Tract Land; and,  
  
that Council cancel the following meetings:  
1. Public Hearing, October 09, 2012, 6:00 p.m., Original Ordinance No. 1858; and,  
2. Public Hearing, October 09, 2012, 6:00 p.m., Original Ordinance No. 1859; and,  
3. Work Session, October 9, 2012, 6:00 p.m., on Turner Tract Land.

**REGULAR AGENDA**

**6. Consideration of Letter of Request from E&K Smith Enterprises, Inc., dba The Alibi Pub, regarding changes to dispensing area and additional serving area.**

MOTION BY VITALE, seconded by Kempert, that Council approve the proposed amendment to the dispensing area for the Alibi Pub, License No. R6, and authorize the amendment effective upon completion of construction and notice of such provided to the City Clerk, and inspection approval by the City Clerk.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays:McKinley. Absent: Hanson. MOTION CARRIED.

**7. Consideration of Bid(s) received for Turner Tract property.**

MOTION BY KEMPERT, seconded by Molvar, that Council discuss the proposed sale of the Turner Tract parcel that was advertised for possible sale and consider the bids received for that property.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

MOTION BY PAULEKAS, seconded by Molvar, that Council reject both bids, and we open the bidding

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process to anyone for future consideration of Council.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**8. Consideration of Agreements with LEDC and University of Wyoming concerning development of Cirrus Sky Park:**

**A. Contingency and Development Agreement with LEDC;**

MOTION BY PAULEKAS, seconded by Vitale, that Council approve the Contingency and Development Agreement with Laramie Economic Development Corporation (LEDC) for the development and marketing of Cirrus Sky Park, and authorize the Mayor and City Clerk to sign.

MOTION BY MOLVAR, seconded by Kempert, that Council amend Attachment C, §B, to read matching any grant funds for any further development elsewhere in the City of Laramie.

QUESTION CALLED BY VITALE, seconded by Kempert.

Roll call ON QUESTION showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. QUESTION CARRIED.

Roll call ON AMENDMENT showed Aye: Molvar. Nays: Paulekas, McKinley, Kempert, Vitale, Shumway, McCracken, and Mullner. Absent: Hanson. MOTION FAILED.

Roll call ON MOTION showed Aye: Paulekas, Kempert, Vitale, Shumway, McCracken, and Mullner. Nays: McKinley and Molvar. Absent: Hanson. MOTION CARRIED.

**B. Memorandum of Understanding with the University of Wyoming and LEDC;**

MOTION BY PAULEKAS, seconded by Kempert, that Council approve the Memorandum of Understanding with the University of Wyoming and Laramie Economic Development Corporation for the development on the parcel of Cirrus Sky Park that is intended to be sold to UW, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: Hanson. MOTION CARRIED.

**C. Option Concerning Purchase of Real Property Agreement University of Wyoming.**

MOTION BY PAULEKAS, seconded by Vitale, that Council approve the Option to Purchase Agreement with the University of Wyoming for the proposed purchase of a parcel of property in the Cirrus Sky Park, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: Hanson. MOTION CARRIED.

Council recessed at 8:34 p.m.

Council reconvened at 8:45 p.m.

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**9. Emergency Original Ordinance No. 1860, authorizing the issuance by the City of Laramie, Wyoming of Water Refunding Revenue Bonds, Series 2012, in a maximum principal amount of \$1,140,000.00, for the purpose of refinancing a portion of the City of Laramie, Wyoming, Water Refunding Revenue Bonds, Series 2011; prescribing the form of said bond; providing for the pledge of revenues to pay the principal and interest thereon; providing other details in connection therewith; and declaring an emergency. Introduction and Readings.**

**A. Suspend provisions of Wyoming Statute §15-1-115(c) for the consideration of Emergency Original Ordinance No. 1860,**

MOTION BY MCCRAKEN, seconded by Molvar, that the provisions of Wyoming Statute §15-1-115(c) be suspended for the consideration of an Emergency Ordinance, Original Ordinance No. 1860, authorizing the refinancing of specified water system bonds for the reason that the bond market may change during the period of three readings.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

**B. Pass Emergency Ordinance No. 1860 on emergency basis, waiving the three readings, have the ordinance effective upon Mayor's signing , and publish as soon as practicable.**

MOTION BY MCCRAKEN, seconded by Molvar, that Original Ordinance No. 1860, authorizing the refinancing of water system bonds, be passed on an emergency basis, waiving the three readings, have the ordinance effective upon signature by the Mayor proclaiming the passage of the ordinance and the City Clerk, and require that the ordinance be published as soon as practicable following this meeting.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

**10. Amendment No. 2 to Professional Services Agreement between the City of Laramie, Wyoming and Short Elliott & Hendrickson (SEH) for the North Laramie Drainage Study.**

MOTION BY MOLVAR, seconded by Shumway, that Council approve Amendment No. 2 to the Professional Services Agreement between the City of Laramie and Short Elliot & Hendrickson (SEH) for the North Laramie Drainage Study to add \$18,112.50 to the current contract amount of \$160,845.50 for a new total amount not to exceed \$178,958.00

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

**10A. Consideration of Contract with Water Systems Drilling Incorporated for the Simpson Springs Well and Pump Test Project,**

MOTION BY PAULEKAS, seconded by Vitale, that Council approve the Contract with Water Systems Drilling Incorporated, of Gillette, WY, in the amount of \$114,273.00, to drill a third test well for the Simpson Springs Well and Pump Test Project, to approve the contract therefore, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

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**11. Consideration of Bid Award for 2012 Police Vehicles.**

MOTION BY MCKINLEY, seconded by Kempert, that Council award the 2012 Police Vehicle Bid to Spradley-Barr, Cheyenne, WY, in the amount of \$170,588.00 with trade-in.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**12. Consideration of Bid Award for Utility Division Vehicle.**

MOTION BY SHUMWAY, seconded by Kempert, that Council award the Utilities Division Vehicle Bid to Laramie GM Auto Center, Laramie, WY, in the amount of \$17,000.00 including trade-in.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**13. Consideration for Bid Award for Waste Water Treatment Plant Roof Replacement.**

MOTION BY PAULEKAS, seconded by Shumway, that Council award the Wastewater Treatment Plant Roof Replacement Bid to Big Horn Roofing, Inc., Laramie, WY, in the amount of \$80,230.00, plus a contingency amount of \$5,000.00 for a total amount not to exceed \$85,230.00, to approve the Contract therefore, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**14. Consideration of Walker Subdivision - Final Plat.**

MOTION BY MOLVAR, seconded by Shumway, that Council approve the Final Plat of Walker Subdivision in accordance of findings of fact and conclusions of law, and such conditions that may be placed upon it by staff, and authorize the Mayor and City Clerk to sign.

MOTION BY MOLVAR, seconded by Shumway, that Council postpone the Walker Subdivision Final Plat, at the applicant's request, until the February 19, 2013 regular City Council meeting.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**15. Original Ordinance No. 1855, redesignating the name of a portion of Mitchell Street (redesignated as Plains Street. (Introduced by Kempert) Second Reading. Public Hearing: 9/25/2012.**

MOTION BY KEMPERT, seconded by Molvar, that Council approve Original Ordinance No. 1855 on Second Reading, redesignating the name of a portion of the Mitchell Street (Redesignated as Plains Street), and noting a Public Hearing was held September 25, 2012.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner.  
Nays: None. Absent: Hanson. MOTION CARRIED.

**16. Original Ordinance No. 1856, redesignating the name of Hilltop Street (redesignated as**

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**Crestridge Street). (Introduced by Kempert) Second Reading. Public Hearing: 9/25/2012.**

MOTION BY KEMPert, seconded by Shumway, that Council approve Original Ordinance No. 1856 on Second Reading, redesignating the name of Hilltop Street (redesignated as Crestridge Street), and noting a Public Hearing was held on September 25, 2012.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Shumway, McCracken, and Mullner. Nays: None. Absent: Hanson. MOTION CARRIED.

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

Molvar: Throw away food from restaurants and grocery stores.

City Manger Jordan suggested that Staff look into this issue and the Environmental Health requirements, check with the Soup Kitchen, and report back to decide if a work session is needed.

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

None.

**19. Adjourn to Executive Session regarding personnel.**

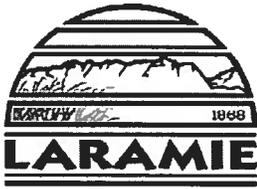
MOTION BY MCKINLEY, seconded by Molvar, that Council adjourn to Executive Session regarding personnel.

MOTION CARRIED by voice vote.

Council adjourned at 9:48 p.m.

Respectfully submitted,

Sue Morris-Jones, MMC  
City Clerk



## City of Laramie

Community Development Department  
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### MINUTES

#### Laramie Planning Commission

Monday, October 8, 2012 at 4:30 PM

City Council Chambers, City Hall

406 Ivinson, Laramie, WY

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*The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Community Development Department 48 hours in advance of the meeting.*

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#### 1. CALL TO ORDER/ ROLL CALL

Meeting convened at 4:30PM

Members present: Bob Boysen, Jon Gardzelewski, Vicki Henry, Jim McGrath, Randy Vickers, Paul Weaver (arrived at 4:40 PM, left at 8:00 PM), Kaye Willis (Chair)

Members absent: None

There was a quorum present at all times.

Council Liaison: Erik Molvar (present)

Staff Present: Charles Bloom, David Derragon, Jodi Guerin, Paul Harrison, Randy Hunt, Cody Jennings, Larry Ketcham, Derek Teini, Kathleen Wickersham

#### 2. APPROVAL OF AGENDA AND MINUTES

##### 2-A. AGENDA: Changes and Approval of Agenda.

Hunt requested that the agenda item 6-D. TA-12-02, be changed to 6-C. TA-12-02, to correct a typographical error.

Agenda was approved as amended.

##### 2-B. MINUTES: Monday, September 24, 2012 Planning Commission Meeting

**MOTION BY HENRY, seconded by Vickers,** to approve the Minutes from the September 24, 2012 Planning Commission meeting as written.

Aye: 6 (Weaver absent)

Nay: 0

**Motion carried.**

#### 3. CITIZEN COMMENTS - Non-Agenda Related Topics – No Action Can Be Taken

No comments.

#### 4. PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS

No comments.

#### 5. DISCLOSURES

McGrath stated he was friends with Harry Schlegel, the applicant requesting a conditional use permit (agenda item 6-B. CUP-12-09) for an accessory building exceeding 1000 sq. ft. Commissioner McGrath requested to remove himself from the discussion and decision regarding this matter.

Fellow Commissioners approved to allow McGrath to abstain from this agenda item.

#### 6. CURRENT PLANNING PROJECTS

**NEW BUSINESS:**

**6-A. CUP-12-07 2663 Sybille Drive – Accessory Building**

Jennings presented the staff report. The applicant, Robert C. Routson requested a conditional use permit for construction of an accessory building exceeding 1000 sq. ft., located at 2663 Sybille Drive.

Routson addressed the Commission to provide more information on the project.

**MOTION BY HENRY, seconded by McGrath,** to approve the construction of an accessory building exceeding 1000 sq. ft. located at 2663 Sybille Drive and zoned RR (Rural Residential) District, based on findings of fact and conclusions of law and subject to all staff's recommended conditions.

Aye: 6 (Weaver absent)

Nay: 0

**Motion carried.**

**6-B. CUP-12-09 2475 Riverside Drive – Accessory Building**

Jennings presented the staff report. The applicants, Harry and Theresa Schlegel requested a conditional use permit for construction of an accessory building exceeding 1000 sq. ft., located at 2475 Riverside Drive.

Harry Schlegel addressed the Commission to provide more information and answer questions.

**MOTION BY VICKERS, seconded by Henry,** to approve a conditional use permit to allow construction of an accessory building exceeding 1000 sq. ft. located at 2475 Riverside Drive and zoned RR (Rural Residential) District, based on findings of fact and conclusions of law and subject to all staff's recommended conditions.

Aye: 6 (McGrath abstained)

Nay: 0

**Motion carried.**

**OLD BUSINESS:**

**6-C. TA-12-02 Creation of Technology and Office (TO) Zone District**

Hunt presented the staff report. The applicant, The City of Laramie, requested a Unified Development Code text amendment creating a Technology and Office Zone District. The new zoning district (15.08.030.L) would provide for the development of a mix of office, research and production and technology uses with the emphasis on office, research uses and technology in campus or park-like settings. Hunt responded to Commissioners' questions.

City staff members David Clark, City Attorney, and Jodi Guerin, Grants Analyst, also addressed the Commission and responded to questions regarding this item.

The following citizens spoke on item TA-12-02:

Erik Molvar, City Council Liaison  
Megan Goetz, P O Box 1285, Laramie  
Neil Harrison, 1711 Beaufort Street, Laramie  
Donal O'Toole, 2032 Holliday Drive, Laramie  
Becky Riley, 1065 Arapaho Drive, Laramie  
Janet Wilkey, 1814 Beaufort Street, Laramie  
Shane Murphy, 1720 Beaufort Street, Laramie  
Jerry Devin, 3601 Grays Gables Road, Laramie  
Tom Henry, 3604 Hayford Avenue, Laramie  
Karen Wawrasek, 1720 Beaufort Street, Laramie

**MOTION BY BOYSEN, seconded by Vickers,** to recommend the City Council approve amendments to the Unified Development Code as shown in Attachment A providing for a Technology and Office (TO) Zoning District.

**MOTION BY GARDZELEWSKI, seconded by Vickers,** to amend the main motion to include retail (sales) as a conditional use.

Aye: 3

Nay: 4

**Motion failed.**

**MOTION BY WEAVER, seconded by Boyesen,** to amend the main motion to change the Data Center in the Office and Technology Use Category from a permitted use to a conditional use.

Aye: 2

Nay: 5

**Motion failed.**

**MOTION BY MCGRATH, seconded by Vickers,** to allow conditional use of coffee shops; restaurants, without drive-in or drive-thru; book and stationary stores; convenience store-with fuel; and office supply stores.

Aye: 6

Nay: 1

**Motion carried.**

**The vote on the main motion as amended is as follows:**

Aye: 6

Nay: 1

**Motion carried.**

#### **6-D. CPA-12-02 Cirrus Sky Comprehensive Plan Amendment**

Hunt provided an overview of the amendment.

The following citizens spoke on item CPA-12-02:

Donal O'Toole, 2032 Holliday Drive, Laramie

Shane Murphy, 1720 Beaufort Street, Laramie

Jodi Guerin, City's Grants Analyst

Neil Harrison, 1711 Beaufort Street, Laramie

**MOTION BY BOYSEN, seconded by McGrath,** to amend the Future Land Use Map (Map 3.2) of the Comprehensive Plan, for an area of approximately 150 acres, from "Suburban Residential" category to "Suburban Commercial".

**MOTION BY GARDZELEWSKI, seconded by Henry,** to amend the main motion to be subject to the Cirrus Sky grant being awarded and the project moving forward.

David Clark, City Attorney suggested that the Comprehensive Plan Amendment be tied to the zoning change and not to the grant being awarded.

**MOTION BY GARDZELEWSKI, seconded by Henry,** to withdraw the amendment to the main motion.

**MOTION BY GARDZELEWSKI,** to amend the main motion to be subject to the Cirrus Sky grant. No one seconded the motion.

**Amendment failed.**

**The vote on the main motion is as follows:**

Aye: 7

Nay: 0

**Motion carried.**

**6-E. A-12-02      Cirrus Sky Annexation**

Hunt stated that 172 – acre area to be annexed consists of three tracts of land: the approximately 149 acre Coughlin property that was reported on in previous agenda items 6-C. TA-12-02, and 6-D. CPA-12-02, along with two additional properties. The Albany County School District owns a 15 acre parcel at the north end of 15<sup>th</sup> Street, and Rawstone Development owns an approximately 8-acre area located north-northeast of 22<sup>nd</sup> Street. Both landowners as well as Mr. Coughlin are supportive of the annexation. It is necessary to annex the other two properties at the same time as Coughlin's, as Wyoming Statutes do not allow leaving "donut holes" of unannexed County land surrounded by the City.

**MOTION BY HENRY, seconded by Weaver,** to recommend approval to the City Council of the petition for annexation of approximately 172 acres of land, based on findings of fact and conclusions of law and subject to all staff recommendations.

Aye: 7

Nay: 0

**Motion carried.**

**6-F. Z-12-04      Cirrus Sky Zoning**

Hunt provided the staff report. The applicant, the City of Laramie has requested a zoning change for 172 acres of property to be zoned R1 (single Family Residential), O (Open) and TO (Technology and Office) Districts. The property is generally located north of City Limits, east of the future extension of 15<sup>th</sup> Street and west of the future extension of 30<sup>th</sup> Street.

**MOTION BY WEAVER, seconded by Vickers,** to recommend approval to the City Council of the application to zone approximately 172 acres of newly annexed property, to R1 (Single-Family Residential), O (Open) and TO (Technology and Office), based on findings of fact and conclusions of law.

**MOTION BY GARDZELEWSKI, seconded by Henry,** to amend the main motion to be contingent on receiving the Cirrus Sky grant.

Aye: 6

Nay: 1

**Motion carried.**

**The vote on the main motion, as amended, is as follows:**

Aye: 7

Nay: 0

**Motion carried.**

**Willis, Planning Commission Chair, called a 10 minute break at 7:32 PM.**

**Meeting reconvened at 7:42 PM.**

**6-G. CPA-12-01      Southeast of the Intersection of Garfield & 30<sup>th</sup> Streets:  
Amendments to future Land Use Plan and Development Limitations  
Map [Remanded to the Planning Commission for re-review]**

Bloom highlighted the project information from the August 27, 2012 staff report. In addition, he stated that this agenda item was remanded back to the Planning Commission from the City Council for re-evaluation and clarification of findings of fact.

Weaver declared a conflict of interest and recused himself from the discussion and decision regarding the agenda items 6-G. CPA-12-01.

Fellow Commissioners approved to allow Weaver to recuse himself from this agenda item, and Weaver left the meeting at 8:00 PM.

The following citizens spoke on item CPA-12-01:

Marion Paxton, 2621 East Sheridan Street, Laramie  
Tom Fleener, P.O. Box 913, Laramie  
Sue E. Lowe, 405 South 30<sup>th</sup> Street, Laramie  
Christine Stibbens, 1415 LaPrele, Laramie  
John Burman, E. Garfield, Laramie  
Margaret Arth, 2621 Sheridan Street, Laramie  
William Streib, 2621 East Sheridan Street, Laramie  
Donal O'Toole, 2032 Holliday Drive, Laramie  
William Bird, 1713 Downey Street, Laramie  
Marcia Gladstone, 2621 East Sheridan Street, Laramie

Attorney Phil Nicholas, 170 North 5<sup>th</sup> Street, Laramie, representing the applicants, spoke on behalf of the project and amendment, and responded to citizen questions and concerns.

**MOTION BY HENRY, seconded by McGrath**, to deny a request to amend Development Limitations Map (Map 7.3) because "we need more evidence from experts to prove the existence of the ridgeline and floodways that are outlined on the map".

Aye: 3 (Weaver absent)

Nay: 3

**Motion failed.**

**MOTION BY BOYSEN, seconded by Vickers**, to approve amending the Land Use Plan Amendment from "Park/Open Space" and "Suburban Residential" categories to "Auto-Urban Multifamily" for an area approximately 17 acres in size, based on finding of fact for the reasons given in the staff report.

Aye: 3 (Weaver absent)

Nay: 3

**Motion failed.**

As neither motion received the required absolute majority of four votes, the Planning Commission's original Aug. 27 recommendation for denial remained standing.

## 7. LONG RANGE PLANNING PROJECTS

No items

## 8. VARIANCES (sitting as Board of Adjustment)

No items

## 9. ADJOURNMENT

**MOTION BY VICKERS, seconded by Gardzelewski**, to adjourn the meeting.

Aye: 6 (Weaver absent)

Nay: 0

**Motion carried.**

Meeting adjourned at 9:33 PM.

VALIDATED:

KAYE WILLIS	11/26/2012
Kaye Willis, Planning Commission Chair	Date
KATHLEEN WICKERSHAM	11/26/2012
Kathleen Wickersham, Planning Commission Secretary and Clerk	Date

The original Minutes were approved and signed on November 26, 2012.  
The signed document is on file.

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

**1. Pledge of Allegiance.**

Mayor Mullner led the Pledge of Allegiance.

**2. Roll Call.**

Roll call showed Present: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Absent: None.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Sue Morris-Jones, City Clerk; David Clark, City Attorney; Malea Brown, Administrative Service Director; Randy Hunt, Community Development Director; Paul Harrison, Parks and Recreation Director; Richard Elliot, Public Works Director; and Dan Johnson, Fire Chief.

**3. Disclosures by City Council Members.**

None

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

A. MOTION BY MCCRAKEN, seconded by Molvar, that the following changes to the Agenda be approved: 5G. Travel Authorization for Mayor; and on 5F. Item 8 amend the date to December 17, 2012 at the Recreation Center Conference Room.

MOTION CARRIED by voice vote.

B. MOTION BY MCCRAKEN, seconded by Hanson, that the Agenda be set as changed.

MOTION CARRIED by voice vote.

**5. Approval of Consent Agenda.**

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

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: Vitale 5D and 5G, Molvar on 5D 4, and Hanson 5D 2 and 4. Mullner recused on 5G. Absent: None. MOTION CARRIED.

**CONSENT AGENDA**

- 5A. Minutes of City Council Meetings.  
Action: that Council approve the Minutes of the City Council Regular Meeting of November 07, 2012, Public Hearing of Nov. 07, 2012, and have them placed on file for public inspection.
- 5B. Cemetery Deeds for November 01-15, 2012.  
Action: that the Cemetery Deeds for November 01-15, 2012 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

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- 5C. Minutes.  
Action: that Council acknowledge receipt of the Minutes of the October 24, 2012 and October 31, 2012 Meetings of the Parks, Trails and Recreation Ad Hoc Advisory Committee.
- 5D. Minutes.  
Action: that Council acknowledge receipt of the Minutes of the October 11, 2012 Meeting of the Traffic Commission and that the following items be approved as indicated:  
1. To approve placement of left turn lanes at the intersection of 30<sup>th</sup> Street and Harney Street;  
2. To approve removal of parking on 30<sup>th</sup> Street between Garfield Street and Grand Avenue;  
3. To approve placement of a right turn only lane for south bound traffic on 30<sup>th</sup> Street at Grand Avenue;  
4. To approve placement of a right turn only lane for south bound traffic on 30<sup>th</sup> Street at Garfield Street.
- 5E. Grant.  
Action: that Council accept a State of Wyoming Impaired Driving Enforcement Grant Award from the Wyoming Highway Safety Office to provide training for developing additional Police Officers from the Laramie Police Department and from around the State to become Drug Recognition Experts and to develop the statewide Wyoming Drug Evaluation and Classification Program, in the amount of \$81,713.65.
- 5F. Schedule Meeting:  
Action: that Council schedule the following meeting(s):  
1. Public Hearing, December 04, 2012, 6:30 p.m. regarding a Restaurant Liquor Application, Driving Force Restaurants, LLC, dba Burger Xtreme, 204 N. 3<sup>rd</sup> Street;  
2. Public Hearing, December 11, 2012, 6:00 p.m., Original Ordinance No. 1861, vacating alley;  
3. Public Hearing, December 11, 2012, 6:00 p.m., Original Ordinance No. 1862, solid waste fees;  
4. Public Hearing, January 02, 2013, 6:30 p.m., Original Ordinance No. 1863, creating a TO Zone District;  
5. Public Hearing, January 02, 2013, 6:30 p.m., Resolution No. 2012-61, certifying Planning Commission action;  
6. Public Hearing, January 02, 2013, 6:30 p.m., Original Ordinance No. 1864, annexation of approx. 172 acres of property;  
7. Public Hearing, January 02, 2013, 6:30 p.m., Original Ordinance No. 1865, amending Zoning District Map to rezone approx. 172 acres of property;  
8. Work Session, December 17, 2012, 5:00 p.m., Review of 2013 Legislative Session with Albany County Legislators;  
9. Work Session, December 11, 2012, 6:00 p.m., City Council Code of Conduct.
- 5G. Travel Expenses  
Action: that Council approve NLC Travel Expenses for Mayor Mullner as presented.

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**REGULAR AGENDA**

**6. Consideration of Bar & Grill Liquor License Application of K & S, Inc. dba Sushi Boat.**

MOTION BY KEMPert, seconded by Molvar, that Council approve the application for Bar & Grill Liquor License No. BG-3, to K & S, Inc. dba Sushi Boat, 421 Boswell Drive, Laramie, Wyoming.

MOTION BY SHUMWAY, seconded by Molvar, that in conjunction with approval of this (license), we (the City) must receive receipt payment of a prorated fee, prorated from the sixth of December, 2012 thru May 7, 2013, to cover the cost plus the filing fee for this license by December 6, 2012.

Roll call ON AMENDMENT showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

Roll call ON MAIN MOTION AS AMENDED showed Aye: Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: Paulekas and McKinley. Absent: None. MOTION CARRIED.

Council recessed at 7:40 p.m.

Council reconvened at 7:49 p.m.

**7. Consideration of Resolution No. 2012-67, Allocation Agreement, Cooperative Agreement, and Services Agreement for the Wyoming Smart Capital Network.**

The City Clerk read Resolution No. 2012-67 by title only.

RESOLUTION TO APPROVE THE ALLOCATION AGREEMENT, THE SERVICES AGREEMENT, THE COOPERATIVE AGREEMENT AND TO APPOINT CITY MANAGER TO THE CONSORTIUM BOARD FORT OVERSIGHT OF THE STATE SMALL BUSINESS CREDIT INITIATIVE PROGRAM AUTHORIZED UNDER THE SMALL JOBS ACT OF 2010.

MOTION BY MOLVAR, seconded by Hanson, that Council approve resolution 2012-67, the Cooperative Agreement, the Services Agreement, and the Allocation agreement, for the purposes of joining the City of Laramie to the SSBCI Municipal Consortium as Lead City, accepting a federal award for the consortium of \$13,168,35.00 from the US Department of Treasury, and engaging the services of the Wyoming Smart Capital Network, LLC, to operate the programs on behalf of the Consortium and within the City of Laramie, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**8. Consideration of Bids received for Turner Tract property, Beech and Glacier Streets.**

MOTION BY PAULEKAS, seconded by Molvar, that Council discuss the proposed sale of the Turner Tract parcel located at the corner of Beech and Glacier Streets that was advertised for possible sale and consider the bids received for that property.

MOTION CARRIED by voice vote.

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MOTION BY SHUMWAY, seconded by Vitale, that Council approve the bid of Summit Housing Group, LLC, for \$501,150.00.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, and McCracken. Nays:McKinley and Mullner. Absent: None. MOTION CARRIED.

**9. Original Ordinance No. 1858, approving and authorizing the annexation of 5.43 acres of County right-of-way, generally located north and northwest of the end of 10<sup>th</sup> Street and 13<sup>th</sup> Street into the boundaries of the City of Laramie, Wyoming (Walker Construction). (Introduced by Vitale) Third/Final Reading. Public Hearing: 10/23/2012.**

The City Clerk read Original Ordinance No. 1858 by title only.

AN ORDINANCE APPROVING AND AUTHORIZING THE ANNEXATION OF 5.43 ACRES OF COUNTY RIGHT-OF-WAY, GENERALLY LOCATED NORTH AND NORTHWEST OF THE END OF 10<sup>TH</sup> STREET AND 13<sup>TH</sup> STREET INTO THE BOUNDARIES OF THE CITY OF LARAMIE, WYOMING.

MOTION BY VITALE, seconded by Molvar, that Council approve Original Ordinance No. 1858 on Third and Final Reading, annexing approximately 5.43 acres of County right-of-way, generally located north and northwest of the end of 10<sup>th</sup> Street and 13<sup>th</sup> Street, based on findings of fact and conclusions of law, and authorize the Mayor and City Clerk to sign, and noting a public hearing was held on October 23, 2012.

QUESTION BY MOLVAR, seconded by Kemper.

Roll call ON QUESTION showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, and Shumway. Nays: McCracken and Mullner. Absent: None. MOTION CARRIED.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**10. Original Ordinance No. 1859, amending the Zoning District Map of the City of Laramie, Wyoming, by rezoning approximately 5.43 acres of county right-of-way, from County Residential to R2 (Limited Multi-family) District (Walker Construction). (Introduced by Vitale) Third/Final Reading. Public Hearing: 10/23/2012.**

The City Clerk read Original Ordinance No. 1859 by title only.

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, BY REZONING APPROXIMATELY 5.43 ACRES OF COUNTY RIGHT-OF-WAY, FROM COUNTY RESIDENTIAL TO R2 (LIMITED MULTI-FAMILY) DISTRICT.

MOTION BY VITALE, seconded by Molvar, that Council approve Original Ordinance No. 1859 on Third and Final Reading, by rezoning approximately 5.43 acres of County right-of-way, generally located north and northwest of the end of 10<sup>th</sup> Street and 13<sup>th</sup> Street from County Residential to R2 (Limited Multi-family) District, as illustrated in the Planning Commission staff report, and authorize the Mayor and City Clerk to sign, noting a public hearing was held on October 23, 2012.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**11. Original Ordinance No. 1861, an ordinance of the City Council for the City of Laramie, Wyoming**

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**vacating the entirety of the alley located within Block 130 of the Union Pacific Railway Company's Second Addition. Introduction and First Reading. Public Hearing: 12-11-2012.**

The City Clerk read Original Ordinance No. 1861 by title only.

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF LARAMIE, WYOMING VACATING THE ENTIRETY OF THE ALLEY LOCATED WITHIN BLOCK 130 OF THE UNION PACIFIC RAILWAY COMPANY'S SECOND ADDITION.

MOTION BY PAULEKAS, seconded by Vitale, that Council approve Original Ordinance No. 1861 on first reading, vacating the entirety of the north-south alley located within Block 130 of the Union Pacific Railway Company's Second Addition, generally located between Bradley and Lewis Streets and between 10<sup>th</sup> and 11<sup>th</sup> Streets, based on findings of fact and conclusions of law, subject to the Planning Commission's recommended conditions, confirm a Public Hearing for December 11, 2012, and delay Second Reading until December 18, 2012.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

MOTION BY SHUMWAY, seconded by Kempert, that Council continue the Regular City Council Meeting of November 20, 2012 to November 26, 2012, at 6:00 p.m.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, and McCracken. Nays: Mullner. Absent: None. MOTION CARRIED.

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

MOTION CARRIED by voice vote.

Council adjourned at 10:29 p.m.

Council reconvened Monday, November 26, 2012, at 6:00 p.m., in Council Chamber, City Hall.

The City Clerk Read the Notice:

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL MEETING OF NOVEMBER 20, 2012 HAS BEEN CONTINUED IN COUNCIL CHAMBERS OF CITY HALL, 406 IVINSON STREET TO THE FOLLOWING DATE:

MONDAY, NOVEMBER 26, 2012, AT 6:00 P.M.

PUBLISHED: NOVEMBER 25, 2012.

**Pledge of Allegiance.**

Mayor Mullner led the Pledge of Allegiance.

**Roll Call**

Roll call showed Present: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Absent: None.

Staff present: Janine Jordan, City Manager; David Derragon, Assistant City Manager; Sue Morris-Jones, City

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Clerk; David Clark, City Attorney; Malea Brown, Administrative Service Director; Randy Hunt, Community Development Director; Paul Harrison, Parks and Recreation Director; Richard Elliot, Public Works Director; and Dan Johnson, Fire Chief.

**Disclosures by City Council Members.**

None

**12. Original Ordinance No. 1862, amending Title 13, Division IV, Chapter 62 of Laramie Municipal Code to regulate Solid Waste Fees in the City of Laramie. Introduction and First Reading. Public Hearing: 12-11-2012.**

MOTION BY HANSON, seconded by Molvar, that Council approve First Reading of Original Ordinance No. 1862, Amending Title 13, Division IV, Chapter 62 of the Laramie Municipal Code to modify solid waste fees.

Roll call showed Aye: Paulekas, McKinley, Kempert, Hanson, Shumway, McCracken, and Mullner. Nays: Molvar and Vitale. Absent: None. MOTION CARRIED.

Council recessed at 8:00 p.m.

Council reconvened at 8:07 p.m.

**13. Original Ordinance No. 1863, amending Title 15 of Laramie Municipal Code creating a Technology and Office Zone District. Introduction and First Reading. Public Hearing: 01-02-2013.**

The City Clerk read Original Ordinance No. 1863 by title only.

AN ORDINANCE AMENDING TITLE 15 OF LARAMIE MUNICIPAL CODE CREATING A TECHNOLOGY AND OFFICE ZONE DISTRICT.

MOTION BY VITALE, seconded by Molvar, that Council approve Original Ordinance No. 1863 on First Reading, based on findings of fact and conclusions of law and as recommended by the Planning Commission, set a Public Hearing for January 2, 2013; and delay second reading to January 2, 2013.

MOTION BY MCCRAKEN, seconded by Molvar, that Council amend Table 15.10-01, attachment B, to delete "Convenience store, with fuel", as permissible use in the TO (Technology and Office Zone) district.

Roll call ON AMENDMENT showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, McCracken, and Mullner. Nays: Hanson and Shumway. Absent: None. MOTION CARRIED.

Roll call ON MOTION AS AMENDED showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**14. Resolution No. 2012-61, resolution of the Laramie City Council certifying Planning Commission action, regarding amendments to the Future Land Use Map (Map 3.2) of the 2007 Laramie Comprehensive Plan. Public 01-02-2013.**

MOTION BY HANSON, seconded by Molvar, that Council approve consideration of the City Council Resolution 2012-61 certifying Planning Commission action amending the Future Land Use Map (Map 3.2) of

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the 2007 Laramie Comprehensive Plan, for property generally located north of City Limits, east of the future extension of 15<sup>th</sup> Street and west of the future extension of 30<sup>th</sup> Street, by changing the Future Land Use Designation from "Suburban Residential" category to "Suburban Commercial".

MOTION BY HANSON, seconded by Molvar, that Council postpone Resolution No. 2012-61, until February 5, 2013, and set a Public Hearing for January 2, 2013.

Roll call ON POSTPONEMENT showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, and Mullner. Nays: McCracken. Absent: None. MOTION CARRIED.

**15. Original Ordinance No. 1864, approving and authorizing the annexation of approximately 172 acres of property located in the unincorporated Albany County, generally located north of City limits, east of the future extension of 15<sup>th</sup> Street and west of the future extension of 30<sup>th</sup> Street into the boundaries of the City of Laramie, Wyoming. Introduction and First Reading. Public Hearing: 01-02-2013.**

The City Clerk read Original Ordinance No. 1864 by title only.

AN ORDINANCE APPROVING AND AUTHORIZING THE ANNEXATION OF APPROXIMATELY 172 ACRES OF PROPERTY LOCATED IN THE UNINCORPORATED ALBANY COUNTY, GENERALLY LOCATED NORTH OF CITY LIMITS, EAST OF THE FUTURE EXTENSION OF 15<sup>TH</sup> STREET AND WEST OF THE FUTURE EXTENSION OF 30<sup>TH</sup> STREET INTO THE BOUNDARIES OF THE CITY OF LARAMIE, WYOMING.

MOTION BY SHUMWAY, seconded by Molvar, that Council approve Original Ordinance No. 1864 on first reading, annexing approximately 172 acres of property located in the unincorporated Albany County, generally located north of City limits, east of the future extension of 15<sup>th</sup> Street and west of the future extension of 30<sup>th</sup> Street; based on findings of fact and conclusions of law and as recommended by the Planning Commission; set a public Hearing for January 2, 2013; and delay 2<sup>nd</sup> reading until January 2, 2013.

Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: McKinley. Absent: None. MOTION CARRIED.

**16. Original Ordinance No. 1865, amending the Zoning District Map of the City of Laramie, Wyoming, by rezoning approximately 172 acres of property from County Residential to R1 (single-family residential) District, O (open) District and TO (technology and office) District. Introduction and First Reading. Public Hearing: 01-02-2013.**

The City Clerk read Original Ordinance No. 1865 by title only.

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LARAMIE, WYOMING, BY REZONING APPROXIMATELY 172 ACRES OF PROPERTY FROM COUNTY RESIDENTIAL TO R1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, O (OPEN) DISTRICT AND TO (TECHNOLOGY AND OFFICE) DISTRICT.

MOTION BY SHUMWAY, seconded by Molvar, that Council approve Original Ordinance No. 1865 on First Reading, rezoning approximately 172 acres of property located in the unincorporated Albany County, generally located north of City limits, east of the future extension of 15<sup>th</sup> Street and west of the future extension of 30<sup>th</sup> Street from County Residential and Exempt to R1 (Single-Family Residential) District, O (Open) District and TO (Technology and Office) District, as illustrated in the Planning Commission staff report and as recommended by the Planning Commission; set a Public Hearing January 2, 2013; and delay 2<sup>nd</sup> reading until January 2, 2013.

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Roll call showed Aye: Paulekas, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner.  
Nays: McKinley. Absent: None. MOTION CARRIED.

**17. Consideration of request to advertise City owned property for sale in Turner Tract.**

MOTION BY KEMPert, seconded by Paulekas, that Council discuss whether the City should advertise a portion of the Turner Tract which lies to the west of Boulder, south of the proposed Tennis facility and north of the proposed high school tract for sale.

MOTION BY VITALE, seconded by Hanson, that Council amend the motion to advertise the property for sale.

QUESTION BY MOLVAR, seconded by Kempert.

Roll call ON QUESTION showed Aye: Paulekas, McKinley, Kempert, Molvar, Hanson, Shumway, McCracken, and Mullner. Nays: Vitale. Absent: None. QUESTION CARRIED.

Roll call ON AMENDMENT showed Aye: Kempert, Vitale, Hanson, Shumway, McCracken, and Mullner.  
Nays: Paulekas, McKinley, and Molvar None. Absent: None. MOTION CARRIED.

Roll call ON MOTION AS AMENDED showed Aye: Vitale. Nays: Paulekas, McKinley, Kempert, Molvar, Hanson, Shumway, McCracken, and Mullner. Absent: None. MOTION FAILED.

**18. Consideration of Amendment to City Attorney Employment Contract.**

MOTION BY HANSON, seconded by Kempert, that Council approve the Amendment to the At-Will Employment Agreement with City Attorney David Clark, which will extend the Agreement through October 3, 2013.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Hanson, Shumway, McCracken, and Mullner.  
Nays: Vitale. Absent: None. MOTION CARRIED.

**19. Resolution No. 2012-62, authorizing an additional ½ FTE (full time equivalent) position authorization for the current vacant part time benefitted Aquatics Coordinator position along with authorizing a FY13 Budget Amendment, in the amount of \$13,000.00.**

The City Clerk read Resolution No. 2012-62 by title only.

A Resolution authorizing an additional one half FTE (full time equivalent) position authorization for the current vacant part time benefitted Aquatics Coordinator position

MOTION BY MCKINLEY, seconded by Shumway, that Council approve Resolution 2012-62, authorizing an addition one half FTE (full time equivalent) position authorization for the current vacant part time benefitted Aquatics Coordinator position, along with authorizing a FY13/14 budget amendment, in the amount of \$75,500.00, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**20. Resolution No. 2012-63, resolution establishing December 24, 2012 and December 31, 2012 as**

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**City observed holidays.**

The City Clerk read Resolution No. 2012-63 by title only.

A RESOLUTION ESTABLISHING DECEMBER 24, 2012 AND DECEMBER 31, 2012 AS CITY OBSERVED HOLIDAYS.

MOTION BY HANSON, seconded by Molvar, that Council pass Resolution 2012-63, granting City employees two additional holidays in 2012, Christmas Eve and New Years Eve, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED

**21. Resolution No. 2012-64, to appoint members to the Laramie Advisory Commission on Disabilities.**

The City Clerk read Resolution No. 2012-64 by title only.

RESOLUTION APPOINTING THREE MEMBERS TO THE LARAMIE ADVISORY COMMISSION ON DISABILITIES FOR THE CITY OF LARAMIE, WYOMING.

MOTION BY HANSON, seconded by Molvar, that Council move to appoint Megan Hayes and Foncey Taylor with terms expiring October 31, 2015; and Michael Moeller to the Laramie Advisory Commission on Disabilities.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**22 Resolution No. 2012-65, to appoint members to the Albany County Tourism Board.**

MOTION BY Vitale, seconded by McCracken, that Council move that Debby Disney is appointed to the Albany County Tourism Joint Powers Board for one (1) new term expiring on June 30, 2015.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

**23. Resolution No. 2012-66, to appoint members to the Civil Service Commission.**

The City Clerk read Resolution No. 2012-66 by title only.

RESOLUTION APPOINTING TWO MEMBERS TO THE CIVIL SERVICE COMMISSION FOR THE CITY OF LARAMIE, WYOMING.

MOTION BY HANSON, seconded by Molvar, that Council appoint Philip Lebau to the Civil Service Commission for a term ending October 31, 2015, and Megan Hayes to the Civil Service Commission for a term ending October 31, 2014.

Roll call showed Aye: Paulekas, McKinley, Kempert, Molvar, Vitale, Hanson, Shumway, McCracken, and Mullner. Nays: None. Absent: None. MOTION CARRIED.

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

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Vitale: Review cemetery burial procedures.

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

None.

**26. Adjourn to Executive Session regarding potential litigation.**

MOTION BY HANSON, seconded by Molvar, that Council Adjourn to Executive Session regarding potential litigation.

MOTION CARRIED by voice vote.

Council adjourned at 9:55 p.m.

Respectfully submitted,

Sue Morris-Jones, MMC  
City Clerk