

AGENDA
CITY OF LARAMIE, WYOMING
CITY COUNCIL WORK SESSION
(VIA ZOOM MEETING)

CITY HALL, COUNCIL CHAMBERS, 406 IVINSON AVE
TUESDAY, NOVEMBER 23, 2021, 6:00 PM

City Council Meetings are open to the public. Council Chambers seating is unavailable at this time due to social distancing. We encourage the use of the following tools to participate: watch live meetings on YouTube Live Feed (www.youtube.com/cityofaramie/live), Cable Channel 191, or Zoom Webinar- Meeting ID: 826 8871 8618 Passcode: 488553 via internet, app, or telephone 1(669)900-9128. Public comments during the meeting can be provided via Zoom meeting. Public comments may also be submitted via email: council@cityoflaramie.org. Please email: clerk@cityoflaramie.org to request to make public comment during speaking time by no later than 3:00 pm on the day the meeting is to occur. Position of speaking will be assigned by lottery. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.

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

Public comment is limited to three (3) minutes per speaker. Written public comment shall be submitted to the City Clerk for dissemination and retention for official City records, or submitted to the City Council through electronic correspondence at council@cityoflaramie.org. Full text available in Council Rules of Procedure and Code of Conduct 4.02 and Appendix B and C.

Written materials relative to an agenda item shall be submitted six (6) days in advance of the meeting (sooner if there are holidays prior to the meeting) in order that copies may be included with the agenda and to give the council an opportunity to review the material in advance of the appearance.

Zoom Link: <https://cityoflaramie.zoom.us/j/82688718618?pwd=a0OrblQ4K2JNSWtmOVIxaDBSTjMrQT09>

- 1. WORK SESSION**
- 2. Public Comment on Non-Agenda Items (Aggregate time limit 30 minutes)**
(Limited to three (3) minutes per speaker.)
- 3. WORK SESSION: Trailer and RV Regulations for Parking on Streets**
[Jordan, CM; Stalder, Police Chief]

Documents:

[Trailer_RVParking Review11.21.21.pdf](#)

3.A. Public Comments

(Please observe the time limit of three (3) minutes per speaker.)

**4. WORK SESSION: WRS Fire A Hearing and Bill
[Jordan, CM]**

Documents:

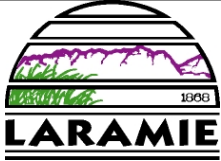
[FireAInsolvency.CompulsoryLoan.11.21.21.pdf](#)
[22LSO-1025 v0.8 draft Fire A bill.pdf](#)

4.A. Public Comments

(Please observe the time limit of three (3) minutes per speaker.)

5. City Council Updates/Council Comments

6. Agenda Review



Agenda Item: Presentation

Title: Trailer and RV Regulations for Parking on Streets

Background:

In response to reoccurring community concerns raised between 2010 – 2016, City Council determined to streamline and revise Laramie Municipal Code (LMC) §-10.36.150-200 & 10.36.330 regulating the parking of oversize trucks, trailers, and recreational vehicles on City streets. At this work session, City Council has requested to review these sections of LMC in light of concerns raised by residents this year concerning the parking of oversize trucks & RVs in areas that restrict visibility at intersections.

Laramie Municipal Code §10.36.150 - Parking oversize trucks—Prohibited.

No truck, trailer, semitrailer, or commercial vehicle shall be parked on any street, avenue, boulevard, or alley in any residential district of the city unless such vehicles are actively loading or unloading cargo may be parked on the streets, avenues, boulevards or alleys long enough to complete their loading or unloading; and provided further, that such restrictions shall not apply to any truck in use on any repair, maintenance, or construction project in progress on any such street, avenue, boulevard or alley, nor shall it apply when I-80 is closed. Unless written permission is given by the city manager or designee, no semi-truck trailer can be parked on any street, avenue, boulevard or alley in any district of the city while said semi-truck trailer is disconnected from the tractor; nor shall any truck, trailer, semi-trailer, or other commercial vehicle be parked on any street, avenue, boulevard or alley in any district of the city between the hours of ten p.m. and six a.m. "Truck" and "commercial vehicle" as designated in this section shall not include vehicles rated one ton or less. (Prior code § 23-29 (part); Ord. No. 1717, § 2, 9-6-2016)

10.36.160 - 10.36.200- Reserved.

Editor's note— Ord. No. 1717, § 3, adopted Sept. 6, 2016, repealed former § 10.36.160 which pertained to parking oversize trucks—authority to extend limitation, and derived from prior code § 23-29.

Editor's note— Ord. No. 1717, § 3, adopted Sept. 6, 2016, repealed former § 10.36.170 which pertained to parking on highways for sales or storage—prohibited, and derived from prior code § 23-30.

Editor's note— Ord. No. 1717, § 3, adopted Sept. 6, 2016, repealed former § 10.36.180 which pertained to vision safety parking zones—establishment, and derived from prior code § 23-30.1(a); Ord. No. 542, § 6, adopted in 1978; and Ord. No. 680, § 6, adopted in 1981.

Editor's note— Ord. No. 1717, § 3, adopted Sept. 6, 2016, repealed former § 10.36.190 which pertained to vision safety parking zones—restricted vehicles, and derived from prior code § 23-30.1(b); Ord. No. 542, § 6, adopted in 1978; and Ord. No. 680, § 6, adopted in 1981.

Editor's note— Ord. No. 1717, § 3, adopted Sept. 6, 2016, repealed former § 10.36.200 which pertained to vision safety parking zones—erection of signs, and derived from prior code § 23-30.1(c); Ord. No. 542, § 6, adopted in 1978; and Ord. No. 680, § 6, adopted in 1981.

10.36.330 - Recreational vehicle, trailer—Parking permitted in certain places.

In addition to the limitations specified in this chapter, recreational vehicles and trailers may be parked in the street only if the area in which any such vehicle is parked is immediately and entirely adjacent to real property which is owned and occupied by the owner of the recreational vehicle or trailer. No more than one recreational vehicle or trailer may be parked in the street per residential property owner. (Ord. No. 1717, § 1, 9-6-2016)

Municipal regulation of recreational vehicle (RV) parking on streets ranges from outright banning to city-wide allowance. Laramie falls in the middle of this spectrum with RVs allowed to be parked only adjacent to the RV owner's owner-occupied property. Further, it is not uncommon for municipalities to require RVs and oversize trucks to be parked a specified distance from an intersection. For example, City of Cheyenne generally allows for the parking of RVs on-street so long as the RV is not within 30 feet of an intersection and in no way encroaching on the drive lane of the street it is parked. In specific situations where this generalized allowance for RV parking is problematic, Cheyenne's municipal code empowers the City Engineer to designate/prohibit parking by signage – such as along one-way streets and/or narrow, historical road sections:

Cheyenne Municipal Code §10.52.190 - Designating and posting of prohibited parking.

In addition to the general prohibitions stated in this chapter, the city engineer, or his or her designee, is hereby authorized, in accordance with applicable state and federal statutes, rules and regulations, to designate and post prohibitions, limitations, regulations and exceptions thereto, regarding the parking of vehicles, recreational vehicles, and trailers within the city limits of Cheyenne. (Ord. No. 3957, § 3, 9-24-12)

10.52.020 - Prohibited in specified places.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or other official traffic-control device, no person shall:

B. Stand or park a vehicle or trailer, whether occupied or not:

- 1. Within fifteen (15) feet of a fire hydrant.*
- 2. On a sidewalk or any crosswalk.*
- 3. Unless otherwise posted, stand or park a motor vehicle or trailer, or any part thereof, within thirty (30) feet of any point formed by the intersection of the curb lines extending from any corner of the intersection which is not constructed as a "bump out." For the purposes of this subsection, "curb line" is defined as the line coincident with the face of the street curb adjacent to the roadway. No motor vehicle, recreational vehicle or trailer may be stopped or parked along or adjacent to the curved portion of a "bump out."*
- 4. In front of or within five feet of a public or private driveway, an alley, or a ramp to provide access for persons with physical disabilities. Exception: Driver's personal private driveway.*
- 5. At any place where official signs or yellow painted curbs prohibit standing,*
- 6. On public property between the curblines and property line unless a permit to so park is first granted in writing by the city engineer with the approval of the chief of police. The city engineer is authorized to require construction of parking slabs, curb cuts or other devices to delineate such*

parking spaces. Upon approval of the permit, the city engineer shall assess a five dollar fee to the applicant. Once the permit is granted, only operational vehicles, excluding recreational vehicles, shall be allowed to stand or park within the above described property;

Legal/Statutory Authority:

LMC Title 10 Chapter 36 – Stopping, Standing & Parking

Responsible Staff:

City Manager, Police Chief

CITY OF LARAMIE COUNCIL WORK SESSION November 23, 2021



Agenda Item: Presentation

Title: Wyoming Fire Pension “A” Insolvency -- Draft Bill Assessing \$3.68 Million Loan to Laramie

In October, the Joint Appropriations Committee (JAC) finalized draft legislation which it intends to present and recommend for adoption into law by the 2022 Wyoming Legislature to correct underfunding and imminent failure of Wyoming’s Firefighter “A” Pension which currently has 258 persons participating. The JAC bill includes:

- State Appropriation: \$55 million
- Compulsory Loan to Municipal Employers: \$20 million
- Eliminate Statutory Required COLA for Beneficiaries Going Forward
- 40% allocation of the Fire Insurance Premium Tax (about \$2 million a year) from the Volunteer Firefighter Plan to the Professional Firefighter “A” Plan
- No Benefit Reduction from Current Pensioner/Survivor Benefit

City Manager has been informed that the draft legislation will achieve 100% funding for Fire Pension “A” in 2037 and will gradually increase the funding ratio from 2037 through the actuarial “end of life” of the pension. Laramie is to be assessed 18.4% of the \$20 Million employer cost, resulting in payments to the State of \$184,000 per year through 2041/42. The JAC bill states that any delinquent payment will be withheld from any payment from the State to Laramie which would presumably include direct distribution, sales tax payments, grant distributions, etc...

Historically, the Fire “A” pension has been managed and operated by the State of Wyoming Retirement System (WRS) with participating employers and employees mandated as to when, how, and what amount to contribute – including the City of Laramie. Both the City and its fire personnel were mandated to cease all contributions to the pension in 1997 (8% employee/21% employer) as the State had determined the pension to be fully funded. Laramie has not had any active employees within the Fire “A” Pension since 2010.

(It should also be noted that active litigation exists seeking to combine the two Professional Firefighter Pensions “A” and “B” which could profoundly affect both the City as employer, as well as all of Laramie’s current firefighting staff members, all of whom are actively enrolled and participating in the “B” pension.)

Stakeholder Participation Expressed in Nominal Dollars		
Total Dollars in All Years		
(in thousands)		
	Total Dollars	%
State of Wyoming - Lump Sum	\$55,000	15.05%
Fire Premium Tax Allocation	\$91,034	24.91%
City & County Employers - Amort. Payment	\$0	0.00%
City & County Employers - Lump Sum	\$20,000	5.47%
Reduction to Previously Granted COLA	\$0	0.00%

Fire A Pensioners - Future COLA Reduction	\$199,363	54.56%
Fire A Pensioners - JS Reduction	\$0	0.00%
Total	\$365,397	100.00%

Responsible Staff:

City Manager, City Attorney

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Firemen's pension plan benefits.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to firemen pensions; providing legislative
2 findings; modifying pension benefits for retired firemen;
3 modifying spousal benefits; specifying application;
4 requiring contributions from employers; providing for loans
5 to employers as specified; providing for the withholding of
6 fund distributions to employers failing to repay loans;
7 creating an account; providing appropriations; and
8 providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 15-5-211 is created to read:

13

1 **15-5-211. Fire A pension plan legislative findings.**

2

3 (a) The legislature finds:

4

5 (i) The paid firemen's pension plan was
6 established in 1935 and restructured in 1981. In 1981 with
7 the restructuring of the firemen's pension plan, the
8 original firemen's pension plan became known as "Fire A."
9 The legislature contributed approximately forty-six million
10 eight hundred thousand dollars (\$46,800,000.00) between
11 1981 and 1996 to make up the accumulated underfunding of
12 Fire A from inception to the point of restructuring;

13

14 (ii) Statute has directed since the inception of
15 the pension plan and as provided in W.S. 15-5-202 that the
16 firemen's pension account shall be administered without
17 liability on the part of the state beyond the amount of the
18 fund;

19

20 (iii) Upon recommendation from the Wyoming
21 retirement system and consulting actuaries, the legislature
22 adopted an act ceasing contributions to Fire A as of April
23 1, 1997. This included the previously required

1 contributions of eight percent (8%) of salary, employer
2 contributions of twenty-one percent (21%) of salary and
3 contributions of fifty percent (50%) of the fire insurance
4 premium tax collected by the state each year;

5

6 (iv) Had employers and employees made
7 contributions between April 1, 1997 and December 31, 2020
8 the estimated contributions would be worth approximately
9 thirty-three million dollars (\$33,000,000.00) as of
10 December 31, 2020, using a seven percent (7%) annual rate
11 of return;

12

13 (v) Upon the recommendation of the Wyoming
14 retirement system and consulting actuaries, the legislature
15 repeatedly increased benefits for Fire A members and
16 retirees. Increases included an increase of the percentage
17 of salary used to calculate benefits, the removal of a cap
18 on benefits and the increase of benefits for surviving
19 spouses from thirty-three and one-third percent (33 1/3%)
20 up to one hundred percent (100%);

21

1 (vi) Despite an actuarial report dated January
2 1, 2002 noting a deteriorated funded position of Fire A,
3 employee and employer contributions were not reinstated;

4
5 (vii) The Wyoming retirement system reports that
6 the Fire A retiree pension payroll was nine million three
7 hundred thousand dollars (\$9,300,000.00) in 2002 and is
8 approximated to be sixteen million three hundred thousand
9 dollars (\$16,300,000.00) in 2021. This increase is
10 primarily due to the statutory three percent (3%) annual
11 compounded cost of living adjustment that has been in
12 effect since 2004;

13
14 (viii) In 2014 a bill to improve the funded
15 status of Fire A by reducing the cost of living provision
16 and restarting contributions from employers and the state
17 did not pass the legislature;

18
19 (ix) The retirement system board shifted the
20 investments of Fire A to a fixed-income portfolio on
21 January 1, 2021;

22

1 (x) The retirement system actuaries estimate
2 Fire A will exhaust all assets sometime in 2026 if no
3 changes are made;

4

5 (xi) As of January 1, 2021, there were two
6 hundred sixty-six (266) retirees and surviving spouses
7 eligible to receive benefits from Fire A;

8

9 (xii) The Wyoming retirement system calculator
10 provided to the legislature estimates that if the funding
11 for Fire A were to be solved entirely with contributions,
12 it would require a total contribution of one hundred forty-
13 eight million one hundred thousand dollars
14 (\$148,100,000.00) on January 1, 2022, assuming assets are
15 reinvested in a diversified portfolio;

16

17 (xiii) The Wyoming retirement system calculator
18 provided to the legislature estimates that if the funding
19 for Fire A were to be solved entirely with benefit
20 reductions, it would require elimination of all future cost
21 of living adjustments and an additional benefit reduction
22 of fifty-seven percent (57%) of all current benefits on

1 January 1, 2022. This assumes assets are reinvested in a
2 diversified portfolio;

3

4 (xiv) A combination of benefit reductions and
5 additional contributions could be used to provide for the
6 funding requirements to make Fire A actuarially solvent for
7 the remaining life of the plan.

8

9 **Section 2.** W.S. 9-4-601(a) by creating a new
10 paragraph (xii), 15-5-202 by creating a new subsection (e),
11 15-5-203 by creating a new subsection (h), 15-5-204(a), (g)
12 and by creating a new subsection (j), 15-5-205(a) and (b)
13 and 39-14-801(d) and by creating a new subsection (j) are
14 amended to read:

15

16 **9-4-601. Distribution and use; funds, accounts,**
17 **cities and towns benefited; exception for bonus payments.**

18

19 (a) All monies received by the state of Wyoming from
20 the secretary of the treasury of the United States under
21 the provisions of the act of congress of February 25, 1920
22 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or
23 from lessees or authorized mine operators and all monies

1 received by the state from its sale of production from
2 federal mineral leases subject to the act of congress of
3 February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. §§ 181,
4 191) as amended, except as provided by subsection (b) of
5 this section, shall be deposited into an account and the
6 first two hundred million dollars (\$200,000,000.00) of
7 revenues received in any fiscal year shall be distributed
8 by the state treasurer as provided in this subsection. One
9 percent (1%) of these revenues shall be credited to the
10 general fund as an administrative fee, and the remainder
11 shall be distributed as follows:

12

13 (xii) If insufficient funds are available under
14 W.S. 39-14-801(j) to fully satisfy any delinquent payment
15 owed by a city or county under W.S. 15-5-203(h), the state
16 treasurer shall withhold from any payment due to a city or
17 county under this subsection an amount equal to any
18 delinquent payment owed by a city or county under W.S.
19 15-5-203(h). The withheld amount shall be deposited to the
20 legislative stabilization reserve account and credited
21 against the delinquent entity's unpaid loan amount.

22

1 15-5-202. Pension account; creation; administration;
2 donations; investment; dual participation prohibited.

3
4 (e) There is created the Fire A legislative reserve
5 account. Funds in the account shall only be expended for
6 the purposes of funding the shortfall in Fire A as
7 identified in the legislative findings under W.S. 15-5-211.
8 Funds in the account shall be invested in the same manner
9 as funds in the firemen's pension account created by W.S.
10 15-5-202 and all investment earnings from the Fire A
11 legislative reserve account shall be credited to the Fire A
12 legislative reserve account. Funds in the account shall
13 only be expended if funds in the firemen's pension account
14 are insufficient to provide retirement benefits to Fire A
15 members. Funds in the Fire A legislative reserve account
16 shall revert to the general fund once no member is
17 remaining who is entitled to benefits under Fire A.

18
19 15-5-203. Firemen and employer contributions;
20 imposition at discretion of board; amounts; how and when
21 collected, suspended and reinstated.

22

1 (h) In addition to any other contribution required by
2 this section, on July 1, 2022 the board shall assess
3 employers for contributions in a total amount of X dollars
4 (\$x) in order to achieve a proper actuarial funding level
5 for the account in accordance with the legislative findings
6 under W.S 15-5-211. The total assessment under this
7 subsection shall be paid proportionately by employers with
8 payments allocated to each employer by the board based upon
9 the number of retirees or surviving spouses receiving
10 benefits from the account as of July 1, 2022. The state
11 treasurer shall provide a loan to each employer for the
12 payment required under this subsection which shall be
13 credited to the account. Loans under this subsection shall
14 be repaid over a period of twenty (20) years in equal
15 payments in the time and manner required by the state
16 treasurer and shall be deposited in the legislative
17 stabilization reserve account. If repayment is not paid to
18 the state treasurer when due, the state treasurer shall
19 make the delinquent payment as provided in W.S.
20 39-14-801(j) and 9-4-601(a)(xii). Any delinquency not
21 satisfied by those withholdings may be recovered in an
22 action authorized under subsection (d) of this section,
23 together with interest as provided therein.

1

2 15-5-204. Pensions; amounts; qualifications; when
3 paid; disability benefits; disqualifications; examinations;
4 disallowance; actions; adjustment.

5

6 (a) Any person qualifying may retire from active
7 service and receive a monthly pension of seventy-five
8 percent (75%) of the maximum monthly salary of a fireman
9 first class. ~~Any benefit increases which may occur shall~~
10 ~~not subsequently be withdrawn.~~ This benefit accrues to any
11 paid fireman who has completed twenty (20) years of active
12 service in regularly constituted fire departments of any
13 cities, towns, counties or fire protection districts and to
14 any paid fireman suffering from a mental or physical
15 disability rendering him unfit for active duty. Any paid
16 fireman covered under this article may continue service
17 beyond twenty (20) years and receive an additional benefit
18 of one and one-half percent (1.5%) of the maximum salary of
19 a fireman first class for each year of service beyond
20 twenty (20) years.

21

22 (g) Any pension benefit, survivor benefit or
23 disability benefit received by an eligible individual under

1 this article, and the fireman for whom the benefit is
2 generated has been retired for a period of not less than
3 one (1) year, shall be increased each year by ~~at least~~
4 ~~three percent (3%). In the event the most current actuarial~~
5 ~~valuation indicates the market value of assets is greater~~
6 ~~than one hundred fifteen percent (115%) of the actuarial~~
7 ~~value of liabilities, the board may increase the benefit by~~
8 ~~an amount determined affordable by the actuary, but in no~~
9 ~~case shall the total increase be greater than five percent~~
10 ~~(5%) of the benefit. Any increase under this subsection~~
11 ~~shall be added to the pension benefit, survivor benefit or~~
12 ~~disability benefit and compounded for purposes of~~
13 ~~determining the total benefit amount in subsequent years~~
14 zero percent (0%).

15
16 (j) Beginning July 1, 2022, the total benefit
17 generated under this section shall be reduced by x percent
18 (x%) and sustained in subsequent years in accordance with
19 the legislative findings under W.S 15-5-211. Any reduction
20 under this subsection shall not be compounded for purposes
21 of determining the total benefit amount in subsequent
22 years.

23

1 **15-5-205. Death benefits to surviving spouse;**
2 **amounts; limitations; length of payments.**

3

4 (a) If any paid fireman dies from any cause, the
5 board shall pay to the surviving spouse a monthly pension
6 equal to x percent (x%) of the greater of the monthly
7 benefit payable to the fireman under W.S. 15-5-204 or the
8 monthly benefit payable under W.S. 15-5-204(a) for twenty
9 (20) years of active service. Benefits payable under this
10 subsection shall be paid out of the firemen's pension
11 account and shall continue for the spouse's life.

12

13 (b) If the fireman is a retired fireman drawing his
14 pension at the time of his death, the board shall pay to
15 the surviving spouse a monthly pension equal to x percent
16 (x%) of the monthly benefit payable to the fireman under
17 W.S. 15-5-204. Benefits payable under this subsection shall
18 be paid out of the firemen's pension account and shall
19 continue for the spouse's life.

20

21 **39-14-801. Severance tax distributions; distribution**
22 **account created; formula.**

23

1 (d) After making distributions pursuant to
2 subsections (b), (c), ~~and~~ (f) and (j) of this section,
3 distributions under subsection (e) of this section shall be
4 made from the severance tax distribution account. The
5 amount of distributions under subsection (e) of this
6 section shall not exceed one hundred fifty-five million
7 dollars (\$155,000,000.00) in any fiscal year. To the extent
8 that distributions under subsection (e) of this section
9 would exceed that amount in any fiscal year, except as
10 provided in subsections (g) and (h) of this section, the
11 excess shall be credited:

12

13 (j) The state treasurer shall withhold from any
14 payment due to a city or county under this section an
15 amount equal to any delinquent payment owed by a city or
16 county under W.S. 15-5-203(h). The withheld amount shall be
17 deposited to the legislative stabilization reserve account
18 and credited against the delinquent entity's unpaid loan
19 amount.

20

21 **Section 3.** The reduction in benefit increases in W.S.
22 15-5-204(g), as amended by section 2 of this act, shall not
23 apply to any increases implemented by that subsection prior

1 to the effective date of this act, provided that any
2 percentage reduction implemented in W.S. 15-5-204(j) or
3 15-5-205 shall be calculated as provided in those
4 provisions.

5

6 **Section 4.**

7

8 (a) There is appropriated x dollars (\$x) from the
9 general fund to the Fire A legislative reserve account
10 created by W.S. 15-5-202(e).

11

12 (b) There is appropriated x dollars (\$x) on behalf of
13 the employers that are required to contribute as provided
14 in W.S. 15-5-203(h) from the legislative stabilization
15 reserve account to the Fire A legislative reserve account
16 created by W.S. 15-5-202(e). The amount provided on behalf
17 of employers under this subsection shall be repaid to the
18 legislative stabilization reserve account by the employers
19 as provided in W.S. 15-5-203(h).

20

21 **Section 5.** This act is effective April 1, 2022.

22

23

(END)