



CITY OF LARAMIE
Public Works Department
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Laramie, WY 82073

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MINUTES

Traffic Safety Commission **Thursday, January 14, 2021 at 7:00 AM** **City Council Chambers, City Hall** **406 Iverson Avenue, Laramie, WY**

Traffic Safety Commission meetings are open to the public. Requests from persons with disabilities must be made to the Public Works Administrative Assistant 24 hours in advance of the meeting.

I. CALL TO ORDER/ ROLL CALL

Meeting convened at 7:00 AM

Members present: Harold Colby, Nancy Sindelar, Philip Varca (joined at 7:15 am), Gwen Clark, and Brooks Webb.

Members absent:

Staff Present: Eric Jaap, Nancy Bartholomew, Eric Milliken, Brooks Webb, Malea Brown, William Winkler, and Shane Johnson.

Guests Present:

Council Liaison - Erin O'Doherty present.

No quorum started with non-action items.

IV. CITIZEN COMMENTS – No action can be taken

None.

V. TRAFFIC SAFETY COMMISSION OR STAFF COMMENTS

A. Turn Arrow Discussion (Clark).

Signal issues at 30th and Harney Grays Gable, Harney 22nd and 15th.

Turn arrows and timing.

Philip Varca joined at 7:15 a.m. and moved back to item II. for elections.

II. ELECTION OF OFFICERS

II.A. Chair

Nominations were conducted by City Clerk Nancy Bartholomew.

Commissioner Harold Colby nominated Nancy Sindelar.

Commissioner Gwen Clark nominated Nancy Sindelar.

Commissioner Nancy Sindelar had no nominations.

Commissioner Philip Varca nominated Nancy Sindelar.

City Clerk Nancy Bartholomew stated the nominations are Nancy Sindelar.

Election

Commissioner Harold Colby voted for Nancy Sindelar.
Commissioner Gwen Clark voted for Nancy Sindelar.
Commissioner Nancy Sindelar voted for Nancy Sindelar.
Commissioner Philip Varca voted for Nancy Sindelar.

City Clerk Nancy Bartholomew stated the votes show 4 votes for Nancy Sindelar.

MOTION BY COLBY, seconded by Varca, to appoint Commission Member Nancy Sindelar as the Chair of the Traffic Safety Commission.

MOTION CARRIED by voice vote.

II.B. Vice-Chair

Nominations were conducted by Chair Sindelar.

Commissioner Gwen Clark nominated Philip Varca.
Commissioner Harold Colby nominated Philip Varca.

MOTION BY CLARK, seconded by Colby, to appoint Commission Member Philip Varca as the Vice-Chair of the Traffic Safety Commission.

MOTION CARRIED by voice vote.

III. APPROVAL OF AGENDA AND MINUTES

A. Changes and Approval of Agenda

MOTION BY COLBY, second by Clark, to approve the Agenda as modified with changes to the title to be “Traffic Safety Commission” and Harold Colby’s comments.

MOTION CARRIED by voice vote.

B. Changes and Approval of Minutes of Aug 1, 2019 Traffic Safety Commission Minutes

MOTION BY COLBY, second by Varca, to approve the August 1, 2019 Minutes as written.

MOTION CARRIED by voice vote.

IV. CITIZEN COMMENTS – *No action can be taken*

None.

V. TRAFFIC SAFETY COMMISSION OR STAFF COMMENTS

IV. Harold Colby - WYDOT comments on Boulder August 2019.
O'Doherty - Urban Systems Advisory Committee.

MOTION BY VARCA, seconded by Clark, to add USAC nomination as an agenda item next month.

MOTION CARRIED by voice vote.

VI. DISCLOSURES – Ex-parte communications; potential conflicts of interest
None.

VII. GUEST SPEAKER – Open Meetings Presentation (City Clerk's Office)
City Clerk Nancy Bartholomew gave the presentation.

VIII. OLD BUSINESS
A. None

IX. NEW BUSINESS
A. **Future Meeting Time of Traffic Safety Commission**
Thursday at 3:30 pm.

MOTION BY COLBY, seconded by Clark, to move the meeting to 3:30 p.m. on the second Thursday of the month.

MOTION CARRIED by voice vote.

X. NEXT MEETING DATE – *February 11, 2021, 3:30 p.m.*

XI. ADJOURN
MOTION TO ADJOURN BY COLBY, second by Varca, at 8:20 a.m.

MOTION CARRIED by voice vote.

VALIDATED:

Nancy Sindelar, Traffic Safety Commission Chair

Date

Cindy Williams, Traffic Safety Commission Staff Liaison

Date

The signed document is on file.

BOARDS & COMMISSIONS
CITY OF LARAMIE, WYOMING

Wyoming Public Records
and Open Meetings Acts

Opening Meetings Act Purpose

- The Open Meetings Act and Public Records Act exist to assure **TRANSPARENCY**.
- It helps to indemnify you and the City of Laramie of liability by adhering to proper conduct and procedures.

Board Member's Power

- All boards and commissions members are voluntary and uncompensated positions that serve the City as part of an important decision-making structure, and have official contact with the public.
- Members must display professionalism, appropriate demeanor, and exercise sound judgment.

Board Speaks As One

- Individual board members cannot speak for the Board or Commission - except in specific, limited, *and* predetermined cases.
- Do not speak board business on an individual basis.
- Do not offer individual opinions.
- Encourage individuals to write the staff liaison or come to the next meeting. This provides all members of the Board or Commission with the same information.

Open Meetings Act

- WY § requires all meetings be open to public.
 - *Serve in an advisory capacity; final results enacted by a Resolution of Council – to conduct public business.*
- “Open” – notice of date, time, location, and set agenda.
- Public in attendance aren’t required to state name or sign in, as they do in City Council meetings.
- However, it is recommended the chair of board require speaker to state name and affiliation.
- Must keep minutes of proceedings.

Open Meetings Act *(continued)*

- ✓ “Meeting” definition by WY §
 - an assembly of at least a quorum of the Board. (*No action can be taken without a quorum.*)
 - which has been called by proper authority of the Board.
 - for the purpose(s) of
 - discussion
 - deliberation
 - presentation of information, or
 - taking action regarding public business;

Open Meetings Act *(continued)*

- ✓ “Action” definition by WY §;
 - Any transaction of official business of the board or commission, including:
 - a collective decision of the Board,
 - a collective commitment or promise by the Board,
 - making a *(positive or negative)* decision, or
 - an actual vote by the Board upon a motion, proposal, resolution, regulation, rule, order or ordinance;

Open Meetings Act *(continued)*

- AG (Attorney General) ruling: A series of emails falls under definition of “sequential communications.”
(A series of individual communications. Suggest that the topic be raised at the next meeting.)
- *Not Recommended* — to prevent the possible circumvention of the intent of the open meetings statute.
- *Includes:* social events, emails, texting, or social media and the like.
- Never hit “Reply All”.

Violations

- Knowingly and intentionally violates the WY §.
- Any member of a Board who attends or remains at a meeting where an action is taken, knowing that the action is in violation, can be found liable.
 - EXCEPTION: *unless minutes were taken during the meeting and the member's objections are recorded and made public, or at the next regular public meeting the member objects to the meeting where the violation occurred.*
- Civil Penalty - punishable upon conviction by a fine of not more than seven hundred fifty dollars (\$750.⁰⁰).

Conflicts of Interest

- The following are questions you may want to pose to yourself whenever you perceive you may have a potential conflict.
- If you respond “yes” to *any* of these questions, it may be advisable to abstain from voting on the matter.
- A member may say “I recuse myself” from a Board Vote for action or decision in the case of a conflict of interest. However, it can be made formal by a motion and second and members formally recuse the member.

Conflicts of Interest *(continued)*

1. Is your interest direct and immediate, as opposed to speculative and remote?
2. Does your interest provide you a greater benefit or a lesser detriment, than it does for a large or substantial group or class of persons who are similarly situated?
3. Does your interest give any potential appearance of impropriety?

Although it may not be necessary to consider the appearance of impropriety in determining an actual conflict of interest, the WY AG suggests this be considered to maintain the public's confidence in the integrity of lawmakers.

Immunity from Legal Liability

- Qualified Immunity – actions while acting within scope of duties.

(Provides for legal defense if acting within scope of duties.)

- Erode Immunity – unethical actions or wrongful purpose could lead to exposure to liability.

(Intentionally violating due-process rights, equal protection, or acting contrary to legal advice. A legal defense will NOT be provided.)

Public Records Act

- Record – WY § *definition*: any physical or electronic form of information or communication.
- Open to public for inspection by holder of record – generally staff. (Public Records Request)
- Fee to provide duplication/recordings, etc. is set by City Council.
- Civil Penalty – punishable by a penalty of not more than seven hundred fifty dollars (\$750.00).

The Open Meetings Act (§16.4.401–408) and
Public Records Act (§16.4.201–205) exist to

PROVIDE TRANSPARENCY

- ✓ Transparency = Integrity
- ✓ Transparency = Accountability
- ✓ Transparency = Credibility
- ✓ Transparency = Confidence

Parliamentary Procedure

- All Boards and Commissions meetings are conducted according to

Robert's Rules of Order

www.robertsrules.org

Robert's Rules of Order

- Robert's Rules of Order is a parliamentary procedure to facilitate meetings and keep them organized.
- The chair person is elected to run the meetings.
- In order to speak you must be acknowledged by the Chair.
- The Clerk or designee will help with questions of order.
- An agenda is used to keep order of business and required per Open Meetings Act.
- All remarks must be directed to the Chair.

Making a Motion

- Motions are used to introduce business in a meeting. A main motion must be made before discussion can occur from board or commission members.
- When making a motion speak clearly and precisely making sure to include all necessary information for clarity of the motion.
- A motion needs a second in order for it to continue. If no second is received the motion dies. State verbally that you second.

Making a Motion *(continued)*

- After motion is made and seconded the Chair should restate for the written and audio recording who made the motion and seconded.

(Example: MOTION BY _____, seconded by _____.)

- If an amendment is made, the amendment must be voted on before voting on the main motion.

(An amendment must also be seconded before it is discussed. All discussion following an amendment must be about the amendment only until it has been voted on.)

The Rules

from www.robertsrules.org

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the speaker a question."
- **Orders of the Day/Agenda:** A call to adhere to the agenda (*a deviation from the agenda requires Suspending the Rules*)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made

The Rules

from www.robertsrules.org *(continued)*

- **Main Motion:** Brings the next item on the agenda before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions *(must be able to stand on their own)*.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor

The Rules

from www.robertsrules.org *(continued)*

- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate

The Rules

from www.robertsrules.org *(continued)*

- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session - *Exception:* the motion to reconsider can be made in current session

The Rules

from www.robertsrules.org *(continued)*

- **Previous Question:** Closes debate if successful - may be moved to "Close Debate" if preferred
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

The City of Laramie

Mission, Vision and Core Values

MISSION

Building Our Community Through Respect, Integrity, Teamwork, and Stewardship.

VISION

Community Excellence in the Gem City of the Plains.

CORE VALUES

Respect- treat others with a high level of courtesy and dignity.

Integrity- honest and ethical interactions with each other and the community.

Teamwork- work together to meet common goals while considering the needs of others.

Stewardship- careful and responsible management of all our resources and environment.