

MINUTES
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
APRIL 17, 2018

1. AGENDA

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

2. Pledge of Allegiance

Mayor Summerville led the Pledge of Allegiance.

3. Roll Call

Roll call showed present: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Absent: Stoner.

Staff present: Janine Jordan, City Manager; Angie Johnson, City Clerk; Bob Southard, City Attorney; Todd Feezer, Parks & Recreation Director; Earl Smith, Public Works Director; and Dale Stalder, Police Chief.

4. PRE-MEETING ITEMS

4.A. PROCLAMATIONS & PRESENTATIONS

4.A.i. PROCLAMATION: National Dispatchers Week

4.B. PUBLIC HEARING

4.B.i. PUBLIC HEARING: Original Ordinance No. 1982, amending Title 5 of Laramie Municipal Code, 5.09.010 – Definitions; 5.09.350 - Malt Beverage Permits for Special Events; 5.09.355 - Catering Permits for Special Events; 5.09.800 - Point System for Alcoholic Beverage License Violations and Suspensions to make clarifications, and address gaps in the Point System.

4.C. ANNOUNCEMENTS

5. Disclosures by City Council Members

6. Consideration of Changes in Agenda and Setting the Agenda

MOTION BY PEARCE, seconded by Shumway, that the Agenda be set as submitted.

MOTION CARRIED by voice vote.

7. Approval of Consent Agenda

Items listed on the Consent Agenda are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless a Councilor or citizen so requests, in which case the item will be removed from the Consent Agenda and will be considered on the Regular Agenda.

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

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Nay: None. Absent: Stoner. MOTION CARRIED.

8. CONSENT AGENDA

8.A. MINUTES: City Council Meetings

Action:

that Council approve the Minutes of the City Council Public Hearings and Regular Meeting of March 3, 2018 and the Special Meeting of March 10, 2018 and have them placed on file for public inspection.

8.B. CEMETERY DEEDS: Cemetery Deeds for April 1-15, 2018

Action:

that the Cemetery Deeds for April 1-15, 2018 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

8.C. MINUTES: Approval of the minutes from the March 21, 2018 regular meeting of the Parks, Tree & Recreation Advisory Board.

Action:

that Council accept the minutes of the Parks, Tree & Recreation Advisory Board from the February 21, 2018 regular meeting and place them on file for public inspection: 1) To approve the minutes from the February 21, 2018 regular meeting of the Parks, Tree and Recreation Advisory Board. (Approved) 2) To approve an Adopt-A-Trail Agreement with Handel Information Technologies. (Approved) 3) To approve an Adopt-A-Trail Agreement with the Laramie Audubon Society. (Approved) 4) Consideration of a park reservation fee waiver for the Thursday Local Market to be held at Undine Park - July 19 through September 27, 2018 (Approved) 5) Consideration of a Discount Policy to provide guidelines for Parks & Recreation Department discounts and fee waivers. (Approved) 6) Consideration of a Resolution supporting the submission of a grant application to Bloomberg Philanthropies for the Public Art Challenge Grant. (Approved) 7) Mosquito Control Program Presentation. (No Action)

8.D. LICENSE: New Secondhand Dealer License for SALS Antiques

Action:

that Council approve a Secondhand Dealer License application for SALS Antiques at 1575 North 4th Street, Laramie, Wyoming, for the period of April 17, 2018 to April 16, 2019.

8.E. BID: Consideration of sole source purchase from UNIVAR, Salt Lake City, UT for Dibrom Concentrate for the 2018 season.

Action:

to approve the sole source purchase from UNIVAR, Salt Lake City, UT for Dibrom Concentrate for the 2018 season in an amount not to exceed \$23,378.40 authorize the City Manager to sign.

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8.F. BID: Consideration of award of bid to Van Diest Supply Co, Cheyenne, WY for Adult Mosquito Control Pesticides for the 2018 Season.

Action:

to award the bid to Van Diest Supply Co, Cheyenne, WY for Adult Mosquito Control Pesticides for the 2018 Season in an amount not to exceed \$49,932.00 and authorize the City Manager to sign.

8.G. BID: Consideration of award for bid to Van Diest Supply Co, Cheyenne, WY for Larval Mosquito Control Pesticides for the 2018 season.

Action:

that Council award the bid to Van Diest Supply Co, Cheyenne, WY for Larval Mosquito Control Pesticides for the 2018 season in an amount not to exceed \$56,811.90 and authorize the City Manager to sign.

8.H. BID: Award of Bid for the Water Treatment Plant Sodium Hypochlorite Tank No. 2

Action:

to award the bid for the Water Treatment Plant Sodium Hypochlorite Tank No. 2 project to Six Point Solutions, LLC, Laramie, WY, in the amount of \$69,125.00 along with contingency of \$6,913.00 for a total amount of \$76,038.00, to approve the contract, and authorize the Mayor and Clerk to sign and to authorize a budget amendment of \$16,038.00 from the Water Fund Reserves.

8.I. AGREEMENT: Consideration of an agreement between Bruce Pivic and the City of Laramie, Wyoming for the donation and acceptance of public art.

Action:

to approve the agreement between Bruce Pivic and the City of Laramie, Wyoming for the donation and acceptance of public art and authorize the City Manager to sign.

8.J. AMENDMENT: 2018 Amendment to Supplement One to Revised Declaration of Covenants, Condition and Restrictions Turner Tract Office Park Laramie, Wyoming

Action:

to authorize the Mayor and City Clerk to sign the "2018 Amendment to Supplement One to Revised Declaration of Covenants, Condition and Restrictions Turner Tract Office Park Laramie, Wyoming" as approved by the Turner Tract Office Park and as directed by City Council Resolution 2017-84, authorizing City staff to propose amendments to the Turner Tract Office Park, Declaration of Covenants, Conditions and restriction to the owners within the Park, that will facilitate development of Lots 4-11, Block 2 of the Turner Tract Addition.

8.K. RESOLUTION: Resolution 2018-35, supporting Who Age-Friendly Cities and Communities Network of Municipalities

Action:

to approve Resolution 2018-35, supporting Who Age-Friendly Cities and Communities Network of Municipalities and authorize the Mayor and City Clerk to sign.

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8.L. RESOLUTION: Resolution 2018-37, supporting the submission of a grant application to Bloomberg Philanthropies for the Public Art Challenge Grant.

Action:

to approve Resolution 2018 - 37, authorizing the submission of a grant application to Bloomberg Philanthropies for the Public Art Challenge Grant and authorize the Mayor and Clerk to sign.

8.M. SCHEDULE MEETINGS:

Action:

that Council schedule the following meeting(s):

1. May 8, 2018, 6:00 p.m. – Work Session: Aquifer Protection Overlay Update
2. May 8, 2018, 6:00 p.m. – Work Session: North Campus Improvements
3. May 22, 2018, 6:00 p.m. – Work Session: Laramie Main Street Alliance annual report to Council
4. May 22, 2018, 6:00 p.m. – Work Session: Laramie Chamber Business Alliance annual report to Council
5. May 22, 2018, 6:00 p.m. – Work Session: Laramie Regional Airport annual report to Council
6. June 12, 2018, 6:00 p.m. – Work Session: Alcohol related concerns in the City of Laramie

9. REGULAR AGENDA

10. Consideration of Change Order No. 3 to the Banner Road Sanitary Sewer

MOTION BY SHUSTER, seconded by Pearce, to approve Change Order No. 3 totaling \$149,125.00 to the Construction Contract with Simon Contractors for adding the Banner Road Reconstruction project.

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Nay: None. Absent: Stoner. MOTION CARRIED.

11. Coughlin Pole Mountain 3rd Addition, 10th Filing Final Plat

MOTION BY PAULEKAS, seconded by Shuster, to approve the Coughlin Pole Mountain 3rd Addition, 10th Filing, Final Plat, based on findings of fact and conclusions of law; acknowledge receipt of the financial security and the Subdivision Security and Improvement Deferral Acknowledgment form; and authorize the Mayor and Clerk to sign the plat.

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Nay: None. Absent: Stoner. MOTION CARRIED.

12. Paintbrush Addition, 2nd Filing Final Plat

MOTION BY MCKINNEY, seconded by Shuster, to approve the Paintbrush Addition, 2nd Filing, Final Plat, based on findings of fact and conclusions of law; acknowledge receipt of

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the financial security and the Subdivision Security and Improvement Deferral Acknowledgment form; and authorize the Mayor and Clerk to sign the plat.

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Nay: None. Absent: Stoner. MOTION CARRIED.

13. Memorandum of Understanding Between Board of Commissioners of the County of Carbon, the Town of Hanna, the Town of Elk Mountain, The Town of Medicine Bow, the Town of Sinclair, Wyoming, the Town of Saratoga, the City of Rawlins, the Board of Commissioners of the County of Albany, the City of Laramie, and the Town of Rock River, for Impact Assistance Funds.

MOTION BY SHUMWAY, seconded by Pearce, to approve Memorandum of Understanding Between Board of Commissioners of the County of Carbon, the Town of Hanna, the Town of Elk Mountain, the Town of Medicine Bow, the Town of Sinclair, Wyoming, the Town of Saratoga, the City of Rawlins, the Board of Commissioners of the County of Albany, the City of Laramie, and the Town of Rock River, for Impact Assistance Funds for the TB Flats Wind Energy Project, and authorize the Mayor and Clerk to sign.

Councilor Stoner called in at 6:57 p.m.

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Pearce, and Summerville. Nay: None. Absent: None. Abstain: Stoner. MOTION CARRIED.

14. Original Ordinance No. 1982, amending Title 5 of Laramie Municipal Code, 5.09.010 - Definitions; 5.09.350 - Malt Beverage Permits for Special Events; 5.09.355 - Catering Permits for Special Events; 5.09.800 - Point System for Alcoholic Beverage License Violations and Suspensions to make clarifications, and address gaps in the Point System.

Second Reading. (Introduced by Hanson)

MOTION BY HANSON, seconded by Gabriel, to approve Original Ordinance No. 1982, amending Title 5 of Laramie Municipal Code, 5.09.010 - Definitions; 5.09.350 - Malt Beverage Permits for Special Events; 5.09.355 - Catering Permits for Special Events; 5.09.800 - Point System for Alcoholic Beverage License Violations and Suspensions on Second Reading.

MOTION BY PAULEKAS, seconded by Shuster, to allow up to three bars in a single room on one floor no larger than a standard ballroom square footage.

Roll call on amendment showed Aye: Gabriel, McKinney, Paulekas, Shumway, Shuster, Stoner, Pearce, and Summerville. Nay: Hanson. Absent: None. MOTION CARRIED.

MOTION BY PAULEKAS, seconded by Pearce, to postpone to May 1, 2018.

Roll call showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, Shuster, Stoner, Pearce, and Summerville. Nay: None. Absent: None. MOTION CARRIED.

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Council recessed at 8:04 p.m.

Council reconvened at 8:24p.m.

15. Spring Creek Village Addition Preliminary Plat (PP-17-02)

MOTION BY MCKINNEY, seconded by Shuster, to deny without prejudice the Spring Creek Preliminary Plat as recommended by the Planning Commission, and deny the exception to LMC 15.16.040.H regarding block length, based on the following findings of denial: The proposed Preliminary Plat does not meet the following approval and design criteria for approval: 1. LMC 15.16.040.B.1 2. LMC 15.14.060.B.1 et. seq. 3. LMC 15.06.030.E.7.b 4. LMC 15.06.030.E.7.c 5. LMC 15.06.030.E.7.d 6. LMC 15.06.060.P.1 7. LMC 15.14.060.E.2.c.(ii) 8. LMC 15.14.060.E.1 9. LMC 15.14.060.E.2.a 10. LMC 15.16.020.D 11. LMC 15.16.040.B.1 12. LMC 15.16.040.B.3 13. LMC 15.16.040.B.4 14. LMC 15.18.010.A 15. LMC 15.18.010.A.2 16. LMC 15.18.010.A.5 17. LMC 15.18.010.A.9.

MOTION BY MCKINNEY, seconded by Shuster, to amend the motion to read “to approve Spring Creek Subdivision Preliminary Plat as recommended by the Planning Commission, and grant the exception to LMC 15.16.040.H regarding block length, based on the findings of fact and conclusions of law; and subject to the following conditions of approval: 1. Conditions 2 a) 8, 17 b), and 21 as detailed in this Council Cover Sheet be reinstated; 2. Condition 17 a) be modified to include Boswell Drive; 3. Condition 9 g) be added and shall read as follows: “Provide engineering design details for attached sidewalk to be constructed on the south side of Boswell Drive. Standards shall conform to City Engineering standards for Local Streets.” 4. Condition 22 be added and shall read as follows “Detached sidewalks shall be constructed on the south side of Boswell Drive in conformance with the City’s engineering design standards for Local Streets.

MOTION BY HANSON, seconded by Gabriel, to remove condition #21.

Roll call on second amendment showed Aye: Gabriel, Hanson, McKinney, Paulekas, Shumway, and Shuster. Nay: Stoner, Pearce, and Summerville. Absent: None. MOTION CARRIED.

Roll call on first amendment showed Aye: Hanson, McKinney, Paulekas, Shumway, Shuster, Stoner, Pearce, and Summerville. Nay: Gabriel. Absent: None. MOTION CARRIED.

Roll call showed Aye: Hanson, McKinney, Paulekas, Shumway, Shuster, Stoner, Pearce, and Summerville. Nay: Gabriel. Absent: None. MOTION CARRIED.

16. Public Comments on Non-Agenda Items

17. Consideration of future Council work session topics

Not addressed due to the time.

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18. Adjournment to Executive Session regarding Litigation, WY § 16-4-405(a)(iii)

MOTION BY HANSON, seconded by Pearce, to adjourn to Executive Session regarding Litigation, WY §16-4-405(a)(iii).

MOTION CARRIED by voice vote.

Council adjourned at 9:42 p.m.

Respectfully submitted,

Angie Johnson
City Clerk