

MINUTES
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
MAY 18, 2021

1. CALL TO ORDER

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

2. Pledge of Allegiance

Mayor Weaver led the Pledge of Allegiance.

3. Roll Call

Roll call showed present: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Absent: None.

Directors and City Clerk present: Janine Jordan, City Manager; Todd Feezer, Assistant City Manager; Nancy Bartholomew, City Clerk; Bob Southard, City Attorney; Malea Brown, Chief Operating Officer; Brooks Webb, Public Works Director; and Dale Stalder, Police Chief.

4. Public Comment on Non-Agenda Items (Aggregate time limit 30 minutes)

(Limit of 3 minutes per speaker.)

None.

5. Consideration of Changes in Agenda and Setting the Agenda

A. MOTION BY PEARCE, seconded by Harrington, that the following changes to the Agenda be approved: to remove Item #13 from the regular agenda.

MOTION CARRIED by unanimous consent.

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

MOTION CARRIED by voice vote and raised hands.

6. PROCLAMATIONS/NOTIFICATIONS/PUBLIC HEARINGS

6.A. PROCLAMATIONS & PRESENTATIONS

6.A.i. PRESENTATION: Lemonade Day

6.B. PUBLIC HEARING

**6.B.i. PUBLIC HEARING: New Special Malt Beverage Permit No. Special-6
Cowboy State Brewing LLC located at War Memorial Stadium excluding the
Wildcatter**

6.C. ANNOUNCEMENTS

Webb- Free compost day May 22.

Webb- May 16-22 National Public Works week.

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6.C.i. Monthly Staff Recognition

- Gwendolyn Smith

7. Disclosures by City Council Members

None.

8. 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.

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

Roll call showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

9. CONSENT AGENDA

9.A. MINUTES: City Council Meeting Minutes from May 4, 2021

Action:

that Council approve the Minutes of the following City Council meetings: Regular Meeting and Public Hearing of May 4, 2021 and have them placed on file for public inspection.

9.B. CEMETERY DEEDS: Cemetery Deeds for May 1-15, 2021

Action:

that the Cemetery Deeds for May 1-15, 2021 be accepted, and the Mayor and City Clerk be authorized to sign and have them recorded in the Office of the County Clerk.

9.C. BID REJECTION: Wastewater Treatment Plant Ditch Cleaning Project

Action:

move to reject the bid for the Wastewater Treatment Plant Ditch Cleaning project.

9.D. AGREEMENT: Award of Professional Services Agreement for the Optimize Drainage Ponds - 22nd Street Design

Action:

move to award a Professional Services Agreement for the Optimize Drainage Ponds - 22nd Street Design to WOOD Environment & Infrastructure Solutions, Inc. in the amount of \$34,790.00 plus a contingency of \$3,479.00 for a total amount not to exceed \$38,269.00 and amend the Fiscal Year 2021 SPT Budget accordingly and authorize the Mayor and City Clerk to sign.

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9.E. RESOLUTION: Resolution 2021-33, appointing one member to the Board of Health

Action:

that the City Council approve Resolution 2021-33, appointing Dr. William Comly as the Doctor of Medicine, to the Board of Health for a term expiring December 31, 2025, and authorize the Mayor and City Clerk to sign.

9.F. ORDINANCE: Original Ordinance No. 2026, Amending LMC 5.09.615-Prohibited on Licensed Premises Underage Exceptions

Third and Final Reading. (Introduced by O'Doherty)

Action:

move to approve Original Ordinance No. 2026, amending LMC 5.09.615-Prohibited on Licensed Premises underage exceptions on Third and Final reading, and authorize the Mayor and City Clerk to sign.

9.G. SCHEDULE MEETINGS:

that the following meeting be scheduled:

a. June 8, 2021, 6:00 pm - WORK SESSION: Results of Tourism Coalition

10. REGULAR AGENDA

11. Resolution 2021-34, Affirming and Appointing a Slate of Community Residents to Serve on the Ad Hoc Working Group for Police and Community

MOTION BY PEARCE, seconded by O'Doherty, to approve Resolution 2021-34, affirming and appointing the Nominating Committee's Slate of Community Residents to serve on the Ad Hoc Working Group for Police and Community and commending the members of the Nominating Committee for their service to the City of Laramie, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Cumbie, Harrington, O'Doherty, Stalder, Summerville, Pearce, and Weaver. Nay: Gabriel and Shuster. Absent: None. MOTION CARRIED

12. Resolution 2021-35, Appointing Members of City Council to Serve on the Ad Hoc Working Group for Police and Community

MOTION BY HARRINGTON, seconded by O'Doherty, to Approve Resolution 2021-35, appointing members of City Council to serve on the Ad Hoc Working Group for Police and Community, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Stalder, Summerville, Pearce, and Weaver. Nay: Shuster. Absent: None. MOTION CARRIED.

13. ~~Item removed from agenda. Consideration of Award of Request for Proposal to Government Professional Services (GPS) for Facilitator and Mediation Services for Ad Hoc Working Group (WGPC)~~

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14. Original Ordinance No. 2027, Amending, in part, Section 10.24.005 of the Municipal Code Related to the Definition of 'Conviction'.

Introduction and First Reading. (Introduced by Gabriel)

MOTION BY GABRIEL, seconded by Harrington, to approve on first reading and introduction Original Ordinance No. 2027, amending, in part, Section 10.24.005 of the Municipal Code related to the definition of 'conviction.'

Roll call showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

15. New Special Malt Beverage Permit No. Special-6 Cowboy State Brewing LLC located at War Memorial Stadium excluding the Wildcatter

MOTION BY CUMBIE, seconded by Summerville, to approve the application for Special Malt Beverage Permit No. Special -6 to Cowboy State Brewing LLC dba Cowboy State Brewing, location of permit at University of Wyoming War Memorial Stadium excluding Wildcatter, Laramie, Wyoming for the licensing term May 19, 2021 thru May 07, 2022, and authorize the Mayor and City Clerk to sign.

MOTION BY CUMBIE, seconded by Summerville, to postpone the motion until the June 1st Council meeting.

Roll call on postponement showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

16. Original Ordinance No. 2028, Amending Laramie Municipal Code 5.08, 5.09, and 12.60 Related to Alcoholic Beverages

Introduction and First Reading. (Introduced by O'Doherty)

MOTION BY O'DOHERTY, seconded by Summerville, to approve Original Ordinance No. 2028, amending Laramie Municipal Code Sections 5.08, 5.09, and 12.60 related to alcoholic beverages on first reading and introduction.

Roll call showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

17. Resolution 2021-36, supporting initiatives in the Historic Downtown District in an effort to assist with economic development

MOTION BY SUMMERVILLE, seconded by Pearce, to approve Resolution 2021-36, supporting initiatives in the Downtown District in an effort to assist with economic development efforts, and authorize the Mayor and Clerk to sign.

Roll call showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Summerville, Pearce, and Weaver. Nay: Stalder. Absent: None. MOTION CARRIED.

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18. Appeal of Planning Commission's Denial of CUP-21-03 - 1010 Ivinson Avenue, a Conditional Use Permit for Construction and Operation of a Parking Garage (non-exempt College or University use/commercial parking lot) and UW Police Station (non-exempt College or University use) 3rd Street Partners, Final Plat

MOTION BY HARRINGTON, seconded by Pearce, to reverse the Planning Commission's decision and approve CUP-21-03-1010 Ivinson Avenue, a Conditional Use Permit for construction and operation of a Parking Garage (non-exempt College or University use/commercial parking lot) and UW Police Station (non-exempt College or University use) based on findings of fact and conclusion of law and all staff recommended conditions of approval as contained in the original Planning Commission Staff Report dated April 26, 2021.

MOTION BY SUMMERVILLE, seconded by Pearce, to amend condition 13 to state, "A Rectangular Rapid Flash Beacon (RRFB) shall be installed based upon best Engineering practices and as approved by the City Engineer through the Site Plan process, at either the 10th Street/Iverson Avenue or 11th Street/Iverson Avenue pedestrian crossing or both crossing if desired."

Roll call on amendment showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

MOTION BY SUMMERVILLE, seconded by Pearce, to amend condition 14 to read, "Crosswalks found on Iverson Avenue, at 10th and 11th Street, shall be ADA compliant, on both the north and south side of the crosswalk with ADA ramps, including spot elevations for evaluation, as well as proper crosswalk painting, in association with the Site Plan application."

Roll call on amendment showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

Roll call on main motion showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

19. Amendments to the Recommended Operating Budget

1. MOTION BY SUMMERVILLE, seconded by Pearce, to amend the City Attorney budget by \$85,000 for legal contractual services to be included for adoption in the FY 2022 budget.

Roll call on motion 1 showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

2. MOTION BY SUMMERVILLE, seconded by Pearce, to amend the recommended budget to transfer \$50,000 to social media marketing contractual services from the council reserve and professional and consulting general accounts for adoption of the FY 2022 budget.

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Mayor Weaver left at 9:38 pm.

Roll call on motion 2 showed Aye: Cumbie, Harrington, O'Doherty, Summerville, and Pearce. Nay: Gabriel, Shuster, and Stalder. Absent: Weaver. MOTION CARRIED.

Mayor Weaver rejoined at 9:40 pm.

3. MOTION BY SUMMERVILLE, seconded by Pearce, to amend the General Fund budget by \$48,000, the Recreation Center Fund by \$23,600, SPT fund \$1,393,724, Water Fund \$194,338, Wastewater Fund \$6,848, Solid Waste \$136,587 and the Park & Recreation Fund by (\$1,200) reduction and add into the adopted FY 2022 budget.

Roll call on motion 3 showed Aye: Cumbie, Gabriel, Harrington, O'Doherty, Shuster, Stalder, Summerville, Pearce, and Weaver. Nay: None. Absent: None. MOTION CARRIED.

20. Public Comments on Non-Agenda Items

None.

21. Consideration of future Council work session topics

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

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

MOTION CARRIED by voice vote and raised hands.

Council adjourned at 9:45 p.m.

Approved:

Nancy Bartholomew
City Clerk

Date

Duly published in the newspaper and posted online at www.cityoflaramie.org on 26th day of May 2021.