

MINUTES
CITY OF LARAMIE, WYOMING
CITY COUNCIL MEETING
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Regular Meeting of the City Council was called to order by Mayor Paulekas at 6:30 p.m.

1. Pledge of Allegiance.

Mayor Paulekas led the Pledge of Allegiance.

2. Roll Call.

Roll call showed present: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. 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; and Dan Johnson, Fire Chief.

3. Disclosures by City Council Members.

None.

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

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

MOTION CARRIED by voice vote.

5. Approval of Consent Agenda.

MOTION BY WEAVER, 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: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

FIRST CONSENT AGENDA

5A. Minutes of City Council Meetings.

Action: that Council approve the Minutes of the City Council Regular Meeting of March 19, 2013, and Public Hearings of March 19 and 26, 2013, and have them placed on file for public inspection.

5B. Cemetery Deeds for March 16-31, 2013.

Action: that the Cemetery Deeds for March 16-31, 2013 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 March 2013.

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,

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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 May. 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 March 13, 2013, and that the following recommendations be approved:

1. To approve the Adopt A Trail Along the Greenbelt Park Agreement with the Soroptimist Club of Laramie to adopt a ¼ mile section of the Laramie River Greenbelt Park and authorize the City Manager to sign;
2. To approve the Adopt A Trail Along the Greenbelt Agreement with the UW Pre-Veterinary Club to adopt a ¼ mile section of the Laramie River Greenbelt Park and authorize the City Manager to sign;
3. To approve offering a new fitness class punch card option for Recreation Center patrons;
4. To approve a fifty percent (50%) reduction in the facility reservation fees for the 2013 Wyoming Special Olympics Games.

5E. Minutes.

Action: that Council acknowledge receipt of the Minutes of the Parks, Trails and Recreation Master Plan Ad Hoc Advisory Committee meeting of March 13, 2013; no recommendations.

5F. Minutes.

Action: that Council acknowledge receipt of the Minutes of the Traffic Commission meeting of February 14, 2013, and that the following items be approved as indicated:

1. To approve the installation to install four crosswalks at the intersection of 22nd Street and Willett Drive. The crosswalks shall be thermoplastic and installed in the "continental bar/zebra" style. The University of Wyoming will pay for the initial installation and commits to update/reconstruct the existing four curb fillets to current ADA standards.

5G. Bid Award.

Action: that Council award the Mosquito Pesticides 2013 Base Bid Items #1, 3 and 4, to Van Diest Supply Company, Cheyenne, WY, in the amount of \$43,508.40, and award the Bid Alternate A and Alternate B items to Univar, Inc., Salt Lake, UT, in the amount of \$20,343.50

6. Approval of Second Consent Agenda.

MOTION BY WEAVER, seconded by Vitale, that the Second Consent Agenda be Approved, that all applications for renewal be accepted, that the Special Malt Beverage Permit for the Trustees of the University of Wyoming be approved, that all Retail Liquor Licenses, Restaurant Liquor Licenses, Limited Retail Liquor Licenses, Golf Club Licenses, Resort Licenses, Bar and Grill Licenses, and Microbrewery Permits be renewed as listed.

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- #15 Cowboy Bar, Inc., dba Cowboy Bar, 303 S. Third St.
Marion M. Griffin
- #16 Buckhorn Enterprises, Inc., dba Buckhorn Bar, 114 Ivinson St.
Pauline Hopkins Michael Hopkins Gary Hopkins
- #17 SDR, LLC, dba O'Dwyers, 1622 E. Grand Ave.
Dwight Rowell Siobhan Rowell Deirdre O'Dwyers James Grimes
- #18 TNC, Inc., dba The Still, 1602 Spring Creek Dr.
Thomas J. Courtney Nancy R. Courtney
- #19 New Albertsons, Inc., dba Albertsons #2063, 3112 E. Grand Avenue
Todd Sheldon David Pylipow Sherry Smith
Todd M. Michael John Boyd Doyle Troyer
- #20 Wagon Wheel, Inc., dba The Wagon Wheel, Inc., 334 Fillmore St.
Donald H. White John D. Blyth Judith A. Adamson
- #21 Gateway Fuels, LLC, dba Gateway Liquors, The "Y", West Laramie
Marty McKinney Jeffrey Thelen Rajeev Patel
- #22 First Street Station, Inc., dba Lovejoy's Bar & Grill, 101 Grand Ave.
Gregory R. Smith Karen J. Robillard
- #23 Mickey M., Inc., dba Ranger Liquor Mart and Lounge, 463 N. Third St.
Debra R. Hinkel Rickie D. Hinkel
- #24 North Ridge Discount Liquors, Inc., dba Northridge Discount Liquors, 1660-A N. 4th St.
Robert D. Blake Ruth I. Blake
- #25 Ya Sou, Inc., dba Third Street Bar, 220 Grand Ave.
Daniel P. PUNCHES Dennis Small
- #26 Crowbar and Grill, LLC, dba Crowbar and Grill, 202 S. 2nd St.
Andrew Glines Justin Turner

6B. **Applications for renewal of Restaurant Liquor Licenses:**

- #R2 Frausto Enterprises, Inc., dba El Conquistador, 110 Ivinson St.
Robert J. Frausto Theresa T. Frausto
John J. Frausto Donna Frausto Brian Frausto
- #R4 The New Mandarin, Inc., dba The New Mandarin, 1254 N. Third St.
James W. Huang Yong Qing Tang
- #R6 Jeffrey's Bistro, Inc., dba Jeffrey's Bistro, 123 Ivinson St.
Alan M. Cupps Jean C. Trabing Jeffrey A. Stoller
- #R7 Pizza Hut of Laramie, Inc., dba Pizza Hut, 1460 N. Third St.
Michael J. O'Donnell Andrea O'Donnell James O'Donnell

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- #R8 Bailey's of Laramie, Inc., dba Bailey's, 2410 Grand Ave.
Dan Garcia
- #R12 Christopher Ryan Ransom, dba Grand Avenue Pizza, 301 Grand Ave.
- #R13 New Great Wall, Inc., dba New Great Wall Restaurant, 1501 So. 3rd St.
Sinkok Wong Wang Tii Chong
- #R25 Bernie & Laura Sanchez, dba Bernie's Mexican Restaurant, 367 Snowy Range Rd
- #R26 Gregory R. Smith, dba Altitude Chophouse & Brewery, 320 S. 2nd Street
- #R29 Guerin Enterprises, Inc., dba Coal Creek Coffee Co., 110 E. Grand Avenue
John W. Guerin III Jodi C. Guerin Cheryl Guerin
- #R32 Estrella, Inc., dba Corona Village Andale Rapido, 2900 E. Grand Ave, Unit 108
Juan J. Pelayo, Ponciano Villasenor, Isarel Espinoza, Marcos Aldaz
- # R40 Villas, Inc., dba Corona Village, 513 Boswell Drive
Juan J. Pelayo, Ponciano Villasenor, Isarel Espinoza, Marcos Aldaz
- #R42 Bighorn Associates, LC, dba Chilis Grill, 2523 Grand Ave., Suite F
Stanley D. Knoles Bighorn Associates, LC Little Pepper, LC
- #R43 Yellowstar Restaurants, Inc., dba Mizu Sushi, 307 S. 3rd Street
Hung Q. Luu Lillian Luu
- #R46 Anong Larsen & Brett Larsen dba Anong's Thai Cuisine, 101 Ivinson St.
- #R47 Boomer's BBQ, LLC, dba Boomer's BBQ, 615 S. 2nd St.
Michael Sharum Michelle McInarnry
- #R48 Driving Force Restaurants, LLC, dba Burger Xtreme, 204 S. 3rd St., Suite C
Bryan J. Kafader
- #R49 Parachute, LLC, dba Parachute Grille, 207 S. 3rd St.
Rory D. Carr

6C. **Applications for renewal of Club/Limited Liquor Licenses:**

- #F1 Laramie Moose Lodge 390 dba Moose Lodge 390, 409 S. Third St.
Robert Pier Gordon Cook Harold Foster
Jerry Wessels Neal Palmer William Vance Kenneth Johnson
- #F2 Laramie BPOE #582 dba Laramie Elks Club, 103 S. Second St.
David Cheesbrough Jack Oppie Arlen Rounds Stephen Graham
- #F3 Husted-Pendleton Post 14, dba The American Legion, 417 Ivinson St.
Deanna Hurless Bill Jussila Joseph G. Sestak Timothy Freye

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#F4 Veterans of Foreign Wars, Post No. 2221, dba VFW Post #2221, 2142 Garfield St.
Robert L. Gonzales Daniel S. Travsky Richard A. Rottman Patrick R. Cowper

#F6 Fraternal Order of Eagles #3493, 126 Lyon St.
Larry Hysong William Bridges Richard Butler Theodore Pena

6E. **Applications for renewal of Microbrewery Permits:**

#M-5 Gregory R. Smith, dba Altitude Chophouse & Brewery, 320 S. 2nd Street.

#M-6 Sherlock Investments, LLC, 201 E. Custer St.
Nate Jorgenson Bryan Gay Tonya Gay

6F. **Applications for renewal of Bar and Grill Liquor Licenses:**

#BG-1 Sherlock Investments, LLC, 201 E. Custer St.
Nathan Jorgenson Bryan Gay Tonya Hunter

#BG-2 Luciano's Restaurante Italiano, LLC, dba Luciano's Italian Restaurant,
3626 E. Grand Avenue
Eileen Obsuth George Obsuth

#BG-3 K&S, Inc., dba Sushi Boat, 421 Boswell Dr.
Hyoen Kim

#BG-4 Scholl Reece, LLC, dba Born in a Barn, 100 E. Ivinson St.
Clayton Scholl Jesse Reece

6G. **Applications for renewal of Resort Liquor Licenses:**

#RT-2 Timberline Hospitalities, LLC, dba Holiday Inn, 2104 S. 30th St.
Donald J. Waters Bruce L. Bummer Terry A. Johnson

#RT-3 Laramie Hospitality, LLC, dba Ramada Inn, 2313 Soldier Springs Rd.
Bruce Rahmani

#RT-4 HIS – Garden Inn Laramie, Inc., dba Hilton Garden Inn and University of Wyoming
Conference Center, 2229 Grand Ave.
Ronald J. Wilson

6D. **Applications for renewal of Golf Club Liquor Licenses:**

#G-1 Jacoby Golf Club dba Jacoby Golf Club, 30th and Willett Streets
Floyd J. Jensen James L. Scott Mark Collins

#G-3 BCR, Inc., dba Laramie Country Club, 489 S. Hwy 230
Robert D. Rucinski

6H. **Application for renewal of Special Permit:**

#1 Special Malt Beverage Permit from Trustees, University of Wyoming, Student Union
Bldg, UW Campus.

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REGULAR AGENDA

7. Original Ordinance No. 1870, approving and authorizing the annexation of approximately 2.4 acres of property located in unincorporated Albany County, generally located east of the 19th Street and Barratt Street intersection into the boundaries of the City of Laramie, Wyoming (Owners: Prairie View Development, LLC). (Introduced by Hanson) Third/Final Reading. Public Hrg: 3-19-2013.

MOTION BY HANSON, seconded by Weaver, that Council deny without prejudice Original Ordinance No. 1870 on Third and Final Reading, annexing approximately 2.4 acres of property located in unincorporated Albany County, generally located east of the 19th Street and Barratt Street intersection based on findings of fact and conclusions of law.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

8. Original Ordinance No. 1871, amending the Zoning District Map of the City of Laramie, Wyoming by establishing R1 (single-family residential) District zoning for a tract of land approximately 2.4 acres in size generally located east of the 19th Street and Barratt Street intersection into the boundaries of the City of Laramie, Wyoming. (Introduced by Hanson) Third/Final Reading. Public Hearing: 3-19-2013.

MOTION BY HANSON, seconded by Weaver, that Council deny without prejudice Original Ordinance No. 1871 on Third and Final Reading, establishing R1 (Single-Family Residential) District zoning for an approximately 2.5 acre area generally located east of the 19th Street and Barratt Street intersection; based on findings of fact and conclusions of law.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

9. Original Ordinance No. 1873, to amend Chapter 12.48.050 of the Laramie Municipal Code pertaining to facility use park permit, fees and damage deposit. Introduction and First Reading.

The City Clerk read Original Ordinance No. 1873 by title only.

AN ORDINANCE TO AMEND CHAPTER 12.48.050 OF THE LARAMIE MUNICIPAL CODE PERTAINING TO FACILITY USE PARK PERMIT, FEES AND DAMAGE DEPOSIT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE

MOTION BY KEMPert, seconded by Henry, that Council approve Original Ordinance No. 1873 on First Reading to amend Chapter 12.48.050 of the Laramie Municipal Code pertaining to facility use, park permit fees, and damage deposit.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

10. Consideration of Lease Purchase Agreement with Security First Bank for a 24 cubic yard tractor-scraper for Solid Waste Disposal Division.

The City Clerk read Resolution No. 2013-37 by title only.

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A RESOLUTION AUTHORIZING THE CITY OF LARAMIE, STATE OF WYOMING, TO LEASE, WITH AN OPTION TO PURCHASE, CERTAIN EQUIPMENT FROM SECURITY FIRST BANK.

MOTION BY MCKINLEY, seconded by Kempert, that Council approve Resolution 2013-37 to authorize the City of Laramie to Lease with an option to Purchase a 24 cubic yard twin engine tractor-scraper for Solid Waste Disposal Division from Security First Bank of Laramie, WY, and authorize the Mayor and City Clerk to sign and to authorize a FY 13 Budget Amendment, in the amount of \$13,000.00 for an increased down payment.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

11. Consideration of Bid Award for Laramie Downtown Street Lighting–Phase C, D and G Project.

MOTION BY SHUMWAY, seconded by Hanson, that Council award the Downtown Street Lighting Improvements Phases D, G, and C bid to Pole Mountain Electric, Cheyenne, Wyoming, in the amount of \$649,000.00 plus a contingency of \$97,350.00 for a total amount not to exceed \$746,350.00, to approve the contract therefore, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

12. Consideration of Cooperative Agreement with Wyoming Department of Transportation for Surface Transportation On-System Enhancements Program.

MOTION BY HENRY, seconded by Kempert, that Council approve the Cooperative Agreement with Wyoming Department of Transportation in the amount of \$78,418.00 for participation in the Surface Transportation On-System Enhancements Program to install medians and authorize the Mayor and City Clerk to sign, and also approve an amendment to the Fiscal Year 2014 Budget.

Roll call showed Aye: Henry, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: Pearce. Absent: None. MOTION CARRIED.

Council recessed at 7:56 p.m.

Council reconvened at 8:03 p.m.

13. Resolution No. 2013-32, amending the appropriations for the Fiscal Year 2012-2013 Budget for the City of Laramie, Wyoming (Water Enterprise Fund).

The City Clerk read Resolution No. 2013-32 by title only.

RESOLUTION TRANSFERRING UNENCUMBERED OR UNEXPENDED APPROPRIATION BALANCE FORM ONE FUND TO ANOTHER AND AMENDING THE APPROPRIATIONS FOR THE MID YEAR FY 2012-2014 BUDGETS FOR THE CITY OF LARAMIE, WYOMING.

MOTION BY HANSON, seconded by Shumway, that Council approve (Resolution 2013-32), an Amendment to the Water Enterprise Fund Budget, in the amount of \$78,072.00 for Water Treatment Plant Production Pump Maintenance, and authorize the Mayor and City Clerk to sign.

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Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

14. Resolution No. 2013-33, designating depositories for depositing of public funds for the City of Laramie, Wyoming.

The City Clerk read Resolution No. 2013133 by title only.

RESOLUTION DESIGNATING DEPOSITORIES FOR DEPOSITING OF PUBLIC FUNDS FOR THE CITY OF LARAMIE, WYOMING.

MOTION BY SHUMWAY, seconded by Hanson, that Council approve Resolution No. 2013-33, designating American National Bank, Bank of the West, Capital West Bank, First Interstate Bank, Security First Bank, US Bank, Wells Fargo Bank, Wyoming Bank, and Trust, and Wyoming State Bank as depositories for depositing of public funds, and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

15. Resolution No. 2013-34, appointing two members to the Monolith Ranch Advisory Committee for the City of Laramie, Wyoming.

A RESOLUTION APPOINTING TWO MEMBERS TO THE MONOLITH RANCH ADVISORY COMMITTEE FOR THE CITY OF LARAMIE, WYOMING.

Resolution No. 2013-34, appointing two members to the Monolith Ranch Advisory Committee for the City of Laramie, Wyoming.

MOTION BY HENRY, seconded by Pearce, that Council appoint David Evertson and Jason Sherwood to the Monolith Ranch Advisory Committee.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

16. Resolution No. 2013-35, declaring a vacancy and appointing a member to the Urban Systems Advisory Committee for the City of Laramie, Wyoming.

MOTION BY PEARCE, seconded by Kempert, that Council approve Resolution No. 2013-35, appointing James McGrath to represent the Laramie Planning Commission on the Urban Systems Advisory Committee and authorize the Mayor and City Clerk to sign.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

17. Resolution No. 2013-36, declaring a vacancy and appointing a member of the Planning Commission to the eleven member Parks, Trails & Recreation Master Plan 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.

MOTION BY HENRY, seconded by Vitale, that Council approve Resolution No. 2013-36, appointing Nadia

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Kaliszewski to represent the Laramie Planning Commission on the Citizen Ad Hoc Advisory Committee.

Roll call showed Aye: Henry, Pearce, McKinley, Kempert, Vitale, Hanson, Shumway, Weaver, and Paulekas. Nays: None. Absent: None. MOTION CARRIED.

18. Consideration of future Council work session topics.

McKinley: Litter connected with the polycarts and wind, construction dust wind issues, and debris abatement.

MOTION BY VITALE, seconded by Pearce, that Council set a Work Session on April 9, 2013, 6:00 p.m. on Work Session Priorities, and a Work Session on April 9, 2013, 6:00 p.m. on future City Council Meeting Broadcast Policy.

MOTION CARRIED by voice vote.

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

Tim Hale had a request for information addressed to City Manager Jordan, asking for copies of all resumes for all applicants for the position of the Assistant Director of Recreation in the City of Laramie. He commented about receiving his last Public Records Request about the littering in the vicinity of the dump, with all indications that the dump supervisor and other employees were aware of who did the dumping; and, Mr. Hale commented that staff lacked direction on what to do in instances like this, and that no action was taken

20. Adjournment.

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

MOTION CARRIED by voice vote.

Council adjourned at 8:37 p.m.

Respectfully submitted,

Sue Morris-Jones, MMC
City Clerk