

How much will you have to pay for this City mistake?

Will it ever end? Will the mistakes of our City administrations which result in huge public and resident spending, ever end?

\$300,000 was paid to an outside attorney so the Spiker group could stubbornly, wrongly and repeatedly approve illegal annexations. It cost the City some amount internally for the wasted time as attorneys and others helped the Perry Dray law firm prepare for what should have been predictable losses in court.

When sewer lines back up, the result of negligence on the part of the Board of Public Utilities, and causes damage to the homes of residents, the City wrongly tries to claim governmental immunity in the face of a Wyoming Supreme Court ruling that dismissed that defense.

When residents must retain private attorneys - at their own expense - to pursue legal remedies the City should provide them without litigation, that's wrong.

When police cars and other City-owned vehicles plow into residents' vehicles, with the City admitting fault but claiming governmental immunity, those injured by inattentiveness by police officers or City employees should not have to litigate to be made whole. But they do.

In the past eight-plus years, residents have had to sue the City to force them to do the moral and legal thing. That should not be necessary.

The billboard frame pictured at the lower left was at the corner of Pershing and Seymour. The City approved a permit for NextMedia to illegally place this billboard in that location. When confronted with evidence that they had improperly (illegally) approved the permit, instead of correcting the mistake, the city stonewalled and forced neighbors to litigate.

In this instance, legal fees were negligible as one of the neighbors is an attorney and handled the prosecution. There are three other illegally permitted billboards (another on Pershing, one on Lincolnway and one on Dell Range) and they will have to come down also. Will the City rescind the illegally approved permits and force the billboard company to take down the other three or will litigation have to be pursued to require that action?

While some may fault NextMedia for applying for a permit to construct a billboard when they could have determined it was not allowed (none were to have been built, according to changes made to City Code in 2006), it is up to City officials to know their ordinances better than an applicant.

Will NextMedia bring action against the city to recover their costs of removal and lost revenue into the future? In the pleadings, NextMedia claimed a loss of \$60,000 if they had to remove the billboard and frame. That's exactly what they're doing in the photo at the left. It is not a simple matter, requiring a crane and cutting torch, along with a handful of workers to remove an improperly constructed billboard.

Dare NextMedia try to recoup their money? They know, as others in town do by now, that the City is vindictive. If they were successful, what would that do to their future ability to build billboards in the City of Cheyenne? Don't they also own the ground level billboards called bus benches? Many of them are in violation of the contract. Having the City enforce that contract would cost NextMedia considerable money and lessen the visibility of some of the signs on the benches.

The next billboard that should come down, and it should not take a resident's legal action to initiate it, is the one on Patrick Collins' land on Dell Range (at the Bicycle Station). That permit approval was also illegal and a declaratory judgment to require its removal would be just a formality. Will the city require another resident to incur legal expense rather than do what's right and what's legal without subjecting a resident to the expense?

Probably not.

The group controlling City Hall for the past eight years came to believe that laws did not apply to them. Nor did morality. "You elected us, anything goes." One told a city resident that they had the "right" to drive them out of business and there was nothing the business owner could do about it. Will things change down there now? These costs (eventually you will pay for these removals) couldn't come at a worse time. Overstaffed and underfunded, the City has no money to waste. What a shame it's come to this.

