

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."

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Timing couldn't be worse

Rules against downtown development should be introduced when times are good, not when the downtown is emptying

What's wrong with this picture?

At the same time one of downtown's largest businesses is closing its doors, the mayor and his group want to impose restrictive rules to discourage retention and recruitment of businesses in the area.

It's quite obvious that no one in the DDA, which is charged with and funded amply for development of the downtown, knows the first thing about either subject.

Since this administration came into power in 2001 and granted the DDA hundreds of thousands of dollars belonging to other parts of the city, things have only gotten worse for the private sector downtown. Of course, they will want to point to the spending of public dollars on the depot, patio, parking garage and stable but the only test of the strength of downtown will be the investment of private dollars - not public funds.

Construction of the parking garage has shown no benefit toward downtown development. State offices nearby have moved away. And private businesses too numerous to recount have closed their doors forever or moved elsewhere - some in town, some away from Cheyenne.

Why would any governing body consider imposing new demands on anyone willing to invest private funds in the downtown - either by buying a property, remodeling an existing one or building a new one? Why? What would possess such a move? It's almost as though some were trying to sabotage this single area of the city - to improve other areas. That's not the reason, of course. It is just so foolish to enact any new ordinance that would cause development to look elsewhere.

If it's good enough for the downtown - these building design standards - why isn't it good enough for Dell Range, Logan Avenue, Cheyenne Plaza, Yellowstone Rd. or Wyoming Plaza?

It is insulting to hear someone speak about what's necessary to resuscitate the downtown at the same time they have chosen to relocate their business to another area of the city. When in a position to show their support for the deteriorating downtown, they chose elsewhere. But they will tell others what they should do

in their private business.

The free enterprise system allows those investing their money to make reasonable decisions about where, how, when and how much they will risk.

It is just impossible to understand why several members of this governing body believe that taking options out of the hands of investors will improve the prospects for Cheyenne's downtown.

To listen to a failed business owner implore others to do what he could not successfully accomplish defies reason. Professionals who may gain financially from new restrictions must be dismissed.

To require franchisees of a new Marriott to meet with a group of inexperienced joiners to discuss the prototype design required by the franchiser is ludicrous.

At this point, it would be preferable to have all downtown buildings painted out a solid black but be occupied than to accept that so many buildings remain empty and abandoned - for over 20 years as has been the case with the Hynds.

Downtowns are a hodgepodge of designs and ever will be. They were built as individual properties before government thought they knew what was best for everyone, about everything, so personal tastes are reflected. Are those old buildings always attractive? Of course not. But the new library was designed and built in 2006-2007 and it is a testament to poor design and shoddy construction. The fact that it might have passed muster with the headnodders who would likely serve on a so-called Design Review Board is immaterial. The outside of the library is horrendous from all aspects - design, materials and construction.

What needs to be done now - to fill the vacancies left by Dinneen's, Roedel's, Cheyenne Club, Grier's, and many smaller stores and offices that were occupied in 2001 (not to mention the Hynds Building, a non-factor in downtown since 1980) - is to embrace virtually any willingness to open a business in downtown. Real estate offices and their ilk will leave when the glut of properties dissipates. Those spaces will then be available. It is the wrong time to impede ANY progress.

The Avenues "Meth House" can be demolished

Quite awhile back, the Cheyenne Herald disclosed that the City had appropriated money to demolish a house in the Avenues, on the basis it was a meth house. We suggested at the time that the money diverted from the needy would never be used for that purpose - that the money was only being "parked" until other uses could be determined for it. In the meantime, the City had to "hide" it or risk the HUD reclaiming it.

There were also a couple properties on Ames Avenue that were to be demolished as unsafe and unfit for human habitation.

Our coverage in the March 21, 2005 (two and a half years ago) pointed out that \$90,000 had been appropriated to demolish the three "abandoned" houses. The house at 211 E. 3rd Avenue had been designated a "meth house" by police chief Bob Fecht even though sentencing of those supposedly manufacturing meth in the house allowed the accused to admit to only using the drug, "cleaning it", but not manufacturing it there.

A story in today's WT-E (September 25, 2007) mistakenly said that when police went to "check on its residents," they found "a sick child, buckets of feces and a methamphetamine lab." Actually, the school district requested a welfare check of a young girl and no meth lab was found.

This story in the WT-E is only partially accurate. But that is par for the course. A Cheyenne police officer is quoted as saying, "I know the owner of the property has been contacted," and "I don't know if he has even made any arrangements to have it cleaned up." The WT-E reporter could not find the owner - he only knows that the owner lives in Boulder, Colorado.

When I contacted the owner of the 3rd Avenue house in 2005, he told me that "the only contact he had had prior to the Herald's story was from a woman at the local police department at the time of the sentencing." The sentencing was for a couple who both received probation for drug and child endangerment charges, as I recall. The man was allowed to enter a program but the woman (the girl's mother) was not accepted into one and opted to go to Lusk where she could receive treatment. What happened to either or both of them is unknown at this time.

The owner went on to tell me back in '05 that the woman from the police department had told him "the offense was possession of equipment necessary for the manufacture of meth - not the manufacture itself."

The Cheyenne police department obviously knows how to contact the owner. If they have a case against him for the unsafe condition of the house he owns here in Cheyenne, they have a legal remedy. It will not require new law, initiated by the Cheyenne police chief / state senator.

Let me offer that I believe that the house is likely contaminated by the use of meth and needs to be cleaned - if not demolished. The question I have is why hasn't the police department taken aggressive action toward that end? The City determined a downtown property to be unsafe and proceeded with demolition without the owner's permission - in the Mary's Bake Shoppe matter. They relied on the International Building Code for their authority.

They can use it properly here.

Section 115, **Unsafe Structures and Equipment, (115.1) Conditions**, reads: "Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are **OTHERWISE DANGEROUS TO HUMAN LIFE OR THE PUBLIC WELFARE**, or that involve illegal or improper occupancy or inadequate maintenance, shall be **TAKEN DOWN AND REMOVED OR MADE SAFE**, as the building official deems necessary and as provided for in this section. **A VACANT STRUCTURE THAT IS NOT SECURED AGAINST ENTRY SHALL BE DEEMED UNSAFE.**"

115.3 Notice. "If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order."

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