

City of Cody
Council Proceedings
Tuesday, June 17, 2014

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, June 17, 2014 at 7:00 p.m.

Present: Mayor Brown , Council Members Donny Anderson, Bryan Edwards, Landon Greer, Steve Miller and Stan Wolz, Acting City Administrator Rick Manchester, City Attorney Scott Kolpitcke and Administrative Services Officer, Cindy Baker.

Absent: None.

Council Mayor Brown called the meeting to order at 7:00 p.m.

Council Member Miller made a motion seconded by Council Member Fritz to approve the agenda as presented. Vote was unanimous.

Mayor Brown proclaimed June as General Aviation Appreciation Month.

The Mayor and Council welcomed new employees Steve Brakke, James Wenzel and John Williams as introduced by Steve Payne, Public Works Director.

Council Member Miller made a motion seconded by Council Member Fritz to approve the consent calendar including approval of Minutes of the Regular Meeting Minutes from 6/3/14; approve request from Gail Nace of the Silver Dollar Bar to allow retail liquor license holders to operate with modified hours on July 3rd, July 4th, and July 5th 2014 allowing retail liquor license holders to stay open until 4 a.m. conditional upon those who intend to operate till 4 a.m. must notify the City of Cody Administrative Services Officer of this intent by June 20, 2014, and designate the Chief of Police or his designee the authority to revoke the extended hours provision during these dates if a situation arises where it is necessary to close the establishments earlier; authorize the Mayor to sign the amendment to the MOU between Cody Stampede and the City of Cody; authorize the Mayor to enter into and sign an Interstate Mutual Aid Agreement between the City of Cody and other agencies as it relates to Temporary Law Enforcement Assistance contingent upon review and approval by the City Attorney; authorize the Mayor to enter into and sign a Memorandum of Understanding for Temporary Use of Facilities between the Yellowstone Regional Airport Joint Power Board and the City of Cody contingent upon review and approval by the City Attorney; approve a request from Faith Model & Donnie Hall to allow a Farmers Market at Bob Moore Parking lot Saturday mornings from June 21 - October 25, 2014, and authorize the Mayor to enter into an agreement with Whole Foods Trading Co. (Faith Model & Donnie Hall) and work with staff to obtain required sign permits; approve a transfer of the 2014 July 4th agreement for the Wild West Extravaganza festival from Jerry Kinkade to the Cody Country Chamber of Commerce. Authorize the Mayor to enter into and sign a one year agreement between the City of Cody and the Cody Country Chamber of Commerce for this event; authorizing the Mayor to enter into and sign an agreement for legal services with Copenhaver, Kath, Kitchen and Kolpitcke, LLC through June 30, 2015; approve a request from John Wells, representing Cody Skateboarders for a procession down a portion of Sheridan Avenue on June 21st with route details to be worked out by staff; authorizing the Mayor to sign a deed and any other documents necessary to convey property to the State of Wyoming Military Department pursuant to the "Offer to Purchase, Acceptance and Receipt; and Specific Performance Agreement". Vote was unanimous.

At 7:18 p.m. Mayor Brown entered into a public hearing to determine if it is in the public interest to consider and approve the Fiscal Year 2014-2015 budget for the City of Cody. Jenni Rosencranse, City Administrator provided highlights of the budget. After calling for comments three more times and there being none at 7:25 p.m. Mayor Brown entered into the second public hearing to determine if it is in the public's interest to transfer a retail liquor license from Wilder Enterprises dba Eastgate Liquor to Wilder Enterprises LLC dba Eastgate Liquor at 1801 17th Street. Cindy Baker, Administrative Services Officer provided background information as it relates to the transfer of this license. After calling for comments three more times and there being none at 7:28 p.m. the Mayor entered into the third public hearing to determine if it is in the public's interest to renew 21 retail liquor licenses, 11 restaurant liquor licenses, 3 bar and grill liquor licenses, 3 limited (club) retail licenses, 2 microbrewery permits, and 1 winery permit for the period of August 1, 2014 through July 31, 2015. Cindy Baker, Administrative Services Officer provided information as it relates to renewal applications and entered into official records on letter of concern

relating to a retail liquor license renewal. Steve Hollingsworth, owner of Pawnee Irrigation provided comments and concerns relating to 3H Liquors renewal application and requested the Council to consider not renewing this retail license. Jamie Lang and James Bassett, representing 3H Liquors commented and responded to some of the concerns that were mentioned. After calling for public comments three more times and there being none at 7:45 p.m. Mayor Brown entered in to the fourth public hearing to determine if it is in the public's interest to adopt a new ordinance establishing regulations for Accessory Dwelling Units. Todd Stowell, City Planner provided background information as it relates to this ordinance. After calling for comments three more times and there being none at 7:48 p.m. Mayor Brown entered in to the fifth public hearing to determine if it is in the public's interest to repeal City of Cody Code Chapter 10-14, Nonconforming Uses and Adopt a new City of Cody Code Chapter 10-13, Nonconforming Lots, Structures, and Uses. Todd Stowell, City Planner provided background information as it relates to this ordinance. Glen Borkenhagen, citizen spoke in favor of the ordinance. After calling for comments three more times and there being none at 7:53 p.m. Mayor Brown entered into the sixth public hearing to determine if it is in the public's interest to amend the building setback/yard language in the residential zoning districts and adopt accessory building setback requirements for Residential A zone (Section 10-7B-4) consistent with other residential zones. Todd Stowell, City Planner provided information as it relates to this ordinance. After calling for comments three more times and there being none the public hearing was closed at 7:57 p.m.

Council Member Fritz made a motion seconded by Council Member Wolz to approve Vouchers and Payroll in the amount of \$1,440,712.52. Council Member Greer recused himself from the vote due to a conflict of interest. Vote was unanimous from remaining Council Members.

Council Member Miller made a motion seconded by Council Member Edwards to approve the transfer a retail liquor license from Wilder Enterprises dba Eastgate Liquor to Wilder Enterprises LLC dba Eastgate Liquor at 1801 17th Street. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Greer to approve the renewal 20 retail liquor licenses, 11 restaurant liquor licenses, 3 bar and grill liquor licenses, 3 limited (club) retail licenses, 2 microbrewery permits, and 1 winery permit for the period of August 1, 2014 through July 31, 2015. Vote was unanimous.

Council Member made a motion seconded by Council Member to approve the renewal of the retail liquor license James L Bassett 2008 Revocable Trust dba 3-H Liquors for the period of August 1, 2014 through July 31, 2015 with conditions that the liquor license holder James Bassett or management of 3H Liquor have no contact with the Hollingsworth's, Pawnee Irrigation employees. Vote was unanimous.

**ORDINANCE 2014-06 – THIRD AND FINAL READING
AN ORDINANCE REPEALING TITLE 10, CHAPTER 13, NONCONFORMING
USES, OF THE CITY OF CODY MUNICIPAL CODE.**

Council Member Wolz made a motion seconded by Council Member Anderson to approve Ordinance 2014-06 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2014-07 – THIRD AND FINAL READING AS AMENDED
AN ORDINANCE ADOPTING TITLE 10, CHAPTER 13, OF THE CITY OF CODY
CODE, “NONCONFORMING LOTS, STRUCTURES, AND USES”.**

Council Member Anderson made a motion seconded by Council Member Wolz to approve Ordinance 2014-07 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2014-09 – THIRD AND FINAL READING
AN ORDINANCE PROVIDING FOR THE AMOUNT OF TAX LEVY FOR THE CITY OF
CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30, 2015.**

Council Member Fritz made a motion seconded by Council Member Greer to approve Ordinance 2014-09 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2014-10 – THIRD AND FINAL READING
AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR
THE MAINTENANCE OF THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR
ENDING JUNE 30, 2015.**

Council Member Wolz made a motion seconded by Council Member Greer to approve Ordinance 2014-10 on Third and Final Reading. Vote in favor were Council Members Greer, Anderson, Miller, Fritz, Wolz and Mayor Brown. Opposed was Council Member Edwards. Motion passed.

ORDINANCE 2014-11 – FIRST READING

AN ORDINANCE AMENDING MINIMUM YARD REQUIREMENTS FOR RESIDENTIAL DISTRICTS, AS SET FORTH IN TITLE 10, CHAPTER 7 OF THE CITY OF CODY CODE.

Council Member Greer made a motion seconded by Council Member Anderson to approve Ordinance 2014-11 on First Reading. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Anderson to remove Ordinance 2014-08 from the Tabled Items. Voting in favor were Council Members Greer, Anderson, Miller, Fritz, Edwards and Mayor Brown. Opposed was Council Member Wolz. Motion passed.

ORDINANCE 2014-08 – FIRST READING

AN ORDINANCE ADOPTING PROVISIONS FOR ACCESSORY DWELLING UNITS.

Council Member Greer made a motion seconded by Council Member Anderson to approve Ordinance 2014-08 on First Reading. Vote was unanimous.

A sub-committee of Council Members Greer, Miller, and Fritz will work with staff and a sub-committee from Planning & Zoning Board.

There being no further business, Mayor Brown adjourned the meeting at 8:56 p.m.

Cindy Baker
Administrative Services Officer

Nancy Tia Brown
Mayor

VENDOR NAME	DESCRIPTION	AMOUNT
813-NCPERS WYOMING	PREMIUMS	416.00
ACE HARDWARE	SUPPLIES	504.66
ADAMSON POLICE PRODUCTS	LESS LETHAL AMMO SUPPLIES	1891.95
ADVANCED INFO SYSTEMS	OUTSOURCE BILLS	633.25
ALPHA CARD	SOFTWARE UPGRADE	87.50
AMERICAN FAMILY LIFE ASSUR	AFLAC PREMIUMS	2185.16
AMERICAN PUBLIC POWER ASSOCIATION	EDUCATION AND TRAINING	99.00
AMERICAN WELDING & GAS, INC.	SUPPLIES	445.74
APLEGATE, BERNARD	RESTITUTION	631.82
APPLIED GRAPHICS	YARD WASTE DECALS	839.32
BEAR CO, INC	TIRES	2537.80
BENTLEY SYSTEMS INC	SOFTWARE LICENSE RENEWAL	2442.00
BIANCHI, JEFF	CONCERTS IN THE PARK	300.00
BIG HORN RADIO NETWORK	ADVERTISING	338.64
BIG HORN TREE AND SHRUB	FERTILIZE TREES AT MENTOCK PARK	100.00
BIG HORN WHOLESALE	MATERIAL & SUPPLIES	1046.06
BLOEDORN LUMBER	SUPPLIES	134.60
BOBCAT OF BIG HORN BASIN, INC.	BOBCAT BROOM - WIRE HARNESS	208.28
BOOT BARN, INC	UNIFORMS - EL DEPT	10.50
BORDER STATES INDUSTRIES, INC	INVENTORY	39953.16
BRUMAGE, LESLIE	MILEAGE REIMBURSEMENT PCLI	174.96
BUCCHOLZ, HAROLD	REFUND CASH BOND	300.00
C & C WELDING	REPAIRS	1341.49
CARQUEST AUTO PARTS	REPAIR PARTS	857.58
CASELLE, INC	CASELLE SUPPORT FY 14-15	17134.20
CASPER STAR TRIBUNE	ADVERTISING	849.00
CHADWICK VETERINARY HOSPITAL	FERAL CAT EUTHANASIA	55.00
CHARTER	INTERNET	214.75
CITY OF CODY	UTILITIES	14986.00
CLARK WIRELESS	BATTERIES FOR PORTABLE RADIOS	719.90
CODY CAB	TIPSY TAXI VOUCHERS	273.00
CODY ENTERPRISE	ADVERTISING	6806.55
CODY RECREATION FOUNDATION	REC CENTER REFUND	185.79
CODY WINNELSON COMPANY	FITTINGS	19.00
CODY YELLOWSTONE AIR IMPROVE RES	COMMUNITY FUNDING ALLOCATION	5689.73
CODY'S TOWN TAXI	TIPSY TAXI VOUCHERS	119.00
COX, BRENDA JO	REFUND UTILITY DEPOSIT	65.07

CRUM ELECTRIC	SUPPLIES	1721.29
CUSTOM DELIVERY SERVICE	SHIPPING	23.82
DANA KEPNER COMPANY	PARTS	
DIVISION OF VICTIM'S SERVICES	CRIME VICTIM'S COMP - MAY 2014	360.00
EAGLE OF CODY PRINTING	BOOKMARKS	92.00
EASTMAN, RINDA	PERSONAL TRAINING - REC CENTER	237.00
ECOLAB PEST ELIM. DIV.	PEST CONTROL - REC CENTER	122.00
ENERGY WEST	UTILITIES	516.87
ENGINEERING ASSOCIATES	PROJECTS / PROFESSIONAL SERVICES	4450.70
FASTENAL COMPANY 01WYCDY	SUPPLIES	19.57
FERGUSON WATERWORKS	INVENTORY	150.66
FINCHER, CATHERINE	RESTITUTION	200.00
FULLMER, ERIN	REFUND UTILITY DEPOSIT	156.60
GALLS, LLC	UNIFORMS - C07	53.11
GAMBLES	SUPPLIES	19.63
GEORGE T. SANDERS COMPANY	8 RUBBER COUPLING"	17.06
GERARD BRAUD COMMUNICATIONS	CRISIS VULNERABILITY ASSESSMENT	2500.00
GOOD 2 GO STORES	FUEL	25719.62
GRADIANT MOUNTAIN SPORTS LLC	SUP YOGA BOARD RENTAL FEES	120.00
GREAT WEST LINEN SUPPLY	TOWELS & RUGS	251.70
GREEN, RYAN	REFUND UTILITY DEPOSIT	58.76
HALL, JANA	REFUND UTILITY DEPOSIT	16.57
HARRIS TRUCKING & CONST. CO	ASPHALT 11TH, 13TH, POTHOLES	3686.99
HARRIS, JOHN	TRAVEL REIMBURSEMENT	240.60
HEARTLAND PAPER COMPANY	MATERIAL & SUPPLIES	1333.94
HEYDENBERK, TRAPP	REIMBURSE FOR UNIFORMS	148.14
HIGBIE, ED	REFUND OVERPAYMENT ON PERMIT	1.25
HOTSY WY-MONT	SUPPLIES FOR SPRAYER	261.45
JONES, AMY	PERSONAL TRAINING - REC CENTER	119.71
KAZEM, JOSEPH	REFUND UTILITY DEPOSIT	79.41
KITCHEN, SCOTT	REIMBURSE FOR MILEAGE	44.86
KLINGAMAN, NATHAN	REFUND UTILITY DEPOSIT	2.98
L.N. CURTIS & SONS	UNIFORM ALLOWANCE	320.75
LONG BUILDING TECH INC	AHU FRQ DRIVE	4902.00
MARTIN, KELLY	VOLLEYBALL REFEREE	150.00
MC CUMBER LOCKSMITH SHOP	2AB LIFT STATION	53.75
MEYER, JEFF	REFUND REC CENTER	440.00
MOTOR PARTS INC	REPAIR PARTS	586.43
MOUNTAIN WEST SCREEN PRINTERS	EMBROIDERY	533.73
NORCO, INC.	CO2	765.16
NORTHERN GARDENS	SOD 16TH & 10TH	147.60
ONE-CALL OF WYOMING	ONE CALL FEES	122.25
OWEN, DON	VOLLEYBALL REFEREE	275.00
PARK COUNTY	LEC CONTRACT / UTILITIES	32663.34
PARK COUNTY ANIMAL SHELTER	ANIMAL SERVICE CONTRACT	3750.00
PARK COUNTY LANDFILL	LANDFILL CHARGES	77589.00
PARK COUNTY READY MIX	SAND SLURRY	425.00
PARKER, MIKE	SAND BAGS - WEIGHT FOR BALLFIELD TARPS	28.00
PIERSON, EMILY	REFUND UTILITY DEPOSIT	48.60
POWELL TRIBUNE	ADVERTISING	169.73
PRO-BUILD	CLEAR PLASTIC / BROOMS	109.84
PROFFITS LAWN CARE	CONTRACTED MOWING	980.00
PROVIDENT LIFE & ACCIDENT INS	PREMIUMS	199.84
QUALITY ASPHALT PAVING, INC	ASPHALT	7741.25
R & A SAFETY	RANDOM TESTING	630.00
RASMUSSEN, CARI	REFUND UTILITY DEPOSIT	46.65
RIMROCK TIRE INC	POLICE TIRES - A10	474.24
ROCKY MOUNTAIN POWER	UTILITIES	457.72
RON'S EXXON	PROPANE	43.40
S & S AUDIO - VIDEO INC	METER READING EQUIP	39.97
SCHOENING, WILLIAM D	VOLLEYBALL REFEREE	125.00
SECHRIST, DAVID J	PERSONAL TRAINING REC CENTER	202.35

SHOSHONE MUNICIPAL PIPELINE	SMP WATER PURCHASES - MAY 2014	115053.16
SHOSHONE OFFICE SUPPLY	SUPPLIES	2146.60
SIGN PRODUCTS CO	REFUND PAYMENT ON PERMIT	50.00
SITZ III, ALEX H.	PROFESSIONAL FEES	417.71
SOUTHWESTERN EQUIPMENT	AIR CONTROL - SANITATION	527.09
STEEL IN THE AIR INC	ASSESS CELL TOWER MODIFICATION	400.00
STOR-N-LOCK, LLC	REFUND TEMP EL METER FEE	105.00
STROH'S INDUSTRIAL LUBRICATION	GREASE	85.00
TCT WEST	INTERNET	458.27
THE UPS STORE	SHIPPING	143.02
TRIPLE L SALES	SUPPLIES	587.64
U S BANK PURCHASE CARD	SUPPLIES / TOOLS / TRAVEL / PROGRAMS	9326.91
ULINE	OFFICE / EVIDENCE SUPPLIES	206.88
UNUM LIFE INS - LTD	LONG TERM DISABILITY PREMIUM	2848.52
UNUM LIFE INS - LIFE	LIFE INSURANCE PREMIUMS	1666.30
US POSTMASTER	2 MONTHS POSTAGE FOR UTILITY BILLING	3700.00
V-1 PROPANE	PROPANE	141.69
VERIZON	CELL PHONES / IPADS	3333.71
VERNON MANUFACTURING CO	WATER CRANE CARDS	397.50
VISA	TRAVEL/MEETING EXP. / SUPPLIES / SCANNERS	6542.91
WAL MART COMMUNITY BRC	SUPPLIES	202.07
WATCO POOLS	POOL CHEMICALS	1021.19
WAYNE'S BOOT SHOP	SAFETY BOOTS	180.00
WESCO DISTRIBUTION INC	INVENTORY	1989.23
WESTERN PATHOLOGY CONSULTING, INC	RANDOM TESTING	243.00
WILLIAMSON, DORIS	REFUND UTILITY DEPOSIT	55.60
WIND RIVER TRENCHING, INC	OLIVE GLENN CABLE PROJECT	5580.00
WOLZ, STAN	REIMBURSE EXPENSE SIDEWALK CLEANING	110.47
WOODWARD TRACTOR CO	HYDRAULIC FITTING	22.63
WYOMING DEPT OF TRANSPORTATION	BIG HORN AVE PROJECT	73.11
WYOMING DEPT OF WORKFORCE SERVICES	CONTRIBUTIONS	7776.43
WYOMING MUNICIPAL POWER AGENCY	POWER PURCHASE - MAY 2014	683258.54
WYOMING RETIREMENT SYSTEM	CONTRIBUTIONS	59686.30
YELLOWSTONE REGIONAL AIRPORT	JUNE FUNDING	12725.08
	TOTAL	1096063.34