

City of Cody City Council

AGENDA

Interview following applicants for Board openings:

- 5:30 - Robert Haitzma – Contractor Board (HVAC)
- 5:45 - Richard Zickefoose – Contractor Board (HVAC)
- 6:00 - Mark Westerling – Planning, Zoning and Adjustment Board
- 6:15 - Reese Graham – Planning, Zoning and Adjustment Board

Tuesday, January 6, 2015 – 7:00 p.m. (Pre-Meeting to begin at 6:30 p.m.)

Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

Meeting Called to Order
Pledge of Allegiance
Moment of Silence
Roll Call
Agenda Review and Approval
Mayor's Recognitions and Announcements

Oath of Office – Donny Anderson, Karen Ballinger and Stan Wolz.

WY-GCID - Governor's Council on Impaired Driving Saving Lives Award

1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Special Meeting Minutes from 12/11/14 and 12/17/14, and Regular Meeting Minutes from 12/16/14.
- b. Approval of vouchers and payroll in the amount of \$848,535.86.
- c. Declare the Cody Enterprise as the City's Official publication per §15-1-110.
- d. Consider appointing Council Member Miller to the Northwest Improvement Joint Powers Board for a three year term ending December 31, 2017.
- e. Consider appointing Council Member Greer to the Park County Drug Court for a one year term ending December 31, 2015.
- f. Consider appointing Council Member Miller as Council President and Council Member Greer as Council Vice President for a one year term ending December 31, 2015.
- g. Consider appointing Council Member Ballinger as the Administrative Services Liaison for a one year term ending January 31, 2016.
- h. Consider appointing Council Member Ballinger and Council Member Fritz to the Urban Systems Board for a three year term ending December 31, 2017.
- i. Consider appointing Council Member Anderson to the Yellowstone Regional Airport Board for a one year term ending December 31, 2015.
- j. Consider appointing Council Member Miller to the Planning, Zoning and Adjustment Board for a three year term ending December, 31, 2017.

- k. Consider the appointment of Dr. Charles Jamison, Dr. Malcom Blessing, Chief of Police Perry Rockvam and Code Enforcement Officer Jennifer Morris to the Cody City Rabies Board for a two year term ending December 31, 2016.
- l. Consider the appointment of Monte Bales to the Cody Tree Board for a two year term ending December 31, 2016.
- m. Consider the appointment of Bert Pond to the Wyoming Municipal Power Agency's Board of Directors for a three year term ending February 28, 2018.
- n. Consider approval of the Official Community Appointments for 2015: Municipal Court Judge, C.E. Webster II; Alternate Municipal Court Judges, Bruce Waters, James Allison, and John Housel; Fire Marshall, Sam Wilde; and Fire Chief, Bryan Reiter.
- o. Consider authorizing the Mayor to enter into and sign a one year facility use agreement for use of the therapy pool between the City of Cody and Wyoming Neurological Associates, LLC.
- p. Consider approving the dispensing room change for Michele Prevost dba Juniper Wine and Spirits from a 40'x24' room on the east side of the building to a 24'x24' room in the center of the building.
- q. Consider nominating to the WAM-JPIC Board of Directors Tracy Glanz, Worland for a three year term (May 1, 2015 – April 30, 2018); David Kendall, Lingle for a three year term (May 1-2015-April 30, 2018); Genelle Petsch, Glendo for a three year term (May 1, 2015 – April 30, 2018) and Cindy Baker, Cody for a one year term (May 1, 2015 – April 30, 2016)

Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

2. Public Hearing

3. Conduct of Business

- a. Sign Conflict of Interest disclosure of financial interest in depositories or firms where the City of Cody funds are invested, pursuant to §6-5-118(a) by the Mayor, Council Members, City Administrator and Administrative Services Officer.
Staff Reference: Cindy Baker, Administrative Services Officer
- b. Consider the appointment of Curt Dansie to the Planning, Zoning & Adjustment Board for a three year term ending December 31, 2017.
- c. Consider the appointment of Mike Kelly and Roy Holm to the Contractors' Board for a three year appointment ending December 31, 2017.
- d. Consider the appointment of Bobbie Holder, Greg Mayton, Bruce Lyman and Randy Spiering, to the Cody Tree Board for a two year term ending December 31, 2016.

e. Consider the appointment of Douglas Johnston and Robert Adrian to the Yellowstone Regional Airport Board for a three year term ending December 31, 2017.

f. **ORDINANCE 2014-20 – SECOND READING
AN ORDINANCE REPEALING TITLE VI, CHAPTER 3, SECTION 7
OF THE CODY CITY CODE PERTAINING TO PARKING ON
PRIVATE PROPERTY.**

Staff Reference: Steve Payne, Public Works Director

g. **ORDINANCE 2014-21 – SECOND READING
AN ORDINANCE REPEALING TITLE VI, CHAPTER 4, SECTION 2
OF THE CODY CITY CODE PERTAINING TO PARKING ON
PRIVATE PROPERTY.**

Staff Reference: Steve Payne, Public Works Director

h. **ORDINANCE 2014-22 – SECOND READING
AN ORDINANCE AMENDING TITLE VI, CHAPTER 4, SECTION 1,
OF THE CODY CITY CODE PERTAINING TO PARKING TIME
LIMITED ON CERTAIN STREETS.**

Staff Reference: Steve Payne, Public Works Director

4. Tabled Items

a. **ORDINANCE 2014-19 – SECOND READING
AN ORDINANCE REZONING CERTAIN LANDS IN THE AREA
SOUTH OF COUGAR AVENUE AND EAST OF THE SHADOW
MOUNTAIN SUBDIVISION LOCATED WITHIN THE CITY OF
CODY, PARK COUNTY, WYOMING TO RESIDENTIAL “B”**

Staff Reference: Todd Stowell, City Planner

5. Matters from Staff Members

6. Matters from Council Members

7. Adjournment



City of Cody
Council Proceedings
Thursday, December 11, 2014

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Thursday, December 11, 2014 at 4:15 p.m.

Present: Mayor Nancy Tia Brown, Council Members Donny Anderson, Landon Greer, Jerry Fritz, Bryan Edwards, Steve Miller and Stan Wolz, City Administrator, Barry Cook, City Attorney Scott Kolpitcke and Cindy Baker, Administrative Services Officer

Absent: None

Mayor Brown called the meeting to order at 4:15 p.m.

Leslie Brumage, Finance Officer provided the information as it relates to a change in the firm we currently use for auditing purposes and provided options to the Council for staff direction. Staff will have direction provided by the Council by Tuesday, December 16th.

Leslie Brumage, Finance Officer discussed an upcoming budget survey that Council will be asked to participate in and requested Council to review the budget calendar for 2015. Council will review the calendar and report on Tuesday, December 16th if there are any changes that need to happen.

Steve Payne, Public Works Director discussed a draft of Ordinance 2014-20 - Parking Ordinance. Staff was directed to add Ordinance 2014-20 to the Council Agenda for consideration on December 16th.

Todd Stowell City Planner discussed a fee schedule as it relates to Planning & Zoning and Building Fees.

The Governing Body interviewed applicants for the following Open Board Appointments:

- Robert Adrian – Yellowstone Regional Airport Board
- Bruce Lyman – Cody Tree Board
- Curt Dansie – Planning and Zoning Commission
- Darlene Manning – Planning and Zoning Commission
- Greg Mayton – Cody Tree Board
- Robert (Mike) Kelly – Contractors' Board
- Tracy Collins – Contractors' Board
- David Ballinger – Contractors' Board
- Travis Baughman – Contractors' Board

The Governing Body will review all applications and consideration and appointments will be made at a meeting in January 2015.

The Governing Body reviewed the December 16, 2014 agenda. No action was taken.

Mayor Brown adjourned the meeting at 6:50 p.m.

Cindy Baker
Administrative Services Officer

Nancy Tia Brown
Mayor

City of Cody
Council Proceedings
Wednesday, December 17, 2014

A special meeting of the Cody City, City of Powell, Town of Meeteetse and Wyoming Legislators was held at the Sunset House Restaurant on Wednesday, December 17, 2014 at 6:00 p.m.

City of Cody Council and Staff:

Present: Mayor Nancy Tia Brown, Council Members Donny Anderson, Jerry Fritz, Steve Miller and Stan Wolz, City and Administrator, Barry Cook.

Absent: Council Members Bryan Edwards and Landon Greer.

City of Powell Council and Staff:

Present: Mayor Don Hillman, Council Members Jim Hillberry, and Josh Shorb and City Administrator Zane Logan.

Absent: Council Members Eric Paul, Floyd Young and Myron Henry.

Town of Meeteetse:

Present: Council Members Bill Yetter, Sharon Fech and Jim Yockey.

Absent: Mayor John Abbot and Council Member Sheridan Trask.

Legislative Attendees:

Present: Hank Coe, Sam Krone, Dan Laursen and David Northrup

The meeting was called to order at 6:15 p.m.

General discussion was held. No Action was taken.

There being no further business the meeting was adjourned at 8:15 p.m.

Barry Cook
City Administrator

Nancy Tia Brown
Mayor

**City of Cody
Council Proceedings
Tuesday, December 16, 2014**

Council Member Fritz made a motion seconded by Council Member Edwards to enter into an Executive Session at 6:04 p.m. to consider or receive information classified as confidential by law - pursuant to Wyoming State Statute 16-4-405(a)(ix) and to consider the purchase of real estate – pursuant to Wyoming State Statute 16-4-405(a)(vii). Council Member Fritz made a motion seconded by Council Member Edwards to exit the Executive Session at 6:34 p.m. No Action was taken.

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, December 16, 2014 at 7:00 p.m.

Present: Mayor Nancy Tia Brown, Council Members Donny Anderson, Bryan Edwards , Jerry Fritz, Landon Greer, Steve Miller and Stan Wolz, City Administrator Barry Cook, City Attorney Scott Kolpitke and Administrative Services Officer, Cindy Baker.

Absent: None

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

Council Member Miller made a motion seconded by Council Member Fritz to move item ‘f’ on the Consent Calendar to Conduct of Business and to approve the agenda as amended. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve the consent calendar as revised including approve Minutes of the Special Council Meeting from 12/03/14 and Regular Meeting Minutes from 12/02/14; approve Vouchers and Payroll in the amount of \$1,842,429.01; award Bid No. 2014-16 in the amount of \$107,966.25 to Harris Trucking and Construction as it relates to the WWTF Discharge Replacement and Authorize the Mayor to enter into and sign a contract between the City of Cody and Harris Trucking and Construction after all documents have been completed and reviewed by the City Attorney; declare Public Fund Depositories per State Statute 9-4-806 to include Big Horn Federal Savings, Bank of the West, First Bank of Wyoming, Pinnacle Bank, US Bank and Wells Fargo Bank for the calendar year 2015; approve the transfer of ownership of the Draw Street Building from the Water Fund to the General Fund. Vote was unanimous.

Council Member Anderson made a motion seconded by Council Member Edwards to award Bid 2014-14, Mountain Spirit Addition Phase 2 and 3, to Nicholson Dirt Contracting for the amount of \$311,566.45. Council Member Greer recused himself from the vote due to conflict of interest and left the Council Chambers. Vote was unanimous from remaining Council Members. Council Member Greer returned to Council Chambers.

Council Member Fritz made a motion seconded by Council Member Greer to approve the financial statements and audit report for fiscal year 2013-2014. Vote was unanimous.

**ORDINANCE 2014-18 –THIRD AND FINAL READING
AN ORDINANCE AMENDING TITLE IX, CHAPTER 1, SECTION 2 OF THE
CODY CITY CODE PERTAINING TO BUILDING CONTRACTORS’
EXAMINATION BOARD; ESTABLISHED; COMPOSITION; QUALIFICATIONS
OF MEMBERS; MEETINGS; APPOINTMENT AND TERM OF OFFICE.** Council Member Anderson made a motion seconded by Council Member Greer to approve Ordinance 2014-18 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2014-19 – SECOND READING
AN ORDINANCE REZONING CERTAIN LANDS IN THE AREA SOUTH OF
COUGAR AVENUE AND EAST OF THE SHADOW MOUNTAIN SUBDIVISION
LOCATED WITHIN THE CITY OF CODY, PARK COUNTY, WYOMING TO
RESIDENTIAL “B”.** Council Member Miller made a motion seconded by Council Member Fritz to Table Ordinance 2014-19 on Second Reading. Vote was unanimous.

**ORDINANCE 2014-20 – FIRST READING
AN ORDINANCE REPEALING TITLE VI, CHAPTER 3, SECTION 7 OF THE
CODY CITY CODE PERTAINING TO PARKING ON PRIVATE PROPERTY.** Council Member Wolz made a motion seconded by Council Member Edwards to approve Ordinance 2014-20 on First Reading. Vote was unanimous.

ORDINANCE 2014-21 – FIRST READING

**AN ORDINANCE REPEALING TITLE VI, CHAPTER 4, SECTION 2 OF THE
CODY CITY CODE PERTAINING TO PARKING ON PRIVATE PROPERTY.**

Council Member Edwards made a motion seconded by Council Member Fritz to approve Ordinance 2014-21 on First Reading. Vote was unanimous.

ORDINANCE 2014-22 – FIRST READING

**AN ORDINANCE AMENDING TITLE VI, CHAPTER 4, SECTION 1, OF THE
CODY CITY CODE PERTAINING TO PARKING TIME LIMITED ON CERTAIN
STREETS.**

Council Member Fritz made a motion seconded by Council Member Greer to approve Ordinance 2014-22 on First Reading. Vote was unanimous.

There being no further business, Mayor Brown adjourned the meeting at 8:30 p.m.

Cindy Baker
Administrative Services Officer

Nancy Tia Brown
Mayor

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
A & I DISTRIBUTORS							
127557							
	2567269	OIL	11/24/2014	470.25	470.25	01/07/2015	10W30
	2567269	OIL, HYDRAULIC	11/24/2014	381.70	381.70	01/07/2015	HYD. 46
	2567269	OIL ABSORBANT PADS	11/24/2014	17.00	17.00	01/07/2015	
Total 127557:				868.95	868.95		
ACE HARDWARE							
2390							
	295604	RV ANTI-FREEZE - RAW WATE	12/05/2014	41.88	41.88	01/07/2015	
	296615	SHOVEL	12/22/2014	28.99	28.99	01/07/2015	
Total 2390:				70.87	70.87		
ADVANCED INFO SYSTEMS							
129162							
	11955	CYCLE 1 OUTSOURCE BILLS	12/18/2014	388.88	388.88	01/07/2015	
	11962	CYCLE 2 OUTSOURCE BILLS	12/23/2014	177.35	177.35	01/07/2015	
Total 129162:				566.23	566.23		
ALSCO							
126551							
	1062919	RUGS - AUDITORIUM	10/27/2014	126.50	126.50	01/07/2015	
	1073970	RUGS - CITY HALL	12/01/2014	35.45	35.45	01/07/2015	
	1075819	TOWELS & RUGS - REC CENTE	12/08/2014	51.16	51.16	01/07/2015	
	1077675	TOWELS - REC CENTER	12/15/2014	17.50	17.50	01/07/2015	
	1077695	RUGS - AUDITORIUM	12/15/2014	128.40	128.40	01/07/2015	
Total 126551:				359.01	359.01		
BIG HORN GLASS							
1160							
	35013	HINGES ON RACQUETBALL CO	11/18/2014	1,892.75	1,892.75	01/07/2015	
Total 1160:				1,892.75	1,892.75		
BLUE CROSS BLUE SHIELD OF WYOMING							
1360							
	121514	INSURANCE PREMIUMS	12/15/2014	113,542.75	113,542.75	01/07/2015	
Total 1360:				113,542.75	113,542.75		
BOOT BARN, INC							
128267							
	IVC0057200	BIBS/ COAT - CHAN RICHARDS	12/11/2014	244.98	244.98	01/07/2015	
Total 128267:				244.98	244.98		
BORDER STATES INDUSTRIES, INC							
1420							
	908549783	F12S 3ph 3w c200 120-240v dmd	12/11/2014	383.20	383.20	01/07/2015	MTR12SELEC
	908557906	Wire, primary 1/0 strd, jacketed,25	12/12/2014	10,514.86	10,514.86	01/07/2015	WIRUGP1/025
	908557906	Wire, primary 1/0 strd, jacketed,25	12/12/2014	1,918.34	1,918.34	01/07/2015	WIRUGP1/025
	908557906	Wire, primary 1/0 strd, jacketed,25	12/12/2014	419.64	419.64	01/07/2015	WIRUGP1/025
	908557906	Wire, primary 1/0 strd, jacketed,25	12/12/2014	1,918.34	1,918.34	01/07/2015	WIRUGP1/025

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	908557906	Meter F2S 1ph 240v meter C200	12/12/2014	2,531.20	2,531.20	01/07/2015	MTR2SITR
Total 1420:				17,685.58	17,685.58		
BROKEN ARROW							
129930							
	17743	SALT	12/15/2014	355.30	355.30	01/07/2015	
Total 129930:				355.30	355.30		
C & C WELDING							
1690							
	18296	C06 TANK REPAIRS	12/10/2014	51.71	51.71	01/07/2015	
	18296	C06 TANK REPAIRS	12/10/2014	1,760.00	1,760.00	01/07/2015	
	18305	BECK LAKE SOLAR PANEL INS	12/16/2014	26.24	26.24	01/07/2015	
Total 1690:				1,837.95	1,837.95		
CITY OF CODY							
2260							
	121714	Utilities	12/17/2014	145.11	145.11	01/07/2015	
	121714	Utilities	12/17/2014	212.10	212.10	01/07/2015	
	121714	Utilities	12/17/2014	42.00	42.00	01/07/2015	
	121714	Utilities	12/17/2014	42.00	42.00	01/07/2015	
	121714	Utilities	12/17/2014	123.64	123.64	01/07/2015	
	121714	Utilities	12/17/2014	106.89	106.89	01/07/2015	
	122414	Utilities	12/24/2014	2,712.54	2,712.54	01/07/2015	
	122414	Utilities	12/24/2014	117.96	117.96	01/07/2015	
	122414	Utilities	12/24/2014	597.60	597.60	01/07/2015	
	122414	Utilities	12/24/2014	113.27	113.27	01/07/2015	
	122414	Utilities	12/24/2014	337.19	337.19	01/07/2015	
	122414	Utilities	12/24/2014	101.37	101.37	01/07/2015	
	122414	Utilities	12/24/2014	106.18	106.18	01/07/2015	
	122414	Utilities	12/24/2014	165.77	165.77	01/07/2015	
	122414	Utilities	12/24/2014	326.20	326.20	01/07/2015	
	122414	Utilities	12/24/2014	64.34	64.34	01/07/2015	
	122414	Utilities	12/24/2014	589.07	589.07	01/07/2015	
	122414	Utilities	12/24/2014	490.49	490.49	01/07/2015	
	122414	Utilities	12/24/2014	341.79	341.79	01/07/2015	
	122414	Utilities	12/24/2014	161.00	161.00	01/07/2015	
	122414	Utilities	12/24/2014	272.96	272.96	01/07/2015	
	122414	Utilities	12/24/2014	23.00	23.00	01/07/2015	
	122414	Utilities	12/24/2014	266.55	266.55	01/07/2015	
	122414	Utilities	12/24/2014	33.14	33.14	01/07/2015	
	122414	Utilities	12/24/2014	553.59	553.59	01/07/2015	
	122414	Utilities	12/24/2014	25.52	25.52	01/07/2015	
	122414	Utilities	12/24/2014	23.00	23.00	01/07/2015	
	122414	Utilities	12/24/2014	137.00	137.00	01/07/2015	
	122414	Utilities	12/24/2014	220.12	220.12	01/07/2015	
	122414	Utilities	12/24/2014	46.75	46.75	01/07/2015	
	122414	Utilities	12/24/2014	161.00	161.00	01/07/2015	
	122414	Utilities	12/24/2014	107.93	107.93	01/07/2015	
	122414	Utilities	12/24/2014	49.05	49.05	01/07/2015	
	122414	Utilities	12/24/2014	23.00	23.00	01/07/2015	
	122414	Utilities	12/24/2014	55.67	55.67	01/07/2015	
	122414	Utilities	12/24/2014	2,421.65	2,421.65	01/07/2015	
	122414	Utilities	12/24/2014	7,264.95	7,264.95	01/07/2015	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	122414	Utilities	12/24/2014	1,049.84	1,049.84	01/07/2015	
	122414	Utilities	12/24/2014	270.41	270.41	01/07/2015	
	122414	Utilities	12/24/2014	159.07	159.07	01/07/2015	
	122414	Utilities	12/24/2014	111.35	111.35	01/07/2015	
	122414	Utilities	12/24/2014	51.63	51.63	01/07/2015	
	122414	Utilities	12/24/2014	751.41	751.41	01/07/2015	
	122414	Utilities	12/24/2014	348.16	348.16	01/07/2015	
	122414	Utilities	12/24/2014	275.83	275.83	01/07/2015	
	122414	Utilities	12/24/2014	49.33	49.33	01/07/2015	
	122414	Utilities	12/24/2014	47.49	47.49	01/07/2015	
	122414	Utilities	12/24/2014	414.16	414.16	01/07/2015	
	122414	Utilities	12/24/2014	720.28	720.28	01/07/2015	
	122414	Utilities	12/24/2014	39.00	39.00	01/07/2015	
	122414	Utilities	12/24/2014	306.96	306.96	01/07/2015	
	122414	Utilities	12/24/2014	350.73	350.73	01/07/2015	
	122414	Utilities	12/24/2014	62.67	62.67	01/07/2015	
	122414	Utilities	12/24/2014	4,386.13	4,386.13	01/07/2015	
	122414	Utilities	12/24/2014	33.14	33.14	01/07/2015	
Total 2260:				28,008.98	28,008.98		
CODY CAB							
129079							
	010615	TIPSY TAXI VOUCHERS	01/06/2014	364.00	364.00	01/07/2015	
Total 129079:				364.00	364.00		
CODY CHAMBER OF COMMERCE							
124707							
	5560	SUPPLIES	12/19/2014	8.00	8.00	01/07/2015	
Total 124707:				8.00	8.00		
CRISIS INTERVENTION SERVICE							
3290							
	121214	COMMUNITY FUNDING ALLOCA	12/12/2014	825.00	825.00	01/07/2015	
Total 3290:				825.00	825.00		
CRUM ELECTRIC							
3300							
	1618772-00	SUPPLIES - AUDITORIUM	12/01/2014	8.28	8.28	01/07/2015	
Total 3300:				8.28	8.28		
DANA KEPNER COMPANY							
3410							
	2219968-00	Meter, iPERL 3/4" short, ltron	12/02/2014	39,733.76	39,733.76	01/07/2015	1198-W
Total 3410:				39,733.76	39,733.76		
DEPT OF FAMILY SERVICES							
125899							
	0233-NOV14	BACKGROUND CHECKS - REC	12/08/2014	60.00	60.00	01/07/2015	
Total 125899:				60.00	60.00		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
ECOLAB PEST ELIM. DIV.							
128686							
	5094490	PEST CONTROL - REC CENTER	12/08/2014	122.00	122.00	01/07/2015	
	5094491	PEST CONTROL - AUDITORIUM	12/08/2014	70.00	70.00	01/07/2015	
	5094492	PEST CONTROL - CITY HALL	12/18/2014	50.00	50.00	01/07/2015	
	5094493	PEST CONTROL - EL SHOP	12/18/2014	50.00	50.00	01/07/2015	
	5094494	PEST CONTROL - SANT/RECY	12/18/2014	50.00	50.00	01/07/2015	
	5094495	PEST CONTROL - SHOP	12/18/2014	70.00	70.00	01/07/2015	
Total 128686:				412.00	412.00		
ENERGY LABORATORIES, INC							
4120							
	341251095	DBPR TESTING	12/18/2014	600.00	600.00	01/07/2015	
Total 4120:				600.00	600.00		
ENERGY WEST							
2630							
	120814	UTILITIES - SHOP	12/08/2014	1,153.53	1,153.53	01/07/2015	
	120814	UTILITIES - SHOP	12/08/2014	292.69	292.69	01/07/2015	
	120814	UTILITIES - SHOP	12/08/2014	172.17	172.17	01/07/2015	
	120814	UTILITIES - SHOP	12/08/2014	103.30	103.30	01/07/2015	
	120814	UTILITIES	12/08/2014	650.51	650.51	01/07/2015	
	120814	UTILITIES	12/08/2014	591.98	591.98	01/07/2015	
	121714	UTILITIES	12/17/2014	778.68	778.68	01/07/2015	
	121814	UTILITIES	12/18/2014	145.15	145.15	01/07/2015	
Total 2630:				3,888.01	3,888.01		
ENGINEERING ASSOCIATES							
4140							
	3412025	WWTF PRETREATMENT	12/19/2014	8,181.50	8,181.50	01/07/2015	
	3412026	WWTF DISCHARGE REPLACEM	12/19/2014	995.00	995.00	01/07/2015	
	3421027	JENNI LANE EASEMENT	12/19/2014	857.50	857.50	01/07/2015	
Total 4140:				10,034.00	10,034.00		
FARM PLAN CORPORATION							
4210							
	1652171	PARKS SNOW PLOW SKID PLA	12/18/2014	149.46	149.46	01/07/2015	
Total 4210:				149.46	149.46		
FREMONT MOTOR CODY, INC							
4370							
	48948	2015 FORD F250 - ELECTRIC D	12/12/2014	23,008.94	23,008.94	01/07/2015	
Total 4370:				23,008.94	23,008.94		
FREMONT MOTORS COMPANY							
130255							
	121514	RETURN BID BOND FOR BID 20	12/15/2014	1,151.00	1,151.00	01/07/2015	
Total 130255:				1,151.00	1,151.00		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
HARRIS TRUCKING & CONST. CO							
4780							
	125683	3/8" CHIPS	12/16/2014	51,448.50	51,448.50	01/07/2015	
	125685	ROCKY RD STORM SEWER INS	12/16/2014	31,443.00	31,443.00	01/07/2015	
Total 4780:				82,891.50	82,891.50		
HD SUPPLY POWER SOLUTIONS, LTD							
6730							
	2657870-07	Pole, lex Std 2908-45808T4	12/05/2014	10,315.79	10,315.79	01/07/2015	PLSTLT
	2727679-00	SAFETY SUPPLIES	12/15/2014	275.88	275.88	01/07/2015	
Total 6730:				10,591.67	10,591.67		
HEARTLAND PAPER COMPANY							
128769							
	89092-0	CLEANING SUPPLIES	12/02/2014	203.90	203.90	01/07/2015	
Total 128769:				203.90	203.90		
HOBART SALES & SERVICE							
129924							
	FD632331	REPAIR STOVE AT AUDITORIUM	12/05/2014	829.18	829.18	01/07/2015	
Total 129924:				829.18	829.18		
HOPKINS LIFE AND SAFETY							
5080							
	11162	SAFETY SUPPLIES	12/08/2014	136.88	136.88	01/07/2015	
	11163	FIRST AID SUPPLIES	12/08/2014	44.86	44.86	01/07/2015	
	11163	FIRST AID SUPPLIES	12/08/2014	44.86	44.86	01/07/2015	
Total 5080:				226.60	226.60		
I CARE SHARPENING							
125493							
	112614	SHARPEN SCISSORS	11/26/2014	30.00	30.00	01/07/2015	
Total 125493:				30.00	30.00		
INDUSTRIAL SYSTEMS INC							
5200							
	37472	FLOW METER - GREEN ACRES	12/17/2014	3,078.45	3,078.45	01/07/2015	
Total 5200:				3,078.45	3,078.45		
J & J CONSTRUCTION LLC							
130254							
	191	SKYLINE SUBDIVISION PROJE	12/09/2014	2,550.00	2,550.00	01/07/2015	
Total 130254:				2,550.00	2,550.00		
JENSEN PLUMBING							
129455							
	6682	LEAK IN PUMP ROOM AT REC	12/02/2014	214.29	214.29	01/07/2015	
	6688	BLOCKED DRAIN IN CONCESSI	12/05/2014	92.50	92.50	01/07/2015	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 129455:				306.79	306.79		
KINCHELOE PLUMBING AND HEATING							
5750							
	142554	PLUMBING AT REC CENTER	11/06/2014	34.13	34.13	01/07/2015	
Total 5750:				34.13	34.13		
KITCHEN, SCOTT							
129803							
	122314	REIMBURSE FOR MILEAGE	12/23/2014	36.40	36.40	01/07/2015	
Total 129803:				36.40	36.40		
LOCAL GOV'T LIABILITY POOL							
6176							
	9368	CLAIM AGAINST CITY	12/10/2014	1,062.37	1,062.37	01/07/2015	
Total 6176:				1,062.37	1,062.37		
LONG BUILDING TECH INC							
125191							
	SRVCE006841	HEATER REPAIRS - CITY SHOP	12/04/2014	1,476.14	1,476.14	01/07/2015	
	SRVCE006861	REPAIR HEATER	12/17/2014	110.00	110.00	01/07/2015	
Total 125191:				1,586.14	1,586.14		
MCI COMM SERVICE							
130077							
	121114	LONG DISTANCE FOR 307-587-	12/11/2014	31.59	31.59	01/07/2015	
Total 130077:				31.59	31.59		
MIDWEST FENCE COMPANY							
6650							
	31847	SKYLINE SUBDIV PROJECT - LI	10/29/2014	880.00	880.00	01/07/2015	
Total 6650:				880.00	880.00		
MILES, SARAH N.							
129971							
	1860	PROFESSIONAL FEES	12/02/2014	138.84	138.84	01/07/2015	
Total 129971:				138.84	138.84		
MORRIS EXCAVATION, LLC							
129959							
	5470	CONTRACT SNOW HAULING	12/04/2014	1,125.00	1,125.00	01/07/2015	
Total 129959:				1,125.00	1,125.00		
NICHTER, DANIEL							
123699							
	3243014	REFUND UTILITY DEPOSIT	12/15/2014	131.92	131.92	01/07/2015	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 123699:				131.92	131.92		
NORCO, INC.							
128948							
	14881711	CO2	12/02/2014	165.64	165.64	01/07/2015	
	14968229	CO2	12/16/2014	165.64	165.64	01/07/2015	
Total 128948:				331.28	331.28		
NORTHWEST PIPE							
7400							
	1393534	Clamp Repair 6" x 15"	12/08/2014	458.04	458.04	01/07/2015	1029-W
	1393534	3/4" COMP TEE	12/08/2014	45.25	45.25	01/07/2015	
	1398339	Saddle Tapping 8" x 3/4"	12/15/2014	89.82	89.82	01/07/2015	1076-W
	1398339	Saddle Tapping PVC 8x1	12/15/2014	89.82	89.82	01/07/2015	1077-W
Total 7400:				682.93	682.93		
PARK COUNTY PUBLIC HEALTH							
7720							
	1153	HEP B VACCINE	12/10/2014	40.00	40.00	01/07/2015	
Total 7720:				40.00	40.00		
PARK COUNTY PUBLIC HEALTH - POWELL							
129595							
	2606	FLU VACCINATION	12/18/2014	25.00	25.00	01/07/2015	
Total 129595:				25.00	25.00		
PARK COUNTY SHERIFF							
7740							
	093014	INCARCERATION - SEP 2014	09/30/2014	1,020.00	1,020.00	01/07/2015	
Total 7740:				1,020.00	1,020.00		
Q M APPRAISALS							
8250							
	1412336	PROPERTY APPRAISEL	12/11/2014	450.00	450.00	01/07/2015	
Total 8250:				450.00	450.00		
R & A SAFETY							
127690							
	2371	RANDOM TESTING	12/08/2014	60.00	60.00	01/07/2015	
	2371	RANDOM TESTING	12/08/2014	30.00	30.00	01/07/2015	
	2371	RANDOM TESTING	12/08/2014	30.00	30.00	01/07/2015	
	2371	RANDOM TESTING	12/08/2014	30.00	30.00	01/07/2015	
Total 127690:				150.00	150.00		
RESPOND FIRST AID SYSTEMS							
128365							
	141395	SAFETY SUPPLIES - AED BATT	12/11/2014	510.00	510.00	01/07/2015	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 128365:				510.00	510.00		
ROCKY MOUNTAIN POWER							
7570							
	121814	UTILITIES	12/18/2014	45.44	45.44	01/07/2015	
	121814	UTILITIES	12/18/2014	337.04	337.04	01/07/2015	
Total 7570:				382.48	382.48		
SELBYS							
9040							
	B-557537-000	MATERIAL & SUPPLIES	12/11/2014	649.20	649.20	01/07/2015	
	B-557641-000	MATERIAL & SUPPLIES	12/15/2014	562.77	562.77	01/07/2015	
Total 9040:				1,211.97	1,211.97		
SITZ III, ALEX H.							
129379							
	122214	PROFESSIONAL FEES	12/22/2014	229.98	229.98	01/07/2015	
Total 129379:				229.98	229.98		
STERLING CODIFIERS							
128669							
	15184	ORDINANCE CODIFYING	07/21/2014	848.00	848.00	01/07/2015	
Total 128669:				848.00	848.00		
STINE BUSS WOLFF WILSON							
127032							
	94687	AUDIT SERVICES	11/30/2014	22,850.00	22,850.00	01/07/2015	
Total 127032:				22,850.00	22,850.00		
VERMEER ROCKY MTN. INC							
128111							
	121514	RETURN BID BOND BID 2014-13	12/15/2014	1,250.00	1,250.00	01/07/2015	
Total 128111:				1,250.00	1,250.00		
WATCO POOLS							
10370							
	18839	CPO COURSE	12/16/2014	650.00	650.00	01/07/2015	
Total 10370:				650.00	650.00		
WCS TELECOM							
124746							
	21706378	LONG DISTANCE	12/01/2014	129.16	129.16	01/07/2015	
Total 124746:				129.16	129.16		
WESCO DISTRIBUTION INC							
10480							
	180655	SAFETY SUPPLIES	12/09/2014	93.30	93.30	01/07/2015	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 10480:				93.30	93.30		
WESTERN UNITED ELECTRIC SUPPLY							
10605							
	4059509	Cutout, non-loadbreak 100 amp 1	12/05/2014	1,229.10	1,229.10	01/07/2015	C/O100NL15
	4060086	Vault, 1 phase transf	12/18/2014	1,000.10	1,000.10	01/07/2015	VLT1TRAN
Total 10605:				2,229.20	2,229.20		
WINTER EQUIPMENT CO							
125162							
	IV24700	SNOW PLOW BLADES	12/15/2014	1,209.16	1,209.16	01/07/2015	
Total 125162:				1,209.16	1,209.16		
WOMACK MACHINE SUPPLY CO.							
128944							
	0121330	HYDRAULIC FITTINGS	12/03/2014	17.41	17.41	01/07/2015	
Total 128944:				17.41	17.41		
WYOMING ASSN OF MUNICIPALITIES							
10770							
	14080	WAM REGISTRATION - (3)	12/18/2014	675.00	675.00	01/07/2015	
	14080	WAM REGISTRATION - (1)	12/18/2014	225.00	225.00	01/07/2015	
Total 10770:				900.00	900.00		
WYOMING HOME & RANCH							
129698							
	68402	HEATER ELBOW	11/21/2014	6.99	6.99	01/07/2015	
Total 129698:				6.99	6.99		
WYOMING RURAL ELECTRIC ASSOCIATION							
123370							
	14-284	EDUCATION & TRAINING	12/16/2014	258.00	258.00	01/07/2015	
Total 123370:				258.00	258.00		
YANKEE CAR WASH							
128282							
	1411005	CAR WASH - VM	11/30/2014	13.00	13.00	01/07/2015	
Total 128282:				13.00	13.00		
Grand Totals:				386,898.14	386,898.14		

Payroll Totals: \$228,004.99 & \$233,632.73 GRAND TOTAL \$848,535.86

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
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Report Criteria:

- Detail report.
 - Invoices with totals above \$0 included.
 - Paid and unpaid invoices included.
-

MEETING DATE: JANUARY 6 OR 20, 2015
DEPARTMENT: PARKS, RECREATION, AND
PUBLIC FACILITIES
PREPARED BY: RICK MANCHESTER,
DIRECTOR
PRESENTED BY: RICK MANCHESTER

AGENDA ITEM SUMMARY REPORT
Paul Stock Recreation and Aquatic Center
Therapy Pool Use Agreement

ACTION TO BE TAKEN:

Wyoming Neurological Associates, LLC requests that City Council approves the Mayor signing a one year facility use agreement for use of the therapy pool.

SUMMARY OF INFORMATION:

The agreement requires the patient receiving treatment will either have a rec center membership or they will pay for day use privileges. Wyoming Neurological Associates, LLC will compensate the City \$325/month for non-exclusive use of the therapy pool. Therapy will only be scheduled during regular business hours on Monday from 4-6 PM, Tuesday from 8-10 AM, Wednesday from noon-2 PM, and Thursday from 8-10 AM. Other days or times will require approval from the Parks, Recreation, and Public Facilities Director.

FISCAL IMPACT

\$325/Month (\$3,900/year)

ALTERNATIVES

1. Modify the agreement
2. Deny the request

ATTACHMENTS

1. Lease agreement

AGENDA & SUMMARY REPORT TO:

Wyoming Neurologic Associates, LLC | Frontier NeuroHealth, LLC
Matthew Woolston, Chief Executive Officer
1020 E 2ND St Suite 100, Casper, WY 82601
702 Platinum Ave, Cody, WY 82414
FAX: 307-234-6339

AGENDA ITEM NO. _____

**AGREEMENT FOR
USE OF CITY OF CODY
FACILITIES**

THIS AGREEMENT is made and entered into this ____ day of January, 2014 by the CITY OF CODY, WYOMING hereinafter referred to as CITY, and Wyoming Neurologic Associates, LLC , hereinafter referred to as LESSEE:

W I T N E S S E T H:

For good and valuable consideration including but not limited to the promises herein made by each party to the other, CITY hereby leases to LESSEE the non-exclusive use of the following described property, to-wit:

That portion of the Paul Stock Aquatic & Recreation Center designated as the "Therapy Pool". Such use shall be subject to the terms and conditions of this Agreement.

1. TERM OF AGREEMENT. The term of this lease shall be for one year. At the end of the initial term, this lease is renewable for successive one year periods without any action required by the parties. This lease shall automatically renew for one year period unless either party notifies the other, in writing, at least 30 days before the expiration of the existing lease term if such party does not intend to renew this agreement.

2. COMPENSATION. LESSEE shall pay to CITY in advance the sum of Three Hundred Twenty Five and no/100 Dollars (\$325.00) per month, payable on or before the first day of each month for the next twelve months. Said rent shall be paid to CITY at 1338 Rumsey Avenue, Cody, Wyoming, 82414, unless CITY shall otherwise notify LESSEE in writing of another place for the payment of said rent. This amount shall be adjusted annually, and subject to increases which shall not exceed 3% of the then rent.

3. USE OF PROPERTY AND ADDITIONAL FACILITIES.

A. LESSEE shall have non-exclusive use of the Therapy Pool for the physical therapy and rehabilitation for its patients, on the following days and times each week: Mondays, from 4:00 p.m. to 6:00 p.m.; Tuesdays from 8:00 a.m. to 10:00 a.m.; Wednesdays from 12:00 p.m. to 2:00 p.m. and Thursdays from 8:00 a.m. to 10:00 a.m. LESSEE'S use of the Therapy Pool shall be limited to the times and days of the week described above, which shall be during the regular business hours of the Paul Stock Aquatic and Recreation Center (Rec Center). LESSEE shall not make any other use nor any unlawful use of the Therapy Pool. LESSEE'S use of the Therapy Pool shall be non-exclusive, and LESSEE understand that the Therapy Pool is a public facility, and will be open to public use, and to use by other physicians or therapists, during any and all times that LESSEE uses the Therapy Pool.

B. All use by patients or guests of LESSEE shall be under clinical supervision by certified personnel of LESSEE. LESSEE'S use of the Therapy Pool shall be limited to one session with one patient and one therapist at a time.

C. Each patient of receives therapy from LESSEE at the Therapy Pool pursuant to this agreement shall either pay for a membership at the Rec Center, or shall purchase a day-pass for each day the patient uses the Therapy Pool.

D. If LESSEE intends to use any other facilities at the Rec Center, CITY may allow such use, at its discretion, at an additional charge that is mutually agreeable between the parties.

4. NON-ASSIGNMENT. LESSEE shall not assign, mortgage, or encumber its rights or obligations under this Agreement without the prior written consent of CITY.

5. SIGNAGE. LESSEE agrees to place no signage within or on any existing walls of the Rec Center without the prior written consent of CITY.

6. COMPLIANCE WITH LAWS. LESSEE shall comply at all times with all federal, state, county and municipal statutes, laws, ordinances rules, regulations, or requirements concerning the use and occupancy of the premises and save the CITY harmless from all fines, penalties, costs, claims, liabilities, loss or damage for violation or non-compliance with the same.

7. LIABILITY FOR INJURY OR DAMAGE. The CITY does not waive its sovereign or governmental immunity by entering into this Lease and fully retains all immunities and defenses provided by law in respect to any action arising in any way out of this Agreement. LESSEE agrees to indemnify, save and hold harmless CITY from any and all claims for personal injury and damage which arises from LESSEE's use of the Therapy Pool, and for the negligent acts, errors and omissions of any and all employees, contractors, agents, officers, directors, members, servants, patients, guests or invitees of LESSEE. Provided, further, that if CITY shall be required to pay a sum of money for property damages or personal injury resulting from the failure of LESSEE to observe or perform any covenant of this Lease required to be performed by LESSEE, then the sum so paid by CITY, together with all costs, damages, and reasonable attorney's fees, shall be considered additional compensation due in the month succeeding such payment, collectable at such time or upon expiration or termination of this Agreement as herein provided, whichever shall first occur.

8. INSURANCE. LESSEE shall take out, keep and maintain at LESSEE'S costs and expense during the full term of this Agreement and any extension of renewal thereof, liability and property damage insurance issued by an insurance company approved by CITY against all liabilities arising on account of injuries to all persons caused directly or indirectly by the use, misuse or operation of the Therapy Pool, by LESSEE, Lessee's agents, contractors, employees, officers, directors, members, patients, and invitees,

in an amount not less than Two Million (\$2,000,000) Dollars. Such insurance, and all renewals thereof, shall be so written as to cover and protect both CITY and LESSEE. The proper evidence thereof shall be submitted by LESSEE to CITY when and at such times as such policies are issued and renewed. Should LESSEE fail to obtain or maintain any such insurance, CITY at its option may procure such insurance and maintain the same in force and any sum paid out by CITY for any such insurance shall be repaid by LESSEE to CITY as so much additional rent on or before the next day after the payment thereof by CITY.

9. DEFAULT. LESSEE agrees that in the event that LESSEE shall fail to make payment at the time and in the manner herein prescribed, or shall fail to strictly comply with the other conditions and covenants herein contained, or shall file a petition in bankruptcy, or shall have a petition in bankruptcy filed against him, or shall make an assignment for the benefit of creditors, such act or acts shall constitute a default hereunder. Provided further, that upon the occurrence of any such default, CITY may, at its option, terminate this Agreement by mailing written notice certified with return receipt requested, or by personal delivery to LESSEE specifying the date of termination, which date shall be no earlier than twenty (20) days after receipt of said written notice.

10. REMEDIES. Upon termination of this Agreement, LESSEE shall:

- A. Immediately cease its use of the Therapy Pool (and other Rec Center facilities, if any), and LESSEE agrees that if it should become necessary for CITY to employ an attorney to pursue or protect any of the CITY'S rights in the event of LESSEE'S default hereunder, LESSEE shall pay CITY'S reasonable attorney's fees incurred thereby.
- B. No such termination of this Agreement shall relieve LESSEE of his liability and obligations under this Lease, and such liability and obligations shall survive any termination. In the event of any such termination LESSEE shall continue to pay to CITY the

monthly rental amount as provided above, after deducting all of CITY'S expenses, including without limitation all repossession costs, court costs, reasonable attorney's fees, and expenses and repairs.

- C. No waiver at any time of the right to terminate this Agreement shall impair the right of CITY to insist upon such termination in the event of CITY subsequently acquiring such right, nor shall the acceptance of payment at any time constitute such waiver or waiver of damages.

11. MODIFICATION. No provision of this Lease shall be waived, altered, amended or modified except by written endorsement hereon or attached hereto and signed by CITY and LESSEE.

12. DESTRUCTION OF PREMISES. In the event that the leased premises are damaged or destroyed by fire or other cause to such an extent that the same cannot, with reasonable diligence, be repaired to the condition said premises were in immediately prior to the happening of such an event within ninety (90) days from the date such damage or destruction strikes or in the even the loss payable under the terms of the fire insurance policies hereinabove provided is insufficient to reconstruct the demised premises to approximately the same condition said premises were in immediately prior to the happening of such event, then this Lease shall terminate as of the date of such damage or destruction and the compensation shall be apportioned pro rata. Provided further, in the event that said premise are damaged to such an extent that they can be repaired or replaced with reasonable diligence within ninety (90) days after such damage or destruction or if the loss payable under the terms of said fire insurance policies on said premises are sufficient to complete the reconstruction of the premises to the approximate condition that the said premises were prior to the happening of such event then CITY, at its own expense, shall cause such damage to the building be repaired, except to the extent such damage or loss is covered by

insurance or to the extent that such damage or loss is caused by, directly or indirectly the acts, errors or omissions of LESSEE, LESSEE'S patients, employees, invitees, guests or agents. During the period of such reconstruction the compensation shall be abated in the event that LESSEE cannot conduct its business in the premises.

13. CITY'S OBLIGATION. CITY covenants and agrees at its own cost and expense to keep the Therapy Pool and the Rec Center building in good repair and condition. Provided, however, CITY, shall not be held liable for damage by reason of any latent or other defect in the demised premises.

14. ACCESS AND JOINT USE AREAS. LESSEE and its patients and employees shall have access to the restrooms and locker rooms during scheduled therapy sessions.

15. NOTICES. Any notice given under the terms of this Lease shall be deemed given five (5) days after depositing said notice in the United States Postal Service or when hand delivery of such notice is made. For the purposes of such delivery CITY'S address is 1338 Rumsey Avenue, P.O. Box 2200, Cody, Wyoming, 82414, and LESSEE'S address is _____ Cody, Wyoming, 82414.

CITY:

LESSEE:

CITY OF CODY, WYOMING

Wyoming Neurologic Associates,
LLC

By: _____
Nancy Tia Brown
Mayor

By: _____

Attest: _____
Clerk

Attest: _____

City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council MICHELE PREVOST

Organization Represented JUNIPER WINE AND SPIRITS

Date you wish to appear before the Council JANUARY 6, 2015

Mailing Address 104 BEAR CREEK ROAD, CODY, WY 82414 Telephone _____

E-Mail Address michele@juniperevent.com

Preferred form of contact: Telephone 307-587-4472 E-Mail michele@juniperevent.com

Names of all individuals who will speak on this topic _____
MICHELE PREVOST

Event Title (if applicable) DISPENSING ROOM CHANGE

Date(s) of Event (if applicable) _____

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) DISPENSING ROOM CHANGED FROM 40' X 24' ROOM ON EAST SIDE OF BLDG TO 24' X 24' ROOM IN THE CENTER OF BLDG

Which City employee(s) have you spoken to about this issue? ANNALEA AVERY

Signature  Date 12/29/14

MEETING DATE: JANUARY 6TH, 2015
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: ANNALEA AVERY,
ADMINISTRATIVE ANALYST
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____

AGENDA ITEM SUMMARY REPORT

Request for a New Restaurant Liquor License

BACKGROUND

Michele Prevost dba Juniper Wine and Spirits is changing their dispensing room description.

SUMMARY

After moving to a new location the original dispensing room that was approved as 40' x 24' room on east side of bldg is being changed to 24' x 24' room in the center of bldg.

FISCAL IMPACT

If approved, there will be no fiscal impact.

ALTERNATIVES

At its discretion the City may approve or deny the dispensing room change under Wyoming State Statutes Title 12.

RECOMMENDATION

Approve the dispensing room change.

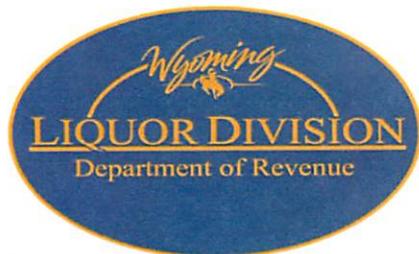
ATTACHMENTS

1. Agenda request form

AGENDA & SUMMARY REPORT TO:

1. Michele Prevost 307-587-4472

AGENDA ITEM NO. _____



6601 Campstool Road, Cheyenne, Wyoming 82002-0110

MATTHEW H. MEAD
Governor
DANIEL W. NOBLE
Director
GREG COOK
Administrator
Phone (307) 777-7231
Fax: (307) 777-6255
Website: <http://revenue.wyo.gov>

December 18, 2014

MICHELE PREVOST
d/b/a JUNIPER WINE & SPIRITS
104 BEAR CREEK ROAD
CODY, WY 82414

Dear Michele:

An inspection was conducted on **12/9/2014** at your establishment. During the inspection, I met with your representative Will and we discussed the fact that the dimensions of the licensed dispensing room were incorrect on the posted liquor license.

The dispensing room description on the posted liquor license was: 40' x 24' ROOM ON EAS SIDE OF BLDG

After measuring the dispensing room and reviewing the Liquor Division copies of the floor plan drawings you submitted, the correct description is: 24' X 24' ROOM IN THE CENTER OF BLDG

Will also explained to me that additional wine racks were to be installed atop the partitions separating your on premise facility from the off premise facility. Once these wine racks are installed, the partitions will extend from floor to ceiling as required by state law.

Please view enclosed photograph and floor plan drawing of your facility.

Corrective Action Necessary

The following corrective action is necessary in order for your license to reflect the correct dispensing room.

Contact your city Clerk, Cindy Baker, to request a change to the description of your licensed dispensing room.

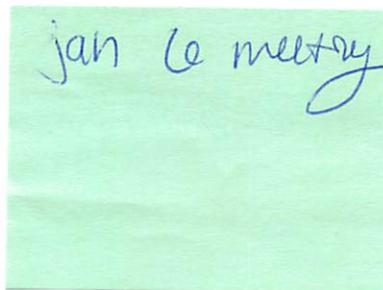
Cindy can be reached at (307) 527-7511.

Please provide written notice to this office by **12/30/2014** that all corrective action has been implemented. Your prompt attention to this matter is appreciated. Please contact me if you have any questions.

A handwritten signature in black ink that reads "Jason Allen".

Jason Allen
Compliance Agent
Wyoming Liquor Division
Phone: (307) 777-7233
Fax: (307) 777-6255
Email: jason.allen@wyo.gov
cc: File

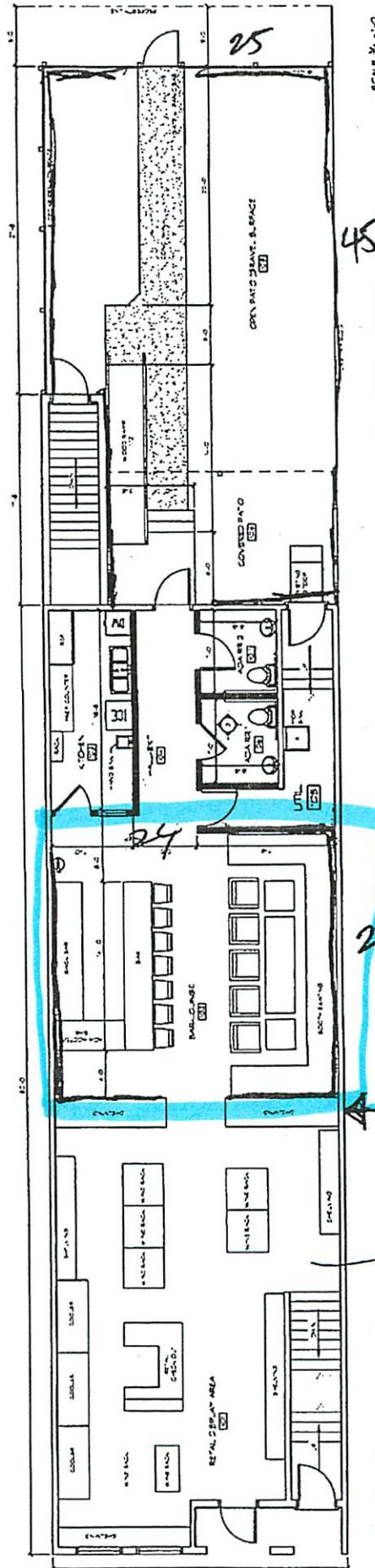
Greg Cook, Administrator
Thomas J. Montoya, Chief of Enforcement
CINDY BAKER, CODY CITY CLERK
Enclosure



Mission Statement

...to provide quality wholesale distribution services and to administer alcoholic beverage control laws for the citizens of Wyoming.

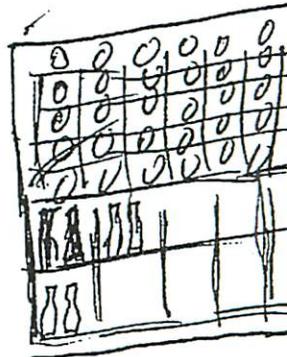
Final Plans



outdoor seating area

dispensary row

24



retail

Wall shelving
anchored to
ceiling





WYOMING
ASSOCIATION
OF MUNICIPALITIES

315 W. 27th Street
Cheyenne, WY 82001
Phone (307) 632-0398
FAX (307) 632-1942
johnson@wyomuni.org

MEMORANDUM

TO: Mayors/Managers/Administrators/Clerks
WAM-JPIC Participating Member Entities

FROM: Earla Checchi, Finance Manager

DATE: December 11, 2014

SUBJECT: WAM-JPIC/Health Insurance Board Elections

Enclosed are a Notice of Vacancies and a Nomination Form for your WAM-JPIC Joint Powers Board elections. We ask that you respond with your nomination to WAM by 5:00pm Friday, February 27, 2015 by mail or FAX.

When we receive your nominations as of February 27th, we will send out the election ballot. There is a deadline of April 8, 2015, for election ballots to be received in the WAM office. These can be returned by mail or FAX.

This is your health insurance and you do have a say in how it is administered. You are encouraged to get involved; to look around your city, town, or joint powers board for an elected or appointed official who is interested in, or has knowledge of health insurance, and would have the time to devote to your WAM-JPIC Joint Powers Board. This Board makes decisions regarding your health insurance program, such as benefits and rates.

The WAM-JPIC Board of Directors meets four times a year. The Board tries to hold meetings in fairly central locations around the State.

Please contact me if I can answer any questions, or be of assistance to you.

NOTICE OF VACANCIES

WAM-JPIC BOARD OF DIRECTORS (Wyoming Association of Municipalities-Joint Powers Insurance Coverage)

NOTICE IS HEREBY GIVEN that the terms of four (4) members of the Board of Directors of WAM-JPIC will expire on April 30, 2015. The governing body of each participating member entity and the WAM Executive Board of Directors may mail/FAX written nominations for these three positions on the attached form to:

WAM-JPIC Board of Directors
315 W. 27th Street
Cheyenne, WY 82001
FAX: 307-632-1942

Nominations must be in the WAM office, on or before Friday, February 27, 2015 by 5:00pm.

Following is a list of the terms that will expire on April 30, 2015.

1. The Three (3) year term of Clerk/Treasurer Tracy Glanz, Worland will expire on April 30, 2015. Nominees are needed for a three (3) year term from May 1, 2015 to April 30, 2018. Nominees must be from a participating city.
2. The Three (3) year term of Mayor Judy Johnston, Burns will expire on April 30, 2015. Nominees are needed for a three (3) year term from May 1, 2015 to April 30, 2018. Nominees must be from a participating town.
3. The Three (3) year term of Clerk/Treasurer David Kendall, Lingle will expire on April 30, 2015. Nominees are needed for a three (3) year term from May 1, 2015 to April 30, 2018. Nominees must be from a participating town.
4. The term of Administrative Service Officer Cindy Baker, Cody will expire on April 30, 2015. Nominees are needed for a one (1) year term from May 1, 2015 to April 30, 2016. Nominees must be from a participating city.

The present WAM-JPIC Joint Powers Board of Directors consists of the following members:

Administrative Service Officer Cindy Baker - Cody *
Clerk-Treasurer David Kendall, Lingle – Chairperson*
Mayor Judy Johnstone, Burns*
Clerk-Treasurer Penny Robbins, Mountain View
Council Member Brian Dickson, Lovell
Executive Director Mark Pring, LGLP (at-large seat)
Clerk/Treasurer Donna Geho, Glenrock
Mayor Phil Hinds, Evansville
Clerk-Treasurer Tracy Glanz, Worland – Vice-Chairperson*
* Terms expire April 30, 2015

The WAM-JPIC Board at present is comprised of (2) participating first class cities and (6) participating towns and the remaining seat is an at-large seat that can be held by a city, town or joint powers board member. The WAM-JPIC Board tries to also divide the board as evenly as possible between elected and appointed municipal officials. Presently, there are three elected and five appointed municipal officials, and one joint powers board represented. If at all possible, the Board of Directors would like to retain balance for future boards.

A list of participating cities and towns is attached.

Date: December 11, 2014



Shelley Simonton, Secretary
WAM-JPIC Board

ORDINANCE 2014-20

**AN ORDINANCE REPEALING TITLE VI, CHAPTER 3, SECTION 7 OF THE
CODY CITY CODE PERTAINING TO PARKING ON PRIVATE PROPERTY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY,
PARK COUNTY, WYOMING, as follows:**

Section 6-3-7 of the Cody City Code is hereby repealed.

**THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE FINAL PASSAGE
AND PUBLICATION IN THE CODY ENTERPRISE.**

PASSED ON FIRST READING: December 16, 2014

PASSED ON SECOND READING: _____

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Nancy Tia Brown, Mayor

ATTEST:

Cynthia Baker, Administrative Services Director

ORDINANCE 2014-21

**AN ORDINANCE REPEALING TITLE VI, CHAPTER 4, SECTION 2 OF THE
CODY CITY CODE PERTAINING TO PARKING ON PRIVATE PROPERTY**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY,
PARK COUNTY, WYOMING, as follows:**

Section 6-4-2 of the Cody City Code is hereby repealed.

**THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE FINAL PASSAGE
AND PUBLICATION IN THE CODY ENTERPRISE.**

PASSED ON FIRST READING: December 16, 2014

PASSED ON SECOND READING: _____

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Nancy Tia Brown, Mayor

ATTEST:

Cynthia Baker, Administrative Services Director

ORDINANCE 2014-22

AN ORDINANCE AMENDING TITLE VI, CHAPTER 4, SECTION 1, OF THE CODY CITY CODE PERTAINING TO PARKING TIME LIMITED ON CERTAIN STREETS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING, as follows:

Section 6-4-1 shall be amended to read as follows:

PARKING TIME LIMITS:

- A. Unless posted signs provide otherwise, it is unlawful for any person to park, store or leave standing, or permit to be parked, stored or left standing, upon the public streets or alleys of the city, any trailer or vehicle for a continuous period of longer than twenty-four (24) consecutive hours, except for:
 - 1. Fully operative and licensed, registered trailers or motor vehicles belonging to the owners of the immediately abutting property; and,
 - 2. Vehicles parked, stored or left standing, or permitted to be parked, stored or left standing, upon the public streets or alleys of the city with the express consent of the immediately abutting property owner or occupant.
- B. For purposes of this Section, the term “vehicle” shall have the same meaning as provided in W.S. 31-5-102(a)(lviii). The term “trailer” shall have the same meaning as described in W.S. 31-5-102(a)(liv).
- C. When signs are erected in each block giving notice thereof, no person shall park a vehicle longer than two (2) hours at any time between the hours of eight thirty o’clock (8:30) A.M. and five thirty o’clock (5:30) P.M. of any day, except Sundays and public holidays, upon any street where such signs have been erected.
- D. The penalty for violating this section shall be Twenty Five Dollars (\$25). The penalty for each subsequent violation of this section shall be double the fine of the previous violation.
- E. Nothing in this section shall be construed in any way to limit, prevent or bar the authority of the police department or the sheriff’s office to treat a vehicle as abandoned pursuant to Wyoming law.
- F. Nothing in this section shall be construed to in any way limit the authority of the City to post signs limiting or regulating additional limits on parking within the City.

THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE FINAL PASSAGE AND PUBLICATION IN THE CODY ENTERPRISE.

PASSED ON FIRST READING: _December 16, 2014 _

PASSED ON SECOND READING: _____

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Nancy Tia Brown, Mayor

ATTEST:

Cynthia Baker, Administrative Services Director

ORDINANCE 2014-19

AN ORDINANCE REZONING CERTAIN LANDS IN THE AREA SOUTH OF COUGAR AVENUE AND EAST OF THE SHADOW MOUNTAIN SUBDIVISION LOCATED WITHIN THE CITY OF CODY, PARK COUNTY, WYOMING TO RESIDENTIAL "B".

WHEREAS, the City of Cody received an application from the Higbie Family Revocable Living Trust requesting a rezone of approximately four acres located south of Cougar Avenue and east of the Shadow Mountain subdivision from Residential "A" to Residential "B", which lands are described in attached Exhibit "A";

WHEREAS, the Planning and Zoning Board conducted a properly advertised public hearing on November 12, 2014 and further reviewed the proposal at their November 25, 2014 meeting;

WHEREAS, the Planning and Zoning Board recommended that the governing body of the City of Cody rezone said lands to Residential "B", subject to the property owner entering into a development agreement with the City to limit the density and type of dwellings to conform to the "medium density residential" designation and description found in the Cody Master Plan; and,

WHEREAS, the City Council finds that it is in the best interest of the public to rezone the four-acre property to Residential "B", subject to the property owner entering into the development agreement attached as Exhibit B.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING:

- Section 1: That the property located south of Cougar Avenue and east of the Shadow Mountain subdivision, as described in Exhibit A, shall be and the same is hereby rezoned to Residential "B", as set forth in City of Cody Code 10-7C.
- Section 2: That the Mayor and Higbie Family Revocable Living Trust execute the development agreement provided as Exhibit B, and Higbie Family Revocable Living Trust shall cause the same to be recorded with the Park County Clerk and Recorder.
- Section 3: That the official zoning map of the City of Cody is amended to show the foregoing zone change.

Effective Date. This Ordinance shall become effective after final passage and publication in the Cody Enterprise.

PASSED ON FIRST READING: December 2, 2014

PASSED ON SECOND READING: _____

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Nancy Tia Brown, Mayor

ATTEST:

Cynthia Baker, Administrative Services Director



HOLM, BLOUGH and COMPANY

CONSULTING ENGINEERS AND LAND SURVEYORS

1402 Stampede Ave., Cody, WY 82414

(307) 587-6281

Fax 587-6282

Roy Holm, PE & LS

Paul Blough, LS

EXHIBIT A

June 19, 2009

Job No. 09-092

ED HIGBIE

LEGAL DESCRIPTION OF A PORTION OF

THAT PORTION OF SHADOW MOUNTAIN SUBDIVISION THAT HAS BEEN VACATED

A portion of that portion of the Shadow Mountain Subdivision that has been vacated as shown on the plat of said vacation recorded as Document No. 2003-12227 and filed in Plat Cabinet "G" at page 151 of the records of the Clerk and Recorder of Park County, Wyoming and located within the City of Cody, Park County, Wyoming and being more particularly described as follows:

Beginning at the northeast corner of said vacated Shadow Mountain Subdivision; thence South $00^{\circ}22'10''$ East along the easterly line thereof, a distance of 548.58 feet to the southeasterly corner thereof; thence South $60^{\circ}53'17''$ West along the southerly boundary of said vacated Shadow Mountain Subdivision, a distance of 333.30 feet to a point on the east line of the Ted Ebert Park, if said east line were extended southerly; thence North $00^{\circ}23'05''$ West along said extended line, a distance of 83.78 feet to the southeast corner of that portion of said Ted Ebert Park as conveyed to the City of Cody by the quitclaim deed recorded as Document No. 2004-741 of the deed records of said Park County Clerk and Recorder; thence continuing North $00^{\circ}23'05''$ West along said east line Ted Ebert Park, a distance of 142.45 feet to a corner thereof; thence North $42^{\circ}41'23''$ East, a distance of 29.28 feet to the east line of the alley lying easterly of Lots 12 through 15 of the Shadow Mountain Subdivision as shown on the plat thereof filed in Plat Cabinet "F" at page 84 of said records, if said east line were extended southerly; thence North $00^{\circ}23'05''$ West along said extended east line and the true east line of said alley, a distance of 462.37 feet to the south line of Cougar Avenue; thence North $89^{\circ}52'23''$ East along said south line Cougar Avenue, a distance of 272.43 feet to the point of beginning.

Said parcel of land contains 4.01 acres, more or less, and is subject to all easements and/or rights of way which have been legally acquired.

Modification in any way of the foregoing legal description terminates all liability of the surveyor who prepared that description.

EXHIBIT B

DEVELOPMENT AGREEMENT WITH THE CITY OF CODY

The City of Cody, acting through its duly elected governing body, the City of Cody City Council, DOES HEREBY AGREE AND COVENANT that the four-acre property described in "Exhibit A" attached hereto, by City of Cody legislative action, shall be zoned Residential "B".

Higbie Family Revocable Living Trust, as owner of the four-acre property described in "Exhibit A" attached hereto, DOES HEREBY AGREE AND COVENANT that as a condition of the City of Cody rezoning said property to Residential "B" that the following land use restrictions shall run with the land:

- 1. Residential development on the property shall be limited to no more than 32 dwelling units. Any subdivision of the property shall specify the maximum number of dwelling units for each lot in accordance with the maximum number of dwelling units permitted for the property.*
- 2. The types of residential development permitted on the property, and any lot created therein, shall be limited to single-family detached homes, two family homes (a.k.a. duplexes), common wall units (two single-family units attached at a common lot line), and townhouses or stacked dwellings of up to four attached units.*
- 3. Building height shall be limited to twenty-eight (28) feet.*

This agreement shall remain in effect, and be binding on all heirs and assignees in interest, until such time in the future, if ever, that the City of Cody rezones the property to a zoning district other than Residential "B", or otherwise takes lawful action to remove this agreement.

Higbie Family Revocable Living Trust and the City of Cody are the parties to this agreement, and are responsible to ensure compliance with the provisions herein.

This agreement voluntarily offered and entered into this ____ day of _____, 2015 by Higbie Family Revocable Living Trust.

Ed Higbie, Trustee
Higbie Family Revocable Living Trust

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

On this day personally appeared before me Ed Higbie, to me known as the individual(s) described herein and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this _____ day of _____, 2015.

Notary Public and for the State of Wyoming.

My Commission Expires _____

Accepted by the City of Cody, this _____ day of _____, 2015.

Nancy Tia Brown, Mayor

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

On this day personally appeared before me Nancy Tia Brown, to me known as the individual(s) described herein and who executed the within and foregoing instrument for the uses and purposes therein stated.

Given under my hand and official seal this _____ day of _____, 2015.

City Clerk and Notary Public and for the State of Wyoming.

My Commission Expires _____

MEETING DATE:	DECEMBER 2, 2014
DEPARTMENT:	CITY PLANNER
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

AGENDA ITEM SUMMARY REPORT
Consideration of a Request to Rezone Four Acres South of Cougar Avenue and East of the Shadow Mountain Subdivision to Residential "B"
Ordinance 2014-19

ACTION:

First Reading of Ordinance 2014-19 to rezone four acres south of Cougar Avenue and east of the Shadow Mountain subdivision to Residential "B".

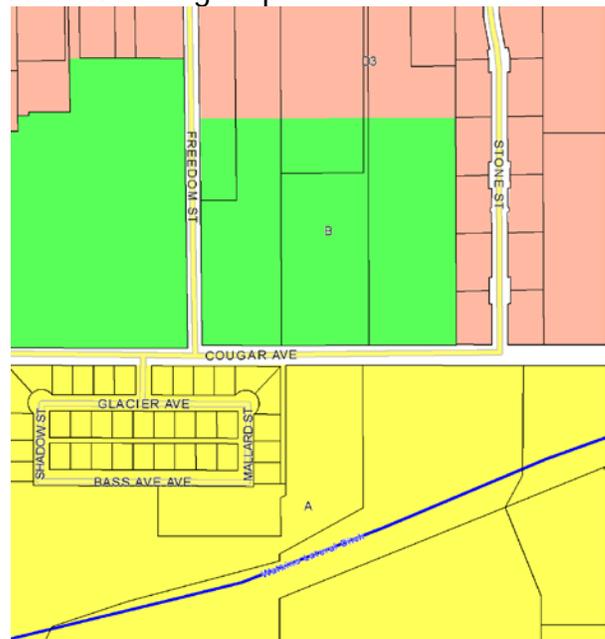
BACKGROUND:

At the November 12, 2014 meeting, the Planning, Zoning, and Adjustment Board held a properly advertised public hearing to consider a request from the Higbie Family Revocable Living Trust to rezone the four-acre property indicated on the map below.

Area Map:



Current Zoning Map:



AGENDA ITEM NO. _____

The Board further considered the rezone application at their November 25, 2014 meeting and made a recommendation to the City Council to approve the rezone subject to the property owner entering into a development agreement to abide by the density and building type restrictions of the “medium-density residential” master plan designation that is on the property. The restriction would include no more than four attached units per building, and no more than 32 dwelling units on the 4.0 acres (8 units per acre). A draft development agreement has been prepared and attached, which reflects the Planning and Zoning Board recommendation.

REVIEW STANDARDS

The attached staff report to the Planning and Zoning Board contains a more detailed summary and analysis. Please refer to the report for additional discussion on the review standards.

FISCAL IMPACT

There do not appear to be any direct costs to the City budget in approving or denying the request.

ALTERNATIVES

Approve or deny the requested rezone. Please note that pursuant to Wyoming Code, and Section 10-5-2 of City of Cody code:

*“§ 15-1-603. **Regulations; protest makes change ineffective; exception; hearing and notice.***

(a) If there is a protest against a change in the regulations, restrictions or district boundaries signed by the owners of twenty percent (20%) or more of the area of the lots included in the proposed change, or of those immediately adjacent within a distance of one hundred forty (140) feet, the change is not effective except upon the affirmative vote of three-fourths (3/4) of all the members of the governing body. In determining the one hundred forty (140) feet, the width of any intervening street or alley shall not be included.

As of the time of this staff report, three written protests have been received (all from within the Shadow Mountain Subdivision), which represent an area well below 20% of the land area noted, so a simple majority is all that is needed to approve the rezone. Two responses in favor have been received. A map indicating the responses is attached. Staff will provide an update on written protests at the meeting.

RECOMMENDATION

The Planning and Zoning Board recommends approval of the requested rezone subject to the property owner entering into a development agreement limiting development to no more than 32 dwelling units on the 4.0 acres (8 units per acre), and that no building will contain more than four dwelling units.

ATTACHMENTS

Ordinance 2014-19 and accompanying development agreement.
Planning and Zoning Staff Report.

AGENDA & SUMMARY REPORT TO:

Ed Higbie

AGENDA ITEM NO. _____

NEIGHBOR NOTICE MAP

Black Outline-Notice Area.

Green-Favorable response.

Pink-Objection to rezone.

