

City of Cody
Council Proceedings
Tuesday, March 15, 2011

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 15, 2011 at 7:00 p.m.

Present: Mayor Nancy Tia Brown, Council Members Steve Miller, Jerry Fritz, Stan Wolz, Bryan Edwards, and Donny Anderson, City Administrator, Jenni Rosencranse, City Attorney, Scott Kolpitcke, and Deputy Clerk, Cindy Baker

Absent: Charles Cloud

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

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

Mayor Brown and Council President Steve Miller recognized Jim Sulgrove and Bryan Edwards. The Governing Body presented Jim and Bryan with a plaque for their years of service on the Planning and Zoning Board. No action was taken.

Council Member Wolz made a motion seconded by Council Member Anderson to approve the consent agenda including the approval of the 2/24/11 Special Meeting Minutes and 3/01/11 Regular Meeting Minutes; approve Vouchers and Payroll totaling \$1,298,662.40; Award Bid 2011-03 for one (1) New 2011 4x4 Utility Vehicle to Greenline Equipment in Casper in the amount of \$18,300; Nominate Mayor Phil Hinds of Evansville for a three year appointment on the WAM-JPIC Board, nominate Lovell Council Member Brian Dickson for a one year appointment on the WAM-JPIC Board, and nominate LGLP Executive Director Mark Pring to a three year appointment to the WAM-JPIC Board; and declare 77 used distribution transformers and 24 used capacitors as surplus and authorize staff to put them out for bid. Vote was unanimous.

At 7:14 p.m. Mayor Brown began the public hearing to determine if it is in the public interest to approve a request from the Buffalo Bill Memorial Association, dba the Buffalo Bill Historical Center to change the zoning of their property located at 726 Allen Avenue from a Residential A to Commercial D-1 Limited Business District Zone.

Steve Payne, Public Works Director provided the Governing Body with the background information. He noted that the applicant has followed the zone change process per Wyoming State Statue and City Ordinance requirements. He discussed the reasons for the rezoning, addressing the historical use of this property and variances that the applicant will be requesting through the Planning and Zoning process.

Bruce Eldredge and Paul Brock with the Buffalo Bill Historical Center spoke in favor of the zone change. Bonnie Capron-Decker spoke on behalf of her husband indicating he did not object to the zone change but wanted the alley property cleaned up and fence installed. Lowell Anderson spoke in reference to Residential A zone and the non-residential categories included in the zoning ordinance. He recommended removing the word "public" in this ordinance and leave the property as currently zoned which would eliminate the need for the variances. Mayor Brown asked for clarification on what they were considering and asked for history of alley. Steve Payne provided the historical information that the alley was platted in 1957, noting the developer never used or developed it as an alley. He mentioned the City would have to cut some trees down in order to get equipment into area to maintain the alley. He also noted in similar areas, adjoining neighbors maintain leaves, brush, etc. Steve Payne informed the Governing Body that comments brought before them tonight would be forwarded to the P& Z Board's meeting next Tuesday.

After calling for public comments three times and there being none further, Mayor Brown closed the public hearing at 7:42 p.m.

Council Member Miller made a motion seconded by Council Member Wolz directing staff to draft an ordinance rezoning the Buffalo Bill Memorial Association, dba the Buffalo Bill Historical Center's property located at 726 Allen Avenue from Residential A zone to Commercial D-1 Limited Business District Zone conditional on the recommendations outlined by staff. Vote was unanimous.

The Governing Body considered a request from Eric Severns of SAS Investments, LLC (Meadow Lane Village Apartments) to change the garbage charges at the apartment complex to commercial rates and reimburse the account for the difference between residential and commercial rates since February 22, 2010. The request was denied due to a lack of a motion.

Council Member Wolz made a motion seconded by Council Member Anderson to approve a request from Walt Hessinger of 3007 East Carter Avenue for the Governing Body to pay for all fees associated with a Special Exemption for a garage constructed within the side yard setback in 2007. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Edwards to approve a request from Diane Ballard of the West Park Hospital Prevention and Wellness Office to spray various sidewalks throughout Cody with chalk to promote and announce the "We Always Have a Plan" Alcohol Harm Reduction Project and if graffiti or other damage to sidewalk where this promotion is occurring happens, WPH Prevention and Wellness Office will take care of any repairs. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to award the City of Cody Auditor contract to Stine Heiser Buss and Associates for the year ending July 30, 2011, with the option of extending the contract for two subsequent years. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve a request from James Klessens, Executive Director of Forward Cody, to exempt Forward Cody from purchasing a landscape bond for the Eleutian Technology Wyoming Business Council Grant project, with the conditions and recommendations outlined by staff. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Anderson to approve a Mortgage Securing Grant Agreement to be recorded by Forward Cody Wyoming, Inc., on behalf of the City of Cody. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Wolz to approve a Subordination of Mortgage Agreement between Forward Cody Wyoming, Inc, the City of Cody and Wells Fargo and authorize the Mayor to sign the agreement. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Miller to approve Combined Amendment Number 1 to the Building Lease Agreement and Project Development and Administration Agreement dated June 28, 2010 and authorize the Mayor to sign the amendment. Vote was unanimous

Council Member Miller made a motion seconded by Council Member Edwards to approve Change Order Number 6 to Bid 2010-05, North Cody 2AB Water and Wastewater project authorizing \$4,096 to be paid to Harris Trucking and Construction Company. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Anderson to enter into a Cooperative Agreement between the Wyoming Department of Transportation and the City of Cody in the amount of \$50,000 for a planning grant for wayfinding on Sheridan Avenue and authorize the Mayor to sign the agreement. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Wolz to accept a proposal and approved the terms and conditions from Kenco Security to install silent alarm buttons at the Paul Stock Aquatics Center and City Hall, authorize the expenditure of the installation and monthly maintenance fees to be spent out of the 2010-2011 budget and authorize the Mayor to sign the agreement. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Anderson to lift the City of Cody Hiring Freeze implemented in January 2010, understanding that lifting the freeze only allows for the rehire or replacement of currently budgeted and approved positions as turnover occurs. Vote was unanimous.

Steve Payne, Public Works Director reminded the community that the Large Item Pick-up Service ends March 31st. For additional information, visit the website or contact City Hall. He informed the public and Governing Body of the work the Street Department is doing at Beck Lake in reference to the asphalt repairs the staff was directed to do.

Jenni Rosencranse, City Administrator, informed the public and Governing Body the special funding request applications are available, and have gone out to those who made request last year. The applications are due April 1st and this funding is for non-profit organizations.

Mayor Brown introduced the new City Administrator, Jenni Rosencranse to the public.

Council Member Miller stated he appreciated the Street Crew's quick action to his request to repair a down stop sign due to a traffic accident.

Council Member Fritz reminded and encouraged the public to attend the Grand Opening of the Yellowstone Regional Airport this Saturday, March 19th at 1:30 pm. noting that Governor Matt Mead will be in attendance.

Mayor Brown informed the public that a reception will be held on March 17, 2011 for retired City Administrator Andy Whiteman and newly appointed City Administrator Jenni Rosencranse from 4:30 p.m. to 6:30 p.m. at Olive Glenn Country Club.

There being no further business to come before the Governing Body, Mayor Brown adjourned the meeting at 9:14 p.m.

Cynthia D Baker
Deputy Clerk

Nancy Tia Brown
Mayor

VOUCHER LIST FOR 03/15/11

CHECK DATE 03/16/11

Payee		Amount
A-1 ELECTRIC	repairs	60.00
ABBEY CARPET	building maint.	15.00
ACE HARDWARE	supplies	585.81
ADMIDIN, JAMES	witness fees	15.00
ALDRICH LUMBER CO	supplies	2759.40
ALSCO	towels & rugs	158.36
AFLAC	premiums	1671.30
AM. WELDING & GAS	supplies	432.92
ANDERSON, MARY	rec center refund	20.87
BARN FEED AND PET	dog food	35.09
BEAR CO	tires	937.50
BEARTOOTH COUNTY FLOWER	presentation	35.00
BIG HORN GLASS	repairs	1110.00
BIG HORN PAINT	supplies	113.56
BIG HORN WHOLESALE	supplies	489.57
BIG VALLEY BEARING & SUPPLY	parts	88.08
BLOEDORN LUMBER	chain	17.90
BLUE CROSS BLUE SHIELD	premiums	93161.97
BOBCAT OF BIG HORN BASIN	parts	508.01
BOONE'S MACHINE SHOP	supplies	227.86
BOOT BARN	uniforms	649.89
BORDER STATES INDUSTRIES	system expansion / inventory	5871.86
BRESNAN COMMUNICATIONS	internet	356.99
C & C WELDING	repairs	1170.90
CARQUEST AUTO PARTS	parts	985.78
CASELLE INC	maintenance orders	1350.00
CDW GOVERNMENT INC	toner	213.53
CITY OF CODY	utilities	1969.53
CITY OF CODY	petty cash - City Hall	72.91
CITY OF CODY	controlled drug buy	390.00
CLARK WIRELESS	radios	9816.00
CODY ENTERPRISE	advertising	312.17
CODY FEED	twine	35.95
CODY WINNELSON	fittings	53.73
COPENHAVER KATH KITCHEN KOLPITCKE	legal services	6091.67
COPQUEST.COM	uniforms	214.14
COX, CHRIS	witness fees	15.00
CROSSFIT CODY	rec center program	2535.00
CRUM ELECTRIC	supplies	1661.19
CUSTOM DELIVERY SERVICE	shipping	89.72
CUSTOM GARAGE DOOR LLC	repairs	90.00
DAVE EBERTZ RISK MANAGEMENT	insurance rfp	4053.66
DIV. OF VICTIM'S SERVICE	crime victim's comp	1202.28
DOMINO'S PIZZA	concessions	149.82
EDWARDS EMS EDUCATION	training	100.00
ENERGY WEST	utilities	12467.46

ENGINEERING ASSOCIATES	2AB project	4461.25
FASTENAL COMPANY	supplies	305.67
FASTENERS	supplies	72.64
FOOD SERVICE OF AMERICA	concessions	165.39
FREMONT BEVERAGES	concessions	66.54
FREMONT MOTOR CODY	parts	103.20
GAMBLES	parts	27.96
GARY'S RUBBER STAMP & SIGN	stamp	18.50
GORTMAKER, CODY	referee	24.00
GRANICUS, INC	live streaming	618.80
HAMILTON ASSOC.	inventory	365.79
HARRIS TRUCKING & CONSTRUCTION	2AB project	36203.89
HARRISON, CHRISTOPHER	restitution	50.00
HD SUPPLY UTILITIES LTD	repair parts	2138.70
HEARTLAND PAPER COMPANY	supplies	407.48
HOLLY, WILLIAM	restitution	100.00
I STATE TRUCK CENTER	bumper	200.00
ICMA RETIREMENT	contributions	5012.89
INLAND TRUCK PARTS	credit	-60.00
INTERNATIONAL CODE COUNCIL	membership renewal	100.00
INTERSTATE ALL BATTERY CENTER	batteries	65.79
K MART	supplies	24.96
K-B COMMERCIAL PRODUCTS	supplies	208.20
KENCO SECURITY & TECHNOLOGY	alarm system repairs	953.75
LEGEND COMMUNICATIONS	advertising	346.80
LET'S TALK CELLULAR	cell phone charger	30.00
LONG BUILDING TECH INC	repairs	250.00
LOVELL RADIATOR	repairs	902.75
LYLE SIGNS INC	signs	45.62
MARQUIS AWARDS	plaque	79.15
MCCUMBER LOCKSMITH SHOP	repairs	68.75
MEINECKE & SITZ	professional fees	1724.67
MICRO-COMM INC	scada	6500.00
MOTOR PARTS INC	parts	354.49
MOUNTAIN WEST INC	rec center program / uniforms	1719.26
NORCO INC	supplies	9.52
NORTHWEST PIPE	inventory	248.22
OSBORNE, TALLEN	witness fees	15.00
PACIFIC STEEL	steel	2245.75
PARK COUNTY COURT TRTMNT PROGRAM	special funding allocation	6500.00
PARK COUNTY	landfill	48074.00
PARK COUNTY ANIMAL SHELTER	contract / restitution	3809.88
PARK COUNTY IMPLEMENT	return bid bond	940.00
PARK COUNTY SHERIFF	incarceration cost	1350.00
PENDAC INC	inventory	6595.81
PLAN ONE ARCHITECTS	professional fees	5186.23
PRO-BUILD	tools	89.99
PROGRESSIVE BUSINESS PUBLICATION	supplies	475.20
PROVIDENT LIFE & ACCIDENT	premiums	318.38
PURCHASE ADVANTAGE CARD	concessions	21.22
QWEST	phone charges	710.80
QWEST CORP	claims	1119.55

RED CANYON RIVER FLOATS	utility refund	68.28
RED EAGLE FOOD STORES	fuel	18064.00
RELIABLE DISTRIBUTING	parts	15.00
ROCKY MOUNTAIN POWER	utilities	1531.22
SCHMIDT, ERIC	restitution	400.00
SCHOENING, WILLIAM D	referee	72.00
SCHOOL DIST. #6	ski bus rental	746.32
SEARS	tools	99.99
SECRETARY OF STATE	notary filling fee	30.00
SELBYS	supplies	1030.54
SHOSHONE MUNICIPAL PIPELINE	SMP water purchase	105322.64
SHOSHONE OFFICE SUPPLY	supplies	711.67
SOS PRODUCTS	supplies	47.30
STATE OF WYOMING	monthly sales tax	26906.95
STEWART'S MERCANTILE	meeting expense	57.15
STROUPE PEST CONTROL CO	pest control	109.00
THE UPS STORE	shipping	8.45
TRIPLE L SALES	marking flags	16.00
UNUM LIFE INS - LTD	premiums	2451.45
UNUM LIFE INS - LIFE	premiums	1243.75
VERIZON	cell phone service	1533.12
VISA	travel / meeting exp. / supplies	1560.95
VISIONARY COMMUNICATION	email	118.10
WADE, TIM AND CLAUDIA	refund credit balance	488.27
WAL MART COMMUNITY BRC	supplies	524.86
WATCO POOLS	chemicals	891.65
WATERWORKS INDUSTRIES	meters / inventory	6506.84
WAVING AT YOU.COM	flag pole repairs	293.83
WAYNE'S BOOT SHOP	safety boots	180.00
WEBSTER CHEVROLET	parts	55.70
WELCH, CHRISTOPHER	restitution	50.00
WOMACK MACHINE SUPPLY CO	parts	162.10
WOODCRAFT HOMES	refund credit balance	38.34
WOODWARD TRACTOR CO	supplies	11.00
WORKERS COMPENSATION DIV.	contributions	11510.87
WORLAND CLEANERS	rags	110.00
WY CHILD SUPPORT	child support	159.23
WY CONF OF BLDG OFFICIALS	registration	150.00
WYOMING MUNICIPAL POWER AGENCY	power purchase Feb 2011	527042.73
WYOMING RETIREMENT SYSTEM	contributions	57401.76
XXX-NCPERS GROUP LIFE INS	premiums	384.00
YELLOWSTONE REGIONAL AIRPORT	March funding	15063.00
YONKER, DALE	refund utility deposit	7.02
	TOTAL	1078903.90