

City of Cody
Council Proceedings
Tuesday, April 5, 2011

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 5, 2011 at 7:00 p.m.

Present: Mayor Nancy Tia Brown, Council Members Steve Miller, Jerry Fritz, Stan Wolz, Bryan Edwards, Donny Anderson, and Charles Cloud, City Administrator, Jenni Rosencranse, and Acting Administrative Services Director, Cindy Baker

Absent: City Attorney, Scott Kolpitcke

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

Council Member Miller made a motion seconded by Council Member Wolz to amended the agenda to move conduct of business item “n” to be item “g-1” and approve agenda as amended. Vote was unanimous.

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

Rick Manchester, Parks, Recreation and Facilities Director, along with Doyle Stout, Recreation Supervisor and Jenni Phillips, Aquatics Supervisor introduced new City Employees Tasa Brost, Office Assistant, Recreation Center and Kim Sommerfeld, Aquatic Specialist.

Mayor Tia Brown made the proclamation declaring Saturday, April 30, 2011 as Arbor Day – Earth Day in Cody, Wyoming.

Council Member Miller made a motion seconded by Council Member Cloud to approve the consent agenda including the approval of the 3/10/11 Special Meeting Minutes and 3/15/11 Regular Meeting Minutes; approve Vouchers and Payroll totaling \$577,897.48. Authorize the Mayor to enter into and sign a contract between the City of Cody and Whited Floor Surfacing Co. for the Recreation Center gym floor refinish and resurfacing in the amount of \$32,500, contingent upon the review and approval of the City Attorney. Authorize the Mayor to sign specifications and estimate with Rule Steel Container to provide the City of Cody with 20 new dumpster containers. Declare two power monitors, a Metrotech RP-4 and Metrotech PA-7, as surplus equipment and directed staff to dispose of them. Authorize the Mayor to enter into and sign a Vacation of Easement document to vacate an existing drainage easement that crosses lots 23 and 24 of the Sulfur Creek Addition owned by Carol and Michael Wheeler in exchange for a new easement and approve the conditions as recommended by staff. Cast a ballot for Mayor Phil Hinds of Evansville, Council Member Brian Dickson of Lovell, and LGLP Executive Director, Mark Pring to three year appointments to the WAM-JPIC Board of Directors, and Burns Council Member Judy Johnstone to a one year appointment to the WAM-JPIC Board of Directors. Approved and authorize the Mayor to enter into an agreement with Engineering Associates in the amount of \$1,450 for soil compaction and concrete cylinder testing for the Cody Club Room Wyoming Business Council Grant Project. Approve and authorize the Mayor to sign Amendment 8 to the Inberg Miller Contract for the materials testing services for the Cougar Ave Street Reconstruction Project up to \$700.00. Approve and authorize the Mayor to enter into an agreement with Justin Peters Chinking

Services in the amount of \$16,828.00 for the chinking of the City owned building occupied by Cody Cupboard. Vote was unanimous.

At 7:19 p.m. Mayor Brown began the public hearing to determine if it is in the public interest to approve a transfer of ownership and location of a retail liquor license from Sunset House, Inc. dba Sunset House to Sunset Properties, Inc. dba Eighth Street.

Jennifer Rosencranse, City Administrator informed the governing body that the transfer application was in order, the State has reviewed the application and associated fees have been made.

Bill Garlow, Sunset Inc and Sunset Properties informed the Council that the Sunset House had a full retail liquor license and did not have the need for this type of license and thus would like to transfer the retail liquor license to the new location on 8th Street where he plans to have a full bar and lounge in conjunction with a restaurant at the 8th Street location.

After calling for public comments three times and there being none further, Mayor Brown went on to the second a public hearing to determine if it is in the public interest to approve a new restaurant liquor license to Sunset House, Inc, dba Sunset House. This request is dependent on the approval of the transfer of ownership and location of the currently held retail liquor license

After calling for public comments three times and there being none further, Mayor Brown closed the public hearing at 7:24 p.m.

Council Member made Miller motion seconded by Council Member Anderson to transfer the ownership and location of the retail liquor license held by Sunset House, Inc. dba Sunset House to Sunset Properties, Inc. dba Eighth Street. Vote was unanimous

Council Member Miller made a motion seconded by Council Member Anderson to approve a new restaurant liquor license to Sunset House, Inc. dba Sunset House. Vote was unanimous

ORDINANCE 2011-01 on First Reading AN ORDINANCE RE-ZONING A TRACT OF LAND LOCATED WITHIN A PORTION OF LOT 82RS2, SEC. 31 O.S. T 53 N, R 101 W, CITY OF CODY, WYOMING FROM RESIDENTIAL "A" DISTRICT TO LIGHT BUSINESS "D1" DISTRICT.

Council Member Miller made a motion seconded by Council Member Edwards to pass Ordinance 2011-01 on first reading. Vote was unanimous

Council Member made a miller motion seconded by Council Member Wolz to approve the request by the Cody Gunfighter's to close 12th Street between Sheridan Avenue and the first alley south of Sheridan Avenue from June 1, 2011 through September 30, 2011 from 5:15 to 7:00 p.m. for their nightly event and approve the recommendations outlined by staff. Council Member Fritz made a motion seconded by Council Member Cloud to amend the motion to change the closure times from 5:15 – 7:00 p.m. to 5:30 – 7:00 p.m. Voting in favor of the amendment were Council Members Anderson, Cloud, Fritz, Edwards and Mayor Tia Brown. Opposed to the amendment were Council Member Miller and Wolz. Amendment passed. Voting in favor of the original motion Council Members Miller and Wolz. Opposed to the original motion Council Members Anderson, Cloud, Fritz, Edwards and Mayor Tia Brown. Motion failed.

Council Member Wolz made a motion seconded by Council Member Edwards to approve the request from the Northwest Wyoming Board of Realtors to close 12th Street between Sheridan

Avenue and Beck Avenue on July 1, 2011 from 7 p.m. to 12 a.m. for the 3rd Annual “Realtors for Kids Charity Event”, authorize the use of City barricades to close off the alleys between Sheridan and Beck and to close 12th Street at Sheridan and Beck, authorize a live band to play until 11 p.m., authorize an open container permit for the event and approve the recommendations and conditions as outlined by staff. Vote was unanimous.

Council Member Anderson made a motion seconded by Council Member Fritz to approve the request from the Irma Hotel to close 12th Street between Sheridan Avenue and Beck Avenue on July 14, 2011 beginning at 6:45 p.m. through July 16, 2011 at 8:00 a.m. for the 2nd annual community street dance and concert; authorize a live band to play until 11 p.m. during the event, authorize an open container permit for the event, authorize the use of City barricades to close off the alleys between Sheridan and Beck and to close 12th Street at Sheridan and Beck, and approve the conditions and recommendations as outlined by staff. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Fritz to approve the request by the Irma Hotel to close 12th Street between Sheridan Avenue and Beck Avenue on Friday, May 6, 2011 at 12:00 p.m. through Sunday, May 8, 2011 at 9: a.m. for the Cody Wild West Days, authorize an open container permit for Saturday, May 7, 2011 from 10:00 a.m. to midnight, authorize the use of additional barricades from the City to close off the alleys between Sheridan and Beck and to close 12th Street at Sheridan and Beck and approve the recommendations outlined by staff. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Cloud to approve the request from TCT for a utility easement through park land and authorize TCT to install fiber within the Shoshone Riverway Trail, authorize staff to work out an agreement and authorize the Mayor to sign the agreement and direct staff to negotiate a suitable fee. Vote was unanimous.

Council Member Cloud made a motion seconded by Council Member Edwards to authorize the Mayor to sign the 4th Amendment to the Contract for the Design and Inspection Services for Road 2AB Sewer and Water Extension Project in the amount of \$47,784. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve and authorize the Mayor to sign Change Orders No. 7 & No.8 to Bid No. 2005-05 North Cody (2AB) Water and Wastewater Project, in the amount of \$21,007.15. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Anderson to award Bid No. 2011-05, 16th Street Storm Sewer System Upgrade Project to Harris Trucking and Construction Company in the amount of \$241,547.50 and authorize the Mayor to sign the associated contract. Vote was unanimous.

Council Member Wolz made a motion seconded by Council Member Cloud to approve a Professional Services Contract with Holm Blough and Company in the amount of \$18,572.00 for the Observation Construction and Administration duties associated with the 16th Street Storm Sewer System and authorize the Mayor to sign the contract. Vote was unanimous.

Council Member Wolz made a motion seconded by Council Member Edwards to name the open space on the corner of Mountain View Drive and 17th Street, which contains a sign bearing service club insignia as “Service Club Plaza”. Vote was unanimous.

Council Member Wolz made a motion seconded by Council Member Anderson to enter into and authorize the Mayor to sign an operating agreement with the Shoshone Recreation District, as

presented changing the contribution to the City to 32% of the mill collected. Vote was unanimous.

Rick Manchester, Parks, Recreation and Public Facilities Director Manchester reminded citizens the Deer Survey deadline is April 15th, and the City has received over 1,200 so far.

Jenni Rosencranse, City Administrator updated the Governing Body and citizens about the NCL Prescription Drug Discount Program and the City has started the process to be a participating city, however the material and cards will not be available for about 8 weeks. She also informed citizens raw water will be turned on the first Monday of May and citizen should close their raw water valves at this time.

Council Member Anderson remarked on his observance of the City staff and City crews and how pleased he was with the employees and their performance.

Council Member Cloud commended the staff on being proactive in the Prescription Discount Card program.

Council Member Miller thanked the Mayor, Council, City Attorney Scott Kolpitcke and Jenni Rosencranse for their participation in the retreat. Council Member Miller also gave a heads up to the downtown merchants to the annual sidewalk cleaning that will happen on June 4th.

Council Member Edwards commended the Police Department on their calming efforts in reference to traffic issues around Eastside School.

There being no further business to come before the Governing Body, Mayor Brown adjourned the meeting at 8:56 p.m.

Cynthia D Baker
Acting Administrative Services Director

Nancy Tia Brown
Mayor

VOUCHER LIST FOR 04/05/11

CHECK DATE 04/06/11

Payee		Amount
A & I DISTRIBUTORS	oil	901.49
A-1 ELECTRIC	parts	56.45
ABBEY CARPET	maintenance	43.06
ACE HARDWARE	supplies	1015.84
ACKER ELECTRIC	repairs	1798.41
ALDRICH LUMBER CO	supplies	262.34
ALSCO	towels and rugs	399.24
AMERICAN PUBLIC WORKS ASSC.	membership dues	145.00
AMERICAN WELDING & GAS, INC	supplies	409.51
ATCO INTERNATIONAL	supplies	299.70
BARN FEED AND PET	dog food	38.99
BIG HORN CARPET ONE	mini-golf carpet	2500.00
BIG HORN HORTICULTURAL	right of way clearing	2295.00
BIG HORN PAINT	paint	113.55
BIG HORN WHOLESALE	supplies	1052.37
BILLINGS TRUST, VERDA	refund utility balance	30.21
BLOEDORN LUMBER	supplies	188.25
BLUE CROSS BLUE SHIELD OF WY	premiums	93936.97
BOBCAT OF BIG HORN BASIN	parts	15.47
BOONE'S MACHINE SHOP	supplies	13.40
BORDER STATES INDUSTRIES	system repairs / meters	4235.01
BRAGG PLUMBING AND HEATING	repairs	153.76
BREADBOARD	meeting expense	82.90
BRESNAN COMMUNICATIONS	internet	485.99
C & C WELDING	supplies	1326.16
CAT'S WEST UPHOLSTERY	repairs	130.00
CITY OF CODY	utilities	33927.73
CLOUD, CHARLES	travel reimbursement	1383.58
CODY WINNELSON COMPANY	parts	7.65
COOPER POWER SYSTEMS	system upgrade	43875.00
CRUM ELECTRIC	supplies	471.20
DANA KEPNER COMPANY	parts	174.21
DELL MARKETING	supplies	2758.51
DON F. SHREVE, JR., ESQ.	professional services	1155.48
EAGLE RECOVERY & TOWING	towing	125.00
ECOLAB PEST ELIM. DIV.	pest control	115.00
EGGER, BEAU	reimburse for uniforms	249.08
ENERGY WEST	utilities	7645.35
ENGINEERING ASSOCIATES	2AB project	900.20
EVANS, DORIS	refund utility balance	11.60
FALES, ANDREW	rec center refund	36.66
FARM PLAN CORPORATION	parts / uniforms	294.25
FASTENAL COMPANY	supplies	4.76
FINISHING TOUCH	paint	960.00
FOOD SERVICE OF AMERICA	concessions	128.20
FORWARD CODY	Elution grant / Special Funding	18452.12

FREMONT BEVERAGES	concessions	11.00
GALLS	freight	10.83
GARY'S RUBBER STAMP & SIGN	supplies	5.00
GATEWAY MOTEL	refund utility balance	35.56
GLOBAL EQUIPMENT	supplies	95.89
GOODYEAR PRINTING	forms	856.00
H B I INSURANCE	policy	242.00
HARRIS TRUCKING & CONSTRUCTION	Cougar Ave project	4508.60
HASCO INDUSTRIAL SUPPLY	parts / uniforms	195.50
HEARTLAND PAPER COMPANY	supplies	288.15
HOHNHORST, AMANDA	refund utility balance	62.14
HOLIDAY INN	meeting expense	111.36
HOLMSTROM, NANCY LYNN	refund utility balance	68.21
HOPKINS LIFE AND SAFETY	supplies	315.43
HURST, CHRIS	refund utility balance	31.34
ICMA RETIREMENT	contributions	5061.52
INTERSTATE BATTERIES	batteries	178.90
K-B COMMERCIAL PRODUCTS	supplies	67.44
KEEGAN & WINSLOW LAW FIRM	professional services	1287.00
KENCO SECURITY & TECHNOLOGY	security monitoring	174.00
LOCAL GOV'T LIABILITY POOL	LGLP renewal	52684.00
LONG BUILDING TECH INC	repairs	1769.69
LORMAN EDUCATION SERVICES	training	199.00
LYLE SIGNS INC	signs	1040.09
MARQUIS AWARDS	plaque	28.21
MATCO TOOLS	tools	12.66
MAVERICK	restitution	5.16
MCCUMBER LOCKSMITH SHOP	lock & keys	115.98
MEINECKE & SITZ	professional services	637.36
MILLER, SUE ANN	refund utility balance	54.54
MOUNTAIN WEST INC	uniforms	630.69
NEWMAN SIGNS	signs	38.87
NORMONT EQUIPMENT COMPANY	inventory	1328.38
NORTH CENTRAL LABORATORIES	supplies	510.22
NORTH FORTY INVESTMENTS LLC	refund utility balance	62.60
NORTHWEST ANALYTICAL LAB	testing	44.00
NORTHWEST COCA-COLA	concessions	30.50
NORTHWEST INDUSTRIAL SUPPLIES	supplies	94.45
NORTHWEST PIPE	inventory	1451.92
OFFICE SHOP, THE	copier agreements	4184.42
OKADA, PETER	referee	100.00
OPTAZ ELECTRIC MOTOR REPAIR	supplies	235.00
ORIENTAL TRADING CO.	rec center programs	66.39
OWEN, DON	referee	325.00
PAVEMENT MAINTENANCE INC	snow removal	660.00
PITNEY BOWES, INC	postage machine rental	783.00
PLAN ONE ARCHITECTS	professional services	5009.67
PRO-BUILD	credit for returned supplies	-24.19
PRODUCTION MACHINE	supplies	590.69
PURCHASE ADVANTAGE CARD	rec center programs	117.22
PURCHASE POWER	postage	2019.99
QWEST	phone service	1857.12

RESTLE, LINDSAY	rec center refund	20.87
ROCKY MOUNTAIN DISCOUNT	supplies	53.98
ROCKY MOUNTAIN POWER	utilities	244.07
ROCKY MOUNTAIN SEGWAY	bomb unit equipment	11528.85
RON'S EXXON	supplies	16.10
S & S AUDIO - VIDEO, INC.	parts	18.86
SCHOENING, WILLIAM D	referee	200.00
SCOTT, RACHEL	refund utility balance	23.41
SECRETARY OF STATE	notary	30.00
SHOSHONE OFFICE SUPPLY	supplies	1146.06
SQUAD ROOM EMBLEMS	shoulder patches	295.93
STAFFORD, JASON	reimburse for uniforms	100.38
STROH'S INDUSTRIAL LUBRICANT	grease	325.00
STROUPE PEST CONTROL CO	pest control	83.00
SWEEN, KRISTIN	rec center refund	40.00
THE UPS STORE	shipping	20.13
TIDEFLEX TECHNOLOGIES	check valve	1251.32
TRIPLE L SALES	supplies	154.53
U S POST OFFICE	postage / permits	3270.00
US BEARINGS & DRIVES	parts	118.33
WAL MART COMMUNITY BRC	supplies	1642.51
WATCO POOLS	chemicals	696.50
WATERWORKS INDUSTRIES	parts	361.13
WAYNE'S BOOT SHOP	safety boots	169.95
WCSTELECOM	long distance	68.47
WEBSTER MOTORS, INC	vehicle key	42.60
WESCO DISTRIBUTION, INC.	supplies	71.88
WEST PARK HOSPITAL	case 11-314	132.25
WESTERN PATHOLOGY CONSULT	random drug testing	274.50
WESTERN UNITED ELECTRIC SUPPLY	supplies	470.22
WOODWARD TRACTOR CO	repairs	49.10
WY CHILD SUPPORT	child support	159.23
WYOMING ASSOC OF RURAL WATER	training	400.00
WYOMING DEPT OF TRANSPORTATION	Sheridan Ave project	34152.74
WYOMING INVESTIGATORS ASSN.	membership dues	50.00
WYOMING TECH TRANS CENTER	training	80.00
YANKEE CAR WASH	car washes	128.36
YELLOWSTONE DIVERS, LLC	rec center programs	200.00
	TOTAL	372963.41