

**City of Cody**  
**Council Proceedings**  
**Tuesday, April 19, 2011**

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 19, 2011 at 7:00 p.m.

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

Absent: Council Members Bryan Edwards and Donny Anderson

Mayor Brown called the meeting to order at 7:05 p.m.

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

Steve Payne, Public Works Director introduced new employees Kreg Breshears, Journey Electric Lineman and Andrew Johnston, Street Maintenance Worker I.

Mayor Nancy Tia Brown read a proclamation declaring April as the Month of the Military Child. Julie White and Trudy Zaffarano-Anderson spoke briefly on the proclamation and the year round activities and events in recognition of the military and their families.

Mayor Brown read a proclamation declaring May as the Month of National Water Safety Month in Cody, Wyoming.

Council Member Miller made a motion seconded by Council Member Fritz to approve the consent calendar including the approval of Special Meeting Minutes on 3/31/11 and Regular Meeting Minutes on 4/05/2011; approval of vouchers and payroll in the amount of \$1,260,350.98; enrollment in the WYIFS system and authorize payment of the monthly tax obligation to be made electronically and outside the normal voucher process and authorize the Mayor to sign two agreements, one for the Electric sales tax and one for the Rec Center concessions sales tax; award Bid No. 2011-04 for surplus transformers to T & R Electric, Coleman, S.D. in the amount of \$16,500.55; accept the professional services contract with IMBA Trail Solutions to complete a schematic design for a mountain bike park on BLM and City land south of Beck Lack Park and authorize the Mayor to sign the agreement upon review by the City Attorney. Vote was unanimous.

Garrett Growney of the Cody Country Chamber of Commerce presented the City of Cody a check in the amount of \$3,000 in reference to the professional services contract with IMBA Trail Solutions.

Al Schultz of the Cody Stampede Board discussed the board's interest in the additional retail liquor license that the City of Cody will have available.

At 7:28 p.m. Mayor Brown began the public hearing to determine if it is in the public interest to consider modifying the definitions in the sign code; modifying regulations for exempted signs; modifying the regulations for residential and commercial sign districts; allowing for inflatable signs in commercial zones; allowing for signs for nonprofit organizations; creating regulations for signs in planned unit developments; modifying the sign regulations for hospitals, medical facilities, churches, museums, and schools; adding tables for sign dimensions and limitations, providing for penalties for violations and procedures for the removal of signs; clarifying the authority of the Planning and Zoning Commission over signs; repealing sections 10-15-14 and 10-15-15; removing the ordinance prohibiting the feeding of deer out of the zoning code and moving it to Chapter 5; and adding definitions and regulations for Planned Unit Developments to the zoning code.

Scott Kolpitcke, City Attorney gave a brief history and summary of the sign code review.

After calling for public comments three times and there being none, Mayor Brown began the second public hearing to determine if it is in the public interest to approve a zone change for the Buffalo Bill Memorial Association dba Buffalo Bill Historical Center for a portion of their property located at 720 Sheridan Avenue from "A" Residential to D-2 General Business

district, with the exception of a 150 foot deep section along the south and west sides aligning with the current residences.

Steve Payne, Public Works Director provided background information on the zone change, indicated property owners within 140' of the property had been notified and notices for both public hearings were sent to the adjacent landowners by certified mail. All letters that were received in reference to the zone change have been entered into the official public record. In addition, the zone change legal notice was printed in the Cody Enterprise on April 4, 2011.

Bruce Eldridge, Executive Director of the Buffalo Bill Historical Center and Paul Brock, Director of Operations spoke in reference to the requested zone change.

Dale Schmaltz, neighboring resident made comments generally in favor of the re-zoning, and questioned the BBHC in reference to further restricting a time period on the property that would remain "A" zone.

After calling for public comments three times and there being none further, Mayor Brown closed the public hearing at 7:56 p.m.

Council Member made Cloud motion seconded by Council Member Fritz to table Ordinances 2011-02 through Ordinance 2011-16. Vote was unanimous.

**ORDINANCE 2011-17 1<sup>st</sup> Reading.**

**AN ORDINANCE AMENDING CITY OF CODY MUNICIPAL CODE BY AMENDING TITLE 5, CHAPTER 3, SECTION 21, PERTAINING THE FEEDING OF DEER**

Council Member Fritz made a motion seconded by Council Member Wolz to pass Ordinance 2011-17 on first reading. Vote was unanimous

**ORDINANCE 2011-18 1<sup>st</sup> Reading.**

**AN ORDINANCE AMENDING CITY OF CODY MUNICIPAL CODE BY RENUMBERING TITLE 5, CHAPTER 3, SECTION 21, PERTAINING TO PENALTIES, AS TITLE 5, CHAPTER 3, SECTION 22**

Council Member Wolz made a motion seconded by Council Member Fritz to pass Ordinance 2011-18 on first reading. Vote was unanimous.

**ORDINANCE 2011-01 on 2<sup>nd</sup> 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 Wolz to pass Ordinance 2011-01 on second reading. Vote was unanimous.

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 720 Sheridan Avenue from "A" Residential to D-2 General Business district, with the exception of a 150 foot deep section along the south and west sides aligning with the current residences with the four conditions as outlined by staff. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Wolz to table the proposal for the City of Cody property insurance. Vote was unanimous.

Rick Manchester, Parks, Recreation and Public Facilities Director reported the City has received 1463 deer surveys and approximately 500 have been tallied. Plans are for the Deer Task force to meet in mid May.

Steve Payne, Public Works Director informed the Governing Body and Citizens that the raw water will be on May 2<sup>nd</sup>, watering starts Tuesday and Wednesday based on address. In addition, he updated the Governing Body on the street closure on Cougar Avenue, between 19<sup>th</sup> and Blackburn.

Council Member Miller reminded downtown merchants the first Saturday in June is set for the washing of the sidewalks.

There being no further business to come before the Governing Body, Mayor Brown

adjourned the meeting at 9:10 p.m.

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Cynthia D Baker  
Acting Administrative Services Director

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Nancy Tia Brown  
Mayor

VOUCHER LIST FOR 04/19/11

CHECK DATE 04/20/11

Payee		Amount
A.M. LEONARD	landscape supplies	135.51
A-1 ELECTRIC	repairs	340.58
ACE HARDWARE	supplies	222.81
ALDRICH LUMBER	supplies	445.21
ALLEN, CHRISTOPHER	refund utility deposit	20.80
ALSCO	towels & rugs	138.98
AMERICAN FAMILY LIFE ASSUR.	premiums	1671.30
AMERICAN PUBLIC WORKS ASSN.	subscription	939.50
AMERICAN WELDING & GAS	supplies	409.61
BARCO PRODUCTS	signs	961.60
BEARTOOTH COUNTRY FLOWERS	public reception	50.00
BEN MEADOWS COMPANY	equipment	160.62
BETTERS, JAMIE	refund utility deposit	17.38
BIG HORN GLASS	window, door hinges	1128.86
BIG HORN HORTICULTURAL	right of way clearing	495.00
BIG HORN REDI-MIX	storm sewers	1105.00
BIG HORN WHOLESALE	supplies	1063.32
BORDER STATES INDUSTRIES	meters, repairs	2888.44
BRAGG PLUMBING AND HEATING	repairs	85.00
BRESNAN COMMUNICATIONS	internet	384.25
C & C WELDING	repairs	72.40
CABELA'S	ammunition	3011.87
CARQUEST AUTO PARTS	parts	1163.69
CAT'S WEST UPHOLSTERY	repairs	45.00
CITY OF CODY	utilities	10774.51
CITY OF CODY	petty cash - PD	16.06
CMI-TECO	parts	88.48
COAST TO COAST SOLUTIONS	supplies	327.86
CODE 4 PUBLIC SAFETY EDUCATION	training	99.00
CODY ENTERPRISE	advertising	7236.91
CODY WINNELSON	supplies	223.23
COPENHAVER KATH KITCHEN KOLPICKE	legal services	6091.67
COUNTERMEASURES TACTICAL	training	425.00
CROSSFIT CODY	Rec Center programs	2885.60
CRUM ELECTRIC	supplies	399.23
CUSTOM DELIVERY SERVICES	shipping	105.06
DANA KEPNER COMPANY	E Sheridan project	352.36
DASH MEDICAL GLOVES	supplies	209.70
DIAMONDBACK TACTICAL	gear	527.45
DIVISION OF VICTIM'S SERVICE	crime victim's comp. Mar 2011	795.31
E-470 PUBLIC HIGHWAY AUTHORITY	I-25 express toll (Denver)	5.00
EAGLE OF CODY	cards & envelopes	93.00
EAGLE RECOVER & TOWING	towing	85.00
ECOLAB PEST ELIM. DIV.	pest control	165.00
ENERGY WEST	utilities	11423.31
FARM PLAN CORPORATION	tools	64.94
FASTENAL COMPANY	supplies	96.11

FERGUSON WATERWORKS	water meter	222.82
FOOD SERVICE OF AMERICAN	supplies	575.99
FORWARD CODY WYOMING, INC.	Eleution Grant	158786.00
GAMBLES	supplies	9.29
GARY'S RUBBER STAMP & SIGN	stamp, supplies	39.90
GOODYEAR PRINTING	printing	344.35
GRAINGER	parts	524.48
GRANICUS, INC	live streaming	1819.26
HARRISON, CHRISTOPHER	restitution	308.00
HARTWIG, STARLYNN	refund utility deposit	50.48
HD SUPPLY UTILITIES, LTD	repairs	274.03
HEALTH MAGAZINE	subscription	26.00
HEARTLAND PAPER COMPANY	supplies	121.02
HOLLY, WILLIAM	restitution	25.00
I STATE TRUCK CENTER	payment for credit balance	1252.66
I.D. EDGE	supplies	215.50
ICMA RETIREMENT	contributions	5139.90
JOHNSTON, ANDREW	reimburse for CDL fees	86.00
K3 GUEST RANCH BED & BREAKFAST	Council Retreat	175.00
K-B COMMERCIAL PRODUCTS	parts	1012.60
KEEGAN & WINSLOW LAW FIRM	professional fees	783.00
KENCO SECURITY & TECHNOLOGY	repairs	225.00
KIEFER	inventory	918.70
KINCHELOE PLUMBING	supplies	11.57
LARAMIE FORD	repairs	200.00
LARIAT INTERNATIONAL TRUCKS	parts	63.02
LEGEND COMMUNICATIONS	advertising	291.72
LONG BUILDING TECH INC	repairs	280.00
LYLE SIGNS INC	signs	77.35
MAJORS, JOSEPH	refund utility deposit	69.74
MCJUNKIN REDMAN	parts	53.00
MILLER, JARROD	refund utility deposit	40.28
MOTOR PARTS, INC.	parts	911.19
MOUNTAIN WEST INC	uniforms	655.03
NORCO, INC	supplies	10.54
NORTHWEST PIPE	inventory	1041.69
OFFICE SHOP, THE	copier repair	287.95
OKADA, PETER	referee	50.00
OLIVE GLENN GOLF & CC	reception	750.00
OPTAZ ELECTRIC MOTOR REPAIR	repairs	48.50
OWEN, DON	referee	112.50
PARK COUNTY	election expense / incarceration	6371.67
PARK COUNTY ANIMAL SHELTER	animal service contract / pmt	3667.21
PARK COUNTY CIRCUIT COURT	case CV-2010-1027	302.93
PASEK, GEORGE	Rec Center refund	100.00
PAVEMENT MAINTENANCE INC	snow removal	165.00
PITNEY BOWES, INC	maintenance / supplies	1041.21
PIZZA ON THE RUN	meeting expense	50.46
POTO, STEVEN	restitution	50.00
POWELL TRIBUNE	advertising	664.53
PRO-BUILD	supplies	41.04
PROVIDENT LIFE & ACCIDENT	premiums	318.38
PURCHASE ADVANTAGE CARD	Rec Center programs	54.44

QA BALANCE SERVICES INC	calibration	564.00
QWEST	phone charges	1147.99
RED EAGLE FOOD STORES	fuel	24163.89
ROCKY MOUNTAIN DISCOUNT SPORTS	uniforms	9.99
ROCKY MOUNTAIN POWER	utilities	571.42
ROCKY MOUNTAIN SPORTS	inventory	146.35
ROCKY MOUNTAIN WINDSHIELD	windshield	315.00
ROGER'S SPORT CENTER	generator / supplies	972.98
RON'S EXXON	propane	31.50
S & S AUDIO - VIDEO INC	supplies	16.55
S & S WORLDWIDE INC	Rec Center programs	28.99
SCHMIDT, ERIC	restitution	400.00
SCHOENING, KRISTA	referee	50.00
SCHOENING, WILLIAM D	referee	50.00
SEARS	tools	439.97
SHERWIN-WILLIAMS COMPANY	supplies	7.38
SHOSHONE MUNICIPAL PIPELINE	water purchases March 2011	108572.14
SHOSHONE OFFICE SUPPLY	supplies	412.14
SIGNWAREHOUSE.COM	tools	340.00
SOLER, CECILIA	Rec Center refund	100.00
STATE LANDS & INVESTMENTS	DWSRF loan #032	8874.88
STATE OF WYOMING	monthly sales tax	27324.98
STATE OF WYOMING	quarterly sales tax	144.96
STATE OF WYOMING - LIEAP	Lieap overpayment	85.53
STEWART'S MERCANTILE	meeting expense	189.40
STROUPE PEST CONTROL CO	pest control	198.00
THE UPS STORE	shipping	8.49
TIDEFLEX TECHNOLOGIES	tank over flow valve	1251.32
TRIPLE L SALES	supplies	1335.89
UNUM LIFE INS - LTD	premiums	2420.03
UNUM LIFE INS - LIFE	premiums	1168.42
US BEARINGS & DRIVES	inventory	357.87
V-1 PROPANE	propane	88.01
VANATA, VINCENT	reimburse for dog supplies	26.99
VERIZON	cell phones	1489.97
VISA	travel / meeting exp. / supplies	2826.66
VISIONARY COMMUNICATION	email hosting	119.02
WAL MART COMMUNITY BRC	supplies	379.78
WANNER, MATT	refund utility deposit	15.04
WATCO POOLS	chemicals	172.47
WELCH, CHRISTOPHER	restitution	45.30
WEST PARK HOSPITAL	refund overpayment on account	635.44
WINGFOOT COMMERCIAL TIRE	tires	587.30
WINNINGER, SANDRA	professional services	20.00
WOMACK MACHINE SUPPLY	inventory	56.69
WOODWARD TRACTOR CO	equipment / rental	3358.49
WORKERS COMPENSATION DIV	workers compensation	17288.17
WY CHILD SUPPORT	child support	159.23
WY DIVISION OF VICTIM'S SERVICE	training	190.00
WYOMING DEPT OF HEALTH	testing	150.00
WYOMING DEPT OF TRANSPORTATION	E Sheridan project	1221.95
WYOMING FIRE SAFETY	hood inspection	81.00
WYOMING MUNICIPAL POWER AGENCY	power purchase - March 2011	477378.88

WYOMING RETIREMENT SYSTEM	employee contributions	86225.18
XXX-NCPERS GROUP LIFE INS	premiums	384.00
YANKEE CAR WASH	car washes	172.11
YELLOWSTONE REGIONAL AIRPORT	April Funding	15063.00
	TOTAL	1039997.19

2079994.38