

Revised

City of Cody City Council  
AGENDA

Tuesday, March 1, 2016 – 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

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

Recognize Staff and Citizens – Wyoming Winter Senior Olympics  
Certificate of Participation – NLC Service Line Warranty Program

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 2/11/16.
- b. Approval of vouchers and payroll in the amount of \$1,135,973.52.
- c. Award Bid 2016-02 – Surplus Transformers to T&R Electric for the amount of \$8,120.

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. Consider approving a Preliminary Plat of the Cedar Mountain subdivision and associated variances and accept the south 120 feet of Tract A as recommended by the Planning and Zoning Board.

Staff Reference: Todd Stowell, City Planner

- b. Consider approval of Change Order #1 in the amount of \$6,645.50, Pay Estimate #1 in the amount of \$159,058.42 and authorize the Mayor to sign the Change Order Form as it relates to Bid No 2015-09, 12<sup>th</sup> Street Storm Drainage Project.

Staff Reference: Steve Payne, Public Works Director

- c. ORDINANCE 2016-03 –FIRST READING

AN ORDINANCE AMENDING TITILE 6, CHAPTER 1, SECTION 1 OF  
THE CITY OF CODY CODE PERTAINING TO DEFINITIONS.

Staff Reference: Steve Payne, Public Works Director

- d. ORDINANCE 2016-04 –FIRST READING  
AN ORDINANCE AMENDING TITILE 6, CHAPTER 3, SECTION 1-A OF  
THE CITY OF CODY CODE PERTAINING TO PARKING PROHIBITED  
IN CERTAIN PLACES.

Staff Reference: Steve Payne, Public Works Director

4. Tabled Items
5. Matters from Staff Members
6. Matters from Council Members
7. Adjournment

**Upcoming Meetings:**

**March 10, 2016 – Thursday – Special Workshop — 4:15 p.m.**  
**March 15, 2016 - Tuesday – Regular Council Meeting 7:00 p.m.**



February 15, 2016

Steve Payne  
Director of Public Works  
City of Cody-WY  
PO Box 2200  
Cody, WY 82414-2200

Dear Director of Public Works Payne,

The National League of Cities Service Line Warranty Program had a successful year serving communities across the nation. The partnership between Utility Service Partners and the City of Cody-WY shows the dedication of your municipality when it comes to educating the residents of your community and providing them with optional solutions, such as the NLC Service Line Warranty Program. Please accept the enclosed Participation Certificate for the 2015 year as recognition for these efforts. If you have any questions, please contact Blake Stogner, Program Manager, [bstogner@utilitysp.net](mailto:bstogner@utilitysp.net) or 214-552-4098.

We hope to see you soon at the upcoming NLC Congressional City Conference in Washington D.C. We appreciate your partnership and look forward to serving your residents in 2016!

Sincerely,

Brad Carmichael  
Vice President  
Business Development



## Proud Participant in the National League of Cities Service Line Warranty Program

### City of Cody-WY

is proudly recognized for participating in the National League of Cities (NLC) Service Line Warranty Program. The NLC Service Line Warranty Program is designed to help city leaders educate residents about their service line responsibilities and help homeowners save thousands of dollars on the high cost of broken and leaking service line repairs.

**November 2015**

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Date



Program Administrator

A handwritten signature in blue ink, appearing to read "Brad Carmichael", written over a horizontal line.

Brad Carmichael  
Vice President, Business Development

**City of Cody**  
**Council Proceedings**  
**Thursday, February 11, 2016**

A special meeting of the Cody City Council was held at the Bull Moose Guest Ranch in Cody, Wyoming on Thursday, February 11, 2016 at 4:15 p.m.

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

Absent: None

Other Staff: Leslie Brumage, Finance Officer,

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

Kathy Thompson , Buffalo Bill Art Show & Sale and Tina Hoebelheinrich, Cody Country Chamber of Commerce discussed a potential gift of a sculpture for City. There were given an affirmative response to this idea and were directed to keep the Council updated as the project progressed.

The Governing Body discussed and finalized goals & priorities for “level one” and determined to review “level two” at a work session on February 25<sup>th</sup>. No action was taken.

There being no further discussion, the meeting adjourned at 6:15 p.m.

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Cindy Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
<b>ADVANCED INFO SYSTEMS</b>							
<b>129162</b>							
12821	CYCLE 4 OUTSOURCE BILLS	02/28/2016	232.00	.00			216
12849	CYCLE 1 OUTSOURCE BILLS	02/10/2016	395.16	.00			216
12858	CYCLE 2 OUTSOURCE BILLS	02/18/2016	175.36	.00			216
Total :			802.52	.00			
Total 129162:			802.52	.00			
<b>ANIXTER, INC.</b>							
<b>130622</b>							
3126829-00	SYSTEM UPGRADES - OH PRO	02/11/2016	51.50	.00			216
Total :			51.50	.00			
Total 130622:			51.50	.00			
<b>BAILEY ENTERPRISES INCORPORATED</b>							
<b>130546</b>							
021516	Unleaded	02/18/2016	341.10	.00			216
021516	Unleaded	02/18/2016	50.21	.00			216
021516	Unleaded	02/18/2016	654.60	.00			216
021516	Diesel	02/18/2016	51.48	.00			216
021516	Unleaded	02/18/2016	134.16	.00			216
021516	Unleaded	02/18/2016	32.68	.00			216
021516	Unleaded	02/18/2016	14.84	.00			216
021516	Unleaded	02/18/2016	27.07	.00			216
021516	Diesel	02/18/2016	1,678.55	.00			216
021516	Unleaded	02/18/2016	202.64	.00			216
021516	Diesel	02/18/2016	1,058.14	.00			216
021516	Unleaded	02/18/2016	74.22	.00			216
021516	Diesel	02/18/2016	63.14	.00			216
021516	Unleaded	02/18/2016	139.22	.00			216
021516	Diesel	02/18/2016	81.76	.00			216
021516	Unleaded	02/18/2016	74.09	.00			216
021516	Diesel	02/18/2016	187.26	.00			216
021516	Unleaded	02/18/2016	156.66	.00			216
Total :			5,021.82	.00			
Total 130546:			5,021.82	.00			
<b>BENNION BUILDERS LLC</b>							
<b>130547</b>							
17007013	REFUND UTILITY DEPOSIT	02/10/2016	86.30	.00			216
17007210	REFUND UTILITY DEPOSIT	02/10/2016	172.44	.00			216
17007510	REFUND UTILITY DEPOSIT	02/10/2016	248.26	.00			216
Total :			507.00	.00			
Total 130547:			507.00	.00			
<b>BLACK HILLS ENERGY</b>							
<b>130509</b>							
021716	8373 7435 57	02/17/2016	469.51	.00			216
021716	1226 3825 58	02/17/2016	17.17	.00			216
021716	1212 9706 22	02/17/2016	582.30	.00			216

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
021716	3439 1746 41	02/17/2016	17.17	.00			216
021716	1748 3070 35	02/17/2016	1,045.29	.00			216
021716	5843 2846 46	02/17/2016	836.10	.00			216
021716	5843 2846 46	02/17/2016	215.36	.00			216
021716	5843 2846 46	02/17/2016	126.68	.00			216
021716	5843 2846 46	02/17/2016	88.67	.00			216
021716	1188 3974 81	02/17/2016	17.17	.00			216
021716	5343 2365 74	02/17/2016	110.57	.00			216
021716	6891 6043 54	02/17/2016	441.73	.00			216
021716	0764 8304 15	02/17/2016	548.48	.00			216
021716	5581 8309 98	02/17/2016	19.34	.00			216
021716	3745 9872 61	02/17/2016	20.43	.00			216
021716	2844 0883 27	02/17/2016	92.65	.00			216
021716	5839 8360 11	02/17/2016	434.75	.00			216
Total :			5,083.37	.00			
Total 130509:			5,083.37	.00			
<b>BORDER STATES INDUSTRIES, INC</b>							
<b>1420</b>							
910749062-1	FREIGHT	02/08/2016	18.65	.00			216
Total :			18.65	.00			
Total 1420:			18.65	.00			
<b>BRAKKE, STEVE</b>							
<b>130080</b>							
227042	REIMBURSE FOR STEEL TOE B	02/12/2016	134.99	.00			216
Total :			134.99	.00			
Total 130080:			134.99	.00			
<b>BUCK'N HORSE ELECTRIC</b>							
<b>130739</b>							
44-93	REFUND OVERPAYMENT ON P	02/11/2016	49.25	.00			216
Total :			49.25	.00			
Total 130739:			49.25	.00			
<b>CALKIN JR, PARTIRCK J</b>							
<b>130740</b>							
10077013	REFUND UTILITY DEPOSIT	02/11/2016	57.32	.00			216
Total :			57.32	.00			
Total 130740:			57.32	.00			
<b>CHAFFEY, JOHN</b>							
<b>130751</b>							
17175312	REFUND UTILITY DEPOSIT	02/23/2016	200.00	.00			216
Total :			200.00	.00			

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
Total 130751:			200.00	.00			
<b>CITY OF CODY</b>							
<b>2260</b>							
022216	Utilities	02/22/2016	2,424.96	.00			216
022216	Utilities	02/22/2016	89.00	.00			216
022216	Utilities	02/22/2016	99.49	.00			216
022216	Utilities	02/22/2016	574.31	.00			216
022216	Utilities	02/22/2016	102.70	.00			216
022216	Utilities	02/22/2016	259.91	.00			216
022216	Utilities	02/22/2016	111.45	.00			216
022216	Utilities	02/22/2016	81.26	.00			216
022216	Utilities	02/22/2016	232.17	.00			216
022216	Utilities	02/22/2016	376.89	.00			216
022216	Utilities	02/22/2016	23.00	.00			216
022216	Utilities	02/22/2016	45.69	.00			216
022216	Utilities	02/22/2016	592.36	.00			216
022216	Utilities	02/22/2016	63.00	.00			216
022216	Utilities	02/22/2016	108.69	.00			216
022216	Utilities	02/22/2016	127.35	.00			216
022216	Utilities	02/22/2016	536.73	.00			216
022216	Utilities	02/22/2016	223.88	.00			216
022216	Utilities	02/22/2016	30.69	.00			216
022216	Utilities	02/22/2016	161.00	.00			216
022216	Utilities	02/22/2016	194.33	.00			216
022216	Utilities	02/22/2016	23.00	.00			216
022216	Utilities	02/22/2016	227.84	.00			216
022216	Utilities	02/22/2016	182.29	.00			216
022216	Utilities	02/22/2016	42.00	.00			216
022216	Utilities	02/22/2016	42.00	.00			216
022216	Utilities	02/22/2016	33.14	.00			216
022216	Utilities	02/22/2016	625.12	.00			216
022216	Utilities	02/22/2016	60.46	.00			216
022216	Utilities	02/22/2016	398.31	.00			216
022216	Utilities	02/22/2016	23.00	.00			216
022216	Utilities	02/22/2016	137.00	.00			216
022216	Utilities	02/22/2016	190.64	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	63.00	.00			216
022216	Utilities	02/22/2016	161.00	.00			216
022216	Utilities	02/22/2016	80.57	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	23.00	.00			216
022216	Utilities	02/22/2016	63.00	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	1,047.92	.00			216
022216	Utilities	02/22/2016	272.74	.00			216
022216	Utilities	02/22/2016	10.50	.00			216
022216	Utilities	02/22/2016	110.02	.00			216
022216	Utilities	02/22/2016	52.94	.00			216
022216	Utilities	02/22/2016	2,286.43	.00			216
022216	Utilities	02/22/2016	6,859.31	.00			216
022216	Utilities	02/22/2016	1,202.37	.00			216
022216	Utilities	02/22/2016	309.70	.00			216
022216	Utilities	02/22/2016	182.18	.00			216
022216	Utilities	02/22/2016	127.52	.00			216
022216	Utilities	02/22/2016	29.94	.00			216

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	29.94	.00			216
022216	Utilities	02/22/2016	443.56	.00			216
022216	Utilities	02/22/2016	66.52	.00			216
022216	Utilities	02/22/2016	882.60	.00			216
022216	Utilities	02/22/2016	353.27	.00			216
022216	Utilities	02/22/2016	242.33	.00			216
022216	Utilities	02/22/2016	32.41	.00			216
022216	Utilities	02/22/2016	30.46	.00			216
022216	Utilities	02/22/2016	311.17	.00			216
022216	Utilities	02/22/2016	336.57	.00			216
022216	Utilities	02/22/2016	55.86	.00			216
022216	Utilities	02/22/2016	421.60	.00			216
022216	Utilities	02/22/2016	1,210.18	.00			216
022216	Utilities	02/22/2016	39.00	.00			216
022216	Utilities	02/22/2016	203.02	.00			216
022216	Utilities	02/22/2016	415.39	.00			216
022216	Utilities	02/22/2016	253.87	.00			216
022216	Utilities	02/22/2016	2,000.62	.00			216
022216	Utilities	02/22/2016	336.70	.00			216
022216	Utilities	02/22/2016	3,563.32	.00			216
022216	Utilities	02/22/2016	375.38	.00			216
022216	Utilities	02/22/2016	334.84	.00			216
022216	Utilities	02/22/2016	255.31	.00			216
022216	Utilities	02/22/2016	30.09	.00			216
022216	Utilities	02/22/2016	42.71	.00			216
022216	Utilities	02/22/2016	5,842.37	.00			216
022216	Utilities	02/22/2016	33.13	.00			216
614-4	DEMOLITION PERMIT	02/17/2016	50.00	.00			216
Total :			39,697.66	.00			
Total 2260:			39,697.66	.00			
<b>DENNY MENHOLT CHEVROLET</b>							
<b>129672</b>							
1432	2016 CHEVROLET SILVERADO	02/23/2016	37,817.00	.00			216
Total :			37,817.00	.00			
Total 129672:			37,817.00	.00			
<b>DEPT OF FAMILY SERVICES</b>							
<b>125899</b>							
0233-JAN16	BACKGROUND CHECKS - REC	02/09/2016	80.00	.00			216
Total :			80.00	.00			
Total 125899:			80.00	.00			
<b>FIELD, CRYSTAL AND/OR</b>							
<b>130750</b>							
13060022	REFUND UTILITY DEPOSIT	02/18/2016	39.19	.00			216
Total :			39.19	.00			



Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
Total 129971:			137.72	.00			
<b>MONTANA CSED SDU</b>							
<b>130713</b>							
020716	PAR ID P0001023686	02/10/2016	123.57	123.57	02/10/2016		216
Total :			123.57	123.57			
Total 130713:			123.57	123.57			
<b>NICHOLSON, MICHEAL</b>							
<b>130743</b>							
1318-1	REFUND ENCROACHMENT DE	02/10/2016	150.00	.00			216
Total :			150.00	.00			
Total 130743:			150.00	.00			
<b>PIPER, TERESA</b>							
<b>130744</b>							
4238021	REFUND UTILITY DEPOSIT	02/12/2016	122.60	.00			216
Total :			122.60	.00			
Total 130744:			122.60	.00			
<b>POWELL VALLEY RECYCLING</b>							
<b>127122</b>							
020516	BALING WIRE	02/05/2016	1,040.00	.00			216
Total :			1,040.00	.00			
Total 127122:			1,040.00	.00			
<b>ROBERTS, CAROL</b>							
<b>130746</b>							
5195595	RETURN \$100 FOUND PROPER	02/16/2016	100.00	.00			216
Total :			100.00	.00			
Total 130746:			100.00	.00			
<b>ROCKY MOUNTAIN POWER</b>							
<b>7570</b>							
021816	UTILITIES	02/18/2016	29.00	.00			216
021816	UTILITIES	02/18/2016	294.88	.00			216
Total :			323.88	.00			
Total 7570:			323.88	.00			
<b>SAX, CRAIG T</b>							
<b>130749</b>							
021716	BID BOND 2016-01 RETURNED	02/17/2016	1,420.00	.00			216
Total :			1,420.00	.00			

Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
Total 130749:			1,420.00	.00			
<b>STATE OF WYOMING - LIEAP</b>							
<b>9580</b>							
021816	LIEAP OVERPAYMENT	02/18/2016	267.30	.00			216
Total :			267.30	.00			
Total 9580:			267.30	.00			
<b>TREESE JR., JOHN</b>							
<b>130745</b>							
20011514	REFUND UTILITY DEPOSIT	02/10/2016	281.05	.00			216
Total :			281.05	.00			
Total 130745:			281.05	.00			
<b>TUNDRA GENERAL CONTRACTORS, LLC</b>							
<b>130416</b>							
224-57	REFUND ENCROACHMENT DE	02/10/2016	150.00	.00			216
Total :			150.00	.00			
Total 130416:			150.00	.00			
<b>UNUM LIFE INS - LTD</b>							
<b>127843</b>							
020116	LONG TERM DISABILITY - PRE	02/10/2016	2,997.41	2,997.41	02/10/2016		216
Total :			2,997.41	2,997.41			
Total 127843:			2,997.41	2,997.41			
<b>WERNER, JAMES R AND/OR</b>							
<b>130747</b>							
12143018	REFUND UTILITY DEPOSIT	02/16/2016	15.46	.00			216
Total :			15.46	.00			
Total 130747:			15.46	.00			
<b>WESTERN UNITED ELECTRIC SUPPLY</b>							
<b>10605</b>							
4076304	Xfmr 1ph 10 kVA O/H 240/120 14.	02/11/2016	2,071.59	.00		TRF101012/2414K	216
4076304	Xfmr 1ph 25 kVA O/H 120/240 14.	02/11/2016	2,689.92	.00		TRF251012/2414K	216
4076307	METER REPAIRS	02/11/2016	816.60	.00			216
4076332	FIBER GLASS X ARM 8' TANGE	02/11/2016	1,038.31	.00		FBGXARM8TG-3K	216
4076332	FREIGHT	02/11/2016	119.35	.00			216
4076496	Conduit, 3" PVC - 3' radius 90	02/16/2016	45.20	.00		CONPVC390	216
4076496	Conduit, 4" PVC - 3' radius 90	02/16/2016	61.12	.00		CONPVC490	216
Total :			6,842.09	.00			
Total 10605:			6,842.09	.00			

**WYOMING DEPARTMENT OF WORKFORCE SERVICES**

	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number	GL Period
10810	042015	4TH QUARTER BENEFITS	02/10/2016	2,971.16	2,971.16	02/10/2016		216
	Total :			2,971.16	2,971.16			
	Total 10810:			2,971.16	2,971.16			
<b>WYOMING MUNICIPAL POWER AGENCY</b>								
10920	013116	POWER PURCHASE - JAN 2016	01/31/2016	774,437.13	.00			216
	Total :			774,437.13	.00			
	Total 10920:			774,437.13	.00			
<b>YAO, QINGWEI</b>								
130748	15188030	REFUND UTILITY DEPOSIT	02/17/2016	64.16	.00			216
	Total :			64.16	.00			
	Total 130748:			64.16	.00			
	Grand Totals:			\$904,521.20	6,092.14			

Payroll \$231,452.32      GRAND TOTAL \$1,135,973.52

Report Criteria:

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

MEETING DATE:	MARCH 1, 2016
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	BERT POND
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEVE PAYNE

## **AGENDA ITEM SUMMARY REPORT** **BID 2016-02 SURPLUS TRANSFORMERS**

### **BACKGROUND**

The City of Cody Electric division has 65 used distribution transformers that are no longer needed by the City of Cody. These transformers were declared surplus by the Cody City Council in the January 5, 2016. The transformers include 6 single phase padmounts, 3 three phase padmounts and 56 overhead units. One of the 3 phase padmounted units is a 2000 kVA step-down transformer. This agenda item requests that this equipment be sold as recommended below.

### **SUMMARY**

Three bids were received for the purchase of these surplus transformers. Those bids were as follows:

- 1) Jerry's Electric                   – \$5,715.63 or \$1.25 per kW
- 2) T&R Electric                   – \$8,120.00 or \$1.78 per kW
- 3) Dakota Transformer       - \$5,150.00 or \$1.13 per kW

### **FISCAL IMPACT**

Funds received through the sale of this equipment shall be put into the general fund under the electric division's sale of assets account.

### **ALTERNATIVES**

The only alternative to this sale is to keep the equipment in our stock without the ability to use it on our system. We have changed the system distribution voltage to a higher level that will not support this equipment.

### **RECOMMENDATION**

The City of Cody Electric Division recommends that these surplus transformers be sold to T&R Electric for a price of \$8,120.00.

### **ATTACHMENTS**

None

**AGENDA ITEM NO. \_\_\_\_\_**

MEETING DATE:	MARCH 1, 2015
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary Plat of the Cedar Mountain 16-Lot Subdivision**

#### **ACTIONS TO BE TAKEN**

Request to approve the preliminary plat of the Cedar Mountain subdivision and associated variances; and, determine if the City will accept ownership of Tract A. Also, note the requirement to negotiate an encroachment license with the city to permit the perimeter fence to remain in the alley right-of-way.

#### **SUMMARY**

Jerry Thiel and Sons Construction has submitted a preliminary plat application for a 16-lot subdivision on a 4.16 acre property located on the west side of 12<sup>th</sup> Street, about 150 feet south of the intersection with Elm Avenue. The property is in the Residential C zoning district, which is the highest density multi-family zone in the city. The applicant proposes single-family residences (attached or detached) on the individual lots. The Planning and Zoning Board granted a special exemption to the lot size requirements to permit the lot sizes requested, when 6,000 square feet is normally required per lot for single-family dwellings. The preliminary plat drawing is attached.

The City Council will need to decide if the City will accept ownership of Tract A, which the developer is proposing to give to the City. While free is a very good price, the area will need ongoing maintenance in the form of litter cleanup and weed/vegetation control, so there would be some costs of ownership. If Tract A is transferred to the City, there is not the need to create a formal easement for the powerline on the hillside at the far south end of it. As a middle-ground, the City may want to accept ownership of the hillside in the area of the powerline. The Planning and Zoning Board felt that the Tract A ownership question was a City Council matter and did not provide a recommendation on that particular issue, other than if it not accepted by the City that a maintenance agreement or homeowner's association be established (Condition #4 of recommendation).

Additional details regarding how the proposal meets applicable standards are explained in the staff report to the Planning and Zoning Board, which is available upon request or on the city website under "Agendas and Minutes" for February 23, 2016.

#### **RECOMMENDATION:**

The Planning and Zoning Board recommends that the Council approve the preliminary plat and associated variances subject to a number of conditions, with which the applicant is in agreement.

The subdivision variance requests include:

- 1) Allow a 100-foot centerline radius for the interior street, where a 200-foot radius is normally required. Justification for the variance is based on the fact that a vehicle would be traveling less

**AGENDA ITEM NO. \_\_\_\_\_**

than 20 mph on the curve as they were coming to a stop to exit the subdivision, or when turning into the subdivision, and a 100-foot radius is determined safe at that speed.

- 2) Allow less than 50 feet of frontage for Lots 7, 8, 9 10, and 11 on the cul-de-sac bulb. The lots each have 32' or more of frontage, which the Board considered sufficient for the cul-de-sac lots, and which is necessary to make the subdivision concept feasible.

The Recommended Conditions of Approval are:

1. Cash in lieu of public use areas shall be provided. Final calculations will be made at time of final plat submittal and payment due prior to the mayor signing the final plat (2015 value= \$15,121.87).
2. A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water basin and pipe. The legal documents shall be submitted for review and approval with the final plat application. Also include an explanatory note referencing such on the final plat.
3. The storm water basin shall be lined with decorative rock/cobble or grass.
4. The City will/will not accept ownership of Tract A. *(If not, accept portion of Tract A on hillside in area or powerline; or, establish a proper utility easement.)* If not all of Tract A is accepted by City, the remaining portion of Tract A shall be deeded to either a homeowner's association or as common ownership of the lot owners and a maintenance agreement established—it could be the same agreement as the one for the storm water basin. The document(s) shall be recorded at the time of the final plat.
5. Add a note to the preliminary and final plats that limits lot use to single-family residential (attached or detached).
6. Negotiate an encroachment license with the City to cover the situation of the fence within the dedicated alley.
7. Lot size and alley configuration may be slightly modified based on engineering design, without the need to formally amend the preliminary plat. If modifications are made, an updated preliminary plat drawing shall be presented for acceptance with the final plat.
8. Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.
9. Provide a complete drainage report with the construction documents.
10. Note the special exemption approval on the final plat.
11. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

Potential Motion:

Move that the City Council:

- 1) Grant the requested subdivision variances;
- 2) Agree/Not Agree to accept ownership of Tract A (except the south 120(?) feet thereof); and,
- 3) Approve the Cedar Mountain Subdivision preliminary plat subject to the eleven conditions recommended by the Planning and Zoning Board.

**ATTACHMENTS:**

Preliminary Plat

**AGENDA & SUMMARY REPORT TO:** Jerry & Kip Thiel, Joe Desjardin

**AGENDA ITEM NO. \_\_\_\_\_**

**NOTES:**

Proposed Subdivision Name: Cedar Mountain Subdivision

Location: The proposed Cedar Mountain Subdivision property is located within the NE1/4 NW1/4 of Section 32, Township 53 North, Range 101 West of the 6<sup>th</sup> PM according to the Original Government Survey and now within Tract 71 according to the Government Resurvey, within the City of Cody, Park County, Wyoming, said property contains two distinct parcels, these are recorded in the Park County Clerk's Office as document 2006-8623 (3.410 acres) and as document 2007-4846 (0.746 acres). Total subdivision area is 4.156 acres according to the deeds.

Property Owner: Cody Investments Family LP.

Developer: Jerry Thiel & Sons Construction, Inc., Jerry Thiel, PO Box 1566, Cody, WY 82414, Phone (307) 527-6401.

Engineer and Designer: Trailstone Engineering, LLC, Joseph W DesJardin PE, 1519 Acadia Street, Cody WY 82414, Phone (307) 899-2020.

Surveyor: Morrison Maierle, Inc., Roy R. Holm PE-PLS, 1402 Stampede Avenue, Cody WY 82414, Phone (307) 587-6281.

Prepared: February 3, 2016

Zoning: Property is zoned Residential "C" District.

The subdivision is proposed with alleys. All lots have alley access.

A "STOP" sign is proposed at the intersection of Tri Power Court and 12<sup>th</sup> Street, and a "DEAD END" sign or "NOT A THROUGH STREET" along Tri Power Court near the intersection. A street name sign is also proposed at the intersection.

Raw water is proposed to be extended into the subdivision with service to all lots.

There are no known areas subject to flooding and there are no wetlands.

The southwest corner of the subdivision is also the southwest corner of the NE1/4 NW1/4 of Tract 71, T. 53 N., R. 101 W. of the 6<sup>th</sup> PM, Park County, Wyoming (Resurvey).

**Proposed Variances:**

- Several lots around the cul-de-sac have LESS than the 50 foot minimum frontage for residential lots, these lots are 33 feet wide. A variance is requested to allow the reduced frontage. The lot width at the front setback line is more than 50 feet.
- A variance is requested to allow the street curve radius at the north end of Tri Power Court to be approximately 100 feet as shown. The subdivision regulations call for a 200 foot minimum radius for street curvature. The smaller radius allows a 90 degree intersection with 12<sup>th</sup> Street and is safe due to lower driving speeds at the intersection.
- Primary Access will be from the Alley

**Special Exemption:**

- Lot Size - The smallest proposed lot is 5,100 square feet which is less than the 6,000 square foot minimum for residential "C" lot zoning. Residential "C" zoning allows a maximum of 90 dwelling units on property of this size. Only 16 lots are proposed.

**Wet Utilities:** It is proposed to maintain 10 feet horizontal or 18 inch vertical separation between treated water and raw water or sanitary sewer mains and services.

**Dry Utilities:** It is proposed to install gas, electric, telephone, and cable main extensions in a common trench located within a 3 foot public utility easement adjacent to the public alley. Service for these utilities will be from the alley.

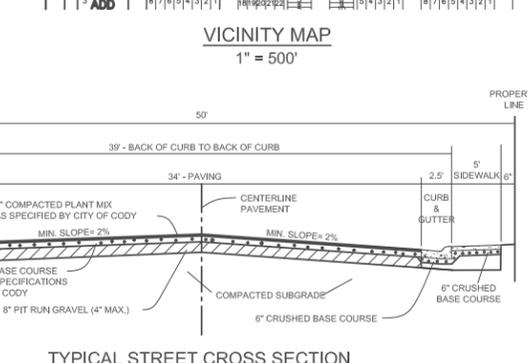
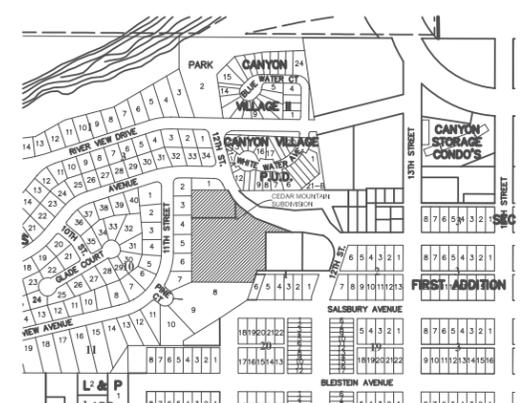
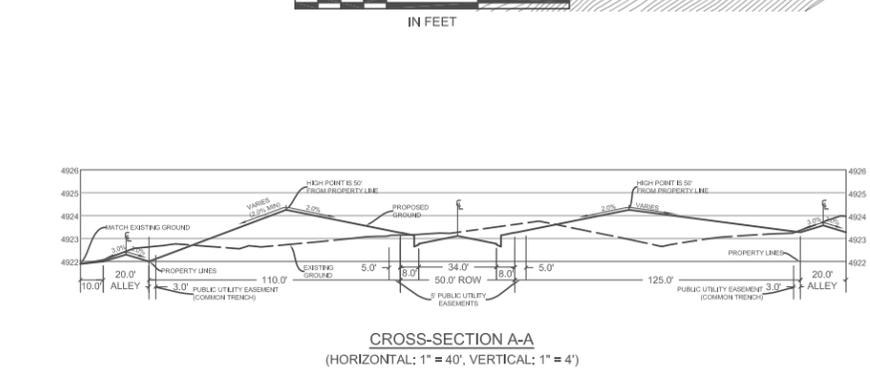
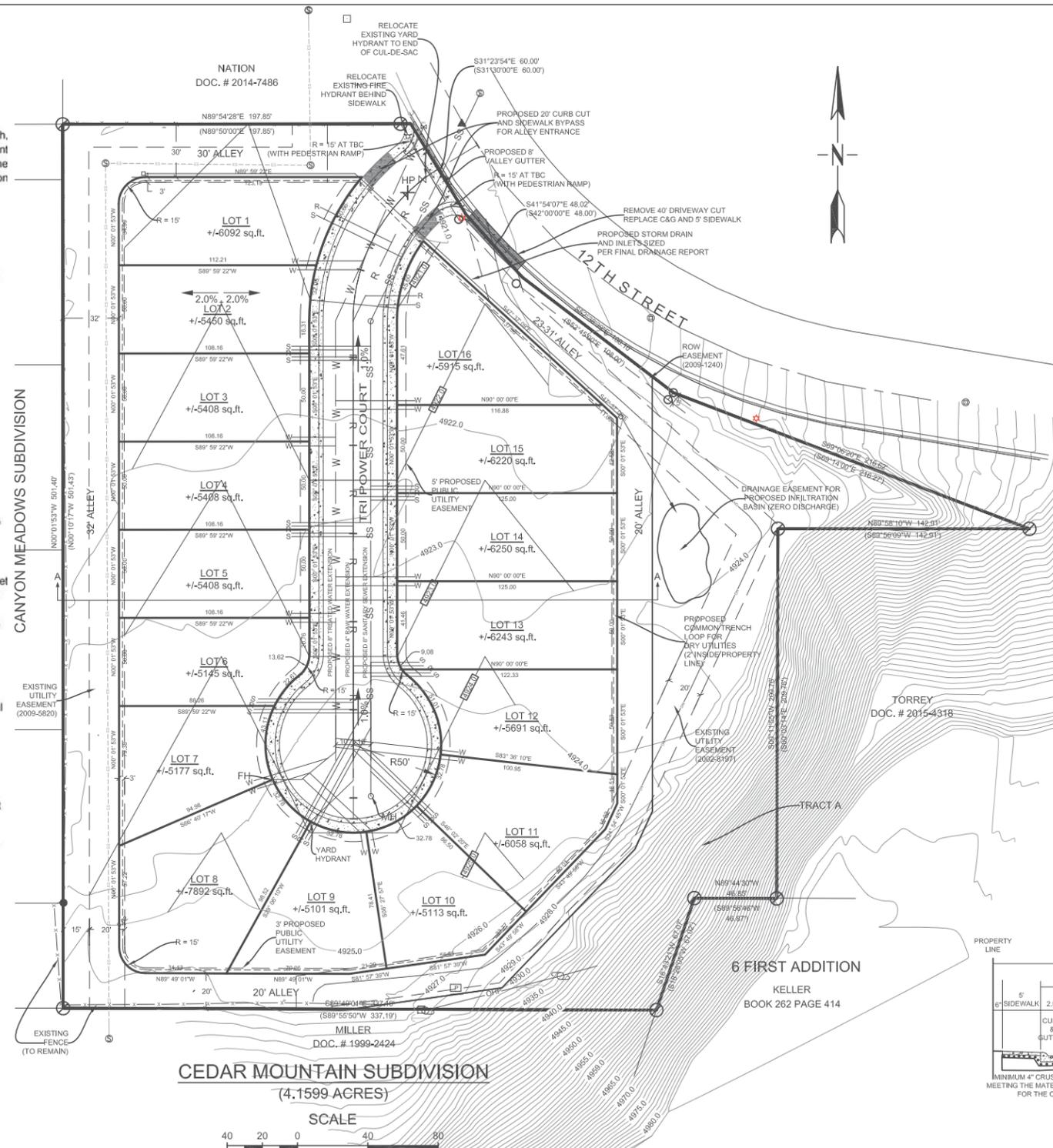
**Stormwater:** Stormwater runoff flow from south to north. Runoff in Tri Power Court will be intercepted by a pair of inlets at the low point and discharge to a proposed infiltration basin located in Tract A.

**Mailboxes:** The location of common mailboxes will be coordinated with the Post Office.

**Trash Bins:** The location of dumpsters on gravel pads will be coordinated with Public Works.

**LEGEND:**

- ⊙ BRASS CAP SET
- ★ LIGHT POLE
- ⊙ EXISTING SANITARY SEWER MANHOLE
- ⊙ STORM SEWER MANHOLE
- DROP INLET
- ⊙ UTILITY POLE
- ⊙ POWER BOX
- ← GUY ANCHOR
- REBAR WITH ALUMINUM CAP FOUND
- ▲ BRASS TABLET FOUND
- ½" REBAR WITH 2" ALUMINUM CAP SET
- ⊕ FIRE HYDRANT
- ⊕ YARD HYDRANT
- ⊕ WATER VALVE
- X — X — X — X — X — EXISTING FENCE
- NG — NG — NG — NG — NG — EXISTING GAS LINE
- OHP — OHP — OHP — OHP — OHP — OVERHEAD POWER
- SS — SS — SS — SS — SS — PROPOSED SEWER LINE
- ES — ES — ES — ES — ES — EXISTING SEWER LINE
- W — W — W — W — W — PROPOSED TREATED WATER LINE
- R — R — R — R — R — PROPOSED RAW WATER LINE
- — — — — EXISTING EASEMENTS
- — — — — COMMON TRENCH
- 4924.0 — PROPOSED CONTOUR LINES
- 4924.0 — EXISTING CONTOUR LINES



Ownerships within 200' of the proposed Cedar Mountain Subdivision (Subdivision zoning is C)

Ownership Number	Property Owner	Zone
1	Merco INC	D-2
2	Sandy L. Kirchner	B
3	Marie Szankowski	B
4	Aaron J. Leonard	B
5	Jeanine E. Eldridge	B
6	Jeanine E. Eldridge	B
7	Jeanine E. Eldridge	B
8	Estella J. Hert	B
9	R and B Properties, LLC	B
10	Richard N. Danforth	A
11	Raymond L. Gandy	A
12	Francis A. Cochia	A
13	Jeanine E. Eldridge	B
14	Jeanine E. Eldridge	B
15	Sendero Nuevo LLC	B
16	Hill Family Living Trust	B
17	Ice Properties, LLC	B
18	Chandler Hughes Richard	B
19	Ernest Harry Zemke	B
20	George Lee Tresler	B
21	J.H. Kinkade	AA
22	Mountain Holding, INC	B
23	William E. Miller	B
24	Peter P. Wipf	B
25	Julia Harvey	B
26	Michael A. Wallace	B
27	Barbara J. Baker	B
28	Ryan W. Beardsall	B
29	Joyce Nation Revocable Trust	B
30	Joyce Nation Revocable Trust	B
31	Diamond P Investments, LLC	B
32	Martin Family Trust	B
33	Fredrick T. Felsheim	B
34	Patterson Keller Sr.	B
35	Gordon Tomlinson	B
36	Pauline Rose Kolar	B
37	Kay L. Bessey	B
38	Tara Lynn Torrey	D-2
39	Kenneth M. Reiter	D-2
40	Kenneth M. Reiter	D-2

UTILITY/SERVICE	PROVIDER	SIZE/TYPE	APPROX. DEPTH	CONTACT INFORMATION
TREATED WATER MAIN EXTENSION	CITY OF CODY	8" PVC, C900, DR18	5.5' MIN.	KEITH VILES, SUPERINTENDENT 119 19TH STREET CODY, WY 82414 307.587.2968
TREATED WATER SERVICE	CITY OF CODY	MULTIPLE 3/4" COPPER	5.5' MIN.	
SANITARY SEWER	CITY OF CODY	8" PVC, ASTM 3034	8' ± 1'	KEITH VILES, SUPERINTENDENT 119 19TH STREET CODY, WY 82414 307.587.2968
SANITARY SEWER SERVICE	CITY OF CODY	4" PVC, ASTM 3034	6' ± 1'	
ELECTRICAL MAIN	CITY OF CODY	SINGLE PHASE	BURIED 3' ± 1'	BERT POND 1339 RIMSEY AVENUE CODY, WY 82414 307.527.7511
ELECTRICAL SERVICE	CITY OF CODY	SINGLE PHASE	3' ± 1'	
NATURAL GAS MAIN	BLACK HILLS ENERGY	—	2' ± 1'	STEPHANIE FRYE 2320 MOUNTAIN VIEW DRIVE CODY, WY 82414 307.587.4281
NATURAL GAS SERVICE	BLACK HILLS ENERGY	—	2' ± 1'	
CABLE TV	CHARTER COMMUNICATION	COPPER CABLE	3' ± 1'	DAN HIGGINS 2432 SHERIDAN AVE. CODY, WY 82414 877.273.7626
TELEPHONE	CENTURY LINK	COPPER WIRE	3' ± 1'	TERRY FERRUZZA 614 14TH ST. CODY, WY 82414 307.587.7159
FIBER OPTIC	TCT	FIBER OPTIC	3' ± 1'	TCT, CODY 1601 SOUTH PARK CODY, WY 82414 307.587.3800

DRAFTING BY:  
Morrison Maierle, Inc.  
1402 Stampede Avenue  
Cody, WY 82414  
Phone: (307) 587-6281

PREPARED FOR:  
Jerry Thiel & Sons Construction, Inc.  
1519 Acadia Street, Cody, WY 82414  
www.TrailstoneEngineering.com  
Phone: (307) 899-2020

Trailstone Engineering, LLC  
1519 Acadia Street, Cody, WY 82414  
www.TrailstoneEngineering.com  
Phone: (307) 899-2020

DATE: 02/17/16

REVISION PER CITY OF CODY COMMENTS

NO. 1

CEDAR MOUNTAIN SUBDIVISION  
PRELIMINARY PLAT  
CITY OF CODY, WY

SHEET 1 of 1

MEETING DATE: MARCH 1, 2016  
DEPARTMENT: PUBLIC WORKS  
PREPARED BY: STEPHEN PAYNE, PE  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEPHEN W. PAYNE, PE

**AGENDA ITEM SUMMARY REPORT**  
**BID NO. 2015-19, PAY ESTIMATE #1 AND CHANGE ORDER #1**

**ACTION:**

Staff requests that the Mayor and Council approve Change Order #1 in the amount of \$6,645.50, Pay Estimate #1 in the amount of \$159,058.42 and authorize the Mayor to sign the Change Order Form.

**SUMMARY:**

The Council may recall that in December, 2015, the Council awarded Bid No. 2015-19, 12<sup>th</sup> Street Storm Drainage Project, to the apparent low and responsive bidder; Harris Trucking and Construction in the amount of \$225,044.08.

The project entailed the installation of new storm pipe between Elm Street and the existing storm drainage outlet by the Shoshone River. The existing undersized pipe was to be removed and replaced with a much larger pipe and a new outlet structure.

Change Order #1 pays for additional services, materials and labor as outlined on Attachment A totaling \$6, 645.50.

Harris Trucking has completed significant portions of the project. It is anticipated that at the end of the project the City will see at least a \$4,800 deduct for services that were anticipated, but ultimately not required, during the installation.

**FISCAL IMPACT**

The 12<sup>th</sup> Street Storm Drainage Project had been estimated to cost \$216,000 to \$240,000. The City signed a contract with GDA for \$55,590 to complete the design plans, specifications, to bid the project and to complete inspection of the project. Harris Trucking and Construction Company bid \$225,044.08 to complete the project. The project was budgeted for \$170,000 in FY15-16 and anticipated to cost an additional \$80,000 in FY16-17. The total of the project was anticipated to cost \$250,000, but additional consensus funds were earmarked for the project depending on the bids. A resolution has been submitted to cover all costs with additional consensus funds allocated to the project.

**ALTERNATIVES**

1. Approve Change Order #1 and Pay Estimate #1.

**RECOMMENDATION**

Staff recommends that the Mayor and Council Bid approves Change Order #1 and Pay Estimate #1 for Bid No. 2015-19, 12<sup>th</sup> Street Storm Drainage Project.

**ATTACHMENTS**

Attachment A

**AGENDA & SUMMARY REPORT TO:**

Harris Trucking and Construction

**AGENDA ITEM NO. \_\_\_\_\_**

# Attachment A

## 12<sup>th</sup> Street Storm Drain Change Order 1

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The following changes in work comprise change order 1:

The Contractor connected to the existing storm drain manhole at 12<sup>th</sup> Street and Elm Avenue instead of connecting to the storm drain main with a collar and fitting. The Contractor also replaced the frame and grate of the existing manhole at direction from the Engineer. The Engineer also directed the contractor to remove and replace additional curb, gutter, sidewalk, and valley pan at River View Drive with the approval from the Owner.

Attachment B

Owner: City of Cody

Description: 12th Street Storm Drain

GDA Engineers Project Number: 151117

Change Order #1

Additional Work

Section No.	Bid Item No.	Item Description	Qty	Unit	Unit Cost	Total Cost
02075	14	Remove 24" Curb and Gutter	10	LF	\$ 6.00	\$ 60.00
02075	15	Remove Existing Sidewalk	7	SY	\$ 13.50	\$ 94.50
02075	50	Remove Existing Valley Pan	180	SF	\$ 4.00	\$ 720.00
02075	51	Remove Existing SDMH	1	EA	\$ 1,765.00	\$ 1,765.00
02528	32	24" Curb and Gutter	10	LF	\$ 38.00	\$ 380.00
02725	52	Connect to Existing Storm Drain Manhole	1	EA	\$ 1,500.00	\$ 1,500.00
02725	53	Replace Existing Frame and Grate	1	EA	\$ 611.00	\$ 611.00
02776	43	4' Concrete Sidewalk	60	SF	\$ 8.00	\$ 480.00
02776	54	Construct 6' Concrete Valley Pan	180	SF	\$ 5.75	\$ 1,035.00

# Change Order

No. 1

Date of Issuance: 2/22/2016

Effective Date: 2/16/2016

Project: <b>12<sup>TH</sup> STREET STORM DRAIN</b>	Owner: <b>City of Cody, Wyoming</b>	Owner's Contract No.: <b>BID #2015-19</b>
Contract: <b>2015-19</b>		Date of Contract: <b>01/13/2016</b>
Contractor: <b>Harris Trucking and Construction Company</b>		Engineer's Project No.: <b>151117</b>

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:

See Attachment A

Attachments (list documents supporting change):

See Attachment B

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$225,044.08

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

\$ \_\_\_\_\_

Contract Price prior to this Change Order:

\$225,044.08

Increase of this Change Order:

\$6,645.50

Contract Price incorporating this Change Order:

\$231,689.58

Original Contract Times:  Working days  Calendar days

~~Substantial completion (days or date): \_\_\_\_\_~~

~~Ready for final payment (days or date): \_\_\_\_\_~~

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

~~Substantial completion (days): \_\_\_\_\_~~

~~Ready for final payment (days): \_\_\_\_\_~~

~~Contract Times prior to this Change Order:~~

~~Substantial completion (days or date): \_\_\_\_\_~~

~~Ready for final payment (days or date): \_\_\_\_\_~~

~~[Increase] [Decrease] of this Change Order:~~

~~Substantial completion (days or date): \_\_\_\_\_~~

~~Ready for final payment (days or date): \_\_\_\_\_~~

~~Contract Times with all approved Change Orders:~~

~~Substantial completion (days or date): \_\_\_\_\_~~

~~Ready for final payment (days or date): \_\_\_\_\_~~

RECOMMENDED:

By: [Signature]  
Engineer (Authorized Signature)

Date: 2/22/16

Approved by Funding Agency (if applicable): \_\_\_\_\_

ACCEPTED:

By: \_\_\_\_\_  
Owner (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:

By: [Signature]  
Contractor (Authorized Signature)

Date: 2/22/16

Date: \_\_\_\_\_

MEETING DATE: MARCH 8, 2016  
DEPARTMENT: COMMUNITY DEVELOPMENT  
PREPARED BY: STEVE PAYNE PE  
CITY ADM. APPROVAL:   
PRESENTED BY: STEVE PAYNE

**AGENDA ITEM SUMMARY REPORT**  
**ORDINANCES 2016-03 AND 2016-04**  
**PROHIBITED PARKING**

**AMENDING DEFINITIONS AND PROHIBITED PARKING REGARDING RECREATIONAL VEHICLES, TRAILERS, LIVESTOCK TRAILERS AND BUSES.**

**ACTION:**

Approve on first reading Ordinances 2016-03 and 2016-04.

**SUMMARY:**

On January 29, 2016, the Cody City Council held their annual retreat at the Bull Moose Retreat, LLC. One of the topics, requested by Council, for discussion was the parking of trailers, campers, motorhomes and boats on City right-of-way.

The Council was presented with an outline of the local challenges associated with parking of trailers on right-of-way. The following items were discussed:

1. There are approximately 77 miles of streets/alleys. According to the Police Dept. there are 88 trailers parked within the public right-of-way.
2. There are approximately 10,000 residents within the City and about 2.5 people per household and consequently about 4,000 households.
3. Parking Trailers on City Streets have the following "local" perceived or actual challenges:
  - a. Unsightly to the neighborhoods.
  - b. Wheels in the gutter can cause challenges to drainage which can lead to excessive ponding on streets which can lead to premature deterioration during summer months and lead to ice buildup during winter months.
  - c. Intersectional Sight Distances challenges. There are many possibilities here in terms of regulatory controls. Depending on what criteria is chosen, the set back from the intersection could be as outlined on the attachments.
  - d. Trailers parked mid-block can cause challenges when adjacent to schools and/or in areas frequented by children. The concern is children darting from in front of or behind of a parked trailer and surprising a passing motorist.
  - e. Backing out of driveways can be impaired due to trailers parked on the street.
4. An internet search on the subject identified the following claims for the creation of parking ordinances relative to RV on-street parking:
  - a. Environmental: By encouraging the use of appropriate storage facilities, ordinances can decrease illegal dumping from recreational vehicles. Ordinances can also help ensure that domiciliary

**AGENDA ITEM NO. \_\_\_\_\_**

vehicles capable of storing septic waste, wastewater, cooking fuels and other hazardous or toxic substances related to its functioning as a domicile, are stored in properly equipped facilities.

- b. Social Equity: Ordinances can help eliminate critical service access issues on streets where oversized vehicles create obstructions. It will also improve the safety of those streets for motorists, pedestrians and children by improving visibility and driving conditions. Traffic flows are altered, and public space becomes dominated by the visual presence of these vehicles. As a result, entire neighborhoods are required to accommodate themselves to the lifestyles and leisure activities of a few neighbors.
- c. Ordinances can decrease visual blight concerns for neighborhoods, especially for the neighbors of RV vehicle owners.

Following extensive discussion on the topic by the Council, staff was requested to develop Ordinances to address the issue with a focus to address safety associated with sight distance at intersections.

The attached ordinances are the staff's attempt to address the Council's request.

Ordinance 2016-03 provides clarification of definitions. The definitions were taken from the recently passed Powell ordinance addressing this subject.

Ordinance 2016-04 amends the prohibition of parking section of the city of Cody Code, and in essence indicates that no recreational vehicle, trailer, livestock trailer or bus can be parked within fifty five (55') of an intersection or crosswalk (measured along the curbside from the projected point of intersection of the streets) and a person is prohibited from living in a trailer parked on city right-of-way. There is an exception for the latter prohibition. An out-of-county licensed or registered recreational vehicle, trailer, livestock trailer or bus being used for vacation or temporary living purposes, may be parked on a City street for no more than two weeks per year while the occupants are visiting the family living on the abutting private property. Such vehicle must comply with all other provision of the city code.

### **FISCAL IMPACT**

None other than the ordinances are assumed to help reduce complaints and accidents associated with the intersection sight distance concerns.

### **ALTERNATIVES**

1. Approve Ordinances 2016-03 and 2016-04
2. Approve Ordinances 2016-03 and 2016-04 with amendments.
3. Deny Ordinances 2016-03 and 2016-04.

### **RECOMMENDATION**

The Ordinances, as presented, were developed at the Council's request. The Ordinances should have the effect of improving sight distances at intersections currently impaired by recreational vehicles, trailers, livestock trailers or buses.

### **ATTACHMENTS**

Ordinances 2016-03 and 2016-04.

### **AGENDA & SUMMARY REPORT TO:**

File

**AGENDA ITEM NO. \_\_\_\_\_**

**ORDINANCE NO. 2016-03**

**AN ORDINANCE TO AMEND TITLE 6, CHAPTER 1, SECTION 1 OF THE CITY OF CODY CODE PERTAINING TO DEFINITIONS**

**WHEREAS**, the governing body has determined that it is in the public interest to amend Section 6-1-1 of the City of Cody Code.

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

**SECTION 1:** Title 6, Chapter 1, Section 1, Definitions is hereby amended to read as follows:

**6-1-1: DEFINITIONS:**

For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Bus" means a motorized vehicle designed to transport more than sixteen persons.

"Commercial Trailer" means a trailer designed and used by a commercial business.

"Livestock Trailer" means a trailer designed for hauling/transporting livestock.

"Motorized" means self-propelled by a motor under the control of a driver.

"Public Street" means the entire width of every public right-of-way.

"Recreational Vehicle" means a motorized vehicle, or a non-motorized vehicle which can be driven or towed by a motorized vehicle, which is primarily designed for temporary living accommodations for recreational, camping and/or travel use including but not limited to motorized motorhomes, motorized camping vans, camp/travel trailers, pop-up camp trailers, and slide-in pick-up box campers (but not pick-up box toppers).

"School Zone Restrictions": Restrictions in school zones when "children are present" is defined as being any time when school is in session or at such times as there shall be school activities or civic gatherings after regular school hours which involve school age children being present in the school zone.

"Trailer" means a non-motorized vehicle which can be towed by a motorized vehicle and can be used to transport animals, snowmobiles, motorcycles, boats, all-terrain vehicles (ATV), other vehicles, equipment, machinery, construction materials, firewood and other items and things, but does not include non-motorized recreational vehicles designed to be towed which are defined as a "Recreational Vehicle".

"Vehicle" means any motorized or non-motorized vehicle including, but not limited to: cars, pick-ups, vans, motorcycles, all-terrain vehicles (ATV), buses, trailers, and motorized or non-motorized recreational vehicles.

**SECTION 2: EFFECTIVE DATE.** That this Ordinance shall become effective after final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Nancy Tia Brown, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker  
Administrative Services Director

**ORDINANCE NO. 2016-04**

**AN ORDINANCE TO AMEND TITLE 6, CHAPTER 3, SECTION 1-A OF THE CITY OF CODY CODE PERTAINING TO PARKING PROHIBITED IN CERTAIN PLACES**

**WHEREAS**, the governing body has determined that it is in the public interest to amend Section 6-3-1A of the City of Cody Code.

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

**SECTION 1:** Title 6, Chapter 3, Section 1A, Parking Prohibited in Certain Places is hereby amended to read as follows:

**6-3-1: PARKING PROHIBITED IN CERTAIN PLACES**

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device, in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway.
3. Within an intersection.
4. Within fifteen feet (15') of a fire hydrant.
5. In a crosswalk.
6. Within twenty feet (20') of an intersection or crosswalk, measured along the curbside from their projected point of intersection, except in areas controlled by parking meters.
7. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
8. On the roadway side of any vehicle stopped or parked at the edge of the curb of a street.
9. Alongside any portion of an officially painted red or yellow curb.
10. In front of any officially marked entrance or exit of any theater, place of amusement, school, hospital, church, hotel or any other buildings where there are public gatherings.
11. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
12. At any place where official signs prohibit stopping or parking.
13. On any public street or alley within the City, or within any municipal parking area, if the vehicle is not currently licensed to be operated or towed on public streets or is inoperable, or cannot be safely operated or towed.
14. Within fifty five (55') of an intersection or crosswalk (measured along the curbside from the projected point of intersection of the streets) if such vehicle is a recreational vehicle, a vehicle over 80" in height, trailer, livestock trailer or bus.
15. On any public street or alley within the city, or within any municipal parking area, if the vehicle is a vehicle, recreational vehicle, trailer, livestock trailer or bus, and a person is living in such vehicle. Provided, an out-of-county licensed or registered vehicle, recreational vehicle, trailer, livestock trailer or bus being used for vacation or temporary living purposes, may be parked on a City street for no more than two weeks per year while the occupants are visiting the family living on the abutting private property. Such vehicle must comply with provisions 1-14 of this section as well.

**SECTION 2: EFFECTIVE DATE.** That this Ordinance shall become effective after final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: \_\_\_\_\_  
PASSED ON SECOND READING: \_\_\_\_\_  
PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Nancy Tia Brown, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker  
Administrative Services Director