

City of Cody
Council Proceedings
Tuesday, April 3, 2012

A regular meeting of the Cody City Council was held at the Cody Auditorium in Cody, Wyoming on Tuesday, April 3, 2012 at 7:00 p.m.

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

Absent: Council Member Charles Cloud

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

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

Steve Payne, Public Works Director introduced new employees in the Public Works Division, Noah Bollom, Street Maintenance Operator I and Joshua Pauley, Journey Line Worker.

Mayor Brown read proclamations for Saturday, April 28th as Arbor-Earth Day and April 2012 as Month of the Military Child.

Council Member Miller made a motion to amend item "c" on the Consent Calendar to change the reserve amount from \$5,000 to \$15,000 on the street sweeper. Council Member Wolz made a motion seconded by Council Member Anderson to approve the Consent Calendar with as amended including the approval of Minutes of the Special Meetings from 3/15/12, and 3/27/12, Joint Special Meeting with Shoshone Recreation District from 3/15 and Regular Meeting Minutes from 3/20/12, approval of vouchers and payroll in the amount of \$640,402.84, approve a request to declare certain equipment as surplus and authorize staff to proceed with the online auction process for sale of such equipment, authorize the Mayor to sign a revised contract between the City of Cody and the Baker Brothers for 2012 for water sales, dedicating the City's portion to the Paul Stock Aquatic and Recreation Center, electing to the WAM –JPIC Board of Directors Mayor Judy Johnstone of Burns, Clerk Treasurer David Kendall of Lingle and Clerk Treasurer Tracy Glanz of Worland for three year terms ending April 30, 2015 and elect Clerk Treasurer Bonnie Halford of Mountain View to a one year term ending April 30, 2013, approve a request by the Irma Hotel to close 12th Street between Sheridan Avenue and Beck Avenue on Friday, May 11, 2012 at 12:00 p.m. through Sunday, May 13, 2012 at 12:00 p.m. for the Cody Wild West Days, authorize an open container permit for Saturday, May 12, 2012 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, approve a request from the Park County Board of Realtors to close 12th Street between Sheridan Avenue and Beck Avenue on July 2, 2012 from 7:00 p.m. to 12:00 a.m., authorize a live band to play during the event, authorize an open container permit for the event and approve the recommendations and conditions as outlined by staff for the 2012 Realtors for Kids Charity Event, approve a request by the Cody Gunfighter's to close 12th Street between

Sheridan Avenue and the first alley south of Sheridan Avenue from June 1, 2012 through September 30, 2012 from 5:30 p.m. to 7:00 p.m. for their nightly event and a request the Cody Gunfighters to close 12th Street from Sheridan Avenue south to the alley from 8:00 a.m. Saturday, September 22, 2012 from 9:00 a.m. through 3:00 p.m. on Sunday, September 23, 2012 for the Gunfighter Festival Event and approve the recommendations outlined by staff, approve a request from Mike Darby to close 12th Street between Sheridan Avenue and the first alley south of Sheridan Avenue on Sunday, September 16, 2012 from 9 a.m. to 4 p.m.; and obtain an open container permit for the event and approve the recommendations and conditions as outlined by staff for the Motorcycle Cannonball Endurance Run, approve a request from the Kefar Shriners to hold a carnival in Cody May 30 through June 3, 2012 between 8th and 10th Street, and on 9th Street between Sheridan Avenue and Beck Avenue; authorize the closure of the streets beginning on May 28, 2012 at 8:00 a.m. until June 4, 2012 at 11:00 a.m.; and approve the request contingent on the recommendations and conditions outlined by staff, approve a request to expend Homeland Security Grant Funds in the amount of \$20,000 for an Enforcement Technology Group, DL-007, Five Camera Direct-Link Series Crisis Response Throw Phone System and authorize a survey, funds to be expended from the Council's contingency funds, on an utility easement located north of Huff and Puff Street Between 14th and Heart Mountain Streets. Vote was unanimous.

During public comments Leonard Moore commented his belief of a conflict of interest on the recent issuance of the Retail Liquor License. Logan Moore spoke in reference to the recent issuance of the Liquor License and the Winery License and satellite licenses in conjunction with the decision that was made when issuing the recent Retail Liquor License.

At 7:21 p.m. Mayor Brown began the public hearing to determine if it is in the public interest to determine if it is in the public interest to amend the list of permitted uses in the Residential "A" Zone pursuant to Section 10-7B-1 of the Cody City Code. Todd Stowell, City Planner provided the Governing Body background information as it pertains to this issue. After asking for public comment three times and there being none further, Mayor Brown closed the public hearing at 7:31 p.m.

Council Member Miller made a motion seconded by Council Member Edwards to approve a request to approve a Public Right-of-Way Maintenance Agreement between the City of Cody and Robert and Twyla Balsam to include a termination clause and authorize the mayor to sign the agreement. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Anderson to approve a request to enter into a project agreement between the City of Cody and the Wyoming Water Development Commission (WWDC) for the Cody West Transmission Pipeline Project and authorize the Mayor to sign the agreement subject to the review and approval by the City Attorney. Vote was unanimous.

Mr. Hollis Jones requested the consideration authorizing him to plant a community garden on public right-of-way identified as south of the property addressed as 1448 Alger Avenue and authorize the use of Raw Water from one parcel to the benefit of another be withdrawn from the agenda.

**ORDINANCE 2012-06 – FIRST READING
AN ORDINANCE AMENDING TITLE 10, CHAPTER 7, ARTICLE B, SECTION 1
OF THE CITY OF CODY CODE: USES PERMITTED, RESIDENTIAL "A"
DISTRICTS.**

Council Member Edwards made a motion seconded by Council Member Anderson to approve Ordinance 2012-06 on First Reading. Vote was unanimous.

**ORDINANCE 2012-07 – FIRST READING
AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTION OF
TITLE 8 CHAPTER 1 ARTICLE III , OF THE CODY CITY CODE TO MODIFY
PAYMENT OF BILLS.**

Council Member Fritz made a motion seconded by Council Member Anderson to approve Ordinance 2012-07 on First Reading. Vote was unanimous.

**ORDINANCE 2012-08 – FIRST READING
AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTIONS
OF TITLE 8 CHAPTER 1 ARTICLE II, OF THE CODY CITY CODE TO MODIFY
METER AND SERVICE DEPOSITS.**

Council Member Fritz made a motion seconded by Council Member Wolz to approve Ordinance 2012-08 on First Reading . Vote was unanimous.

**ORDINANCE 2012-09 – FIRST READING
AN ORDINANCE AMENDING THE HEREIN BELOW IDENTIFIED SECTIONS
OF TITLE 8 CHAPTER 2 ARTICLE II, OF THE CODY CITY CODE TO MODIFY
WATER METERS; INSPECTIONS; SERVICE CHARGES.**

Council Member Fritz made a motion seconded by Council Member Anderson to approve Ordinance 2012-09 on First Reading. Vote was unanimous.

**ORDINANCE 2012-05 –THIRD AND FINAL READING
AN ORDINANCE AMENDING SECTION 10-15-6(B)(9) PROVIDING FOR
EXCEPTIONS FOR GARAGE SALE SIGNS.**

Council Member Anderson made a motion seconded by Council Member Fritz to approve Ordinance 2012-05 on Third and Final Reading. Vote was unanimous.

**RESOLUTION 2012-10
A RESOLUTION AMENDING THE CITY OF CODY FINAL BUDGET FOR
FISCAL YEAR 2011-2012.**

Council Member Miller made a motion seconded by Council Member Edwards to approve Resolution 2012-10. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Anderson to remove Ordinance 2012-04 from the tabled items.

**ORDINANCE 2012-04- SECOND READING AS AMENDED
AN ORDINANCE AMENDING TITLE 4, CHAPTER 3 OF THE CITY OF CODY
CODE: NUISANCE ABATEMENT.**

Council Member Wolz made a motion seconded by Council Member Anderson to pass Ordinance 2012-04 as amended on second reading. Vote was unanimous.

In matters from staff, Steve Payne, Public Works Director reminded the public of the availability of the Raw Water, which by ordinance is the first Monday of May. He also reminded citizen that the Large Items Pickup, as well as, the Tree and Brush pickup has ended for the season.

There being no further business, Mayor Brown adjourned the meeting at 8:08 p.m.

Cindy Baker
Administrative Services Officer

Nancy Tia Brown
Mayor

CITY OF CODY VOUCHERS

CHECK DATE 04-04-12

VENDOR NAME	DESCRIPTION	AMOUNT
ACE HARDWARE	SUPPLIES	760.78
ADVANCED INFO SYSTEMS	OUTSOURCE UTILITY BILLS	629.10
ALDRICH LUMBER CO	SUPPLIES	251.14
ALSCO	TOWELS & RUGS	279.69
ALTISOURCE SOLUTIONS INC	REFUND UTILITY BALANCE	231.56
AMERICAN PUBLIC POWER ASSN	APWA MEMBERSHIPS	149.00
AMERICAN WELDING & GAS, INC.	SUPPLIES	168.53
ARROWHEAD SCIENTIFIC INC	INVESTIGATION SUPPLIES	14.52
BEARDALL, RYAN W	INTERPRETING SERVICES	35.00
BIG HORN HORTICULTURAL SERVICE	TREE REMOVAL / INSECTICIDE	4010.00
BIG HORN PAINT	PAINT - NEW RECYCLE BUILDING	1073.26
BIG HORN WHOLESALE	CLEANING SUPPLIES	941.04
BILLINGS INSULATION SERVICE	INSULATION - NEW RECYCLE BUILDING	5470.32
BLUE CROSS BLUE SHIELD OF WY	INSURANCE PREMIUM	100389.76
BLUE GAVEL PRESS	SAFETY TRAINING GUIDE	128.57
BOONE'S MACHINE SHOP	REPAIR GATE AT BECK LAKE TRAIL	8.08
BORDER STATES INDUSTRIES INC	SYSTEM REPAIRS	841.20
BRESNAN COMMUNICATIONS	INTERNET	269.48
BRUCO INC	VACUUM REPAIRS	316.60
C & C WELDING	REPAIRS	137.19
CASELLE INC	CASELLE COURT SOFTWARE UPGRADE	500.00
CAT'S WEST UPHOLSTERY	WEIGHT BENCH REPAIRS	222.50
CDW GOVERNMENT, INC.	BACK UP DRIVES	1007.04
CENTURY LINK	PHONE CHARGES	719.18
CHUCKS SIGN COMPANY	LETTER WINDOW - ENG DEPT	100.00
CITY OF CODY	UTILITIES	28857.35
CLARK WIRELESS	RADIO VOLUME KNOB	26.17
CODY CAB	TIPSY TAXI VOUCHERS	280.00
CODY CHAMBER OF COMMERCE	MEETING EXPENSE TOBACCO COMPLIANCE	240.00
COVENTRY HOMES	REFUND UTILITY DEPOSIT	39.28
CRUM ELECTRIC	SUPPLIES	9340.14
DASH MEDICAL GLOVES	SAFETY GLOVES	224.70
DELL MARKETING	IT BUDGET - PC'S	1675.06
DENNY'S GUNS & MAPS	UNIFORMS	41.97
DIAMOND VOGEL PAINTS	STREET PAINT	27089.70
DUNCAN & ALLEN	LEGAL SERVICES - N CODY ANNEX	5009.14
EAGLE OF CODY	APPLICATION FOR UTILITIES FORMS	158.00
EAGLE RECOVERY & TOWING	TOWING FOR CASE 12-298	123.00
ECOLAB PEST ELIM. DIV.	PEST CONTROL	180.00
ENERGY WEST	UTILITIES	5158.47
ENGINEERING ASSOCIATES	NORTH CODY DISTRIBUTION FEEDER	406.25
FARM PLAN CORPORATION	UNIFORMS	247.99
FASTENAL COMPANY 01WYCDY	SUPPLIES	657.13

FED-EX	SHIPPING	39.29
FERGUSON WATERWORKS	HYDRANT WRENCHES	51.91
FREMONT BEVERAGES INC	CONCESSIONS	11.00
GDA ENGINEERS	RAW WATER PROJECT	1800.00
GONNION, BETTY	REFUND OVERDRAFT FEES	12.50
HARRIS TRUCKING & CONST. CO	BEDDING MATERIAL	127.88
HD SUPPLY UTILITIES LTD	NORTH CODY PROJECT	5687.34
HOLM, ROY	PERMIT 666-3	150.00
HOMAX OIL SALES, INC.	FUEL	4845.12
HOVLAND, BILL	TOOLS	16.95
ICMA RETIREMENT	CONTRIBUTIONS	5467.64
ICOP	BATTERIES FOR ICOP MICROPHONES	174.15
INTELLIGENT PRODUCTS	MUTT MITTS	531.55
JARVIS, GEORGE B	VOLLEYBALL REFEREE	150.00
KINCHELOE PLUMBING AND HEATING	REPAIR RESTROOM SINK AT MENTOCK	79.78
KIPLEY, JOSHUA	REFUND UTILITY DEPOSIT	36.50
L.N. CURTIS & SONS	TACTICAL VESTS	8955.00
LAWRENCE, JOHN BRETT	REFUND UTILITY DEPOSIT	39.63
LOCAL GOV'T LIABILITY POOL	LIABILITY INSURANCE PREMIUM	53493.00
LUKE MAGARGAL CUSTOM BUILDING	REPAIR GREENHOUSE DAMAGE	2565.00
LUTHER, AMANDA	REFUND UTILITY DEPOSIT	44.01
LYLE SIGNS INC	SIGN MAKING MATERIALS	840.00
MC CUMBER LOCKSMITH SHOP	KEYS	39.75
MONTANA LAW ENFORCE ACADEMY	TRAINING	50.00
MOUNTAIN WEST INC	UNIFORMS	51.69
NORTHWEST PIPE	GOLF COURSE RAW WATER	910.00
OFFICE SHOP, THE	COPIERS - MAINT. AGREEMENT	5253.15
O'REILLY AUTOMOTIVE, INC.	SERVICE CHARGE	1.15
OVERFIELD, WILLIAM	REFUND TEMP SERVICE FEE	105.00
OWEN, DON	VOLLEYBALL REFEREE	187.50
PARK COUNTY	LEC UTILITIES / CONTRACT	16539.89
PARK COUNTY CIRCUIT COURT	CV-2010-1030	27.29
PARK SEED WHOLESAL, INC.	GREENHOUSE SUPPLIES	26.87
PARK SUPPLY OF AMERICA	VACUUM REPAIR	18.05
PITNEY BOWES INC	EQUIPMENT RENTAL	1257.51
PRIME POWER & COMMUNICATIONS	NORTH CODY FEEDER LINE	20640.00
PURCHASE ADVANTAGE CARD	SUPPLIES	67.85
ROCKY MOUNTAIN DISCOUNT SPORT	EAR PROTECTION	74.97
ROCKY MOUNTAIN POWER	UTILITIES	290.01
RUTLEDGE, CORINNA E	OVERPAYMENT ON MC-1202-034	40.00
S & S AUDIO - VIDEO INC	SUPPLIES	119.42
SAGE CIVIL ENGINEERING	RAW WATER PROJECT	1997.00
SCHOENING, WILLIAM D	REFEREE	159.00
SHOSHONE OFFICE SUPPLY	OFFICE SUPPLIES	1985.73
SIGNWAREHOUSE.COM	TEFLON STRIPS FOR SIGN PLOTTER	76.98
SKINNER, TONYA	VOLLEYBALL REFEREE	25.00
SPORTSMITH	CABLE UNIT	101.75

T & R SERVICE	PCB TESTING	15.00
THE UPS STORE	SHIPPING	102.10
TITAN ACCESS	DOOR GLASS FOR BACKHOE	328.36
TOWNSEND, JERRY	UTILITY REFUND	100.76
TRIPLE L SALES	SWEEPER WATER FITTINGS	86.19
ULINE	INVESTIGATION SUPPLIES	293.60
VEOLIA ES TECHNICAL SOLUTIONS	STREET LIGHT REPAIRS	1053.09
WAL MART COMMUNITY BRC	SUPPLIES	580.37
WATCO POOLS	REPAIR POOL VACUUM	1376.49
WCSTELECOM	LONG DISTANCE	158.53
WESCO DISTRIBUTION INC	SYSTEM UPGRADE / CABLE	4270.50
WEST PARK HOSPITAL	POLICE DEPT - BLOOD DRAWS	141.55
WESTERN UNITED ELECTRIC SUPPLY	NORTH CODY PROJECT	79301.75
WIRELESS ADVANCED COMM	POLICE CAR SET UP	8399.52
WOMACK MACHINE SUPPLY CO.	HYD. 10143-08-08	7.14
WOODWARD TRACTOR CO	REPAIR GREENHOUSE DAMAGE	65.75
WY CHILD SUPPORT	CHILD SUPPORT	159.23
WYOMING ASSN OF MUNICIPALITY	TRAINING	50.00
WYOMING STATE PHARMACY BOARD	CONTROLLED SUBSTANCE TRAINING	80.00
YANKEE CAR WASH	CAR WASHES - VEHICLE MAINT.	77.61
YELLOWSTONE FIRE SOCCER ASSN	YOUTH FUTSAL PROGRAM	481.60
	TOTAL	430700.84