



REVISED - City Council Special Meeting Agenda –

Date: 04/24/18
Time: 4:15 p.m.
Location: City Hall Council Chambers

- Mayor Matt Hall
- Donny Anderson
- Karen Ballinger
- Jerry Fritz
- Landon Greer
- Glenn Nielson
- Stan Wolz
- City Administrator, Barry Cook
- Administrative Services Officer, Cindy Baker
- City Attorney, Scott Kolpitcke

- 4:15-4:30- Park County Library Foundation – Freenotes Harmony Park
 - Nikki Brew and/or Diane Ballard
- 4:30 – 4:45 – Cody Conservation District – Grant – Tree Planting City Right-of-Way
 - Bobbie Holder
- 4:45 – 5:00 – Veterans Park Foundation - Park Update
- 5:00– 5:15 – Discuss upcoming Building Code Ordinances
 - Staff Reference: Steve Payne, Public Works Director
- 5:15-5:45– Noise Ordinance – Discuss possible changes
 - Staff Reference: Scott Kolpitcke, City Attorney
- Updates – City Administrator
- Council Committee Reports
- Other Matters from Council

- Meeting Reminders:
 - Tuesday, May 1, 2018** - Regular Council Meeting 7:00 p.m. Council Chambers
 - Tuesday, May 8, 2018** – Work Session – 4:15 p.m. – Council Chambers

Time Adjourned: _____

**City of Cody
Agenda Request Form**

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the prior to the Tuesday meetings, Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council

Organization Represented

Park County Library Foundation etc

Date you wish to appear before the Council

April 10

Mailing Address

Telephone

899-9672

E-Mail Address

rukus@tritel.net

Preferred form of contact: Telephone

E-

Names of all individuals who will speak on this topic

Mail

NIKKI BREW + DIANE BALLARD (212-8744)

Event Title (if applicable)

FREE NOTES HARMONY PARK

Date(s) of Event (if applicable)

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary)

Outdoor musical instruments - durable, sustainable sound sculptures for outdoor space. * Purchase + installation of this music park will be provided. City location is needed - Meeteetse? City Park?

Which City employee(s) have you spoken to about this issue?

RICK MANCHESTER
MATT HALL

Other?

Signature

Diane Ballard

Date

4/1/18



* See: free notes harmony park. com

City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings, however Agenda Request Forms must be submitted no later than the Monday of the previous week for consideration at the Tuesday Meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council Bobbie Holder
Organization Represented Cody Conservation District
Date you wish to appear before the Council First Available meeting
Mailing Address 2204 Steadman St Cody Telephone 272-4952
E-Mail Address elements@tctwest.net
Preferred form of contact: Telephone E-Mail
Names of all individuals who will speak on this topic Bobbie Holder

Event Title (if applicable) _____
Date(s) of Event (if applicable) _____
Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Grant for tree planting on
City Right-Away

Which City employee(s) have you spoken to about this issue? Eric Asay Monte
Bales
Signature Bobbie Holder Date April 9 2018

Cody Conservation District Grant to City of Cody

The Cody Conservation District (CCD) will provide a \$1,000 (one thousand dollar) grant to the City of Cody for tree planting.

The \$1,000 grant will be for tree planting in the City of Cody right- a-ways. These trees will require a 25% cost share with the adjacent landowner and will be species approved in the City of Cody Tree ordinance for right- a -way plantings. The trees need to be containerized and at least 1 inch caliper. The city arborist will oversee selection and assist with placement and planting. Local availability of trees will be a consideration. The CCD board will be encouraged to assist with planting but it will not be required. No more than two trees will be allowed per client even if the client holds several lots within the city. The CCD will hold the money in a separate bank account and will pay the remaining 75% of the invoice upon planting. Cost of planting B&B trees is not covered. B & B trees must be planted by the Nursery. The grants will be awarded will be first come first served. City arborist will do an initial site visit to determine if there is any eligibility. Property owners are required to call for locate before tree purchase, after which the city arborist will determine actual planting sites.

MEETING DATE:	APRIL 17, 2018
DEPARTMENT:	COMMUNITY DEV
PREPARED BY:	STEPHEN PAYNE
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN PAYNE

AGENDA ITEM SUMMARY REPORT

Ordinance 2018-05 – AN ORDINANCE ADOPTING TITLE 9, CHAPTER 2, SECTION 4 OF THE CITY OF CODY CODE

ACTION

The Mayor and Council are requested to approve on first reading Ordinance 2018-05 which adopts Title 9, Chapter 2, Section 4 of the Cody City Code.

SUMMARY

The Ordinance, as drafted, essentially re-states the Wyoming State Statute with the exception that all commercial buildings will be require an Architect or Engineer stamped set of documents, plans or designs.

For whatever reason, contractors, designers, and commercial property owners are often less than aware of the Wyoming State Statutes relative to commercial development. The lack of understanding has led to numerous occasions where challenges have developed that have delayed projects. The proposal, as herewith attached, was vetted through the Contractors Board and given a unanimous approval as drafted.

RECOMMENDATION:

Staff recommends approval of the first reading of Ordinance 2018-05 which adopts Title 9, Chapter 2, Section 4 of the Cody City Code.

ALTERNATIVES

1. Approve the first reading of Ordinance 2018-05 as drafted.
2. Approve the first reading of Ordinance 2018-05 with changes and amendments.
3. Deny the first reading of Ordinance 2018-05.

ATTACHMENTS:

Ordinance 2018-05

FISCAL IMPACT

The fiscal impact is non-existent to the City and considered minimal to business owners as any exemptions to the State Statute

AGENDA & SUMMARY REPORT TO:

None

AGENDA ITEM NO. _____

ORDINANCE NO. 2018-05

AN ORDINANCE ADOPTING TITLE 9, CHAPTER 2, SECTION 4 OF THE CITY OF CODY CODE PERTAINING TO COMMERCIAL BUILDING PERMIT REQUIREMENTS; COPIES TO BE KEPT ON FILE

WHEREAS, the Cody City Council has thoroughly reviewed the matter and deems that it is in the best interest of the public and the City of Cody to approve the proposed ordinance.

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

SECTION 1: Title 9, Chapter 2, Section 4, Commercial Permit Requirements; Copies to be kept on file is hereby adopted as follows:

9-2-4: Commercial Building Permit Requirements:

- A. Before the issuance of any permit under the international building code for all new or existing commercial buildings situated within the city, the applicant, property owner or owners authorized agent shall submit plans prepared by an Architect or Engineer affixed with his/her stamp to all documents, plans or designs provided.
- B. The requirements for subsection A shall not apply to the following:
 - 1. When commercial additions, alterations, remodel, or repairs do not exceed two (2) story in height and which under applicable code or codes, are not designed for occupancy by more than ten (10) persons.
 - 2. When the addition, alterations, remodel, repairs or change of occupancy does not require structural design or increase the designed safety requirements for the building or occupants of the building.
 - 3. Nonstructural alterations of any nature to any building if the alterations do not affect the safety of the occupants of the building.

SECTION 2: EFFECTIVE DATE. This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

SECTION 3: SEVERABILITY. Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

PASSED ON FIRST READING:

PASSED ON SECOND READING:

PASSED ON THIRD READING:

Matt Hall, Mayor

Attest:

MEETING DATE:	APRIL 17, 2018
DEPARTMENT:	COMMUNITY DEV
PREPARED BY:	STEPHEN PAYNE
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN PAYNE

AGENDA ITEM SUMMARY REPORT

Ordinance 2018-06 – AN ORDINANCE ADOPTING TITLE 9, CHAPTER 3, SECTION 2 OF THE CITY OF CODY CODE

ACTION

The Mayor and Council are requested to approve on first reading Ordinance 2018-06 which adopts Title 9, Chapter 3, Section 2 of the Cody City Code.

SUMMARY

The Ordinance, as drafted, clarifies certification and licensing requirements. The changes have been highlighted in Yellow.

The proposal, as herewith attached, was vetted through the Contractors Board and given a unanimous approval as drafted.

RECOMMENDATION:

Staff recommends approval of the first reading of Ordinance 2018-06 which amends Title 9, Chapter 3, Section 2 of the Cody City Code.

ALTERNATIVES

1. Approve the first reading of Ordinance 2018-06 as drafted.
2. Approve the first reading of Ordinance 2018-06 with changes and amendments.
3. Deny the first reading of Ordinance 2018-06.

ATTACHMENTS:

Ordinance 2018-06

FISCAL IMPACT

There is no fiscal impact to the City.

AGENDA & SUMMARY REPORT TO:

None

AGENDA ITEM NO. _____

ORDINANCE 2018-06

AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTION 2, CONTRACTORS LICENSE, OF THE CODY CITY CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING, as follows:

Section 9-3-2 of the Cody City Code shall be amended to provide as follows:

9-3-2: APPLICATION; APPLICATION FEE; APPLICATION FOR REEXAMINATION:

Class A Licensee: Any person desiring to be licensed as a Class A licensee, Category 1 or Category 2, shall fully complete the City of Cody Contractor's License Application form, provide proof of experience as required in said application form, show proof of passing the current code cycle examination for general contracting (building construction) of the Wyoming Trades Certification or the ICC National Exam Certification as sponsored by the ICC and make written application to the contractors' examination board. The application fee shall be as established by the building official and approved by the governing body. Such fee shall accompany the application and is nonrefundable.

Class B Licensee: Any person desiring to be licensed as a class B licensee shall complete the City of Cody Contractor's License Application form, provide proof of experience as required in said application form, show proof of passing the current code cycle examination of the Wyoming Trades Certification program or ICC National Exam Certification as sponsored by the ICC, for the trade for which licensure is sought, or provide updated State Certification cards for Electrical Contractors including Low Voltage Certification, and make written application to the contractors' examination board. The application fee shall be as established by resolution approved by the governing body. Such fee shall accompany the application and is nonrefundable.

Class C Licensee: Any person desiring to be licensed as a class C licensee shall complete the City of Cody Contractor's License Application form, provide proof of experience as required in said application form in the area of applicable work and make written application to the contractors' examination board. The application fee shall be as established by the building official and approved by the governing body. Such fee shall accompany the application and is nonrefundable.

ORDINANCE NO. 2018 - 08

AN ORDINANCE ADDING TITLE 5, CHAPTER 2, SECTION 24, OF THE CITY OF CODY CODE: NOISE; DEFINITIONS; UNREASONABLE NOISE PROHIBITED; EXEMPTIONS; PENALTY

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

Title 5, Chapter 2, Section 24, of the City of Cody Code, shall be added to the Cod and shall provide as follows:

A. DEFINITIONS.

“Unreasonable Noise” shall mean any sounds of such level and duration as to be or tend to be injurious to human health or welfare, or that would unreasonably interfere with the enjoyment of life or property. City agents, police officers and code enforcement officers are authorized to make a prima facie determination as to whether a sound constitutes an unreasonable noise, which determination may be based upon, but need not be limited to, a consideration of the following factors:

1. The time of day when the sound occurs;
2. The frequency (repetition) and duration of the sound;
3. The proximity and sensitivity of neighboring land uses (e.g. residential dwellings, care centers, and hospitals being more sensitive that convenience stores and public activity areas);
4. The size of any gathering of persons creating or contributing to the sound;
5. The presence or absence of sound amplification equipment; and
6. Any other factors tending to show the magnitude and / or disruptive effect of the sounds.

B. Unreasonable noise prohibited: It shall be unlawful to make, continue or cause to be made or continued any unreasonable noise, and no person shall knowingly permit such noise upon any premises or in or upon any vehicle owned or possessed by such person or under such person’s control or operation. For purposes of this section, proof that the owner or occupant of the premises upon which the reasonable noise occurred was present at the time of the violation shall constitute prima facie evidence that such person was in control of the premises and knowingly permitted the violation to occur.

C. Exemptions. The limitations of this section shall not apply to:

1. Authorized emergency vehicles;
2. Construction equipment operating between the hours of 6:30 a.m. and either 8:30 p.m. or one hour after sunset, whichever is later;
3. City and State Public Works maintenance and repair activities (e.g. snow plowing, excavating water line breaks, etc.);
4. Any activity that has been identified and specifically authorized by the city through the zoning site plan review process, as evidenced by a

specific condition authorizing the exemption or variance from the requirements of this section;

5. Activities conducted or sponsored by the city (such as concerts in parks, parades, fireworks displays, etc.)
6. Church or school chimes or bells; and
7. Events specifically approved by the Governing Body, or by authorized city staff, such as dances, concerts, shows, festivals and carnivals.

D. Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-4-1 of this code.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: __4/3/18

PASSED ON SECOND READING: _4/17/18

PASSED ON THIRD READING: _____, 2018

ATTEST:

MATT HALL, Mayor

Cynthia D. Baker
Administrative Services Director