

City of Cody City Council

AGENDA

Tuesday, July 9, 2019 – 7:00 p.m. (Pre-Meeting to begin at 6:45 p.m.)
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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

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: Regular Minutes from June 18, 2019 and Special Work Session June 11, 2019
- b. Approve Vouchers in the amount of \$6,660.23, noting expenses associated with one cent special purpose tax.
- c. Authorize the Mayor to enter into and sign an agreement between the City of Cody and Park County School District #6, relating to the School Resource Officer.
- d. Approve the agreement between the City of Cody and the Fred Coe Post No 20 American Legion for the loan of artwork to be displayed at City Hall.

2. 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.

3. Public Hearing

- a. A Public Hearing to consider if it is in the public's interest to transfer ownership of the retail license to Olive Glenn Golf & Country Club located at 802 Meadow Lane Avenue currently held by Rockin U LLC.

4. Conduct of Business

- a. Approve Vouchers and payroll in the amount of \$542,492.83.
- b. Consider a request from Kenny Lee representing Cody Country Chamber for funds to assist with the 4th of July Fireworks show for the year 2020.
Spokesperson: Kenny Lee

- c. Consider a request to increase funding for the TAP Grant to \$400,000 (increased from \$320,000 previously approved) and the City of Cody local match amount to \$100,000 (increased from \$80,000 previously approved).

Staff Reference: Phillip Bowman, Public Works Director

- d. RESOLUTION 2019-08

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FEDERAL FUNDING THROUGH THE TRANSPORTATION ALTERNATIVES PROGRAM ADMINISTERED BY THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE CITY OF CODY FOR THE PURPOSES OF THE 2020 ADA RAMPS AND PEDESTRIAN IMPROVMENTS PROJECT.

Staff Reference: Phillip Bowman, Public Works Director

- e. ORDINANCE 2019-03 – THIRD AND FINAL READING AS AMENDED ON SECOND READING
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3 OF THE CITY OF CODY CODE.
- f. ORDINANCE 2019-04 –THIRD AND FINAL READING
AN ORDINANCE AMENDING TITLE 9, CHAPTER 1 OF THE CITY OF CODY CODE.

- g. Tabled Items
- h. Matters from Staff Members
- i. Matters from Council Members
- j. Adjournment

Upcoming Meetings:

July 16, 2019 - Tuesday – Regular Council Meeting 7:00 p.m.

July 23, 2019 - Tuesday – Special Work Session 5:00 p.m.

**City of Cody
Council Proceedings
Tuesday, June 18, 2019**

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, June 18, 2019 at 7:00 p.m.

Present: Mayor Matt Hall, Council Members, Diane Ballard, Landon Greer, Glenn Nielson and Heidi Rasmussen, City Attorney Scott Kolpitcke, City Administrator Barry Cook and Finance Officer, Leslie Brumage

Absent: Council Member Justin Baily, Administrative Services Officer Cindy Baker

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

Mayor's Recognition – Marc Dean, new Aquatics Supervisor

Council Member Greer made a motion seconded by Council Member Rasmussen to remove item c from the Conduct of Business. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Fritz to approve the Consent Calendar as amended including the approval of Minutes: Regular Minutes from June 4, 2019 and approve Vouchers and payroll in the amount of \$2,104,436.97. Vote was unanimous.

Public Comments – Carol Armstrong of the Park County Republican Party spoke about the rally scheduled for July 3, 2019 at the Veterans Memorial Park.

At 7:10 p.m. Mayor Hall called for a public hearing to consider if it is in the public's interest to approve the renewal of 21 retail liquor licenses, 13 restaurant liquor licenses, 6 bar and grill liquor licenses, 3 limited (club) retail licenses, and 3 microbrewery permits for the period of August 1, 2019 through July 31, 2020. Asking for comments three times and there being none at 7:13 p.m., Mayor Hall closed the public hearing.

At 7:13 p.m. Mayor Hall called for a public hearing to consider if it is in the public's interest to approve the Fiscal Year 2019-2020 budget for the City of Cody. Asking for comments three times and there being none at 7:18 p.m., Mayor Hall closed the public hearing.

Council Member Fritz made a motion seconded by Council Member Rasmussen to approve the renewal of 21 retail liquor licenses, 13 restaurant liquor licenses, 6 bar and grill liquor licenses, 3 limited (club) retail licenses, and 3 microbrewery permits for the period of August 1, 2019 through July 31, 2020. Vote was unanimous.

Council member Rasmussen made a motion to approve a request from The Buffalo Bill Center of the West to close Coe Circle and a portion Monument Street on July 6th from 2:00 p.m. to approximately 4:00 p.m. for the Grand Opening of the Cody Firearms Museum. Vote was unanimous.

ORDINANCE 2019-05 – THIRD AND FINAL READING
AN ORDINANCE PROVIDING FOR THE AMOUNT OF TAX LEVY FOR THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30, 2020. Council Member Fritz made a motion seconded by Council Member Nielson to approve Ordinance 2019-05 on Third and Final Reading. Vote was unanimous.

ORDINANCE 2019-06 - FIRST READING
AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR THE MAINTENANCE OF THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30 2020. Council Member Greer made a motion seconded by Council Member Fritz to approve Ordinance 2019-06 on First Reading. Voting in favor were Council Members Fritz, Greer, Rasmussen, Ballard and Mayor Hall. Voting opposed was Council Member Neilson. Motion carried.

Council Member Greer made a motion seconded by Council Member Rasmussen to remove Ordinance 2019-03 from the table. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Rasmussen to amend Ordinance 2019-03. Vote was unanimous.

ORDINANCE 2019-03 – SECOND READING AS AMENDED
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3 OF THE CITY OF CODY CODE. Council Member Rasmussen made a motion seconded by Council Member Nielson to approve Ordinance 2019-03. Vote was unanimous.

Council Member Greer made a motion seconded by Council Member Fritz to remove Ordinance 2019-04 from the table. Vote was unanimous.

ORDINANCE 2019-04 – SECOND READING
AN ORDINANCE AMENDING TITLE 9, CHAPTER 1 OF THE CITY OF CODY CODE. Council Member Rasmussen made a motion seconded by Council Member Ballard to approve Ordinance 2019-04 on Second Reading. Vote was unanimous.

There being no further action Mayor Hall adjourned the meeting at 7:31 p.m.

Matt Hall, Mayor

Leslie Brumage, Finance Officer

**City of Cody
Council Proceedings
Tuesday, June 11, 2019**

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, June 11, 2019 at 5:00 p.m.

Present: Council Members Justin Baily, Landon Greer, Jerry Fritz and Heidi Rasmussen; City Administrator, Barry Cook, Administrative Service Officer, Cindy Baker, and Scott Kolpitzke, City Attorney

Absent: Mayor Hall and Council Members Diane Ballard and Glenn Nielson

Council President Landon Greer called the meeting to order at 5:00 p.m.

Council Member Fritz made a motion seconded by Council Member Rasmussen to enter into the **Executive Session** at 5:06 p.m. Pursuant to State Statute 16-4-405 (a)(ix) to consider or receive any information classified as confidential by law. Council Member Rasmussen made a motion seconded by Council Member Fritz to exit the Executive Session at 5:25 p.m. No action was taken.

Bo Secrest, Black Hills Energy introduced himself to the Council.

ORDINANCE 2019-05 – SECOND READING

AN ORDINANCE PROVIDING FOR THE AMOUNT OF TAX LEVY FOR THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30, 2020.

Council Member Rasmussen made a motion seconded by Council Member Baily to approve Ordinance 2019-05 on second reading, Vote was unanimous.

ORDINANCE 2019-06 - SECOND READING

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR THE MAINTENANCE OF THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30 2020.

Council Member Fritz made a motion seconded by Council Member Baily to approve Ordinance 2019-05 on second reading, Vote was unanimous.

The Governing Body discussed a request from Cody Regional Health – Crosswalk Signage/Signals. Staff was directed in reference with working with CRH and present an agreement for consideration at a July meeting.

The Governing Body discussed and reviewed the Pool Rates for Swim Club (CKATS) and/or Other Clubs for usage of the pool. This matter will be further reviewed in the fall along with a variety of fees and services the City provides, CKATS board was given a possible direction the governing body would be taking for their registration preparation. No action was taken.

The Governing Body discussed and reviewed 2019-03 and Contractor Licensing Requirements. Staff was provided with direction for the next reading of Ordinance 2019-03 at the June 18th meeting.

Council President Greer adjourned the meeting at 7:08 p.m.

Cynthia D Baker
Administrative Services Officer

Landon Greer
Council President

Report Criteria:

Invoice Detail.Input date = 06/25/2019
 Invoice.Batch = "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
ENGINEERING ASSOCIATES (4140)				
	3906069-2	PROJECT NO 14111.04 WWTF PHASE 2	06/20/2019	6,660.23
Total :				6,660.23
Total ENGINEERING ASSOCIATES (4140):				6,660.23
Grand Totals:				6,660.23

Report GL Period Summary

GL Period	Amount
06/19	6,660.23
Grand Totals:	6,660.23

Vendor number hash: 4140
 Vendor number hash - split: 4140
 Total number of invoices: 1
 Total number of transactions: 1

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	6,660.23	.00	6,660.23
Grand Totals:	6,660.23	.00	6,660.23

AGREEMENT

THIS AGREEMENT is made and entered into by and between the Governing Body of the City of Cody, Wyoming, a municipal corporation, hereinafter referred to as "CITY", and Park County School District No. 6, State of Wyoming, hereinafter referred to as "SCHOOL DISTRICT".

WITNESSETH:

WHEREAS, CITY and SCHOOL DISTRICT desire to enter into an agreement for the purpose of providing school resource officers to SCHOOL DISTRICT.

NOW, THEREFORE, the parties hereto do agree as follows:

1. CITY agrees to provide and make available to SCHOOL DISTRICT one School Resource Officer (SRO) to work with SCHOOL DISTRICT officials in matters relating to school discipline, juvenile delinquency, criminal conduct and promotion of safer educational environments. Said officer shall also provide the following:

- a. at the request of SCHOOL DISTRICT, or by notification of SCHOOL DISTRICT by Cody police, coordination and continuity in investigation of events on SCHOOL DISTRICT property or involving SCHOOL DISTRICT students;
- b. a point of contact and dedicated link between SCHOOL DISTRICT and CITY;
- c. agreed upon specific services of the SRO to SCHOOL DISTRICT. The parties may jointly develop a job description for the SRO.
- d. information and safety programs;
- e. work to establish effective partnerships between SCHOOL DISTRICT and police services.

f. SRO's shall not be responsible for enforcing SCHOOL DISTRICT rules, regulations, and procedures or imposing any discipline.

2. The parties hereto agree and understand that said SRO shall remain at all times an employee of the CITY and the hiring of said officer, supervision, control, training, transportation, officer's equipment and overtime costs shall be provided by CITY provided, however, to the extent necessary to carry out the duties as set forth herein, the officer may be granted access to confidential student information and shall be considered an employee of SCHOOL DISTRICT for that purpose, and shall be subject to the same restrictions and requirements pertaining to the use of that information as is applicable to other SCHOOL DISTRICT employees having access to the information.

3. In the event that SCHOOL DISTRICT should be dissatisfied with the performance of the resource officer assigned to the SCHOOL DISTRICT by CITY, SCHOOL DISTRICT shall notify the Chief of Police and the Superintendent shall meet to try to resolve the problem. In addition, thereto, the Superintendent and Chief of Police each agree to meet annually to discuss the evaluation of the performance of the school resource officer. The Chief of Police and/or CITY shall ultimately have the responsibility for the employment of the resource officer. Should SCHOOL DISTRICT be unable to resolve its concerns or problems with the resource officer assigned to SCHOOL DISTRICT, SCHOOL DISTRICT may request that a different officer be assigned as the school resource officer, in which event CITY shall have the option of either assigning a different officer to be the school resource officer or terminating the agreement.

4. In the event SCHOOL DISTRICT shall fail to appropriate in its annual budget the funds required for any of the annual payments set forth herein, this contract shall be deemed to have been rescinded by the party failing to appropriate said funds, and said party shall be relieved of any other or further obligation to the other party as a result of this agreement; provided, however, that in the event SCHOOL DISTRICT omits to appropriate such funds by oversight, such oversight may be corrected by SCHOOL DISTRICT by budget amendments as required by state law.

5. SCHOOL DISTRICT agrees to contribute the following sum to defray the cost of salary and benefits for the School Resource Officer. SCHOOL DISTRICT agrees to pay to the CITY the an amount which is equal to seventy-five percent (75%) of base salary and benefits for the School Resource Officer for 175 student contact days. In addition, the SCHOOL DISTRICT will reimburse the CITY 100% of any overtime worked by the SRO at the request of the SCHOOL DISTRICT, at the full hourly rate of the School Resource Officer multiplied by 1.5.

The City will invoice the SCHOOL DISTRICT quarterly and the SCHOOL DISTRICT agrees to make payment in full to the CITY within 15 days after receipt of each invoice. The invoice will itemize the number of hours worked and any overtime worked by the SRO at the request of the SCHOOL DISTRICT.

Once per school year the SCHOOL DISTRICT will pay fifty percent (50%) of the total cost not to exceed Seven Hundred and Fifty Dollars (\$750.00) for the SRO to attend continuing education at the annual Wyoming School Safety Conference and Training.

In exchange for the above compensation, CITY shall provide to SCHOOL DISTRICT

one fully equipped SRO who is a certified peace officer in Wyoming assigned full-time to the SCHOOL DISTRICT for the entire 2018-2019 school year. SCHOOL DISTRICT agrees that CITY may use the SRO on days when students are not scheduled to be at school and when there are no school activities. Should CITY for unforeseen reasons need to use the SRO on days when the SRO would otherwise be expected to be at school, CITY and SCHOOL DISTRICT agree that SCHOOL DISTRICT may deduct from the next payment due to CITY the sum of Two-hundred and Forty-Six Dollars (\$246.00) for each day the SRO is providing services to the CITY rather than the SCHOOL DISTRICT. CITY will not be permitted to use said SRO during times the officer is expected to be at school without the consent of the SCHOOL DISTRICT Superintendent. However, in the event of exigent circumstances, the Chief of Police in his sole discretion, may temporarily reassign the SRO to address the needs of the City. If the SRO is reassigned for an emergency the parties will meet to discuss a billing adjustment as listed.

6. CITY and SCHOOL DISTRICT do not waive their sovereign immunity by entering into this agreement and said parties specifically retain all immunities and defenses provided by law with regard to any action based on this agreement, pursuant to W.S. ' 1-39-104(a).

7. This agreement shall be effective as of the start of the 2019-2020 school year and continue through the last day of the 2020-2021 school year. This agreement shall automatically renew for another two consecutive school years unless either party to the agreement shall provide notice to the other party of its intent to terminate the

agreement, which notice shall be provided on or before June 1 preceding the next school year.

THIS AGREEMENT is entered into this _____ day of _____, 2019.

CITY OF CODY, WYOMING

ATTEST:

Mayor Matt Hall

Cynthia D. Baker
Administrative Services Officer

**PARK COUNTY SCHOOL DISTRICT
NUMBER 6, STATE OF WYOMING**

ATTEST:

Board Chairman

Board Secretary

FRED COE POST NO. 20

AMERICAN LEGION



P.O. BOX 2001
CODY, WYOMING 82414

June 27, 2019

City of Cody
1338 Rumsey
Cody, Wy 82414

Re: Loan Agreement – Grigware Paintings

The Fred Coe Post No. 20, American Legion, hereby loans to the City of Cody, Cody, Wyoming, the following paintings by Ed Grigware:

Oil Tanker Alongside Majura
Night Battle of Saipan
After the Typhoon (Anguar Palau)
Just Before the Cut

Together with a plaque providing a history of the artist, Ed Grigware.

These items have been loaned to you for display in Cody's City Hall. You will use ordinary care to protect and preserve the artwork, but any loss or damage to the paintings will be the responsibility of the Fred Coe Post, American Legion.

You may terminate this loan arrangement with written notice of not less than 30 days, addressed to the Fred Coe Post No. 20, American Legion and returning the paintings. The Fred Coe Post No. 20, American Legion reserves the right to withdraw the paintings with 30 days prior written notice.

Would you please acknowledge receipt of the above listed Grigware paintings and plaque by signing in the space below on the enclosed copy of this letter and returning it to the undersigned.

Handwritten signature of John West in black ink.

John West, Commander

Handwritten signature of William Garlow in black ink.

William Garlow, Finance Officer

Accepted and agreed to this 28 day of June, 2019

Handwritten signature of Matt Hall in blue ink.

Matt Hall, Mayor

Handwritten signature of Barry Cook in blue ink.

Barry Cook, City Administrator

NOTICE OF APPLICATION TO TRANSFER THE OWNERSHIP
OF A RETAIL LIQUOR LICENSE

Notice is hereby given that on the 18th day of June 2019, Olive Glenn Golf & Country Club Inc filed an application to transfer the ownership of a retail liquor license in the office of the Clerk of the City of Cody currently located at 802 Meadow Lane Ave held by Rockin U LLC., and protests, if any there be, against the transfer of such license will be heard at the hour of 7:00 p.m., or as soon thereafter as practical, on the 9th day of July, 2019, in the Council Chambers of City Hall, 1338 Rumsey Avenue, Cody, Wyoming.

Date: June 20, 2019

Cindy Baker

Administrative Services Officer

PUBLISH: June 27th and July 2, 2019

Report Criteria:

Invoice.Detail.Input date = 06/25/2019

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
1ST CLASS REALTY (131881)				
	13.1203.17A	REFUND CREDIT BALANCE	06/17/2019	76.47
Total :				76.47
Total 1ST CLASS REALTY (131881):				76.47
ACKER ELECTRIC INC (270)				
	60078	LIGHTING INSTALLATION HARRY JACKSON STATUE	06/26/2019	1,450.00
Total :				1,450.00
Total ACKER ELECTRIC INC (270):				1,450.00
AIR MEDICAL GROUP HOLDINGS (130049)				
AIR MED CARE NETWORK	7458-06052019	Premiums	06/05/2019	550.00
Total :				550.00
Total AIR MEDICAL GROUP HOLDINGS (130049):				550.00
ALTITUDE RECYCLING EQUIPMENT (131480)				
	A3732	BALER REPAIR PARTS	06/14/2019	1,304.00
Total :				1,304.00
Total ALTITUDE RECYCLING EQUIPMENT (131480):				1,304.00
AMERI - TECH EQUIPMENT COMPANY (131395)				
	20607	GRASS ROLL-OUTS	05/31/2019	6,523.00
Total :				6,523.00
Total AMERI - TECH EQUIPMENT COMPANY (131395):				6,523.00
AMERICAN FAMILY LIFE ASSUR (550)				
	098264	AFLAC PREMIUM	06/25/2019	2,303.72
Total :				2,303.72
Total AMERICAN FAMILY LIFE ASSUR (550):				2,303.72
BACON, PAIGE (131212)				
CODY MOBILE ART STUDIO	32	SUMMER PAINTING CAMP	06/23/2019	196.00
Total :				196.00
Total BACON, PAIGE (131212):				196.00
BIG HORN ROOFING, INC (1200)				
	16947	REPAIR ROOF - SENIOR CENTER	06/10/2019	162.00
Total :				162.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total BIG HORN ROOFING, INC (1200):				162.00
BLANKENSHIP QUALITY CONCRETE LLC (1320)				
	1401	CONCRETE REPLACEMENT	05/28/2019	11,349.11
Total :				11,349.11
Total BLANKENSHIP QUALITY CONCRETE LLC (1320):				11,349.11
BRANDON-WINTERMOTE, KIMBERLY (131880)				
	13.1203.17	REFUND DEPOSIT ON TERMINATED ACCOUNT	05/16/2019	500.00
Total :				500.00
Total BRANDON-WINTERMOTE, KIMBERLY (131880):				500.00
CASTAGNE, GARRETT (131883)				
	061819	WITNESS FEES	06/18/2019	15.00
	061819	WITNESS FEES - MILEAGE	06/18/2019	10.09
Total :				25.09
Total CASTAGNE, GARRETT (131883):				25.09
CENTURY LINK (10091)				
	61919	UTILITIES - CENTURY LINK	06/19/2019	38.61
Total :				38.61
Total CENTURY LINK (10091):				38.61
CITY OF CODY (2260)				
	063019	UTILITIES - CITY OF CODY	06/30/2019	1,800.69
	063019	UTILITIES - CITY OF CODY	06/30/2019	6,850.13
	063019	UTILITIES - CITY OF CODY	06/30/2019	128.84
	063019	UTILITIES - CITY OF CODY	06/30/2019	421.17
	063019	UTILITIES - CITY OF CODY	06/30/2019	407.33
	063019	UTILITIES - CITY OF CODY	06/30/2019	808.84
	063019	UTILITIES - CITY OF CODY	06/30/2019	8,074.46
	063019	UTILITIES - CITY OF CODY	06/30/2019	10,680.21
	063019	UTILITIES - CITY OF CODY	06/30/2019	34.09
	063019	UTILITIES - CITY OF CODY	06/30/2019	6,470.95
	063019	UTILITIES - CITY OF CODY	06/30/2019	5,959.44
	063019	UTILITIES - CITY OF CODY	06/30/2019	46.54
	063019	UTILITIES - CITY OF CODY	06/30/2019	1,250.27
	063019	UTILITIES - CITY OF CODY	06/30/2019	1,084.24
	063019	UTILITIES - CITY OF CODY	06/30/2019	1,084.24
	063019	UTILITIES - CITY OF CODY	06/30/2019	585.68
	063019	UTILITIES - CITY OF CODY	06/30/2019	923.88
	063019	UTILITIES - CITY OF CODY	06/30/2019	39.00
	063019	UTILITIES - CITY OF CODY	06/30/2019	448.56
	063019	UTILITIES - CITY OF CODY	06/30/2019	26.60
	63019	PEACE OFFICER ID	06/30/2019	10.00
	63019	TOBACCO COMPLIANCE CHECKS	06/30/2019	6.39
Total :				47,141.55

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total CITY OF CODY (2260):				47,141.55
CLARK, RONALD W (131046)				
TOWN TAXI	061819	TIPSY TAXI VOUCHERS	06/18/2019	210.00
Total :				210.00
Total CLARK, RONALD W (131046):				210.00
CODY CHAMBER OF COMMERCE (124707)				
	91164	CODY BUCKS FOR ALCOHOL COMPLIANCE	05/30/2019	120.00
Total :				120.00
Total CODY CHAMBER OF COMMERCE (124707):				120.00
COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140)				
	53119	Legal Services	06/07/2019	3,357.25
	53119	Legal Services	06/07/2019	345.40
	53119	Legal Services	06/07/2019	801.32
	53119	Legal Services	06/07/2019	801.32
	53119	Legal Services	06/07/2019	801.32
	53119	Legal Services	06/07/2019	801.31
Total :				6,907.92
Total COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140):				6,907.92
COPPER MOUNTAIN IRRIGATION LLC (131351)				
	17972	LIFT STATION REBUILD	05/16/2019	1,607.31
Total :				1,607.31
Total COPPER MOUNTAIN IRRIGATION LLC (131351):				1,607.31
CUSTOM GARAGE DOOR LLC (127015)				
	4509	WEATHERSTRIP	06/10/2019	52.80
Total :				52.80
Total CUSTOM GARAGE DOOR LLC (127015):				52.80
DAVIS, AARON (128786)				
	71819	CONCERTS IN THE PARK	07/09/2019	1,400.00
Total :				1,400.00
Total DAVIS, AARON (128786):				1,400.00
DEARBORN NATIONAL LIFE INSURANCE COMPANY (131563)				
	07012019	PREMIUMS JULY 2019	06/11/2019	369.20
Total :				369.20
Total DEARBORN NATIONAL LIFE INSURANCE COMPANY (131563):				369.20
DEPT OF FAMILY SERVICES (125899)				
ATTN: CENTRAL REGISTRY	0233-MAY19	BACKGROUND CHECK	06/14/2019	50.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
ATTN: CENTRAL REGISTRY	0233-MAY19	BACKGROUND CHECK	06/14/2019	20.00
Total :				70.00
Total DEPT OF FAMILY SERVICES (125899):				70.00
EAGLE RECOVERY, LLC (126679)				
	14679A	VEHICLE TOW	03/22/2019	250.00
Total :				250.00
Total EAGLE RECOVERY, LLC (126679):				250.00
EAKERNS, RUTH (131765)				
	060619	RESTITUTION FROM ROBERT SCHUMACHER MC-1811-010	06/06/2019	108.36
Total :				108.36
Total EAKERNS, RUTH (131765):				108.36
EASTMAN, RINDA (129952)				
	061919	PERSONAL TRAINER - REC CENTER	06/19/2019	360.60
Total :				360.60
Total EASTMAN, RINDA (129952):				360.60
ENGINEERING ASSOCIATES (4140)				
	3906069	PROJECT NO 14111.04 WWTF PHASE 2	06/20/2019	4,795.36
	3906069	PROJECT NO 14111.04 WWTF PHASE 2	06/20/2019	1,465.25
	3906069	PROJECT NO 14111.04 WWTF PHASE 2	06/20/2019	399.61
Total :				6,660.22
Total ENGINEERING ASSOCIATES (4140):				6,660.22
ENNIST III, ROBERT F (131798)				
BIG HORN FOOD SERVICES	35757	BATH TISSUE DISPENSER	04/29/2019	44.36
BIG HORN FOOD SERVICES	36203	PRINTER PAPER FOR REC CENTER	06/05/2019	134.00
BIG HORN FOOD SERVICES	36309	CAN LINERS FOR AQUATICS	06/12/2019	359.70
BIG HORN FOOD SERVICES	SF48H	BATH TISSUE, SOAP, LINERS	06/13/2019	374.86
Total :				912.92
Total ENNIST III, ROBERT F (131798):				912.92
FARLOW, IRENE (131831)				
DBA: CODY CAB LLC	070919	TIPSY TAXI PROGRAM	07/09/2019	322.00
Total :				322.00
Total FARLOW, IRENE (131831):				322.00
FIRE DISTRICT #2 (131409)				
	070119	FIRE DISTRICT PASS THROUGH FEE	07/01/2019	82.00
Total :				82.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total FIRE DISTRICT #2 (131409):				82.00
FREDERICK, LAUREL (131382)				
	060619	RESTITUTION FROM DEBRA HODSON MC-1706-037	06/06/2019	50.00
Total :				50.00
Total FREDERICK, LAUREL (131382):				50.00
GOOD, BROOKE (131022)				
	15.0348.39	REFUND UTILITY DEPOSIT	06/19/2019	112.34
Total :				112.34
Total GOOD, BROOKE (131022):				112.34
GOODYEAR, ROBERT W (125939)				
GOODYEAR PRINTING	13167	ACCIDENT INFO EXCHANGE REPORTS	05/29/2019	186.00
Total :				186.00
Total GOODYEAR, ROBERT W (125939):				186.00
GRIFFIN, MORGAN (131876)				
OR MOORE, BROOKE	11.2020.14	REFUND UTILITY DEPOSIT	06/06/2019	35.40
Total :				35.40
Total GRIFFIN, MORGAN (131876):				35.40
HARRIS TRUCKING AND CONSTRUCTION (129345)				
WYOMING STEEL SERVICES LLC	005566	RECYCLING HAULING	06/06/2019	475.00
Total :				475.00
Total HARRIS TRUCKING AND CONSTRUCTION (129345):				475.00
HARRIS TRUCKING AND CONSTRUCTION CO. (4780)				
	132448	ASPHALT	05/31/2019	2,569.56
	132449	ASPHALT	05/31/2019	3,571.72
	132463	ASPHALT	06/09/2019	1,452.36
	132467	ASPHALT - ALLEYS OFF SHERIDAN & 17TH	06/09/2019	4,287.26
	132500	RECYCLE ASPHALT	06/09/2019	1,300.35
	132538	ASPHALT RECYCLING	06/16/2019	3,380.10
Total :				16,561.35
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				16,561.35
HARRIS, JOHN (127964)				
	1657-2	REFUND ENCROACHMENT DEPOSIT	06/10/2019	150.00
Total :				150.00
Total HARRIS, JOHN (127964):				150.00
HEBRLEE, TRENT STEVEN (131832)				
HOTLINE ELECTRICAL SALES & SERV	28275	F14/15/16S 3ph 4w c200 120-480v	06/20/2019	1,480.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				1,480.00
Total HEBRLEE, TRENT STEVEN (131832):				1,480.00
HODSON, DEBRA (131877)				
	7.0510.33	REFUND UTILITY DEPOSIT	06/11/2019	155.08
Total :				155.08
Total HODSON, DEBRA (131877):				155.08
HOLEMAN, DEVIN (131687)				
	060619	RESTITUTION FROM ANDREA THURSTON MC-1807-063	06/06/2019	100.00
Total :				100.00
Total HOLEMAN, DEVIN (131687):				100.00
HOUSEL, JOHN O. (127605)				
	061419	SERVICES AS ALTERNATE COURT JUDGE 11/27/18 - 03/26/19	06/14/2019	210.00
Total :				210.00
Total HOUSEL, JOHN O. (127605):				210.00
HUBER, WESLEY L (123442)				
EAGLE OF CODY PRINTING	61719	ENVELOPES	06/17/2019	178.33
EAGLE OF CODY PRINTING	61719	ENVELOPES	06/17/2019	178.33
EAGLE OF CODY PRINTING	61719	ENVELOPES	06/17/2019	178.34
Total :				535.00
Total HUBER, WESLEY L (123442):				535.00
JONES, AMY (129954)				
	062219	PERSONAL TRAINER - REC CENTER	06/22/2019	515.74
Total :				515.74
Total JONES, AMY (129954):				515.74
KIP B THIEL CONSTRUCTION INC (131026)				
	120-14	REFUND ENCROACHMENT DEPOSIT	06/10/2019	150.00
Total :				150.00
Total KIP B THIEL CONSTRUCTION INC (131026):				150.00
KRUBECK, LUCAS (130285)				
	061919	PERSONAL TRAINER	06/19/2019	302.59
Total :				302.59
Total KRUBECK, LUCAS (130285):				302.59
LEISURE IN MONTANA INC (131545)				
	SAL8911-1	POOL CHEMICALS	06/18/2019	696.25

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				696.25
Total LEISURE IN MONTANA INC (131545):				696.25
MEDICAL AIR SERVICES ASSOCIATION (131887)				
	211010	PREMIUM -	06/25/2019	6,376.00
Total :				6,376.00
Total MEDICAL AIR SERVICES ASSOCIATION (131887):				6,376.00
MORRISON-MAIERLE INC (130985)				
	194710	2019 ADA PED RAMPS PROJECT- CONSTRUCTION OVERSIGHT	06/07/2019	13,172.31
Total :				13,172.31
Total MORRISON-MAIERLE INC (130985):				13,172.31
MSPS (127866)				
MOUNTAIN STATES PIPE & SUPPLY	INV11806	Kamstrup 5/8" x 3/4" meter	06/13/2019	6,100.00
MOUNTAIN STATES PIPE & SUPPLY	INV11806	ltron 100W ERT, W/PLUG	06/13/2019	4,050.00
MOUNTAIN STATES PIPE & SUPPLY	INV11806	SHIPPING	06/13/2019	143.98
Total :				10,293.98
Total MSPS (127866):				10,293.98
NCPERS GROUP LIFE INS (125412)				
C/O MEMBER BENEFITS	62519	PREMIUM	06/25/2019	448.00
Total :				448.00
Total NCPERS GROUP LIFE INS (125412):				448.00
NORTHWEST PIPE (7400)				
	1157534	SUNSHINE AVE	06/17/2019	324.23
	1157534-1	SUNSHINE AVE	06/17/2019	94.57
	1157534-2	SUNSHINE AVE	06/17/2019	472.85
Total :				891.65
Total NORTHWEST PIPE (7400):				891.65
OLIVIER, JESSICA (131882)				
	061819	WITNESS FEES	06/18/2019	15.00
Total :				15.00
Total OLIVIER, JESSICA (131882):				15.00
PARK COUNTY PUBLIC HEALTH (7720)				
	1433	HEP B VACCINATION	06/07/2019	40.00
Total :				40.00
Total PARK COUNTY PUBLIC HEALTH (7720):				40.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
PROFFIT, DOUGLAS J (128647)				
PROFFITS ENTERPRISES LLC	9302	MOWING GREYBULL HILL/REC CENTER HILL	06/10/2019	680.00
Total :				680.00
Total PROFFIT, DOUGLAS J (128647):				680.00
PROVIDENT LIFE & ACCIDENT INS (128033)				
	62519	PREMIUMS	06/25/2019	109.20
Total :				109.20
Total PROVIDENT LIFE & ACCIDENT INS (128033):				109.20
QUALITY ASPHALT PAVING, INC (125010)				
	1.222419	REFUND BID BOND	06/06/2019	600.00
	1919	ASPHALT PATCHING	05/13/2019	12,248.75
	1927	16TH ST REPAIR	06/12/2019	5,096.00
	1928	ASPHALT PAVING	06/12/2019	5,584.50
Total :				23,529.25
Total QUALITY ASPHALT PAVING, INC (125010):				23,529.25
ROBERTS, JOHN J (130489)				
	71119	CONCERTS IN THE PARK	07/09/2019	1,200.00
Total :				1,200.00
Total ROBERTS, JOHN J (130489):				1,200.00
ROCKY MOUNTAIN POWER (7570)				
	061819	UTILITIES - ROCKY MOUNTAIN POWER	06/18/2019	27.91
	061819	UTILITIES - ROCKY MOUNTAIN POWER	06/18/2019	247.49
Total :				275.40
Total ROCKY MOUNTAIN POWER (7570):				275.40
SABER PEST CONTROLL LLC (131183)				
	E115	PEST CONTROL - ELECTRIC	06/03/2019	80.00
	P127	PEST CONTROL - PUBLIC WORKS SHOP	06/03/2019	50.00
	P127	PEST CONTROL - PUBLIC WORKS SHOP	06/03/2019	25.00
	P127	PEST CONTROL - PUBLIC WORKS SHOP	06/03/2019	25.00
	R126	PEST CONTROL - RECYCLING/SANITATION	06/05/2019	60.00
	W126	PEST CONTROL - WASTEWATER DEPT	06/05/2019	50.00
Total :				290.00
Total SABER PEST CONTROLL LLC (131183):				290.00
SHEETS, BILL (10615)				
WILD WEST CONSTRUCTION	1.222418	REFUND BID BOND 19TH ST PROJECT	06/06/2019	592.00
WILD WEST CONSTRUCTION	1.222420	REFUND BID BOND SUNSHINE AVE PROJECT	06/06/2019	323.00
Total :				915.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total SHEETS, BILL (10615):				915.00
SHOTTS, PAUL (131878)				
	16.2600.20	REFUND UTILITY DEPOSIT	06/11/2019	159.31
Total :				159.31
Total SHOTTS, PAUL (131878):				159.31
SIMMONS, JEREMY (131885)				
	16.1830.16	REFUND UTILITY DEPOSIT	06/18/2019	7.94
Total :				7.94
Total SIMMONS, JEREMY (131885):				7.94
SKAGGS COMPANIES (131474)				
	3167575	DOJ BULLETPROOF VEST GRANT	06/12/2019	1,772.00
	3168512	DOJ BULLETPROOF VEST GRANT	06/17/2019	886.00
Total :				2,658.00
Total SKAGGS COMPANIES (131474):				2,658.00
SWI LLC (131886)				
	9103	LEGION FIELD CHAIN LINK FENCE	05/17/2019	1,515.00
Total :				1,515.00
Total SWI LLC (131886):				1,515.00
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS	14792	OUTSOURCE BILLS	06/05/2019	20.07
ADVANCED INFO SYSTEMS	14792	OUTSOURCE BILLS	06/05/2019	57.70
ADVANCED INFO SYSTEMS	14792	OUTSOURCE BILLS	06/05/2019	52.69
ADVANCED INFO SYSTEMS	14792	OUTSOURCE BILLS	06/05/2019	52.69
ADVANCED INFO SYSTEMS	14792	OUTSOURCE BILLS	06/05/2019	67.74
ADVANCED INFO SYSTEMS	14811	OUTSOURCE BILLS	06/10/2019	33.17
ADVANCED INFO SYSTEMS	14811	OUTSOURCE BILLS	06/10/2019	95.37
ADVANCED INFO SYSTEMS	14811	OUTSOURCE BILLS	06/10/2019	87.07
ADVANCED INFO SYSTEMS	14811	OUTSOURCE BILLS	06/10/2019	87.07
ADVANCED INFO SYSTEMS	14811	OUTSOURCE BILLS	06/10/2019	111.96
ADVANCED INFO SYSTEMS	14813	OUTSOURCE BILLS	06/17/2019	14.07
ADVANCED INFO SYSTEMS	14813	OUTSOURCE BILLS	06/17/2019	40.45
ADVANCED INFO SYSTEMS	14813	OUTSOURCE BILLS	06/17/2019	36.93
ADVANCED INFO SYSTEMS	14813	OUTSOURCE BILLS	06/17/2019	36.93
ADVANCED INFO SYSTEMS	14813	OUTSOURCE BILLS	06/17/2019	47.49
Total :				841.40
Total SYSTEMS GRAPHICS INC (129162):				841.40
TB BUILT HOMES (131875)				
	1553-1	REFUND ENCROACHMENT DEPOSIT	06/10/2019	150.00
Total :				150.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total TB BUILT HOMES (131875):				150.00
THE OFFICE SHOP INC (7440)				
	112847	COPIER CONTRACT - POLICE DEPARTMENT	06/11/2019	1,039.54
	113695	COPIER CONTRACT - SHOP	06/24/2019	14.10
	113695	COPIER CONTRACT - SHOP	06/24/2019	14.10
	113695	COPIER CONTRACT - SHOP	06/24/2019	12.43
	113695	COPIER CONTRACT - SHOP	06/24/2019	14.10
	113695	COPIER CONTRACT - SHOP	06/24/2019	14.10
	113695	COPIER CONTRACT - SHOP	06/24/2019	14.10
Total :				1,122.47
Total THE OFFICE SHOP INC (7440):				1,122.47
THOMPSON, MICHELLE (131879)				
	14.2080.37	REFUND UTILITY DEPOSIT	06/12/2019	334.19
Total :				334.19
Total THOMPSON, MICHELLE (131879):				334.19
T-O ENGINEERS INC (131708)				
	171133-9509	BEACON HILL WATER TANK	06/10/2019	1,080.37
	171133-9509	BEACON HILL WATER TANK	06/10/2019	532.13
Total :				1,612.50
Total T-O ENGINEERS INC (131708):				1,612.50
TRAVELERS CL REMITTANCE CENTER (130089)				
	71119	PROPERTY INSURANCE - HARRY JACKSON STATUE	06/11/2019	20.00
Total :				20.00
Total TRAVELERS CL REMITTANCE CENTER (130089):				20.00
UNUM LIFE INSURANCE - LIFE (127935)				
	62519	PREMIUM	06/25/2019	1,650.22
Total :				1,650.22
Total UNUM LIFE INSURANCE - LIFE (127935):				1,650.22
WALLING JR, JAMES (131520)				
	060619	RESTITUTION FROM JORDAN PHILLIPS MC-1801-010	06/06/2019	75.00
Total :				75.00
Total WALLING JR, JAMES (131520):				75.00
WEBSTER II, C. EDWARD (10470)				
	061019	TRAVEL REIMBURSEMENT - COURT CONFERENCE	06/10/2019	316.39
Total :				316.39
Total WEBSTER II, C. EDWARD (10470):				316.39

Secondary Name	Invoice	Description	Invoice Date	Total Cost
WESCO RECEIVABLES CORP (131137)				
WESCO DBA:WESCO/KVA/MODERN	332500	Conduit, 6" PVC - 10ft section	06/18/2019	756.60
WESCO DBA:WESCO/KVA/MODERN	332500	Conduit, 6" PVC - 3' radius 90	06/18/2019	240.80
Total :				997.40
Total WESCO RECEIVABLES CORP (131137):				997.40
WINTER, EMILY (131884)				
OR HOOPER, MICHAEL	13.1546.61	REFUND UTILITY DEPOSIT	06/19/2019	52.35
Total :				52.35
Total WINTER, EMILY (131884):				52.35
WORMINGTON, PATRICIA (131874)				
	2020	REC CENTER REFUND	06/06/2019	35.00
Total :				35.00
Total WORMINGTON, PATRICIA (131874):				35.00
WYOMING DEPARTMENT OF TRANSPORTATION (130279)				
WYDOT FINANCIAL SERVICES	109300	COST SHARE - IMPROVEMENTS ALONG BIG HORN AVE	06/03/2019	32.92
WYDOT FINANCIAL SERVICES	109472	COUGAR AVE PROJECT-RECON (SCOPING) REPORT	06/03/2019	10.24
Total :				43.16
Total WYOMING DEPARTMENT OF TRANSPORTATION (130279):				43.16
WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)				
WORKERS COMPENSATION DIV	62619	Contributions	06/25/2019	16,651.99
WORKERS COMPENSATION DIV	62619	Volunteers PD	06/25/2019	20.14
WORKERS COMPENSATION DIV	62619	Volunteers rec	06/25/2019	90.64
Total :				16,762.77
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				16,762.77
WYOMING RETIREMENT SYSTEM (10950)				
	176345	CONTRIBUTIONS -	06/25/2019	17,770.06
	176346	CONTRIBUTIONS -	06/25/2019	35,269.74
	176347	CONTRIBUTIONS -	06/25/2019	22,514.70
Total :				75,554.50
Total WYOMING RETIREMENT SYSTEM (10950):				75,554.50
Grand Totals:				274,911.02

Report GL Period Summary

GL Period	Amount
07/19	2,600.00
06/19	272,311.02

<u>GL Period</u>	<u>Amount</u>
Grand Totals:	<u><u>274,911.02</u></u>

Vendor number hash: 9798912
Vendor number hash - split: 12894895
Total number of invoices: 102
Total number of transactions: 159

<u>Terms Description</u>	<u>Invoice Amount</u>	<u>Discount Amount</u>	<u>Net Invoice Amount</u>
Open Terms	<u>274,911.02</u>	<u>.00</u>	<u>274,911.02</u>
Grand Totals:	<u><u>274,911.02</u></u>	<u><u>.00</u></u>	<u><u>274,911.02</u></u>
		Payroll 06/26/19	<u>267,581.81</u>
			542,492.83

Report Criteria:

Invoice.Detail.Input date = 06/25/2019
Invoice.Batch = {NOT LIKE} "1"

MEETING DATE: JULY 9, 2019

DEPARTMENT: PUBLIC WORKS - STREETS

PREPARED BY: PHILLIP M. BOWMAN, P.E.

PRESENTED BY: PHILLIP M. BOWMAN, P.E.

AGENDA ITEM SUMMARY REPORT

Authorize City Staff to submit an application for funding through the Transportation Alternatives Program administered by the Wyoming Department of Transportation

ACTION TO BE TAKEN

Authorize City Staff to submit all application materials and associated documents to seek federal funding for the 2020 ADA Ramps and Pedestrian Improvements Project through the Transportation Alternatives Program (TAP) administered by the Wyoming Department of Transportation (WYDOT), and increase the federal funding amount to \$400,000 (increased from \$320,000 previously approved) and City of Cody local cash match amount to \$100,000 (increased from \$80,000 previously approved).

SUMMARY OF INFORMATION

On April 2, 2019, the City Council authorized City Staff to submit all application materials and associated documents to seek federal funding through the Transportation Alternatives Program. At that time, City Staff had estimated the project scope and cost to be approximately \$400,000. Based on that cost, the TAP federal funding applied for would be \$320,000 and the City of Cody local cash match would be \$80,000.

Based on WYDOT's review of the Statement of Intent submitted, additional staff evaluation of the project scope and limits, and additional estimates developed for the project cost, City Staff is requesting that the funding application amount be increased. It is proposed that the total project cost be increased to \$500,000. With this higher project cost, the application submitted will apply for TAP federal funding (i.e. grant money) in the amount of \$400,000 and the City of Cody local cash match would be \$100,000 (an increase of \$20,000 over the previously approved match amount).

FISCAL IMPACT

If the TAP funding application is approved by WYDOT, the City will need to fund a total of \$100,000 for the required local cash match. The funding of the local cash match will require a new appropriation and/or budget amendment to the recently approved FY 2019-20 Budget. It is anticipated that most of the local cash match could be drawn from the 1cent Specific Purpose Tax Fund (for ADA Ramp portions of the project) and the remaining match amount could be reallocated from the General Fund – Streets Maintenance approved budget. If a new appropriation is required, it will be presented to City Council for approval prior to executing any funding agreement(s) with WYDOT.

ATTACHMENTS

None

AGENDA & SUMMARY REPORT TO

None

AGENDA ITEM NO. _____

MEETING DATE: JULY 9, 2019

DEPARTMENT: PUBLIC WORKS - STREETS

PREPARED BY: PHILLIP M. BOWMAN, P.E.

PRESENTED BY: PHILLIP M. BOWMAN, P.E.

AGENDA ITEM SUMMARY REPORT

Resolution 2019-08 – A Resolution authorizing submission of an application for federal funding through the Transportation Alternatives Program administered by the Wyoming Department of Transportation

ACTION TO BE TAKEN

Consider approving Resolution 2019-08, and authorize the Mayor and/or Public Works Director to sign all application materials and associated documents to seek federal funding for the 2020 ADA Ramps and Pedestrian Improvements Project through the Transportation Alternatives Program (TAP) administered by the Wyoming Department of Transportation (WYDOT).

SUMMARY OF INFORMATION

On April 2, 2019, the City Council authorized City Staff to submit all application materials and associated documents to seek federal funding through the Transportation Alternatives Program. It is required that the City Council formally approve a Resolution to seek the funding and submit the signed Resolution as an attachment to the application package.

FISCAL IMPACT

If the TAP funding application is approved by WYDOT, the City will need to fund a total of \$100,000 for the required local cash match. The funding of the local cash match would require a new appropriation and/or budget amendment to the recently approved FY 2019-20 Budget. It is anticipated that most of the local cash match could be drawn from the 1c Specific Purpose Tax fund (for ADA Ramp portions of the project) and the remaining match amount could be reallocated from the General Fund – Streets Maintenance approved budget. If a new appropriation is required, it will be presented to City Council for approval prior to executing any funding agreement(s) with WYDOT.

ATTACHMENTS

1. Resolution 2019-08

AGENDA & SUMMARY REPORT TO

None

AGENDA ITEM NO. _____

RESOLUTION 2019 – 08

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FEDERAL FUNDING THROUGH THE TRANSPORTATION ALTERNATIVES PROGRAM ADMINISTERED BY THE WYOMING DEPARTMENT OF TRANSPORTATION FOR THE CITY OF CODY FOR THE PURPOSES OF THE 2020 ADA RAMPS AND PEDESTRIAN IMPROVEMENTS PROJECT.

WITNESSETH

WHEREAS, the governing body for the City of Cody desires to participate in the Transportation Alternatives Program (TAP) to assist in funding this project;

WHEREAS, the governing body for the City of Cody recognizes the need for the project;

WHEREAS, TAP requires that federal funding criteria be met, and the City of Cody agrees to ensure satisfaction of all requirements;

WHEREAS, the City of Cody acknowledges that if funded, the TAP project shall be completed prior to December 31, 2022;

WHEREAS, the governing body for the City of Cody agrees to set aside a minimum of One hundred thousand dollars (\$100,000) as a line item in its budget for the required twenty percent (20%) local cash match on the project;

WHEREAS, the governing body for the City of Cody acknowledges TAP is funded on a reimbursement basis and all invoices must be 100% paid by the City of Cody prior to reimbursement through TAP (80% Federal Reimbursement). The City of Cody acknowledges that failure to comply with this requirement may result in cancellation of the award and repayment by the City of Cody of all funds reimbursed.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY for the City of Cody that a funding application requesting Four hundred thousand dollars (\$400,000) in federal TAP funding be submitted to the Wyoming Department of Transportation – TAP for consideration to assist in funding the 2020 ADA Ramps and Pedestrian Improvements project.

BE IT FURTHER RESOLVED, THAT Phillip M. Bowman, Public Works Director, is hereby designated as the Project Administrator for the City of Cody to act on behalf of the governing body on all matters relating to this funding application.

PASSED, APPROVED AND ADOPTED this 9th day of July, 2019.

Matt Hall, Mayor, City of Cody

ATTEST:

Cynthia Baker, Administrative Services Director

MEETING DATE:	JULY 9, 2019
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

AGENDA ITEM SUMMARY REPORT

ORDINANCE 2019-03 AMENDING TITLE 9, CHAPTER 3, CONTRACTOR LICENSING

ACTION:

Consider Ordinance 2018-03 to modify the City's contractor licensing regulations.

BACKGROUND:

The City Council approved Ordinance 2019-03 on 2nd reading, with an amendment.

Staff has suggested an additional amendment to the Contractor Board and Council for 3rd reading that would create an exemption to allow a property owner of commercial property to install a fence on their property (owners of residential property are already covered by other exemptions, but to keep it simple both are listed in this exemption language.) In addition, a property owner (commercial or residential property) would be permitted to conduct minor demolition on their property. The building official would determine if the demolition is "minor". A couple of minor edits to the language is included to coordinate with the changes made at 2nd reading, and that which is now proposed.

The proposed amendment is included in the attached ordinance using "track changes" (red text). Procedurally, the ordinance would be amended to include the proposed edits before it is approved. If Council does not want the edits, the ordinance could be approved without them.

The proposed amendment was first presented to Councilmember Rasmussen, the Council liaison to the Contractor Board, and to the Contractor Board. Feedback from the Contractor Board members has been favorable to the potential amendment.

FISCAL IMPACT

No direct impact to the city budget is expected.

ALTERNATIVES

Approve, deny, or amend proposed Ordinance 2019-03.

RECOMMENDATION

Amend Ordinance 2019-03 on 3rd Reading as proposed, and approved Ordinance 2019-03 as amended.

ATTACHMENTS:

Ordinance 2019-03, with recommended edits.

AGENDA ITEM NO. _____

ORDINANCE 2019-03

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3
OF THE CITY OF CODY CODE.**

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

Title 9, Chapter 3 of the City of Cody Code shall be amended to read as found in Exhibit A, attached hereto.

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

PASSED ON FIRST READING: May 21, 2019

PASSED ON SECOND READING: June 18, 2019

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Matt Hall, Mayor

ATTEST:

Cynthia Baker, Administrative Services Director

EXHIBIT A, Ordinance 2019-03

Chapter 3

CONTRACTOR LICENSING

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES:

9-3-2: APPLICATION AND REVIEW PROCESS:

9-3-3: TERM OF LICENSE; RENEWAL REQUIRED:

9-3-4: GROUNDS AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF:

9-3-5: INSURANCE REQUIRED:

9-3-6: INACTIVE STATUS:

9-3-1: CONTRACTOR LICENSE REQUIRED; EXCEPTIONS; LICENSING CATEGORIES:

A. Contractor License Required.

It shall be unlawful for any person to participate in any form of “construction contracting” within the City unless that person is either:

- i. Licensed in the particular contracting category under the provisions of this chapter for the work being performed;
- ii. Performing construction contracting solely for work that is entirely exempt from all building, plumbing, HVAC, and electrical permits; or,
- iii. Exempt from contractor licensing as otherwise provided in section 9-3-1(B) of this chapter, ~~or a for homeowners, owners of residential properties regulated by the International Residential Code, and~~ non-compensated volunteer laborers while overseen by someone otherwise authorized to perform construction contracting pursuant to this chapter.

"Construction contracting" as used herein shall include the: demolishing; erecting; constructing; assembling; enlarging; altering; moving; removing; repairing; improving; converting; and performing work on electrical, plumbing or HVAC systems; of or on any building, structure or device in a manner regulated by the adopted building, plumbing, mechanical, or electrical codes. Activities specifically excluded from construction contacting include, but are not limited to: carpeting, decorating, installing flooring, painting, tiling, and wallpapering.

Furthermore, it shall be illegal to solicit construction contracting work or claim to be licensed or otherwise authorized to perform construction contracting work within the City without holding a contractor’s license pursuant to this chapter for the applicable category of work that is advertised.

B. Licensing Exemptions.

The following exemptions to the above contractor licensing requirement are provided. These exemptions do not absolve a person from obtaining necessary permits and inspections, or from completing the work in accordance with adopted codes. Persons claiming such an exemption shall submit documentation for such to the Building Official and complete any applicable affidavits as noted herein.

EXHIBIT A, Ordinance 2019-03

i. Owner-Occupied Property Owner Exemption:

A property owner who is not a licensed contractor may be issued permits to perform work that would otherwise require them to hold a contractor's license, if one of the following scenarios applies, and they otherwise meet the requirements herein:

a. The structure, building, or device falls within the jurisdiction of the International Residential Code and the work will be performed by the property owner on the property where they currently reside.

b. The structure, building, or device falls within the jurisdiction of the International Residential Code, the work will be performed by the property owner, and the property owner intends to reside on the property once the work is completed.

~~b.c.~~ The permit is for either installation or repair of a fence, or minor demolition work, and the work will be performed by the property owner. The building official shall determine whether any demolition is minor based on the specific characteristics of the demolition project and experience of the property owner performing the work.

The language indicating work is to be performed by the property owner does not preclude the property owner from hiring licensed contractors/subcontractors, or from having immediate family members of the property owner and non-compensated volunteers participate in the permitted work while overseen by the property owner or a contractor licensed for the work being performed.

The property owner, whether their ownership of the property is individual, joint, or part of a group (e.g. partnership or corporation), may be issued permits for the construction of no more than two new dwelling units in any five-year period. The property owner requesting a permit for construction of a new dwelling unit shall sign a sworn affidavit indicating their intent to reside on the property for at least one year after the certificate of occupancy is issued. If a person fails to meet the one-year minimum occupancy requirement, they shall not be entitled to further utilize this exemption to construct a dwelling unit.

For work on existing dwellings subject to the International Residential Code, there shall be no limit on the number of building, plumbing, mechanical or electrical permits a property owner may receive to perform work on their own property where they reside.

ii. Residential Property Owner Exemption:

A property owner that does not reside on their property may be issued permits to perform work on an existing dwelling or an accessory structure on their property without possessing a contractor's license, subject to the limitations specified herein. This exemption does not authorize creation of a new dwelling unit.

The dwelling or structure must fall within the jurisdiction of the International Residential Code. A permit shall be issued to the property owner for any type of work on the existing dwelling except: electrical work; plumbing work; and heating, ventilation, and A/C (HVAC) work. Provided, if the property owner can demonstrate relevant experience and knowledge

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to safely perform work in any of those areas, the building official may issue a permit to the property owner for the work, or part thereof, for which the property owner has relevant experience and knowledge. In no case shall the building official issue a permit pursuant to this exemption for installation of an electrical service or startup of a new HVAC system, unless the property owner has a contractor's license for such.

iii. Property Owner Construction Management Exemption:

A property owner may perform the construction management aspect of overseeing construction activities on their commercial or residential property, subject to the conditions and limitations of this section, and be issued the building permit for such project. In such cases, a general contractor is not required. Where a property owner is issued a building permit as a construction manager, it does not authorize them to perform any construction work requiring a contractor's license. All construction and demolition work on the project shall be performed by licensed contractors/subcontractors, except as otherwise provided in this chapter.

iv. City Inspector Exemption: Construction work for the City may be performed by the City building inspectors when they hold an International Code Council (ICC) certificate or Wyoming contractor license for the type of work performed.

C. CONTRACTOR LICENSING CATEGORIES

Licenses for construction contracting are categorized and defined as follows. A license authorizes the company or person(s) holding the license to perform work within the trades(s) identified for that license, to the extent specified herein. Provided, each contractor is responsible to ensure that they do not accept or perform work that is clearly beyond their level of proficiency and skill—doing so is grounds for suspension and revocation of their license, as may be determined by the contractor's board.

i. General Contractor: This category authorizes the construction of all components of commercial and residential structures, except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. A general contractor is also authorized to manage all work on the permitted project.

Persons requesting a general contractor license after adoption of this section shall show that they have passed the International Code Council (ICC) National Standard Exam for Class "A" Commercial or Class "B" Commercial and Residential contracting (or equivalent), and have at least 60 months of experience as a general contractor, journeyman carpenter, architect, engineer or similar work that demonstrates the skills and proficiency needed to act in the capacity of a general contractor.

ii. General Contractor—IRC: This category authorizes the construction of all components of a residential structure that is subject to the International Residential Code (e.g. single-family dwellings, duplexes, and townhouses), except those components requiring an electrical license, plumbing license, or mechanical/HVAC license. An IRC general contractor is also authorized to manage all work on the permitted project.

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Persons requesting a “general contractor-IRC” license shall show that they have passed the ICC Class “C” Residential Contractor Exam (or equivalent) and have at least 24 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

- iii. Master Electrical Contractor: This category authorizes electricians licensed by the State of Wyoming as Master Electricians to perform electrical work regulated by the National Electric Code within the City of Cody. Their employees that perform electrical work must also be registered with the State of Wyoming. Persons requesting to be licensed by the City as an electrical contractor must provide a copy of their current Wyoming master electrician license and electrical contractor’s license (card) issued by the State of Wyoming.
- iv. Master Plumbing Contractor: This category authorizes plumbing work (including fuel gas) within all types of buildings and structures.

Persons requesting a master plumbing contractor license shall show that they have passed the ICC “Master Plumber with Fuel Gas” exam (or equivalent) and have at least 48 months of experience that demonstrate the knowledge, skills and proficiency needed to perform work of this nature.

- v. Plumbing Contractor—IRC: This category authorizes all plumbing work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a “plumbing contractor-IRC” license shall show that they have passed the ICC “F26 National Standard Residential Plumber” exam (or equivalent) and have at least 12 months of experience that demonstrates the knowledge, skills and proficiency needed to perform work of this nature; or, have at least 36 months of experience that demonstrate the knowledge, skills and proficiency necessary to perform work of this nature.

- vi. Master Mechanical/HVAC Contractor: This category authorizes mechanical/HVAC work within all types of buildings and structures.

Persons requesting a master mechanical/HVAC contractor license shall show that they have passed the ICC “Master Mechanical” exam (or equivalent) and have at least 24 months of experience that demonstrate the skills and proficiency needed to perform work of this nature; or, have at least 48 months of experience that demonstrate the knowledge, skills and proficiency necessary to perform work of this nature.

- vii. Mechanical/HVAC Contractor—IRC: This category authorizes all mechanical/HVAC work within buildings and structures regulated by the International Residential Code (IRC).

Persons requesting a “mechanical/HVAC contractor-IRC” license shall show that they have passed the ICC “F32 National Standard Residential Mechanical” exam (or equivalent) and have at least 12 months of experience that demonstrates the skills and proficiency needed to perform work of this nature; or, have at least 36 months of experience that demonstrate the skills and proficiency necessary to perform work of this nature.

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viii. Specialty Contractor: This category authorizes the person to work in one or more of the following trades, on any type of building or structure. Work only in those trades for which the person applies and meets the minimum experience therefore is authorized. The minimum experience need not be provided if the person has passed an ICC or equivalent professional exam for the trade and otherwise demonstrates the applicable knowledge, skills and proficiency to the Contractor's Board.

<u>Trade:</u>	<u>Minimum Experience:</u>
Asbestos Abatement	24 months
Commercial Fire Suppression Systems	36 months
Commercial Railings	24 months
Conveyor Systems	36 months
Demolition	24 months
Drywall	24 months
Elevator Installation	48 months
Fencing	6 months
Framing	48 months
Ground stabilization/mud jacking	24 months
Insulation	24 months
Masonry	48 months
Refrigeration	24 months
Roofing	24 months
Sheet metal installation	24 months
Siding	24 months
Sign/Awning Installation	24 months
Steel fabrication/erection	48 months
Structural Concrete	48 months
Stucco/Plaster	12 months
Underground Utilities (sewer, water, conduit)	12 months
Windows/Glass glazing	12 months

ix. Specialty Contractor—IRC: This category authorizes the person to work in any of the following specialty contractor activities when the work is conducted on a building or structure subject to the IRC. The minimum experience need not be provided if the person has passed an ICC or State of Wyoming exam for the trade, or if the Building Official or Contractor's Board is otherwise satisfied that the person has the knowledge and training necessary to perform the work in a competent manner.

<u>Trade:</u>	<u>Minimum Experience:</u>
Fire Suppression Systems	6 months
Demolition	6 months
Drywall	6 months
Fencing	3 months
Framing	12 months
Insulation	6 months

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Masonry	6 months
Roofing	6 months
Sheet metal installation	6 months
Siding	6 months
Structural Concrete	6 months
Stucco/Plaster	6 months
Windows/Glass glazing	6 months

9-3-2: APPLICATION AND REVIEW PROCESS:

A. Any person desiring a contractor's license to perform work within the City of Cody shall complete an application therefore, and provide evidence of relevant experience, skills, and proficiency. The format and content of the application form shall be specified by the Contractor's Board. All contractor license applications shall be accompanied by an application fee, as specified in a fee schedule adopted by resolution of the governing body. The application fee is non-refundable.

B. All applicants for a contractor's license shall submit an application to the Community Development Department and be interviewed by the building official for a determination as to their qualifications and level of proficiency for the license requested, as set forth in the application. Those applicants that have previously been licensed for the type of license requested (whether in Cody or another jurisdiction), clearly meet the minimum qualifications of this chapter, and clearly demonstrate the proficiency required, shall be issued a contractor's license. The building official is authorized to issue the license on behalf of the contractor's board in such instances, provided the applicant is not currently in violation of the City's contractor licensing provisions (e.g. has not performed construction contracting within the City without a license and/or required permit).

When an applicant either does not have previous licensing for the type of license requested, has performed construction contracting in the City without a license, or when in the judgement of the building official the application would be better considered by the contractor's board for whatever reason, the application shall be presented to the Contractor's board for review. Applicants should be present at the Board meeting to provide information when their application is considered.

Upon reviewing a contractor's license application, the contractor's board has authority to approve it, deny it, approve a lesser license (e.g. IRC level instead of Master), or issue a conditional/limited license. Applicants that meet the qualifications shall be issued the license(s) requested, except the Board may delay issuance of a license as a penalty for an applicant performing construction contracting work within the City without a license. Such delay shall be based on the severity of the violation, but in no case shall exceed 90 calendar days. This penalty shall be in addition to other penalties the City may pursue through the court.

The option of issuing a conditional/limited license is available to the Board when they have concerns with the applicant's level of skills and/or knowledge, as related to the type and/or level

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of license requested. A conditional/limited license may be tailored by the Board in any manner they deem necessary to address their concerns. Examples include precluding work of a certain type, issuing the license for a specific project only, and requiring reevaluation after a specified time period.

Applications for persons that do not meet minimum qualifications to be issued a license or conditional/limited license shall be denied. Any person whose application is denied must wait a minimum of forty-five days before they can reapply. Reapplication shall be accompanied by an additional application fee.

Appeals from any action of the Board must be made within 10 days of their decision and shall be submitted in written form to the governing body.

9-3-3: TERM OF LICENSE RENEWAL REQUIRED:

All contractor licenses issued by the City are annual licenses and shall expire at the end of the calendar year in which they are issued.

Licensed contractors desiring to perform construction contracting in the new year shall submit an application for renewal of their license by December 15th of the current year. Licensed contractors that submit a completed renewal application, provide evidence of current insurance, pay the specified renewal fee, and are in good standing with the City, shall be issued a proper contractor's license for the new year. "Good standing" shall mean the contractor has maintained compliance with the standards of this chapter and timely obtained all required permits throughout the past year. The building official is authorized to issue the new annual license on behalf of the contractor's board in such cases. If the contractor is not in good standing, the renewal application must be reviewed by the Contractor's Board.

Contractors that apply for renewal after the December 15th deadline, but before January 15th of the new year shall have their renewal considered upon payment of an additional \$30 late fee. Renewal applications for contractor licenses shall not be accepted after the January 15th deadline (or the following Monday if January 15th falls on a weekend). Contractors licensed in the prior year that do not submit a renewal application by the January 15th deadline shall not be relicensed except upon submittal and review of a new application to perform construction contracting.

Annual renewal pursuant to this section shall not require a contractor to pass an examination listed for their category of license if they were not previously required by the City to do so, nor does it require reexamination based on a new set of adopted building codes.

9-3-4: GROUNDS AND PROCEDURE FOR SUSPENSION OR REVOCATION OF LICENSE; EFFECTS THEREOF:

A. Grounds: The contractor's board may suspend, revoke, limit, or reclassify any license issued under the provisions of this chapter when the licensee or an employee of the licensee commits one or more of the following acts or omissions:

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1. Improperly obtaining a license and/or a building permit through nondisclosure, misstatement or misrepresentation of a material fact;
2. Performing a form of construction contracting work for which they are not licensed;
3. Accepting and performing work clearly beyond their level of proficiency and skill, which work does not meet code requirements;
4. Failure to comply with any of the requirements of this chapter;
5. Combining or conspiring with any unlicensed person to evade the provisions of this chapter by permitting one's license to be used by such person;
6. Acting as agent, partner, associate or in any other capacity with any unlicensed person, to evade the provisions of this chapter; and,
7. Violating any provisions of the city ordinances pertaining to construction activities, including but not limited to failure to obtain required permits in a timely manner.

B. Procedure: When the building official believes that a contractor's license should be suspended, revoked, limited, or reclassified based on a violation one or more of the items listed in 9-3-4(A), the building official shall notify the licensee that the building official will recommend to the contractor's board that the licensee's license be suspended, revoked, limited or reclassified. The building official shall give written notice either in person or by certified mail to the licensee of the facts and circumstances giving rise to the recommendation, including reference to the applicable sections of this code which the licensee has violated. The notice shall state the requirement that the licensee shall have ten (10) days to request a hearing before the contractor's board, and that if the licensee fails to request such a hearing, the board shall act on the building official's recommendation at its next meeting. The notice shall state the place, date and time of the meeting where the board will hear the building official's recommendation.

1. Upon receipt of notice, the licensee may request a hearing before the board. Such request shall be in writing to the board within ten (10) days of receipt of notice. Failure by the licensee to request the hearing shall be deemed a waiver of any right to a hearing on the matter and the order of suspension or revocation shall become final.
2. At such hearing, the licensee shall be given an opportunity to show compliance with all lawful requirements for the retention of the license. The licensee shall be given the opportunity to present testimony, oral and/or written, and shall have the right of cross examination. All testimony shall be under oath. The board shall have the power to administer oaths, issue subpoenas and compel the attendance of witnesses. The decision of the board shall be based upon the evidence produced at the hearing and made a part of the record thereof. The hearing shall be conducted in compliance with the procedures promulgated in accordance with the Wyoming administrative procedures act.

C. Effects:

1. A person whose license has been revoked or suspended shall not be entitled to file a new application by the establishment of a new legal entity, or otherwise, during the length of such revocation or suspension.
2. In addition to the revocation or suspension of any license as provided in this chapter, any person who violates any provisions of this chapter, or any rule or regulation promulgated hereunder, is guilty of a misdemeanor, the penalty for which is prescribed under Title 1, Chapter 4 of this code.

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9-3-5: INSURANCE REQUIRED:

All contractors licensed pursuant to this chapter shall maintain liability insurance of the type and amount specified below for themselves and any employees, agents, and representatives.

1. Bodily injury liability insurance: Insurance coverage with limits not less than one million dollars (\$1,000,000.00) for bodily injury or death sustained by one person and one million dollars (\$1,000,000.00) for each occurrence; and,
2. Property damage liability insurance: Coverage with limits not less than one million dollars (\$1,000,000.00) for each occurrence.

The contractor shall provide to the building official a copy of their insurance certificate at the time of their initial application and as each new insurance certificate is issued, as necessary to show required coverage at all times that they have an active permit. No permit shall be issued to a contractor without proof of the required insurance being on file with the building official.

9-3-6: INACTIVE STATUS:

A. A licensed contractor may elect to designate his or her license as "inactive" by submitting a written statement to the building official. The following conditions shall apply to every contractor who is designated as "inactive":

1. Inactive licensees shall pay the appropriate annual renewal fees required for licensed contractors.
2. Inactive licensees shall not be required to comply with the insurance requirements that otherwise apply to licensed contractors under this Chapter.
3. Inactive licensees shall not perform work that must be performed by a licensed contractor under this Code, and may not receive any permits to perform work under this Code, except as may be permitted under the listed property owner exemptions of 9-3-1(B).
4. Inactive licensees shall not be eligible to serve any additional term on the Contractor's Board—however, they may complete their term if currently serving on the Board.
5. If an inactive licensee wishes to change status of his license to active so that he may perform work and receive permits to do work, he or she shall provide evidence of the required liability insurance to the building official, and deliver a written statement to the building official stating that he or she wishes to change his license to active. Upon receiving such information, the building official shall designate the licensee as active.

ORDINANCE 2019-04

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTIONS 2 AND 3
OF THE CITY OF CODY CODE.**

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

Title 9, Chapter 3, Sections 2 and 3 of the City of Cody Code shall be amended to read as follows:

9-1-2: CONTRACTOR LICENSING BOARD ESTABLISHED:

A. There is hereby established a Contractor Licensing Board, also to act as the Board of Appeals as referenced in the adopted building codes, and referred to herein as "the Board".

B. The Board shall consist of ten (10) members. One (1) member shall be an at-large member who is either a resident of the City or who owns a contracting business physically located within the City; one (1) member shall be an architect, structural engineer or civil engineer; one (1) member shall be a licensed mechanical/HVAC contractor; one (1) member shall be a City Council member; two (2) members shall be licensed general contractors; two (2) members shall be licensed plumbing contractors; and, two (2) members shall be licensed electrical contractors.

C. Each member of the Board must be:

1. An individual who is a licensed contractor within the specialty he or she is designated to represent on the Board; or
2. A certified journeyman electrician, certified journeyman plumber or certified journeyman HVAC installer who is not individually licensed, but is employed by a licensed contractor that is licensed within the specialty the employee is designated to represent on the Board. If a member of the Board who is not individually licensed, and is serving as an employee of a licensed contractor, resigns, terminates, severs or otherwise loses his or her employment with such licensed contractor, then he or she may continue to serve as a member of the Board until the end of his or her term. If the Board member, at the end of his or her term, is not individually licensed in the specialty he or she is designated to represent, or is not employed by a licensed contractor, then he or she cannot serve as a member of the Board, and the Mayor and Governing Body shall appoint a new member who is licensed to fill the vacancy as described below.

D. The members of the Board shall each be appointed by the Mayor with the approval of the Governing Body, for a three (3) year term. Terms of members shall begin on January 1 and shall be staggered, with no more than four (4) members reaching the end of their term at the end of each calendar year. Subsequent appointments shall be for three (3) years each unless to fill an unexpired term. Members appointed to fill

