

# City of Cody City Council

## AGENDA

Tuesday, March 3, 2020 – 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

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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 February 18, 2020
- b. Approve Vouchers and payroll in the amount of \$524,890.45.
- c. Authorize the closure of Beck Avenue – 8<sup>th</sup> Street through 10<sup>th</sup> Street and the closure of 9<sup>th</sup> and 10<sup>th</sup> Streets on August 28<sup>th</sup> and 29<sup>th</sup> for the 9<sup>th</sup> annual Cody Country Car Show, (CCCS) closure to include allowing parking within the City Park, noting CCCS will work with appropriate staff on details and provide proof of insurance prior to the event.
- d. Consider approving a request from Trent Cole (YBF) to allow the sale of beer in the City Park during the 2020 Concerts in the Park, if approved authorize staff to issue malt beverage permits, as well as, open container permit for each concert. Also consider any conditions or restrictions, as options to this approval, contingent upon receipt of liability insurance.

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

### 4. Conduct of Business

- a. Ordinance 2020-01 - Second Reading  
An Ordinance Amending Title 8, Chapter 2, Article II Section 40-B-2, of the City of Cody Code: Water; Domestic Service.  
Staff Reference: Phillip Bowman, Public Works Director
- b. Consider approving a preliminary plat of the JCA-LM Minor Subdivision, a 2-lot Subdivision.  
Staff Reference: Todd Stowell, City Planner

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

**Upcoming Meetings:**

- **March 10, 2020 – Tuesday – Council Work Session – 5:00 p.m.**
- March 17, 2020 – Tuesday - Regular Council Meeting 7:00 p.m.**

**City of Cody**  
**Council Proceedings**  
**Tuesday, February 18, 2020**

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, February 18, 2020 at 7:00 p.m.

Present: Mayor Matt Hall, Council Members, Landon Greer, Diane Ballard, Jerry Fritz and Heidi Rasmussen, City Administrator Barry Cook, City Attorney Scott Kolpitcke, and Administrative Services Officer, Cindy Baker.

Absent: Council Member Glenn Nielson

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

Council Member Greer made a motion seconded by Council Member Rasmussen to approve the Consent Calendar as presented which included the approval of Minutes: Regular Minutes from February 4, 2020 and Leadership Summit January 31, 2020 and Special Work Session on February 10, 2020; approve Vouchers and payroll in the amount of \$2,657,356.03; approve a request from Jeremy Johnston, on behalf of the Buffalo Bill Center of the West, to close Coe Circle in front of the Statute for on Tuesday, February 26, 2019 for the Annual FFA wreath laying ceremony and allow traffic to be directed north through West Park Hospital's small parking lot; and approve removing \$8,901 in finance charges assessed to Century Link for past due invoices. Vote was unanimous.

**Ordinance 2020-01 - First Reading**

An Ordinance Amending Title 8, Chapter 2, Article II Section 40-B-2, of the City of Cody Code: Water; Domestic Service. Council Member Rasmussen made a motion seconded by Council Member Baily to approve Ordinance 2020-01 on First Reading. Vote was unanimous.

There being no further action Mayor Hall adjourned the meeting at 7:08 p.m.

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Matt Hall, Mayor

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Cindy Baker, Administrative Services Officer

Report Criteria:

Invoice.Detail.Input date = 02/25/2020  
 Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>ACKER ELECTRIC INC (270)</b>				
	60520	NORTH LIFT - PUMP WORK	02/11/2020	90.00
Total :				90.00
Total ACKER ELECTRIC INC (270):				90.00
<b>ALL COUNTY PLUMBING LLC (131485)</b>				
	20634	REPLACED WOMENS SINK CITY PARK	01/22/2020	300.00
Total :				300.00
Total ALL COUNTY PLUMBING LLC (131485):				300.00
<b>BACON, PAIGE (131212)</b>				
CODY MOBILE ART STUDIO	44	HOMESCHOOL ART	02/11/2020	273.00
Total :				273.00
Total BACON, PAIGE (131212):				273.00
<b>BIG HORN REDI-MIX, INC (1190)</b>				
DBA BIG HORN PRECAST	378736	SAND SLURRY	01/08/2020	470.00
Total :				470.00
Total BIG HORN REDI-MIX, INC (1190):				470.00
<b>BIG HORN WINDOW TINTING (1215)</b>				
	7123	SHOP WINDOW TINTING	02/03/2020	396.00
Total :				396.00
Total BIG HORN WINDOW TINTING (1215):				396.00
<b>BLUE CROSS BLUE SHIELD OF WYOMING (1360)</b>				
	200205449367	INSURANCE PREMIUM -March 2020	02/05/2020	145,335.61
Total :				145,335.61
Total BLUE CROSS BLUE SHIELD OF WYOMING (1360):				145,335.61
<b>BRINKERHOFF, HEATHER PEATROSS (131306)</b>				
	01022020	NUTRITION SERVICES	02/19/2020	52.50
Total :				52.50
Total BRINKERHOFF, HEATHER PEATROSS (131306):				52.50
<b>BUCK'N HORSE ELECTRIC (130739)</b>				
	6390	ELECTRIC CONNECTION	02/04/2020	393.47
Total :				393.47

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total BUCK'N HORSE ELECTRIC (130739):				393.47
<b>C &amp; C WELDING, INC (1690)</b>				
	23802	E05 REPAIRS	01/07/2020	69.28
	23885	ALUM PLATES, FLAT AND COLDROLL FOR SPLASH PAD	01/31/2020	416.78
Total :				486.06
Total C & C WELDING, INC (1690):				486.06
<b>CENTURY LINK (10091)</b>				
	21920	UTILITIES - CENTURY LINK	02/20/2020	39.17
Total :				39.17
Total CENTURY LINK (10091):				39.17
<b>CITY OF CODY (2260)</b>				
	022920	UTILITIES - CITY OF CODY	02/29/2020	2,884.46
	022920	UTILITIES - CITY OF CODY	02/29/2020	5,474.19
	022920	UTILITIES - CITY OF CODY	02/29/2020	139.75
	022920	UTILITIES - CITY OF CODY	02/29/2020	561.11
	022920	UTILITIES - CITY OF CODY	02/29/2020	702.49
	022920	UTILITIES - CITY OF CODY	02/29/2020	852.72
	022920	UTILITIES - CITY OF CODY	02/29/2020	3,651.77
	022920	UTILITIES - CITY OF CODY	02/29/2020	10,420.69
	022920	UTILITIES - CITY OF CODY	02/29/2020	33.96
	022920	UTILITIES - CITY OF CODY	02/29/2020	5,241.01
	022920	UTILITIES - CITY OF CODY	02/29/2020	5,174.39
	022920	UTILITIES - CITY OF CODY	02/29/2020	47.76
	022920	UTILITIES - CITY OF CODY	02/29/2020	1,712.75
	022920	UTILITIES - CITY OF CODY	02/29/2020	1,113.61
	022920	UTILITIES - CITY OF CODY	02/29/2020	1,113.61
	022920	UTILITIES - CITY OF CODY	02/29/2020	541.59
	022920	UTILITIES - CITY OF CODY	02/29/2020	1,224.84
	022920	UTILITIES - CITY OF CODY	02/29/2020	39.00
	022920	UTILITIES - CITY OF CODY	02/29/2020	24.00
Total :				40,953.70
Total CITY OF CODY (2260):				40,953.70
<b>CITY OF CODY 2 (127400)</b>				
	21320	ALCOHOL COMPLIANCE CHECKS	02/13/2020	7.66
	21320	PEACE OFFICER ID RENEWAL	02/13/2020	10.00
Total :				17.66
Total CITY OF CODY 2 (127400):				17.66
<b>COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140)</b>				
	1312020	Legal Services	02/03/2020	3,384.88
	1312020	Legal Services	02/03/2020	345.40
	1312020	Legal Services	02/03/2020	759.87
	1312020	Legal Services	02/03/2020	759.87
	1312020	Legal Services	02/03/2020	828.95
	1312020	Legal Services	02/03/2020	828.95

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				6,907.92
Total COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140):				6,907.92
<b>CUSTOM GARAGE DOOR LLC (127015)</b>				
	4716	GARGAE DOOR REPAIR - SANITATION	02/02/2020	353.00
	4722	MAX CONTROLS	02/06/2020	80.00
Total :				433.00
Total CUSTOM GARAGE DOOR LLC (127015):				433.00
<b>DAMELIO, CHRISTOPHER (131349)</b>				
	20.0300.17	REFUND UTILITY DEPOSIT	02/14/2020	242.34
Total :				242.34
Total DAMELIO, CHRISTOPHER (131349):				242.34
<b>DEARBORN LIFE INSURANCE COMPANY (131563)</b>				
	030120	INSURANCE - MARCH 2020	02/14/2020	323.74
Total :				323.74
Total DEARBORN LIFE INSURANCE COMPANY (131563):				323.74
<b>DENNY MENHOLT CHEVROLET (131108)</b>				
	21320	REFUND BID BOND 2019-06	02/13/2020	1,650.00
	4968	2020 POLICE PICKUP	02/12/2020	32,988.00
Total :				34,638.00
Total DENNY MENHOLT CHEVROLET (131108):				34,638.00
<b>DOOR TECH LLC (131812)</b>				
	1351	GARAGE DOOR INSTALL	02/04/2020	1,485.00
Total :				1,485.00
Total DOOR TECH LLC (131812):				1,485.00
<b>EASTMAN, RINDA (129952)</b>				
	022020	PERSONAL TRAINER - REC CENTER	02/19/2020	162.94
Total :				162.94
Total EASTMAN, RINDA (129952):				162.94
<b>ENERGY LABORATORIES, INC (4120)</b>				
DEPARTMENT 6250	293836	WASTEWATER EFFLUENT TEST	01/31/2020	202.00
Total :				202.00
Total ENERGY LABORATORIES, INC (4120):				202.00
<b>ENNIST III, ROBERT F (131798)</b>				
BIG HORN FOOD SERVICES	39025	CLEANER	01/30/2020	55.30

Secondary Name	Invoice	Description	Invoice Date	Total Cost
BIG HORN FOOD SERVICES	39077	COFFEE	02/07/2020	97.28
Total :				152.58
Total ENNIST III, ROBERT F (131798):				152.58
<b>FREDERICK, LAUREL (131382)</b>				
	02062020	RESTITUTION FROM DEBRA HODSON MC-1706-037	02/06/2020	50.00
Total :				50.00
Total FREDERICK, LAUREL (131382):				50.00
<b>GEOTEC INDUSTRIAL SUPPLY (131503)</b>				
	36906	HDA TILES	02/04/2020	6,033.70
Total :				6,033.70
Total GEOTEC INDUSTRIAL SUPPLY (131503):				6,033.70
<b>GOODYEAR, ROBERT W (125939)</b>				
GOODYEAR PRINTING	13766	TREE PERMIT PRINTING	01/28/2020	57.50
GOODYEAR PRINTING	13792	GUEST PASSES AND MINI GOLF PASSES	02/06/2020	438.00
GOODYEAR PRINTING	13792	GUEST PASSES AND MINI GOLF PASSES	02/06/2020	42.00
Total :				537.50
Total GOODYEAR, ROBERT W (125939):				537.50
<b>H B I INSURANCE (12306)</b>				
	2856	INSURANCE PREMIUM FOR BOND	02/04/2020	100.00
Total :				100.00
Total H B I INSURANCE (12306):				100.00
<b>HARRIS TRUCKING AND CONSTRUCTION CO (7730)</b>				
PARK COUNTY READY MIX	114454	CONCRETE POST	01/25/2020	229.00
Total :				229.00
Total HARRIS TRUCKING AND CONSTRUCTION CO (7730):				229.00
<b>HARRIS TRUCKING AND CONSTRUCTION CO. (4780)</b>				
	133541	ROAD BASE	01/31/2020	5,500.00
	133541	ROAD BASE	01/31/2020	11,000.00
	133541	ROAD BASE	01/31/2020	4,709.71
Total :				21,209.71
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				21,209.71
<b>HARRISON, TIMOTHY BRUCE (131713)</b>				
BLUE ASPEN ENTERPRISES LLC	200006	REPAIR TO CIRCULATION PUMP	02/03/2020	337.50
BLUE ASPEN ENTERPRISES LLC	200006	REPAIR TO CIRCULATION PUMP	02/03/2020	337.50
BLUE ASPEN ENTERPRISES LLC	200007	REPAIR HOT WATER HEATER AT CHAMBER	02/03/2020	225.00
BLUE ASPEN ENTERPRISES LLC	200008	REPAIR CLUB ROOM LIGHTS	02/03/2020	311.97

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				1,211.97
Total HARRISON, TIMOTHY BRUCE (131713):				1,211.97
<b>HULTQUIST, MARILYN (132064)</b>				
	14.0660.59	REFUND UTILITY DEPOSIT	02/18/2020	18.40
Total :				18.40
Total HULTQUIST, MARILYN (132064):				18.40
<b>MICRO-COMM. INC. (6635)</b>				
	13560	M2000 MODEM	01/30/2020	150.00
Total :				150.00
Total MICRO-COMM. INC. (6635):				150.00
<b>ONE-CALL OF WYOMING (127665)</b>				
	54693	ONE - CALL FEES	02/10/2020	12.56
	54693	ONE - CALL FEES	02/10/2020	12.56
	54693	ONE - CALL FEES	02/10/2020	12.56
	54693	ONE - CALL FEES	02/10/2020	12.57
Total :				50.25
Total ONE-CALL OF WYOMING (127665):				50.25
<b>PAVEMENT MAINTENANCE INC (7825)</b>				
	20-08	SNOW REMOVAL - PARKING LOTS	01/12/2020	675.00
Total :				675.00
Total PAVEMENT MAINTENANCE INC (7825):				675.00
<b>PERKINS, NICHOLE (132067)</b>				
	14.5070.27	REFUND UTILITY DEPOSIT	02/10/2020	113.01
Total :				113.01
Total PERKINS, NICHOLE (132067):				113.01
<b>RIVER OAKS COMMUNICATIONS CORP (131184)</b>				
	121219	TCT FRANCHISE AGREEMENT	12/12/2019	1,045.00
Total :				1,045.00
Total RIVER OAKS COMMUNICATIONS CORP (131184):				1,045.00
<b>ROCKY MOUNTAIN POWER (7570)</b>				
	021920	UTILITIES - ROCKY MOUNTAIN POWER	02/19/2020	29.30
	021920	UTILITIES - ROCKY MOUNTAIN POWER	02/19/2020	285.40
Total :				314.70
Total ROCKY MOUNTAIN POWER (7570):				314.70

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>SABER PEST CONTROLL LLC (131183)</b>				
	E123	PEST CONTROL - ELECTRIC	02/03/2020	80.00
	P135	PEST CONTROL - PUBLIC WORKS SHOP	02/03/2020	50.00
	P135	PEST CONTROL - PUBLIC WORKS SHOP	02/03/2020	25.00
	P135	PEST CONTROL - PUBLIC WORKS SHOP	02/03/2020	25.00
	R134	PEST CONTROL - RECYCLING/SANITATION	02/05/2020	60.00
	W134	PEST CONTROL - WASTEWATER DEPT	02/05/2020	50.00
Total :				290.00
Total SABER PEST CONTROLL LLC (131183):				290.00
<b>SPRADLIN, GARY BRUCE (125064)</b>				
AIR CON REFRIGERATION	6309	HVAC CHECK	11/19/2019	145.50
Total :				145.50
Total SPRADLIN, GARY BRUCE (125064):				145.50
<b>SYSTEMS GRAPHICS INC (129162)</b>				
ADVANCED INFO SYSTEMS	15032	OUTSOURCE BILLS	02/06/2020	8.65
ADVANCED INFO SYSTEMS	15032	OUTSOURCE BILLS	02/06/2020	53.47
ADVANCED INFO SYSTEMS	15032	OUTSOURCE BILLS	02/06/2020	48.96
ADVANCED INFO SYSTEMS	15032	OUTSOURCE BILLS	02/06/2020	48.63
ADVANCED INFO SYSTEMS	15032	OUTSOURCE BILLS	02/06/2020	60.43
ADVANCED INFO SYSTEMS	15048	OUTSOURCE BILLS	02/14/2020	15.99
ADVANCED INFO SYSTEMS	15048	OUTSOURCE BILLS	02/14/2020	98.83
ADVANCED INFO SYSTEMS	15048	OUTSOURCE BILLS	02/14/2020	90.49
ADVANCED INFO SYSTEMS	15048	OUTSOURCE BILLS	02/14/2020	89.88
ADVANCED INFO SYSTEMS	15048	OUTSOURCE BILLS	02/14/2020	111.68
ADVANCED INFO SYSTEMS	15051	OUTSOURCE BILLS	02/20/2020	6.68
ADVANCED INFO SYSTEMS	15051	OUTSOURCE BILLS	02/20/2020	41.28
ADVANCED INFO SYSTEMS	15051	OUTSOURCE BILLS	02/20/2020	37.79
ADVANCED INFO SYSTEMS	15051	OUTSOURCE BILLS	02/20/2020	37.54
ADVANCED INFO SYSTEMS	15051	OUTSOURCE BILLS	02/20/2020	46.65
Total :				796.95
Total SYSTEMS GRAPHICS INC (129162):				796.95
<b>TUCKER, CAROL (132066)</b>				
	14.5370.18	REFUND UTILITY DEPOSIT	02/11/2020	174.30
Total :				174.30
Total TUCKER, CAROL (132066):				174.30
<b>TUNDRA GENERAL CONTRACTORS, LLC (130416)</b>				
	9201910	CONCRETE WORK - CEDAR	09/12/2019	2,045.64
Total :				2,045.64
Total TUNDRA GENERAL CONTRACTORS, LLC (130416):				2,045.64
<b>U S POST OFFICE (10050)</b>				
	022020	BRM ANNUAL MAINTENANCE PERMIT #1001	02/20/2020	725.00
	02202020	BRM PERMIT #1000	02/20/2020	240.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				965.00
Total U S POST OFFICE (10050):				965.00
<b>VAN AUKEN, TRUTH (131597)</b>				
	02192001	PERSONAL TRAINER	02/19/2020	645.29
Total :				645.29
Total VAN AUKEN, TRUTH (131597):				645.29
<b>WESCO RECEIVABLES CORP (131137)</b>				
WESCO DBA:WESCO/KVA/MODERN	434462	8' ENDLESS SLINGS	02/04/2020	213.30
WESCO DBA:WESCO/KVA/MODERN	435682	1000:5 CT'S	02/06/2020	495.00
WESCO DBA:WESCO/KVA/MODERN	435683	SAFETY HARNESS	02/06/2020	1,082.25
Total :				1,790.55
Total WESCO RECEIVABLES CORP (131137):				1,790.55
<b>WESTERN UNITED ELECTRIC SUPPLY (10605)</b>				
	6003300	GROUND TEST LABELS	02/05/2020	140.56
	6003304	HOT STICK TEST LABELS	02/05/2020	184.82
	6003496	CONNECTOR COVERS	02/07/2020	126.53
Total :				451.91
Total WESTERN UNITED ELECTRIC SUPPLY (10605):				451.91
<b>WILSHUSEN, THOMAS M (132065)</b>				
	020820	REIMBURSEMENT FOR GAS - WLEA PEASE OFFICER	02/08/2020	78.31
Total :				78.31
Total WILSHUSEN, THOMAS M (132065):				78.31
<b>WYOMING CHILD SUPPORT (132047)</b>				
	22120	Garnishment	02/21/2020	225.23
Total :				225.23
Total WYOMING CHILD SUPPORT (132047):				225.23
<b>WYOMING DEPARTMENT OF WORKFORCE SERVICES (10810)</b>				
	22020	UNEMPLOYMENT FOR 4th QTR	02/20/2020	318.06
	22020	4TH QUARTER BENEFITS	02/20/2020	14.58
	22020	4TH QUARTER BENEFITS	02/20/2020	92.36
	22020	4TH QUARTER BENEFITS	02/20/2020	9.73
	22020	4TH QUARTER BENEFITS	02/20/2020	369.46
	22020	4TH QUARTER BENEFITS	02/20/2020	151.02
	22020	4TH QUARTER BENEFITS	02/20/2020	100.68
	22020	4TH QUARTER BENEFITS	02/20/2020	83.90
	22020	4TH QUARTER BENEFITS	02/20/2020	575.62
	22020	4TH QUARTER BENEFITS	02/20/2020	5,820.14
Total :				7,535.55

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10810):				7,535.55
<b>WYOMING HEALTH FAIRS (131158)</b>				
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	520.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	200.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	120.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	40.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	320.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	120.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	280.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	360.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	200.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	240.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	80.00
	B0015532	BLOOD DRAW - WELLNESS BENEFIT	02/07/2020	320.00
Total :				2,800.00
Total WYOMING HEALTH FAIRS (131158):				2,800.00
Grand Totals:				<u>283,037.16</u>

Report GL Period Summary

GL Period	Amount
02/20	283,037.16
Grand Totals:	<u>283,037.16</u>

Vendor number hash: 5746181  
 Vendor number hash - split: 9940076  
 Total number of invoices: 65  
 Total number of transactions: 131

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	283,037.16	.00	283,037.16
Grand Totals:	<u>283,037.16</u>	<u>.00</u>	<u>283,037.16</u>
		Payroll 02/19/2020	241,853.29
			<u>524,890.45</u>

Report Criteria:

Invoice Detail.Input date = 02/25/2020  
 Invoice.Batch = {NOT LIKE} "1"

MEETING DATE:

March 3, 2020

PREPARED BY: Cindy Baker

PRESENTED BY: KEN POSEY

**Street closure for Car Show  
Request Closing Beck Ave from 8<sup>th</sup> Street to 10<sup>th</sup>  
Street and 10<sup>th</sup> Street from Beck to Sheridan Ave.  
and 9th Street from Beck to the entrance of the  
Chamber of Commerce.**

**ACTION TO BE TAKEN**

Request that City Council to allow parking within the City Park and allow the closure of Beck Ave between 8<sup>th</sup> and 10<sup>th</sup> Streets, close 10<sup>th</sup> Street between Beck and Sheridan Ave and close 9<sup>th</sup> Street between Beck and the Cody County Chamber of Commerce starting on Friday August 28<sup>th</sup> through Saturday, August 29<sup>th</sup>. Noting Promoter will provide an emergency vehicle access lane on Beck Ave, will set up and take down City provided barricades, will work with Chief of Police relating to parade event on Friday and will work with Staff on other minor conditions, fees, and equipment usage.

**SUMMARY OF INFORMATION**

This past year the promoter had relocated this event back to City Park for a variety of reason and had the ability to park cars on the grass at City Park and utilize the adjoining streets for overflow parking, vendors, registration, parking for vehicles hauled etc. This event turned out additional participants, thus would like to continue in the same are for the 9<sup>th</sup> annual 2020 show. If the organizers use the sound system, they agree to pay associated fees. The promoter understands the fee associated with the sound system and that usage requires a technician. The promoter understands the need for access for emergency vehicles and his plan includes such access on Beck Ave. The promoter would like to have the annual parade through Sheridan Ave and will met with the Chief of Police to work out the majority of the details, due to staffing needs there maybe additional coordination with Public Works Staff for assistance, as well as, cost associated with additional staffing needs which will need to be worked out with the Promoter and the City. Promoter will work with City Staff in reference to access to the park for cars utilizing ramps, location of parking, vendor fees and other minor conditions.

**FISCAL IMPACT**

Depending on selected alternative

**ALTERNATIVES**

1. Allow the Car show promoter to utilize the City Park for parking of cars for their annual show, allow the street closure of adjacent streets as noted, authorize the Police Department and/or Public Works Staff to assist with the escort during the procession down Sheridan Ave, noting there may be additional cost to promoter for said personnel.
2. Deny the request.

**ATTACHMENTS**

1. Agenda Request Form

# 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 Ken Posey  
Organization Represented Cody Country Car Show  
Date you wish to appear before the Council OPEN

Mailing Address \_\_\_\_\_ Telephone \_\_\_\_\_  
E-Mail Address CODYCOUNTRYCARSHOW@gmail.com 307-899-7677

Preferred form of contact: Telephone E- \_\_\_\_\_  
Names of all individuals who will speak on this topic Mail Ken Posey

Event Title (if applicable) Cody Country Car Show  
Date(s) of Event (if applicable) Aug 28, 29 2020

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) This will be our 9th ANNUAL CAR SHOW AND OUR POSSIBLE 3RD YEAR USING THE CODY CITY PARK FOR THE EVENT LOCATION. (SEE ADDITIONAL)

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

Signature Ken Posey Date 12/3/2019

This year we will be asking for the same as the past 2 years. We would like to close city streets from the intersection at 8th street going EAST to 10th street AND ALL OF BECK AVE to SOUTH SIDE OF SHENIDAW AVE. We would also like to use the City PARK including the band shell to park cars AND play music on SATURDAY for the show AND SHINE. Last year WAS A TRIAL RUN for paying the city AND police DEPARTMENT for their ASSISTANCE on FRIDAY night to help with the PARADE of CARS DOWN MAIN STREET. We feel it WAS A GREAT SUCCESS AND would like to do the SAME AGAIN this year. Any QUESTIONS OR CONCERNS please give me A CALL AS I would be happy to COME IN AND visit with COUNCIL about this event.

THANK YOU  
Ken Rosen

# 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 will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns, and/or provide additional information. Note: Some request may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferred lead time 14 days minimum to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared the in advance prior to the Tuesday meetings. Note 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 \_\_\_\_\_

Date you wish to appear before the Council \_\_\_\_\_

E-Mail Address \_\_\_\_\_ Telephone \_\_\_\_\_

Names of all individuals who will speak on this topic \_\_\_\_\_

Event Title (if applicable) \_\_\_\_\_

Date(s) of Event (if applicable) \_\_\_\_\_

Location of Event (if applicable) \_\_\_\_\_

**Full description** of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable) \_\_\_\_\_

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

Signature \_\_\_\_\_ Date \_\_\_\_\_

MEETING DATE: MARCH 3, 2020

DEPARTMENT: ADMINISTRATION

PREPARED BY: CINDY BAKER

PRESENTED BY: CINDY BAKER

## AGENDA ITEM SUMMARY REPORT

Beer Garden – Concert in the Parks Summer Series

### ACTION TO BE TAKEN:

The Event Coordinators of Yellowstone Beer Feast (YBF) requests permission from the Cody City Council to sell beer in the city park during the 2020 Concerts in the Park Summer Concerts from 6 pm to 8:00 or 8:30 p.m., along with authorizing the open container permits associated with alcohol on public property. The Chief of Police or his designee would have the right to shut down this event if applicable.

### SUMMARY OF INFORMATION:

Last year the Event Coordinators from YBF, along with other non-profit partners had permission from Cody City Council to sell beer on Thursdays during the summer concert in the park series from 6 to 8 or 8:30 p.m. as a fundraiser. It is unknown if the “fundraiser” is still part of the event as it is not noted on the agenda request. Unlike in the past, the organizer is **requesting not** to have to set up a fenced or roped off area in City Park . YRB would be required to provide liability insurance policy for the events, obtain a malt beverage permit for each concert they plan to sell at, as well as, an open container permit for each event.

In the past with this event, along with other events selling malt beverages in City Park the Coordinators were asked to provide a safe, family-friendly community event at City Park and discourage any misuse of alcohol or underage drinking, festival organizers had agreed to follow certain parameters with their beer sales as outlined in the *Alcohol Safety Checklist*, including setting up a fenced or roped off area for a “beer garden” . Last year versus a “roped area” the organizer was allowed to “mark with paint” the beer garden area. This worked well last year and staff is recommending the same set up this year.

Event Coordinators would also work with staff to insure all staff is trained on the procedures associated with selling alcohol, whether through internal training or a Tips Training provided by another entity. YBF has held an event on the Park County Complex grounds the past few years without incident.

### FISCAL IMPACT

Malt Beverage Permit (\$30/ea)	\$240.00
Open Container Permit (\$50/ea)	\$400.00

### ALTERNATIVES

1. Grant permission for the event coordinators (YBF) to obtain malt beverage & open container permit(s) to sell beer as requested - marking off an area for a beer garden
2. Grant the request with modifications (Staff suggested options listed)
  - a) If entire park is allowed for the open container permit – request coordinator post multiple signage along edge of park denoting “no alcohol beyond this point” , as well as, coordinator staff monitor and patrol outer limits to assist with potential violations.
  - b) Require a fenced or roped of area – in the same location as 2018 – allow expansion of area equal to double the area. (Picture attached)
  - c) Require a fenced or roped area – adjacent to the mini golf course (utilizing the mini golf fence as one side of the area (Picture attached)
3. Deny request

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

**ATTACHMENTS**

Agenda request

**AGENDA & SUMMARY REPORT TO:**

Trent Cole, YBF

**ORDINANCE NO. 2020-01**

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2, ARTICLE II SECTION 40-B-2, OF THE CITY OF CODY CODE: WATER; DOMESTIC SERVICE**

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

Title 8, Chapter 2, Section 40-B-2, of the City of Cody Code, shall be amended to provide as follows:

**8-2-40: SCHEDULE OF RATES AND CHARGES:**

The rates for metered water sold within the City limits shall be as follows:

The minimum monthly charge for each meter shall be as follows:

<b>SMP Charge</b>	<b>Base Charge</b>	<b>Meter Size</b>
\$ 11.00	\$ 13.00	<sup>3</sup> / <sub>4</sub> inch
22.00	26.00	1 inch
44.00	52.00	1 <sup>1</sup> / <sub>2</sub> inches
77.00	91.00	2 inches
176.00	208.00	3 inches
308.00	364.00	4 inches
1,408.00	768.00	6 inches

The SMP fee is the wholesale tap equivalency fee charged by the Shoshone Municipal Pipeline. The base charge is the fee assessed by the City for the operation and maintenance of the water lines. The minimum monthly fee is calculated as follows:

SMP charge + base charge + \$2.60 per thousand gallons per month.

In the event that the water meter is permanently removed and the service will no longer be usable on the property, the base fee and SMP fee may be removed from the utility account. In all other circumstances, the base fee and SMP fee will be charged on a monthly basis, regardless of usage.

Payment of bills shall be as outlined in the City electric ordinance, chapter 1 of this title. (Ord. 2017-08, 5-15-2017)

A. The rate of metered water sold outside the corporate limits shall be the same as listed above, unless determined otherwise by the Governing Body, and shall at no time exceed one and one-half (1<sup>1</sup>/<sub>2</sub>) times the rates listed above.

B. The rate and regulations for unmetered water taken from a fire hydrant, the City water crane or any unmetered source shall be as follows:

1. For water taken from the City water crane, a minimum of seven dollars twenty two cents (\$7.22) for the first one thousand (1,000) gallons or less, plus seven dollars twenty two cents (\$7.22) per one thousand (1,000) gallons for each additional one thousand

(1,000) gallons, or any fraction thereof, per trip or load.

2. For water taken from a fire hydrant on or after April 1, 2020:

a. Except as provided in Paragraph 3 below, prior to any person or entity (customer) using or taking domestic City water from any fire hydrant is required to complete a hydrant water sales agreement, pay the required deposit to the City of Cody, and obtain a hydrant meter assembly from the City's Water Department.

b. A deposit of \$500 shall be paid at the time a meter assembly is checked out. When the meter assembly is returned, pending the testing of assembly for damage, the deposit shall be applied first to any outstanding charges including any repair costs. Any deposit balance remaining shall be refunded to the customer. If a customer exchanges meters, the deposit may be transferred to the new meter. This deposit requirement does not apply to customers electing to purchase a meter.

c. The meter assembly rental fee shall be \$50.00 per month, per meter assembly. In lieu of a monthly rental fee a meter assembly may be purchased from the City at cost. Purchased meters may not be returned for credit against the purchase of a new meter or outstanding charges. Purchasing a meter does not relieve the customer from the other requirements of this Section.

d. The fee for water use shall be a minimum of seven dollars and twenty-two cents (\$7.22) per thousand gallons or any fraction thereof, of water used. This fee may be adjusted to the wholesale cost to the City if the water is used for City funded projects.

e. An electronic picture of the meter dial must be submitted between the 1<sup>st</sup> and the 5<sup>th</sup> of every month to the email address listed on the water sales agreement. In lieu of submitting an electronic photo of the meter dial, the meter may be brought to the Water Department during regular business hours to be read and verified by City personnel. Failure to submit a meter reading by the due date shall result in a late fee of \$40.00 and may be cause for confiscation of the rented meter and forfeiture of the deposit.

f. An invoice shall be sent each month to the billing address listed on the water sales agreement showing charges for actual consumption registered by the hydrant meter, the monthly rental fee, any late charges, and any repair charges. Payment for all charges billed is due within 30 days of the invoice date. Any charges billed for hydrant meter service which are not paid by the invoice due date shall be subject to a charge of one and one-half percent (1.5%) per month until said obligation has been paid.

g. Customer shall return the meter (rented or purchased) and additional equipment checked out to the City within 15 days of the one-year anniversary of the check-out date for testing and inspection. If the meter is rented, the customer shall be given a replacement meter and will be billed for the repair or replacement of any components of the assembly found to be damaged. If a purchased meter fails the testing and inspection the customer shall either (1) purchase a new meter or (2) rent a meter from the City. Failure to return the meter and equipment for inspection by the due date shall result in a fee if \$100.00 and may be cause for confiscation of the rented meter, equipment, and forfeiture of the deposit.

h. The City may terminate the hydrant water sales agreement if the customer violates or breaches any part of the Agreement, or violates any part of the applicable ordinance. A breach or violation which may result in termination includes, but is not limited to: failure to report meter readings by the due date, non-compliance with the annual meter exchange and inspection requirements, non-payment or partial payment of any fees or charges due, late payments, or damaging hydrants and/or hydrant meter assemblies. If the City terminates the Agreement due to a breach by the Customer, the City may demand return of the rented hydrant meter assembly and immediate payment of any and all charges, fees, and cost owed to the City. Upon such demand, the Customer shall

return the rented hydrant meter assembly and any additional items checked out, in as good condition as when it was received by the Customer (normal wear and tear excepted), no later than five business days after the date of the termination of the Agreement.

i. The customer shall be responsible for protecting the rented meter from freezing, or damage of any kind. In the event the rented meter is frozen or damaged the customer shall reimburse the City for the cost of repairs or replacement.

j. If the customer checks out additional items with the rented or purchased meter assembly, the customer shall be responsible for returning the additional items when the meter assembly is returned for the annual inspection. The customer shall reimburse the City for the cost of any unreturned or damaged items.

k. Taking water from a fire hydrant without a City issued meter assembly when required shall constitute a misdemeanor and, upon conviction, may be punished by a fine of not more than seven hundred fifty dollars (\$750.00).

3. Any person desiring to take domestic City water from any other unmetered source, excepting City personnel for authorized City purposes and Fire Department personnel for authorized Fire Department purposes, shall first obtain a written permit from the Public Works Director or his/her designee. Such permit shall fully state the name and billing address of the person or party responsible for payment of water taken, meter number for meter used, and the location of the source (hydrant) from where the water is to be taken. The fee for the use of water shall be a minimum of seven dollars twenty two cents (\$7.22) for the first one thousand (1,000) gallons or less, plus seven dollars twenty two cents (\$7.22) per one thousand (1,000) gallons for each additional one thousand (1,000) gallons, or fraction thereof, per trip or load. This fee may be adjusted to the cost of the water from SMP to the City, if the water is used for City projects or as determined by the Governing Body.

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

PASSED ON FIRST READING: February 18, 2020

PASSED ON SECOND READING:

PASSED ON THIRD READING:

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MATT HALL, Mayor

ATTEST:

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Cynthia D. Baker Administrative Services Director

MEETING DATE:	MARCH 3, 2020
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary Plat of the JCA-LM Minor Subdivision**

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

Approve the preliminary plat of the JCA-LM Minor Subdivision, a 2-lot subdivision.

#### **SUMMARY**

JCA-01, LLC (Josh Allison) has submitted a preliminary plat application for a 2-lot subdivision of property located on the north side of Rumsey Avenue, about 100 feet west of 13<sup>th</sup> Street. The 50-foot wide vacant property would be divided into two 25-foot wide lots. While the property is zoned General Commercial (D-2), the application notes that the lots are intended for townhouses—an allowed residential use.

A detailed analysis of the subdivision is found in the attached report to the Planning and Zoning Board. The Board adopted the staff recommendation without change.



#### **RECOMMENDATION:**

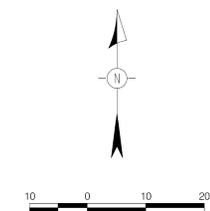
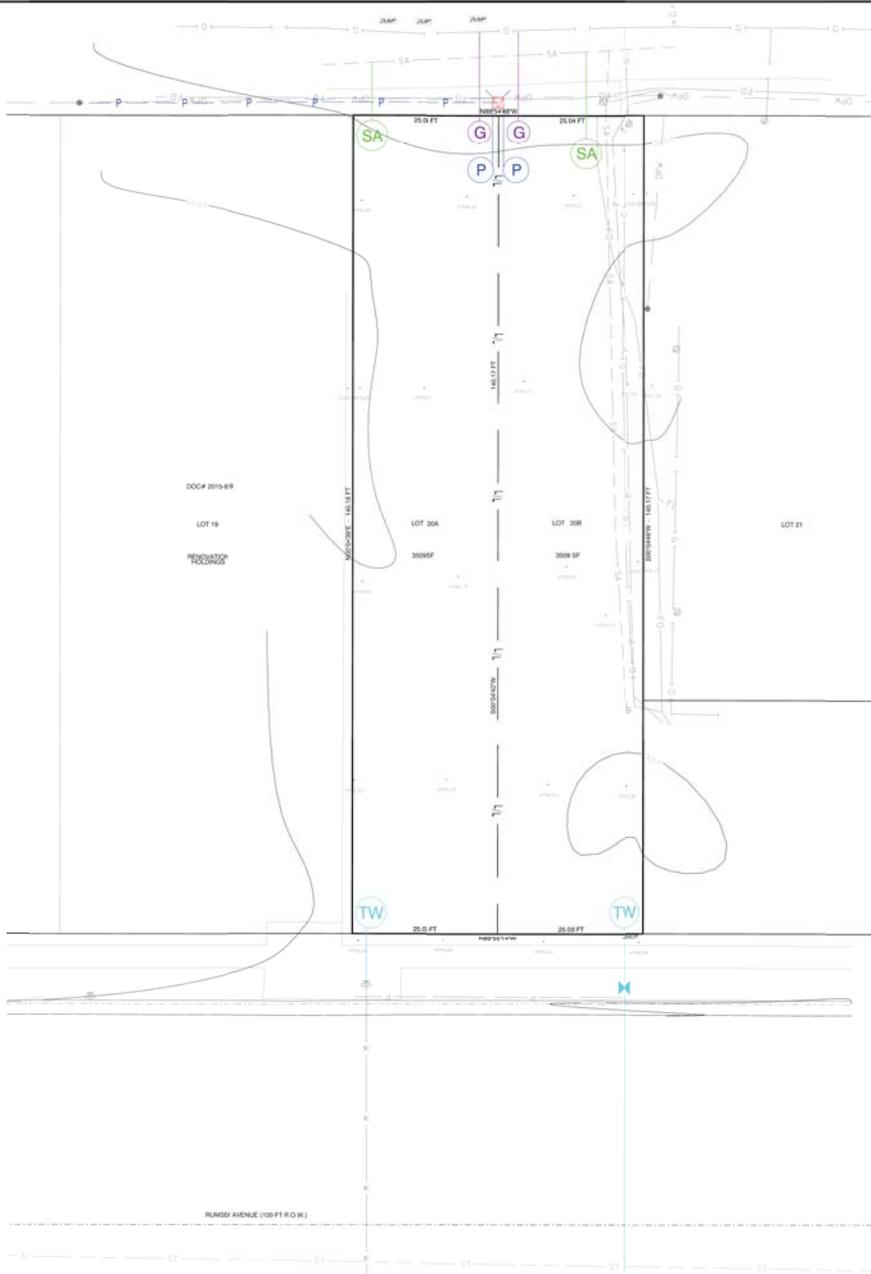
The Planning and Zoning Board has recommended that the City Council approve the Preliminary Plat for the minor subdivision subject to the following conditions:

1. All existing utility services on Lot 20B that serve other properties must either be abandoned by their owners, or granted easements per the utility provider requirements, prior to the final plat being recorded.
2. If the existing approach at the southwest corner of Lot 20A will not be utilized by Lot 20A for vehicle access, the portion along the frontage of Lot 20A must be removed and the curb, gutter and sidewalk reconstructed per Public Works standards. The removal/reconstruction would need to occur no later than the time of development on the lot.
3. With the final plat application, the applicant will need to provide confirmation from all utilities that the utility plans are acceptable (existing and proposed). If Lot 20B does not use the sewer service that is being abandoned by the Thistle building owner, then it must be capped at the north property line or at the main.
4. Pay applicable utility fees (¾" water tap fee) prior to the mayor signing the final plat.

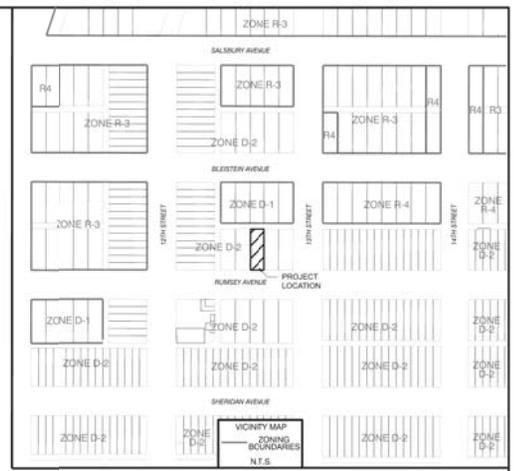
#### **ATTACHMENTS:**

Preliminary Plat and Utility Plan  
 Planning & Zoning Board Staff Report

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



- LEGEND**
- SUBDIVISION BOUNDARY
  - U/L — SUBDIVISION LOT LINE
  - ADJACENT BOUNDARIES
  - - - STREET CENTERLINE
  - - - MINOR CONTOUR (1-FT)
  - SIDEWALK/CEMENT
  - TOP BACK OF CURB
  - CURB FLOW LINE
  - EDGE OF PAVEMENT
  - DUMPSTER
- EXISTING UTILITIES**
- SA — SANITARY SEWER LINE & SERVICE
  - TW — TREATED WATER MAIN & SERVICE
  - G — GAS LINE & SERVICE
  - OVERHEAD POWER & SERVICE
  - FIBER OPTIC LINE
  - STORM SEWER LINE
  - CLEANOUT
  - FIBER OPTIC VAULT
  - GAS METER
  - POWER POLE
- PROPOSED UTILITIES**
- SA — SANITARY SEWER MAIN & SERVICE
  - TW — TREATED WATER SERVICE
  - G — GAS SERVICE
  - P — UNDERGROUND POWER, LATERAL AND SERVICE
  - SECONDARY PEDESTAL
  - PROPOSED CURB STOP



- SUBDIVISION NOTES**
1. TOTAL SUBDIVISION AREA IS 18 ACRES.
  2. PROPOSED SITE USAGE IS COMMERCIAL.
  3. SUBDIVISION AND ADJACENT ZONING:  
ZONING FOR THIS SUBDIVISION IS D2.  
ZONING WEST AND EAST IS D2.  
ZONING NORTH OF  
ZONING SOUTH IS D2.
  4. ALL LOT OWNERS WILL BE REQUIRED TO RETAIN AN ENGINEER TO ANALYZE THE DRAINAGE ON EACH LOT AT TIME OF SITE PLAN SUBMITTAL. SAID ANALYSIS MUST BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL TO ASSURE THAT ANY PROPOSED INCREASE IN RUNOFF WILL BE RETAINED ON SITE IN AN APPROVED FASHION.
  5. STREET IMPROVEMENTS:  
RUMSEY AVENUE PAVEMENT WIDTH EXCEEDS LOCAL STREET STANDARDS.  
RUMSEY AVENUE R-O-W EXCEEDS LOCAL STREET R-O-W WIDTH.  
SIDEWALK, CURB AND GUTTER EXIST ALONG THE NORTH SIDE OF RUMSEY AVENUE.
  6. WATER RIGHTS FOR THIS PROPERTY HAVE BEEN TRANSFERRED.
  7. EXISTING UTILITIES:  
TREATED WATER - CITY OF CODY; 8 FT DEPTH (APPROX.)  
SANITARY SEWER - CITY OF CODY; 8 IN PVC, 8 FT DEPTH (APPROX.)  
ELECTRICAL - CITY OF CODY; 36-48 IN DEPTH (APPROX.)  
NATURAL GAS - BLACK HILLS ENERGY; 3 FT DEPTH (APPROX.)  
CABLE TV/WATERNET/TELEPHONE  
TCT: FIBER EXISTING IN ALLEY NORTH OF PROPOSED SUBDIVISION

**DESCRIPTION OF LANDS**  
 LOT 20, BLOCK 24, ORIGINAL TOWN OF CODY, AS LOCATED IN BOOK "E" OF PLATS, PAGE 58, EVIDENCED BY DOC# 2012-7243, ALL ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER.

- REQUESTED VARIANCES**
- A. CITY ORDINANCE 11-1-3: FRONTAGE ON PUBLIC R-O-W.  
LOT FRONTAGES TO BE 20 FEET, MORE OR LESS (50 FT REQUIRED).
  - B. CITY ORDINANCE 11-4-2 (P): A VARIANCE TO THE REQUIREMENTS FOR ALLEYS IS HEREBY REQUESTED.

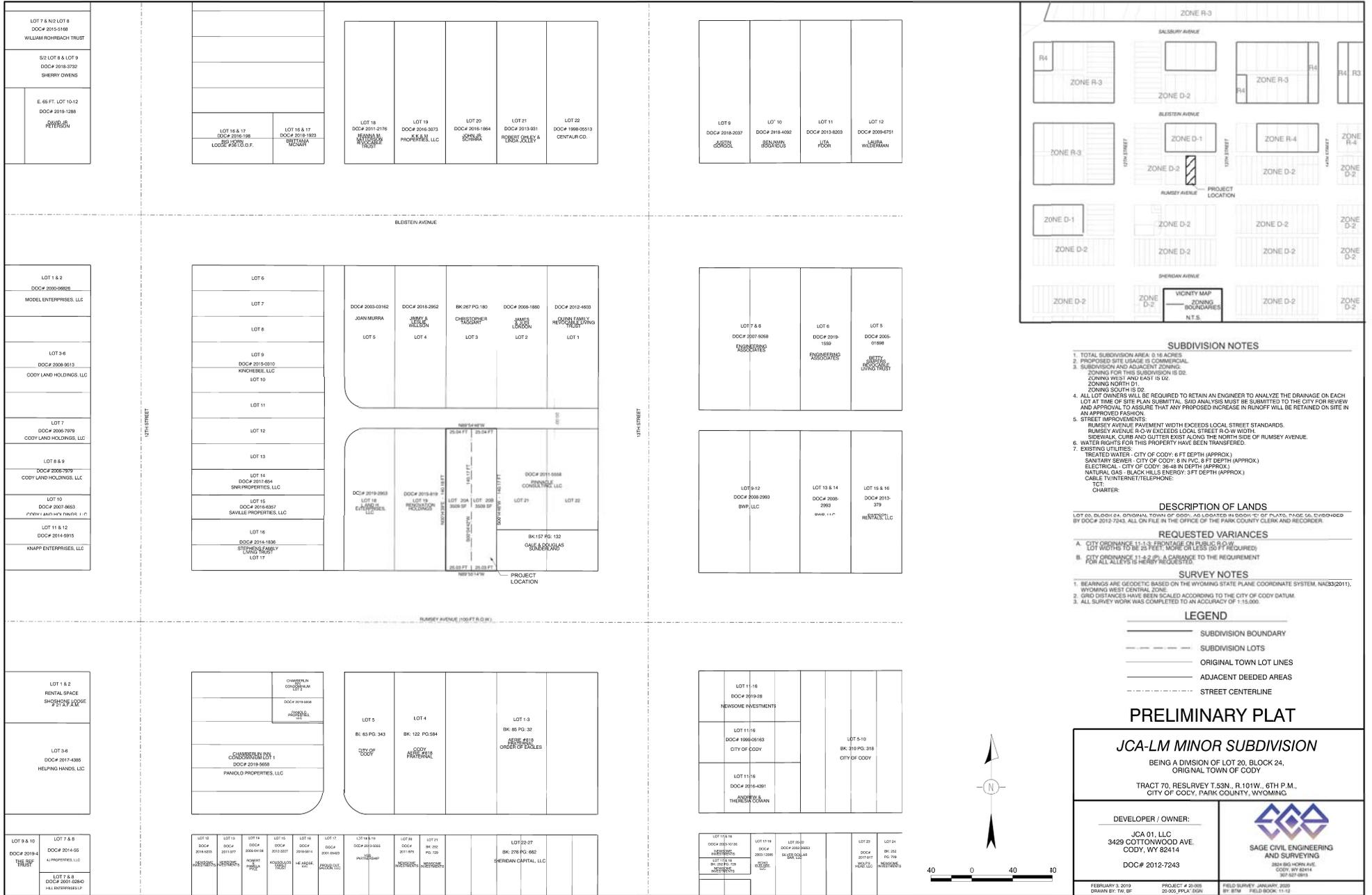
- SURVEY NOTES**
1. BEARINGS ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE.
  2. GRID DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM.
  3. ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:151000.

**UTILITY PLAN**

**JCA-LM MINOR SUBDIVISION**  
 BEING A SUBDIVISION OF LOT 20, BLOCK 24 OF THE ORIGINAL TOWN OF CODY SUBDIVISION

T 53N., R 101W.,  
 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

<p>DEVELOPER / OWNER:</p> <p>JCA 01, LLC          3429 COTTONWOOD AVE          CODY, WY 82414</p> <p>DOC# 2012-7243</p>	 <p><b>SAGE CIVIL ENGINEERING AND SURVEYING</b></p> <p>3824 BIG HORN AVE          CODY, WY 82414          307.537.8915</p>
<p>JANUARY 20, 2020 DRAWN BY: TW, SF</p>	<p>PROJECT # 200-1067 20-000_PLAT 000A</p>
<p>JANUARY 20, 2020 DRAWN BY: TW, SF</p>	<p>FIELD SURVEY: JANUARY 2020 BY: BNP</p>



- ### SUBDIVISION NOTES
- TOTAL SUBDIVISION AREA: 0.18 ACRES
  - PROPOSED SITE USAGE IS COMMERCIAL
  - SUBDIVISION AND ADJACENT ZONING: ZONING FOR THIS SUBDIVISION IS: ZONING WEST AND EAST IS D2; ZONING NORTH D1; ZONING SOUTH IS D2
  - ALL LOT OWNERS WILL BE REQUIRED TO RETAIN AN ENGINEER TO ANALYZE THE DRAINAGE ON EACH LOT AT TIME OF SITE PLAN SUBMITTAL. SWD ANALYSIS MUST BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL TO ASSURE THAT ANY PROPOSED INCREASE IN RUNOFF WILL BE RETAINED ON SITE IN AN APPROVED FASHION.
  - STREET IMPROVEMENTS: RUNSEY AVENUE PAVEMENT WIDTH EXCEEDS LOCAL STREET STANDARDS. RUNSEY AVENUE R.O.W. EXCEEDS LOCAL STREET R.O.W. WIDTH. SIDEWALK CURB AND GUTTER EXIST ALONG THE NORTH SIDE OF RUNSEY AVENUE.
  - WATER RIGHTS FOR THIS PROPERTY HAVE BEEN TRANSFERRED.
  - EXISTING UTILITIES: TREATED WATER: CITY OF CODY; 6 FT DEPTH (APPROX.)  
SANITARY SEWER: CITY OF CODY; 8 IN P.C. & FT DEPTH (APPROX.)  
ELECTRICAL: CITY OF CODY; 36-48 IN DEPTH (APPROX.)  
NATURAL GAS: BLACK HILLS ENERGY; 3 FT DEPTH (APPROX.)  
CABLE TV: WINTER TELEPHONE  
T.C.T. CHARTER

### DESCRIPTION OF LANDS

LOT 03, BLOCK 24, ORIGINAL TOWN OF CODY, AS LOCATED IN BOOK 12 OF PLATS, PAGE 56, CYPHERED BY DOC# 2012-7243, ALL ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER.

- ### REQUESTED VARIANCES
- CITY ORDINANCE 11-1-3, FRONTAGE ON PUBLIC R.O.W. LOT WIDTHS TO BE 25 FEET MORE OR LESS 20 FT REQUIRED.
  - CITY ORDINANCE 11-2-2 (P), A VARIANCE TO THE REQUIREMENT FOR ALL ALLEYS IS HEREBY REQUESTED.

- ### SURVEY NOTES
- BEARINGS ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE.
  - GIRD DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM.
  - ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:15,000.

- ### LEGEND
- SUBDIVISION BOUNDARY
  - SUBDIVISION LOTS
  - ORIGINAL TOWN LOT LINES
  - ADJACENT DEEDED AREAS
  - STREET CENTERLINE

## PRELIMINARY PLAT

### JCA-LM MINOR SUBDIVISION

BEING A DIVISION OF LOT 20, BLOCK 24,  
ORIGINAL TOWN OF CODY

TRACT 70, RESERVEY T.53N., R.101W., 6TH P.M.,  
CITY OF CODY, PARK COUNTY, WYOMING

<b>DEVELOPER / OWNER:</b> JCA 01, LLC 3429 COTTONWOOD AVE. CODY, WY 82414 DOC# 2012-7243	 <b>SAGE CIVIL ENGINEERING AND SURVEYING</b> 3824 BIG HORN AVE. CODY, WY 82414 307.527.8915
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FEBRUARY 3, 2019      PROJECT # 20108      FIELD SURVEY, JANUARY, 2020  
 DRAWN BY: TW, DE      BY: BWP      FIELD BOOK: 11-12

**CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
STAFF REPORT**

<b>MEETING DATE:</b>	FEBRUARY 25, 2020	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	A 2-LOT MINOR SUBDIVISION FOR JCA 01, LLC. SUB 2020-01	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

The property is in a General Business (D-2) zoning district and located on the north side of Rumsey Avenue, about 100 feet west of 13<sup>th</sup> Street, immediately west of "The Thistle" building. The property is vacant and the application notes that each lot is planned to be developed with a townhouse. The property measures 50 feet wide by 140 feet in depth and would be divided in half to produce two 25-foot wide lots of 3,509 square feet each. The attached preliminary plat and utility plan is shown with the required items.



**Zoning Standards:**

The D-2 zoning district does not have any zoning standards for building setbacks, building height, minimum lot area, minimum lot width, or maximum lot coverage. As there is no adjacent residential zoning, there is no buffer requirement. Provided applicable building codes are met and there are no conflicts with easements, buildings

can be built up to the property lines. Residential uses are permitted in the D-2 zoning district.

Although the property is exempt from providing off-street parking (located in downtown parking district), it is anticipated that parking will be provided off the alley side of the lots.

Utility encroachments:

As disclosed on the utility plan there are existing utility lines that are on the east side of this property, but which do not have any recorded easements. It is our understanding that the adjacent property owners that are served by the utilities have agreed to have them relocated, so as to avoid having to establish any easements or otherwise restrict the building area on Lot 20B.

Specifically, the sewer line (SA) will be abandoned as the west side of the Thistle building is having interior plumbing done to use a different sewer line that runs out the back of their building near the middle, and across the middle of the Pinnacle Consulting property. They are obtaining an easement for that line.

It would seem that the abandoned sewer service line could then be used by Lot 20B, so as to avoid installing a new connection in the alley. If the existing line is not used, then the owner of Lot 20B will need to cap the abandoned sewer line at the north property line, or at the main.

The underground direct-bury power line (P) serving the Thistle building will be abandoned in place and the Thistle building will be served by a new overhead line along the west side of the Pinnacle property. An easement is needed for the overhead power line. The fiber optic line (FO) is owned by TCT and will be relocated fully within the Pinnacle property. Not shown on the utility plan is an overhead phone (cable?) line serving the Thistle building that just crosses the northeast corner of Lot 20B, and which also needs shifted to the Pinnacle property.

The gas line (G) is marked on the ground on Lot 20B, but as of this time we are unsure what, if any, property it serves. With the final plat application, the applicant will need to provide confirmation from all utilities that the utility plans/situations are acceptable.

Access

The property has historically utilized a shared approach with the property to the west. It is anticipated that this property will no longer use that approach, but instead use the alley for access to parking. The approach should then be removed from the frontage of this property and replaced with curb, gutter, and sidewalk to



match the rest of the frontage. This work will need to be completed at the time of development on the lot. It is pointed out now, so that it is not a surprise at the time of site plan/architectural review.

### **SUBDIVISION REGULATIONS**

Applicable subdivision ordinance requirements are as follows. Staff comments follow each requirement. When a variance from the standard is involved, it is noted.

#### 11-4-2: STREETS, ALLEYS AND EASEMENTS:

*A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.*

Comment- No new public streets or alleys are proposed.

*B. Conform to Master Street Plan: All streets shall conform to the city master street plan for size and approximate alignment.*

Comments- Rumsey Avenue is fully improved to applicable street standards.

*Items "C" through "O" are standards that relate to construction of new public streets and are not applicable to this project.*

*P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys...*

Comment: A 20-foot alley exists along the north side of the subdivision.

*Items "Q" through "T" are standards that relate to streets and drainage that are not applicable to this project.*

#### *U. Lot Requirements:*

*1. Lots shall be sited to meet the requirements of the appropriate zoning.*

Comment: Met (no minimum in D-2).

*2. Every lot shall abut upon or have access to an approved street or cul-de-sac.*

Comment: Met. Both lots abut Rumsey Avenue.

*3. Side lot line shall be at approximately right angles to the street line on which the lot faces.*

Comment: Met.

*4. Strip lots...will be prohibited.*

Comment: Met.

*V. Blocks:... Comment: Met.*

**Section 11-5-1, DEVELOPMENT AND IMPROVEMENT** also includes standards for construction. Applicable sections are listed below.

*F. Sanitary Sewer: ...Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available...*

Comment: Will be met as proposed. As noted, Lot 20B could use the service line that is being abandoned by the Thistle building owner.

*G. Storm Sewer...*

Comment: Minor subdivisions are exempt from the storm water policy. The final plat will need to contain Note 4 from the preliminary plat regarding future storm water analysis.

*H. Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. ...*

Comment: Lot 20A has an existing service tap. Lot 20B will require a new tap. The tap will be done by the City and the fee for the tap will need to be paid prior to recording the final plat.

*I. Fire Hydrants...*

Comment: Existing hydrants are located within the required distance—across the 13<sup>th</sup> and Rumsey intersection.

*J. Open Drains, Irrigation Ditches: All open drains and irrigation ditches shall be buried or, if possible, eliminated.*

Comment: Not applicable. The area is within the City raw water service area.

*K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys ... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.*

Comments: The plans are shown. If the plat is recorded prior to installation of the service lines to each lot, the plat must contain language disclosing the responsibility of the developer to install the services prior to issuance of a building permit for that lot.

*M. Street Lighting...*

Comment: Street lighting exists along Rumsey Avenue.

*N. Public Use Areas: ...*

Comment: Minor subdivisions are exempt from this requirement.

**RECOMMENDATION:**

Recommend that the City Council approve the preliminary plat of the JCA-LM Minor Subdivision subject to the following conditions:

1. All existing utility services on Lot 20B that serve other properties must either be abandoned by their owners, or granted easements per the utility provider requirements, prior to the final plat being recorded.
2. If the existing approach at the southwest corner of Lot 20A will not be utilized by Lot 20A for vehicle access, the portion along the frontage of Lot 20A must be removed and the curb, gutter and sidewalk reconstructed per Public Works standards. The removal/reconstruction would need to occur no later than the time of development on the lot.
3. With the final plat application, the applicant will need to provide confirmation from all utilities that the utility plans are acceptable (existing and proposed). If Lot 20B does not use the sewer service that is being abandoned by the Thistle building owner, then it must be capped at the north property line or at the main.
4. Pay applicable utility fees (¾" water tap fee) prior to the mayor signing the final plat.

**ATTACHMENTS**

Preliminary plat and utility plan