

City of Cody City Council  
AGENDA

Tuesday, June 7, 2011 - 7:00 p.m. (Pre-Meeting to begin at 6:30 p.m.)  
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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

- Oaths of Office to Police Officer Justin Dollard

1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Special Meeting Minutes on 5/12/11, 5/16/11, 5/17/11, 5/18/11 and Regular Meeting Minutes on 5/17/2011.
- b. Approval of vouchers and payroll in the amount of \$829,742.95.
- c. Award Quote 2011-07 - Fuel to Homax Oil sales, partnering with Conoco Country Store for supplying fuel to the City of Cody for FY 2011-2012.
- d. Approve the Stampede Parades on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> of July and sponsor the \$100 permit fee per parade and require the Stampede Parade Committee to provide proof of insurance for all three parades.
- e. Appoint Michael Barton as a Hearing Officer for the City of Cody.
- f. Consider a request to declare equipment and miscellaneous items as surplus and authorize staff to proceed with the auction process for sale of such equipment and miscellaneous items.
- g. Approve Change Order #3 – Cody Auditorium ADA renovation not to exceed \$350.00.
- h. Award Bid Number 2011-01 - Construction Contract for Cody City Hall Energy Retrofit Project in the amount of \$162,776 to Ace Electric, Laurel, MT and authorize the Mayor to enter into a construction contract with Ace Electric.
- i. Consider a request to declare a 1984 Ford Bronco II, valued less than \$500.00, as a surplus vehicle and direct staff to proceed in donating said vehicle to the Cody Volunteer Fire Department for training purposes.

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 determine if it is in the public interest to grant a new restaurant liquor license to Luzh-S Co dba Chinatown located at 937 Sheridan Avenue.
- b. A Public Hearing to determine if it is in the public interest to participate in the Wyoming Business Council - Business Committed Grant to assist in the development of a warehouse building for Cody Laboratories.
- c. A Public Hearing to determine if it is in the public interest to consider a zone change from “B” Residential to “D-1” Limited Business for Gee Properties, LLC for the property located at 702 and 708 Platinum Avenue.

4. Conduct of Business

- a. Consider approving a new restaurant liquor license for Luzh-S Co. dba Chinatown located at 937 Sheridan Avenue contingent upon issuance of a Certificate of Occupancy for this business.  
 Staff Reference: Cindy Baker, Administrative Services Officer  
 Spokesperson: Xiren Zhang & Yi Lu, Luzh-S Co.

**b. RESOLUTION 2011-05**

**A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE WYOMING BUSINESS COUNCIL-BUSINESS READY COMMUNITIES FOR A BUSINESS COMMITTED GRANT TO ASSIST IN THE DEVELOPMENT OF A WAREHOUSE BUILDING FOR CODY LABORATORIES**

Staff Reference: Jenni Rosencranse, City Administrator  
 Spokesperson: James Klessens, Forward Cody

- c. Approve and authorize the Mayor to sign the Revenue Recapture Plan associated with the Wyoming Business Council Business Ready Communities for a Business Committed Grant to assist in the development of a warehouse building for Cody Laboratories.  
 Staff Reference: Jenni Rosencranse, City Administrator  
 Spokesperson: James Klessens, Forward Cody
- d. Consider approving a request for a zone change from “B” Residential to “D-1” Limited Business for Gee Properties, LLC for the property located at 702 and 708 Platinum Avenue and direct staff to prepare an ordinance for the zone change.  
 Staff Reference: Steve Payne, Public Works Director  
 Spokesperson: Allen L Gee, MD, Gee Properties, LLC
- e. Consider approving a request from Lance and Jacqueline Miner to place a fence within the public right-of-way on Burlington Street. Authorize the

Mayor to enter into a lease agreement between the Miner's and the City of Cody with conditions recommended by staff.

Staff Reference: Steve Payne, Public Works Director

Spokesperson: Lance and Jacqueline Miner

- f. Consider a request from Park County Leadership Institute for the City of Cody to sponsor a morning break, afternoon break, lunch or both breaks and lunch for the 2011-2012 Park County Leadership Class.

Staff Reference: Rick Manchester, Parks, Recreation and Public Facilities Director

Spokesperson: Jenni Phillips, Park County Leadership Institute Steering Committee

- g. Consider a request from Gail Nace of the Silver Dollar Bar to allow retail liquor license holders to operate with modified hours on July 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>, 2011 allowing retail liquor license holders to stay open until 4 a.m. conditional upon those who intend to operate until 4 p.m. must notify the City of Cody Administrative Services Officer of this intent by June 30, 2011, and designate the Chief of Police or his designee the authority to revoke the extended hours provision during these dates if a situation arises where it is necessary to close the establishments earlier.

Staff Reference: Cindy Baker, Administrative Services Officer

Spokesperson: Gail Nace, Silver Dollar Bar

- h. Consider approving a pawnbroker license for Michelle Jones dba Yellowstone Trading Company located at 2201 S 17<sup>th</sup> Street, Suite 11 contingent upon receiving proof of a State of Wyoming Pawnbroker license and State sales tax number.

Staff Reference: Cindy Baker, Administrative Services Officer

Spokesperson: Michelle Jones, Yellowstone Trading Company

- i. Discuss the Draft Hazard Mitigation Plan

Spokesperson: Martin Knapp, Coordinator, Park County Office of Homeland Security and Barb Beck, Consulting, Mitigation Planning Contractor.

- j. Consider allowing vendors to sell food and other approved wares during the 2011 Concerts in the Park series from July 8<sup>th</sup> to September 3<sup>rd</sup> at City Park with conditions outlined in the contract agreement for such activity.

Staff Reference: Rick Manchester, Parks, Recreation and Public Facilities Director

- k. RESOLUTION 2011-04**

**A RESOLUTION AMENDING THE FY2010-2011 BUDGET IN THE AMOUNT OF \$166,049.**

Staff Reference: Leslie Brumage, Finance Officer

- l. ORDINANCE 2011-21 ANNUAL TAX LEVY 1<sup>st</sup> Reading  
AN ORDINANCE FOR THE AMOUNT OF TAX LEVY FOR THE  
CITY OF CODY, WYOMING FOR THE FISCAL YEAR ENDING  
JUNE 30, 2012.**  
Staff Reference: Leslie Brumage, Finance Officer
- m. ORDINANCE 2011-20 BUDGET APPROPRIATION 1<sup>st</sup> 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, 2012.**  
Staff Reference: Leslie Brumage, Finance Officer
- n. ORDINANCE 2011-19 3<sup>rd</sup> and Final Reading  
AN ORDINANCE RE-ZONING A TRACT OF LAND LOCATED  
WITHIN A PORTION OF TRACT 82-C, RESURVEY, T.53 N., R.101  
W., 6<sup>TH</sup> P.M., CITY OF CODY, PARK COUNTY, WYOMING FROM  
RESIDENTIAL "A" DISTRICT TO GENERAL BUSINESS "D2"  
DISTRICT. BBHC has requested this item to be tabled until the June 21,  
2011 Council Meeting.**  
Staff Reference: Steve Payne, Public Works Director  
Spokesperson: Bruce Eldredge, BBHC
- o. ORDINANCE 2011-02 3<sup>rd</sup> and Final Reading  
AN ORDINANCE AMENDING SECTION 10-15-1 OF THE  
CITY OF CODY MUNICIPAL CODE BY PROVIDING THE  
INTENT AND PURPOSE OF THE SIGN CODE**  
Staff Reference: Scott Kolpitcke, City Attorney
- p. ORDINANCE 2011-03 3<sup>rd</sup> and Final Reading  
AN ORDINANCE AMENDING SECTION 10-15-2 OF THE  
CITY OF CODY MUNICIPAL CODE BY PROVIDING  
DEFINITIONS AND LANGUAGE FOR SIGNAGE  
ORDINANCES**  
Staff Reference: Scott Kolpitcke, City Attorney
- q. ORDINANCE 2011-04 3<sup>rd</sup> and Final Reading  
AN ORDINANCE AMENDING SECTION 10-15-3 OF THE  
CITY OF CODY MUNICIPAL CODE BY PROVIDING  
REGULATIONS AND STANDARDS OF THE SIGN CODE**  
Staff Reference: Scott Kolpitcke, City Attorney
- r. ORDINANCE 2011-05 3<sup>rd</sup> and Final Reading  
AN ORDINANCE AMENDING SECTION 10-15-4 OF THE  
CITY OF CODY MUNICIPAL CODE BY PROVIDING  
INTERPRETATION PROVISIONS TO THE SIGN CODE**

Staff Reference: Scott Kolpitzke, City Attorney

- s. **ORDINANCE 2011-06 3rd and Final Reading**  
**AN ORDINANCE AMENDING SECTION 10-15-5 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING ADMINISTRATIVE PROCEDURES WITH REGARD TO THE SIGN CODE**  
Staff Reference: Scott Kolpitzke, City Attorney
- t. **ORDINANCE 2011-07 3rd and Final Reading**  
**AN ORDINANCE AMENDING SECTION 10-15-6 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING GENERAL PROVISIONS REGARDING THE SIGN CODE**  
Staff Reference: Scott Kolpitzke, City Attorney
- u. **ORDINANCE 2011-08 3rd and Final Reading**  
**AN ORDINANCE REPEALING SECTION 10-15-7 OF THE CITY OF CODY MUNICIPAL CODE AND RESERVING THAT SECTION FOR FUTURE USE**  
Staff Reference: Scott Kolpitzke, City Attorney
- v. **ORDINANCE 2011-09 3rd and Final Reading**  
**AN ORDINANCE AMENDING SECTION 10-15-8 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING RESIDENTIAL SIGN DISTRICTS**  
Staff Reference: Scott Kolpitzke, City Attorney
- w. **ORDINANCE 2011-10 3rd and Final Reading as Amended**  
**AN ORDINANCE AMENDING SECTION 10-15-9 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING COMMERCIAL SIGN DISTRICTS**  
Staff Reference: Scott Kolpitzke, City Attorney
- x. **ORDINANCE 2011-11 3rd and Final Reading**  
**AN ORDINANCE AMENDING SECTION 10-15-10 OF THE SIGN CODE FOR THE CITY OF CODY MUNICIPAL CODE BY PROVIDING DEFINITION FOR ILLEGAL, NON-CONFORMING AND ABANDONED SIGNS**  
Staff Reference: Scott Kolpitzke, City Attorney
- y. **ORDINANCE 2011-12 3rd and Final Reading**  
**AN ORDINANCE AMENDING SECTION 10-15-11 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING FOR REMOVAL OF SIGNS**  
Staff Reference: Scott Kolpitzke, City Attorney
- z. **ORDINANCE 2011-13 3rd and Final Reading**

**AN ORDINANCE AMENDING SECTION 10-15-12 OF THE  
CITY OF CODY MUNICIPAL CODE BY PROVIDING  
PROCEDURE FOR REVIEW AND APPEAL REGARDING  
CITY OF CODY SIGN CODE**

Staff Reference: Scott Kolpitcke, City Attorney

- aa. **ORDINANCE 2011-14 3rd and Final Reading  
AN ORDINANCE AMENDING SECTION 10-15-13 OF THE  
CITY OF CODY MUNICIPAL CODE PROVIDING FOR  
PENALTIES FOR VIOLATION OF THE SIGN CODE**

Staff Reference: Scott Kolpitcke, City Attorney

- bb. **ORDINANCE 2011-15 3rd and Final Reading  
AN ORDINANCE REPEALING SECTION 10-15-14 OF THE CITY OF  
CODY MUNICIPAL CODE**

Staff Reference: Scott Kolpitcke, City Attorney

- cc. **ORDINANCE 2011-16 3rd and Final Reading  
AN ORDINANCE REPEALING SECTION 10-15-15 OF THE  
CITY OF CODY MUNICIPAL CODE**

Staff Reference: Scott Kolpitcke, City Attorney

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

Adjournment

***Upcoming Meetings***

Special City Council Meeting: Thursday, June 16, 2011 @ 4:15 p.m. – Council Chambers

Regular City Council Meeting: Tuesday, June 21, 2011 @ 7:00 p.m. – Council Chambers

**City of Cody**  
**Council Proceedings**  
**Thursday, May 12, 2011**

A special meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Thursday, May 12, 2011 at 4:15 p.m.

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

Absent: Council Member Jerry Fritz

Mayor Nancy Tia Brown called the meeting to order at 4:18 p.m.

The Governing Body discussed whether or not the City should remain a member of Big Horn Basin RC & D and renew the membership. Staff was directed not to pay the renewal invoice.

The Governing Body discussed having a Council liaison between City of Cody and Park County School District (PCSD) and West Park Hospital (WPH). Council Member Cloud and Edwards will serve as a liaison for the Park County School District, Council Member Wolz will serve as the liaison for West Park Hospital. Council Member Miller informed the Governing Body he has made contact with the Fire District and will serve as a liaison for that organization. Mayor Brown will contact PCSD and WPH.

Council Member Cloud asked about the Spirit Mountain Sink Hole situation, as it was not on the agenda. Mayor Tia Brown indicated that the situation was turned back over to the Council Members in that Ward. No action was taken.

Rick Manchester, Parks, Recreation & Facilities Director, gave a brief background on the history in reference to a letter to BLM in support of mineral withdrawal on BLM land south of Beck Lake Park associated with mountain bike park. Being no issues, Mayor Tai Brown will sign letter.

Leslie Brumage, Finance Officer distributed and gave a brief summary of the FY2011-2012 draft budget. No action was taken.

The Governing Body reviewed the Council Agenda for May 17, 2011. No action was taken.

The Governing Body discussed the letters that will be sent out to residences on Canyon Avenue. The Governing Body was also informed the City is in the process of making alternate arrangements to purchase fuel if Red Eagle Co. is not be able to provide fuel for the period quoted.

Council Member Miller made a motion, seconded by Council Member Edwards to enter into executive session pursuant to Wyoming State Statute 16-4-405 at 5:01 p.m. to discuss a personnel matter and consider or receive information that is identified as confidential by law. Vote was unanimous. Council Member Miller made a motion seconded by Council Member Edwards to exit out of the executive session at 5:50 p.m. Vote was unanimous.

There being no further business to discuss, the Mayor adjourned the meeting at 5:51 p.m.

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Cindy Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody**  
**Council Proceedings**  
**Monday, May 16, 2011**

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Monday, May 16, 2011 at 11:00 a.m.

Present: Mayor Nancy Tia Brown, Council Members, Donny Anderson, Charles Cloud, Stan Wolz and Bryan Edwards; City Administrator, Jenni Rosencranse, Administrative Services Officer, Cindy Baker, Finance Officer, Leslie Brumage, Assistant Administrative Services Officer, Sara Wead, Police Chief, Perry Rockvam, Parks, Recreation and Public Facilities Director, Rick Manchester and Public Works Director, Steve Payne. Council Member Steve Miller arrived at 11:30, and Council Member Jerry Fritz arrived at 11:38.

Absent: None

Mayor Brown called the meeting to order at 11:12 a.m.

The Governing Body discussed the proposed budget for Fiscal Year 2011-2012. No action was taken.

Mayor Brown adjourned the meeting at 1:17 p.m.

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Cynthia D Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody**  
**Council Proceedings**  
**Tuesday, May 17, 2011**

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, May 17, 2011 at 11:00 a.m.

Present: Mayor Nancy Tia Brown, Council Members Jerry Fritz, Donny Anderson, Charles Cloud, Steve Miller, Stan Wolz and Bryan Edwards; City Administrator, Jenni Rosencranse, Finance Officer, Leslie Brumage, Administrative Services Officer, Cindy Baker, Assistant Administrative Services Officer, Sara Wead, Police Chief, Perry Rockvam, Parks, Recreation and Public Facilities Director, Rick Manchester and Public Works Director, Steve Payne.

Absent: None

Mayor Brown called the meeting to order at 11:00 a.m.

The Governing Body discussed the proposed budget for Fiscal Year 2011-2012. No action was taken.

Mayor Brown adjourned the meeting at 1:46 p.m.

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Cynthia D Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody**  
**Council Proceedings**  
**Wednesday, May 18, 2011**

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Wednesday, May 18, 2011 at 11:00 a.m.

Present: Mayor Nancy Tia Brown, Council Members, Donny Anderson, Charles Cloud, Steve Miller, Stan Wolz and Bryan Edwards; City Administrator, Jenni Rosencranse, Finance Officer, Leslie Brumage, Assistant Administrative Services Officer, Sara Wead, Police Chief, Perry Rockvam, Parks, Recreation and Public Facilities Director, Rick Manchester and Public Works Director, Steve Payne.

Absent: Council Member Jerry Fritz and Administrative Services Officer, Cindy Baker

Mayor Brown called the meeting to order at 11:00 a.m.

The Governing Body discussed the proposed budget for Fiscal Year 2011-2012. No action was taken.

Mayor Brown adjourned the meeting at 1:41 p.m.

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Sara Wead  
Assistant Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody**  
**Council Proceedings**  
**Tuesday, May 17, 2011**

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, May 17<sup>th</sup>, 2011 at 7:00 p.m.

Present: Mayor Nancy Tia Brown, Council Members Steve Miller, Jerry Fritz, Stan Wolz, and Charles Cloud, Bryan Edwards and Donny Anderson, City Administrator, Jenni Rosencranse, City Attorney, Scott Kolpitcke and Assistant Administrative Services Officer, Sara Wead

Absent: None

Mayor Brown called the meeting to order at 7:07 p.m.

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

Council Member Miller made a motion seconded by Council Member Cloud to approve the consent calendar including the approval of Special Meeting Minutes on 4/28/11 and Regular Meeting Minutes on 5/3/2011, approval of vouchers and payroll in the amount of \$1,514,723.96, approve and authorize the Mayor to sign the Wyoming Association of Municipalities Joint Powers Insurance Coverage Amended and Restated Joint Powers Agreement, and certify status of the Residential Through-the-Fence Access at the Yellowstone Regional Airport and authorize the Mayor to sign the Sponsor Certification. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Anderson to approve providing a police escort on July 10, 2011 at 10:00 a.m. from the Cody Stampede Rodeo Grounds, 519 W Yellowstone Avenue, to Wyoming Vietnam Memorial Park, located at Lt. Childers St. and U.S. Highway 14-16-20 for the 2011 Vietnam Veterans "Ride to the Wall". Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Wolz to approve a request from Jody Horvath and the Boot, Scoot'n Boogie Committee to close the 1100, 1200 and 1300 blocks of Sheridan Avenue on Thursday, September 22, 2011 from 4 p.m. to 10 p.m., approve an Open Container permit for the event, approve sponsoring the event by providing traffic control, barricades, closure signage, detour routing for the event and initiating the tow process of vehicles if necessary. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Edwards to approve an outdoor serving area for alcoholic beverages for Zapata's Inc located at 1362 Sheridan Avenue in accordance with the Wyoming State Statute 12-5-201(a). Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Anderson to approve an outdoor serving are for alcoholic beverages for ALEM, LLC dba Libations located at 1503 Sheridan Avenue in accordance with Wyoming State Statue 12-5-201(a) and contingent upon the approval of such area through the Planning and Zoning Board. Vote was unanimous.

**ORDINANCE 2011-17      3rd and Final Reading.**

**AN ORDINANCE AMENDING CITY OF CODY MUNICIPAL CODE BY AMENDING TITLE 5, CHAPTER 3, SECTION 21, PERTAINING TO THE FEEDING OF DEER**

Council Member Cloud made a motion seconded by Council Member Fritz to pass Ordinance 2011-17 on 3rd and Final reading. Vote was unanimous.

**ORDINANCE 2011-18 3rd and Final Reading.**

**AN ORDINANCE AMENDING CITY OF CODY MUNICIPAL CODE BY RENUMBERING TITLE 5, CHAPTER 3, SECTION 21, PERTAINING TO PENALTIES, AS TITLE 5, CHAPTER 3, SECTION 22**

Council Member Edwards made a motion seconded by Council Member Fritz to pass Ordinance 2011-18 on 3rd and Final reading. Vote was unanimous.

**ORDINANCE 2011-19 2nd Reading**

**AN ORDINANCE RE-ZONING A TRACT OF LAND LOCATED WITHIN A PORTION OF TRACT 82-C, RESURVEY, T.53 N., R.101 W., 6<sup>TH</sup> P.M., CITY OF CODY, PARK COUNTY, WYOMING FROM RESIDENTIAL "A" DISTRICT TO GENERAL BUSINESS "D2" DISTRICT.**

Council Member Miller made a motion seconded by Council Member Edwards to pass Ordinance 2011-19 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-02 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-1 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING THE INTENT AND PURPOSE OF THE SIGN CODE**

Council Member Wolz made a motion seconded by Council Member Anderson to pass Ordinance 2011-02 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-03 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-2 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING DEFINITIONS AND LANGUAGE FOR SIGNAGE ORDINANCES**

Council Member Anderson made a motion seconded by Council Member Edwards to pass Ordinance 2011-03 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-04 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-3 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING REGULATIONS AND STANDARDS OF THE SIGN CODE**

Council Member Cloud made a motion seconded by Council Member Fritz to pass Ordinance 2011-04 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-05 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-4 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING INTERPRETATION PROVISIONS TO THE SIGN CODE**

Council Member Fritz made a motion seconded by Council Member Anderson to pass Ordinance 2011-05 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-06 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-5 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING ADMINISTRATIVE PROCEDURES WITH REGARD TO THE SIGN CODE**

Council Member Edwards made a motion seconded by Council Member Fritz pass Ordinance 2011-06 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-07 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-6 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING GENERAL PROVISIONS REGARDING THE SIGN CODE**

Council Member Miller made a motion seconded by Council Member Anderson to pass Ordinance 2011-07 on 2nd reading. Vote was unanimous.

**ORDINANCE 2011-08 2nd Reading.**

**AN ORDINANCE REPEALING SECTION 10-15-7 OF THE CITY OF CODY MUNICIPAL CODE AND RESERVING THAT SECTION FOR FUTURE USE**

Council Member Cloud made a motion seconded by Council Member Fritz to pass Ordinance 2011-08 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-09 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-8 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING RESIDENTIAL SIGN DISTRICTS**

Council Member Fritz made a motion seconded by Council Member Cloud to pass Ordinance 2011-09 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-10 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-9 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING COMMERCIAL SIGN DISTRICTS**

Council Member Anderson made a motion seconded by Council Member Cloud to pass Ordinance 2011-10 on 2nd reading. Council Member Miller proposed a friendly amendment accepted by Council Member Anderson and Council Member Cloud to pass Ordinance 2011-10 as amended. Vote was unanimous.

**ORDINANCE 2011-11 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-10 OF THE SIGN CODE FOR THE CITY OF CODY MUNICIPAL CODE BY PROVIDING DEFINITION FOR ILLEGAL, NON-CONFORMING AND ABANDONED SIGNS**

Council Member Fritz made a motion seconded by Council Member Edwards to pass Ordinance 2011-11 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-12 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-11 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING FOR REMOVAL OF SIGNS**

Council Member Fritz made a motion seconded by Council Member Anderson to pass Ordinance 2011-12 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-13 2nd Reading.**

**AN ORDINANCE AMENDING SECTION 10-15-12 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING PROCEDURE FOR REVIEW AND APPEAL REGARDING CITY OF CODY SIGN CODE**

Council Member Edwards made a motion seconded by Council Member Fritz to pass Ordinance 2011-13 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-14      2nd Reading.**  
**AN ORDINANCE AMENDING SECTION 10-15-13 OF THE CITY OF CODY MUNICIPAL CODE PROVIDING FOR PENALTIES FOR VIOLATION OF THE SIGN CODE**

Council Member Fritz made a motion seconded by Council Member Cloud to pass Ordinance 2011-14 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-15      2nd Reading.**  
**AN ORDINANCE REPEALING SECTION 10-15-14 OF THE CITY OF CODY MUNICIPAL CODE**

Council Member Anderson made a motion seconded by Council Member Edwards to pass Ordinance 2011-15 on 2nd reading. Vote was unanimous

**ORDINANCE 2011-16      2nd Reading.**  
**AN ORDINANCE REPEALING SECTION 10-15-15 OF THE CITY OF CODY MUNICIPAL CODE**

Council Member Miller made a motion seconded by Council Member Edwards to pass Ordinance 2011-16 on 2nd reading. Vote was unanimous

Council Member Miller reminded everyone that the fire department will be washing the sidewalks in the downtown area on June 4<sup>th</sup>.

There being no further business to come before the Governing Body, Mayor Brown adjourned the meeting at 8:41pm

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Sara Wead  
Assistant Administrative Services Officer

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Nancy Tia Brown  
Mayor

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
127557	A & I DISTRIBUTORS	2044004	OIL, HYDRAULIC ENVIRON. & DELIVERY SURCHARGE	05/17/2011	383.35 3.95			HYD. 46
Total 127557					387.30	.00		
2390	ACE HARDWARE	10968	HICKORY CLUB RAW WATER REPAIR	05/23/2011	137.50			
		204603	SAFETY GLOVES / RAKE / BLADES SAFETY GLOVES / RAKE / BLADES	04/08/2011	25.98 24.47			
		205628	BALLFIELD MAINT. RENTAL	04/26/2011	59.40			
		205877	NEW HOTSY - INSTALL	04/29/2011	8.98			
		206046	SUPPLIES	05/02/2011	13.48			
		206183	IRRIGATION SUPPLIES	05/04/2011	22.98			
		206196	SUPPLIES	05/04/2011	48.99			
		206264	SUPPLIES	05/05/2011	10.49			
		206270	SUPPLIES	05/05/2011	48.99			
		20628	LEGION BLEACHERS	05/05/2011	76.78			
6323 -	10654	BALLFIELD MAINT. RENTAL	05/05/2011	44.55				
		206334	SUPPLIES	05/06/2011	27.48			
		206382	SUPPLIES FOR NEW PAINT MACHINE	05/06/2011	77.86			
		206508	SUPPLIES	05/09/2011	4.47			
		206580	SUPPLIES	05/10/2011	8.97			
		206593	NUTS & BOLTS	05/10/2011	9.99			
		206648	BATTERIES	05/10/2011	11.49			
		206674	SUPPLIES	05/11/2011	5.99			
		206753	SUPPLIES	05/12/2011	7.45			
		206755	SUPPLIES	05/12/2011	37.98			
		206764	TOOLS	05/12/2011	7.48			
		206865	PAINT MACHINE TOOLS & CLEANERS	05/13/2011	110.36			
		206873	SUPPLIES	05/13/2011	25.98			
		207016	SUPPLIES	05/16/2011	9.49			
		207019	TARPS	05/16/2011	20.98			
		207038	REPAIR TILES IN POOL	05/16/2011	8.49			
		207041	SUPPLIES	05/16/2011	21.99			
		207086	SUPPLIES	05/16/2011	38.98			
		207126	SUPPLIES	05/17/2011	4.47			
		207128	HOLE SAW	05/17/2011	4.49			
		207146	SUPPLIES	05/17/2011	7.96			
		207160	IRRIGATION SUPPLIES	05/17/2011	17.47			
		207181	CREDIT ON RETURN	05/17/2011	22.47 -			
		207217	REPAIR TILES IN POOL	05/18/2011	11.98			
		207380	PAINT MACHINE SUPPLIES	05/19/2011	5.97			
		207477	SUPPLIES	05/20/2011	41.95			
		207577	SUPPLIES	05/22/2011	35.94			
		207641	SUPPLIES	05/23/2011	13.99			
		207669	IRRIGATION SUPPLIES	05/23/2011	155.96			
		207790	TRASH CAN PAINT SUPPLIES	05/25/2011	96.42			
		207823	STREET BARRICADES	05/25/2011	69.67			
		207830	SHOVEL, PAINT BRUSHES	05/25/2011	27.97			
Total 2390					1,429.79	.00		
126373	ADVANCED VETERINARY CARE	56581	CANINE CARE - ABBY	05/10/2011	78.75			
Total 126373					78.75	.00		
365	ADVANTAGE/THOMCO	AT-15026	SUPPLIES	04/20/2011	458.22			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 365					458.22	.00		
126967	AIR FILTER SOLUTIONS INC	42895	FILTERS FOR AHV'S - REC CENTER	05/09/2011	1,506.95			
Total 126967					1,506.95	.00		
450	ALDRICH LUMBER CO	432041	BALL FIELD SUPPLIES	05/04/2011	23.09			
		432081	SUPPLIES	05/04/2011	359.28			
		432082	CREDIT ON RETURN	05/04/2011	179.64			
		432200	TOOLS	05/06/2011	11.89			
		432293	SUPPLIES	05/09/2011	52.60			
		432339	SUPPLIES	05/10/2011	3.29			
		432346	SUPPLIES	05/10/2011	53.92			
		432388	COMM. CLOSET	05/11/2011	43.89			
		432407	COMM. CLOSET	05/11/2011	7.93			
		432415	COMM. CLOSET	05/11/2011	11.94			
		432480	COMM. CLOSET	05/12/2011	43.86			
		432510	COMM. CLOSET	05/12/2011	4.89			
		432961	SUPPLIES	05/20/2011	1.58			
Total 450					438.52	.00		
128473	ALLEN VANGUARD INC	000844	BOMB ROBOT ACCESSORIES	05/24/2011	8,500.00			
Total 128473					8,500.00	.00		
126551	ALSCO	732773	TOWELS	05/06/2011	29.54			
		733545	RUGS - CITY HALL	05/10/2011	45.95			
		733546	RUGS - AUDITORIUM	05/10/2011	159.43			
		733907	RUGS - SHOP	05/11/2011	6.73			
		734697	TOWELS	05/13/2011	29.54			
		736575	TOWELS	05/20/2011	29.53			
Total 126551					300.72	.00		
128859	AMERICAN RED CROSS	13502	TRAINING	04/26/2011	56.00			
		13503	TRAINING	05/26/2011	14.00			
Total 128859					70.00	.00		
128592	AMERICAN WELDING & GAS, IN	01265929	SUPPLIES	04/30/2011	29.70			
		01265931	CO2	04/30/2011	99.00			
		01276752	CO2	05/03/2011	39.42			
		01280009	SUPPLIES	05/06/2011	41.10			
		01281387	SUPPLIES	05/09/2011	53.33			
		01283776	SUPPLIES	05/11/2011	28.19			
		01286270	RAW WATER REPAIRS	05/13/2011	33.01			
		01289782	CO2	05/18/2011	94.26			
		01290931	CO2	05/19/2011	121.68			
Total 128592					539.69	.00		
123053	AMERI-TECH EQUIPMENT	56195	SANITATION TRUCK	05/16/2011	145,192.00			
Total 123053					145,192.00	.00		
129038	ANDRUS, VINCENT	432-1	REFUND PERMIT FEE	05/24/2011	15.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 129038				15.00	.00		
123465	APPLIED GRAPHICS	4388	DECAL, SARGENT STRIPES decal, supervisor	05/18/2011	20.00 25.00			DECAL, CHEVRON DECAL, SUPERV
	Total 123465				45.00	.00		
127309	ARROWHEAD SCIENTIFIC INC	49492	INVESTIGATION SUPPLIES	05/10/2011	39.95			
	Total 127309				39.95	.00		
127886	ASPEN PRACTICE P.C.	F0114	EVAL - J DOLLARD	05/11/2011	1,189.00			
	Total 127886				1,189.00	.00		
127716	ATCO INTERNATIONAL	I0311035	CHEMICALS	05/12/2011	261.00			
	Total 127716				261.00	.00		
128517	B & H PHOTO VIDEO	50351855	COUNCIL CHAMBER UPGRADES	05/01/2011	3,233.95			
	Total 128517				3,233.95	.00		
124172	BAKER, CYNTHIA	051811	MILEAGE REIMBURSEMENT	05/18/2011	106.59			
	Total 124172				106.59	.00		
972	BARN FEED AND PET	209767	DOG FOOD - ABBY	05/10/2011	35.09			
	Total 972				35.09	.00		
127303	BEACON ATHLETICS	0411373-IN	BALLFIELD SUPPLIES	04/29/2011	1,465.00			
	Total 127303				1,465.00	.00		
127628	BEVENGER, SAYGAR	14211021	REFUND UTILITY DEPOSIT	05/13/2011	81.29			
	Total 127628				81.29	.00		
123189	BIG HORN HORTICULTURAL SE	228582	RIGHT OF WAY CLEARING	05/04/2011	4,000.00			
	Total 123189				4,000.00	.00		
1180	BIG HORN PAINT	0053379	PAINT - CARDBOARD CONTAINERS	05/25/2011	81.58			
	Total 1180				81.58	.00		
1190	BIG HORN REDI-MIX INC	358333 358397	BALLFIELD SAND BALLFIELD SAND	04/25/2011 04/29/2011	92.00 138.00			
	Total 1190				230.00	.00		
1210	BIG HORN WHOLESALE	130033 130161	CLEANING SUPPLIES SUPPLIES	05/09/2011 05/16/2011	632.14 399.45			
	Total 1210				1,031.59	.00		
4125	BLAKEMAN PROPANE, INC	043011	PROPANE	04/30/2011	23.49			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 4125					23.49	.00		
1590	BLOEDORN LUMBER	2187163	GREASE FOR PAINT MACHINE	05/12/2011	17.58			
		2187679	SUPPLIES	05/26/2011	1.98			
		4029716	PAINT MACHINE SUPPLIES	05/18/2011	105.48			
Total 1590					125.04	.00		
1360	BLUE CROSS BLUE SHIELD OF	051611	INSURANCE PREMIUM	05/16/2011	92,378.88			
			INSURANCE PREMIUM		514.70 -			
			INSURANCE PREMIUM		4,801.30 -			
			INSURANCE PREMIUM		531.53			
Total 1360					87,594.41	.00		
1400	BOONE'S MACHINE SHOP	1924	LIFT TO TAKE DECORATIONS DOWN	01/07/2011	200.00			
		47416	BALLFIELD SUPPLIES	05/09/2011	78.40			
		47426	AXLE HUB CAPS FOR TRAILER	05/10/2011	3.42			
		47427	SUPPLIES	05/10/2011	65.14			
Total 1400					346.96	.00		
1420	BORDER STATES INDUSTRIES I	902369246	ST LIGHT REPAIRS	05/13/2011	1,200.00			
		9024724514	CREDIT MEMO - METERS	05/26/2011	348.22 -			
Total 1420					851.78	.00		
123538	BRESNAN COMMUNICATIONS	50211-SHOP	INTERNET - SHOP	05/02/2011	150.35			
		050411-PD	INTERNET - PD	05/04/2011	68.10			
		51511-MNTK	MENTOCK PARK SECURITY	05/15/2011	63.10			
		051511-REC	COMMUNICATION ON-LINE - REC CEN	05/15/2011	46.94			
		51511-SHOP	INTERNET - SHOP	05/15/2011	152.90			
Total 123538					481.39	.00		
123297	BROWNELL'S	06667129.00	FIREARMS SUPPLIES	05/05/2011	701.26			
Total 123297					701.26	.00		
125238	CALIFORNIA CONTRACTOR'S S	FF38678	SUPPLIES	05/17/2011	89.70			
Total 125238					89.70	.00		
1860	CARPET HUT	14496	GROUT	05/13/2011	183.30			
Total 1860					183.30	.00		
124671	CDW GOVERNMENT, INC.	XGL5831	IT BUDGET - END OF YEAR	05/02/2011	185.57			
		XGT3753	DVD DUPLICATOR EQUIPMENT	05/03/2011	212.53			
Total 124671					398.10	.00		
128520	CHERRY ENGINEERING, INC.	1986	BOMB TEAM EQUIPMENT	05/13/2011	10,585.16			
Total 128520					10,585.16	.00		
2155	CHIEF SUPPLY	402408	UNIFORM ALLOWANCE C06	05/10/2011	49.99			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 2155					49.99	.00		
2260	CITY OF CODY	052411	UTILITIES	05/24/2011	1,901.34			
			UTILITIES		1,201.13			
			UTILITIES		7,245.72			
			UTILITIES		9,321.83			
			UTILITIES		1,408.61			
			UTILITIES		4,378.48			
			UTILITIES		1,139.10			
			UTILITIES		530.97			
			UTILITIES		4,116.11			
Total 2260					31,243.29	.00		
128561	CLARK WIRELESS	20682	CABLE, IGNITION SWITCH/62 SHIPPING	05/02/2011	240.00 9.00			CW-HKN9327BR
Total 128561					249.00	.00		
128129	CLOUD, CHARLES	043011	MILEAGE REIMBURSEMENT	05/25/2011	61.20			
Total 128129					61.20	.00		
129029	CLOWARD, SAVANNAH	20062027	REFUND UTILITY DEPOSIT	05/17/2011	25.34			
Total 129029					25.34	.00		
2710	CODY OVERHEAD DOOR COMP	18482	OVERHEAD DOOR ADJ. - RECYCLE C	05/12/2011	50.00			
Total 2710					50.00	.00		
2765	CODY ROTARY CLUB	100894	ROTARY FEES - RICK MANCHESTER	03/03/2011	165.00			
Total 2765					165.00	.00		
2850	CODY WINNELSON COMPANY	108408-00	SUPPLIES	04/22/2011	8.83			
		109083-00	HICKORY CLUB RAW WATER REPAIR	05/17/2011	155.66			
		109133-00	BRASS FITTINGS	05/18/2011	6.98			
		109147-00	HICKORY CLUB RAW WATER REPAIR	05/19/2011	58.78			
Total 2850					230.25	.00		
123659	COLONIAL RESEARCH CHEMIC.	125052	SHOP SUPPLIES	05/05/2011	283.36			
Total 123659					283.36	.00		
3300	CRUM ELECTRIC	1229208-00	BULBS - CITY HALL	05/06/2011	30.06			
		1229398-00	TOOLS	05/09/2011	28.39			
		1229430-00	REMOVING 69/34.5 TFMR	05/09/2011	140.83			
		123078900	SUBSTATION MAINT.	05/13/2011	96.54			
		1231193-00	TRACER WIRE	05/16/2011	108.68			
		1232740-00	SUPPLIES	05/20/2011	28.50			
		1233164-00	TOOLS	05/23/2011	5.44			
		1233225-00	ST LIGHT REPAIRS	05/23/2011	136.68			
Total 3300					575.12	.00		
129030	CYAIR - CODY YLWSTN AIR IMF	050611	SPECIAL FUNDING ALLOCATION FY10	07/01/2010	13,000.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 129030					13,000.00	.00		
3410	DANA KEPNER COMPANY	2211688-00	METER ADAPTERS	04/07/2011	103.01			
		2211759-00	6" WATER METER	05/24/2011	4,050.00			
Total 3410					4,153.01	.00		
3765	DOMINO'S PIZZA	1423	ARBOR DAY VOLUNTEERS (LESS SAL	04/26/2011	88.00			
Total 3765					88.00	.00		
128152	DON F. SHREVE, JR. ESQ.	052611	PROFESSIONAL SERVICES	05/26/2011	479.36			
Total 128152					479.36	.00		
129031	E.I.T. CORPORATION	157080	BOMB TEAM EQUIPMENT	05/18/2011	1,148.75			
Total 129031					1,148.75	.00		
123442	EAGLE OF CODY	050911	UTILITY BILLING FORMS	05/09/2011	997.92			
		52711	SERVICE APPLICATIONS	05/27/2011	152.00			
Total 123442					1,149.92	.00		
128686	ECOLAB PEST ELIM. DIV.	2652870	PEST CONTROL - AUDITORIUM	05/09/2011	65.00			
		6285921	PEST CONTROL - REC CENTER	05/09/2011	115.00			
Total 128686					180.00	.00		
123986	EMBLEM ENTERPRISES, LLC	490991	UNIFORMS	05/17/2011	50.09			
Total 123986					50.09	.00		
2630	ENERGY WEST	051111	UTILITIES	05/11/2011	340.37			
			UTILITIES		934.46			
			UTILITIES		1,162.76			
			UTILITIES		161.53			
			UTILITIES		551.06			
			UTILITIES		168.13			
		051611	UTILITIES	05/16/2011	563.08			
Total 2630					3,881.39	.00		
4140	ENGINEERING ASSOCIATES	3105015	NORTH CODY 2 AB PROJECT	05/12/2011	3,051.05			
		3105021	CODY AUDITORIUM ADA RENOVATIO	05/12/2011	1,297.50			
		3105050	16TH ST STORM DRAIN PLAN REVIEW	05/23/2011	295.00			
Total 4140					4,643.55	.00		
127829	ETC., LLC	052311	CASE #11-967	05/23/2011	75.00			
Total 127829					75.00	.00		
4210	FARM PLAN CORPORATION	565304	antifreeze	05/04/2011	150.60			JD ANTIFREEZE
			ADJUST TO CORRECT TOTAL		.04 -			
		575864	PINS FOR PARKS DEPT TRACTOR	05/17/2011	101.11			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 4210				251.67	.00		
126018	FASTENAL COMPANY 01WYCD\	/YCDY34955	Bolts	05/11/2011	8.32			
		/YCDY34980	FASTENERS	05/12/2011	16.79			
		/YCDY35002	Bolts	05/13/2011	4.56			
		/YCDY35160	SUPPLIES	05/24/2011	40.60			
	Total 126018				70.27	.00		
127653	FERGUSON WATERWORKS	0551080	PUMP FITTINGS	05/06/2011	4,617.56			
	Total 127653				4,617.56	.00		
128670	FORSCH, MICHAEL L	4143518	REFUND UTILITY BALANCE	05/11/2011	85.34			
	Total 128670				85.34	.00		
4350	FRED PRYOR SEMINARS	12666982	PAYROLL LAW TRAINING - SARA WEA	05/26/2011	199.00			
	Total 4350				199.00	.00		
4370	FREMONT MOTOR CODY INC	114731	FLYWHEEL & CLUTCH FOR DUMP TRI	05/26/2011	742.51			
	Total 4370				742.51	.00		
4450	GAMBLES	607033	SUPPLIES	05/02/2011	2.99			
	Total 4450				2.99	.00		
4480	GARY'S RUBBER STAMP & SIGN	89386	NORTARY STAMP - UTANA DYE	05/24/2011	21.45			
	Total 4480				21.45	.00		
128366	GLASS MASTERS	16293	WINDSHIELD REPAIR D12	05/13/2011	60.00			
	Total 128366				60.00	.00		
129028	GUNSMOKE LLC	1195015	REFUND UTILITY DEPOSIT	05/10/2011	134.23			
	Total 129028				134.23	.00		
12306	H B I INSURANCE	51821	NOTARY BOND - UTANA DYE	05/11/2011	50.00			
	Total 12306				50.00	.00		
4780	HARRIS TRUCKING & CONST. C	121577	COUGAR AVE PROJECT	04/30/2011	1,658.21			
		121588	CHIP SEAL	05/09/2011	39,655.00			
		16TH ST-1	16TH ST STORM SEWER UPGRADE PI	05/26/2011	156,140.03			
	Total 4780				197,453.24	.00		
4805	HASCO INDUSTRIAL SUPPLY	938959	UNIFORMS	04/27/2011	355.50			
		941680	UNIFORMS	05/24/2011	98.98			
	Total 4805				454.48	.00		
6730	HD SUPPLY UTILITIES LTD	1685466-00	TRANSFORMER PURCHASE	05/02/2011	6,298.37			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 6730				6,298.37	.00		
129033	HEYDENBERK, TRAPP	051211	REIMBURSE FOR GASOLINE	05/12/2011	56.48			
	Total 129033				56.48	.00		
123965	HILTI, INC	1609351050	CONCRETE SAW BLADES	05/05/2011	310.84			
	Total 123965				310.84	.00		
5020	HOLM BLOUGH & COMPANY	2004	16TH ST STORM SEWER UPGRADE	05/24/2011	10,335.50			
	Total 5020				10,335.50	.00		
126019	I STATE TRUCK CENTER	51085735:01	PARK BRAKE RELEASE HANDLE	05/16/2011	44.65			
	Total 126019				44.65	.00		
5170	ICMA RETIREMENT-457-#303143	05/25/2011	ICMA - CONTRIBUTIONS	05/25/2011	5,274.18	5,274.18	05/25/2011	
		419496	Contributions	05/13/2011	5,174.70	5,174.70	05/13/2011	
	Total 5170				10,448.88	10,448.88		
5200	INDUSTRIAL SYSTEMS INC	36368	CHARTS	05/09/2011	50.00			
	Total 5200				50.00	.00		
5220	INLAND TRUCK PARTS	1-38729	PARTS	05/18/2011	21.06			
	Total 5220				21.06	.00		
5690	K MART	27013	CLEANING SUPPLIES	02/17/2011	10.45			
	Total 5690				10.45	.00		
9029	KENCO SECURITY & TECHNOLC	879048	ALARM - CITY HALL ALARM - CITY HALL	04/05/2011	1,200.00 715.02			
	Total 9029				1,915.02	.00		
5750	KINCHELOE PLUMBING AND HE	137144	HOOK UP GAS LINE TO NEW HOTSY	05/04/2011	123.34			
		137151	SUPPLIES	05/05/2011	59.31			
		137152	BUILDING REPAIR	05/05/2011	56.41			
	Total 5750				239.06	.00		
128578	LAERDAL MEDICAL CORPORAT	2218617	MANIKIN SHIELDS / PARTS	05/13/2011	99.95			
	Total 128578				99.95	.00		
127743	LEGEND COMMUNICATIONS OF	050311	ADVERTISING ADVERTISING	05/03/2011	357.00 494.96			
	Total 127743				851.96	.00		
126952	LET'S TALK CELLULAR	15649	PHONE CHARGER	05/02/2011	30.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 126952				30.00	.00		
125750	LINCOLN COMMERCIAL POOL E	SI160225	FREIGHT NEW BRUSH & TELESCOPIC POLE	04/26/2011	240.00 171.65			
	Total 125750				411.65	.00		
123209	LYLE SIGNS INC	789900	STREET SIGNS	05/19/2011	132.31			
	Total 123209				132.31	.00		
129032	MARTIN, MARIAH	13316729	REFUND UTILITY DEPOSIT	05/18/2011	10.18			
	Total 129032				10.18	.00		
6390	MC CUMBER LOCKSMITH SHOF	2228A	KEYS	05/17/2011	3.00			
	Total 6390				3.00	.00		
129035	MCCORMACK, BRUCE	052011	REFUND PAYMENT ON MC-1105-004	05/20/2011	65.00			
	Total 129035				65.00	.00		
129039	MCDONALD, L.H. "BUD"	052711	REIMBURSE FOR P & Z TRAINING	05/27/2011	192.03			
	Total 129039				192.03	.00		
126604	MEINECKE & SITZ	052311	PROFESSIONAL FEES	05/23/2011	988.10			
	Total 126604				988.10	.00		
127603	MENIG, GEORGE	052411	REIMBURSE FOR STUDY MATERIAL	05/24/2011	311.32			
	Total 127603				311.32	.00		
128732	MICKELSON, SUE	232336	REC CENTER REFUND	05/24/2011	18.00			
	Total 128732				18.00	.00		
6650	MIDWEST FENCE CO	29065	PEE WEE FENCE REPAIR	04/28/2011	460.00			
		6650	SUPPLIES	05/18/2011	10.00			
	Total 6650				470.00	.00		
6930	MOUNTAIN WEST INC	021264	UNIFORMS	05/02/2011	150.53			
		021272	TRIP CHALLENGE SHIRTS	05/03/2011	658.06			
		021274	UNIFORM ALLOWANCE C24	05/05/2011	12.00			
		021329	UNIFORMS	05/17/2011	194.61			
		021336	UNIFORM ALLOWANCE C12	05/19/2011	22.45			
	Total 6930				1,037.65	.00		
7130	NATIONAL LEAGUE OF CITIES	33019	NLC DUES & MEMBERSHIPS	05/09/2011	1,117.00			
	Total 7130				1,117.00	.00		
128948	NORCO, INC.	01712469	NITROGEN	05/10/2011	52.66			
		01714211	BAND SAW BLADES	05/13/2011	116.11			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
					168.77	.00		
7315	NORMONT EQUIPMENT COMPA	2105038	TRAFFIC CONTROL CONES	05/07/2011	2,475.00			
		2105039	TRAFFIC CONTROL CONES	05/07/2011	228.00			
		2105040	SAFETY SUPPLIES	05/07/2011	228.00			
					2,931.00	.00		
7400	NORTHWEST PIPE	1721507-1	4" MJ x MJ gate valve	05/09/2011	791.28			1257-W
		1721507-2	1" FIP ball valve w/lockwing	05/16/2011	737.88			1250-W
		1722253	HYD METER MEASURE CHAMBER	05/16/2011	450.00			
		1735757	RAW WATER TAPPING SADDLES	05/13/2011	60.00			
		1735867	RAW WATER TAPPING SADDLES	05/16/2011	90.00			
		4735758	RAW WATER TAPPING SADDLE	05/13/2011	30.00			
					2,159.16	.00		
128493	PARK COUNTY CIRCUIT COURT	05/13/2011	CV-2010-1027	05/08/2011	279.53	279.53	05/13/2011	
					279.53	279.53		
129036	PHILIPS, LARRY	14135027	REFUND UTILITY DEPOSIT	05/24/2011	74.73			
					74.73	.00		
7970	PIZZA ON THE RUN	9389	MEETING EXPENSE	05/12/2011	53.97			
		9397	MEETING EXPENSE	05/18/2011	103.43			
					157.40	.00		
8090	POWELL TRIBUNE	043011	ADVERTISING	04/30/2011	174.00			
					174.00	.00		
128149	PRO-BUILD	888176	IRRIGATION SUPPLIES	04/14/2011	10.06			
		888860	LEGION BLEACHER SEATS	04/22/2011	1,743.00			
					1,753.06	.00		
430	PURCHASE ADVANTAGE CARD	014578	REC CENTER BIRTHDAY PARTY	05/14/2011	16.99			
		021752	BIRTHDAY PARTIES - REC CENTER	05/21/2011	16.99			
					33.98	.00		
8240	PURCHASE POWER	051211	POSTAGE - PD	05/12/2011	42.37			
			POSTAGE - WATER DEPT		200.00			
			POSTAGE - REC CENTER		137.76			
			POSTAGE - CITY HALL		1,619.87			
			REFILL FEE		19.99			
					2,019.99	.00		
125076	QUAD STATE INSTRUCTORS, IN	051811	MEMBERSHIP RENEWAL - R POND	05/18/2011	65.00			
					65.00	.00		
124974	QUALITY UTILITY EQUIP. SUPPL	30337	TOOLS	04/27/2011	2,067.17			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
					2,067.17	.00		
	Total 124974							
10091	QWEST	051911	PHONE CHARGES	05/19/2011	704.76			
	Total 10091				704.76	.00		
127690	R & A SAFETY	1365	RANDOM TESTING	05/17/2011	60.00			
			RANDOM TESTING		30.00			
			RANDOM TESTING		60.00			
	Total 127690				150.00	.00		
7570	ROCKY MOUNTAIN POWER	052511	UTILITIES	05/25/2011	187.39			
			UTILITIES		33.88			
	Total 7570				221.27	.00		
124586	ROGER'S SPORT CENTER	20443	EQUIPMENT REPAIR	05/10/2011	21.96			
		20665	SUPPLIES	05/16/2011	28.49			
	Total 124586				50.45	.00		
8760	RON'S EXXON	0147243	SUPPLIES	05/04/2011	10.50			
		0147305	SUPPLIES	05/06/2011	15.75			
	Total 8760				26.25	.00		
125507	S & P BRAKE & CLUTCH SUPPL'	198507	BRAKE VALVE	05/10/2011	210.83			
	Total 125507				210.83	.00		
8840	S & S AUDIO - VIDEO INC	10060966	IRRIGATION EQUIPMENT	05/13/2011	69.99			
	Total 8840				69.99	.00		
8980	SCHRADER METAL & DESIGN	5063	DUCT WORK FOR NEW HOTSY	05/06/2011	21.06			
	Total 8980				21.06	.00		
9010	SEARS	33599025672	SUPPLIES	05/18/2011	19.99			
	Total 9010				19.99	.00		
127725	SHERWIN-WILLIAMS COMPANY	0881-1	LEGION BLEACHERS	05/05/2011	634.35			
		0882-9	SUPPLIES	05/05/2011	6.58			
	Total 127725				640.93	.00		
9140	SHOSHONE OFFICE SUPPLY	0081424	SUPPLIES	05/09/2011	27.89			
		0081465	OFFICE SUPPLIES	05/12/2011	44.75			
		0081595	SUPPLIES	05/03/2011	398.31			
		0081597	SUPPLIES	05/03/2011	54.77			
		0081600-1	UNDER PAID INVOICE ON 5/18/11	05/03/2011	.06			
		0081655	SUPPLIES	05/05/2011	1,069.80			
		0081662	SUPPLIES	04/05/2011	32.37			
		0081668	TONER	05/06/2011	77.99			
			TONER		77.99			
		0081669	SUPPLIES	05/06/2011	5.79			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		0081744	BUDGET SUPPLIES	05/12/2011	34.31			
		0081789	SUPPLIES	05/17/2011	41.99			
		0081797	TONER	05/20/2011	224.87			
		0081838	PENS	05/13/2011	3.42			
		0081840	CREDIT FOR RETURN	05/13/2011	748.86 -			
		0081880	SUPPLIES	05/17/2011	48.31			
		0081895	SUPPLIES	05/17/2011	35.98			
		0081948	SUPPLIES	05/20/2011	67.62			
	Total 9140				1,497.36	.00		
126667	STARTIN, TOBY	051611	MILEAGE REIMBURSEMENT	05/16/2011	96.39			
	Total 126667				96.39	.00		
127774	STEWART'S MERCANTILE	3164-11	MEETING EXPENSE - MASTER PLAN	05/02/2011	57.15			
	Total 127774				57.15	.00		
129037	STINSON, BLAKE	4	REIMBURSE FOR DUI BANQUET C24	05/04/2011	30.00			
	Total 129037				30.00	.00		
9635	STROUPE PEST CONTROL CO	050311-EL	SUPPLIES	05/03/2011	55.00			
		50911-SHOP	PEST CONTROL - CITY SHOP	05/09/2011	20.75			
			PEST CONTROL - CITY SHOP		20.75			
			PEST CONTROL - CITY SHOP		20.75			
			PEST CONTROL - CITY SHOP		20.75			
	Total 9635				138.00	.00		
6240	THE UPS STORE	5403	POSTAGE	05/17/2011	10.75			
		5770	SHIPPING TO RETURN ICE MAKER	05/25/2011	54.90			
	Total 6240				65.65	.00		
125718	TNT SPRINGS INC	99028	LIGHT BAR LED	05/09/2011	255.00			TNT SO 5580CA
			LIGHT BAR, LED		290.00			TNT 5580A-VM
		99520	BRAKE, SPRING CHAMBER	05/24/2011	154.74			TNT 303CLS
	Total 125718				699.74	.00		
9980	TRIPLE L SALES	I-17153	PARTS FOR NEW CODY PUMP HOUSE	05/10/2011	10.20			
		I-17155	PARTS FOR NEW CODY PUMP HOUSE	05/10/2011	15.72			
		I-17260	IRRIGATION SUPPLIES	05/16/2011	36.13			
		I-17269	HICKORY CLUB RAW WATER REPAIR	05/17/2011	18.63			
		I-17318	LOCATE MARKING PAINT	05/19/2011	63.60			
		I-17326	4" CL X PL ADAPTER	05/19/2011	16.44			1001-WW
			FREIGHT		9.31			
	Total 9980				170.03	.00		
10050	U S POST OFFICE	060111	POSTAGE FOR PERMIT #33	06/01/2011	2,300.00			
	Total 10050				2,300.00	.00		
10150	V F W CLUB	584-4	SUPPLIES	05/24/2011	45.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 10150				45.00	.00		
10180	V-1 PROPANE	849790	PROPANE	04/12/2011	12.71			
	Total 10180				12.71	.00		
128737	VEOLIA ES TECHNICAL SOLUTIO	EW493130	LED PROJECT -DISPOSAL OF BALLAS	05/19/2011	1,370.60			
	Total 128737				1,370.60	.00		
10330	WAL MART COMMUNITY BRC	004532	SUPPLIES	04/15/2011	23.79			
		006606	SUPPLIES	05/18/2011	38.97			
		01178	ASAP SUPPLIES	05/09/2011	27.80			
		01423	Fruit Snacks	05/06/2011	11.28			20026
			Pizza		47.08			20045
			Hot Dogs		9.88			20053
			SUGAR MIX		14.50			20129
			Snack Cakes		30.48			20027
			Chips		6.48			20031
			Ramen Soup		13.16			20050
		01912	SUPPLIES	05/17/2011	96.80			
		020604	TINY TOTS	05/11/2011	116.76			
		02306	PAINTING SUPPLIES	05/18/2011	3.88			
		042211STMT	LATE FEE	04/22/2011	4.57			
		06241	SUPPLIES	05/06/2011	23.94			
			SUPPLIES		96.93			
			SUPPLIES		18.88			
			SUPPLIES		2.82			
		06499	ASAP SUPPLIES	05/25/2011	162.08			
		06681	SUPPLIES	05/19/2011	29.88			
		07483	FIT FOR FUN	05/18/2011	192.81			
		07574	WIRELESS KEYBOARD & MOUSE	05/19/2011	40.00			
		07826	ASAP SUPPLIES	05/23/2011	10.12			
		07898	ASAP SUPPLIES	05/17/2011	45.89			
		08235	SUPPLIES	05/19/2011	52.40			
		08859	SUPPLIES	05/16/2011	58.12			
	Total 10330				1,179.30	.00		
10370	WATCO POOLS	11907	CHEMICALS	05/04/2011	41.62			
		11941	CHEMICALS	05/09/2011	854.59			
	Total 10370				896.21	.00		
10400	WATERWORKS INDUSTRIES	107340-00	6" Mueller fire hydrant extension	04/08/2011	1,950.00			1158-W
			1' Mueller fire hydrant extension		1,137.00			1159-W
	Total 10400				3,087.00	.00		
124746	WCSTELECOM	20881338	LONG DISTANCE	05/01/2011	211.45			
	Total 124746				211.45	.00		
10460	WEBSTER MOTORS, INC	27052	DIAGNOSE AND REPAIR	04/01/2011	86.39			
		7012	FUEL PUMP	04/07/2011	511.38			
		7066	DOOR PANEL	04/25/2011	216.22			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 10460				813.99	.00		
10500	WEST PARK HOSPITAL	051011	CASES 11-498, 11-314, 11-466	05/10/2011	396.75			
	Total 10500				396.75	.00		
10570	WESTERN PATHOLOGY CONSU	CP1602	RANDOM TESTING - PD	04/30/2011	90.00			
			RANDOM TESTING - ELEC		36.00			
			RANDOM TESTING - STREETS		40.50			
			RANDOM TESTING - SHOPS		13.50			
			RANDOM TESTING - SANITATION		36.00			
			RANDOM TESTING - WATER		22.50			
			RANDOM TESTING - WASTE WATER		13.50			
			RANDOM TESTING - RECREATION		27.00			
	Total 10570				279.00	.00		
10605	WESTERN UNITED ELECTRIC S	4009223	MATERIALS & SUPPLIES	04/29/2011	923.38			
		4010038	SUPPLIES	05/18/2011	44.00			
		4010063	SUPPLIES	05/18/2011	12.74			
	Total 10605				980.12	.00		
129034	WHITED FLOOR SURFACING	0050211	REFINISH GYM FLOOR	05/13/2011	8,530.00			
		0050911	REFINISH RAQUETBALL COURTS	05/13/2011	1,000.00			
	Total 129034				9,530.00	.00		
128944	WOMACK MACHINE SUPPLY CC	0094702	fitting, hyd.	05/11/2011	39.06			HYD. 10143-16-16
	Total 128944				39.06	.00		
10660	WOODWARD TRACTOR CO	69393	CONCRETE SAW BLADE	04/01/2011	224.74			
		69786	TRANSFORMER RELOCATION	04/25/2011	610.54			
		70474	EQUIPMENT REPAIR	05/19/2011	31.60			
	Total 10660				866.88	.00		
127631	WY CHILD SUPPORT #167207	05/11/2011	CHILD SUPPORT #167207/CV 1124836	05/13/2011	159.23	159.23	05/13/2011	
		05/25/2011	CHILD SUPPORT #167207/CV 1124836	05/25/2011	159.23	159.23	05/25/2011	
	Total 127631				318.46	318.46		
10770	WYOMING ASSOCIATION OF ML	11511	WAM CONVENTION - S WEAD, C BAKE	05/06/2011	450.00			
		11574	WAM CONVENTION - N. BROWN	05/19/2011	230.00			
			WAM CONVENTION - J. ROSENCRANS		230.00			
	Total 10770				910.00	.00		
10805	WYOMING DEPT OF TRANSPOR	000000039	CIRCLE DRIVE PROJECT	04/05/2011	290.46			
		0000041130	SHERIDAN AVE PROJECT	04/29/2011	1,136.46			
	Total 10805				1,426.92	.00		
10900	WYOMING LAW ENFORCEMENT	S-6948	EDUCATION / TRAINING C01, C02	04/29/2011	370.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 10900					370.00	.00		
128282	YANKEE CAR WASH	043011	CAR WASHES - PD CAR WASHES - ELEC. DEPT.	04/30/2011	90.45 10.00			
Total 128282					100.45	.00		

Total Paid: 11,046.87  
 Total Unpaid: 604,331.06  
 Grand Total: 615,377.93

PAYROLL \$214,365.02

TOTAL \$829,742.95

MEETING DATE: JUNE 1, 2011  
DEPARTMENT: PUBLIC WORKS  
PREPARED BY: KYLIE HANSON  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: \_\_\_\_\_

## **AGENDA ITEM SUMMARY REPORT**

### **Quote 2011-07 Fuel**

#### **BACKGROUND**

Quote packets for Quote 2011-07 were sent to four suppliers for quotes. These suppliers were; Red Eagle Co., Fuel Depot, Inc., Longloop, Inc. (Conoco Country Store) and Farstad Oil.

#### **SUMMARY**

Homax Oil Sales, partnering with Conoco Country Store was the only supplier to provide a quote. Fuel Depot, Inc. indicated, via fax, that they did not have interest in quoting this year.

Attached is a copy of the quote submitted by Homax Oil Sales and a copy of the fax received from Fuel Depot, Inc.

#### **FISCAL IMPACT**

Funding for this fuel has been budgeted within the Fiscal Year 2011/2012 Budget.

#### **RECOMMENDATION**

Staff recommends the City Council award Quote 2011-07 to Homax Oil Sales, partnering with Conoco Country Store.

#### **ALTERNATIVES**

Approve or deny the award of Quote 2011-07 to Homax Oil Sales, partnering with Conoco Country Store.

#### **ATTACHMENTS**

1. Request for Quotation Quote # 2011-07 Fuel
2. Quote Specification Form from Homax Oil Sales
3. Fax from Fuel Depot, Inc. noting that they will not be quoting this year.

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

Toni Petty [tpetty@homaxoil.com](mailto:tpetty@homaxoil.com)

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



**CITY OF CODY**  
**WYOMING**

Nancy Tia Brown  
**Mayor**

Donny Anderson  
Charles Cloud  
Bryan Edwards  
Jerry Fritz  
Steve Miller  
Stan Wolz  
**Council Members**

Jennifer Rosencranse  
**City Administrator**

C.Edward Webster II  
**Municipal Judge**

1338 Rumsey Avenue  
P.O. Box 2200  
Cody, WY 82414

**(307) 527-7511**  
**Fax (307) 527-6532**

May 10, 2011

Enclosed you will find City of Cody Quote 2011-07 for fuel.

The City would like to know if you will not be quoting this year or in future years. If you indicate that you will not be quoting in future years a packet will not be sent to your business until we are notified otherwise. If in the future you decide you would again like the opportunity to quote please contact Public Works at (307) 587-2958 prior to April of that year.

For those not interested in quoting please return this form to me either by fax at (307) 527-7349, delivering to City Hall at 1338 Rumsey Avenue or mailing to my attention at P.O. Box 2200, Cody, WY 82414.

We will not be submitting a quote this year.

We do not intend to submit a quote in future years. Please remove us from your mailing list.

Business Name: \_\_\_\_\_

Business Owner: \_\_\_\_\_

Your Name (if different than owner): \_\_\_\_\_

Business  
Mailing Address: \_\_\_\_\_

Business Phone: \_\_\_\_\_

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

If you have any questions please feel free to contact me at (307) 587-2958.

Sincerely,  
CITY OF CODY

Rob Kramer  
Streets and Vehicle Maintenance Superintendent



**CITY OF CODY**  
WYOMING

## REQUEST FOR QUOTATION Quote # 2011-07

The City of Cody will accept quotes until 2:00 p.m., May 26, 2011 at City Hall, 1338 Rumsey Ave. for the following fuels:

Approximately 43,000 gallons of unleaded gasoline.

Approximately 1,500 gallons of unleaded mid-grade or plus gasoline.

Approximately 500 gallons of unleaded premium or super grade gasoline.

Approximately 48,000 gallons of diesel fuel.

Approximately 250 gallons of kerosene.

Fuel is to be dispensed by a Card System. Cards are to be set for a single vehicle or equipment so that one card can be locked out without exchanging all the cards. Fuel entry must be able to accommodate mileage and hours. On a weekly basis the SUPPLIER must be able to e-mail the mileage and usage of any vehicles or equipment to [shop@cityofcody.com](mailto:shop@cityofcody.com) and [kylieh@cityofcody.com](mailto:kylieh@cityofcody.com). On a monthly basis, concurrent with billing, SUPPLIER must be able to deliver all usage and billing information to the City of Cody in a comma delimited by field ASCII file or other acceptable format (preferably Microsoft Excel).

Quotes are to be per gallon price with all taxes included. Quotes must delineate separately the "Rack", "Freight", "Overhead", "Profit", "Taxes" and "Total Quote".

Date of price to be as of May 26, 2011. The successful supplier will begin dispensing fuels for the City of Cody on July 1, 2011 for a period of 12 months ending June 30, 2012.

Submit quotes to City of Cody, 1338 Rumsey Avenue, PO Box 2200, Cody, WY 82414 and mark on the outside of the envelope "2011-07 FUEL QUOTE". All quotes must be submitted on an official quote form (attached). Additional copies can be obtained at City Hall or by emailing [kylieh@cityofcody.com](mailto:kylieh@cityofcody.com).

In accordance with the provisions of Section 16-6-101 through Section 16-6-106 of the Wyoming Statutes, 1997 republished edition, preference is hereby given to materials, supplies, equipment, machinery, and provisions produced, manufactured, supplied or grown in Wyoming, quality being equal to articles offered by the competitors outside the state. Any supplier claiming preference must submit evidence of Wyoming residency as defined in Wyoming Statute 16-6-101.

The City reserves the right to reject any and/or all quotes and further reserves the right to waive any informalities if deemed in the best interest of the City.

Rob Kramer

City of Cody  
Streets and Vehicle Maintenance Superintendent

Nancy Tia Brown  
**Mayor**

Donny Anderson  
Charles Cloud  
Bryan Edwards  
Jerry Fritz  
Steve Miller  
Stan Wolz  
**Council Members**

C. Edward Webster II  
**Municipal Judge**

Jennifer Rosencranse  
**City Administrator**

1338 Rumsey Avenue  
P.O. Box 2200  
Cody, WY 82414

(307) 527-7511  
Fax (307) 527-6532

**Quote Specification Form – Quote # 2011-07**

Mayor and City Council  
 City of Cody  
 PO Box 2200  
 1338 Rumsey Ave  
 Cody, WY 82414

The undersigned supplier agrees to provide fuel for the City of Cody pursuant to the specifications and invitation to quote below:

	Rack Price	Freight Rate	Overhead	Profit	State Tax	Federal Tax	Total Quote Price per Gallon
Unleaded							
Midgrade							
Premium							
Diesel							
Kerosene							

\_\_\_\_\_ I acknowledge that I can provide the City with a comma delimited ASCII file at no additional cost to the City.

\_\_\_\_\_ I acknowledge that I can provide the City with a comma delimited ASCII file at an additional cost to the City of \_\_\_\_\_.

\_\_\_\_\_ Additional costs outlined on an attached page.

Supplier Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The undersigned understands that the City Council of the City of Cody shall determine in its sole discretion the most responsible supplier, and the City Council may reject any and all quotes or make substitutions, waive defects it deems unsubstantial in any quote, and that if an award is made, the City Council will award the quote in the best interest of the City. Award of quote is subject to Council budget appropriation for this purchase. The offer made herein shall be binding for 30 days after the date of quote opening.

Quote Submitted By  
 Company Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

# Memo



**TO:** Vendors for Quote 2011-7 Fuel

**THRU:** Rob Kramer, Streets and Vehicle Maintenance Superintendent

**FROM:** Kylie Hanson, Administrative Secretary

**DATE:** May 12, 2011

**RE:** Addendum to Quote 2011-07 Fuel

Due to recent events the date of the opening for Quote 2011-07 Fuel has been extended. Please find below, Addendum #1. If you have any questions or concerns, please feel free to call 587-2958.

## **QUOTE 2011-07 FUEL**

### **ADDENDUM #1**

The City of Cody will accept quotes until 2:00 p.m., June 1<sup>st</sup>, 2011 at City Hall, 1338 Rumsey Ave. for the following fuels:



**CITY OF CODY  
WYOMING**

Nancy Tia Brown  
Mayor

Donny Anderson  
Charles Cloud  
Bryan Edwards  
Jerry Fritz  
Steve Miller  
Stan Wolz  
Council Members

Jennifer Rosencranse  
City Administrator

C. Edward Webster II  
Municipal Judge

1338 Rumsey Avenue  
P.O. Box 2200  
Cody, WY 82414

(307) 527-7511  
Fax (307) 527-6532

May 10, 2011

Enclosed you will find City of Cody Quote 2011-07 for fuel.

The City would like to know if you will not be quoting this year or in future years. If you indicate that you will not be quoting in future years a packet will not be sent to your business until we are notified otherwise. If in the future you decide you would again like the opportunity to quote please contact Public Works at (307) 587-2958 prior to April of that year.

For those not interested in quoting please return this form to me either by fax at (307) 527-7349, delivering to City Hall at 1338 Rumsey Avenue or mailing to my attention at P.O. Box 2200, Cody, WY 82414.

We will not be submitting a quote this year.

We do not intend to submit a quote in future years. Please remove us from your mailing list.

Business Name: Fuel Depot, Inc.

Business Owner: \_\_\_\_\_

Your Name (if different than owner): Gary Elwood President

Business Mailing Address: P.O. Box 905 Powell, WY 82435

Business Phone: 307-7549531

Signature: [Handwritten Signature] Date: 5/24/11

If you have any questions please feel free to contact me at (307) 587-2958.

Sincerely,  
CITY OF CODY

[Handwritten Signature]  
Rob Kramer

Streets and Vehicle Maintenance Superintendent

**Quote Specification Form – Immediate Request**  
**Effective Dates of July 1, 2011 to July 1, 2012**

Mayor and City Council  
 City of Cody  
 PO Box 2200  
 1338 Rumsey Ave  
 Cody, WY 82414

The undersigned supplier agrees to provide fuel for the City of Cody pursuant to the specifications and invitation to quote below:

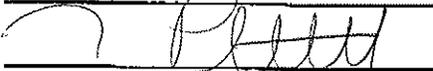
	Rack Price	Freight Rate	Overhead	Profit	State Tax	Federal Tax	Total Quote Price per Gallon
Unleaded	Varies Daily	.08	.08	.04	.1329	Exempt	Rack + Taxes + .20
Midgrade	Varies Daily	.08	.08	.04	.1329	Exempt	Rack + Taxes + .20
Premium	Varies Daily	.08	.08	.04	.1329	Exempt	Rack + Taxes + .20
Diesel	Varies Daily	.08	.08	.04	.1329	Exempt	Rack + Taxes + .20
Kerosene	Varies Daily	.08	.08	.04	.1329	Exempt	Rack + Taxes + .20

- I acknowledge that I can provide the City with a comma delimited ASCII file at no additional cost to the City.
- I acknowledge that I can provide the City with a comma delimited ASCII file at an additional cost to the City of \_\_\_\_\_.
- Additional costs outlined on an attached page.

Supplier Comments: During winter months, prices may be adjusted to reflect winterization. This proposal is an alliance/partnership with the local Conoco Country Store to be the exclusive fuel supplier to the City of Cody

The undersigned understands that the City Council of the City of Cody shall determine in its sole discretion the most responsible supplier, and the City Council may reject any and all quotes or make substitutions, waive defects it deems unsubstantial in any quote, and that if an award is made, the City Council will award the quote in the best interest of the City. Award of quote is subject to Council budget appropriation for this purchase. The offer made herein shall be binding for 30 days after the date of quote opening.

Quote Submitted By  
 Company Name: Homax Oil Sales Partnering with Conoco Country Store

Authorized Signature: 

Printed Name: Toni Petty

Business Address: 605 S. Poplar, Casper, WY 82601

Phone Number: 307-362-8888, 1-800-269-9824

Email Address: tpetty@homaxoil.com



CITY OF CODY  
WYOMING

CITY OF CODY  
SPECIAL USE PERMIT

NAME OF APPLICANT: Stampede Parade Committee

CONTACT PERSON: Joy Goniou

ADDRESS: \_\_\_\_\_

DAY PHONE: 899-2394

TYPE OF ACTIVITY: \_\_\_\_\_ Rodeo Sound Car  
\_\_\_\_\_ Walk-A-Thon  
 X Parade  
\_\_\_\_\_ Sports Event  
\_\_\_\_\_ Other: \_\_\_\_\_

DESCRIPTION: 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> July Parades

LOCATION: \_\_\_\_\_

DATE(S): July 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>

SPECIAL REQUIREMENTS:  
(Attach route map, if applicable) Please consider waving \$100  
fee. Thank you.

Suzanne Goniou  
SIGNATURE OF APPLICANT \_\_\_\_\_ DATE May 26-2011

Do Not Write Below This Line

Approved by: \_\_\_\_\_ City Hall \_\_\_\_\_ Parks \_\_\_\_\_ Police  
\_\_\_\_\_ Streets \_\_\_\_\_ Electrical \_\_\_\_\_ Other

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

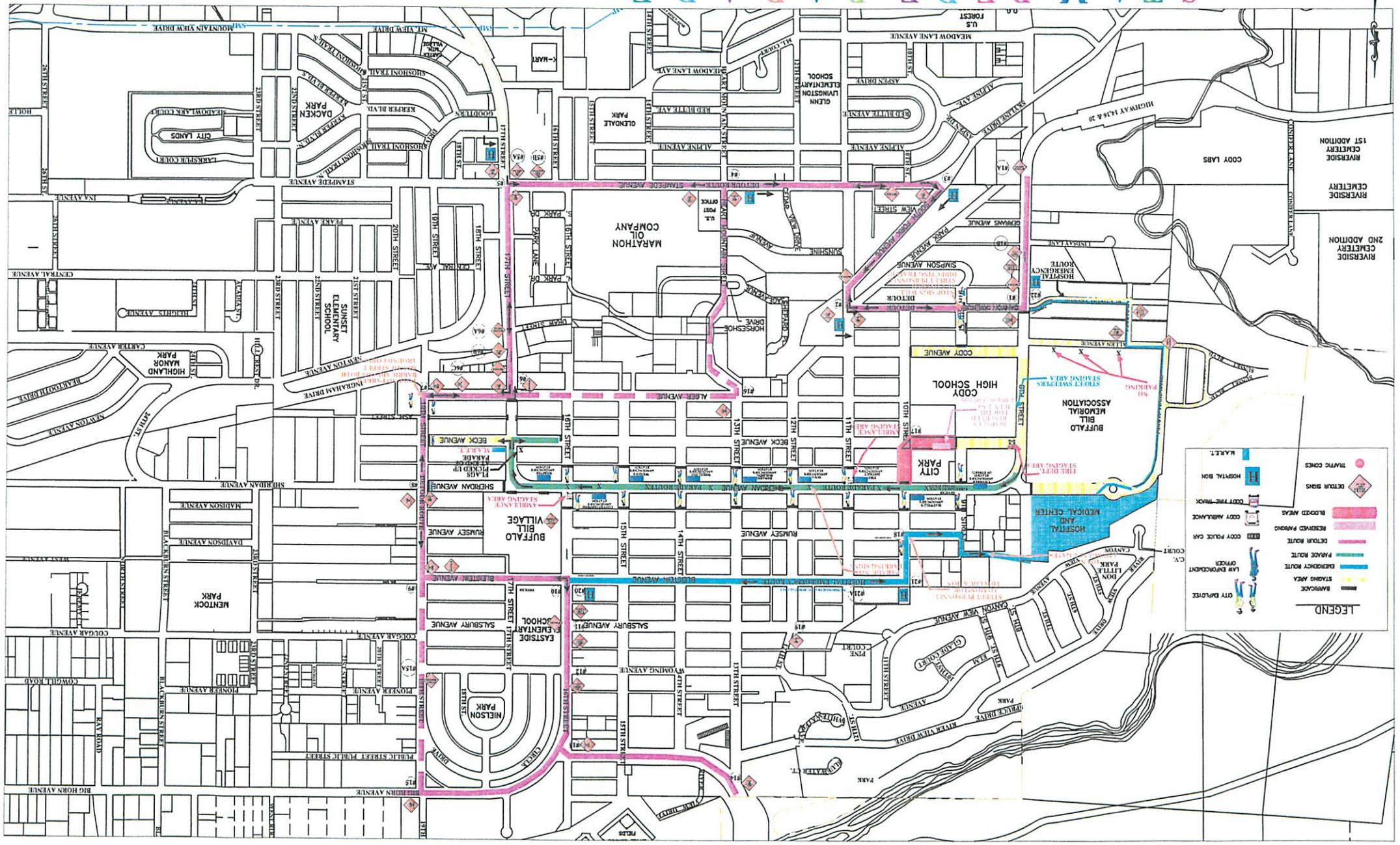
Fee Paid: \_\_\_\_\_ Council Approval: \_\_\_\_\_





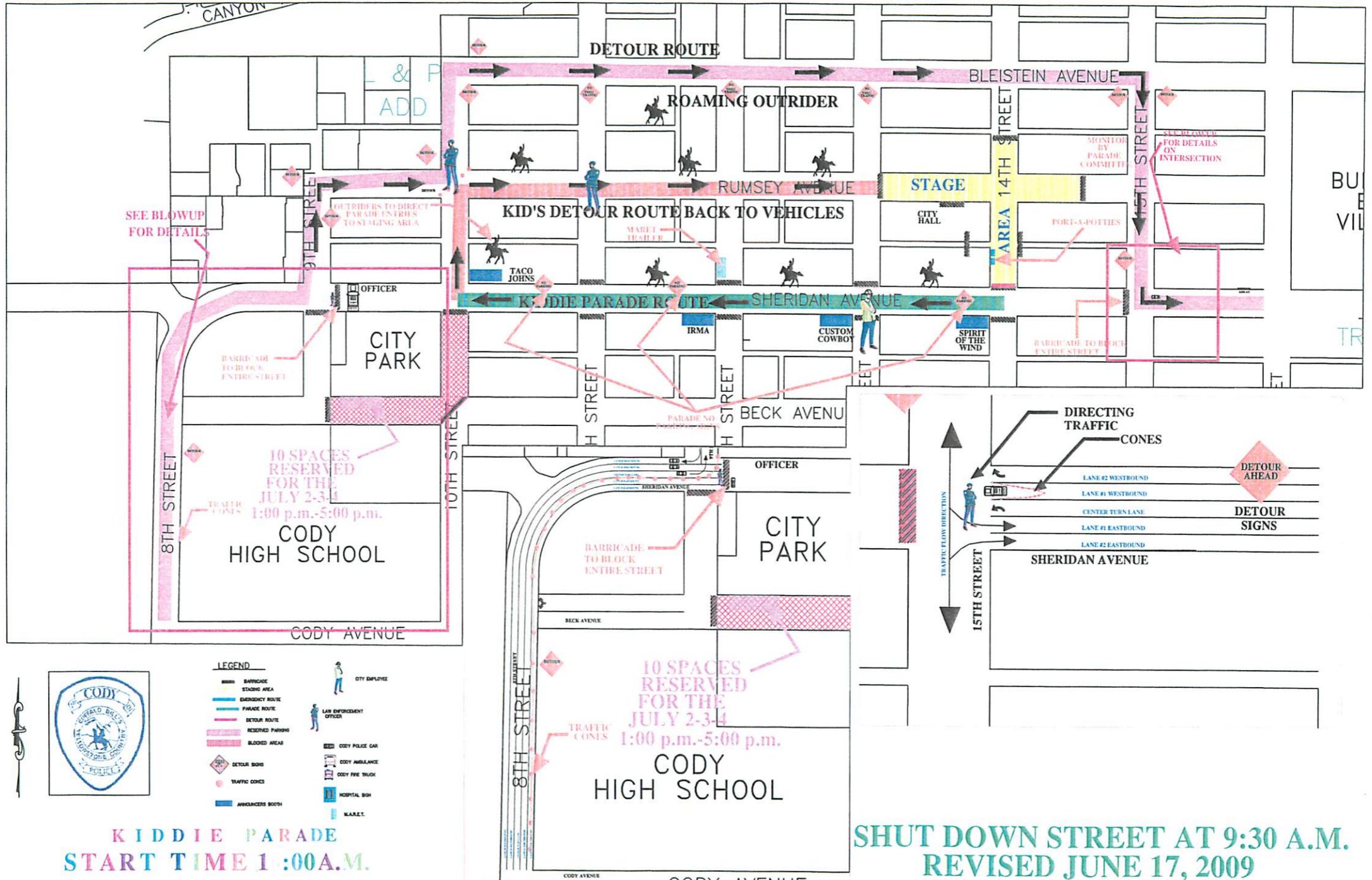
SHUT DOWN STREETS AT 8:45 A.M.  
 REVISED JUNE 17, 2010

STAMPED PARADE 9:30 A.M.  
 SCALE: 1"=600'



**LEGEND**

- PARADE ROUTE
- DETOUR ROUTE
- EMERGENCY ROUTE
- STAGING AREA
- LAW ENFORCEMENT
- CITY EMPLOYEE
- CITY POLICE CAR
- BODY AMBULANCE
- RESERVED PARKING
- BLOODED AREAS
- CODY TIME THROU
- HOSPITAL SIGN
- TRAFFIC CONES



**KIDDIE PARADE  
START TIME 1:00 A.M.**

**SHUT DOWN STREET AT 9:30 A.M.  
REVISED JUNE 17, 2009**

MEETING DATE: JUNE 7, 2011  
 DEPARTMENT: ADMINISTRATIVE SERVICES  
 PREPARED BY: LESLIE BRUMAGE, FINANCE  
 OFFICER  
 DEPT. DIR. APPROVAL: \_\_\_\_\_  
 CITY ADM. APPROVAL: \_\_\_\_\_

## AGENDA ITEM SUMMARY REPORT

### Declaration of Surplus Items for Auction

#### **BACKGROUND**

The City recently completed its first online auction with success. All but one of the items sold bringing in \$15,246 in revenue to the City.

#### **SUMMARY**

Staff would like to relist the 2001 Johnston Sweeper that did not sell at a lower reserve price of \$20,000. In addition, staff is requesting the following items be declared surplus and listed online for auction:

Description	Dept	Reserve
Basketball hoop	430	None
Station transformer 3 phase 69KV to 19.9/34.5Y KV 2500KVA	560	\$10,000
Station transformer 69KV to 2400/4160Y, 5MVA	560	\$20,000
Misc sewer jet fittings	545	None
Used metal siding from steel building	545	None
Wheel barrow	545	None
Used pumps and motors for Brown Pump house	545	\$500 each
Misc Sensus water meter parts	540	None
Misc lift station valves, fittings and control valves	545	None
20" boy's green mongoose booster bicycle	310	None
26" girl's blue road master SX mountain sport bike	310	None
26" blue mongoose MGX bicycle with basket	310	None
26" girl's purple next tiara pro bicycle	310	None
26" men's blue and silver next power climber bicycle	310	None

#### **FISCAL IMPACT**

It is difficult to determine how much the City will receive from the sale of the items with no reserve however if the City sells the sweeper and the two transformers for the minimum reserve the revenue would be \$50,000.

#### **ALTERNATIVES**

1. Approve the list, declaring the items as surplus and available for auction and relist the sweeper
2. Reject the list and cancel the auction or just list the sweeper that did not sell at the last auction

#### **RECOMMENDATION**

Approve the list, declaring the items as surplus and available for auction

#### **ATTACHMENTS**

None

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

1. None

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

MEETING DATE: JUNE 7<sup>TH</sup>, 2011  
DEPARTMENT: PARKS, RECREATION, & PUBLIC  
FACILITIES  
PREPARED BY: RICK MANCHESTER  
DEPT. DIR. APPROVAL: RMM  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: RICK MANCHESTER

## **Cody Auditorium ADA Renovation—CHANGE ORDER #3**

For Your Information

Action Necessary

Response Requested

### **PROBLEM/OPPORTUNITY**

The existing irrigation controller at the Auditorium is for four zones. The new irrigation system requires a controller to regulate five zones.

### **BACKGROUND**

The plans and contract do not call for replacing the controller; therefore we need a change order to complete the work. Big Horn Horticulture is proposing (and we agree) that an “owner supply” for the new controller is the best, least expensive, and quickest remedy. This option requires the contractor to provide installation of the controller with a module that will allow it to serve as a five zone controller. It is better to have the contractor install the equipment so that there are not any questions if a warranty issue comes up in the future.

### **FISCAL IMPACT**

Not to exceed \$350 for installation and purchase of the module to install on the irrigation controller provided by the City. This will likely cost less than \$200 for installation and module.

### **RECOMMENDATION**

Approve change order #3 for installation of a new controller that is provided by the City to be installed under the contract with Groathouse Construction.

### **ATTACHMENTS**

Change Order Document from Groathouse Construction (Not available in time to provide with Council packets.)

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

MEETING DATE: JUNE 7<sup>TH</sup>, 2011  
 DEPARTMENT: PARKS, RECREATION, & PUBLIC  
 FACILITIES  
 PREPARED BY: RICK MANCHESTER  
 DEPT. DIR. APPROVAL: RMM  
 CITY ADM. APPROVAL: \_\_\_\_\_  
 PRESENTED BY: RICK MANCHESTER

**Construction Contract for Cody City Hall Energy Retrofit Project**  
**City Bid No. 2011-01**

For Your Information     
  Action Necessary     
  Response Requested

**PROBLEM/OPPORTUNITY**

The City of Cody was awarded a Wyoming Business Council Energy Office Grant to complete an HVAC and energy upgrade at City Hall. Plan One Architects developed construction documents and let out the bid that closed on Friday, May 27<sup>th</sup>, 2011.

**BACKGROUND**

The grant contract amount with the WBC State Energy Office was \$222,471 which included engineering services provided by Plan One Architects. Engineering costs were \$22,000 leaving \$202,471 to construct the improvements. Not including contingencies the engineer estimates were approximately \$175,000 after it was determined that roof units will not be used due to the buildings structural load bearing capabilities.

The project will replace 30+ year old heating units in the basement with energy efficient units. The HVAC retrofit includes installing roof top air conditioning units. The replacement is predicted to be a 25% energy efficiency increase. The project also includes replacing light fixtures in City Hall. The lights will be upgraded from T-12 or T-8 style fixtures to T-5 light fixtures for an estimate 10-15% energy use savings.

The project is entirely funded by the American Recovery and Reinvestment Act of 2009 (ARRA). The HVAC at City Hall has been pushed back several times in the CIP program due to inadequate City funding.

**SUMMARY**

The engineer estimates and bids came in lower than initial grant request indicated.

**FISCAL IMPACT**

The energy grant did not require a City match. The City will ultimately benefit from less energy usage and a replaced antiquated system.

Bidder	Base Bid
Ace Electric, Laurel MT	\$162,776

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

CK Construction, West Haven UT	\$178,800
--------------------------------	-----------

**ALTERNATIVES**

Do not approve the contract.

**RECOMMENDATION**

Pending legal review and approval authorize the Mayor to enter into a construction contract with Ace Electric of Laurel MT for \$1 to complete the Cody City Hall Energy Retrofit Project.

**AGENDA & SUMMARY REPORT TO:**

Dave Wellington, Plan One Architects  
1001 12<sup>th</sup> Street  
Cody WY 82414

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

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: SARA WEAD, ASSISTANT  
ADMINISTRATIVE SERVICES OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_

## **AGENDA ITEM SUMMARY REPORT**

### **Request for a New Restaurant Liquor License**

#### **BACKGROUND**

Luzh-S Co. dba Chinatown is applying for a new restaurant liquor license. At its discretion the City may approve or deny the application under Wyoming State Statutes Title 12.

#### **SUMMARY**

Luzh-S Co. dba Chinatown is in the process of renovating the building located at 937 Sheridan Ave and has applied for a new restaurant liquor license. The application is complete and the advertising fee has been paid. If approved, the license fee must be paid and a Certificate of Occupancy must be received before the license can be issued.

#### **FISCAL IMPACT**

If approved, the City will receive a pro-rated license fee of \$112.75 an annual renewal fee of \$750.00

#### **ALTERNATIVES**

1. Approve the application for a new restaurant liquor license from Luzh-S Co dba Chinatown with issuance of the license contingent upon receiving a Certificate of Occupancy.
2. Deny the application for a new restaurant liquor license.

#### **RECOMMENDATION**

None.

#### **ATTACHMENTS**

1. Application for a new restaurant liquor license.

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

1. Xiren Zhang & Yi Lu      luzhang@tctwest.net

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

FOR NEW LICENSES AND TRANSFER  
**LICENSE AND/OR PERMIT APPLICATION**  
FOR LIQUOR, COUNTY MALT BEVERAGE, LIMITED, WINERY OR MICROBREWERY

**To be completed by the City, Town or County Clerk:**

Date Filed: 5 / 3 / 11

	Annual Fee	Prorated Fee
Basic Fee:	\$ _____	\$ <u>112.75</u>
Add'l Dispensing Room Fee:	\$ _____	\$ _____
Transfer Fee:	\$ _____	\$ _____
Total License Fee Collected:	\$ _____	\$ <u>112.75</u>
Publishing Fee Collect:	\$ <u>240.00</u>	

Required Attachments Received: Yes

Advertising Dates(4): 5/11/11, 5/18/11, 5/25/11, 6/1/11

Hearing Date: 6 / 7 / 2011

Local Licensing Number: \_\_\_\_\_

**LICENSING AUTHORITY:** Begin publishing promptly. As W.S. 12-4-104(d) specifies: **NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.**

A copy must be immediately forwarded to:  
State of Wyoming Liquor Division  
1520 E 5<sup>th</sup> Street  
Cheyenne WY 82002-0110

Formerly Held by: \_\_\_\_\_

Applicant: China Town Luzh-S Co.

Trade Name (dba): China Town

Premise Address: 937 Sheridan Ave  
Number & Street

Cody WY 82414 Park  
City State Zip County

Mailing Address: 937 Sheridan Ave  
Number & Street or P.O. Box

Cody WY 82414  
City State Zip

Business Telephone Number: (307) 587 9798

Fax Number: \_\_\_\_\_

E-Mail Address: LUZHANG@TCTWEST.NET

For the license term: 6 7 11  
Month Day Year

Through: 7 31 2011  
Month Day Year

<b>FILING FOR</b> <input checked="" type="checkbox"/> NEW <input type="checkbox"/> TRANSFER LOCATION <input type="checkbox"/> TRANSFER OWNERSHIP	<b>TYPE OF LICENSE OR PERMIT</b> (CHOOSE ONLY ONE) <input type="checkbox"/> RETAIL LIQUOR LICENSE <input type="checkbox"/> on-premise only <input type="checkbox"/> off-premise only <input type="checkbox"/> combination on/off premise <input checked="" type="checkbox"/> RESTAURANT LIQUOR LICENSE <input type="checkbox"/> RESORT LIQUOR LICENSE <input type="checkbox"/> COUNTY RETAIL or SPECIAL MALT BEVERAGE PERMIT <input type="checkbox"/> VETERANS CLUB <input type="checkbox"/> FRATERNAL CLUB <input type="checkbox"/> GOLF CLUB <input type="checkbox"/> SOCIAL CLUB <input type="checkbox"/> MICROBREWERY <input type="checkbox"/> WINERY <input type="checkbox"/> BAR AND GRILL	To Assist the Liquor Division with scheduling inspections:  <b>DO YOU OPERATE?</b> <input checked="" type="checkbox"/> FULL TIME (e.g. Jan through Dec) <input type="checkbox"/> SEASONAL/PART-TIME (specify months of operation) from _____ to _____  DAYS OF WEEK (e.g. Mon through Sat) <u>Mon-Sun (Summer)</u> <u>Tue-Sun (Winter)</u> HOURS OF OPERATION (e.g. 10a - 2a) <u>11am-9pm</u>
<b>FILING IN</b> (CHOOSE ONLY ONE) <input checked="" type="checkbox"/> CITY OF <u>Cody</u> <input type="checkbox"/> COUNTY OF _____	<input type="checkbox"/> LOCATED WITHIN 5 MILES OF CITY (County License only)	
<b>FILING AS</b> (CHOOSE ONLY ONE) <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LLC <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LLP <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> LTD PARTNERSHIP <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> ORGANIZATION		

1. Location of License:

(a) Give a description of the dispensing room and state where it is located in the building (e.g. 10x12 room in SE corner of 1st floor of building). If the building is not in existence, provide the location and an architect's drawing or suitable plans of the room and premises to be licensed: If **Winery** or **Microbrewery**, also list manufacturing facility. W.S. 12-4-102(a)(i): (Please submit a drawing of dispensing room)

8'x9' Room in center of Building

(b) Do you have an additional dispensing room?  YES  NO If yes, provide description and location:

(c) Provide the legal description and the zoning of the site where the applicant will conduct business:  
937 Sheridan Ave Lot 15 & 16 Block 53 original Town Cody

2. Do you W.S. 12-4-103 (a) (iii):

(1) **OWN** the building in which sales room is located?  YES (own)  
 (2) **LEASE** the building in which sales room is located?  YES (lease)

(A) **DATE** lease expires Aug 1, 2016 located on page 1 paragraph 1 of lease document.  
 (B) Provision for **SALE** of alcoholic or malt beverages located on page 3 paragraph 10 of lease document.

**NOTE:** Attach a true copy of the lease to application. Lease **MUST** contain provision for **SALE OF ALCOHOLIC or MALT BEVERAGES** and be valid **THROUGH** the **TERM OF THE LICENSE** W.S. 12-4-103(a)(iii).

3. Have you already assigned, leased, transferred or do you intend to assign, lease, transfer, contract or in any other manner agree with any person or firm other than yourself as licensee to operate and assert control or partial control of the license and the licensed room to carry on the licensed liquor business?  YES  NO

4. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403
- (a) Hold any interest in the license applied for?  YES  NO
  - (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business?  YES  NO
  - (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs?  YES  NO
  - (d) If you answered YES to any of the above, explain fully and submit any documents in connection therewith:

5. Does applicant have any interest or intent to acquire an interest in any other retail liquor license to be issued by this licensing authority? W.S. 12-4-103(b)  
If "YES", explain: \_\_\_\_\_
- YES  NO

6. Is applicant a mayor, member of a city or town council, or member of the board of county commissioners within the jurisdiction of this licensing authority? W.S. 12-4-103(a)(i)  YES  NO

7. Is applicant employed by the State, City or Town, or County as a law enforcement officer, or hold office as a law enforcement officer through election? W.S. 12-4-103(a)(ii)  YES  NO

**RESTAURANT OR BAR AND GRILL LICENSE: Complete questions 8(a) and 8(b):**

8. (a) Have you submitted a valid food service permit upon application? W.S. 12-4-407(a) W.S. 12-4-413(a)  YES  NO  
 (b) Was your dispensing room for alcoholic and/or malt beverages in existence and open for consumption purposes prior to February 1, 1979? W.S. 12-4-410(b)  YES  NO  N/A

**RESORT LICENSE: Complete questions 9(a) through 9(c):**

9. (a) Is the actual valuation of the resort complex at least one million dollars, or have you committed or expended at least one million dollars (\$1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i)  YES  NO
- (b) Does the resort complex include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii)  YES  NO
- (c) Does the resort complex include motel or hotel accommodations with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii)  YES  NO

**MICROBREWERY AND/OR WINERY LICENSE: Complete questions 10 through 11:**

10. Is premise to be co-existent with a retail, restaurant, resort or bar and grill liquor license? W.S. 12-4-412(b)(iii)  YES  NO

If "YES", please specify type:  Microbrewery  Winery  Retail  Restaurant  Resort  Bar and Grill:

11. (a) Do you self distribute your products?  YES  NO  
 (b) Do you distribute your products through an existing malt beverage wholesaler?  YES  NO

**ORGANIZATION AND/OR CLUB LICENSE: Complete questions 12 through 15 as applicable:**

**12. FRATERNAL CLUBS W.S. 12-1-101(a)(iii)(B)**

- (a) The name and address of the grand lodge or national organization is: \_\_\_\_\_
- (b) Does lodge or fraternal organization hold a charter from a national organization or national grand lodge?  YES  NO
- (c) Has the fraternal organization been actively operating in at least thirty-six (36) states?  YES  NO
- (d) Has the fraternal organization been actively in existence for at least twenty (20) years?  YES  NO

**13. VETERANS CLUBS W.S. 12-1-101(a)(iii)(A):**

- (a) The name and address of the National Veterans organization is: \_\_\_\_\_
- (b) Has the Veteran's organization been chartered by the Congress of the United States for patriotic, fraternal or benevolent purposes?  YES  NO
- (c) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary?  YES  NO

**14. SOCIAL CLUBS** W.S. 12-1-101(a)(iii)(E):

- (a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located?  YES  NO
- (b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state?  YES  NO
- (c) Is the club qualified as a tax exempt organization under the Internal Revenue Service?  YES  NO
- (d) Has the club been in continuous operation for a period of not less than one (1) year?  YES  NO
- (e) Has the club received twenty-five dollars (\$25.00) from each bona fide member as recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues?  YES  NO
- (f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club?  YES  NO
- (g) Have you filed a true copy of your bylaws with the local licensing authority and the Wyoming Liquor Division?  YES  NO
- (h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License **(THE PETITION MUST BE ATTACHED TO APPLICATION)** ?  YES  NO
- (i) Have you filed with the licensing authority and the Wyoming Liquor Division a detailed statement of your activities during the preceding year which were undertaken or furthered in pursuit of the objectives of the club, along with an itemized statement expended for such activities?  YES  NO

**15. GOLF CLUBS** W.S. 12-1-101(a)(iii)(D):

- (a) Do you have more than fifty (50) bona fide members?  YES  NO
- (b) Do you own, maintain, or operate a bona fide golf course together with clubhouse?  YES  NO

**16. (a) If applicant is an Individual or Partnership:** State the name, date of birth and residence of each applicant or partner, if the application is made by more than one individual or by a partnership. **If the application is for a Club:** State the name, date of birth and residence of each officer.

True and Correct Name	Date of Birth	DONOT LIST PO BOXES Residence Address No. & Street City, State & Zip	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?			Have you been Convicted of a Felony Violation?		Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?	
				YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Xiren Zhang	02-22-66	514 Olive Glenn Dr Cody WY 82414	254-8014	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Yi Lu	10-11-68	514 Olive Glenn Dr Cody WY 82414	254-2971	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
				YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
				YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
				YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
				YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	

(If more information is required, list on a separate piece of paper and attach to this application.)

**(b) If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership:** State the name, date of birth and residence of each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, and every officer, and every director.

True and Correct Name	Date of Birth	DONOT LIST PO BOXES Residence Address No. & Street City, State & Zip	Residence Phone Number	No. of Years in Corp or LLC	% of Stock Held	Have you been Convicted of a Felony Violation?		Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?	
						YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Xiren Zhang	2/22/66	514 Olive Glenn Dr Cody WY 82414	307-254-8014	13	50%	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Yi Lu	10/11/68	514 Olive Glenn Dr Cody WY 82414	307-254-2971	13	50%	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
						YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
						YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
						YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
						YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>

(If more information is required, list on a separate piece of paper and attach to this application.)

**OATH OR VERIFICATION**

(Requires signatures by **ALL** Individuals, **ALL** Partners, **ONE (1)** LLC Member, or **TWO (2)** Corporate Officers or Directors except that if all the stock of the corporation is owned by **ONE (1)** individual then that individual may sign and verify the application upon his oath, or **TWO (2)** Club Officers.) W.S. 12-4-102(b)

Under penalty of perjury, and the possible revocation or cancellation of the license, I swear the above stated facts, are true and accurate.

STATE OF WYOMING )  
COUNTY OF Park ) SS.

Before Me, Tina Henry, (specify) a Notary Public, Officer authorized to administer oaths in and for Park County, State of Wyoming, personally appeared

Xiren Zhang + Yi Xu name he/she being first duly sworn by me upon his oath, says that the

facts alleged in the foregoing instrument are true.

(Seal)



1. Xiren Zhang  
2. [Signature]  
3. \_\_\_\_\_  
4. \_\_\_\_\_

My Commission expires: May 6, 2013

Witness my hand and official seal:

Tina Henry  
(Notary Public or other officer authorized to administer oaths)

Title Notary

Dated: 4-28-11

**REQUIRED ATTACHMENTS:**

- (1) Attach any lease agreements W.S. 12-4-103(a)(iii).
- (2) If building is not in existence, an architect's drawing or suitable plans of the room and premises to be licensed must be attached W.S. 12-4-102(a)(i).
- (3) A statement indicating the financial condition and financial stability of new applicant W.S. 12-4-102(a)(v).
- (4) Restaurant or Bar and Grill Liquor License Applications must attach a copy of their **CURRENT** and valid food service permit W.S. 12-4-407(a) or W.S.12-4-413(a).
- (5) Include a drawing of the dispensing room. W.S. 12-5-201(a).
- (6) Check or bank draft as payment for the application and for publishing the notice of application. W.S. 12-4-104(a). Direct billing is permissible.
- (7) If transfer, a form of assignment from current licensee, allowing transfer W.S. 12-4-601(b).

**ADVERTISING REQUIREMENTS W.S. 12-4-104(a):**

When an application for a license, permit, renewal or any transfer of location or ownership thereof has been filed with a licensing authority, the clerk shall promptly prepare a notice of application, place the notice conspicuously upon the premises shown by the application as the proposed place of sale and public the notice in a newspaper of local circulation once a week for four (4) consecutive weeks. The notice shall state that a named applicant has applied for a license, permit, renewal or transfer thereof, and that protests against the issuance, renewal, or transfer of the license or permit will be heard at a designated meeting of the licensing authority.

**HEARING REQUIREMENTS W.S. 12-4-104(b):**

Any license or permit authorized under this title shall not be issued, renewed or transferred until on or after the date set in the notice for hearing protests. If a renewal hearing, the hearing shall be held no later than thirty (30) days preceding the expiration date of the license or permit. A license or permit shall not be issued, renewed or transferred if the licensing authority finds from evidence presented at the hearing:

- (i) The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;
- (ii) The purpose of this title shall not be carried out by the issuance, renewal or transfer of the license or permit;
- (iii) The number, type and location of existing licenses or permits meets the needs of the vicinity under consideration;
- (iv) The desires of the residents of the county, city or town will no be met or satisfied by the issuance, renewal or transfer of the license or permit; or
- (v) Any other reasonable restrictions or standards which may be imposed by the licensing authority shall not be carried out by the issuance, renewal or transfer of the license or permit.

FOR LIQUOR DIVISION USE ONLY		
Reviewer	Initials	Date
Agent:		
Chief:		
Acct.:		



## LEASE AGREEMENT

THIS LEASE AGREEMENT, Made between ZhangLu-Cody, LLC (herein called ("LESSOR") and LUZH-S Co, dba CHINATOWN, a Wyoming Corporation (herein called "LESSEE").

WITNESSETH: That LESSOR, for and in consideration of the covenants and agreements hereinafter set forth, to be kept and performed by LESSEE, does hereby lease unto LESSEE the following described real property:

Lots 15 and 16, Block 53 ORIGINAL TOWN OF CODY, as located in Book "E" of plats, Page 58, according to the records of the County Clerk and Recorder of Park County, State of Wyoming, and is know as "CHINATOWN".

Together with all improvements thereon and appurtenances and hereditaments thereunto or in anywise appertaining.

(herein called "the LEASED PROPERTY"), upon the following terms and conditions:

1. **TERM** - The term of this Lease shall be for five years and two months, commencing June 1, 2011 and ending August 1, 2016, and shall automatically renew thereafter unless and until one of the parties hereto gives not less than 30 days prior written notice of the intention to terminate at the end of the current lease year.

2. **RENT** - LESSEE covenants and agrees to pay to LESSOR as rent for the LEASED PROPERTY \$48,000 per year, payable in equal monthly installments of \$4,000, payable in advance on or before the 10th day of each calendar month.

3. **INSURANCE** - LESSEE covenants and agrees to secure and maintain during the term hereof, with an insurance carrier or carriers approved by LESSOR, which approval LESSOR shall not unreasonably withhold, the following insurance:

- (a) General public liability insurance against claims for personal injury, death or property damages occurring in, on, or about the LEASED PROPERTY, with limits to be agreed upon by the parties from time to time, which insurance shall name both LESSOR and LESSEE as insureds.
- (b) Fire and extended coverage insurance in amount equal to 100% of full replacement costs of the insurable improvements of the LEASED PROPERTY, naming as insureds LESSOR and any mortgagee designated by LESSOR from time to time, as their respective interests may appear.

If LESSEE fails or refuses to secure and maintain such insurance, LESSOR may obtain the same, the costs of which shall be added to the rent and shall be due on the next monthly rental date.

4. **TAXES** - LESSEE shall pay all property taxes assessed against the LEASED PROPERTY and all of LESSEE's personal property, trade fixtures and inventory. If LESSEE fails or refuses to pay the same, LESSOR may make such payments and such payments shall be added to the rent and shall be due on the next monthly rental date.

5. **UTILITIES** - LESSEE shall pay for utilities used or consumed on the LEASED PROPERTY, including the disposal and removal of trash. If LESSEE fails or refuses to pay the same, LESSOR will make such payments and such payments shall be added to the rent and shall be due on the next monthly rental date.

6. **MAINTENANCE AND REPAIRS** - LESSEE shall keep the building on the LEASED PROPERTY in good state of repair; shall perform all maintenance and repairs required, including painting, heating, air conditioning, electrical, water and sewer facilities; shall promptly replace all broken or damaged glass; shall keep the sidewalks and entry ways free from snow, ice and obstructions of any kind; and shall repair any damage to the roof of the building, but LESSEE shall make no structural changes in the building without the prior written consent of LESSOR. LESSEE shall return the LEASED PROPERTY to LESSOR upon the termination of this Lease, however the same shall terminate, in the same conditions as when received, ordinary wear and tear and acts of God expected.

7. **DESTRUCTION OF BUILDING** - If the building on the LEASED PROPERTY is totally destroyed (or so damaged as to be untenable) by storm, fire, earthquake, or other casualty, this Lease shall terminate as of the date of such destruction or damage and the rental shall be accounted for between LESSOR and LESSEE on that date.

If the building is damaged but not rendered totally untenable and the damage can be fully repaired in 90 days, rent shall abate in proportion as the building has been damaged and LESSOR shall restore the building within said time limit, whereupon rent in full shall commence. Should LESSOR fail or refuse to fully repair the building within said 90 days, LESSEE may terminate this Lease.

8. **INSPECTION** - LESSOR may at all times enter to view the LEASED PROPERTY, to make repairs or show the LEASED PROPERTY to persons who may wish to lease or buy the same.

9. **ASSIGNMENT** - LESSEE shall not assign this Lease nor sublet all or any part of the LEASED PROPERTY without the prior written consent of LESSOR.

10. LESSOR authorizes LESSEE to sell alcohol and malt beverages on the LEASED PROPERTY.

11. TERMINATION - If LESSEE fails to keep and perform or shall violate any of the covenants, conditions or terms of this Lease, including the payment of the monthly rental when and as due, and fails to remedy such default within 30 days after written notice thereof to LESSEE, then and in any such event, LESSOR shall have the right at any time thereafter to terminate this Lease without further notice or demand. The right of termination shall not be exclusive and LESSOR shall have such other rights and remedies as may be provided by law for enforcing LESSOR's rights hereunder and for the collection of rent.

LESSEE agrees to pay LESSOR's costs, including reasonable attorney's fees, for enforcing any of LESSOR's rights hereunder, including the collection of rent, late charges and interest on delinquent rent.

12. NOTICE - Any notice provided for or permitted herein may be delivered in person to the other party or may be delivered by depositing a copy thereof in the United States mail, postage prepaid, addressed to LESSOR as follows:

ZhangLu - Cody, LLC  
151 E. Coulter Ave.  
Powell, Wyoming 82435

and addressed to LESSEE as follows:

LUZH - S Co  
dba CHINATOWN  
151 E. Coulter Ave.  
Powell, Wyoming 82435

Notice by mail shall be considered delivered 36 hours following the deposit thereof in any United States post office. Either party may change the address of notice by giving appropriate notice thereof in writing to the other party.

12. MODIFICATION - This Lease may not be amended or supplemented orally but only by an agreement in writing and signed by the party against whom enforcement of any such amendment or supplement is signed.

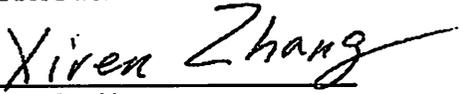
IN WITNESS WHEREOF, This Lease Agreement is executed by the parties hereto, this 2<sup>nd</sup>  
day of May, 2011.

LESSOR:

  
\_\_\_\_\_  
Yi Lu, Sole Member  
ZhangLu-Cody, LLC

LESSEE:

LUZH - S Co  
dba CHINATOWN

By   
\_\_\_\_\_  
Xiren Zhang, President

ATTEST:

  
\_\_\_\_\_  
Yi Lu, Secretary

**Make Checks Payable to:**  
**WYOMING DEPARTMENT OF AGRICULTURE**  
**CONSUMER HEALTH SERVICES SECTION**  
**2219 CAREY AVE.**  
**CHEYENNE, WY. 82002**  
**(307) 777-7211**  
 State Relay Service at 7-1-1 or 1 800 877-9965

Instructions: Submit this application to the inspector of the WY Dept of Agriculture or local County Health Dept. Complete all sections. If a section is not applicable enter "N/A". If additional space is needed for any item, attach additional sheet.

EQUAL OPPORTUNITY IN EMPLOYMENT AND SERVICES

**APPLICATION FOR FOOD LICENSE**  
**FOOD LICENSE: \$100.00 Initial Fee; \$50.00 Annual Renewal Fee.**  
**(Licenses shall expire one year after date of issuance)**

LICENSE ACCOUNT NUMBER

ACTIVATION DATE

**LICENSE APPLICATION INFORMATION (to be completed by applicant)**

**Type of Application:**

New    Change of Owner    Change of Location    Other (specify) \_\_\_\_\_

**Form of Organization**

Individual    Association    Corporation  
 Partnership    Other Legal Entity (specify) \_\_\_\_\_

If Corporation/ Business Entity Required to be Registered, Name of State where Incorporated/Registered Luzh-SCO

Date Incorporated/Registered (month and year) 12-1997

**- Establishment Information -**

Establishment Name: Chinatown  
 Address: 937 Sheridan Ave.  
 City: ~~Pow~~ Cody   State: WY   Zip: 82414  
 Area Code and Phone Number: 307 587 9798

**- Applicant Information -**

Name of Applicant: Zhang   Xiren  
 Last   First and middle initial

Address: 151 E Coulter Ave.  
 City: Powell   State: WY   Zip: 82435  
 Area Code and Phone Number: 307 754 7924

Mailing Indicator - please indicate where to mail license to 2 (1 = Establishment; 2 = Applicant)

**Type of Establishment (please  applicable boxes)**

Restaurant/Food Service    Retail Grocery/Convenience Store    Meat (Slaughter, Processor)    Distributor    Food Processor  
 Dairy (Farm, Plant, Distributor, Tester, Grader)    Bar    Mobile    Warehouse

I ATTEST TO THE ACCURACY AND INFORMATION PROVIDED IN THIS APPLICATION. I AGREE TO COMPLY WITH ALL APPLICABLE WYOMING LAWS AND REGULATIONS AND I UNDERSTAND THAT EACH SECTION OF THE LAWS AND REGULATIONS IS SEPARATELY AND COLLECTIVELY ENFORCEABLE. I AGREE TO ALLOW THE REGULATORY AUTHORITY ACCESS TO MY ESTABLISHMENT.

Xiren Zhang

4-29-11

SIGNATURE OF APPLICANT

DATE

APPROVING OFFICIAL

COUNTY

**LUZH - S Co.  
dba Chinatown**

**FINANCIAL STATEMENTS**

**December 31, 2010**

# Whittle, Ostlund, Hamilton & Associates, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

David R. Whittle, CPA  
Roxanne Ostlund, MBA/CPA  
Barbara Hamilton, CPA  
Janell Dunning  
Janci Baxter, MBA/JD/CPA  
Laurie Martin

Lynne Whitmore, MA/CPA  
Joseph A. Asay, CPA  
Julie LaBrie, CPA  
Daryl A. Hensel, CPA

P.O. Box 801 – 340 N. Clark St.  
Powell, Wyoming 82435  
Phone: (307) 754-2962  
Fax: (307) 754-5740  
E-mail: whittle@wohtaxbiz.com

5920 Yellowstone, Ste. 1  
Cheyenne, Wyoming 82009  
Phone: (307) 778-9933  
Fax: (307) 635-1049  
E-mail: taxtoons@aol.com

1438 Sheridan Ave, Ste. 103  
Cody, Wyoming 82414  
Phone: (307) 587-6104  
Fax: (307) 587-6106  
E-mail: bhamilton@bresnan.net

## INDEPENDENT ACCOUNTANT'S COMPILATION REPORT

To the Board of Directors  
Luzh - S Co  
dba Chinatown  
Powell, Wyoming

We have compiled the accompanying statement of assets, liabilities, and stockholder's equity – income tax basis of Luzh - S Co (an S-Corporation) as of December 31, 2010, and the related statements of revenues, expenses, retained earnings and cash flows – income tax basis for the year then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or provide any assurance about whether the financial statements are in accordance with the income tax basis of accounting.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the income tax basis of accounting and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared on the income tax basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Company's assets, liabilities, equity, revenues, and expenses. Accordingly, the financial statements are not designed for those who are not informed about such matters.



Whittle, Ostlund, Hamilton & Associates, P.C.  
Certified Public Accountants

April 26, 2011

**LUZH - S Co.**  
**dba CHINATOWN**  
**STATEMENT OF ASSETS, LIABILITES, AND STOCKHOLDERS' EQUITY**  
**INCOME TAX BASIS**  
 As of December 31, 2010

**ASSETS**

**CURRENT ASSETS**

Cash and Cash Equivalents	\$	50,786
Inventory		3,850
		54,636

**PROPERTY AND EQUIPMENT**

Equipment		110,431
Vehicles		34,441
		144,872
Less: Accumulated Depreciation		(140,666)
		4,206

<b>TOTAL ASSETS</b>	<b>\$</b>	<b>58,842</b>
		<b>58,842</b>

**LIABILITIES AND STOCKHOLDERS' EQUITY**

**CURRENT LIABILITIES**

Payroll Taxes Payable	\$	1,359
Sales Tax Payable		1,831
SIMPLE IRA Payable		20,141
		23,331

**STOCKHOLDERS' EQUITY**

Capital Stock		59,706
Additional Paid in Capital		58,483
Retained Earnings		(82,678)
		35,511

<b>TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY</b>	<b>\$</b>	<b>58,842</b>
		<b>58,842</b>

See accompanying independent accountant's compilation report

**LUZH - S Co.**  
**dba CHINATOWN**  
**STATEMENT OF REVENUES, EXPENSES, AND RETAINED EARNINGS**  
**INCOME TAX BASIS**  
For the Year Ended December 31, 2010

<b>REVENUES</b>	
Restaurant Income	\$ 586,150
<b>COST OF REVENUES</b>	
Food	<u>188,825</u>
<b>GROSS PROFIT</b>	<u>397,325</u>
<b>EXPENSES</b>	
Accounting & Legal	2,627
Advertising	5,896
Bad Debts	747
Bank/Credit Card Fees	10,082
Depreciation	1,935
Dues & Subscriptions	385
Employee Benefits	2,749
Fuel	1,305
Insurance	1,536
Laundry	1,827
Licenses and Permits	187
Meals	132
Miscellaneous Expenses	268
Miscellaneous Labor	2,992
Office & Postage	1,613
Rents	42,000
Repairs	4,836
Supplies	9,306
Taxes - Payroll	18,323
Taxes - Property	128
Taxes- Sales	23,445
Telephone	1,684
Travel	203
Utilities	25,994
Wages - Officer	49,653
Wages - Employees	<u>123,915</u>
	<u>333,768</u>
<b>INCOME FROM OPERATIONS</b>	<u>63,557</u>
<b>OTHER INCOME AND EXPENSE</b>	<u>-</u>
<b>NET INCOME</b>	63,557
<b>BEGINNING RETAINED EARNINGS</b>	(62,994)
Stockholder Distributions	(83,241)
<b>ENDING RETAINED EARNINGS</b>	<u>\$ (82,678)</u>

See accompanying independent accountant's compilation report

**LUZH - S Co.**  
**dba CHINATOWN**  
**STATEMENT OF CASH FLOWS - INCOME TAX BASIS**  
For the Year Ended December 31, 2010

<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>	
Net Income (Loss)	\$ 63,557
Adjustment to reconcile net income to net cash provided by operating activities	
Depreciation	1,935
Increase (Decrease) in:	
Payroll Taxes Payable	303
Sales Tax Payable	(35)
SIMPLE IRA Payable	11,166
	<hr/>
<b>NET CASH PROVIDED BY OPERATING ACTIVITIES</b>	<b>76,926</b>
	<hr/>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>	
	-
	<hr/>
<b>NET CASH USED IN INVESTING ACTIVITIES</b>	<b>-</b>
	<hr/>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>	
Additional Contributions from Stockholders	9,858
Distributions to Stockholders	(83,241)
	<hr/>
<b>NET CASH USED BY FINANCING ACTIVITIES</b>	<b>(73,383)</b>
	<hr/>
<b>NET (DECREASE) IN CASH</b>	<b>3,543</b>
	<hr/>
<b>CASH AT BEGINNING OF YEAR</b>	<b>47,243</b>
	<hr/>
<b>CASH AT END OF YEAR</b>	<b>\$ 50,786</b>
	<hr/> <hr/>

See accompanying independent accountant's compilation report



**CITY OF CODY**  
**WYOMING**

Nancy Tia Brown  
**MAYOR**

Donny Anderson  
Charles Cloud  
Bryan Edwards  
Jerry Fritz  
Steve Miller  
Stan Wolz  
**COUNCIL MEMBERS**

C. Edward Webster II  
**MUNICIPAL JUDGE**

Jennifer R. Rosencranse  
**CITY ADMINISTRATOR**

1338 Rumsey Avenue  
P.O. Box 2200  
Cody, Wyoming 82414

**(307) 527-7511**  
**FAX (307) 527-6532**

## **MEMORANDUM**

June 3, 2011

**TO: Liquor License Application File**  
**FROM: Luzh-S Co**  
**RE: Request for outdoor serving area**

.....

In response to the letter notifying liquor license holders that outdoor seating areas must be approved by the licensing authority, the following attached photographs were submitted for approval of the outdoor serving area for Luzh-S Co. The photographs were received on 5/26/11.

Sara Wead  
Assistant Administrative Services Officer



May 12, 2011

**REQUEST FOR ADDITIONAL INFORMATION FOR LIQUOR  
LICENSE RENEWAL**

Dear Liquor License Holder,

In accordance with Wyoming State Statute 12-5-201(a), "Alcoholic beverages secured in the licensed room by a server may be served only in the building in which the licensed room is located and in an immediately adjacent fenced or enclosed area as approved by the local licensing authority" the City of Cody is requesting further documentation for the 2011-2012 liquor license renewal process.

**In order to serve alcoholic beverages in area such as a deck, porch, patio, etc. that is an immediately adjacent fenced or enclosed area, the outdoor serving area must be approved by the Governing Body. If this applies to your business, please submit the following by May 25<sup>th</sup>, 2011:**

- 1. A written request for approval of the outdoor serving area.**
- 2. A drawing of the outdoor serving area with a description of how the area is fenced or enclosed.**

**This documentation and request will be added to your 2011-2012 liquor license renewal application.**

If this does not apply to your business, no further action is needed.

If you have any questions please feel free to contact me at 527-7511.

Sincerely,

Sara Wead  
Assistant Administrative Services Officer

Nancy Tia Brown  
**MAYOR**

Donny Anderson  
Charles Cloud  
Bryan Edwards  
Jerry Fritz  
Steve Miller  
Stan Wolz  
**COUNCIL MEMBERS**

C. Edward Webster II  
**MUNICIPAL JUDGE**

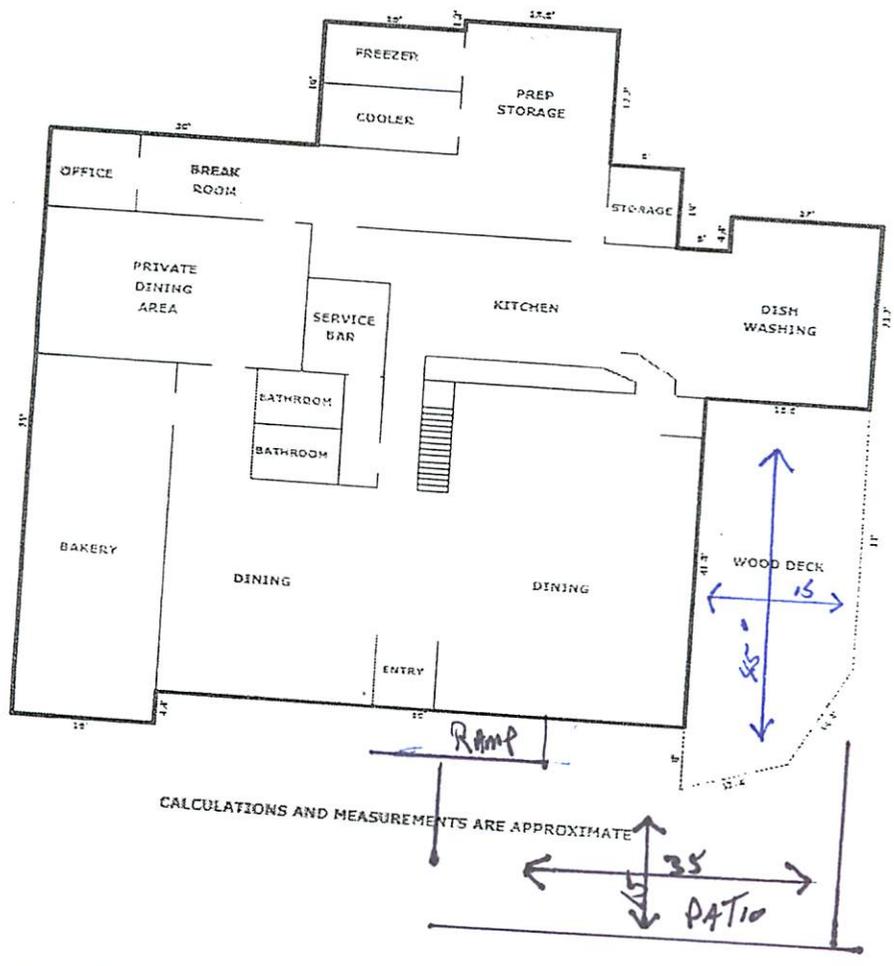
Jennifer R. Rosencranse  
**CITY ADMINISTRATOR**

1338 Rumsey Avenue  
P.O. Box 2200  
Cody, Wyoming 82414

**(307) 527-7511**  
**FAX (307) 527-6532**

# ADDENDUM

<b>SUBJECT</b>	Property Address	937 Sheridan Avenue			
	City	Cody			
	Borrower				
	Lender/Client	WELLS FARGO BANK		State	Wyoming
	Appraiser Name	John C. Fullerton		Zip	82414
	Appr Address	[REDACTED]			



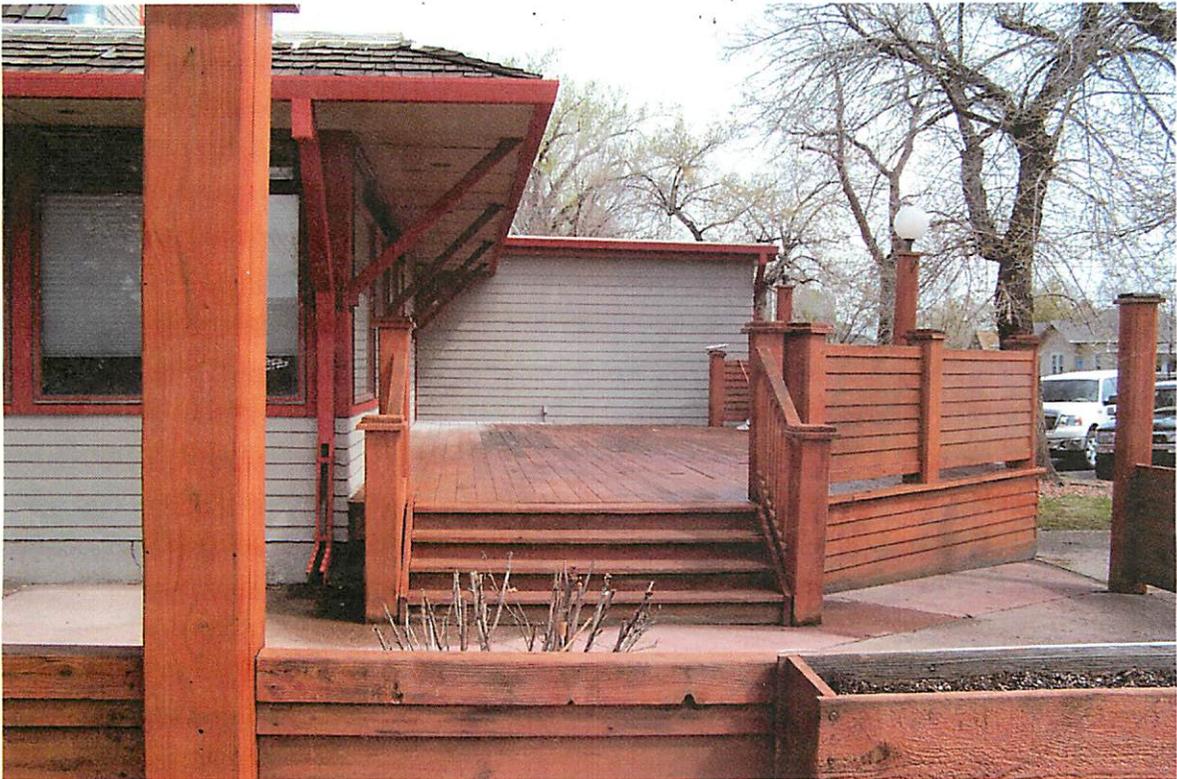
## AREA CALCULATIONS SUMMARY

Code	Description	Net Size	Net Totals
GBA1	First Floor	6370.6	6370.6
P/P	WOOD DECK	826.3	826.3

## BUILDING AREA BREAKDOWN

First Floor	Breakdown	Subtotals
	17.0 x 4.4	
	41.8 x 76.0	74.8
	16.0 x 33.5	3176.8
	10.0 x 71.5	536.0
	18.8 x 94.5	715.0
	4.4 x 16.0	1776.6
	1.2 x 17.5	70.4
		21.0

Scale: 1 = 23



Deck 15' X 45'



15' x 35' Area

**NOTICE OF PUBLIC HEARING 2011 BUSINESS READY  
COMMUNITY GRANT AND LOAN PROGRAM APPLICATION  
FOR BUSINESS COMMITTED PROJECT**

The Wyoming Business Council is seeking grant and loan applications from counties, incorporated cities, towns, joint powers boards, and tribes for the 2011 Business Ready Community (BRC) Grant and Loan Program. The intent of this program is to ready a community for new business development through economic or educational development projects which may include, but not limited to, water, sewer, streets and roads, telecommunications, airports, purchase of rights of way, purchase of land, buildings, facilities, industrial and business parks, industrial site or business district development, amenities within a business or industrial park, landscaping, recreational and convention facilities, and or other physical projects.

The rules governing the BRC Grant and Loan Program are available through the Wyoming Business Council or <http://www.wyomingbusiness.org>.

The City of Cody intends to submit an application for a BRC Business Committed Grant, for Cody Laboratories and is seeking citizen input regarding this project. Those wishing to comment on this project are encouraged to attend a public hearing on this subject on June 7, 2011 at 7:00 p.m. in the City Council Chambers. Citizens can also submit written comments to:

Cindy Baker, Administrative Services Officer  
City of Cody  
1338 Rumsey Avenue  
Cody, WY 82414

or  
email to [cindyb@cityofcody.com](mailto:cindyb@cityofcody.com)

All written comments must be received no later than 12:00 noon on June 7, 2011. The City of Cody will take all comments made at the public hearing and written comments submitted on or before the deadline into consideration before considering a resolution in support of submitting an application for a 2011 BRC Business Committed Award.

Publish: June 1, 2011

**RESOLUTION NO. 4233/27**

**A RESOLUTION AUTHORIZING SUBMISSION OF  
APPLICATION TO THE WYOMING BUSINESS COUNCIL-  
BUSINESS READY COMMUNITIES FOR A BUSINESS  
COMMITTED GRANT TO ASSIST IN THE DEVELOPMENT OF  
A WAREHOUSE BUILDING FOR CODY LABORATORIES**

**FOR THE PURPOSE OF:** Developing a warehouse building for Cody Laboratories including the necessary infrastructure, access and associated amenities on property on Yellowstone Avenue, Cody, Wyoming. The project will be completed in cooperation with Forward Cody Wyoming, Inc.

**WITNESSETH**

**WHEREAS,** the Governing Body for the City of Cody, Wyoming desires to participate in the Wyoming Business Council – Business Committed Program to assist in financing this project, and;

**WHEREAS,** the Governing Body of the City of Cody, Wyoming recognizes that this project will provide high quality jobs and further stimulate the economy of the Cody area, and;

**WHEREAS,** the Wyoming Business Council Business Ready Communities Program requires that certain criteria be met, as described in the Wyoming Business Council’s Rules governing the program, and to the best of our knowledge this application will meet those criteria; and

**WHEREAS,** the Governing Body of the City of Cody, Wyoming plans to match the requested Business Committed Grant Program with funding provided by Forward Cody Wyoming, Inc. and the Cody Laboratories company; and

**WHEREAS,** the City of Cody held a public hearing on June 7, 2011 and gave full consideration to all comments received;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING** that a grant application in the amount of \$1,500,000.00 be submitted to the Wyoming Business Council for consideration of assistance in funding the costs associated with the implementation of this project.

*(Signature page follows)*

**BE IT FURTHER RESOLVED**, that Forward Cody Wyoming, Inc. is hereby designated as the authorized representatives of the City of Cody to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 7th day of June 2011.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Administrative Services Officer

CERTIFICATE

I, Cynthia Baker, Administrative Services Officer, hereby certify that the foregoing Resolution was adopted by the City of Cody at a regular meeting held on June 7, 2011, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the minutes of the meeting.

\_\_\_\_\_  
Administrative Services Officer



## **Revenue Recapture Plan 2011 Revision**

### **Premise:**

Forward Cody has the opportunity to utilize Wyoming Business Council programs to enhance our ability to grow our economy and create jobs for our community. These programs provide grant funds toward the acquisition of public infrastructure, (ie: water, sewer, land or buildings). Funds used to develop projects which develop a revenue stream such as a lease payment require special attention.

Projects which use public funds to enhance or leverage growth have several specific requirements to avoid the appearance of a private business becoming unduly enriched with public funds. Each project is individually reviewed for compliance under Article 16 Section 6 of the Wyoming Constitution which requires that a project meet the following criteria:

- a) A public purpose must exist;
- b) Adequate consideration must be exchanged; and
- c) Statutory authority must exist.

A key part of every project application is a "Revenue Recapture Plan" which describes the proposed use of revenue streams to enhance the economic development initiatives within the community. The following paragraphs are a response to the Wyoming Business Council's outline for an overall plan.

### **Projected Revenue Streams:**

Forward Cody expects to participate in projects where providing land and building are necessary to insure the success of a business venture. These projects allow the business proponent to focus their cash and debt service capability on employees, equipment and inventory in order to operate. In these cases, Forward Cody has the ability to structure a lease which can accommodate the businesses needs. Every project will require that the lease agreements consider the appropriate use of state resources toward the goal of recouping all public investment. The lease payments become a community asset which the distribution is subject of this plan.

### **Community Development Plan:**

Forward Cody is operating under a four year economic development strategy focused on the creation of 400 family wage jobs. The strategy includes the elements of business retention and expansion, business recruitment, workforce development and affordable housing. Items identified in the planning process worthy of notation are the high number of service sector positions, the prevailing wage rates and the "graying" of the community. This aggressive economic development strategy focuses on the expansion and recruitment of higher wage jobs.

## **Specific Initiatives:**

Forward Cody considered the many possible uses of recaptured funds with these key considerations:

- The ability to provide meaningful impact the community;
- The ability to provide project leverage, and ;
- The ability to revolve the funding, and;
- The ability to achieve long term sustainability of the program

Project areas which would derive the greatest benefit for the community are:

Revolving Loan Fund A Revolving Loan Fund would be developed to provide a gap financing tool for local businesses. The loan fund would be used in participation with local lenders to assist in making deals happen. Specific criterion for loans and operation of the loan fund will be developed.

Special Studies Pool A portion of the fund will be set aside to carry out special studies to further our economic development effort. Many times, projects are stalled by the inability to seek professional advice for assessing the viability of a business idea, a workforce development program or a housing project. Funds may be dedicated by the Board for marketing, architectural design or civil engineering services. Project funds may also be allocated as matching funds for future projects.

Special Community Projects Every community has a number of community groups who carry out valuable projects which directly impact the economy of the area. A portion of the revenue pool will be utilized to augment the efforts of these groups. A policy and procedure for the distribution of these funds will be developed by the Board.

Property Management A small portion of the revenue stream will be used to secure professional property management in order to insure the well being of the revenue generating asset. The contractor will be selected on a case by case basis by the Forward Cody Board.

Operations and Maintenance of the Economic Development Program Funding the operation and maintenance of a economic development program and associated assets is critical to developing a long term sustainable program. In recent year's of decline in sales and use tax, several Wyoming communities have been unable to fund their local efforts. Imagine the frustration of a community with a large accumulation of recaptured funds and an on-going revenue stream from assets developed, yet can't cover the cost of staffing the program. Frankly, it is not cheap to grow these assets, nor is it cheap to continue their operation as envisioned by those who created the program. Operation and Maintenance funds will be used for staffing costs associated with the local community development organization and will be matched dollar for dollar by the local governments and private investors.

**Proposed Allocation:**

Revolving Loan Fund	25%
Special Studies Pool	10%
Special Community Projects	10%
Property Management	5%
<u>Operations and Maintenance</u>	<u>50%</u>
	<b>100%</b>

The Board reserves the right to adjust these percentages based on conditions within the community or circumstances where deviation from the plan has significant community benefit.

**Desired Outcomes:**

A key outcome for this “Revenue Recapture Plan” is the development of a community tool which allows Forward Cody to respond to situations locally. A loan or grant fund with the flexibility to consider and act on a local level to individual situations is a deal clincher. In every situation the outcome will be a higher level of commerce within our community.

One facet which is critical to Forward Cody is the use of funds as loans and opposed to grants. This “seeding” of funding provides the leverage needed to increase development activity, and returns it to “seed” another project. As such, our capacity can grow.

**Specific Actions:**

This plan is designed as a forward thinking document to aid the organization and the community in seeing the long lasting benefits of the use of Wyoming Business Council programs.

Immediate steps upon approval will be the development of underlying plans for loan funds and community project criterion. It will also require diligence on the part of the organization to assess projects and their applicability to the WBC programs. The asset of a community pool of funds for Cody is analogous to the availability of the statewide pool within the Business Council.

An educational process will be needed as well to provide community members with a better understanding as to the flow of funds and the resulting benefactors.

**Additional Funding and Partnerships:**

The use of funds to spur business deals, incubate community projects and augement community organizations implies the strong development of partners. In many cases, the connections gained will result in additional partnerships and funding for future activity.

In addition, the use of the capital pool for matching funds will leverage other private, state or private funds for projects. This is especially true with access to federal loan fund grant sources.

**Approval:**

This Revenue Recapture Plan was approved by the Board of Directors at their meeting on \_\_\_\_\_.

Signed: \_\_\_\_\_ Chairman

Concurred by the City Council of the City of Cody at their Regular Council meeting on June 7, 2011.

Signed: \_\_\_\_\_ Mayor

MEETING DATE:	JUNE 7, 2011
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	JOLENE OSBORNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN W. PAYNE

**AGENDA ITEM SUMMARY REPORT**  
**Public Hearing**  
**Zone Change from “B” Residential to “D-1” Limited Business**

**BACKGROUND**

Gee Properties, LLC is requesting a zone change for their property located at 702 and 708 Platinum Avenue. Said parcel is more particularly described as Lots 24, 25 and the West 12 ½' of Lot 26 in Brown's Second Addition.

The applicant has proposed a zone change for their parcel at 702 and 708 Platinum Avenue from Residential “B” District to Limited Business “D-1” District.

The purpose of the request is to allow the owners to construct a physician office on these properties to house the neurology practice of Allen L. Gee, MD. The applicant also requested that the Planning, Zoning and Adjustment Board grant a special exemption for the hours of operation to be extended for overnight sleep studies. A public hearing was held at their regularly scheduled meeting on May 24, 2011. The special exemption request was reviewed and denied by the board at that meeting.

Per Wyoming Statute, the applicant has notified all of the twelve (12) property owners within 140' of the proposed zone change. Notices for both public hearings were sent to the adjacent landowners by certified mail. Of the twelve (12) neighbors, eight (8) neighbors had objections and four (4) neighbors had no objections.

All letters that were received in reference to the zone change request have been entered into the official public record with the City Clerk. In addition, the zone change legal notice was printed in the *Cody Enterprise* on May 4, 2011, before the scheduled public hearing.

**SUMMARY**

Gee Properties, LLC is requesting a zone change for their property located at 702 and 708 Platinum Avenue. A zone change requires a public hearing before the council and notification of neighbors within one hundred forty feet (140') from the parcel. The neighbors have been notified and the public hearing is what is before the council. If the zone change is approved by the council, following the public hearing, the zone change will require three (3) readings of an ordinance to create the new zone.

**FISCAL IMPACT**

None.

**ALTERNATIVES**

Conduct a public hearing to hear the neighborhood's concerns with the requested zone change and then decide if:

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

- a) It is in the public's interest to support the requested zone change and direct staff to prepare an ordinance for the zone change or;
- b) It is not in the public's interest to support the requested zone change and deny the application.

### **RECOMMENDATION**

In accordance with Title 10 Chapter 5 of the City Municipal Code, "The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts" subject to a public hearing. If there "is a protest against any change signed by the owners of twenty percent (20%) or more of the area of the lots included in the proposed change, or of those immediately adjacent within a distance of one hundred forty feet (140'), the amendment shall not become effective except upon the affirmative vote of three-fourths (3/4) of all the members of the city council."

The owners of 33.27% of the area of the lots immediately adjacent, within a distance of one hundred forty feet (140'), voiced objections to the zone change proposal. Therefore an affirmative vote of three-fourths (3/4) of all the members of the city council would be required to pass the zone change as requested. There is no staff recommendation on this application as it requires an affirmative vote of three-fourths (3/4) of all the members of the city council after concluding the public hearing.

### **ATTACHMENTS**

1. Zone Change Application and supporting documents
2. Maps of Neighbor Notifications and Responses
3. Percentage Chart

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

1. Gee Properties, LLC

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



PLANNING, ZONING AND ADJUSTMENT BOARD
APPLICATION FOR ZONE CHANGE

Owner or Applicant's Name: Gee Properties, LLC
Mailing Address: 1320 Sunset Blvd S. Cody WY Zip: 82414
Phone: 307-578-8181 Cell: 307-899-0175 Fax: 307-578-1938 E-mail: allen.gee@frontierneuro.com
Project Address: 702 and 708 Platinum Dr. Cody WY 82414 Zone: Residential B requesting D1
Legal Description/Assessor Parcel Number(s): Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'd Lot 24
Description of Proposal: We propose to construct a small physician office on these properties to house Neurology practice of Dr Allen Gee MD, PhD, FAAN. This will be a low volume sub-specialty clinic. We propose a small office consistent with the size and serenity of the neighborhood.
Representative attending Planning and Zoning Board meeting: Allen L. Gee

The Council meets the 1st and 3rd Tuesday at 7:00 p.m. and the Planning, Zoning and Adjustment Board meets the 2nd and 4th Tuesday at 12:00 noon at the City Hall Council Chambers.

Please see submittal Date and Fee schedule on page 2 of this document.

Application Procedures: Please submit all materials listed.

- LETTER TO BOARDS: A letter to the Council and Planning and Zoning Board requesting a zone change. Describe your proposal in detail and explain why you are requesting a zone change.
NEIGHBORING PROPERTIES MAP: A map showing parcel requested for a zone change and surrounding properties within 140' (excluding streets & rights of way). The planning department can provide this map for a fee of \$6.00. Any additional copies made for your project by city staff will be charged at a rate of \$1.00 for the first copy and \$0.50 for each additional copy.
NOTICE TO NEIGHBORING PROPERTIES: Using the attached template, submit letters notifying adjacent property owners within 140' of the zone change request. Include the desired public hearing date. You will need to use the neighboring properties map from above to research the owners of the lots within 140' of your property at the county courthouse and determine who is to be notified. Letter must be approved by planning department before sending to adjacent property owners.
PROOF OF NOTIFICATION: Along with the copies of notification letters sent via certified mail to all property owners within 140' of subject property, submit the post office certified mail receipts.
LEGAL NOTICE: Submit legal notice of public hearing to local newspaper for printing one time no less than 15 days prior to public hearing date using the attached template and provide proof of publication. Legal notice must be approved by planning department before submitting to newspaper.
PROOF OF OWNERSHIP: Provide a current title commitment for subject property (not older than 6 months) or a copy of the property deed showing applicant as owner.
APPLICATION FEE: Provide application fee upon submittal to City of Cody. Applicants are encouraged to arrange a pre-submittal meeting with the planning department to ensure a complete submittal. Re-submittal of any application will result in additional fees.

If the zone change is recommended for approval by Council after public hearing and P&Z Board recommendation, an Ordinance will be drafted, three public readings of the Ordinance will occur at Council and the approved Ordinance must print in the paper after the 3rd reading before the zone change will take effect.

Please be aware that all zone changes are reviewed by the Planning, Zoning & Adjustment Board for recommendation to the City Council. All of the property owners are not required to be in agreement with the zone change, however, it makes the process much easier. §15-1-603.

Submit a total of twelve (12) copies of the application, plans, and any other information, folded into 8.5"x11"
Submit a digital file containing PDFs of each document submitted

Total application must be submitted to the planning department by 4:00 PM, twenty one (21) business days prior to the anticipated public hearing date.

RECEIVED

MAY 06 2011

GEE PROPERTIES, LLC  
1320 Sunset Blvd S.  
Cody, WY 82414

April 25, 2011

City of Cody  
City Council  
Planning and Zoning Commission

To Whom it May Concern:

**Zoning Change for 702 and 708 Platinum Drive.**

We request that our properties at 702 and 708 Platinum Drive be changed from a Residential B zone to a D1 Limited Business District zone.

We propose to construct a small physician office on these properties to house the Neurology practice of Allen L. Gee, MD, PhD, FAAN. Dr. Gee's Neurology practice is a low volume medical sub-specialty clinic currently located adjacent to this property at 720 Lindsay Ln. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

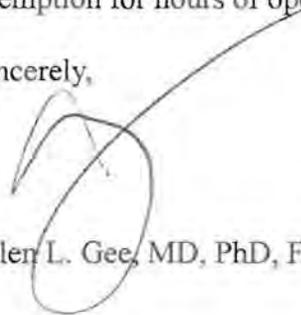
We believe that the D1 Limited Business District offers an appropriate zone for a professional building with light traffic.

We also request a special exemption for the hours of operation to facilitate for more comprehensive patient evaluation including a sleep laboratory. Sleep laboratory hours are from 8pm to 7am. The evaluation entails observation and monitoring patients while they sleep. This type of evaluation is by nature very quiet and peaceful.

The D1 zone is specifically used for transitions between residential zoned properties and general business zoned properties. Currently there is no transition between adjacent D2 Commercial Zoning and Residential B zoning at this location.

We ask the council to grant the zone change and the Planning and Zoning Board approve the special exemption for hours of operation for a physician office at 702 and 708 Platinum Drive.

Sincerely,



Allen L. Gee, MD, PhD, FAAN

Cody Medical Arts Complex

720 Lindsay Lane

Cody, WY 82414

Lindsay Lane Sub Lots 5&6

& a parcel in Lot 82 T52 R102 RS beg 310.57' E of SW cor of Brown's 2<sup>nd</sup> add'n thence S 88\*27' E for 94.95' S 17\*52' E for 318' N 88\*28'W for 519.7' N 3\* 12' E for 116.23' N 41\*19' E for 77.19' N 88\*27' E for 317.09 N 20\*32' W for 134.9' to POB

Lucille Webster Revocable Living Trust

1226 11<sup>th</sup> Street

Cody, WY 82414

Brown's 2<sup>nd</sup> add'n Lots 18, 19, 20, 21, 22 & 23

Sunset Properties Inc

1601 8<sup>th</sup> Street

Cody, WY 82414

5 AC DES AS: a parcel in Lot 82 T52 R102 RS, Sec 31 T53 R101 OS, beg at a point 405.49' E of the SW corridor of Brown's 2<sup>nd</sup> add'n the E for 832.75', S1\*03' W for 300' then W parallel to the S line of Brown's for 729.55' the N 17\*52' W for 318' to POB

Dale and Lucille Schmoltdt Family Trust

702 Allen Ave

Cody, WY 82414

A parcel in the SE/4SE/4 of sec 31 in Lot 82 T 53 R101 beg 695' W of the NE Cor, thence S 181.5' W 275' N 181.5' E 265' to POB ex 50x181.57' NKA 7<sup>th</sup> Street

Foundation for North American Wild Sheep

720 Allen

Cody, WY 82414

A parcel in the SE/4SE/4 of sec 31

Humphrey's Family Revocable Living Trust

701 Platinum Drive

Cody, WY 82414

Brown's 2<sup>nd</sup> add'n Lot 16

Gordon Ross

713 Platinum Dr

Cody, WY 82414

Brown's 2<sup>nd</sup> add'n Lot 14 and E/2 Lot 15

Ricky Brod

719 Platinum Dr

Cody, WY 82414

Brown's 2<sup>nd</sup> add'n W/2 of Lot 12 & all of Lot 13

Debra Sue Bertsch  
2426 Sulphur Creek Street  
Cody, WY 82414  
Brown's 2<sup>nd</sup> Add'n W/2 Lot 10, All lot 11  
& E/2 Lot 12

Cynthia Wildman  
714 Platinum Dr  
Cody, WY 82414  
Brown's 2<sup>nd</sup> add'n E 37 ½' of lot 26 &  
W 12 ½' of Lot 27

Strow Family Revocable Living Trust  
720 Platinum Dr  
Cody, WY 82414  
Brown's 2<sup>nd</sup> add'n E 37 1/2' of Lot 27  
W/2 of Lot 28 & W/2 of E/2 of Lot 28

Todd Rush Jr & Patricia Smith  
732 Platinum Dr  
Cody, WY 82414  
Brown's add'n all of Lot 29 E/2 of E/2  
of Lot 28 W/2 of Lot 30

## LEGAL NOTICE TEMPLATE

Publish Date: May 2, 2011

Legal Advertisement

### **PUBLIC HEARING ZONE CHANGE REQUEST AND SPECIAL EXEMPTION REQUEST**

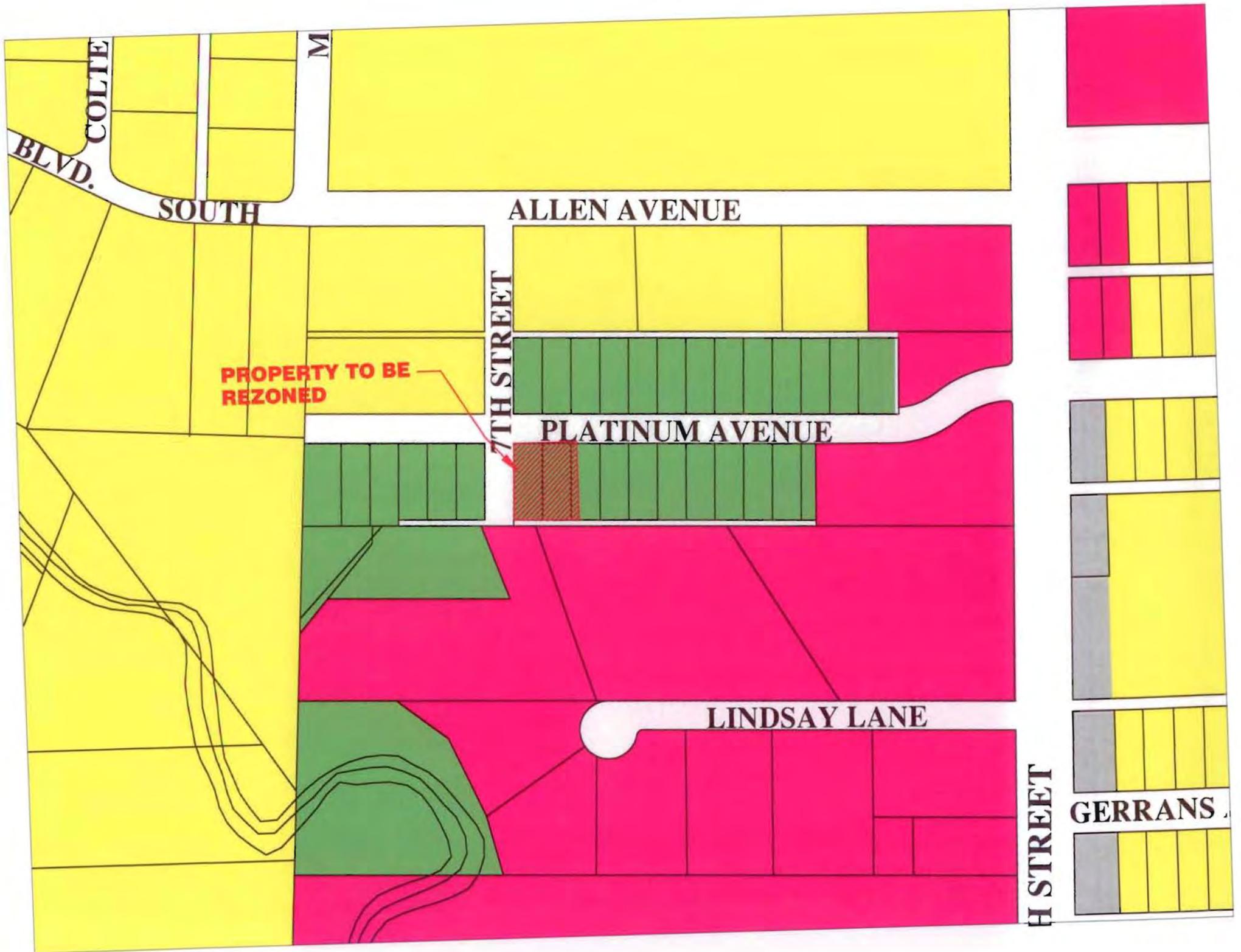
The City of Cody will hold a public hearing June 07, 2011 at 7:00 p.m. or as soon thereafter as practical at 1338 Rumsey Avenue, in Cody City Council Chambers to consider a request from Gee Properties, LLC for the following zone change.

The City of Cody will hold a public hearing on May 24, 2011 at noon at 1338 Rumsey Avenue, in Cody City Council Chambers to consider a request from Gee Properties, LLC for the following Special Exemption Request.

Gee Properties, LLC requests that the zoning be changed from Residential B to D1 Limited Business district to more closely match the existing and potential uses of the property. We also request a Special Exemption permit for hours of operation to facilitate more comprehensive patient evaluation including the monitoring of patients as they sleep.

The project is located at 702 and 708 Platinum Drive, Brown's 2<sup>nd</sup> add'n Lot 25 and 12 1/2' Lot 26, Brown's 2<sup>nd</sup> add'n Lot 24 within a Residential B zone. Information regarding the requested Special Exemption Permit is available at the Planning Department in City Hall or by calling 307-572-7511.

Written comments shall be directed to the Planning Department, P.O. Box 2200, Cody, WY 82414 and shall be received prior to the date and time of the public hearing. Everyone is welcome to comment. If hearing assistance is needed, please call 24 hours in advance: 527-7511



COLTE  
BLVD.

SOUTH

M

ALLEN AVENUE

PROPERTY TO BE  
REZONED

7TH STREET

PLATINUM AVENUE

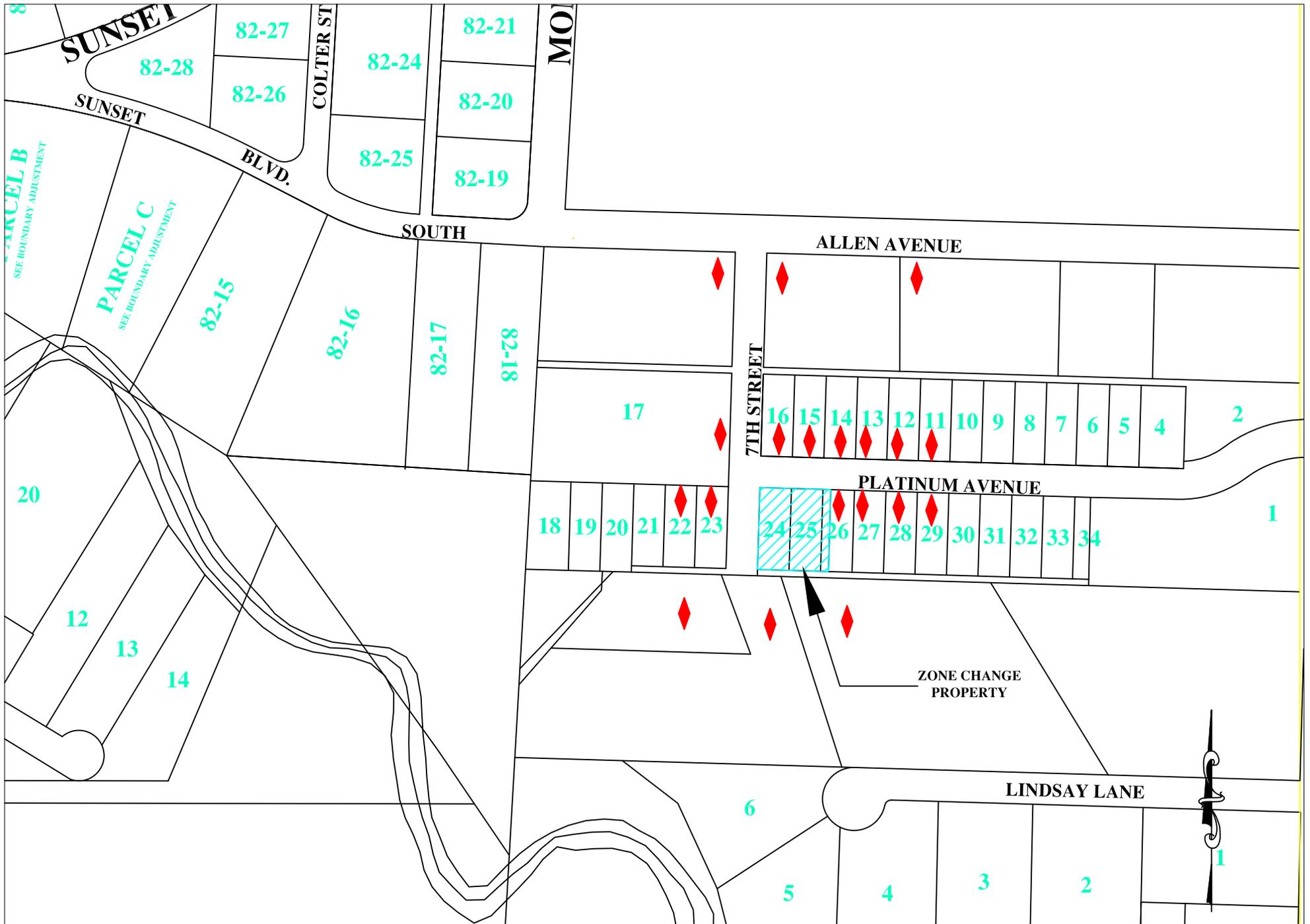
LINDSAY LANE

H STREET

GERRANS LANE



ZONE	DESCRIPTION
A	RESIDENTIAL
AA	RESIDENTIAL
B	RESIDENTIAL
C	RESIDENTIAL
D-1	LIMITED BUSINESS
D-2	GENERAL BUSINESS
D-3	OPEN BUSINESS / LIGHT INDUSTRIAL
D-4	HIGH TECH/DATA PROCESSING/LIGHT MANUFACTURING
E	INDUSTRIAL
F-1	MOBILE HOME
F-2	MOBILE HOME
RR	RURAL RESIDENTIAL
T	TRANSITIONAL
P.U.D.	PLANNED UNIT DEVELOPMENT



**NEIGHBOR NOTIFICATION MAP FOR DR. GEE**

**SCALE: 1"=200'**

Letter to Neighboring Properties within 140 Feet

Please return this letter by: May 7, 2011  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 7, 2011 June 24, 2011

RE: ZONE CHANGE REQUEST

Applicant Name(s): Gee Properties, LLC Phone #: 307-578-8181  
Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 1/2 Lot 26, Brown's 2nd add'n Lot 24/ 702 and 708 Platinum Drive Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on Tuesday, May 17, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

Letter from Neighboring Properties within 140 Feet

Dear Board Members:

I am familiar with the proposal by Allen L. Gee, MD, PhD, FAAN  
(Applicant Name)  
who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow construction/operation of a small neurology office.

I am the legal owner of 720 Lindsay Ln Owner's Name: Cody Medical Hub  
(Lot & block # or Address of Neighboring Property) (Neighboring Property) Conif.  
Lindsay Lane Sub Lots 5&6

I have NO OBJECTION to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.  
E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I OBJECT to the Zone Change Request:

Name: JIMMIE G AIRS MAJ

Address: 720 LINDSAY LN CODY

Comments: PLEASE ATTACHED LETTER

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.  
E-mail address: \_\_\_\_\_ or Phone: 307.899.9977

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

Please return to:

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414



Founder of  
**BIG HORN BASIN  
ORTHOPAEDIC  
CLINIC, P.C.**



Founder of  
**YELLOWSTONE  
SPORTS MEDICINE  
L.L.C.**

JIMMIE G. BILES, JR., M.D.

Fellow American Board of Orthopaedic Surgery

Fellow American College of Surgeons

Sports Medicine • Orthopaedic Surgery • Joint Replacement • Arthroscopic Surgery

May 23, 2011

City of Cody, WY 82414  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
P.O. Box 2200  
Cody, WY 82414

RE: Zone Change Request

I have enclosed my response to the zoning board's request for feedback from nearby neighbors relating to Dr. Gee's proposed Zone Change Request. I have also enclosed copies of a petition provided to me by I believe all of the residents on Platinum Drive, the street on which the proposed Zone Change is requested. I certainly respect Dr. Gee's desire to build and operate a 24-hour medical clinic as he chooses to promote his practice. I strongly believe that his clinic should not be operated against the wishes of basically the entire neighborhood.

I built a medical office building open only during the day light hours approximately 22 years ago. This was done without any objection of the local neighbors. Several years ago, I as well as other owners built the Cody Medical Arts Complex, again without any objection from the local neighbors. These buildings were in an area already adjacent to commercial property.

The community here in Cody has supported myself and my family for approximately 25 years. I likewise wish to support the community and neighborhood as relates to their wishes to not have the 24-hour medical clinic located in their neighborhood.

I believe there should be abundant commercial property available in Cody for Dr. Gee to own and operate a 24-hour medical clinic without any objection from the neighbors or community. I would hope that Dr. Gee would continue to pursue his plans in an area better suited to his business model without objections from the community and neighbors.

Sincerely,

Jimmie G. Biles, M.D.

JGB:pds

720 LINDSAY LANE • CODY, WYOMING 82414-4103 • 307-578-1953 • 877-372-4537  
639 WEST COULTER • POWELL, WYOMING 82435 • 307-754-9262

## Petition to [Action Petitioned For]

Petition summary and background	Zone Change Request for Platinum Drive
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to <b>Deny</b> the zone change request for Platinum Drive. The undersigned <b>object</b> to the zone change request.

Printed Name	Signature	Address	Comment	Date
HARRIETT HUMPHREYS	<i>Harriett Humphreys</i>	701 Platinum	I object to the parking lot + Zone change	5-2-11
Gordon Ross	<i>Gordon Ross</i>	713 Platinum	I object to zoning	5-2-11
RICK BROD	<i>Rich Brod</i>	719 PLATINUM	I OBJECT TO ZONING	5-2-11
TODD REG STEWART	<i>Todd Stewart</i>	720 Platinum Dr	OBJECT TO ZONE CHANGE	5-3-11
S. TODD RUSH JR	<i>S. Todd Rush Jr</i>	732 PLATINUM DR	OBJECT TO ZONE CHANGE	5-3-11
Debra Sue Bertsch	<i>Debra Sue Bertsch</i>	731 Platinum Dr.	object to zone change	5-3-2011
CINDY WILDMAN	<i>Cindy Wildman</i>	714 Platinum Dr	OBJECT TO ZONE CHANGE	5-3-2011
Tami Capron	<i>Tami Capron</i>	775 Platinum Dr.	object to zone change	5-4-2011
Jim Shelton	<i>Jim Shelton</i>	767 Platinum Dr.	object to zone change	5-4-2011
KEN & LISA STOKWELL	<i>Ken &amp; Lisa Stokwell</i>	1620 N PARK Dr. OWN 755 PLATINUM Dr	we object to the zone change	5-4-2011
Elizabeth Woodruff	<i>Elizabeth Woodruff</i>	743 Platinum Dr		
H. KEITH DAHLEM	<i>H. Keith Dahlem</i>	P.O. Box 790 CODY	we object to the zone change	5-4-2011
Russell & Hope Sell	<i>Russell &amp; Hope Sell</i>	756 PLATINUM DR	Object to zone change	5-4-2011



**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by:** May 7, 2011  
(Date must be 1 week prior to the City Council Public Hearing)

Date: ~~May 7, 2011~~ April 26, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties, LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24/ 702 and 708 Platinum Drive Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on Tuesday, May 17, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Allen L. Gee, MD, PhD, FAAN  
(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow construction/operation of a small neurology office.

I am the legal owner of Browning 2nd add'n Lot 14 & 21/2 Lot 15 Owner's Name: Ross Gordon  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: Gordon Ross

Address: 713 Platinum Dr.

Comments: SEE attached page

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: 587-6725

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

To the representatives of the City council,

As a member of the Platinum Drive neighborhood I object to the proposal for a zone change for a physician office across the street from my house. This formally quiet neighborhood was a good location to safely raise our children.

The highway department moved its stop light from Allen and Cody Avenue to Platinum Drive and ~~Allen~~<sup>Canyon</sup> Avenue thus changing traffic flow. 1<sup>st</sup> National Bank moved onto the former Brown estate further changing Platinum Drive.

A medical facility moved onto a property formally housing members of the Taggart family. We of the Platinum Drive neighborhood were told that access to this medical facility would be by Lindsey Lane and would not adversely affect the residents living on Platinum Drive.

This was a lie!

The almost constant traffic flow to and from the medical facility starts before dawn and continues into late ~~at~~ afternoon. A new physicians office will increase this traffic flow problem.

I am against this request for a zone change to Platinum Drive. I am not sure if this action would increase my property taxes or not but I am against any further increase to our traffic flow problem.

Respectfully yours  
Gordon Hess

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties LLC

(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of Brown's 2nd add'n E37 1/2' of Lot 26 & W 12 1/2' of Lot 27 Owner's Name: Cynthia Wildman  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: Cindy Wildman

Address: 714 Platinum Dr

Comments: ~~Strongly~~ I am Strongly against the zone change

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: 899-2836

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
*(Date must be 1 week prior to the City Council Public Hearing)*

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
*(Date of Hearing)*

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
*(Applicant Name)*

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow the construction/operation of a small medical office.

I am the legal owner of Brown's 2nd add'n Lot 16 1 1/2 W 15 Owner's Name: Humphrey's Family Revocable Living Trust  
*(Lot & block # or Address of Neighboring Property) (Neighboring Property)*

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: HARRIETT HUMPHREYS

Address: 701 PLATINUM

Comments: How would you like to look out your kitchen window at a parking lot?

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

APR 27 2011

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by:** May 7, 2011  
(Date must be 1 week prior to the City Council Public Hearing)

Date: ~~May 7, 2011~~ April 26, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties, LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24/ 702 and 708 Platinum Drive Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on Tuesday, May 17, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Allen L. Gee, MD, PhD, FAAN  
(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow construction/operation of a small neurology office.

I am the legal owner of Brown's 2nd add'n Lots 18, 19, 20, 21, 22 & 23 Owner's Name: Lucille Webster  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)  
Revocable Living Trust

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: C. Edward WEBSTER II, Trustee of the Lucille M. Webster

Address: 1226 11<sup>th</sup> St. Cody, WY Revocable Living Trust

Comments: The platinum drive residences should be protected

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: WEBLAW@Wyoming.com or Phone: 587-6216

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

Also concerned about increased traffic and activity at night.

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of Brown's 2nd add'n all of Lot 29 E/2 of E/2 of Lot 28 W/2 of Lot 30 Owner's Name: Todd Rush Jr and Patricia Smith  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: S. Todd Rush Jr & Patricia K. Smith

Address: 732 PLATINUM IRINE Cody WY

Comments: NO NEED FOR ZONING CHANGE WITH OTHER COMMERCIAL PROPERTIES AVAILABLE

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office

I am the legal owner of Brown's 2nd add'n E 37 1/2' of Lot 27 W/2 of Lot 28 and W/2 of E/2 of Lot 28 Owner's Name: Strow Family Revocable Living Trust  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

\*\*\*\*\*

I have NO OBJECTION to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I OBJECT to the Zone Change Request:

Name: TED & TEG STROW

Address: 702 PLATINUM DRIVE

Comments: STRONGLY OPPOSE I WOULD LIKE TO SPEAK

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
*(Date must be 1 week prior to the City Council Public Hearing)*

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on  
Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
*(Date of Hearing)*

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
*(Applicant Name)*

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow the construction/operation of a small medical office.

I am the legal owner of Brown's 2nd add'n W/2 Lot 10, all of Lot 11 & E/2 of Lot 12 Owner's Name: Debra Sue Bertsch  
*(Lot & block # or Address of Neighboring Property) (Neighboring Property)*

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: Debra Sue Bertsch

Address: 2426 Sulphur Creek Street

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: 587-2707

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
*(Date must be 1 week prior to the City Council Public Hearing)*

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
*(Date of Hearing)*

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC

*(Applicant Name)*

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of Brown's 2nd add'n W/2 of Lot 12 & all of Lot 13 Owner's Name: Rick Brod

*(Lot & block # or Address of Neighboring Property)*

*(Neighboring Property)*

\*\*\*\*\*

I have NO OBJECTION to the Zone Change Request.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I OBJECT to the Zone Change Request:

Name: RICK BROD

Address: 719 PLATINUM

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: 387-9744

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, Phd, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on  
Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC

(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of A parcel in the SE/4SE/4 of a sec 31 in lot 82 T53 R101 Owner's Name: Dale and Lucille Schmoldt Family Trust  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: DALE & LUCILLE SCHMOLDT

Address: 702 ALLEN AVE

Comments: A PLUS TO THE NEIGHBORHOOD, UNKEMPT PROPERTIES DISAPPEAR,

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: drschrnoldt@zoi.com or Phone: 587-2683

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
*(Date must be 1 week prior to the City Council Public Hearing)*

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
*(Date of Hearing)*

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
*(Applicant Name)*

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of Lindsay Lane Sub Lots S&E & a parcel in Lot 82 T52 R102 RS Owner's Name: Cody Medical Arts Complex  
*(Lot & block # or Address of Neighboring Property)* *(Neighboring Property)*

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request.

Name: Steven Nitz - Complex Manager

Address: 720 Lindsay Lane

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414



## EXECUTIVE PROPERTY SERVICES

May 25, 2011

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody WY 82414

To Whom It May Concern:

Please note that an agreement was entered into on September 15<sup>th</sup>, 2004 between Cody Medical Arts Complex, LLC and Executive Property Services, Inc. for the purpose of Property Management of the Cody Medical Arts Complex, located at 720 Lindsay Lane, Cody, Wyoming.

Please feel free to contact my office should you have questions or require further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Nitz".

Steve Nitz, Owner  
Executive Property Services, Inc.

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
*(Date must be 1 week prior to the City Council Public Hearing)*

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
702 and 708 Platinum Dr Cody WY 82414

Description of Request: *(Please describe why you are requesting a Zone Change.)* We propose to construct a small physician office to house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size, serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
*(Date of Hearing)*

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
*(Applicant Name)*

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone change will allow the construction/operation of a small medical office.

I am the legal owner of 5 AC Dec as a parcel in Lot 82 T52 R102 RS sec 31 T53 R101 OS Owner's Name: Sunset Properties Inc  
*(Lot & block # or Address of Neighboring Property) (Neighboring Property)*

\*\*\*\*\*

I have NO OBJECTION to the Zone Change Request.

Name: SUNSET PROPERTIES, INC *[Signature]*

Address: 1601 8TH ST

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I OBJECT to the Zone Change Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

**Letter to Neighboring Properties within 140 Feet**

**Please return this letter by: May 30, 2011**  
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 3, 2011

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Gee Properties LLC Phone #: 307-578-8181

Address/Location & Legal Description: Brown's 2nd add'n Lot 25 and 12 1/2' Lot 26, Brown's 2nd add'n Lot 24  
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Description of Request: (Please describe why you are requesting a Zone Change.) We propose to construct a small physician office to  
house the neurology practice of Allen L. Gee, MD, PhD, FAAN. We propose a small office consistent with the size,  
serenity and tranquility of the neighborhood.

**A Public Hearing will be held before City Council at their regularly scheduled meeting on**  
**Tuesday, June 7, 2011, at 7:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue.**  
(Date of Hearing)

**Letter from Neighboring Properties within 140 Feet**

Dear Board Members:

I am familiar with the proposal by Gee Properties, LLC  
(Applicant Name)

who is requesting a Zone Change to D1 for the above referenced property. It is my understanding that the zone  
change will allow the construction/operation of a small medical office.

I am the legal owner of A parcel in the SE/4SE/4 of sec 31 Owner's Name: Foundation for North American Wild Sheep  
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

\*\*\*\*\*

I have **NO OBJECTION** to the Zone Change Request

Name: Gray N. Macarion, Wild Sheep Found

Address: 720 Allen, Cody, 82414

Comments: Support Cody Business!

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

\*\*\*\*\*

I **OBJECT** to the Zone Change Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: \_\_\_\_\_ or Phone: \_\_\_\_\_

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

**Please return to:**

City of Cody  
Planning, Zoning and Adjustment Board  
Attention: Planning Department  
PO Box 2200  
Cody, WY 82414

# DR. ALLEN GEE ZONE CHANGE PERCENTAGE CHART

TAX_ID	NAME1	NETSF	Acres		Percent of ownership	Objected		
05001700020000,0552020824 1246,05530108241239,050017 00017002	LUCILLE M. REVOCABLE LIVING TRUST	138,063.00	3.17	0.22	22.26	Objected	33.27	Objections%
05530108241238	DALE R. & LUCILLE L. SCHMOLDT FAMILY TRUST	40,946.40	0.94	0.07	6.60	No Objection	66.73	No Objections%
05530108241237	FOUNDATION FOR NORTH AMERICAN WILD SHEEP	43,995.60	1.01	0.07	7.09	No Objection		
05001700015001	HUMPHREYS FAMILY REVOCABLE	9,583.20	0.22	0.02	1.55	Objected		
05001700011001	DEBRA SUE BERTSCH	13,068.00	0.30	0.02	2.11	Objected		
05001700026001	CYNTHIA A. WILDMAN	6,534.00	0.15	0.01	1.05	Objected		
05001700014002	ROSS L. GORDON	8,550.00	0.20	0.01	1.38	Objected		
05001700013001	RICK BROD	9,583.20	0.22	0.02	1.55	Objected		
05001700028001	STROW FAMILY REVOCABLE LIVING TRUST	9,583.20	0.22	0.02	1.55	Objected		
05001700029001	S. TODD RUSH JR. & PATRICIA K.	11,325.60	0.26	0.02	1.83	Objected		
05520208241247	SUNSET PROPERTIES, INC.	233,917.20	5.37	0.38	37.72	No Objection		
05046600006000	CODY MEDICAL ARTS COMPLEX, LLC.	94,960.80	2.18	0.15	15.31	No Objection		
			14.24	1.00	100.00			

DR. ALLEN GEE ZONE CHANGE-NEIGHBOR NOTIFICATION RESPONSE

TOTAL NOTIFIED=12

NO OBJECTIONS=4

NO REPOSE=0

OBJECTION=8

SOUTH

ALLEN AVENUE

LUCILLE M. WEBSTER  
REVOCABLE LIVING  
TRUST  
**OBJECTION**

DALE & LUCILLE  
SCHMOLDT,  
FAMILY TRUST  
**NO OBJECTION**

FOUNDATION FOR  
NORTH AMERICAN  
WILD SHEEP  
**NO OBJECTION**

LUCILLE M. WEBSTER  
REVOCABLE LIVING  
TRUST

7TH STREET

HUMPHREYS  
**OBJECTIONS**

HUMPHREYS  
**OBJECTIONS**

GORDON L.  
ROSS  
**OBJECTIONS**

RICK BROD  
**OBJECTIONS**

DEBRA SUE  
BERTSCH  
**OBJECTIONS**

PLATINUM AVENUE

LUCILLE M.  
WEBSTER  
REVOCABLE  
LIVING  
TRUST

CYNTHIA A.  
WILDMAN  
**OBJECTIONS**

FRED & PEG  
STROW  
**OBJECTIONS**

RODD RUSH  
& PATRICIA  
SMITH  
**OBJECTIONS**

LUCILLE M. WEBSTER  
REVOCABLE LIVING  
TRUST

**NO OBJECTIONS**

SUNSET PROPERTIES, INC.

ZONE CHANGE  
PROPERTY

CODY MEDICAL ARTS COMPLEX, LLC.

**NO OBJECTIONS**

LINDSAY LANE

SCALE: NOT TO SCALE

UPDATED: 5/27/2011



PERSONAL REPRESENTATIVE DEED

KNOW ALL MEN BY THESE PRESENTS, Carri Neiman, Personal Representative of the Estate of Ellenore Larkin, deceased, of the County of Lewis and Clark, State of Montana, by Court Order in the Probate Matter No. 8742, Park County, Wyoming, granting her the authority to sell said below described premises to Gee Properties, LLC, a Wyoming Limited Liability Company of Park County, Cody, Wyoming hereby grants, remises, releases and forever warrants to convey by these presents do for the heirs, executors and administrators, remise, release and forever grant unto the said Gee Properties, LLC, as sole owner, and its heirs and assigns, forever, all such right, title, interest, property, possession, claim and demand as I have, as Personal Representative of the Estate of Ellenore Larkin, deceased, by the above referenced Court Order in or to all the following described premises, to-wit:

All of lot 25 and the West 12 1/2 feet of Lot 26, Brown's Second Addition, according to the plat recorded in Book "C" of Plats, Page 7, according to the records of the County Clerk and Recorded of Park County, State of Wyoming

TOGETHER WITH the improvements thereon and the water rights and appurtenances thereto or in otherwise belonging;

SUBJECT TO ALL reservations and exceptions contained in patents, and all other easements and right-of-way legally established or of record.

To have and to hold the said premises unto the said Gee Properties, LLC, as sole owner and its heirs and assigns, to their own proper use and behoof forever. So that I nor any other person in my name or behalf, or any other person in my name or behalf of the Estate of Ellenore Larkin, deceased, shall or will hereafter claim or demand any right or title to the premises or any part thereof, but they and everyone of them shall by theses presents be excluded and forever barred.

In Witness hereof, I have unto set my hand this 21 day of March 2011.

*Carri Neiman*

Carri Neiman, Personal Representative of the Estate of Ellenore Larkin, deceased

ACKNOWLEDGMENT

State of Wyoming )  
 )ss.  
County of Park )

The foregoing instrument was acknowledged before me by Carri Neiman, Personal Representative of the Estate of Ellenore Larkin, deceased this 21 day of March 2011.

Witness my hand and Seal.

*Winnie Appelstrom*  
Signature, Notary Public

My Commission expires: 050814



Grantee's Address:  
1320 Sunset Blvd S.  
Cody, WY 82414

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ENGINEERING DEPT  
PREPARED BY: STEPHEN W. PAYNE  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEPHEN W. PAYNE

**AGENDA ITEM**  
**Lance and Jacqueline Miner's Request to Place**  
**Fencing within the Public Right-of-Way**

**BACKGROUND**

Attached is a request from a Mr. and Mrs. Miner to construct a fence within the public right-of-way on Burlington Street. Burlington Street is an undeveloped right-of-way north of 2AB that is essentially an undeveloped frontage road. The Council may remember that the Miner's purchased some right-of-way from the City in the last year to accommodate a building encroachment in the same area. Please refer to the attached map to see the encroachment area purchased and the proposed location of the fencing. The proposed fencing would run from the corner of the existing structure to the Northwest Corner of the Burlington Street right-of-way. Existing fencing, inside of the right-of-way wire fencing, was removed from the right-of-way due to poor condition of the fencing.

The area is unique in that when 2AB was originally developed a wire fence was established by either WYDOT or the County to establish the northerly boundary of 2AB. The Miner's proposed fence is to be constructed inside of the existing wire fencing.

Based upon a review of construction drawings for the area, there are no existing utilities where the fencing is proposed. In addition, due to the unique nature of the area, there is adequate shoulder room for roadway traffic on 2AB.

City Ordinances prohibit the construction of fencing within the public right-of-way. If the Council is inclined to allow the fencing, the Council may want to consider establishing a lease agreement with the Miner's for the fencing with the provision that no signage or other structures will be allowed within the right-of-way. Further that in the event that the area is required for utility installation or roadway maintenance, the fencing will be removed by the Miner's no cost to the City.

**SUMMARY**

Mr. and Mrs. Miner own property at 33 2AB. Mr. and Mrs. Miner indicate that they would like to create some semblance of a yard and to do so would require fencing within the Burlington Street right-of-way. The request is to fence public right-of-way of approximately 288 SF in size.

**FISCAL IMPACT**

None.

**ALTERNATIVES**

- a) Approve the request as presented.
- b) Approve the request with modifications/conditions.
- c) Deny the request.

**RECOMMENDATION**

Within the last year, the staff has fielded request several requests to create fencing within the public right-of-way and has also worked with another applicant to have existing fencing removed from the public right-of-way. Staff would normally recommend that the request is denied. It does appear that this is a unique case as there is existing fencing south of the proposed right-of-way, there are no utilities in the area of the proposed fencing and there is adequate right-of-way for the appropriate shoulder for the road. If the Council is inclined to allow the fencing, staff would recommend approval with the following conditions:

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

1. A lease is created between the Miner's and the City and a nominal cost for the lease be assessed.
2. The lease should include a provision that no signage or other structures will be allowed within the right-of-way.
3. The lease should also include a clause that indicates that in the event that the area is required for utility installation or roadway maintenance, the fencing will be removed by the Miner's no cost to the City.

**ATTACHMENTS**

1. Mr. and Mrs. Miner's Request
2. Partial copy of Plat.

**AGENDA & SUMMARY REPORT TO:**

1. Mr. & Mrs. Miner

# City of Cody Agenda Request Form

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

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. 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: Lance & Jacqueline Miner

Organization Represented \_\_\_\_\_

Date you wish to appear before the Council: June 7, 2011

Mailing Address PO Box 2593, Cody, Wy 82414 Telephone 307-587-9637

E-Mail Address: hajbabit@bresnan.net \_\_\_\_\_

Preferred form of contact: Telephone \_\_\_\_\_ E-Mail  \_\_\_\_\_

Names of all individuals who will speak on this topic Lance and Jacqueline Miner

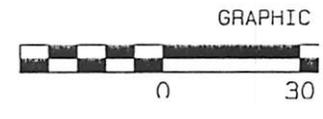
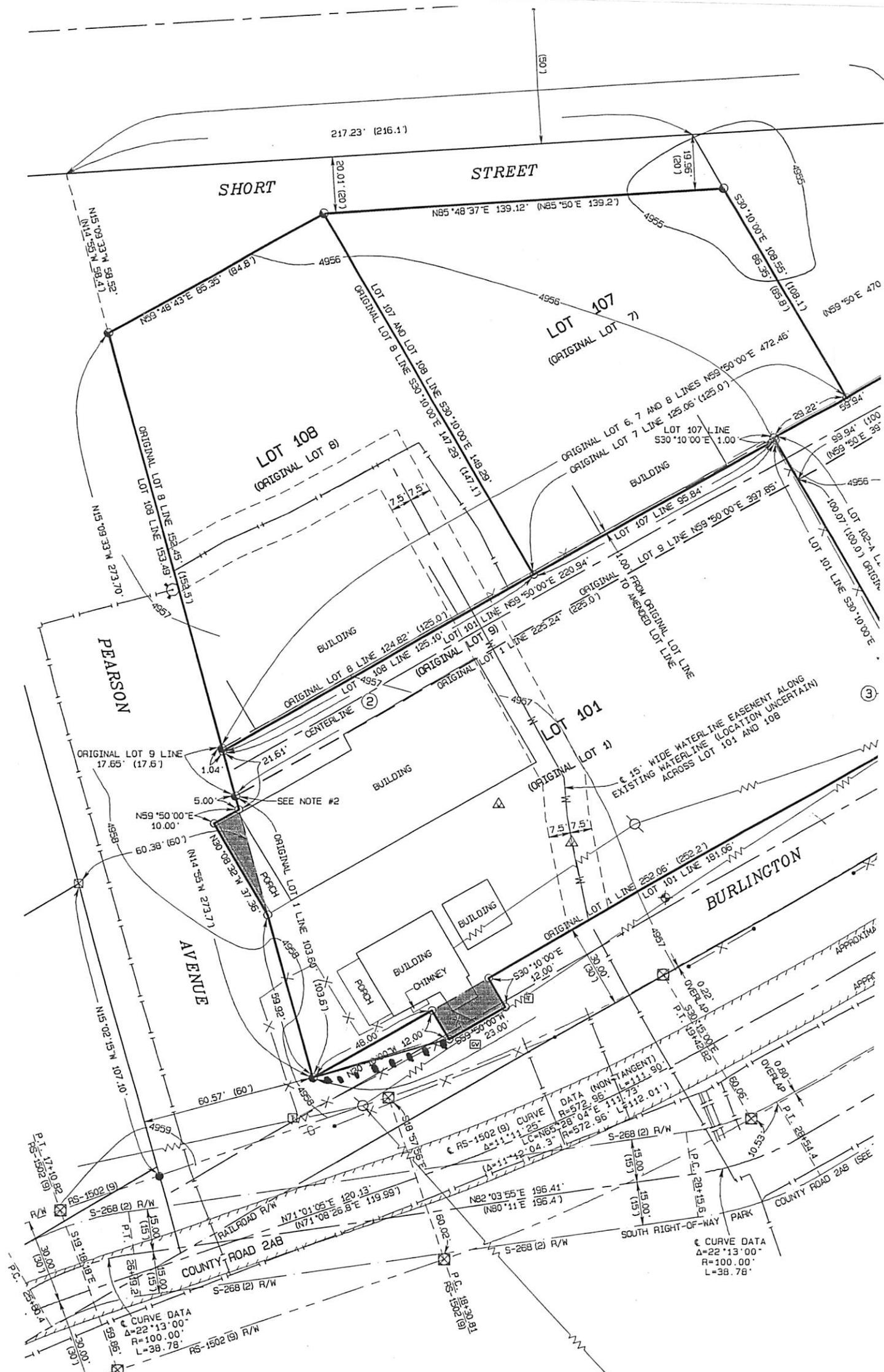
Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) \_\_\_\_\_

Need a variance for a new fence at 24 Pearson Ave. part of it would go across city right of way . No public utilities run in this small area. Original fence was much farther out but in bad shape.

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

Lance Miner  
Signature

Date Submitted 5/23/2011



MEETING DATE: JUNE 7<sup>TH</sup>, 2011  
DEPARTMENT: PARKS, RECREATION, & PUBLIC  
FACILITIES  
PREPARED BY: JENNI PHILLIPS  
DEPT. DIR. APPROVAL: RMM  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: JENNI PHILLIPS

## **City of Cody Sponsorship for Park County Leadership Institute**

For Your Information

■ Action Necessary

Response Requested

### **PROBLEM/OPPORTUNITY**

Park County Leadership Institute is asking for the City of Cody to sponsor them by paying for either a morning or afternoon break, or lunch, or both for the 2011/2012 Park County Leadership Class.

### **BACKGROUND and SUMMARY**

Park County Leadership Institute is open to people living or working in Park County, Wyoming. Applicants will be selected by the steering committee based on the applicant's merit.

Numerous City of Cody employees have participated in the Park County Leadership Institute and learned important relating, visioning, & inventive techniques and participated in great leadership opportunities that may be utilized in their lives and jobs.

The Park County Leadership Institute relies on some sponsorship's to continue to provide these types of leadership opportunities to members of our community.

### **FISCAL IMPACT**

- Sponsor either a morning or afternoon break, or both for a class. Cost would be \$50-\$75 per break.
- Sponsor a lunch for a class. Cost would be \$250.
- Sponsor both breaks *and* lunch for a class. Cost would be \$350-\$400.

### **REQUEST**

Sponsor a full day including two breaks and lunch for the class not to exceed \$400.

### **ALTERNATIVES**

1. Sponsor lunch for an amount not to exceed \$250
2. Sponsor breaks for an amount not to exceed \$75
3. Deny the request.

### **ATTACHMENTS**

None

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

**AGENDA & SUMMARY REPORT TO:** Jenni Phillips Park County Leadership Institute Steering Committee at [jennip@cityofcody.com](mailto:jennip@cityofcody.com)

City of Cody  
Agenda Request Form

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

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full.

\*\*\*\*\*

Name of person to appear before the Council Gail Nace

Organization Represented Silver Dollar

Date you wish to appear before the Council June 7th

Mailing Address 1313 Sheeran Telephone 899-1379

E-Mail Address gail.nace@yahoo.com

Preferred form of contact:  Telephone  E-Mail

Names of all individuals who will speak on this topic Gail Nace

Full description of topic to be discussed (include all relevant information)  
Extended hours for July 1-2-3

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

Gail Nace 5-24-11  
Signature Date Submitted

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: SARA WEAD, ASSISTANT  
ADMINISTRATIVE SERVICES OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_

## AGENDA ITEM SUMMARY REPORT

### Application for a New Pawnbroker License

#### **BACKGROUND**

Per City Ordinance, no person shall at any time carry on the business of a pawnbroker without making application for and obtaining and paying in advance the annual license fee of one hundred dollars; and unless a person has first obtained a license from the administrator of the Wyoming uniform consumer credit code, authorizing him to engage in business of making supervised loans, he shall not engage in business as a pawnbroker. An application for a new pawnbroker license was received from Michelle Jones of Yellowstone Trading Company.

#### **SUMMARY**

Michelle Jones of Yellowstone Trading Company has submitted an application for a new pawnbroker license. Yellowstone Trading Company will be located at 2201 S. 17<sup>th</sup> Street Suite 11 and will be a retail and pawn shop business. Their application for a state sales tax number and State of Wyoming Pawnbroker license is pending. The applications for the City of Cody Pawnbroker license, sales tax license, and State of Wyoming Pawnbroker license are attached. If approved, the license fee of \$100 must be paid and proof of the State of Wyoming Pawnbroker license must be received before issuance of the license.

#### **FISCAL IMPACT**

The City would receive \$100 if the application is approved and \$100 each year thereafter for the annual license renewal.

#### **ALTERNATIVES**

1. City Council may approve the pawnbroker license application contingent upon receiving proof of a State of Wyoming Pawnbroker license and state sales tax number.
2. City Council may deny the pawnbroker license application.

#### **RECOMMENDATION**

None

#### **ATTACHMENTS**

Pawnbroker license application, copy of application for state sales tax number, copy of application for State of Wyoming Pawnbroker License.

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

1. Michelle Jones                      250-8009 or yellowstonetradingcompany@gmail.com

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



City of Cody  
Pawnbroker License Application

Renewal

New License

License Period: January 1, 2011 to December 31, 2011

Name of Applicant/Business: Yellowstone Trading Company

Name(s) of Principal Business Owner(s): Michelle Jones

Street Address of Applicant: 2201 S. 17th Street Ste 11

Mailing Address of Applicant: same

Phone No. of Applicant: 250-8009

State Sales Tax No. pending

Fax No. of Applicant: \_\_\_\_\_

Email Address: Yellowstone Trading Company  
Michelle Jones @ gmail.com

State of Wyoming Pawnbroker License Number pending application

Michelle Jones  
Signature of Applicant

3/9/11  
Date

Required Attachments:

- o Copy of valid State of Wyoming Pawnbroker License
- o \$100.00 license fee

For City Use Only

License Fee \$	_____
Date Paid	_____
License No	_____

I do not intend to renew this license

Signature \_\_\_\_\_

rec'd 5/19/11



**DEPARTMENT OF AUDIT  
DIVISION OF BANKING  
Uniform Consumer Credit Code  
Herschler Building, 3rd Floor East  
Cheyenne, WY 82002**

**APPLICATION FOR PAWNBROKER LICENSE**  
Pursuant to the Rules and Regulations of the Administrator

Application is hereby made for authority to transact business as a Pawnbroker, licensed pursuant to the provisions of W.S. 40-14-359(a)(i) and 40-14-634. State statutes pertaining to the Wyoming Uniform Consumer Credit Code can be found under W.S. 40-14-101 to 40-14-702. *Each license issued shall expire on July 1 of each year.* Each license shall be renewed annually not less than thirty (30) days before the above expiration date.

**Instructions:** For the application to be processed, **the completed form must be accompanied by an processing fee of \$150.00 for each license applied for.** Make check payable to the **Department of Audit**. Mail the completed application form and appropriate fee to the above address. No refund will be provided if an application is withdrawn by the applicant at any time prior to completion of processing of the application. For accurate processing, please type the following answers (as applicable) to the questions contained in this application. *If additional space is required to answer any question, please provide the necessary information on a separate sheet(s) and attach to the application.*

**Please Note:** W.S. 40-14-634(e) requires each office or place of business to be licensed separately. The applicant shall be notified in writing when the application is approved. Within twenty (20) days after notification, the applicant shall pay an initial **license fee of \$25.00 for each office or place of business to be licensed.** Failure to pay the required license fee(s) within the stipulated time frame will result in denial for issuance of the license(s) to conduct business under the act.

Date: 11/25/11 3/9/11

1. The applicant is a:  Sole Proprietorship;  Corporation;  Association;  
 Partnership (If applicant is a partnership, all partners must complete this form.); or  
 Limited Liability Company (Please furnish a copy of the Articles of Certificate of Organization showing the date of filing with the Secretary of State and any amendments thereto.)

***Please provide written documentation if a foreign corporation determines they do not need to qualify with the Secretary of State to transact business in the State of Wyoming.***

2. Name of parent company: Yellowstone Trading Company  
 Address: 2201 S. 17th St Ste #11  
 City: Cody State: WY Zip: 82414  
 Telephone: 307-250-8009 Fax number:       
 Federal Tax Identification Number: 27-4520976

***Name, title, business address & telephone number of senior officer or responsible party who will be accountable for all regulatory correspondence. This party will act as the primary contact between the applicant and the Uniform Consumer Credit Code and will be responsible for receiving and directing all regulatory correspondence to the appropriate personnel.***

Name: Michelle Jones Title: Owner  
 Address: 1435 Beech Ave  
 City: Cody State: WY Zip: 82414  
 Telephone: 307-250-8009 Fax number:       
 E-Mail Address: michellejoneswy@gmail.com

3. **Business Name and location in which business is to be conducted and license issued:**  
*(If more than one location is to be licensed, please furnish the required information on a separate sheet.)*

**Please note: \$150.00 processing fee is required for each license location listed under Question # 3.**

Name (as it is to appear on license) Yellowstone Trading Company  
 Address: 2201 South 17th St Ste #11  
 City: Cody State: WY Zip: 82414  
 Telephone: 307-250-8009 Fax number: \_\_\_\_\_  
 Branch manager's name: Michelle Jones  
 Federal Tax Identification Number (if different from parent company): \_\_\_\_\_

4. Description of the types of consumer credit activity to be conducted:  
pawn / payday loans

5. If a sole proprietorship please provide the following information relative to owner:  
 Name: Michelle Jones  
 Social Security Number: 520-04-2166  
 Mailing address: 1435 Beck Ave Cody WY 82414  
 Residential address: \_\_\_\_\_  
*(If different from mailing address)*  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax number: \_\_\_\_\_

6. If a corporation, association, partnership or limited liability company, please provide the following information on all owners, partners, investors, or officers and directors:  
*(Please attach separate sheets as necessary.)*
- Individual name: \_\_\_\_\_  
 Title: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Business address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Residential address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- Individual name: \_\_\_\_\_  
 Title: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Business address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Residential address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

7. If a domestic (Wyoming) corporation, give date of incorporation: n/a

**Pursuant to W.S. 17-16-1503 of the Wyoming Business Corporation Act, authority to transact business in the state of Wyoming may need to be conveyed by the office of the Secretary of State. Please refer to the Instruction Sheet for further details.**

8. As a foreign corporation, has the applicant qualified to transact business in the State of Wyoming? ( ) Yes ( ) No **If the answer is "yes," then provide:**

- a. Date of incorporation n/a
- b. Place of incorporation \_\_\_\_\_
- c. Date qualified in Wyoming \_\_\_\_\_
- d. If a qualified foreign corporation, who is your designated agent for service of process?  
Name of agent: \_\_\_\_\_  
Street address: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax number: \_\_\_\_\_

If the above question is marked "no" then provide:

**Written documentation why and how "as a foreign corporation" you determined you do not need to qualify with the Secretary of State to transact business in the State of Wyoming.**

9. List all other states in which similar business is conducted or controlled by you. Include type of license and registration or permit number. (Please attach separate sheets if necessary.)

none  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Summary and description of resolution(s) regarding any written complaint(s) filed against applicant in the past five (5) years from other states in which the applicant conducts similar business: \_\_\_\_\_

n/a  
\_\_\_\_\_  
\_\_\_\_\_

11. Summary of any formal sanctions imposed against the applicant(s), partner(s), officer(s), director(s), or any investor(s) in this business as a matter of public record indicating but not limited to fine, reprimand, probation, censure, revocation, suspension, surrender, or restriction. A copy of any disciplinary action shall be attached: \_\_\_\_\_

n/a  
\_\_\_\_\_  
\_\_\_\_\_

(NOTE: If partnership, all partners must execute)

SIGNATURE

NAME & TITLE

(Please Print)

Michelle Jones  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Michelle Jones, owner  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF Wyoming )  
COUNTY OF Park ) ss.

On this 10th day of March 2011 before me, a Notary Public, personally appeared:

Michelle Jones  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

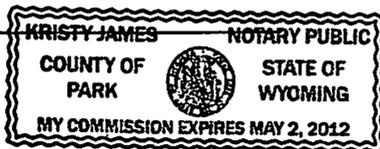
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

known to me to be the person(s) named in, and who executed the foregoing instrument and made oath that the statements and representations set forth therein are true and complete to the best of their knowledge and belief.

Kristy James  
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

SEAL





DEPARTMENT OF AUDIT  
DIVISION OF BANKING  
Uniform Consumer Credit Code  
Herschler Building, 3rd Floor East  
Cheyenne, WY 82002  
(307) 777-7797  
(307) 777-3555 FAX

STATE REGULATOR REFERENCE FORM

I. APPLICANT SECTION	
Copy this form as needed. Complete sections I and II of the form, then forward this form to the agency/board of a minimum of 2 states where you are currently licensed or certified. Please provide a copy of this form with each application for each office or branch to be licensed.	
A. Company Name (as it is to appear on Wyoming License) <b>Yellowstone Trading Co</b>	B. Company Address (as it is to appear on Wyoming License) <b>2201 17th Street Ste 11</b>
C. Name of Parent Company <b>N/A</b>	D. Parent Company Address (include street, city, state, zip) <b>Cody, WY 82414</b>
E. Type of Ownership <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company	
F. Name of CEO or Owner <b>Michelle Jones</b>	G. Federal Tax ID/Social Security Number <b>27-4520976</b>
II. INFORMATION SPECIFIC TO STATE WHERE APPLICANT IS CURRENTLY LICENSED	
A. Company Name in that state <b>N/A</b>	B. Assumed Name (under which company did or is doing business in that state, if any)
C. Address in that state, if applicable	
D. Type and number of License/ Registration held in that state	E. License type being sought in Wyoming
I hereby authorize the State of <b>N/A</b> to furnish the State of Wyoming, Division of Banking, Uniform Consumer Credit Code the information requested below.	
Date <b>3/9/11</b> Signature <b>Michelle Jones</b>	
III. STATE REGULATOR: PLEASE RETURN COMPLETED FORM TO THE STATE OF WYOMING	
Record N/A in areas not applicable. The State of Wyoming, Division of Banking, Uniform Consumer Credit Code will accept other forms of certification provided all applicable information requested on this form is contained in the Certification. A reply for such information at your earliest convenience would be greatly appreciated.	
A. Is the information in section II accurate? NO <input type="checkbox"/> YES <input type="checkbox"/> If no, please provide accurate information:	B. Current status of license/registration Current <input type="checkbox"/> Suspended <input type="checkbox"/> Revoked <input type="checkbox"/> Surrendered <input type="checkbox"/> Other _____
C. Issue Date	D. Expiration Date
E. Complaints / Disciplinary Action 1. Have there been any complaints filed against the aforementioned company in the past five (5) years? If yes, please summarize and describe resolution. Please attach additional sheet(s) if necessary. NO <input type="checkbox"/> YES <input type="checkbox"/> Number <input type="checkbox"/> Number Outstanding <input type="checkbox"/> Summary/ Description _____ _____ 2. Have there ever been any formal sanctions imposed against the aforementioned company as a matter of public record indicating but not limited to fine, reprimand, probation, censure, revocation, suspension, surrender, or restriction? NO <input type="checkbox"/> YES <input type="checkbox"/> If yes, attach additional sheet(s) with copy of disciplinary action	
I certify that the information contained herein or attached is true and correct according to the official records of this State.	
Dated this _____ day of _____ 20____	
Name (please print) _____	
Signature _____	



# Sales/Use Tax License Application

Wyoming Department of Revenue  
122 West 25<sup>th</sup> Street, 2nd West  
Cheyenne WY 82002-0110  
<http://revenue.state.wy.us>

DEPARTMENT USE ONLY

RID: \_\_\_\_\_

License: \_\_\_\_\_

Filing Freq: \_\_\_\_\_

NAICS: \_\_\_\_\_

1. Ownership Name: Yellowstone Trading Company and Michelle Jones 27-4520976  
(Federal Identification Number)
2. Date of first Sale / Service in Wyoming 6/15/11
3. DBA (Doing Business As Name): Yellowstone Trading Company
4. Please check one of the following that best describes your ownership:
- A.  Association/Club                      B.  Corporation \_\_\_\_\_  
Incorporation Date \_\_\_\_\_ State of incorporation \_\_\_\_\_
- C.  Individual                                  D.  Limited Partnership
- E.  Limited Liability Company              F.  Partnership (spousal ownership is considered a partnership)
- G.  Other, explain: \_\_\_\_\_

**Note:** Corporations must provide evidence of registration with your home state or Wyoming Secretary of State's office. Please contact the Wyoming Secretary of State's office at 307 777-7311 with any questions regarding registration.

5. Location Address: 2201 S. 17th St # 11 Cody WY 82414  
Street City State Zip Code
6. Mailing Address: Same  
Street or PO Box City State Zip Code
7. Internet E-Mail Address: YellowstoneTradingCompany@gmail.com Toll Free # ( ) - \_\_\_\_\_
8. Business Telephone Number: (307) \_\_\_\_\_ Fax Number ( ) - \_\_\_\_\_
9. Authorized Contact Name: Michelle Jones Telephone Number: (307) 250-8009
10. What Type of Sales does this business make? Retail  Wholesale  Service  Manufacturer
11. Estimated monthly sales volume: \$ 500-
12. Describe specifically the type of products and/or services this business provides, (ex: auto parts, computers and/or auto repair, computer repair) give the percentage of each: total must equal 100%  
A. tools, spring gear 100% B. \_\_\_\_\_ % C. \_\_\_\_\_ %
13. Does this business sell liquor? If yes, list your WY Liquor License number \_\_\_\_\_ Yes  No
14. Does this business provide lodging? Yes  No
15. Does this business have more than one lodging location? Yes  No
16. Is this business located within the boundaries of an incorporated Wyoming city or town? Yes  No
17. Does this ownership have more than one location in Wyoming? Yes  No
18. Has this ownership ever had a Wyoming Sales/Use Tax License? Yes  No
19. Does this business ship/deliver products and/or service in any other Wyoming city, town or county? Yes  No
20. Does this business sell cigarettes, cigars, snuff, or other tobacco products? Yes  No
21. Does this business sell propane, butane, liquefied gas, or compressed natural gas? Yes  No
22. Would you like to report sales/use tax for all locations under this ownership on one tax return? Yes  No   
If yes please provide the licenses to consolidate. \_\_\_\_\_

Original signature(s) are required for all ownership types. The business owner must sign for the individual ownership, all partners must sign for partnership, one major officer for a Corporation, one member or manager must sign for a Limited Liability Company and Limited Partnership. Attach an additional signature page if needed.

Print Name: Michelle Jones Signature: [Signature] Date: 5/20/11  
Address: 1435 Beck Ave City: Cody State: WY Zip: 82414  
Last four (4) of Social Security Number: 2166 Title: owner

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Last four (4) of Social Security Number: \_\_\_\_\_ Title: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Last four (4) of Social Security Number: \_\_\_\_\_ Title: \_\_\_\_\_

**Don't Forget:** \* To complete all lines of this application including all required signatures and attach all required documentation.  
\* Include the \$60.00 non-refundable application fee.  
\* For assistance completing the application please call at (307) 777-5200.

# City of Cody Agenda Request Form

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

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full.

\*\*\*\*\*

Name of person to appear before the Council Martin Knapp and Barb Beck

Organization Represented Park County Office of Homeland Security

Date you wish to appear before the Council June 7, 2011

Mailing Address 1131 11th Street, Cody Telephone 527-1860

E-Mail Address mknapp@parkcounty.us, barbbeck@cablemt.net

Preferred form of contact: Telephone  E-Mail

Names of all individuals who will speak on this topic:

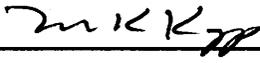
Martin Knapp, Coordinator, Park County Office of Homeland Security  
Barb Beck, Beck Consulting, Mitigation Planning Contractor

Full description of topic to be discussed (include all relevant information):

Topic: Presentation of Draft Hazard Mitigation Plan.  
Mr. Knapp will explain why the plan is being updated.  
Ms. Beck will give an overview of the planning process and the draft plan. She will point out the projects in the plan specifically for the city of Cody. Ms. Beck will explain what the future steps are to complete and adopt the plan.

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

Jenni Rosencranse, Steve Payne, Perry Rockvam, Mayor Brown

 5/18/11  
Signature Date Submitted

MEETING DATE:	JUNE 7, 2011
DEPARTMENT:	PARKS, RECREATION, & PUBLIC FACILITIES
PREPARED BY:	AMY QUICK, REC ASSISTANT
DEPT. DIR. APPROVAL:	RMM
CITY ADM. APPROVAL:	_____
PRESENTED BY:	RICK MANCHESTER

## **2011 Summer Concerts in the Park Concert Vendors**

### **OPPORTUNITY**

Over the past few years, City staff has received numerous requests via concert evaluations and direct communication with concert goers to offer food vending options during the annual summer Concerts in the Park series. Vending options will potentially create opportunities for the public, especially families, to more regularly attend the free performances without having to arrange meals, etc., beforehand.

### **BACKGROUND**

The City of Cody Parks, Recreation & Public Facilities Department and Cody City Council have offered free Concerts in the Park for more than a decade. These concerts take place weekly in the City Park band shell following the July 4<sup>th</sup> holiday and culminate with a full-day music festival during Labor Day weekend. This summer these family-friendly concerts will be held Fridays, July 8<sup>th</sup> through August 26<sup>th</sup>, from 6 to 8 p.m. with a summer finale music festival - the Labor-Less Music Fest - from 11 a.m. to 8 p.m. on Saturday, September 3rd. All concerts take place at the City Park band shell in the heart of downtown Cody. This annual concert series has become a mainstay of our community's summer recreation programming and exposes both residents and visitors to a broad diversity of musical talent. Each summer it is gratifying and fun to watch individuals of all ages and families congregate at City Park for these concerts. Many concert goers traditionally pack a picnic basket to enjoy dinner outdoors during the live entertainment although several individuals also have requested that food options be made available at the concerts. Staff also has been approached by numerous entities interested in vending a variety of wares, including food, non-alcoholic beverages, crafts and jewelry, at City Park during the summer concert season.

### **SUMMARY**

The City of Cody Parks, Recreation and Public Facilities Department staff proposes offering a special Concert in the Park vendor permit for the 2011 concert season. Interested vendors, including local youth, sports and non-profit groups as well as commercial mobile kitchens and caterers, would apply for and purchase this special use permit for \$25 to cover the entire concert season. Each approved vendor would be allotted space within the confines of City Park and would be responsible for any and all necessary equipment, supplies, expenses, licenses, permits and insurance. City staff would provide basic supervision to ensure the vendor is in their proper space, otherwise there would be little responsibility on the part of the City of Cody.

### **FISCAL IMPACT**

Staff already has been approached by at least five groups interested in vending items during this summer's concert series. Each vendor would pay a \$25 vendor fee for the summer season, similar to what the City

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

collects per vendor during the July 4<sup>th</sup> Wild West Extravaganza. Staff requirements and other costs to the City of Cody are expected be minimal, if any.

**ALTERNATIVES**

1. Require an 80/20 split to vend items at City Park during the Concerts in the Park.
2. Do not allow vendors at City Park during the Concerts in the Park.

**RECOMMENDATION**

Approve allowing vendors to sell food and other approved wares during the 2011 Concerts in the Park series from July 8<sup>th</sup> to September 3<sup>rd</sup> at City Park. Each approved vendor would pay a \$25 vendor fee (plus an additional \$50 for electrical hook up if needed) for the summer concert season.

**ATTACHMENTS**

Sample 2011 Concerts in the Park Vendor Contract

**AGENDA & SUMMARY REPORT TO:**

Amy Quick, Recreation Assistant

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

# “2011 CONCERTS IN THE PARK”

## CITY OF CODY – PARKS, RECREATION & PUBLIC FACILITIES

### CONTRACT AGREEMENT

This contract agreement is for a Concert in the Park vendor permit at City Park made this \_\_\_\_\_ day of \_\_\_\_\_, 2011 between the **City of Cody** and \_\_\_\_\_.

Vendor/Group Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Name of Representative: \_\_\_\_\_

Vending Dates: \_\_\_\_\_

Taxpayer ID Number: \_\_\_\_\_

Fee To Be Paid by Vendor: \$25

Electrical Connection: \$50  Check if requested

**Please sign this form and return to:**

Rick Manchester  
Cody Parks & Recreation  
PO Box 2200  
Cody, WY 82414

307.587.0400 (office)  
307.899.0613 (cell)

#### **SPECIAL CONDITIONS OF THE CONTRACT:**

1. The \$25 Concerts in the Park vendor fee covers vending operations by this entity for the entire summer Concerts in the Park series, from July 8<sup>th</sup> to September 3<sup>rd</sup>, 2011. This fee includes space ONLY and does not include equipment. If you also will be utilizing electricity for your booth, there is an additional fee of \$50. Please submit payment to the following address prior to July 1<sup>st</sup>, 2011:  
City of Cody  
Attn: Concert in the Park Vendor  
PO Box 2200  
Cody, WY 82414
2. **Vendors are responsible for all necessary equipment, supplies, expenses, permits, licenses and insurance. If you are planning to sell prepared food or drinks, you must obtain a temporary food permit from the Consumer Health Services Division of the State of Wyoming Department of Agriculture. The local contact for this permit is (307) 587-2736. If applicable, please include a copy of this permit with your payment. This permit applies to commercial as well as non-profit vendors.**
3. Out-of-Park County vendors are required to purchase a transient merchant license for \$300 at City Hall; 1338 Rumsey Avenue; Cody, WY 82414.
4. **City staff will allot each vendor a specified 10' x 10' space within the confines of City Park. All booths must be free standing and ground stakes are not permitted in the park area. The vendor is responsible for all set up, break down and proper clean up of the park space during each vending event. Vehicles and/or trailers are not allowed inside the park area and must be kept on the street.**
5. Vendors not fulfilling their contractual responsibilities as outlined above or discussed may have their vending opportunities suspended or revoked.

\_\_\_\_\_  
Rick Manchester  
Director of Parks, Recreation & Public Facilities  
City of Cody

\_\_\_\_\_  
Vendor Signature  
\_\_\_\_\_

Name of Representative (Please Print)



Date

SAMPLE

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: LESLIE BRUMAGE, FINANCE  
OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_

## **AGENDA ITEM SUMMARY REPORT**

### **Resolution 2011-04 Budget Amendment**

#### **BACKGROUND**

The City of Cody adopted the budget for FY10-11 on June 15, 2011. Per State Statute, budgets may only be amended through Resolution by the City Council.

#### **SUMMARY**

This amendment includes the funding approved by the Council during the budget workshops in May to purchase a copier and shredder for the Police Department from FY10-11 funds instead of the FY11-12 budget. Also included is the revenue and expenditure associated with a SLIB grant the City recently received for the 16<sup>th</sup> Street Storm Sewer project.

#### **FISCAL IMPACT**

Revenue of \$111,850 and expenditures of \$277,899 in FY2010-2011 from the General Fund budget.

#### **ALTERNATIVES**

At its discretion the City Council may approve or deny the Resolution.

#### **RECOMMENDATION**

Approve the resolution amending the FY10-11 budget in the amount of \$111,850.

#### **ATTACHMENTS**

1. Resolution 2011-04

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

1. None

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

**RESOLUTION 2011-04**

**A RESOLUTION AMENDING THE CITY OF CODY FINAL BUDGET FOR FISCAL YEAR 2010-2011**

WITNESSETH:

WHEREAS, the final budget for Fiscal Year 2010-2011 was duly adopted by the City of Cody with Ordinance No 2010-12 on June 15, 2010 in accordance with the State of Wyoming Statutes; and

WHEREAS, the City of Cody Council has determined it is appropriate to amend the final budget, in accordance with proper governmental accounting and financial reporting practices; and

WHEREAS, funds are available to cover such amendments as designated in the requested action.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Cody, the following action was authorized by the City of Cody Council:

**BUDGET AMENDMENTS:**

Authorized Revenue(s):

<b>Dept</b>	<b>Project</b>	<b>Purpose</b>	<b>Amount</b>
Streets	16 <sup>th</sup> Street Storm Sewer	Receipt of SLIB grant	\$111,850
Total Revenue Amendments			\$111,850

Authorized Appropriation(s):

<b>Dept</b>	<b>Account</b>	<b>Purpose</b>	<b>Amount</b>
		Purchase of copier & shredder from FY10-11 funds instead of FY11-12 budget	\$17,780
Police	Machinery & Equipment		
Streets	16 <sup>th</sup> Street Storm Sewer	Receipt of SLIB grant	\$260,119
Total Expenditure Amendments			\$277,899

PASSED, APPROVED AND ADOPTED THE 7<sup>th</sup> day of June 2011

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

Attest:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: LESLIE BRUMAGE, FINANCE  
OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_

## **AGENDA ITEM SUMMARY REPORT**

### **Ordinance 2011-2%Annual Tax Levy**

#### **BACKGROUND**

By State Statute the City is required to set the annual property tax mill levy for the upcoming fiscal year.

#### **SUMMARY**

The City levies 8 mills of property tax from Park County. Three of those mills are designated for the fire district and the remaining 5 are allocated to the City.

#### **FISCAL IMPACT**

Based on the estimated valuation, property tax revenues are expected to be approximately \$542,018 for Fiscal Year 2011-2012.

#### **ALTERNATIVES**

At its discretion the City Council may approve or deny the Ordinance.

#### **RECOMMENDATION**

Approve the tax levy as presented.

#### **ATTACHMENTS**

1. Ordinance 2011-21

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

1. None

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

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: LESLIE BRUMAGE, FINANCE  
OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_

## **AGENDA ITEM SUMMARY REPORT**

### **Ordinance 2011-20 Budget Appropriation**

#### **BACKGROUND**

By State Statute the City is required to make the necessary appropriations and adopt an annual budget.

#### **SUMMARY**

After three budget workshops in May the City Council agreed upon a budget for Fiscal Year 2011-2012. If approved by City Council, the budget will continue the goals of City Council to improve the City's infrastructure and to deliver the high level of city services to our residents.

#### **FISCAL IMPACT**

The Fiscal Year 2011-2012 budget includes \$34,501,170 in expenditures and \$46,356,941 in revenues cash reserves.

#### **ALTERNATIVES**

At its discretion the City Council may approve or deny the Ordinance.

#### **RECOMMENDATION**

Approve the budget appropriation as presented.

#### **ATTACHMENTS**

1. Ordinance 2011-20

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

1. None

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

ORDINANCE 2011-20

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, 2012.

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

SECTION 1. There is hereby appropriated for the purpose of operating the City of Cody, Wyoming, and paying all expenses thereof, the sum of \$34,501,170.

SECTION 2. T here is hereby appropriated for use in the General Fund and the Vehicle Replacement Fund, excess funds from the Solid Waste Fund, Water Fund, Wastewater Fund and the Electric Fund.

SECTION 3. The City anticipates having \$32,441,204 available in revenue and \$13,915,737 reserves during the coming year from the following sources and it is appropriated from the funds of said City for the ensuing year the sum of \$34,501,170 or as much as may be necessary for the following purposes, to wit:

Fund	Total Estimated Cash Available For Budget	Total Estimated Revenue Available	Estimated Total Cash Plus Revenues	Estimated Total Requirements for Appropriation
General Fund	\$ 5,170,542	\$ 12,400,045	\$ 17,570,587	\$ 13,716,011
Solid Waste Fund	\$ 1,548,561	\$ 2,492,239	\$ 4,040,800	\$ 2,653,114
Water Fund	\$ 1,669,056	\$ 3,078,005	\$ 4,747,061	\$ 3,236,678
Wastewater Fund	\$ 1,057,328	\$ 1,219,904	\$ 2,277,232	\$ 1,275,606
Electric Fund	\$ 2,737,311	\$ 12,171,951	\$ 14,909,262	\$ 12,668,661
Vehicle Replacement Fund	\$ 1,635,363	\$ 670,760	\$ 2,306,123	\$ 447,600
Lodging Tax Fund	\$ 34,039	\$ 90,430	\$ 124,469	\$ 124,000
Public Improvements Fund	\$ 63,537	\$ 317,870	\$ 381,407	\$ 379,500
<b>Total City Appropriation</b>	<b>\$ 13,915,737</b>	<b>\$ 32,441,204</b>	<b>\$ 46,356,941</b>	<b>\$ 34,501,170</b>

General Fund		Water Fund	\$ 3,236,678
Mayor - Council	\$ 464,713	Total Requirements	\$ 3,236,678
City Attorney	\$ 83,104		
City Administrator	\$ 142,328	Wastewater Fund	\$ 1,275,606
Administrative Services	\$ 2,983,008	Total Requirements	\$ 1,275,606
Police	\$ 2,702,687		
Parks Maintenance	\$ 1,106,417	Electric Fund	\$ 12,668,661
Public Facilities	\$ 687,544	Total Requirements	\$ 12,668,661
Recreation Center	\$ 1,128,014		
Aquatics	\$ 909,480	Lodging Tax Fund	\$ 124,000
Engineering	\$ 356,906	Total Requirements	\$ 124,000
Building Inspection	\$ 260,707		
Streets	\$ 2,481,698	Vehicle Replacement Fund	\$ 447,600
Vehicle Maintenance	\$ 400,716	Total Requirements	\$ 447,600
Public Transportation	\$ 8,688		
<b>Total Requirements</b>	<b>\$ 13,716,011</b>	Public Improvements Fund	\$ 379,500
		Total Requirements	\$ 379,500
Solid Waste	\$ 2,653,114		
<b>Total Requirements</b>	<b>\$ 2,653,114</b>		

PASSED ON FIRST READING:

June 7, 2011

PASSED ON SECOND READING:

PASSED, ADOPTED, AND ORDERED PUBLISHED ON THIRD AND FINAL READING:

ATTEST:

Nancy Tia Brown, Mayor

Cynthia Baker, Administrative Services Officer

## ORDINANCE 2011-19

### AN ORDINANCE RE-ZONING A TRACT OF LAND LOCATED WITHIN A PORTION OF TRACT 82-C, RESURVEY, T.53 N., R.101 W., 6<sup>TH</sup> P.M., CITY OF CODY, PARK COUNTY, WYOMING FROM RESIDENTIAL "A" DISTRICT TO GENERAL BUSINESS "D2" DISTRICT.

WHEREAS, said tract being more particularly described as follows:

Commencing at the Southeast Corner of said Tract 82-C; thence N.88°35'56"W., along the southerly line of said Tract 82-C, 705.52 feet; thence N.3°03'12"E., parallel with the westerly line of said Tract 82-C, 55.02 feet, to a point on the northerly right-of-way line of Allen Avenue, being the Point of Beginning; thence N.3°03'12"E., parallel with the westerly line of said Lot 82-C, 150.06 feet; thence N.88°35'56"W., parallel with said southerly line of Lot 82-C, 388.44 feet; thence N.3°03'12"E., parallel with said westerly line of Lot 82-C, 1060.51 feet, to a point on the southeasterly right-of-way line of Monument Street; thence northeasterly along said southeasterly right-of-way line, along a curve concave southeasterly and having a radius of 350.00 feet and a radial bearing of N.31°47'47"W., through a central angle of 4°10'07", an arc length of 25.47 feet; thence N.62°22'20"E., along said southeasterly right-of-way line, 22.98 feet; thence along Sheridan Avenue's southerly right-of-way line the following: easterly along a curve concave southerly and having a radius of 50.00 feet, through a central angle of 87°57'17", an arc length of 76.75 feet; thence S.29°40'23"E., 17.45 feet; thence southeasterly along a curve concave northeasterly and having a radius of 104.00 feet, through a central angle of 38°56'12", an arc length of 70.68 feet; thence S.20°34'12"W., 5.00 feet; thence easterly along a curve concave northerly and having a radius of 109.00 feet, through a central angle of 65°07'02", an arc length of 123.88 feet; thence N.43°06'21"E., 23.23 feet; thence northeasterly along a curve concave southeasterly and having a radius of 40.00 feet, through a central angle of 46°46'41", an arc length of 32.66 feet; thence N.89°53'02"E., 92.36 feet; thence southeasterly along a curve concave southwesterly and having a radius of 15.00 feet, through a central angle of 90°00'00", an arc length of 23.56 feet; thence N.89°53'02"E., 434.08 feet; thence N.0°06'58"W., 12.00 feet; thence N.89°53'02"E., 129.10 feet, to a point on the westerly right-of-way line of 8<sup>th</sup> Street; thence S.1°02'06"W., along said westerly right-of-way line, 1226.17 feet, to said northerly right-of-way line of Allen Avenue; thence N.88°35'56"W., along said northerly right-of-way line, 653.58 feet, to the Point of Beginning. Containing 26.87 acres, more or less.

WHEREAS, The Buffalo Bill Memorial Association, dba The Buffalo Bill historical Center, is requesting a zone change for a portion of their property located at 720 Sheridan Ave. from a residential "A" Zoning District to a General Business "D-2" Zoning District.

WHEREAS following a public hearing held by the City Council on April 19, 2011 at 7:00 PM, the City Council have determined that it was in the best interest of the public to re-zone the property; and

WHEREAS, there were limited protests made at the public hearing and the City Council determined the property should be rezoned.

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

1. That the following described property situated in the City of Cody, Park County, Wyoming, shall be and the same is hereby rezoned to a General Business "D-2" District, to-wit:

Commencing at the Southeast Corner of said Tract 82-C; thence N.88°35'56"W., along the southerly line of said Tract 82-C, 705.52 feet; thence N.3°03'12"E., parallel with the westerly line of said Tract 82-C, 55.02 feet, to a point on the northerly right-of-way line of Allen Avenue, being the Point of Beginning; thence N.3°03'12"E., parallel with the westerly line of said Lot 82-C, 150.06 feet; thence N.88°35'56"W., parallel



**ORDINANCE NO. 2011- 02**

**AN ORDINANCE AMENDING SECTION 10-15-1 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING THE INTENT AND PURPOSE OF THE SIGN CODE**

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

Section 10-15-1 SHALL READ AS FOLLOWS:

10-15-1: SIGNS

Intent and Purpose: It shall be the intent and purpose of this Sign Code (hereinafter referred to as "Code") to regulate the size, number, illumination, movement of, maintenance of and locations of signs and other advertising symbols, markings or devices; to allow the business and residential community equal and fair opportunity to advertise and promote activities, products and services without discrimination; to protect and promote the health, safety and welfare of the public; to encourage aesthetic creativity while preserving and enhancing historic places and preventing the proliferation of unsightly advertising.

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

PASSED ON FIRST READING: \_\_\_\_\_ May 3, 2011 \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_ May 17, 2011 \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_, 2011

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

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Acting Administrative Services Director

**ORDINANCE NO. 2011- 03**

**AN ORDINANCE AMENDING SECTION 10-15-2 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING DEFINITIONS AND LANGUAGE FOR SIGNAGE ORDINANCES**

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

Section 10-15-2 SHALL READ AS FOLLOWS:

**10-15-2: CONSTRUCTION OF LANGUAGE AND DEFINITIONS**

A. Construction of Language: The following rules of construction shall apply to this chapter:

1. The particular shall control the general.
2. In case of any difference of meaning or implication between the text of this chapter and any caption, illustration, summary table, or illustrative table, the text shall control.
3. The word “shall” is always mandatory. The word “may” is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A “building” or “structure” includes any part thereof.
6. The phrase “used for” includes “arranged for”, “designed for”, “maintained for” or “occupied for”.
7. The word “person” includes any person, firm, partnership, association, corporation, company or organization of any kind.
8. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction “and, or, or either . . . or”, the conjunction shall be interpreted as follows:  
“And” indicates that all the connected items, conditions, provisions, or events shall apply.  
  
“Or” indicates that at least one of the connected items, conditions, provisions or events shall apply.  
  
“Either . . . or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
9. The word “includes” shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

B. Definitions:

**A-FRAME SIGN:** Any sign placed directly on the ground and connected, at the top or side, to form a “A” or other similar shape. No A-frame sign shall be larger than two feet by four feet (2' x 4'). See Section 7-2-7 of the City Code for additional regulations on A-Frame signs.

**ABANDONED SIGN:** A sign which advertises a business, entity, establishment or organization which is no longer in operation, or a service, activity or product that is no longer available where the sign is displayed; or an off-premise sign which is vacant of copy or which advertises a business, entity, establishment, organization, product or service which no longer exists or is no longer provided, except as otherwise provided in this Code. A sign which advertises or promotes a business, entity, establishment, partnership,

individual or organization (hereinafter the business) which has ceased operations or is no longer providing products or services to the public for nine months or more shall be deemed to be abandoned. Staff may grant an extension of up to two months upon a showing by the property or owner that the business has resumed or will resume operations within that period of time. An abandoned sign will also include any billboard sign for which there is no current and valid lease agreement between the property owner and the billboard owner, and where a property owner has not otherwise consented to the positioning of the billboard.

**ADVERTISING DEVICE:** Any balloon, flag, pennant, propeller, oscillating, rotating, pulsating light or other contrivance except a sign, used to attract attention for the purpose of promoting the sale of products or services.

**ADVERTISING STATUARY:** Any imitation or representation of a person or thing which is sculpted, modeled or cast in any solid or plastic substance, material, or fabric and used for commercial purposes.

**ADVERTISING SIGN:** Any sign directing attention to a business, commodity, good, product, service, or entertainment conducted, sold or offered.

**ALTERATION:** Any change of size, shape, illumination, position, location, construction or supporting structure, to cause to change or make different without changing into something else or permanently losing its former characteristics.

**ANIMATED SIGN:** Any sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs.

**ATTACHED:** An on-premises sign that is attached to a building wall or other surface. Awning signs, canopy signs, window signs, projecting signs, and wall signs are all considered attached signage.

**AWNING SIGN:** On-premises attached sign displayed to or incorporated into the surface of an architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering or non-rigid materials, and/or fabric on a supporting framework that may be either permanent or retractable.

**AREA OF SIGN:** Sign area is the entire surface area of a sign including non-structural trim. The supports, uprights or structures on which any sign is mounted shall not be included in determining sign area. Sign area for cutout letters or displays shall include the total cumulative area within the periphery of the collective cutout letters or display which can be enclosed within a rectangle or series of attached rectangles. If a sign consists of a symbol or statuary, the entire surface area of the symbol or statuary which can be enclosed within a rectangle shall be determined as the sign area.

**BANNER:** A strip of cloth, plastic, or similar material with copy and/or graphics produced in a professional manner and intended to be hung or suspended without a rigid enclosing framework, and affixed to a building or railing which is located outdoors and is generally used as a temporary sign per section 10-15-9(I) of these regulations.

**BALLOON:** An inflatable device which does not exceed 10 inches in diameter, and is sealed to contain air or gas, and is anchored to the ground, a vehicle, structure or any other fixed object used for the purpose of advertising or drawing attention to a business, activity, commodity, service, sale or product.

**BEACON OR FLASHING SIGNS:** Signs which feature flashing or rotating lights, strobes, or strands of lights.

**BILLBOARD:** A board or panel used for the display of posters, printed or painted

advertising matter, either illuminated or non-illuminated, which directs attention to goods, merchandise, entertainment or services offered elsewhere than the premise where the sign is located.

**BUILDING FRONTAGE:** See Section 10-1-1.

**BULLETIN BOARD:** A board or frame containing a material which facilitates the addition or removal of announcements, bulletins, displays, information, or advertising.

**BUSINESS SIGN:** A sign which directs attention to a business, profession, commodity, service or entertainment sold or offered upon the premises where such a sign located or to which it is attached.

**CANOPY OR MARQUEE SIGN:** A structure, either detached from or attached to and extending from the enclosed portion of a building, and used principally to provide shelter in connection with activities conducted in the principal building. This definition includes but is not limited to fuel stations, banks and pharmacies.

**CHANGEABLE COPY SIGNS (MANUAL):** A sign on which copy or sign panels may be changed manually in the field, such as boards with changeable letters or changeable pictorial panels.

**CONSTRUCTION AND DEVELOPMENT SIGN:** A temporary sign allowed for a limited period of time that identifies a development under construction as well as design, construction and marketing information for a development.

**CONVENIENCE SIGN:** Any sign which conveys information such as “restrooms”, “no parking”, “entrance”, “exit” and the like, and is designed to be viewed on site or adjacent to the site by pedestrians and/or motorists.

**COPY:** The wording or message on a sign surface either in permanent or removable letter or panel form.

**DANGEROUS OR DEFECTIVE SIGN:** A sign which is not maintained and/or which is not safe.

**ELECTRONIC MESSAGE BOARD:** A sign, or portion of a sign, that displays an electronic image and/or video, which may or may not include text. Such signs include any sign, or portion of a sign, that uses changing lights to form a sign message or messages or use electronic means to change the sign message. Electronic message boards include but are not limited to signs also know as Electronic Reader Boards, Electronic Message Center Signs, Tri-Panel Message Systems and Commercial Electronic-Variable Message Signs (CEVMS).

**EXTERNALLY ILLUMINATED:** A sign that features artificial illumination from a light source which provides light directly onto the sign face, or portions of the sign face, or its background, which light is then reflected back to the viewer.

**FLAGS:** Flags or insignia of any nation, state, county, city, religious, civic or educational institution, except flags used in connection with a commercial promotion or as an advertising device.

**FLUSH MOUNTED WALL SIGN:** A sign attached to, painted on or erected against the wall of a building or structure which extends no more than twelve (12) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building.

**FREESTANDING SIGN:** An on-premises sign, identifying the principal use conducted on the lot where the sign is located, that is placed on or anchored in the ground with one or more supports and that is not part of a building or other structure. Can also be referred to as a ground, monument, pole, or pylon sign.

**FRONTAGE:** See Section 10-1-1.

**GRADE:** See Section 10-1-1.

**GRADE PLANE:** See Section 10-1-1.

**GROUND LEVEL:** See Section 10-1-1.

**HOME OCCUPATION SIGN:** A sign used in conjunction with a home occupation as defined in Section 10-7A-1(E).

**HOSPITAL:** An institution where sick or injured are given medical or surgical care.

**IDENTIFICATION SIGN:** A permanent sign announcing the name of a subdivision, group housing project, church, school, park, planned shopping center, planned industrial center or public area.

**INFLATABLE SIGNS:** An inflatable sign is a ground-mounted or tethered sign that is manufactured of plastic, cloth, canvas, or other light fabric and inflated, with air, or other gas. Inflatable signs shall include those which are sealed, and those through which air or gas is continuously blown by a fan, blower, or other device. Inflatable signs do not include balloons.

**ILLEGAL SIGN:** An illegal sign is any sign failing to conform to the provisions and requirements of this Code.

**ILLUMINATED SIGN:** A sign lighted by or exposed to artificial lighting either by lights in the sign or directed towards the sign.

**INDIRECTLY ILLUMINATED SIGN:** Any sign which has light cast on its surface from an exterior source including electric lights or luminous tubes.

**INTERNALLY ILLUMINATED SIGN:** A sign that features artificial illumination from a light source located behind the sign face and which transmits light through the sign face or portions of the sign face to the viewer, also known as backlit illumination. Exposed neon tubing and similar lighting shall not be considered an internally illuminated sign. A light from a source concealed or contained within the sign, and which becomes visible through a translucent surface.

**JOINT DIRECTIONAL SIGN:** A sign used by three (3) or more businesses to identify all the tenants within a particular development.

**LOT:** See Section 10-1-1.

**MAINTAIN:** To permit a sign, structure or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

**MARQUEE SIGN:** Signage placed over the entrance to a hotel or theater stating either the name of the establishment or, in the case of theatres, the play or movie and the artist(s) appearing at that venue.

**MASTER SIGN PROGRAM:** A coordinated system of signing intended to produce consistent, uniform and equitable placement of signs at a shopping center or building containing multiple businesses (containing two (2) or more ), i.e., multiple use facility, mall/shopping centers.

**MONUMENT SIGN:** Any sign supported by its own base and not by a pole or other support structure, not exceeding fourteen (14) feet in height.

**MULTIPLE USE FACILITY:** A commercial or industrial park, office complex, shopping mall or other facility which serves two or more businesses.

**NEON SIGN:** An illuminated sign containing a glass tube filled with neon or phosphors which are bent to form letters, symbols or other shapes.

**NONCONFORMING SIGN:** Any sign which was lawfully erected prior to the effective date of this Code or is located in newly annexed territory which does not comply with the provisions of this code.

**ON-PREMISE SIGN:** A sign displaying information pertaining only to a business, industry, activity, or profession located on the premises where the sign is displayed, and pertaining only to the name of the business, type of product sold, manufactured, or assembled, and/or service, activity, or entertainment offered on said premises, including business identification or occupancy signs.

**OFF-PREMISE SIGN:** A sign or billboard which is used or intended for use to advertise, identify, direct or attract the attention of the public to a business, institution, product, organization, event or location offered or existing other than upon the same premise where the sign or billboard is displayed.

**PANEL CHANGE OUT:** Removing and/or replacing the advertising or copy area panels(s) of a sign without replacing or modifying the sign structure.

**PARCEL:** See Section 10-1-1.

**PEDESTRIAN ORIENTED SIGN:** A permanent sign that directs pedestrian traffic without reference to or including the name of a product sold or service performed on the lot.

**PENNANT:** Any series of small flag like or streamer like pieces of cloth, plastic or paper, or similar material attached in a row to any staff, cord and building, at only one or two edges, the remainder hanging loosely.

**PERMANENT SIGN:** A sign that is attached or mounted to a building, post, frame, pole, mast with bolts, concrete footings or foundations, or such similar devices.

**POLITICAL SIGN:** A temporary sign used in connection with a local, state, or national election or referendum.

**PORTABLE SIGN:** A sign not permanently attached to the ground or other permanent structure, including but not limited to signs with attached wheels, A-frame signs, signs attached or painted on vehicles parked and visible from the street.

**PREMISE:** See Section 10-1-1.

**PRIMARY PUBLIC ENTRANCE:** An entrance to a business which is open to the public during its normal and customary hours of operations and the entrance used as the primary ingress and egress to the business by the public.

**PROJECTING SIGN:** An on-premise attached sign end-mounted or otherwise attached to an exterior wall of a building and which projects not more than three (3) feet from the wall to which it is attached.

**PROJECTING STRUCTURE:** The physical structure by which a projecting sign is affixed or mounted to a building.

**PUBLIC SIGNS:** Signs required to be maintained by law or governmental order, rule or regulation.

**PUBLIC RIGHT-OF-WAY WIDTH:** See Section 10-1-1.

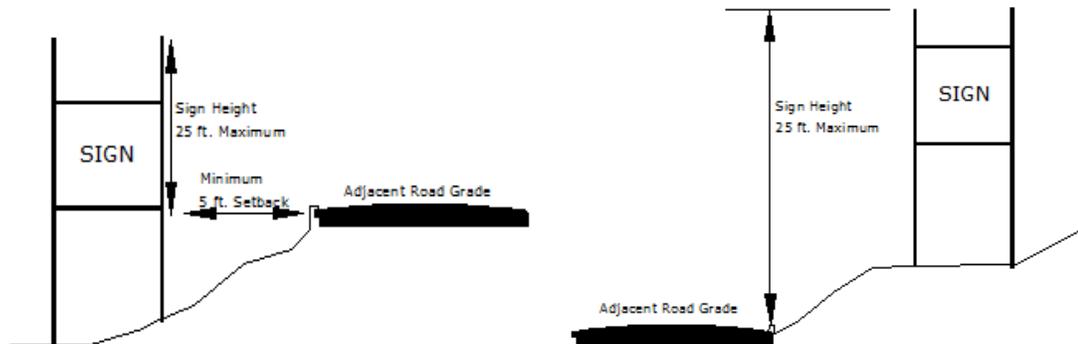
**REAL ESTATE SIGN:** An on-premise(s) sign for the purpose of advertising the sale or lease, or the completion of the sale or lease, of real estate when erected or displayed on the property so advertised and removed within fourteen (14) days of sale or lease. No building permit required for individual lot signs.

**ROOF SIGN:** Any sign, any part of which is located on or attached to a roof or on top of a parapet wall.

**SETBACK:** See Section 10-1-1.

**SIGN:** Any object, device, display or structure or part thereof situated outdoors which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images. The term “sign” includes, but is not limited to, every projecting sign, ground sign, pole sign, window sign, vehicle sign, awning, canopy, marquee, changeable copy sign, illuminated sign, flashing sign, animated sign, temporary sign, portable sign, pennant, banner, streamer, or any other attention-getting device or other display whether affixed to a building or separate from a building. For the purpose of removal, “sign” shall also include all sign structures.

**SIGN HEIGHT:** The height of an on-premise freestanding sign shall be measured from the road to which the sign is oriented or average grade of the site where the sign is located; whichever is higher, to the top of the highest attached component of the sign, the sign face, sign structure, and any other appurtenance. Any change in a site’s grade specifically designed to increase a sign’s height shall be included as part of the sign’s height.



**SINGLE-FACED SIGN:** Any sign consisting of or having only one inscribed, printed, or marked face, which is designed and constructed to be visible from only one side.

**SNIFE SIGN:** Any sign made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premise upon which said sign is located.

**SPECIAL EVENT:** A sign advertising only the name, time and place of any bona fide fair, carnival, festival, bazaar, rodeo or similar event, when conducted by a public agency, civic, non-profit or charitable cause. Special events signs shall not be displayed more than thirty (30) days consecutively. Special event signs will need a permit.

**SPONSOR SIGNS:** A sign placed on the property of a city, county, school district, or nonprofit organization, and said sponsor sign represents a company or organization which has financially contributed to said entity. A sponsor sign to be placed on property owned by the City of Cody must be approved by the City Council.

**STREET:** See Section 10-1-1.

**STREET NUMBERS:** Numbers placed on a building for the purpose of identifying the address or location. Premises identification shall meet the requirements of the city’s building code.

**SUBDIVISION DEVELOPMENT SIGNS:** This off-site sign may contain advertising in connection with the name of the subdivision, development firm, building contractor, real estate sales firm, and may refer to materials, appliances, supplies and building trades used in construction of the dwellings, or services provided by the developer. The sign shall be removed six (6) months after the last lot is constructed upon. See Table Schedule for size requirements at the end of the chapter.

**SUSPENDED SIGN:** An on-premises attached sign that is suspended from the underside of a horizontal plane surface or arm, such as a canopy or marquee, and is supported by such surface.

**TEMPORARY SIGN:** An impermanent sign for advertising or displaying, which is visible for a limited period of time not to exceed one hundred and eighty days (180) in any twelve-month period (examples of temporary signs include but are not limited to banners, and inflatables). Temporary A-frame signs are limited to a period of time not to exceed seven (7) days as permitted within this code.

**V-SHAPED SIGN:** A sign that is attached to the building with an angle of thirty (30°) degrees or greater between the two faces. Its areas shall be computed by adding the areas of the two faces together. If the angle between the two faces is less than thirty (30°) degrees, its area shall be computed in the same manner as for a double faced sign.

**WALL SIGN:** An on-premise sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen (15) inches except in accordance with these regulations. A painted work of art or mural is not considered a wall sign. A window sign is considered a wall sign.

**WALL MURAL:** A work of art, such as a painting applied directly to a wall, fence, pavement, or similar surface that is purely decorative in nature and content, and does not include advertising by picture or verbal message.

**WINDOW SIGNS:** An on-premise wall sign that is permanently etched into, attached to, or painted on the outside of a window and is legible from outside the window.

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

PASSED ON FIRST READING: \_\_\_\_\_ May 3, 2011 \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_ May 17, 2011 \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_, 2011

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

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Acting Administrative Services Director

**ORDINANCE NO. 2011-04**

**AN ORDINANCE AMENDING SECTION 10-15-3 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING REGULATIONS AND STANDARDS OF THE SIGN CODE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING:**

Section 10-15-3 SHALL READ AS FOLLOWS:

10-15-3: REGULATIONS AND STANDARDS

A. Regulations and Standards: The following regulations apply to all signing and/or to the specific type of sign hereinafter indicated:

1. Any sign support which has been abandoned and no longer contains a sign must be removed in accordance with Section 10-15-10.
2. In all instances, any sign erected within the City must comply with the provisions of the building code.
3. Every sign shall be maintained in a safe, presentable and good structural material condition at all times, including the repair and replacement of defective parts, painting, repainting, cleaning or other acts required for the maintenance of said sign, as determined by the Planning, Zoning and Adjustment Board. If the sign is does not comply with adequate safety standards, the City shall require its removal in accordance with Sec. 10-15-10 and 10-15-11.
4. No persons shall maintain or allow to be maintained on any premise owned or controlled by him, any sign which is in a dangerous or defective condition.
5. No sign, awning or other obstruction shall be suspended from any building into or over any sidewalk, street or alley, so as to obstruct or interfere with the pedestrian traffic or vehicle traffic, nor shall any sign, awning or other obstruction be suspended in or over any portion of the street beyond the sidewalk.

B. General Standards: The following standards apply to all signs unless specifically exempted in other parts of this ordinance:

1. Curvilinear, circular, and other unique shapes that incorporate graphics are encouraged.
2. On-Premise Sign Area Measurement Provisions: The measurement of the area of signs shall be determined as follows.
  - a. Measurement of Internally Illuminated Signs and Signs Consisting of a Permanent Structure with Removable Panels: The area of internally illuminated signs and signs consisting of a permanent structure with panels designed to be removed and/or replaced for periodic maintenance or change of tenant(s) shall be computed as the smallest rectangle that will encompass the extreme limits of the illuminated or changeable panels and structure less than three (3) inches wide, regardless of sign shape and whether or not open spaces exist. Any cutouts or extensions shall be included in the area of the sign. In the case of separate signs sharing a common structure, the open spaces between the panels shall not be counted as sign area.

- b. Area of Multi-Faced Signs: Signs constructed back-to-back, with faces in approximately parallel planes (such as both sides of a single panel), shall count as only one sign both in number and area. All other signs having multiple faces, including cylinders, shall have all surfaces included in the calculations for sign area. If a sign is V-shaped, with an angle of thirty (30°) degrees or greater between the two faces, its areas shall be computed by adding the areas of the two faces together. If the angle between the two faces is less than 30 degrees, its area shall be computed in the same manner as for a double faced sign.
  - c. Area of Multi-Tenant Signs, Changeable Copy Signs, or Electronic Message Boards: The face and frame of a portion of a sign that includes the names of individual tenants or an area for changeable or electronic copy shall count toward the total area of the sign.
  - d. Measurement of All Other Signs: Sign area for all other signs shall consist of the smallest rectangle or sum of contiguous rectangles which completely encompasses the sign message, including letters, words, and graphic elements. This method of measurement shall also apply to words and graphic elements painted onto windows, awnings and canopies.
3. Off Premise Signs:
- a. Any wall, projecting or freestanding sign allowed under this chapter may be used to advertise off-premise businesses or products as a substitute for a sign on the same site where the business is located. Off premise sign plan review applications shall require written consent from the property owner(s) of the off premise site. Off-premise signs must conform to the regulations that apply to the premises where the sign is located.
  - b. Temporary A-frame Signs:
    - i. Organizations and businesses (profit or non-profit) may place temporary A-frame signs off premise under the following regulations:
      1. Must complete application and obtain permit from the City of Cody. No fees shall be charged for application and permitting process for temporary A-frame signs.
      2. Each organization and/or business may receive one permit per year and each permit will be valid for seven consecutive days.
      3. No more than five permits will be issued for the same seven day period. Permits will be issued on a first come first served basis.
      4. No applicant is allowed to place more than six temporary A-frame signs within the City.
      5. All temporary A-frame signs must conform to the definition of A-frame signs as defined within this code.
      6. Each applicant shall be responsible for insuring that each temporary A-frame sign is securely grounded so as to avoid signs being blown by wind to any other location not authorized by the permit, in addition, applicant must monitor each sign on a daily basis during the seven day permit period to ensure the signs are in compliance with the application approved.
      7. The City of Cody shall reserve the right to remove any and all signs which are not in the location approved by the permit process or any sign that has become a safety hazard to traffic and/or pedestrians.

8. All signs must be placed in pre-approved locations as follows:
  - a. Public Property: No signs shall be placed within the public right of way except for as otherwise allowed by City Code.
  - b. Private Property: No signs shall be placed on private property without the express written consent of the property owner, and such written consent is presented to the City of Cody with the application.
4. Attached, projecting and marquee signs: The following rules and regulations shall apply to attached, projecting and marquee signs.
  - a. The area of an attached sign where the sign consists of letters, numerals or symbols painted on or affixed to a wall shall be the entire area within a continuous perimeter enclosing the extreme limits of the message delineated by the letters, numerals or symbols.
  - b. The area an attached or suspended sign where the letters, numerals or symbols are on a sign surface which is hung or affixed to a structure shall be the total area of the hung or affixed surfaces. If a sign has two (2) or more display faces, the area of all faces and all non-contiguous surfaces is included in determining sign area.
  - c. The background area of a sign shall not be included in the sign area only when such background is an integral part of the building.
5. Measurement of allowable sign area for uses with more than one street frontage: Signs may be located on any side of the building involved, but the total sign area of all signs may not exceed the total cumulative allowable square footage for all street frontages.
6. Location: The following rules and standards shall apply in establishing the location of signs within the City of Cody.
  - a. No portion of a sign, except exempted signs, shall be located within the City or State right-of-way or sight distance triangles except as permitted through the application process which must have approval by both the City of Cody Governing Body and the Wyoming Department of Transportation. Signs placed on City Streets other than State Highways must submit an application to the City of Cody. Persons wishing to place a sign which encroaches upon a State Highways must complete an application and obtain approval from the State of Wyoming Highway Department. Those forms can be picked up in the Planning Department at City Hall or at the Wyoming Department of Transportation. Hand carried signs will be allowed within the right-of-way as long as it is not a hazard to the community.

Signs are considered as structures and must observe setback requirements for each zoning district as delineated in the city zoning code.

- b. No sign shall be located in a manner that impairs ingress and egress through windows, doors, or other means of entering or exiting from a structure or building.
- c. No sign shall be placed as to impede the sight distance and vision of motorists.

- d. Projecting signs located over public pedestrian ways shall be placed not less than eight (8) feet from the travel way to the bottom of the sign. The projecting edge of the sign shall be at least two (2) feet back from any curb line.
7. Illumination: The following rules and standards shall apply in establishing the type of illumination which may be used for signs within the City of Cody.
    - a. At the Planning Department's discretion, any proposed external, internal, backlit or indirect lighting application may be required to submit professionally prepared plans depicting the types of lighting to be used.
    - b. All signs containing electrical wiring shall be subject to the provisions of the Electrical Code in place at that time and electrical plans and specifications shall be submitted to the Building Official for review, approval and building permit issuance.
    - c. A sign with blinking, chasing, flashing or moving effects; or a sign displaying intermittent or flashing lights similar to those used in governmental traffic signals or used by police, fire, ambulance, or other emergency vehicles are prohibited. Such signs include beacons, spotlights, searchlights, or reflectors and signs which revolve, or rotate or swing by mechanical means.
    - d. Exterior Illumination: Exterior illumination shall be allowed, provided that the following criteria are satisfied: Any externally illuminated sign shall be shielded so as not to cast direct light onto any residential district and as not to create a safety hazard.
    - e. Internally Illuminated: Internal illumination may be allowed, provided that the following criteria are satisfied: The proposed light source shall not be visible from the exterior of the sign, which shall include the back, edges, and sides.
    - f. Backlit or Indirectly Illuminated Signs: Backlit/Indirectly Illuminated signs may be allowed, provided that the following criteria are satisfied: Signs shall be illuminated from a source mounted on the structure behind the proposed sign and shall not be visible through the sign. Lighting shall be visible only along the edges of the sign and light shall not extend more than three (3) inches beyond the sign edges.
  8. Structural and safety considerations. All electrical services for sign lighting shall be provided with underground or hidden devices or otherwise in compliance with the International Electrical Code as is currently adopted by then in effect.
  9. Billboards as defined in Section 10-15-2-B shall be allowed only in Zoning District D-3, and E.
  10. Electronic Message Boards and Animated Signs:
    - a. Electronic message boards and animated signs shall be separated from other electronic message board and animated signs by at least 35 feet.
    - b. When located within 150 feet of a residentially-used lot, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on any residential lot.

- c. The sign must be located on the site of the use identified or advertised by the sign.
- d. Electronic message boards and animated signs will not be permitted in residential zones.
- e. The leading edge of the sign must be a minimum distance of 100 feet from an abutting residential district boundary.
- f. The sign must not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum of illumination of 500 nits (candelas per square meter) between dusk to dawn as measure from the signs face at maximum brightness.
- g. Animated signs must have an automatic dimmer control to produce a distinct illumination level to a lower level from the time period between one half hour before sunset and one half-hour after sunrise; and
- h. Audio speakers or any form of pyrotechnics are prohibited in association with a sign.
- i. Animated signs shall be permitted only in the following zones: D-2, D-3, and E Industrial. In addition, animated signs may be permitted in the Downtown Business District, but must have special approval by the Planning and Zoning Board. Approval will be based on consideration of adjacent signage, the size of the proposed signage and must all submittals must be accompanied by approval documents from WYDOT.
- j. Electronic message boards shall be permitted only in the following zones: D-2, D-3 and E Industrial. In addition, animated signs may be permitted in the Downtown Business District, but must have special approval by the Planning and Zoning Board. Approval will be based on consideration of adjacent signage, the size of the proposed signage and must all submittals must be accompanied by approval documents from WYDOT.

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

PASSED ON FIRST READING: \_\_\_\_\_ May 3, 2011 \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_ May 17, 2011 \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_, 2011

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

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Acting Administrative Services Director

**ORDINANCE NO. 2011- 05**

**AN ORDINANCE AMENDING SECTION 10-15-4 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING INTERPRETATION PROVISIONS TO THE SIGN CODE**

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

Section 10-15-4 SHALL READ AS FOLLOWS:

10-15-4: INTERPRETATION PROVISIONS

- A. Provision Intent: The provisions of this chapter are not intended to abrogate any other ordinance of the City which is more restrictive than the provisions of this chapter.
- B. Uncertainty of Ordinance Provisions: Whenever the application of this chapter is uncertain due to ambiguity of its provisions, the application shall be referred to the Planning, Zoning and Adjustment Board for a determination and clarification.
- C. Severability: If any section, subsection, sentence, clause, phrase or portion of this chapter is, for any reason, held invalid or unconstitutional or unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

PASSED ON FIRST READING: \_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

\_\_\_\_\_  
**Cynthia Baker**  
Acting Administrative Services  
Director

**ORDINANCE NO. 2011- 06**

**AN ORDINANCE AMENDING SECTION 10-15-5 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING ADMINISTRATIVE PROCEDURES WITH REGARD TO THE SIGN CODE**

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

Section 10-15-5 SHALL READ AS FOLLOWS:

10-15-5: ADMINISTRATIVE PROCEDURES

A. Reviews and Permits Required:

1. Sign Plan Review: It is unlawful to erect, construct, reconstruct, alter, paint or change the use of any sign as defined in this code without first applying for a sign plan review and receiving approval from the City. No sign plan review shall be approved unless it is found to comply with all appropriate provisions of this Code or a special exemption has been obtained. Signs listed as exempt in this Code shall not be subject to these regulations.
2. Exception: Routine maintenance, repair and repainting which does not enlarge or alter a sign, may be performed on a previously approved sign without submitting a sign plan. A replacement of exact size, dimension and shape of any sign face shall be exempted provided that it meets all requirements of the sign code.
3. Building Permit: Upon approval of the sign plan review the owner, owner's representative, or contractor must obtain a building permit prior to the installation of any sign. Exempt signs as listed in this Code shall not require a building permit.
4. Electrical Permits: Any sign or portion of a sign that is powered by or lit with electricity must obtain an electrical permit.
5. Wyoming Department of Transportation Permit: Prior to placing any sign in the Downtown Architectural District, adjacent to any State Highway or within any State right-of-way, the applicant must submit an application to the Wyoming Department of Transportation (WYDOT) and must obtain approval from WYDOT.

B. Sign Plan Review Process:

1. Application: Sign plan review applications shall be obtained from the City Planning Department. A completed application shall be submitted to the Planning Department by the owner or his authorized agent. The application shall contain, or have attached thereto, the following information:
  - a. The name and address of the owner or other person in control of

the premise upon which the sign or advertising structure is to be constructed, erected, posted or displayed, the name of the person erecting the sign or structure; the address and legal description of the premise upon which the proposed sign or advertising structure is to be located and the frontage of the lot or building. For V-shaped signs the applicant must provide the degree of the angle between sign faces.

- b. A site plan which identifies the location of all exterior signs existing or proposed for the premise. The plan must include building elevations with signs depicted. Sign elevations must indicate overall and letter/figure dimensions, colors, materials, and illumination for each sign.
  - c. Two (2) drawings containing plans and specifications which indicate the method of construction and anchoring to the building or ground; the total area of the proposed sign in square feet; the height of the proposed advertising structure from ground level; and an electrical wiring plan if the sign is to be supplied with electricity.
2. Application Review: Within twenty-one (21) days of filing a completed application the Planning Department shall review the sign review application. The Planning Department shall determine if the proposed sign and application are in compliance or noncompliance with this Code. The Planning Department shall either approve the application, deny the application due to noncompliance with this or other City ordinances or regulations which may apply, or refer the application directly to the Planning, Zoning and Adjustment Board in situations where the Department is uncertain as to the interpretation or application of this code to the proposed sign. Every sign plan review approved by the Planning Department shall expire by limitation and become null and void if a building permit is not issued by the Building Department within one hundred eighty (180) days of the date of approval of such review. Additional time may be permitted with authorization of the Planning Department.
  3. Review Approval: If the Planning Department has determined the sign and application is in compliance with this Code and other ordinances and regulations which may apply, the Planning Department shall approve the sign plan review for the proposed sign and direct the applicant to the Building Department for building permit review and issuance.
  4. Review Application Retention: The Planning Department shall retain one copy of the sign plan review application. The review application and subsequent approval or denial shall be retained at the office of the Planning Department until such time as the sign no longer exists.
  5. Review Fees: Each application for a sign review shall be accompanied by a review fee as set forth by section 10-3-2 of this City Code.

6. Appeal from the Decision of the Planning Department: Upon denial of a sign plan review by the Planning Department, the applicant may submit a modified application for reconsideration to the Planning Department, or file an appeal to the Planning, Zoning and Adjustment Board. An appeal from the decision of the Planning Department shall be filed with the Planning Department within thirty calendar (30) days of the denial of a sign plan. The appeal shall contain twelve (12) copies of detailed drawings, drawn to scale, containing complete plan specifications which indicate the method of construction and anchoring to the building or ground; the total area of the proposed sign in square feet; and the height of the proposed advertising structure from ground level. The appeal must state the reason why the applicant feels the Planning Department's decision was in error. The Planning, Zoning and Adjustment Board shall consider the appeal at its next regularly scheduled meeting or as promptly as practicable at a subsequent regularly scheduled meeting. The applicant shall be given written notice of the date, time and place of the hearing. The burden shall be on the applicant to demonstrate why the Planning Department's decision was in error, and to show that the proposed sign complies with the City Code. The appeal shall be limited to a determination by Planning, Zoning and Adjustment Board of whether the Planning Department erred in determining that the application did not comply with the City Code. The board shall render a decision on the appeal within thirty (30) days of the meeting.

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

PASSED ON FIRST READING: \_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

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**Nancy Tia Brown**  
Mayor

---

**Cynthia Baker**  
Administrative Services Director

MEETING DATE: JUNE 7, 2011  
DEPARTMENT: ENGINEERING DEPT  
PREPARED BY: STEPHEN W. PAYNE  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEPHEN W. PAYNE

**AGENDA ITEM**  
**Changes to the proposed 2011-07 Ordinance**  
**regarding signage on Parked Vehicles**

**BACKGROUND**

During the second reading of the 2011-07 Ordinance, Mr. Jeff Boardman voiced a concern regarding signage on parked vehicles. His concern was that he didn't feel it was clear if signage on parked vehicles within or on private property was very well addressed. A review was made of numerous other codes within the State of Wyoming. Most communities have an Ordinance addressing signage within or on vehicles. The City of Cody Ordinance has been changed to reflect that no signage on or within parked vehicles within or on private property or within or on public property is prohibited. There are exceptions as indicated.

Regarding the property (Kalkowski property) that Mr. Boardman has his sign in his vehicle, the sign and the truck are actually on WYDOT right-of-way. This is a violation of the current code and the proposed code as written. Based a review of the site, there is more than adequate room on the property and on the building for additional signage (see attached photos). There is presently approximately 44.5 SF of total signage. The current code allows for that property to have 423 SF of signage.

**SUMMARY**

At the second reading of Ordinance 2011-07 a concern was voiced concerning the clarity of the sign code relative to signage within or on a parked vehicle. The City of Cody Ordinance has been changed to reflect that no signage on or within parked vehicles within or on private property or within or on public property is prohibited. There are exceptions as indicated.

**FISCAL IMPACT**

None.

**ALTERNATIVES**

- a) Approve the modification at the 3<sup>rd</sup> and final reading of the Ordinance.
- b) Approve the 3<sup>rd</sup> and final reading of the Ordinance with modifications/conditions.

**RECOMMENDATION**

Staff recommends the approval modification to Ordinance 2011-07 at the 3<sup>rd</sup> and final reading of the Ordinance.

**ATTACHMENTS**

- 1. Hensen's Terrace Plat
- 2. Pictures of the Kalkowski Site.
- 3. Modified Ordinance 2011-07

**AGENDA & SUMMARY REPORT TO:**

- 1. Mr. Jeff Boardman

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

AT

SHEET

SCALE: 1" = 50'





*Kalkowski*  
Chiropractic  
Center

NO  
PARKING  
ANY  
TIME

With Urgent Care  
• No Appointments  
• Open 7 Days a Week  
424 Yellowstone Ave.

LEWIS

100X140



GUNS & AUTO  
WYOMING  
TACTICAL SUPPLY  
HOURS: MON-FRI 10-6  
SAT 10-5  
SUN 12-5  
NOW OPEN

36" X 18" R

36 X 42



RECEPTION

MOUNTAIN INN

X'  
7/29























Original Town of Cody, Wyoming.

Certificate of Dedication.

AMENDED  
MAP 99

HENSON'S TERRACE  
SUB-DIVISION

OF THE  
Un-subdivided portion of the E<sup>2</sup> SE<sup>4</sup> Tract 79  
(Resurvey of Original Section 32)

Township 33 North Range 101 West, 6th P.M. Wyoming.

within the corporate limits of

CODY, WYOMING.

We, the undersigned owners and proprietors of the foregoing subdivision or part of the E<sup>2</sup> SE<sup>4</sup> (Original Section 32) Tract 79, Resurvey, T.33 N., R.101 W. of the 6th P.M. in Wyoming, with the following exceptions: 1-That part of the same included within the plat portion of the Original Town of Cody, according to the recorded plat thereof; 2-The tract of land conveyed by the Lincoln Land Co. to W. J. Whitten, dated March 28, 1907; 3-That tract of land conveyed by said Lincoln Land Co. to Chas. H. Cramer, dated July 10, 1908; 4-The tracts of land located in either Holman by Chas. E. and Flora Fay women, as recorded in the Park County Clerk's Office in the County Court House, in Book 112, Page 405, and Book 122, Page 547; 5-The road highway running south from 17th Street (S2) and 4-The cattle drive along the south side of the SE<sup>2</sup> & SE<sup>4</sup> of Tract 79 and subject to legal highways and rights of way for irrigation interests as shown on this plat; said subdivision more particularly described as follows: Beginning at Corner No. 2 of Tract 79, (formerly Corner No. 2 of Section 32), thence North 150° West for 1330.68 feet, thence due West for 310 feet, thence North 0°15' West for 238.36 feet, thence due West for 168 feet, thence due South for 36 feet, thence due West for 200 feet, thence due North for 31 feet, thence westerly along the south side of the Cody Canal right of way for 503 feet to a point 135 feet south of the Southeast Corner of Lot 1, Block 47 of the Original Town of Cody, Wyoming, thence westerly for 263 feet to a point 143 feet south of the Southeast Corner of Lot 5, Block 47, thence due West for 258 feet to the west boundary of said C.354 of Tract 79, thence North 0°36' East for 1211.65 feet, to the south boundary of Tract 79, thence North 89°47' East for 1368.1 feet to the point of beginning, said subdivision to include 66.60 acres more or less, and that the owners and proprietors have caused said subdivision to be surveyed and platted as the "Henson Terrace Subdivision in Cody, Wyoming," and do hereby dedicate to public use the streets and alleys as shown on this plat, and further that said streets and alleys as shown on this plat are with the free consent and in accordance with the desires of the undersigned owners and proprietors:

Charles E. Henson, et al.	Thos. W. Henson	Miss Isabelle E. Henson
Marion E. Henson, et al.	John E. Henson	Miss Isabelle E. Henson
Frank Smith Prichett	Thos. W. Henson	Miss Isabelle E. Henson
Wm. P. Hays	Thos. W. Henson	Miss Isabelle E. Henson
Paul Harvey	Thos. W. Henson	Miss Isabelle E. Henson
Walter Scott Wilson	Thos. W. Henson	Miss Isabelle E. Henson
Wm. A. Willink	Thos. W. Henson	Miss Isabelle E. Henson
Walter W. Willink	Thos. W. Henson	Miss Isabelle E. Henson
A. L. Sander	Thos. W. Henson	Miss Isabelle E. Henson
Ernest E. Praska	Thos. W. Henson	Miss Isabelle E. Henson
Alfred J. Praska	Thos. W. Henson	Miss Isabelle E. Henson
George J. Chambers	Thos. W. Henson	Miss Isabelle E. Henson
Wm. George P. Chambers	Thos. W. Henson	Miss Isabelle E. Henson
Kenneth H. Harvey	Thos. W. Henson	Miss Isabelle E. Henson
Edith H. Harvey	Thos. W. Henson	Miss Isabelle E. Henson
William S. Debra	Thos. W. Henson	Miss Isabelle E. Henson
Wm. P. Hays	Thos. W. Henson	Miss Isabelle E. Henson

Approved For the Board of County Commissioners:  
This 14th day of April, 1948

Witness:  
Dr. E. Larson  
(Seal) Eric E. Larson - County Clerk

Approved: For the City Council of the City of Cody, Wyoming.  
This \_\_\_\_\_ day of \_\_\_\_\_, 1948

Witness:  
William J. Barker  
(Seal) William J. Barker - City Clerk

Witness:  
Paul Stark  
(Seal) Paul Stark - Mayor

Legend of:  
Right of Way Boundary - - - - -  
Subdivision Boundary - - - - -

Cap. 3/4 in. Orig. Cor. #2 - See 32

State of Wyoming } ss  
County of Park } ss  
I, Ed Bush, a Notary Public in and for the County of Park, State of Wyoming, do hereby certify that the foregoing Certificate of Dedication, appeared before me in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.  
Given under my hand and official seal, this 14th day of April, 1948.

My Commission Expires: September 20, 1948

Ed Bush  
Notary Public, in and for the County of Park, State of Wyoming.

Certificates of Surveyors.

State of Wyoming } ss  
County of Park } ss  
I, E. T. Haysden, a Surveyor, Wyoming, a registered Wyoming Land Surveyor, hereby certify that the survey of subdivision and the plat hereto attached of the undivided portion of the E<sup>2</sup> SE<sup>4</sup> of Tract 79, (formerly Sec. 32, Resurvey, T.33 N., R.101 W. of the 6th P.M. in Wyoming), were made from the notes of an actual survey by me on Feb. 25, 1947, and currently represents the survey.

Registration No. 708

E. T. Haysden  
Reg. Wyo. Land Surveyor

State of Wyoming } ss  
County of Park } ss  
I, William J. Barker, a Surveyor, Wyoming, a registered Wyoming Land Surveyor, hereby certify that the changes made in the survey of subdivision and the hereto attached of the undivided portion of the E<sup>2</sup> SE<sup>4</sup> of Tract 79, (formerly Sec. 32, Resurvey, T.33 N., R.101 W. of the 6th P.M. in Wyoming), were made from the notes of an actual survey by me on 18 and 19 June 1946, and as amended on 8 and 9 December 1947, and together with the plat made by E. T. Haysden, on 20 February 1947, currently represents the survey.

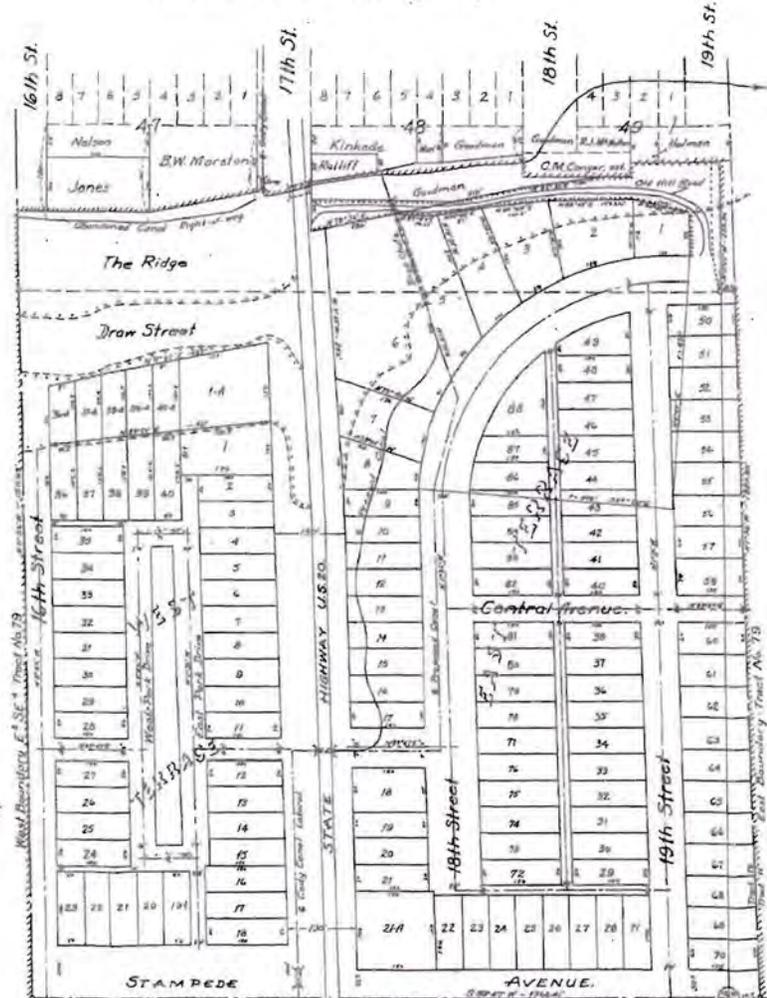
Registration No. 185

William J. Barker  
Reg. Wyo. Land Surveyor

State of Wyoming } ss  
County of Park } ss  
I, Charles E. Henson, of St. a Notary Public in the County of Park, Wyoming, do hereby certify that the owners and proprietors whose names are subscribed to the foregoing Certificate of Dedication, appeared before me in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.  
Given under my hand and official seal, this 14th day of March 1948.

My Commission Expires: February 10, 1952

Charles E. Henson, et al  
Notary Public



Scale: 1 in. = 100 feet

**ORDINANCE NO. 2011- 07**

**AN ORDINANCE AMENDING SECTION 10-15-6 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING GENERAL PROVISIONS REGARDING THE SIGN CODE**

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

Section 10-15-6 SHALL READ AS FOLLOWS:

**10-15-6: GENERAL PROVISIONS**

- A. Exempted Signs: The following signs shall be exempt from the provisions of this code providing that they meet the requirements set forth in this section.
1. Public Right-of-Way: All signs erected in a public right-of-way by a public agency controlling or directing traffic and information signs shall be exempt from the provisions of this Code.
  2. Official flags: "Official flags" include flags of the United States of America, the state of Wyoming, and other states of the United States, counties, municipalities, and official flags of foreign nations recognized by the United States government, provided they are kept in good repair. The maximum size of any one (1) flag shall be twenty-four (24) square feet with the exception of the United States of America flag which may be any size. Flag poles may not exceed twenty-five feet (25') as measured from final grade. Up-lighting of all flags except the flag of the United States of America is prohibited. Flag Poles within the airport overlay zone may be subject to additional regulations, and shall require approval of the manager of Yellowstone Regional Airport to ensure compliance with FFA and Yellowstone Regional Airport rules and regulations.
  3. Other Flags and pennants: Other flags are flags that are not official flags as defined above. Examples of other flags include flags of schools, universities, colleges, sports teams, churches, religious groups, and non-profit or charitable organizations. The maximum size of a flag or pennant shall be twenty four (24) square feet.
  4. Signs grouped together at the entrance(s) to the City which represent community clubs and organizations (Lions, Rotary, Eagles, etc.), religious institutions and the like.
  5. Signs inside buildings: Any sign inside a building or inside a window, except flashing, animated or rotating signs intended to be visible from outside the building. "Open" and "Closed" signs shall be exempt as described below.

6. Political signs: Political signs may be displayed so long as they are removed within ten (10) days after the election to which they refer. Said signs shall be located entirely on private property.
7. Identification, for sale or for rent signs: Owner identification or occupant identification signs for residential structures, private warning signs and for sale or for rent signs, none of which may exceed six (6) square feet on one face or twelve (12) square feet on two faces.
8. Signs on vehicles: Signs on a truck, bus, car, boat, trailer or other authorized vehicle and equipment; provided all of the following conditions are met:
  - a. The primary purposed of such vehicle or equipment is not the display of signs;
  - b. Signs are painted upon or applied directly to an integrated part of the vehicle or equipment;
  - c. The vehicle or equipment is in operating condition, currently registered and licensed to operate on public street when applicable, and actively used in the daily function of the business to which the signs relate;
  - d. The vehicles or equipment are not used primarily as static displays, advertizing a product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the general public;
  - e. Vehicles and equipment engaged in active construction projects and the on-premises storage of equipment and vehicles offered to the general public for rent or lease shall not be subject to this condition.
9. Bulletin boards: Public, charitable and religious institutions may construct bulletin boards if they are located on the premise of such institution and comply with the provisions of this Code and are not more than sixteen (16) square feet in area.
10. Menu signs at drive-through and drive-in restaurants: Said signs shall not be designed to be read from the public right-of-way or to attract attention to the site from the right-of-way.
11. Decorative signs: Decorative signs clearly incidental to, and commonly or customarily associated with any national, local or religious holiday, except where a characteristic of the sign is specifically prohibited in all cases (for example, traffic distractions); limited to a maximum of thirty (30) square feet and a maximum height on fifteen (15) feet, unless given approval by the Planning and Zoning Board for additional height.
12. Prohibited activities signs located on a premise posting said premise for warning or other prohibitions on trespassing, hunting, fishing, swimming or other prohibited activities: Such signs shall be no greater than three (3) square feet in area and shall be spaced

no closer than fifty (50) feet apart, except as otherwise provided in other applicable City ordinances. Setback requirements shall not apply to such signs.

13. Open-closed hours: Door and window signs that designate hours and "open" and "closed" shall not exceed four (4) square feet and not more than one of each is allowed per business entrance.
  14. Vacancy-no vacancy: All "vacancy" or "no vacancy" signs are not to exceed three and one-half (3 ½) square feet, and not more than one per business is allowed.
  15. Wall murals that do not contain advertising.
  16. The inscription of names (or dates) of buildings, when etched into masonry in one location on any business or premise: Each letter of an inscription may not exceed twenty-four (24) inches in height and the total engraved area may not occupy more than twenty (20) square feet of the surface of the building. In addition, buildings designated by the city council, the State of Wyoming, or the United States as having historical significance to the community are allowed one historical plaque per street frontage not to exceed one (1) square foot.
  17. Signs posted by governmental entities within public parks and trails, school property including but not limited to street and traffic signs, interpretive signs, identification signs, scoreboards, etc.
  18. All signs existing as of the date of passage of the ordinance codified in this section provided that such signs are in conformance with previous Cody Municipal Code requirements.
- B. Prohibited Signs: The following signs shall not be allowed in the City of Cody.
1. Any sign not specifically authorized in accordance with the provisions of this chapter is prohibited.
  2. Mechanical signs, including signs containing moving, swinging, or rotating parts, unless specifically permissible as part of the allowable signage enumerated in this chapter.
  3. Signs which create a safety hazard by obstructing clear view of pedestrian or vehicular traffic.
  4. Signs on parked vehicles. Signs placed on vehicles, a truck, bus, car, boat, trailer or other authorized vehicle and equipment which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property are not permitted. However, this is not intended to prohibit signs which meet the conditions and criteria of exempted signs.
  5. Signs constituting a traffic hazard. No person shall install or maintain or cause to be installed or maintained any sign which

mimics, simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of the words "stop", "look", "danger" or any other words, phrases, symbols, or character in such a manner to interfere with, mislead or confuse traffic.

6. Signs on doors, windows or fire escapes. No sign shall be installed, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape, except those signs as required by other Codes or Ordinances.
7. Signs in proximity to utility lines. No sign plan shall be approved for any sign, and no sign shall be constructed or maintained, which has less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the state of Wyoming, the ordinance of the City of Cody, or other applicable rules, regulations and codes.
8. Signs on public property including streets, medians, islands, parkways, sidewalks, traffic control signposts, utility poles, and trees. Signs are prohibited on any utility pole, traffic sign post, traffic signal or any other official traffic control device. No person except a Public Officer in performance of a public duty shall affix, by any means, any form of sign, on any public property or within the public right of way.
9. Signs will not be located on Publicly Owned property unless permission has been granted through City Council.
10. Roof signs as defined herein.
11. Signs which produce audible noise or sounds.
12. Signs which emit visible smoke, vapor, particles or odor.
13. Snipe signs as defined herein.
14. Rotating signs or signs utilizing a strobe light(s) are prohibited.

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

PASSED ON FIRST READING: \_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

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**Nancy Tia Brown**  
Mayor

---

**Cynthia Baker**  
Administrative Services Director

**ORDINANCE NO. 2011- 08**

**AN ORDINANCE REPEALING SECTION 10-15-7 OF THE CITY OF CODY MUNICIPAL CODE AND RESERVING THAT SECTION FOR FUTURE USE**

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

Section 10-15-7 SHALL BE REPEALED, AND THIS SECTION SHALL BE RESERVED FOR FUTURE USE 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: \_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

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

**ORDINANCE NO. 2011- 09**

**AN ORDINANCE AMENDING SECTION 10-15-8 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING RESIDENTIAL SIGN DISTRICTS**

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

Section 10-15-8 SHALL READ AS FOLLOWS:

10-15-8: Sign Districts:

- A. Except otherwise provided , signs are permitted in all zoning districts as accessory uses, in accordance with the provisions contained in this title. The type of signs permitted within a zone, the number, placement, area, and use of signs in various zoning districts of the city are contained in the "Table Specific Regulations by Zone" following the designated sections.
- B. Residential Sign Districts: Residential Sign District includes any parcels located within the incorporated City limits designated AA, A, B, C, F-1, F-2, T and RR. See "Table Specific Regulations by Zone" following this sections.
- C. Sign District AA or RR: No sign shall be erected or structurally altered, unless otherwise provided herein, except for one or more of the following uses:
  - 1. Address numbers shall be placed on a building for the purpose of identifying the address or location. Premises identification shall meet the requirements of the Municipal Code and the International Building Code.
  - 2. All signs shall attach flush with the wall of the building.
- D. Sign Districts A, B, C, and T: No sign shall be erected or structurally altered, unless otherwise provided herein, except for one or more of the following uses:
  - 1. All signs allowed in AA or RR;
  - 2. Address numbers shall be placed on a building for the purpose of identifying the address or location. Premises identification shall meet the requirements of the Municipal Code and the International Building Code.
  - 3. Group day care homes (GDCH) and group day care centers (GDCC) are subject to the following conditions: All signs must come before the Planning, Zoning, and Board for approval.
- E. Sign Districts F-1 and F-2:
  - 1. Signs shall only be located at the entrance into the Mobile Home Park.

**Table Inset for the type of signs permitted, the number of signs allowed, placement, area and use of signs within Residential Sign Districts:**

<b>TABLE SPECIFIC REGULATIONS BY SIGN DISTRICT</b>						
<b>RESIDENTIAL SIGN DISTRICTS</b>						
<b>AA, RR</b>						
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Area per Face</b>	<b>Max. Height and Length</b>	<b>Notes</b>
Attached Wall	Residential Identification Sign	1 per premise	12 sq. ft.	6 sq. ft.		
	Non-residential	1 per premise	6 sq. ft.	3 sq. ft.		(e)(f)
Attached Wall	Home Occupation/ Family Daycare	1 per lot	300 sq. in.	150 sq. in.		All signs must be approved by P&Z Board (e)

<b>A, B, C, and T</b>						
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Area per Face</b>	<b>Max. Height and Length</b>	<b>Notes</b>
Attached Wall	Residential Identification Sign	1 per premise	12 sq. ft.	6 sq. ft.	5 ft.	
Attached Wall, Freestanding	Residential Complex Identification	1 per primary street access	32 sq. ft.	16 sq. ft.	6 ft.	(e)
Attached Wall	Home Occupation	1 per lot	300 sq. in.	150 sq. in.		All signs within an "A Residential Zone" must be approved by P&Z Board (e)
Freestanding	Construction	2 per premise	64 sq. ft.	32 sq. ft.	6 ft.	(e)
	Nonresidential	1 per premise	6 sq. ft.			(e)
Attached Wall	Group Day Care Home, Group Day Care Centers, Preschools, and Group Homes	1 per lot	32 sq. ft.	16 sq. ft.		All signs must be approved by P&Z Board (e)

<b>F-1/F-2 Mobile Home/Mobile Home Park</b>						
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Area per Face</b>	<b>Max. Height and Length</b>	<b>Notes</b>
Freestanding	Identification	2 per Mobile Home Park	32 sq. ft. per entrance of Mobile Home Park	16 sq. ft.	6 ft.	(e)
	Nonresidential	1 per premise	6 sq. ft.			(e)
Attached Wall	Home Occupation	1 per lot	300 sq. in.	150 sq. in.		All signs must be approved by P&Z Board (e)

All Sign Districts							
Sign Type	Sign Category	Max. Number	Max. Area by Lot	Area Zone	Max. Area per Face	Max. Height and Length	Notes
Freestanding Attached	Sponsor signs						Must be approved by City Council.
Freestanding	Real Estate	1 sign per platted subdivision or property entrance. Max. of 2	32 sq. ft.		16 sq. ft.	6 ft.	
Freestanding	Subdivision Signs	1 sign per platted subdivision or property entrance. Max. of 2	48 sq. ft.		24 sq. ft.	6 ft.	(e)(f)(i)
	Golf Course/ Recreational Facilities	All signage must be approved by P&Z Board.					
(a) No sign shall be attached to a building at a height above the third story unless the business which the sign advertises is located above the third story, in which case the sign may be on the same story as the business.							
(b) In no event shall a roof sign be permitted							
(c) In no case shall the height of a freestanding sign exceed twenty-five (25) feet.							
(d) Wall signs shall not extend above the roof line or be secured to the top of a parapet wall.							
(e) No Internal Illumination.							
(f) Illuminated sign will not be allowed in residential district unless authorized by Planning, Zoning and Adjustment Board.							
(h) Additional provision may apply in the zoning districts. See applicable district provisions							
(i) Cannot be placed within an utility easement or Right-of-Way							

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

PASSED ON FIRST READING: \_\_\_\_\_ May 3 \_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_\_ May 17 \_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
 Mayor

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

**ORDINANCE NO. 2011- 10**

**AN ORDINANCE AMENDING SECTION 10-15-9 OF THE CITY OF CODY MUNICIPAL CODE BY DESIGNATING COMMERCIAL SIGN DISTRICTS**

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

Section 10-15-9 SHALL READ AS FOLLOWS:

**10-15-9: COMMERCIAL SIGN DISTRICTS**

**A. D-1 Limited Business Sign District**

1. D-1 Limited Business Sign District includes any parcel located within the incorporated City limits that is designated as a D-1 zone shown on the zoning map.
2. Use: No sign shall be erected or structurally altered, unless otherwise provide herein, except for one or more of the following uses:
  - a. Any sign allowed in the Downtown Business Sign District is permitted in D-1 Sign District.
  - b. See "Table Specific Regulations by Sign District" following this section.
3. Commercial Signs: All signs shall attach flush with the wall of the building.
4. Permitted Temporary / Seasonal Signs
  - a. A sign displayed on an interim, short-term basis. Examples include special business sales, new business openings, special events, and limited time sales or offers for goods, products, services, or facilities located on premise. A temporary sign is differentiated from a permanent sign in that a permanent sign is attached to a building or structure or affixed in the ground. A temporary sign is mobile and freestanding. A temporary use shall not be displayed for more than one-hundred and twenty (120) consecutive days. Any electrical temporary sign shall comply with all city electrical codes.
5. Banners
  - a. Periodic Display of Banners and Advertising Flags: Banners and Advertising Flags are permitted subject to these regulations.
    - (1) Banners must be displayed as a wall sign or attached to railings, and must be securely fastened so that it may not be blown down, in whole or in part. Any other location for display of a banner or advertising flag must be approved through the Planning, Zoning, and Adjustment Board.
    - (2) Advertising Flags must be securely fastened.
    - (3) Banners and Advertising Flags must be of professional quality construction and appearance pursuant to the definition in Section 10-15-3 of this Chapter.

- (4) If the banner/advertising flag becomes damaged or detached, the banner or flag must be removed or repaired within forty-eight (48) hours.
- (5) Banners shall be subject to the time limits for temporary/seasonal signs described above.

B. D-2 General Business Sign District

1. D-2 General Business Sign District includes any parcel located within the incorporated City limits that is designated as a D-2 zone shown on the zoning map, except for signage located within the Downtown Business Sign District.
2. Use: No sign shall be erected or structurally altered, unless otherwise provide herein, except for one or more of the following uses:
  - a. Any sign allowed in the Downtown Business Sign District and the D-1 sign district is permitted in a D-2 Sign District.
  - b. Inflatable Signs:

Where allowed, individual businesses may use inflatable signs. Inflatable signs may be singular or multiple, tethered or ground mounted provided that the total aggregated square footage does not exceed one hundred and fifty (150) square feet. No individual inflatable sign shall exceed twenty (20) feet in length. For the purpose of calculating total square footage of inflatable signs, the calculation shall be based on the length and width measurement of a cross-section through the center of the inflatable sign. Inflatable signs may not be used for off-premise advertising. Businesses seeking to use inflatable signs must provide design and construction details to demonstrate compliance with City wind load requirements, how the electricity will be supplied to the inflatable, and to demonstrate that anchoring mechanisms will not present a danger to the public. All permits for inflatable signs will provide a site plan showing existing structures, power poles, trees, street and pedestrian paths, and all other features which may be impacted by the inflatable.

    - (1) Tethered, inflatable sign: the maximum altitude at which a tethered inflatable sign can be flown is twenty (20) feet, as measured from the ground immediately beneath the anchor point to the point of connection at the top of the tethered inflatable sign. No tethered inflatable sign can be flown or anchored in any manner that presents a safety hazard or otherwise endangers the public. No minimum setback from property line is required for the anchor point; however no portion of the tether or the inflatable sign shall be allowed to encroach onto the right of way of streets and pedestrian pathway, and on the air space of adjoining public or private property lines.

- (2) Ground mounted, inflatable signs: the maximum height of a ground anchored inflatable sign shall be twenty (20) feet. The sign shall be located at least ten (10) feet from all property lines and ten (10) feet from a driveway or parking area access lane. On a corner lot, no signs shall be located within the required site triangle. All wires shall be within the property lines. No minimum setback from property lines is required for the anchor point; however no portion of the tether or the inflatable sign shall encroach onto the right of way of streets and pedestrian pathways, and on the air space of adjoining public or private property lines.

C. D-3 Open Business/Light Industrial, D-4 High Tech/Data Processing/Light Manufacturing, and E Industrial Sign Districts

1. D-3 Open Business/Light Industrial, D-4 High Tech/Data Processing/Light Manufacturing, and E Industrial Sign Districts include any parcel located within the incorporated City limits that is designated D-3, D-4, and E zone as shown on the zoning map.
2. Use: No sign shall be erected or structurally altered, unless otherwise provide herein, except for one or more of the following uses:
  - a. Any sign allowed in D-2 General Business Sign District is permitted in D-3 Open Business/Light Industrial, D-4 High Tech/Data Processing/Light Manufacturing, and E Industrial Sign Districts.
  - b. Billboards: Billboards as defined in Section 10-15-2(b) are allowed within the corporate limits of the City subject to the following conditions and requirements being met:
    - (1) Billboards shall not be allowed, except in D-3, and E Sign Districts, unless erected by the City for the purpose of directing the public to and/or identifying the Cody downtown business area.
    - (2) Billboards shall not be allowed within one thousand (1,000) feet of the following intersections: Big Horn Avenue and 16th Street; 17th Street and Sheridan Avenue; 8th Street and Yellowstone Avenue; Yellowstone and West Yellowstone Avenues and South Fork Road.
    - (3) All Billboard Permit applications shall be accompanied by a legal lease between the property owner and the billboard company. The lease shall address the removal of the billboard (both the sign itself and the support structure for the billboard) at the termination of the lease. A copy of all updates or renewals of the lease must be given to the City for their files. Billboard permit applications must also be accompanied by a bond suitable in value to cover the removal of all portions of the sign (the sign itself and the support structure) at the end of the lease.

- (4) Illumination of billboards shall be provided by shielded lights anchored at the bottom of the sign and directed at the face of the sign without spilling off the sign.
- (5) See "Table Specific Regulations by Zone" following this chapter for Billboard size requirements.

#### D. Planned Unit Development Sign District

1. Planned Unit Development Sign District includes any parcel located within the incorporated City limits that is designated as a Planned Unit Development zone shown on the zoning map, except for signage located within the Downtown Business Sign District.
2. A Planned Unit Development (P.U.D.) Sign District is developed as a single entity under a plan which may provide a variety of land uses, housing types and densities, and which provides design characteristics in addition to those ordinarily allowed by right or condition in the zoning district in which it is located. It is intended that each P.U.D. will be a separate development, having different design characteristics for the uses and improvements, based upon a particular site situation. Commercial establishments within planned unit developments where the underlying zoning is residential shall be permitted signage as if the lot were in D-2 General Business Sign District.
3. All signage will be approved through the Planned Unit Development Process.

#### E. Downtown Business Sign District

The Downtown Business Sign District is located one-half (1/2) Block North of Sheridan Avenue up to and including the alley between Sheridan and Rumsey and a one-half (1/2) Block South of Sheridan Avenue up to and including the alley between Sheridan and Beck Avenue, and from the east side of 9th Street (including those lots and buildings on the east side of 9<sup>th</sup> street), to the west side of 16th Street (including those lots and buildings on the west side of 16<sup>th</sup> Street).

1. No sign shall be erected or structurally altered, unless otherwise provide herein, except for one or more of the following uses:
2. Any sign allowed in D-1 Limited Business is permitted in the Downtown Business Sign District.
  - a. Allowable Increase in Area: The Planning, Zoning and Adjustment Board may allow an increase in the sign area up to one hundred percent (100%) in such instances where there are two (2) separate business entrances not visible from one location or when the multiple use facility is accessible from (2) two or more streets. No more than one (1) sign per business may be visible on any building from any one location. This provision applies to all signs unless specifically excluded elsewhere in this Code.

#### F. Hospitals and Urgent Care Clinics

The Hospitals and Urgent Care Clinics are unique in nature and require

separate signage within the city. There is a need for flexibility for these facilities due to the services these facilities provide. The intent of this section is to have clear and visible signage for the health and safety of the community. Regardless of which zoning district hospitals and urgent care clinics are located, such uses shall be permitted the following signs:

1. Emergency and Trauma center signs shall not require a permit.
2. The areas of the facility that face or are next to a residential neighborhood will not be allowed to have illuminated signage. Areas that are facing or within a commercial district will be allowed to have illuminated signage.
3. All signage will be approved through the Planning, Zoning and Adjustment Board.

**G. Churches, Museums, & Libraries Sign Districts**

Regardless of the sign district in which a church, museum, public library or fraternal organization is located, such uses shall be permitted the following signs:

1. Illuminated Signage will be allowed but with conditions as follows:
  - a. The signage can only be illuminated during night time functions, and the lights cannot be direct as to flood on to residential property if facility is next to a residential neighborhood.
  - b. All illuminated signs for churches, museums, school and fraternal organizations shall be approved by the Planning, Zoning and Adjustment Board.

**Table Inset for the type of signs permitted, the number of signs allowed, placement, area and use of signs within Commercial Sign Districts:**

TABLE SPECIFIC REGULATIONS BY SIGN DISTRICT							
COMMERCIAL SIGN DISTRICTS							
D-1 Limited Business Sign District							
Sign Type	Category Permitted	Max. Number	Max. Area per Face	Max. Area by Zone Lot	Max. Height and Length	Max. Length	Notes
Freestanding	Identification	1 per street frontage, 1 max.	32 sq. ft.	50 sq. ft.	10 ft.		(c)(e)(e)(f)(k)
Attached Wall	Business	Attached: 1 per face of storefront, 1 per street frontage, not to exceed 2 signs per establishment max.	32 sq. ft.	32 sq. ft.			(a)(b)(d)(e)(f)(g)(j)(k)
Marquee Projecting Signs Awning Suspended		Max. 2 additional hanging panels per projecting sign.	32 sq. ft.	32 sq. ft.	Projecting Signs shall be not less than 8 feet from travel way to the bottom of sign and the edge of the sign shall be at least 2 feet back from curb.		(e)(f)(g)

Freestanding	Construction	1 per premise		32 sq. ft.	6 ft.		(e)(f)(g)
Real Estate	Temporary Sign	1 per street frontage	16 sq. ft.	6 sq. ft. for residential lots, 32 sq. ft. for subdivision	6 ft.		Must be placed on the property. (i)
Temporary Signs/Banners	Temporary Sign		32 sq. ft.				
Inflatable	Temporary Sign						Not allowed within this District

<b>D-2 General Business Sign District</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>
Freestanding	Identification		300 sq. ft.	600 sq. ft.	25 ft.		(g)(h)
Attached Wall	Business		150 sq. ft.	300 sq. ft.			
Marquee Projecting Signs Awning Suspended			25 sq. ft.	50 sq. ft.	Projecting Signs shall be not less than 8 feet from travel way to the bottom of sign and the edge of the sign shall be at least 2 feet back from curb.		(a)(b)(d)(g)(k)
Attached Wall	Residential Identification Sign	Attached: 1 per each dwelling		1 sq. ft.	5 ft.		
Attached Wall, Freestanding	Residential Complex Identification	Attached: 2 per face of building, 1 per entrance into complex, not to exceed 4 signs per establishment max.		32 sq. ft.	18 ft.		Residential Development (h)
Freestanding	Construction		32 sq. ft.	64 sq. ft.	10 ft.		
	Joint Directory		40 sq. ft.	80 sq. ft. max.	8 ft.		For 3 or more businesses will have to put together a Master Sign Program
Real Estate	Temporary Sign	1 per street frontage	16 sq. ft.	6 sq. ft. for residential lots, 32 sq. ft. for subdivision	6 ft.		Must be placed on the property. (i)
	Non-residential			6 sq. ft.			
Temporary Signs/Banners	Temporary Sign		32 sq. ft.				
Inflatable/Flags	Temporary Sign			150 sq. ft.	20 ft.		See Section 10-15-8-III (c)(1)(i)(ii) for specific regulations (h)

<b>D-3 Open Business/Light Industrial, D-4 High Tech/Data Processing/Light Manufacturing, and E Industrial Sign Districts</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>

Freestanding	Identification		300 sq. ft.	600 sq. ft.	25 ft.		(h)
Attached Wall	Business		150 sq. ft.	300 sq. ft.			
Marquee Projecting Signs Awning Suspended			25 sq. ft.	50 sq. ft.	25 ft. Clear 8 ft. above grade.		(a)(b)(d)(g)(k)
	Joint Directory	2 per project, group of businesses, or shopping center	40 sq. ft.	80 sq. ft.	8 ft.		For 3 or more businesses will have to put together a Master Sign Program
	Billboards		300 sq. ft.	600 sq. ft.	25 ft. in height is maximum, the bottom may not be less than 10' from the ground	60 ft in length max.,	Spacing shall be at least 1000 feet apart from any other billboard on the same side of the street. Billboards will not be allowed in a D-4 Zoning District (h)
Temporary Signs/Banners	Temporary Sign		32 sq. ft.				
Real Estate	Temporary Sign	1 per street frontage	16 sq. ft.	6 sq. ft. for residential lots, 32 sq. ft. for subdivision	6 ft.		Must be placed on the property. (i)
Inflatable/ Flags	Temporary Sign			150 sq. ft.	20 ft.		See Section 10-15-8-III (c)(1)(i)(ii) for specific regulations (h)
Freestanding	Construction		32 sq. ft.	64 sq. ft.	10 ft.		

<b>P.U.D. Planned Unit Development Sign District</b>						
<b>All SIGNS IN A PLANNED UNIT DEVELOPMENT WILL BE DONE THROUGH THE PLANNED UNIT DEVELOPMENT PROCESS</b>						
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Area per Face</b>	<b>Max. Height and Length</b>	<b>Notes</b>
Freestanding	Temporary Construction	2 per zone lot or subdivision.	96 sq. ft. max. for 2 street frontages	48 sq. ft.	6 ft.	

<b>Downtown Business Sign District</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>
Freestanding	Identification	1 per premise	240 sq. ft.	480 sq. ft.	25 ft.		(g)
Attached Wall	Business	Attached: 1 per face of store front, 1 per street frontage, not to exceed 2 signs per establishment max.	1.5 x the lineal feet of frontage	1.5 x the lineal feet of frontage			(a)(b)(d)(g)(j)(k)
Marquee Projecting Signs Awning Suspended		Max. 2 additional hanging panels per projecting sign.	25 sq. ft.	50 sq. ft.	Projecting Signs shall be not less than 8 feet from travel way to the bottom of sign and the edge of the sign shall be at least 2 feet back from curb.		(a)(b)(d)(g) may include a max. of (2) two additional suspended signs per projecting sign.
Banners	Temporary Sign		32 sq. ft. per sign face				

Construction Signs	Temporary Sign	1 per premise		32 sq. ft. Max	6 ft.		
Real Estate	Temporary Sign	1 per street frontage	16 sq. ft.	6 sq. ft. for residential lots, 32 sq. ft. for subdivision	6 ft.		Must be placed on the property. (i)
Inflatable	Temporary Sign						Not allowed within this district.

<b>E Zoning District</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>
Freestanding	Identification		550 sq. ft.	700 sq. ft.	25 ft.		(h)
Attached Wall	Business		150 sq. ft.	300 sq. ft.			
Marquee Projecting Signs Awning Suspended			25 sq. ft.	50 sq. ft.	25 ft. Clear 8 ft. above grade.		(a)(b)(d)(g)(k)
	Joint Directory	2 per project, group of businesses, or shopping center	40 sq. ft.	80 sq. ft.	8 ft.		For 3 or more businesses will have to put together a Master Sign Program
Temporary Signs/Banners	Temporary Sign		32 sq. ft.				
Inflatable/Flags	Temporary Sign			150 sq. ft.	20 ft.		See Section 10-15-8-III (c)(1)(i)(ii) for specific regulations (h)
	Billboards		300 sq. ft.	600 sq. ft.	25 ft. in height is max. the bottom may not be less than 10' from the ground	60 ft in length max.	Spacing shall be at least 1000 feet apart from any other billboard on the same side of the street. Billboards will not be allowed in a D-4 Zoning District (h)
Freestanding	Construction		32 sq. ft.	64 sq. ft.	10 ft.		
Real Estate	Temporary Sign	1 per street frontage	16 sq. ft.	6 sq. ft. for residential lots, 32 sq. ft. for subdivision	6 ft.		Must be placed on the property. (i)

<b>Hospital-Urgent Care Clinics</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>
Attached Wall	Identification						All Signage must be approved through P&Z Board
Freestanding (Monument)	Identification						All Signage must be approved through P&Z Board
Marquee Projecting Signs Awning Suspended							All Signage must be approved through P&Z Board

<b>Churches, Museums, &amp; Libraries</b>							
<b>Sign Type</b>	<b>Category Permitted</b>	<b>Max. Number</b>	<b>Max. Area per Face</b>	<b>Max. Area by Zone Lot</b>	<b>Max. Height and Length</b>	<b>Max. Length</b>	<b>Notes</b>
Attached Wall	Identification						All Signage must be approved through P&Z Board.

Freestanding (Monument)	Identification						All Signage must be approved through P&Z Board.
Bulletin							All Signage must be approved through P&Z Board.

All Zones							
Freestanding Attached	Sponsor Signs	no limit	no limit	no limit	no limit		Must be approved by City Council.
Freestanding	Real Estate	1 per platted subdivision or property entrance.	16 sq. ft.	32 sq. ft.	6 ft.		(f)(e)(g)(l)
(a) No sign shall be attached to a building at a height above the third story unless the business which the sign advertises is located above the third story, in which case the sign may be on the same story as the business.							
(b) In no event shall a roof sign be permitted							
(c) In no case shall the height of a freestanding sign exceed twenty-five (25) feet.							
(d) Wall signs shall not extend above the roof line or be secured to the top of a parapet wall.							
(e) No Internal Illumination.							
(f) Illuminated sign will not be allowed in residential district unless authorized by Planning, Zoning and Adjustment Board.							
(g) All signs must be permitted by WYDOT except all City side streets.							
(h) Signs located within the Airport Overlay Zone will need to meet with the Airport Board for height restrictions.							
(i) Cannot be placed within an utility easement or Right-of-Way							
(j) Multiple Tenant Buildings. The total permitted attached sign area shall be allocated to tenants based on the building frontage of each individual tenant.							
(k) Additional provision may apply in the zoning districts. See applicable district provisions							
(l) An on-premises freestanding sign is permitted only at a primary entrance, with a minimum separation of two hundred (200) feet between any two (2) permitted on-premise signs on the lot.							

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

PASSED ON FIRST READING: \_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING AS AMENDED: \_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
 Mayor

\_\_\_\_\_  
**Cynthia Baker**  
 Acting Administrative Services  
 Director

**ORDINANCE NO. 2011- 11**

**AN ORDINANCE AMENDING SECTION 10-15-10 OF THE SIGN CODE FOR THE CITY OF CODY MUNICIPAL CODE BY PROVIDING DEFINITION FOR ILLEGAL, NON-CONFORMING AND ABANDONED SIGNS**

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

Section 10-15-10 SHALL READ AS FOLLOWS:

**10-15-10: ILLEGAL, NONCONFORMING AND ABANDONED SIGNS**

A. General: In order to achieve the general purposes and objectives of this Code as specified in Section 10-15-1, it is necessary to provide for the removal of signs which are illegal, nonconforming and abandoned. The following subsections detail the method of correction and/or disposition required.

B. Illegal Signs; Disposition: Any illegal sign shall be removed from the premise upon which it is located within thirty (30) days of delivery of a written notice of violation, and shall not be installed on the premises or elsewhere in the City until a sign plan review has been approved and a building permit is issued. The written notice shall be delivered:

1. In person to either the property owner or occupant of the property where the sign is located; or
2. By certified mail, return receipt requested to either the owner or occupant of the property where the sign is located; or
3. By leaving a copy of the notice with an individual over the age of 18 at the property where the sign is located, or at the residence or regular place of business of the owner or person in possession of the premises.
4. If property is unoccupied and the owner cannot with reasonable diligence be ascertained or located, then the planning department shall cause a copy of the notice to be published in a newspaper of general circulation in the city, once a week for three consecutive weeks, and shall further cause a copy of the aforesaid notice to be posted on the property.

The written notice shall contain the physical address or legal description of the property where the sign is located; a description of the violation or violations, including reference to the applicable sections of the City Code; and shall state that failure to remove or correct the sign or signs within thirty (30) days may result in removal of the sign or signs by the City at the expense of the property owner and / or occupant, and may also result in a citation to municipal court and a fine not to exceed \$750.

C. Nonconforming Signs:

1. Pre-existing Signs: Signs already in existence and displayed prior to July 1, 2011 and which do not conform to the regulations prescribed herein may be allowed to remain so long as they are maintained and repaired pursuant to Section 10-15-3(a)(3). Such signs may be modified, repaired and maintained so long as modifications, repairs or maintenance do not increase the degree of non-conformance.
2. When fifty (50) percent or more of a nonconforming sign is repaired, repainted, replaced or altered such repairs shall be made to conform to the requirements of this code at the time of such alteration or repair, and the property owner or person displaying such sign shall apply for a sign permit.
3. A permit to replace a sign shall not be required if a pre-existing sign (as defined herein) suffers substantial which requires the complete replacement of the sign, and such damage is due to an act of God, or other unforeseeable acts not the fault of the property owner or the person displaying the sign.

D. Abandoned Signs; Disposition: Abandoned signs shall be removed by the owner of the premise on which the sign is located. Upon failure of the owner to remove an abandoned sign, the Planning Department or Building Official shall proceed as described in Section 10-15-11 of this Code.

E. Dangerous or Defective Signs; Disposition: Any dangerous or defective sign shall be repaired or removed by the owner of the premise or the owner of the sign. Upon failure of the owners to repair or remove a dangerous or defective sign, the Planning Department or Building Official shall proceed as described in Section 10-15-11 of this Code.

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

PASSED ON FIRST READING: \_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

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**Nancy Tia Brown**  
Mayor

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**Cynthia Baker**  
Administrative Services Director

**ORDINANCE NO. 2011- 12**

**AN ORDINANCE AMENDING SECTION 10-15-11 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING FOR REMOVAL OF SIGNS**

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

Section 10-15-11 SHALL READ AS FOLLOWS:

10-15-11: REMOVAL OF SIGNS

A. General:

1. Any illegal, nonconforming, abandoned, dangerous or defective sign which is not removed from the premise by the sign owner, user, and property owner shall be subject to removal by the City in accordance with the provisions and procedures detailed in this subsection. Any person who fails to comply with the provisions of this section shall be guilty of a misdemeanor and shall be subject to the penalties set forth in Section 1-4-1 of the Cody City Code.
2. Removal by the City:
  - a. Upon failure of the sign owner, user, or property owner to comply with a written notice to remove a sign, the Planning Department or Building Official is hereby authorized to cause such illegal, nonconforming, abandoned, dangerous, or materially, electrically or structurally defective sign to be removed.
  - b. Any time periods provided in this section shall be deemed to commence the date the notice is delivered or if by publication, then from the date of last publication.
  - c. Notwithstanding the above, in cases of emergency, the City Administrator may cause the immediate removal of a dangerous or defective sign without notice.
3. Disposal of Signs – Costs:
  - a. Any sign removed by the City pursuant to the provisions of this section shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of the removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and the owner of the premise, and may be recovered in an appropriate court action by the City. The cost of removal shall include any and all incidental expenses incurred by the City in connection with the sign's removal.
  - b. If it shall be necessary for the City to remove a sign pursuant to the provisions hereof, and it should be practicable to sell or salvage any material derived in the aforesaid removal, the City

may sell the same at private or public sale at the best price obtainable and shall keep an accounting of the proceeds thereof. Such proceeds, if any, shall be used to offset the costs of removal to be charged to the sign owner or property owner and shall be the responsibility of the sign owner or property owner. Should the proceeds exceed the costs, the excess shall be paid to the owner of the premise from which the sign is removed, or to the owner of said sign, whenever claim therefore is established.

4. Failure to Remove:

Failure to remove any illegal, nonconforming, abandoned, dangerous or defective sign and subsequent failure by the Planning Department or Building Official to give notice to the business/user/property owner of the provisions of this section, shall not be deemed or constitute a waiver of any violations of this Code, nor shall such an action be deemed to constitute a determination that any such sign is legal, in conformity with this Code, or to be given any special status.

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

PASSED ON FIRST READING: \_\_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

\_\_\_\_\_  
**Cynthia Baker**  
Acting Administrative Services  
Director

**ORDINANCE NO. 2011- 13**

**AN ORDINANCE AMENDING SECTION 10-15-12 OF THE CITY OF CODY MUNICIPAL CODE BY PROVIDING PROCEDURE FOR REVIEW AND APPEAL REGARDING CITY OF CODY SIGN CODE**

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

Section 10-15-12 SHALL READ AS FOLLOWS:

10-15-12: REVIEW AND APPEAL AUTHORITY

- A. Interpretation of sign regulations: When it is required that an interpretation be given to the standards and regulations specified in this code, said interpretation shall be made by the Planning, Zoning and Adjustment Board, and shall remain final unless appealed to and over-ruled by the City Council.
- B. Deviation, waiver, or vary from the sign code: When an applicant wants to deviate or vary from the standards contained in this Code, the applicant shall apply for a Special Exemption pursuant to 10-14-2 of the Cody City Code.

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

PASSED ON FIRST READING: \_\_\_\_\_ May 3 \_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_\_ May 17 \_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

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

**ORDINANCE NO. 2011- 14**

**AN ORDINANCE AMENDING SECTION 10-15-13 OF THE CITY OF CODY MUNICIPAL CODE PROVIDING FOR PENALTIES FOR VIOLATION OF THE SIGN CODE**

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

Section 10-15-13 shall read as follows:

**10-15-13: PENALTIES**

- A. Violation Unlawful: The violation of or failure to comply with any of the provisions of this chapter or the erection, use or display of any sign not in compliance with all the terms and provisions of this chapter shall be declared to be a misdemeanor, punishable in the City of Cody Municipal Court by a fine not to exceed \$750.
- B. Revocation of Permit: Failure to abide by and faithfully comply with any and all terms and conditions that may be attached to the granting of any sign permit pursuant to the provisions of this chapter, or failure to abide by the terms and provisions of this code, shall constitute grounds for the revocation of the permit by the City Planner or Building Official.

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

PASSED ON FIRST READING: \_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

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

**ORDINANCE NO. 2011- 15**

**AN ORDINANCE REPEALING SECTION 10-15-14 OF THE  
CITY OF CODY MUNICIPAL CODE**

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

Section 10-15-14 IS REPEALED in its entirety, and this section shall be reserved for future use 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: \_\_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

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

**ORDINANCE NO. 2011- 16**

**AN ORDINANCE REPEALING SECTION 10-15-15 OF THE CITY OF CODY MUNICIPAL CODE**

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

Section 10-15-15 IS REPEALED in its entirety, and this section shall be reserved for future use 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: \_\_\_\_\_May 3\_\_\_\_\_, 2011

PASSED ON SECOND READING: \_\_\_\_\_May 17\_\_\_\_\_, 2011

PASSED ON THIRD READING: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
**Nancy Tia Brown**  
Mayor

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