

City of Cody
Council Proceedings
Tuesday, June 4, 2013

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, June 4, 2013 at 7:00 p.m.

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

Absent: None

Mayor Brown called the meeting to order at 7:02 p.m.

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

Mayor Brown read the proclamation declaring the week of June 10-14, 2013 as Field of Honor Week.

Council Member Miller made a motion seconded by Council Member Fritz to approve the consent agenda as presented including: Minutes of the Special Meetings from 5/16/13, 5/22/13 and 5/23/13 and Regular Meeting Minutes from 5/21/13; approve the Stampede Parades on the 2nd, 3rd and 4th of July, sponsor the \$100 permit fee per parade, sponsor other associated staffing and equipment cost in the amount of \$19,348.78 to be funded out of the Lodging Tax fund and require the Stampede Parade Committee to provide proof of insurance for all three parades; approve a request from Doug Nordberg and the Downtown Merchants to close the 1100, 1200 and 1300 blocks of Sheridan Avenue on Thursday, September 19, 2013 from 2 p.m. to 9 p.m. for the 5th annual Boot Scoot'n Boogie Main Street Event, approve an Open Container permit for the event, and approve sponsoring cost in the amount of \$1,832.70 from the Lodging Tax Fund for cost associated with staff and equipment to provide traffic control, barricades, closure signage, detour routing and initiate the tow process of vehicles if necessary; authorize the Mayor to sign the BLM Right-of-Way grant renewal form and authorize Stephen Payne, PE as the authorized agent for the application; declare equipment as surplus and authorize staff to proceed with the auction process for sale of such equipment; award Quote 2013-07 - Fuel to Brad Hall and Associates; approve the 5th Annual Run for Hope sponsored by the Cody Soroptimist Club to be held on Saturday, October 5, 2013 at 10:00 a.m., authorize the Cody Police Department to assist with traffic control during the event, and require proof of insurance; approve the Preliminary Plat for the Kamm Simple Subdivision, a one-lot simple subdivision located at the north end of North 37th Street, about ¼ mile north of Cooper Lane; award Bid No. 2013-06 to Harris Trucking and Construction in the amount \$545,292 of for the 16th Street Storm Drain Improvements and authorize the Mayor to enter into and sign an agreement between Harris Trucking and Construction and the City of Cody. Vote was unanimous.

At 7:12 pm Mayor Brown began the public hearing to determine if it is in the public interest to issue an unassigned Bar and Grill Liquor License to one of two applicants who have applied for the City's unissued license. Leonard Moore provided information as it pertains to the Pat O'Hara Brewing Company application. Scott Kolpitzke, City Attorney reviewed the State Statutes in regard to the criteria of denial of this license. Jim Spain, Stu Allen, Christy Livingston, Steve Wood and Charles Cloud spoke in favor of this application and Paul Lanchbury provided general comments. Brad Constantine, Gary Johnston and Rich Peterson provided information as it pertains to the Millstone Pizza LLC application. Rick Cook, Jay Blough, Howard Thompson and Jake Fulkerson spoke in favor of this application and Christy Livingstone provided general comments and concerns.

After calling for public comments three times and there being none further, Mayor Brown closed the public hearing at 8:50 pm.

Council Member Wolz made a motion seconded by Council Member Anderson to issue the City's unissued bar and grill license to Millstone Pizza LLC contingent upon approval of the site plan and no accompanying variances for parking. Voting in favor were Council Members Anderson, Miller, Wolz and Mayor Brown. Opposed were Council Members Greer, Fritz and Edwards. Motion passed.

Council Member Miller made a motion seconded by Council Member Edwards to approve a request from the Nature Conservancy for an open container permit and authorize the sale of

beer at the 1st Annual Cody Wild West River Fest on Saturday, August 24th from 1 pm to 8 pm in City Park. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Anderson to approve the request from Shoshone Municipal Pipeline for the City Street Crew to chip seal SMP's parking lot and entry road with recommendations outlined by staff and authorize the Mayor to enter into and sign an agreement between SMP contingent upon review and approval by the City Attorney. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Wolz to approve vouchers and payroll in the amount of \$394,536.64. Council Member Greer recused himself from the vote. Voting in favor were Council Members Anderson, Miller, Fritz, Edwards, Wolz and Mayor Brown. Motion passed.

**ORDINANCE 2013-10 – THIRD AND FINAL READING, AS AMENDED
AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, ARTICLE II, SECTION 14
OF THE CITY OF CODY CODE: LICENSE FEES.**

Council Member Wolz made a motion seconded by Council Member Greer to approve Ordinance 2013-10 on Third and Final Reading, as Amended. Vote was unanimous.

**ORDINANCE 2013-11 – THIRD AND FINAL READING
AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, ARTICLE II, SECTION
14(D) OF THE CITY OF CODY CODE PERTAINING TO RESTAURANT LIQUOR
LICENSE FEES.**

Council Member Miller made a motion seconded by Council Member Anderson to approve Ordinance 2013-11 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2013-12 – THIRD AND FINAL READING
AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, ARTICLE I, SECTION 8 OF
THE CITY OF CODY CODE: OPEN CONTAINERS IN PUBLIC STREETS,
SCHOOL GROUNDS, PARKS, ETC.**

Council Member Fritz made a motion seconded by Council Member Greer to approve Ordinance 2013-12 on Third and Final Reading. Vote was unanimous.

**ORDINANCE 2013-13 – SECOND READING
AN ORDINANCE AMENDING TITLE 8, CHAPTER 3, ARTICLES I and II OF THE
CODY CITY CODE PERTAINING TO SEWERS AND SEWAGE DISPOSAL.**

Council Member Fritz made a motion seconded by Council Member Greer to approve Ordinance 2013-13 on Second Reading. Vote was unanimous.

**ORDINANCE 2013-14 – SECOND READING
AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF MONEY FOR
THE MAINTENANCE OF THE CITY OF CODY, WYOMING FOR THE FISCAL YEAR
ENDING JUNE 30, 2014.**

Council Member Fritz made a motion seconded by Council Member Greer to approve Ordinance 2013-14 on Second Reading. Vote was unanimous.

**ORDINANCE 2013-15 – SECOND READING
AN ORDINANCE PROVIDING FOR THE AMOUNT OF TAX LEVY FOR THE CITY OF
CODY, WYOMING FOR THE FISCAL YEAR ENDING JUNE 30, 2014.**

Council Member Miller made a motion seconded by Council Member Anderson to approve Ordinance 2013-15 on Second Reading. Vote was unanimous.

Council Member Edwards made a motion seconded by Council Member Fritz to remove from the tabled items and enter into the conduct of business for consideration the request from the Kefar Shrine Club to close the Visitor Center parking lot May 22 through September 15, 2013, seven days a week from 6:00 p.m. to 10:00 p.m. to provide trackless train rides, contingent upon providing insurance, and other recommendations outlined by staff. Vote was unanimous.

Mayor Brown called for a motion on this item. As there was no motion, no action was taken.

Mayor Brown called for a motion to remove Ordinances 2013-05, 2013-06, 2013-07 and 2013-08 from Tabled Items. As there was no motion, no action was taken.

There being no further business, Mayor Brown adjourned the meeting at 9:50 pm

Cindy Baker
Administrative Services Officer

Nancy Tia Brown
Mayor

Name	Description	Amount
A & I DISTRIBUTORS	INVENTORY	703.23
ACE HARDWARE	SUPPLIES	518.45
ADVANCED INFO SYSTEMS	OUTSOURCE BILLS	818.55
ALBERTSONS	REC CENTER	36.94
ALSCO	RUGS & TOWELS	197.24
AMERICAN WELDING & GAS, INC.	SUPPLIES	287.86
ANDERSON MASONRY, LLC	REFUND ENCROACHMENT DEPOSIT	150.00
ASPEN PRACTICE P.C.	PRE-EMPLOYMENT EXAM	2266.25
ASPHALT ZIPPER INC	ZIPPER BITS	759.50
B & F WATER ASSOC.	REFUND CREDIT BALANCE	3.70
BIG HORN WHOLESALE	MATERIALS & SUPPLIES	1671.19
BLOEDORN LUMBER	SUPPLIES / TOOLS	203.65
BLUE & GOLD AWARDS	PITCH HIT RUN ENGRAVING	15.00
BOBCAT OF BIG HORN BASIN, INC.	BOBCAT - TRACKHOE RENTAL	1691.15
BOONE'S MACHINE SHOP	RATCHET STRAPS	96.84
BORDER STATES INDUSTRIES INC	SUBSTATION MAINTENANCE	244.80
BRUCO INC	MATERIAL & SUPPLIES	100.12
C & C WELDING	REPAIR LEISURE POOL MOTOR	409.72
CITY OF CODY	UTILITIES	37707.99
CODY WINNELSON COMPANY	FITTINGS	1030.34
COWAN CONSTRUCTION	SANITATION BUILDING PAY ESTIMATE #2	55829.70
CRUM ELECTRIC	SUPPLIES	745.20
DANSIE, MICHELLE	VOLLEYBALL REFEREE	37.50
DEPT OF FAMILY SERVICES	BACKGROUND CHECKS	80.00
EAGLE OF CODY PRINTING	MEMBERSHIP RENEWAL CARDS - REC CENTER	158.00
ECOLAB PEST ELIM. DIV.	PEST CONTROL	192.00
ELECTRICAL ALLY, INC.	SWAMP COOLER REPAIRS	50.00
ENERGY WEST	UTILITIES	610.66
EPOXY SYSTEMS	DECK REPAIR - POOL	2674.37
FASTENAL COMPANY 01WYCDY	SUPPLIES	88.99
FERGUSON WATERWORKS	INVENTORY	1379.09
FOOD SERVICE OF AMERICA	SUPPLIES	416.26
GDA ENGINEERS	WEST STRIP WATER MAIN PROJECT	15094.50
GENERATOR STARTER SHOP INC	STARTER REBUILD	231.60
GRAINGER	PULLEY FOR AUDITORIUM	9.72
HISER, PAMELA	VOLLEYBALL REFEREE	50.00
HOMAX OIL SALES, INC.	FUEL	429.59
I STATE TRUCK CENTER	PARTS	329.40
ICMA RETIREMENT-457-#303143	CONTRIBUTIONS	5892.42
JENSEN PLUMBING	REPAIRS	948.49
KB NELSON CONSTRUCTION	REFUND OVERPAYMENT	10.00
KENCO SECURITY & TECHNOLOGY	FIRE SYSTEM - REC CENTER	40.00
KING, DWAYNE MICHEAL	REFUND UTILITY DEPOSIT	42.67
LANNAN'S SUPPLY	MATERIAL & SUPPLIES	2748.60
LINCOLN COMMERCIAL POOL EQUIP	HOT TUB COVER	382.02
LIQUIVISION TECHNOLOGY INC	TANK CLEANING & INSPECTION	5175.00
MARTIN, KELLI	VOLLEYBALL REFEREE	112.50
MIDLAND IMPLEMENT CO	IRRIGATION REPAIRS	125.42
MIDWEST FENCE CO	BRACKET	3.00
NORCO, INC.	PARTS	262.77
NORTHWEST PIPE	FITTINGS	4580.53
OLSON, HANNA	REFUND UTILITY DEPOSIT	42.04
OPTIMUM	INTERNET	130.74
O'REILLY AUTOMOTIVE, INC.	LATE FEE	5.70
OWEN, DON	VOLLEYBALL REFEREE	312.50
PARK COUNTY PUBLIC HEALTH	HEP B VACCINE	30.00
PARK COUNTY WEED AND PEST	WEED CONTROL PARKS & OPEN SPACES	271.98

PARK SUPPLY OF AMERICA	PARTS	77.14
POTTER, JASON	REFUND CREDIT BALANCE	30.00
PRO-BUILD	SUPPLIES	30.62
QUALITY ASPHALT PAVING INC	ASPHALT PATCHING	3222.00
ROCKY MOUNTAIN POWER	UTILITIES	262.19
RON'S EXXON	PROPANE	33.17
S & S AUDIO - VIDEO INC	BATTERY	11.98
SAUNDERS, ROBERT	REC CENTER REFUND	252.00
SCHOENING, KRISTA	VOLLEYBALL REFEREE	87.50
SCHOENING, WILLIAM D	VOLLEYBALL REFEREE	112.50
SHERWIN-WILLIAMS COMPANY	PAINTING / STAINING SUPPLIES	5.78
SHOSHONE OFFICE SUPPLY	SUPPLIES	1022.81
SITZ III, ALEX H.	PROFESSIONAL FEES	27.00
STEWART'S MERCANTILE	MEETING EXPENSE	134.40
THE UPS STORE	EVIDENCE SHIPPING	18.68
TILGHMAN, BRITTNEY	REFUND UTILITY DEPOSIT	3.90
TORCZON, HEIDI	VOLLEYBALL REFEREE	50.00
TRIPLE L SALES	IRRIGATION REPAIRS	74.89
TWO TOUGH GUYS SERVICES, LLC	RECYCLE CENTER GLASS	160.00
US POSTMASTER	POSTAGE FOR UTILITY BILLING	3700.00
V-1 PROPANE	FORK LIFT PROPANE	27.05
VARNEY CLEAN CARE	CARPET CLEANING CITY HALL	1745.95
VON OTTO, ALEXANDRA	REFUND UTILITY DEPOSIT	65.19
WAL MART COMMUNITY BRC	SUPPLIES	981.15
WATCO POOLS	POOL CHEMICALS	1130.26
WEBSTER II, C. EDWARD	TRAVEL REIMBURSEMENT	575.07
WESCO DISTRIBUTION INC	INVENTORY	744.47
WEST PARK HOSPITAL	BLOOD DRAWS	305.80
WILD WEST CONSTRUCTION	ASPHALT LAY DOWN	7093.00
WIND RIVER TRENCHING, INC	OLIVE GLENN CABLE PROJECT	9355.50
WOMACK MACHINE SUPPLY CO.	HYD CARTRIDGE	37.00
WOODWARD TRACTOR CO	SHOP SUPPLIES	57.18
WYOMING ASSN OF MUNICIPALITIES	WAM CONVENTION	420.00
WYOMING HOME & RANCH	RAKE	24.99
WYOMING LAW ENFORCEMENT ACADEMY	TRAINING	250.00
WYOMING RURAL ELECTRIC ASSOC.	EDUCATION & TRAINING	68.00
WYOMING TECH TRANS CENTER	WORK ZONE CLASS	180.00
YANKEE CAR WASH	CAR WASHES	103.12
	TOTAL	180915.77