

AGENDA

Tuesday, October 4, 2011 - 7:00 p.m. (Pre-Meeting 6:30 p.m. in Conference Room A)  
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

- a. Introduction of new full-time employee Rayna Wortham, Police Officer
2. 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. Approve Minutes: Special Meeting Minutes from 9/15/11, and Regular Meeting Minutes from 9/20/11.
  - b. Approve vouchers and payroll in the amount of \$498,631.84.
  - c. Approve the closure of Sheridan Avenue from 10<sup>th</sup> to 14<sup>th</sup> Streets from 3:30 PM to 6:30 PM on Monday, October 31, 2011 for the annual Downtown Halloween Trick or Treating Event.
  - d. Approval for the Cody's Lion's Club to use the Bob Moore Parking Lot beginning Friday, November 19<sup>th</sup> through Sunday, November 20<sup>th</sup> for the Cody Lion's "Turkey Day" Event, allow permission to discharge firearms within the City limits on the 20<sup>th</sup>, and authorize banners to be erected at 8<sup>th</sup> Street and Lindsey Lane and on the Greybull Hill for the Month of November 2011 with the conditions outlined by staff.
3. 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.
4. Public Hearing
  - a. A Public Hearing to determine if it is in the public interest to grant a request for a new Winery Permit to Buffalo Jump Wines, LLC located at 2526 Mountain View Drive.
5. Conduct of Business
  - a. Consider approving a new Winery Permit to Buffalo Jump Wines, LLC located at 2526 Mountain View Drive.

Staff Reference: Cindy Baker, Administrative Services Officer  
Spokesperson: Scott Wagner, Buffalo Jump Wines, LLC

b. Consider approving the request from West Park Hospital to approve the use of a portion of Stock Drive for a Monument Sign that is 14'6" long and 12' high with conditions outlined by the Planning and Zoning Board.

Staff Reference: Steve Payne, Public Works Director  
Spokesperson : Doug McMillan, WPH

**c. RESOLUTION 2011-13**

**A RESOLUTION ADOPTING THE UPDATED PARK COUNTY MULTI-JURISTIDCATIONAL MUTLI-HAZARD MITIGATION PLAN**

Staff Reference: Steve Payne, Public Works Director

d. Consider approving an easement request by TCT to cross City of Cody lands to facilitate their fiber installation to be able to provide service to the 2AB area and authorizing the Mayor to sign the Easement after review and approval by the City Attorney and sign the easement without cost to TCT.

Staff Reference: Steve Payne, Public Works Director

5. Tabled Items

6. Matters from Staff Members or Council Members

*Upcoming Meetings:*

*Thursday, October 13, 2011 @ 4:15 p.m. – Work session*

*Tuesday, October 18,, 2011 @ 7 p.m. – Regular Meeting*

**City of Cody**  
**Council Proceedings**  
**Thursday, September 15, 2011**

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

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

Absent: Council Member Jerry Fritz

Mayor Brown called the meeting to order at 4:17 p.m.

The Governing Body discussed West Park Hospital's expansion of the Cathcart building and their request for the City's support in their application for the State Land and Investment Board grant. Doug McMillan, Ruth Manley, and Melissa Fraser provided background information on the current dialysis facilities and the need for the expansion. Staff was directed to proceed in including this as an action item for Tuesday, September 20<sup>th</sup> meeting.

Rick Manchester, Parks, Recreation & Facilities Director updated the Governing Body on the Beck Lake Dog Park and provided current cost estimates for the proposed feature. Rick mentioned he had been contacted by an Eagle Scout and the assistance the scouts will be providing on this project. Other discussion was on the volunteer group and the need of continued volunteers in the future to help maintain and clean the park. This group will also work on the rules, regulations and promotion of this park to visitors to our area. Staff was directed to proceed as presented.

Steve Miller, Council President, discussed the Fire District Training Center. The Fire District has requested expansion of the area for the training center. This would require a survey to identify the area. They would be connecting fences in some areas and would be constructing some new fences. Steve Payne, Public Works Director and Rick Manchester have been included in the conversation with the Fire District referencing City utilities, potential future trail system and future use. Staff was directed to create a one year renewable lease.

Jenni Rosencranse updated the Governing Body on FY 2010-2011 financial position. No action was taken.

The Governing Body review Agenda for the Tuesday, September 20<sup>th</sup> Regular Council meeting. No action was taken.

Staff updates, Steve Payne updated the Governing Body on the Cougar Avenue project and reported the raw water will be turned off on October 1<sup>st</sup>.

Cindy Baker, Administrative Services Officer reminded the Governing Body of the email interruption weekend.

Jenni Rosencranse, City Administrator, indicated she would be gone for the next two weeks and Steve Payne will be acting City Administrator the 1<sup>st</sup> week, and Rick Manchester the 2<sup>nd</sup> week. She also mentioned Rick Manchester, along with several of the Parks and Recreation supervisory staff will be at Evanston for Parks and Recreation WY Convention next week.

In Council updates, Steve Miller received a letter or resignation from the P& Z Board from Bill Neilson and recommended to the council not fill this vacancy at this time and hold off for the board opening process later this year effective January 2012. Council agreed with this recommendation.

Council Member Miller made a motion seconded by Anderson to enter in Executive Session - to discuss possible litigation and personnel matters pursuant to Wyoming State Statute 16-4-405 at 6:54 p.m. Vote was unanimous.

Council Member made a motion Miller seconded by Cloud to exit Executive Session at 7:22 p.m. Vote was unanimous.

Meeting Reminders: Tuesday, September 20, 2011 – Regular Council Meeting 7 p.m. City Council Chambers (pre-meeting at 6:30 p.m.), Thursday, September 29, 2011– Council Work session 4:15 p.m. City Council Chambers, and Tuesday, October 4, 2011 – Regular Council Meeting 7 p.m. City Council Chambers (pre-meeting at 6:30 p.m.)

There being no further discussion, the meeting adjourned at 7:23 p.m.

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Cindy Baker  
Administrative Services Officer

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Nancy Tia Brown  
Mayor

**City of Cody**  
**Council Proceedings**  
**Tuesday, September 20, 2011**

A regular meeting of the Cody City Council was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, September 20, 2011 at 7:00 p.m.

Present: Mayor Nancy Tia Brown, Council Members Stan Wolz, and Charles Cloud, Bryan Edwards, Donny Anderson, Jerry Fritz, and Steve Miller, Acting City Administrator, Steve Payne, City Attorney, Scott Kolpitcke and Administrative Services Officer, Cindy Baker

Absent: City Administrator, Jenni Rosencranse

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

Council Member Miller made a motion seconded by Council Member Cloud to amend the agenda moving item “d” of the conduct of business to become the new item b; item b will become item “c” and “c” will become item “d” and add item “e” authorizing Northwest Rural Water to continue to supply water to the property located at the Riverside-Graham Cemetery with the provision of future expansion on this property would require hooking up to City water services.. Vote was unanimous.

Outriders & Cody Stampede Parade Committee, along with the Council Members recognized Wes Livingston and JR Robison quick actions during the 4<sup>th</sup> of July Parade involving a runaway team.

Mayor Brown read Proclamations one in reference to September 17<sup>th</sup> as Constitution Week, sponsored by the Daughters of the Revolution and September 26<sup>th</sup> as Family Day as requested by Governor and First Lady Mead.

Council Member made Miller a motion seconded by Fritz Council Member to approve the agenda as amended including the approval of Special Meeting Minutes from 9/1/11 and 9/8/11, and Regular Meeting Minutes from 9/6/11, approve vouchers and payroll in the amount of \$2,128,330.99, approve the Women’s Wellness organization to celebrate National Breast Cancer Awareness Month in October by allowing pink lights to be wrapped around the light posts on Sheridan Avenue, award Bid 2011-13 for a new forklift to Anderson Forklift in the amount of \$29,744, award Bid 2011-14 for a new John Deere 1445 Mulching Mower to Park County Implement in the amount of \$15,442, authorize the Mayor to sign a letter authorizing the City of Cody to join other Wyoming municipalities in support of the application by the City of Laramie, WY as a municipality applying for SSBCI funds contingent upon approval by the City Attorney and Mayor, and authorize the Mayor to sign a letter of support for West Park Hospital’s application for a State Land and Investment Board Grant. Vote was unanimous.

Council Member Anderson made a motion seconded Council Member Fritz, Council Member Miller made a friendly amendment to approve contingent upon the Cody Broncos beating the Star Valley Team, seconded by Council Member Wolz to approve the request from Cody High School Student Council to use Beck Lake Park on Wednesday, October 5, 2011 for the Homecoming Bon Fire, to close Sheridan Avenue for the Homecoming Parade on Friday, October 7, 2011 at 1:00 p.m., and allow the painting of Beck Avenue in front of the Football Field entrance, contingent upon all recommendations and requirements set forth by the Parks, Recreation and Facilities Director and Streets Superintendent, as well as, contingent upon approval from WYDOT and providing liability insurance. Vote was unanimous.

Council Member Cloud made a motion seconded by Council Member Edwards authorizing the Mayor to sign a letter regarding the Air Enhancement Service Bid from Sky West Airlines. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve the Blackburn Planned Unit of Development Preliminary Plat with conditions outlined by the Planning and Zoning Board plus the Lot Owner’s Association is responsible for the operation and maintenance of the streets. Vote was unanimous.

Council Member Cloud made a motion seconded by Council Member Edwards to approve a contract for the purchase of property in Cody; Park County, Wyoming from the Lucille M. Webster Revocable Living Trust dated January 13, 1997 for \$240,000 and authorizes the Mayor to sign any and all documents necessary to purchase the property. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz, and friendly amendment by Council Member Cloud to authorize Northwest Rural Water to continue to supply treated water to the property located at the Riverside-Graham Cemetery, with the provision that future improvements on this property using treated water would require further review by Council and Staff. Vote was unanimous.

Steve Payne, Public Works Director informed the Council of the impending end of the Raw Water season which will be October 1<sup>st</sup>, and Cougar Avenue construction between 19<sup>th</sup> and Blackburn.

Council Member Fritz reported on the Honor Flights, there will be one last flight including two individuals from Cody. Council Member Wolz did a final appeal for people to pick up their yard sale signs after the sale is over. Mayor Brown reminded everyone of the activity this week with the Rendezvous Royale, including the Boot Scoot'n Boogie Thursday evening.

Anderson – appeal to archery buffs to start using better judgment

Mayor Brown adjourned the meeting at 9:07 p.m.

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Cindy Baker  
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
200	A-1 ELECTRIC	01726	REPAIR LIGHTS - BECK LAKE RESTRC	08/31/2011	60.00			
		01727	CHECK POWER FOR SPRINKLER CON	08/31/2011	60.00			
		01728	REPAIR WEST CODY SIGN LIGHTING	08/31/2011	209.42			
		01729	REPAIR TIMER BUTTON TENNIS COUF	08/31/2011	60.00			
Total 200					389.42	.00		
123784	ACADEMIC SPECIALTIES INC	24858	VOLLEYBALL STANDARDS	09/08/2011	2,620.00			
Total 123784					2,620.00	.00		
129158	ACE ELECTRIC, INC.	25462	CITY HALL ENERGY RETROFIT	09/07/2011	38,248.23			
Total 129158					38,248.23	.00		
2390	ACE HARDWARE	216112	SUPPLIES - CITY HALL OFFICE	09/09/2011	18.97			
		216235	SHOWER WALL MOUNT	09/11/2011	10.99			
		216237	SUPPLIES	09/11/2011	12.49			
		216260	SUPPLIES	09/12/2011	23.47			
		216316	SUPPLIES	09/12/2011	14.59			
		216399	KEROSENE FOR HOTSY	09/13/2011	45.98			
		216420	STAKES FOR SOCCER NETS	09/13/2011	17.96			
		216563	TOOLS	09/15/2011	27.48			
		216584	STAKES FOR SOCCER NETS	09/15/2011	9.78			
		216623	SUPPLIES	09/16/2011	.55			
		216804	SUPPLIES	09/19/2011	9.85			
		216831	SUPPLIES	09/19/2011	6.28			
		216926	KEROSENE FOR HOTSY	09/20/2011	68.97			
		216965	SUPPLIES	09/21/2011	14.98			
		217001	REPAIR RAIN GUTTER - CHAMBER	09/21/2011	9.99			
		217031	SIGNS / WIRE / PLIERS	09/21/2011	8.99			
			SIGNS / WIRE / PLIERS		19.15			
		217089	BATTERIES	09/22/2011	11.49			
Total 2390					331.96	.00		
129162	ADVANCED INFO SYSTEMS	8757	9/16/11 CYCLE 2 OUTSOURCING 887 5	09/26/2011	208.71			
Total 129162					208.71	.00		
450	ALDRICH LUMBER CO	439495	FASTENERS	09/06/2011	8.33			
		439915	SUPPLIES	09/13/2011	56.99			
		439916	SHIMS - GULCH ST MANHOLES	09/13/2011	5.39			
		439989	OLD RIVER PUMP HOUSE ROOF	09/15/2011	94.46			
			OLD RIVER PUMP HOUSE ROOF		94.46			
		STMT8/29/11	FINANCE CHARGE	08/29/2011	6.51			
			FINANCE CHARGE		.93			
Total 450					267.07	.00		
126551	ALSCO	767054	TOWELS	09/09/2011	29.53			
		767838	RUGS - CITY HALL	09/13/2011	45.95			
		768974	TOWELS	09/16/2011	93.04			
Total 126551					168.52	.00		
128592	AMERICAN WELDING & GAS, IN	01406600	LIFTING CHAINS	08/24/2011	540.75			
		01413093	CO2 FOR LIFT	08/31/2011	33.01			
		01415740	CYLINDER RENTAL	08/31/2011	30.69			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		01415742	CO2	08/31/2011	102.30			
		01428486	CO2	09/06/2011	66.84			
		01440578	WELDING SUPPLIES	09/20/2011	64.69			
		01440579	WELDING GASES	09/20/2011	149.53			
		1210445	CREDIT FOR DUPLICATE PAYMENT	08/19/2011	26.32	-		
	Total 128592				961.49	.00		
123465	APPLIED GRAPHICS	4524	CHANGE HOURS AT REC CENTER	09/06/2011	30.00			
	Total 123465				30.00	.00		
127716	ATCO INTERNATIONAL	I0322074	BALER LUBRICANT	09/06/2011	168.20			
	Total 127716				168.20	.00		
1010	BEAR CO, INC	159918	TIRES FOR B06	09/09/2011	378.00			
	Total 1010				378.00	.00		
123189	BIG HORN HORTICULTURAL SE	229842	MOSQUITO CONTROL	09/09/2011	2,283.30			
	Total 123189				2,283.30	.00		
1190	BIG HORN REDI-MIX INC	359850	SYSTEM REPAIR	09/06/2011	11.50			
	Total 1190				11.50	.00		
1210	BIG HORN WHOLESALE	132288	PARK RESTROOM SUPPLIES	09/13/2011	88.16			
	Total 1210				88.16	.00		
1360	BLUE CROSS BLUE SHIELD OF	091911	INSURANCE PREMIUM	09/19/2011	99,273.27			
			INSURANCE PREMIUM		1,404.39			
			INSURANCE PREMIUM		946.23			
			INSURANCE PREMIUM		1,403.65	-		
	Total 1360				100,220.24	.00		
1400	BOONE'S MACHINE SHOP	2512	EQUIPMENT RENTAL	09/09/2011	22.00			
	Total 1400				22.00	.00		
1420	BORDER STATES INDUSTRIES I	902897939	TOOLS	09/12/2011	19.17			
		902925520	NEW METERS	09/16/2011	583.98			
		902925521	Meter F8S/9S Alpha Plus dmd meter	09/16/2011	762.76			MTR9SALPD
			SYSTEM REPAIR		639.75			
		902946461	Meter F8S/9S Alpha Plus dmd meter	09/21/2011	381.38			MTR9SALPD
	Total 1420				2,387.04	.00		
123538	BRESNAN COMMUNICATIONS	090411-PD	INTERNET - PD	09/04/2011	68.10			
		91511-SHOP	INTERNET - SHOP	09/15/2011	149.95			
	Total 123538				218.05	.00		
1550	BRUCO INC	291547	CLEANING SUPPLIES	09/15/2011	57.77			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 1550				57.77	.00		
129152	BULT, DEVIN	113359135	REIMBURSE FOR DIESEL FUEL	09/15/2011	51.01			
	Total 129152				51.01	.00		
1690	C & C WELDING	13878	REPAIR REDUCER	09/20/2011	18.75			
	Total 1690				18.75	.00		
1930	CASELLE INC	39745	CASELLE CHECK CONVERSION PROC	09/19/2011	2,200.00			
	Total 1930				2,200.00	.00		
128777	CELLEBRITE USA, CORP.	97800	SOFTWARE RENEWAL - PD	08/25/2011	999.00			
	Total 128777				999.00	.00		
10091	CENTURY LINK	091911	PHONE CHARGES	09/19/2011	703.08			
	Total 10091				703.08	.00		
2130	CHADWICK VETERINARY HOSP	082311	EUTHANASIA INJURED FERAL CAT	08/23/2011	35.00			
	Total 2130				35.00	.00		
2260	CITY OF CODY	091611	UTILITIES	09/16/2011	637.68			
		092311	UTILITIES	09/23/2011	1,837.23			
			UTILITIES		1,666.75			
			UTILITIES		14,202.24			
			UTILITIES		3,255.83			
			UTILITIES		9,767.49			
			UTILITIES		1,731.52			
			UTILITIES		7,226.92			
			UTILITIES		1,675.70			
			UTILITIES		627.98			
			UTILITIES		3,700.01			
	Total 2260				46,329.35	.00		
129160	CITY OF GILLETTE	091511	TRAINING - OFFICE CHRIS WALLACE	09/15/2011	100.00			
	Total 129160				100.00	.00		
129153	CLIFTON, GAIL	17105013	REFUND UTILITY DEPOSIT	09/16/2011	67.76			
	Total 129153				67.76	.00		
129079	CODY CAB	091311	TIPSY TAXI VOUCHERS (16)	09/13/2011	112.00			
		091911	TIPSY TAXI VOUCHERS (6)	09/19/2011	42.00			
		092611	TIPSY TAXI VOUCHERS (5)	09/26/2011	35.00			
	Total 129079				189.00	.00		
2590	CODY ENTERPRISE	035971	ONE YEAR SUBSCRIPTION	09/20/2011	30.00			
		083111	ADVERTISING	08/31/2011	3,467.31			
			ADVERTISING		1,730.80			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 2590					5,228.11	.00		
3140	COPENHAVER KATH KITCHEN I	090811	LEGAL SERVICES	09/08/2011	10.00			
Total 3140					10.00	.00		
3300	CRUM ELECTRIC	1265900-00	SUPPLIES	09/13/2011	35.70			
		1266147-00	BATTERIES	09/14/2011	41.18			
		1267167-00	LIGHT BULBS	09/16/2011	37.50			
		1267984-00	ST LIGHT REPAIRS	09/20/2011	35.64			
		1268500-00	SUPPLIES	09/21/2011	40.30			
Total 3300					190.32	.00		
129157	CUTLER, SCOTT	13309039	REFUND UTILITY DEPOSIT	09/22/2011	20.01			
Total 129157					20.01	.00		
129155	DALLMAN, STEPHEN	092111	REFUND UTILITY DEPOSIT	09/21/2011	26.19			
Total 129155					26.19	.00		
125899	DEPARTMENT OF FAMILY SERV	091411	BACKGROUND CHECKS (3) ON VOLUN	09/14/2011	30.00			
Total 125899					30.00	.00		
128152	DON F. SHREVE, JR. ESQ.	091311	PROFESSIONAL FEES	09/13/2011	1,010.28			
Total 128152					1,010.28	.00		
3857	DUNCAN & ALLEN	090811	LEGAL SERVICES - N CODY ANNEX	09/08/2011	5,262.13			
Total 3857					5,262.13	.00		
128686	ECOLAB PEST ELIM. DIV.	6792738	PEST CONTROL - AUDITORIUM	09/12/2011	65.00			
Total 128686					65.00	.00		
2630	ENERGY WEST	090911	UTILITIES	09/09/2011	17.17			
			UTILITIES		41.21			
			UTILITIES		103.74			
			UTILITIES		56.33			
			UTILITIES		17.17			
			UTILITIES		88.07			
			UTILITIES		19.23			
Total 2630					342.92	.00		
4140	ENGINEERING ASSOCIATES	3109028	COUGAR AVE RECONSTRUCTION	09/15/2011	1,558.00			
Total 4140					1,558.00	.00		
126018	FASTENAL COMPANY 01WYCD\	/YCDY37222	FACE SHIELD	09/14/2011	10.72			
		/YCDY37259	CABLE TIES	09/15/2011	15.90			
Total 126018					26.62	.00		
129159	FIELD SERVICES & WEED CONT	239	WEED CONTROL IN THE STREETS	09/16/2011	798.75			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 129159					798.75	.00		
127301	FREMONT BEVERAGES INC	27185	Drink Syrups	09/08/2011	67.00			20004
		27226	24 oz Drink Cups w/ lids STRAWS	09/09/2011	93.00 8.00			20002 22000
Total 127301					168.00	.00		
129148	GOOGLE, INC.	3257685	GOOGLE SECURITY / ARCHIVING	09/05/2011	2,145.00			
Total 129148					2,145.00	.00		
125733	GOPHER	8380384	PING PONG EQUIPMENT	09/08/2011	102.78			
Total 125733					102.78	.00		
4680	GROATHOUSE CONSTRUCTION	93-4	REFUND OVERPAYMENT ON PERMIT	09/19/2011	1,643.02			
Total 4680					1,643.02	.00		
129161	HD FILTER CLEANING	433	SEWER JET FILTER CLEANING	09/19/2011	200.00			
Total 129161					200.00	.00		
6730	HD SUPPLY UTILITIES LTD	1814262-00	SAFETY SUPPLIES	09/09/2011	180.81			
Total 6730					180.81	.00		
129154	HELD, LYNN	13169034	REFUND UTILITY DEPOSIT	09/16/2011	7.40			
Total 129154					7.40	.00		
5020	HOLM BLOUGH & COMPANY	083111	16TH ST STORM SEWER UPGRADE	08/31/2011	2,226.25			
Total 5020					2,226.25	.00		
129090	HOMAX OIL SALES, INC.	CL29224-IN	FUEL - PD	08/31/2011	4,522.66			
		CL29226-IN	FUEL	08/31/2011	189.40			
Total 129090					4,712.06	.00		
126019	I STATE TRUCK CENTER	51093360:02	PARTS - SANITATION TRUCK	09/12/2011	14.76			
Total 126019					14.76	.00		
5170	ICMA RETIREMENT-457-#303143	479319	Contributions	09/19/2011	4,174.96	4,174.96	09/19/2011	
Total 5170					4,174.96	4,174.96		
5700	K-B COMMERCIAL PRODUCTS	2963496.001	CLEANING SUPPLIES	09/15/2011	48.90			
Total 5700					48.90	.00		
9029	KENCO SECURITY & TECHNOLC	914537	SECURITY MONITORING - LAB	10/01/2011	79.50			
Total 9029					79.50	.00		
124429	KIEFER	I1749303	GOGGLES, SPEEDO VANQ PLUS	09/09/2011	725.00			100171

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
			Speedo Swim Goggles Juniors		600.00			100160
			SHIPPING AND HANDLING		106.00			
	Total 124429				1,431.00	.00		
5750	KINCHELOE PLUMBING AND HE	137565	MINI GOLF DRAIN COVERS	08/09/2000	93.40			
	Total 5750				93.40	.00		
5830	KOIS BROTHERS EQUIPMENT	91038	SEWER JET PARTS	09/19/2011	172.14			
		91142	SEWER JET TUBE	08/30/2011	432.00			
	Total 5830				604.14	.00		
127743	LEGEND COMMUNICATIONS OF	083111	ADVERTISING	08/31/2011	408.00			
			ADVERTISING		346.80			
		8/31/11	LABORLESS MUSIC FEST	08/31/2011	480.00			
	Total 127743				1,234.80	.00		
128126	MANCHESTER, RICK	243397	REC CENTER REFUND	09/12/2011	35.00			
	Total 128126				35.00	.00		
6390	MC CUMBER LOCKSMITH SHOF	2560A	KEY	09/09/2011	1.25			
	Total 6390				1.25	.00		
126604	MEINECKE & SITZ	092311	PROFESSIONAL FEES	09/23/2011	610.20			
	Total 126604				610.20	.00		
127277	MERCO, INC	4	DETENTION FACILITIES - MERCO INC	08/15/2011	5,075.00			
	Total 127277				5,075.00	.00		
6930	MOUNTAIN WEST INC	021789	UNIFORM ALLOWANCE - C09	08/29/2011	13.95			
		021803	UNIFORM ALLOWANCE - C01	09/02/2011	65.90			
		021833	YOUTH SOCCER PROGRAM	09/08/2011	1,754.73			
		021837	UNIFORMS	09/13/2011	279.20			
		021881	UNIFORMS C08	09/16/2011	12.05			
	Total 6930				2,125.83	.00		
126072	NEVE'S UNIFORMS & EQUIPMEI	LN-248900	TRAINING AMMO	08/30/2011	563.99			
	Total 126072				563.99	.00		
7315	NORMONT EQUIPMENT COMPA	2109151	BROOMS	09/16/2011	767.93			
	Total 7315				767.93	.00		
7320	NORTH CENTRAL LABORATORI	292323	LAB SUPPLIES	08/31/2011	260.77			
	Total 7320				260.77	.00		
7340	NORTHERN GARDENS	065035	AZ PLACE LEAK REPAIR	08/25/2011	22.90			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
					22.90	.00		
	Total 7340							
123493	NORTHERN SAFETY & INDUST	6790501037	SAFETY GLOVES	08/22/2011	52.48			
	Total 123493				52.48	.00		
7350	NORTHWEST ANALYTICAL LAB	616292	TESTING	07/21/2011	22.00			
	Total 7350				22.00	.00		
7400	NORTHWEST PIPE	1806858	HYD METER BALL VALVE	09/12/2011	62.00			
		1806858-1	HYDRANT METER PARTS	09/19/2011	389.90			
		1812841	1 1/4" COMPRESSION X MIP ADAPTER	09/07/2011	49.20			1284-W
			1 1/2" MIP x compression adapter		70.42			1141-W
			BRASS FITTINGS		34.48			
		1820481	6" Megalug for PVC, w/acc.	09/19/2011	352.00			1168-W
	Total 7400				958.00	.00		
7440	OFFICE SHOP, THE	394	SERVICE CONTRACT - PD	09/13/2011	426.58			
		395	COPIER MAINTENANCE	09/13/2011	49.74			
			COPIER MAINTENANCE		49.74			
			COPIER MAINTENANCE		49.74			
			COPIER MAINTENANCE		49.72			
			COPIER MAINTENANCE		49.74			
		397	COPIER AGREEMENT	09/13/2011	1,054.78			
		398	MATERIALS & SUPPLIES	09/13/2011	118.64			
			MATERIALS & SUPPLIES		61.12			
	Total 7440				1,959.54	.00		
7670	PARK COUNTY	346	LEC CONTRACT - AUG 2011	09/12/2011	15,527.95			
			LEC UTILITIES - AUG 2011		695.18			
			Correct input error		.02 -			
	Total 7670				16,223.11	.00		
128493	PARK COUNTY CIRCUIT COURT	09/14/2011	CV-2011-55	09/19/2011	43.21	43.21	09/19/2011	
	Total 128493				43.21	43.21		
129116	PARK COUNTY CLERK	092011	FILING FEE - EASEMENT	09/20/2011	17.00			
	Total 129116				17.00	.00		
123734	PIN CENTER	0911116	LAPEL PINS	09/06/2011	308.50			
	Total 123734				308.50	.00		
126886	PITNEY BOWES INC	683311-SP11	POSTAGE MACHINE LEASE / MAINT.	09/13/2011	1,424.13			
	Total 126886				1,424.13	.00		
7980	PLAN ONE ARCHITECTS	09/15/11 - 15	CITY HALL RETRO FIT	09/15/2011	825.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
Total 7980					825.00	.00		
430	PURCHASE ADVANTAGE CARD	027336	BIRTHDAY PARTIES - REC CENTER	08/27/2011	16.99			
Total 430					16.99	.00		
8250	Q M APPRAISALS	1108164	LAND APPRAISAL COVER STREET	08/17/2011	100.00			
		1108165	LAND APPRAISAL HAUGEN STREET	08/10/2011	450.00			
		118163	LAND APPRAISAL CHUGWATER	08/17/2011	600.00			
Total 8250					1,150.00	.00		
129156	REID, NIKKI	244527	REC CENTER REFUND	09/20/2011	30.00			
Total 129156					30.00	.00		
124166	S & S WORLDWIDE INC	7080110	SOCCER BALLS	09/06/2011	634.49			
Total 124166					634.49	.00		
9060	SENSUS METERING SYST-DEP1	ZA12008244	SENSUS ANNUAL AGREEMENT	09/15/2011	1,452.00			
Total 9060					1,452.00	.00		
127725	SHERWIN-WILLIAMS COMPANY	4702-5	PAINTING TIP	09/12/2011	32.49			
Total 127725					32.49	.00		
9140	SHOSHONE OFFICE SUPPLY	0083922	OFFICE SUPPLIES	08/29/2011	33.64			
		0084128	CHAIR MATS FOR OFFICE	09/08/2011	360.95			
		0084136	BINDERS	09/09/2011	9.10			
		0084160	MATERIAL AND SUPPLIES	09/13/2011	3.59			
		0084162	PENS	09/13/2011	6.85			
		0084173	EASLE BOARDS / COPY PAPER	09/08/2011	400.00			
			EASLE BOARDS / COPY PAPER		223.25			
		0084190	CALENDAR REFILLS	09/09/2011	33.64			
		0084300	BLANK BUSINESS CARDS	09/13/2011	33.58			
		0084406	SUPPLIES	09/19/2011	96.29			
		0084410	SUPPLIES	09/20/2011	9.79			
Total 9140					1,210.68	.00		
129037	STINSON, BLAKE	091411	REIMBURSE FOR HDS TRAINING	09/14/2011	44.45			
Total 129037					44.45	.00		
6240	THE UPS STORE	1332	EVIDENCE SHIPPING	09/06/2011	8.64			
		1689	EVIDENCE SHIPPING	09/12/2011	17.28			
		1918	EVIDENCE SHIPPING	09/16/2011	9.14			
		2242	SHIPPING CASE 11-1966	09/22/2011	16.61			
		5315	SHIPPING CASE 11-1896	09/13/2011	11.44			
Total 6240					63.11	.00		
128108	THOMSON REUTERS	13446565	GOVT UPDATE NEWSLETTER	09/05/2011	170.00			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
	Total 128108				170.00	.00		
128471	TITAN ACCESS	1C08983	DISTRIBUTOR PARTS	08/29/2011	113.57			
	Total 128471				113.57	.00		
9980	TRIPLE L SALES	I-19534	SPRINKLER REPAIRS	09/08/2011	16.64			
		I-19628	MARKING PAINT	09/19/2011	318.00			
		I-19631	SUPPLIES	09/19/2011	41.08			
	Total 9980				375.72	.00		
10180	V-1 PROPANE	851002	FORKLIFT PROPANE	08/17/2011	47.10			
	Total 10180				47.10	.00		
10330	WAL MART COMMUNITY BRC	00866	SUPPLIES	09/09/2011	43.44			
			SUPPLIES		12.96			
		01177	STORAGE BINS	09/14/2011	40.00			
		03341	TREAT BAGS	09/12/2011	23.61			20025
			Pizza		13.28			20045
			Ramen Soup		10.60			20050
			Snack Cakes		15.88			20027
			Hot Dogs		5.48			20053
			BLEACH		1.64			27000
		03342	OFFICE SUPPLIES	09/12/2011	20.81			
		04201	CELL PHONE CASE / SUPPLIES	09/14/2011	29.84			
		04814	SAFETY SUPPLIES	09/12/2011	87.64			
			BIRTHDAY PARTY SUPPLIES		3.75			
			SUPPLIES		13.85			
		05483	ASAP SUPPLIES	09/12/2011	312.61			
		06391	OFFICE AND SQUAD ROOM SUPPLIES	09/13/2011	197.81			
		08029	OFFICE SUPPLIES	08/30/2011	68.98			
		09702	DISTILLED WATER - LAB	09/19/2011	16.60			
	Total 10330				918.78	.00		
10370	WATCO POOLS	12938	CHEMICALS	09/08/2011	737.12			
	Total 10370				737.12	.00		
10400	WATERWORKS INDUSTRIES	110601-00	BACKFLOW PREVENTER / GASKETS	09/20/2011	406.00			
	Total 10400				406.00	.00		
128973	WAVING AT YOU.COM	209173	VIETNAM FLAG POLE PROJECT	08/29/2011	2,470.00			
	Total 128973				2,470.00	.00		
10430	WAYNE'S BOOT SHOP	091411	STEEL TOE BOOTS - BRYAN REITER	09/14/2011	169.95			
	Total 10430				169.95	.00		
124746	WCSTELECOM	20953223	LONG DISTANCE	09/01/2011	159.41			
	Total 124746				159.41	.00		
10480	WESCO DISTRIBUTION INC	588508	WEST STRIP STREET LIGHTS	09/09/2011	27.28			

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt	Amount Paid	Date PD	Inventory No
		588774	WEST STRIP STREET LIGHTS	09/12/2011	8,892.00			
		589697	SYSTEM UPGRADE	09/15/2011	501.00			
			SYSTEM REPAIRS		108.75			
		589698	SYSTEM MAINTENANCE	09/15/2011	50.75			
	Total 10480				9,579.78	.00		
10500	WEST PARK HOSPITAL	COPD 9/2/11	CASE 11-1606, 11-1626, 11-1729	09/02/2011	741.10			
	Total 10500				741.10	.00		
10605	WESTERN UNITED ELECTRIC S	4013591	TOOLS	08/31/2011	1,752.00			
			TOOLS		27.97			
		4013792	SYSTEM MAINTENANCE	09/12/2011	60.32			
		412807	SYSTEM UPGRADE	08/11/2011	1,087.91			
	Total 10605				2,928.20	.00		
10660	WOODWARD TRACTOR CO	70844	REC CENTER ANNUAL CLEANING	08/01/2011	301.50			
		72306	REC CENTER ANNUAL CLEANING	07/27/2011	57.80			
			REC CENTER ANNUAL CLEANING		464.80			
		72579	REC CENTER ANNUAL CLEANING	08/05/2011	301.50			
		72692	REC CENTER ANNUAL CLEANING	08/11/2011	140.70			
	Total 10660				1,266.30	.00		
10705	WY ASSOC OF SHERIFFS & CHI	09/13/11	WASCOP DUES 2011-2012	09/13/2011	350.00			
	Total 10705				350.00	.00		
127631	WY CHILD SUPPORT #167207	09/14/2011	CHILD SUPPORT #167207/CV 1124836	09/19/2011	159.23	159.23	09/19/2011	
	Total 127631				159.23	159.23		

Total Paid: 4,377.40

Total Unpaid: 285,532.63Grand Total: 289,910.03

Payroll \$208,721.81

TOTAL \$498,631.84

MEETING DATE: OCTOBER 4, 2011
DEPARTMENT: PUBLIC WORKS
PREPARED BY: JOLENE OSBORNE
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: STEVE PAYNE

## **AGENDA ITEM SUMMARY REPORT**

### **Halloween Closure of Sheridan Avenue**

#### **BACKGROUND**

Cody has developed a popular Downtown Halloween Festival where the downtown merchants provide candy to the City's children on Halloween. The City has closed Sheridan Avenue for the festival for the last three years to help assure the safety of the children.

#### **SUMMARY**

The Public Works department has prepared a street closure plan that will prohibit vehicular traffic on Sheridan Avenue from 10<sup>th</sup> to 14<sup>th</sup> Streets from 3:30 PM to 6:30 PM on Monday October 31, 2011. We will need the assistance of the Police Department and approximately ten public works employees to man the barricades during this period and to set up the detour signs. Attached is an application to request permission from WYDOT to close the state highway for this event.

#### **FISCAL IMPACT**

Unless we flex the work schedules of the streets crews, we will have overtime costs for the Public Works employees.

#### **ALTERNATIVES**

1. Keep the streets open for traffic during the Downtown Halloween Festival.

#### **RECOMMENDATION**

Although the public will be inconvenienced by the street closures and the City may be liable for overtime pay costs, the staff believes that the safety of the children should be the overriding priority for the City. We recommend that Council approve the closure of Sheridan Avenue for the three hour period on October 31, 2011 and authorize the Mayor to sign the attached Special Event Permit application to WYDOT.

#### **ATTACHMENTS**

1. WYDOT Special Event Permit Application
2. Halloween Downtown Street Closure Map



Wyoming Department of Transportation

Application for Special Event Permit

Event Name: City of Cody Downtown Halloween Festival; Event Date: October 31, 2011; Type of Event: Halloween Event Street Closure for the protection of children; Course Information: [X] Total closure; Event Director or Organizer: Stephen Payne, Public Works Director; Telephone Number: 307-527-7511; Address: 1338 Rumsey Avenue, PO Box 2200, Cody, WY 82414; Estimated Number of Participants: +/- 800

I (we) City of Cody hereby make application for a special event permit upon the right-of-way of highway 14, 16, 20 Sheridan Avenue between milepost 46 +89 and milepost 66 +89 on 10/31/2011 between 3:30 p.m. and 6:30 p.m.

I (we) agree to strictly conform to the exhibits attached hereto, subject to all terms, conditions, agreements, stipulations and provisions contained in the application and permit, in Chapter XXIII rules and regulations of the Wyoming Department of Transportation, and any other applicable regulations, laws or ordinances.

EVENT DESCRIPTION: (Attach event map) Downtown Halloween Festival: The City of Cody proposes the closure of Sheridan Avenue (Hwy 14, 16, 20) from 10th Street to 14th Street to allow kids to freely visit the downtown merchant shops for "treats." City street crews and City police will close streets and redirect traffic as indicated on the Traffic Control Plan (attached)

Prior to the event, I (we) agree to review the course to determine potential problems that could endanger participants and equipment and to notify the participants of them. If I (we) determine the problems to be severe, I (we) agree to cancel the event

Permittee must provide a certificate of insurance as evidence of an existing Comprehensive or Commercial General Liability Policy, including contractual liability coverage, with limits not less than \$500,000 combined single limit for all claims arising out of a single accident or occurrence, and naming the State of Wyoming, Wyoming Department of Transportation as additional insured.

PERMITTEE SHALL DEFEND, HOLD HARMLESS AND INDEMNIFY THE STATE OF WYOMING, DEPARTMENT OF TRANSPORTATION AND ITS OFFICERS, AGENTS, EMPLOYEES AND MEMBERS FROM ALL SUITS OR ACTIONS WHICH MAY RESULT FROM ANY ACTIVITY BY THE PERMITTEE, ITS OFFICERS, SUBCONTRACTORS, AGENTS OR EMPLOYEES.

Name (Please Print): 1338 Rumsey Ave, PO Box 2200; Address; Signature: Cody, WY 82414; City, State and Zip Code; Date (Minimum of 60 days prior to event): 307-527-7511; Telephone

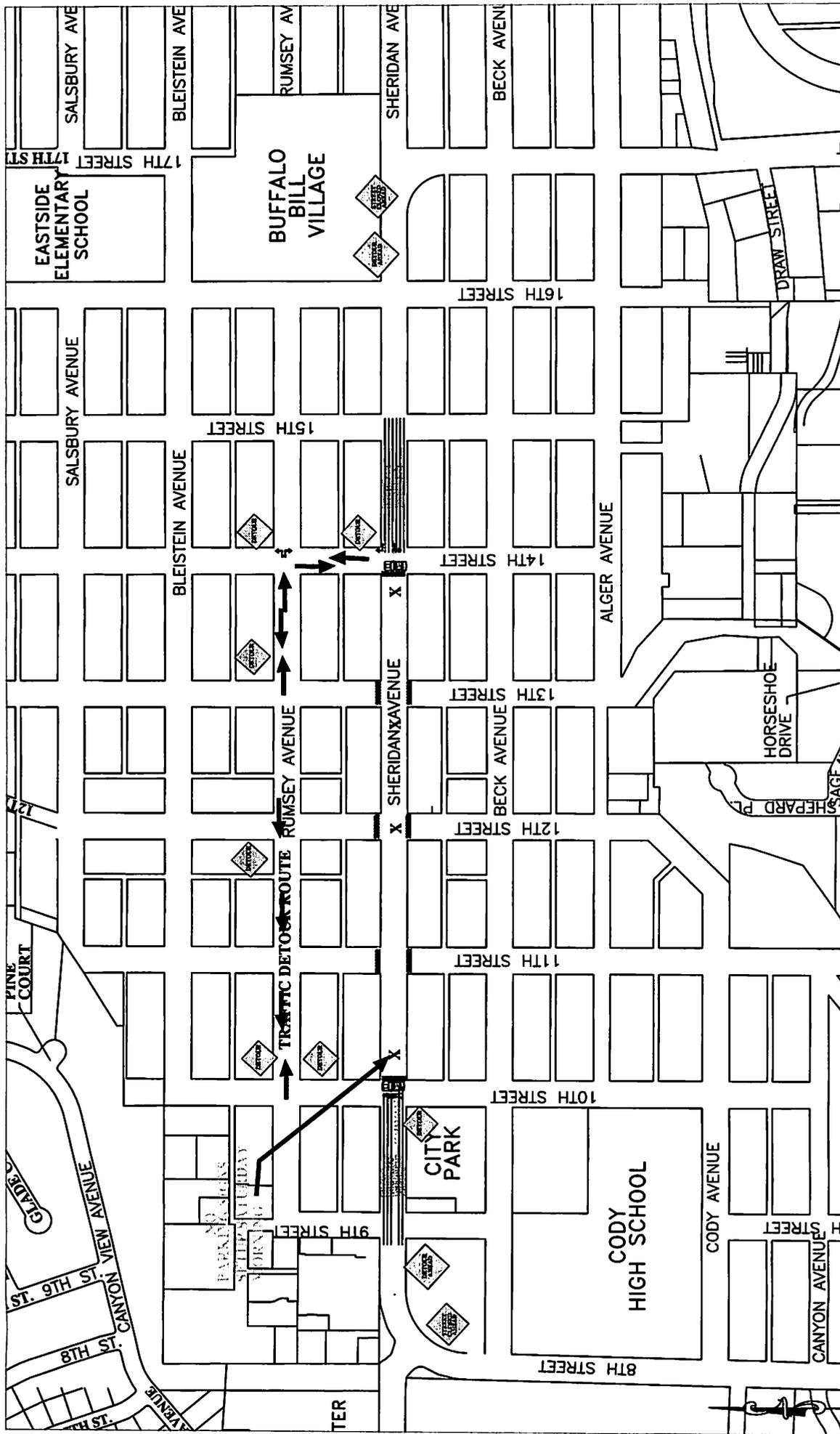
Approval must be obtained from the city, town or county government if the closure restricts the use of any road, street or highway of the affected jurisdiction.

Approved by city or town if applicable

Approved by county if applicable

Signature / title

Signature / title



HALLOWEEN DOWNTOWN STREET CLOSURE

NOT TO SCALE

MEETING DATE: OCTOBER 4, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: CINDY BAKER  
DEPT. DIR. APPROVAL:  
CITY ADM. APPROVAL: \_\_\_\_\_

## **Agenda Item Summary Report** **Cody Lions Club Turkey Day Celebration**

### **BACKGROUND**

The Cody Lions Club has historically coordinated the Lions Club Turkey Day Event in the Bob Moore parking lot in November of each year. The event includes a variety of carnival style games, concessions and raffles.

### **SUMMARY**

The Lions Club is requesting the use of the Bob Moore Parking Lot from Friday, November 18<sup>th</sup> through Sunday, November 20<sup>th</sup>. This will include the use of firearms (.22 rifles) on November 19<sup>th</sup>. In addition to the use of the lot, the Cody Lions request that banners be permitted to be erected at 8<sup>th</sup> and Lindsey Lane and on the Greybull Hill for the month of November.

### **FISCAL IMPACT**

There is no fiscal impact with this event

### **ALTERNATIVES**

1. Approve the request.
2. Deny the request.
3. Approve with modifications to the request.

### **RECOMMENDATION**

Staff recommends approval of the request with two conditions:

1. Provide the City of Cody with an insurance binder showing proof of liability insurance with the City of Cody listed as an additional insured prior to the event.
2. Complete the Highway Banner paperwork prior to November 1, 2011.

### **ATTACHMENTS**

1. Agenda Request Form

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

Bob Adrian papagranny@tctwest.net

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

# 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: BOB ADRIAN

Organization Represented: CODY LIONS CLUB

Date you wish to appear before the Council: 1<sup>ST</sup> AVAILABLE

Mailing Address: 205 RD 20, Cody Telephone: 272-9676

E-Mail Address: papagranny@tetwest.net

Preferred form of contact: Telephone:  or E-Mail

Names of all individuals who will speak on this topic BOB ADRIAN

Full description of topic to be discussed (include all relevant information):

CODY LIONS RESPECTFULLY REQUESTS THE USE OF BOB MOORE MEMORIAL PARK ON NOV. 18, 19 + 20, 2011. THIS IS FOR OUR ANNUAL "TURKEY DAY CELEBRATION. WE ALSO REQUEST A WAIVER FOR THE USE AND DISCHARGE OF FIREARMS ON SAT. NOV. 19, 2011. IN ADDITION WE REQUEST PERMISSION FOR OUR BANNERS TO BE HUNG OVER 8<sup>TH</sup> ST AS WELL AS 12<sup>TH</sup> ST. BEGINNING ON OR ABOUT OCT. 21<sup>ST</sup> 2011.

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

Bob Adrian  
Signature

9-22-11  
Date Submitted

MEETING DATE: OCTOBER 4, 2011  
DEPARTMENT: ADMINISTRATIVE SERVICES  
PREPARED BY: SARA WEAD, ASSISTANT  
ADMINISTRATIVE SERVICES OFFICER  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: CINDY BAKER

## **AGENDA ITEM SUMMARY REPORT**

### **Request for a New Winery Permit**

#### **BACKGROUND**

Buffalo Jump Wines, LLC is applying for a new Winery Permit located at 2526 Mountain View Drive. The business will ferment grapes and grape juice which have been transported into the state and will also ferment local apples into apple wine and local honeys into mead. The product will be manufactured in the back portion of the building and there will be a serving area in the front portion of the building. At its discretion the City may approve or deny the application under Wyoming State Statutes Title 12. Scott Wagner of Buffalo Jump Wines, LLC would also like to import wine in bulk containers and modify it into a better wine for sale. The Wyoming Liquor Division and Attorney General's office is working with Mr. Wagner to determine if this will be allowed and if so, what additional permits through the state would be required. The importation of wine will be monitored and regulated by the State.

#### **SUMMARY**

Buffalo Jump Wines, LLC is applying for a new Winery Permit. The business will be manufacturing selling wine. Scott Wagner of Buffalo Jump Wines, LLC is also working with the Wyoming Liquor Division on the proposed importation aspect of the business. At its discretion the City may approve or deny the application under Wyoming State Statutes Title 12.

#### **FISCAL IMPACT**

If approved, the City will receive a pro-rated license fee of \$247.50 an annual renewal fee of \$300.00

#### **ALTERNATIVES**

1. Approve the application for a new Winery Permit.
2. Deny the application for a new Winery Permit

#### **RECOMMENDATION**

Approve the application for a new Winery Permit

#### **ATTACHMENTS**

1. Application for a new Winery Permit and supporting documentation.

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

1. Scott Wagner 250-7653

**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: 9, 2, 11

	Annual Fee	Prorated Fee
Basic Fee:	\$ _____	\$ _____
Add'l Dispensing Room Fee:	\$ _____	\$ _____
Transfer Fee:	\$ _____	\$ _____
Total License Fee Collected	\$ _____	\$ <u>247.50</u>
Publishing Fee Collect:	\$ <u>260.00</u>	

Required Attachments Received: 9/12, 9/19, 9/26, 10/3 Yes

Advertising Dates(4): 9/12, 9/14, 9/21, 9/28/11

Hearing Date: 10 / 4 / 11

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: Buffalo, J

Applicant: Scott Wagner Buffalo Jump Wines, LLC

Trade Name (dba): Buffalo Jump Wines, LLC

Premise Address: 2526 Mountain View Drive  
Cody WY 82414 Park  
City State Zip County

Mailing Address: 20 Ranchette Road  
Cody WY 82414  
City State Zip

Business Telephone Number: 307 899-3815 or 207 250-7653

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

E-Mail Address: Scott@Buffalojumpwines.com

For the license term: 10 4 2011  
Month Day Year

Through: 7 31 2012  
Month Day Year

<p><b>FILING FOR</b></p> <p><input checked="" type="checkbox"/> NEW</p> <p><input type="checkbox"/> TRANSFER LOCATION</p> <p><input type="checkbox"/> TRANSFER OWNERSHIP</p> <p><b>FILING IN (CHOOSE ONLY ONE)</b></p> <p><input checked="" type="checkbox"/> CITY OF <u>Cody</u></p> <p><input type="checkbox"/> COUNTY OF _____</p> <p><b>FILING AS (CHOOSE ONLY ONE)</b></p> <p><input type="checkbox"/> INDIVIDUAL</p> <p><input type="checkbox"/> PARTNERSHIP</p> <p><input type="checkbox"/> CORPORATION</p> <p><input type="checkbox"/> LTD PARTNERSHIP</p> <p><input type="checkbox"/> ASSOCIATION</p> <p><input type="checkbox"/> ORGANIZATION</p> <p><input checked="" type="checkbox"/> LLC</p> <p><input type="checkbox"/> LLP</p>	<p><b>TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)</b></p> <p><input type="checkbox"/> RETAIL LIQUOR LICENSE</p> <p><input type="checkbox"/> on-premise only</p> <p><input type="checkbox"/> off-premise only</p> <p><input type="checkbox"/> combination on/off premise</p> <p><input type="checkbox"/> RESTAURANT LIQUOR LICENSE</p> <p><input type="checkbox"/> RESORT LIQUOR LICENSE</p> <p><input type="checkbox"/> COUNTY RETAIL or SPECIAL MALT BEVERAGE PERMIT</p> <p><input type="checkbox"/> VETERANS CLUB</p> <p><input type="checkbox"/> FRATERNAL CLUB</p> <p><input type="checkbox"/> GOLF CLUB</p> <p><input type="checkbox"/> SOCIAL CLUB</p> <p><input type="checkbox"/> MICROBREWERY</p> <p><input checked="" type="checkbox"/> WINERY</p> <p><input type="checkbox"/> BAR AND GRILL</p> <p><input type="checkbox"/> LOCATED WITHIN 5 MILES OF CITY (County License only)</p>	<p>To Assist the Liquor Division with scheduling inspections:</p> <p><b>DO YOU OPERATE?</b></p> <p><input checked="" type="checkbox"/> FULL TIME (e.g. Jan through Dec)</p> <p><input type="checkbox"/> SEASONAL/PART-TIME</p> <p>(specify months of operation)</p> <p>from _____ to _____</p> <p>DAYS OF WEEK (e.g. Mon through Sat)</p> <p><u>Restaurants → Sunday</u></p> <p><u>Thursday</u></p> <p>HOURS OF OPERATION (e.g. 10a - 2a)</p> <p><u>5p - 10pm Thu+Fri</u></p> <p><u>1p → 8pm Sat+Sun</u></p>
--	--	--

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)

A 30x80 foot room on the east side of the 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:

FRANK SUB. LOT 2 ZONE E "INDUSTRIAL"

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 31 2012 located on page 1 paragraph 1 of lease document.

(B) Provision for SALE of alcoholic or malt beverages located on page 1 paragraph 8 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 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"/>	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 type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
Scott F. Wagner	9/26/66	20 Ranchette Rd Cody, WY 82414	307 697-3815	1	100%	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input checked="" 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.)

**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, Dusty Schatzman (Printed name of Notary or other officer authorized to administer oaths), (specify) a Notary Public, Officer authorized to administer oaths in and for Park County, State of Wyoming, personally appeared

Scott Wagner (Insert Names) name he/she being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.



My Commission expires: 2/23/12

- 1. [Signature]
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

Witness my hand and official seal:  
[Signature]  
(Notary Public or other officer authorized to administer oaths)

Title NOTARY PUBLIC

Dated: 9/2/11

**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.:		



9/2/11

RE: Buffalo Jump Wines LLC  
Scott Wagner

To Whom It May Concern:

Buffalo Jump Wines LLC and Scott Wagner have banked with Pinnacle Bank since May 2011. The deposit account continues to be maintained in a professional manner. Pinnacle Bank would recommend this customer highly. If you need anything else please feel free to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Luke Skates".

Luke Skates  
Credit Analyst  
Pinnacle Bank- Cody  
307-527-7186



MEMBER FDIC

## Facility Description

Buffalo Jump Wines, LLC is located at 2526 Mountain View Drive in Cody, Wyoming (AKA The Bolt Bin Building) in the Frank Subdivision, Lot 2. The building is a duplex building that is split in half. Buffalo Jump Wines occupies the room on the east side of the building. There is no direct access between the two areas of the duplex building.

The dispensing area and the manufacturing area will both be located in the entire area of the 2,400 square foot room of the building with the dimensions of 30 feet wide and 80 feet long.

There is an exterior door located on the north of the building with an 8 foot by 4 foot window located on both sides of the door. Additionally, there is an exterior door located on the east side of the room, and a 10ft. overhead door located on the south side of the room.

Please see the attached architectural drawing attached.

AGREEMENT

Your signature and understanding of this agreement is requested for the purpose of having a mutually agreeable arrangement between us, which should be helpful to you as our tenant, and to us as owners of the property in which you will occupy. We expect you to properly care for the property and to return it to us in the same condition as when it was received by you.

We ask you to accept the following conditions as to your use and occupancy of the property by signing this rental/lease agreement. We do not feel that these conditions are harsh or restrictive, but only a means of protection for all parties involved.

LEASE AGREEMENT

This lease, entered into between ARTHUR S. GUNDERSON and KAY J. GUNDERSON, as the landlords, and BUFFALO JUMP WINES, LLC. as the tenant(s).

The landlord hereby leases to the tenant the following property; 2526 Mountain View Drive in Cody, Wyoming.

- 1. **TERM** This lease begins on September 1, 2011 and ends on August 31, 2012. If landlord or tenant wish to cancel this lease, a written notice of not less than 90 days must be presented to tenant or landlord.
- 2. **RENT** The tenant agrees to pay rent of \$800.00 per month, payable in advance, from September, 2011 until August 2011. Rent is due on the 1st day of the month. In the event you do not pay the rent within 5 days after its due date, there will be a penalty charged against you in the amount of \$10.00 per day. There shall be a charge of \$50.00 for any "insufficient funds" or "account closed" or on any returned checks issued to us for the payment of rent.
- 3. **DEFAULT** If the tenant defaults in payment of any rent due, or in carrying out any term or covenant of this lease, and the default continues for 10 days, landlord shall have the right to re-enter and take possession of the premises. No Notice, demand or legal process shall be required before taking possession.  
Tenant shall pay to landlord all landlord's costs and expenses in enforcing any of the terms of this lease; including reasonable attorney's fees and court costs, in which costs and expenses shall be additional rent.
- 4. **SECURITY DEPOSIT** Tenant shall deposit one months rent with landlord as security for damages arising out of tenants use. Any amount not required shall be returned within 60 days after termination of lease. The deposit is not to be used as rent.
- 5. The tenant further agrees to the following covenants:  
Tenant shall yield up possession of the premises at the end of the term without any notice and in its present condition subject only to ordinary depreciation.  
Tenant shall not assign this lease nor sublet any part of premises nor let others occupy same. It is agreed that the building will be used as an Office and for the processing of wine products and nothing else unless arrangements are made and agreed to by landlord.  
Tenant shall not make any alterations to the premises without consent of the landlord.  
Tenant shall keep the premises in a clean condition.  
Tenant shall do his own snow removal.  
Tenant shall keep all fixtures in proper state of repair.  
All utilities shall be paid by tenant and tenant shall immediately put all utilities in their name, and pay any necessary deposits required by the utility companies.  
Tenant shall permit landlord and his agents to examine the premises at reasonable times and shall permit landlord to place notices of For Sale or For Rent on the premises and allow landlord's agents to show premises after reasonable notice, if for sale or rent.
- 6. **NON LIABILITY** Landlord shall not be liable for any damages to tenants property or person(s) from any cause. Tenant shall procure insurance to protect himself and his property from any loss.
- 7. **NO PETS PERMITTED**, except as required by the handicap.

DATE 7-29-11 LANDLORD Arthur S. Gunderson

TENANTS SIGN HERE

NAME

TITLE

CORPORATE OFFICER SIGN HERE

Scott F. Wagner

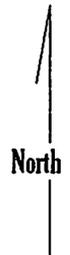
TITLE

Managing Member

NOTE: Landlord is aware that the business is an alcohol related business and includes the sale of alcoholic beverages at this location. This lease is dependant on tenant getting ALL licenses approved by all agencies involved for such a business.

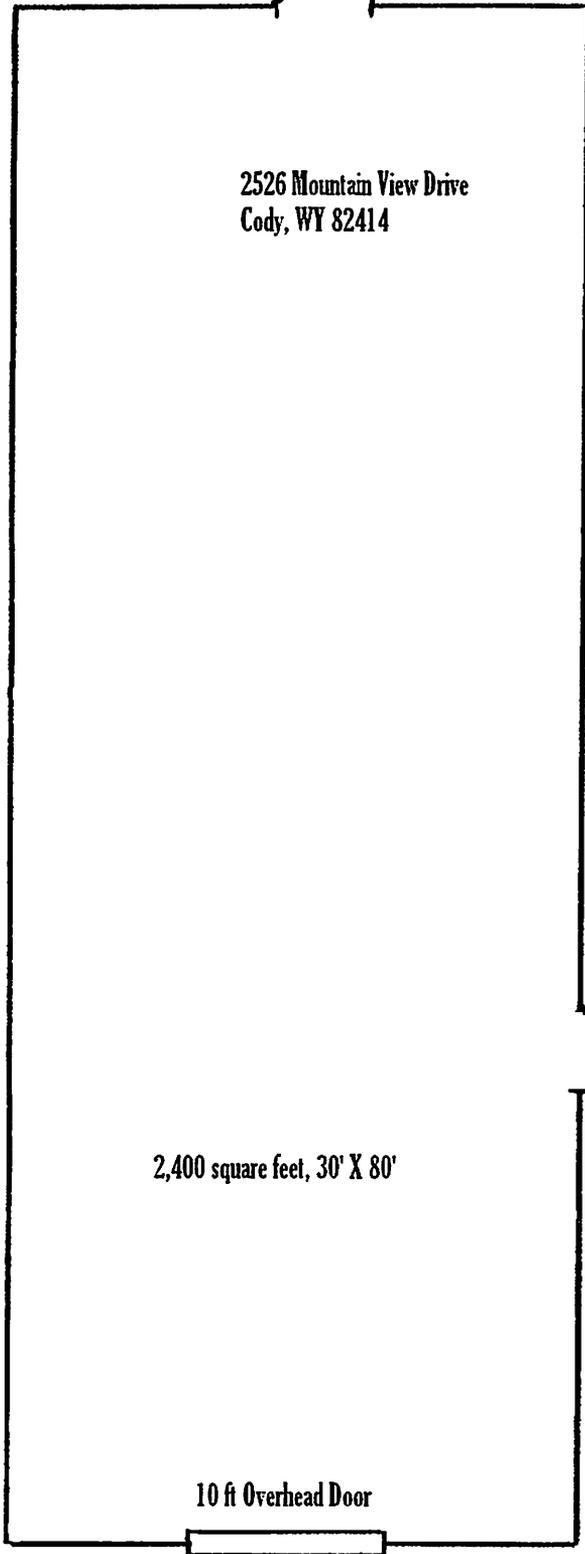
Mountain View Drive

2526 Mountain View Drive  
Cody, WY 82414



2,400 square feet, 30' X 80'

10 ft Overhead Door



As per your request:

Under the City of Cody Winery License that has been applied for by Buffalo Jump Wines, LLC., the business plan is to transport into the state of Wyoming grape juices and fresh grapes from grape producing regions of the USA. The juice/grapes will then be manufactured into finished grape wine using widely accepted winery fermentation techniques.

Additionally, local apples will be harvested and fermented into apple wines (not cider), and I am also planning to experiment with fermenting local honeys into mead wine as well.

S. H. P. \_\_\_\_\_  
Buffalo Jump Wines, LLC.

Scott Wagner  
Managing Member  
Buffalo Jump Wines, LLC  
20 Ranchette Road  
Cody, Wyoming 82414  
(307) 250-7653

September 14, 2011

Tom Montoya  
Chief of Enforcement  
Wyoming Liquor Division  
1520 E 5<sup>th</sup> Street  
Cheyenne, Wyoming 82002-0110

Mr. Montoya,

You have asked that I provide a detailed description of the business activities that Buffalo Jump Wines intends to undertake under the manufacturing, rectifying, and importation license that I have applied for earlier.

Business plan for Buffalo Jump Wines, LLC includes the following processes:

- 1) Ferment into wine, grapes and grape juice transported into the state.
- 2) Ferment local apples into apple wine and local honeys into mead.

Both of the above manufacturing processes are quite straightforward and as I understand, these activities may be completed in the State of Wyoming under the winery permit that has been applied for through the City of Cody.

The remaining manufacturing processes that I would like to undertake under the importation permit and winery permit are:

- A) Transport into the State, wines in large bulk liquid containers and blend 2 or more different wines to make a better and more valuable wine that will be bottled and sold.
- B) Transport into the state, wines in large liquid containers and complete any of the following industry accepted post initial fermentation manufacturing processes:
  - a. Change the pH levels and change the total acidity through the addition of tartaric, malic, or citric acid, and lower the perceived acidity through the addition of fining chemicals, or utilizing heat or cold stabilization techniques.

- b. Adjust the alcohol level through blending the wine with higher or lower alcohol wine.
- c. Adjust the flavor and the bouquet through filtering and fining with various chemicals and materials, provide oak additions, tannin additions or removals, and through other manufacturing processes.
- d. Complete malolactic fermentation on pre-fermented wines that converts the tart malic acid to lactic acid (a softer fuller acid), and also changes the flavor profile from a tart apple like flavor to a smoother buttery flavor.

As an example of how the post-primary fermentation process is needed to change a wine in very non-scientific terms:

#### Example 1.

A 900 gallon tank of a 2011 Chardonnay is purchased from a winery in Washington State. The wine exhibits a cloudy character, and the lab work show that the pH is low at 3.3, the TA is high at .9% and the free SO<sub>2</sub> levels are low at 26 ppm and an alcohol level of 13%, and tastes almost bitter and very apple like. This is a perfect candidate for a malolactic fermentation. The MLF bacteria are inoculated into the juice and lab tested daily to track the fermentation that converts the malic acids to lactic acids. After several weeks of fermentation, the test show that the pH has been raised to 3.6, and the TA is now .6% and a chromatograph test shows the levels of lactic acid are just higher than the malic acid levels, and the alcohol level has increased to 14.5% through the continued secondary yeast fermentation.

The SO<sub>2</sub> levels are then brought up to 40 ppm to stop any further fermentation, and to protect the wine from spoilage organisms. Bentonite is added to purify the wine, and after applying oak treatments to create a fuller, more flavorful wine, the wine is racked off the lees, and after months of working on this wine, it is filtered and bottled.

#### Example 2.

A 2011 merlot is fermented in a licensed Wyoming winery and is lacking in structure and alcohol content. A 2008 Cabernet Sauvignon is transported from Oregon in two 300 gallon tanks that is too strong and too bold to be enjoyed on its own. After tasting, analysis, and experimentation, it is found that a blend of 30% merlot to 70% Cabernet Sauvignon creates a great wine. The wines are blended and then stored in oak barrels with the addition of slightly toasted oak chips for 3 months. The wine is racked and found to have the desired structure and clarity. The wine is filtered, bottled, and sold as a red wine blend.

In reference to your conversations with the Simonton Law Firm, and after reviewing the AG's opinion regarding wine bottling, it is my understanding that I did not communicate the intentions of the business clearly on the original application, my apologies.

I hope that this letter clarifies my intentions and I would like to resubmit my application for an import permit only. I would appreciate it if you would return my previous application and check, and replace it with those that are attached. If any of the above listed items creates a legal obstacle to their completion, I would like to discuss them with you further.

Thank you,

Scott Wagner

MEETING DATE: OCTOBER 4, 2011  
DEPARTMENT: ENGINEERING DEPARTMENT  
PREPARED BY: STEPHEN W. PAYNE, P.E.  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEVE PAYNE

## **AGENDA ITEM SUMMARY REPORT** **West Park Hospital Requests use of** **Stock Drive for Monument Sign**

### **BACKGROUND**

West Park Hospital requests Council approval to use a portion of Stock Drive for a Monument Sign that is 14'6" long and 12' high.

In 2010 a commercial site development application was submitted by the West Park Hospital for property located at 707 Sheridan Avenue. At the time, the applicant was proposing to demolish the Coe Medical Facility (288,676 SF) and build a new emergency room and associated department facility (355,859 SF). The hospital proposed an extensive landscaping plan, the extension of a water main, new storm drainage facilities, a new parking arrangement along Sheridan Ave. and on Stock Drive, and a new landscape island and entrance into the emergency room area. The applicant attempted many different plan layouts to minimize impacts to the public rights-of-way, but the final plan called for the use of the public rights-of-way identified as Stock Drive and Sheridan Ave. for drainage facilities, curb, gutter, planters, a landscape island, etc. (see attached Utilities Plan).

The Council entered into a license agreement with West Park Hospital for the aforementioned items. The previous plans did not however, include any signage. Attached is information requesting use of a portion of Stock Drive for a monument sign (see attached materials). The proposed location of the sign does not appear to impede sight distance at the intersection, but will require the relocation of a portion of a raw water main.

### **SUMMARY**

The Planning and Zoning reviewed an application by West Park Hospital for a Monument Sign that is 14'6" long and 12' high and uses a portion of Stock Drive. Bill Nielson made a motion seconded by Bud McDonald to approve the commercial site plan application for the installation of a Monument Sign that is 14'6" long and 12' high and uses a portion of Stock Drive, located at 707 Sheridan Avenue with the following conditions:

1. The applicant will submit a complete set of construction plans to the building department for their review and approval.
2. The applicant will pay all applicable building permit fees.
3. The applicant will submit raw water relocation plans to the City for review and approval and will arrange for and pay for said relocation.
4. The applicant will request and receive approval from Council for use of Stock Drive right-of-way for the Monument Sign.
5. The applicant will provide an amendment to the license agreement that exists for the drainage facilities, curb, gutter, planters, and Landscape Island already located within the right-of-way and will add phasing to include the Monument Sign.

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

**FISCAL IMPACT**

None

**ALTERNATIVES**

1. Approve the Commercial Sign Plan as presented.
2. Approve as outlined above with modifications.
3. Deny the Commercial Sign Plan as presented and require the applicants to move the sign to be located within property owned by West Park Hospital.

**RECOMMENDATION**

Due to the fact that West Park Hospital is a taxing district, staff would recommend approval as outlined in Alternative 2.

**ATTACHMENTS**

1. Proposed Sign Plan

**AGENDA & SUMMARY REPORT TO:**

1. Doug McMillan

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



PLANNING, ZONING AND ADJUSTMENT BOARD
SIGN PLAN REVIEW APPLICATION

STAFF USE
File:
P&Z Invoice:
Approved:
Date:

Applicant's Name: Business Name:
Applicant's Address: City: State: Zip:
Phone: Cell: Fax: Email:
Property Owner's Name:
Property Owner's Address: City: State: Zip:
Project Address: Legal Description: Zone:

Total current area of Signage in Square Feet: Proposed Area of Signage in Square Feet:

Overall Area of Signage in Square Feet: Licensed Contractor or Sign Installer:

- Type of Sign: Attached Wall, Freestanding, Marquee, Projecting, Awning, Suspended, Banner, Inflatable, Flag, Monument, Bulletin, Real Estate, Joint Directory, Billboard, Other -Please describe

Description of Proposal:

MATERIAL REQUIRED FOR SUBMITTAL & REVIEW

- 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.
\*\*\*In many cases two (2) color renderings of all existing & proposed signs with dimensions and a detailed written description of proposed construction materials and installation procedures will suffice.
A site plan which identifies:
The location of all exterior signs existing or proposed for the premise.
Building elevations with signs depicted.
Sign Elevations must indicate overall and letter/figure dimensions
Colors, materials and illumination for each sign
Letter of authorization from the property owner if applicable.
Billboard applications must also include:
Legal lease between the property owner and the billboard company which addresses the removal of the billboard (both the sign itself and the support structure for the billboard) at the termination of the lease.
Bond suitable in value to cover the removal of all portions of the sign and the support structure at the end of the lease.
Inflatable applications must also include:
Design and construction details to demonstrate compliance with City wind load requirements
How the electricity will be supplied to the inflatable
Demonstrate that the anchoring mechanisms will not present a danger to the public
Site plan showing existing structures, power poles, trees, street and pedestrian paths and all other features which may be impacted.
Altitude Total Aggregated Square Footage

Each application for a sign review shall be accompanied by a review fee as set forth by Title 10, Chapter 15 of the city code. Applicants are encouraged to arrange a pre-submittal meeting to ensure a complete submittal. Re-submittal of any application will result in additional fees.

Please Select the Appropriate Sign Type:

- Off Premise, Temporary A-Frame Sign Plans: No Fee
Flush, Wall Mount without Electricity Sign Plans: \$25.00
Sign Plans with Electrical, Requiring Base Structure or Projecting Sign Plans: \$50.00

Following approval of the sign or advertising advice by the Planning & Zoning Department a Building Permit must be obtained from the Building Department prior to installation.

- Building Permit Application -Fee based on the valuation of the sign. Refer to the 1997 Uniform Building Code Fee Chart

Refer to Title 10 Chapter 15 of the Municipal Code for more information on sign regulations.

West Park Hospital Modernization Project  
Sign Plan Review Application

Sign Description – Main Sign  
9-23-11

Proposal Description:

As a part of its ongoing modernization project, West Park Hospital is undertaking a project to develop new signage to direct patients and visitors to its new and reconfigured entrances. The new main entrance is located at the corner of Sheridan Avenue and Stock Drive. The proposed signage plan includes a new main entrance sign, designed to help clearly indicate the location of the main entrance, located as indicated in the attached plan. The sign's proposed position is within the ROW for Stock Drive. The proposed position is similar to the main sign of the neighboring Buffalo Bill Historical Museum. Working with the City, utility location has indicated that rerouting of a raw water line will be required. West Park Hospital proposes to re-route this line around the sign at no cost to the City.

The sign measures approximately 150 sf in elevation, including supports/base. The following information is included for your review:

1. Elevation of proposed sign.
2. Site plan of the sign location.
3. Elevation indicating scale and relationship to current new construction.
4. Rendering indicating sign position in relationship to pre-construction conditions.

This proposal is for Sign Review of the proposed main entrance sign only to allow utility coordination and finalization of the signage package. A complete signage package, including all elements of the signage package, will be submitted following incorporation of City Comments of this sign.

West Park Hospital Modernization Project  
Sign Plan Review Application

Sign Description – Main Sign  
9-23-11

Parcel Description:

Site Zoning  
D-2 - General Business District

Assessor Parcel Number  
05530109000273

Legal Description

A tract of land located within Tract 90, Resurvey T.53N., R.101W., of the 6th P.M, Wyoming, which is more particularly described as follows: Beginning at the southeast corner (2/90) of said Tract 90; thence N 86°43'07" W for a distance of 100.20 feet to a point; thence N 86°43'07" W for a distance of 700.000 feet to the Southwest corner of said tract; thence N 00°20'29" W for a distance of 138.75 feet to a point located on the Top of Slope; thence on and along said Top Slope as follows:

N 48°13'12" E for a distance of 65.09 feet  
N 58°58'49" E for a distance of 29.31 feet  
N 47°56'54" E for a distance of 15.97 feet  
N 49°37'23" E for a distance of 55.68 feet  
N 55°16'44" E for a distance of 25.94 feet  
N 63°47'32" E for a distance of 20.08 feet  
N 55°50'03" E for a distance of 15.73 feet  
N 23°59'43" E for a distance of 10.42 feet  
N 56°25'07" E for a distance of 43.87 feet  
N 52°06'34" E for a distance of 31.81 feet  
N 65°40'00" E for a distance of 30.31 feet  
S 82°44'00" E for a distance of 33.07 feet  
N 41°26'21" E for a distance of 14.69 feet  
N 62°06'56" E for a distance of 47.57 feet  
N 78°10'44" E for a distance of 51.08 feet  
S 84°51'55" E for a distance of 41.01 feet  
N 63°19'13" E for a distance of 105.93 feet  
N 55°51'09" E for a distance of 85.30 feet  
N 40°28'37" E for a distance of 27.09 feet  
N 54°54'17" E for a distance of 26.98 feet  
N 68°32'32" E for a distance of 21.18 feet  
N 78°59'16" E for a distance of 14.42 feet  
N 64°46'43" E for a distance of 16.23 feet  
N 84°53'16" E for a distance of 18.28 feet  
N 87°32'01" E for a distance of 16.66 feet  
S 80°07'36" E for a distance of 6.90 feet  
N 39°23'18" E for a distance of 34.47 feet  
N 59°52'30" E for a distance of 11.40 feet  
N 89°47'15" E for a distance of 6.47 feet

thence N 65°04'00" E for a distance of 14.92 feet more or less to the East line of said Tract #90; thence S 00°20'29" E on and along said East line of Tract #90 for 612.78 feet more or less to the Point of Beginning of said tract. Said tract containing 7.25 acres more or less.

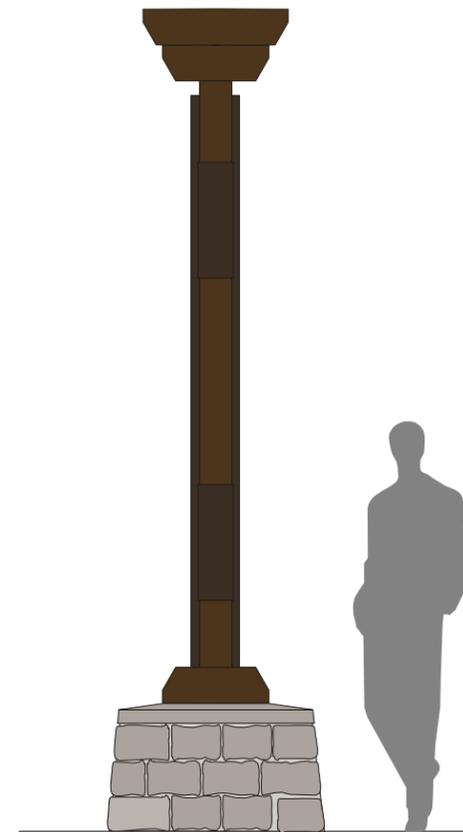
Bearing Base = Geodetic using NAD83, Wyoming West Central Zone of the Wyoming State Plane Coordinate System.



**MODIFIED DESIGN AT 12' HEIGHT**

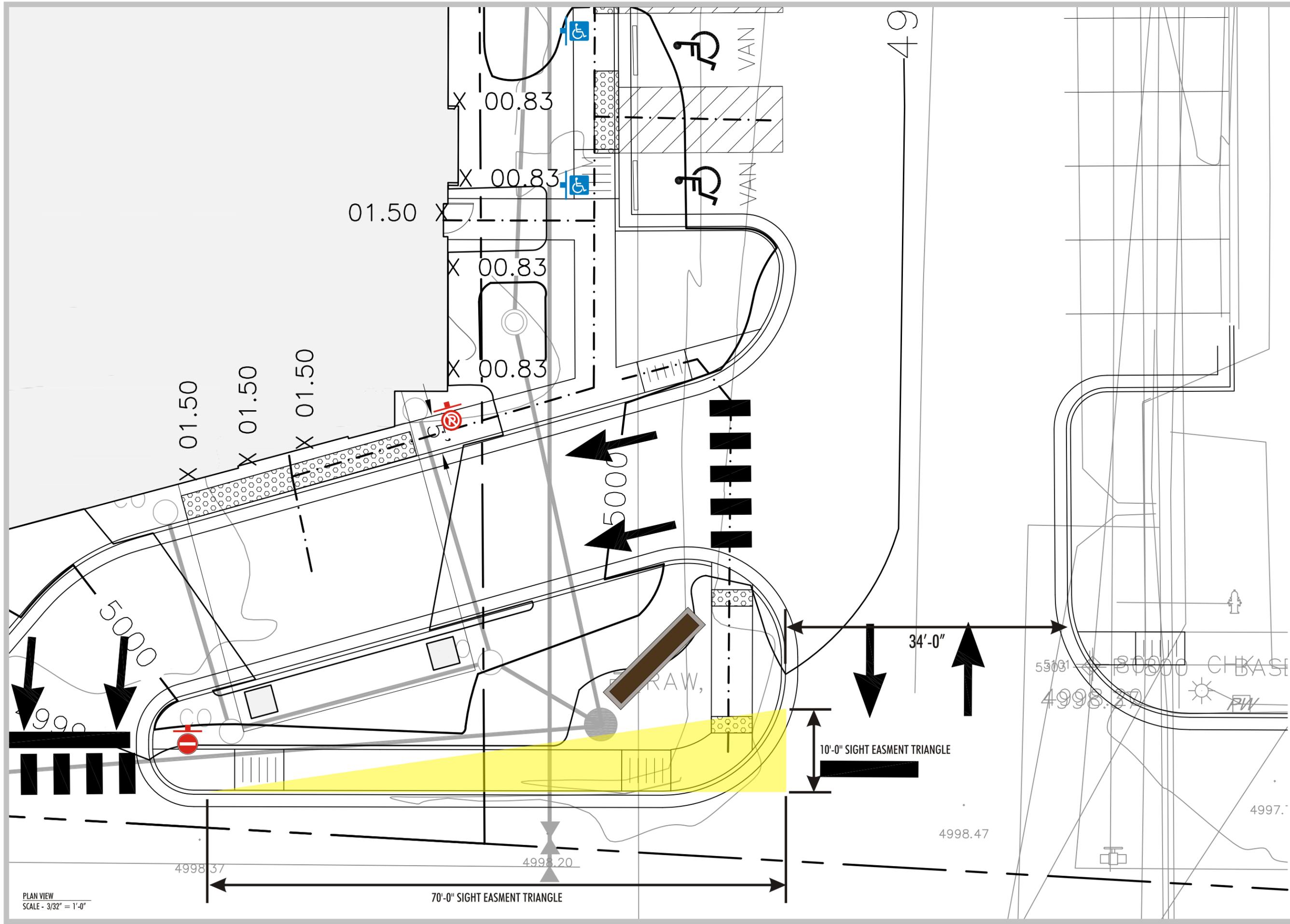


FRONT VIEW  
SCALE - 3/8" = 1'-0"



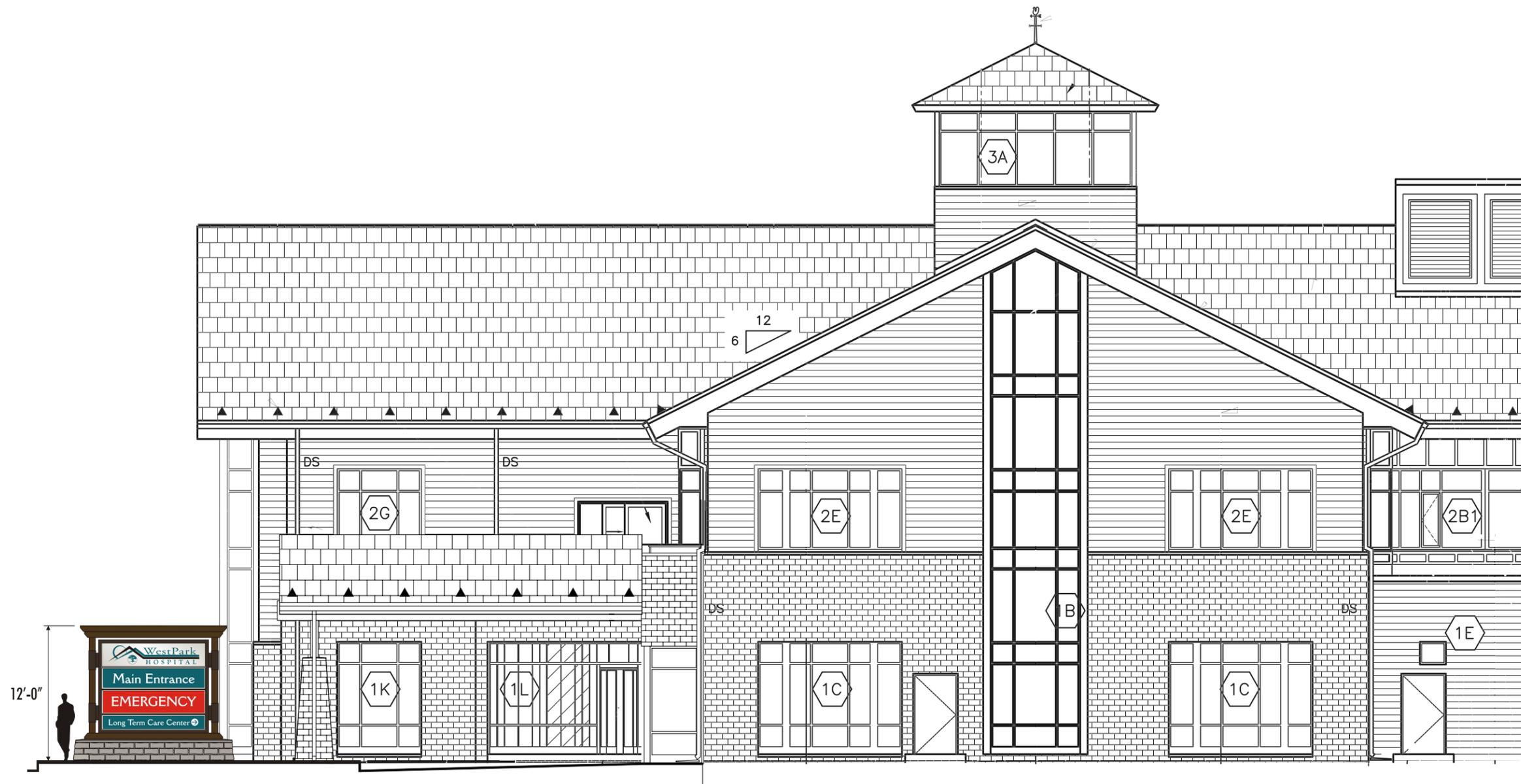
SIDE VIEW  
SCALE - 3/8" = 1'-0"

_____	Date
_____	August 2011
_____	Client
_____	West Park Hospital
_____	Project Manager
_____	Tim Hallman
_____	File
_____	exteriors
_____	Revisions
_____	-
_____	Exterior Signage
_____	Location 1



PLAN VIEW  
SCALE - 3/32" = 1'-0"

Date	August 2011
Client	West Park Hospital
Project Manager	Tim Hallman
File	exteriors
Revisions	
Exterior Signage	Location 1
Page #	0.0



CONTEXT ELEVATION  
SCALE - 3/32" = 1'-0"

Date  
August 2011

Client  
West Park Hospital



Project Manager  
Tim Hallman

File  
exteriors

Revisions  
-

Exterior Signage  
Location 1



Date  
August 2011

Client  
West Park Hospital



Project Manager  
Tim Hallman

File  
exteriors

Revisions  
-

Exterior Signage  
Location 1

Page #  
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CITY OF CODY RESOLUTION 2011-13

ADOPTING THE UPDATED PARK COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD  
MITIGATION PLAN

**Whereas**, the City of Cody recognizes the threat natural hazards pose to people and property within our jurisdiction; and

**Whereas**, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

**Whereas**, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards;

**Whereas**, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

**Whereas**, an adopted Multi-Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

**Whereas**, the City of Cody fully participated in the FEMA-prescribed mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

**Whereas**, the Wyoming Office of Homeland Security and the Federal Emergency Management Agency Region VIII officials have reviewed the Park County Multi-Jurisdictional Multi-Hazard Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body;

**Whereas**, the City of Cody desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Park County Multi-Jurisdictional Multi-Hazard Mitigation Plan.

**Whereas**, adoption by the governing body for the City of Cody demonstrates the jurisdiction’s commitment to fulfilling the mitigation goals and objectives outlined in this Multi-Hazard Mitigation Plan.

**Whereas**, adoption of this legitimacies the plan and authorizes responsible agencies to carry out their responsibilities under the plan.

**Now, therefore, be it resolved**, that the City of Cody adopts the Park County Multi-Jurisdictional Multi-Hazard Mitigation Plan.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**CITY OF CODY  
CODY, WYOMING**

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Nancy Tia Brown, Mayor

**SEAL:**

Attest: \_\_\_\_\_  
Cindy Baker, Clerk / Notary

MEETING DATE: OCTOBER 4, 2011  
DEPARTMENT: PUBLIC WORKS  
PREPARED BY: STEPHEN W. PAYNE  
DEPT. DIR. APPROVAL: \_\_\_\_\_  
CITY ADM. APPROVAL: \_\_\_\_\_  
PRESENTED BY: STEPHEN W. PAYNE

## AGENDA ITEM SUMMARY REPORT TCT Inc. Easement Request

### **BACKGROUND**

TCT West Inc. requests that the Council authorize the Mayor to sign the attached Easement which provides for a crossing of a parcel of land situated in Park County, Wyoming (“the Property”) more particularly described in Deed Book 73 – Page 65 and commonly known as (Sewer Lagoons Property) (see attached and map). TCT West Inc. has a franchise agreement with the City of Cody that allows them to utilize all existing utility easements and rights-of-ways, but there are no convenient utility easements or rights-of-ways that will work in this area and the franchise agreement does not cover crossing lands owned by the City of Cody.

At the pre-meeting with the Council on September 29, 2011, Council expressed concern with granting an easement that did not address what would happen in the event that the City needed the TCT facilities to be relocated. At the time of this writing, TCT is attempting to revise the easement document to address the expressed Council concern, to enumerate that in the event that the City requires the TCT facilities to be relocated, TCT will do so at their expense and to address the location of their facilities in the proximity of the existing lift station. The revised document will be submitted before the end of the day on September 30, 2011 and will be forwarded to the City attorney for his review prior to the Council meeting on the 4<sup>th</sup> of October.

The easement is being requested at “no cost” to TCT as they are attempting to respond to a request from Council to provide fiber optic service to the 2AB area which is currently outside of the franchise agreement area.

### **SUMMARY**

TCT West Inc. requests a telecommunication easement across over City of Cody lands to facilitate their fiber installation. The easement is roughly 1901 feet long and 10 feet in width, crosses property more commonly known as the Sewer Lagoon Property and is particularly described in Deed Book 73 – Page 65.

### **FISCAL IMPACT**

Staff has determined that the land contained within the easement is worth roughly \$1.50/SF and because the request is for an easement and not deeded property the value of the easement would be half of the aforementioned value times the 19010 SF of requested easement area or roughly \$14,257.50.

Since TCT is attempting to respond to a specific request from Council for fiber service to the 2AB area and because of the considerable cost that will be involved in completing the construction for providing service to the 2AB area, TCT has requested the easement at “**no cost**”. Staff concurs that this is a reasonable request for this easement.

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

**ALTERNATIVES**

Options Available

1. Do not authorize the Mayor to sign the attached Easement.
2. Authorize the Mayor to sign the attached Easement.
3. Authorize the Mayor to sign a modified Easement.

**RECOMMENDATION**

Staff recommends that the Council authorize the Mayor to sign the Easement after review and approval by the City Attorney and sign the easement without cost to TCT.

**ATTACHMENTS**

1. Map

**AGENDA & SUMMARY REPORT TO:**

N/A



**Proposed easement**