

City of Cody City Council
AGENDA

Revised

Tuesday, September 17, 2013 - 7:00 p.m. (Pre-Meeting 6:30 p.m.)
Meeting Place: City Hall – Council Chambers – 1338 Rumsey Avenue, Cody, WY

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

Proclamation – September 22nd-28th National Employer Support of the Guard and Reserve Week
Proclamation – September 17th-23rd Constitution Week
Proclamation - September 23rd – Family Day – A Day to Eat Dinner with Your Children

1. Consent Calendar: All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.
 - a. Approve Minutes of the Special Meeting Minutes from 8/29/13 and Regular Meeting Minutes 9/3/13.
 - b. Consider approving the street closure of Sheridan Avenue between 10th and 14th Streets from 3:30pm to 6:30pm on Thursday, October 31st, 2013 during the Downtown Halloween Festival.
 - c. Approve the request from the Cody's Lion's Club to use the Bob Moore Parking Lot beginning Friday, November 22nd through Sunday, November 24th for the Cody Lion's "Turkey Day" Event, allow permission to discharge firearms within the City limits on the 23rd with the conditions outlined by staff.
 - d. **RESOLUTION 2013-08**
A RESOLUTION ESTABLISHING A LONG-TERM DEPOSIT IN LIEU OF A SOCIAL SECURITY NUMBER POLICY FOR ESTABLISHING CITY UTILITY SERVICES.
2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.
3. Public Hearing
 - a. A public hearing to determine if it is in the public interest to approve a transfer of ownership of a retail liquor license from Cooter Brown's LLC to Gulch Street Properties LLC located at 1134 13th Street.
4. Conduct of Business
 - a. Consider approving the transfer of a retail liquor license from Cooter Brown's LLC to Gulch Street Properties LLC.
Staff Reference: Cindy Baker, Administrative Services Officer
Spokesperson: Dale Cowan, Gulch Street Properties LLC

- b. Consider approving vouchers and payroll in the amount of \$1,615,104.95
- c. Consider authorizing the street closure of Beck Avenue between 8th and 9th Street from 5:00pm to 7:00pm on September 27th, October 11th, October 25, November 1st, and November 8th, 2013 for tailgate parties.
Staff Reference: Cindy Baker, Administrative Services Officer
Spokesperson: Mark Landerman, Cody High School Football
- d. Consider approving the reservation of Bob Moore parking lot on October 5th, 2013 from 5:00pm to 12:00am to Whole Foods Trading for Cody's Downtown Saturday Market Harvest Dinner and approve an open container permit for the event.
Staff Reference: Cindy Baker, Administrative Services Officer
Spokesperson: Kay Chandler, Whole Foods Trading
- e. Consider approving a request from West Park Hospital to use a portion of Stock Drive for a cryogenic storage tank and authorize the Mayor to sign the encroachment license.
Staff Reference: Todd Stowell, City Planner
Spokesperson: Tim Waldner, West Park Hospital
- f. Consider approving issuance of a Temporary Dispensing Room Permit to the Buffalo Bill Memorial Association for the Patron's Ball to be held on September 21, 2013.
Staff Reference: Cindy Baker, Administrative Services Officer
Spokesperson: Josie Hedderman, Buffalo Bill Center of the West
- g. Consider authorizing the Administrative Services Officer or his/her designee to issue Temporary Dispensing Room Permits.
Staff Reference: Cindy Baker, Administrative Services Officer
- h. **ORDINANCE 2013-17**
AN ORDINANCE AMENDING TITLE 10, CHAPTER 15, SECTION 3, SUBSECTION (B)(1) OF THE CITY OF CODY CODE: ELECTRONIC MESSAGE BOARDS AND ANIMATED SIGNS.
Staff Reference: Todd Stowell, City Planner

5. Tabled Items

6. Matters from Staff Members or Council Members

PROCLAMATION

EMPLOYER SUPPORT OF THE GUARD AND RESERVE WEEK

Whereas, National Guard and Reserve forces comprise nearly half of our nation's military strength, and are essential to America's national security. Reserve Component forces stand ready to answer the call to serve, whether serving alongside active duty counterparts all across the globe or responding to humanitarian crises at home and abroad; and

Whereas, employers provide critical support to members of the National Guard and Reserve; allowing Citizen Warriors to serve whenever the Nation calls, often foregoing financial gain and making sacrifices in the process; and

Whereas, employer support is stronger than ever, more than 41 years after President Richard Nixon authorized the Secretary of Defense to establish the National Committee for Employer Support of the Guard and Reserve (ESGR); and

Whereas, our nation is in debt to the Citizen Warriors departing the comforts of home to ensure our freedoms remain intact. Likewise, America pays special tribute to the commitment of dedicated and supportive employers who continue to make service in the Reserve Components possible; and

Now, therefore, I, Nancy Tia Brown, Mayor of the City of Cody, do hereby declare September 22 – 28 National Employer Support of the Guard and Reserve week.

Dated this 17th day of September, 2013.

Nancy Tia Brown, Mayor

Proclamation

Whereas: September 17, 2013, marks the two hundred twentieth-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate the occasion; and

Whereas: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

Now, therefore I, Mayor Nancy Tia Brown by virtue of the authority vested in me as Mayor of Cody, Wyoming, do hereby proclaim the week of September 17 through 23 as Constitution Week.

And ask our citizens to reaffirm the ideals the framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering the lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Cody to be affixed this 17th day of September of the year of our Lord two thousand and thirteen.

Signed _____
Mayor Nancy Tia Brown

SEAL
Attest _____
Cynthia Baker, Administrative Services Officer

Proclamation

Whereas, the use of illegal and prescription drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

Whereas, 15 years of surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

Whereas, frequently family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

Whereas, the correlation between frequent family dinners and reduced risk for teen substance abuse is well documented; and

Whereas, parents who are engaged in their children's lives-through such activities as frequent family dinners-are less likely to have children who abuse substances; and

Whereas, family dinners have long constituted a substantial pillar of family life in America.

Now, therefore I, Mayor Nancy Tia Brown by virtue of the authority vested in me as Mayor of Cody, Wyoming, do hereby proclaim Monday, September 23, 2013 as **Family Day – A Day to Eat Dinner with Your Children** in Wyoming and urge all citizen to recognize and participate in its observance.

Signed _____
Mayor Nancy Tia Brown

SEAL
Attest _____
Cynthia Baker, Administrative Services Officer

City of Cody
Council Proceedings
Thursday, August 29, 2013

A special meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Thursday, August 29, 2013 at 4:15 p.m.

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

Absent: None.

Mayor Brown called the meeting to order at 4:24 p.m.

Leslie Brumage, Finance Officer, provided an update on the RFPs received from Purchase Card Providers. Staff was directed to proceed with contract negotiations.

Jenni Rosencranse, City Administrator provided background information on the City of Cody Sign Ordinance, approval procedure, and special exemption process.

The Governing Body reviewed the Council Agenda for September 3, 2013. No action was taken

Steve Payne, Public Works Director, stated the Auditorium parking lot is paved and the City parking lot behind Gambles is also scheduled to be paved. The National League of Cities will be sending a letter this fall in regards to the warranty program.

Jenni Rosencranse, City Administrator, updated Council that WAM has requested the City of Cody put in a bid to host the convention in 2016.

There being no further discussion, the meeting adjourned at 5:38 p.m.

Sara Wead
Assistant Administrative Services Officer

Nancy Tia Brown
Mayor

City of Cody
Council Proceedings
Tuesday, September 3, 2013

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, September 3, 2013 at 7:00 p.m.

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

Absent: None

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

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

Steve Payne, Public Works Director, introduced new employees: Ron Berry, Apprentice Electric Lineman I; Tim Bushnell, Water Operator I; Zach Hart, Apprentice Electric Lineman I; and Richard Holz, Solid Waste Technician. Sara Wead, Assistant Administrative Services Officer introduced new employee Scott Kitchen, Network/Communications Administrator.

Council Member Miller made a motion seconded by Council Member Fritz to approve the consent agenda as presented including approval of Minutes of the Special Meeting Minutes from 8/15/13 and Regular Meeting Minutes from 8/20/13; and authorizing the Mayor to enter into and sign contract between the City of Cody and Pacific Recycling for scrap metal recycling services. Vote was unanimous.

Jeremy Lee Frisby asked Council if the City of Cody is participating in the Northern American Electric Reliability Council on November 13-14. He also inquired if Cody has a contingency plan should there be a national catastrophic event and federal aid is not available. Steve Payne, Public Works Director and Jenni Rosencranse, City Administrator described plans in place.

Council Member Fritz made a motion seconded by Council Member Wolz to approve vouchers and payroll in the amount of \$578,989.72. Council Member Greer recused himself from the vote. Vote was unanimous.

Council Member Miller made a motion seconded by Council Member Fritz to approve a request from Cody High School Student Council to use Beck Lake Park on Thursday, September 26, 2013 for the Homecoming Bon Fire, to close Sheridan Avenue for the Homecoming Parade on Friday, September 27, 2013 at 1:00 p.m., allow celebration of each touchdown and end of the game with touchdown "Cracker" shells 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 and sponsor other associated staffing and equipment cost in the amount of \$1,263.75 to be funded out of the Lodging Tax fund. Vote was unanimous.

Council Member Wolz made a motion second by Council Member Anderson to approve a request from Park County Leadership Institute for the City of Cody to sponsor lunch and breaks for one day for the 2013-2014 Park County Leadership Class from the General Fund, not to exceed \$400. Vote was unanimous.

Council Member Wolz made a motion second by Council Member Greer to approve a preliminary and final plat for the Berry Subdivision, a two lot minor subdivision located on Meadowlark Court, with the variance to the alley requirement and setback along the common property line and subject to the conditions of approval recommended by the Planning and Zoning Board. Vote was unanimous.

Council Member Fritz made a motion second by Council Member Greer to approve a preliminary and final plat for the JTS Minor Subdivision, a two lot minor subdivision located on 29th Street, with the variances to the alley requirement and conformance to the Street master plan, and with a deviation to the requirement for curb, gutter and sidewalk on the condition of participation in a future improvement district to provide such and subject to the conditions of approval recommended by the Planning and Zoning Board. Vote was unanimous.

**ORDINANCE 2013-16 – THIRD AND FINAL READING
AN ORDINANCE VACATING, ABANDONING AND CONVEYING A 10-FOOT
WIDE ALLEY ALONG THE SOUTH BOUNDARY OF LOTS 21, 22 AND 23 OF
BROWN’S SECOND ADDITION SUBDIVISION, CITY OF CODY, STATE OF
WYOMING TO DENNIS AND ELIZABETH DANZIK.**

Council Member Miller made a motion second by Council Member Greer to approve Ordinance 2013-16 on third and final reading. Vote was unanimous.

Steve Payne, Public Works Director stated the 16th Street Storm Drainage project started today. The Auditorium parking lot paving is complete and the paving of the parking lot west of Gambles is in progress and will take approximately two weeks.

There being no further business, Mayor Brown adjourned the meeting at 7:47 pm

Sara Wead
Assistant Administrative Services Officer

Nancy Tia Brown
Mayor

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: ADMINISTRATION
PREPARED BY: JENNIFER ROSENCRANSE
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: JENNIFER ROSENCRANSE

AGENDA ITEM SUMMARY REPORT
HALLOWEEN CLOSURE OF SHERIDAN AVENUE

ACTION:

Deb Simpson, representing the Cody Events Committee is requesting the City of Cody close Sheridan Avenue on Thursday, October 31, 2013 from 10th Street to 14th Street from 3:30 to 6:30 p.m. for the annual Downtown Halloween Festival.

SUMMARY:

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 five years to help assure the safety of the children.

The Public Works Department has prepared a street closure plan and map that will prohibit vehicular traffic on Sheridan Avenue from 10th Street to 14th Street from 3:30 p.m. to 6:30 p.m. on Thursday, October 31, 2013. Assistance from the Cody Police Department will be needed as well as 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.

Historically in the past, the Cody Events Committee has provided proof of liability insurance to the City of Cody during closure events and staff would recommend that condition be placed upon the approval. In addition, WYDOT requires an Application for Special Event Permit to be completed, but their approval is conditional upon the Council approval. If approved by Council, this permit will be submitted to WYDOT as well.

FISCAL IMPACT

The anticipated costs for the Public Works Department employees to set up the signs, place the barricades and man them for the time period outlined is approximately \$1,219 of which was allocated to be paid for out of the Lodging Tax Fund during the budgeting process.

RECOMMENDATION

Staff recommends that the Mayor and Council approve the request as presented with the provision that the Cody Event Committee provide proof of liability insurance for the event and that they receive approval by WYDOT.

ATTACHMENTS

Agenda Request Form
WYDOT Application for Special Event Permit

AGENDA & SUMMARY REPORT TO:

Vi Tryon 527-7190

AGENDA ITEM NO. _____

8.26.13 blue back
for the 9/3

9/9/13 for the 9/17/13

City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council DEB SIMPSON

Organization Represented Cody Events Committee

Date you wish to appear before the Council 9/3/13

Mailing Address P.O. Box 2582 Telephone 307-527-7190

E-Mail Address _____

Preferred form of contact: Telephone E-Mail _____

Names of all individuals who will speak on this topic _____

Event Title (if applicable) Halloween

Date(s) of Event (if applicable) 10/31/13

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Closing of Sheridan Ave for
trick or treating

Which City employee(s) have you spoken to about this issue? Jemi Rosencranse

Signature [Signature] Date 8/26/13

MEETING DATE: SEPTEMBER 17, 2013

DEPARTMENT: ADMINISTRATIVE SERVICES

PREPARED BY: CINDY BAKER

DEPT. DIR. APPROVAL:

CITY ADM. APPROVAL: _____

Agenda Item Summary Report

Cody Lions Club Turkey Day Celebration

ACTION

The Lions Club is requesting the use of the Bob Moore Parking Lot from Friday, November 22nd through Sunday, November 24th. This will include the use of firearms (.22 rifles) on November 23rd. In addition to the use of the lot, the Cody Lions request that banners be permitted to be erected at 8th and Lindsey Lane and on the Greybull Hill for the month of November.

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.

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. The Lions Club has provided the City of Cody with an insurance binder showing proof of liability insurance with the City of Cody listed as an additional insured and have completed the Highway Banner paperwork.

ATTACHMENTS

1. Agenda Request Form
2. Proof of Insurance
3. Highway Banner Document

AGENDA & SUMMARY REPORT TO:

Mick Barrus, mick_g_barrus@yahoo.com

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: MICK BARRUS

Organization Represented: CODY LIONS CLUB

Date you wish to appear before the Council: NO

Mailing Address: 1536 16th ST. #2
CODY, WY 82414 Telephone: 307-527-4954

E-Mail Address: MICK_G_BARRUS@YAHOO.COM

Preferred form of contact: Telephone: _____ or E-Mail

Names of all individuals who will speak on this topic _____

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

USE OF BOB MOORE PARK (NOV. 22-23-24) (13) TURKEY DAY

DISCHARGE OF FIREARMS WITHIN CITY LIMITS

SIGNAGE PERMIT (MONTH OF NOVEMBER)

GREY BULL HILL AND 8th STREET

CERTIFICATE OF INSURANCE AND HIGHWAY BANNER LICENSE

REQUEST ATTACHED

Which City employee(s) have you spoken to about this issue? JOAN MURPHY
(accepted form)

Mick Barrus
Signature

8-28-13

Date Submitted



CITY OF CODY HIGHWAY BANNER LICENSE

THE CITY OF CODY, hereinafter called the "City" hereby grants a License to CODY LEANS CLUB, (hereinafter called the "Licensee"), for the installation of HIGHWAY BANNER. They are located at: 17TH & 18TH STREETS upon property the City and State acquired for and/or utilizes in the operation and maintenance of public improvements.

The Licensee hereby acknowledges and agrees as follows:

1. The facility will be placed in a manner conforming to recognized standards, applicable federal, state or local laws, codes, ordinances, and regulations; in the exact location commonly known as "Greybull Hill" and "8th Street". Placing the facility in a location other than originally approved without obtaining prior City approval by submitting a revised request may void the license.
2. Any future alterations, modifications, or removals of the facility within the public right-of-way, required and requested by the City, shall be completed without delay. Adjustments will be accomplished at no expense to the City, unless otherwise provided for by the law.
3. The license grants permission for the Licensee to occupy a portion of the right-of-way controlled by the City. This permission is limited by the type of controlling interest held by the City. Responsibility to satisfy any other fee (deeded) interest rests with the Licensee.
4. This license will not be modified, transferred, or assigned without the written consent of the Director of Public Works. This license does not allow for installation of additional facilities, nor does this license set aside a strip of land of specific width for the exclusive use by the Licensee.
5. The Licensee agrees to the standards for traffic control as outlined in the "Manual on Uniform Traffic Control Devices." Standards developed by the Licensee may be substituted for the cited manual provided they have been approved by the Director of Public Works. The Licensee must cease all operations if he or she does not comply with traffic control standards. Traffic control plans and road closure plans may be required by the Director of Public Works for approval prior to starting any work on the street right-of-way.
6. The Licensee agrees to forever indemnify the City and save it harmless from all liability for damages to property, or injury to deal of persons, including all costs and expenses related thereto, arising wholly or in part, or in connection with the existence, construction, alteration, repair, renewal, use, or removal of the facility by the Licensee or his agents, for those facilities located within the City right-of-way described or noted herein.
7. Specific construction considerations may be attached to this form by the City. The Licensee agrees to incorporate the applicable requirements into the design of the facility and assures compliance with these requirements during the construction of the facility. Noncompliance will void this permit.
8. The Licensee is required to notify the Director of Public Works in writing to cancel and/or nullify an issued license if the described facility is to be abandoned in place, will be removed, or will not be constructed. The City will determine if abandonment in place will hinder the City's future operations and if the facility must be removed at the time of abandonment.
9. This license will be null and void if construction of the described facility does not commence within six (6) months of approval, unless prior arrangements have been made specifying a specific construction period. This license shall be null and void if the described facility is not in use for a period of eighteen (18) months or longer, and the Licensee may be required to remove the facility.

- 10. Based upon the complexity, construction methods or other concerns, the City may require part-time or full-time inspector(s) to the Licensee's project. The cost of such inspection will be at the sole expense of the Licensee.
- 11. The Licensee waives all claims against the Licensor for any loss, damage or injury sustained to the property of Licensee which is installed on Licensor's right-of-way under this agreement due to ordinary negligence of Licensor or its employees.
- 12. The Licensee is hereby advised that any work operation in the vicinity of electric power lines shall be in compliance with W.S. 37-3-301 through 37-3-306, titled Wyoming High Voltage Power Lines and Safety Restrictions Act, and the Licensee is further advised to comply with the provisions W.S. 37-12-301 through 37-12-304, titled Damage to Underground Public Facilities.
- 13. This license is issued with the understanding that conventional construction methods like: trenching, plowing, boring, pole setting by truck, etc. will be used. Activities like blasting, erection of poles or structures by helicopter, other non-conventional methods will require specific prior approval by the Director of Public Works.
- 14. City Stipulations:

- A. The Licensee shall provide a \$1,000,000 liability policy with the City of Cody and the Wyoming Department of Transportation as additional insured. The policy shall be in force during all periods the banners are in use.
- B. A responsible person with the means to hang/remove the banners shall be available 24 hours per day as an emergency contact. This person is INSTALLER CHECK'S SIGNS: 587-6125, 272-7456
MIKE BARRUS, phone number: 527-4954.
- C. Should City personnel need to remove the banner(s) for safety problems caused by their installation or from them sagging or falling down, the Licensee will be responsible for back charges incurred by the City for time and equipment used.
- D. The approximate day that banners will be hung is: MONTH OF
NOV. 2013 and they will be taken down on:
NOV. 25.
- E. The Licensee is part of a non-profit organization. Yes No
- F. The Licensee shall provide a brief description of the event the banners would be placed for.
Name of Event: LIONS TURKEY DAY
Date of Event: NOV. 23, 2013
Purpose of the Event: COMMUNITY TYPE CARNIVAL AND FUND
RAISED FOR CODY LIONS CLUB

The undersigned, Licensee/Owner of the facility, hereby accepts this License, subject to the terms and conditions stated herein.

LICENSEE/OWNER

CITY OF CODY, WYOMING

COMPANY NAME: CODY LIONS CLUB

BY: _____
Date

BY: MIKE BARRUS

ADDRESS: 1536 16th St. #2

CODY, WY 82414

TELEPHONE NO: 527-4954

899-1679

RESOLUTION 2013-08

A RESOLUTION ESTABLISHING A PERPETUAL DEPOSIT IN LIEU OF A SOCIAL SECURITY NUMBER POLICY FOR ESTABLISHING CITY UTILITY SERVICES.

WHEREAS, the City of Cody offers residents and businesses of Cody utility services including electric, water, wastewater, and solid waste; and

WHEREAS, the City of Cody generally provides utility services, metered and unmetered in advance of obtaining payment for services rendered; and

WHEREAS, the City of Cody has historically required that customers establishing utility services with the City of Cody complete an application for service, and provide their driver's license number, date of birth, and social security number as well as a letter of credit showing good payment history for 12 months from the City of Cody or a previous utility company or a meter deposit in order to establish service and ensure payment of utilities consumed; and

WHEREAS, the City of Cody generally does not allow for the establishment of utility services without meeting the requirements as stated above; and

WHEREAS, the governing body and administration understand that occasionally there are extenuating circumstances of hardship in which an individual is unwilling to provide sensitive information such as a social security number due to identity theft concerns, and therefore should be allowed an alternative in order to establish utility services;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CODY that the City of Cody hereby establishes a perpetual deposit in lieu of a social security number policy for establishing City services under the following conditions and procedures:

1. The utility service applicant must state opposition to the social security requirement, and must show proof of two forms of identification such as:
 - a. a valid Driver's License or Identification card issued by a State, federal or local government provided it contains a photograph or information such as name, date of birth, gender height, eye color, and address,
 - b. School ID card with a photograph,
 - c. Voter's registration card,
 - d. U.S. Military card or draft record, or Military dependent's ID, or any other form of military identification,
 - e. A U.S. Passport or Passport Card, or
 - f. Any other document as described in List A or B of Federal Form I-9 which establishes Identity.

2. The utility service applicant must pay a non-refundable deposit in full prior to establishing utility services. Said deposit shall be held in perpetuity until termination of the established account and at such time deposit will be applied to any remaining final bill. Any remaining deposit shall be refunded to utility customer.
 - a. Residential Perpetual Deposit: Shall be set by Resolution and at the adoption of this resolution shall be \$500.
 - b. Commercial Perpetual Deposit: Shall be set by Resolution and at the adoption of this resolution shall be \$1,500.
3. The Utility Service Applicant and Administrative Services Personnel shall both sign an Addendum to the Utility Services Application which shall outline the terms and conditions of the Perpetual Deposit in Lieu of a Social Security Number Policy.
2. Customers who have had a previous collection account with the City of Cody are not eligible for this policy.
4. All other policies, procedures and ordinances pertaining to utilities shall remain in full force and affect.
5. Customers may opt to provide their social security number at any time and at such time a social security number is provided, the City shall initiate a refund the deposit.

PASSED, APPROVED AND ADOPTED ON THIS 17st DAY OF SEPTEMBER, 2013.

Mayor Nancy Tia Brown

ATTEST:

Cynthia D. Baker, Administrative Services Officer

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: SARA WEAD, ASSISTANT
ADMINISTRATIVE SERVICE OFFICER
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____

AGENDA ITEM SUMMARY REPORT

Request for Transfer of Ownership of a Retail Liquor License

ACTION TO BE TAKEN:

Approve the transfer of ownership of the retail liquor license held by Cooter Brown's LLC to Gulch Street Properties LLC dba Whole Foods Trading Co.

SUMMARY OF INFORMATION:

Gulch Street Properties LLC has applied for the transfer of ownership of the retail liquor license held by Cooter Brown's LLC. All documentation has been received and is complete. Gulch Street Properties LLC will maintain the current location of the license at 1134 13th Street. In addition to traditional liquor store products, they intend to offer unique selections that would complement Whole Foods Trading store and restaurant.

FISCAL IMPACT

If approved, the City of Cody would receive a transfer fee of \$100.

ALTERNATIVES

1. Approve the transfer of the retail liquor license.
2. Deny the transfer of the retail liquor license

ATTACHMENTS

State of Wyoming Liquor License transfer application and required attachments
Business plan

AGENDA & SUMMARY REPORT TO:

Dale Cowan 307-899-9829

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: 8 / 16 / 2013

	Annual Fee	Prorated Fee
Basic Fee:	\$ _____	\$ _____
Add'l Dispensing Room Fee:	\$ _____	\$ _____
Transfer Fee:	\$ <u>100.00</u>	\$ _____
Total License Fee Collected	\$ _____	\$ _____
Publishing Fee Collect:	\$ <u>260.00</u>	

Required Attachments Received: Yes

Advertising Dates(4): _____

Hearing Date: 9 / 17 / 2013

Local Licensing Number: _____

For the license term: 9 / 17 / 2013
Month Day Year

Through: 7 / 31 / 2014
Month Day Year

A copy must be immediately forwarded to:
 State of Wyoming Liquor Division
 6601 Campstool Rd.
 Cheyenne WY 82002-0110

Formerly Held by: Cooter BROWN'S

Applicant: Gulch Street Properties LLC

Trade Name (dba): Whole Foods Trading Co

Premise Address: 1134 13TH STREET
Number & Street

Cody WY 82414 Park
City State Zip County

Mailing Address: P.O. Box 276
Number & Street or P.O. Box

Cody WY 82414
City State Zip

Business Telephone Number: (307) - 899-9829

Fax Number: (307) 587-3360

E-Mail Address: bcowan@BRESNAN.NET

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.**

<p>FILING FOR</p> <p><input type="checkbox"/> NEW <input type="checkbox"/> TRANSFER LOCATION <input checked="" type="checkbox"/> TRANSFER OWNERSHIP</p> <p>FILING IN (CHOOSE ONLY ONE) <input checked="" type="checkbox"/> CITY OF <input type="checkbox"/> COUNTY OF</p> <p>FILING AS (CHOOSE ONLY ONE) <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> LTD PARTNERSHIP <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> ORGANIZATION</p>	<p>TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)</p> <p><input checked="" type="checkbox"/> RETAIL LIQUOR LICENSE <input type="checkbox"/> on-premise only <input type="checkbox"/> off-premise only <input checked="" type="checkbox"/> combination on/off premise</p> <p><input type="checkbox"/> RESTAURANT LIQUOR LICENSE <input type="checkbox"/> RESORT LIQUOR LICENSE <input type="checkbox"/> COUNTY RETAIL or SPECIAL MALT BEVERAGE PERMIT</p> <p><input type="checkbox"/> VETERANS CLUB <input type="checkbox"/> FRATERNAL CLUB <input type="checkbox"/> GOLF CLUB <input type="checkbox"/> SOCIAL CLUB <input type="checkbox"/> MICROBREWERY <input type="checkbox"/> WINERY <input type="checkbox"/> BAR AND GRILL</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>DO YOU OPERATE?</p> <p><input checked="" type="checkbox"/> FULL TIME (e.g. Jan through Dec) <input type="checkbox"/> SEASONAL/PART-TIME (specify months of operation) from _____ to _____</p> <p>DAYS OF WEEK (e.g. Mon through Sat) <u>MON THROUGH SUN.</u></p> <p>HOURS OF OPERATION (e.g. 10a - 2a) <u>8AM. - 2AM.</u></p>
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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)

398 Sq. foot room in NE corner of building

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

(c) Provide the legal description and the zoning of the site where the applicant will conduct business:

SEE LEASE D-2

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 Mar 1 Jan 25, 2017 located on page 1 paragraph 1 of lease document.
 (B) Provision for **SALE** of alcoholic or malt beverages located on page 2 paragraph 3 of lease.

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) YES NO
 If "YES", explain: _____
-

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? YES NO
 W.S. 12-4-407(a) W.S. 12-4-413(a)
- (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 & 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"/>
DALE ALAN COWAN	[REDACTED]	[REDACTED]	[REDACTED]	NEW	50%	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Betty Kay Cowan				NEW	50%	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>

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

OATH OR VERIFICATION

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

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

STATE OF WYOMING)

SS.

COUNTY OF Park)

Before Me, Jenni L. Perry, Notary Public, (specify)
(Printed name of Notary or other officer authorized to administer oaths)

a Notary Public, Officer authorized to administer oaths in and for

Park

County, State of Wyoming, personally appeared

Dale Cowan + Betty Kay Cowan name he/she being first duly sworn
(Insert Names)

by me upon his oath, says that the facts alleged in the foregoing instrument are true.

(Seal)



1. Dale Cowan
2. Betty Kay Cowan
3. _____
4. _____

My Commission expires: 10-12-14

Witness my hand and official seal:

Jenni L. Perry
(Notary Public or other officer authorized to administer oaths)

Title Notary Public

Dated: August 16, 2013

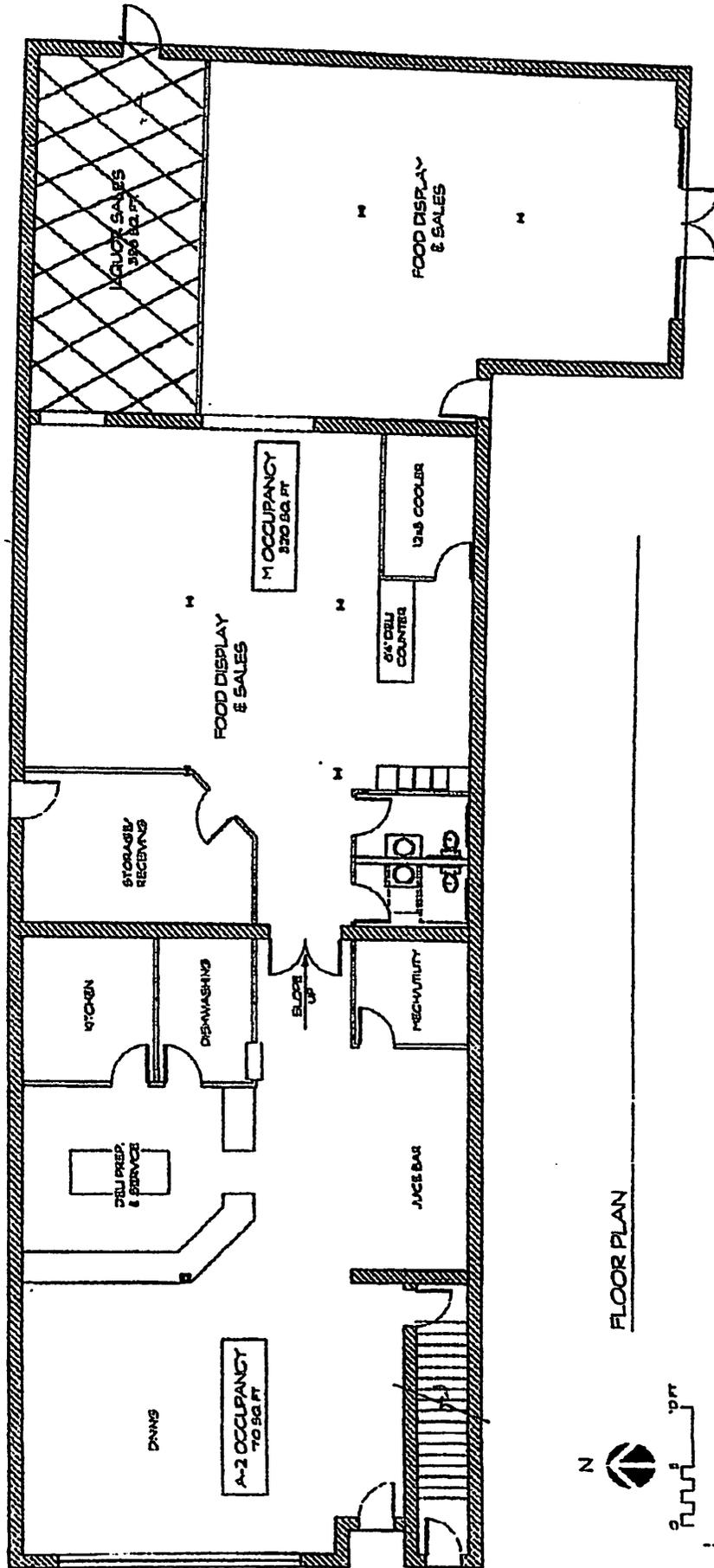
REQUIRED ATTACHMENTS:

- (a) Attach any lease agreements W.S. 12-4-103 (a) (iii).
- (b) If the building is not in existence, an architect's drawing or suitable plans of the room and the premises to be licensed must be attached W.S. 12-4-102 (a) (i).
- (c) A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102 (a) (v).
- (d) Restaurant or Bar & Grill Liquor License applicants must include a copy of the CURRENT food service permit W.S. 12-4-407 (a) or 12-4-413 (a).
- (e) Include a drawing of the dispensing room W.S. 12-5-201 (a).
- (f) Check or bank draft as payment for the application and publishing the notice of application (Direct billing is permissible for publication fees) W.S. 12-4-101-4 (a).
- (g) If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601 (b).

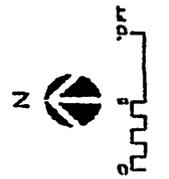
ADVERTISING REQUIREMENTS W.S. 12-4-104(a):

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.

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



FLOOR PLAN



WHOLE FOODS TRADING CO.

KEITH PRYOR
ARCHITECT
INCORPORATED
1980



LEASE AGREEMENT

THIS LEASE AGREEMENT made and entered into this 2nd day of August, 2013 by and between Whole Foods Trading Co., Inc., a Wyoming corporation, hereinafter referred to as "Whole Foods," and Gulch Street Properties, LLC, a Wyoming limited liability company, hereinafter referred to as "Lessee",

W I T N E S S E T H:

WHOLE FOODS, FOR AND IN CONSIDERATION OF THE COVENANTS AND AGREEMENTS HEREINAFTER SET FORTH to be kept and performed by Lessee does hereby sublease unto Lessee a portion of the following described real estate all as set forth in the Lease Agreement between Marquette, LLC dated 25th day of January, 2012 and Whole Foods Trading Co., Inc. a portion of the following described real estate as follows:

The north 40 feet of Lots 17, 18, 19 and 20 and the north 55 feet of Lots 21 and 22, Block 10, Original Town (now City) of Cody, according to the plat recorded in Book "E" of Plats, page 58, Park County, Wyoming.

The portion of the above described real estate to be leased to Lessee is more particularly described as follows:

A 398 square foot area located in the northeast corner of the building as evidenced by the cross hatch area on Exhibit "A", which is attached hereto and incorporated herein by this reference.

Lessee acknowledges that the remainder of the real estate is leased to Lessee under a Lease Agreement dated January 25, 2012 and the terms and provisions of that Lease Agreement including the area as set forth in Exhibit "A" are subject to an option to purchase the real estate.

The above described 398 square foot area of the real estate is hereinafter referred to as the "LEASED PREMISES" and Lessee does hereby rent the same from Whole Foods upon the following terms and conditions:

1. Term. The term hereof shall commence on the date Gulch Street Properties, LLC acquires the Liquor License No. 405 from the City of Cody and shall continue for a period of five (5) years thereafter, terminating on March 1, 2017 unless earlier terminated as provided herein.

2. Rent. As rent for the LEASED PREMISES, Lessee covenants and agrees to pay to Whole Foods One Hundred Dollars (\$100.00) per month or such other rental as agreed by the parties within six (6) months of date hereof. Rent shall be payable in advance on or before the 1st day of each calendar month commencing upon approval of Lessee acquiring the City Liquor License. Rent shall be paid to Whole Foods at 1134 13th Street, Cody, Wyoming, 82414 or its

authorized agent or at such other place as may be designated by Whole Foods from time to time. Delinquent rent shall be subject to a late charge of ten percent (10%) if over five (5) days delinquent. Delinquent rent shall bear interest thereafter at the rate of eighteen percent (18%) per year if over thirty (30) days delinquent.

3. Use of the LEASED PREMISES. Lessee covenants and agrees that Lessee will use the LEASED PREMISES according to the Sublease Agreement for the sale of alcoholic beverages, and for no other purpose without prior written consent of Whole Foods. Lessee will make no unlawful use of the LEASED PREMISES and will not keep or maintain thereon any substances or materials or conduct its business operation in a manner which may vitiate or endanger the validity of any hazard insurance on the improvements or increase the premium of such hazard insurance. Lessee shall not engage in nor permit any activity thereon in violation of the ordinances of the City of Cody or the laws of the State of Wyoming and shall otherwise in its occupancy of the LEASED PREMISES comply in all respects with the governing statutes and ordinances.

4. Casualty Insurance. Whole Foods shall maintain One Million Dollars (\$1,000,000.00) of liability and casualty insurance covering the LEASED PREMISES, which is acceptable to Lessee and which will name Lessee as an additional insured. Lessee shall be provided a Certificate of Insurance confirming Lessee as an additional insured.

Whole Foods shall secure and maintain fire and extended coverage insurance covering the LEASED PREMISES, in an amount equal to one hundred percent (100%) of the full replacement costs of the LEASED PREMISES. Lessee shall be named as an additional insured and will be provided a Certificate of Insurance confirming coverage.

5. Taxes. Lessee shall pay all personal property taxes for trade fixtures and inventory from date of closing of sale between Cooter Brown's, LLC and Gulch Street Properties, LLC for the Liquor License for the City of Cody No. 405.

6. Utilities. Whole Foods shall pay for all utilities used and consumed on the LEASED PREMISES.

7. Maintenance, Repairs and Alterations. Lessee shall keep its leased portion of the building in a good state of repair (except for structural defects) and shall perform all maintenance and repairs required and shall make no structural changes in the building or erect any signs outside the building without the prior written consent of Whole Foods.

Lessee shall maintain the LEASED PREMISES in a clean and sanitary manner including all equipment and appliances therein, and shall surrender the same at termination hereof, in as good condition as received, normal wear and tear excepted. Lessee shall be responsible for damages caused by Lessee.

8. Destruction of Building. If the LEASED PREMISES is totally destroyed (or so substantially damaged as to be untenable) by storms, fire, earthquake or other casualty, this Sublease shall terminate as of the date of such destruction or damage, and rental shall be accounted for between Whole Foods and Lessee on that date.

If the LEASED PREMISES is damaged but not rendered wholly untenable and the damage can be fully repaired in ninety (90) days, rent shall abate in proportion as the building has been damaged and Whole Foods shall restore the building within said time limit, whereupon rent in full shall recommence. Should the Whole Foods fail or refuse to fully repair the building within said ninety (90) days, Lessee may terminate this Lease.

9. Possession. Whole Foods shall deliver possession of the LEASED PREMISES at time of Lessee acquiring the Liquor License from the City of Cody for use in the LEASED PREMISES.

10. Entry and Inspection. Lessee shall permit Whole Foods or Whole Foods' agents to enter the LEASED PREMISES at reasonable times and upon reasonable notice for the purpose of inspecting the LEASED PREMISES or for making necessary repairs.

11. Removal of Fixtures. With Whole Foods' approval, Lessee may remove prior to the expiration of this Lease Agreement, all fixtures and equipment which it has placed on the LEASED PREMISES during the term of the Lease, provided, Lessee shall repair all damages caused by such removal.

12. Termination. This Lease may be terminated by Lessee on sixty (60) days written notice to Whole Foods and all Lessee's duties and obligations hereunder shall cease on date of termination.

13. Attorney Fees. The prevailing party shall be entitled to all costs incurred, including reasonable attorney fees for enforcing the party's rights hereunder, including the collection of rent, late charges, interest on delinquent rent and eviction.

14. Benefits. This Lease Agreement and its terms and conditions shall inure to the benefit of the parties and their respective heirs, successors and assigns, limited however, by the provisions herein expressed to the contrary.

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

Whole Foods Trading Co., Inc.
1134 13th Street
Cody, Wyoming 82414

and addressed to Lessee as follows:

Gulch Street Properties, LLC
P.O. Box 276
Cody, Wyoming 82414

Notice by mail shall be considered delivered twenty four (24) hours following deposit thereof in any United States post office. Either party may change the address of notice by giving appropriate notice thereof in writing to the other party.

16. Claims of Third Parties. Lessee has entered into an arrangement whereby Whole Foods will cooperate with Lessee for the disposition and sale of certain bottled goods when Lessee directs. Whole Foods will indemnify and hold Lessee harmless from any and all claims by third parties arising from the conduct of business upon the LEASED PREMISES.

17. Merger of Negotiations. All negotiations between the parties are merged in to this Sublease Agreement and there are no undertakings or agreements other than the separate Agreement between Whole Foods and Whole Foods Trading Co., Inc. This Lease Agreement supersedes any prior Lease Agreement Lessee or Whole Foods entered into with regard to the LEASED PREMISES. This Lease Agreement may not be modified, except by an instrument in writing duly executed by the parties.

18. Holding Over. Lessee may hold over after the expiration of the term herein pursuant to an agreement between Whole Foods and Lessee.

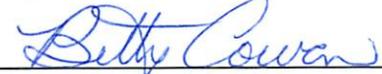
IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement the day and year first above written.

Lessee:

Gulch Street Properties, LLC,
A Wyoming limited liability company



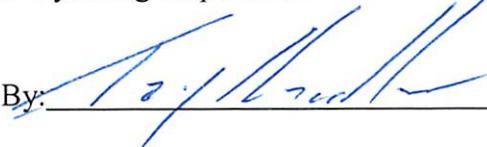
Dale Cowan, Manager/Member



Betty Cowan, Member

Whole Foods:

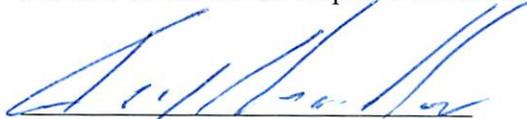
Whole Foods Trading Co., Inc.,
a Wyoming corporation

By: 

Letter of Assignment from Cooter Brown's, LLC to Gulch Street Properties, LLC

Cooter Brown's, LLC has entered into an Agreement with Gulch Street Properties, LLC for the purpose of the sale of Wyoming Liquor License #405.

It is the intent of Cooter Brown's, LLC to sell the liquor license to Gulch Street Properties, LLC upon approval from the City Council of Cody, Wyoming. Cooter Brown's, LLC authorizes the transfer of the Retail Liquor License to Gulch Street Properties, LLC upon approval.



Kay Chandler, President
Cooter Brown's, LLC

9-5-13

Date



First Bank
of Wyoming

Powell • Lovell • Cody

August 16, 2013

Dale and Betty Cowan & Gulch Street Properties LLC
DBA Whole Foods Trading Company
Po Box 276
Cody, Wyoming 82414

RE: Letter of Good Standing

To: City of Cody,

Dale and Betty Cowan and Gulch Street Properties, LLC(Newly Established) have banked with First Bank of Wyoming in Cody, Wyoming since September 2012. They carry substantial checking and savings account balances and have paid the bank as agreed.

Feel free to call me if you have any questions on my direct line 307-587-4735.

Sincerely,

Lance Bower
Branch Manager

Gulch Street Properties, LLC

P.O. Box 276

Cody, Wyoming 82414

Executive Summary

Mission Statement: Provide not only the usual liquor store products, but to provide special and unique selections that would compliment Whole Foods Trading.

Start up date would be upon approval of the City of Cody

Dale A. Cowan – Owner

Betty K. Cowan – Owner

Employees – to be determined

Location and description – see attached

Products and service – retail liquor sales, boutique wines

Banking – Checking account

Market analysis

Industry description and outlook: retail liquor sales in downtown Cody. The location we will be leasing is in downtown Cody and within the building that is currently Whole Foods Trading. The outlook is good. At this time we are going to provide product that would complement Whole Foods Trading store and restaurant .We hope growth will be strong in conjunction with Whole Foods. Our competition at this time is other retail liquor stores. We feel that in being a walk in store downtown, will provide not only our local customers a great shopping environment, but will also be beneficial in the summer with our tourists shopping downtown. We have no regulatory issues.

Company Description:

As stated earlier, we plan to be a retail liquor provider, along with wines and beer that compliment the Whole Foods concept of natural and organic.

Dale and Betty Cowan will be the sole owners of the Liquor license. Kay Chandler will oversee the daily operations of the store.

We plan to start slow, and once we are open we may choose news paper or internet for advertising.

}

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
813-NCPERS WYOMING							
125412							
	090413	PREMIUM	09/04/2013	416.00	416.00	09/04/2013	
Total 125412:				416.00	416.00		
A-1 ELECTRIC							
200							
	03623	REPAIR AERATOR MOTOR	08/31/2013	120.00	120.00	09/18/2013	
	03624	TROUBLESHOOT FAULT	08/31/2013	92.00	92.00	09/18/2013	
	03625	RESTORE LAGOON POWER	08/31/2013	176.00	176.00	09/18/2013	
	03627	WIRE MONITOR WELL PUMP	08/31/2013	64.54	64.54	09/18/2013	
Total 200:				452.54	452.54		
ACE HARDWARE							
2390							
	246658	FURNACE FILTERS	08/23/2013	103.27	103.27	09/18/2013	
	263833	SUPPLIES	08/14/2013	5.98	5.98	09/18/2013	
	263834	SUPPLIES	08/14/2013	5.98	5.98	09/18/2013	
	263835	SUPPLIES	08/14/2013	1.98	1.98	09/18/2013	
	264097	SHOP SUPPLIES	08/19/2013	7.49	7.49	09/18/2013	
	264466	SUPPLIES	08/23/2013	1.40	1.40	09/18/2013	
	264471	SUPPLIES	08/23/2013	14.48	14.48	09/18/2013	
	264606	IRRIGATION REPAIRS	08/26/2013	4.78	4.78	09/18/2013	
	264625	GLOVES	08/26/2013	16.99	16.99	09/18/2013	
	264708	IRRIGATION REPAIRS	08/27/2013	1.98	1.98	09/18/2013	
	264734	PAINTING SUPPLIES	08/28/2013	9.97	9.97	09/18/2013	
	264744	TREE / LIMB SAW	08/28/2013	15.99	15.99	09/18/2013	
	264780	SPRINKLER REPAIR 10TH & RU	08/28/2013	37.90	37.90	09/18/2013	
	264827	PARK SUPPLIES	08/29/2013	38.97	38.97	09/18/2013	
	264827	SAFETY GLASSES	08/29/2013	13.99	13.99	09/18/2013	
	264835	IRRIGATION REPAIRS	08/29/2013	4.99	4.99	09/18/2013	
	264869	HOSE - SHOP BUILDING	08/29/2013	119.98	119.98	09/18/2013	
	264928	HOSE CART	08/30/2013	44.99	44.99	09/18/2013	
	264930	TRASH CANS	08/30/2013	35.98	35.98	09/18/2013	
	264989	MOUSE BAIT, LUBE, ROPE	08/30/2013	36.47	36.47	09/18/2013	
	265043	MATERIAL & SUPPLIES	08/31/2013	25.96	25.96	09/18/2013	
	265102	SUPPLIES	09/03/2013	10.99	10.99	09/18/2013	
	265137	SUPPLIES	09/03/2013	4.47	4.47	09/18/2013	
	265309	IRRIGATION REPAIRS	09/05/2013	17.94	17.94	09/18/2013	
	265324	REPAIR IRRIGATION	09/05/2013	9.58	9.58	09/18/2013	
	265334	BUILDING MAINT	09/05/2013	8.94	8.94	09/18/2013	
Total 2390:				589.48	589.48		
ACKER ELECTRIC							
270							
	29247	INSTALL SUIT DRYER	08/27/2013	234.01	234.01	09/18/2013	
Total 270:				234.01	234.01		
ADVANCED INFO SYSTEMS							
129162							
	10785	CYCLE 2 OUTSOURCE BILLS	08/26/2013	179.81	179.81	09/18/2013	
	10796	CYCLE 3 OUTSOURCE BILLS	08/26/2013	405.87	405.87	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 129162:				585.68	585.68		
ALBERTSONS							
430							
	026099	NO SCHOOL DAYS	08/26/2013	20.85	20.85	09/18/2013	
Total 430:				20.85	20.85		
ALSCO							
126551							
	953249	TOWELS & RUGS - REC CENTE	08/19/2013	117.93	117.93	09/18/2013	
	955063	TOWELS	08/26/2013	47.99	47.99	09/18/2013	
	955482	RUGS - AUDITORIUM	08/27/2013	169.40	169.40	09/18/2013	
Total 126551:				335.32	335.32		
AMERICAN FAMILY LIFE ASSUR							
550							
	090413	PREMIUM	09/04/2013	2,535.08	2,535.08	09/04/2013	
Total 550:				2,535.08	2,535.08		
AMERICAN WELDING & GAS, INC.							
128592							
	02381533	SAFETY GLASSES	08/28/2013	57.84	57.84	09/18/2013	
	02382797	CYLINDER RENTAL	08/29/2013	36.29	36.29	09/18/2013	
	02382797	SAFETY GLOVES	08/29/2013	15.56	15.56	09/18/2013	
	02387356	SUPPLIES	08/31/2013	60.45	60.45	09/18/2013	
	02387357	CYLINDER RENTAL	08/31/2013	48.36	48.36	09/18/2013	
Total 128592:				218.50	218.50		
ANDERSON, KENNETH							
129806							
	15192027	REFUND CREDIT BALANCE	08/29/2013	12.87	12.87	09/18/2013	
Total 129806:				12.87	12.87		
ATCO INTERNATIONAL							
127716							
	10384502	POOL CHEMICALS	08/26/2013	789.00	789.00	09/18/2013	
Total 127716:				789.00	789.00		
BEAR CO, INC							
1010							
	175044	TIRES, B10 PARKS	08/14/2013	560.00	560.00	09/18/2013	
	175103	TIRES B33 & A05	08/15/2013	1,680.00	1,680.00	09/18/2013	
	175234	SANITATION TIRES C04	08/20/2013	747.26	747.26	09/18/2013	
Total 1010:				2,987.26	2,987.26		
BETTER BODY FITNESS							
127727							
	11855	FITNESS EQUIPMENT MAINT.	08/15/2013	1,800.00	1,800.00	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 127727:				1,800.00	1,800.00		
BIG HORN PAINT							
1180							
	0059284	RED CURB PAINT	08/22/2013	111.96	111.96	09/18/2013	
Total 1180:				111.96	111.96		
BIG HORN PRECAST							
1182							
	6818	PARKING BLOCKS	08/29/2013	560.00	560.00	09/18/2013	
	6818	PARKING BLOCKS	08/29/2013	880.00	880.00	09/18/2013	
Total 1182:				1,440.00	1,440.00		
BIG HORN WHOLESALE							
1210							
	8902	MATERIAL & SUPPLIES	08/26/2013	239.96	239.96	09/18/2013	
	8908	SUPPLIES - PARK RESTROOMS	08/27/2013	83.15	83.15	09/18/2013	
	8971	Plain Pretzels	08/29/2013	85.50	85.50	09/18/2013	20048
	8971	FUEL SURCHAGE	08/29/2013	3.00	3.00	09/18/2013	
Total 1210:				411.61	411.61		
BLOEDORN LUMBER							
1590							
	1294913	SUPPLIES	08/30/2013	19.96	19.96	09/18/2013	
Total 1590:				19.96	19.96		
BOBCAT OF BIG HORN BASIN, INC.							
128623							
	7092	BOBCAT CUTTING EDGE & BOL	08/27/2013	194.08	194.08	09/18/2013	
Total 128623:				194.08	194.08		
BOOT BARN, INC							
128267							
	IVC0040364	UNIFORMS - DANE AUSTIM	08/19/2013	136.47	136.47	09/18/2013	
	IVC0040526	UNIFORMS - STAN	08/23/2013	253.48	253.48	09/18/2013	
	IVC0040599	UNIFORMS - STAN	08/27/2013	186.10	186.10	09/18/2013	
Total 128267:				576.05	576.05		
BRAD HALL & ASSOCIATES							
129776							
	NP38981989	FUEL - SR CENTER	09/01/2013	1,699.13	1,699.13	09/18/2013	
	NP38981989	FUEL - ADMIN	09/01/2013	284.03	284.03	09/18/2013	
	NP38981989	FUEL - PD	09/01/2013	67.64	67.64	09/18/2013	
	NP38981989	FUEL - PD	09/01/2013	3,329.21	3,329.21	09/18/2013	
	NP38981989	FUEL - PARKS	09/01/2013	1,118.22	1,118.22	09/18/2013	
	NP38981989	FUEL - PARKS	09/01/2013	2,326.15	2,326.15	09/18/2013	
	NP38981989	FUEL - FAC MAINT	09/01/2013	358.78	358.78	09/18/2013	
	NP38981989	FUEL - REC CENTER	09/01/2013	105.13	105.13	09/18/2013	
	NP38981989	FUEL - COMM DEV	09/01/2013	65.45	65.45	09/18/2013	
	NP38981989	FUEL - STREETS	09/01/2013	3,704.97	3,704.97	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	NP38981989	FUEL - STREETS	09/01/2013	869.81	869.81	09/18/2013	
	NP38981989	FUEL - VEH MAINT	09/01/2013	103.89	103.89	09/18/2013	
	NP38981989	FUEL - SANITATION	09/01/2013	7,297.03	7,297.03	09/18/2013	
	NP38981989	FUEL - SANITATION	09/01/2013	346.36	346.36	09/18/2013	
	NP38981989	FUEL - WATER	09/01/2013	234.05	234.05	09/18/2013	
	NP38981989	FUEL - WATER	09/01/2013	657.97	657.97	09/18/2013	
	NP38981989	FUEL - W. WATER	09/01/2013	490.89	490.89	09/18/2013	
	NP38981989	FUEL - W. WATER	09/01/2013	556.66	556.66	09/18/2013	
	NP38981989	FUEL - EL	09/01/2013	706.23	706.23	09/18/2013	
	NP38981989	FUEL - EL	09/01/2013	1,029.45	1,029.45	09/18/2013	
Total 129776:				25,351.05	25,351.05		
BRAVO COMPANY USA, INC							
129807							
	1419	AR-15 UPPER RECEIVERS	08/15/2013	4,144.95	4,144.95	09/18/2013	
Total 129807:				4,144.95	4,144.95		
BYKOWSKI, BRANDON							
129812							
	14560032	REFUND UTILITY DEPOSIT	08/30/2013	12.33	12.33	09/18/2013	
Total 129812:				12.33	12.33		
CAD-1, INC.							
127582							
	CAD126345	TRAINING / PROFESSIONAL SE	09/05/2013	3,000.00	3,000.00	09/18/2013	
	CAD126345	TRAINING / PROFESSIONAL SE	09/05/2013	3,000.00	3,000.00	09/18/2013	
Total 127582:				6,000.00	6,000.00		
CALIFORNIA STATE DISBURSEMENT							
128390							
	090313	#0670159928	09/03/2013	46.15	46.15	09/03/2013	
	090313	#0670361793	09/03/2013	23.07	23.07	09/03/2013	
Total 128390:				69.22	69.22		
CARQUEST AUTO PARTS							
10200							
	2874-227837	REPAIR PARTS	08/02/2013	2.62	2.62	09/18/2013	
	2874-227841	REPAIR PARTS	08/02/2013	4.16	4.16	09/18/2013	
	2874-227981	REPAIR PARTS	08/05/2013	2.42	2.42	09/18/2013	
	2874-228214	REPAIR PARTS	08/07/2013	17.27	17.27	09/18/2013	
	2874-228492	REPAIR PARTS	08/09/2013	2.62	2.62	09/18/2013	
	2874-228683	REPAIR PARTS	08/12/2013	2.78	2.78	09/18/2013	
	2874-228855	REPAIR PARTS	08/14/2013	2.62	2.62	09/18/2013	
	2874-229051	REPAIR PARTS	08/16/2013	2.78	2.78	09/18/2013	
	2874-229069	REPAIR PARTS	08/16/2013	251.47	251.47	09/18/2013	
	2874-229071	CREDIT - REPAIR PARTS	08/16/2013	129.47-	129.47-	09/18/2013	
	2874-229242	REPAIR PARTS	08/19/2013	10.31	10.31	09/18/2013	
	2874-229312	REPAIR PARTS	08/20/2013	109.38	109.38	09/18/2013	
	2874-229428	REPAIR PARTS	08/21/2013	14.37	14.37	09/18/2013	
	2874-229441	REPAIR PARTS	08/21/2013	22.02	22.02	09/18/2013	
	2874-229517	CREDIT - REPAIR PARTS	08/21/2013	17.00-	17.00-	09/18/2013	
	2874-229539	REPAIR PARTS	08/22/2013	19.34	19.34	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
	2874-229580	REPAIR PARTS	08/22/2013	59.39	59.39	09/18/2013	
	2874-229907	REPAIR PARTS	08/27/2013	172.44	172.44	09/18/2013	
	2874-230071	TOOLS - W	08/28/2013	56.99	56.99	09/18/2013	
	2874-230124	REPAIR PARTS	08/29/2013	10.67	10.67	09/18/2013	
	2874-230154	REPAIR PARTS	08/29/2013	23.75	23.75	09/18/2013	
	2874-230209	REPAIR PARTS	08/30/2013	13.81	13.81	09/18/2013	
Total 10200:				654.74	654.74		
CITY OF CODY							
2260							
	083013	UTILITIES	08/30/2013	85.22	85.22	09/18/2013	
	083013	UTILITIES	08/30/2013	217.86	217.86	09/18/2013	
	083013	UTILITIES	08/30/2013	688.12	688.12	09/18/2013	
	083013	UTILITIES	08/30/2013	340.97	340.97	09/18/2013	
	083013	UTILITIES	08/30/2013	47.76	47.76	09/18/2013	
Total 2260:				1,379.93	1,379.93		
CODY STAMPEDE PARADE COMMITTEE							
127050							
	082713	COMMUNITY FUNDING ALLOCA	08/27/2013	1,933.00	1,933.00	09/18/2013	
Total 127050:				1,933.00	1,933.00		
CODY WINNELSON COMPANY							
2850							
	129310-00	SAFETY GLASSES	08/16/2013	25.00	25.00	09/18/2013	
	129362-00	PVC PRIMER AND GLUE	08/20/2013	17.91	17.91	09/18/2013	
	129444-00	GALV PIPE	08/23/2013	905.52	905.52	09/18/2013	
Total 2850:				948.43	948.43		
COPENHAVER KATH KITCHEN KOLPITCKE LLC							
3140							
	090413	LEGAL SERVICES	09/04/2013	6,396.25	6,396.25	09/18/2013	
Total 3140:				6,396.25	6,396.25		
CRUM ELECTRIC							
3300							
	1474694-00	Conduit, 3" PVC - 10ft section	08/22/2013	88.68	88.68	09/18/2013	CONPVC310
	1474694-00	OLIVE GLENN PROJECT	08/22/2013	12.73	12.73	09/18/2013	
	1475333-00	SUPPLIES	08/26/2013	37.50	37.50	09/18/2013	
Total 3300:				138.91	138.91		
ECOLAB PEST ELIM. DIV.							
128686							
	9852048	PEST CONTROL - REC CENTER	08/12/2013	61.00	61.00	09/18/2013	
	9852048	PEST CONTROL - REC CENTER	08/12/2013	61.00	61.00	09/18/2013	
Total 128686:				122.00	122.00		
EICHORN, ABIGAIL							
129813							
	17767037	REFUND UTILITY DEPOSIT	09/05/2013	95.12	95.12	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 129813:				95.12	95.12		
ELECTRICAL ALLY, INC.							
129214							
	1192	LIGHT REPAIRS - REC CENTER	08/06/2013	513.00	513.00	09/18/2013	
Total 129214:				513.00	513.00		
ELECTRICAL APPARATUS SERVICE							
126494							
	20131190	SUBSTATION MAINTENANCE	08/21/2013	403.28	403.28	09/18/2013	
Total 126494:				403.28	403.28		
ENERGY WEST							
2630							
	082613	UTILITIES	08/26/2013	59.24	59.24	09/18/2013	
Total 2630:				59.24	59.24		
ENGINEERING ASSOCIATES							
4140							
	082713	BAC T TESTS	08/27/2013	25.00	25.00	09/18/2013	
	090313	BAC T TESTS	09/03/2013	75.00	75.00	09/18/2013	
Total 4140:				100.00	100.00		
FARM PLAN CORPORATION							
4210							
	1231657	F01 STREETS SWEEPER REPAI	08/28/2013	431.20	431.20	09/18/2013	
Total 4210:				431.20	431.20		
FASTENAL COMPANY 01WYCDY							
126018							
	WYCDY49160	IRRIGATION SUPPLIES	08/09/2013	152.30	152.30	09/18/2013	
	WYCDY49438	SAFETY SUPPLIES	08/26/2013	2.99	2.99	09/18/2013	
	WYCDY49438	SUPPLIES	08/26/2013	14.01	14.01	09/18/2013	
	WYCDY49503	SUPPLIES	08/28/2013	64.08	64.08	09/18/2013	
	WYCDY49508	WRENCH	08/28/2013	33.76	33.76	09/18/2013	
	WYCDY49508	WEDGE ANCHOR	08/28/2013	1.41	1.41	09/18/2013	
Total 126018:				268.55	268.55		
FORWARD CODY WYOMING, INC							
127450							
	WAP 8	WYOMING AUTHENTIC PRODU	08/15/2013	134,819.00	134,819.00	09/18/2013	
Total 127450:				134,819.00	134,819.00		
FREMONT MOTOR CODY INC							
4370							
	190715	B42 - TIRE PRESSURE MONITO	08/26/2013	133.99	133.99	09/18/2013	
Total 4370:				133.99	133.99		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
FUN EXPRESS							
129411							
	658762523-01	HALLOWEEN CARNIVAL	09/14/2013	612.16	612.16	09/18/2013	
Total 129411:				612.16	612.16		
GIFFORD, BRAD							
126314							
	11.1010.27	REFUND CREDIT BALANCE	08/29/2013	1.37	1.37	09/18/2013	
Total 126314:				1.37	1.37		
GOOGLE, INC.							
129148							
	200088027	EMAIL HOSTING	08/26/2013	3,250.00	3,250.00	09/18/2013	
Total 129148:				3,250.00	3,250.00		
HD SUPPLY POWER SOLUTIONS, LTD							
6730							
	2350190-00	SYSTEM UPGRADE	08/26/2013	418.85	418.85	09/18/2013	
	2350190-02	SYSTEM UPGRADE	08/21/2013	955.90	955.90	09/18/2013	
	2350190-03	SYSTEM UPGRADE	08/27/2013	398.31	398.31	09/18/2013	
Total 6730:				1,773.06	1,773.06		
HEART MOUNTAIN VOLUNTEER MEDICAL CLINIC							
129808							
	083013	COMMUNITY FUNDING ALLOCA	08/30/2013	1,061.00	1,061.00	09/18/2013	
Total 129808:				1,061.00	1,061.00		
HEARTLAND PAPER COMPANY							
128769							
	G322480-1	MATERIAL & SUPPLIES	08/20/2013	429.70	429.70	09/18/2013	
	G322884-1	MATERIAL & SUPPLIES	08/20/2013	40.71	40.71	09/18/2013	
Total 128769:				470.41	470.41		
HONNEN EQUIPMENT							
124750							
	504887	HO2 STREETS LOADER REPAI	08/28/2013	20.01	20.01	09/18/2013	
Total 124750:				20.01	20.01		
ICMA RETIREMENT-457-#303143							
5170							
	827492	Contribution	09/03/2013	5,979.53	5,979.53	09/03/2013	
Total 5170:				5,979.53	5,979.53		
INLAND TRUCK PARTS							
5220							
	1-83114	AIR VALVE REBUILD KIT	08/23/2013	21.00	21.00	09/18/2013	
Total 5220:				21.00	21.00		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
INNER-TITE CORPORATION							
124985							
	107926	METER REPAIRS	08/30/2013	364.21	364.21	09/18/2013	
Total 124985:				364.21	364.21		
INTERSTATE POWER SYSTEMS							
123575							
	R007025584:0	C02 TRANSMISSION REPAIR	08/14/2013	1,954.11	1,954.11	09/18/2013	
Total 123575:				1,954.11	1,954.11		
JACK'S TRUCK & EQUIPMENT							
125521							
	20891G	DEF. FLUID FOR C01 ^ C05	08/26/2013	140.80	140.80	09/18/2013	
Total 125521:				140.80	140.80		
JOHNSTON, ROBERT							
129809							
	090413	REFUND CASH BOND FOR MC-	09/04/2013	240.00	240.00	09/04/2013	
Total 129809:				240.00	240.00		
KEEGAN & WINSLOW LAW FIRM							
126040							
	090313	PROFESSIONAL FEES	09/03/2013	144.00	144.00	09/18/2013	
Total 126040:				144.00	144.00		
KIEFER							
124429							
	324873	Swim Goggles - Swimple	08/09/2013	7.70	7.70	09/18/2013	100081
	326987	Swim Goggles - Swimple	08/16/2013	30.80	30.80	09/18/2013	100081
Total 124429:				38.50	38.50		
LINCOLN COMMERCIAL POOL EQUIP							
125750							
	SI221806	SUIT DRYER - THERAPY POOL	08/16/2013	1,500.20	1,500.20	09/18/2013	
Total 125750:				1,500.20	1,500.20		
LOCAL GOV'T LIABILITY POOL							
6176							
	8739	CLAIM AGAINST THE CITY	08/22/2013	330.00	330.00	09/18/2013	
	8740	CLAIM AGAINST THE CITY	08/28/2013	557.62	557.62	09/18/2013	
Total 6176:				887.62	887.62		
LONG BUILDING TECH INC							
125191							
	SRVCE006310	AHV - CONTROLS	08/19/2013	210.00	210.00	09/18/2013	
	SRVCE006311	BOILER REPAIR - REC	08/19/2013	105.00	105.00	09/18/2013	
Total 125191:				315.00	315.00		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
MC CUMBER LOCKSMITH SHOP							
6390							
	SR 23601	KEYS	08/27/2013	1.99	1.99	09/18/2013	
	SR 23620	DUPLICATE KEYS	08/29/2013	14.00	14.00	09/18/2013	
Total 6390:				15.99	15.99		
MIDWEST FENCE CO							
6650							
	31042	OLIVE GLENN PHASE 1	08/21/2013	2,450.00	2,450.00	09/18/2013	
Total 6650:				2,450.00	2,450.00		
MOTOR PARTS INC							
6820							
	565834	CHEMICALS - AQUATICS	08/02/2013	59.65	59.65	09/18/2013	
	566076	SHOP SUPPLIES	08/05/2013	39.59	39.59	09/18/2013	
	566198	REPAIR PARTS	08/06/2013	11.02	11.02	09/18/2013	
	566284	REPAIR PARTS	08/06/2013	7.03	7.03	09/18/2013	
	566356	SHOP SUPPLIES	08/07/2013	23.88	23.88	09/18/2013	
	566453	SUPPLIES	08/07/2013	3.98	3.98	09/18/2013	
	567248	REPAIR PARTS	08/13/2013	5.01	5.01	09/18/2013	
	567651	REPAIR PARTS	08/16/2013	80.79	80.79	09/18/2013	
	567680	REPAIR PARTS	08/16/2013	53.35	53.35	09/18/2013	
	567864	CREDIT REPAIR PARTS	08/19/2013	80.79-	80.79-	09/18/2013	
	567901	REPAIR PARTS	08/19/2013	128.96	128.96	09/18/2013	
	568027	REPAIR PARTS	08/20/2013	67.30	67.30	09/18/2013	
	568272	REPAIR PARTS	08/22/2013	41.91	41.91	09/18/2013	
	568379	REPAIR PARTS	08/23/2013	27.72	27.72	09/18/2013	
	568437	REPAIR PARTS	08/23/2013	38.32	38.32	09/18/2013	
	568863	SUPPLIES - SW	08/28/2013	137.03	137.03	09/18/2013	
	568991	REPAIR PARTS	08/29/2013	43.12	43.12	09/18/2013	
	569085	REPAIR PARTS	08/29/2013	27.76	27.76	09/18/2013	
Total 6820:				715.63	715.63		
MOUNTAIN VALLEY MOTORSPORTS							
129472							
	135351	BOAT MOTOR REPAIR	08/29/2013	373.83	373.83	09/18/2013	
	135351	SHOP SUPPLIES	08/29/2013	19.25	19.25	09/18/2013	
Total 129472:				393.08	393.08		
MOUNTAIN WEST INC							
6930							
	50250	UNIFORMS - FAC MAINT	08/28/2013	274.60	274.60	09/18/2013	
Total 6930:				274.60	274.60		
NORCO, INC.							
128948							
	12034318	SUPPLIES	08/31/2013	97.65	97.65	09/18/2013	
Total 128948:				97.65	97.65		
NORTHWEST PIPE							

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
7400	1161609-1	ADAPTOR COMP GASKETS	08/26/2013	6.00	6.00	09/18/2013	
Total 7400:				6.00	6.00		
ONE-CALL OF WYOMING							
127665							
	33016	WYOMING ONE CALL	09/05/2013	37.00	37.00	09/18/2013	
	33016	WYOMING ONE CALL	09/05/2013	37.00	37.00	09/18/2013	
	33016	WYOMING ONE CALL	09/05/2013	37.00	37.00	09/18/2013	
Total 127665:				111.00	111.00		
OPATZ ELECTRIC MOTOR REPAIR							
7470							
	16109	AERATOR MOTOR REPAIR	08/30/2013	635.00	635.00	09/18/2013	
Total 7470:				635.00	635.00		
OPTIMUM							
129339							
	082713	INTERNET - REC CENTER	08/27/2013	79.90	79.90	09/18/2013	
	082713	INTERNET - REC CENTER PUB	08/27/2013	112.85	112.85	09/18/2013	
Total 129339:				192.75	192.75		
PAQUETTE, SHAREE							
129814							
	12072015	REFUND UTILITY DEPOSIT	08/30/2013	152.25	152.25	09/18/2013	
Total 129814:				152.25	152.25		
PARK COUNTY							
7670							
	1262	LEC CONTRACT	08/24/2013	31,849.17	31,849.17	09/18/2013	
	1262	LEC UTILITIES	08/24/2013	637.10	637.10	09/18/2013	
Total 7670:				32,486.27	32,486.27		
PARK COUNTY ANIMAL SHELTER							
5120							
	090113	ANIMAL SERVICE CONTRACT	09/01/2013	3,750.00	3,750.00	09/18/2013	
Total 5120:				3,750.00	3,750.00		
PARK COUNTY READY MIX							
7730							
	111184	CONCRETE / SAND SLURRY	08/26/2013	1,786.71	1,786.71	09/18/2013	
	111184	CONCRETE / SAND SLURRY	08/26/2013	849.36	849.36	09/18/2013	
Total 7730:				2,636.07	2,636.07		
PARK COUNTY SHERIFF							
7740							
	083113	INCARCERATION - AUGL 2013	08/31/2013	1,290.00	1,290.00	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 7740:				1,290.00	1,290.00		
PLAN ONE ARCHITECTS							
7980							
	9 - 08/15/13	SANITATION BUILDING	08/15/2013	850.00	850.00	09/18/2013	
Total 7980:				850.00	850.00		
PRO-BUILD							
128149							
	965459	SUPPLIES	08/21/2013	6.73	6.73	09/18/2013	
	965814	FIELD MARKING PAINT	08/26/2013	6.04	6.04	09/18/2013	
Total 128149:				12.77	12.77		
PROVIDENT LIFE & ACCIDENT INS							
128033							
	090413	PREMIUMS	09/04/2013	199.82	199.82	09/04/2013	
Total 128033:				199.82	199.82		
PURCHASE POWER							
8240							
	082913	POSTAGE - PD	08/29/2013	27.49	27.49	09/18/2013	
	082913	POSTAGE - ADMIN.	08/29/2013	1,422.52	1,422.52	09/18/2013	
	082913	POSTAGE - WATER	08/29/2013	6.18	6.18	09/18/2013	
	082913	POSTAGE - REC CENTER	08/29/2013	543.81	543.81	09/18/2013	
	082913	POSTAGE - REFILL FEE	08/29/2013	19.99	19.99	09/18/2013	
Total 8240:				2,019.99	2,019.99		
QUALITY ASPHALT PAVING INC							
125010							
	1302	ASPHALT PATCHING	08/06/2013	746.40	746.40	09/18/2013	
	1302	ASPHALT PATCHING	08/06/2013	116.25	116.25	09/18/2013	
	1302	ASPHALT PATCHING	08/06/2013	5,074.50	5,074.50	09/18/2013	
Total 125010:				5,937.15	5,937.15		
R & A SAFETY							
127690							
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	30.00	30.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	80.00	80.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	30.00	30.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	120.00	120.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	40.00	40.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	30.00	30.00	09/18/2013	
	1945	RANDOM & PRE-EMPLOYMENT	08/21/2013	30.00	30.00	09/18/2013	
Total 127690:				360.00	360.00		
RAPID FIRE PROTECTION, INC							
129543							
	19670	REC CENTER SPRINKLER TES	08/23/2013	245.00	245.00	09/18/2013	
	19672	DRAW ST SPRINKLERS TEST	08/23/2013	165.00	165.00	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 129543:				410.00	410.00		
ROCKY MOUNTAIN POWER							
7570							
	082313	UTILITIES	09/18/2013	200.04	200.04	09/18/2013	
	082313	UTILITIES	09/18/2013	257.68	257.68	09/18/2013	
Total 7570:				457.72	457.72		
SEAVER, NICHOL							
129781							
	090513	WITNESS FEES MC-1303-009	09/05/2013	15.00	15.00	09/18/2013	
Total 129781:				15.00	15.00		
SHEPARD, CELESTE B - TRUST							
129810							
	7138012	REFUND UTILITY DEPOSIT	08/26/2013	129.86	129.86	09/18/2013	
Total 129810:				129.86	129.86		
SHERWIN-WILLIAMS COMPANY							
127725							
	3292-8	DUMPSTER PAINT	08/26/2013	148.95	148.95	09/18/2013	
	3330-6	HYDRANT PAINT	08/27/2013	69.98	69.98	09/18/2013	
Total 127725:				218.93	218.93		
SHOSHONE MUNICIPAL PIPELINE							
9130							
	090113	SMP WATER PURCHASES - AU	09/01/2013	153,958.66	153,958.66	09/18/2013	
Total 9130:				153,958.66	153,958.66		
SHOSHONE OFFICE SUPPLY							
9140							
	098546	SUPPLIES	08/19/2013	3.42	3.42	09/18/2013	
	098572	SUPPLIES	08/22/2013	14.85	14.85	09/18/2013	
Total 9140:				18.27	18.27		
SIDWELL, BRIAN							
129816							
	090513	WITNESS FEES - MC-1305-033	09/05/2013	15.00	15.00	09/18/2013	
Total 129816:				15.00	15.00		
SPINLAB UTILITY INSTRUMENTATION							
126998							
	7547	EQUIPMENT MAINT	08/27/2013	155.73	155.73	09/18/2013	
Total 126998:				155.73	155.73		
STROUPE PEST CONTROL CO							
9635							
	090313-EL	PEST CONTROL - EL SHOP	09/03/2013	60.00	60.00	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 9635:				60.00	60.00		
SWEARINGEN, JOELEEN							
129811							
	9149027	REFUND UTILITY DEPOSIT	08/26/2013	319.46	319.46	09/18/2013	
Total 129811:				319.46	319.46		
THE UPS STORE							
6240							
	8082	SHIPPING - SAFETY SUPPLIES	08/19/2013	190.14	190.14	09/18/2013	
	8492	EVIDENCE SHIPPING	08/27/2013	10.77	10.77	09/18/2013	
	9890	EVIDENCE SHIPPING	08/26/2013	9.30	9.30	09/18/2013	
Total 6240:				210.21	210.21		
TRIPLE L SALES							
9980							
	I-28593	PITCHING MACHINE EL OUTLE	08/21/2013	8.08	8.08	09/18/2013	
	I-28697	MARKING PAINT	08/27/2013	354.43	354.43	09/18/2013	
Total 9980:				362.51	362.51		
TVETENE TURF							
127838							
	808223	REPAIR LEGION & PEEWEE BA	08/21/2013	920.40	920.40	09/18/2013	
	808233	REPAIR LEGION & PEEWEE BA	08/22/2013	31.20	31.20	09/18/2013	
Total 127838:				951.60	951.60		
TWO TOUGH GUYS SERVICES, LLC							
126515							
	10355	RECYCLE CENTER GLASS	08/21/2013	120.00	120.00	09/18/2013	
	10364	RECYCLE CENTER GLASS	08/21/2013	152.00	152.00	09/18/2013	
	10365	RECYCLE CENTER GLASS	08/21/2013	120.00	120.00	09/18/2013	
Total 126515:				392.00	392.00		
UNDEBERG, BRANDON							
129783							
	090513	WITNESS FEES MC-1305-033	09/05/2013	15.00	15.00	09/18/2013	
Total 129783:				15.00	15.00		
UNUM LIFE INS - LTD							
127843							
	090413	LONG TERM DISABILITY - PRE	09/04/2013	2,939.54	2,939.54	09/04/2013	
Total 127843:				2,939.54	2,939.54		
UNUM LIFE INSURANCE - LIFE							
127935							
	090413	PREMIUM	09/04/2013	1,706.72	1,706.72	09/04/2013	
Total 127935:				1,706.72	1,706.72		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
V-1 PROPANE							
10180							
	856899	PROPANE	08/29/2013	36.95	36.95	09/18/2013	
Total 10180:				36.95	36.95		
VERIZON							
124442							
	9710218411	IPADS - PD	08/20/2013	302.36	302.36	09/18/2013	
	9710218411	CELL PHONE SERVICE - WATE	08/20/2013	100.71	100.71	09/18/2013	
	9710218411	CELL PHONE SERVICE - ELECT	08/20/2013	155.95	155.95	09/18/2013	
	9710218411	CELL PHONE SERVICE - REC C	08/20/2013	110.77	110.77	09/18/2013	
	9710218411	CELL PHONE SERVICE - FACILI	08/20/2013	75.75	75.75	09/18/2013	
	9710218411	CELL PHONE SERVICE - ADMIN	08/20/2013	89.95	89.95	09/18/2013	
	9710218411	CELL PHONE SERVICE - WAST	08/20/2013	74.88	74.88	09/18/2013	
	9710218411	CELL PHONE SERVICE - PD	08/20/2013	550.66	550.66	09/18/2013	
	9710218411	CELL PHONE SERVICE - COMM	08/20/2013	100.71	100.71	09/18/2013	
	9710218411	CELL PHONE SERVICE - SOLID	08/20/2013	24.96	24.96	09/18/2013	
	9710218411	CELL PHONE SERVICE - STREE	08/20/2013	74.88	74.88	09/18/2013	
Total 124442:				1,661.58	1,661.58		
VISA							
10280							
	AUG 2700	SUPPLIES - PD	09/02/2013	206.77	206.77	09/18/2013	
	AUG 2700	UNIFORMS - PD (CREDIT)	09/02/2013	9.90-	9.90-	09/18/2013	
	AUG 2700	SUPPLIES - PD	09/02/2013	82.08	82.08	09/18/2013	
	AUG 5349	RAIN SUITS FOR SEWER JET	09/02/2013	98.70	98.70	09/18/2013	
	AUG 5976	MEETING EXPENSE - MAYOR	09/02/2013	24.78	24.78	09/18/2013	
	AUG 5976	MEETING EXPENSE - MAYOR	09/02/2013	24.00	24.00	09/18/2013	
	AUG 5976	MEETING EXPENSE - MAYOR	09/02/2013	14.42	14.42	09/18/2013	
	AUG 7933	AUD - TRAINING - BERT & UTAN	09/02/2013	530.28	530.28	09/18/2013	
	AUG 7933	AUD - TRAINING - BERT & UTAN	09/02/2013	530.29	530.29	09/18/2013	
	AUG 8377	ICMA INTERNET	09/02/2013	700.00	700.00	09/18/2013	
	AUG 8377	ICMA CONFERENCE - RICK / JE	09/02/2013	674.10	674.10	09/18/2013	
	AUG 8377	ICMA CONFERENCE - RICK / JE	09/02/2013	674.10	674.10	09/18/2013	
	AUG 8377	ICE CREAM SOCIAL	09/02/2013	61.14	61.14	09/18/2013	
	AUG 8401	TRAINING - LESLIE	09/02/2013	85.00	85.00	09/18/2013	
	AUG 8401	TRAINING - LESLIE	09/02/2013	15.00	15.00	09/18/2013	
	AUG 8401	TRAINING - ADMIN STAFF	09/02/2013	40.00	40.00	09/18/2013	
	AUG 8419	CLEANING WEEK ALL STAFF M	09/02/2013	146.00	146.00	09/18/2013	
	AUG 8419	ZUMBA FITNESS	09/02/2013	30.00	30.00	09/18/2013	
	AUG 8419	WRPA SUBSCRIPTION	09/02/2013	150.00	150.00	09/18/2013	
	AUG 8427	TRAVEL EXPENSE - PD	09/02/2013	18.44	18.44	09/18/2013	
	AUG 8427	TRAVEL EXPENSE - PD	09/02/2013	29.93	29.93	09/18/2013	
	AUG 8427	TRAVEL EXPENSE - PD	09/02/2013	65.00	65.00	09/18/2013	
	AUG 8427	TRAVEL EXPENSE - PD	09/02/2013	16.28	16.28	09/18/2013	
	AUG 8435	DOMAIN	09/02/2013	125.00	125.00	09/18/2013	
	AUG 8435	COUNCIL CHAMBERS	09/02/2013	66.74	66.74	09/18/2013	
	AUG 8450	CELL PHONE BATTERY - PD	09/02/2013	39.99	39.99	09/18/2013	
	AUG 8492	STAR 12 TRAINING	09/02/2013	199.00	199.00	09/18/2013	
	AUG 9433	WRPA - RICK	09/02/2013	95.00	95.00	09/18/2013	
	AUG 9433	WRPA - RICK	09/02/2013	95.00	95.00	09/18/2013	
Total 10280:				4,827.14	4,827.14		

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
WAL MART COMMUNITY BRC							
10330							
	00503	Fruit Snacks	08/30/2013	14.18	14.18	09/18/2013	20026
	00503	Chips	08/30/2013	9.98	9.98	09/18/2013	20031
	00503	Crackers	08/30/2013	3.11	3.11	09/18/2013	20034
	00503	Pizza	08/30/2013	24.90	24.90	09/18/2013	20045
	00503	Ramen Soup	08/30/2013	7.52	7.52	09/18/2013	20050
	00503	Applesauce	08/30/2013	2.78	2.78	09/18/2013	20055
	00503	Hot Dogs	08/30/2013	8.88	8.88	09/18/2013	20053
	03954	ASAP / REC CENTER	08/26/2013	158.72	158.72	09/18/2013	
	03954	ASAP / REC CENTER	08/26/2013	94.67	94.67	09/18/2013	
	03956	OFFICE SUPPLIES	08/26/2013	12.20	12.20	09/18/2013	
	04490	PAPER PLATES	08/29/2013	14.91	14.91	09/18/2013	21000
	04492	ASAP / REC CENTER	08/29/2013	38.80	38.80	09/18/2013	
	05979	ICE CREAM SOCIAL	08/22/2013	92.71	92.71	09/18/2013	
	06020	CAMERA - C03	08/29/2013	109.00	109.00	09/18/2013	
	06164	GATORAID	08/22/2013	17.94	17.94	09/18/2013	20008
	06164	Fruit Snacks	08/22/2013	14.96	14.96	09/18/2013	20026
	06164	Snack Cakes	08/22/2013	33.72	33.72	09/18/2013	20027
	06164	Chips	08/22/2013	9.98	9.98	09/18/2013	20031
	06164	Crackers	08/22/2013	25.48	25.48	09/18/2013	20034
	06164	Ramen Soup	08/22/2013	15.76	15.76	09/18/2013	20050
	06164	Hot Dogs	08/22/2013	8.88	8.88	09/18/2013	20053
	06164	SUGAR MIX	08/22/2013	10.98	10.98	09/18/2013	20129
	Total 10330:			730.06	730.06		
WALKER, ELIZABETH							
127535							
	14136042	REFUND UTILITY DEPOSIT	08/26/2013	57.25	57.25	09/18/2013	
	Total 127535:			57.25	57.25		
WATCO POOLS							
10370							
	16910	POOL CHEMICALS	08/19/2013	882.30	882.30	09/18/2013	
	16918	CHEMICAL FEEDER PUMP	08/19/2013	487.71	487.71	09/18/2013	
	16938	NEW MAIN POOL SOLENOID	08/21/2013	238.34	238.34	09/18/2013	
	Total 10370:			1,608.35	1,608.35		
WELZENBACH, TAMARA FROSS							
129817							
	090513	WITNESS FEES - MC-1303-009	09/05/2013	15.00	15.00	09/18/2013	
	Total 129817:			15.00	15.00		
WEST PARK HOSPITAL							
10500							
	082313 STMT	PRE EMPLOYMENT PHYSICAL -	06/21/2013	76.60	76.60	09/18/2013	
	Total 10500:			76.60	76.60		
WESTERN EMULSIONS							
128433							
	17445	CHIP SEAL	08/14/2013	7,646.40	7,646.40	09/18/2013	

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
Total 128433:				7,646.40	7,646.40		
WINNINGER, NATHAN							
129815							
	13169719	REFUND UTILTIY DEPOSIT	09/04/2013	10.79	10.79	09/18/2013	
Total 129815:				10.79	10.79		
WOODWARD TRACTOR CO							
10660							
	W2042	WEED EATER REPAIR	08/20/2013	31.30	31.30	09/18/2013	
Total 10660:				31.30	31.30		
WY DEPT OF ENVIRONMENTAL QUAL.							
126393							
	2013-0186	WY0020451 CODY WASTEWAT	09/04/2013	500.00	500.00	09/18/2013	
	2013-0186	WYR001045 STREETS & VEHIC	09/04/2013	500.00	500.00	09/18/2013	
Total 126393:				1,000.00	1,000.00		
WYOMID, LLC							
129818							
	082113	GOLF EQUIPMENT	08/21/2013	1,675.00	1,675.00	09/18/2013	
Total 129818:				1,675.00	1,675.00		
WYOMING DEPARTMENT OF WORKFORCE SERVICES							
10670							
	090413	CONTRIBUTIONS	09/04/2013	8,084.58	8,084.58	09/04/2013	
	090413	COMMUNITY SERVICE	09/04/2013	9.36	9.36	09/04/2013	
	090413	VOLUNTEERS PD	09/04/2013	18.73	18.73	09/04/2013	
	090413	VOLUNTEERS REC	09/04/2013	18.73	18.73	09/04/2013	
Total 10670:				8,131.40	8,131.40		
WYOMING MUNICIPAL POWER AGENCY							
10920							
	083113	POWER PURCHASE - AUG 2013	08/31/2013	856,506.38	856,506.38	09/18/2013	
Total 10920:				856,506.38	856,506.38		
WYOMING RETIREMENT SYSTEM							
10950							
	090413	CONTRIBUTIONS -	09/04/2013	59,689.03	59,689.03	09/04/2013	
Total 10950:				59,689.03	59,689.03		
WYOMING RURAL WATER							
129489							
	11335	FALL TRAINING EXPO	08/26/2013	310.00	310.00	09/18/2013	
Total 129489:				310.00	310.00		
YANKEE CAR WASH							

Vendor Name Vendor No	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Inventory Number
128282							
	090113	CAR WASH - ADMIN	09/01/2013	7.00	7.00	09/18/2013	
	090113	CAR WASHES - PD	09/01/2013	98.40	98.40	09/18/2013	
	090113	CAR WASHES - COMM DEV	09/01/2013	10.00	10.00	09/18/2013	
	090113	CAR WASHES - ELEC. DEPT.	09/01/2013	36.56	36.56	09/18/2013	
Total 128282:				151.96	151.96		
YELLOWSTONE REGIONAL AIRPORT							
11150							
	090113	SEPTEMBER FUNDING	09/01/2013	12,725.08	12,725.08	09/18/2013	
Total 11150:				12,725.08	12,725.08		
Grand Totals:				1,390,289.92	1,390,289.92		

Payroll \$224,815.03

Total \$ 1,615,104.95

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: PUBLIC WORKS
PREPARED BY: STEPHEN PAYNE, PE
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: STEPHEN W. PAYNE, PE

**AGENDA ITEM SUMMARY REPORT
STREET CLOSURE REQUEST FOR CODY FOOTBALL TAILGATE PARTY(S)**

ACTION:

Park County School District 6 requests that the Mayor and Council authorize the street closure of Beck Ave. between 8th and 9th during the hours of 5 PM to 7 PM on the following dates: 9/27, 10/11, 10/25 and hopefully 11/1 and 11/8.

SUMMARY:

Cody Football/Park County School District 6 would like to utilize the street right-of-way of Beck Ave. between 8th and 9th Street during the dates and times listed above. Tentative ideas are to formalize tailgate parties, ask the Army Recruiters to bring their climbing, have field goal kick and football toss events. The football team is hopeful that without having to contend with traffic and adding the activities listed above, along with other ideas that may develop; an energized atmosphere of excitement will develop.

I have discussed with the applicant placing signage at the two ends of the “closed” section. The signage that the Council might consider would indicate something to the effect of “Cars parked within this area shall be required to remain until the end of the event”.

The applicant has not, to date, provided proof of liability insurance for the events requested, but has indicated that they will do so.

FISCAL IMPACT

There is minimal financial impact to the City as the applicants will put up and take down the traffic barricades. The City Crew will however, have to supply the barricades, transport the barricades to the area and remove them after each event.

ALTERNATIVES

1. Approve the request.
2. Deny the request.

RECOMMENDATION

Staff has no recommendation regarding the request. Any time a street normally open for traffic is closed with barricades there is exposure for accidents. With a formal street closure the area will be made more secure for activities that are to some extent already occurring without the benefit of closure barricades and signage.

ATTACHMENTS

Agenda Request Form

AGENDA & SUMMARY REPORT TO:

mlanderma@park6.org

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 and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council Mark Landerman

Organization Represented Cody High Football

Date you wish to appear before the Council 9/17/13

Mailing Address 808 Aspen Dr. Telephone 250-7927

E-Mail Address mlanderman@park6.org

Preferred form of contact: Telephone _____ E-Mail X

Names of all individuals who will speak on this topic Mark Landerman

Event Title (if applicable) Homecoming Tailgate

Date(s) of Event (if applicable) 9/27, 10/11, 10/25 ^{hopefully} the 1st & 8th of Nov.

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) See attached.

Which City employee(s) have you spoken to about this issue? Cindy Baker

Signature [Signature] Date 8/28/13

Cody High Football is asking the City to close off the road next to the football stadium a few hours before each home football game so that we can host a tailgate party. We were hoping to have Beck St. from 8th to 9th Street blocked off so that families can enjoy the festivities before each home game. The Army recruiters would bring a climbing wall, and activities such as a field goal kick or football toss would be possible due to the extra room.

We really want to create an exciting atmosphere for our home games, and we feel that this type of event could really add to that excitement. If the Council does not like that particular location, we would also consider the other side of the stadium on Cody Ave. from 8th to 9th Street.

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: PUBLIC WORKS
PREPARED BY: STEPHEN PAYNE, PE
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: STEPHEN W. PAYNE, PE

**AGENDA ITEM SUMMARY REPORT
CODY'S DOWNTOWN SATURDAY MARKET HARVEST DINNER**

ACTION:

Kay Chandler, representing Whole Foods Trading Company, requests that the Mayor and Council authorize the reservation of the Bob Moore Parking Lot on October 5, 2013 from 5 PM to 12 AM to Whole Foods Trading for Cody's Downtown Saturday Market Harvest Dinner. Kay is also requesting an Open Container Permit.

SUMMARY:

Whole Foods Trading has been the driving force behind the Farmer's Market held at the Bob Moore parking lot every Saturday morning during the summer. As a way of saying thanks to the vendors who participated in the Farmer's Market and to the community for the support received by the Market, Whole Foods Trading wants to put on the previously identified dinner with alcohol available to those that are at least 21 years of age.

I have checked with the insurance provider for the Farmer's Market and they indicate that the insurance will cover this event as well.

Activities will include food and live music. There is no cost to attend the event and Whole Foods Trading will be providing the main course of local meats. People are asked to respond by RSVP and people are being asked to bring a dish, salad, appetizer or dessert to share with the community.

FISCAL IMPACT

There is no anticipated cost to the City of Cody as the closure and cleanup of the parking lot will be performed by Whole foods Trading Company.

ALTERNATIVES

1. Approve the request.
2. Deny the request.

RECOMMENDATION

Staff recommends that the Mayor and Council approve the request as presented with the provision that Whole Foods Trading Company abide by all of the conditions outlined in the Alcohol Safety Checklist (attached).

ATTACHMENTS

Agenda Request Form
Alcohol Safety Check List

AGENDA & SUMMARY REPORT TO:

Kay@wholefoodstrading.com

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 and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council Kay Chandler

Organization Represented Whole Foods Trading

Date you wish to appear before the Council 9-17-13

Mailing Address 1134 13th st Cody, Wy 82414 Telephone 307-587-3213

E-Mail Address kay@wholefoodstrading.com

Preferred form of contact: Telephone yes E-Mail _____

Names of all individuals who will speak on this topic _____
Kay Chandler

Event Title (if applicable) Cody's Downtown Saturday Market Harvest Dinner

Date(s) of Event (if applicable) 10-5-13

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Open container permit for Oct 5th 2013, Location 13thst and Beck. (Bob Moore Parking area)

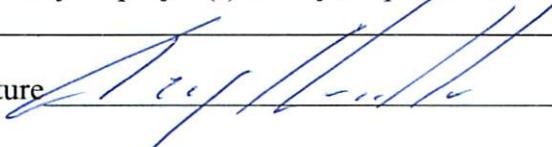
We plan to have a market appreciation harvest dinner

5pm-12am

This will be open to vendors and community . We plan to have good food, drink, music and fun!

Requesting reservation of Bob Moore parking lot and open container permit

Which City employee(s) have you spoken to about this issue? Steve Payne

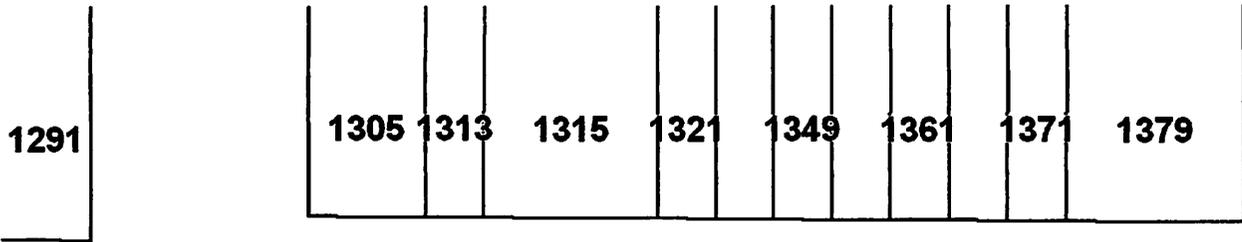
Signature  Date 8-27-13

Cody's Downtown Saturday Market

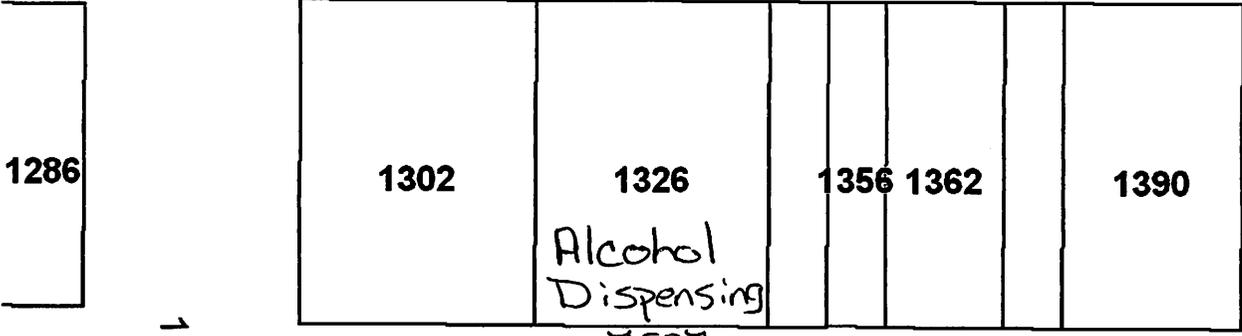
Alcohol Safety Check list

Whole Foods Trading Co. requests permission to sell alcohol on our property which is adjacent to the Bob Moore city parking lot. This event will take place Oct 5th during "Cody's Downtown Saturday Market Harvest Dinner". This will be an end of season celebration to show appreciation to the market vendors and to the community for the support. This safety checklist is provided as a tool to reduce the harm associated with the misuse of alcohol and underage drinking in order to provide a safe, family-friendly community event at our location. Below are precautions Whole foods Trading Co. are willing to follow during this event.

- Ensure anyone purchasing alcohol is at least 21 years of age. Any person wishing to purchase alcohol at the event must provide valid identification.
- Employees from Whole Foods Trading Co. serving alcohol will be of 21 years of age
- Alcohol consumption will only be allowed in a designated parking area.
- No person will be allowed to leave the event with an open container.
- No person who is intoxicated will be served alcohol.
- Alcohol sales will be restricted to limited hours during the event.
- Service will be limited to two drinks at a time to any one person.
- Post signage. ("Gotta DD?") Will be displayed throughout the event area to discourage drinking and driving.
- Staff and volunteers will contact Cody Police Department immediately if the following incidents should occur:
 - Any underage person (under 21) attempts to purchase or consume alcohol.
 - A physical fight, threatening behavior or other violence occurs at the event.

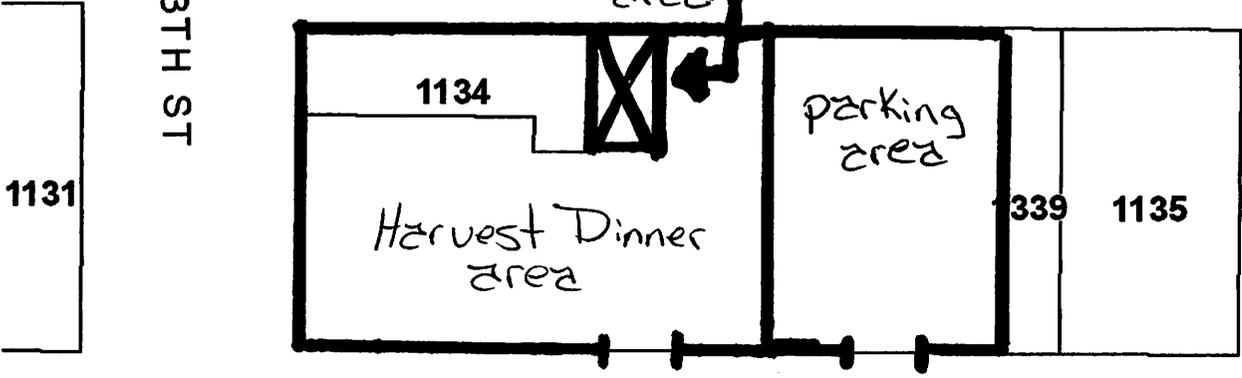


Hwy 14-16-20

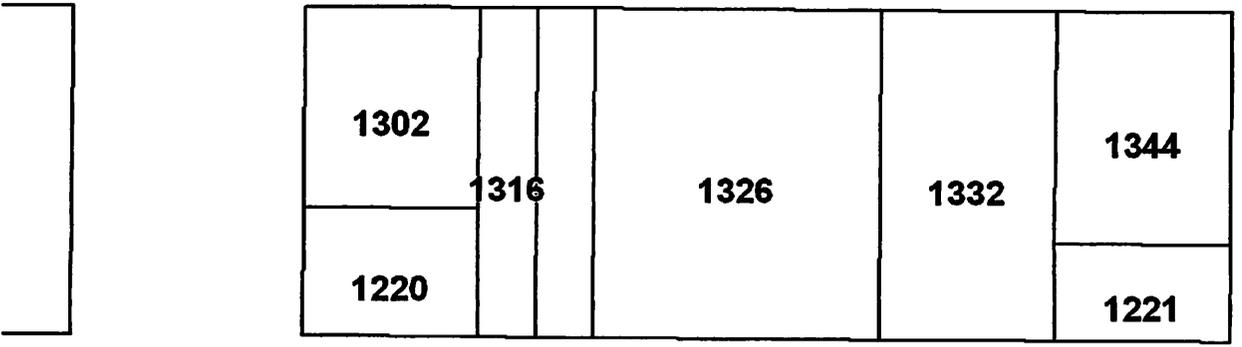


13TH ST

14TH ST



BECK AVE



MEETING DATE: SEPT. 17, 2013

DEPARTMENT: CITY PLANNER

PREPARED BY: TODD STOWELL.

CITY ADM. APPROVAL: _____

PRESENTED BY: TODD STOWELL

AGENDA ITEM SUMMARY REPORT **West Park Hospital Requests use of** **Stock Drive for a Liquid Oxygen Bulk Tank**

SUMMARY

West Park Hospital requests City Council approval to use a portion of Stock Drive for installation of a 3,005 gallon cryogenic bulk tank for liquid oxygen, measuring 8 feet in diameter and 18' 9" tall. The tank would be located on a fenced 12' by 12' concrete pad immediately east of an existing liquid oxygen tank. Locating the new tank near the existing tank will allow use of existing piping to the hospital.

Due to topography and existing improvements, there is no room to locate the tank to the west or north of the existing tank, outside of the Stock Drive right-of-way. No other viable locations appear to exist to the rear of the hospital. The area of encroachment would be approximately 75 square feet in size and is depicted by the attached site plan.



The installation would require a slight realignment (2 to 3 feet) to the walking path on the Stock Drive right of way, but it does not appear to conflict with any utility lines according to a recent utility locate.

If the City Council is agreeable to the requested encroachment, an encroachment license would need to be executed between the City and the hospital. A draft agreement has been prepared and is

AGENDA ITEM NO. _____

attached for Council consideration. The document has been reviewed by the city attorney and is currently being reviewed by the hospital's attorney.

Due to the non-profit nature of West Park Hospital, no fee has historically been charged for use of the city right-of-way, so none is proposed in this instance.

Review of the proposal by the Planning and Zoning Board occurred at their September 10, 2013 meeting at which they approved the site plan subject to Council approval of the encroachment license.

FISCAL IMPACT

None expected.

ALTERNATIVES

Approve the encroachment request, subject to review of the final document by the city attorney, and authorize the mayor to execute the encroachment license; or deny the request.

RECOMMENDATION

Approve the requested encroachment and authorize the Mayor to execute an encroachment license subject to review of the final document by the city attorney.

ATTACHMENTS

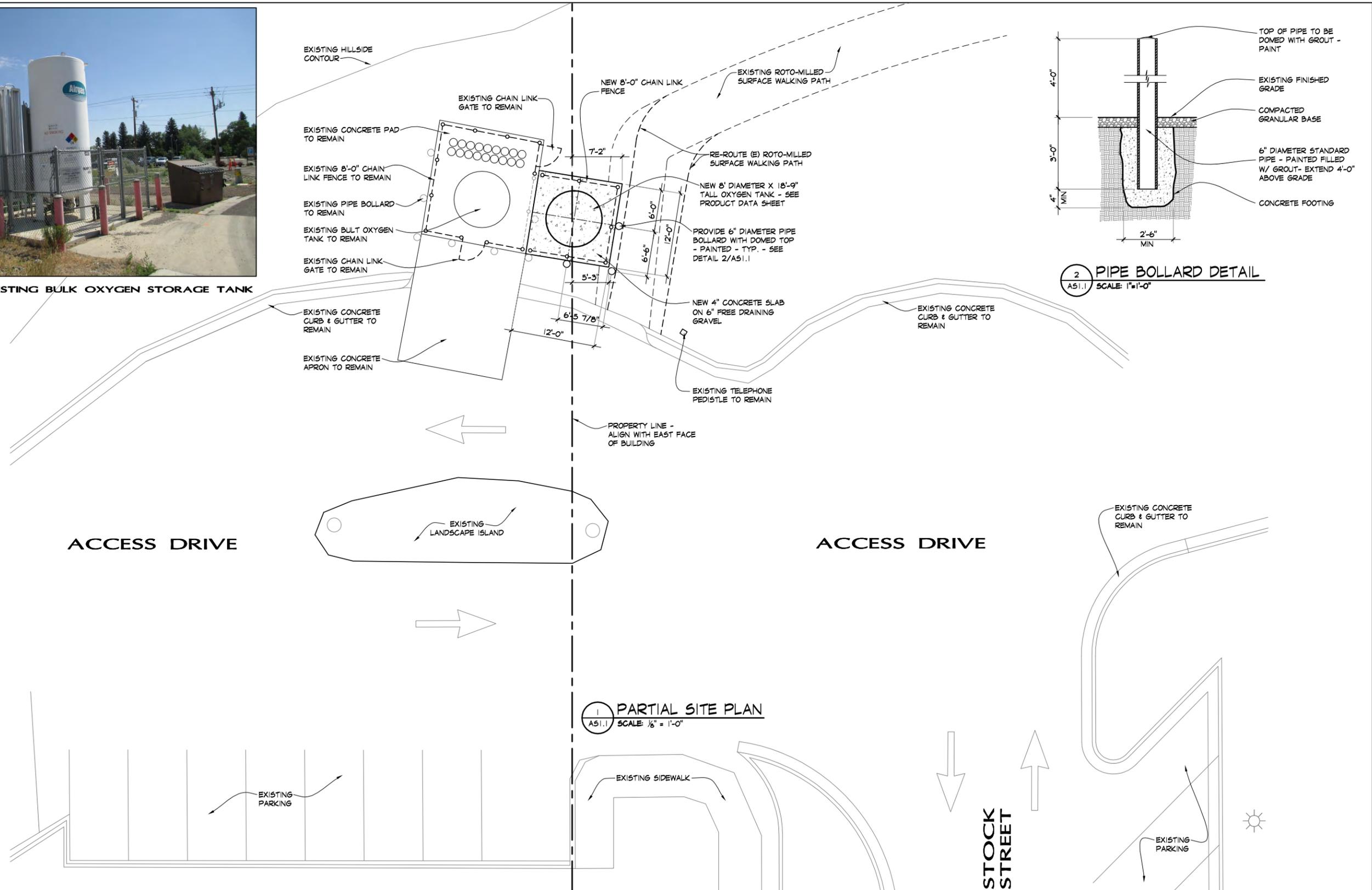
Proposed Site Plan
Draft License Agreement

AGENDA & SUMMARY REPORT TO:

Tim Waldner, WPH



PHOTO OF EXISTING BULK OXYGEN STORAGE TANK



2 PIPE BOLLARD DETAIL
AS1.1 SCALE: 1"=1'-0"

1 PARTIAL SITE PLAN
AS1.1 SCALE: 1/8" = 1'-0"



WPH - CRYOGENIC BULK STORAGE TANK INSTALLATION
CODY, WYOMING
SITE PLAN EXHIBIT

08/29/2013



AGREEMENT
FOR ENCROACHMENT LICENSE

The parties to this agreement are the City of Cody, Wyoming (hereinafter CITY), a municipal corporation in Park County, Wyoming, and West Park Hospital District (hereinafter HOSPITAL), a hospital District formed pursuant to Wyoming law. This Agreement for Encroachment License is made and entered into as of the date last signed by the parties to this agreement.

WITNESSETH:

WHEREAS, HOSPITAL desires to install an additional cryogenic storage tank to hold liquid oxygen for use at hospital facilities;

WHEREAS, the location of the proposed cryogenic tank and its associated fenced enclosure encroaches on the Stock Drive right-of-way, as depicted in Exhibit A;

WHEREAS, the proposed location is the most convenient for HOSPITAL operational purposes due to its immediate proximity to an existing cryogenic tank;

WHEREAS, the CITY recognizes the hospital's need to have an adequate supply of oxygen for emergency and health care purposes, which benefits the health, safety and welfare of the citizens and visitors in and around Cody, Wyoming, and the CITY is therefore willing to grant a revocable license to HOSPITAL for the placement of a cryogenic liquid oxygen storage tank facility in the public rights of way;

NOW, THEREFORE, in consideration of the mutual covenant and promises described herein, the parties agree as follows:

1. CITY hereby grants a revocable license to HOSPITAL to encroach on that portion of the Stock Drive CITY right of way for the installation of a 3,005 gallon capacity liquid oxygen tank and associated fenced enclosure as depicted on the attached Exhibit A.
2. The term of this agreement shall be for two years, and shall be renewable for successive two-year terms. Neither party shall be required to take any action to renew this agreement. In the event that a party wishes not to renew this agreement, that party shall notify

the other party in writing at least thirty (30) days prior to the expiration of the then current-term.

3. Notwithstanding the term outlined above, the license for encroachment is given as a matter of convenience and the same may be revoked by the CITY at any time for any reason whatsoever, upon sixty days written notice given by the CITY. Upon the expiration of the sixty days written notice, HOSPITAL shall have an additional 60 days to remove the liquid oxygen storage tank and all associated improvements from the public right of way, and restore the same to the original condition, and to the satisfaction of the CITY, at the sole cost and expense of HOSPITAL.
4. In the event that the CITY is required to repair, modify, replace, upgrade, add to or otherwise access utilities near or beneath HOSPITAL'S said storage tank facility, CITY shall not be responsible for replacement of HOSPITAL'S storage tank facility. HOSPITAL shall be solely responsible for all such replacements, including all costs and expenses associated with replacing such facility, and HOSPITAL accepts the risk associated with putting the facility on the public right of way.
5. HOSPITAL assumes all liability for itself, its agents, its representatives, employees, guests, invitees, and for the general public's presence and activities arising out of this agreement, and shall indemnify and hold harmless CITY, its agents, representatives, employees, officers, council members and agents from any and all claims, actions, lawsuits, disputes and controversies regarding HOSPITAL'S use of the public right of way pursuant to this agreement. This indemnification shall include but not be limited to claims and actions for personal injury, property damage, economic loss, death and all other liabilities and losses arising in any way under this agreement or arising from the use of the public right of way by HOSPITAL, its lessees, agents, representatives, employees or officers. This indemnification shall include reasonable attorney's fees incurred by CITY in defense of any action brought by any party against CITY arising out of this agreement or HOSPITAL'S use of the public right of way.
6. By entering into this agreement, CITY does not waive its sovereign immunity or governmental immunity, or any of the immunities, defenses or limitations available to it under the Wyoming Constitution and Wyoming law.

7. This agreement contains the entire understanding of the parties and there are no other promises, covenants or understanding beyond the scope of this written agreement. This agreement can only be amended in writing, approved and signed by both parties.

CITY OF CODY, WYOMING:

By: _____

Nancy Tia Brown, Mayor

Attest: _____

Cynthia D. Baker

Administrative Services Officer

WEST PARK HOSPITAL DISTRICT:

BY: _____

Doug McMillan

Chief Executive Officer

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: SARA WEAD, ASSISTANT
ADMINISTRATIVE SERVICES OFFICER
PRESENTED BY: CINDY BAKER,
ADMINISTRATIVE SERVICES OFFICER

AGENDA ITEM SUMMARY REPORT

Request for Temporary Dispensing Room Permit

ACTION TO BE TAKEN:

Approve issuing a temporary dispensing room permit to the Buffalo Bill Memorial Association for the Patron's Ball event on September 21, 2013.

SUMMARY OF INFORMATION:

The Buffalo Bill Memorial Association is requesting a temporary dispensing room permit in order to set up an additional bar within the Buffalo Bill Center of the West to dispense alcohol during the Patron's Ball event to be held on September 21, 2013. Per State Statutes, a maximum of six temporary dispensing room permits per liquor license holder are allowed per year and the permit is valid for one 24-hour calendar day. This is the first permit being requested within this year by the Buffalo Bill Memorial Association.

FISCAL IMPACT

The fee for a temporary dispensing room permit is \$100 per day.

ALTERNATIVES

1. Approve issuing the temporary dispensing room permit
2. Deny issuing the temporary dispensing room permit.

ATTACHMENTS

Agenda request and permit form.

AGENDA & SUMMARY REPORT TO:

Josie Hedderman, Buffalo Bill Center of the West 578-4000

AGENDA ITEM NO. _____

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: SARA WEAD, ASSISTANT
ADMINISTRATIVE SERVICES OFFICER
PRESENTED BY: CINDY BAKER,
ADMINISTRATIVE SERVICES OFFICER

AGENDA ITEM SUMMARY REPORT

Issuance of Temporary Dispensing Room Permits

ACTION TO BE TAKEN:

Authorize the Administrative Services Officer or his/her designee to issue temporary dispensing room permits.

SUMMARY OF INFORMATION:

Title 12 of the Wyoming State Statutes require authorization from the licensing authority to issue a 24-hour temporary dispensing room permit in order for a liquor license holder to set up one additional dispensing room within the same building as the license is held.

Issuance of temporary dispensing room permits currently requires action on the part of Council for staff to issue the permit. In July 2008, Council authorized the Administrative Services Director or his/her designee to issue catering and malt beverage permits however at that time, temporary dispensing room permits were not included in the original list of permits authorized to be issued without Council approval. Staff is requesting Council also authorize the Administrative Services Officer or his/her designee to issue temporary dispensing room permits.

FISCAL IMPACT

None.

ALTERNATIVES

1. Authorize the Administrative Services Officer or his/her designee to issue temporary dispensing room permits.
2. Maintain the requirement that requests for temporary room permits must come to Council for approval on an individual basis.

ATTACHMENTS

None.

AGENDA & SUMMARY REPORT TO:

N/A

AGENDA ITEM NO. _____

MEETING DATE: SEPTEMBER 17, 2013
DEPARTMENT: COMMUNITY DEVELOPMENT
PREPARED BY: TODD STOWELL
CITY ADM. APPROVAL: _____
PRESENTED BY: TODD STOWELL

AGENDA ITEM SUMMARY REPORT

Ordinance 2013-17

Amendments to Regulations and Standards for Electronic Message Boards and Animated Signs

ACTION TO BE TAKEN

First Reading of Ordinance 2013-17.

SUMMARY

The City Council has agreed to consider amendments to the regulations and standards for electronic message boards and animated signs. Specifically, there is concern with one of the setback requirements. The current ordinance states "*When located within one hundred fifty feet of a residentially used lot, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on any residential lot.*" This provision applies regardless of the zoning of the property on which the residential use is located. The thought is that any setback for electronic message boards should be based on the zoning of the adjoining properties, not the current use.

The issue is demonstrated by existing electronic message boards along Big Horn Avenue, in that four of the five existing electronic message boards do not meet this provision. Those signs predate the separation requirement yet it illustrates how the number of residential homes in commercially-zoned areas limits the ability for many businesses to meet the current setback standards for electronic message boards.

To address the concern, the provision is proposed to be eliminated. There is another provision that already requires electronic message boards and animated signs to be at least one-hundred feet from any residentially-zoned property, which is being retained.

In conjunction with this primary amendment, there are a number of other amendments. The attached "Exhibit A" is a "track changes" version of the proposed amendments, with explanatory annotations. The "clean version" is found in the attached ordinance.

FISCAL IMPACT

No measureable financial impacts to the City are anticipated.

ALTERNATIVES

Table, Deny, or Approve the first reading of Ordinance 2013-17.

ATTACHMENT

Ordinance 2013-17 and "Exhibit A".

AGENDA ITEM NO. _____

ORDINANCE NO. 2013-17

AN ORDINANCE AMENDING TITLE 10, CHAPTER 15, SECTION 3, SUBSECTION (B)(10) OF THE CITY OF CODY CODE: ELECTRONIC MESSAGE BOARDS AND ANIMATED SIGNS.

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

Title 10, Chapter 15, Section 3, Subsection (B)(10) of the City of Cody Code shall be amended as follows:

10. Electronic Message Boards and Animated Signs:
- a. Not more than one electronic message board sign may be permitted per zoning lot.
 - b. Electronic message boards and animated signs shall not display off-premise commercial advertising.
 - c. Electronic message boards and animated signs are not permitted in residential sign districts.
 - d. The leading edge of the sign must be a minimum distance of one hundred feet (100') from an abutting residential zoning district boundary.
 - e. Electronic message boards must utilize an automatic dimmer control so as to not exceed a maximum luminance of five thousand (5,000) nits (candelas per square meter) during daylight hours (from sunrise to sunset), and a maximum luminance of five hundred (500) nits (candelas per square meter) from sunset to sunrise.
 - f. The use of audio speakers is prohibited in association with a sign.
 - g. Electronic message boards and animated signs shall be permitted only in the following sign districts: D-2, D-3, and E industrial. In addition, electronic message boards and animated signs may be permitted in the downtown business sign district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage, and compliance with applicable sign requirements of the Wyoming Department of Transportation.

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

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

PASSED ON THIRD READING: _____

Nancy Tia Brown, Mayor

Attest:

Cynthia Baker
Administrative Services Director

EXHIBIT "A"

Proposed Amendments to City of Cody Code 10-15-3(B)(10):

(New text is underlined, text to delete has ~~strikethrough~~.)

Chapter 15, Signs

10-15-3: REGULATIONS AND STANDARDS:

...

B. General Standards: The following standards apply to all signs unless specifically exempted in other parts of this chapter:

...

10. Electronic Message Boards and Animated Signs:

- a. Not more than one electronic message board sign may be permitted per zoning lot. ~~Electronic message boards and animated signs shall be separated from other electronic message boards and animated signs by at least thirty five feet (35').~~
- b. ~~When located within one hundred fifty feet (150') of a residentially used lot, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on any residential lot.~~
- be. Electronic message boards and animated signs shall not display off-premise commercial advertising. ~~The sign must be located on the site of the use identified or advertised by the sign.~~
- ce. Electronic message boards and animated signs are will not be permitted in residential sign districts/zones. ~~are~~
- de. The leading edge of the sign must be a minimum distance of one hundred feet (100') from an abutting residential zoning district boundary.
- ef. Electronic message boards The sign must utilize an automatic dimmer control so as to not exceed a maximum luminance illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours (from sunrise to sunset), and a maximum luminance illumination of five hundred (500) nits (candelas per square meter) from sunset to sunrise. ~~between dusk to dawn as measured from the sign's face at maximum brightness.~~
- g. ~~Animated signs must have an automatic dimmer control to produce a distinct illumination level to a lower level from the time period between one-half (1/2) hour before sunset and one-half (1/2) hour after sunrise.~~
- fh. The use of A audio speakers is or any form of pyrotechnics are prohibited in association with a sign.
- gi. Electronic message boards and A animated signs shall be permitted only in the following sign districts/zones: D-2, D-3, and E industrial. In addition, electronic

Comment [TS1]: Limit of 1 sign ensures that each lot can have an electronic message board sign, which may not be the case with the 35' separation requirement. Also limit of 1 sign per lot reduces potential of excessive electronic signs.

Comment [TS2]: Initial direction from Council is to not provide such protection based simply on current use, but on zoning instead. Zoning setback is in "e".

Comment [TS3]: Better, legally accurate language. (Allows civic/public notice use of signs.)

Comment [TS4]: "Sign districts" is the more correct term—used in sign tables.

Comment [TS5]: Adds clarity that this is referring to zoning boundaries.

Comment [TS6]: Allows elimination of "g".

Comment [TS7]: Nits are a measure of luminance (amount of light emitted).

Comment [TS8]: A clearly measurable time, as opposed to "dawn" and "dusk".

Comment [TS9]: Pyrotechnics is covered in the general prohibitions for signs. No need to repeat here.

Comment [TS10]: Allows elimination of next paragraph.

message boards and animated signs may be permitted in the downtown business sign district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage, and compliance with applicable sign requirements of the Wyoming Department of Transportation, ~~and all submittals must be accompanied by approval documents from WYDOT.~~

- ~~j. Electronic message boards shall be permitted only in the following zones: D-2, D-3 and E industrial. In addition, animated signs may be permitted in the downtown business district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage and all submittals must be accompanied by approval documents from WYDOT. (Ord. 2011-04, 6-7-2011)~~

Comment [TS11]: WYDOT only requires a permit if there is an encroachment, or if there is off-premise advertising.