

# City of Cody City Council

**Tuesday August 16, 2022** – 7:00 p.m. (Pre-Meeting to begin at 6:53 p.m. in Council Chambers)  
Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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Meeting Called to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Mayor's Recognitions and Announcements

Proclamation – Honoring Hunger Action Month

Proclamation – Cody Lions – Celebrating 100 Years

## 1. Consent Calendar

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

- a. Approval of Minutes: Regular Minutes from August 2, 2022.
- b. Approval of Minutes: Special Meeting from August 9, 2022.
- c. Approve Vouchers and payroll in the amount of \$1,901,473.14.
- d. Approve the uncollectible write offs in the amount of \$40,256.03.
- e. Approve a request from Mike Darby, Irma Hotel, for a street closure on Saturday, September 3<sup>rd</sup> starting at 3:00p.m. opening by 9:00 a.m. on Sunday, September 4<sup>th</sup>. Closure of 12<sup>th</sup> street between Sheridan Ave and Beck Ave for a Devils Tower Motorcycle Run. Contingent upon Event Coordinator will need to providing liability insurance and obtaining a Mobile Vendor Event Permit.
- f. Award Bid 2022-09 for a 2023 Ford Escape in the amount of \$33,098.88 to Ken Garff Cheyenne.
- g. Award Bid 2022-10 for a 2023 Ford Explorer in the amount of \$45,066.88 to Ken Garff Cheyenne.
- h. Award Bid 2022-06 for a 2023 Ford F250 with Hillsboro flatbed and Maxon liftgate in the amount of \$54,030.00 to Greiner Ford of Casper.

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

## 3. Public Hearing.

4. Conduct of Business

a) Resolution 2022-24

A Resolution amending the City of Cody Final Budget for Fiscal Year 2022-2023.

Staff Reference: Leslie Brumage

b) Approve Professional Service Contract for Electrical Inspections

Staff Reference: Todd Stowell, City Planner

c) Consider approving the Preliminary and Final plats of the Benny's Place Minor Subdivision #2

Staff Reference: Todd Stowell, City Planner

d) Consider approving the Preliminary plat of the Schoonover Subdivision.

Staff Reference: Todd Stowell, City Planner

e) Ordinance 2202-14 – First Reading

An Ordinance Amending Title 8, Chapter 1, Article III, Section 13 of the Cody City Code to Modify and Set Electrical Service Rates and Changes.

Staff Reference: Phillip Bowman, Public Works Director

f) Ordinance 2022-07 Storm Drainage Utility –Third and Final Reading  
AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE I  
OF THE CODY CITY CODE TO ESTABLISH THE STORM DRAINAGE  
UTILITY

Staff Reference: Phillip Bowman, Public Works Director

g) Ordinance 2022-08 Storm Drainage Utility – Third and Final Reading  
AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE II  
OF THE CODY CITY CODE TO ESTABLISH STORM DRAINAGE UTILITY  
CHARGES

Staff Reference: Phillip Bowman, Public Works Director

h) Ordinance 2022-09 Storm Drainage Utility – Third and Final Reading  
AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE III OF THE  
CODY CITY CODE TO ESTABLISH STORM DRAINAGE UTILITY  
ALLOWED DISCHARGES AND ENFORCEMENT

Staff Reference: Phillip Bowman, Public Works Director

5. Tabled Items

6. Matters from Staff Members

7. Matters from Council Members

8. Adjournment

**Upcoming Meetings:**

**August 23, 2022 – Tuesday – Work Session – 5:30 p.m.**

**September 6, 2022– Tuesday -Regular Council Meeting – 7:00 p.m.**

## **Proclamation**

### **Honoring Hunger Action Month**

**WHEREAS**, addressing the food insecurity needs of children, youth, men, women, seniors, active military and veterans today is fundamental for the future of Cody; and,

**WHEREAS**, hunger and poverty are issues of vital concern in Park County where 12% of people struggle with hunger and one in every six children do not know where their next meal will come from; and,

**WHEREAS**, the need for comprehensive, coordinated emergency food programs place upon our community a critical responsibility; and,

**WHEREAS**, the Food Bank of Wyoming is committed to combating hunger in every part of our community and providing additional resources that those in Cody need; and,

**WHEREAS**, it is our responsibility as citizens of Cody to learn about hunger and to do our part in reducing that hunger; and,

**WHEREAS**, 160 partners with Food Bank of Wyoming, a member of the Feeding America nationwide network of food banks and their local partner, Manna House, to educate people about the important role of hunger relief organizations raising awareness for the need to devote more resources and attention to hunger and food insecurity issues; and,

**WHEREAS**, more than 3300 residents of Park County rely, annually, on food provided by Food Bank of Wyoming and their local partners; and

**WHEREAS**, Food Bank of Wyoming, its generous funders, volunteers and local partner agencies are committed to educating citizens on the role of food banks and hunger-relief efforts in solving hunger; and

**WHEREAS**, Food Bank of Wyoming provides over 9 million meals across Wyoming annually; and to engage each of us to help end hunger, one meal at a time, either through donations, social media shares or volunteer shifts; and

**WHEREAS**, the month of September is designated “Hunger Action Month” in order to bring attention to food insecurity in our communities;

**NOW, THEREFORE**, I, Matt Hall, Mayor of the city of Cody, Wyoming do hereby proclaim September 2022 as Hunger Action Month and encourage all citizens to increase their understanding and awareness of food insecurity and how it impacts our nation, state, county and communities.

**GIVEN UNDER**, my hand and seal of the city of Cody, Wyoming to be affixed this 16 day of August, 2022.

**CITY OF CODY**

**PROCLAMATION**  
**CODY LIONS CLUB**  
**CELEBRATING 100 YEARS**

**WHEREAS, the City of Cody recognizes the valued contribution of the Cody Lions Club to our community, and**

**WHEREAS, the Cody Lions Club will be celebrating its 100<sup>th</sup> consecutive year, and**

**WHEREAS, the Cody Lions Club is part of an international service organization whose mission enhances core beliefs to voluntarily serve their community, and**

**WHEREAS, the Cody Lions Club has sponsored an annual Turkey Day for the past 50 years with profits returned to the community to address the needs of the blind and seeing impaired as well as many other health related conditions plus other worthy causes, and**

**WHEREAS, the Cody Lions Club's involvement in the community for the past 100 years has made the City of Cody a better place to live, work and play, and**

**NOW, THEREFORE, I, Matt Hall, Mayor of Cody, hereby issue this Proclamation commending the Cody Lions Club for their contributions to the community for the past 100 years.**

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**Matt Hall, Major of Cody**



**City of Cody  
Council Proceedings  
Tuesday, August 2, 2022**

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, August 2, 2022 at 7:00 p.m.

Present: Council Members, Emily Swett, Heidi Rasmussen, Diane Ballard, Jerry Fritz, Justin Baily and City Attorney Scott Kolpitzke, City Administrator Barry Cook, and Administrative Services Officer Cindy Baker.

Absent: Mayor Hall

Council President Ballard called the meeting to order at 7:00 p.m.

Council Member Rasmussen made a motion seconded by Council Member Swett to approve Consent Calendar as presented. Approval included Regular Minutes from July 19, 2022 and Special Work Session Minutes from July 26, 2022. approve Vouchers and payroll in the amount of \$827,845.30, authorize the Mayor to enter into and sign a Contract for Services between the City of Cody and Park County for Recycling Center Services, approve a request from Cody Rotary Club for an open container permit and malt beverage permit for city Park on Saturday, August 20<sup>th</sup> in conjunction with the annual Cornhole Tournament and approve the request from Cody Craft Brewing to be able to sell canned, alcoholic “seltzers” (fermented beverages) for on-site consumption only. Vote was Unanimous.

Council Member Baily made a motion seconded by Council Member Quick to authorize the Mayor to enter into an agreement between the City of Cody and A.C.E. Inc for professional engineering, design/construction and administration services for the City Hall HVAC system upgrade for an amount not to exceed \$13,360.00, contingent upon review by City Attorney. Vote was unanimous

Council Member Rasmussen made a motion seconded by Council Member Baily to approve and authorize the Mayor to sign Amendment #1 for the AIP Grant No. 3-56-0006-042-2021 to increase funding by \$109,008. (Relating to Construct Access Road & Parking Lot; Rehabilitate Access Road and Rehabilitate Runway (Pavement Maintenance). Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Quick to award bid 2202-07 to Ken Garff Cheyenne for two (2) 2023 Ford Explorer Police Interceptor Utility Vehicles in the amount of \$80,400.00. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Swett authorize the Mayor to enter into and sign the Disposal Service Agreement between Park County and the City of Cody for use of the Park County Regional Landfill, contingent upon final review by the City Attorney. Vote was unanimous

**Resolution 2022-20**

A Resolution Encumbering Additional Funds from the American Rescue Plan Act for the Installation of a Fire Suppression System in the City Auditorium Building. Council Member Quick made a motion seconded by Council Member Baily approve Resolution 2022-20. Vote was unanimous

**Resolution 2022-22**

A Resolution authorizing submission of an application to the State Land and Investment Board for a grant through the Water & Sewer ARPA Grant Program Funding on behalf of the Governing Body for the City of Cody. Council Member Rasmussen made a motion seconded by Council Member Baily to approve Resolution 2022-22. Vote was unanimous

**Resolution 2022-23**

A Resolution authorizing submission of an application to the State Land and Investment Board for a grant through the Water & Sewer ARPA Grant Program Funding on behalf of the Governing Body for the City of Cody. Council Member Baily made a motion seconded by Council Member Swett to approve Resolution 2022-23. Vote was unanimous

**Ordinance 2022-07 Storm Drainage Utility –Second Reading**

AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE I OF THE CODY CITY CODE TO ESTABLISH THE STORM DRAINAGE UTILITY. Council Member Rasmussen made a motion seconded by Council Member Quick to approve Ordinance 2022-08 on second reading. Vote was unanimous.

**Ordinance 2022-08 Storm Drainage Utility – Second Reading as Amended**

AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE II OF THE CODY CITY CODE TO ESTABLISH STORM DRAINAGE UTILITY CHARGES. Council Member Swett made a motion seconded by Council Member Baily to approve Ordinance 2022-08 on second reading as amended. Vote was unanimous.

Ordinance 2022-09 Storm Drainage Utility – Second Reading  
AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE III OF THE CODY CITY CODE TO ESTABLISH STORM DRAINAGE UTILITY ALLOWED DISCHARGES AND ENFORCEMENT. Council Member Quick made a motion seconded by Council Member Rasmussen to approve Ordinance 2022-09 on second reading. Vote was unanimous.

Council President Ballard adjourned the meeting at 7:36 p.m.

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Council President Ballard

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Cindy Baker, Administrative Services Officer

**City of Cody**  
**Council Proceedings**  
**Tuesday, August 9, 2022**

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, August 9, 2022 at 5:30 p.m.

Present: Council Members Diane Ballard, Andy Quick, Heidi Rasmussen, Emily Swett (phone), and Jerry Fritz, City Administrator, Barry Cook, Attorney Scott Kolpitzke and Finance Officer, Leslie Brumage.

Absent: Administrative Services Officer, Cindy Baker

Mayor Matt Hall called the meeting to order at 5:30 p.m.

The Governing Body discussed a request from Chuck Baker, Chief of Police, for the purchase of a new tactical vehicle to replace the existing vehicle. Staff will be bringing this item for consideration as a budget amendment at the August 16, 2022 regular Council meeting.

Phillip Bowman, Public Works Director, provided the Governing Body information relating to a proposal from a private company regarding installing EV charging stations within the City limits.

Mayor Hall adjourned the Work Session at 6:31 p.m.

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Leslie E. Brumage  
Finance Officer

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Matt Hall  
Mayor

Report Criteria:  
Invoice Detail.Input date = 08/09/2022  
Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>AC MILLWORKS LLC (133033)</b>				
	06142022	SHELVING FOR CPD LT EVID RM	06/14/2022	5,500.00
Total :				5,500.00
Total AC MILLWORKS LLC (133033):				5,500.00
<b>AMERICAN FAMILY LIFE ASSUR (550)</b>				
	152717	AFLAC PREMIUM	08/05/2022	2,465.24
Total :				2,465.24
Total AMERICAN FAMILY LIFE ASSUR (550):				2,465.24
<b>AMERICAN WELDING &amp; GAS, INC. (128592)</b>				
	08688673	CYLINDER RENTAL	07/31/2022	37.83
Total :				37.83
Total AMERICAN WELDING & GAS, INC. (128592):				37.83
<b>BAILEY ENTERPRISES INCORPORATED (130546)</b>				
	6431300	Fuel	08/03/2022	130.22
	6431300	Fuel	08/03/2022	1,360.67
	6431300	Fuel	08/03/2022	318.44
	6431300	Fuel	08/03/2022	106.15
	6431300	Fuel	08/03/2022	4,405.08
	6431300	Fuel	08/03/2022	318.44
	6431300	Fuel	08/03/2022	159.22
	6431300	Fuel	08/03/2022	112.66
	6431300	Fuel	08/03/2022	1,664.74
	6431300	Fuel	08/03/2022	928.87
	6431300	Fuel	08/03/2022	422.46
	6431300	Fuel	08/03/2022	178.66
	6431300	Fuel	08/03/2022	265.62
	6431300	Fuel	08/03/2022	209.00
	6431300	Fuel	08/03/2022	40.01
	6431300	Fuel	08/03/2022	132.73
	6431300	Fuel	08/03/2022	80.02
	6431300	Fuel	08/03/2022	1,064.73
	6431300	Fuel	08/03/2022	212.92
	6431300	Fuel	08/03/2022	1,196.69
	6431300	Fuel	08/03/2022	376.58
	6431300	Fuel	08/03/2022	19.82
	6431300	Fuel	08/03/2022	19.82
	6431300	Fuel	08/03/2022	41.09
	6431300	Fuel	08/03/2022	97.27
	6431300	Fuel	08/03/2022	10.64
	6431300	Fuel	08/03/2022	15.95
	6431300	Fuel	08/03/2022	46.63
	6431300	Fuel	08/03/2022	7,508.53
	6431300	Fuel	08/03/2022	2,418.29
	6431300	Fuel	08/03/2022	425.25
	6431300	Fuel	08/03/2022	256.65

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	6431300	Fuel	08/03/2022	160.96
	6431300	Fuel	08/03/2022	46.63
	6431300	Fuel	08/03/2022	583.29
	6431300	Fuel	08/03/2022	357.00
	6431300	Fuel	08/03/2022	46.63
	6431300	Fuel	08/03/2022	553.40
	6431300	Fuel	08/03/2022	162.96
	6431300	Fuel	08/03/2022	623.19
	6431300	Fuel	08/03/2022	34.06
	6431300	Fuel	08/03/2022	1,926.34
Total :				29,038.31
Total BAILEY ENTERPRISES INCORPORATED (130546):				29,038.31
<b>BEAVERSON, ALEX (132986)</b>				
	41529255	REC CENTER REFUND	06/29/2022	8.00
Total :				8.00
Total BEAVERSON, ALEX (132986):				8.00
<b>BIG CO (1190)</b>				
BIG HORN REDI-MIX, INC	384442	WEST AVE PIPE BEDDING	07/11/2022	400.00
Total :				400.00
Total BIG CO (1190):				400.00
<b>BIOLYNCEUS, LLC (126954)</b>				
	9561	PUMPS FOR BIO-SCRUBBER	07/22/2022	435.51
Total :				435.51
Total BIOLYNCEUS, LLC (126954):				435.51
<b>BLACK HILLS GAS HOLDINGS, LLC (132866)</b>				
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	188.81
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	131.24
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	247.16
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	93.01
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	3,522.48
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	3,522.48
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	78.17
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	11.21
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	257.45
BLACK HILLS ENERGY	08012022	UTILITIES - BLACK HILLS ENERGY	08/01/2022	32.71
Total :				8,084.72
Total BLACK HILLS GAS HOLDINGS, LLC (132866):				8,084.72
<b>BORDER STATES INDUSTRIES, INC (1420)</b>				
	924695482	H-TAPS	08/04/2022	73.50
Total :				73.50

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total BORDER STATES INDUSTRIES, INC (1420):				73.50
CARQUEST AUTO PARTS (10200)				
	2874-ID-454834	leak detector	07/01/2022	350.00
	2874-ID-454853	lamp K17	07/01/2022	24.89
Total :				374.89
Total CARQUEST AUTO PARTS (10200):				374.89
CENTURY LINK (10091)				
	07192022	PHONE CHARGES - SCHOOL OFFICER	07/19/2022	44.90
Total :				44.90
Total CENTURY LINK (10091):				44.90
CLARK, JASMINE (133038)				
	41492901	REC CENTER REFUND	06/29/2022	93.00
Total :				93.00
Total CLARK, JASMINE (133038):				93.00
CODY TREE SURGERY (131773)				
	1718	FERTILIZER APPLICATION	07/28/2022	620.00
Total :				620.00
Total CODY TREE SURGERY (131773):				620.00
COPENHAVER KITCHEN KOLPITCKE LLC (3140)				
	45284	Legal Services	08/02/2022	3,384.88
	45284	Legal Services	08/02/2022	345.40
	45284	Legal Services	08/02/2022	759.87
	45284	Legal Services	08/02/2022	759.87
	45284	Legal Services	08/02/2022	828.95
	45284	Legal Services	08/02/2022	828.95
Total :				6,907.92
Total COPENHAVER KITCHEN KOLPITCKE LLC (3140):				6,907.92
COTTONWOOD VENTURES LLC (133035)				
	10132021	SHADOW MOUNTAIN #2 RW COST SHARE	10/13/2021	51,832.43
Total :				51,832.43
Total COTTONWOOD VENTURES LLC (133035):				51,832.43
CRYSTAL, SCOTT (132237)				
	41529814	REC CENTER REFUND	06/29/2022	50.00
Total :				50.00
Total CRYSTAL, SCOTT (132237):				50.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
<b>CUMMINS INC (133022)</b>				
CUMMINS SALES AND SERVICE	38-66296	CO5 EXHAUST FILTERS	07/08/2022	3,956.61
Total :				3,956.61
Total CUMMINS INC (133022):				3,956.61
<b>CUSTOM GARAGE DOOR LLC (127015)</b>				
	5524	GARAGE DOOR REPAIR AND MAINTENANCE	08/02/2022	297.00
Total :				297.00
Total CUSTOM GARAGE DOOR LLC (127015):				297.00
<b>DOWNS, LORNA (133018)</b>				
	14.1310.18	UTILITY DEPOSIT REFUND	07/19/2022	200.00
	14.1310.18 1	REFUND CREDIT BALANCE	07/27/2022	220.47
Total :				420.47
Total DOWNS, LORNA (133018):				420.47
<b>ENERGY LABORATORIES, INC (4120)</b>				
DEPARTMENT 6250	481362	COLIFORM TESTING	06/23/2022	160.00
DEPARTMENT 6250	483074	EFFLUENT TESTING	06/30/2022	206.00
Total :				366.00
Total ENERGY LABORATORIES, INC (4120):				366.00
<b>ENGINEERING ASSOCIATES (4140)</b>				
	4207073	PROJECT 14111-04 WWTF PHASE 2	07/22/2022	89.90
	4207073	PROJECT 14111-04 WWTF PHASE 2	07/22/2022	27.47
	4207073	PROJECT 14111-04 WWTF PHASE 2	07/22/2022	7.49
	4207073	PROJECT 14111-04 WWTF PHASE 2	07/22/2022	124.86
Total :				249.72
Total ENGINEERING ASSOCIATES (4140):				249.72
<b>FLO-TECH IRRIGATION LLC (132959)</b>				
	1208	CHAMBER REPAIR	07/25/2022	4,197.76
	1213	DORSE MILLER PARK REPAIR	07/27/2022	1,923.41
	1215	CANAL PARK REPAIR	07/27/2022	502.63
	1221	CHAMBER REPAIR	07/28/2022	1,058.53
	1225	DORSE MILLER PARK REPAIR	08/02/2022	620.03
	1226	RIVER VIEW REPAIR	08/02/2022	386.64
Total :				8,689.00
Total FLO-TECH IRRIGATION LLC (132959):				8,689.00
<b>FORWARD CODY WYOMING, INC (127450)</b>				
	71322	OUTSIDE AGENCY FUNDING FY22-23	07/13/2022	10,000.00
Total :				10,000.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total FORWARD CODY WYOMING, INC (127450):				10,000.00
<b>FREDERICK, SARA (133039)</b>				
	40524260	REC CENTER REFUND	06/16/2022	70.00
Total :				70.00
Total FREDERICK, SARA (133039):				70.00
<b>GOOD 2 GO STORE (132929)</b>				
	08022022	RESTITUTION MC-2112-001	08/02/2022	50.00
Total :				50.00
Total GOOD 2 GO STORE (132929):				50.00
<b>HALL, THOMAS M BUCKY (132632)</b>				
BUCKYS SPORTS	07262022	PICKLEBALLS	07/26/2022	190.00
Total :				190.00
Total HALL, THOMAS M BUCKY (132632):				190.00
<b>HARLAN, DESIRAE (133029)</b>				
	20.0075.19	REFUND CREDIT BALANCE	07/27/2022	108.19
Total :				108.19
Total HARLAN, DESIRAE (133029):				108.19
<b>HARRIS TRUCKING AND CONSTRUCTION CO (7730)</b>				
PARK COUNTY READY MIX	115837	WEST AVE RAW WATER DITCH CROSSING	07/25/2022	373.17
Total :				373.17
Total HARRIS TRUCKING AND CONSTRUCTION CO (7730):				373.17
<b>HARRIS TRUCKING AND CONSTRUCTION CO. (4780)</b>				
	07262022	YRA TREATED WATERLINE REPLACEMENT PAY APP 4	07/29/2022	18,794.80
	07262022	YRA TREATED WATERLINE REPLACEMENT PAY RET 4	07/29/2022	939.79-
	137569	E SHERIDAN PUMPHOUSE STARTUP	06/14/2022	5,000.00
	137793	SKIN PATCH EAST SHERIDAN	07/24/2022	1,215.81
	137864	PATCHING 17TH SALSBUARY AND SENIOR CENTER	07/31/2022	9,882.00
Total :				33,952.82
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				33,952.82
<b>HAYES &amp; PRILL LLC (133025)</b>				
	08252022	CONCERTS IN THE PARK	07/27/2022	1,000.00
Total :				1,000.00
Total HAYES & PRILL LLC (133025):				1,000.00
<b>HINDERLITER, STARSHA (133030)</b>				
	07262022	WITNESS FEES MC-2205-025	07/26/2022	15.00



Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				15.00
Total HINDERLITER, STARSHA (133030):				15.00
HOWERTON, JENIE (132269)				
	13.3415.34	UTILITY DEPOSIT REFUND	08/03/2022	57.62
Total :				57.62
Total HOWERTON, JENIE (132269):				57.62
J & S CORPORATION (1160)				
BIG HORN GLASS	40904	REPLACE CLOSURE FOR REC CENTER	06/28/2022	466.00
Total :				466.00
Total J & S CORPORATION (1160):				466.00
JONES, AMY (129954)				
	08032022	PERSONAL TRAINING SERVICES	08/03/2022	217.53
Total :				217.53
Total JONES, AMY (129954):				217.53
LABOY, AMY (133028)				
	15.9990.14	REFUND CREDIT BALANCE	07/27/2022	138.05
Total :				138.05
Total LABOY, AMY (133028):				138.05
LEISURE IN MONTANA INC (131545)				
	SAL22653-1	POOL CHEMICALS	08/01/2022	718.68
	SAL22653-1	POOL CHEMICALS	08/01/2022	718.69
Total :				1,437.37
Total LEISURE IN MONTANA INC (131545):				1,437.37
MICRO-COMM. INC. (6635)				
	16425	SCADA SERVICE CONTRACT	07/11/2022	6,350.00
Total :				6,350.00
Total MICRO-COMM. INC. (6635):				6,350.00
MORRISON-MAIERLE INC (130985)				
	000225112	2020 WYDOT SIDEWALKS & RAMPS PROJECT 4463.005	07/29/2022	6,743.42
	000225112	2020 WYDOT SIDEWALKS & RAMPS PROJECT 4463.005	07/29/2022	1,685.85
Total :				8,429.27
Total MORRISON-MAIERLE INC (130985):				8,429.27
MOUNTAIN CONSTRUCTION COMPANY (129995)				
	53.1008.11 1	REFUND CREDIT BALANCE	07/27/2022	167.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				167.00
Total MOUNTAIN CONSTRUCTION COMPANY (129995):				167.00
<b>MOUNTAIN WEST COMPUTER INC (131225)</b>				
	20088	NOTARY STAMP	07/22/2022	33.76
Total :				33.76
Total MOUNTAIN WEST COMPUTER INC (131225):				33.76
<b>MSDSONLINE INC (131452)</b>				
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	50.28
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	94.27
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	263.57
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	502.00
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	163.01
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	163.01
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	213.29
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	997.71
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	100.56
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	345.27
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	313.85
VELOCITYEHS	259539	MSDS SUBSCRIPTION	05/31/2022	721.18
Total :				3,928.00
Total MSDSONLINE INC (131452):				3,928.00
<b>NCPERS GROUP LIFE INS (125412)</b>				
C/O MEMBER BENEFITS	8522	PREMIUM	08/05/2022	400.00
Total :				400.00
Total NCPERS GROUP LIFE INS (125412):				400.00
<b>NORCO, INC. (128948)</b>				
	35529215	BOTTLE RENTAL	07/31/2022	40.92
Total :				40.92
Total NORCO, INC. (128948):				40.92
<b>NORTHWEST PIPE (7400)</b>				
	7773305	PARTS FOR AUDITORIUM WATER LINE	08/01/2022	8,013.59
Total :				8,013.59
Total NORTHWEST PIPE (7400):				8,013.59
<b>OLLA WORLDWIDE LLC (132971)</b>				
DBA THE MAID UP	1123	CLEANING SERVICES	07/03/2022	1,662.00
DBA THE MAID UP	1123	CLEANING SERVICES	07/03/2022	1,662.00
DBA THE MAID UP	1123	CLEANING SERVICES	07/03/2022	1,662.00
Total :				4,986.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total OLLA WORLDWIDE LLC (132971):				4,986.00
<b>ONE-CALL OF WYOMING (127665)</b>				
	64172	ONE - CALL FEES	08/04/2022	32.44
	64172	ONE - CALL FEES	08/04/2022	32.44
	64172	ONE - CALL FEES	08/04/2022	32.44
	64172	ONE - CALL FEES	08/04/2022	32.43
Total :				129.75
Total ONE-CALL OF WYOMING (127665):				129.75
<b>PARK COUNTY (7670)</b>				
	8043	LEC CONTRACT - DISPATCH SERVICES	08/01/2022	223.56
	8043	LEC CONTRACT - DISPATCH SERVICES	08/01/2022	3,800.53
	8043	LEC CONTRACT - DISPATCH SERVICES	08/01/2022	670.68
	8043	LEC CONTRACT - DISPATCH SERVICES	08/01/2022	17,661.28
	8043	LEC CONTRACT - CAPITOL EQUIPMENT	08/01/2022	4,520.00
	8043	LEC CONTRACT - MAINTENANCE	08/01/2022	1,807.46
	8043	LEC CONTRACT - CONSOLE	08/01/2022	39.15
	8043	LEC CONTRACT - CONSOLE	08/01/2022	665.61
	8043	LEC CONTRACT - CONSOLE	08/01/2022	117.46
	8043	LEC CONTRACT - CONSOLE	08/01/2022	3,093.14
	8043	LEC CONTRACT - UTILITIES	08/01/2022	1,173.56
	8043	ADJ FOR INITIAL NETWORK SEGRAGATION CHANGES	08/01/2022	204.52-
	8043	ANTI VIRUS CLIENT CREDIT	08/01/2022	34.79-
Total :				33,533.12
Total PARK COUNTY (7670):				33,533.12
<b>PARK COUNTY ANIMAL SHELTER (5120)</b>				
	08012022	ANIMAL SERVICE CONTRACT - AUGUST 2022	08/01/2022	4,166.67
Total :				4,166.67
Total PARK COUNTY ANIMAL SHELTER (5120):				4,166.67
<b>PARK COUNTY LANDFILL (129053)</b>				
	07312022	BULK ITEM DISPOSAL FEES - JULY 2022	07/31/2022	128.15
	07312022	LANDFILL CHARGES - JULY 2022	07/31/2022	68,300.19
Total :				68,428.34
Total PARK COUNTY LANDFILL (129053):				68,428.34
<b>PARK DISTRICT COURT (132610)</b>				
	8522	GARNISHMENT	08/05/2022	196.97
Total :				196.97
Total PARK DISTRICT COURT (132610):				196.97
<b>PECHISCHEV, ARTEM (133036)</b>				
OR PECHISCHEV, KIMBERLEY	3.1510.47	UTILITY DEPOSIT REFUND	08/01/2022	160.04
Total :				160.04

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total PECHISCHEV, ARTEM (133036):				160.04
PORTER, KAYELYNN (133027)				
	11.1790.35	REFUND CREDIT BALANCE	07/27/2022	113.53
Total :				113.53
Total PORTER, KAYELYNN (133027):				113.53
PRIMROSE OIL COMPANY INC (132737)				
	94394	GREASE	08/03/2022	575.57
Total :				575.57
Total PRIMROSE OIL COMPANY INC (132737):				575.57
PROVIDENT LIFE & ACCIDENT INS (128033)				
	8522	PREMIUMS	08/05/2022	23.40
Total :				23.40
Total PROVIDENT LIFE & ACCIDENT INS (128033):				23.40
QUALITY ASPHALT PAVING, INC (125010)				
	2351	PATCHING 17TH & SALSBUry AND SENIOR CENTER	07/28/2022	4,725.00
Total :				4,725.00
Total QUALITY ASPHALT PAVING, INC (125010):				4,725.00
RINGEL, COTY (125449)				
	41541116	REC CENTER REFUND	06/29/2022	9.00
Total :				9.00
Total RINGEL, COTY (125449):				9.00
RISER, CODY (132943)				
	14.2280.29	UTILITY DEPOSIT REFUND	08/04/2022	86.07
Total :				86.07
Total RISER, CODY (132943):				86.07
ROBSON, TEAGAN (133031)				
	07262022	WITNESS FEES MC-2205-025	07/26/2022	15.00
Total :				15.00
Total ROBSON, TEAGAN (133031):				15.00
SABER PEST CONTROLL LLC (131183)				
	E154	PEST CONTROL - ELECTRIC	08/01/2022	100.00
	P164	PEST CONTROL - PUBLIC WORKS SH	07/01/2022	60.00
	P164	PEST CONTROL - PUBLIC WORKS SH	07/01/2022	30.00
	P164	PEST CONTROL - PUBLIC WORKS SH	07/01/2022	30.00
	P165	PEST CONTROL - PUBLIC WORKS SH	08/01/2022	60.00
	P165	PEST CONTROL - PUBLIC WORKS SH	08/01/2022	30.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	P165	PEST CONTROL - PUBLIC WORKS SH	08/01/2022	30.00
	R164	PEST CONTROL - RECYCLING/SANITATION	08/03/2022	70.00
	W163	PEST CONTROL - WASTEWATER DEPT	07/13/2022	100.00
	W164	PEST CONTROL - WASTEWATER DEPT	08/03/2022	100.00
Total :				610.00
Total SABER PEST CONTROLL LLC (131183):				610.00
<b>SHOSHONE MUNICIPAL PIPELINE (9130)</b>				
	08012022	SMP WATER PURCHASE - JULY 2022	08/01/2022	189,121.64
Total :				189,121.64
Total SHOSHONE MUNICIPAL PIPELINE (9130):				189,121.64
<b>SKAGGS COMPANIES (131474)</b>				
	450_A_128983F_1	NEW BALLISTIC VEST C09	07/19/2022	982.66
	450_A_130572F_1	NEW BALLISTIC VEST C07	07/19/2022	1,038.00
	450_A_130636F_1	NEW BALLISTIC VEST C06	07/19/2022	1,038.00
Total :				3,058.66
Total SKAGGS COMPANIES (131474):				3,058.66
<b>SOFT TOUCH DESIGNS, INC. (129137)</b>				
	6160	RESURFACE FLOORS AT REC CENTER	08/03/2022	12,334.50
Total :				12,334.50
Total SOFT TOUCH DESIGNS, INC. (129137):				12,334.50
<b>STANTEC CONSULTING SERVICES INC (132890)</b>				
	1960352	Big Horn Ave Study	08/02/2022	2,569.35
Total :				2,569.35
Total STANTEC CONSULTING SERVICES INC (132890):				2,569.35
<b>SYSTEMS GRAPHICS INC (129162)</b>				
ADVANCED INFO SYSTEMS	15882	OUTSOURCE BILLS	07/27/2022	16.68
ADVANCED INFO SYSTEMS	15882	OUTSOURCE BILLS	07/27/2022	103.07
ADVANCED INFO SYSTEMS	15882	OUTSOURCE BILLS	07/27/2022	94.37
ADVANCED INFO SYSTEMS	15882	OUTSOURCE BILLS	07/27/2022	93.73
ADVANCED INFO SYSTEMS	15882	OUTSOURCE BILLS	07/27/2022	116.47
ADVANCED INFO SYSTEMS	15890	OUTSOURCE BILLS	08/02/2022	8.73
ADVANCED INFO SYSTEMS	15890	OUTSOURCE BILLS	08/02/2022	53.98
ADVANCED INFO SYSTEMS	15890	OUTSOURCE BILLS	08/02/2022	49.43
ADVANCED INFO SYSTEMS	15890	OUTSOURCE BILLS	08/02/2022	49.10
ADVANCED INFO SYSTEMS	15890	OUTSOURCE BILLS	08/02/2022	61.01
Total :				646.57
Total SYSTEMS GRAPHICS INC (129162):				646.57
<b>THE HUNTING SHACK INC (132972)</b>				
HSM AMMUNITION	3503	SNIPER AMMO	06/28/2022	986.42

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				986.42
Total THE HUNTING SHACK INC (132972):				986.42
<b>THE PATTI FIASCO (133026)</b>				
	08182022	CONCERTS IN THE PARK	07/27/2022	2,500.00
Total :				2,500.00
Total THE PATTI FIASCO (133026):				2,500.00
<b>THOMSON REUTERS - WEST (128108)</b>				
	846623344	CLEAR INVESTIGATIONS MONTHLY FEE	07/01/2022	163.77
	846783322	CLEAR INVESTIGATIONS MONTHLY FEE	08/01/2022	163.77
Total :				327.54
Total THOMSON REUTERS - WEST (128108):				327.54
<b>TIMELESS TREASURES (133034)</b>				
NEWMAN, ROBERTA	1.2430.12	REFUND CREDIT BALANCE	07/27/2022	140.17
Total :				140.17
Total TIMELESS TREASURES (133034):				140.17
<b>TWO SISTERS CONTRACTING LLC (132780)</b>				
	07292022	2020 CODY SIDEWALK AND PEDESTRIAN RAMP IMPROVEMENTS - CONSTRUCTION PAY APP 2	08/02/2022	80,358.19
	07292022	2020 CODY SIDEWALK AND PEDESTRIAN RAMP IMPROVEMENTS - CONSTRUCTION PAY APP 2	08/02/2022	20,089.54
	07292022	2020 CODY SIDEWALK AND PEDESTRIAN RAMP IMPROVEMENTS - RETAINAGE PAY APP 2	08/02/2022	5,286.73
	07292022	2020 CODY SIDEWALK AND PEDESTRIAN RAMP IMPROVEMENTS - RETAINAGE PAY APP 2	08/02/2022	5,286.73-
Total :				100,447.73
Total TWO SISTERS CONTRACTING LLC (132780):				100,447.73
<b>UNUM LIFE INSURANCE - LIFE (127935)</b>				
	8522	PREMIUM	08/05/2022	905.20
Total :				905.20
Total UNUM LIFE INSURANCE - LIFE (127935):				905.20
<b>WESCO DISTRIBUTION CORP (131137)</b>				
WESCO/KVA/MODERN WHOLESALE	852590	CLIMBERS FOR BOOTS	07/25/2022	255.00
Total :				255.00
Total WESCO DISTRIBUTION CORP (131137):				255.00
<b>WESOLOWSKI, KASSI (133037)</b>				
	14.2460.59	UTILITY DEPOSIT REFUND	08/02/2022	56.07
Total :				56.07

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total WESOLOWSKI, KASSI (133037):				56.07
<b>WILLIAMS' &amp; SONS, LLC (128065)</b>				
	2022.016	WALKIE TALKIES FOR KIDS ON THE MOVE	07/21/2022	1,092.15
Total :				1,092.15
Total WILLIAMS' & SONS, LLC (128065):				1,092.15
<b>WYOMING CHILD SUPPORT (132047)</b>				
	8522	Garnishment	08/05/2022	134.70
Total :				134.70
Total WYOMING CHILD SUPPORT (132047):				134.70
<b>WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)</b>				
WORKERS COMPENSATION DIV	8522	CONTRIBUTIONS	08/05/2022	8,687.24
WORKERS COMPENSATION DIV	8522	PD VOLUNTEERS	08/05/2022	9.02
WORKERS COMPENSATION DIV	8522	REC VOLUNTEERS	08/05/2022	4.51
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	41.61
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	110.14
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	7.34
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	4.90
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	4.90
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	24.47
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	19.58
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	4.90
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	4.90
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	4.90
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	2.44
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	7.34
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	7.34
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	174.48
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	12.56-
	8522	2nd QRT UNEMPLOYMENT	08/05/2022	12.56-
Total :				9,094.89
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				9,094.89
<b>WYOMING MUNICIPAL POWER AGENCY (10920)</b>				
	202207-1	POWER PURCHASE - JULY 2022	08/08/2022	405,398.62
	202207-1	DEMAND PURCHASE - JULY 2022	08/08/2022	475,734.70
Total :				881,133.32
Total WYOMING MUNICIPAL POWER AGENCY (10920):				881,133.32
<b>WYOMING RETIREMENT SYSTEM (10950)</b>				
	227452	CONTRIBUTIONS -	08/05/2022	25,258.44
	227453	CONTRIBUTIONS -	08/05/2022	32,838.68
	227454	CONTRIBUTIONS -	08/05/2022	37,998.76
Total :				96,095.88
Total WYOMING RETIREMENT SYSTEM (10950):				96,095.88

Secondary Name	Invoice	Description	Invoice Date	Total Cost
YELLOWSTONE ELECTRIC INC (133040)				
	36374	AERATOR REPAIR	07/13/2022	172.50
Total :				172.50
Total YELLOWSTONE ELECTRIC INC (133040):				172.50
Grand Totals:				1,614,214.09
			Payroll 07/31/22	287,259.05
Report GL Period Summary			Total	1,901,473.14

GL Period	Amount
08/22	1,614,214.09
Grand Totals:	1,614,214.09

Vendor number hash: 9887945  
Vendor number hash - split: 21198335  
Total number of invoices: 101  
Total number of transactions: 224

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	1,614,214.09	.00	1,614,214.09
Grand Totals:	1,614,214.09	.00	1,614,214.09

Report Criteria:  
Invoice Detail.Input date = 08/09/2022  
Invoice.Batch = {NOT LIKE} "1"



## AGENDA ITEM SUMMARY REPORT

### Uncollectible Account Write Offs

#### ACTION TO BE TAKEN:

Approve the uncollectible account write offs in the amount of \$40,256.03

#### SUMMARY OF INFORMATION:

Annually during the budget process, Staff identifies accounts that are considered uncollectible and includes the account balances in the budget as part of the bad debt expense line items in the appropriate funds. Accounts are typically determined to be uncollectible under the following circumstances: bankruptcy discharges, deceased customers with no estate to file a claim against, accounts past the statute of limitations (7-10 years old), and accounts on which the collection agency has exhausted all legal actions and have ceased effort.

#### FISCAL IMPACT

For Fiscal Year 2021-22 the City budgeted the following for uncollectible account write offs:

<i>Type</i>	<i>Statute of Limitations</i>	<i>Bankruptcy</i>	<i>Deceased</i>	<i>Total</i>
Utility Billing	\$14,769.38	\$0.00	\$0.00	\$14,769.38
Municipal Court	\$25,486.65	\$0.00	\$0.00	\$25,486.65
<b>Total</b>	<b>\$40,256.03</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$40,256.03</b>

These write offs are non-cash expenses and will have no direct effect on cash balances however they will reduce the accounts receivable balances in the affected funds meaning that there will be no future cash collections on these accounts.

#### ATTACHMENTS

1. Uncollectible account write-off history
2. Financial Management Policy write-off criteria

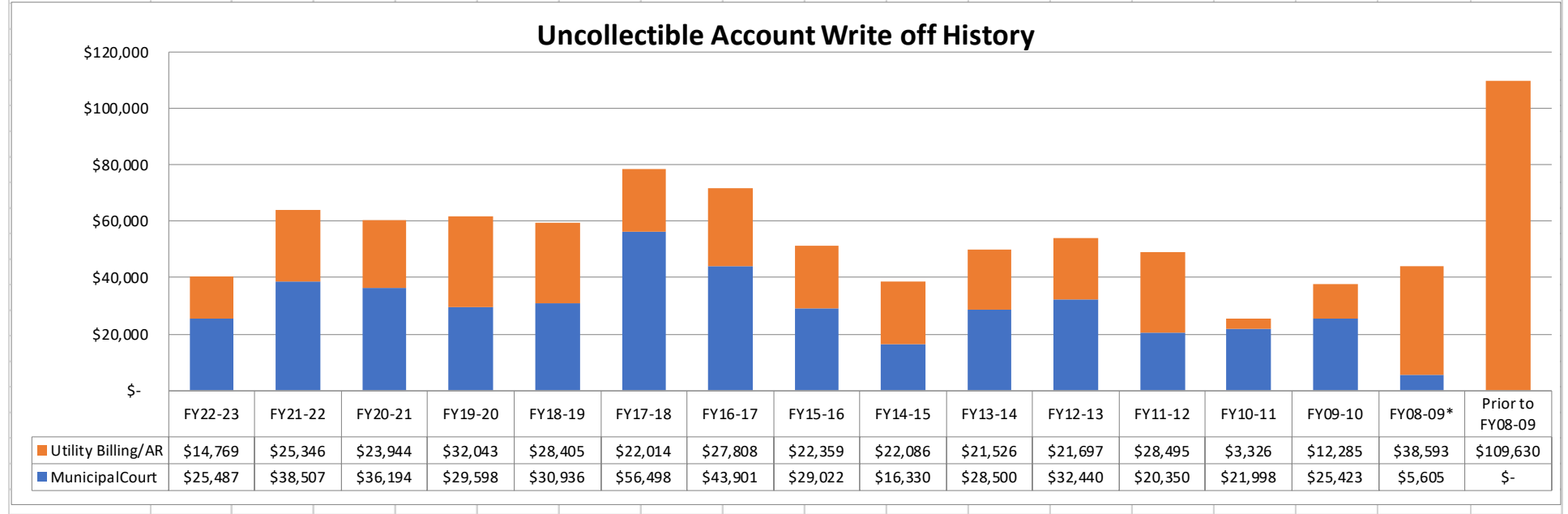
#### AGENDA & SUMMARY REPORT TO:

None

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

## Write Off History

	FY22-23	FY21-22	FY20-21	FY19-20	FY18-19	FY17-18	FY16-17	FY15-16	FY14-15	FY13-14	FY12-13	FY11-12	FY10-11	FY09-10	FY08-09*	Prior to FY08-09	Total
MunicipalCourt	\$ 25,487	\$ 38,507	\$ 36,194	\$ 29,598	\$ 30,936	\$ 56,498	\$ 43,901	\$ 29,022	\$ 16,330	\$ 28,500	\$ 32,440	\$ 20,350	\$ 21,998	\$ 25,423	\$ 5,605	\$ -	\$ 415,302
Utility Billing/AR	\$ 14,769	\$ 25,346	\$ 23,944	\$ 32,043	\$ 28,405	\$ 22,014	\$ 27,808	\$ 22,359	\$ 22,086	\$ 21,526	\$ 21,697	\$ 28,495	\$ 3,326	\$ 12,285	\$ 38,593	\$ 109,630	\$ 439,557
Total	\$40,256	\$ 63,853	\$ 60,138	\$ 61,641	\$ 59,341	\$ 78,512	\$ 71,709	\$ 51,381	\$ 38,416	\$ 50,026	\$ 54,136	\$ 48,845	\$ 25,323	\$ 37,709	\$ 44,198	\$ 109,630	\$ 854,860



## Uncollectible Accounts Write Off Criteria

Customer accounts may be deemed uncollectible under any of the following circumstances:

- The City has received a notice that the account has been discharged in a bankruptcy proceeding.
- A deceased customer's estate that has no liquid assets to cover the outstanding amount or there is no estate on which to file a claim.
- The account has been in collections status for a minimum of 10 years with no payments within the most recent 12-month period.
- The account has reached the legal statute of limitations for filing legal action.
- All reasonable notifications and cost-effective legal avenues have been exhausted.
- The cost to recover the debt does not warrant further action.
- The debtor is untraceable or cannot be identified.
- A court has ruled that the debt is not recoverable.

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

8/2/22  
3:00pm

## City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns, and/or provide additional information. Note: Some request may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferred lead time 14 days minimum to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared the in advance prior to the Tuesday meetings. Note Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

\*\*\*\*\*

Name of person to appear before the Council MIKE DARBY

Organization Represented IRMA HOTEL

Date you wish to appear before the Council NEXT MEETING 8/16/22

E-Mail Address umichaelsdarby Telephone 307-587-4221 X106  
@notmail.com

Names of all individuals who will speak on this topic ME

Event Title (if applicable) DEVILS TOWER MOTORCYCLE RUN

Date(s) of Event (if applicable) 9/3-9/4/22

Location of Event (if applicable) 12TH ST. BETWEEN SHERIDAN & BECK

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

AND VENDOR PARKING (200+ MOTORCYCLES +  
6 VENDOR STATIONS.

~~CLOSURE~~ CLOSURE STARTS @ 3pm 9/3 AND  
REOPENS 9AM 9/4/22

Which City employee(s) have you spoken to about this issue? NONE

Signature Michael S. Darby Date 8/2/22

MEETING DATE: 8/16/2022

DEPARTMENT: PUBLIC WORKS

PREPARED BY: ROB KRAMER

PRESENTED BY: PHILLIP BOWMAN

**AGENDA ITEM SUMMARY REPORT**  
**Bid 2022-09 (1) New 2023 or Newer 1.5 Liter SUV or**  
**Crossover**

**ACTION TO BE TAKEN:**

Consider approving the award of Bid 2022-09 to Ken Garff Cheyenne for (1) 2023 Ford Escape in the amount of \$33,098.88.

**SUMMARY OF INFORMATION:**

A request was made in FY 2022/2023 for the purchase of one new utility vehicle to be used within the Police Department for travel and training purposes. Bid packets were sent to Denny Menholt, Fremont Motor Companies, Greiner Ford of Casper and Ken Garff Cheyenne.

One bidder submitted two bids. These bids were opened at City Hall on 8/9/2022.

Ken Garff Cheyenne, submitted two bids:

1. 2023 Ford Escape in the amount of \$33,098.88. This bid meets or exceeds all minimum specifications.
2. 2022 Ford Escape in the amount of \$35,330.00. This bid does not meet the minimum specifications and is subject to availability at the time of award.

**FISCAL IMPACT**

Funding, in the amount of \$38,590.00, was budgeted and approved in the Fiscal Year 2022/2023 budget. Included in this amount is the funding to upfit the vehicle for service.

**ALTERNATIVES**

Approve or deny the award of Bid 2022-09 to Ken Garff Cheyenne for (1) 2023 Ford Escape in the amount of \$33,098.88.

**ATTACHMENTS**

1. Ken Garff Cheyenne Submitted Bid

**AGENDA & SUMMARY REPORT TO:**

1. Ronald C. Downey, Ken Garff Cheyenne, [rdowney@kengarff.com](mailto:rdowney@kengarff.com)

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



Bid Proposal Form  
Bid No. 2022-09 (1) New 2023 or Newer 1.5 Liter SUV or Crossover  
City of Cody, Wyoming

Governing Body  
City of Cody  
PO Box 2200  
1338 Rumsey Avenue  
Cody, WY 82414



The undersigned Bidder agrees to provide (1) New 2023 or Newer 1.5 Liter SUV or Crossover free and clear of all liens of any kind, pursuant to the specifications and invitation to bid. The bid price shall be F.O.B. City of Cody Vehicle Maintenance Shop 119 19th St. Cody, WY 82414.

Bid Schedule	Quantity	Unit	Total Price
Bid for:	1	23 Escape	\$ 33098.88
Less trade if any:			\$( N/A )
Net Total Bid			\$ 33098.88

The undersigned warrants that he/she has read and understands the requirements of the City of Cody, that he/she encloses a bid bond in the amount of not less than five percent (5%) of the "TOTAL BID" amount, and that the bid price represents all costs to the City of Cody including delivery, setup, installation and testing of providing the unit in accordance with the specifications therefore. *All bid guarantees must be received in the form of a bid bond, cashier's check or money order. No personal or business checks will be accepted as a bid guarantee. If a bid is received without the necessary 5% bid guarantee it will be rejected.* The undersigned further understands that the Governing Body of the City of Cody shall determine in its sole discretion the most responsible bidder, and the Governing Body may reject any and all bids or make substitutions, waive defects deemed unsubstantial in any bid, and that if an award is made, the Governing Body will award the bid in the best interest of the City. Award of bid is subject to budget appropriation for this purchase.

The offer made herein shall be binding for 60 days after the date of bid opening.

Award of bid shall be made by Notice of Award, which shall be accompanied by a binding agreement to supply the unit pursuant to the bid documents. Bidder warrants that Bidder has read the proposed agreement and agrees to the terms and conditions contained therein. The unit shall be delivered and tested within the time frame specified by the Bidder upon receipt of order.

Payment shall be made within 30 days after the delivery and acceptance of the unit.

Date 8/3/2022

Signature

Ronald C. Downey

Typed or Printed Name

Ken Garff - Cheyenne

Company

2200 Westland Rd

Mailing Address

Cheyenne WY 82001

City, State and Zip

rdowney@kengarff.com

E-mail Address

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

**City of Cody**  
**Specifications for (1) New 2023 or Newer 1.5 Liter SUV or Crossover**

THE BIDDER SHALL COMPLETE EVERY SPACE BY PLACING A CHECK MARK UNDER THE YES OR NO COLUMN TO INDICATE THAT THE ITEM BEING BID IS EXACTLY AS SPECIFIED. ALL NO RESPONSES SHALL BE EXPLAINED IN DETAIL ON AN ATTACHED SHEET.

**A. GENERAL**

1. AWD, 4 door SUV or Crossover
2. Wheel base: Minimum 106.7"
3. Exterior color: Carbon Gray
4. Interior color: Gray

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**B. ENGINE AND POWER TRAIN**

1. Engine: 1.5 Liter
2. Engine Block Heater
3. Transmission: 8 speed automatic w/overdrive

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**C. SUSPENSION & RUNNING GEAR**

1. Brakes: Four-wheel Anti-Lock Power Disc Brakes
2. Wheels & Tires: (4) full size 17" on/off road All-Season wheels & tires and (1) mini spare wheel and tire.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**D. ELECTRICAL SYSTEM**

1. Battery: Maintenance free Heavy-duty with run down protection.
2. Alternator: (12) Volts

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

**E. BODY & CAB**

1. Gauges/ Lights: Factory installed voltmeter, oil pressure and engine temp.
2. Dual outside rear-view mirrors, remote controlled right and left.
3. Windows: Power windows w/deep tinted glass.
4. Rear window: Electric defroster w/wiper.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	lights for oil & temp.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Back doors & hatch have privacy glass
<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

**BODY & CAB (continued)**

	YES	NO
5. Heater and air conditioner: Factory installed, high output.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Windshield wipers: Multi-speed w/intermittent system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Radio: AM/FM stereo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Door locks: Power door locks, single key locking system w/(3) sets of keys, and remote keyless entry.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Front seats: Heavy duty premium cloth bucket seats	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Rear seat: Heavy-duty split-back folding seat for additional cargo space	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Steering Wheel: Comfort tilt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Cruise control: Factory installed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. All-weather floor mats, and cargo mat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Remote Start	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**F. MISCELLANEOUS**

1. Full manufacturer's standard warranty.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Dealer order form showing all equipment being bid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Operators manual.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Current Wyoming Residency Certificate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**



CNGP530

## VEHICLE ORDER CONFIRMATION

08/01/22 17:43:55

==&gt;

2023

Dealer: F56422

2022 ESCAPE

Page: 1 of 1

Order No: D700 Priority: L4 Ord FIN: QQ117 Order Type: 5B Price Level: 250  
 Ord Code: 100A Cust/Flt Name: CITY OF CODY PO Number:

	RETAIL	DLR INV		RETAIL	DLR INV
U9F S AWD	\$28685	\$27825.00	91W 4G WIFI HS RMVL	\$(20)	\$(18.00)
.106.7" WB			924 PRIVACY GLASS	270	253.00
M7 CARBONIZED, GRAY			153 FRT LICENSE BKT	NC	NC
V CLOTH BUCKETS			SP DLR ACCT ADJ		(597.00)
H EBONY			SP FLT ACCT CR		(821.00)
100A EQUIP GRP			FUEL CHARGE		8.88
996 .1.5L ECO ENGINE	NC	NC	B4A NET INV FLT OPT	NC	7.00
448 .8-SPD AUTOTRANS	NC	NC	DEST AND DELIV	1495	1495.00
225/65R17 TIRES			TOTAL BASE AND OPTIONS	31345	28691.88
FLEET SPCL ADJ	NC	(320.00)	TOTAL	31345	28691.88
41H ENG BLOCK HEAT	150	141.00	*THIS IS NOT AN INVOICE*		
50C FLR LNR W/O MTS	160	150.00			
51U MINI SP TR/WHL	110	103.00			
63E REMOTE START	495	465.00			
17" STEEL WHEEL					

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

CNGP510

## Targeted Product Offering Vehicle Order

08/01/22 17:45:23

==&gt;

23

Dealer: F56422

Model Yr: 22 Body: U9F Beg Ord: D700 No Units: 001 End Ord: \_\_\_\_

Ord Type: 5 Order Code: 100A

Priority: L4 Paint: M7 Trim: VH Accent: \_\_\_\_ Roof: \_\_\_\_

Add: B4A 51U 59H 41H 924 50C 63E \_\_\_\_

Del: \_\_\_\_

Init: \_\_\_\_ Cust/Flt Name: CITY OF CODY Ord FIN: QQ117 User FIN: QQ117

PO Number: \_\_\_\_ Ship-to Code: \_\_\_\_ Additional Trailers (Y/N): \_\_\_\_

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

RETURN=Edit/Price

F1=Help

F3/F12=Veh Ord Menu

F4=Submit/No Price

F5=Add to Library

F6=Clear

F9=Vehicle Order

F11=Sng Alter/Cancel

F15=Library

S017 - ENTER REQUIRED INFORMATION.

QC00700



MEETING DATE: 8/16/2022

DEPARTMENT: PUBLIC WORKS

PREPARED BY: ROB KRAMER

PRESENTED BY: PHILLIP BOWMAN

## **AGENDA ITEM SUMMARY REPORT**

### **Bid 2022-10 (1) New 2023 or Newer 2.0 Liter SUV or Crossover**

#### **ACTION TO BE TAKEN:**

Consider approving the award of Bid 2022-10 to Ken Garff Cheyenne for (1) New 2023 Ford Explorer, in the amount of \$45,066.88.

#### **SUMMARY OF INFORMATION:**

A request was made in FY 2022/2023 for the purchase of one new utility vehicle to replace an existing detective's vehicle. The vehicle being replaced will be sold via surplus auction. Bid packets were sent to Denny Menholt, Fremont Motor Companies, Greiner Ford of Casper and Ken Garff Cheyenne.

One bidder submitted two bids. These bids were opened at City Hall on 8/9/2022.

Ken Garff Cheyenne, submitted two bids:

1. 2023 Ford Explorer in the amount of \$45,066.88. This bid meets or exceeds the minimum specifications.
2. 2022 Ford Explorer in the amount of \$49,880.00. This bid does not meet the minimum specifications and is subject to availability at the time of award.

#### **FISCAL IMPACT**

Funding, in the amount of \$46,500.00, was budgeted and approved in the Fiscal Year 2022/2023 budget. Included in this amount is the funding to upfit the vehicle for service. Equipment for this vehicle will be transferred, in house, from the unit being replaced.

#### **ALTERNATIVES**

Approve or deny the award of Bid 2022-10 to Ken Garff Cheyenne for (1) New 2023 Ford Explorer, in the amount of \$45,066.88.

#### **ATTACHMENTS**

1. Ken Garff Cheyenne Submitted Bid

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

1. Ronald C. Downey, Ken Garff Cheyenne, [rdowney@kengarff.com](mailto:rdowney@kengarff.com)

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

Bid Proposal Form  
Bid No. 2022-10 (1) New 2023 or Newer 2.0 Liter SUV or Crossover  
City of Cody, Wyoming

Governing Body  
City of Cody  
PO Box 2200  
1338 Rumsey Avenue  
Cody, WY 82414



The undersigned Bidder agrees to provide **(1) New 2023 or Newer 2.0 Liter SUV or Crossover** free and clear of all liens of any kind, pursuant to the specifications and invitation to bid. The bid price shall be F.O.B. City of Cody Vehicle Maintenance Shop 119 19th St. Cody, WY 82414.

Bid Schedule	Quantity	Unit	Total Price
Bid for:	1	23 Explorer	\$ 45,066.88
Less trade if any:			\$( N/A )
Net Total Bid			\$ 45,066.88

The undersigned warrants that he/she has read and understands the requirements of the City of Cody, that he/she encloses a bid bond in the amount of not less than five percent (5%) of the "TOTAL BID" amount, and that the bid price represents all costs to the City of Cody including delivery, setup, installation and testing of providing the unit in accordance with the specifications therefore. *All bid guarantees must be received in the form of a bid bond, cashier's check or money order. No personal or business checks will be accepted as a bid guarantee. If a bid is received without the necessary 5% bid guarantee it will be rejected.* The undersigned further understands that the Governing Body of the City of Cody shall determine in its sole discretion the most responsible bidder, and the Governing Body may reject any and all bids or make substitutions, waive defects deemed unsubstantial in any bid, and that if an award is made, the Governing Body will award the bid in the best interest of the City. Award of bid is subject to budget appropriation for this purchase.

The offer made herein shall be binding for 60 days after the date of bid opening.

Award of bid shall be made by Notice of Award, which shall be accompanied by a binding agreement to supply the unit pursuant to the bid documents. Bidder warrants that Bidder has read the proposed agreement and agrees to the terms and conditions contained therein. The unit shall be delivered and tested within the time frame specified by the Bidder upon receipt of order.

Payment shall be made within 30 days after the delivery and acceptance of the unit.

Date 8/3/2022

Signature

Ronald C. Downey

Typed or Printed Name

Ken Garff - Cheyenne

Company

2200 Westland Rd

Mailing Address

Cheyenne WY 82001

City, State and Zip

rdowney@kengarff.com

E-mail Address

**KEN GARFF CHEYENNE  
2200 WESTLAND RD  
CHEYENNE, WY 82001**

# City of Cody

## Specifications for (1) New 2023 or Newer 2.0 Liter SUV or Crossover

THE BIDDER SHALL COMPLETE EVERY SPACE BY PLACING A CHECK MARK UNDER THE YES OR NO COLUMN TO INDICATE THAT THE ITEM BEING BID IS EXACTLY AS SPECIFIED. ALL NO RESPONSES SHALL BE EXPLAINED IN DETAIL ON AN ATTACHED SHEET.

### A. GENERAL

	YES	NO
1. AWD, 4 door SUV or Crossover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Wheel base: Minimum 112.2"	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Exterior color: Carbon Grey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Interior color: Medium Grey	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### B. ENGINE AND POWER TRAIN

1. Engine: 2.0 Liter	<input checked="" type="checkbox"/>	<input type="checkbox"/> 2.3L engine
2. Engine Block Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Transmission: 8 speed automatic w/overdrive	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### C. SUSPENSION & RUNNING GEAR

1. Brakes: Four-wheel Anti-Lock Power Disc Brakes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Wheels & Tires: (4) full size 18" on/off road All-Season wheels & tires and (1) spare tire and wheel.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### D. ELECTRICAL SYSTEM

1. Battery: Maintenance free Heavy-duty with run down protection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Alternator: (12) volts	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### E. BODY & CAB

1. Black Roof Rack w/Side Rails	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Gauges/ Lights: Factory installed voltmeter, oil pressure and engine temp.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Dual outside rear-view mirrors, remote controlled right and left.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Windows: Power windows w/deep tinted glass.	<input checked="" type="checkbox"/>	<input type="checkbox"/> Back doors & hatch have privacy glass
5. Rear window: Electric defroster w/wiper.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

**BODY & CAB (continued)**

	YES	NO
6. Heater and air conditioner: Factory installed, high output.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Windshield wipers: Multi-speed w/intermittent system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Radio: AM/FM stereo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Door locks: Power door locks, single key locking system w/(3) sets of keys, and remote keyless entry.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Front seats: Heavy duty premium cloth bucket seats	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Rear seat: Heavy-duty split-back folding seat for additional cargo space	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Steering Wheel: Comfort tilt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Cruise control: Factory installed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. All-weather floor mats, and cargo mat	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Remote Start	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**F. MISCELLANEOUS**

1. Full manufacturer's standard warranty.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Dealer order form showing all equipment being bid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Operators manual.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Current Wyoming Residency Certificate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**



CNGP530

## VEHICLE ORDER CONFIRMATION

08/02/22 12:41:02

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~~2022~~ 2023

Dealer: F56422

2022 EXPLORER 4-DOOR

Page: 1 of 1

Order No: D700 Priority: L1 Ord FIN: QQ117 Order Type: 5B Price Level: 265

Ord Code: 202A Cust/Flt Name: CITY OF CODY PO Number:

	RETAIL	DLR INV		RETAIL	DLR INV
K8D 4DR 4WD XLT	\$40570	\$38947.00	16A FLR LINERS	\$160	\$150.00
.119" WHEELBASE			17U 2ND ROW BENCH	NC	NC
M7 CARBONIZED, GRAY			41H ENG BLK HEATER	90	85.00
S ACTIVEX SEATS			425 50 STATE EMISS	NC	NC
6 EBONY			52X START-STOP REMV	(50)	(47.00)
202A EQUIP GRP	3540	3328.00	153 FRT LICENSE BKT	NC	NC
.18" PNTD ALUM			SP DLR ACCT ADJ		(886.00)
.REMOTE START			SP FLT ACCT CR		(1218.00)
.HTD STEER WHEEL			FUEL CHARGE		8.88
.8-WAY PWR PASS			B4A NET INV FLT OPT	NC	7.00
99H .2.3L ECOBOOST	NC	NC	DEST AND DELIV	1495	1495.00
44T .10SPD AUTO TRAN	NC	NC	TOTAL BASE AND OPTIONS	45805	41414.88
.P255/65R18 A/S			TOTAL	45805	41414.88
JOB #3 ORDER			*THIS IS NOT AN INVOICE*		
FLEET SPCL ADJ	NC	(455.00)			

CNGP510

## Targeted Product Offering Vehicle Order

08/02/22 12:42:18

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~~22~~ 23

Dealer: F56422

Model Yr: 22 Body: K8D Beg Ord: D700 No Units: 001 End Ord: \_\_\_\_\_

Ord Type: 5 Order Code: 202A

Priority: L1 Paint: M7 Trim: S6 Accent: \_\_\_\_\_ Roof: \_\_\_\_\_

Add: B4A 52X 17U 16A 41H \_\_\_\_\_

Del: \_\_\_\_\_

Init: \_\_\_\_\_ Cust/Flt Name: CITY OF CODY Ord FIN: QQ117 User FIN: QQ117

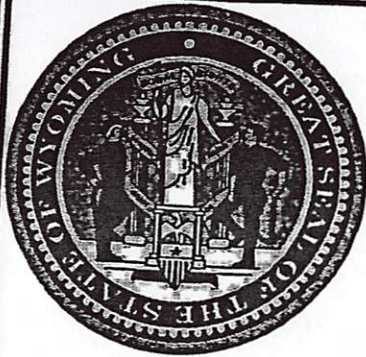
PO Number: \_\_\_\_\_ Ship-to Code: \_\_\_\_\_ Additional Trailers (Y/N): \_\_\_\_\_

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

RETURN=Edit/Price F1=Help F3/F12=Veh Ord Menu  
 F4=Submit/No Price F5=Add to Library F6=Clear  
 F9=Vehicle Order F11=Sng Alter/Cancel F15=Library  
 S017 - ENTER REQUIRED INFORMATION.

QC00700





# STATE OF WYOMING

## CERTIFICATE OF RESIDENCY



Contractor Number: 2063

THIS CERTIFIES THAT:

### KGA-CHEY, LLC

HAS BEEN GRANTED RESIDENCY STATUS PURSUANT TO WYOMING STATUTE 16-6-101, AS AMENDED. FIVE PERCENT PREFERENCE SHALL BE ALLOWED WHEN BIDDING ON ANY PUBLIC WORKS CONTRACT FOR A PERIOD OF ONE (1) YEAR FROM THE DATE CERTIFICATION IS GRANTED.

GRANTED THIS 4TH DAY of NOVEMBER TWO THOUSAND AND 21

  
Trevor Mansfield, Business Manager

EXPIRATION DATE: 11/3/2022

To verify the authenticity of the certificate,  
please contact our office at 307-777-7261 or visit  
[wyomingworkforce.org/businesses/labor/info](http://wyomingworkforce.org/businesses/labor/info)

KEN GARFF CHEYENNE  
2200 WESTLAND RD  
CHEYENNE, WY 8200



CERTIFICATE SERIAL NUMBER: 0411202137

### QUICK REFERENCE: WARRANTY COVERAGE

This chart gives a general summary of your warranty coverage provided by Ford Motor Company under the **New Vehicle Limited Warranty**. Please refer to the description of warranty coverage for more specific information.

For each type of coverage, the chart shows two measures:

- years in service
- miles driven

**Your New Vehicle Limited Warranty**

TYPE OF COVERAGE	YEARS IN SERVICE/MILES DRIVEN
BUMPER TO BUMPER	3/36,000
POWERTRAIN	5/60,000
SAFETY RESTRAINT SYSTEM	5/60,000
CORROSION (Perforation only)	5/UNLIMITED
DIESEL ENGINE	5/100,000
HYBRID/ELECTRIC UNIQUE COMPONENT	8/100,000

The measure that occurs first determines how long your coverage lasts. For example: Your Bumper to Bumper Coverage lasts for three years - unless you drive more than 36,000 miles before three years elapse. In that case, your coverage ends at 36,000 miles.

For more details on coverage, see:

- ➔ **What is Covered?** (pages 9-13)
- ➔ **What is Not Covered?** (pages 13-16)

**KEN GARFF CHEYENNE**  
**2200 WESTLAND RD**  
**CHEYENNE, WY 82001**

MEETING DATE: 8/16/2022

DEPARTMENT: PUBLIC WORKS

PREPARED BY: ROB KRAMER

PRESENTED BY: PHILLIP BOWMAN

## **AGENDA ITEM SUMMARY REPORT**

### **Bid 2022-06 (1) New 2023 <sup>3</sup>/<sub>4</sub> Ton 4 Wheel Drive Pickup with Flatbed and Liftgate**

#### **ACTION TO BE TAKEN:**

Consider approving the award of Bid 2022-06 to Greiner Ford of Casper for (1) 2023 Ford F250 with Hillsboro flatbed and Maxon liftgate in the amount of \$54,030.00.

#### **SUMMARY OF INFORMATION:**

A request was made in FY 2022/2023 for the purchase of a new pickup for use within the Facilities Maintenance. The vehicle being replaced will be sold at surplus auction. Bid packets were sent to Denny Menholt, Fremont Motor Companies, Greiner Ford of Casper, and Ken Garff Cheyenne.

Two bidders submitted two bids. These bids were opened at City Hall on 7/19/2022.

Greiner Ford of Casper, submitted one bid for (1) 2023 Ford F250 with Hillsboro flatbed and Maxon liftgate in the amount of \$54,030.00.

- a. The flatbed installer has indicated a lead time of approximately 365 days for the Hillsboro flatbed and offered the option of a Bedrock Slate flatbed with a lead time of approximately 12 weeks for an additional \$225.00.

Ken Garff Cheyenne, submitted one bid for (1) 2023 Ford F250 with Hillsboro flatbed and Maxon liftgate in the amount of \$55,274.00.

- a. The flatbed installer indicated a lead time of approximately 365 days for the Hillsboro flatbed and offered the option of a Bedrock Slate flatbed with a lead time of approximately 12 weeks for an additional \$225.00.
- b. The bidder has also offered the option of a Knapheide flatbed and Tommy Gate for an additional \$1,870.00.

Fremont Motor Casper, submitted a letter of no bid.

#### **FISCAL IMPACT**

Funding, in the amount of \$36,431.00, was budgeted and approved in the Fiscal Year 2022/2023 budget. This unit was originally priced as a standard pickup body, with no flatbed or liftgate. The addition of these items increased the anticipated cost by approximately \$10,000.00. Funding for the

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



additional amount of \$17,599.00 will be provided from the Vehicle Replacement Fund with a future budget amendment.

### **ALTERNATIVES**

Approve or deny the award of Bid 2022-06 to Greiner Ford of Casper for (1) 2023 Ford F250 w/Hillsboro flatbed and Maxon liftgate in the amount of \$54,030.00.

### **ATTACHMENTS**

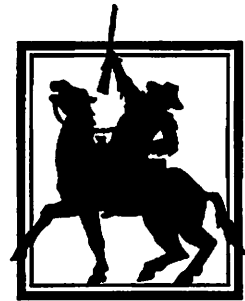
1. Greiner Ford of Casper, submitted bid

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

1. Eric Suppes, Greiner Ford of Casper, [esuppes@lithia.com](mailto:esuppes@lithia.com)
2. David Sutherland, Ken Garff Cheyenne, [dsutherland@kengarff.com](mailto:dsutherland@kengarff.com)

Bid Proposal Form  
**Bid 2022-06 (1) New 2023 ¾ Ton 4 Wheel Drive Pickup w/Flatbed and Liftgate**  
City of Cody, Wyoming

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



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

The undersigned Bidder agrees to provide **(1) NEW 2023 ¾ TON 4 WHEEL DRIVE PICKUP W/FLATBED AND LIFTGATE**, free and clear of all liens of any kind, pursuant to the specifications and invitation to bid. The bid price shall be F.O.B. City of Cody Vehicle Maintenance Shop 119 19<sup>th</sup> St. Cody, WY 82414.

Bid Schedule	Quantity	Unit	Total Price
Bid for:	2023 F-350 Regular Cab W/ Flatbed & Lift		\$ 54,030
Less trade if any:			\$ ( N/A )
Net Total Bid			\$ 54,030

The undersigned warrants that he/she has read and understands the requirements of the City of Cody, that he/she encloses a bid bond in the amount of not less than five percent (5%) of the "TOTAL BID" amount, and that the bid price represents all costs to the City of Cody including delivery, setup, installation and testing of providing the unit in accordance with the specifications therefore. All bid guarantees must be received in the form of a bid bond, cashier's check or money order. No personal or business checks will be accepted as a bid guarantee. If a bid is received without the necessary 5% bid guarantee it will be rejected. The undersigned further understands that the Governing Body of the City of Cody shall determine in its sole discretion the most responsible bidder, and the Governing Body may reject any and all bids or make substitutions, waive defects deemed unsubstantial in any bid, and that if an award is made, the Governing Body will award the bid in the best interest of the City. Award of bid is subject to budget appropriation for this purchase.

The offer made herein shall be binding for 60 days after the date of bid opening.

Award of bid shall be made by Notice of Award, which shall be accompanied by a binding agreement to supply the unit pursuant to the bid documents. Bidder warrants that Bidder has read the proposed agreement and agrees to the terms and conditions contained therein. The unit shall be delivered and tested within the time frame specified by the Bidder upon award of bid.

Payment shall be made within 30 days after the delivery and acceptance of the unit.

Date 7-13-22

  
Signature

Eric Suppes

Typed or Printed Name

Greiner Ford of Casper

Company

3333 CY Ave Casper, WY 82604

Mailing Address

esuppes@lithia.com

Email Address

# City of Cody

## Specifications for (1) New 2023 ¾ Ton 4 Wheel Drive Pickup

THE BIDDER SHALL COMPLETE EVERY SPACE BY PLACING A CHECK MARK UNDER THE **YES** OR **NO** COLUMN TO INDICATE THAT THE ITEM BEING BID IS EXACTLY AS SPECIFIED. ALL **NO** RESPONSES SHALL BE EXPLAINED IN DETAIL ON AN ATTACHED SHEET.

### A. GENERAL

	YES	NO
1. SIZE: Regular Cab, ¾ Ton, Auto four-wheel drive	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Trailer hitch: Heavy duty platform w/2.5" receiver w/2" adapter.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. EXTERIOR COLOR: Bright White.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### B. ENGINE AND POWER TRAIN

1. ENGINE SIZE: V-8 gasoline powered engine of at least 6.0 liters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. ENGINE BLOCK HEATER: Factory installed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TRANSMISSION: Heavy duty 5 or 6 speed automatic w/overdrive, with auxiliary external oil cooler, heavy duty air to oil.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. DIFFERENTIAL: Standard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. DIFFERENTIAL RATIO: Approximately 3:73.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. ENGINE OIL COOLER: Heavy duty air to oil.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### C. SUSPENSION & RUNNING GEAR

1. SUSPENSION: Handling/trailering and heavy duty plus plow package.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. BRAKES: Heavy duty four way Anti-Lock Brakes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. WHEELS & TIRES: (5) full size wheels & All Season radial tires to meet the maximum G.V.W. rating of the vehicle being bid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. WHEEL BASE: Minimum of 133.0 inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. STEERING: Factory installed power steering.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. FRONT TOW HOOKS: Factory installed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. GROSS VEHICLE WEIGHT: Minimum G.V.W. of 9200 lbs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### D. ELECTRICAL SYSTEM

1. BATTERY: Maintenance free heavy-duty with a min. of 600 CCA.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. ALTERNATOR: (12) volts, 150 amp minimum.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>ELECTRICAL SYSTEM continued</b>	<b>YES</b>	<b>NO</b>
3. GAUGES or INDICATORS: Factory installed to monitor alternator function, engine oil pressure and engine temp.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. TRAILER BRAKE CONTROLLER: Integrated w/wiring harness to the end of frame.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Electric harness: 7- wire harness w/sealed connector.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>E. BODY &amp; INTERIOR</b>		
1. WINDSHIELD WIPERS: Multi-speed w/intermittent system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. RADIO: AM/FM, w/clock.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. WINDOWS: Power Windows.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. LOCKS: Dealer to supply (2) sets of keys.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. STEERING WHEEL: Comfort tilt.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. MIRRORS: Dual outside trailer tow rear view mirrors, mounted below eye level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. HEATER AND AIR CONDITIONER: Factory installed manual control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. SEATS: Heavy duty cloth 40/20/40 bench type seat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. FLOOR MATS: Heavy duty rubber, factory supplied.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. GLASS: Solar Ray Tinted Windows.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>F. MISCELLANEOUS</b>		
1. Full manufacturer's standard warranty.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Dealer order form showing all equipment being bid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Upon delivery to the City, the vehicle will be fully equipped as specified, serviced, cleaned and ready to enter into service for the City of Cody.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Current Wyoming Residency Certificate	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## City of Cody

### Minimum Specifications for Flatbed and Liftgate

THE BIDDER SHALL COMPLETE EVERY SPACE BY PLACING A CHECK MARK UNDER THE **YES** OR **NO** COLUMN TO INDICATE THAT THE ITEM BEING BID IS EXACTLY AS SPECIFIED. ALL **NO** RESPONSES SHALL BE EXPLAINED IN DETAIL ON AN ATTACHED SHEET.

	YES	NO
1. Hillsboro steel SLT or equivalent, Long Box.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Louvered headache rack with LED lights.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 All lighting to be LED and comply with FMVCC/CMVSS regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Inboard stake pockets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. 6" fold-down sides w/multiple tie locations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Rear tailboard with receiver hitch.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Board holders across front and back of bed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. 7 wire trailer socket.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Painted black.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Tommy Gate lift on the rear of flatbed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Preview Order 0000 - F2B 4x4 Reg Cab SRW: Order Summary Time of Preview: 07/06/2022 08:58:12

Dealership Name: Greiner Ford of Casper

Sales Code : F56402

Dealer Rep.	ERIC SUPPES	Type	Fleet	Vehicle Line	Superduty	Order Code	0000
Customer Name	CITY OF CODY	Priority Code	G3	Model Year	2022	Price Level	265

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F250 4X4 STYLESIDE PICKUP/142	\$41235	FORD FLEET SPECIAL ADJUSTMENT	\$0
142 INCH WHEELBASE	\$0	10000# GVWR PACKAGE	\$0
TOTAL BASE VEHICLE	\$41235	ENGINE BLOCK HEATER	\$100
OXFORD WHITE	\$0	50 STATE EMISSIONS	\$0
CLOTH 40/20/40 SEAT	\$100	SNOWPLOW PREP/CAMPER PACKAGE	\$305
MEDIUM EARTH GRAY	\$0	SPARE TIRE AND WHEEL	\$0
PREFERRED EQUIPMENT PKG.600A	\$0	TRAILER BRAKE CONTROLLER	\$300
.XL TRIM	\$0	TELESCPNG TT MIRR-POWR/HTD SIG	\$0
.AIR CONDITIONING -- CFC FREE	\$0	JACK	\$0
.AM/FM STEREO MP3/CLK	\$0	200AMP(6.2L)/240CMP(6.7L) ALTR	\$0
.6.2L EFI V-8 ENGINE	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
6-SPEED AUTOMATIC TRANS G	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.LT245/75R17E BSW ALL-SEASON	\$0	FUEL CHARGE	\$0
3.73 RATIO REGULAR AXLE	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
POWER EQUIPMENT GROUP	\$1100	PRICED DORA	\$0
JOB #1 ORDER	\$0	ADVERTISING ASSESSMENT	\$0
TRAILER TOWING PACKAGE	\$0	DESTINATION & DELIVERY	\$1795
			MSRP
TOTAL BASE AND OPTIONS			\$44935
DISCOUNTS			NA
TOTAL			\$44935

ORDERING FIN: QQ117 END USER FIN: QQ117

Customer Name:  
Customer Address:

Customer Email:

Customer Phone:

Customer Signature

Date

*This order has not been submitted to the order bank.*



999 Poison Spider Rd ♦ Casper WY 82604  
307-266-2253 ph  
darren@able-equipment.com  
able-equipment.com

July 13, 2022

Greiner Ford  
Attn: Eric Suppes  
RE: City of Cody Bid

We are pleased to bid the following:

Hillsboro STL black steel flatbed 8'6" x 84" to include:

- All standard features (This bed utilizes chassis receiver hitch)
- All items as specified
- Mount kit
- Installation of factory rear camera
- Maxon C2-81-1650TP35 1,600 lb steel liftgate w/ 87 x 35 treadplate platform
- Installed on a 56" CA 8' SRW pickup

Your price \$9,376.00\*

NOTES:

\*Due to the volatility of current markets, manufacturers may impose additional surcharges at their discretion without notice before product ships!

-Hillsboro is experiencing longer than normal lead times-up to 365 days.

-We can furnish a Bedrock Slate series bed w/ optional fold down sides and square back option for an additional \$225.00 with a 12 week availability. Bedrock will include a rear tow package integrated onto bed.

---

Service Bodies ♦ Flatbeds ♦ Cranes ♦ Truck Accessories ♦ Custom Fabrication ♦ Municipal Equip  
Mining ♦ Wind Power ♦ Municipalities ♦ Contractors ♦ Oil Field ♦ Construction





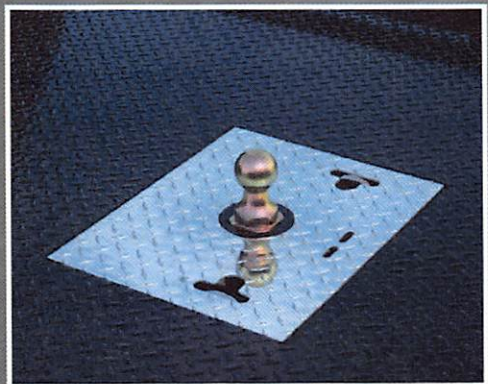
# SLT STEEL TRUCK BEDS



SLT Single  
Wheel Truck Bed



SLT Dual Wheel Truck Bed



Optional Hillsboro B&W Conversion  
Kit with Turnover Ball Installed

## STANDARD FEATURES

- B&W compatible / ready to accept Hillsboro B&W Conversion Kit
- 2-Year warranty
- LED lights (6) stop, turn & tail and (4) back-up LED clearance & side marker lights
- Epoxy Primer
- Black polyurethane paint
- Louvered headache rack with lights
- 14 ga. steel floor plate (7' & 7.5' wide beds)
- 1/8" steel floor plate (8' & 8.5' wide beds)
- 3" structural channel long sills, adjustable to 34", 38" & 42" frame
- Tie rail with stake pockets and rope ties
- 30K gooseneck ball plate with flush mount cover
- Dual tag lights
- Sealed wiring harness with plug in connections

## ADDITIONAL OPTIONS

- Hillsboro B&W Conversion Kit / Turnover Ball Included
- Chamfered rear corners
- 3" Drop-in side rails
- Hillsboro mudflaps
- 7 wire trailer socket

# HILLSBORO

[www.hillsboroindustries.com](http://www.hillsboroindustries.com)  
800.835.0209

Hillsboro Industries reserves the right to change or alter these specifications or content without notice.



# LIGHT DUTY SERIES

## C2 Stakebed & Van Body

**MAXON®**

### C2 SPECIFICATIONS

Introducing the all-new C2 just like the liftgates you know, but at significantly reduced cost. The C2 provides direct lifting with level ride and ramp options that increase loadable platform depth.

- C2 liftgates are built with high performance and low maintenance in mind
- Oversized, fully enclosed pump and motor assembly helps ensure increased life and less downtime
- Maintenance-free bearings reduce the need for service

Model No.*	Load Area	Ramp	Travel	Weight
Steel Platform				
C2-92-1650 TP35	87" X 35"	6"	30" to 50"	628 lbs
C2-92-1650 TP41	87" X 41"	6"		655 lbs
Aluminum Platform				
C2-92-1650 EA37	87" X 37"	6"	30" to 50"	561 lbs
C2-92-1650 EA41	87" X 41"	6"		577 lbs
Grip Strut Platform				
C2-92-1650 GS33	87" X 33"	6"	30" to 50"	628 lbs
Bar Grate Platform				
C2-92-1650 BG33	87" X 33"	6"	30" to 50"	628 lbs

\*Available additional Body sizes: 90", 85", 80", 75" (corresponds to model designations 87", 81", 78", and 73"). Prices are the same as the 92" models.



Maxon Lift Corp. 11921 Slauson Ave., Santa Fe Springs, CA 90670  
800.227.4116 Fax 888.771.7713, [www.maxonlift.com](http://www.maxonlift.com)



# **LIGHT DUTY SERIES**

## **C2 Stakebed & Van Body**

**MAXON®**

### **C2 standard features**

- Dual hydraulic lifting cylinders
- Maintenance-free components
- Protected / recessed main control with time-out feature
- Steel or aluminum platforms
- Fully-enclosed hydraulic system
- Patent Pending Pre-punched Holes for Camera/Sensors
- Gravity down only

### **Optional features**

- Light Kits
- Remote Pendant Control
- Rubber Platform Protection Bumpers
- Tire Rack Kit



### **Enclosed Pump & Motor Assembly**

The C2 pump and motor assembly is fully enclosed and shielded from the elements.



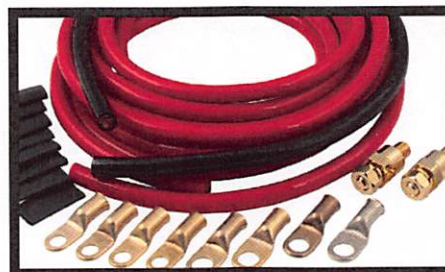
### **Main Control with Time-Out Feature**

A timed toggle control prevents unauthorized use. It automatically deactivates 90 seconds after operation.



### **Maintenance Free Pins & Bushings**

Maintenance free pins and bushings allow for years of maintenance free service.



### **Power Cable with Full Length Ground**

The dedicated ground cable helps to get the maximum lifespan out of the vehicles battery.

**Distributed by:**

M-213-0520



Maxon Lift Corp. 11921 Slauson Ave., Santa Fe Springs, CA 90670  
800.227.4116 Fax 888.771.7713, [www.maxonlift.com](http://www.maxonlift.com)



# STATE OF WYOMING

## CERTIFICATE OF RESIDENCY



Contractor Number: 1635

THIS CERTIFIES THAT:

**LITHIA OF CASPER dba GREINER FORD OF CASPER**

HAS BEEN GRANTED RESIDENCY STATUS PURSUANT TO WYOMING STATUTE 16-6-101, AS AMENDED. FIVE PERCENT PREFERENCE SHALL BE ALLOWED WHEN BIDDING ON ANY PUBLIC WORKS CONTRACT FOR A PERIOD OF ONE (1) YEAR FROM THE DATE CERTIFICATION IS GRANTED.

GRANTED THIS 14TH DAY of MARCH TWO THOUSAND AND 22

A handwritten signature in black ink, appearing to read "Michele Johnson".

Michele Johnson, Program Manager

EXPIRATION DATE: 3/13/2023



To verify the authenticity of the certificate,  
please contact our office at 307-777-7261 or visit  
[wyomingworkforce.org/businesses/labor/info](http://wyomingworkforce.org/businesses/labor/info)

CERTIFICATE SERIAL NUMBER: 1403202291

## **AGENDA ITEM SUMMARY REPORT**

### **Resolution 2022-24 Budget Amendment**

#### **ACTION TO BE TAKEN:**

Approve the Resolution amending the FY22-23 budget.

#### **SUMMARY OF INFORMATION:**

The City of Cody adopted the budget for FY22-23 on June 21, 2022. Per State Statute, budgets may be amended through Resolution by the City Council. This budget amendment request includes carry overs of unexpended previously appropriated funds, adjustments to budgeted revenue and expenses, and new requests that have submitted since the passing of the original budget for FY22-23.

#### **Revenue Amendments increase of \$365,593**

- Carry Overs - \$318,499. Includes grant reimbursements expected to be received in FY21-22 but actually received in FY22-23.
- Adjustments - (\$3,486). Reduction in grant awards for Concerts in the Park program in FY22-23.
- New Requests - \$50,580. Award of grant and anticipated donations for the Cody Public Art Committee mural project.

#### **Expense Amendments increase of \$2,377,560**

- Carry Overs - \$1,881,288. Includes incomplete capital projects, materials ordered in FY21-22 but not received until FY22-23, and delayed purchases due to supply chain issues.
- Adjustments - \$57,536. Includes increase in bid award costs not included in the original FY22-23 budget and a reduction in Concerts in the Park grant expenses due to adjustments in the award amounts.
- New Requests - \$438,736. Includes expenses associated with the Arts Committee grant award, new water and electric development projects that were identified, an unexpected capital repair to a sanitation truck, and replacement of the police tactical vehicle which was requested after the original budget was approved.

#### **FISCAL IMPACT**

The majority of the expenses included in this amendment are carry over requests for expenditure that were expected to occur in FY21-22. Unexpended cash for these purchased carried over into FY22-23 and will fund the purchases in that fiscal year. After accounting for this amendment and the change in beginning cash and investments the updated Summary of Cash Flows for FY22-23 is:

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

**SUMMARY OF CASH FLOWS - ALL FUNDS**

Fund	Beginning Cash Balance	Revenue	Expenses	Net Change in Balance Sheet Accounts	Ending Cash Balance
General Fund	\$ 13,266,516	\$ 11,042,157	\$ 16,699,976	\$ 281,866	\$ 7,890,563
General Capital Projects Fund	\$ -	\$ 4,337,109	\$ 1,139,707	\$ -	\$ 3,197,402
Technology Replacement Fund	\$ -	\$ 434,700	\$ 71,564	\$ -	\$ 363,136
Vehicle Replacement Fund	\$ 3,482,983	\$ 1,438,824	\$ 1,727,800	\$ -	\$ 3,194,007
Specific Purpose Tax Fund	\$ 266,264	\$ 346,517	\$ 549,873	\$ -	\$ 62,908
Cody Public Art Fund	\$ 2,981	\$ 65,580	\$ 50,757	\$ -	\$ 17,804
American Rescue Plan Fund	\$ 1,565,261	\$ -	\$ 1,250,219	\$ -	\$ 315,042
Retainage Fund	\$ 7,094	\$ -	\$ -	\$ -	\$ 7,094
Solid Waste Fund	\$ 2,678,482	\$ 2,489,859	\$ 3,211,264	\$ 248,829	\$ 2,205,906
Water Fund	\$ 4,773,781	\$ 3,831,327	\$ 5,192,985	\$ 557,638	\$ 3,969,761
Wastewater Fund	\$ 4,003,172	\$ 1,687,908	\$ 2,525,956	\$ 618,516	\$ 3,783,640
Electric Fund	\$ 6,586,589	\$ 12,993,859	\$ 13,541,759	\$ 498,036	\$ 6,536,725
Storm Drainage Fund	\$ -	\$ 483,000	\$ 512,586	\$ 124,133	\$ 94,547
<b>Total City Appropriation</b>	<b>\$ 36,633,123</b>	<b>\$ 39,150,840</b>	<b>\$ 46,474,446</b>	<b>\$ 2,329,018</b>	<b>\$ 31,638,535</b>
				<b>Restricted Reserves</b>	<b>\$ 18,313,492</b>
				<b>Total Unrestricted Reserves</b>	<b>\$ 13,325,043</b>

**ATTACHMENTS**

1. Resolution 2022-24
2. Amendment Details

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

**RESOLUTION 2022-24**

**A RESOLUTION AMENDING THE CITY OF CODY FINAL BUDGET FOR FISCAL YEAR 2022-2023**

WITNESSETH:

WHEREAS, the final budget for Fiscal Year 2022-2023 was duly adopted by the City of Cody with Ordinance No 2022-05 on June 21, 2022 in accordance with the State of Wyoming Statutes; and

WHEREAS, the City of Cody Council has determined it is appropriate to amend the final budget, in accordance with proper governmental accounting and financial reporting practices; and

WHEREAS, funds are available to cover such amendments as designated in the requested action.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Cody, Amendment Number 1 is authorized by the City of Cody Council:

	Original Budget	Amendment 1 08/22	Amended Budget
<b>REVENUES</b>			
General Fund	\$11,044,379	(\$2,222)	\$11,042,157
General Capital Projects Fund	\$4,337,109	\$0	\$4,337,109
Technology Replacement Fund	\$434,700	\$0	\$434,700
Vehicle Replacement Fund	\$1,438,824	\$0	\$1,438,824
Specific Purpose Tax Fund	\$80,000	\$266,517	\$346,517
Cody Public Arts Fund	\$15,000	\$50,580	\$65,580
Amercian Rescue Plan Fund	\$0	\$0	\$0
Solid Waste Fund	\$2,489,859	\$0	\$2,489,859
Water Fund	\$3,831,327	\$0	\$3,831,327
Wastewater Fund	\$1,637,190	\$50,718	\$1,687,908
Electric Fund	\$12,993,859	\$0	\$12,993,859
Storm Drainage Fund	\$483,000	\$0	\$483,000
TOTAL REVENUE	\$38,785,247	\$365,593	\$39,150,840
<b>EXPENSES</b>			
General Fund	\$16,489,293	\$210,683	\$16,699,976
General Capital Projects Fund	\$1,139,707		\$1,139,707
Technology Replacement Fund	\$56,190	\$15,374	\$71,564
Vehicle Replacement Fund	\$1,073,934	\$653,866	\$1,727,800
Specific Purpose Tax Fund	\$457,730	\$92,143	\$549,873
Cody Public Arts Fund	\$177	\$50,580	\$50,757
Amercian Rescue Plan Fund	\$1,200,032	\$50,187	\$1,250,219
Solid Waste Fund	\$3,020,741	\$190,523	\$3,211,264
Water Fund	\$4,779,285	\$413,700	\$5,192,985
Wastewater Fund	\$2,201,933	\$324,023	\$2,525,956
Electric Fund	\$13,169,903	\$371,856	\$13,541,759
Storm Drainage Fund	\$507,961	\$4,625	\$512,586
TOTAL EXPENSES	\$44,096,886	\$2,377,560	\$46,474,446

PASSED, APPROVED AND ADOPTED THE 16<sup>TH</sup> DAY OF AUGUST 2022

\_\_\_\_\_  
Matt Hall, Mayor

Attest:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer



Budget Carry Overs and Amendments  
Amendment 1 08.22

1

GL Account	Fund	Dept	Type	Expense	Revenue	Reason	Comments
10-21-010-530-023	General Fund	Governing Body	Expense	\$ 1,362		Carry over	Remainder of legal services for TCT franchise agreement to be completed in FY22-23
10-21-010-550-004	General Fund	Governing Body	Expense	\$ 837		Carry over	Supplies ordered but not received in FY21-22
10-30-018-470-007	General Fund	Police	Revenue		\$ (1,264)	Carry over	Remainder of grant reimbursement to be received in FY22-23
10-31-015-513-002	General Fund	Police	Expense	\$ 3,824		Carry over	Budgeted trainings postponed until FY22-23
10-31-017-550-021	General Fund	Police	Expense	\$ 245		Carry over	Uniforms ordered but not received in FY21-22
10-31-018-513-002	General Fund	Police	Expense	\$ 11,024		Carry over	Budgeted trainings postponed until FY22-23
10-31-018-530-024	General Fund	Police	Expense	\$ 998		Carry over	Bomb team recertification postponed until FY22-23
10-31-018-550-012	General Fund	Police	Expense	\$ 1,712		Carry over	Budgeted community engagement events postponed to FY22-23
10-31-018-550-020	General Fund	Police	Expense	\$ 5,036		Carry over	Supplies ordered but not received in FY21-22
10-31-018-551-001	General Fund	Police	Expense	\$ 1,262		Carry over	Computer disk drives ordered but not received in FY21-22
10-31-018-551-002	General Fund	Police	Expense	\$ 9,800		Carry over	Bomb tech and hazmat training postponed until FY22-23
10-31-019-550-005	General Fund	Police	Expense	\$ 1,000		Carry over	Ammunition ordered but not received in FY21-22
10-31-020-530-009	General Fund	Police	Expense	\$ 4,590		Carry over	Computer accessories ordered but not received in FY21-22
10-31-020-550-006	General Fund	Police	Expense	\$ 5,500		Carry over	Evidence room shelving invoice received after FY21-22 cutoff
10-31-020-550-021	General Fund	Police	Expense	\$ 100		Carry over	Uniforms ordered but not received in FY21-22
10-31-700-594-063	General Fund	Police	Expense	\$ 10,000		Carry over	Copier ordered but not received in FY21-22
10-41-023-552-016	General Fund	Parks	Expense	\$ 32,240		Carry over	Irrigation project delayed due to materials shortage
10-52-047-520-011	General Fund	Public Works	Expense	\$ 47,725		Carry over	Repairs not completed in FY21-22 due to contractor availability
10-52-047-530-014	General Fund	Public Works	Expense	\$ 22,442		Carry over	Street inspections not completed in FY21-22 due to consultant availability
10-52-048-520-018	General Fund	Public Works	Expense	\$ 2,273		Carry over	Sign replacements delayed due to materials availability
10-52-050-520-010	General Fund	Public Works	Expense	\$ 8,000		Carry over	Repairs not completed in FY21-22 due to contractor availability
10-52-700-596-220	General Fund	Public Works	Expense	\$ 44,770		Carry over	Project not completed as of FY21-22
10-60-068-470-006	General Fund	Recreation	Revenue		\$ 1,086	Adjustment	WY Arts Council grant award less than budgeted
10-60-068-470-014	General Fund	Recreation	Revenue		\$ 2,400	Adjustment	WCTF grant not awarded
10-61-068-570-006	General Fund	Recreation	Expense	\$ (432)		Adjustment	WY Arts Council grant award less than budgeted
10-61-068-570-014	General Fund	Recreation	Expense	\$ (2,500)		Adjustment	WCTF grant not awarded
32-21-003-553-005	Technology Replacement	General Government	Expense	\$ 4,984		Carry over	City Hall application server ordered but not received in FY21-22 (carried over from 10-21-003-551-001)
32-31-003-553-005	Technology Replacement	Police	Expense	\$ 4,722		Carry over	Police server ordered but not received in FY21-22 (carried over from 10-31-003-551-001)
32-52-003-553-001	Technology Replacement	Public Works	Expense	\$ 5,668		Carry over	Computer equipment ordered but not received in FY21-22 (carried over from 10-52-003-551-001)
33-41-700-597-050	Vehicle Replacement	Parks	Expense	\$ 5,500		Adjustment	Price increase on budgeted parks mowers
33-52-700-597-050	Vehicle Replacement	Public Works	Expense	\$ 47,836		Carry over	Bid 2021-12 awarded, equipment not received until FY22-23
33-71-700-597-050	Vehicle Replacement	Solid Waste	Expense	\$ 5,516		Adjustment	Price increase on budgeted Bobcat replacement
33-71-700-597-050	Vehicle Replacement	Solid Waste	Expense	\$ 44,874		Carry over	Bid 2021-10 awarded, equipment not received until FY22-23

Budget Carry Overs and Amendments  
Amendment 1 08.22

2

GL Account	Fund	Dept	Type	Expense	Revenue	Reason	Comments
33-71-700-597-050	Vehicle Replacement	Solid Waste	Expense	\$ 247,340		Carry over	Sanitation truck replacement budgeted FY21-22 not yet awarded
33-73-700-597-050	Vehicle Replacement	Wastewater	Expense	\$ 52,800		Carry over	Bid 2022-05 awarded, equipment not received until FY22-23
39-50-700-496-200	Specific Purpose Tax Fund	Public Works	Revenue		\$ (266,517)	Carry over	Sidewalks & pedestrian ramps project not complete
39-52-700-596-200	Specific Purpose Tax Fund	Public Works	Expense	\$ 326,559		Carry over	Sidewalks & pedestrian ramps project not complete
39-73-700-596-191	Specific Purpose Tax Fund	Wastewater	Expense	\$ (234,416)		Carry over	Remainder of project to be funded by Wastewater
42-20-069-470-053	Cody Public Arts	General	Revenue		\$ (17,640)	New	Award of WY Cultural Trust grant for the mural project
42-20-069-472-007	Cody Public Arts	General	Revenue		\$ (32,940)	New	WY Cultural Trust grant match from contributed funds
42-21-069-570-053	Cody Public Arts	General	Expense	\$ 50,580		New	Award of WY Cultural Trust grant for the mural project
44-42-700-593-031	ARPA Fund	City Facilities	Expense	\$ 735		Carry over	Carry over remaining funds on auditorium engineering contract
44-42-700-593-031	ARPA Fund	City Facilities	Expense	\$ 49,452		Adjustment	Increase APRA encumbrance for fire suppression system project
52-71-700-592-014	Solid Waste Fund	Solid Waste	Expense	\$ 12,325		Carry over	Project not completed as of FY21-22
52-71-700-594-038	Solid Waste Fund	Solid Waste	Expense	\$ 50,000		New	Replace sanitation truck engine C05
52-71-700-594-094	Solid Waste Fund	Solid Waste	Expense	\$ 42,658		Carry over	Roll out purchases not completed in FY21-22
52-71-700-594-101	Solid Waste Fund	Solid Waste	Expense	\$ 50,000		Carry over	Vendor unable to supply brush truck - will be rebid in FY22-23
53-72-044-551-001	Water Fund	Water	Expense	\$ 1,000		Carry over	Computer equipment for vacant engineer position not hired in FY21-22
53-72-044-551-002	Water Fund	Water	Expense	\$ 636		Carry over	Office furniture for vacant engineer position not hired in FY21-22
53-72-058-551-002	Water Fund	Water	Expense	\$ 529		Carry over	Office furniture for PW director space - purchase not completed in FY21-22
53-72-059-520-008	Water Fund	Water	Expense	\$ 902		Carry over	Repairs not completed in FY21-22 due to contractor availability
53-72-059-520-010	Water Fund	Water	Expense	\$ 10,845		Carry over	Repairs not completed in FY21-22 due to contractor availability
53-72-059-552-019	Water Fund	Water	Expense	\$ 17,127		Carry over	Valve purchases delayed due to materials availability
53-72-059-552-039	Water Fund	Water	Expense	\$ 25,000		New	Auditorium water line
53-72-060-520-010	Water Fund	Water	Expense	\$ 9,818		Carry over	Repairs not completed in FY21-22 due to contractor availability
53-72-060-520-012	Water Fund	Water	Expense	\$ 51,245		Carry over	Repairs not completed in FY21-22 due to contractor availability
53-72-060-530-014	Water Fund	Water	Expense	\$ 5,000		New	Water rights transfer engineering agreement
53-72-060-552-019	Water Fund	Water	Expense	\$ 16,680		Carry over	Valve purchases delayed due to materials availability
53-72-700-596-206	Water Fund	Water	Expense	\$ 69,307		Carry over	Project not completed as of FY21-22
53-72-700-596-217	Water Fund	Water	Expense	\$ 77,387		Carry over	Project not completed as of FY21-22
53-72-700-596-219	Water Fund	Water	Expense	\$ 128,224		Carry over	Project not completed as of FY21-22
54-70-700-496-189	Wastewater Fund	Wastewater	Revenue		\$ (2,268)	Carry over	Remainder of WWTF upgrade to be completed in FY22-23
54-70-700-496-190	Wastewater Fund	Wastewater	Revenue		\$ (48,450)	Carry over	Remainder of WWTF upgrade to be completed in FY22-23
54-73-044-551-001	Wastewater Fund	Wastewater	Expense	\$ 1,000		Carry over	Computer equipment for vacant engineer position not hired in FY21-22
54-73-044-551-002	Wastewater Fund	Wastewater	Expense	\$ 710		Carry over	Office furniture for vacant engineer position not hired in FY21-22
54-73-061-551-002	Wastewater Fund	Wastewater	Expense	\$ 529		Carry over	Office furniture for PW director space - purchase not completed in FY21-22
54-73-062-520-013	Wastewater Fund	Wastewater	Expense	\$ 42,770		Carry over	Repairs not completed in FY21-22 due to contractor availability
54-73-062-530-009	Wastewater Fund	Wastewater	Expense	\$ 9,176		New	Annual support plan and web service for sewer camera
54-73-063-520-013	Wastewater Fund	Wastewater	Expense	\$ 728		Carry over	Repairs not completed in FY21-22 due to contractor availability



Budget Carry Overs and Amendments  
Amendment 1 08.22

3

GL Account	Fund	Dept	Type	Expense	Revenue	Reason	Comments
54-73-063-550-011	Wastewater Fund	Wastewater	Expense	\$ 43,467		Carry over	Lab equipment upgrades not completed in FY21-22
54-73-700-594-085	Wastewater Fund	Wastewater	Expense	\$ 176,920		Carry over	Sewer camera ordered but not received in FY21-22
54-73-700-596-189	Wastewater Fund	Wastewater	Expense	\$ (49,244)		Carry over	Remainder of WWTF upgrade to be completed in FY22-23
54-73-700-596-190	Wastewater Fund	Wastewater	Expense	\$ (120,134)		Carry over	Remainder of WWTF upgrade to be completed in FY22-23
54-73-700-596-191	Wastewater Fund	Wastewater	Expense	\$ 215,233		Carry over	Remainder of WWTF upgrade to be completed in FY22-23
54-73-700-596-207	Wastewater Fund	Wastewater	Expense	\$ 2,868		Carry over	Final manhole work on project not completed in FY21-22
55-74-066-520-014	Electric Fund	Electric	Expense	\$ 4,035		Carry over	Repairs scheduled but not completed in FY21-22
55-74-066-551-003	Electric Fund	Electric	Expense	\$ 2,300		Carry over	Tool order placed in FY21-22 but not received until FY22-23
55-74-066-551-009	Electric Fund	Electric	Expense	\$ 462		Carry over	Materials ordered but not received in FY21-22
55-74-066-551-010	Electric Fund	Electric	Expense	\$ 7,180		Carry over	Materials ordered but not received in FY21-22
55-74-066-551-011	Electric Fund	Electric	Expense	\$ 11,749		Carry over	Project not completed as of FY21-22
55-74-066-552-007	Electric Fund	Electric	Expense	\$ 11,000		Carry over	Project not completed as of FY21-22
55-74-066-552-013	Electric Fund	Electric	Expense	\$ 13,021		Carry over	Project not completed as of FY21-22
55-74-066-552-014	Electric Fund	Electric	Expense	\$ 5,424		Carry over	Project not completed as of FY21-22
55-74-066-552-015	Electric Fund	Electric	Expense	\$ 9,938		Carry over	Project not completed as of FY21-22
55-74-066-552-037	Electric Fund	Electric	Expense	\$ 7,367		New	New electric install - Frank Subdivision
55-74-066-552-038	Electric Fund	Electric	Expense	\$ 19,800		New	New electric install - Rocky Mountain Business Park
55-74-066-552-040	Electric Fund	Electric	Expense	\$ 13,149		New	Electrical for Fenex Subdivision
55-74-066-552-041	Electric Fund	Electric	Expense	\$ 8,664		New	Electrical for YRA terminal extension
55-74-700-592-015	Electric Fund	Electric	Expense	\$ 75,000		Carry over	Electric shop consultant contract to be awarded in FY22-23
55-74-700-594-092	Electric Fund	Electric	Expense	\$ 123,334		Carry over	Bid 2021-14 awarded May 2022, equipment not yet delivered
55-74-700-594-101	Electric Fund	Electric	Expense	\$ 50,000		Carry over	Vendor unable to supply brush truck - will be rebid in FY22-23
55-74-700-596-214	Electric Fund	Electric	Expense	\$ 9,433		Carry over	Project not completed as of FY21-22
56-75-077-520-011	Storm Drainage Fund	Storm Drainage	Expense	\$ 3,500		Carry over	Repairs not completed in FY21-22 due to contractor availability (carried over from 10-52-047-520-011)
10-52-001-540-001	General Fund	Public Works	Expense	\$ (1,125)		Transfer	Move budget for Merco lease agreement from General Fund to Storm Drainage Fund
56-75-001-540-001	Storm Drainage Fund	Public Works	Expense	\$ 1,125		Transfer	Move budget for Merco lease agreement from General Fund to Storm Drainage Fund
33-31-700-597-050	Vehicle Replacement	Police	Expense	\$ 250,000		New	Replacement of tactical vehicle
				\$ 2,377,560	\$ (365,593)		

**AGENDA ITEM SUMMARY REPORT**  
**Authorize the Mayor to enter into an agreement between**  
**the City of Cody and Dollard Inspection Services, LLC**  
**for electrical inspection and plan review services.**

**ACTION TO BE TAKEN**

Authorize the Mayor to enter into an agreement between the City of Cody and Dollard Inspection Services, LLC for electrical inspection and plan review services.

**SUMMARY**

Within the State of Wyoming, the Department of Fire Prevention & Electrical Safety has authority for enforcement of the electrical code. That authority can be delegated to local jurisdictions that adopt the same electrical code as the State, and provide inspectors that meet certain requirements for licensing and certification. The inspector can either be a City employee or independent contractor.

The City has proceeded under the premise that local enforcement of the electrical code provides a much higher level of service to electricians and customers, and faster response times than the State is able to provide. Therefore, we have worked to maintain that delegated authority for electrical codes.

Current circumstances dictate that utilization of an independent contractor is the most cost-effective option for maintaining delegated authority from the State for electrical codes. This would be part-time work, anticipated to involve an average of 5-6 hours per week.

After advertising in the newspaper and to all contractors licensed with the City only one inquiry was received and no formal proposals. Following up on the inquiry led to negotiations and the presently proposed agreement.

**FINANCIAL IMPACT**

At six hours a week, annual cost would be \$37,440.00, which can be covered by the budgeted amount for personnel this year.

**RECOMMENDATION**

Authorize the Mayor to enter into an agreement between the City of Cody and Dollard Inspection Services, LLC for electrical inspection and plan review services, contingent on City Attorney review of the terms of the agreement.

**City of Cody**  
**Independent Contractor Agreement**

This agreement is made and entered into on the 16<sup>th</sup> day of August, 2022, by and between the City of Cody (hereinafter the "Client") and Dollard Electric Inspection, LLC, (hereinafter the "Independent Contractor"). For and in consideration of the mutual covenants contained herein, the Client and the Independent Contractor agree as follows:

- A. Independent Contractor Status.** At all times during the term of this Agreement, the Independent Contractor will be an independent Contractor and will not be an employee of the Client. Neither the Independent Contractor nor the Independent Contractor's employees or contract personnel are eligible to participate in any employee pension, health insurance, vacation pay, sick pay or other fringe benefit plans of the Client. The Client will have the right to control the Independent Contractor only insofar as to the results of the Independent Contractor's services rendered pursuant to this Agreement. Otherwise, the Client will not have the right to control the means by which the Independent Contractor accomplishes services rendered pursuant to this Agreement. Notwithstanding any other city, state, or federal policy, rule, regulation, law, or ordinance to the contrary, the Independent Contractor and any of its employees, agents, and subcontractors providing services under this Agreement will not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by the Client. The Independent Contractor will have no authority, express or implied, to act on behalf of the Client in any capacity whatsoever as an agent. The Independent Contractor will have no authority, express or implied, pursuant to this Agreement to bind the Client to any obligation whatsoever. The Independent Contractor shall in no way represent themselves as an employee or agent of the Client for any purpose including the marketing of their services.
- B. Services Provided.** Subject to the terms and conditions set forth in this Agreement, the Independent Contractor will provide to the Client the services described as follows: Electrical Inspection and Plan Review Services as necessary to comply with the State of Wyoming requirements for local code enforcement authority for the adopted electrical code as set forth in Wyoming Statute 35-9-121, including sections (a)(iv) for general enforcement authority for the electrical code and (b)(iii) for enforcement authority for the electrical code for state owned and leased buildings. The Client shall make available to the Independent Contractor certain facilities owned by the Client located at 1338 Rumsey Avenue, Cody, WY during all business hours, unless other dates and times are offered by the Client.
- C. Term of Services.** The term of this agreement shall be September 12, 2022 through September 11, 2023. This license shall be renewable for successive one-year periods. Neither party needs to take any action to renew this agreement for another year. In the event a party wishes to not renew all or part of this agreement, that party shall notify the other party in writing at least sixty (60) days prior to the expiration of the then-current term. The Independent Contractor will devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section D below and to complete the Independent Contractor's obligations hereunder.
- D. Standard of Performance.** The Independent Contractor will perform all services required pursuant to this Agreement in the manner and according to the standards of quality reasonably expected of a competent practitioner of the profession in which the Independent Contractor is engaged. The Independent Contractor shall maintain all licenses and certifications necessary to maintain compliance with State of Wyoming requirements for performing the services required pursuant to this agreement.
- E. Compensation.** The Client shall compensate the Independent Contractor for the services described in Section B as follows: \$120.00 per hour.
- F. Invoices.** The Independent Contractor shall submit to the Client signed vouchers and itemized invoices monthly during the term of this Agreement. Invoices/vouchers shall contain the following Information:
- a. Invoice number and date
  - b. Identification of services performed including dates, times and locations
  - c. The beginning and ending dates of the billing period

d. The Independent Contractor shall utilize a voucher form provided by the Client and the Independent Contractor must sign the perjury statement for each invoice submitted.

**G. Payment of Invoices.** The Client will make payments, based on invoices or vouchers received, for services satisfactorily performed within 45 days of the receipt of the invoices and vouchers by the Accounts Payable department and in accordance with the Client's Financial Management Policy. Prior to any payments being made by the Client to the Independent Contractor under this Agreement the Independent Contractor shall provide a completed and signed W9 form to the Client. The Independent Contractor agrees to provide updated W9 forms upon the Client's request. If a completed and signed W9 form is not provided the Client may withhold payment until completed and signed W9 form is received and the Independent Contractor may be subject to backup withholding as required by the Internal Revenue Service. If proof of insurance is required under Section H below the Client may withhold payment until such written proof of insurance is received by Client.

**H. Payment of Expenses and Taxes.** The Independent Contractor shall be responsible for all necessary insurance, labor and employees' expenses including all state and federal withholding taxes, social security taxes, worker's compensation and unemployment remittances and the Independent Contractor shall be responsible for all necessary reports relating thereto. The Independent Contractor shall be responsible for all other business-related expenses incurred while performing services under this Agreement.

**I. Insurance.** The Independent Contractor assumes all risk of loss or injury to the Independent Contractor, to any individual enrolled in the service/programming provided by the Independent Contractor or to any other individual that may suffer loss or injury resulting from the Independent Contractor's performance of the service described in this agreement. The City of Cody requires that comprehensive or commercial general liability insurance shall be maintained by the Independent Contractor if the services/programming provided by the Independent Contractor includes activities that involves physical exertion by the participant, physical interaction between the Independent Contractor and the participant, use of the swimming pool or therapy pool, the use of equipment, weapons or utensils or any activity that may cause harm or injury to the participant. Before commencing any work, the Independent Contractor shall provide the Client with proof of coverage in the minimum amount of \$1,000,000 (one million dollars) combined single limit, including coverage for bodily injury, personal injury, broad form property damage, contractual liability, and cross-liability. The Independent Contractor shall indemnify and hold the Client harmless for any such claims, demands suits, judgements, costs or expenses on account of any such loss or injury. This indemnification shall include reasonable attorneys' fees incurred by the Client in any legal or equitable action, suit, demand, negotiation, mediation or arbitration arising out of such loss or injury. ***Insurance is X is not \_\_\_\_\_ required for this program.***

**J. Governmental Immunity.** The Client does not waive its governmental immunity by entering into this agreement, and does not waive any of the defenses, limitations and immunities provided under the Wyoming Constitution and Wyoming Governmental Claims Act. The Client specifically reserves the right to assert immunity as a defense to any claim arising under this agreement.

**K. Exclusive Agreement.** This is the entire Agreement between the Client and the Independent Contractor. This Agreement may be modified only in writing signed by both parties.

**L. Terminating the Agreement.** The Client may terminate this Agreement at any time by giving written notice to the other party of the intent to terminate.

In WITNESS WHEREOF, the parties have executed this agreement as of the 16th day of August, 2022.

**INDEPENDENT CONTRACTOR**

Signature	
Printed Name	

**CLIENT**

City of Cody, Wyoming  
Matt Hall, Mayor

Signature	
Title	

MEETING DATE:	AUGUST 16, 2022
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary and Final Plats of the Benny's Place Minor Subdivision #2**

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

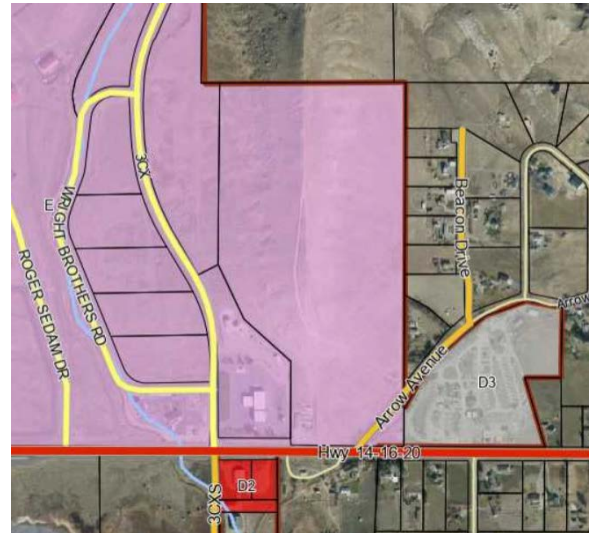
Approve the preliminary and final plats of the Benny's Place Minor Subdivision #2, a 2-lot subdivision, with associated variances and conditions of approval, and authorize the mayor to sign the plat on behalf of the City as the property owner.

#### **SUMMARY**

The City of Cody and Yellowstone Regional Airport Board are proposing a two-lot subdivision of a portion of the airport property. The subdivision would separate a small triangular piece of land east of Arrow Avenue, so that it may be sold through a future process. The piece of land has already been released from FAA jurisdiction. The plan is to use the funding from the sale of the land to help acquire the 40-acre BLM property at the top of Beacon Hill.

The balance of the property (Lot 102) would remain in City of Cody ownership and subject to FAA and Airport Board management.

Both the preliminary plat and final plat are presented for review and are recommended for approval by the Planning and Zoning Board.



#### **Zoning Standards:**

The property is in the Industrial (E) zoning district, which does not have any zoning standards for building setbacks, building height, minimum lot area, minimum lot width, or maximum lot coverage.

#### **Access:**

Access to both lots will be from Arrow Avenue. Arrow Avenue is paved for about 140 off of Highway 14-16-20, and then is a gravel road maintained by the County. Improvement of Arrow Avenue along the subdivision frontage with a paved surface (minimum 24 feet wide) is a subdivision requirement. Timing will be in conjunction with a building permit for the lot being developed.

#### **Utilities:**

Both lots have direct access within each lot to City water and sewer, as well as 3rd party utilities of telecommunications, and natural gas. However, if Lot 102 is developed, some of those services will need extended from out along the highway to the building site on the lot. Due to topography and the fact that the sewer line in the area of Lot 103 is a force main, both lots will need to utilize

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

individual grinder pump systems to pump their sewer into the pipe along the highway. In addition, Lot 103 will need power extended from the other side of Arrow Avenue to the lot.

Utility mains are not being required to be extended down Arrow Avenue as the area to the north is outside of the City's identified annexation area.

### **SUBDIVISION REGULATIONS**

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

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

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

Comment- No new public streets or alleys are proposed.

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

Comments- Arrow Avenue is specified as a "rural" roadway in the city master street plan, which calls for a 32-foot-wide paved road with side ditches. Arrow Avenue is currently a 24-foot-wide gravel road, except for the paved section off of the highway. As Arrow Avenue is maintained by the County, and they specify only a 24-foot-wide gravel surface, we propose a variance be authorized to require only a 24-foot-wide road, with a paved surface and side ditches.

*Items "C" through "O" are standards that relate to construction of new public streets and are not applicable to this project—the street alignment that exists meets those standards.*

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

Comment: The configuration of the subdivision does not lend itself to alleys, and the size of the lots are adequate to allow garbage collection and utilities to be located within the lots. A variance to the alley requirement is proposed.

*Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning and zoning board, and the city council. ...*

Comment: The master street plan does not specify curb, gutter, sidewalk for Rural roads. There is a separated pathway identified for rural roads, but there is no sidewalk or pathway to tie into on either the state highway or Arrow Avenue. Since the City limits do not extend further north on Arrow Avenue and the County does not require any pedestrian facilities, a variance to the sidewalk/pathway requirement is proposed.

*R. Street cross section: The minimum typical street cross section for each type of street shall be as shown on the master street plan...*

Comment: As noted above, the street cross section will be used, except it is proposed that the width of pavement be reduced from 32 feet to 24 feet, and the pathway/sidewalk not be provided.

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

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

*U. Lot Requirements:*

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

Comment: Met (no minimum in Industrial "E").

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

Comment: Met, subject to improvement of Arrow Avenue along the lot frontages—upon development of each lot.

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

Comment: Met.

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

Comment: Met.

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

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

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

Comment: Due to topography, low pressure grinder pump sewer systems will need to be used for both lots. Lot 102 has an easement across Lot 1 of the Benny's Place Minor Subdivision to access the sewer main. Lot 103 has access to the City's sewer force main on the lot itself. Both lots are to be served with City sewer, but the line sizes are different due to the type of service line (low-pressure instead of gravity).

*G. Storm Sewer...*

Comment: Minor subdivisions are exempt from the storm water policy. The City storm water policy manual will require a drainage plan for any development on the lots.

*H. Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (¾") copper service line. The service lines shall be extended from the main to the property line according to city standards. ...*

Comment: If either lot is developed with a use that necessitates water, it will either need to extend either a water service or a water main from the water main along the highway, depending on the water and fire flow requirements for the use and specific types of building(s).

*I. Fire Hydrants...*

Comment: Met with the existing hydrant at the intersection of Arrow Avenue and the highway.

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



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

Comment: There is an open irrigation lateral across Lot 103. Due to the size of the ditch, Cody Canal is not requiring it to be piped by the lot owner. A variance to the requirement is proposed.

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

Comment: The subdivision ordinance requires the utility and street improvements to be completed before a building permit is issued. That will be enforced. However, it is unknown if either lot will be developed in a manner that requires utilities. Therefore, construction of utility infrastructure is not proposed at this time. A note on the plat about the outstanding utility and infrastructure improvements will be required.

Lot 103 is responsible for extension of the electrical system to its lot, as well as its private connections to the water main and sewer force main. As access for Lot 103 will likely be from the paved portion of Arrow Avenue, no improvement to Arrow Avenue is assigned to Lot 103, unless access is from the gravel portion.

Lot 102 is responsible for all utility services that are needed to serve it. In addition, the responsibility to improve Arrow Avenue with a 24-foot-wide paved section from the end of the pavement along the full lot frontage is with the owner of Lot 102 when it is developed.

*M. Street Lighting...*

Comment: Street lighting is not part of the "rural" road section.

*N. Public Use Areas: ...*

Comment: Minor subdivisions are exempt from this requirement.

### **Variances**

The subdivision ordinance specifies the following regarding variances: *"If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification, grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title."*

The stated purpose of the subdivision ordinance is: *"It is the intent and purpose of this title to promote orderly and systematic development of lands to the advantage of the subdivider, future property owners and the general population of the city. It shall establish guidelines and minimum standards to assist the subdivider and promote the development of a safe and healthy living environment."*

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

**Other:**

The property apparently has no surface water rights—there is no Cody Canal assessment on this portion of airport property per the title report.

**RECOMMENDATION:**

The Planning and Zoning Board recommends that the City Council grant the variances noted, and approve the preliminary and final plats subject to the listed conditions. In addition:

- 1) Allow the lot owners to postpone the payment of any subdivision utility fees until such time as any development that needs such utilities occurs; and,
- 2) Authorize the mayor to sign the plat on behalf of the City as the property owner.

**Subdivision Variances:**

1. To waive the alley requirement.
2. To allow a reduced road width for Arrow Avenue from 32' to 24' of pavement.
3. To the requirement to provide install a sidewalk or pathway along Arrow Avenue.
4. To the requirement to pipe the irrigation lateral.

**Conditions:**

(Prior to mayor signing the final plat.)

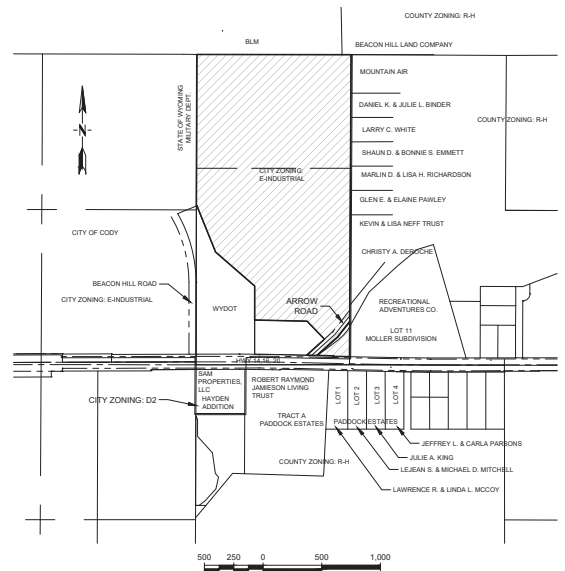
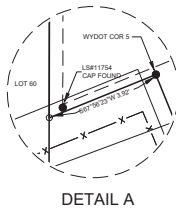
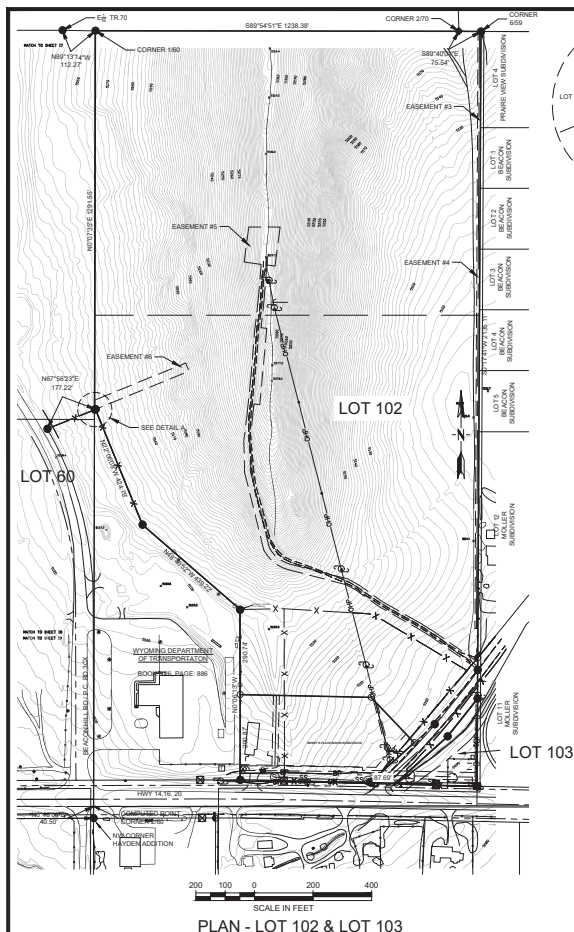
1. Include a note on the final plat that any outstanding subdivision improvements and utility installations are required in conjunction with issuance of a building permit for development on each lot, and to see the Community Development Department for details.
2. Include a note on the final plat that vehicle access for Lot 103 is to be from Arrow Avenue, and located at least as far back from the highway as the access to animal shelter, unless authorized otherwise by Public Works.

**ATTACHMENTS**

Plat drawings.

Not attached, but available: Title report, FAA release for area of Lot 103.

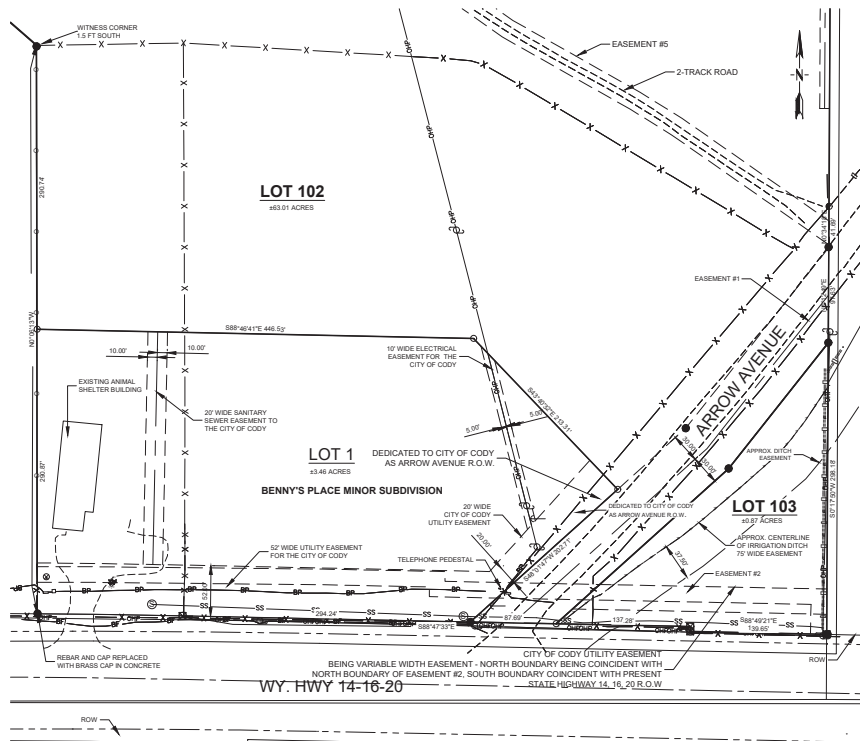
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### LEGAL DESCRIPTION OF PROPERTY TO BE SUBDIVIDED

Lots 3 and 4, Section 4, Township 52 North, Range 101 West, 6th P.M., Park County, Wyoming.

Excepting Therefrom:  
Any portion of land contained in the following Deeds recorded in Park County Office of Clerk and Recorder:  
January 15, 1989 in Book 1332, Page 485  
July 18, 1978 in Book MF 31, Page 217  
July 18, 1978 in Book MF 31, Page 219  
April 22, 1988 in Book MF 105, Page 885  
July 17, 2003 as Doc #2003-6415  
January 20, 2020 as Doc #2020-409



EASEMENTS REPORTED WITHIN TITLE POLICY				
EASEMENTS WITHIN LOT 3 AND 4, SECTION 4, TOWNSHIP 52 NORTH, RANGE 101 WEST, 6TH P.M. (RESURVEY) AS LISTED IN TITLE INSURANCE POLICY FROM PARK COUNTY TITLE DATED JUNE 11, 2019				
	TITLE PAGE #	GRANTEE TO	BOOK/PAGE OR DOC #	
27		COUNTY OF PARK, STATE OF WYOMING 60' WIDE ROAD EASEMENT (ARROW)	BOOK 387 PAGE 227	
UNPLOTTABLE	29	CODY GAS COMPANY, A DIVISION OF COASTAL STATE GAS CORP., BLANKET EASEMENT WITH STATE GAS CORP. BLANKET EASEMENT WITH NO WIDTH	BOOK 32 PAGE 958	
30		THE MOUNTAIN STATE TELEPHONE AND TELEGRAPH COMPANY, 10' WIDE TELEPHONE LINE EASEMENT	BOOK MF 33 PAGE 602	
31		PACIFIC POWER & LIGHT COMPANY, 10' WIDE POWERLINE EASEMENT	BOOK MF 152 PAGE 482	
32		PACIFIC POWER & LIGHT COMPANY, 10' WIDE POWERLINE EASEMENT	BOOK MF 158 PAGE 941	
UNPLOTTABLE	34	PACIFIC POWERLINE EASEMENT, MOST LIKELY FROM EXISTING POLE #04701 TO EXISTING ANIMAL SHELTER BUILDING, WAS VACATED BY THE CITY OF CODY WITH THE ACCEPTANCE OF BENNY'S PLACE MINOR SUBDIVISION.	1999-5893	
40		CITY OF CODY, WY. VARIABLE WIDTH EASEMENT TO SERVICE AIRPORT BEACON	2019-854	
41		CITY OF CODY, WY. 30' WIDE EASEMENT TO ACCESS WATER TANK AREA	2019-865	

### APPROVALS

#### CITY PLANNING AND ZONING BOARD

APPROVED AS OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN

#### CITY COUNCIL APPROVAL

APPROVED AS OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CINDY BAKER  
ADMINISTRATIVE SERVICES OFFICER

## CITY OF CODY

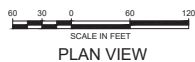
### PRELIMINARY PLAT SHOWING

### BENNY'S PLACE MINOR SUBDIVISION #2

A SUBDIVISION OF LOT 2  
BENNY'S PLACE MINOR SUBDIVISION.  
WITHIN THE CITY OF CODY,  
PARK COUNTY, WYOMING

### LEGEND

- HIGHWAY MONUMENT FOUND
- REBAR & ALUM. CAP FOUND
- REBAR WITH 2" CAP SET
- IRON PIPE
- BRASS CAP FOUND
- EDGE OF GRAVEL
- POWER POLE
- WATER VALVE
- MH - SANITARY SEWER
- FIRE HYDRANT
- TELEPHONE PEDESTAL
- SANITARY SEWER LINE - FORCE MAIN
- BURIED POWER
- OVERHEAD POWER
- WOOD FENCE
- BARBED WIRE FENCE
- FENCE - MISC.
- EASEMENT



### PLAN VIEW

### NOTES:

- NOT ALL UTILITIES WERE LOCATED NOR SHOWN ON THIS PLAT.
- THIS DRAWING IS NOT INTENDED TO SHOW ALL RIGHTS OF WAY, EASEMENTS, PUBLIC OR PRIVATE UTILITIES, IRRIGATION FACILITIES, OTHER IMPROVEMENTS OR FLOOD PLAIN AREAS UPON THE PARCEL OR PARCELS DELINEATED HEREON. THIS SURVEYOR DID NOT CONDUCT A COMPLETE TITLE SEARCH, ABSTRACT STUDY OR HAZARD INQUIRY FOR THE LANDS SHOWN HEREON.
- BASIS OF BEARINGS IS BASED ON CITY OF CODY DATUM.

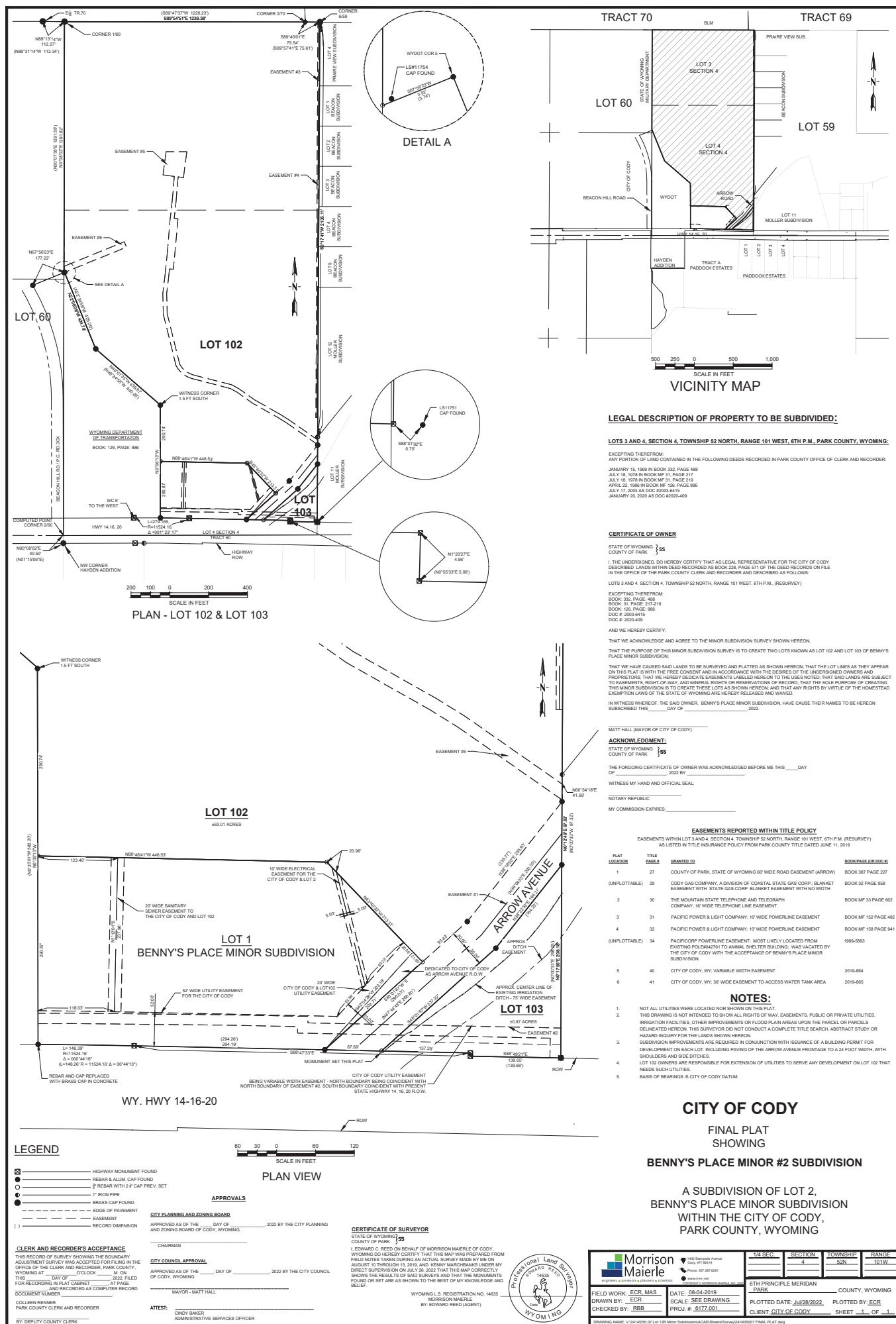
### CERTIFICATE OF SURVEYOR

STATE OF WYOMING )  
COUNTY OF PARK )  
EDWARD C. REED, ON BEHALF OF MORRISON MAIERLE OF CODY, WYOMING DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM FIELD NOTES TAKEN DURING AN ACTUAL SURVEY MADE BY ME ON AUGUST 10 THROUGH 13, 2019, AND KENNY MARCHBANKS UNDER MY DIRECT SUPERVISION ON JULY 28, 2022 THAT THIS MAP CORRECTLY SHOWS THE RESULTS OF SAID SURVEYS AND THAT THE MONUMENTS FOUND OR SET ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WYOMING L.S. REGISTRATION NO. 14835  
MORRISON MAIERLE  
BY EDWARD REED (AGENT)



Morrison Maierle		1450 S. Broadway Avenue Cody, WY 82401 Phone: 307.567.6261 www.morrisonmaierle.com	
FIELD WORK: ECR, MAS	DATE: 08-04-2019	1/4 SEC.	SECTION 4
DRAWN BY: ECR	SCALE: SEE DRAWING	TOWNSHIP 52N	RANGE 101W
CHECKED BY: JBB	PROJ. #: 5177.001	6th PRINCIPLE MERIDIAN	PARK COUNTY, WYOMING
DRAWING NAME: V:\2014\00507 Lot 102-103-Subdivision\ACAD\Drawings\2014\00507 PRELIMINARY PLAT.dwg		PLOTTED DATE: 7/12/2022	PLOTTED BY: ECR
		CLIENT: CITY OF CODY	SHEET 1 OF 1



MEETING DATE:	AUGUST 16, 2022
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

## **AGENDA ITEM SUMMARY REPORT**

### **The Preliminary Plat of the Schoonover Subdivision**

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

Approve the preliminary plat of the Schoonover Subdivision, a 5-lot subdivision, with associated variances and conditions of approval.

#### **SUMMARY**

Kira Schoonover has submitted a preliminary plat application for a 5-lot subdivision. The property is zoned R-3 and is currently vacant.

The preliminary plat is attached for your review. Lots 1, 2, and 3 are planned for single-family dwellings, and Lots 4 and 5 are planned for two-family dwellings. Lots 1 and 3 are large enough to qualify for accessory dwellings as well.

The detailed analysis of the subdivision is found in the attached report to the Planning and Zoning Board.

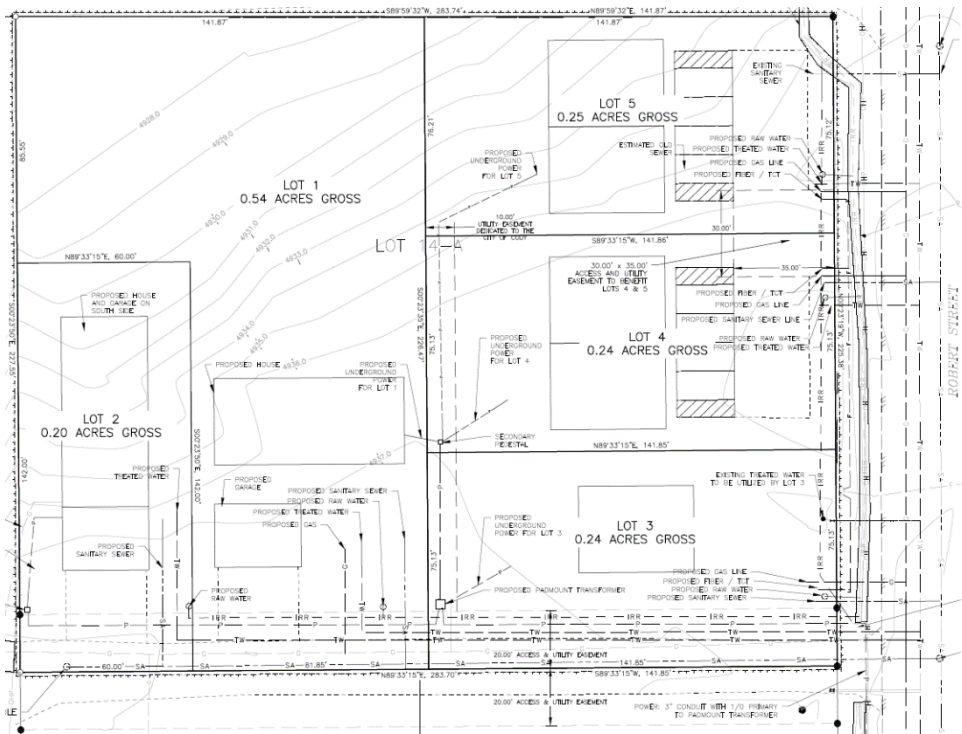


#### **RECOMMENDATION:**

The Planning and Zoning Board recommends approval of the preliminary plat, with associated variances, and subject to conditions of approval.

#### **Subdivision Variances:**

1. To waive the alley requirement.
2. To allow a private street of the design discussed (20-foot-wide paved lane with drainage provisions and radii at the connection to Robert Street)—no curb, gutter, sidewalk, or streetlights.



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

3. To the requirement to provide additional right-of-way for Robert Street.
4. To the block length requirement.

Conditions:

1. Ensure that there is a turnaround at the west end of the paved lane that meets fire code standards. A formal easement is not necessary.
2. Provide a drainage plan for the street, which is to be reviewed and approved as part of the final plat process.
3. The street must include a private street name sign, stop sign, and "No Outlet" sign.
4. A maintenance agreement or homeowner's association must be established for maintenance of the private street and associated stormwater infiltration facilities. Submit the proposed document(s) with the final plat. Also include an explanatory note referencing such on the final plat. The agreement will need to include language that the agreement cannot be rescinded without the approval of the City.
5. Plans for the sewer main are to be reviewed and approved by the City and WY DEQ. The City will accept ownership and maintenance of the sewer main once it is constructed to City standards.
6. Approval of the irrigation distribution plan and plans for piping of the ditch along the full property frontage will need to be obtained from Cody Canal and any private ditch company that may have jurisdiction. Following the flow of the water in a north direction, the piping needs to be shifted to the west before it gets to the new street, and be extend all the way to the north property line.
7. Determine the water tap size for Lots 4 and 5.
8. On the final plat, include a slope easement for the pathway shoulder by adding the following or similar language to the final plat, "Slope easement granted along the east side of Lots 3, 4, and 5 as necessary to accommodate a 4:1 slope for a pedestrian pathway shoulder."
9. Prior to recording the final plat, install an 8-foot-wide asphalt pathway along the entire property frontage of Robert Street or pay the estimated cost to do so to the City.
10. Coordinate the garbage collection plan and any improvement of the turnaround with the City before final plat approval.
11. Follow and incorporate the seven "miscellaneous" items listed at the end of the staff report:
  - a) The applicant will need to contact the post office for the mail box location(s). City preference is that the boxes be placed along the interior street. The final location must be authorized by both the Post Office and City.
  - b) Primary vehicle access for Lot 3 will be limited to the interior street. Include a note on the final plat to notify the lot owner of the restriction.
  - c) The building locations and parking facilities on Lots 4 and 5 must be configured so that vehicles do not back out onto Robert Street, but leave the property in a forward motion. The setback from Robert Street will therefore need to be much more than the zoning minimum. Include a note on the final plat about this requirement. The configuration shown on the preliminary plat is adequate to meet this requirement.
  - d) Include lot and street survey monumentation on the final plat, per the requirements of the subdivision ordinance.
  - e) Coordinate the street design with the pathway design.
  - f) List the variances granted on the final plat.
  - g) Include all owners in the Certificate of Owner—missing Noreen.

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

12. The final plat application and construction documents (sewer plan, basic street plan, and a pathway plan if the owner will be constructing it) shall otherwise comply with the City ordinances. Utility fees will be addressed with the final plat.

**ATTACHMENTS:**

Preliminary Plat

Report to the Planning and Zoning Board

(Available but not attached: Title report, application form, deed.)

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## NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE RELATIVELY LEVEL.
3. THERE ARE NO AREAS SUBJECT TO FLOODING OR WETLANDS.
4. TOTAL SUBDIVISION ACREAGE = 1.48 ACRES
5. SUBJECT PARCEL IS MEDIUM-HIGH DENSITY RESIDENTIAL (R3)
6. SEWER SERVICES DO NOT CURRENTLY EXIST ON ANY LOTS AT THE TIME OF THIS PLAT, AND MUST BE INSTALLED PRIOR TO APPROVAL OF A BUILDING PERMIT. DEPENDING ON THE LOCATION AND ELEVATION OF A DWELLING ON LOT 1 AND 2, A SEWER LIFT OR PUMP SYSTEM WILL BE NEEDED.
7. WATER SERVICES DO NOT CURRENTLY EXIST ON LOTS 1, 2, 4, OR 5 AT THE TIME OF THIS PLAT, AND MUST BE INSTALLED PRIOR TO APPROVAL OF A BUILDING PERMIT.

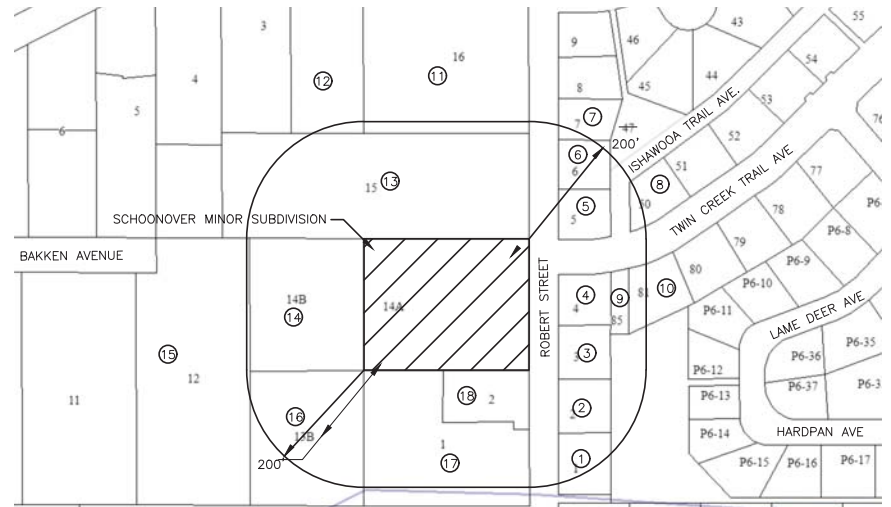
## LEGEND

⊙	FOUND 3.5" DIA. BRASS CAP
○	FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
●	FOUND 3/4" IRON PIPE
----	PROPOSED SUBDIVISION LOT LINES.
----	SUBDIVISION BOUNDARY
----	OHP
----	EXISTING OVERHEAD POWER LINE.
----	F
----	EXISTING BURIED TELEPHONE / FIBER LINE.
----	G
----	EXISTING BURIED NATURAL GAS LINE.
----	TW
----	EXISTING BURIED TREATED WATER LINE.
----	SA
----	EXISTING BURIED SANITARY SEWER LINE.
----	F
----	PROPOSED BURIED TELEPHONE / FIBER LINE.
----	G
----	PROPOSED BURIED NATURAL GAS LINE.
----	TW
----	PROPOSED BURIED TREATED WATER LINE.
----	SA
----	PROPOSED BURIED SANITARY SEWER LINE.
⊙	MANHOLE LID. UTILITY AND STRUCTURE TYPES VARY.
△	UTILITY PIPE LINE VALVES.
●	UTILITY POLE.

## LANDOWNER KEY

- 1 HIGBIE FAMILY REVOCABLE LIVING TRUST 213 N 44TH ST, CODY, WY 82414
- 2 RADTKE, CELESTE & CHARLES, 402 LICHEN DRIVE, CODY, WY 82414
- 3 RANDOLPH, KRISTINA D. & STEVEN E., PO BOX 2046, CODY, WY 82414
- 4 GULLICKSON, CRYSTAL N., 232 ROBERT ST., CODY, WY 82414
- 5 WILKERSON, SHAWN, 230 ROBERT STREET, CODY, WY 82414
- 6 ROBERSON, JIMMY M., 228 ROBERT STREET, CODY, WY 82414
- 7 CASTELLANOS, RONALD, 226 ROBERT STREET, CODY, WY 82414
- 8 AVERY & AKOYA SMIEJA, 3007 TWIN CREEK TRAIL AVE., CODY, WY 82414
- 9 TRAILHEAD SUBDIVISION HOMEOWNERS ASSOC., 213 N. 44TH STREET, CODY, WY 82414
- 10 ISMAEL & SAMANTHA GARCIA, 3008 TWIN CREEK TRAIL AVE., CODY, WY 82414
- 11 PEDERSON, MIKEL & RETHA E., PO BOX 3163, CODY, WY 82414
- 12 MCGUFFEY, DONALD & OPAL, P.O. BOX 561, CODY, WY 82414
- 13 FERNAU FAMILY LIVING TRUST, 231 ROBERT STREET, CODY, WY 82414
- 14 BROWN, RICHARD W. & ANITA, 235 ROBERT STREET, CODY, WY 82414
- 15 BENSON, SHIRLEY SHUMWAY TRUST, 2824 BAKKEN AVENUE, CODY, WY 82414
- 16 GASAWAY, GEORGE RICHARD ET AL, PO BOX 2863, CODY, WY 82414
- 17 COWLES, JERRY, 241 B ROBERT ST, CODY, WY 82414
- 18 COWLES, JESSICA LEE, 2831 HIGHWAY 120, CODY, WY 82414

## RESURVEY T.53N., R.101W. CITY OF CODY



VICINITY MAP  
1" = 150'

## CERTIFICATE OF OWNER

STATE OF WYOMING } SS.  
COUNTY OF PARK }  
KNOW ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED, HEREBY CERTIFY THAT I/WE ARE OWNERS AND PROPRIETORS OF LOT 14-A, BAKKEN SUBDIVISION #2, CODY, WYOMING, AS LOCATED IN BOOK "10" OF PLATS, PAGE 148, ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, STATE OF WYOMING, AS EVIDENCED BY THAT WARRANTY DEED RECORDED AS DOCUMENT #2021-3462 IN SAID CLERK AND RECORDER'S OFFICE;  
THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE CEDAR VIEW MINOR SUBDIVISION LOCATED WITHIN THE CITY OF CODY; THAT THE SUBDIVISION AS APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT WE HEREBY DEDICATE EASEMENTS LABELED HEREON TO THE USES SO NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD.

KIRA SCHOONOVER

STATE OF WYOMING } SS.  
COUNTY OF PARK }  
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY KIRA SCHOONOVER  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

## CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, FILED FOR RECORDING IN BOOK OR PLAT CABINET \_\_\_\_\_ AT PAGE \_\_\_\_\_ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER \_\_\_\_\_

PARK COUNTY CLERK

BY: \_\_\_\_\_ DEPUTY.

## CITY PLANNING AND ZONING BOARD

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN

## CITY COUNCIL APPROVAL

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CINDY BAKER  
ADMINISTRATIVE SERVICES OFFICER

## PRELIMINARY PLAT OF SCHOONOVER MINOR SUBDIVISION

LOCATED WITHIN

LOT 14-A OF BAKKEN SUBDIVISION NO. 2,  
RESURVEY T.53N., R.101W., 6TH P.M.,  
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: KIRA SCHOONOVER

PREPARED BY: ENGINEERING ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
902 13TH STREET  
CODY, WYOMING 82414



JOB NO. 21100.14  
07/18/2022

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

<b>MEETING DATE:</b>	AUGUST 9, 2022	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	PRELIMINARY PLAT OF THE SCHOONOVER SUBDIVISION. SUB 2021-07	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

Kira Schoonover has submitted a preliminary plat application for a 5-lot subdivision. The property is zoned R-3 and is currently vacant.

The preliminary plat is attached for your review. Lots 1, 2, and 3 are planned for single-family dwellings, and Lots 4 and 5 are planned for two-family dwellings. Lots 1 and 3 are large enough to qualify for accessory dwellings as well.



**SUBDIVISION REGULATIONS**

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

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

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

Comment: Met. The access for Lots 1, 2 and 3 is along the south boundary of the property, and is currently a gravel lane about 18 feet wide. The alignment is fine.

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

Comment: This requirement requires the existing gravel lane to be upgraded. The standard outlined in the street master plan would be a 24-foot-wide paved street, with

curb, gutter, sidewalk, and streetlights, and which is developed and maintained as a public street. Planning and Public Works staff believe that allowing the road to remain a private street would be a reasonable request as the street is not likely to be extended as a through street, will only serve the properties it presently serves, and that requiring only one of the four properties that use the street to be responsible for all improvements, while technically required, is not balanced financially. Planning staff proposes that a 20-foot-wide paved lane be considered adequate for the present subdivision. If the other properties using the street subdivide, they could be required to widen the street, further improve the turnaround, or add curb and gutter or other improvements as deemed appropriate at that time. The 20-foot width is the minimum required for a fire lane. There is an existing 40-foot-wide access easement to accommodate the street. The alignment within that easement can be determined when developing the street and utility construction plans.

There are no streets shown on the street master plan as passing through this property.

*C. Jogs Prohibited: Street jogs shall be prohibited unless, because of very unusual conditions, the commission and council determine that the offset is justified.*

Comment: There are no internal street jogs.

*D. Topography: Streets shall have a logical relationship to the topography.*

Comment: The street location seems to be the most logical, given the lot layout.

*E. Intersections: Intersections shall be at or near right angles whenever possible.*

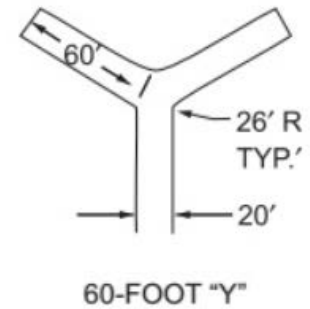
Comment: Met.

*F. Local Streets: Local streets will be designed to discourage through traffic.*

Comment: Met.

*G. Cul-De-Sacs: Cul-de-sacs shall be permitted, providing they are no longer than five hundred feet (500'), including the area at the end of said cul-de-sac; and further providing, that the property line to property line diameter of the cul-de-sac be at least one hundred feet (100'). Design specifications for curb, gutter, sidewalk and distance from property line to sidewalk shall be in accordance with the typical section of a "residential street", as defined by the master street plan. Surface drainage shall be towards the intersecting streets whenever possible, but may be out of the cul-de-sac through a drainage easement as a last alternative.*

Comment: The street is a dead end, with a length of about 287 feet. While a turnaround for emergency access and garbage collection is needed, it is proposed that a different configuration be used. Specifically, the fire code has a "Y" turnaround option that closely matches the existing driveway layouts. So long as the driveways provide the minimum 26' radius between each leg, they will suffice for the necessary uses.



Being that the turnaround is located on other properties beyond the end of the subdivision, the turnaround need not be paved as part of this subdivision.

*H. Dead End Streets, Alleys: Dead end streets and alleys (with the exception of cul-de-sacs) shall be prohibited, unless they are designed to connect with future streets or alleys on adjacent lands that have not been platted...*

Comment: Met, as cul-de-sacs are the exception.

*I. Half Streets: Half streets will be prohibited...*

Comment: Met.

*J. Reverse Curves: Reverse curves on...residential and marginal streets and alleys shall have at least one hundred feet (100') of tangent length between reverse curves*

Comment: No curves proposed.

*K. Widths and Grades: Street, alley and easement/right of way widths and grades shall be as follows:*

	<b><i>Minimum Right Of Way Width</i></b>	<b><i>Minimum Grade</i></b>	<b><i>Maximum Grade</i></b>
<i>Arterial street</i>	<i>100 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Collector street</i>	<i>80 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Marginal street</i>	<i>46 feet</i>	<i>0.3 percent</i>	<i>10.0 percent</i>

Comment: With past subdivisions along Robert Street, it has been determined that the existing 60-foot right-of-way is adequate, even though 80 feet is specified. A variance to allow 60 feet is justified.

The private street along the south side of the subdivision has a 40-foot-wide private easement, which is adequate to accommodate the private street and planned utilities.

*L. Vertical Curve Length: The minimum length of vertical curves shall be as follows... Arterial, collector and residential streets: 15 times the algebraic difference in the rate of grade.*

Comment: Can be easily met, and will be verified on construction plans.

*M. Visibility: Clear visibility, measured along the centerline of the street shall be as follows...Residential street 200 feet*

Comment: Met.

*N. Curvature Radius: The minimum radius of curvature on the centerline of a street shall be as follows...Residential street 200 feet*

Comment: Met—no curves.

*O. Streets with Interior Angles: ...For street intersections with an interior angle greater than seventy degrees (70°), the curb shall be rounded by a radius of nine and one-half feet (9½').*

Comment: This standard is based on a full-width street with curb and gutter. As Robert Street does not have curb and gutter in this section, and no curb and gutter are proposed on the interior street, a radius of 20 feet should be provided for the asphalt paving.

*P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys... Alleys shall be constructed with a minimum of six inches (6") of crushed aggregate base course for the finished surface. The specification for the gradation of the crushed aggregate base course may be obtained from the city engineer.*

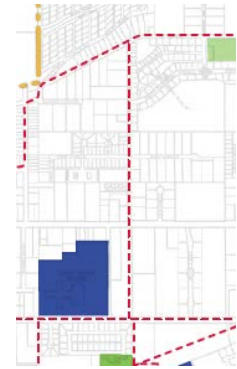
Comment: A variance to the alley requirement is appropriate, as there are no alleys to tie into.

*Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and adjustment board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.*

Comment: See "B" above for the proposed street design—a 20-foot-wide paved lane without curb, gutter, sidewalk.



Rather than require curb, gutter, and sidewalk along the Robert Street frontage, the City Council has recently determined that installation of a detached pathway is an alternative that meets the intent of the requirement and can occur without curb and gutter being in place. The City Council has required this of subdivisions that do not have frontage with curb and gutter, when there is a pathway identified on the pathway master plan. That is the case here. The developer would be responsible for its construction, or alternatively can contribute the cost of construction to the City and the City will include the construction in a larger project. If the developer will perform the construction, plans will need to be developed and approved by the City. The alignment will put the pathway between the power lines and the property line. As the subdivision ordinance specifies that the improvements are the developer's responsibility, construction or payment should be required before the final plat is recorded. (Note: If Public Works' plans go as anticipated, the City could have a pathway project constructed along the west side of Robert Street in about three years. Funding for the this "larger project" is not yet secured.)



*R. Street Cross Section: The minimum typical street cross section for each type of street shall be as shown on the master street plan. Details of the city standards for typical paving, curb, gutter, sidewalk, alley aprons and valley gutter sections may be obtained from the city engineer.*

Comment: A variance is requested to the street width and to waive curb, gutter, and sidewalk—see "B" above. The depth of the street materials will need to meet standards. Coordinate with Public Works.

*S. Valley Gutters: The use of valley gutters in areas where storm sewer facilities exist or are proposed will be discouraged.*

Comment: None proposed.

*T. Drainage: The area to be subdivided shall be designed to provide proper and sufficient drainage. Runoff and storm sewer systems shall be designed to adequately drain the subdivision and adjacent area that will drain into the subdivision. All stormwater systems shall be designed to achieve zero increase in runoff and shall be in compliance with the city stormwater management policy, as amended. They shall be designed and constructed to allow runoff and stormwater to flow by gravity from the subdivision to an adequate outlet. When an existing storm sewer trunk line is available, the proposed system shall be designed to connect to it. When an existing storm sewer trunk line is not available, a drainage plan must be developed that is acceptable to the city. Minor subdivisions shall be exempt from this requirement.*



Comment: Not met. There are no storm sewer lines in the area, so on-site retention will be needed. The engineer will need to design a storm water system to accommodate runoff from the private street. Various options exist. One easy method would be to utilize the concept from the infill subdivision standards to slope the street all one direction and install a rock infiltration trench just off the lower edge of the street.

(Note: The subdivision is labeled a minor subdivision. However, technically this is not a minor subdivision because it involves the development of a new street and extension of public improvements. To quote the definition in the code, "MINOR SUBDIVISION: Any subdivision that the planning, zoning and adjustment board has determined shall facilitate isolated in-fill development within municipal boundaries and...creates five (5) or fewer lots without requiring the creation of any new streets or the extension of water and sewer utilities or any new public improvements." As such, it is not exempt from the storm water requirement. A drainage plan, calculations, and facility will need to be provided.)

*U. Lot Requirements: All lots within a proposed subdivision will meet the following requirements:*

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

Comment: All lots meet minimum size and dimensional requirements for the R-3 zone.

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

Comment: Met.

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

Comment: Met.

*4. Strip lots established with the intent of restricting access to streets or alleys will be prohibited.*

Comment: Met.

*V. Blocks: Blocks shall be at least three hundred feet (300') long, normally, not to exceed six hundred sixty feet (660') long. All blocks shall normally be of sufficient width to allow for two (2) tiers of lots of approximately equal width and an alley.*

Comment: Block length along Robert Street is not met, and cannot be met by this subdivision alone. A variance to the requirement is recommended.

**Section 11-5-1, DEVELOPMENT AND IMPROVEMENT** also includes standards for construction. Most of those items are simply verified in the construction plans and/or

as part of the final plat review. Those that warrant discussion at this point are noted below.

*C. Curbs, Gutters And Sidewalks: Curbs, gutters, and sidewalks shall be constructed along both sides of any proposed streets. ...*

Comment: Again, a variance to allow a 20-foot paved lane is requested.

*D. Street Design, Construction: Streets shall be designed and constructed according to accepted engineering practices and construction standards with the minimum cross section being the city standard.*

Comment: Again, the street width is requested to be reduced. However, depth of material and other design details will be met.

*E. Street Name Signs: Street name signs shall be installed at all intersections.*

Comment: A private street name sign will be needed as well as a stop sign and "No Outlet" sign. The sign plan should be incorporated into the construction plans.

It is also noted that with the establishment of the private street, a street name is needed and other properties along the street will have their addresses changed. The subdivider will need to submit three proposed street names for review by the street committee. The City and post office will work with the other property owners on changing their addresses.

*F. Sanitary Sewer: Sanitary sewer shall be constructed according to city approved specifications and city construction standards, and shall connect to the city system. It shall also be approved by all appropriate state and/or federal agencies. Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available...*

Comment: Sanitary sewer is proposed to be extended along the south end of the subdivision to provide City sewer to Lots 1 and 2. The line will extend to the end of the pavement, so that it is accessible to the properties beyond, without having to tear up the street. Lot 3 could connect to this new sewer line, or the line in Robert Street (connecting to the new line would likely be less expensive). Lots 4 and 5 will connect individually to the sewer line in Robert Street.

*G. Storm Sewer: Storm sewer shall be constructed according to city approved specifications, separate from the sanitary sewer. When reasonably possible the storm sewer shall be connected to the existing storm sewer system.*

Comment: As noted above, an on-site storm system is needed.

*H. Water Mains: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. These mains will be connected to the city system. All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions... It will be the developer's responsibility to ensure that the water piping system for the proposed subdivision is connected to the city system. The development of private or community wells for potable water will not be allowed within the corporate limits of the city.*

Comment: Lots 4 and 5 will individually connect to the water main in Robert Street. The developer of those lots should determine if 3/4" services are adequate for those lots, or if 1" services are needed. (Depends on # of plumbing fixture units.)

Lots 1, 2 and 3 are also proposed to be served with individual private water services from the water main in Robert Street. This will result in a number of "spaghetti lines", which normally is discouraged. In this case, all other lots off the southern lane have individual private water services and the benefit received by requiring a water main does not seem to justify the cost thereof. Also, if other properties develop significantly, that is a cost that they can bear, as this developer is providing the road and sewer main costs.

The curb stops for each lot will be at the edge of the Robert Street right-of-way. City maintenance responsibility ends at the curb stop, with each homeowner responsible for their individual service from the curb stop to the house.

*I. Fire Hydrants: Fire hydrants shall be installed at intervals not to exceed five hundred feet (500') between hydrants and provided with standard hose connections as specified by the fire department.*

Comment: The fire hydrant across Robert Street meets the hydrant requirement.

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

Comment: The irrigation ditch along the front of the property is subject to this requirement. The preliminary plat shows a 10" pipe being provided for the ditch. The ditch is also appropriately shifted out from under the alignment of the pathway. An 8- or 10-foot-wide irrigation easement should be provided for the pipe.

In addition, the pipe will need to be shifted to the new alignment before it gets to the crossing under the new street, not after (shift south of the new street, not north).

*K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys. Written agreements between the subdivider and each utility company, copies of which will be presented to the city with the construction specifications, shall be drawn up stating who will install the utilities and how the costs for their installation shall be covered... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.*

Comment: The general layout of utilities shown on the preliminary plat appears to work. Third-party utility providers (Black Hills Energy, Spectrum, and TCT) will need to sign off on the utility plans as part of the final plat process.

Construction details of the sewer main will be submitted and reviewed with the final plat application.

The layout of the electrical system is acceptable. In addition though, the plans should note that the pole in the middle of the proposed access for Lots 4 and 5 will need to be relocated. It will likely be moved to the north side of the access. The electric division will do the pole relocation work and the developer is responsible for the costs.

Also, due to the delay in getting electrical transformers and other components, the electrical subdivision system may not be able to be function for some time. The existing electrical service at the southwest corner of the property will likely need to serve as temporary electrical for the applicant's house that is proposed on Lot 1 until the subdivision electrical system is functional. Building permits for the other lots could be delayed if electrical components are not available.

*L. Other Improvements: Any other improvements, such as bridges, culverts, etc., not specifically mentioned herein but found necessary by the city due to conditions found on the site shall be constructed.*

Comment: The previous note about shifting the irrigation pipe before it reaches the south edge of the new street will necessitate a new culvert under the new street.

*M. Street Lighting: Street lighting shall be installed according to the standards and requirements established by the city electrical commissioner, the cost of which will be borne by the subdivider.*

Comment: N/A. Streetlights are only required on public streets.

*N. Public Use Areas: There shall be conveyed to the city an area or areas of land or the cash equivalent thereof, on the basis of one acre per fifty (50) prospective dwelling units, to provide for parks, fire stations, recreational areas and other public uses. This requirement shall be in addition to lands dedicated for streets and alleys. ... Minor*

*subdivisions shall be exempt from this requirement. The dedication of land or cash in lieu of land shall be at the sole discretion of the city council, with recommendation from the planning and zoning board and the parks and recreation department. If subsequent rezoning or resubdivision would result in a higher number of prospective dwelling units, additional land or cash equivalent shall be conveyed to the city...*

Comment: Not applicable at this time. (In practice, 5 lots or less are exempt, regardless of whether the subdivision is technically "minor".)

**OTHER:**

- 1) A maintenance agreement containing adequate provisions for the perpetual care and maintenance of the private street and storm water detention facilities will be needed. The agreement will need to include language that the agreement cannot be rescinded without the approval of the City.
- 2) The parking standards will require the approach serving Lots 4 and 5 to be paved for at least 25 feet off of Robert Street, as part of the building construction. The developer may want to coordinate that work to occur with the construction of the street along the south end of the subdivision.
- 3) Approval of the irrigation distribution plan and plans for piping of the ditch will need to be obtained from Cody Canal and any private ditch company that may have jurisdiction. The piping needs to extend to the north property line.
- 4) On the final plat, include a slope easement for the pathway shoulder by adding the following or similar language to the final plat, "Slope easement granted along the east side of Lots 3, 4, and 5 as necessary to accommodate a 4:1 slope for a pedestrian pathway shoulder."
- 5) Payment of the water tap fees and the electrical estimate are normally addressed with the final plat. Due to potentially significant delays in receiving electrical components, it is recommended that the electrical estimate be finalized and paid as soon as possible after City Council grants preliminary plat approval, so that materials can be ordered. The electrical estimate will also include the costs of relocating the power pole on Robert Street.
- 6) Garbage collection is currently with dumpsters along Robert Street. The sanitation division is considering providing roll-out service to the lots, and the other lots along the interior street. In order to do so, the turnaround at the west end of the street will need some minor improvement. Coordinate the garbage collection plan with the City before final plat approval.

**Miscellaneous:**

For purposes of providing direction on the construction plans and preparing the final plat, the following comments are provided.

1. The applicant will need to contact the post office for the mail box location(s). City preference is that the boxes be placed along the interior street. The final location must be authorized by both the Post Office and City.
2. Primary vehicle access for Lot 3 will be limited to the interior street. Include a note on the final plat to notify the lot owner of the restriction.
3. The building locations and parking facilities on Lots 4 and 5 must be configured so that vehicles do not back out onto Robert Street, but leave the property in a forward motion. The setback from Robert Street will therefore need to be much more than the zoning minimum. Include a note on the final plat about this requirement. The configuration shown on the preliminary plat is adequate to meet this requirement.
4. Include lot and street survey monumentation on the final plat, per the requirements of the subdivision ordinance.
5. Coordinate the street design with the pathway design.
6. List the variances granted on the final plat.
7. Include all owners in the Certificate of Owner—missing Noreen.

**VARIANCES:**

The variances noted are to be reviewed under the following standard of 11-5-2(B):

*If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification, grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title.*

Planning staff would recommend approval of the variances noted in the staff report, as this is similar to an infill subdivision and does not necessitate application of all standard requirements in order to provide a suitable result. As many of the subdivision improvements benefit other properties without their participation, leniency is proposed in those areas where staff believes it can be provided. The variances thereby would "make a greater contribution to the intent and purpose of this title" than if the requirements were imposed in full.

**POTENTIAL MOTION:**

Recommend that the City Council grant the variances listed and approve the preliminary plat for the proposed subdivision, subject to the listed conditions:



Subdivision Variances:

1. To waive the alley requirement.
2. To allow a private street of the design discussed (20-foot-wide paved lane with drainage provisions and radii at the connection to Robert Street)—no curb, gutter, sidewalk, or streetlights.
3. To the requirement to provide additional right-of-way for Robert Street.
4. To the block length requirement.

Conditions:

1. Ensure that there is a turnaround at the west end of the paved lane that meets fire code standards. A formal easement is not necessary.
2. Provide a drainage plan for the street, which is to be reviewed and approved as part of the final plat process.
3. The street must include a private street name sign, stop sign, and "No Outlet" sign.
4. A maintenance agreement or homeowner's association must be established for maintenance of the private street and associated stormwater infiltration facilities. Submit the proposed document(s) with the final plat. Also include an explanatory note referencing such on the final plat. The agreement will need to include language that the agreement cannot be rescinded without the approval of the City.
5. Plans for the sewer main are to be reviewed and approved by the City and WY DEQ. The City will accept ownership and maintenance of the sewer main once it is constructed to City standards.
6. Approval of the irrigation distribution plan and plans for piping of the ditch along the full property frontage will need to be obtained from Cody Canal and any private ditch company that may have jurisdiction. Following the flow of the water in a north direction, the piping needs to be shifted to the west before it gets to the new street, and be extend all the way to the north property line.
7. Determine the water tap size for Lots 4 and 5.
8. On the final plat, include a slope easement for the pathway shoulder by adding the following or similar language to the final plat, "Slope easement granted along the east side of Lots 3, 4, and 5 as necessary to accommodate a 4:1 slope for a pedestrian pathway shoulder."
9. Prior to recording the final plat, install an 8-foot-wide asphalt pathway along the entire property frontage of Robert Street or pay the estimated cost to do so to the City.
10. Coordinate the garbage collection plan and any improvement of the turnaround with the City before final plat approval.
11. Follow and incorporate the seven "miscellaneous" items listed at the end of the staff report.

12. The final plat application and construction documents (sewer plan, basic street plan, and a pathway plan if the owner will be constructing it) shall otherwise comply with the City ordinances. Utility fees will be addressed with the final plat.

**ATTACHMENTS:**

Preliminary Plat

Available but not attached: title report, deed, application sheet.

MEETING DATE: AUGUST 16, 2022

DEPARTMENT: PUBLIC WORKS - ELECTRIC

PREPARED BY: PHILLIP M. BOWMAN, P.E.

PRESENTED BY: PHILLIP M. BOWMAN, P.E.

## AGENDA ITEM SUMMARY REPORT

*P. Bowman*

### Ordinance 2022-14 Amending Title 8, Chapter 1 to modify and set Electrical Service Rates and Service Charges

#### ACTION TO BE TAKEN

Consider approval of Ordinance 2022-14 on First Reading to modify and set Electric Service Rates and Service Charges effective October 1, 2022.

#### SUMMARY OF INFORMATION

The City of Cody provides electric utility service through the Electric Enterprise Fund. The City purchases all electricity provided to City customers from the Wyoming Municipal Power Agency (WMPA), a wholesale electricity provider to eight (8) member municipalities. WMPA contracted with Utility Financial Solutions, LLC (UFS) to complete a Wholesale Electric Rate Study in late 2018, and the City also worked with UFS to complete a Retail Electric Rate Study that was completed in 2019. Based on the cost-of-service modeling and recommendations prepared by UFS, Ordinance 2019-07 was presented to the City Council to set and modify electric service rates for a three (3) year period between 2019 and 2021. Ordinance 2019-07 was passed on Third and Final Reading on September 3, 2019, and the final electric rate modification approved with that ordinance took place on October 1, 2021.

Based on multiple cost increases that have occurred in the operation of the Electric Enterprise Fund, it was recommended during the preparation of the FY 2023 Budget that Electric Rates be increased by approximately four percent (4.0%) for the budget year. The Electric Enterprise fund has experienced a number of cost escalation and material supply challenges over the past two years including very significant electrical equipment and material price increases, and cost of labor increases with the City's Salary Survey recommendations taking effect July 1, 2022.

Ordinance 2022-14 will increase all base fees, energy usage fees, and demand fees by approximately four percent (4.0%) each, with some minor differences in each specific category due to rounding adjustments. In addition, Service Charges have been increased to account for the increased labor costs referenced above.

With approval of Ordinance 2022-14 on all three readings, the new electric rates and service charges will take effect on October 1, 2022 and be reflected on residential and commercial utility billing after that date.

#### FISCAL IMPACT

With approval of Ordinance 2022-14, it is anticipated that Electric Enterprise Fund revenues will increase by approximately four percent (4.0%). This increase was reflected in the Projected Revenue amounts in the approved FY 2023 Budget.

#### ATTACHMENTS

1. Ordinance 2022-14

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

**ORDINANCE 2022 – 14**

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 1, ARTICLE III,  
SECTION 13, OF THE CODY CITY CODE TO MODIFY AND SET  
ELECTRICAL SERVICE RATES AND CHARGES**

Title 8, Chapter 1, Article III, Section 13, shall be hereby amended effective October 1, 2022:

**8-1-13: SCHEDULE OF RATES**

- A. Beginning with all bills generated on or after October 1, 2022, the rates for metered electricity sold within the city limits shall be as follows:

Customer Classification	Monthly Base Fee (1)	Energy Fee (2)	Demand Fee (3)
RESIDENTIAL SERVICE RATE	\$21.30	\$0.1028	N/A
COMMERCIAL SERVICE RATE	\$33.30	\$0.0917	N/A
COMMERCIAL DEMAND SERVICE RATE	\$78.00	\$0.0517	N/A
CITY COMMERCIAL SERVICE	\$33.30	\$0.0917	N/A
CITY COMMERCIAL DEMAND SERVICE RATE	\$78.00	\$0.0517	N/A
COMMERCIAL DEMAND SERVICE RATE			\$17.16
CITY COMMERCIAL DEMAND SERVICE RATE			\$17.16
ELECTRIC COMMERCIAL SPECIAL SERVICE RATE			\$17.16
IRRIGATION SERVICE RATE	\$6.25	\$0.1028	N/A
SECURITY LIGHTING	\$4.70	\$0.1028	N/A
Notes:			
(1) For Electrical usage billed on or after October 1, 2022, each customer classification shall pay a monthly base fee charge as indicated.			
(2) For Electrical usage billed on or after October 1, 2022, each customer class shall pay the Energy Fee indicated for each kilowatt hour used per month or as estimated by City Staff regarding Security Lights.			
(3) For Electrical usage billed on or after October 1, 2022, each customer shall pay a monthly demand charge as indicated per kilowatt of demand as shown or computed from the readings of the city's demand meter installed at the customer's location for the fifteen (15) minute period of customer's greatest use during the billing period.			
(4) Customers requesting or transferring service of more than two hundred (200) amperes shall be billed under this demand rate. The public works director or his/her designee shall recommend to the administrative services officer the rate classification for new commercial customers requesting electrical service, based on the customer's energy and demand requirements.			

\* \* REMAINDER OF PAGE INTENTIONALLY LEFT BLANK \* \*

B. Service Charges: The following charges apply to all levels of service in addition to any other charges:

Connection, reconnection or disconnection of meter Normal office hours (7:30 A.M. to 4:00 P.M.)		\$40.00
Connection, reconnection or disconnection of meter Other than normal office hours (for first 2 hours, actual labor costs for work in excess of 2 hours)		\$125.00
Trouble calls on customer owned equipment Normal office hours (7:30 A.M. to 4:00 P.M.)		\$40.00
Trouble calls on customer owned equipment Other than normal office hours (for first 2 hours, actual labor costs for work in excess of 2 hours)		\$125.00
Temporary service connection: Single phase and 3-phase		\$150.00
Returned payment charge		\$30.00
Testing of meters more than once at customer's request in a 12 month period, where meter is found to be accurate within 2 percent		\$55.00

\* \* END OF AMENDMENT \* \*

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

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia D. Baker, Administrative Services Officer

MEETING DATE: AUGUST 16, 2022

DEPARTMENT: PUBLIC WORKS

PREPARED BY: PHILLIP M. BOWMAN, P.E.

PRESENTED BY: PHILLIP M. BOWMAN, P.E.

## AGENDA ITEM SUMMARY REPORT



### **Ordinance 2022-07, 2022-08, and 2022-09 of the City of Cody Municipal Code to Establish the Storm Drainage Utility**

#### **ACTION TO BE TAKEN**

Consider Ordinance 2022-07, 2022-08, and 2022-09 on Third and Final Reading to establish the Storm Drainage Utility.

#### **SUMMARY OF INFORMATION**

City Staff has evaluated creating a Storm Drainage Utility to provide for the operation, maintenance, and improvement of public drainage facilities within the City. This proposal was originally discussed at City Council Work Sessions on January 12, 2021, April 26, 2022, and July 12, 2022. With City Council concurrence at these Work Sessions, Ordinance 2022-07, 2022-08, and 2022-09 have been written to create the Storm Drainage Utility for the City of Cody.

A summary of each ordinance is as follows:

Ordinance 2022-07 will create Title 8, Chapter 4, Article I of the City Code, and define the purpose and ownership, the definitions of terms used, and the administration of the Storm Drainage Utility. No changes have been made to this Article since Second Reading.

Ordinance 2022-08 will create Title 8, Chapter 4, Article II of the City Code, and defines the user charges of the Storm Drainage Utility. No changes have been made to this Article since Second Reading.

Ordinance 2022-09 will create Title 8, Chapter 4, Article III of the City Code, and define the allowed discharges and enforcement actions associated with the Storm Drainage Utility. No changes have been made to this Article since Second Reading.

With approval on Third and Final Reading, the Storm Drainage Utility will be established effective September 1, 2022, and storm drainage user charges for residential and commercial accounts will start on the City's utility billing in September 2022.

City Staff recommends approval of Ordinance 2022-07, 2022-08, and 2022-09 by individual motions for each ordinance.

#### **FISCAL IMPACT**

With approval of these ordinances and the establishment of the Storm Drainage Utility user fees, the approved FY 2023 Budget has created the Storm Drainage Utility Enterprise Fund with a projected revenue of \$483,000 and projected expenses of \$507,961. The deficit amount of approximately \$25,000 is generally due to depreciation of assets charged to the new enterprise fund for the first time.

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



**ATTACHMENTS**

1. Ordinance 2022-07 (no changes since Second Reading)
2. Ordinance 2022-08 (no changes since Second Reading)
3. Ordinance 2022-09 (no changes since Second Reading)

## **ORDINANCE 2022 - 07**

### **AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE I OF THE CODY CITY CODE TO ESTABLISH THE STORM DRAINAGE UTILITY**

Title 8, Chapter 4, Article I shall be hereby created in its entirety as follows and become effective September 1, 2022:

#### **TITLE 8, CHAPTER 4 – STORMWATER DRAINAGE**

##### **Article I. GENERAL**

###### **8.4.1: PURPOSE AND OWNERSHIP**

A. The City Council finds and declares that absent effective maintenance, operation, regulation, and control, the existing stormwater drainage conditions in all areas within the City constitute a potential hazard to the health, safety and general welfare of the City. The City Council further finds that natural and manmade stormwater drainage facilities and conveyances constitute a stormwater drainage system and that effective improvement, regulation and control of stormwater through formation, by the City, of a Stormwater Drainage Utility is required.

There is hereby created and established a Stormwater Drainage Utility. The utility will have the regulatory authority and responsibility for planning, design, construction, maintenance, operation, and administration of stormwater facilities within the City.

B. The City shall own all public stormwater facilities located in City Rights-of-Way and City property used for the conveyance of stormwaters through, under or over lands or watercourses, beginning at a point where the stormwaters first enter the stormwater system of the City and ending in each instance at a point where the stormwaters exit from the system.

C. Stormwater facilities located on City property that are identified in a maintenance agreement as provided through a subdivision or site plan approval process are considered private stormwater facilities, and will be the responsibility of the party(ies) identified in the maintenance agreement.

###### **8.4.2: DEFINITIONS**

A. For the purposes of Chapter 4 Stormwater Drainage, the following terms, phrases, and words shall mean:

“City” means City of Cody, a municipal corporation of the State of Wyoming.

“Council” means Cody City Council.

“County” means Park County.

“Customer” or “person” means any individual; public or private corporation and its officers; partnership; association; firm; trustee; executor of an estate; the state or its departments, institutions, bureaus, agencies; county; city; political subdivision; or any other governmental or legal entity recognized by law.

“Developed parcel” means any parcel whose surface has been altered by grading, filling, or construction of any improvement.

“Director” means the Public Works Director of the City of Cody or the Director’s designee.

“Equivalent residential unit (ERU)” means the amount of impervious surface area that is equal to that of an average single family residential parcel, and is equal to three thousand five hundred (3,500) square feet of impervious surface area.

“Impervious surface” means any hard surfaced area of a parcel that prevents the absorption or infiltration of stormwater into the underlying soil. The following surfaces shall be considered impervious: areas occupied by roofed structures, areas surfaced with concrete, areas surfaced with asphalt pavement, and any other surface type that exhibits similar runoff characteristics.

“Parcel” means the smallest, separately segregated unit of land having an owner. A parcel has boundaries and surface area, and is documented with a parcel identification number by Park County.

“Private stormwater facilities” means any facility, improvement, development or property made for controlling and conveying stormwater runoff located on private property, or any such facility located on City property that is subject to a maintenance agreement assigning maintenance and operation responsibility to a party other than the City.

“Public stormwater facilities” means any facility, improvement, development or property made for controlling and conveying stormwater runoff that is operated and maintained by the City.

“Semi-impervious surface” means any surface area of a parcel that retards the absorption or infiltration of stormwater into the underlying soil, or that causes stormwater to run off in greater quantities than it would from a natural surface in the same location. The following surfaces shall be considered semi-impervious: areas surfaced with road base, gravel, or similar aggregate mixture; natural dirt surfaces that are compacted to such a degree that they do not support vegetative cover on more than fifty percent of the surface area.

“Single family residential parcel” means any parcel of land containing a single-household or two-household dwelling unit provided that in the case of a two-household unit, the ownership is undivided.

“Stormwater” means water produced by storms, surface drainage, snow and ice melt, and other water handled by the stormwater system.

“Stormwater Drainage Utility” or “utility” means the utility created by this chapter which operates, maintains, regulates, improves and upgrades the stormwater facilities and programs within the City of Cody.

“Stormwater Drainage System” means all manmade stormwater facilities and conveyances, and natural stormwater systems including stream channels, drainage courses or similar that are maintained by the City and that store, control, and/or convey stormwater.

“Undeveloped parcel” means any parcel that has not been altered by grading, filling, or construction.

#### **8.4.3: ADMINISTRATION**

A. The Stormwater Drainage Utility shall be administered by the Public Works Director of the City of Cody.

B. The administrative services department shall provide for the general accounting of the Stormwater Drainage Utility enterprise fund. This fund shall be charged with all money derived from the sale of stormwater drainage bonds, from stormwater drainage utility rate and fee revenues, from special taxation (if any), sale of surplus Stormwater Drainage Utility materials, and for money that may be transferred from the general fund or any other fund of the City. This fund shall be credited for all authorized expenditures for the City’s Stormwater Drainage Utility.

**\*\* END OF CHAPTER 4, ARTICLE I \*\***

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

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer

## ORDINANCE 2022 - 08

### AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE II OF THE CODY CITY CODE TO ESTABLISH STORM DRAINAGE UTILITY CHARGES

Title 8, Chapter 4, Article II shall be hereby created in its entirety as follows and become effective September 1, 2022:

#### **TITLE 8, CHAPTER 4 – STORMWATER DRAINAGE**

#### **ARTICLE II. DETERMINATION OF CHARGES AND APPEAL OF CHARGES**

##### **8.4.4: USER CHARGE IMPOSED**

A. All persons responsible for impervious and semi-impervious surfaces within the City that contribute runoff to the stormwater system will be responsible for paying a stormwater user charge as set forth in the City's utility fee schedule as adopted and amended from time to time by the City Council.

B. The City will impose a monthly stormwater user charge on each parcel of real property served by a City utility account within the City except governmentally-owned streets. The user charges shall fund the administration, planning, design, construction, operation, maintenance, upgrade and repair of existing and future stormwater facilities.

##### **8.4.5: RATES**

A. Stormwater user charges shall be determined by multiplying the number of stormwater ERU's per parcel served by a City utility account by the stormwater base fee of five dollars (\$5.00) per month.

B. Residential utility accounts will be charged one (1) stormwater ERU.

C. Commercial utility accounts will be charged based on the following equation, with the minimum charge for commercial accounts being one (1) stormwater ERU:

$$\text{Account Parcel Size SqFt} \quad [\text{divided by}] \quad 7,000 \text{ SqFt} \quad [\text{equals}] \quad \# \text{ of stormwater ERU's} \\ (\text{whole number, rounded up above 0.5})$$

D. The maximum charge for a commercial utility account will be fifty (50) stormwater ERUs, regardless of the amount of stormwater ERU's determined by C. above.

##### **8.4.6: APPEAL OF STORMWATER ERU DETERMINATION**

A. Any commercial utility account customer who disagrees with the stormwater ERU determination for his or her parcel may apply to the Director for an adjustment to the charges. The request must state the grounds for the adjustment and must be filed in writing with the Director no later than thirty days after receipt of the billing. The Director shall review the request and basis for the stormwater ERU calculation to determine whether an adjustment is warranted. The Director may approve an adjustment to the stormwater ERU determination.

B. The request for adjustment shall contain the following information:

1. The name, address, phone number, email, and City account number of the commercial utility account customer submitting the appeal.
2. A site plan of the parcel served by the utility account identifying the total parcel size in square feet, and labeling the dimensions of the impervious area and semi-impervious areas identified in 3. and 4. below.
3. The total amount of impervious area (in square feet) on the parcel served by the utility account.
4. The total amount of semi-impervious area (in square feet) on the parcel served by the utility account.
5. The number of stormwater ERU's the customer believes should be assigned to the account using the equation shown in D. below.

C. Within thirty (30) days of receipt of the request, the Director shall perform a site visit and/or a review of aerial photography available, and shall evaluate the accuracy of the information provided, including the amounts of impervious area and semi-impervious area.

D. If the information provided is deemed accurate, the number of stormwater ERU’s will be calculated and verified by the Director as follows:

$$\left( (\text{Impervious Area SqFt}) [plus] (0.7 [times] \text{Semi-impervious Area SqFt}) \right) [divided by] 3,500 \text{ SqFt}$$
  
$$[equals] \text{ \# of stormwater ERUs (whole number, rounded up above 0.5)}$$

E. If the number of stormwater ERUs determined by D. above is less than the number of ERUs being charged at the time of the appeal, then billing for future user charges will be lowered. No credits will be given for previous charges billed or paid prior to the date of the Director’s determination.

F. If the number of stormwater ERUs determined by D. above is greater than the number of ERUs the being charged at the time of the appeal, then no change to future user charges will be made.

G. A written appeal of a Director’s determination may be made to the City Administrator within thirty (30) days after the date of the Director’s decision. The decision of the City Administrator shall be final.

\*\* END OF CHAPTER 4, ARTICLE II \*\*

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

PASSED ON FIRST READING: \_\_\_\_\_  
PASSED ON SECOND READING: \_\_\_\_\_  
PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:  
  
\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer



**ORDINANCE 2022 - 09**

**AN ORDINANCE CREATING TITLE 8, CHAPTER 4, ARTICLE III  
OF THE CODY CITY CODE TO ESTABLISH  
STORM DRAINAGE UTILITY ALLOWED DISCHARGES AND ENFORCEMENT**

Title 8, Chapter 4, Article III shall be hereby created in its entirety as follows and become effective September 1, 2022:

**TITLE 8, CHAPTER 4 – STORMWATER DRAINAGE**

**ARTICLE III. ALLOWED DISCHARGES, OBSTRUCTIONS, AND ENFORCEMENT**

**8.4.7: DUMPING INTO STORMWATER SYSTEM PROHIBITED**

The only substance allowed to be discharge under this chapter into the City’s stormwater system is stormwater, surface drainage, subsurface drainage, groundwater, roof runoff, or other nonpolluted water. Such water may be discharged only into stormwater facilities which have adequate capacity for the accommodation of such water as determined by the Director. Such discharged water shall comply with applicable local, state and federal regulations.

**8.4.8: OBSTRUCTION OF STORMWATER FLOW PROHIBITED**

It is unlawful for any person to obstruct or contribute to the obstruction of the flow of stormwater into any sump, retention basin, storm drain, curb and gutter, drain inlet, or other natural or man-made controls that convey stormwater and/or non-storm runoff, unless the obstruction is authorized in writing by the Director.

**8.4.9: ENFORCEMENT**

Failure to comply with any of the requirements of this chapter shall be a misdemeanor, enforced through a citation in municipal court, and subject to the penalties as provided by Wyoming law and the City of Cody Code. The provisions of this chapter may also be enforced by filing civil action in the appropriate Court having jurisdiction in Park County, Wyoming. The possibility of an administrative remedy pursuant to this code shall in no way interfere with or impair the City’s right to prosecute violations of this chapter as criminal offenses

**\*\* END OF CHAPTER 4, ARTICLE III \*\***

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

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_

PASSED ON THIRD READING: \_\_\_\_\_

\_\_\_\_\_  
Matt Hall, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Baker, Administrative Services Officer