City of Cody City Council

Tuesday, April 4, 2023 – 7:00 p.m.

(Pre-Meeting to begin at 6:53 p.m.to discuss agenda)

Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

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

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 March 21, 2023.
- b. Approve Vouchers and payroll in the amount of \$617,738.01.
- c. Approve the Stampede Parades on the 2nd, 3rd and 4th of July; sponsor the \$100 permit fee per parade; sponsor other associated staffing and equipment cost. Staff recommends approval of the request with the listed conditions noted on the agenda summary
- d. Authorize a request to reserve five parking spots on 12th Street directly in front of the Elks Lodge, on May 11th through May 13th in conjunction with the Wyoming Elks State Convention. (Elks will provide small, heavy weight, wind resistant signs and will not impede pedestrian traffic)
- e. Approve the request from Shirley Bentley, Cody Farmer's Market (CFM) to utilize the Bob Moore Parking Lot on Saturdays for the Months of May through October 2023. The event would take place 9 am to noon with the participants setting up no earlier than 7:30 a.m. to the start and tear down by 12:30 p.m. Staff recommends two modifications to the request; CFM would not operate on Saturday July 1, 2023 allowing the Cody Police Department to mobilize in Bob Moore Parking Lot for their command center for the parades, the second modification would be to request CFM to provide additional signage to distinguish the west entrance as closed, as well as, other areas along the east side of the expanded area to be identified as closed to traffic.
- f. Approve rescinding Bid 2022-05 to Fremont Motors Cody and refund full Bid Bond.
- g. Authorize, City Administrator, Barry Cook to sign the partial retainage release documents for the Wastewater Treatment Facility Phase Treatment Process Upgrade Project.
- 2. <u>Public Comments:</u> The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The

Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

3. Public Hearing

A Public Hearing to consider if it is in the public's interest to for the City to adopt amendments to City Code Title 10, Chapter 10, Articles C (Open Business/Light Industrial zone), E (Industrial Zone) and F (Heavy Industrial zone). The amendments primarily relate to better defining and classifying uses involving hazardous materials; requiring a conditional use review for proposed uses that have ongoing air quality, odor, or groundwater impacts; and, clarifying the review process(es) required for development on airport land.

4. Conduct of Business

a. Ordinance 2023-03 First Reading
 An Ordinance Amending Title 10, Chapter 10 Article C "Open Business/Light Industrial D-3 Districts" of the City of Cody Code Staff Reference: Todd Stowell, City Planner

b. Ordinance 2023-04 First Reading
 An Ordinance Amending Title 10, Chapter 10 Article E "Industrial E Districts" of the City of Cody Code
 Staff Reference: Todd Stowell, City Planner

- c. Ordinance 2023-05 First Reading
 An Ordinance Amending Title 10, Chapter 10 Article F "Heavy Industrial Districts" of the City of Cody Code
 Staff Reference: Todd Stowell, City Planner
- d. Consider approval of Task Order No 23-01 with Bowmen, Collins and Associates for Storm Drainage Modeling and Analysis of the Cooper Lane Drainage Ponds and authorize the Mayor to sign and execute all associated documents.

Staff Reference: Phillip Bowman, Public Works Director

- 5. <u>Tabled Items</u>
- 6. <u>Matters from Staff Members</u>
- 7. Matters from Council Members
- 8. Adjournment

Upcoming Meetings:

April 11, 2023 – Work Session 5:30 p.m. April 18, 2023 – Council Meeting 7:00 p.m. April 25, 2023 – Work Session 5:30 p.m.

City of Cody Council Proceedings Tuesday, March 21, 2023

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, March21, 2023 at 7:00 p.m.

Present: Council Members Jerry Fritz, Lee Ann Reiter, Kelly Tamblyn and Don F. Shreve Jr. and City Attorney Scott Kolpitcke and Cindy Baker, Administrative Services Officer.

Absent: Mayor Hall, Council Member, Andrew Quick, Emily Swett and City Administrator Barry Cook.

Council Member Reiter made a motion seconded by Council Member Shreve to appoint Council member Fritz as Presiding Officer for this meeting. Vote was unanimous.

Presiding Officer Fritz called the meeting to order at 7:00 p.m.

Presiding Officer Fritz adjourned the meeting at 7:12 p.m.

Council Member Tamblyn made a motion seconded by Council Member Reiter to approve the Consent Calendar as amended moving item "f" to conduct of business, approving other items which included Regular Minutes from March 7, 2023, Special Work Session from March 14, 2023, Vouchers and payroll in the amount of \$1,465,642.17, authorize the termination of the contract between the City of Cody and Olla Worldwide for custodial services, at the request of Olla Worldwide due to the sale of said business, authorize the Mayor to enter into and sign a contract between the City of Cody and Laban Harvest LLC for custodial services and authorize the Mayor to enter into and sign Memorandum of Agreements between the City of Cody and Cody Girls Softball Association, Cody Pride Softball, Cody Cubs Baseball, Cody Youth Baseball, Yellowstone Fire Soccer Association and Park County School District #6 for use of softball, baseball and/or soccer fields as noted in each MOU. Vote was unanimous.

Council Member Reiter made a motion seconded by Council Member Shreve to approve a request from Cody Fireworks Committee for the support of the July 4th 2023 fireworks event to fund \$5,000 out of FY22-23 General Fund Reserves and directed staff to budget another \$5,000 in FY23-24 Budget. Vote was unanimous

Council Member Tamblyn made a motion seconded by Council Member Reiter to approve Change Order#1 in the amount of \$1,375.00 for the Fire Suppression Project – Cody Auditorium and authorize the Mayor to sign the documents relating to this Change Order. Vote was unanimous.

Council Member Shreve made a motion seconded by Council Member Reiter to authorize the Mayor to enter into and sign an agreement with Point Architects to complete bid and construction documents for a bathroom facility at Mentock Park – Splash Pad with the consultant fee not to exceed \$19,000 for these professional services including the additional language to be added to the agreement noting May 31, 2023 as a deadline to have schematics available for Council review and bid documents within 60 days after the Council's approve contingent upon review by the City Attorney. Vote was unanimous.

		J	C	
Presiding	g Officer Fritz			Cindy Baker, Administrative Services Officer

CITY OF CODY ACCOUNTS PAYABLE Invoice Register - Payment Approval Report Input Dates: 3/1/2023 - 3/31/2023 Page: 1 Mar 28, 2023 12:08PM

Report Criteria:

Invoice Detail.Input date = 03/28/2023 Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
ALTITUDE RECYCLING EQUIPMENT (131480)	1			
	A5397	BALING WIRE	03/16/2023	3,200.00
Total:			_	3,200.00
Total ALTITUDE RECYCLING EQUIPMEN	NT (131480):		_	3,200.00
BIG CO (1190) BIG HORN REDI-MIX, INC	385618	30 YDS OF PEA GRAVEL	03/22/2023	300.00
Total:			_	300.00
Total BIG CO (1190):			_	300.00
BLUE CROSS BLUE SHIELD OF WYOMING (1	360) 230303413785	Premium April	03/03/2023	175,457.97
Total:			_	175,457.97
Total BLUE CROSS BLUE SHIELD OF W	YOMING (1360):		_	175,457.97
BRAGG PLUMBING AND HEATING INC (1277)	-	REPAIR CITY PARK MEN'S TOILET	01/23/2023	691.61
Total:			_	691.61
Total BRAGG PLUMBING AND HEATING	INC (127760):			691.61
EENTURY LINK (10091)	03192023	PHONE CHARGES - SCHOOL RESOURCE OFFICER	03/19/2023	48.87
Total :			_	48.87
Total CENTURY LINK (10091):			-	48.87
CODY CHAMBER OF COMMERCE (124707)			-	
	1002	2023 FIREWORKS SUPPORT	03/24/2023	5,000.00
Total:			_	5,000.00
Total CODY CHAMBER OF COMMERCE	(124707):		_	5,000.00
DAVIS, JAMES (133187)				
		ALTERNATE MUNICIPAL COURT JUDGE - MC-2211-019 ALTERNATE MUNICIPAL COURT JUDGE - MC-2212-004	03/14/2023 03/14/2023	58.33 66.00
Total :			_	124.33
Total DAVIS, JAMES (133187):			_	124.33
DEARBORN LIFE INSURANCE COMPANY (13	1563)		-	

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				424.20
Total DEARBORN LIFE INSURANC	CE COMPANY (131563):			424.20
ENGINEERING ASSOCIATES (4140)				
		PROJECT 14111-04 WWTF PHASE 2	03/24/2023	373.40
		PROJECT 14111-04 WWTF PHASE 2	03/24/2023	663.81
	4303051	ENGINEERING SERVICES - 26TH STREET & HOLLER AVENUE RAW WATER EXTENSION	03/24/2023	2,357.15
	4303063	ENGINEERING SERVICES - BEACON HILL WATER RIGHTS TRANSFER	03/24/2023	1,863.99
Total :				5,258.35
Total ENGINEERING ASSOCIATES	S (4140):			5,258.35
FREMONT MOTOR CODY INC (4370)	02202022	BID BOND RETURN 2022-05	03/20/2023	2 504 70
	03202023	BID BOND RETURN 2022-05	03/20/2023	2,594.70
Total :				2,594.70
Total FREMONT MOTOR CODY IN	C (4370):			2,594.70
GLOBE LIFE INC (133159)	4004500		00/45/0000	200.40
	1001529	premiums	03/15/2023	399.10
Total :				399.10
Total GLOBE LIFE INC (133159):				399.10
HEBRLEE, TRENT STEVEN (131832)				
HOTLINE ELECTRICAL SALES & SERV	29261	ITRON SOFTWARE UPGRADE	03/21/2023	1,500.00
Total :				1,500.00
Total HEBRLEE, TRENT STEVEN ((131832):			1,500.00
LOCAL GOVERNMENT LIABILITY POOL	L (6176)			
	14474	CLAIM AGAINST THE CITY	03/24/2023	4,265.00
Total :				4,265.00
Total LOCAL GOVERNMENT LIABI	ILITY POOL (6176):			4,265.00
LONE STAR ARMORY LLC (133186)				
		2 PATROL RIFLES FOR NEW OFFICERS PATROL RIFLES	08/15/2022 08/15/2022	3,422.00 8,555.00
Total :				11,977.00
Total LONE STAR ARMORY LLC (1	133186):			11,977.00
MCNEELY, LUKE (133181)	03152023	WITNESS FEES - MC-2211-019	03/15/2023	15.00
Total :				15.00

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Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total MCNEELY, LUKE (133181):				15.00
MYERS, JEFFREY DAVID (10830)				
WYOMING FIRE SAFETY, LC	0306023	Fire Extinguisher Maintenance	03/06/2023	7.00
WYOMING FIRE SAFETY, LC	0306023	Fire Extinguisher Maintenance	03/06/2023	241.00
WYOMING FIRE SAFETY, LC	0306023	Fire Extinguisher Maintenance	03/06/2023	7.00
WYOMING FIRE SAFETY, LC	0306023	Fire Extinguisher Maintenance	03/06/2023	21.00
WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance	03/06/2023	138.00
WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance	03/06/2023	177.00
WYOMING FIRE SAFETY, LC	0306023	3	03/06/2023	536.00
WYOMING FIRE SAFETY, LC	0306023		03/06/2023	222.00
WYOMING FIRE SAFETY, LC	0306023	3	03/06/2023	118.50
WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance	03/06/2023	118.50
WYOMING FIRE SAFETY, LC WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance Fire Extinguisher Maintenance	03/06/2023 03/06/2023	318.00 424.00
WYOMING FIRE SAFETY, LC	0306023	-	03/06/2023	66.00
WYOMING FIRE SAFETY, LC	0306023	3	03/06/2023	274.00
WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance	03/06/2023	137.00
WYOMING FIRE SAFETY, LC		Fire Extinguisher Maintenance	03/06/2023	137.00
Total :				2,942.00
Total MYERS, JEFFREY DAVID (10830):				2,942.00
OFFICE SHOP INC (7440)				
	233517	COPIER CONTRACT - POLICE DEPARTMENT	03/22/2023	816.02
		COPIER CONTRACT - CITY SHOP	03/22/2023	9.71
		COPIER CONTRACT - CITY SHOP	03/22/2023	9.71
		COPIER CONTRACT - CITY SHOP	03/22/2023	8.57
		COPIER CONTRACT - CITY SHOP	03/22/2023	9.71
		COPIER CONTRACT - CITY SHOP COPIER CONTRACT - CITY SHOP	03/22/2023 03/22/2023	9.71 9.73
	255510	COPIEN CONTRACT - CITT SHOP	03/22/2023	9.13
Total :			-	873.16
Total OFFICE SHOP INC (7440):				873.16
OTIS ELEVATOR COMPANY (129650)				
	100401044266	ELEVATOR INSPECTION - REC CENTER	02/01/2023	1,354.56
Total :				1,354.56
Total OTIS ELEVATOR COMPANY (1296	650):			1,354.56
PARK COUNTY ANIMAL SHELTER (5120)				
	04012023	ANIMAL SERVICE CONTRACT - APRIL 2023	04/01/2023	4,166.67
Total :				4,166.67
Total PARK COUNTY ANIMAL SHELTER	R (5120):			4,166.67
PARK DISTRICT COURT (132610)				
	3152023	GARNISHMENT Civil #29877	03/15/2023	196.97
Total :				196.97
Total PARK DISTRICT COURT (132610):				196.97
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ACCOUNTS PATABLE		Input Dates. 3/1/2023 - 3/31/2023		IVIAI 20, 2023 12.00F
Secondary Name	Invoice	Description	Invoice Date	Total Cost
PURCELL TIRE AND RUBBER COMPANY (13283) DBA: PURCELL TIRE AND SERVICE C		SANITATION TIRE	03/14/2023	881.60
Total :				881.60
Total PURCELL TIRE AND RUBBER COMP	ANY (132837):			881.60
REHM, TYLER (133182)				
	13.1545.45	UTILITY DEPOSIT REFUND	03/17/2023	161.73
Total:				161.73
Total REHM, TYLER (133182):				161.73
RIMROCK TIRE INC (8530)	2-232912	SANITATION TIRE REPAIR	03/13/2023	165.95
Total :				165.95
Total RIMROCK TIRE INC (8530):				165.95
ROBERSON, BENJAMIN G (132687) SQUAD ROOM EMBLEMS	0204	BADGES FOR NEW OFFICERS	03/09/2023	1,155.00
Total :				1,155.00
Total ROBERSON, BENJAMIN G (132687):				1,155.00
ROCKY MOUNTAIN POWER (7570)				
		UTILITIES UTILITIES	03/21/2023 03/21/2023	28.48 311.23
Total :				339.71
Total ROCKY MOUNTAIN POWER (7570):				339.71
SAGE CIVIL ENGINEERING (124355)				
		PINTAIL STREET TO C STREET DESIGN	03/17/2023	2,595.00
	3487 3488	CONSTRUCTION DETAILS DRAFTING PROJECT 29TH STREET PATHWAY	03/17/2023 03/17/2023	3,310.00 2,990.00
Total :				8,895.00
Total SAGE CIVIL ENGINEERING (124355):				8,895.00
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS		OUTSOURCE BILLS	02/09/2023	6.44
ADVANCED INFO SYSTEMS	16053		02/09/2023	40.77
ADVANCED INFO SYSTEMS	16053		02/09/2023	36.48
ADVANCED INFO SYSTEMS	16053		02/09/2023	36.48 47.20
ADVANCED INFO SYSTEMS	16053		02/09/2023	47.20 47.10
ADVANCED INFO SYSTEMS	16053		02/09/2023	47.19
ADVANCED INFO SYSTEMS	16092		03/22/2023	11.65
ADVANCED INFO SYSTEMS		OUTSOURCE BILLS	03/22/2023	73.76
ADVANCED INFO SYSTEMS	16092		03/22/2023	65.99
ADVANCED INFO SYSTEMS		OUTSOURCE BILLS	03/22/2023	65.99
ADVANCED INFO SYSTEMS		OUTSOURCE BILLS	03/22/2023	85.40
ADVANCED INFO SYSTEMS	16092	OUTSOURCE BILLS	03/22/2023	85.40

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Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :			-	602.75
Total SYSTEMS GRAPHICS INC (129	9162):		_	602.75
UTILITY TRANSFORMER BROKERS LLC ((132007)			
	3708	150kVA, 480/277 TRANSFORMER	03/14/2023	14,976.00
Total :			_	14,976.00
Total UTILITY TRANSFORMER BROK	KERS LLC (132007):			14,976.00
WELLS FARGO COMMERICAL CARD (132	2565)			
	03232023	markers, binder, hooks	03/23/2023	17.66
	03232023	notebook	03/23/2023	2.24
	03232023	lighters	03/23/2023	5.82
	03232023	binder	03/23/2023	3.92
	03232023	cleaning rags	03/23/2023	3.98
	03232023	disposal cleaner	03/23/2023	3.78
	03232023	AED Batteries	03/23/2023	539.97
	03232023	APWA Conference Lodging Deposit	03/23/2023	21.97
	03232023	APWA Conference Lodging Deposit	03/23/2023	13.52
	03232023	APWA Conference Lodging Deposit	03/23/2023	49.01
		APWA Conference Lodging Deposit	03/23/2023	49.01
		APWA Conference Lodging Deposit	03/23/2023	35.49
		shovel,sprayer	03/23/2023	151.98
	03232023	hardware	03/23/2023	30.94
		frame for art work for Mayor	03/23/2023	25.34
		Car wash	03/23/2023	9.00
		gloves and glass cleaner	03/23/2023	10.48
		random testing	03/23/2023	115.50
	03232023	random testing	03/23/2023	90.50
		random testing	03/23/2023	90.50
	03232023	random testing	03/23/2023	90.50
		5	03/23/2023	283.22
		UPS shipping		
	03232023	Clothing	03/23/2023	121.95
	03232023	Restroom painting Mentock	03/23/2023	249.29
		sound bars	03/23/2023	94.68
		Mail Water Plans	03/23/2023	9.65
		Sanitation shirts	03/23/2023	275.35
		Hedger repair	03/23/2023	51.00
		stool for front desk	03/23/2023	43.68
	03232023		03/23/2023	13.00
		Challenge Academy - Meal	03/23/2023	20.76
	03232023	•	03/23/2023	3.49
		Inner duty belt C04	03/23/2023	27.99
	03232023	Challenge Academy - Meal	03/23/2023	11.21
	03232023	monitors	03/23/2023	315.46
	03232023	Sanitation shirts	03/23/2023	127.96
	03232023	C06 parts	03/23/2023	22.48
	03232023	spade bit	03/23/2023	3.87
	03232023	Park maint	03/23/2023	14.95
	03232023	C08 core return	03/23/2023	375.00-
	03232023	Duty Boots C04	03/23/2023	242.99
	03232023	fasteners	03/23/2023	38.17
		KOM & Tiny Tots	03/23/2023	377.52
		frame for artwork for Mayor	03/23/2023	59.58
		APWA Rocky Mountain Chapter Event	03/23/2023	34.00
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APUAR Pocky Mountain Chapter Event 03222023 80.0 0323023 APUAR Rocky Mountain Chapter Event 03222023 31.0 0323023 APUAR ROCKY Mountain Chapter 03222023 31.0 0323023 APUAR ROCKY Mountain Chapter Event	Secondary Name	Invoice	Description	Invoice Date	Total Cost
89.302023 APVA Rocky Mountain Chapter Event		03232023	APWA Rocky Mountain Chapter Event	03/23/2023	23.00
APMA Roady Mountain Chapter Event 0,923/20/23 518,			-	03/23/2023	80.00
03230203		03232023	APWA Rocky Mountain Chapter Event	03/23/2023	80.00
03220223 Car wash 03232023 59.00		03232023	APWA Rocky Mountain Chapter Event	03/23/2023	58.00
03222023 Car wash 03/23/2023 31.0		03232023	Sanitation shirts	03/23/2023	133.96
GS220223 SPORDER GS23023 31.6		03232023	Duty Holsters	03/23/2023	130.72
3032023 SAPKOM 0323/2023 38.8		03232023	Car wash	03/23/2023	9.00
03232023 Sales Tax CREDIT 03232023 244 54 54 54 54 54 54 5		03232023	propane	03/23/2023	31.03
0323023		03232023	ASAP/KOM	03/23/2023	38.23
03232023 ASAPIKOM 03/23/2023 93.5 k		03232023	Sales Tax CREDIT	03/23/2023	6.42-
03232023 candy for swim lessons 03/23/2023 9.6 03232023 ASAP/KOM 03/23/2023 6.1 03232023 ASAP/KOM 03/23/2023 14.9 03232023 Clothing 03/23/2023 14.9 03232023 meeting supplies 03/23/2023 15.1 03232023 1**Poly pipe 03/23/2023 15.1 03232023 1**Poly pipe 03/23/2023 17.2 03232023 1**Clothing 03/23/2023 17.2 03232023 1**Clothing 03/23/2023 19.4 03232023 1**Clothing 03/23/2023 19.4 03232023 1**Clothing 03/23/2023 19.4 03232023 1**Clothing 03/23/2023 19.4 03232023 1**Clothing 03/23/2023 19.2 03232023 1**Clothing<					244.90
03232023 ASAPRKOM 03/23/2023 6.6 03232023 Clothing 03/23/2023 149.9 03232023 Clothing 03/23/2023 149.9 03232023 Meeting supplies 03/23/2023 6.8 03232023 Cleaning supplies 03/23/2023 51.6 03232023 I** poly pipe 03/23/2023 6.4 03232023 Clothing 03/23/2023 17.2 03232023 Cividing 03/23/2023 19.4 03232023 Cividing 03/23/2023 6.9 03232023 Cividing 03/23/2023 6.9 03232023 Cividing 03/23/2023 6.9 03232023 Cividence boxes 03/23/2023 6.9 03232023 Cividence boxes 03/23/2023 4.9 03232023 Cividence boxes 03/23/2023 4.9 03232023 Cividence boxes 03/23/2023 4.9 03232023 Ju/Evidence to Lab 03/23/2023 4.9 03232023 Ju/Evidence to Lab 03/23/2023 7.5 03232023 Ju/Evidenc					35.89
0323022					9.99
03232023 149.1					6.89
03232023 Meeting supplies 03/23/2023 14.6					20.91
ASAP/KOM			•		
03232023 1					14.99
03232023 1"" poly pipe 03/23/2023 64.6 03232023 nuts and bolts 03/23/2023 17.3 03232023 Clothing 03/23/2023 134.5 03232023 Evidence boxes 03/23/2023 69.5 03232023 nuts and bolts, tape 03/23/2023 9.1 03232023 Car wash 03/23/2023 4.4 03232023 Car wash 03/23/2023 4.4 03232023 Gar wash 03/23/2023 4.9 03232023 Gar wash 03/23/2023 4.9 03232023 Breakroom supplies 03/23/2023 79.5 03232023 Mouse pads, keyboards w/ mice 03/23/2023 73.2 03232023 Mouse pads, keyboards w/ mice 03/23/2023 195.0 03232023 SAP/IKOM staff shirts 03/23/2023 195.0 03232023 SAP/IKOM staff shirts 03/23/2023 345.6 03232023 Evidence tape, rifle boxes 03/23/2023 12.5 03232023 Evidence tape, rifle boxes 03/23/2023 12.5 03232023 KOM supplies 03/23/2023 <td></td> <td></td> <td></td> <td></td> <td>6.98</td>					6.98
03232023 nuts and bolts 03/23/2023 17.2 03232023 Clothing 03/23/2023 134.5 03232023 Evidence boxes 03/23/2023 104.5 03232023 Car wash 03/23/2023 9.6 03232023 Car wash 03/23/2023 23.0 03232023 grinder 03/23/2023 79.9 03232023 JA/Evidence to Lab 03/23/2023 7.3 03232023 Mouse pads, keyboards w/ mice 03/23/2023 13.8 03232023 Mouse pads, keyboards w/ mice 03/23/2023 29.3 03232023 Sanitation Boots 03/23/2023 345.0 03232023 ASAP/KOM staff shirts 03/23/2023 345.0 03232023 Breakroom Table 03/23/2023 345.0 03232023 Welder cord 03/23/2023 214.4 03232023 Echeristical per, rifle boxes 03/23/2023 12.5 03232023 Cable fasteners 03/23/2023 12.5 03232023 Cable fasteners 03/23/2023 12.5 03232023 Coly sustom Vest Carrier C17 03/23/			5		
03232023 Clothing 03/23/2023 134.5 03232023 Evidence boxes 03/23/2023 60.5 03232023 Car wash 03/23/2023 9.0 03232023 tuts and botls, tape 03/23/2023 23.0 03232023 grinder 03/23/2023 79.9 03232023 breakroom supplies 03/23/2023 77.3 03232023 MAE-vidence to Lab 03/23/2023 73.2 03232023 Mouse pads, keyboards w/ mice 03/23/2023 138.6 03232023 Sanitation Boots 03/23/2023 195.6 03232023 ASAP/KOM staff shirts 03/23/2023 349.6 03232023 Breakroom Table 03/23/2023 349.6 03232023 Breakroom Table 03/23/2023 12.6 03232023 Evidence tape, rifle boxes 03/23/2023 12.6 03232023 Evidence to tape, rifle boxes 03/23/2023 12.6 03232023 Evidence to tape, rifle boxes 03/23/2023 12.6 03232023 Clarenes 03/23/2023 12.5 03232023 Clarenes 03					
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03232023 Mouse pads, keyboards w/ mice 03/23/2023 139.8 03232023 tarp, broom, bolts 03/23/2023 29.3 03232023 Sanitation Boots 03/23/2023 195.0 03232023 ASAP/KOM staff shirts 03/23/2023 345.0 03232023 Breakroom Table 03/23/2023 540.0 03232023 Evidence tape, rifle boxes 03/23/2023 214.4 03232023 Evidence tape, rifle boxes 03/23/2023 12.5 03232023 fasteners 03/23/2023 12.5 03232023 ELECTRICAL PERMIT 03/23/2023 320.8 03232023 KOM supplies 03/23/2023 21.5 03232023 City Hall Workstation Remodel Supplies 03/23/2023 32.6 03232023 Office Chair 03/23/2023 159.8 03232023 Hydrant stem return 03/23/2023 287.0 03232023 Work light 03/23/2023 159.8 03232023 Work light 03/23/2023 159.8					7.38
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03232023 cable fasteners 03/23/2023 12.9 03232023 fasteners 03/23/2023 12.9 03232023 ELECTRICAL PERMIT 03/23/2023 320.8 03232023 KOM supplies 03/23/2023 320.8 03232023 ASAP/KOM 03/23/2023 21.9 03232023 City Hall Workstation Remodel Supplies 03/23/2023 43.0 03232023 Custom Vest Carrier C17 03/23/2023 332.0 03232023 Office Chair 03/23/2023 159.9 03232023 F02 parts 03/23/2023 95.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.9		03232023	Welder cord	03/23/2023	540.09
03232023 fasteners 03/23/2023 12.9 03232023 ELECTRICAL PERMIT 03/23/2023 40.0 03232023 KOM supplies 03/23/2023 320.8 03232023 ASAP/KOM 03/23/2023 21.9 03232023 City Hall Workstation Remodel Supplies 03/23/2023 43.0 03232023 Custom Vest Carrier C17 03/23/2023 332.0 03232023 Office Chair 03/23/2023 159.5 03232023 F02 parts 03/23/2023 95.0 03232023 Hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.9		03232023	Evidence tape, rifle boxes	03/23/2023	214.42
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03232023 KOM supplies 03/23/2023 320.6 03232023 ASAP/KOM 03/23/2023 21.5 03232023 City Hall Workstation Remodel Supplies 03/23/2023 43.0 03232023 Custom Vest Carrier C17 03/23/2023 332.0 03232023 Office Chair 03/23/2023 159.5 03232023 F02 parts 03/23/2023 9.5 03232023 hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.5					12.99
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03232023 City Hall Workstation Remodel Supplies 03/23/2023 43.0 03232023 Custom Vest Carrier C17 03/23/2023 332.0 03232023 Office Chair 03/23/2023 159.6 03232023 F02 parts 03/23/2023 9.5 03232023 hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.9			• •		320.89
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03232023 Office Chair 03/23/2023 159.9 03232023 F02 parts 03/23/2023 9.9 03232023 hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.9					43.08
03232023 F02 parts 03/23/2023 9.5 03232023 hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.5					332.00
03232023 hydrant stem return 03/23/2023 287.0 03232023 Leadership course 03/23/2023 95.0 03232023 Work light 03/23/2023 15.9					
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03232023 Work light 03/23/2023 15.8					
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03/23/2023 B1/8/15 plow parts 03/23/2023 750 F			G	03/23/2023	759.57
···					31.87
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·					58.12
					185.97
					76.23-
					34.97
·			•		44.44
					404.92
				03/23/2023	28.90

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	Paint	03/23/2023	23.84
	03232023	Utilities	03/23/2023	417.46
	03232023	Utilities	03/23/2023	.09
	03232023	Utilities	03/23/2023	5.46
	03232023	Utilities	03/23/2023	1,149.47
	03232023	Utilities	03/23/2023	13,354.58
	03232023	Utilities	03/23/2023	137.60
	03232023	breathing barrier for CPR	03/23/2023	57.98
	03232023	F02 parts	03/23/2023	38.95
	03232023	return latches G19	03/23/2023	190.90-
	03232023	liquor license ads	03/23/2023	459.00
	03232023	vacancy Ad	03/23/2023	36.36
		vacancy Ad	03/23/2023	86.40
	03232023	vacancy Ad	03/23/2023	89.60
	03232023	vacancy Ad	03/23/2023	158.00
		vacancy Ad	03/23/2023	48.00
			03/23/2023	48.00
		vacancy Ad	03/23/2023	48.00
	03232023		03/23/2023	301.00
		Rec marketing	03/23/2023	400.00
		minutes and other legal ad	03/23/2023	2,368.80
	03232023		03/23/2023	9.16
	03232023		03/23/2023	14.39
	03232023		03/23/2023	26.55
	03232023		03/23/2023	11.00
	03232023	hand cleaner, grease fitting	03/23/2023	26.92
	03232023	sprayer	03/23/2023	13.99
	03232023		03/23/2023	9.00
		Challenge Academy -	03/23/2023	9.00
		Shop supplies	03/23/2023	5.16
	03232023		03/23/2023	9.00
		Greenhouse media	03/23/2023	9.99
		Shop supplies	03/23/2023	34.99
		wam conference items	03/23/2023	599.80
	03232023	Duty boots C25	03/23/2023 03/23/2023	190.00 6.00
		Index tabs	03/23/2023	25.24
	03232023		03/23/2023	9.00
		chain saw repair parts	03/23/2023	82.98
		Cell phone case C31	03/23/2023	22.85
		Cell phone cases	03/23/2023	45.70
		Greenhouse thermometer	03/23/2023	25.98
		Rolling storage cart	03/23/2023	44.99
	03232023		03/23/2023	7.43
	03232023		03/23/2023	3,238.41
	03232023		03/23/2023	1.10
	03232023		03/23/2023	2,794.83
	03232023		03/23/2023	14.12
	03232023		03/23/2023	817.15
	03232023		03/23/2023	904.69
	03232023	Utilities	03/23/2023	529.63
	03232023	Utilities	03/23/2023	678.96
	03232023	Utilities	03/23/2023	11.90
	03232023	Utilities	03/23/2023	16.87
	03232023	Utilities	03/23/2023	5,182.38
	03232023	Utilities	03/23/2023	5,178.35
	03232023	Utilities	03/23/2023	16.00
	03232023	Utilities	03/23/2023	482.37

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	Utilities	03/23/2023	11.90
	03232023	Utilities	03/23/2023	2,899.69
	03232023	Utilities	03/23/2023	11.90
	03232023	Utilities	03/23/2023	1,632.21
	03232023	Utilities	03/23/2023	11.90
	03232023	Utilities	03/23/2023	45.45
	03232023	Utilities	03/23/2023	641.32
	03232023	Utilities	03/23/2023	11.90
	03232023	Utilities	03/23/2023	1,260.61
	03232023	Utilities	03/23/2023	1,260.61
	03232023	meal	03/23/2023	38.96
	03232023	Demolition permit	03/23/2023	40.00
	03232023	I03 parts	03/23/2023	2,355.51
	03232023	Guest Passes	03/23/2023	125.00
	03232023	Mower	03/23/2023	400.00
	03232023	Mower	03/23/2023	119.00
	03232023	propane	03/23/2023	23.50
	03232023	AICP and APA Membership Dues	03/23/2023	570.00
	03232023	Utilities	03/23/2023	41.26
	03232023	Utilities	03/23/2023	41.26
	03232023	Utilities	03/23/2023	20.43
	03232023	Utilities	03/23/2023	122.53
	03232023	Utilities	03/23/2023	41.26
	03232023	Utilities	03/23/2023	41.26
	03232023	Utilities	03/23/2023	710.50
	03232023	Utilities	03/23/2023	165.04
	03232023	Utilities	03/23/2023	32.18
	03232023	Utilities	03/23/2023	105.89
	03232023	Utilities	03/23/2023	592.79
	03232023	Utilities	03/23/2023	48.20
	03232023	Utilities	03/23/2023	242.56
	03232023	Utilities	03/23/2023	40.01
	03232023	Utilities	03/23/2023	70.03
	03232023	Utilities	03/23/2023	141.46
	03232023	Utilities	03/23/2023	233.59
	03232023	Utilities	03/23/2023	40.01
	03232023	Utilities	03/23/2023	41.26
	03232023	Utilities	03/23/2023	41.26
	03232023		03/23/2023	13.62
	03232023		03/23/2023	132.31
	03232023		03/23/2023	13.07
	03232023		03/23/2023	13.62
	03232023		03/23/2023	96.17
	03232023		03/23/2023	52.06
	03232023		03/23/2023	14.03
	03232023		03/23/2023	96.17
	03232023		03/23/2023	36.15
	03232023		03/23/2023	297.08
	03232023		03/23/2023	137.01
	03232023		03/23/2023	13.00
		Class Casper	03/23/2023	190.00
		Packing supplies	03/23/2023	32.56
	03232023	job fair for aquatics programs	03/23/2023	7.25
		job fair for rec programs	03/23/2023	7.24
	03232023		03/23/2023	25.99
		Trailer Tape	03/23/2023	197.46
	03232023		03/23/2023	9.00
	03232023	Breakroom supplies	03/23/2023	254.98

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	Food for training and promotional process	03/23/2023	92.54
		Car wash	03/23/2023	6.72
	03232023	door stops	03/23/2023	11.94
	03232023	jelly beans for eggstravangza	03/23/2023	24.86
	03232023	Utilities	03/23/2023	80.45
	03232023	Utilities	03/23/2023	87.99
	03232023	Utilities	03/23/2023	1,618.10
	03232023	Utilities	03/23/2023	56.45
	03232023		03/23/2023	194.43
	03232023	Utilities	03/23/2023	543.05
	03232023	Utilities	03/23/2023	543.05
	03232023	Utilities	03/23/2023	72.40
	03232023	Utilities	03/23/2023	87.99 104.43
	03232023 03232023	Utilities Utilities	03/23/2023 03/23/2023	194.43 159.00
	03232023	Utilities	03/23/2023	200.33
	03232023	Utilities	03/23/2023	98.35
	03232023	Utilities	03/23/2023	89.50
	03232023	phone case	03/23/2023	25.49
		Food for promotional testing	03/23/2023	96.78
	03232023	UA/Evidence to Lab	03/23/2023	7.38
	03232023	nuts and bolts	03/23/2023	32.98
	03232023	work boots	03/23/2023	146.99
	03232023	swim goggles	03/23/2023	64.13
	03232023	WYOPASS Membership	03/23/2023	55.00
	03232023	apc network	03/23/2023	310.24
	03232023	Screen protector	03/23/2023	7.96
	03232023	Screen protectors	03/23/2023	15.92
		random drug test	03/23/2023	181.00
	03232023	propane	03/23/2023	25.50
	03232023	Paper towels, baggies	03/23/2023	44.69
	03232023	propane refund	03/23/2023	26.52-
	03232023	gaskets	03/23/2023	15.75
		hydrant stem	03/23/2023	308.84
	03232023 03232023	repair clamp, gakets	03/23/2023	340.45 26.52
	03232023	propane propane bottle	03/23/2023 03/23/2023	4.99
		apc network ups	03/23/2023	599.99
		light bulbs for rec center	03/23/2023	74.02
		Mower wheels	03/23/2023	32.87-
		Snow removal	03/23/2023	189.25
	03232023		03/23/2023	79.90
	03232023	cleaner and towels	03/23/2023	46.19
	03232023	Shop supplies	03/23/2023	9.99
	03232023	coffee, sugar, water	03/23/2023	44.70
	03232023	light bulbs for Aud	03/23/2023	141.90
	03232023	Greenhouse	03/23/2023	38.98
	03232023	Field paint	03/23/2023	147.36
	03232023	Legion bases	03/23/2023	150.48
	03232023		03/23/2023	111.23
		Risk assessments	03/23/2023	145.52
	03232023		03/23/2023	17.99
		battery, filte, regulator	03/23/2023	568.08
		filter B35 I03 I06	03/23/2023	57.30
	03232023		03/23/2023	5.29 5.20
	03232023	filter and oil J28	03/23/2023 03/23/2023	5.29 19.87
		filter, spark plug, Wipers, Fuel Separato	03/23/2023	138.31
	03232023	, spain plag, rripers, i dei oeparato	00/20/2020	100.01

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	filter C06	03/23/2023	43.40
		filter B34 B36	03/23/2023	10.58
	03232023		03/23/2023	5.29
	03232023	filter E06, met pad E06	03/23/2023	50.43
		labels, utility blades	03/23/2023	8.68
	03232023	lights for A101	03/23/2023	435.90
	03232023	Mower wheels	03/23/2023	32.87
	03232023	photo eyes	03/23/2023	330.60
	03232023	Dry gas bottles to Chem Testing	03/23/2023	36.08
	03232023	Sterile swabs	03/23/2023	69.36
	03232023	ARPA reporting software	03/23/2023	37.80
	03232023	ARPA reporting software	03/23/2023	138.60
	03232023	ARPA reporting software	03/23/2023	25.20
	03232023	ARPA reporting software	03/23/2023	12.60
	03232023	ARPA reporting software	03/23/2023	12.60
	03232023	ARPA reporting software	03/23/2023	113.40
	03232023	ARPA reporting software	03/23/2023	37.80
	03232023	ARPA reporting software	03/23/2023	25.20
	03232023	ARPA reporting software	03/23/2023	12.60
	03232023	ARPA reporting software	03/23/2023	88.20
	03232023	ARPA reporting software	03/23/2023	201.60
	03232023	ARPA reporting software	03/23/2023	151.20
	03232023	ARPA reporting software	03/23/2023	403.20
	03232023	Knack database annual subscription	03/23/2023	89.70
	03232023	Knack database annual subscription	03/23/2023	328.90
	03232023	Knack database annual subscription	03/23/2023	59.80
	03232023	Knack database annual subscription	03/23/2023	29.90
	03232023	Knack database annual subscription	03/23/2023	29.90
	03232023	Knack database annual subscription	03/23/2023	269.10
	03232023	Knack database annual subscription	03/23/2023	89.70
	03232023	Knack database annual subscription	03/23/2023	59.80
	03232023	•	03/23/2023	29.90
		Knack database annual subscription	03/23/2023	209.30
		Knack database annual subscription	03/23/2023	478.40
	03232023	'	03/23/2023	358.80
	03232023	'	03/23/2023	956.80
	03232023	•	03/23/2023	4.00
	03232023	Index tabs	03/23/2023	37.74
	03232023		03/23/2023	31.99
		subscription for software for flyers	03/23/2023	119.99
	03232023		03/23/2023	56.54
		Insite Diagnostic Software	03/23/2023	166.18
	03232023	•	03/23/2023	276.91
	03232023 03232023	5	03/23/2023	55.37 221.54
		3	03/23/2023	14.98
	03232023	Painting supplies Custom Vest Carrier C13	03/23/2023 03/23/2023	301.00
	03232023		03/23/2023	172.82-
		Credit for Incorrect Charge VM Software	03/23/2023	287.99-
		Credit for Incorrect Charge VM Software	03/23/2023	57.58-
		Credit for Incorrect Charge VM Software	03/23/2023	230.41-
		marketing ads -	03/23/2023	240.00
	03232023	-	03/23/2023	103.80
		Duty shirts; Class A pants	03/23/2023	643.23
	03232023		03/23/2023	325.65
	03232023		03/23/2023	42.56
		Uniform embroidery C27, C28	03/23/2023	76.00
		Misc for in-car system servicing	03/23/2023	29.81
		,		

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	Car wash	03/23/2023	9.00
	03232023	swim caps for resale	03/23/2023	157.85
	03232023	Car wash	03/23/2023	9.00
	03232023	check valves and meter couplers	03/23/2023	1,459.20
	03232023	hydrant stem	03/23/2023	287.03
	03232023	piece for vacuum	03/23/2023	68.32
	03232023	custodial supplies	03/23/2023	445.48
	03232023	custodial supplies	03/23/2023	445.48
	03232023	custodial supplies	03/23/2023	445.48
	03232023	custodial supplies	03/23/2023	445.50
	03232023	latches G19	03/23/2023	295.28
		HDMI cable adapter, screws	03/23/2023	76.05
	03232023	Office supplies	03/23/2023	11.99
	03232023		03/23/2023	232.31
		hub cap B10	03/23/2023	73.99
	03232023	UA/Evidence to Lab	03/23/2023	7.38
	03232023	Batteries	03/23/2023	10.99
	03232023	C01 Car wash	03/23/2023	13.00
		Glade for bathrooms	03/23/2023	39.44
	03232023	chemicals and reagents	03/23/2023	209.00
	03232023	pool chemicals and reagents	03/23/2023	209.00
	03232023	Index Tabs	03/23/2023	42.42
	03232023 03232023	GrantWatch Annual Subscription	03/23/2023	199.00 104.25
	03232023	utility billing tech vacancy solid waste vacancy	03/23/2023 03/23/2023	173.00
	03232023	rec vacancy	03/23/2023	62.00
		facilities staff vacancy	03/23/2023	77.25
		seasonal vacancy	03/23/2023	40.00
		seasonal vacancy	03/23/2023	40.00
	03232023	seasonal vacancy	03/23/2023	40.00
	03232023	paint	03/23/2023	390.00
	03232023	•	03/23/2023	47.16
	03232023	phillips bit	03/23/2023	2.49
		Cleaning	03/23/2023	49.70
	03232023	Membership Dues	03/23/2023	50.00
	03232023	C08 brake parts	03/23/2023	553.01
	03232023	Car wash	03/23/2023	9.00
	03232023	Air Purifier Filter	03/23/2023	79.95
	03232023	Supplies for Auditorium	03/23/2023	47.97
	03232023	Car wash	03/23/2023	9.00
	03232023	dry erase board	03/23/2023	97.62
	03232023	Utilities	03/23/2023	354.23
	03232023	Utilities	03/23/2023	3.76
	03232023	Nuts, bolts, screws	03/23/2023	5.96
	03232023	Cable	03/23/2023	27.99
		Membership Fees	03/23/2023	150.00
		Printer Toner	03/23/2023	83.89
		parking fee	03/23/2023	41.50
		air fare - USNS CODY - Christening	03/23/2023	610.59
	03232023	Disney Plus for ASAP	03/23/2023	10.99
		community cpr	03/23/2023	36.00
		Greenhouse	03/23/2023	63.10
		repairs to rec center counter tops	03/23/2023	8.59
		sonicwall firewall	03/23/2023	2,000.00
		sonicwall firewall	03/23/2023	1,103.78
		Greenhouse	03/23/2023	47.99 9.99
		Repair sink at Rec shipping to repair pool equipment	03/23/2023 03/23/2023	9.99 150.84
	03232023	anipping to rebail boot editibilient	03/23/2023	150.64

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	03232023	Journals	03/23/2023	8.88
	03232023	Greenhouse	03/23/2023	15.98
	03232023	meals	03/23/2023	77.70
	03232023	Eggstravangza and Shamrock events	03/23/2023	96.98
	03232023	plaques for USNS Cody	03/23/2023	271.70
	03232023	spotify	03/23/2023	15.99
	03232023	SSDs, Dock	03/23/2023	237.88
	03232023	extra luggage or over weight fee	03/23/2023	30.00
	03232023	Duty pants C10	03/23/2023	216.48
	03232023	Shop supplies	03/23/2023	8.49
	03232023	white board	03/23/2023	35.96
	03232023	resource books	03/23/2023	154.63
	03232023	Duty gloves C12	03/23/2023	45.00
	03232023	Uniform Laundering C16	03/23/2023	11.30
	03232023	resource book	03/23/2023	22.96
	03232023	KOM Kow	03/23/2023	33.58
	03232023	switch	03/23/2023	44.99
	03232023	Eggstravangza and Shamrock events	03/23/2023	241.7
	03232023		03/23/2023	17.9
	03232023	WSPA CONFERENCE RICK	03/23/2023	87.5
	03232023	WSPA CONFERNCE - RICK	03/23/2023	87.5
	03232023	heater for CO2 room	03/23/2023	169.9
	03232023	extra luggage for over weight fee	03/23/2023	30.0
		backup camera B10	03/23/2023	213.2
	03232023	•	03/23/2023	7.5
	03232023		03/23/2023	384.7
		coffee pot cleaner	03/23/2023	3.9
		daily planner calender	03/23/2023	13.9
		desk organizers	03/23/2023	152.5
		coffee filters	03/23/2023	16.7
		Bolts B14	03/23/2023	23.3
		paint brush	03/23/2023	8.3
		cpr pocket masks	03/23/2023	57.7
			03/23/2023	120.0
		heater for aquatics CO2 room		137.1
	03232023	Shooting muffs	03/23/2023 03/23/2023	
	03232023	time management and windows server 2022 admin	03/23/2023	59.6
	0222002	books	03/23/2023	64.2
		H03 parts Eggstravangza supplies	03/23/2023	467.3
		vinyl paper	03/23/2023	13.4
	03232023	viriyi papei	_	
Total :			_	96,084.3
Total WELLS FARGO COMMERICAL	CARD (132565):		_	96,084.30
OMING CONFERENCE OF MUNICIPAL	. COURTS (127688)			
	03152023	CONFERENCE REGISTRATION - JUDGE AND CLERK	03/15/2023	150.0
Total :				150.0
Total WYOMING CONFERENCE OF	MUNICIPAL COURTS (12	27688):	_	150.0
LOWSTONE ELECTRIC INC (133040)			_	
(135040)	37511	LIFT STATION REPAIRS	02/23/2023	1,124.6
Total :			_	1,124.6
			_	4 404 6
Total YELLOWSTONE ELECTRIC INC	C (133040)·			1,124.6

CITY OF CODY ACCOUNTS PAYABLE Invoice Register - Payment Approval Report Input Dates: 3/1/2023 - 3/31/2023

Mar 2

Page: 13 Mar 28, 2023 12:09PM

 Secondary Name
 Invoice
 Description
 Invoice Date
 Total Cost

 Grand Totals:
 Payroll
 03/26/2023
 272,411.81

 Total
 617,738.01

MEETING DATE: APRIL 4, 2023

DEPARTMENT: ADMIN

PREPARED BY: CINDY BAKER, ASO DEPT. DIR. APPROVAL: 4/4/2023 CITY ADM. APPROVAL:

PRESENTED BY: CINDY BAKER

AGENDA ITEM SUMMARY REPORT 2023 Street Closure Request for the July 2nd, 3rd and 4th Cody Stampede Parades

BACKGROUND

The Cody Stampede Parade Committee is a group of local volunteers who direct and produce our annual 4th of July parades. The 2023 Committee is seeking authorization to hold the Cody Stampede Kiddies' Parade on Saturday, July 2, 2023, and the Stampede Pardes on Sunday, July 3rd, and again on Monday July 4th 2023.

SUMMARY

The Cody Stampede Parade Committee is requesting specific street closures to accommodate each parade.

Requested Street Closures for Kiddies' Parade on Saturday, July 2, 2023

- Requesting that Sheridan Avenue be closed from 14th Street to 10th Street.
- With a closed "staging area" on 14th St and Rumsey.

Requested Street Closures for Stampede Parades on Sunday and Monday, July 3rd and 4th, 2023.

- Requesting that 8th Street be closed from Canyon Avenue to Sheridan Avenue.
- Requesting that 17th Street be closed from Alger Avenue to Sheridan Avenue.
- Requesting that Cody Avenue be closed from 8th Street to 10th Street
- Requesting that Sheridan Avenue be closed from 17th Street to 8th Street.

NOTE: A map depicting the parade routes and traffic plan is attached (refer to the below listed attachments).

Requested Hours of Closure for Kiddies' Parade on Saturday, July 2, 2023:

- The entire parade route will be shut down at 09:30 hrs.
- The parades will commence at 10:00 hrs.
- The parade route will remain closed until the last parade entry exits the parade route.

Requested Hours of Closure for Stampede Parades on Sunday and Monday, July 3rd and 4th, 2023.

- The entire parade route will be shut down at 08:45 hrs.
- The parades will commence at 09:30 hrs.
- The parade route will remain closed until the last parade entry exits the parade route.

AGENDA ITEM NO.	A(3EN	NDA	ITEM	NO.	
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Additional Requests:

- The Stampede Parade Committee requests that vehicles left within the parade route after the closure of the streets be towed at the owner's expense.
- Street closures and traffic detours will be coordinated with the City of Cody Police Department and Streets Department.
- The Mayor is authorized to sign the WYDOT Application for Special Event Permit on behalf of the City of Cody.

FISCAL IMPACT

 Through City Sponsorship, the \$100.00 parade fee for each parade to be waived along with the other associated staffing and equipment costs in the amount determined and approved during the FY22-23 budget process.

ALTERNATIVES

None

RECOMMENDATION

Staff recommends approval of the request with the listed conditions;

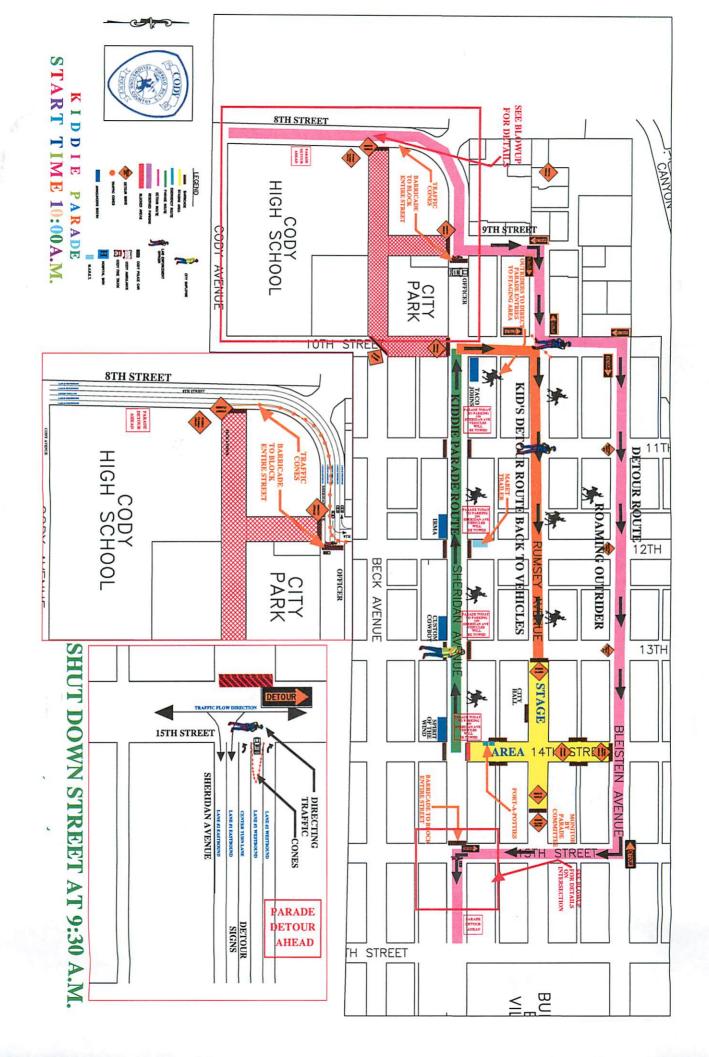
- A designated member of the Cody Stampede Parade Committee will identify each entry to the
 parade that intends to discharge blanks munitions during the parade. The Committee member
 will provide each of those entries a copy of the Conditions letter for discharging firearms and
 obtain signatures agreeing to the conditions. The finalized document will be provided to
 the Chief of Police prior to the parades.
- A designated member of the Cody Stampede Parade Committee will provide City Streets Supervisor Rob Kramer with a list of Volunteers to assist with street closures along the parade route.

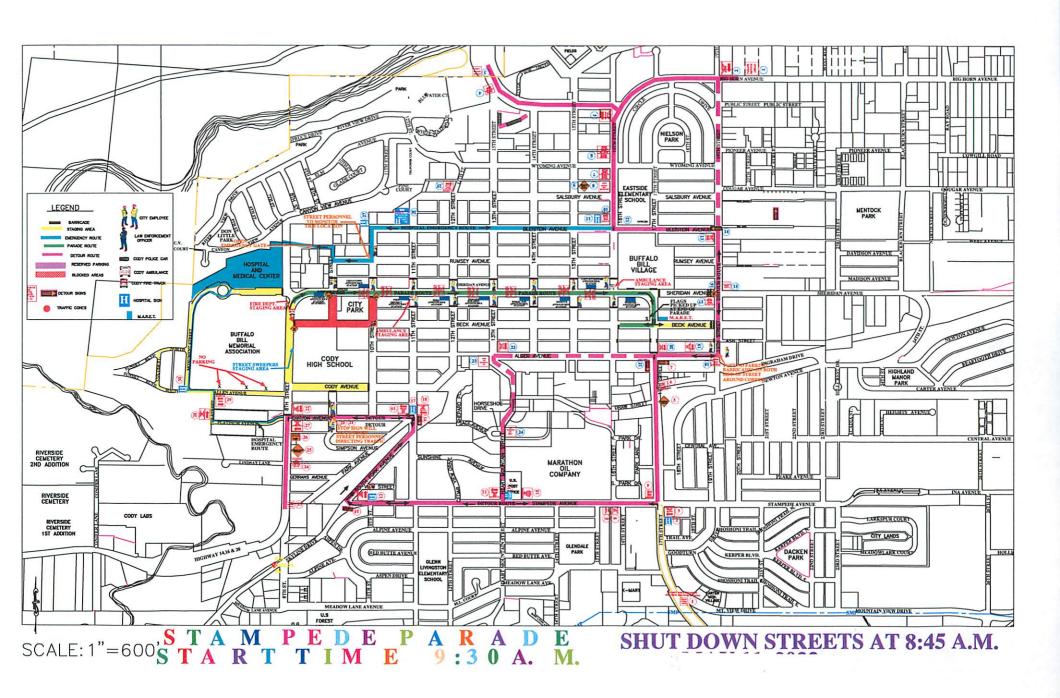
ATTACHMENTS

- 1. WYDOT Application for Special Event Permit
- 2. Parade Route and Traffic Plans

AGENDA & SUMMARY REPORT TO:

Mack Frost, Stampede Board President







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 or provide additional information. Some requests 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, preferably at least 14 days prior to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval. Council packets are prepared in advance prior to Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council Mack Frost Organization Represented Cody Stampede Parade Committee Date you wish to appear before the Council_April 11th, 2023 Telephone 307-899-3648 Email Address mcfrost69@gmail.com Names of all individuals who will speak on this topic Mack Frost Event Title (if applicable)_ Cody Stampede Parades Date(s) of Event (if applicable) July 2nd, 3rd & 4th, 2023 Location of Event (if applicable) Sheridan Avenue from 8th Street to 17th Street 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) Seeking permission to produce the annual Cody Stampede Parades on July 2nd, 3rd & 4th, 2023 on Sheridan Avenue in Cody. The Kiddies' Parade July 2nd will close Sheridan Ave. from 14th St. to 10th St. from 9:30 AM to 10:30M and run from 10:00 AM to approximately 10:30 AM. The Stampede Parades July 3rd & 4th will close Sheridan from 8th St. to 17th St. from 9:00 AM to Approximately 11:30 AM. They start at 9:30 AM and run to about 11:30 AM. Closures will be co-ordinated with the City of Cody Police Dept. and Street Dept. / Which City employee(s) have you spoken to about this issue? Police Chief Chuck Baker Signature has f. Hard Date March 13th, 2023

M-75A REV 11/2014



WYOMING DEPARTMENT OF TRANSPORTATION Special Event Application

APPLICATION

Event Name Cody Stampede Parades		<u> </u>	Event Date	07/02/23
Type of Event: Parades on Sheridan Av	enue in Cody	Cauc Tala	ri I-mi	
Event Director or Organizer Stampede Par	ade Committee	L Tie The LOS	Telephone 30	7-899-3648
Address PO Box 2327, Cody, WY 824		Links and		t69@gmail.com
Club Affiliation or Sponsor Cody Stamped		tee Estimated		
Course Information: ☐ Total closure ☐ Par	tial closure □ Rema	in open to traf	fic (Check appropriate	box(s) (Explain in Event Description)
_{I (we)} Cody Stampede Parade Commi	ttee	hereb	y make applica	tion for a special permit
upon the right-of-way of: highway US 14-16-20	between milepost			
highway				
highway				
highway_ on July 2, 3, and 4, 2023	between milepost			11:30 AM
I (we) agree to strictly conform to t agreements, stipulations and provisions co regulations of the Wyoming Department o ordinances.	ntained in the appli	cation and pe	rmit, in Chapt	er XXIII rules and
EVENT DESCRIPTION (Attach event map): Cod				x 1 > 1 1
July 2nd: Kiddies' Parade that runs We				
July 3 & 4: Main Parades that run Eas	t from 8th Street to	17th Street	on Sheridan	Avenue
				- 1
				<u> </u>
	140	. 2	w i	

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

M-75A REV 11/2014

Cody Stampede Parade Committee, by Mack H. Frost, Pres.

Name (Please Print)

WYOMING DEPARTMENT OF TRANSPORTATION Special Event Application

APPLICATION

PO Box 2327

Address

Permittee must provide a certificate of insurance as evidence of an existing Comprehensive or Commercial General Liability Policy, including contractual liability coverage, with limits not less than \$500,000.00 combined single limit for all claims arising out of a single accident or occurrence.

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

Cody, WY 82414
City, State and Zip
307-899-3648
Telephone
government if the closure restricts the use of any road,
Approved by county if applicable
Name/Title (Please Print)
Signature/Title
Date
Address
City, State and Zip
Telephone



City of Cody Agenda Request Form



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Name of person to appear before the Council Bob Senitte and Tim McIsaac
Organization Represented Cody Elks Lodge #1611
Date you wish to appear before the Council 3/14/23 4/4/23 Email Address elkswytreasurer@gmail.com Telephone (307) 899-9209
Email Address elkswytreasurer@gmail.com Telephone (307) 899-9209
Names of all individuals who will speak on this topic Bob Senitte & Tim McIsaac
Event Title (if applicable) WY Elks Association State Meeting
Date(s) of Event (if applicable) 5/11/23 thru 5/13/23
Location of Event (if applicable) Cody Elks Lodge, 1202 Beck Ave, Cody WY
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) We would like to place signs at the
curb on 12th Street to reserve five (5) parking slots for some of our State Officers and out-of-town guests that will be
attending the State Meeting. This has been a practice that has been approved by the City of Cody for many of the State
Meetings that Cody Lodge 1611 has hosted in the past several years. Thank you for your considersation on this
request.
Which City employee(s) have you spoken to about this issue? City Council Member Jerry Fritz
Signature R. L. Switte Date 2128723 3/15/23

MEETING DATE: APRIL 4, 2023

DEPARTMENT: ADMINISTRATIVE SERVICES

PREPARED BY: CINDY BAKER
PRESENTED BY: CINDY BAKER

AGENDA ITEM SUMMARY REPORT

Cody Farmer's Market/Festival - Bob Moore Parking Lot

ACTION TO BE TAKEN

Consider a request from Shirley Bentley, Cody Farmer's Market (CFM) to utilize the Bob Moore Parking Lot on Saturdays for the Months of May through October 2023. The event would take place 9 am to noon with the participants setting up no earlier than 7:30 a.m. to the start and tear down by 12:30 p.m. Approval would include the normal vendors. Staff recommends two modifications to the request; CFM would not operate on Saturday July 1, 2023 allowing the Cody Police Department to mobilize in Bob Moore Parking lot for their command center for the parades, the second modification would be to request CFM to provide additional signage to distinguish the west entrance as closed, as well as, other areas along the east side of the expanded area to be identified as closed to traffic.

SUMMARY OF INFORMATION

Over the past several years Cody Farmer's Market pays for an Event Permit and is authorized to utilize the Bob Moore Parking Lot on Saturday's (May through Oct) to hold a weekly Farmers Market. The group is requesting to utilize the same location for 2023, but would be expanding their set up further east in the parking lot

FISCAL IMPACT

No Fiscal Impact as the CFM coordinates all activities with the vendors participating. \$200.00 event permit for calendar year 2032 for this location.

RECOMMENDATION

- 1. Approve request
- 2. Deny request
- 3. Approve with modifications

ATTACHMENTS

City of Cody Agenda Request Forms, Liability insurance for event and Map outlining location of activities.

AGENDA & SUMMARY REPORT TO:

Shirley Bentley - Truegrace.eph2@gmail.com



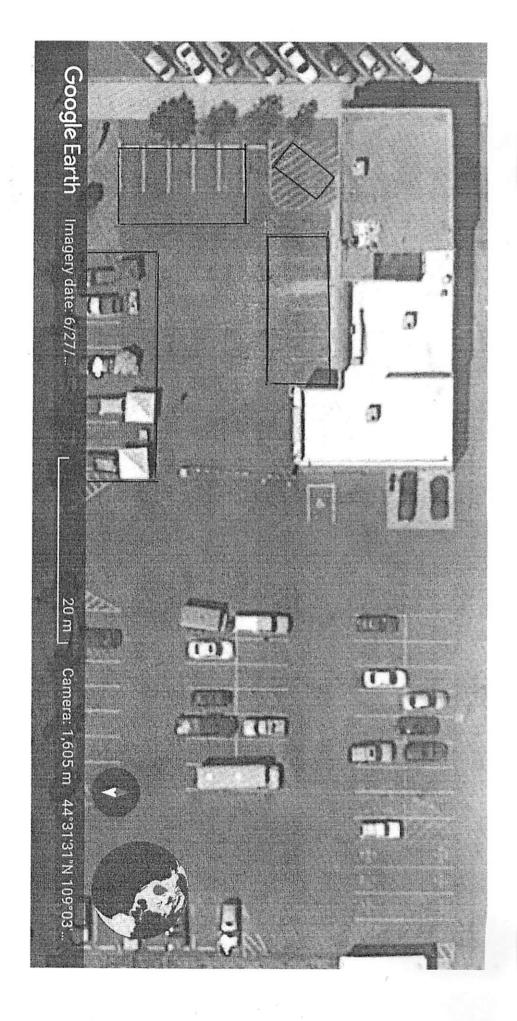
City of Cody Agenda Request Form



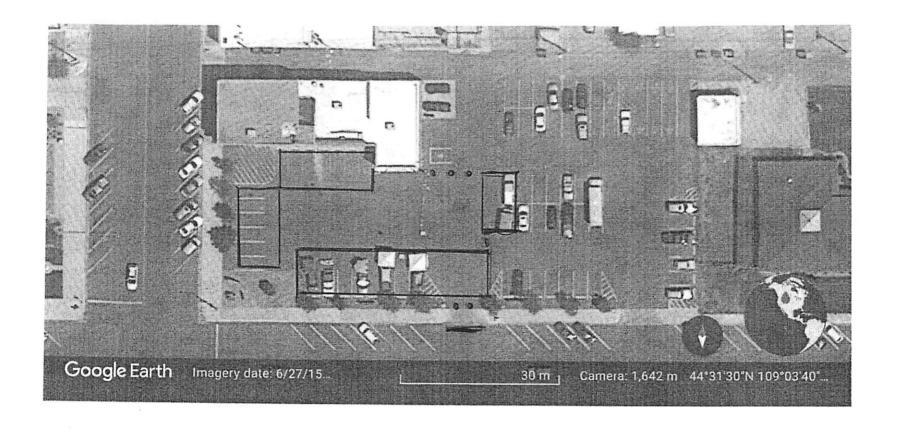
In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns or provide additional information. Some requests 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, preferably at least 14 days prior to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval. Council packets are prepared in advance prior to Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council Shirley Bentley Cody Farmers Market Organization Represented Date you wish to appear before the Council March 27 Email Address truegrace eph 20 amail. om Telephone 307 645-3229 Names of all individuals who will speak on this topic Shirley Bentley Event Title (if applicable) Cody Farmers Market Date(s) of Event (if applicable) May - September 2023, Saturdays Location of Event (if applicable) Parking lot east of Bob Moore Lot 13th & 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) Due to the Farmers Market's growth, we would like to expand our market space to include the southwest driveway area and the Bob Moore parking lot, from 7:30 am to 12:30 pm. If this is not an option we request the use of just the Bob Moore parking lot as we have in the past. For the sake of safety, can more "no overnight parking" signs be placed around the Bob Moore parking Thank you for your consideration. Which City employee(s) have you spoken to about this issue? Date Signature



The smallest rectangle represents 2 vendor canopies. The three largest represent vendors and their vehicles.



Each rectangle represents vendors and their vehicles. We would like to extend the southern vendor area to include the driveway and add 3 vendors there and 2 more in the eastern rectangle. The vendors could drive into the market area from the north. Customers could walk into the market from the north or from an opening to the east. The southeast driveway and northern driveway would remain open.

MEETING DATE: APRIL 4, 2023

DEPARTMENT: PUBLIC WORKS - WASTEWATER
PREPARED BY: PHILLIP M. BOWMAN, P.E.
PRESENTED BY: PHILLIP M. BOWMAN, P.E.

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AGENDA ITEM SUMMARY REPORT

Consider Rescinding the Award of Bid No. 2022-05

ACTION TO BE TAKEN

Consider Rescinding the Award of Bid No. 2022-05 previously approved by City Council on July 19, 2022, and returning the bid bond amount of \$2,594.70 to Freemont Motor Cody.

SUMMARY OF INFORMATION

The approved FY 2022 Budget included funding for a new cargo van and CCTV pipe inspection system for primary use by the Wastewater Division and the support of other public works divisions. This purchase will replace the City's current CCTV system that is contained in a 1998 van with CCTV equipment that is outdated and no longer supported by the original manufacturer. Bid No. 2022-01 was awarded to Normont Equipment on April 19, 2022 for a new CCTV equipment and upfitting installation package in the amount of \$186,096.00, and following that Bid No. 2022-05 was awarded to Fremont Motor Cody on July 19, 2022 for the purchase of a new Ford R3X 250 Cargo Van in the amount of \$52,800.00.

Upon award, Freemont Motor Cody anticipated securing a build slot for the cargo van in late calendar year 2022 using the government fleet discount pricing program. Freemont Motor Cody was <u>not</u> able to secure a build slot in the government discount program in 2022 due to Ford modifying the rules of the program, and has recently been notified that their first opportunity to apply for a government discount build slot will be December of 2023. With the resultant cargo van delivery time of approximately nine months (or longer) from now and the anticipated upfitting and build time for Normont Equipment of approximately three months, the City will not receive the new and completed CCTV system until one year from now or later. The City's existing CCTV system is starting to fail and will likely not function for another year, so City Staff has investigated other options for securing a cargo van only.

City Staff recommends rescinding Bid No. 2022-05 and returning the full bid bond amount of \$2,594.70 to Freemont Motor Cody. City Staff has discussed this with Freemont Motor Cody staff, and they have agreed to rescinding this award if the full bid bond amount is returned. Following this action, City Staff will re-advertise the cargo van for bid with a defined delivery time of approximately 30 days (i.e., a cargo van currently in a dealer's inventory and <u>not</u> subject to the uncertainties of attaining a new vehicle build slot). The bids received are anticipated to be higher than the current award amount of \$52,800, and will be reviewed and compared the the City's available budget for this vehicle purchase. City Staff will then present a recommended action based on the bids received for City Council consideration at a future date.

FISCAL IMPACT

This action will authorize the release of the full bid bond amount of \$2,594.70 to Freemont Motor Cody. Given the uncertainties of the vehicle purchase market at this time, it is anticipated that re-bidding the purchase of the cargo van will result in a higher bid price being received. City Staff believes this higher price could be justified in order to secure the CCTV system sooner than what is currently available through Bid No. 2022-05.

ATTACHMENTS

1. Original Agenda Item Packet and support documents for Bid 2022-05 (previously approved on July 19, 2022)

MEETING DATE: JULY 19, 2022

DEPARTMENT: PUBLIC WORKS - WASTEWATER

PREPARED BY: ROB KRAMER

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

AGENDA ITEM SUMMARY REPORT

Bid 2022-05 for (1) New 2023 or Newer Transit Cargo Van

ACTION TO BE TAKEN

Consider awarding Bid 2022-05 to Fremont Motor Cody for one new transit cargo van in the not to exceed amount of \$52,800.

SUMMARY OF INFORMATION

The approved FY 2022 Budget included funding for a new cargo van to be upfitted with a CCTV pipe inspection system for use within the Wastewater Division. This van will replace a 1998 Chevrolet cargo van, which will be sold at public auction.

Bid packets were sent to Denny Menholt, Fremont Motor Companies, Greiner Ford of Casper, and Ken Garff Automotive.

One bidder submitted one bid. This bid was opened at City Hall on July 12, 2022.

Fremont Motor Cody submitted one bid for a Ford R3X 250 Hi Roof ELWB Cargo Van in the amount of \$51,894.00.

Fremont Motor Casper and Fremont Motor Sheridan submitted letters of no bid.

It is noted that the Freemont Motor Cody bid did not check the "Rear heat and AC" on the vehicle specification checklist. Rob Kramer has discussed this with Freemont Motor Cody staff, and a separate roof mounted rear heat and AC unit can be added as an option on the factory vehicle build for approximately \$900. The requirement to have heat and AC in the rear of the van is critical to the long-term use of the unit, as this vehicle will be fitted with CCTV equipment with all operations and control taking place in the rear cargo area of the van. Therefore, it is City Staff's recommendation to add \$900 to the bid amount submitted to allow this option on the van, with a not to exceed amount of the award being \$52,800.

FISCAL IMPACT

The purchase of this equipment was funded in the approved FY 2022 Budget in the amount of \$35,000.00 within the Vehicle Replacement Fund. The extra amount of \$17,800 will be funded from excess Wastewater Fund cash and investments (i.e., reserves).

ALTERNATIVES

Approve or deny the award of Bid 2022-05 to Fremont Motor Cody for one new transit cargo van in the not to exceed amount of \$52,800.00.

ATTACHMENTS

1. Bid Packet 2022-05 completed by Fremont Motor Cody

AGENDA & SUMMARY REPORT TO:

- Brent Silva, Fremont Motor Cody; bsilva@fremontmotors.com
- 2. Brett Osborne, Fremont Motor Casper and Fremont Motor Sheridan; bosborne@fremontmotors.com

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BID NO. 2022-05 (1) New 2023 or Newer Transit Cargo Van

DOCUMENTS INCLUDED IN PACKET FOR BID NO 2022-05

			Pa	<u>ages</u>
1.	ADVERTISEMENT FOR BID	(ON THIS PAGE, BELOW)	1	1
2.	INSTRUCTION SHEET			2
3.	BID PROPOSAL			3
4.	SPECIFICATIONS			4-5

For more information: City of Cody 307-587-2958

Bid No. 2022-05

(1) New 2023 or Newer Transit Cargo Van

The City of Cody will receive sealed bids until 2:00 p.m., 7/12/2022 at Cody City Hall, 1338 Rumsey Avenue, P.O. Box 2200, Cody, Wyoming 82414, for (1) New 2023 or Newer Transit Cargo Van. All bids will be opened and read aloud at this time. Full bid details and specifications are included in the bid packet available by emailing kylich@codywy.gov. Direct any questions to Rob Kramer at 587-2958, option 2.

The City reserves the right to reject any and/or all bids and further reserves the right to waive any informalities if deemed in the best interest of the City. No bid may be considered unless accompanied by the required bid guarantee of 5% of the total bid amount.

Dated this 22nd Day of June, 2022.

Cynthia Baker

Administrative Services Officer

PUBLISH: June 28th, 2022

July 5th, 2022



INSTRUCTIONS: (1) New 2023 or Newer Transit Cargo Van BID REQUEST NUMBER 2022-05

The Bidder agrees to provide (1) New 2023 or Newer Transit Cargo Van free and clear of all liens of any kind, pursuant to the specifications and invitation to bid. The bidder shall complete every space in the Bid 2022-05 City of Cody Specifications Form on page 4-5 to indicate that the item being bid is exactly as specified. All (no) responses shall be explained in detail on an attached sheet. Bids will be accepted for consideration on any make or model that is equal or superior to the specifications.

The bidder warrants that he has read and understands the requirements of the City of Cody, that he 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, dealer preparation, and all other costs 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 may reject any and all bids or make substitution, waive defects it deems unsubstantial in any bid, and that if an award is made, they will award the bid in the best interest of the City. Award of bid is subject to budget appropriation for this purchase.

In accordance with the provisions of Sections 16-6-101, 16-6-102 and 16-6-106 Volume 3, Title 9 of the Wyoming Complied Statutes, 1977, preference is hereby given to resident Wyoming Contractors and to materials, supplies, equipment, machinery and provisions produced, manufactured, supplied or grown in Wyoming, quality being equal to articles offered by competitors outside the state. Bidders claiming preference must submit evidence of WY residency as defined in WY Statute Section 16-6-101.

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.

All material provided under this bid shall be new and unused. Bid documents may be obtained from:

City of Cody P.O. Box 2200 1338 Rumsey Avenue Cody, Wyoming 82414 (307) 527-7511

Bids are to be sealed and addressed to the City of Cody, 1338 Rumsey Avenue, P.O. Box 2200, Cody, Wyoming 82414 and shall be marked "Bid No. 2022-05, (1) New 2023 or Newer Transit Cargo Van" on the outside of the envelope.

The sealed bids must be returned to the City of Cody no later than 2:00 p.m. 7/12/2022. The bid opening will be held at that time at City Hall. The City reserves the right to reject any and/or all bids and further reserves the right to waive any informalities if deemed in the best interest of the City.

Bid Proposal Form Bid No. 2022-05 (1) New 2023 or Newer Transit Cargo Van

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 Transit Cargo Van, 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. Envirosight Vehicle Build Center; 2070 North White Avenue, Laverne, California 91750 for upfitting, and following upfitting to 2101 9th Avenue NW, Great Falls, MT 59404.

Bid Schedule	Quantity	Unit	Total Price
Bid for:			s <u>51, 894</u>
Less trade if any:			\$()
Net Total Bid			s 51, 894

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 Tuly 8th 2002

Signature

Brent Silva

Typed or Printed Name

Fremont Motor Cody

Company

3122 Big Harn Ave

Mailing Address

Cody Wy 82414

City, State and Zip

Bilva & fremont Motors. Com

E-mail Address

City of Cody Specifications for (1) New Transit Cargo Van

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. New Transit Cargo Van, Long Extended Length with High Roof, RWD	X	
2. Wheel base: Minimum 147"	X	
3. Overall height: Minimum 110"	X	
4. Exterior color: White	\times	
5. Interior color: Dark Gray	X	
6. GVWR: 9,070lbs	X	
B. ENGINE AND POWER TRAIN		
1. Engine: 3.5L PFDi V6	X	
2. Engine block heater.	X	
3. Transmission: 10 speed automatic w/overdrive	X	
C. SUSPENSION & RUNNING GEAR		
1. Brakes: Four-wheel Anti-Lock Power Disc Brakes	X	
2. Wheels & Tires: (5) full size 16" on/off road All-Season wheels & tires.	X	
3. 4.10 Limited-slip axle ratio.	X	
D. ELECTRICAL SYSTEM		
1. Battery: Dual AGM	X	
2. Alternator: 250 amp	X	
3. Auxiliary fuse panel.	X	
4. Modified vehicle wiring system for body builder.	X	
E. BODY & CAB		_
1. Gauges/ Lights: Factory installed voltmeter, oil pressure and engine temp.	X	

BODY & CAB continued	YES	NO		
2. Dual outside rear view mirrors, power adjust.	X			
3. Windows: Power windows w/light tinted glass.	X			
4. Heater and air conditioner: Factory installed, high output.	X			
5. Rear heat and A/C.		X		
6. Windshield wipers: Multi-speed w/intermittent system.	X			
7. Radio: AM/FM stereo with dual USB ports and 4" multi-function display.		X i	2" Disp	lay
8. Door locks: Power door locks, $w/(4)$ sets of keys, and remote keyless entry.	X			
9. D pillar assist handles.	X			
10. Cloth bucket seats.	X			
11. Large center console.	X			
12. High capacity upfitter switches.	X			
13. Front vinyl flooring.	X			
14. Heavy-duty cargo flooring.	X			
15. Heavy-duty scuff plate.	X			
16. Cargo Access: Split Swing-Out	X			
17. Sliding rear passenger side door.	X			
18. Front and rear split view camera.	X			
19. Reverse and side sensing system.	X			
20. Back-up alarm.	X	Ш		
21. Front fog lamps.	X			
F. MISCELLANEOUS				
1. Full manufacturer's standard warranty.	X			
2. Dealer order form showing all equipment being bid.	X			
3. Operator's manual.	X			
4. Wyoming Residency Certificate				



Bid Proposal

ompany: CITY OF CODY			
ollipally. Cit i OF COD1			

Fleet Manager: BRENT SILVA / Brew Sille

Date	JULY 8 TH 20)22		
	Year	Make	Model	MSRP: \$55,205
Vehicle	2023	FORD	TRANSIT	DISC: \$3,311
VIN	TBD		Price	\$51,894
	Year	Make	Model	Mileage
Trade				
VIN			Price	
Additional Options				
	Price			
Warranty			E BUMPER TO E E POWERTRAIN	
	Price		INCLU	JDED
Total			\$51,894	

This bid is for 1 new 2023 Ford Transit C
is not liable for manufacturer delays, bu
supply chain issues no ETA has been p

Cargo Van built to specs. Dealer uild outs, or availability. Due to provided.



Preview Order 4242 - R3X 250 Hi Roof ELWB Cargo RWD: Order Summary Time of Preview: 07/08/2022 14:39:14

Dealership Name: Fremont Motor Cody, Inc.

Sales Code: F56403

MSRP \$55205

NA \$55205

Dealer Rep.	Brent Silva	Туре	Fleet	Vehicle Line	Transit	Order Code	4242
Customer Name	city of cody	Priority Code	L2	Model Year	2023	Price Level	315
DESCRIPTION		MSRP	DESCRIF	PTION			MSRP
R3X0 T250 HR CARGO	O RWD	\$48375	FRONT I	OG LAMPS			\$0
148" WHEELBASE		\$0	ELEC AIF	R TEMP CONTROL			\$0
TOTAL BASE VEHICLE	:	\$48375	SYNC 4	AM/FM BLUETOOTH	4		\$930
OXFORD WHITE		\$0	HD CAR	GO FLOOR COVERIN	IG		\$995
СГОТН		\$0	360-DE0	GREE CAMERA			\$1000
DARK PALAZZO GRAY	•	\$0	BLIND S	POT ASSIST 1.0			\$595
PREFERRED EQUIPM	ENT PKG.101A	\$0	D-PILLA	R ASSIST HANDLES			\$60
.XL TRIM		\$0	UPFITTE	R PACKAGE			\$610
3.5L PFDI V6 (GAS)		\$0	.MODIF	ED VEHICLE WIRING	G SYS		\$0
.10-SPEED TRANSMIS	SSION	\$0	.DUAL B	ATTERIES (70 AMP-	HR)		\$0
.235/65R16C BSW AI	LL-SEASON	\$0	.LARGE	CENTER CONSOLE			\$0
4.10 LIMITED SLIP AX	KLE	\$0	.AUXILIA	ARY FUSE PANEL			\$0
JOB #1 ORDER		\$0	HEAVY-I	OUTY SCUFF PLATE I	KIT		\$0
FRONT LICENSE PLAT	E BRACKET	\$0	2 ADDIT	IONAL KEYS			\$75
AUTO START STOP RE	EMOVAL	\$-50	SIDE SEI	NSING SYSTEM			\$480
9070# GVWR PACKA	GE	\$0	E-85 FLE	X FUEL CAPABLE			\$0
2WAY DRV/PASS PAL	AZZO CLOTH	\$11 5	SPECIAL	FLEET ACCOUNT C	REDIT		\$0
ENGINE BLOCK HEAT	ER (400W)	\$75	FUEL CH	IARGE			\$0
50 STATE EMISSIONS	i.	\$0	PRICED	DORA			\$0
BACK UP ALARM		\$150	ADVERT	ISING ASSESSMENT	•		\$0
REVERSE SENSING SY	YSTEM	\$0	DESTINA	ATION & DELIVERY	•		\$1795

ORDERING FIN: QQ117 END USER FIN: QQ117

Customer Email:

Customer Name:

TOTAL BASE AND OPTIONS

DISCOUNTS

TOTAL

MEETING DATE: APRIL 4, 2023

DEPARTMENT: PUBLIC WORKS - WASTEWATER
PREPARED BY: PHILLIP M. BOWMAN, P.E.
PRESENTED BY: PHILLIP M. BOWMAN, P.E.

P Bownson

AGENDA ITEM SUMMARY REPORT

Partial Retainage Release for the
Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project

ACTION TO BE TAKEN

Consider authorizing Barry A. Cook, City Administrator, to sign the partial retainage release document for the Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project.

SUMMARY OF INFORMATION

The City of Cody has deposited a total of \$489,879.18 into a retainage escrow account for Harris Trucking and Construction (HTC) on the Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project. The project's total contract amount is \$5,408,481.60, and the work completed to date is \$5,311,787.92 (approximately 98% complete). The full project is nearing substantial and final completion, with some repairs and treatment process refinements recently completed by HTC's subcontractors before a punch list walk is scheduled.

When the Notice of Award was issued to HTC in 2019 and the original contract executed, it was common practice for public agency project owners to hold 10% of the completed work as retainage. Since that time, the Wyoming Legislature has enacted statute that only allows public agencies to hold 5% retainage on projects such as this. The City of Cody held 10% retainage on work completed by HTC through November 2021, and has only held 5% retainage on work completed since that time. As a result, the City currently holds \$489,879.18 of retainage which represents 9.2% of the total work completed to date on the project.

Given that the total project is approximately 98% complete, HTC has requested a partial retainage release to lower the amount of retainage held to 5% of the work completed to date. The retainage amount proposed by HTC is \$265,589.40 (5% of \$5,311,787.92), and this would allow a <u>partial</u> retainage release in the amount of \$224,289.78.

The City's engineering consultant on the project, Engineering Associates (EA), has reviewed this request and believes it is reasonable per the memorandum attached. City Staff has reviewed the project status with EA and the information attached, and recommends approval of the partial retainage release in the amount of \$224,289.78.

The remaining retainage amount (\$265,589.40) and any additional retainage on work not yet completed will be held until the project is deemed substantially complete and goes through the final completion process including the required final retainage release advertising.

FISCAL IMPACT

None. The full amount of retainage has already been booked as an expense to the project and is currently held in an escrow account.

ATTACHMENTS

- 1. Memorandum from Engineering Associates
- 2. Retainage Release Form



ENGINEERING ASSOCIATES

A Wyoming Corporation
P.O. BOX 1900 ◆ 902 13TH
STREET
CODY, WYOMING 82414
307-587-4911 ◆ FAX 587-2596

MEMORANDUM

TO: Phillip Bowman, PE

City of Cody Cody, WY 82414

DATE: March 30, 2023

SUBJECT: CODY WWTF – PHASE 2 TREATMENT PROCESS UPGRADE

Retainage release to 5%

The overall construction completion is down to punch list items that need to be completed along with the continued fine tuning of the treatment process and repair of insulated cover hatches.

The UV system and Building were completed in the fall of 2020 and a partial substantial completion was issued on November 20, 2020. These components have been operated by the City since that time.

In reviewing the overall progress of the WWTF project at this time, it is reasonable to consider a partial release of retainage to 5%. Per pay estimate No. 27 the total work completed is \$5,311,787.92. Current contract price at this time is \$5,408,481.60. Based on the amount payable the project is 98.2% complete. This mirrors the construction completion that I have observed on site.

At this time the amount of retainage held is \$489,879.18. Retainage was reduced from 10% to 5% on pay estimate 20 in November 2021. Retainage based on 5% of the total work completed is \$265,589.40. This would allow \$224,289.78 to be released. The remaining \$265,589.40 is adequate retainage on the cover system and ideal treatment system as these are the largest remaining items to be completed.

Please call with any questions.

Sincerely,

ENGINEERING ASSOCIATES

Ian Sporkin-Morrison, PE

Project Manager

enc

cc: RAO; 14111.04 - const

RETAINAGE RELEASE

The undersigned representative of the Project	it Owner do hereby authorize
(Depository) to release <u>\$ 224,307.79</u> from
Account No , held in the name of	of Harris Trucking & Construction
(Contractor) for the <u>Cody WWTF - Phase 2 Treat</u>	ment Process Upgrade project
on or after <u>April 5, 2023</u> (date).	
PROJECT OWNER	
City of Cody, PO Box 2200, Cody WY 82414	
Barry A. Cook, City Administrator	Date
On this, the day of	. 2023. before me a notarv
public, the undersigned officer, personally appeared	
satisfactorily proven) to be the person whose name is	
instrument, and acknowledged that he executed the so contained.	ame for the purposes therein
In witness hereof, I hereunto set my hand and official s	seal.
Notary Public	
My Commission Expires:	

MEETING DATE: APRIL 4, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

PREPARED BY: TODD STOWELL

AGENDA ITEM SUMMARY REPORT

AMENDMENTS TO CITY OF CODY CODE TITLE 10, CHAPTER 10, ARTICLES C (OPEN BUSINESS/LIGHT INDUSTRIAL D-3 ZONE), E (INDUSTRIAL E ZONE), AND F (HEAVY INDUSTRIAL ZONE).

ORDINANCES 2023-03, -04, and -05

ACTION

After holding a public hearing, approve ordinances to amend the City of Cody Zoning Ordinance, Articles C, E, and F, as recommended by the Planning and Zoning Board. The amendments clarify language and requirements related to hazardous materials, place thresholds for environmental impacts that would trigger a conditional use review, and clarify site plan review processes for projects within the airport property.

BACKGROUND

The City advertised the formal public hearing to occur April 4, 2023 with the City Council at their regular meeting, and the opportunity to discuss the proposed amendments with the Planning and

Zoning Board at their March 14, 2023 meeting. Notice was published in the Cody Enterprise on March 7, 2023 and on the City website on March 6, 2023. In addition, a direct automated call and email was sent to everyone that has a utility account with such contact information, for the industrial areas along Road 2AB, Mountain View Drive, and the Stampede grounds, as these areas have the most potential to be affected by the amendments. The map of the notified areas is shown here. A combination of 235 calls and emails were attempted.



No comments were received at the Planning and Zoning Board meeting. As of the time of this staff report, we have not received any public comments.

The Planning and Zoning Board recommends adoption of the proposed amendments. The proposed amendments address three main topics. The first topic is to fix some language in the Open Business/Light Industrial (D-3) and Industrial (E) chapters that relates to whether a use can include the storage or handling of hazardous materials. The proposed language better defines and limits the hazardous materials restriction to "bulk" storage and handling situations, so that retail amounts are not precluded. In the D-3 zone, those uses that involve the bulk storage or handling of hazardous

Α	GEN	DA	ITEM	NO.	
			—		

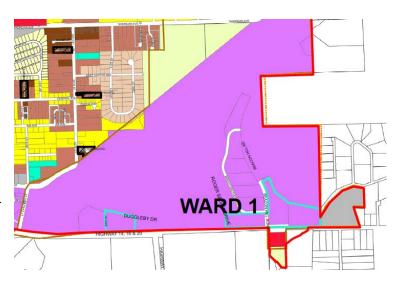
materials would continue to be prohibited, while in the Industrial E zone they would be classified as "conditional uses". The Heavy Industrial zone would not have the restriction at all. The building code has a clear distinction between the two categories, so that is the method used by reference in the proposed zoning ordinance language. The referenced citation in the proposed code contains a link that goes directly to the online building code, and is also provided here: Section 307.1.

Staff drafted the proposed amendment related to hazardous materials in an attempt to resolve the poor language that has plagued us in the past, and to structure the permitted/unpermitted determination and level of review based on the intended intensity of each zone. There are relatively few existing businesses in the City that would fall within the bulk storage category, and while many are located in an Industrial or Heavy Industrial zone, there are a few in the D-3 zone. Those few in the D-3 zone would be non-conforming with the proposed language, although technically they are already non-conforming with the existing language.

The second topic is to add a provision related to environmental impacts of uses to each of the three industrial zones. The proposed language would require a use that is otherwise permitted in the zone to be classified as a "conditional use" if the proposed use involves regular and ongoing air quality, odor, or groundwater quality impacts.

Staff drafted this proposed language based on the concept that a conditional use review requires neighbor notice and a public hearing, which allows opportunity for neighbor review and input in the permitting process. The conditional use review also provides increased authority for the City to require mitigation of the listed environmental impacts. In particular, staff is concerned that the "anything goes" nature of the industrial zoning districts could result in significant adverse environmental impacts to large portions of the community, if we do not adopt a more structured method to address those listed impacts.

A third topic, clarifies that development on airport land still requires a general site plan review, even if it qualifies for an exemption to the architectural and landscaping plan review. Site plan review considers grading, drainage, utilities, access, parking, lighting, etcetera, and is still applicable. Also, language is added to note that the airport architectural and landscaping plan exemption is not applicable if the project is located in an Entry Corridor Overlay zone, or if it involves development for non-airport/non-aviation purposes. The Entry Corridor Overlay in the area of the airport is shown on this map with the light blue lines.



A final change, found in 10-10C-2(C) simply corrects the code reference and name of the process required if one of the specified uses is located in the airport overlay.

All proposed amendments are shown in the attached documents using "track changes" in a blue color.

ALTERNATIVES:

- 1. Approve the amendments by ordinance, as recommended.
- 2. Amend any of the proposed amendments, and approve an amended ordinance.
- 3. Deny the proposed amendments.

FISCAL IMPACT

No direct impacts to the City budget have been identified, other than costs associated with advertising the ordinance and codifying the amendments, which costs are included in the approved budget.

RECOMMENDED MOTIONS:

Adopt Ordinance 2023-03 to amend Title 10, Chapter 10, Article C, Open Business/Light Industrial Zoning District, as indicated.

Adopt Ordinance 2023-04 to amend Title 10, Chapter 10, Article E, Industrial Zoning District, as indicated.

Adopt Ordinance 2023-05 to amend Title 10, Chapter 10, Article F, Heavy Industrial Zoning District, as indicated.

<u>ATTACHMENTS:</u>

Ordinances 2023-03, -04, and -05.

Α	GEND	A ITE	M NO.	

ORDINANCE 2023-03

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10, ARTICLE C "OPEN BUSINESS/LIGHT INDUSTRIAL D-3 DISTRICTS" OF THE CITY OF CODY CODE

WHEREAS, notice of the public hearing to consider the proposed ordinance was published in the Cody Enterprise on March 7, 2023, which notice advertised the public hearing to be held at the Council Meeting on April 4, 2023, and an additional opportunity to discuss the proposed amendments with the Planning and Zoning Board at their March 14, 2023 meeting;

WHEREAS, a public hearing was held on April 4, 2023, before the City Council, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance, and considered the Planning and Zoning Board recommendation;

WHEREAS, the Planning and Zoning Board recommends approval of the amendments to the zoning ordinance as specified herein;

WHEREAS, the governing body of the City of Cody has reviewed the proposed ordinance and public comments and finds that it is in the best interest of the public to adopt the proposed ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING:

Title 10, Chapter 10, Article C "Open Business/Light Industrial D-3 Zoning Districts", of the City of Cody Code is hereby amended to read as attached in Exhibit A.

Effective Date. This Ordinance shall become effective after final passage and

publication in the Cody Enterprise.

PASSED ON FIRST READING:

PASSED ON SECOND READING:

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING:

Matt Hall, Mayor

ATTEST:

Cynthia Baker, Administrative Services Officer

ARTICLE C. OPEN BUSINESS/LIGHT INDUSTRIAL D-3 DISTRICTS SECTION:

10-10C-1: PURPOSE AND INTENT:

It is the intent that the Open Business/<u>Light Industrial</u> D-3 District shall provide a zone for the conduct of commercial and business services not permitted within the D-2 Zone, and certain small light industrial uses. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

10-10C-2: USES PERMITTED:

No building or land shall be used and no building shall be erected or structurally altered <u>within</u> an Open <u>Business/Light Industrial (D-3) District</u> unless otherwise permitted herein, except for one (1) or more of the following uses:

- A. Any use permitted in the D-2 District.
- B. <u>Subject to 10-10C-3</u>, <u>Aa</u>nimal boarding kennels; boat building and repairs; cabinet shops; cleaning plants; cosmetic manufacturing; dairy product processing; heavy equipment sales and storage; livestock feed sales (no processing or manufacturing); contractor yards; animal hospitals; taxidermist shops; wireless communication facilities. Other similar uses may be permitted.
- C. <u>Subject to 10-1C-3</u>, <u>Dd</u>rive-in theaters; manufacturing of electronic components, instruments, jewelry, games, toys and pharmaceuticals; cold storage plants, meat processing plants, motion picture production studios, and furniture manufacturing or assembly facilities; provided, however, such uses in an area lying within the Airport Overlay Zone shall be subject to section <u>10-14-3</u>, "Airport Overlay Special Use Permits" <u>10-10C-6</u>, "Conditional Uses", of this article. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15; Ord. 2017-10, 4-13-2017)

10-10C-3: PROHIBITED AND CONDITIONAL USES:

- A. Uses and accessory uses specifically prohibited within a D-3 District are include grain elevators; and, the bulk storage and and handling of explosives, caustics, oxidizers, unstable flammable liquids, toxic or hazardous materials or substances. For the purposes of this provision, "bulk" shall mean quantities of such hazardous materials that would cause the activity to be classified as a "High Hazard Group H Occupancy", pursuant to the International Building Code (see IBC Section 307.1). (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)
- B. Uses listed under 10-10C-2(B) and (C) that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality operating permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irritating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that is anticipated to travel beyond the site boundary and cause a smell easily distinguished by occupants of other properties, other than resulting

from the operation of a motor vehicle. Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities permitted by WY DEQ and/or pursuant to the City of Cody Stormwater Management Policy.

10-10C-4: BUFFER ZONE:

Where any business or commercial district is adjacent to any residential district, there shall be provided on the business or commercial district a buffer zone with a visual screen. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

10-10C-5: ARCHITECTURE AND LANDSCAPING:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the Planning and Zoning Commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

10-10C-6: CONDITIONAL USES:

In accordance with chapter 14 of this title, the following uses shall be allowed only with the approval of a conditional use permit for all area lying within the Airport Overlay Zone: Drive in theaters; manufacturing of electronic components, instruments, jewelry, games, toys, and pharmaceuticals; cold storage plant; meat processing plant; motion picture production studio; furniture manufacturing or assembly facilities; and other similar uses. (1960 Compilation § 26-109; amd. Ord. 78-19; Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 89-15; Ord. 91-2; Ord. 93-8; Ord. 97-15)

ORDINANCE 2023-04

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10, ARTICLE E "INDUSTRIAL E DISTRICTS" OF THE CITY OF CODY CODE

WHEREAS, notice of the public hearing to consider the proposed ordinance was published in the Cody Enterprise on March 7, 2023, which notice advertised the public hearing to be held at the Council Meeting on April 4, 2023, and an additional opportunity to discuss the proposed amendments with the Planning and Zoning Board at their March 14, 2023 meeting;

WHEREAS, a public hearing was held on April 4, 2023, before the City Council, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance, and considered the Planning and Zoning Board recommendation;

WHEREAS, the Planning and Zoning Board recommends approval of the amendments to the zoning ordinance as specified herein;

WHEREAS, the governing body of the City of Cody has reviewed the proposed ordinance and public comments and finds that it is in the best interest of the public to adopt the proposed ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING:

Title 10, Chapter 10, Article E "Industrial E Districts", of the City of Cody Code is hereby amended to read as attached in Exhibit A.

Effective Date. This Ordinance shall become effective after final passage and

publication in the Cody Enterprise.

PASSED ON FIRST READING:

PASSED ON SECOND READING:

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING:

Matt Hall, Mayor

ATTEST:

Cynthia Baker, Administrative Services Officer

ARTICLE E. INDUSTRIAL E DISTRICTS

10-10E-1: USES PERMITTED:

No building or land shall be used and no building erected or structurally altered <u>within an Industrial E District</u> unless otherwise permitted herein, except for one (1) or more of the following uses:

- A. <u>Subject to 10-10E-2</u>, <u>Aany</u> use permitted in the D-3 Districts <u>under 10-10C-2</u>, except residential uses.
- B. Subject to 10-10E-2, Aairports; feed manufacturing; pressure treating of wood products; wireless communication facilities; and, Oother similar uses, not herein named, that are not more objectionable or hazardous may be permitted.

Certain uses, otherwise permitted in this zone, are prohibited in the Airport Overlay Zone: towers, stable flammable liquid storage and liquefied petroleum gas storage. (1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 93-8; Ord. 99-2; Ord. 2017-10, 4-13-2017)

10-10E-2: PROHIBITED CONDITIONAL USES:

- A. Use is and accessory uses which include specifically prohibited within an E District for the bulk storage ander handling of explosives, caustics, oxidizers, unstable flammable liquids, or toxic or hazardous materials or substances, shall be deemed Conditional Uses, subject to the provisions of section 10-4-1, Conditional Uses. For the purposes of this provision, "bulk" shall mean quantities of such hazardous materials that would cause the activity to be classified as a "High Hazard Group H Occupancy", pursuant to the International Building Code (see IBC Section 307.1). (1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29; Ord. 87-3; Ord. 93-8; Ord. 99-2)
- B. Uses listed under 10-10E-1 that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality operating permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irrigating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that is anticipated to travel beyond the site boundary and cause a smell easily distinguished by occupants of other properties, other than those resulting from the operation of a motor vehicle. Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities permitted by WY DEQ and/or installed pursuant to the City of Cody Stormwater Management Policy.

10-10E-3: ARCHITECTURE AND LANDSCAPING:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the Planning and Zoning Commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans.;

pProvided, however, this section shall not apply to any property situated within the boundaries of

the Yellowstone Regional Airport (YRA) that will be utilized by the airport, or their lessee, primarily for airport operations and/or aviation purposes (e.g. terminal, hangers, flight instruction services), unless located within an Entry Corridor Overlay zone. This exemption to the architectural and landscaping plan review does not supersede the site plan review required pursuant to section 9-2-3, or other reviews required pursuant to this code (e.g., parking plans). (1960 Compilation § 26-110; amd. Ord. 80-20; Ord. 82-29, Ord. 87-3; Ord. 93-8; Ord. 99-2)

ORDINANCE 2023-05

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10, ARTICLE F "HEAVY INDUSTRIAL DISTRICTS" OF THE CITY OF CODY CODE

WHEREAS, notice of the public hearing to consider the proposed ordinance was published in the Cody Enterprise on March 7, 2023, which notice advertised the public hearing to be held at the Council Meeting on April 4, 2023, and an additional opportunity to discuss the proposed amendments with the Planning and Zoning Board at their March 14, 2023 meeting;

WHEREAS, a public hearing was held on April 4, 2023, before the City Council, as advertised, at which meeting the City Council heard comments from all persons wishing to speak for or against the proposed ordinance, and considered the Planning and Zoning Board recommendation;

WHEREAS, the Planning and Zoning Board recommends approval of the amendments to the zoning ordinance as specified herein;

WHEREAS, the governing body of the City of Cody has reviewed the proposed ordinance and public comments and finds that it is in the best interest of the public to adopt the proposed ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING:

Title 10, Chapter 10, Article F "Heavy Industrial Districts", of the City of Cody Code is hereby amended to read as attached in Exhibit A.

Effective Date. This Ordinance shall become effective after final passage and

ATTEST:	
	Matt Hall, Mayor
PASSED, ADOPTED AND APPROVED ON THIRD AND FINAL READING:	
PASSED ON SECOND READING:	
PASSED ON FIRST READING:	
publication in the Cody Enterprise.	

Cynthia Baker, Administrative Services Officer

ARTICLE F. HEAVY INDUSTRIAL DISTRICTS

10-10F-1: PURPOSE:

The purpose of the Heavy Industrial Zoning District is to maintain and preserve an area for intensive industrial uses that are best operated in isolation from other less intensive land uses, due to potential environmental hazards and/or production of odors, dust, noise, vibration, heavy truck traffic or other impacts detectable beyond the property. Industrial uses include, but are not limited to, those that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. (Ord. 2013-18, 1-21-2014)

10-10F-2: PERMITTED AND CONDITIONAL USES:

- A. Permitted Uses: The permitted uses in the Heavy Industrial Zoning District are:
 - 1. Subject to 10-10F-2(B), Aall uses permitted in the D-3 Zoning District; except residential uses, lodging facilities, healthcare facilities, and public schools.
 - 2. Caretaker/watchmen living quarters when accessory to and within an industrial or commercial building.
 - 3. Subject to 10-10F-2(B). Lintensive industrial uses, including, but not limited to: ammunition manufacturing, asphalt plants, bulk storage tanks and stockpiles, concrete plants, explosive manufacturing and storage, feed and fertilizer manufacturing, manufacturing of gypsum products, hazardous material storage and handling, hazardous waste recycling and treatment (not disposal), industrial and commercial composting, pharmaceutical manufacturing plants, railroad and freight terminals, recycling processing plants, refineries, rock quarrying and processing, sewage treatment plants and lagoons, slaughterhouses (see also title 4, chapter 5 of this Code), solid waste transfer stations, wrecking yards, and uses determined by the Planning and Zoning Board to be similar in character and intensity.
 - 4. Motorized vehicle racing tracks.
 - 5. Subject to 10-10F-2(B), Ooil field services and other mining related industries.
 - <u>6.</u> Sexually oriented businesses, subject to all regulations set forth in title 3, chapter 6 of this Code.

Wireless communication facilities. (Ord. 2013-18, 1-21-2014; amd. Ord. 2017-10, 4-13-2017)

B. Conditional Uses: Uses listed under 10-10F-2(A) that are anticipated to have regular and ongoing air quality, odor, or groundwater quality impacts, shall be deemed Conditional Uses, subject to the provisions of section 10-14-1, Conditional Uses. For purposes of this provision, regular and ongoing, shall mean a component of the use that occurs as part of the normal operational activities on the property. Air quality impact shall mean any situation that triggers a WY DEQ air quality operating permit, or that involves the airborne discharge of heat, fumes, spray, gas or smoke in such quantities so as to be irrigating or injurious to the health or safety of persons or properties located outside of the site boundaries. Odor impact shall include any substance that is anticipated to travel beyond the site boundary and cause a smell easily distinguished by occupants of other properties, other than those resulting from the operation of a motor vehicle. Groundwater quality shall mean any potential contamination to groundwater, other than registered and permitted stormwater facilities

permitted by WY DEQ and/or installed pursuant to the City of Cody Stormwater Management Policy.

10-10F-3: MINIMUM DISTRICT SIZE:

The minimum size of any Heavy Industrial Zoning District shall be twenty (20) contiguous acres. (Ord. 2013-18, 1-21-2014)

10-10F-4: MINIMUM LOT SIZE:

There is no minimum lot size in the Heavy Industrial Zoning District. (Ord. 2013-18, 1-21-2014)

10-10F-5: HEIGHT LIMITATION:

Maximum building and structure height is one hundred feet (100'), with any exception to be considered through the special exemption process. (Ord. 2013-18, 1-21-2014)

10-10F-6: YARDS:

Each building and structure shall observe the following minimum setbacks:

- A. Setback from public streets: Twenty five feet (25') from the street right-of-way.
- B. Interior property lines: Zero feet (0'), but not on or across lot lines.
- C. Abutting Residential Zoning Districts (AA, A, B, C, F-1, F-2, RR and County R-H): Twenty five feet (25'). (Ord. 2013-18, 1-21-2014)

10-10F-7: BUFFER ZONE:

When development occurs in the Heavy Industrial Zoning District adjacent to a Residential District (AA, A, B, C, F-1, F-2, RR and County R-H) there shall be provided on the heavy industrial property along such residential district a buffer zone with a visual screen; provided the Planning and Zoning Board may waive such requirement, or portion thereof, when they determine the buffer and/or visual screen will not be effective due to topographic features between the proposed use and adjacent residential area. (Ord. 2013-18, 1-21-2014)

10-10F-8: DISTRICT REGULATIONS:

Uses established or conducted within this district shall comply with the following standards:

- A. Compliance With State, Federal And Local Requirements: Evidence of compliance with applicable State, Federal, and Local permitting requirements shall be provided with all applications for new or expanded intensive industrial uses in the following manner. An outline of necessary State, Federal, and Local permits for the proposed use and the status of those applications shall be provided by the applicant for the Planning and Zoning Board site plan review outlined in section 10-10F-9 of this article. Potential permits will typically relate to air quality, stormwater, and hazardous waste storage and handling. All such required permits shall be obtained prior to issuance of a certificate of occupancy, or as otherwise directed by the Planning and Zoning Board.
- B. Emergency Response Plans: All intensive industrial uses shall submit emergency response plans to the Park County Fire Marshal for review and approval prior to receiving a certificate of occupancy and conducting such operations.
- C. Sound Level: The day-night average sound level (Ldn), measured at the property line, shall not exceed fifty five (55) decibels (dB) where the adjacent property is zoned residential (AA, A, B, C, F-1, F-2, RR, and County R-H) or sixty five (65) decibels (dB) where the adjacent property

is zoned commercial, industrial, or agricultural; provided, the board may authorize a louder threshold when a sound easement is granted by the owner(s) of the property where the sound threshold would be exceeded. The board may require sound testing to verify compliance at the time a new or expanded use is established.

- D. Landscaping And Screening: New uses, and existing uses which expand in building size or outdoor use area by more than fifty percent (50%), shall be provided with landscaping near the entrance to the property and/or building and along any collector or arterial street frontage, in the following manner:
- 1. Provide a landscaped area at least two hundred (200) square feet in size near the property entrance and/or building and include vegetation such as decorative grasses, planted trees, shrubs, flowers, lawn, or ground cover. Incorporating the business signage into the landscaped area is encouraged.
- 2. Provide landscaping along any collector or arterial street frontage, consisting of a minimum of one (1) tree per fifty (50) linear feet of such frontage (rounded to the nearest whole number) and decorative rock or ground cover at each tree. Provided, the Planning and Zoning Board may consider alternative landscaping methods when tree placement cannot occur due to the restrictions of title 7, chapter 4 of this Code.
- 3. Required landscaped areas shall be watered and maintained, with replacement of dead vegetation as needed so that at least ninety percent (90%) of the trees and ninety percent (90%) of the other landscape vegetation initially required are living.
- E. Height Of Open Storage: Storage of materials outside of buildings or containers shall be no higher than eight feet (8') plus one foot (1') in height for every additional two feet (2') of setback from a property line.
- F. View Obscuring Barriers: When the use of the property is a wrecking yard or similar use that stockpiles scrap or junk materials, site screening fences up to eight feet (8') tall and/or additional landscaping sufficient to form a view obscuring barrier shall be provided to screen those activities from major roads and residential areas. (Ord. 2013-18, 1-21-2014)

10-10F-9: SITE PLAN REVIEW:

As required by this Code, all new or expanded development in the Heavy Industrial Zoning District shall be subject to site plan review by the Planning, Zoning, and Adjustment Board prior to issuance of any building permit or establishment of such use. If a conditional use permit review is required, the site plan review shall be combined with the conditional use permit process. The board shall review the site plan for the following:

- A. Compliance with the specific provisions of this title.
- B. General site plan conditions and layout, including access and traffic flow (as related to public safety), commercial signage, parking, landscaping, lighting, site grading, stormwater facilities, and utilities. Consideration of adjacent uses shall be made in respect to the location of specific activities within the site, so as to reduce any potential conflicts from odors, dust, noise, vibration, glare, visual impacts, and stormwater runoff.
- C. Assurance of compliance with applicable State and Federal safety and environmental standards pertaining to hazardous materials.

The board may specify conditions as necessary to ensure compliance with applicable standards. The issuance of a development permit shall be contingent upon the applicant receiving an

affirmative vote from the majority of the board that the applicant has satisfied the above requirements. (Ord. 2013-18, 1-21-2014)

MEETING DATE: APRIL 4, 2023

DEPARTMENT: PUBLIC WORKS - STORM DRAINAGE PREPARED BY: PHILLIP M. BOWMAN, P.E.

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

AGENDA ITEM SUMMARY REPORT

Consider approval of Task Order No. 23-01 with Bowen, Collins and Associates for the Cooper Lane Drainage Pond Analysis

ACTION TO BE TAKEN

Consider approval of Task Order No. 23-01 with Bowen, Collins and Associates for Storm Drainage Modeling and Analysis of the Cooper Lane Drainage Ponds, and authorize the Mayor to sign and execute all associated documents.

SUMMARY OF INFORMATION

The City Council approved a Master Agreement and Task Order No. 1 with Bowen, Collins and Associates (BCA) to complete the City's Storm Drainage Master Plan and Rate Setting Study on December 20, 2022. Work on Task No. 1 as previously approved started in early 2023 and is on-going by the consultant team.

The City of Cody is now seeking to analyze the Cooper Lane Drainage Ponds in order to identify options for the long-term function of the ponds and move forward with negotiations for a permanent easement with the property owner. The analysis of these pond would have been done in the next phase of the Storm Drainage Master Plan during hydrologic and hydraulic modeling of all drainage basins within the City. The planned completion of this phase of the Master Plan does not align with the City or property owner's desired timeframe to begin discussions and negotiations about the permanent easement. Therefore, BCA has prepared the scope of work in Task Order No. 23-01 to analyze the drainage basins tributary to the Cooper Lane Drainage Ponds only, instead of waiting until a future date in a later phase of the project.

This work will be incorporated into the hydrologic and hydraulic modeling to be completed with the next phase on the Storm Drainage Master Plan, and will not duplicate work, effort or cost in that future phase of the Master Plan. Task Order No. 23-01 has a proposed not-to-exceed fee of \$23,200.00.

City Council approval of Task Order No. 23-01 will be subject to final review and approval of all contract documents by the City Attorney prior to execution by the Mayor.

FISCAL IMPACT

Task Order No. 23-01 has a not-to-exceed fee amount of \$23,200.00. Future Task Orders for additional phases of the Storm Drainage Master Plan will be brought forward for consideration and approval later in calendar year 2023 and/or 2024. The Storm Drainage Master Plan project is funded in the approved FY 2023 Budget within the Storm Drainage Fund (Engineering, Design, Locates line item) for \$225,000, and approval of Task Order No. 23-01 will bring the total amount under contract with BCA to \$171,800.

ATTACHMENTS

- 1. Task Order No. 23-01
- 2. Master Agreement for Professional Services (approved December 20, 2023)

AGENDA ITEM NO.	A(3EN	NDA	ITEM	NO.	
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TASK ORDER No. 23-01

General Services Contract Storm Drain Master Plan - Big Horn Ave Analysis

City of Cody

Task Order No. 23-01 is issued by the City of Cody (herein called OWNER) pursuant to the Master Agreement for Professional Services between the OWNER and Bowen, Collins & Associates, Inc. (herein called the ENGINEER) dated December 20, 2022.

1. SCOPE OF SERVICES

- Prepare IDF curves and hydrograph based on available data for modeling sub-basins contributing to the retention basins.
- Perform 2-D hydraulic modeling of areas contributing and stage for intermediate detention basins and overall drainage basin runoff routed to the Big Horn Avenue storm drain retention pond(s). Modeling will include both the existing and buildout volumes.
- Identify runoff volumes, and stage flows to evaluate potential water elevation in the retention pond(s).
- Identify a potential location for retention pond(s) and minimum sizing for existing and buildout 100-year events near the north end of the Cooper Lane property.
- Perform infiltration rate testing at various locations in existing ponds to determine the decay reduction in infiltration rates over time.
- Prepare an exhibit of the proposed pond layout, location, and sizing.
- Evaluate potential issues due to proximity to the existing irrigation ditch to the north options for addressing any issues.
- Prepare a summary addressing the draft design and findings.
- Prepare a survey exhibit showing the negotiated easement upon finalization of the agreed basin location/size.

2. **COMPENSATION**

OWNER shall reimburse for services provided under this TASK ORDER on a cost-reimbursable basis with a total fee not to exceed \$23,200 without written authorization from the OWNER. Payment shall be in accordance with the Fee Schedule attached hereto as Attachment B and in accordance with the MASTER AGREEMENT FOR PROFESSIONAL SERVICES.

3. SCHEDULE

The Scope of Services associated with this TASK ORDER is expected to be completed within 6 weeks following written authorization from the OWNER to proceed.

4.	OTHER	REQUIR	REMENTS
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The parties have executed this Task Order effective this 21 day of March, 2023.

OWNER	ENGINEER
	WM17
Ву	By Salft Dysu
Name	Name Kettle J. Lavson
Title	Title Vice President

MASTER AGREEMENT FOR PROFESSIONAL SERVICES BOWEN, COLLINS & ASSOCIATES, INC.

This AGREEMENT, dated December 20, 2022, is made and entered into between City of Cody (herein called OWNER) and Bowen, Collins & Associates, Inc., a Utah Corporation (herein called ENGINEER). From time to time OWNER may request that ENGINEER provide professional services for Specific Projects. Each work engagement will be documented by an individual Task Order. This AGREEMENT sets forth the general terms and conditions that will apply to all Task Orders duly executed under this AGREEMENT.

In consideration of the mutual promises herein contained, ENGINEER and OWNER agree as follows:

1. TERM AND AUTHORIZATION TO PROCEED

- A. This Agreement shall be effective and applicable to Task Orders issued hereunder for three (3) years from the Effective Date of the Agreement and, thereafter, shall automatically be renewed, at the end of this term and each renewal term, for an additional one year term until either party terminates the Agreement as set forth in paragraph 7(C).
- B. Execution of individual Task Orders by OWNER will be authorization for the ENGINEER to proceed with the authorized work associated with the Specific Projects (PROJECT), pursuant to the terms and conditions of this AGREEMENT.

2. ENGINEER'S SERVICES

- A. The ENGINEER agrees to provide professional services to the OWNER on an as needed basis. The scope of services, period of performance, and basis of ENGINEER's compensation are to be defined in individual Task Orders. Each duly executed Task Order shall be subject to the terms and conditions of this AGREEMENT. A standard task order form is included as Attachment A. The ENGINEER will perform the defined services in a professional manner using the degree of care and skill that is normally employed by professional engineers or consultants on similar projects of equal complexity.
- B. The relationship of the ENGINEER to the OWNER is that of an independent contractor and nothing in this AGREEMENT or the attachments hereto, creates any other relationship. As an independent contractor, the ENGINEER shall have the sole responsibility for paying taxes, workers compensation, employee benefits (if any), and all similar obligations.
- C. This AGREEMENT is not a commitment by Owner to Engineer to issue any Task Orders.

3. COMPENSATION AND PAYMENT

- A. OWNER and ENGINEER shall agree on the basis of compensation for each Task Order. If hourly rates are to be used as the basis of compensation, those rates will be defined in each Task Order. Hourly rates are updated on January 1 of each calendar year by the ENGINEER. Updated hourly rates will be used for all task orders. Additionally, ENGINEER will be reimbursed for actual costs and expenses incurred in performance of the PROJECT subject to the conditions defined in each Task Order.
- B. A service charge of 10 percent will be applied to direct expenses incurred in performance of the PROJECT that include, but may not be limited to meals, lodging, and subcontractor services and outside services. All sales, use, value added, business transfer, gross receipts, or other similar taxes will be reimbursed to ENGINEER.
- C. Invoicing will occur following the last Friday of each month. Payments shall be due within 30 days of receipt of the invoice. An interest rate of 1.5% per month will be applied to all invoices that are not paid in full after 30 days following the invoice date. Payments will be applied to the outstanding interest first and then to the principal.
- D. The ENGINEER may discontinue work on the PROJECT by issuing the OWNER a written seven-day notice if full payment for an invoice is not received within 60 days of the date of the invoice. Suspension of work will continue until full payment is made for all outstanding invoices including interest. The ENGINEER accepts no liability for damages or delays that result from its suspension of work. The OWNER may not use information or work product provided by the ENGINEER until full payment is made including applicable interest.

4. INSURANCE

1) Worker's Compensation

A. The ENGINEER will maintain insurance coverage throughout the term of the AGREEMENT. Insurance coverage will include:

-)	State Employer's Liability	Statutory \$100,000
2)	Comprehensive General Liability Bodily Injury and Property Damage Combined Single Limit	\$1,000,000 \$1,000,000
3)	Automobile Liability Combined Single Limit	\$1,000,000
4)	Professional Liability	\$1,000,000

5. INDEMNIFICATION AND LIABILITY

- A. The ENGINEER shall indemnify and hold harmless the OWNER, its officers, agents and employees for losses and claims arising out of the negligent acts, errors, or omissions of the ENGINEER. The OWNER shall indemnify and hold harmless the ENGINEER, its subcontractors, agents and employees for all liability, other than that caused by the negligent acts, errors, or omissions of the ENGINEER.
- B. The ENGINEER's maximum extent of liability, for any cause or combination of causes, shall be limited to direct damages and shall not exceed the amount of the ENGINEER's insurance coverage as noted above.
- C. The ENGINEER is not responsible for delays or damages caused by acts of God such as floods or earthquakes, or other circumstances beyond control of ENGINEER.
- D. The ENGINEER shall not be liable for damages or delays resulting from actions or inaction of a third party that is not under the direct control of the ENGINEER, such as government agencies that have review and permit authority.
- E. The ENGINEER, its subcontractors, agents and employees shall not be liable for consequential damages or indirect liability from a third party. The OWNER will defend, indemnify and hold harmless the ENGINEER, its subcontractors and agents from such an occurrence.

6. **DEFECTS IN SERVICE**

A. The OWNER shall promptly report to the ENGINEER any defects or suspected defects in the ENGINEER's services of which the OWNER becomes aware, so that the ENGINEER may take measures to minimize the consequences of such a defect. The OWNER further agrees to impose a similar notification requirement on all contractors in its OWNER/CONTRACTOR contract and shall require all subcontracts at any level to contain a like requirement. Failure by the OWNER and the OWNER's contractors or subcontractors to notify the ENGINEER shall relieve the ENGINEER of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given when such defects were first discovered.

7. TERMINATION

A. This AGREEMENT may be terminated by either party in the event that the other party has not performed any material covenant or has otherwise breached any material term of this AGREEMENT (i) upon receipt of written notice thereof if the nonperformance or breach is incapable of cure, or (ii) upon the expiration of ten (10) calendar days (or such additional cure period as the non-defaulting party may authorize) after receipt of written notice thereof if the nonperformance or breach is capable of cure and has not been cured.

- B. Upon termination, ENGINEER is entitled to full compensation as computed under this AGREEMENT for the work completed
- C. Either party may terminate this AGREEMENT without cause at any time upon thirty (30) days prior written notice to the other party.

8. ASSIGNMENT

This AGREEMENT shall be binding on the heirs, successors and assignees of the parties. This AGREEMENT may not be assigned, transferred, conveyed, or encumbered, whether voluntarily or by operation of law, by either party without the prior written consent of the other party. Unauthorized assignment is void and nonbinding.

9. OPINION OF PROBABLE CONSTRUCTION COST

Opinions of probable construction cost prepared by the ENGINEER are based on its experience with past projects of similar construction. It is understood that the ENGINEER has no control over economical factors or unknown conditions that may have a significant impact on actual PROJECT cost. The ENGINEER does not guarantee its cost estimates and accepts no liability for problems created by the difference in actual costs and opinions of probable construction cost.

10. DOCUMENTS

Contract documents, calculations, electronic information and survey information created by the ENGINEER as "instruments of service" are the property of the ENGINEER. OWNER's use of the documents and other "instruments of service" on any other project is prohibited and the ENGINEER accepts no liability for such action.

11. CONSTRUCTION PHASE SERVICES

- A. The ENGINEER has based its cost to provide construction phase services, on the ENGINEER, its employees, subcontractors and agents being named as additional insured under any construction contractor(s) (herein CONTRACTOR) General Liability and Builder's All Risk Insurance.
- B. The OWNER shall include in any contract with the CONTRACTOR a statement to defend, indemnify and hold harmless the ENGINEER; its employees, subcontractors and agents for any and all action resulting from construction activity.
- C. Observations performed by the ENGINEER or its agents are intended to assist the OWNER to obtain the best project possible and not to assume the CONTRACTOR's responsibility to comply with the requirements of any contract documents. The parties to this AGREEMENT recognize that the CONTRACTOR has sole responsibility to ensure that any contract requirements are met. The CONTRACTOR is responsible for all methods used to complete the PROJECT and is responsible to follow all applicable safety procedures.

D. "Record" documents prepared by the ENGINEER are based on information supplied by the CONTRACTOR and its agents and are only as accurate as the information provided by the CONTRACTOR. The ENGINEER does not assume responsibility for the accuracy of the "record" documents.

12. ADHERENCE TO APPLICABLE LAWS

- A. The laws of the State of Wyoming shall govern all aspects of this AGREEMENT.
- B. The ENGINEER shall comply with the applicable requirements of the Equal Employment Opportunity Laws and the Fair Labor Standards Act.

13. HAZARDOUS WASTE

OWNER will indemnify ENGINEER from all claims, damages, losses, and costs, including attorney's fees, arising out of or relating to the presence, discharge, release, or escape of hazardous substances or contaminants from the PROJECT. OWNER recognizes that ENGINEER assumes no risk and/or liability for waste or the waste site.

14. SEVERABILITY

The provisions of this AGREEMENT are severable, and should any provision hereof be void, overly broad or unenforceable, such void, overly broad or unenforceable provision shall not affect any other portion or provision of this AGREEMENT.

15. WAIVER

Any waiver by any party hereto of any breach of any kind or character whatsoever by any other party, whether such waiver be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this AGREEMENT on the part of the other party.

16. NOTICES

All notices, demands, and requests required or permitted to be given hereunder shall be in writing and shall be deemed duly given if delivered or if mailed by registered or certified mail, postage prepaid, addressed to the following:

ENGINEER:

Keith Larson

Bowen, Collins & Associates

154 East 14075 South Draper, Utah 84020

OWNER:

Phillip Bowman

City of Cody

1338 Rumsey Ave. Cody, WY 82414

Either party shall have the right to specify in writing another name or address to which subsequent notices to such party shall be given. Any notice given hereunder shall be deemed to have been given as of the date delivered or mailed to the other party.

17. ATTACHMENTS

The following attachments are included as part of the AGREEMENT:

Attachment A – Standard Task Order Form Task Orders, as awarded.

This AGREEMENT constitutes the entire understanding and AGREEMENT between the parties and supersedes all prior AGREEMENTS and understandings, whether written or oral, and may only be changed by written amendment executed by both parties.

Approved for OWNER

Accepted for ENGINEER

Ву

Title

Date

council President

2022

Ву

Title

Date

5 DEC. 2022