

City of Cody City Council

Tuesday, October 17, 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

Proclamation – November 1, 2023 Extra Mile Day

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: Minutes from October 3, 2023 and October 10, 2023.
- b. Approve Vouchers and Payroll in the amount of \$1,438,837.48.
- c. The Cody Lions Club is requesting the use of the Bob Moore Parking Lot beginning Friday, November 17th through Sunday, November 19th, 2023. Use of the parking lot will include the discharging of .22 cal. single shot target rifles. All shooting games are conducted under the direct supervision of Certified Range Instructors. In addition to the use of the lot, the Cody Lions request the city provided barricades, cones and access to electricity for use during the event as they have in the past. An Open Container Permit request during the set up on Friday, Nov. 17th, and at the conclusion of the event on Saturday, Nov. 18th, 4pm-7pm, (for Lions Club members only). Additionally, Lions Club is requesting authorization to hang banners above 8th Street and will be made appropriately.
- d. Authorize the Mayor to sign the final Cody Mural Project report for the Wyoming Cultural Trust Fund grant.
- e. Authorize the Mayor to enter into and sign an Agreement to Terminate Joint Powers Board between the City of Cody and City of Powell which would dissolve and terminate the Northwest Improvement Projects Joint Powers Board.

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

3. Public Hearings

A Public Hearing to consider if it is in the public's interest to consider authorizing an application to the Wyoming Business Council under the Business Ready Community Grant and Loan Program.

4. Conduct of Business

- a. Consider appointing Shawn “Eric” Burg to the Planning, Zoning & Adjustment Board to fill a vacancy with a term ending December 31, 2023.

b. Resolution 2023-17

A Resolution authorizing the submission of application to the Wyoming Business Council Under the Business Ready Community Grant and Loan program on behalf of the Governing Body of the City of Cody for the Purpose of The Acquisition and Construction of a Food Processing Facility for Use by Stryk Group Holdings.

Spokesperson: James Klessens, Forward Cody

- c. Approve Preliminary and Final Plats of the Sulphur Creek Minor Subdivision, a two-lot subdivision of property located at 1334 Sunset Boulevard South, with associated variances and conditions of approval.

Staff Reference: Todd Stowell, City Planner

d. Ordinance 2023-13 First Reading

An Ordinance amending Title 9, Chapter 2, Section 1(C) of the City of Cody Code to adopt the 20023 Edition of the National Electrical Code.

Staff Reference Todd Stowell, City Planner

e. Ordinance 2023-12 First Reading

An Ordinance Amending Title 8, Chapter 2, Article II, Article III and Article IV of the City of Cody Code to Modify Treated Water and Raw Water Rates.

Staff Reference: Phillip Bowman, Public Works Director

5. Tabled Items

6. Matters from Staff Members

7. Matters from Council Members

8. Adjournment

Upcoming Meetings.

October 24, 2023 – Work Session 5:30 p.m.

November 7, 2023 – Council Meeting 7:00 p.m.

November 14, 2023 – Work Session 5:30 p.m.

PROCLAMATION

WHEREAS, the City of Cody is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, the City of Cody is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, the City of Cody is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, the City of Cody acknowledges the mission of Extra Mile America to create 575+ Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2023.

NOW THEREFORE, I, Matt Hall, Mayor of the City of Cody do hereby proclaim November 1, 2023 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Mayor Matt Hall

Attest: Cindy Baker, Clerk

**City of Cody
Council Proceedings
Tuesday, October 3, 2023**

At 6:33 Council Member Quick made a motion seconded by Council Member Reiter to enter into Executive Session pursuant to W.S. 16-4-405(a)(ix). Vote was unanimous. At 6:58 p.m. Council Member Reiter made a motion seconded by Council Member Swett to exit the Executive Session. Vote was unanimous.

A meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, October 3, 2023 at 7:00 p.m.

Present: Mayor Hall, Council Members Andrew Quick, Don F. Shreve Jr., Emily Swett, Kelly Tamblyn, Lee Ann Reiter and Jerry Fritz and City Attorney Scott Kolpitzke, City Administrator Barry Cook, and Cindy Baker, Administrative Services Officer.

Absent: None

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

Council Member Reiter made a motion seconded by Council Member Tamblyn to approve the Consent Calendar as presented which included Minutes from September 19, 2023 and September 26, 2023; approve Vouchers and Payroll in the amount of \$843,831.99; authorize the Mayor to enter into and sign an agreement between the City of Cody and CJS LLC to implement a traffic school program; award Bid 2023-08 to Fremont Motor Cody for one 2023 Ford Explorer 4WD in the amount of \$41,089.16. nominate Council Member Shreve for the LGLP Board Vacancies; and authorize the Mayor to enter into and sign the Proposed Construction and Administration Contract between the City of Cody and Point Architects for an amount not to exceed \$17,000 contingent upon review and approval by City Attorney. Vote was unanimous.

Council Member Swett made a motion seconded by Council Member Shreve to approve Task Order #2 with Stantec Consulting Services Inc. for Survey and Preliminary Design Services for the Big Horn Avenue and Freedom Street Pedestrian Crossing Project in the amount of \$74,991, and authorize the Mayor to sign all associated documents. Vote was unanimous.

Council Member Reiter made a motion seconded by Council Member Tamblyn to approve the Master Agreement and Task Order #1 with Engineering Associates for Survey and Preliminary Design Services for the Tree Streets Waterline Replacement Project in the amount of \$220,000, and authorize the Mayor to sign all associated documents. Vote was unanimous.

Mayor Hall adjourned the meeting 7:22 p.m.

Mayor Matt Hall

Cindy Baker, Administrative Services Officer

City of Cody
Council Proceedings
Tuesday, October 10, 2023

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, October 10, 2023 at 5:30 p.m.

Present: Council Members Jerry Fritz, Emily Swett, Andy Quick, Don F. Shreve Jr., Lee Ann Reiter and Kelly Tamblyn, City Administrator, Barry Cook, City Attorney, Scott Kolpitke and Cindy Baker, Administrative Services Officer.

Absent: Mayor Matt Hall and Council Member Emily Sweet

Council President Quick called the meeting to order at 5:30 p.m.

EJ House, Cody Country Chamber of Commerce, discussed with the Governing Body plans relating to the Cody Country Chamber of Commerce Visitor Center. Staff was provided direction on this item.

Phillip Bowman, Public Works Director discussion the Electric Division Compensation Scale and increase of wages for employees in this division. Staff was provided direction to bring this item to a future council meeting for consideration.

The following updates were provided for a variety of Boards and/or Committees
Contractors' Board – Lee Ann Reiter

Council President Quick adjourned the Work Session at 7:10 p.m.

Cynthia D Baker
Administrative Services Officer

Andrew Quick
Council President

Report Criteria:

Invoice Detail.Input date = 10/10/2023

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
AMERICAN FAMILY LIFE ASSUR (550)				
	210919	AFLAC PREMIUM	10/06/2023	2,248.28
Total :				2,248.28
Total AMERICAN FAMILY LIFE ASSUR (550):				2,248.28
AMERICAN WELDING & GAS, INC. (128592)				
	09625770	CARBON DIOXIDE/CYLINDER RENTAL	09/30/2023	38.14
Total :				38.14
Total AMERICAN WELDING & GAS, INC. (128592):				38.14
BAILEY ENTERPRISES INCORPORATED (130546)				
	7803375	Fuel	09/30/2023	197.19
	7803375	Fuel	09/30/2023	1,060.02
	7803375	Fuel	09/30/2023	211.36
	7803375	Fuel	09/30/2023	220.19
	7803375	Fuel	09/30/2023	70.46
	7803375	Fuel	09/30/2023	2,923.84
	7803375	Fuel	09/30/2023	211.36
	7803375	Fuel	09/30/2023	105.68
	7803375	Fuel	09/30/2023	92.55
	7803375	Fuel	09/30/2023	1,319.97
	7803375	Fuel	09/30/2023	469.14
	7803375	Fuel	09/30/2023	296.24
	7803375	Fuel	09/30/2023	150.58
	7803375	Fuel	09/30/2023	200.05
	7803375	Fuel	09/30/2023	118.55
	7803375	Fuel	09/30/2023	20.61
	7803375	Fuel	09/30/2023	26.25
	7803375	Fuel	09/30/2023	41.23
	7803375	Fuel	09/30/2023	3,081.80
	7803375	Fuel	09/30/2023	145.08
	7803375	Fuel	09/30/2023	1,089.23
	7803375	Fuel	09/30/2023	6,289.33
	7803375	Fuel	09/30/2023	1,974.21
	7803375	Fuel	09/30/2023	270.85
	7803375	Fuel	09/30/2023	181.76
	7803375	Fuel	09/30/2023	187.43
	7803375	Fuel	09/30/2023	628.39
	7803375	Fuel	09/30/2023	445.74
	7803375	Fuel	09/30/2023	298.47
	7803375	Fuel	09/30/2023	148.14
	7803375	Fuel	09/30/2023	486.43
	7803375	Fuel	09/30/2023	26.20
	7803375	Fuel	09/30/2023	1,747.44
	7803375	Fuel	09/30/2023	1,218.92
Total :				25,902.19
Total BAILEY ENTERPRISES INCORPORATED (130546):				25,902.19

Secondary Name	Invoice	Description	Invoice Date	Total Cost
BANKS, BRITTANY (133339)				
	14.5420.29	UTILITY DEPOSIT REFUND	09/29/2023	7.86
Total :				7.86
Total BANKS, BRITTANY (133339):				7.86
BASIN MECHANICAL (980)				
	5273	REPAIRS TO POOL PUMP	09/26/2023	477.50
Total :				477.50
Total BASIN MECHANICAL (980):				477.50
BLACK HILLS GAS HOLDINGS, LLC (132866)				
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	146.38
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	242.10
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	601.45
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	87.00
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	2,780.29
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	2,780.29
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	81.61
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	10.48
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	142.29
BLACK HILLS ENERGY	10062023	UTILITIES - BLACK HILLS ENERGY	10/06/2023	90.31
Total :				6,962.20
Total BLACK HILLS GAS HOLDINGS, LLC (132866):				6,962.20
BOOT BARN INC (128267)				
	INV00298495	FR CLOTHING	09/22/2023	272.97
	INV00298496	FR CLOTHING	09/22/2023	601.92
	INV00298498	FR CLOTHING	09/22/2023	192.47
	INV00298499	FR CLOTHING	09/22/2023	223.97
	INV00298500	FR CLOTHING	09/22/2023	244.97
	INV00298501	FR CLOTHING	09/22/2023	59.49
	INV00298502	FR CLOTHING	09/22/2023	542.43
	INV00298503	FR CLOTHING	09/22/2023	160.99
	INV00298504	FR CLOTHING	09/22/2023	227.47
	INV00298505	FR CLOTHING AND WORK BOOTS	09/22/2023	171.48
	INV00298511	FR CLOTHING	09/22/2023	69.99
	INV00298512	WORK BOOTS	09/22/2023	97.99
	INV00298513	FR CLOTHING	09/22/2023	192.47
	INV00298514	FR CLOTHING	09/22/2023	143.48
	INV00298515	FR CLOTHING	09/22/2023	755.00
	INV00298516	FR CLOTHING	09/22/2023	188.99
	INV00298517	FR CLOTHING	09/22/2023	699.95
	INV00298518	FR CLOTHING	09/22/2023	151.20
Total :				4,997.23
Total BOOT BARN INC (128267):				4,997.23
BORDER STATES INDUSTRIES, INC (1420)				
	927093961	COLD SHRINK	09/28/2023	165.70

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				165.70
Total BORDER STATES INDUSTRIES, INC (1420):				165.70
BRAGG PLUMBING AND HEATING INC (127760)				
	17962	REPAIRS AT MAIN STREET RESTROOM	09/24/2023	1,187.51
Total :				1,187.51
Total BRAGG PLUMBING AND HEATING INC (127760):				1,187.51
CARQUEST AUTO PARTS (10200)				
	2874-ID-480813	gasket A02	09/08/2023	9.46
	2874-ID-480848	lamp F05	09/08/2023	115.58
	2874-ID-481015	battery F02	09/12/2023	271.65
	2874-ID-481519	filter G09	09/21/2023	28.69
	2874-ID-481813	filter C05	09/26/2023	4.86
Total :				430.24
Total CARQUEST AUTO PARTS (10200):				430.24
CDW LLC (133208)				
CDW GOVERNMENT LLC	LX48545	DOCK CRADLES FOR MDT PROJECT	09/14/2023	2,909.79
Total :				2,909.79
Total CDW LLC (133208):				2,909.79
CROELL INC (133102)				
	3961	ASPHALT WEST AVE	09/08/2023	33,056.50
	783159	126 TONS OF SAND	09/21/2023	1,929.90
Total :				34,986.40
Total CROELL INC (133102):				34,986.40
DC TREASURER (133348)				
UNCLAIMED PROPERTY OFFICE	100523	UNCLAIMED PROPERTY REMITTANCE	10/05/2023	43.36
Total :				43.36
Total DC TREASURER (133348):				43.36
ELECTRICAL ALLY, INC. (129214)				
	7642	BULBS FOR GYMS	09/30/2023	1,794.00
	7642	ELECTRICAL REPLACEMENT OF BULBS	09/30/2023	480.00
	7642	LABOR FOR POOL PUMP REPLACEMENT	09/30/2023	189.00
	7646	SERVICE REPAIRS	10/02/2023	149.00
Total :				2,612.00
Total ELECTRICAL ALLY, INC. (129214):				2,612.00
ENERGY LABORATORIES, INC (4120)				
DEPARTMENT 6250	583872	DISINFECTION BYPRODUCT TEST	09/28/2023	666.00
DEPARTMENT 6250	584251	COLIFORM TESTING	09/30/2023	165.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				831.00
Total ENERGY LABORATORIES, INC (4120):				831.00
ENGINEERING ASSOCIATES (4140)				
	4309087	PROJECT 14111-04 WWTF PHASE 2	09/25/2023	563.92
	4309088	ENGINEERING SERVICES - WEST AVE RAW WATER LINE EXTENSION	09/25/2023	393.68
Total :				957.60
Total ENGINEERING ASSOCIATES (4140):				957.60
ENNIST III, ROBERT F (131798)				
BIG HORN FOOD SERVICES	3295	GARBAGE BAGS	09/21/2023	139.33
BIG HORN FOOD SERVICES	3295	GARBAGE BAGS	09/21/2023	139.33
BIG HORN FOOD SERVICES	3295	GARBAGE BAGS	09/21/2023	139.33
BIG HORN FOOD SERVICES	3295	GARBAGE BAGS	09/21/2023	139.33
Total :				557.32
Total ENNIST III, ROBERT F (131798):				557.32
ESTATE OF WILLIAM LEFCO (133343)				
	14.5350.34	UTILITY DEPOSIT REFUND	10/04/2023	276.40
Total :				276.40
Total ESTATE OF WILLIAM LEFCO (133343):				276.40
EVANS, ALLISON (133308)				
	10032023	RESTITUTION CASE MC-2306-012	10/03/2023	35.00
Total :				35.00
Total EVANS, ALLISON (133308):				35.00
EXPRESS SERVICES INC (132433)				
	29702432	CONTRACT EMPLOYMENT SERVICES - SEASONAL PARKS WORKER	09/27/2023	2,038.40
	29732218	CONTRACT EMPLOYMENT SERVICES - SEASONAL PARKS WORKER	10/04/2023	1,710.80
Total :				3,749.20
Total EXPRESS SERVICES INC (132433):				3,749.20
FERGUSON WATERWORKS (127653)				
	1468004	1" METERS	09/25/2023	3,530.28
	CM164796	CREDIT MEMO INVOICE 1398329-1	09/02/2023	1,038.16-
Total :				2,492.12
Total FERGUSON WATERWORKS (127653):				2,492.12
FIRE DISTRICT #2 (131409)				
	BLD-0923-0011	1002 SHERIDAN AVE	09/19/2023	1,683.00
	BLD-0923-0018	501 STONE STREET	09/21/2023	565.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				2,248.00
Total FIRE DISTRICT #2 (131409):				2,248.00
FIRST INTERSTATE BANK (133337)				
ATTN: SAMANTHA DYBA	260923	BANK RECORDS FROM WARRANT	09/26/2023	37.50
Total :				37.50
Total FIRST INTERSTATE BANK (133337):				37.50
FRANCK, STEVEN (133111)				
OFF GRID INSPECTIONS	012	ELECTRICAL INSPECTION SERVICES SEPTEMBER 2023	10/03/2023	2,205.00
Total :				2,205.00
Total FRANCK, STEVEN (133111):				2,205.00
GALLS PARENT HOLDINGS, LLC (132576)				
GALLS, LLC	025582682	DUTY SHIRTS FOR C16	09/06/2023	237.89
GALLS, LLC	025750724	NEW OFFICER UNIFORM SHIRTS	09/22/2023	248.16
Total :				486.05
Total GALLS PARENT HOLDINGS, LLC (132576):				486.05
GLOBE LIFE INC (133159)				
	1036906	CONTRIBUTIONS	10/04/2023	331.40
Total :				331.40
Total GLOBE LIFE INC (133159):				331.40
HOTSY EQUIPMENT OF WYOMING, INC (131010)				
	7142	REPLACEMENT WAND	09/20/2023	78.82
Total :				78.82
Total HOTSY EQUIPMENT OF WYOMING, INC (131010):				78.82
HUBER, WESLEY L (123442)				
EAGLE OF CODY PRINTING	100923	TIPSY TAXI VOUCHER BOOKLETS	10/09/2023	532.00
Total :				532.00
Total HUBER, WESLEY L (123442):				532.00
IDEXX DISTRIBUTION INC (132908)				
	3137347752	LAB SUPPLIES	09/22/2023	290.76
Total :				290.76
Total IDEXX DISTRIBUTION INC (132908):				290.76
KB MASONRY LLC (133341)				
	1556	REPLACE MISSING EXTERIOR STUCCO	09/27/2023	5,750.00
	1556	REPLACE MISSING EXTERIOR STUCCO	09/27/2023	5,750.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				11,500.00
Total KB MASONRY LLC (133341):				11,500.00
KIMSEY, VIOLA (128747)				
C/O JULIE SKINNER	14.5280.26	REFUND CREDIT BALANCE	09/28/2023	294.29
C/O JULIE SKINNER	14.5280.26	UTILITY DEPOSIT REFUND	09/28/2023	200.00
Total :				494.29
Total KIMSEY, VIOLA (128747):				494.29
KINCHELOE PLUMBING AND HEATING (5750)				
	156678	REPAIR LEAK ON POOL WATER METER	08/30/2023	1,132.49
	156774	REPAIRS TO REC CENTER TOILET	09/22/2023	263.43
	156789	REPLACE WATER FOUNTAIN	09/26/2023	1,134.08
Total :				2,530.00
Total KINCHELOE PLUMBING AND HEATING (5750):				2,530.00
LABAN HARVEST LLC (133169)				
DBA NO SPOT LEFT BEHIND	092023	CUSTODIAL SERVICES	09/30/2023	1,534.02
DBA NO SPOT LEFT BEHIND	092023	CUSTODIAL SERVICES	09/30/2023	1,534.02
DBA NO SPOT LEFT BEHIND	092023	CUSTODIAL SERVICES	09/30/2023	1,534.02
Total :				4,602.06
Total LABAN HARVEST LLC (133169):				4,602.06
LEROUX INC (133305)				
BOONE'S MACHINE & RENTAL	43657	EQUIPMENT RENTAL	09/12/2023	5,265.00
BOONE'S MACHINE & RENTAL	44219	HAUL MOTOR GRADER FROM BILLINGS TO CODY	09/22/2023	840.00
Total :				6,105.00
Total LEROUX INC (133305):				6,105.00
MARKS, ALLEN (132715)				
	3.2430.21	UTILITY DEPOSIT REFUND	10/03/2023	19.98
Total :				19.98
Total MARKS, ALLEN (132715):				19.98
MICRO-COMM. INC. (6635)				
	17443	WEST LIFT STATION TRANSDUCER AND SETUP	05/03/2023	800.00
Total :				800.00
Total MICRO-COMM. INC. (6635):				800.00
MOTOROLA SOLUTIONS, INC. (6840)				
	1187108171	BODY/IN-CAR CAMERA SYSTEM	09/27/2023	64,691.00
Total :				64,691.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total MOTOROLA SOLUTIONS, INC. (6840):				64,691.00
MSPS (127866)				
MOUNTAIN STATES PIPE & SUPPLY	INV27452	52 100 WATT ITRONS	09/28/2023	4,892.05
Total :				4,892.05
Total MSPS (127866):				4,892.05
NADING, PEGGY (133338)				
	10.0730.37	REFUND CREDIT BALANCE	10/02/2023	115.18
	10.0730.37	UTILITY DEPOSIT REFUND	10/02/2023	234.89
Total :				350.07
Total NADING, PEGGY (133338):				350.07
NCPERS GROUP LIFE INS (125412)				
C/O MEMBER BENEFITS	10423	PREMIUM	10/04/2023	400.00
Total :				400.00
Total NCPERS GROUP LIFE INS (125412):				400.00
NIEMAN, JENNIFER (133340)				
	17.2368.14	UTILITY DEPOSIT REFUND	10/02/2023	34.38
Total :				34.38
Total NIEMAN, JENNIFER (133340):				34.38
NORCO, INC. (128948)				
	38839828	BOTTLE RENTAL	09/30/2023	41.40
Total :				41.40
Total NORCO, INC. (128948):				41.40
NORTHERN GARDENS (7340)				
	98576	ARBOR DAY TREE PLANTING	02/15/2023	4,350.00
Total :				4,350.00
Total NORTHERN GARDENS (7340):				4,350.00
OFFICE SHOP INC (7440)				
	252710	COPIER CONTRACT - POLICE DEPARTMENT	09/27/2023	739.03
Total :				739.03
Total OFFICE SHOP INC (7440):				739.03
ONE-CALL OF WYOMING (127665)				
	68658	ONE - CALL FEES	10/06/2023	58.31
	68658	ONE - CALL FEES	10/06/2023	58.31
	68658	ONE - CALL FEES	10/06/2023	58.31
	68658	ONE - CALL FEES	10/06/2023	58.32

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				233.25
Total ONE-CALL OF WYOMING (127665):				233.25
OREGON STATE TREASURY (133347)				
UNCLAIMED PROPERTY PROGRAM	100523	UNCLAIMED PROPERTY REMITTANCE	10/05/2023	5.68
Total :				5.68
Total OREGON STATE TREASURY (133347):				5.68
PARK COUNTY (7670)				
	9095	LEC CONTRACT - DISPATCH LABOR COSTS	10/01/2023	4,510.05
	9095	LEC CONTRACT - DISPATCH LABOR COSTS	10/01/2023	751.68
	9095	LEC CONTRACT - DISPATCH LABOR COSTS	10/01/2023	19,794.12
	9095	LEC CONTRACT - TECHNOLOGY SERVICES	10/01/2023	3,250.00
	9095	LEC CONTRACT - INSIDE MAINTENANCE SUPPLIES	10/01/2023	854.60
	9095	LEC CONTRACT - INSIDE MAINTENANCE LABOR	10/01/2023	2,062.43
	9095	LEC CONTRACT - OUTSIDE MAINTENANCE CREDIT	10/01/2023	208.33-
	9095	LEC CONTRACT - BUILDING INSURANCE COSTS	10/01/2023	398.92
	9095	LEC CONTRACT - UTILITIES	10/01/2023	1,128.08
Total :				32,541.55
Total PARK COUNTY (7670):				32,541.55
PARK COUNTY LANDFILL (129053)				
	09302023	LANDFILL CHARGES - SEP 2023	09/30/2023	60,265.25
	09302023	BULK ITEM DISPOSAL FEES - SEP 2023	09/30/2023	105.30
Total :				60,370.55
Total PARK COUNTY LANDFILL (129053):				60,370.55
PARK COUNTY SHERIFF (7740)				
	10022023	INCARCERATION - SEPTEMBER 2023	10/02/2023	90.00
Total :				90.00
Total PARK COUNTY SHERIFF (7740):				90.00
POINT ARCHITECTS LLC (133218)				
	6353	CONSULTING SERVICES - MENTOCK PARK/SPLASH PAD RESTROOM FACILITY	09/30/2023	1,861.38
Total :				1,861.38
Total POINT ARCHITECTS LLC (133218):				1,861.38
PROVIDENT LIFE & ACCIDENT INS (128033)				
	10423	PREMIUMS	10/04/2023	23.40
Total :				23.40
Total PROVIDENT LIFE & ACCIDENT INS (128033):				23.40
PURCELL TIRE AND RUBBER COMPANY (132837)				
DBA: PURCELL TIRE AND SERVICE C	31214774	A05 TIRES	09/27/2023	610.32

Secondary Name	Invoice	Description	Invoice Date	Total Cost
DBA: PURCELL TIRE AND SERVICE C	31214774	D12 AND D13 TIRES	09/27/2023	3,453.28
DBA: PURCELL TIRE AND SERVICE C	31214774	B25 TIRES	09/27/2023	684.00
DBA: PURCELL TIRE AND SERVICE C	31214774	C07 AND C08 TIRES	09/27/2023	1,860.24
Total :				6,607.84
Total PURCELL TIRE AND RUBBER COMPANY (132837):				6,607.84
QUALITY ASPHALT PAVING, INC (125010)				
	2585	2207 11TH ST RAW WATER ASPHALT PATCH	10/06/2023	1,692.00
	2585	1508 BECK AVE ASPHALT PATCH	10/06/2023	900.00
	2585	1307 SUNSET BLVD ASPHALT PATCH	10/06/2023	1,476.00
Total :				4,068.00
Total QUALITY ASPHALT PAVING, INC (125010):				4,068.00
RAMEY, AMBER (133055)				
	9302023	MILEAGE REIMBURSEMENT - SEPTEMBER 2023	09/30/2023	3.80
Total :				3.80
Total RAMEY, AMBER (133055):				3.80
RESENDEZ, KAEYLA (131896)				
	5.1300.48	UTILITY DEPOSIT REFUND	09/28/2023	65.47
Total :				65.47
Total RESENDEZ, KAEYLA (131896):				65.47
ROBERTSON, LESLIE (130816)				
	10032023	RESTITUTION FROM MC-2208-010	10/03/2023	100.00
Total :				100.00
Total ROBERTSON, LESLIE (130816):				100.00
SABER PEST CONTROLL LLC (131183)				
	AUD180	PEST CONTROL - AUDITORIUM	10/04/2023	100.00
	CH180	PEST CONTROL - CITY HALL	10/04/2023	70.00
	E167	PEST CONTROL - ELECTRIC	10/02/2023	100.00
	P179	PEST CONTROL - PUBLIC WORKS SH	10/02/2023	60.00
	P179	PEST CONTROL - PUBLIC WORKS SH	10/02/2023	30.00
	P179	PEST CONTROL - PUBLIC WORKS SH	10/02/2023	30.00
	R178	PEST CONTROL - RECYCLING/SANITATION	10/04/2023	70.00
	REC180	PEST CONTROL - REC CENTER	10/04/2023	105.00
	REC180	PEST CONTROL - REC CENTER	10/04/2023	105.00
	W178	PEST CONTROL - WASTEWATER DEPT	10/04/2023	100.00
Total :				770.00
Total SABER PEST CONTROLL LLC (131183):				770.00
SECRETARY OF STATE (123386)				
	1022023	NOTARY FILING FEE	10/02/2023	60.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				60.00
Total SECRETARY OF STATE (123386):				60.00
SHEETS, TOBY (133335)				
	61108026	REC CENTER REFUND	09/26/2023	25.00
Total :				25.00
Total SHEETS, TOBY (133335):				25.00
SHOSHONE MUNICIPAL PIPELINE (9130)				
	10012023	SMP WATER PURCHASE - SEPTEMBER 2023	10/01/2023	159,257.06
Total :				159,257.06
Total SHOSHONE MUNICIPAL PIPELINE (9130):				159,257.06
SIMON, THOMAS (133345)				
	61404866	REC CENTER REFUND	10/05/2023	295.00
Total :				295.00
Total SIMON, THOMAS (133345):				295.00
SMITH, BRITTANY M (133336)				
	9202023	REFUND PAYMENT ON MC-2307-077	09/20/2023	100.00
Total :				100.00
Total SMITH, BRITTANY M (133336):				100.00
SMITH, JEAN (133344)				
	10032023	RESTITUTION CASE MC-2308-030	10/03/2023	432.06
Total :				432.06
Total SMITH, JEAN (133344):				432.06
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	12.12
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	76.78
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	68.70
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	68.70
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	88.90
ADVANCED INFO SYSTEMS	16256	OUTSOURCE BILLS	09/27/2023	88.89
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	6.53
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	41.38
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	37.02
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	37.02
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	47.91
ADVANCED INFO SYSTEMS	16262	OUTSOURCE BILLS	10/06/2023	47.92
Total :				621.87
Total SYSTEMS GRAPHICS INC (129162):				621.87

Secondary Name	Invoice	Description	Invoice Date	Total Cost
THOMSON REUTERS - WEST (128108)				
	849047331	CLEAR INVESTIGATIONS MONTHLY FEE	10/01/2023	188.92
Total :				188.92
Total THOMSON REUTERS - WEST (128108):				188.92
TRACTOR & EQUIPMENT CO (9930)				
	GFWO0107041	TRANSMISSION WORK ON CAT 140 MOTOR GRADER	09/26/2023	62,357.82
Total :				62,357.82
Total TRACTOR & EQUIPMENT CO (9930):				62,357.82
UNUM LIFE INSURANCE - LIFE (127935)				
	10423	PREMIUM	10/04/2023	983.87
Total :				983.87
Total UNUM LIFE INSURANCE - LIFE (127935):				983.87
WESCO DISTRIBUTION CORP (131137)				
WESCO/KVA/MODERN WHOLESALE	032562	200:5 CTs	09/20/2023	847.20
Total :				847.20
Total WESCO DISTRIBUTION CORP (131137):				847.20
WESTERN UNITED ELECTRIC SUPPLY (10605)				
	6097302	HOT STICK WIPES	09/26/2023	612.27
Total :				612.27
Total WESTERN UNITED ELECTRIC SUPPLY (10605):				612.27
WICHERN, TANNER (133349)				
	5805536	MEAL REIMBURSEMENT INTOXIMETER OPERATOR TRAINING	09/29/2023	17.38
	60033	MEAL REIMBURSEMENT INTOXIMETER OPERATOR TRAINING	09/26/2023	23.98
	C07A73	MEAL REIMBURSEMENT INTOXIMETER OPERATOR TRAINING	09/27/2023	19.56
Total :				60.92
Total WICHERN, TANNER (133349):				60.92
WILSON, SARAH (133346)				
	61407655	REC CENTER REFUND	10/05/2023	95.00
Total :				95.00
Total WILSON, SARAH (133346):				95.00
WINTER EQUIPMENT COMPANY INC (133342)				
	IV56532	MILLING BITS	09/21/2023	706.98
Total :				706.98

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total WINTER EQUIPMENT COMPANY INC (133342):				706.98
WOODS, JADE (130585)				
	14.7746.10	UTILITY DEPOSIT REFUND	09/29/2023	306.54
Total :				306.54
Total WOODS, JADE (130585):				306.54
WYOMING CONFERENCE OF BUILDING OFFICIALS (124777)				
	10032023	2023 WCBO FALL CONFERENCE	10/03/2023	175.00
Total :				175.00
Total WYOMING CONFERENCE OF BUILDING OFFICIALS (124777):				175.00
WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)				
WORKERS COMPENSATION DIV	10423	CONTRIBUTIONS	10/04/2023	10,452.79
WORKERS COMPENSATION DIV	10423	PD VOLUNTEERS	10/04/2023	16.85
WORKERS COMPENSATION DIV	10423	REC VOLUNTEERS	10/04/2023	168.48
Total :				10,638.12
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				10,638.12
WYOMING LAW ENFORCEMENT ACADEMY (10900)				
FISCAL DIVISION	C-12096	SUPERVISOR TRAINING C06 AND C07 ACCOMMODATIONS	08/15/2023	330.00
Total :				330.00
Total WYOMING LAW ENFORCEMENT ACADEMY (10900):				330.00
WYOMING MUNICIPAL POWER AGENCY (10920)				
	202309-1	POWER PURCHASE - SEPTEMBER 2023	10/15/2023	237,425.53
	202309-1	DEMAND PURCHASE COINCIDENT PEAK - SEPTEMBER 2023	10/15/2023	324,259.95
	202309-1	DEMAND PURCHASE NON-COINCIDENT PEAK - SEPTEMBER 2023	10/15/2023	37,915.50
Total :				599,600.98
Total WYOMING MUNICIPAL POWER AGENCY (10920):				599,600.98
WYOMING STATE TREASURER (123070)				
UNCLAIMED PROPERTY DIVISION	100523	Unclaimed Property Remittance	10/05/2023	1,158.09
Total :				1,158.09
Total WYOMING STATE TREASURER (123070):				1,158.09
Grand Totals:				1,145,219.45
Payroll 10/08/23				293,618.03
Total				1,438,837.48

MEETING DATE:	OCTOBER 17, 2023
DEPARTMENT:	CODY POLICE DEPT.
PREPARED BY:	JASON STAFFORD, CHIEF OF POLICE
DEPT. DIR. APPROVAL:	
CITY ADM. APPROVAL:	_____
PRESENTED BY:	JASON STAFFORD, CHIEF OF POLICE

AGENDA ITEM SUMMARY REPORT

2023, Annual Cody Lions Club Turkey Day Celebration

ACTION ITEM:

The Cody Lions Club is requesting the use of the Bob Moore Parking Lot beginning Friday, November 17th through Sunday, November 19th, 2023. Use of the parking lot will include the discharging of .22 cal. single shot target rifles within a 12-station target "Turkey Shoot" and a separate 4-station "Turkey on a String" carnival style shooting games. All shooting games are conducted under the direct supervision of Certified Range Instructors.

The Committee has submitted a layout with this summary. This layout will be reviewed and approved, noting any concerns or changes that may need to be made in order to maintain a safe environment for the discharging of the .22 cal. Single shot target rifles.

In addition to the use of the lot, the Cody Lions request the city provided barricades, cones and access to electricity for use during the event as they have in the past. An Open Container Permit request during the set up on Friday, Nov. 17th, and at the conclusion of the event on Saturday, Nov. 18th, 4pm-7pm, (for Lions Club members only). Additionally, Lions Club is requesting authorization to hang banners above 8th Street and will be made appropriately.

The City of Cody Code contains the following provision:

5-4-1: DISCHARGING GENERALLY:

No person shall discharge any firearm or air gun of any type or description within the city, except by permission of the chief of police or the city council, granted for special occasions, except in proper position for firing salutes or by command of a proper military or police officer in the performance of official duty, or in a shooting range or gallery authorized by the governing body. Special occasions for which permission may be granted shall include, but not be limited to, parades, festivals, demonstrations, exhibits, mock gunfighter performances, wild west shows and rodeos. (1960 Compilation § 8-501; amd. Ord. 00-6)

BACKGROUND SUMMARY

During November of each year the Cody Lions Club has annually coordinated the "Lions Club Turkey Day Event" in the Bob Moore parking lot. This year will be the 51st annual event.

AGENDA ITEM NO. _____

The event includes a variety of interactive carnival style games, concessions and raffles.

FISCAL IMPACT

None.

ALTERNATIVES

1. Approve the request with listed conditions.
2. Approve with modification of conditions to the request.
3. Deny the request.

RECOMMENDATION

Staff recommends approval of the request with the listed conditions for the discharging of firearms as a carnival event.

Conditions;

- a. The firing of these weapons will only be permitted on the designated date, Saturday November 18th, 2023 between the hours of 8:30 a.m. and 4:00 p.m.
- b. The temporary range will only be set up on the property of the Bob Moore Park lot located at 13th Street and Beck Avenue Cody, Wyoming 82414, and closed immediately after the program finishes.
- c. The range will use adequate backstops, bullet trapes and barriers to prevent stray projectiles.
- d. Both shooting games will be managed controlled and supervised by an NRA Safety Officer with knowledge, skills, and attitude essential to organizing, conducting, and supervising safe shooting activities and range operations.
- e. The General Firearms Safety Rules, Turkey Shoot Rules, and Range Layout Notes submitted by the Cody Lions Club for this event will be strictly enforced and adhered to during the event.
- f. A single point of contact will be on site at all times during the event and their contact information will be provided to the Police Department.
- g. Any complaints received about the discharge of these weapons, safety violations, or injuries during the event will be forwarded to office of the Chief of Police.

ATTACHMENTS

- 1) Agenda Request Form
- 2) Cody Lions Club Turkey Day layout at Bob Moore Park – including;
 - a. Shoot Area Detail Diagram, layout notes and legend.
 - b. Lions Club General Firearms Safety Rules
 - c. Turkey Shoot Rules.
- 3) Certificate of Liability Insurance

AGENDA & SUMMARY REPORT TO:

Klay Nelson, Cody Lions Club.

AGENDA ITEM NO. _____



City of Cody Agenda Request Form



In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You 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 Klay Nelson & Cordell Betters

Organization Represented Cody Lions Club

Date you wish to appear before the Council 10/17/2023

Email Address klay.nelson@outlook.com Telephone 307-272-4996

Names of all individuals who will speak on this topic Klay Nelson & Cordell Betters

Event Title (if applicable) Cody Lions Club Turkey Day

Date(s) of Event (if applicable) November 18, 2023

Location of Event (if applicable) Bob Moore Parking Lot

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)

1. Request use of Bob Moore Parking Lot; 2. November 17, 23 for event set-up, November 18, 23 host event, November 19, 2023 event tear-down; 3. Request open container permit November 17, 2023 from 12 pm-9 pm for event set-up. Alcohol will only be consumed by Lions Club Members; 4. Request ability to discharge firearms (.22 caliber) for carnival style games under supervision of Range Safety Officers; 5. Range Safety Officers include Tim Gorr, Sam Little, Loren Tope, Dusty LaFollette, Klay Nelson; 6. Liability insurance attached; 7. Carnival style game set-up attached; 8. Open container permit attached.

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

Signature [Signature]

Date 9/27/2023

24 HOUR/DAILY ALCOHOLIC BEVERAGE PERMIT APPLICATION

To be completed by City/County Clerk

Date filed with clerk: ____/____/____

Local Permit #: _____

Total Permit Fee: \$ _____

(Permit fee per day x number of days)

Applicant: Klay Nelson

Business/Trade Name (DBA): Cody Lions Club

Contact Person: Klay Nelson Phone: (307) 872 - 4996

Address: PO Box 786 City: Cody State: WY Zip: 82414

Date(s) of Event 11 / 17 / 23 through 11 / 17 / 23

Event Name: Cody Lions Turkey Day Event Location: Bob Moore Parking Lot

FILING IN (CHOOSE ONLY ONE)

☒ CITY OF: Cody

☐ COUNTY OF: _____

FILING AS (CHOOSE ONLY ONE)

- ☐ INDIVIDUAL
☐ PARTNERSHIP
☐ LP/LLP
☐ LLC

- ☐ CORPORATION
☐ LTD PARTNERSHIP
☒ ORGANIZATION
☐ OTHER _____

TYPE OF PERMIT (CHOOSE ONLY ONE)

☐ **MALT BEVERAGE PERMIT \$50**
(W.S. 12-4-502(a) / W.S. 12-2-201(b))

Malt beverage permit applicants receiving anything of value (i.e. money, goods and or services from any industry representative must answer the following: (W.S. 12-5-402(a))

Nonprofit corporation under the laws of Wyoming? Yes ☐ No ☐

Tax Exempt Organization under the Internal Revenue Code? Yes ☐ No ☐

And has the applicant been in continuous operation for not less than two (2) years? Yes ☐ No ☐

☐ **CATERING PERMIT \$50**
(W.S. 12-4-502(b))

For currently licensed Retail or Resort license holders only

☒ **OPEN CONTAINER PERMIT * \$50**
(City Ordinance 3-2-8)

(*Permit requires Council approval if in conjunction with Street Closure Request and/or at City Park (located between Sheridan Ave and Beck St.)

☐ **MANUFACTURER'S OFF-PREMISE PERMIT \$50**
(W.S. 12-2-203(g)(ii))

For the sale of the manufacturer's own Wyoming manufactured products only
Licensing Authority that issued Satellite Permit

☐ **MALT BEVERAGE PERMIT FOR MICROBREWERIES \$50**
(W.S. 12-4-502(a))

For the sale of the microbrewery's own Wyoming brewed products only

☐ **WINERY OFF-PREMISE PERMIT \$100**
(W.S. 12-4-414(g))

For the sale of the winery's own Wyoming manufactured products only
Licensing Authority that issued Satellite Permit

By filing this application, the applicant and their representatives agree to sell alcoholic beverages and operate under the requirements of all applicable Wyoming state and local laws and rules, and submit any required sales tax and reports. Under penalty of perjury, and the possible revocation or cancellation of the permit, I swear the above stated facts, are true and accurate.

Applicant Signature

Printed Name

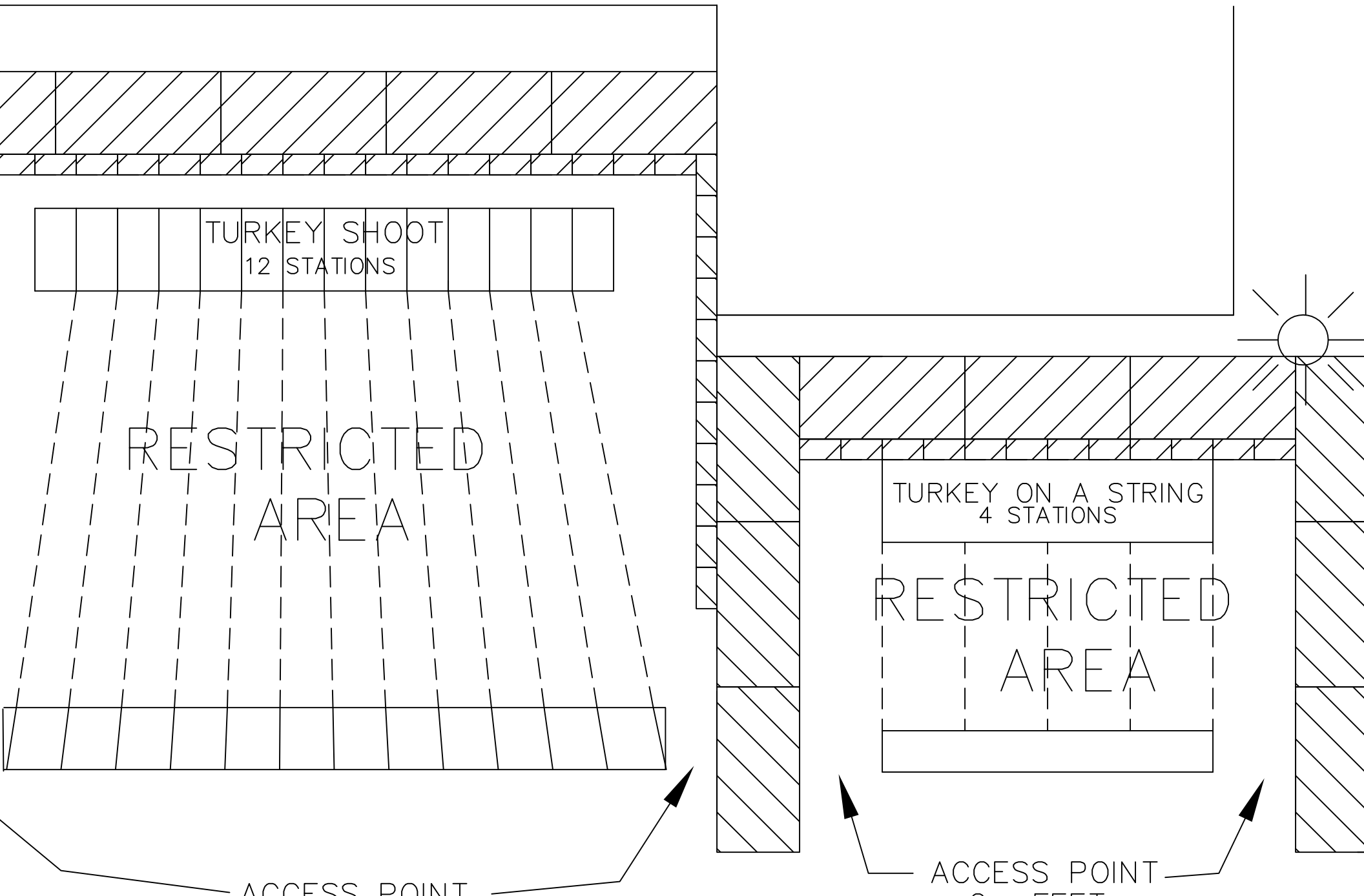
Date

Date

Signature of Licensing Authority Official

TURKEY DAY AT BOB MOORE PARK

SHOOT AREA DETAIL









CODY LIONS CLUB TURKEY DAY LAYOUT AT BOB MOORE PARK

NOTES:

1. ALL RIFLES ARE TETHERED
2. ONLY CODY LIONS RIFLES ARE ALLOWED
3. ONLY CODY LIONS AMMUNITION IS ALLOWED
4. ACCESS BEHIND FIRING LINE IS RESTRICTED
TO AUTHORIZED CODY LIONS CLUB MEMBERS
5. CODY LIONS CLUB RESERVES THE RIGHT
TO REFUSE TO ALLOW ANYONE TO SHOOT

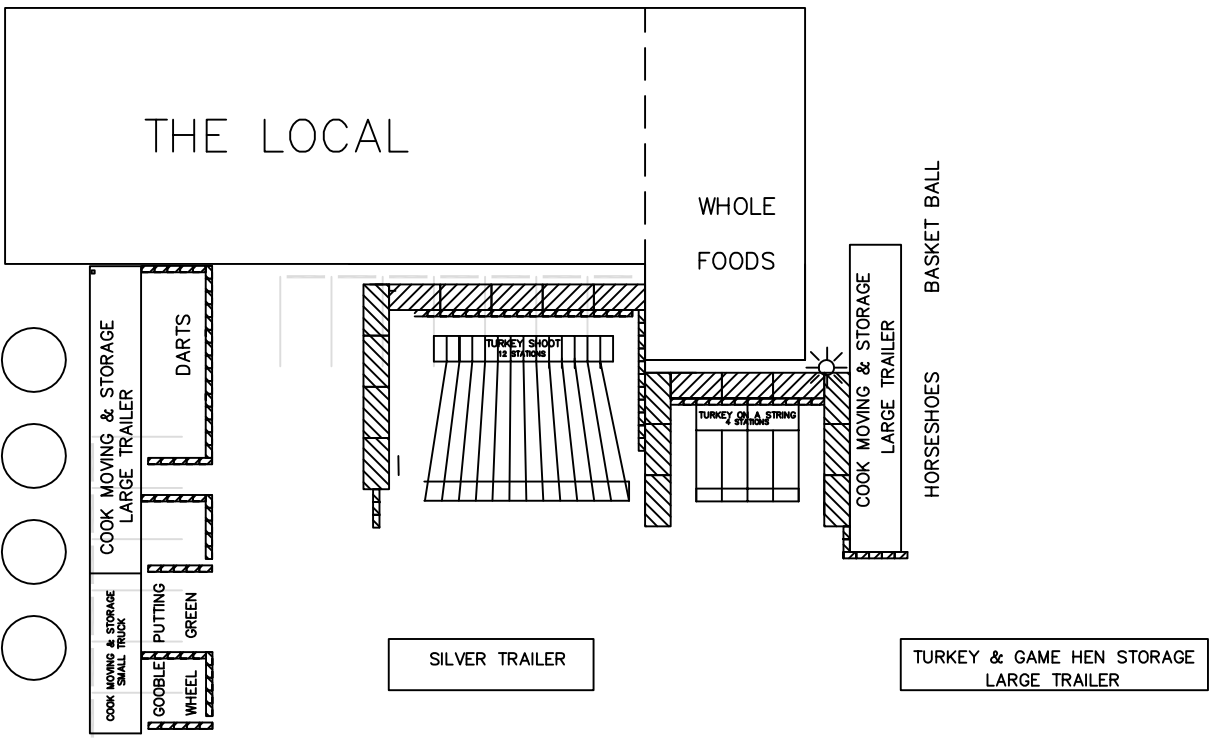
LEGEND:

-  — LARGE STRAW BALE
-  — SMALL STRAW BALE
-  — POWER POLE
-  — POWER PEDESTAL
-  — TREE
-  — CITY SIGN

CODY LIONS CLUB TURKEY DAY GENERAL LAYOUT.
SUBJECT TO CHANGE

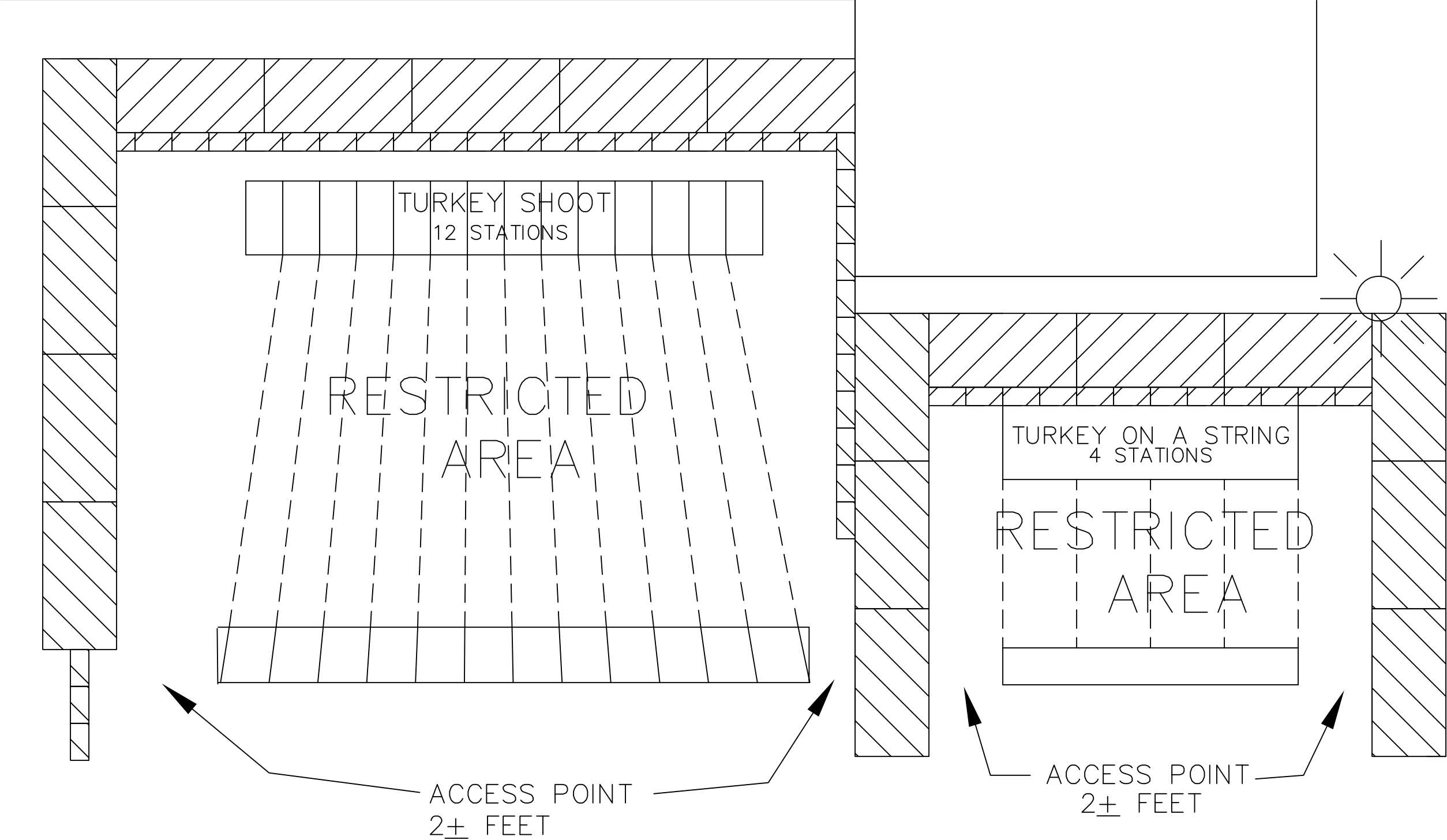
13TH ST

ALLEY



BECK AVE

CODY LIONS CLUB
TURKEY DAY LAYOUT
AT BOB MOORE PARK
SHOOT AREA DETAIL



GENERAL FIREARMS SAFETY RULES

- 1. Handle all firearms as if they are loaded. Only CLUB OWNED .22 caliber rim fire rifles and ammunition will be used and allowed
- 2. Always keep firearms pointed in a safe direction.
- 3. Keep your finger out of the trigger guard until your sights are on the target and you have made the decision to fire.
- 4. Always be certain that your target and the surrounding area are safe before firing.
- 5. Safety “To Do’s” with any firearm:
 - a. Keep the muzzle in a safe direction
 - b. Keep your finger off the trigger.
 - c. Open the action when done firing.
 - d. Make sure the firearm safety is ON
- 6. Be thoroughly knowledgeable of the operational and safety features of all of your firearms.
- 7. Before firing the firearm, be sure it is in good working order & that the bore is free of obstructions.
- 8. Always wear hearing and eye protection when shooting or observing.
- 9. Never use firearms while under the influence of alcohol or drugs; this includes prescription and non-prescription which caution use while driving or using heavy equipment.
- 10. Always transport your fire arm in a safe unloaded condition and in accordance with applicable laws.

TURKEY SHOOT RULES

- 1. The RANGE SAFETY OFFICER (RSO) has absolute authority on the range.
- 2. No one is allowed to bring personal firearms or ammunition to the Turkey Shoot Event.
- 3. CEASE FIRE – Immediately, upon the order of a “Cease Fire”;
 - a. Unload all firearms
 - b. Clear & open all actions
 - c. Lay the fire arm down
 - d. Stand back from the firing line
 - e. Do not handle the firearm during the cease fire
- 4. Be aware of your actions and the actions of your fellow shooters
- 5. Report safety violations to the RSO

THE CODY LIONS CLUB RESERVES THE RIGHT TO REFUSE TO LET ANY PERSON TO PARTICIPATE IN ANY TURKEY DAY ACTIVITY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

DSP Insurance Services, Inc.
1900 E. Golf Road, Suite 650
Schaumburg, IL 60173

CONTACT

NAME: John Adams

PHONE
(A/C, No, Ext): 1-800-316-6705FAX
(A/C, No): 847-934-6186E-MAIL
ADDRESS: lionsclubs@dspins.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : ACE American Insurance Company

22667

INSURER B :

INSURER C :

INSURER D :

INSURER E :

INSURER F :

INSURED

Cody Lions Club
Cody Wyoming

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE				ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY						HDO G48333205	09/01/2023	09/01/2024	EACH OCCURRENCE	\$ 1,000,000	
	<input checked="" type="checkbox"/>	COMMERCIAL GENERAL LIABILITY								DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000	
	<input type="checkbox"/>	<input type="checkbox"/>	CLAIMS-MADE	<input checked="" type="checkbox"/>	OCCUR						MED EXP (Any one person)	\$ 5,000
	<input checked="" type="checkbox"/>	Agg. Per Named Insured								PERSONAL & ADV INJURY	\$ 1,000,000	
	<input type="checkbox"/>	is \$2,000,000								GENERAL AGGREGATE	\$ 10,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:									PRODUCTS - COMP/OP AGG	\$ 2,000,000	
	<input checked="" type="checkbox"/>	POLICY	<input type="checkbox"/>	PRO-JECT	<input type="checkbox"/>	LOC					\$	
A	AUTOMOBILE LIABILITY						ISA H10778906	09/01/2023	09/01/2024	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	
	<input type="checkbox"/>	ANY AUTO								BODILY INJURY (Per person)	\$	
	<input type="checkbox"/>	ALL OWNED AUTOS		<input type="checkbox"/>	SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	<input checked="" type="checkbox"/>	HIRED AUTOS		<input checked="" type="checkbox"/>	NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/>				<input type="checkbox"/>						\$	
	<input type="checkbox"/> UMBRELLA LIAB		<input type="checkbox"/>	OCCUR						EACH OCCURRENCE	\$	
	<input type="checkbox"/> EXCESS LIAB		<input type="checkbox"/>	CLAIMS-MADE						AGGREGATE	\$	
	<input type="checkbox"/>	DED	<input type="checkbox"/>	RETENTION \$						\$		
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY									<input type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)				<input type="checkbox"/>	N/A				E.L. EACH ACCIDENT	\$	
	If yes, describe under DESCRIPTION OF OPERATIONS below									E.L. DISEASE - EA EMPLOYEE	\$	
										E.L. DISEASE - POLICY LIMIT	\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Nov 17 - 19, 2023
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

CERTIFICATE HOLDER

City of Cody
1338 Rumsey Ave
Cody Wyoming 82414

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Wyoming Cultural Trust Fund Interim and Final Report

As a recipient of a Wyoming Cultural Trust Fund (WCTF) grant, you must complete a Final Report within 60-days of completion of the project. (In the case of a multi-year grant, Interim Reports must be completed and submitted upon a schedule approved of by the WCTF.) In all cases 10% of the grant award will be held and not released until the Wyoming Cultural Trust Administrator has received and approved the grant recipient's Final Report.

This Interim/Final Report may be reproduced on any word processor; please use 12-point font and an easy-to-read typestyle. The Financial Information pages may be replicated in Excel, or similar program, if the format remains consistent. Margins on all pages should be at least 1" on all sides.

Please complete the following information:

Grant Number: 121-23-A

Grantee Organization: City of Cody DBA: Cody Public Art Committee

Project Title: Cody Mural Project 2022

Project Actual State Date 7/1/2022

Project Actual End Date 8/30/2023

If any contact information (address, phone numbers, personnel) needs to be changed, please indicate changes here:

Current administrative contact for CPAC:

Tina Gail

Shoshone Recreation District

City of Cody

tgail@codywy.gov

(307) 527-3485

Authorizing Signatures: The signatures of two separate individuals are required to certify that all information contained in this Final Report accurately represents the activities and financial expenditures for this project. Please sign in blue ink.

 Project Director 10/11/23

Project Director Title Date

Administrator/Director/Board President/Umbrella Title Date

Revised 8/22

WCTF Interim/Final Report Form

Revised 8/22

FINANCIAL INFORMATION

****Attached as Exhibit A****

This information is required for all final reports. All WCTF grants must be matched with cash and/or in-kind donations, within the grant period. Anything for which you have paid must be listed in the "cash column"; in-kind is for donated goods and services only.

FINANCIAL INFORMATION

This information is required for all final reports. All WCTF grants must be matched with cash and/or in-kind donations, within the grant period. Anything for which you have paid must be listed in the "cash column"; in-kind is for donated goods and services only.

CASH EXPENSES AND IN-KIND DONATIONS

		WCTF Cash	Applicant Cash	In-Kind
Organizational Personnel				
<i>List position</i>	<i>% of FTE* time involved in project</i>			
<i>Existing Staff Salaries Do Not Count as Match</i>				
Volunteer Hours	16.3%			6,505.00
Subtotal		\$	\$	\$6,505.00
Outside Fees and Services				
(This may include artist fees, honorariums, architectural services, or other outside expertise required to complete project)				
<i>List position</i>	<i>% of FTE* time involved in project</i>			
Artist finalist honoraria	N/A	640.00	1,460.00	
Artist fee	N/A	17,000.00		
Laramie public art consultant	N/A		10,000	
Subtotal		\$17,640.00	\$11,460.00	\$
Travel				
(Please specify if this involves administrative or board travel; artistic housing/per diem, or expert/consultant travel to/from the state)				
Artist travel supplement			750.00	
Subtotal		\$	\$750.00	\$
Marketing				
(Printing, Advertising, postage and other appropriate marketing expenses)				
Printing – scavenger hunt event			149.08	
Mural signage			510.00	
Subtotal		\$	\$659.08	\$
Space Rental/Renovation/Restoration				
(May include performance or exhibition space rental, administrative space rental, or be focused on the costs of restoration or rehabilitation of a historic or archeological site)				
Primer and paint for mural wall				50.00
Labor for wall prep			1,825.00	1,825.00
Subtotal		\$	\$1,825.00	\$1,875.00
Organizational Operating Expenses				
(General operating expenses of the organization)				
Artist's welcome meal			187.30	
Subtotal		\$	\$187.30	\$
Total for Cash Expenses and In-Kind Donations		\$17,640.00	\$14,881.38	\$8,380.00

*FTE – Full Time Equivalent (2080 Hours)

FINANCIAL INFORMATION

CASH RESOURCES

For applications providing cash matches, please complete the following:

Cash Match	
List cash match funding source(s) and amount. Provide the date the funds were approved.	
Cash Match may be generated by Earned Income, Corporate/Foundation Gifts or Grants, Government Grants/Loans, or Applicant Cash (such as funds from General Budget or Savings).	
Cash Match Source	Cash Amount
City of Cody	\$15,000.00
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$
Total Cash Income Generated by Grantee	\$15,000.00

WCTF Grant Award	\$17,640.00
**Total Cash Match and WCTF Award	\$32,640.00

****Total Cash Match and WCTF Award must equal or exceed total cash expenses.
This demonstrates how the grantee paid for cash expenses.**

STATISTICAL INFORMATION

If appropriate, please provide statistical information on the attendance or participation of any events, programs, or services provided by the grantee as part of the WCTF grant.

	Sites/Events	Dates	Students	General Audience	Staff/Admin Volunteers	Artists	Totals
1	Scavenger Hunt	04/29/23		55	10		65
2	Dinner	06/20/23			8	1	9
3	Selection Process	01/24/23 – 05/24/23			15		15
4	Administrative Functions	July 2022-August 2023			11		11
	Totals			55	44	1	100

Volunteer hours
(list for each event)

1. 30
2. 18
3. 150
4. 141

Note: Volunteer hours are part of your “in-kind donations” and you need to include their dollar value on a personnel expense line in the in-kind column on Page 2.

Use the following formula to estimate the value of the volunteer hours:

Total Hours 284 x \$20 per hour = \$5,680

Total Hours 55 x \$15 per hour = \$825

(For the \$ per hour figure, estimate what the job would cost per hour if you had to hire someone to do it. For example, an usher or a ticket taker might be paid minimum wage, while an accountant keeping the books on your project would be paid more.)

NARRATIVE

You may use up to three pages to complete this narrative section (single-spaced, one-side of the paper only in at least 12 point type and a font that is easy to read.) Please leave at least a one-inch margin on all sides of the page. Be sure to address each point listed below.

Please discuss the success and impact of your Wyoming Cultural Trust Fund project(s), including information about the following:

1. Please describe your completed project(s) and any follow-up activities you have planned. How were your goals and objectives for the project(s) achieved? How did your project(s) enhance the cultural climate in your community? What means of evaluation did you use?

The Wyoming Cultural Trust Fund Grant for this project provided the artist fee for the Cody Public Art Committee's first mural. The City of Cody gifted \$15,000, a portion of which was used to hire Laura McDermit with Laramie Public Art to assist in designing an application and selection format. As an all-volunteer committee, the additional match was met through in-kind services related to selection and public programming, as well as in-kind labor (half of their cost) from the professional painters who primed the wall. Our goal to complete our first mural was achieved with a regional, Wyoming-based application and selection process. Laramie, Wyoming artist Dan Toro was selected by the community committee and began work on the By Western Hand wall in June of 2023. An extension was requested from Wyoming Cultural Trust as it seemed the completion of the mural might exceed the deadline. The mural contributes to the public art collection and is an incredible artwork as the first mural. We hope that it gains support from our community by creating interest and beautification in the town, setting a strong example of the quality of murals the committee will complete in the future. As has happened in other communities, we hope this project will spur donations for future murals. An online survey was conducted prior to the application for the project to see what community support existed for murals and what genre/design was preferred. Results indicated strong support for colorful murals different than the existing western genre of other public art works. Evaluation will be completed through online survey after an opening ceremony on October 23, 2023 takes place to gather public response to our first mural.

2. Please describe any changes from the project(s) proposed in your original application, and any unexpected problems that you had to address.

Our original application included a timeline with application, selection, and mural completion dates that were earlier than what was followed. Because this was our first mural involving an application process, the committee felt the need to hire someone to assist in the application and selection process. Hiring an outside consultant, Laramie Public Art, allowed us to create processes to follow for future projects and helped to create guiding templates for governmental agreements.

3. How did you make your local and state officials aware of your project(s)? Please include copies of letters you sent to legislators and other officials. List names of any local and state officials who attended your event(s).

Because the Cody Public Art Committee is a committee of the City of Cody, we have direct communications with our mayor and council members. They are updated at each monthly meeting as to the progress of this project. State legislators are informed through online communication and have been personally invited to the opening ceremony at the end of October.

4. Please give us your comments, tell us your concerns, or offer suggestions related to this grant and the Wyoming Cultural Trust Fund.

We are thrilled and so thankful for this grant and what it has allowed us to do for our community. This has provided the perfect "seed" money to build support for future murals. We are grateful for the guidance and support of Renee Bovee in helping us with an extension, as we wanted to produce the best final product possible.

5. **All grantees must acknowledge/credit Wyoming Cultural Trust Fund support for the project/event/activity in any appropriate printed material or via lobby signs. Please provide documentation supporting this documentation.** Please include copies, samples, or photos of any materials produced during your project(s). If you took digital pictures, please include a CD/DVD or Flash Drive of your best images.

See attached copies

Please email your completed Final Report to:
renee.bovee@wyo.gov

Or via US Mail to:

Wyoming Cultural Trust Fund
Attn: Renee Bovee
2301 Central Avenue
Cheyenne, WY 82002

Signage for *Peaks and Valleys* (in print now)

***Peaks and Valleys*, Dan Toro, 2023**

Toro designed *Peaks and Valleys* as an ode to the surroundings of Cody and the beauty of the outdoors. The camp blanket, referencing a blanket you'd see at camp sites or on a rodeo horse, twists and turns to build valleys and mountains.

The valleys and mountains hold many visual gems that lead the viewer across the wall. Said Toro: "I believe this will be a very strong piece for the town of Cody. A bold, colorful image that tells a story; one that people will want to look at for awhile."

About the artist:

Dan Toro is from Laramie, Wyoming and has traveled throughout the country painting murals. Toro studied art at the University of Wyoming, with an emphasis on oil painting and printmaking. Both disciplines helped lead him in the direction of large-scale works of art. His oil-painting background directs a lot of his work with details; his printmaking background provided an ability to produce multiples and replicate patterns.

Mural commissioned by Cody Public Art Committee. Supported in part by a grant from the Wyoming Cultural Trust Fund, a program of the Department of State Parks and Cultural Resources.

Special thanks to By Western Hands for their collaboration.

What do you see?

The artist created a world of wonder! Can you find all of the elements below? What else do you see?

Heart Mountain

The twisting blanket creates the peak of Heart Mountain right in the center of the mural.

Bison + Bear

Spot the turquoise "eyes." The eye on the left belongs to a bear; the eye on the right is the bison. The design of the animal silhouettes was inspired by western rodeo posters.

Let's go fishing!

A fly fishing rod is wrapped within the blanket. Can you find the fly that is attached?

Leather Work

The spur peeking out from under the blanket includes intricate leather work as a nod to functional western design.

Peaks and Valleys
Dan Toro, 2023



Scavenger Hunt to gather public feedback



What was your favorite piece on the Scavenger Hunt? Why?

Do you feel represented by the public art in Cody?

What are types of art or subject matter that you would like to see more of in your community?

Where would you like to see more public art?

Tell us about a work of public art that made an impact on you in Cody or from anywhere in the world!

SCAVENGER HUNT

CODY PUBLIC ART
Art Making Life Beautiful

CODY
WYOMING

Thank you to the Wyoming Cultural Trust Fund for supporting our current mural project.

CULTURAL TRUST FUND

Name: _____

Phone: _____

AGREEMENT TO TERMINATE JOINT POWERS BOARD

THIS AGREEMENT TO TERMINATE A JOINT POWERS AGREEMENT is made and entered into as of the 18th day of October, 2023, by and between the City of Cody, Wyoming, a municipal corporation (hereinafter “Cody”), and the City of Powell, Wyoming, a municipal corporation (hereinafter “Powell”) (collectively, the “Parties” the “Participating Agencies”, or the “Agencies” as such term or terms are defined under Section 16-1-403 or the Wyoming Statute §(2023) c.

RECITALS

- A. WHEREAS the Parties previously entered into a Joint Powers Agreement as “Agencies” as defined in the Wyoming Joint Powers Act, Wyoming Statute §16-1-103 to 16-1-207 (the “Act”); and
- B. Pursuant to said agreement, the Parties established the Northwest Improvement Projects Joint Powers Board effective November 5, 2001; and
- C. The Parties have determined that all projects that were undertaken pursuant to the Northwest Improvement Projects Joint Powers Board have been completed and in fact that Northwest Improvement Projects Joint Powers Board has not met since June 14, 2010, and as such the participating Agencies desire to dissolve and terminate the Northwest Improvement Projects Joint Powers Board as said entity is no longer needed.

NOW THEREFORE, in consideration of mutual covenants and agreements herein contained, the Agencies do hereby agree as follows:

- 1. The Northwest Improvement Projects Joint Powers Board shall be dissolved and terminated effective the 18th day of October, 2023, as all projects undertaken by the Northwest Improvement Projects Joint Powers Board have been completed and there are no outstanding obligations of the Northwest Improvement Projects Joint Powers Board, nor any debt service requirements or outstanding revenue bonds as all have been satisfied and paid in full. Additionally, the Northwest Improvement Projects Joint Powers Board has conveyed all of its right, title and interest in any projects undertaken by the Joint Powers Board to the Agency or Agencies for which the projects were constructed, improved or acquired.

IN WITNESS WHEREOF, we hereunto set our hands as of the date and year first above written.

CITY OF CODY

Dated:_____

By:_____
Mayor

Attest:_____
City Clerk

CITY OF POWELL

Dated:_____

By:_____
Mayor

Attest:_____
City Clerk



BOARDS AND COMMISSIONS
CITIZEN INTEREST FORM
(PLEASE PRINT OR TYPE)

Application Date 10/4/23

NAME Shawn Eric Berg Phone (h) 307-277-7615

RESIDENCE ADDRESS 1521 21st Street E-Mail Berg NU 84@hotmail.com

MAILING ADDRESS 1521 21st Street

Employment (firm and occupation/profession) Gen'l Construction Phone (w) 307-587-3445

Educational Background Graduated from Laramie High / 2 1/2 years at UW

Previous or Current Public Experience (elective or appointive) Blue Glenn Golf Board

Volunteered at the animal shelter

Present Service Activities (civic organizations, volunteering, etc) None

PLEASE MARK THE FOLLOWING BOARD/COMMISSION YOU ARE APPLYING FOR:

Planning and Zoning Commission Vacant position - remaining term ending 12/31/2023

Are you applying to serve on only one City of Cody board? X Yes _____ No

If no, indicate other Boards/Commissions

What special experience or education do you have for serving on the board/commission to which you are applying?

I have been in construction for over 20 years. I have owned or was a Superintendent for a couple of different companies.

Why are you interested in serving on this board/commission?

I think my knowledge of the construction world would help
out the board. And to help the community

Return Form to:
Administrative Services Officer
City of Cody
PO Box 2200
Cody WY 82414

Signature: 

RESOLUTION OF SUPPORT

RESOLUTION NO. 2023-17

A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE WYOMING BUSINESS COUNCIL UNDER THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM ON BEHALF OF THE GOVERNING BODY OF THE CITY OF CODY FOR THE PURPOSE OF:

THE ACQUISITION AND CONSTRUCTION OF A FOOD PROCESSING FACILITY FOR USE BY STRYK GROUP USA.

WITNESSETH

WHEREAS, the Governing Body of the City of Cody desires to enter into a partnership with Forward Cody Wyoming, Inc, and STRYK Group USA, and submit a proposal to the Business Ready Community Grant to assist in financing this project; and

WHEREAS, the Governing Body of the City of Cody recognizes that food processing facilities are a compatible industry in the Cody area and is supportive of Forward Cody Wyoming's effort to grow such business including supporting incentives to encourage businesses to grow and expand in the community, and

WHEREAS, the public benefit of this project will include direct and indirect employment of high-quality positions, the resultant economic impact throughout the community, and the establishment of a specialized processing and distribution company which is poised to spur other such ventures, and

WHEREAS, the specific goals and measures of success of this project are:

- The acquisition of the former Cody Labs API facility at 125 Road 2AB in the North Cody Industrial Park.
- The completion of life safety infrastructure to allow occupancy in the facility as Phase 1 of the Project.

Which will allow:

- The design and completion of a food processing facility of approximately 35,000 square feet by October 1, 2024.
- Employing 73 full time positions at wage that provide a sustainable family wage by June 1, 2028.

WHEREAS, the Business Ready Community Grant requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of the City of Cody intends to provide cash match to this Business Ready Community Grant from the following source(s):

- An investment by the STRYK Group USA in an amount equal to or greater than 10% of project cost estimated at \$456,000.

WHEREAS, the Governing Body for the City of Cody has approved a comprehensive Operation and Maintenance plan including projected expenses and project income sources extending the life of the asset(s); and

WHEREAS, the Governing Body will use the revenue recaptured from this project to enhance the ability of the Cody community to further economic development efforts including operational support, special projects, studies and business finance, and

WHEREAS, in the event of any project cost overruns, Forward Cody through the proposed budget has agreed to provide funding in the amount necessary to complete the project. In the event of cost overruns, STRYK Group USA has agreed to provide any additional funding necessary to complete the project, and

WHEREAS, the Governing Body of the City of Cody, Wyoming understands the state statutes regarding contracts for public improvements and agrees to follow state procurement standards inclusive of W.S. § 115-1-113 and W.S. § 16-6-1001 et seq.; and

WHEREAS, the Governing Body of the City of Cody, Wyoming understands the state statutes regarding the Wyoming Preference Act (W.S. § 16-6-201 to W.S. § 16-6-206) and will adhere to this statute throughout the project; and

WHEREAS, the City of Cody held a public hearing on October 17, 2023, and provided project information through other means including social media to solicit awareness and testimony from citizens, and gave full consideration to all comments received; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE City of Cody, that an application in the amount of approximately \$3,000,000 in grant funding (final budget in process) be submitted to the Wyoming Business Council for consideration of additional assistance in funding the STRYK Group USA's Food Processing Facility.

BE IT FURTHER RESOLVED, that James Klessens, CEO/President of Forward Cody Wyoming, Inc. is hereby designated as the authorized representative. to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS October 17, 2023.

By: _____

ATTEST:

CERTIFICATE

I, Cindy Baker, Administrative Services Director hereby certify that the foregoing Resolution was adopted by the City of Cody at a public meeting held on October 17, 2023 and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the permanent record of the City of Cody.

AGENDA ITEM SUMMARY REPORT

The Preliminary and Final Plats of the Sulphur Creek, 2-lot Minor Subdivision

ACTIONS TO BE TAKEN

Approve the preliminary and final plats of the Sulphur Creek Minor Subdivision, a 2-lot subdivision, with associated variances and conditions of approval.

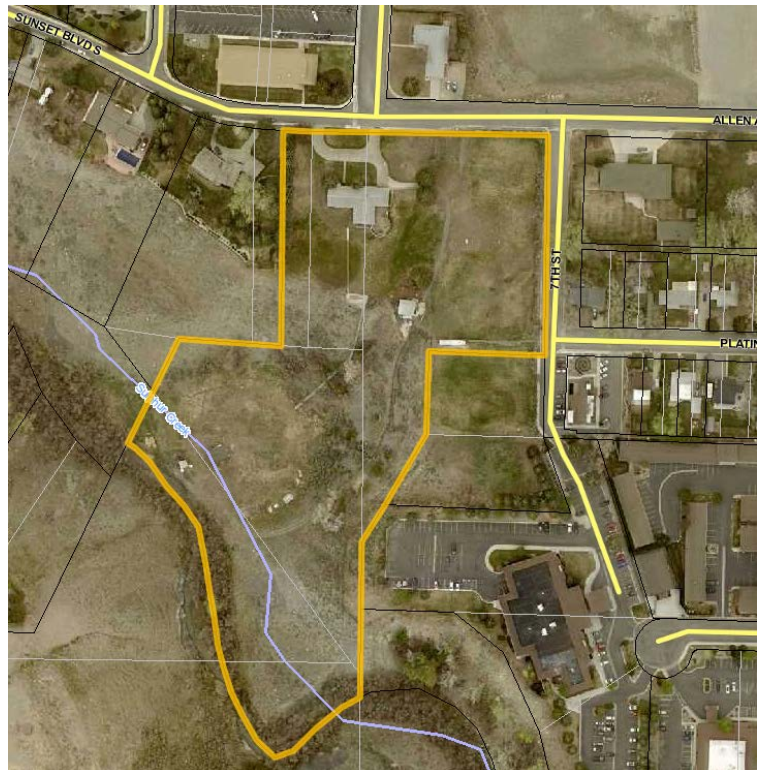
SUMMARY

The proposal is to divide 1334 Sunset Boulevard South into two lots—a 9.64-acre parcel with an existing house and a 1.32-acre vacant parcel. The property is in the R-2 residential zoning district and located west of 7th Street, and south of Sunset Boulevard and Allen Avenue.

As there are no public utility improvements anticipated to be required by this subdivision, both the preliminary plat and final plat are presented for approval. An in-depth analysis is available in the attached report to the Planning and Zoning Board

RECOMMENDATION:

The Planning and Zoning Board recommends approval of the subdivision and associated variances, subject to conditions, as noted below.



Subdivision Variances:

1. To waive the alley requirement.
2. To allow the current street widths of Allen Avenue and 7th Street to be considered adequate.

Conditions:

Recommend that the City Council approve the preliminary and final plat subject to the following conditions:

1. Include a note on the final plat that the outstanding subdivision improvements (sewer and water taps for Lot 2, and installation of the missing segment of sidewalk on 7th street) are

AGENDA ITEM NO. _____

required in conjunction with issuance of a building permit for development on Lot 2, and to see the Community Development Department for details.

2. Prior to the mayor signing the final plat:
 - a) Pay the domestic water tap fee for Lot 2 (minimum $\frac{3}{4}$ ").
 - b) Pay the raw water tap and connection fee for Lot 1.
 - c) Disconnect the raw water system on Lot 1 from the existing service on the east side of Lot 2.

It is noted that the applicant believes that there is an existing raw water tap already on Lot 1, which was not identified in the application materials or by the utility locate. If the raw water tap already exists, Condition 2b would not be applicable.

ATTACHMENTS

Plat drawings.

Staff report to Planning and Zoning Board.

Not attached, but available: Title report

H:\PLANNING DEPARTMENT\FILE REVIEWS\MAJOR-MINOR SUBDIVISION\2023\SUB2023-05 ROFE MINOR (SULPHUR CREEK MINOR)\STAFF REPORTS\AGENDA SUMMARY ROFE SULPHUR CREEK.DOCX

LEGAL DESCRIPTION OF PROPERTY TO BE SUBDIVIDED

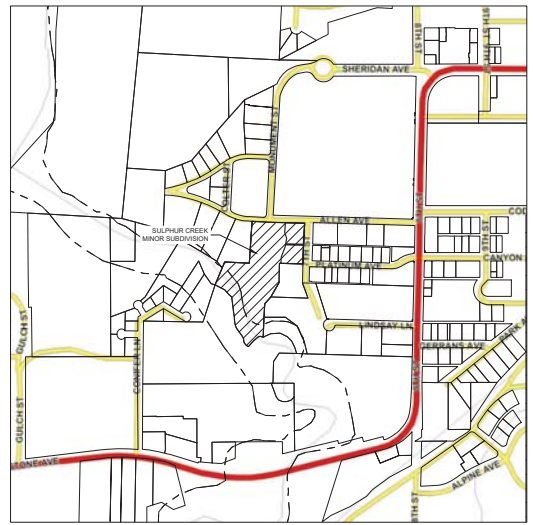
A PARCEL OF LAND LOCATED WITHIN TRACTS A OF THE AMENDED AND VACATED PORTIONS OF STOCK SUBDIVISION, BROWN ADDITION, BROWN 2ND ADDITION AND TRACT 82 WITHIN RESERVE TOWNSHIP 52 NORTH, RANGE 102 WEST, TOWNSHIP 53 NORTH, RANGE 102 WEST, T. 53 NORTH, RANGE 101 WEST AS SHOWN ON PLAT AS DOC. NO. 2014-2864 IN PLAT CABINET M ON PAGE 44 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, PARK COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2 INCH ALUMINUM CAP MONUMENT, SAID MONUMENT BEING A 1.00 FOOT WITNESS CORNER TO THE SOUTHWEST RIGHT-OF-WAY OF 7TH STREET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 1.00 FOOT TO THE WEST RIGHT-OF-WAY OF 7TH STREET; THENCE SOUTH 20°21'54" EAST, A DISTANCE OF 134.80 FEET; THENCE NORTH 88°13'30" WEST, A DISTANCE OF 317.13 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 4°20'47" WEST, A DISTANCE OF 77.28 FEET TO A POINT ON THE EAST LINE OF SAID STOCK SUBDIVISION; THENCE SOUTH 0°00'00" WEST ON AND ALONG THE EAST LINE OF SAID STOCK ADDITION, A DISTANCE OF 115.77 FEET TO THE NORTHWEST CORNER OF THE LINDSAY LANE SUBDIVISION RECORDED IN BOOK F AT PAGE 64 ON FILE WITH SAID CLERK AND RECORDER'S OFFICE; THENCE SOUTH 0°00'00" WEST ON AND ALONG THE WEST LINE OF SAID LINDSAY LANE SUBDIVISION, A DISTANCE OF 188.58 FEET MORE OR LESS TO THE CENTER OF SULPHUR CREEK WITH BEARING AND DISTANCE CALLS FROM SAID DOC. NO. 2014-2864 IN PLAT CABINET M ON PAGE 44 ROTATED TO HIS SURVEY; THENCE ON AND ALONG THE CENTERLINE OF SULPHUR CREEK AS FOLLOWS: THENCE NORTH 84°29'22" WEST, A DISTANCE OF 17.27 FEET; THENCE NORTH 74°19'59" WEST, A DISTANCE OF 20.25 FEET; THENCE SOUTH 80°03'24" WEST, A DISTANCE OF 18.40 FEET; THENCE SOUTH 0°00'00" WEST, A DISTANCE OF 48.80 FEET; THENCE SOUTH 42°35'59" WEST, A DISTANCE OF 84.18 FEET; THENCE SOUTH 81°56'44" WEST, A DISTANCE OF 5.70 FEET; THENCE NORTH 54°42'03" WEST, A DISTANCE OF 20.73 FEET; THENCE NORTH 30°52'46" WEST, A DISTANCE OF 21.20 FEET; THENCE NORTH 25°51'19" WEST, A DISTANCE OF 13.41 FEET; THENCE NORTH 0°00'00" WEST, A DISTANCE OF 23.81 FEET; THENCE SOUTH 30°18'59" WEST, A DISTANCE OF 41.03 FEET; THENCE NORTH 36°50'45" WEST, A DISTANCE OF 35.30 FEET; THENCE NORTH 37°03'44" WEST, A DISTANCE OF 28.46 FEET; THENCE NORTH 27°14'53" WEST, A DISTANCE OF 27.65 FEET; THENCE NORTH 19°50'00" WEST, A DISTANCE OF 26.89 FEET; THENCE NORTH 0°00'00" WEST, A DISTANCE OF 33.93 FEET; THENCE NORTH 0°00'00" WEST, A DISTANCE OF 30.81 FEET; THENCE NORTH 0°00'00" WEST, A DISTANCE OF 136.04 FEET; THENCE NORTH 50°03'34" WEST, A DISTANCE OF 32.37 FEET; THENCE NORTH 40°36'04" WEST, A DISTANCE OF 50.93 FEET; THENCE NORTH 62°51'41" WEST, A DISTANCE OF 34.14 FEET; TO THE WEST LINE OF LOT 6 OF SAID BROWN ADDITION AND THE EAST LINE OF PINE TREE ADDITION AS SHOWN AS DOC. NO. 2001-3224 IN BOOK 16 AT PAGE 59 ON FILE IN SAID CLERK AND RECORDER'S OFFICE; THENCE LEAVING THE CENTERLINE OF SULPHUR CREEK ON AND ALONG THE WEST LINE OF SAID BROWN ADDITION NORTH 22°48'24" EAST, A DISTANCE OF 210.70 FEET TO A POINT ON THE SOUTH LINE OF LOT 62-16 OF THE SAID STOCK SUBDIVISION; THENCE SOUTH 86°51'59" EAST ALONG THE SOUTH LINE OF BOTH SAID LOT 62-16 AND THE WEST HALF OF LOT 62-17 OF SAID STOCK SUBDIVISION, A DISTANCE OF 251.18 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 358.45 FEET TO THE SOUTH RIGHT-OF-WAY OF SOUTH SUNSET BOULEVARD; THENCE SOUTH 86°42'28" EAST ON AND ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 148.82 FEET; THENCE SOUTH 86°42'28" EAST ON AND ALONG SAID RIGHT-OF-WAY OF ALLEN AVENUE, A DISTANCE OF 298.86 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY OF ALLEN AVENUE AND THE WEST RIGHT-OF-WAY OF 7TH STREET; THENCE SOUTH 0°00'00" WEST ON AND ALONG THE WEST RIGHT-OF-WAY OF SAID 7TH STREET, A DISTANCE OF 181.25 FEET; THENCE SOUTH 0°00'00" WEST ON AND ALONG THE WEST RIGHT-OF-WAY OF SAID 7TH STREET, A DISTANCE OF 188.86 FEET TO A POINT IN LINE WITH THE SOUTH RIGHT-OF-WAY OF PLATINUM AVENUE AS PROJECTED TO THE WEST; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 88°34'51" WEST ALONG THE NORTH LINE OF TRACT 8 OF SAID DOC. NO. 2014-2864, A DISTANCE OF 199.93 FEET; THENCE SOUTH 0°00'00" WEST ALONG THE WEST LINE OF SAID TRACT 8, A DISTANCE OF 164.84 FEET; THENCE SOUTH 29°07'00" WEST, A DISTANCE OF 140.40 FEET TO THE TRUE POINT OF BEGINNING, SAID PARCEL CONTAINING 8.90 ACRES MORE OR LESS.

EASEMENTS REPORTED WITHIN TITLE POLICY

EASEMENTS WITHIN TRACT "A", TRACT 82, TOWNSHIP 52 NORTH, RANGE 102 WEST, 6TH P.M. (RESERVE)
AS LISTED IN TITLE INSURANCE POLICY FROM FIRST AMERICAN TITLE DATED JULY 13, 2021

PLAT LOCATION	TITLE PAGE #	GRANTED TO	BOOK/PAGE (PER DOC. #)
①	13	MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY	BOOK 149 PAGE 558 (LOCATIONS UNCERTAIN)
②	14	V.F. HAERTHER	BOOK 153 PAGE 130
③	17	SHOSHONE RIVER POWER, INC.	BOOK MF 127 PAGE 285 (LOCATIONS UNCERTAIN)
④	18	CITY OF CODY	BOOK OF PLATS "F" PAGE 81 (VACATED)



CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	OCTOBER 10, 2023	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	ROFE (SULPHUR CREEK) MINOR SUBDIVISION—A 2-LOT SUBDIVISION. SUB 2023-05	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

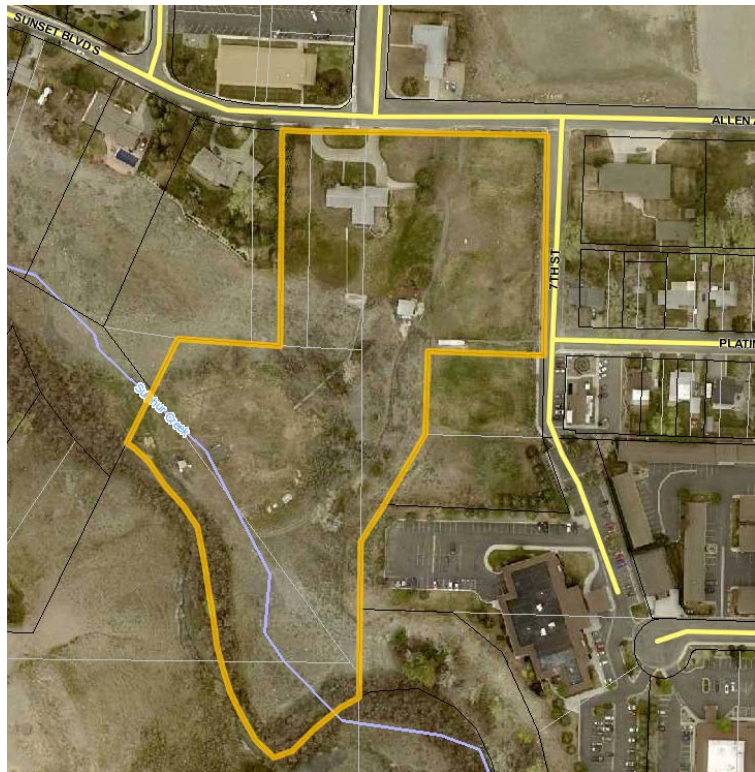
PROJECT OVERVIEW

The proposal is to divide 1334 Sunset Boulevard South into two lots—a 9.64 acre parcel with an existing house and a 1.32-acre vacant parcel. The property is in the R-2 residential zoning district and located west of 7th Street, and south of Sunset Boulevard and Allen Avenue.

As there are no public utility improvements anticipated to be required by this subdivision, both the preliminary plat and final plat are presented for review.

SUBDIVISION REGULATIONS

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



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

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

Comment- No new public streets or alleys are proposed.

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

Comments- Allen Avenue and 7th Street are specified as minor collectors on the City master street plan, which classification currently calls for a 44-foot-wide paved surface, plus curb, gutter and sidewalk. Allen Avenue has a 47-foot-wide paved surface along much of Lot 1, but reduces to a 40-foot-wide paved surface along Lot 2. Allen Avenue has curb and gutter, and a narrow sidewalk on the south side. 7th Street has a 37-foot-wide paved surface, curb and gutter, and a narrow chip sealed sidewalk on much of the west side, except the south 35 feet of the Lot 2 frontage.

Planning and Public Works staff believe the current street widths are sufficient for current and anticipated purposes based on the zoning and limited amount of developable land served. 7th Street is slightly wider than the 34-foot width the street master plan calls for a local street, which local street is the extent of its function—the minor collector designation for 7th Street appears excessive. The section of missing sidewalk on the 7th Street frontage will need to be identified as an improvement for this subdivision, but will not need to be installed until a building permit is desired for development of the lot. The crumbling chip seal sidewalk is nonconforming and when replaced, would need to be upgraded to current standards.

A variance should be granted to allow the current street widths to be considered sufficient, which is consistent with past practice.

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

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

Comment: The configuration of the subdivision does not lend itself to alleys. While there are platted alleys in the development to the east, they are not passable, so any new alley would not be able to be tied into any other alley network. As utilities and garbage collection are available along the street frontages, no alleys are needed. A variance to the alley requirement is proposed.

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

Comment: As noted in "B", the missing segment of sidewalk along 7th street will be a condition of subdivision approval. All other improvements noted are existing.

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

Comment: See "B" above.

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

U. Lot Requirements:

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

Comment: Met.

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

Comment: Met. Both lots have direct access to at least one City Street.

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

Comment: Met.

4. Strip lots...will be prohibited.

Comment: Met.

V. Blocks:... Comment: Met.

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards for construction. Applicable sections not already addressed above, are listed below.

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

Comment: Based on utility records and a plumbing permit, Lot 1 is currently connected to City sewer. Lot 2 will need a sewer service installed from the sewer main in Allen Avenue. There is no sewer main in 7th Street. The installation of the sewer service will need to occur prior to issuance of a building permit on Lot 2. Waiting until that time allows the location to be coordinated with development of the lot.

H. Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch ($\frac{3}{4}$ ") copper service line. The service lines shall be extended from the main to the property line according to city standards. ...

Comment: Lot 1 is currently connected to City water. Lot 2 will need a water service installed. Water mains are available in both Allen Avenue and 7th Street. The water tap fee will be collected with the subdivision, but installation is not required until a building permit for Lots 2 is desired.

I. Fire Hydrants...

Comment: Met with the existing hydrants at the Platinum Avenue intersection and just west of the Monument Street intersection.

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

Comment: There are no open drains or irrigation ditches on the property.

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

Comment: Sewer and water will be provided as noted above. Power is connected to Lot 1 (house service) and Lot 2 (meter post on Lot 2). City raw water comes to Lot 2 from the alley across 7th Street. Historically this has also served portion of what will now be Lot 1. Public Works indicates that Lot 1 will need to have its own water service, which can occur by tapping the raw water main on the Lot 1 frontage. The size will need to be determined, and the tap and connection fees paid prior to recording the final plat. This raw water situation is different than shown on the preliminary plat—the preliminary plat shows a shared service, which is not permitted. For billing, maintenance, and shut off purposes, each lot needs to have its own service. This will also mean that the irrigation easement proposed across Lot 2 will not be needed, and can be removed from the plat.

If reduction in the size of the raw water service for Lot 2 is desired, coordinate the work with Public Works and the utility billing office.

M. Street Lighting...

Comment: Existing along Allen Avenue and Sunset Boulevard South, and near the Platinum Avenue intersection.

N. Public Use Areas: ...

Comment: Minor subdivisions are exempt from this requirement.

Variances

The subdivision ordinance specifies the following regarding variances: "*If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification,*

grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title."

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

Other:

The property apparently has no surface water rights.

RECOMMENDATION:

Recommend that the City Council grant the variances noted in the staff report, and approve the preliminary and final plats subject to the listed conditions.

Subdivision Variances:

1. To waive the alley requirement.
2. To allow the current street widths of Allen Avenue and 7th Street to be considered adequate.

Conditions:

Recommend that the City Council approve the preliminary and final plat subject to the following conditions:

1. Include a note on the final plat that the outstanding subdivision improvements (sewer and water taps for Lot 2, and installation of the missing segment of sidewalk on 7th street) are required in conjunction with issuance of a building permit for development on Lot 2, and to see the Community Development Department for details.
2. Prior to the mayor signing the final plat:
 - a) Pay the domestic water tap fee for Lot 2 (minimum ¾");
 - b) Pay the raw water tap and connection fee for Lot 1.
 - c) Disconnect the raw water system on Lot 1 from the existing service on the east side of Lot 2.

ATTACHMENTS

Plat drawings.

Not attached, but available: Title report

MEETING DATE:	OCTOBER 17, 2023
DEPARTMENT:	COMMUNITY DEVELOPMENT
PREPARED BY:	SEAN COLLIER
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

AGENDA ITEM SUMMARY REPORT

ORDINANCE 2023-13 – AN ORDINANCE AMENDING TITLE 9, CHAPTER 2, SECTION 1(C) OF THE CITY OF CODY CODE TO ADOPT THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE

ACTION

Approve Ordinance 2023-13 to amend Title 9, Chapter 2, Section 1(C) of the City of Cody Code to adopt the 2023 Edition of the NFPA 70 National Electrical Code.

SUMMARY

The City of Cody currently uses the 2020 Edition of the National Electrical Code. The State of Wyoming is now using the 2023 Edition. In order for the City of Cody to maintain local authority to conduct electrical inspections, we are required by the State of Wyoming to adopt and enforce the most recent edition of the National Electrical Code, in accordance with W.S. 35-9-121. The proposed ordinance would update the City to the 2023 Edition. The only edit to the text of the City ordinance is the year noted.

FISCAL IMPACT

No change to the current budget.

RECOMMENDATION

Approve Ordinance 2023-13

ALTERNATIVES

Approve or deny Ordinance 2023-13.

ATTACHMENT

Ordinance 2023-13

AGENDA ITEM NO. _____

ORDINANCE NO. 2023-13

AN ORDINANCE AMENDING TITLE 9, CHAPTER 2, SECTION 1(C) OF THE CITY OF CODY CODE TO ADOPT THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE.

WHEREAS, the governing body has determined that it is in the public interest to amend Section 9-2-1(C) of the City of Cody Code to adopt the 2023 Edition of the NFPA 70 National Electrical Code.

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

SECTION 1: Title 9, Chapter 2, Section 1(C), Adoption by Reference; Copies to Be Kept on File, is hereby amended as follows:

9-2-1: ADOPTION BY REFERENCE; COPIES TO BE KEPT ON FILE:

C. The City of Cody hereby adopts the 2023 Edition of the NFPA 70 National Electrical Code, as published by the National Fire Protection Association and adopted by the State of Wyoming, which code is made a part hereof by this reference, the same as though incorporated herein at length.

SECTION 2: EFFECTIVE DATE. This Ordinance shall become effective immediately after final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING:

PASSED ON SECOND READING:

PASSED ON THIRD READING:

Matt Hall, Mayor

Attest:

Cynthia Baker, Administrative Services Director

MEETING DATE: OCTOBER 17, 2023

DEPARTMENT: PUBLIC WORKS – WATER

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

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



AGENDA ITEM SUMMARY REPORT

Ordinance 2023-12 Amending Title 8, Chapter 2 of the City of Cody Municipal Code to Modify and Set Treated Water and Raw Water Service Fees and Rates

ACTION TO BE TAKEN

Consider approval of Ordinance 2023-12 on First Reading to modify and set treated water and raw water service fees and rates becoming effective December 1, 2023.

SUMMARY OF INFORMATION

The City Council approved and adopted the “2021 City of Cody Water Master Plan” (WMP) on November 16, 2021. A component of the WMP was a revenue needs analysis that identified the amount of funding needed for the twenty-year planning horizon to complete the recommended Capital Improvement Program (CIP) projects for the City’s treated water and raw water systems. The WMP identified the need to increase the Water Enterprise Fund revenues by approximately eight percent (8%) per year for a period of seven to nine years.

Based on the findings of the WMP, the City Council has approved two (2) treated water and raw water rate increases of approximately eight percent (8%) each, the first taking effect on January 1, 2022, and the second on December 1, 2022. Ordinance 2023-12 proposes the third treated water and raw water increase of approximately eight percent (8%) to be effective with utility billing starting December 1, 2023. The specific charges and rates being increased are summarized as follows:

- Treated Water – City Base Rate increased to \$16.35 per month for a ¾ inch service (standard residential service size), and subsequent larger meter sizes based on the existing “multiplier” scale (previously \$15.15 per month for a ¾ inch service, a 7.92% increase)
- Treated Water – Usage Charge increased to \$3.27 per one thousand gallons (previously \$3.03 per thousand gallons, a 7.92% increase)
- Treated Water – Water Crane and Fire Hydrant Meter sales increased to \$9.10 per thousand gallons (previously \$8.43 per thousand gallons, an 7.95% increase)
- Raw Water – Annual Fee and Monthly Installments increased to \$158.76 per year and \$13.23 per month for a ¾ inch service (standard residential service size), and subsequent larger meter sizes based on the existing “multiplier” scale (previously \$147.00 per year and \$12.25 per month for a ¾ inch service, an 8.0% increase)
- Raw Water – Annual Fee and Monthly Installments for townhouse units increased to \$79.44 per year and \$6.62 per month (previously \$73.50 per year and \$6.13 per month, a 7.99% increase)

FISCAL IMPACT

The Water Enterprise Fund is projected to collect \$4.171 million in “Charges for Utility Services” for treated water and raw water in the approved FY 2024 Budget. Approval of Ordinance 2023-12 and the resultant rate increases of approximately 8% is aligned with the approved budget and revenue projections.

ATTACHMENTS

1. Ordinance 2023-12

AGENDA ITEM NO. _____

ORDINANCE 2023-12

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2
OF THE CITY OF CODY MUNICIPAL CODE TO MODIFY AND SET
TREATED WATER AND RAW WATER SERVICE RATES**

Title 8, Chapter 2, Article II, shall be hereby amended as follows effective December 1, 2023.

8-2-40: SCHEDULE OF RATES AND CHARGES

The rates for metered water sold within the City limits shall be as follows:
The minimum monthly charge for each meter shall be as follows:

<u>Meter Size</u>	<u>SMP Charge</u>	<u>City Base Charge</u>
3/4 inch	\$ 11.00	\$ 16.35
1 inch	\$ 22.00	\$ 32.70
1 1/2 inch	\$ 44.00	\$ 65.45
2 inches	\$ 77.00	\$ 114.50
3 inches	\$ 176.00	\$ 261.80
4 inches	\$ 308.00	\$ 458.15
6 inches	\$ 704.00	\$ 1047.20

The SMP Charge is the wholesale tap equivalency fee charged by the Shoshone Municipal Pipeline. The City Base Charge is the fee assessed by the City for the operation and maintenance of the treated water storage and distribution system. The minimum monthly fee is calculated as follows:

SMP Charge + City Base Charge + three dollars and twenty-seven cents (\$ 3.27) per thousand gallons per month.

All sections shall remain unchanged until Item B.1.

1. For water taken and purchased from the City Water Crane, a minimum of nine dollars and ten cents (\$ 9.10) for the first one thousand (1,000) gallons or less, plus of nine dollars and ten cents (\$ 9.10) per one thousand (1,000) gallons for each additional one thousand (1,000) gallons, or any fraction thereof per trip or load.

All sections shall remain unchanged until Item B.2.d.

- d. The fee for water use shall be a minimum of of nine dollars and ten cents (\$ 9.10) per one thousand (1,000) gallons or any fraction thereof of water used. This fee may be adjusted to the wholesale cost to the City if the water is used for a City-funded project subject to the approval of the Public Works Director.

All sections shall remain unchanged until Item B.3.

3. Any person desiring to take domestic City water from any other unmetered source, excepting City personnel for authorized City purposes and Fire Department personnel for authorized Fire Department purposes, shall first obtain a written permit from the Public Works Director or his/her designee. Such permit shall fully state the name and billing address of the person or party responsible for payment of water taken, meter number for meter used, and the location of the source (hydrant) from where the water is to be taken. The fee for the use of water shall be a minimum of of nine dollars and ten cents (\$ 9.10) for the first one thousand (1,000) gallons or less, plus of nine dollars and ten cents (\$ 9.10) per one thousand (1,000) gallons for each additional one thousand (1,000) gallons, or fraction thereof, per trip or load. This fee may be adjusted to the wholesale cost to the City, if the water is used for a City project or as determined by the Governing Body.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE II *

Title 8, Chapter 2, Article III, shall be hereby amended as follows effective December 1, 2023.

8-2-56: SCHEDULE OF RATES AND CHARGES; TIME OF PAYMENT; FAILURE TO PAY; REQUIREMENT FOR METER:

- A. All users tapped to the raw water system, except as provided in subsections B, C, D, E and F of this section, shall pay a raw water fee based on tap size. All utility bills generated on or after December 1, 2023, shall be billed in monthly installments as follows:

Tap Size	Annual Fee	Payable In Monthly Installments
3/4 inch	\$ 158.76	\$ 13.23
1 inch	\$ 238.14	\$ 19.85
1 1/4 inches	\$ 396.90	\$ 33.08
1 1/2 inches	\$ 635.04	\$ 52.92
2 inches	\$ 952.56	\$ 79.38
2 1/2 inches	\$ 1,190.70	\$ 99.23
3 inches	\$ 1,428.84	\$ 119.07
4 inches	\$ 1,984.50	\$ 165.38

All sections remain unchanged until Item E.

- E. Individual taps for townhouse residences shall pay an annual fee of seventy-nine dollars and forty-four cents (\$ 79.44), which shall be billed in monthly installments of six dollars and sixty-two cents (\$ 6.62).

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE III *

Title 8, Chapter 2, Article IV, shall be hereby amended as follows effective December 1, 2023.

8-2-58: SPECIAL USE WATER POLICY:

- A. < NO CHANGE >
- B. Use; Calculation: The special use water policy allows authorized customers a reduced rate on the treated water for lawn and garden use. The special use water policy is calculated as follows:
1. An average will be calculated using the November through May billing periods based on the account holder's treated water usage.
 2. For the June through October billing periods, customers will be billed their average usage at the regular rate of three dollars and twenty-seven cents (\$ 3.27) per one thousand (1,000) gallons of treated water used. The amount used over the average usage will be billed at one dollar and thirty-four cents (\$ 1.34) per one thousand (1,000) gallons of treated water used. Wastewater will be billed based on the average treated water use from the November through May billing periods. There is no additional sewer charge on the additional water beyond the average used for irrigation purposes.
 3. For the November through May billing periods, the account holder will be charged three dollars and twenty-seven cents (\$ 3.27) per one thousand (1,000) gallons of water actually used, and wastewater will be charged at one dollar and ninety cents (\$ 1.90) per one thousand (1,000) gallons based on the actual amount of treated water used.

8-2-59: MODIFIED SPECIAL USE WATER POLICY:

- A. < NO CHANGE >
- B. Use; Calculation: The modified special use water policy allows authorized customers a reduced rate on the wastewater charges when water is used for lawn and garden use. The modified special use water policy is calculated as follows:
1. For calculation of wastewater purposes, an average will be calculated using the November through May billing periods based on the account holder's treated water usage.
 2. For the June through October billing periods, customers will be billed for the actual amount of water used at the regular rate of three dollars and twenty-seven cents (\$ 3.27) per one thousand (1,000) gallons of treated water used. Wastewater will be billed at one dollar and ninety cents (\$ 1.90) per one thousand (1,000) gallons based on the average treated water use from the November through May billing periods. There is no additional sewer charge on the additional water beyond the average used for irrigation purposes.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE IV *

This Ordinance 2023-12 shall become effective at the final passage after third reading and publication in the Cody Enterprise as required by law:

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

PASSED ON THIRD READING: _____

Matt Hall, Mayor

ATTEST:

Cynthia D. Baker, Administrative Services Officer