

City of Cody City Council

AGENDA

Tuesday, Sept 21, 2021 – 7:00 p.m.

(Pre-Meeting to begin at 6:55 p.m. in Conference Room)

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

Meeting Called to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Mayor's Recognitions and Announcements

1. Consent Calendar

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

- a. Approval of Minutes: Regular Minutes from September 7th and Special Work Session Minutes from September 14, 2021.
- b. Approve Vouchers and payroll in the amount of \$1,949,077.16.

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

3. Public Hearing.

4. Conduct of Business

- a. Authorize the encroachment license for the existing building at 1227 14th Street, for longstanding encroachment into the 14th St right of way and the adjacent public alley.
Staff reference: Todd Stowell, City Planner
- b. RESOLUTION 2021-16
A RESOLUTION ENCUMBERING FUNDS FROM THE AMERICAN RESCUE PLAN ACT FOR THE INSTALLATION OF A FIRE SUPPRESSION SYSTEM AND SOUND SYSTEM UPGRADE IN THE CITY AUCITORIUM BUILDING.
Staff Reference: Barry Cook, City Administrator
- c. RESOLUTION 2021-17

A RESOLUTION ENCUMBERING FUNDS FROM THE AMERICAN
RESCUE PLAN ACT TO PROVIDE FUNDING FOR TWO FULL
TIME POSITIONS AS ADDRESSED AS NEGATIVE ECONOMIC
IMPACTS BY RESTPORING PUBLIC SECTOR CAPACTIY.

Staff Reference: Barry Cook, City Administrator

5. Tabled Items
6. Matters from Staff Members
7. Matters from Council Members
8. Adjournment

Upcoming Meetings:

Sept 28, 2021 – Tuesday– Work Session – 5:30 p.m.

October 5, 2021 – Tuesday – Regular Council Meeting – 7:00 p.m.

October 12, 2021 – Tuesday– Work Session – 5:30 p.m.

October 19, 2021 – Tuesday – Regular Council Meeting – 7:00 p.m.

City of Cody
Council Proceedings
Tuesday, September 7, 2021

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, September 7, 2021 at 7:00 p.m.

At 6:50 p.m. Council Member Ballard made a motion seconded by Council Member Baily to enter into an Executive Session pursuant to W.S. 16-4-405(a)(iii) (litigation or proposed litigation) and W.S. 16-4-405-(a) (ix)(other matters considered confidential by law). Vote was unanimous. At 7:04 p.m. Council Member Ballard made a motion seconded by Council Member Baily to exit the executive Session. Vote was unanimous. No action was taken.

Present: Mayor Matt Hall, Council Members Andrew Quick, Justin Baily, Diane Ballard, Jerry Fritz, Heidi Rasmussen and Emily Swett, City Administrator Barry Cook, City Attorney Scott Kolpitcke, and Administrative Services Officer, Cindy Baker

Absent: None

Mayor Hall called the meeting to order at 7:05 p.m.

Council Member Ballard made a motion seconded by Council Member Baily to approve Regular Minutes from August 17, 2021, approve Vouchers and payroll in the amount of \$997,846.89; and approve the Cody Soroptimist's Club to hold their 13th annual "Run for Hope". A 5K and 10K walk-run benefit on October 2nd 2021. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Swett to appoint Karinthia Herweyer to the P & Z Board for a term ending December 31, 2022, due to the recent resignation of Kayl Mitchell. Vote was unanimous.

Council Member Quick made a motion seconded by Council Member Baily to approve the preliminary plat of the Pederson Minor Subdivision, a 2-lot subdivision of property at 225 Robert Street. Vote was unanimous.

Mayor Hall adjourned the meeting at 7:14 p.m.

Mayor Matt Hall

Cindy Baker, Administrative Services Officer

City of Cody
Council Proceedings
Tuesday, September 14, 2021

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, September 14, 2021 at 5:30 p.m.

Present: Mayor Matt Hall, Council Members, Diane Ballard, Emily Swett, Andrew Quick, Jerry Fritz, Justin Baily and Heidi Rasmussen, City Administrator, Barry Cook and Administrative Service Officer, Cindy Baker.

Absent: None

Mayor Hall called the meeting to order at 5:26 p.m.

Megan Mclean (PCAS) Park County Animal Shelter discussed (TNR)– Trap – Neuter - Return - Pilot Program. Council provided direction to staff to work with PCAS and proceed to start this pilot program.

Council Member Rasmussen made a motion seconded by Council Member Baily to approve Change Order #5 - Beacon Hill Water Tank & Water Main Extension Project in the amount of \$17,812.95. Vote was unanimous.

Council Member Fritz made a motion seconded by Council Member Rasmussen to authorize the Mayor to sign a resolution terminating and releasing the City's lease hold interest in property in Cody, Wyoming.

Barry Cook, City Administrator, discuss options for additional personal days for vaccinated employees and other COVID related information/updates. Staff was provided direction on providing further education on available clinics and other direction to proceed with.

Barry Cook, City Administrator, discussed two draft resolutions involving ARPA Funds. Staff was directed to proceed with bringing the resolutions to the next regular meeting on September 21st.

Mayor Hall adjourned the Work Session at 6:22 p.m.

Cynthia D Baker
Administrative Services Officer

Matt Hall
Mayor

Report Criteria:

Invoice.Detail.Input date = 09/02/2021,09/14/2021

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
AMERICAN FAMILY LIFE ASSUR (550)				
	918106	PREMIUM	09/10/2021	2,447.06
Total :				2,447.06
Total AMERICAN FAMILY LIFE ASSUR (550):				2,447.06
AMERICAN WELDING & GAS, INC. (128592)				
	8022651	OXYGEN/ACETYLENE/CYLINDER RENTAL	08/31/2021	80.80
	8022652	CARBON DIOXIDE/CYLINDER RENTAL	08/31/2021	37.83
Total :				118.63
Total AMERICAN WELDING & GAS, INC. (128592):				118.63
ANIXTER INC (130622)				
	4991055-01	PARKING STANDS	08/26/2021	719.85
Total :				719.85
Total ANIXTER INC (130622):				719.85
BAILEY ENTERPRISES INCORPORATED (130546)				
	5447153	Fuel	09/07/2021	149.55
	5447153	Fuel	09/07/2021	1,036.84
	5447153	Fuel	09/07/2021	179.48
	5447153	Fuel	09/07/2021	59.83
	5447153	Fuel	09/07/2021	2,482.85
	5447153	Fuel	09/07/2021	179.48
	5447153	Fuel	09/07/2021	89.74
	5447153	Fuel	09/07/2021	104.17
	5447153	Fuel	09/07/2021	700.16
	5447153	Fuel	09/07/2021	441.66
	5447153	Fuel	09/07/2021	176.86
	5447153	Fuel	09/07/2021	160.66
	5447153	Fuel	09/07/2021	123.58
	5447153	Fuel	09/07/2021	131.75
	5447153	Fuel	09/07/2021	11.18
	5447153	Fuel	09/07/2021	183.35
	5447153	Fuel	09/07/2021	22.36
	5447153	Fuel	09/07/2021	1,918.84
	5447153	Fuel	09/07/2021	100.16
	5447153	Fuel	09/07/2021	983.87
	5447153	Fuel	09/07/2021	762.61
	5447153	Fuel	09/07/2021	123.51
	5447153	Fuel	09/07/2021	25.45
	5447153	Fuel	09/07/2021	3,720.97
	5447153	Fuel	09/07/2021	1,197.03
	5447153	Fuel	09/07/2021	882.93
	5447153	Fuel	09/07/2021	140.07
	5447153	Fuel	09/07/2021	85.15
	5447153	Fuel	09/07/2021	25.45
	5447153	Fuel	09/07/2021	562.60
	5447153	Fuel	09/07/2021	390.36

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	5447153	Fuel	09/07/2021	25.45
	5447153	Fuel	09/07/2021	648.39
	5447153	Fuel	09/07/2021	153.87
	5447153	Fuel	09/07/2021	337.95
	5447153	Fuel	09/07/2021	26.64
	5447153	Fuel	09/07/2021	1,299.38
Total :				19,644.18
Total BAILEY ENTERPRISES INCORPORATED (130546):				19,644.18
BLUE CROSS BLUE SHIELD OF WYOMING (1360)				
	2108052006980	INSURANCE - Sept 2021	09/01/2021	157,311.12
Total :				157,311.12
Total BLUE CROSS BLUE SHIELD OF WYOMING (1360):				157,311.12
C & C WELDING, INC (1690)				
	25817	T-HANDLE TO TURN ON WATER ON POOL DECK	08/06/2021	10.00
Total :				10.00
Total C & C WELDING, INC (1690):				10.00
CARQUEST AUTO PARTS (10200)				
	2874-ID-431828	lens F05	08/03/2021	7.64
	2874-ID-433474	spark plug A04	08/23/2021	57.52
	2874-ID-433903	grease F01	08/27/2021	4.59
Total :				69.75
Total CARQUEST AUTO PARTS (10200):				69.75
CHEYENNE, LIGHT, FUEL & POWER COMPANY (130509)				
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	148.65
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	122.78
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	156.21
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	100.26
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	1,646.29
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	1,646.29
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	69.71
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	12.08
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	137.90
BLACK HILLS ENERGY	090721	UTILITIES - BLACK HILLS ENERGY	09/07/2021	31.42
Total :				4,071.59
Total CHEYENNE, LIGHT, FUEL & POWER COMPANY (130509):				4,071.59
CLARK, RONALD W (131046)				
TOWN TAXI	9012021	TIPSY TAXI VOUCHERS	09/01/2021	308.00
Total :				308.00
Total CLARK, RONALD W (131046):				308.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
CODY TREE SURGERY (131773)				
	1102	TREE HAZARD REMOVAL - CHAMBER	08/25/2021	800.00
Total :				800.00
Total CODY TREE SURGERY (131773):				800.00
COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140)				
	42001	Legal Services	09/01/2021	3,384.68
	42001	Legal Services	09/01/2021	345.38
	42001	Legal Services	09/01/2021	759.83
	42001	Legal Services	09/01/2021	759.83
	42001	Legal Services	09/01/2021	828.90
	42001	Legal Services	09/01/2021	828.90
Total :				6,907.52
Total COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140):				6,907.52
DEARBORN LIFE INSURANCE COMPANY (131563)				
	090121	INSURANCE Sept 2021	09/01/2021	334.64
Total :				334.64
Total DEARBORN LIFE INSURANCE COMPANY (131563):				334.64
DOMMEL, DARLENE (132798)				
	13.0321.11	REFUND UTILITY DEPOSIT	09/03/2021	200.00
	13.0321.11A	REFUND CRECIT BALANCE	09/08/2021	37.27
Total :				237.27
Total DOMMEL, DARLENE (132798):				237.27
ENERGY LABORATORIES, INC (4120)				
DEPARTMENT 6250	417854	DISCHARGE TESTING	08/27/2021	187.00
Total :				187.00
Total ENERGY LABORATORIES, INC (4120):				187.00
ENGINEERING ASSOCIATES (4140)				
	4108060	PROJECT 14111-04 WWTF PHASE 2	08/18/2021	701.73
	4108060	PROJECT 14111-04 WWTF PHASE 2	08/18/2021	214.42
	4108060	PROJECT 14111-04 WWTF PHASE 2	08/18/2021	58.48
	4108060	PROJECT 14111-04 WWTF PHASE 2	08/18/2021	974.63
	4108061	YRA TREATED W/L - DESIGN & BIDDING PHASE	08/18/2021	2,423.69
	4108062	WEST AVE RAW WATER - SURVEY PHASE	08/18/2021	649.16
Total :				5,022.11
Total ENGINEERING ASSOCIATES (4140):				5,022.11
EXPRESS SERVICES INC (132433)				
	25950598	EXPRESS EMPLOYMENT - TEMP EMPLOYEE PARKS	08/31/2021	527.52
	25983125	TEMP EMPLOYMENT - PARKS	09/07/2021	1,139.95

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				1,667.47
Total EXPRESS SERVICES INC (132433):				1,667.47
FASTENAL COMPANY 01WYCDY (126018)				
	WCFY91547	BOLTS & WASHERS FOR MUSHROOM FEATURES	08/26/2021	19.62
Total :				19.62
Total FASTENAL COMPANY 01WYCDY (126018):				19.62
FIRE DISTRICT #2 (131409)				
	BLD-0621-0024	2301 PIONEER AVE	08/31/2021	1,479.00
Total :				1,479.00
Total FIRE DISTRICT #2 (131409):				1,479.00
FRANCK, BRANDON (131916)				
OR CORBETT, RECHELE	5.1375.37	REFUND UTILITY DEPOSIT	08/31/2021	71.34
Total :				71.34
Total FRANCK, BRANDON (131916):				71.34
GRAINGER (4635)				
	9004547668	BLOODBORNE PATHOGEN KITS	07/28/2021	43.32
Total :				43.32
Total GRAINGER (4635):				43.32
GREER, GREG (132804)				
	32128869	REC CENTER REFUND	08/30/2021	25.00
Total :				25.00
Total GREER, GREG (132804):				25.00
HARRIS TRUCKING AND CONSTRUCTION CO (7730)				
PARK COUNTY READY MIX	115315	SAND SLURRY	08/25/2021	466.00
Total :				466.00
Total HARRIS TRUCKING AND CONSTRUCTION CO (7730):				466.00
HARRIS TRUCKING AND CONSTRUCTION CO. (4780)				
	135657	BEDDING FOR 2AB SEWER	05/16/2021	1,176.60
	136318	40' OF 14" C900	08/29/2021	1,600.00
BHWT PAY APP 14		BEACON HILL WATER TANK PAY APP 14	08/31/2021	181,386.06
BHWT PAY APP 14		BEACON HILL WATER TANK PAY APP 14	08/31/2021	89,339.41
BHWT RET 14		BEACON HILL WATER TANK RET 14	08/31/2021	20,154.00
BHWT RET 14		BEACON HILL WATER TANK RET 14	08/31/2021	9,926.61
Total :				303,582.68

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				303,582.68
HEBRLEE, TRENT STEVEN (131832)				
HOTLINE ELECTRICAL SALES & SERV	28831	12S METERS	09/22/2021	1,480.00
Total :				1,480.00
Total HEBRLEE, TRENT STEVEN (131832):				1,480.00
KEELE SANITATION, LLC (124874)				
	780952	PORTA POTTY	08/26/2021	225.00
Total :				225.00
Total KEELE SANITATION, LLC (124874):				225.00
KELLY, THOMAS & EILEEN (132802)				
	90121	BI DIRECTIONAL SOLAR READY METER	09/01/2021	280.00
Total :				280.00
Total KELLY, THOMAS & EILEEN (132802):				280.00
KITCHEN, SCOTT (129803)				
	83121	REIMBURSE FOR MILEAGE	09/01/2021	26.82
Total :				26.82
Total KITCHEN, SCOTT (129803):				26.82
LEROUX, INC (1400)				
BOONES MACHINE SHOP/YANKEE CA	33948	BOBCAT RENTAL CHIP SEAL CLEAN UP	08/27/2021	1,350.00
Total :				1,350.00
Total LEROUX, INC (1400):				1,350.00
MANNING, CHRIS (132115)				
	32139714	REC CENTER REFUND	08/30/2021	125.00
Total :				125.00
Total MANNING, CHRIS (132115):				125.00
MERCHANT JT&S (123069)				
	6341	APPRENTICE WORK BOOTS	08/17/2021	1,100.00
Total :				1,100.00
Total MERCHANT JT&S (123069):				1,100.00
MICHAEL, GINA (132800)				
	15.9170.15	REFUND UTILITY DEPOSIT	09/03/2021	62.03
Total :				62.03
Total MICHAEL, GINA (132800):				62.03

Secondary Name	Invoice	Description	Invoice Date	Total Cost
NCPERS GROUP LIFE INS (125412)				
C/O MEMBER BENEFITS	9821	PREMIUM	09/08/2021	400.00
Total :				400.00
Total NCPERS GROUP LIFE INS (125412):				400.00
NORCO, INC. (128948)				
	32945128	GAS CYLINDER RENTAL	08/31/2021	25.42
Total :				25.42
Total NORCO, INC. (128948):				25.42
ONE-CALL OF WYOMING (127665)				
	60594	ONE - CALL FEES	08/12/2021	43.88
	60594	ONE - CALL FEES	08/12/2021	43.88
	60594	ONE - CALL FEES	08/12/2021	43.88
	60594	ONE - CALL FEES	08/12/2021	43.86
Total :				175.50
Total ONE-CALL OF WYOMING (127665):				175.50
PARK COUNTY ANIMAL SHELTER (5120)				
	90121	ANIMAL SERVICE CONTRACT -SEPTEMBER 2021	09/01/2021	4,166.67
Total :				4,166.67
Total PARK COUNTY ANIMAL SHELTER (5120):				4,166.67
PARK COUNTY LANDFILL (129053)				
	083121	LANDFILL CHARGES - AUGUST 2021	08/31/2021	79,398.54
	083121	LIP LANDFILL CHARGES - AUGUST 2021	08/31/2021	249.38
Total :				79,647.92
Total PARK COUNTY LANDFILL (129053):				79,647.92
PARK DISTRICT COURT (132610)				
	9221	GARNISHMENT Civil #29877	09/02/2021	196.97
Total :				196.97
Total PARK DISTRICT COURT (132610):				196.97
PROFFIT, DOUGLAS J (128647)				
PROFFITS ENTERPRISES LLC	13099	HILL MOWING CONTRACT	08/31/2021	1,155.00
PROFFITS ENTERPRISES LLC	13099	WEED REMOVAL SOFTBALL	08/31/2021	2,586.00
Total :				3,741.00
Total PROFFIT, DOUGLAS J (128647):				3,741.00
PROVIDENT LIFE & ACCIDENT INS (128033)				
	9821	PREMIUMS	09/08/2021	23.40

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				23.40
Total PROVIDENT LIFE & ACCIDENT INS (128033):				23.40
RAPID FIRE PROTECTION, INC (129543)				
	29355	Test fire system & backflow preventer at Rec	08/12/2021	465.00
Total :				465.00
Total RAPID FIRE PROTECTION, INC (129543):				465.00
RB CONSTRUCTION, INC (8410)				
	17.2655.10	REFUND CREDIT BALANCE	09/01/2021	80.89
Total :				80.89
Total RB CONSTRUCTION, INC (8410):				80.89
REMINGTON DEVELOPMENT LLC (131941)				
	2.1570.12	REFUND CREDIT BALANCE	09/02/2021	8.12
	2.1570.12A	REFUND UTILITY DEPOSIT	09/01/2021	500.00
Total :				508.12
Total REMINGTON DEVELOPMENT LLC (131941):				508.12
REYNOLDS, JAY (132803)				
	32136390	REC CENTER REFUND	08/30/2021	125.00
Total :				125.00
Total REYNOLDS, JAY (132803):				125.00
RIMROCK TIRE INC (8530)				
	2-220804	G08 TIRE REPLACEMENT	08/04/2021	379.36
Total :				379.36
Total RIMROCK TIRE INC (8530):				379.36
SABER PEST CONTROLL LLC (131183)				
	E142	PEST CONTROL - ELECTRIC	09/01/2021	80.00
	P154	PEST CONTROL - PUBLIC WORKS SHOP	09/01/2021	50.00
	P154	PEST CONTROL - PUBLIC WORKS SHOP	09/01/2021	25.00
	P154	PEST CONTROL - PUBLIC WORKS SHOP	09/01/2021	25.00
	R153	PEST CONTROL - RECYCLING/SANITATION	09/01/2021	60.00
	W152	PEST CONTROL - WASTEWATER DEPT	08/04/2021	85.00
	W153	PEST CONTROL - WASTEWATER DEPT	09/01/2021	85.00
Total :				410.00
Total SABER PEST CONTROLL LLC (131183):				410.00
SCHAFFER, JOHN W (132807)				
	090121	WITNESS FEES	09/01/2021	15.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				15.00
Total SCHAFFER, JOHN W (132807):				15.00
SHOSHONE MUNICIPAL PIPELINE (9130)				
	090121	SMP WATER PURCHASE - AUGUST 2021	09/01/2021	174,140.64
Total :				174,140.64
Total SHOSHONE MUNICIPAL PIPELINE (9130):				174,140.64
SKAGGS COMPANIES (131474)				
	450_A_74893_1	NEW OFFICER VEST	07/22/2021	930.00
Total :				930.00
Total SKAGGS COMPANIES (131474):				930.00
SMITH, KYLE (132805)				
	32188170	REC CENTER REFUND	09/01/2021	3.00
	32188172	REC CENTER REFUND	09/01/2021	25.00
	32188334	REC CENTER REFUND	09/01/2021	153.00
Total :				181.00
Total SMITH, KYLE (132805):				181.00
SOLORZANO, ANDREW (132799)				
	14.0386.33	REFUND UTILITY DEPOSIT	08/31/2021	300.72
Total :				300.72
Total SOLORZANO, ANDREW (132799):				300.72
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS	15581	OUTSOURCE BILLS	08/27/2021	15.99
ADVANCED INFO SYSTEMS	15581	OUTSOURCE BILLS	08/27/2021	98.82
ADVANCED INFO SYSTEMS	15581	OUTSOURCE BILLS	08/27/2021	90.48
ADVANCED INFO SYSTEMS	15581	OUTSOURCE BILLS	08/27/2021	89.87
ADVANCED INFO SYSTEMS	15581	OUTSOURCE BILLS	08/27/2021	111.68
ADVANCED INFO SYSTEMS	15592	OUTSOURCE BILLS	09/02/2021	8.53
ADVANCED INFO SYSTEMS	15592	OUTSOURCE BILLS	09/02/2021	52.75
ADVANCED INFO SYSTEMS	15592	OUTSOURCE BILLS	09/02/2021	48.29
ADVANCED INFO SYSTEMS	15592	OUTSOURCE BILLS	09/02/2021	47.97
ADVANCED INFO SYSTEMS	15592	OUTSOURCE BILLS	09/02/2021	59.61
Total :				623.99
Total SYSTEMS GRAPHICS INC (129162):				623.99
THOMPSON, JULIA (132651)				
	32165635	REC CENTER REFUND	08/31/2021	55.00
Total :				55.00
Total THOMPSON, JULIA (132651):				55.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
T-O ENGINEERS INC (131708)				
	171133-14063	BEACON HILL WATER TANK	09/08/2021	8,637.13
	171133-14063	BEACON HILL WATER TANK	09/08/2021	4,254.12
Total :				12,891.25
Total T-O ENGINEERS INC (131708):				12,891.25
TWO SISTERS CONTRACTING LLC (132780)				
	1016	CONCRETE REPAIR	09/07/2021	2,328.00
	1018	CONCRETE REPAIR	09/07/2021	1,972.00
	1020	CONCRETE REPAIR	09/07/2021	450.00
	1021	TABLE/BENCH PLATFORMS	09/03/2021	1,700.00
Total :				6,450.00
Total TWO SISTERS CONTRACTING LLC (132780):				6,450.00
UNUM LIFE INSURANCE - LIFE (127935)				
	9821	PREMIUM	09/08/2021	951.56
Total :				951.56
Total UNUM LIFE INSURANCE - LIFE (127935):				951.56
WARD, JAY (132801)				
	8.1160.11	REFUND CREDIT BALANCE	09/01/2021	69.48
Total :				69.48
Total WARD, JAY (132801):				69.48
WARREN, DICK (132806)				
	9.1210.18	REFUND PAYMENT MADE IN ERROR	09/01/2021	59.94
Total :				59.94
Total WARREN, DICK (132806):				59.94
WESTERN EMULSIONS INC (128433)				
	10-479651	CHIP SEAL OIL - LEC	08/24/2021	3,631.50
Total :				3,631.50
Total WESTERN EMULSIONS INC (128433):				3,631.50
WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)				
WORKERS COMPENSATION DIV	9921	CONRIBUTIONS	09/09/2021	9,606.68
WORKERS COMPENSATION DIV	9921	PD VOLUNTEERS	09/09/2021	11.61
WORKERS COMPENSATION DIV	9921	REC VOLUNTEERS	09/09/2021	87.07
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	248.58
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	.03-
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	.21-
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	.02-
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	.83-
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	90.63
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	889.99
	9221	2nd QRT UNEMPLOYMENT	09/02/2021	1,788.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				12,721.47
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				12,721.47
WYOMING MUNICIPAL POWER AGENCY (10920)				
	092521	POWER PURCHASE - AUGUST 2021	09/01/2021	354,406.07
	092521	DEMAND PURCHASE - AUGUST 2021	09/01/2021	446,958.54
Total :				801,364.61
Total WYOMING MUNICIPAL POWER AGENCY (10920):				801,364.61
WYOMING RETIREMENT SYSTEM (10950)				
	213622	CONTRIBUTIONS -	09/10/2021	19,897.56
	213623	CONTRIBUTIONS -	09/10/2021	30,055.48
	213624	CONTRIBUTIONS -	09/10/2021	33,040.75
Total :				82,993.79
Total WYOMING RETIREMENT SYSTEM (10950):				82,993.79
ZIVARO INC (131755)				
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	28.24
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	282.40
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	9.41
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	28.24
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	56.48
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	37.65
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	367.12
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	47.07
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	28.24
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	28.24
	ICO451327	EVAULT CLOUD DATA STORAGE	08/30/2021	28.25
Total :				941.34
Total ZIVARO INC (131755):				941.34
Grand Totals:				1,698,858.54

Report GL Period Summary

GL Period	Amount
09/21	1,698,858.54
Grand Totals:	1,698,858.54

Vendor number hash: 7771891
 Vendor number hash - split: 17177353
 Total number of invoices: 86
 Total number of transactions: 177

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	1,698,858.54	.00	1,698,858.54
Grand Totals:	<u>1,698,858.54</u>	<u>.00</u>	<u>1,698,858.54</u>
		Payroll 09/15/21	250,218.62
			----- 1,949,077.16

Report Criteria:

Invoice Detail.Input date = 09/02/2021,09/14/2021
Invoice.Batch = {NOT LIKE} "1"

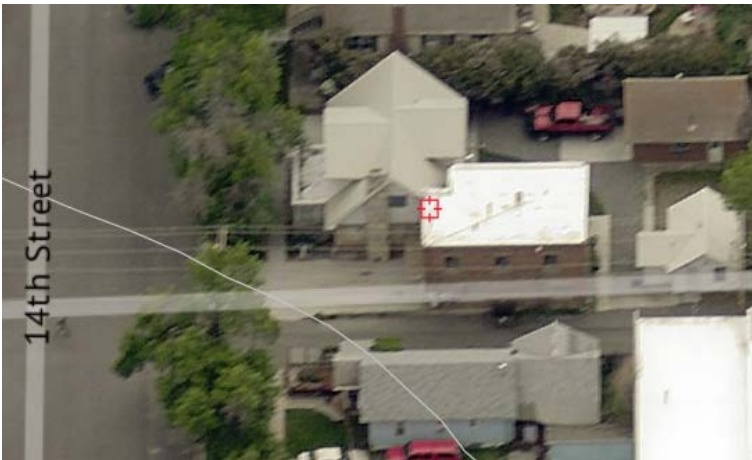
AGENDA ITEM SUMMARY REPORT

ENCROACHMENT LICENSE FOR

IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY AND ALLEY AT 1227 14TH STREET

ACTION:

Authorize an encroachment license for the existing building at 1227 14th Street, for longstanding encroachment into the 14th Street right of way and the adjacent public alley.



SUMMARY:

The primary building on the property at 1227 14th Street is a multi-family dwelling that occupies structures that were originally constructed about 1950. The front of the original house has its foundation encroaching approximately 0.5 feet into the 14th Street right-of-way. The portion of the structure next to the alley, encroaches into the adjacent public alley by 0.1 feet at its west end and 0.5 feet at its east end. As the building extends beyond the property boundaries, the potential purchaser and lender of the property at 1227 14th Street would like some assurance that the City acknowledges the encroachments and is not requiring their immediate removal.



Staff believes the encroachment license process is the extent of what can be offered. In effect it acknowledges the encroachments, requires the property owner to hold the City and utility providers harmless of any action involving the encroachments, and acknowledges that the improvements are on

AGENDA ITEM NO. _____

public property that is controlled by the City and they have no right to be replaced where currently located if they are removed or destroyed.

As the current City Council cannot bind future City Councils with long-standing agreements, the encroachment license is written to be subject to annual renewal, which can occur automatically, but it also includes a clause that the City can terminate the license for any reason if it so decides, subject to a 90-day notice.

FISCAL IMPACT

No immediate direct costs. There would be collection of a one-time \$200 fee.

ALTERNATIVES

Approve, deny or amend.

RECOMMENDATION

Authorize the Mayor to sign the attached encroachment license to authorize the existing multi-family dwelling at 1227 14th Street to continue to encroach into the City 14th Street right of way and adjacent alley. The license requires a one-time fee of \$200 to cover processing and tracking of the request.

ATTACHMENTS

Agreement for Encroachment License

AGENDA ITEM NO. _____

AGREEMENT FOR ENCROACHMENT LICENSE

The parties to this agreement are the City of Cody, Wyoming, (hereinafter CITY), a municipal corporation in Park County, Wyoming, and 1227 Cody, LLC (hereinafter OWNER). This Agreement for Encroachment License is made and entered into as of the date last signed by the parties to this agreement.

WITNESSETH:

WHEREAS, Owner is the owner of certain real property located at 1227 14th Street, Cody, Wyoming 82414, described as The North Half of Lots 23 and 24, Block 15 in the Original Townsite (now City) of Cody, according to the plat recorded in Book "E" of Plats, Page 58, Park County, Wyoming; and,

WHEREAS, a portion of the residential structure on said property encroaches into the 14th Street right-of-way and another portion encroaches into the adjacent alley, as depicted on the survey in Exhibit A, which improvements constitute an encroachment on public rights-of-way owned by the City.

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

1. City hereby grants to Owner a revocable encroachment license for the portions of the existing residential structure that encroach into the 14th Street right of way and adjacent alley.

2. Owner shall pay to the City, a one-time sum of \$200.00. The fee is for the use of the public right-of-way for the aforementioned improvements. Such fee shall be paid to the City before this agreement is effective, and no later than November 1, 2021.

3. The term of this agreement shall be November 1, 2021 through October 31, 2022. This license shall be renewable for successive one-year periods. Neither party needs to take any action to renew this agreement for another year. In the event a party wishes to not renew all or part of this agreement, that party shall notify the other party in writing at least sixty (60) days prior to the expiration of the then-current term.

4. Notwithstanding the term outlined above, the license for encroachment is given as a matter of convenience and the same may be revoked by the City at any time for any reason whatsoever, upon ninety (90) days written notice given by the CITY. Upon the expiration of the 90-day written notice, Owner shall have an additional ninety (90) days to remove the encroachment(s) from the city right-of-way to the satisfaction of the CITY, at the sole cost and expense of Owner.

5. In the event that the City or other utility provider is required to install, repair, modify, replace, upgrade, add to, or otherwise access utilities near or beneath the improvements noted herein, and removal of the encroachment is necessary in order to

do so, the City or other utility provider performing the work shall not be responsible for removal or replacement costs of the encroachments. Owner shall be solely responsible for all expenses of such removal and/or replacement, and Owner accepts the risk associated with having the encroachments on the public right of way. The City, or other utility provider, as applicable to the party performing the work, shall be responsible for restoring any trench areas to the original ground surface and assuring proper compaction. In the event that the City or other utility provider installs, repairs or modifies utilities beneath or near the aforementioned improvements, the City will endeavor to minimize the disruption to the existing improvements.

6. Owner assumes all liability for themselves, their lessees, agents, representatives, employees, guests, and invitees, and shall indemnify and hold harmless CITY, its agents, representatives, employees, officers, council members and agents from any and all claims, actions, lawsuits, disputes and controversies regarding use of the public right-of-way pursuant to this agreement. This indemnification shall include but not be limited to claims and actions for personal injury, property damage, economic loss, death and all other liabilities and losses to the extent arising under this agreement or from the use of the public right-of-way by Owner, their lessees, agents, representatives, employees or officers. This indemnification shall include reasonable attorney's fees incurred by CITY in defense of any action brought by any party against CITY to the extent arising out of this agreement or Owner's use of the public right-of-way. Nothing in this indemnification shall be construed to extend the CITY's governmental liability established under Wyo. Stat. Ann. § 1-39-118.

7. By entering into this agreement, CITY does not waive its sovereign immunity or governmental immunity, or any of the immunities, defenses or limitations available to it under the Wyoming Constitution and Wyoming law.

8. No provision of this agreement is intended or shall be construed to confer upon or give to any person or entity other than the signatories to this agreement any rights, remedies or other benefits under or by reason of this agreement.

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

CITY OF CODY, WYOMING:

By: _____
Matt Hall, Mayor

Attest: _____
Cynthia D. Baker, Administrative Services Officer

1227 CODY, LLC

By: _____

Name:

Title:

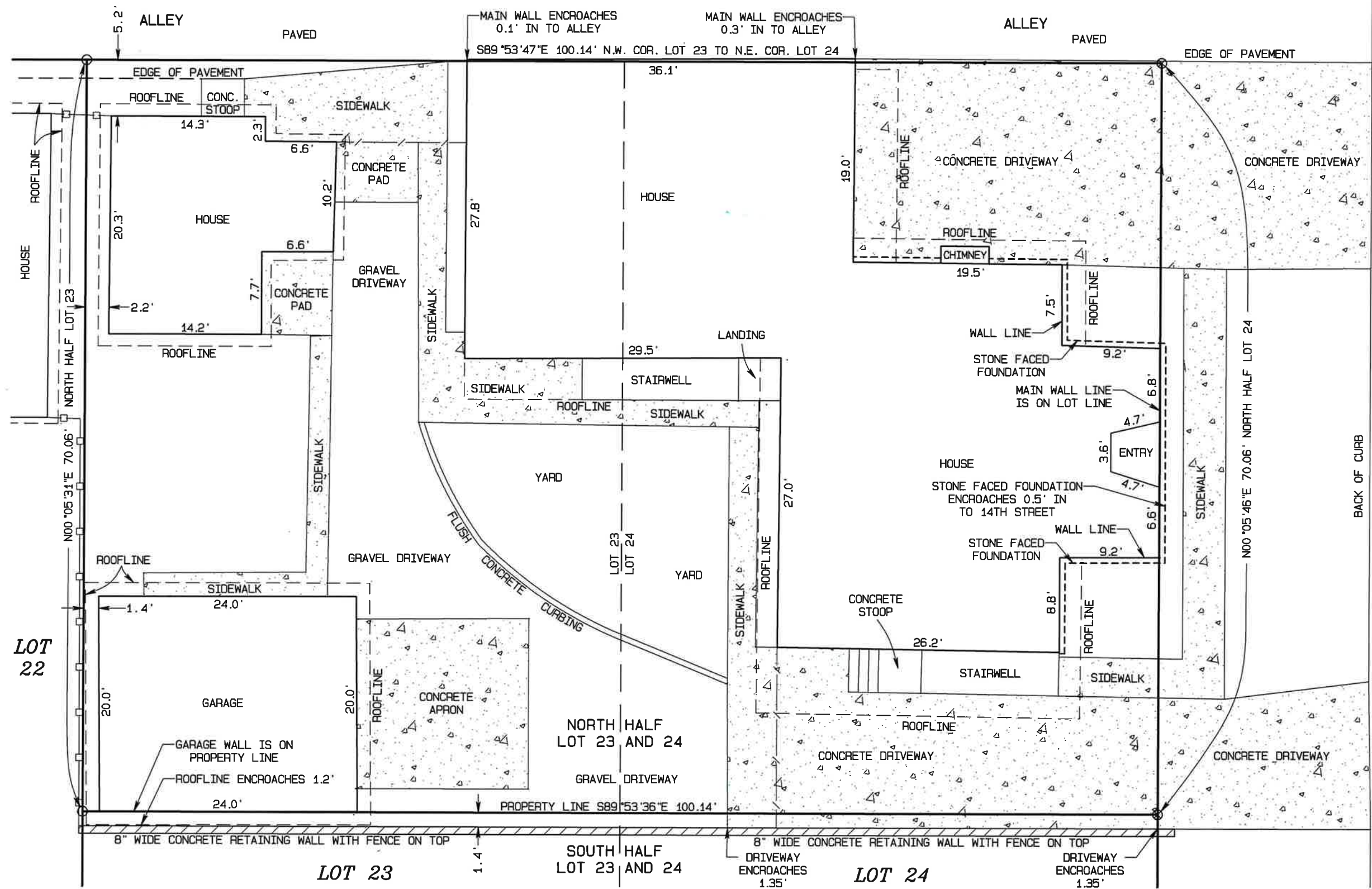
STATE OF WYOMING)
) SS.
COUNTY OF Park)

The foregoing instrument was acknowledged before me this _____ day of _____,
2021, by _____ as _____ of
1227 Cody, LLC

WITNESS my hand and official seal.

Notary Public
My commission expires _____

BLOCK 15, ORIGINAL TOWN OF CODY



SCALE: 1" = 10'

Morrison Maierle
 engineers • surveyors • planners • scientists
 1402 Stampede Avenue
 Cody, WY 82414
 Phone: 307.587.6281
 Fax: 307.587.6282
 COPYRIGHT © MORRISON-MAIERLE, INC., 2021

DRAWN BY: SDF
 CHKD. BY: RBB
 APPR. BY: RBB
 DATE: 08/2021

FRENCHTOWN ANDREW VICTORS NEW JERSEY
 SITE PLAN SHOWING NORTH HALF OF LOT 23 AND LOT 24 OF BLOCK 15 ORIGINAL TOWN OF CODY, WYOMING

PROJECT NO. 6869.001
 SHEET NUMBER 2 OF 2

14 TH STREET

EXHIBIT A (Page 2 of 2)

AGREEMENT FOR ENCROACHMENT LICENSE

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WHEREAS, a portion of the residential structure on said property encroaches into the 14th Street right-of-way and another portion encroaches into the adjacent alley, as depicted on the survey in Exhibit A, which improvements constitute an encroachment on public rights-of-way owned by the City.

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

1. City hereby grants to Owner a revocable encroachment license for the portions of the existing residential structure that encroach into the 14th Street right of way and adjacent alley.

2. Owner shall pay to the City, a one-time sum of \$200.00. The fee is for the use of the public right-of-way for the aforementioned improvements. Such fee shall be paid to the City before this agreement is effective, and no later than November 1, 2021.

3. The term of this agreement shall be November 1, 2021 through October 31, 2022. This license shall be renewable for successive one-year periods. Neither party needs to take any action to renew this agreement for another year. In the event a party wishes to not renew all or part of this agreement, that party shall notify the other party in writing at least sixty (60) days prior to the expiration of the then-current term.

4. Notwithstanding the term outlined above, the license for encroachment is given as a matter of convenience and the same may be revoked by the City at any time for any reason whatsoever, upon ninety (90) days written notice given by the CITY. Upon the expiration of the 90-day written notice, Owner shall have an additional ninety (90) days to remove the encroachment(s) from the city right-of-way to the satisfaction of the CITY, at the sole cost and expense of Owner.

5. In the event that the City or other utility provider is required to install, repair, modify, replace, upgrade, add to, or otherwise access utilities near or beneath the improvements noted herein, and removal of the encroachment is necessary in order to

do so, the City or other utility provider performing the work shall not be responsible for removal or replacement costs of the encroachments. Owner shall be solely responsible for all expenses of such removal and/or replacement, and Owner accepts the risk associated with having the encroachments on the public right of way. The City, or other utility provider, as applicable to the party performing the work, shall be responsible for restoring any trench areas to the original ground surface and assuring proper compaction. In the event that the City or other utility provider installs, repairs or modifies utilities beneath or near the aforementioned improvements, the City will endeavor to minimize the disruption to the existing improvements.

6. Owner assumes all liability for themselves, their lessees, agents, representatives, employees, guests, and invitees, and shall indemnify and hold harmless CITY, its agents, representatives, employees, officers, council members and agents from any and all claims, actions, lawsuits, disputes and controversies regarding use of the public right-of-way pursuant to this agreement. This indemnification shall include but not be limited to claims and actions for personal injury, property damage, economic loss, death and all other liabilities and losses to the extent arising under this agreement or from the use of the public right-of-way by Owner, their lessees, agents, representatives, employees or officers. This indemnification shall include reasonable attorney's fees incurred by CITY in defense of any action brought by any party against CITY to the extent arising out of this agreement or Owner's use of the public right-of-way. Nothing in this indemnification shall be construed to extend the CITY's governmental liability established under Wyo. Stat. Ann. § 1-39-118.

7. By entering into this agreement, CITY does not waive its sovereign immunity or governmental immunity, or any of the immunities, defenses or limitations available to it under the Wyoming Constitution and Wyoming law.

8. No provision of this agreement is intended or shall be construed to confer upon or give to any person or entity other than the signatories to this agreement any rights, remedies or other benefits under or by reason of this agreement.

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

CITY OF CODY, WYOMING:

By: _____
Matt Hall, Mayor

Attest: _____
Cynthia D. Baker, Administrative Services Officer

1227 CODY, LLC

By: _____

Name:

Title:

STATE OF WYOMING)
) SS.
COUNTY OF Park)

The foregoing instrument was acknowledged before me this _____ day of _____,
2021, by _____ as _____ of
1227 Cody, LLC

WITNESS my hand and official seal.

Notary Public
My commission expires _____

AGENDA ITEM SUMMARY REPORT
American Rescue Plan Act Encumbrance of Funds

ACTION TO BE TAKEN:

Approve Resolutions 2021-16 and 2021-17 to encumber funds from the American Rescue Plan Act.

SUMMARY OF INFORMATION:

On March 11, 2021 the President of the United States signed into law the American Rescue Plan Act (ARPA) to provide continued relief from the impact of the COVID-19 pandemic. The City of Cody has received the first tranche in the amount of \$848,807 on June 25, 2021 and expects to receive the second tranche of \$848,807 in June 2022.

In July 2021 Council held a work session to review information regarding ARPA and staff provided a list of potential eligible uses for the funds. At this time, staff proposes moving forward with the following projects:

Resolution 2021-16 Installation of a Fire Suppression System and Sound System Upgrade in the City Auditorium.

The purpose of this project is to improve the operating efficiency of the facility by meeting the Fire Code Regulations, which would allow a variety of activities, including event(s) desiring to consume alcohol to occur in this facility. Staff proposes to seek bids from qualified contractors to provide a full evaluation and inspection of the facility and provide a proposal for the design, and installation of a fire suppression system. Additionally staff recommends the upgrade of the sound system in the facility to improve the operating efficiency and meet the needs of the variety of events that are held in the auditorium. Currently the system is inadequate, does not provide acceptable acoustics when utilized in the main auditorium space and is questionable in the Cody Club room. Upgrading the sound system will not only meet current event occupants the audio needs, but may open up the opportunity for other events to consider rental of the space for other events.

Resolution 2021-17 - Funding for two Full-Time Positions as addressed as negative economic impacts by restoring public sector capacity

Propose using APRA funds to provide funding for the Full Time Customer Service Technician and Parks Maintenance Worker Position as allowed/address as Negative Economic Impacts through December 31, 2026 and reallocate from the divisions personnel funding to provide for an additional Full Time Police Technology Specialist.

FISCAL IMPACT

The estimated cost for these projects is:

Fire Suppression/Sound System Upgrade \$150,000

Positions

\$410,000 (From November 2021- through Dec. 31, 2026)

The estimated remaining amount from the first tranche if these projects are approved is \$154,475.00

These cost estimates may change once bids are received for the Fire Supression System and sound system upgrade, as well as, actual hire/start date of employee. Contracts for these items would be presented to Council for approval prior to beginning any work, as well as, budget amendment with final cost notes.

ATTACHMENTS

1. Resolution 2021-16
2. Resolution 2021-17

RESOLUTION 2021-16

A RESOLUTION ENCUMBERING FUNDS FROM THE AMERICAN RESCUE PLAN ACT FOR THE INSTALLATION OF A FIRE SUPPRESSION SYSTEM AND SOUND SYSTEM UPGRADE IN THE CITY AUDITORIUM BUILDING

WHEREAS, on March 11, 2021 the President of the United States signed into law the American Rescue Plan Act (ARPA) to provide continued relief from the impact of the COVID-19 pandemic, and

WHEREAS, such funds are to be used in accordance with the guidelines of the Act, and

WHEREAS, the City of Cody has received the first tranche in the amount of \$848,807.14 on June 25, 2021, and

WHEREAS, the governing body was presented with information on the requirements of ARPA and provided with a list of proposed projects that meet the eligible use criteria, and

WHEREAS, the purpose of this project is to improve the operating efficiency of the facility by meeting the Fire Code Regulations, which would allow a variety of activities, including event(s) desiring to consume alcohol to occur in this facility. Staff proposes to seek bids from qualified contractors to provide a full evaluation and inspection of the facility and provide a proposal for the design, and installation of a fire suppression system.

WHEREAS, additionally staff recommends the upgrade of the sound system in the facility to improve the operating efficiency and meet the needs of the variety of events that are held in the auditorium. Currently the system is inadequate, does not provide acceptable acoustics when utilized in the main auditorium space and is questionable in the Cody Club room. Upgrading the sound system will not only meet current event occupants the audio needs, but may open up the opportunity for other events to consider rental of the space for other events.

WHEREAS, under the Interim Final Rule, municipalities can spend revenue replacement funds on a variety of government services.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CODY that the City of Cody hereby encumbers ARPA funds for the contracting for the installation of the fire suppression system and upgrade to the sound system in the Cody Auditorium in an estimated amount of \$150,000. Upon solicitation of bids, the amount may require adjustment and final approval through a budget amendment Resolution.

PASSED, APPROVED AND ADOPTED ON THIS 21ST DAY OF SEPTEMBER, 2021.

Mayor Matt Hall

ATTEST:

Cynthia D. Baker, Administrative Services Officer

RESOLUTION 2021-17

A RESOLUTION ENCUMBERING FUNDS FROM THE AMERICAN RESCUE PLAN ACT TO PROVIDE FUNDING FOR TWO FULL TIME POSITIONS AS ADDRESSED AS NEGATIVE ECONOMIC IMPACTS BY RESTORING PUBLIC SECTOR CAPACITY.

WHEREAS, on March 11, 2021 the President of the United States signed into law the American Rescue Plan Act (ARPA) to provide continued relief from the impact of the COVID-19 pandemic, and

WHEREAS, such funds are to be used in accordance with the guidelines of the Act, and

WHEREAS, the City of Cody has received the first tranche in the amount of \$848,807.14 on June 25, 2021, and

WHEREAS, the governing body was presented with information on the requirements of ARPA and provided with a list of proposed projects that meet the eligible use criteria, and

WHEREAS, the purpose of this project is to propose using APRA funds to provide funding the Full Time Customer Service Technician and Parks Maintenance Worker Position as allowed/address as Negative Economic Impacts through December 31, 2026 and reallocate from the divisions personnel funding to provide for an additional Full Time Police Technology Specialist.

WHEREAS, additionally staff would advertise for this position, conduct interviews and follow all hiring practices as outlined in the City of Cody Personnel and Policy Manual.

WHEREAS, after December 31, 2026, this position would be funded and approved

WHEREAS, under the Interim Final Rule, municipalities can spend revenue replacement funds on a variety of government services, including addressing the negative impacts of COVID-19 by restoring public sector capacity.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CODY that the City of Cody hereby encumbers ARPA estimated amount of \$410,000 (during a period covering November 2021 through December 2026). Upon completion of FY the amount may require adjustment and final approval through a budget amendment Resolution due to potential adjustment to the Grade/Step scale, merit increase and/or other possible benefit changes.

PASSED, APPROVED AND ADOPTED ON THIS 21ST DAY OF SEPTEMBER, 2021.

Mayor Matt Hall

ATTEST:

Cynthia D. Baker, Administrative Services Officer